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The  
**Constitution**  
*Companion*

A Guide to Reading  
& Comprehending  
The **Constitution**

by

**Brian W. Kelly**

# The Constitution Companion

## A Guide to Reading and Comprehending The Constitution of the United States of America

A Companion Book: The Constitution by Hamilton, Jefferson, Madison, et al., written and edited by Brian W. Kelly is available on Amazon & Kindle

### *Study the Companion to learn the Constitution!*

Learn the US Constitution by using this book as a companion to read and comprehend the Constitution of the United States. It is the best approach you can take to understand our great form of government.

This companion book serves as a guide to reading and understanding any unabridged edition of the Constitution as freely available on the Internet. Brian Kelly's book, titled, The Constitution by Hamilton, Jefferson, Madison, et al. is a very suitable edition, which is available in paperback or download form from Amazon or Kindle.

This Companion to the Constitution introduces the Constitution as an empirical guide for learning the basic law of the land. You will no longer need to rely on fake news or an outright lying media for your facts about what is right and wrong about government.

This book describes an easy means of understanding the nuances about the processes leading to the Constitution and it presents the Constitution in a highly understandable, highly readable fashion.

Just because several powerful people choose to ignore our rights and freedoms does not mean we must endure tyranny. The first step of course is to understand the most basic written precepts of the land. Using this Companion to read the Constitution is a must for every US citizen.

You won't be able to put this book down once you begin the learning process.



**B R I A N W . K E L L Y**

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*The Constitution Companion*

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Author: Brian W. Kelly

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# Acknowledgments

*I appreciate all the help that I have received in putting this book together as well as all of my other 119 published books.*

*My printed acknowledgments had one time been so large that book readers "complained" about going through too many pages to get to page one of the text.*

*And, so to permit me more flexibility, I put my acknowledgment list online, and it continues to grow. Believe it or not, it costs about a dollar less to print each book when Book Hawkers was my main distributor.*

*Thank you and God bless you all for your help.*

*Please check out [www.letsGOPublish.com](http://www.letsGOPublish.com) to read the latest version of my heartfelt acknowledgments updated for this book. Click the bottom of the Main menu!*

*Thank you all!*





## Commentary / Preface

Welcome to the Lets Go Publish! edition of *The Constitution Companion*. This is Brian Kelly's 120<sup>th</sup> book! This original effort by the founders culminated in a document we all know as the Constitution of the United States of America. It was written, published, and ratified by the 13 states during the years 1787 and 1788 with some holdover states signing up later.

To help sell the Constitution to America, three primary authors, Hamilton, Madison, and Jay wrote 85 essays outlining how this new government would operate under the Constitution and why this Constitution defined the correct form of government for the United States.

The Constitution is a document that might be considered a small book or pamphlet but understanding the Constitution itself and understanding the words of the Constitutions in 2017 is not as easy as it might at first sound.

And, so, to better comprehend the purpose and meaning of the Constitution as the guiding set of laws for our nation, your author has written this companion book to the Constitution. You can find free downloadable copies of the Constitution on many Internet sites and there are books that fit in a suit pocket to regular sized books which tell the full story of this grand body of law.

Your author has a fine book available about the Constitution with the full text of four founding documents for your reading pleasure. You may acquire Brian W. Kelly's *The Constitution by Hamilton, Jefferson, Madison, et al*, at Amazon or Kindle. The Kelly book contains both an unabridged and much larger type version of the original Constitution document along with some helpful cues for understanding.

You may also access the Articles of Confederation, the precursor to the Constitution, as well as the text of the entire Declaration of independence and the Bill of Rights in addition to the text of the Constitution.

A tribute to the Constitution Society from their site follows. They would appreciate donations for their worthy cause:



# Welcome to the Constitution Society

This site aims to eventually provide almost everything one needs to accurately decide what is and is not constitutional in most situations, and what applicable constitutions require one to do. It is for constitutional decision support.

The Constitution Society is a private non-profit organization dedicated to research and public education on the principles of constitutional republican government. It publishes documentation, engages in litigation, and organizes local citizens groups to work for reform.

This organization was founded in response to the growing concern that noncompliance with the Constitution for the United States of America and most state constitutions is creating a crisis of legitimacy that threatens freedom and civil rights. Although the focus here is on government in the United States, coverage also includes the rest of the world, and private as well as public organizations. We maintain that the principles of constitutional republicanism are universal, and applicable to all nations, although not well understood or upheld by most. We also examine the related principles of federalism and nomocracy, the rule of law, of nomology, the science of law, and show how those principles are applicable to solving the fundamental problem of avoiding excessive or unbalanced concentrations of power.

***Lets Go Publish! and your author thank the Constitution Society for its great work***



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## About the Editor / Author



Brian W. Kelly retired as an Assistant Professor in the Business Information Technology (BIT) program at Marywood University, where he also served as the IBM i and Midrange Systems Technical Advisor to the IT Faculty. Kelly designed, developed, and taught many college and professional courses. He continues as a contributing technical editor to a number of IT industry magazines, including "The Four Hundred" and "Four Hundred Guru," published by IT Jungle.

Kelly is a former IBM Senior Systems Engineer and IBM Mid Atlantic Area Specialist. His specialty has always been problem solving and designing applications for businesses as well as implementing advanced IBM operating systems and software facilities on large client machines.

Kelly has an active information technology consultancy. He is the author of 120 books and numerous technical articles. Kelly has been a frequent speaker at COMMON, IBM conferences, and other technical conferences.

Brian was a candidate for US Congress from Pennsylvania in 2010. He loves America and knows that if we all understood the precepts brought forth in the Constitution, there would be little room left for anybody to argue against the good of America.





# Chapter 1 Americans Are Not Happy with the US Government or the Press!

## **The format of this companion book.**

After we demonstrate the need for the Constitution in the first several chapters of this book and we move on to discuss the purposes of the Constitution, and how this historically significant document came into being, we explain the text of the Constitution as we dissect it one block at a time. As a companion document to the Constitution itself, the major purpose is to explain the 18<sup>th</sup> century text of this short document so that it can be understood by those of us living in the 21<sup>st</sup> century.

## **How mad can we get with our government?**

More and more Americans are upset today because our Constitution has been and continues to be under attack by left-wingers –liberals, socialists, and progressives in America.

The Constitution, the law of the land, which you are about to study, has been unlawfully bypassed by opportunists in the Federal Government. That makes a lot of US “Mad as Hell!” Howard Beale in the paragraphs below represents all frustrated Americans. His story, though unrelated, really captures the mood and the emotions of America today, regarding a government gone bad!

You may not remember because you are probably not old enough but many others of you have enough years to have seen the movie long after its debut in 1976. So, if you have some baggage, and you have some time on your bones, you may remember back in November 1976 when Howard Beale, as played by Peter Finch, the long-time anchor in the movie “Network News,” gets the bad news that

eventually causes him to utter one of the most famous movie lines of all time.

Beale gets fired and is given two weeks. The long-time anchor has a very poor reaction to this news and he cannot control himself during the next news broadcast.

He promises to commit suicide on the air. The company immediately fires him—no second chances for a repeat performance. Beale is devastated and remorseful. He begs for the opportunity to say good-bye to his fans with dignity, and he is given his last opportunity ever for air time so that he can say his good-by's and also apologize. He gets his chance

Yet, once on the air, Beale is overwhelmed by his continuing circumstance. Buoyed by his many fans, he goes into another diatribe starting off with a rant claiming that "Life is bullshit." He is so passionate that his ratings spike as he persuades his viewers to shout out of their windows: "I'm as mad as hell, and I'm not going to take this anymore!" That is the line heard 'round the world.

Well, my fellow Americans, I bet you saw this coming, and I am going to deliver it as passionately in words as I can: "I am mad as hell, and I am not going to take this anymore." I bet you are too. Let me remind you.

Taxes are too high; elected officials are out of touch; government is too big; spending is out of control; the Affordable Healthcare Act has become a train wreck. Meanwhile, American heroes are dying in the VA system, and nobody, after spending \$160 billion per year supposedly on Veterans, can tell us why they are neglected.

The people of America see the federal government as incompetent. We Americans suddenly have no voice. We exchange five top Terrorist Taliban Officers from Gitmo for one PFC. Additionally, the President at the time pardons a United States Army soldier who was convicted by court-martial in July 2013, of violations of the Espionage Act and other offenses, after disclosing nearly three-quarters of a million classified, or unclassified but sensitive, military and diplomatic documents and after acquiescing to the "soldier's"

hunger strike demands for the taxpayers to pay for his gender reassignment (sex change) surgery.

Additionally, and this may be the worst; too many of US are too lazy or too beaten-down, to hold government accountable, and too many of our finest politicians are on the take.

It really is a train wreck. Corporate leaches have infiltrated our government. We have had record unemployment. Illegal aliens are smiling as they take American jobs; an unsustainable status quo supports special interests over the people's interests. And, when we look to the future we see a public education system that creates dummies. The graduates are so dumb that they don't seem to mind being called dummies. Scrooge would sum it all up with a hearty "Bah Humbug." It is that bad!

Though it recently seems to be recovering despite the efforts of those who want it to hit bottom, we still have the poorest economy since the depression, excessive welfare and income redistribution.

We see the corrupt media pumping out fake news at a blistering pace; The Russians have become all-powerful and are the newest fixation on the out-of-touch, vengeful socialist media. There is massive institutionalized lying; a corrupt state-loving press carrying water for government. Those who dispute this last point suggest I have it the opposite of what it is. They say that the government is carrying water for the press. It is hard to tell.

We have a debt large enough to kill America; a huge student debt that stops American graduates' successes; tyranny v. democracy; government lawlessness; freedom and liberty in jeopardy; American stagnation, and though some of it seems to be coming back, we look like goofs to the rest of the world as we have had a big loss as America's world prestige is dwindling more daily.

And, on top of that, the press beats its breast about its importance by suggesting that the former president learns about what's happening across the world from reading the newspapers. The new president must avoid the biased anti-administration press by using social media, massive rallies, and short tweets. He has no choice but to

bypass Fake News to get out his real message. Everybody in Washington gets a free ride with no accountability. It is that bad.

Our big government has become such a problem that most Americans believe that it can never again be the solution. Our finest hope, our youth; go through colleges in huge numbers only to become indoctrinated with the belief that capitalism and fundamental American values are passé and that the only concern they should have is global warming and /or climate change. Meanwhile, they live with mom and dad and are sacked with debt for life.

As a Democrat, I am smarter than most in my Party but I am disgusted with my Party. I know that the Democratic Party is the source of the ill fortune of millennials. However, millennials are so gullible, they appear even after four years of college to be stupid. They won't believe it and so they are not willing to fight the bad guys to make America great again!

This group of youngsters known as millennials are the smartest by cranium but they are the stupidest offspring America has ever produced from anybody's loins in terms of their gullibility and their willingness to sacrifice their future for a promising promise.

They have no clue what life is about and they actually protest American heroes such as Condoleezza Rice and Dr. Ben Carson. Both came to visit universities and were disrespected by the students, the administration, and anybody receiving a paycheck from an instrument of higher education.

Rutgers for example in 2013 picked a boardwalk babe, Snooki, rather than an American who loves America to give them their final addresses at their Universities. Hope is reserved for people who have never met today's millennials.

A very short set of of examples of the new no-free-speech policies of millennials follows:

Rutgers University shuts down Condoleezza Rice,

University of California at Berkeley shuts down Nicholas Dirks

University of California at Berkeley shuts down Ann Coulter

University of Chicago shuts down Anita Alvarez

Hampshire College shuts down Emily Wong

California State University at Los Angeles—Ben Shapiro

"These aren't diversity warriors," Shapiro told Breitbart News.

"They're jackbooted thugs."

Millennials, protesting at Middlebury College shouted down speaker Charles Murray; then they attacked him and a female professor Allison Stanger.

Like other one-time campus regular performers such as Chris Rock and Larry the Cable Guy, even Jerry Seinfeld now avoids doing shows on college campuses. Millennials already know everything. While interviewed about his change of habit, the comedian revealed why: "College kids today are too politically correct."

Millennials are taught to be anti-American by biased, strong-arm brown-shirt, coffee-breath far-left professors. Conservatives cannot get jobs or be heard on college campuses. There is no free speech anymore and Millennials claim they need no free speech to survive and prosper.

Millennials learn the latest in progressivism and socialism by know-it-all coffee-breath bums posing as exalted professors, and then, they are cursed by this constant indoctrination to lead unsuccessful lives. Even though Marx and Engels could not make communism work when they had their chance, the coffee-breath professors have an agenda at work that ignores even these basic facts.

Seinfeld says teens and college-aged kids don't understand what it means to throw around certain politically-correct terms. "They just want to use these words: 'That's racist;' 'That's sexist;' 'That's prejudice,'" he said. "They don't know what the hell they're talking about."

For years, I witnessed as a professor myself, how students are guided by communist professors in universities and the students now accept

that communism is not only OK; it is preferred to capitalism. They are inculcated by the elite progressives in their universities who believe free speech cannot be tolerated and who fill the heads of the all-too-willing millennials with mush.

Their importance is endorsed by the universities when they get to be adorned in their finest plumage at commencement ceremonies, and they process before all others to the stage. With such guidance, students have learned that they really do know it all, though their parents have no clue what happened to them on campus.

In recent years, it has gotten worse. The administrators and the progressive / communist faculty and student lemmings at a once respected university named Rutgers, embarrassed conservative speakers including a fine American, Dr. Condoleezza Rice. Rice was scheduled to be commencement speaker. She is a long-time major US historical figure who served as Secretary of State besides being a fine academic at Stanford University in her own right.

The students, faculty, and administration were nasty and unwelcoming to her and they protested her choice as commencement speaker. Rice appropriately rescinded her acceptance. The children have taken over campuses guided by the communists. Parents need to understand what is happening to Johnnie and Suzie on campuses across the nation.

The student loan burden prevents former student borrowers from buying homes, cars, and having a family. Yet students do not blame their elite faculty and their establishment universities for anything. They were blaming George Bush for everything until Donald Trump became an acceptable substitute. It is great to have brains today just like it was yesterday. However, it is just not respected if one decides to use them for one's own personal good or the public good.

Only retirees in their 90's can afford honeymoon cottages while looking for their next spouse. As many as 40 million student loan borrowers are too broke to engage in basic life. College loans, instead of lifting people to the top, have created a new race to the bottom,

On the International stage, under the last administration, America became a bad, unreliable actor, and frustrated zealots from the left

tried to make sure that nobody gave America a break on the world stage. The US administration for eight years now seemed to want to make the rest of the world strong by making America weak. The weaknesses of America are highlighted by a corrupt, mostly white press, who turned in their whiteness gladly to become non-descript because Americans have been doing too well because of white privilege.

None of this helps command respect for our country from anybody but the guilt-ridden university students and their "lucky to have a job" mentors on the faculty. Having been a faculty member, I know how bad things are. The only people who seem to care have names like John Q. Public. Thank you, John, for choosing this book about the US Constitution.

Other than the Saudis and the Israeli's in our new President's 2017 Mideast diplomacy mission, few in the world seem to be willing to give America standing ovations anymore. Nobody asks us for curtain calls. Our prior leaders spent the last eight years turning America's back on our friends and seemed to be paying homage and ransoms to our enemies.

How is this? As noted above. in mid-2014, we gave up five top command level terrorists from Gitmo for a POW who was a PFC when captured and promoted twice while in captivity. The POW is accused of desertion, and the Congress accused the administration of not following the law in the exchange.

Americans ask: "Has Congress lost all its power? Who has the power in the US?" The Constitution, which you are studying says it is the people! It helps us all to know the Constitution to know our rights so that a government gone bad can never deny them to us. That's why I wrote a book about this great document originally designed and written by Hamilton, Jefferson, Madison, as well as other founding American Patriots. So, it was understandable that I would write this companion book.

During the past eight years, we have seen smaller and weaker countries such as Russia, Iran, and North Korea, and now Syria continue to try to push US around and laugh at US. Until the current President bombed Syria, our only response had been to color lines on

paper, then ignore them but it was always OK to investigate fully to see if somehow the reason for any problem with jihadists et al was that the US offended them.

There was one time when we showed our greatness by counting the number of hits on a *hashtag of bring our girls home*, when no Americans were missing. Because of this powerful display of strength, we expected terrorists to cower when the number of twitter resends hit a million. Weakness is always followed by bolder and bolder aggressions by perpetrators.

We also refuse to have an honest discussion about why four Americans, including the US Ambassador, were permitted to die in Benghazi when the military says they were prepared to save them all. The then Secretary of State responsible for their deaths was then able to run for President as if their deaths did not matter. She had no problem telling Americans it made no difference.

We have a prior administration that blamed the Christian Government of Nigeria for not reaching out enough to the Muslim killers who kidnapped 300 girls for sex slaves. Boko Haram had captured and killed 49 boys just a few weeks before.

The captors boldly announced they would sell them on the sex slave market, and the US proved to be powerless in its feeble response. The new strategy until the Master Builder took over was to wait for time to go by so those who are at fault would be able to claim that it was old news and need not be covered.

Now, because the prior president finds fault with the current president changing his legacy items, there seems to be a back-door government formed that is known as the deep state, with the purpose of bringing down the government of the United States. How can this help everyday Americans? Maybe it is not supposed to help anybody!

What has happened to our good sense? Should there not be a set of laws written by sane people so that insane acts cannot occur without retribution? Why do our representatives, especially Republicans who seem to have lost heart, not represent America and live up to their oaths?



For me, these are the worst days of America that I have ever witnessed. Yet, before our new administration, our government seemed to have no problems that needed solutions. Clear-thinking Americans looked at these leaders as buffoons, without the wherewithal to tie their own shoes.

Americans reacted once the people knew the national government did not represent the people who lived in “regular states” How? One by one, US citizen voters replaced over 1000 legislators and were praying for a real man such as current President Donald J. Trump to come forth to save us.

Now that America has a new bold president, the Congress is not cooperating. The Republicans think they cannot be defeated by the people. And, so the purge of those in Congress obstructing the people’s will must continue one representative at a time until the people’s House and the Senate represent Americans.

It does seem that the leaders of Congress would like all Americans to be happy in a state of mediocrity, rather than being outstanding. “Don’t worry: Be Happy!” With Trump in control and the people feeling empowered, this will not stand. Read the Constitution so you know your rights. That is why I wrote this book.

If you have been paying attention, and I sure hope you have been as it is a civic duty, you know that there are even more issues than the exhaustive list we just walked you through. Having a people’s president in office is not enough. We as a country need to use the people’s power to solve the problems facing the country. There will be no excuses permitted.

I think this is the reason that you bought this book. Thank you very much. The Constitution is a survivor’s guide to dealing with a corrupt nation; a corrupt press; a corrupt government and corrupt politicians who believe they can trick you into finding them acceptable and worthy of your support. Don’t pay attention to them!

Since you bought this book about the US Constitution, I know you and I are on the right side and thankfully we are on the same side. Together, we can all help arrest control of our government back from

perpetrators wishing to destroy US and keep them from ever governing again.

We first must understand what is going on and we then must understand our rights. Even before you and I and everybody else are on board, just like Howard Beale, we must start the first wave of solutions by opening our windows all the way and shouting as loud as we all can: “I am mad as hell, and I am not going to take this anymore.”

Then, we must make sure that we talk to all of the other great citizens out there that we know—people like you and I and others – our relatives and our friends. Let’s help them know that unless we all fully engage in America, when we wake up from our deep fog, there may be no America left for our progeny. We will have blown it for sure if we ever choose to permit it to happen.

# Chapter 2 The USA is a Constitutional Republic!

## A Representative Democracy

The Constitution prescribes that the US is a representative democracy, which as you will see, along with having an elected chief executive and a constitution also makes the US a Republic. The pledge of allegiance notes the words: "...and to the Republic for which it stands," for our country is both a representative democracy and a republic. Republic and Republican as both are used today are dissimilar.

When we think of the very important notion that "America is a representative democracy," watching the "clowns" from both parties who occupy our central government, it is a sane question to ask if this is really true.

The song, "Is that all there is?" comes to mind. We are nothing like our parents and nothing like our founders. We have good reason to be ashamed of our government, but then again, our country today is so far off the founders' mark that even shame is not politically correct.

A representative democracy is the foundation of America. However, what makes America, America is that we are also a Republic, the finest form of government ever brought forth by mankind.

We also have a set of laws, beginning with our Constitution, the primary law of the land. These laws govern all people and all politicians in perpetuity—as long as the people hold the politicians accountable.

The simple definition of a republic (from Latin -- *res publica*, meaning is as follows: a state in which supreme power is held by the

people and their elected representatives, and which has an elected or nominated president rather than a monarch.

In practice in a republic, the government is ruled by elected leaders run according to law. The law in our country is The Constitution. Unlike a democracy, a republic is not based on majority rule. The law of the land, a Constitution gives the minority in a Republic, a voice. Those on the left who defame the Constitution today choose not to realize that it is the Constitution itself as it defined the US as a republic, that gives minorities their right to dissent

Our biggest and most important laws within the US Constitution are written so that the government cannot hurt the people (US) or impose its will upon US. Our country was founded by some very smart people and they knew that without constraints on any government, which could potentially go wild, the people would not be able to win.

The constraints in the Constitution are implicit in that all of the rights are owned by the people, and only those rights explicitly given to government are for the government. In our time from 2014 to 2016, and for most of the Obama years, it sure has seemed that the people's rights have not counted for much.

President Obama's rights, when he operated as an apparent dictator for eight years, had been what mattered and what concerned so many citizens. Even Republicans backed down for eight years fearing Obama and the press as if they were instruments of the people.

In 2016, the full body of people in the US got fed up with Obama and Hillary Clinton, his president designee along with all other dishonest politicians in America. Though the press and the esteemed Republican establishment told the people every day that Donald J. Trump was not worth their vote, the people rejected the establishment on both sides. Despite the cold advice from the entrenched "Swamp," Donald Trump emerged as the only good guy in town. God bless him in his victory!

This great body of law known as the Constitution, therefore makes politicians and others in government fear a backlash when they attempt to deny the people, even just one person, liberty and

freedom. In a pure democracy, if the majority decided that you or I should be killed, nothing would necessarily stop the mob. But, in a republic, our form of government, it is the rule of law which prevails and the rule of law starts with the Constitution. The past president unfortunately was not a fan of the rule of law.

It seems for sure that many in our nation today, mostly on the far left, are trying real hard to kill America's America by demeaning the Constitution and the Bill of Rights in particular. They publicly have mocked a duly elected President and called for his impeachment before he was given a chance to appointed a Cabinet.

You more than likely selected this book to help fight them off. They are mean and nasty and wrong. Thank you. I wrote this book to help you use the Constitution as your tool to be strong and so you do not have to acquiesce to far left politicians and corrupt politics.

If you could figure any way to put an unmovable grip on corrupt politicians, right now or in the future, would you not do it? The founders of America put a stranglehold on all political agents of the future when they wrote and adopted the US Constitution, the greatest body of law ever written in any civilization. It took over 200 years for the corruption to overwhelm politicians so that they have succeeded in weakening constitutional law to suit the needs of politicians. Thus, we must gain back the power of the people.

Of course, if we the people do not know what is written in the Constitution, it cannot help us much. Can it? If we do not understand it; it cannot work for us! So, it is time for all Americans who have not been paying attention to stop playing dumb as political sport for the elite. It is time for regular people to rule America as our birthright as citizens of this great country commands US to do. Let somebody else eat cake!

And, so, my fellow Americans, that is the number one reason that in order to form a more perfect union of the original thirteen colonies / states, and with more states expected after the first thirteen, our forefathers built the finest Constitution ever fashioned by the pen of human hands.

The Bible, from the hand of God, may be the greatest story ever told in the greatest book ever written, but the Constitution is as good as it gets for the goodness of man, written by the hands of our first patriots, and surely this document was written with the guidance of the great Hand of God.

In this day and age, there are everyday attempts by the government to undermine our lasting Republic, which is an almost pure constitutional representative democracy. The attacks most often come from the left side of the political spectrum. Democrats can be better patriots for sure. But even Democrats are victims today. If they wanted to break away from the vile spew of what Rush Limbaugh calls the Drive-By Media, they would be swatted down like flies. It cannot be done one citizen at a time yet it must be done one citizen at a time.

## Democracy is the opposite of communism

The ideology of the progressive left favors Marxism and its simpler forms of socialism and communism. Since Americans do not typically vote for socialists, communists, or Marxists, other than some who voted for Bernie Sanders rather than crooked Hillary, there are things that nobody other than a crooked politician should want.

If you are unaware of this in today's government, it is time you considered paying more attention. No politician wanting to be elected will admit they are more communist than American. Yet, as much as it pains me to tell you, unfortunately, they are!

These overtures, which demean the Constitution, the fabric of our democracy, originate from corrupt politicians who have been caught up in a leftist movement, which would like to end capitalism, and bring on a progressive / socialist / communist order to replace the American Dream, and all the dreams of *We the People!*

Our Republic as noted is a representative democracy constrained by laws. The Constitution is the biggest constraint that prohibits

government from taking over the people—and that is good. Yet, we do have representatives. Do they earn their keep?

One midnight, I asked myself one of those haunting questions: “Isn’t it about time that we real Americans actually had some real "representation" from the so-called representatives in our so-called representative government? I said to myself: “Yes it is!” It doesn’t have to be a dream.

If we believe, it can easily again be made a reality. That is why the slogan “Make America Great Again.,” hits a chord. And, we should scream it out at the polling places and at our representative’s offices as often as we can. We should accept nothing less. Americans rule America. It is our birthright given to us by the founders.

## **The people have the responsibility of keeping government honest!**

It is up to all people in this great country to understand our laws—first the Constitution, and then to pay attention that our leaders follow those laws. When the top officials in our government do not follow the laws of the land, we must learn to send them home every two, four, or six years, as determined by the term lengths as set forth in the Constitution for our House (2 years), the President (4 years), and the Senate (6 years) respectively.

To say it more clearly: We get to throw the bums out and replace them with people of character on a regular basis; so, don’t give up! Do not let the politicians think they run the country! That is why our government has worked well for over 225 years. When we get bad apples, we must throw them away by voting them out. Of course, that means we must vote in order for our choices to matter. And we must be willing to vote our own representatives in the House and the Senate out of office when they choose to not do their jobs on behalf of the people.

## Representatives are of the people?

Though the representatives are supposed to come from the people, a type of political class of elites has come about and seldom do we get to vote for representatives that are like us anymore. They come off like they care but they are not truly representatives of the people. Many live in gated communities far away from the people, and some even use taxpayer dollars to build their gates.

By understanding America better, and especially by understanding our Constitution, Americans have a far better chance of bringing good and honest government back to the people. We must not be afraid of casting out the evil politicians in our government.

The way it now works is too easy for graft and big-time corruption. There is far too much separation between US, the electors, and them, the elected officials. As noted, more and more officials choose to live in gated communities, unaware of what is happening on our streets. These elitist officials who promise, but do not deliver, choose not to socialize with the rabble such as us for we are only their constituents. They are members of the SWAMP and they like it that way.

The Constitution provides that elected officials are given the task to coordinate our pooled resources for the intended benefit of “everyone.” But everyone is often not included. And politicians often take credit for spending US Treasury dollars on things that simply buy themselves votes. Nobody wants this and so it is up to all of US to change it.

Do our representatives in the second decade of the twenty-first century have a genuinely compelling concern for the people and our government or is this simply our notion of Nirvana? We know that Nirvana is the name in Buddhism as its final goal—a transcendent state in which there is neither suffering, desire, nor sense of self; and the subject is released from the effects of karma and the cycle of death and rebirth.

If it is not Nirvana, perhaps it is a Disney-like Utopian myth perpetrated on US by these same “benevolent politicians?” Of course, it may be that our representatives do not care because we do not hold



them accountable. We elect them even when they are knaves—even thieves and criminals. Do any of US think politicians really care about the people?

I propose the latter. Our government is wholly unaccountable to We the People. Today, our government rejects the fundamental principles of our founding and has no real legitimacy the further it drifts from the precepts of the Constitution.

The US was not designed this way. The Constitution is the blueprint for our Country's design. It was designed by a group of artisans to not only represent their artistic touch, but to be held as the behavioral creed of the people, for the people, and by the people, forever. What thinking human being blessed to be part of America, could ask for anything more?

If you think that life, freedom, liberty, and the ability to pursue your own happiness are simple notions, and givens, in any civilization, get out your thinking cap, and think again. Why do people from all over the world crash our gates just to get in? Americans are exceptional in that we have full freedom and liberty in our country, and with that we can exceed all limits. Go to any other country, and this exception no longer applies.

Traditionally, the USA has been the freest nation in the world with rights withheld from government and rights given to the people by our Constitution. Today as our country's foundation is being threatened from within, more than likely you are reading about the Constitution so you can help protect your rights as well as this great nation, which provides them.

Which would you first give up? Your freedom? Your life? Your liberty? Your family? Or your ability to do what you need to do to be happy? The sanest answer of course is “none of the above.”

Who could ask for anything more than being an American? Ask the last arriving immigrant! We are free! But, if Americans do not care about our founding precepts, maybe our freedom, our lives, our liberty, our families, and our ability to do what we need to be happy, will be taken from us one day—perhaps in the not-too-distant future.

If the design of our nation, America, which the founders labored to create is so great, you might ask, why is it that our current lawmakers ignore it? Republicans and Democrats alike appear to be indifferent to the needs of the people they represent.

They have no trouble going with the flow and committing US to years of debt without even taking the time to read the debt-ridden legislation for which they vote. Neither the Constitution nor the Founders would approve of what our representatives, including our prior past president, have done to our country.

Even worse, members of Congress, our alleged civil servants, are able to get away without doing their jobs, while collecting more and more remuneration for their main act of harming the American people at large.

The true answer to that question is very unfortunate for Americans. There is tacit collaboration in undermining the principles of our Democratic Republic by our supposed representatives, their supporters, the special interests, and their corporate interests. We the people now come last.

They think we are not paying attention. Maybe we have not been paying enough attention but don't you agree that is about to end. Paying attention is about to become the motto of the free in America!

## **Legitimate immigration was necessary**

Americans are all pro-immigration to the extent of our laws. If Americans were not pro-immigration for example, Columbus and his shipmates and their families more than likely would have withered away from disease or cold winters or they would have lost their battles with Native Americans. All fifty states; at least the mainland forty-eight, would probably now have Native American names, and they would be run by the same financial wizards who run today's highly successful casinos.

After the USA was in operation as a country with a Constitution for just several years, its population was approaching 4 million people.

This is just a million more people than the annual flow of illegal immigrants from south of the border.

On March 26, 1790, almost 225 years ago, the second session of the first Congress (operating under the Constitution with a House and a Senate) approved the new nation's initial effort to create the rules under which foreign-born persons could become U.S. citizens.

From this point on, our borders were not open per se, and we had laws (rules) for how those wishing to be Americans could come to visit or to become Americans. All Americans after this point who immigrated were to follow the law of the land.

The Naturalization Act of 1790 specified that "any alien, being a free white person," could apply for citizenship, so long as he or she lived in the United States for at least two years, and in the state where the application was filed for at least a year. The new law also provided that "children of citizens of the United States that may be born ... out of the limits of the United States shall be considered as natural born citizens."

In effect, it left out indentured servants, slaves, and most women. It also mandated that one must "absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty." Though these terms were seen as quite generous, still the law denied the right to naturalize to "persons whose fathers have never been resident in the United States."

Immigration law was becoming more important and the laws have been changed several times since 1790. For example, in 1795, as anti-immigrant feeling began to grow, the necessary period of residence to become a citizen was increased from two to five years. Immigration law became firmer as the nation aged. Citizens were not interested in foreigners winning the economic battles for which they had paid blood.

Enter special interests, who like to bypass laws and have their friendly "owned" politicians let them get away with whatever. Regarding immigration, you already know that there are two major special interests. The first special interest is the Democratic Party, which believes that if all illegal foreign nationals were immediately

made citizens, the Democrat Party would never lose another election. That is a great motivator to bring all foreigners in immediately and make them all citizens of this nation.

And, so, even though they have taken American jobs and driven down the average weekly wage, your Democratic Representatives in Congress still advocate amnesty and citizenship for them, promising less prosperity for all American citizens. And, unfortunately, most Americans, not seeing that the representatives have become socialists and communists, looking for a poor continually underserved underclass, they will vote them back into office to their own peril.

Their major concern of corrupt politicians is that the Democrat members of Congress get reelected and a Democrat president gets elected each time. Bringing in poor people from south of the border, who feed from taxpayer welfare systems, assures the Democratic politicians of their votes.

The second special interest is also against the people. They do not gain at the ballot box. However, illegal foreign nationals do provide huge gains in the wallets of American Business. American businesses, represented today by the elite Republican establishment, love paying the smallest wage possible. Since illegal foreign nationals work for peanuts, this is a perfect marriage of needs.

Traditional Republicans (known today as the SWAMP) have great alliances with businesses through powerful lobbyists. The only groups, who align with the majority of Americans and who oppose blanket amnesty and who are 100% pro-American citizen philosophically, are conservatives. These are the same people who once claimed allegiance in the TEA Party.

They differ on immigration with elitist Republicans, and opportunist Democrats. No sane American citizen suffering from the worst economy since the depression would be asking the government to invite in more wage lowering workers.

After Republicans during the Obama Administration, chose to side with Democrats when becoming the majority in the House and Senate, Tea Party advocates went underground in disgust.

Many of the same people who once made up the Tea Party transformed from idealistic Tri-cornered hat wearing patriots, who believed that Republican campaign rhetoric mirrored their beliefs have changed their orientation. They have become much savvier and in some ways more cynical electorate. That is why Donald Trump did so well. Smart people do not like to be snookered to look like fools. The elitist establishment Republicans are held in poor regard by any thinking Conservative citizen. The TEA Party did not die, it just went underground waiting for Donald J. Trump.

Thomas J. Donahue, as bad a man as an Irishman can be is the President of the US Chamber of Congress. He and his group are a disgusting voice for the establishment. They lectured Republican lawmaker wimps that if they did not pass amnesty, the Republicans shouldn't even bother to run a candidate in 2016. Can you imagine the gall?

Populist conservatives got the message loud and clear that establishment Republicans could not be trusted. We watch Donald Trump, our President every day so that he is not tempted to give an inch back to the SWAMP. The C of C is the SWAMP. We could do without them for sure.

The C of C cares nothing about workers' salaries but cares a lot about corporate profits. Donohue demanded that lawmakers pass amnesty rather than pass on funding from the Chamber for their reelections. Observing the establishment has begun to make populist conservatives suffer from nausea. The C of C is the worst of the worst.

Back when Conservatives who would not declare as Republicans were the plurality of the Republicans Party, you may recall that the US Senate, controlled by Democrats, passed a global amnesty bill in early 2014, and they were pressuring the House of Representatives to do the same.

The conservatives in the House would not budge thankfully. Of course, if they passed this scourge on America, just as Marco Rubio got beaten by Trump in 2016, the people would have revolted quickly and with no excuses left, we would have thrown out both houses of

Congress and started over. The people have lots of power when we “pay attention.”

The immigration issue is being put forth to demonstrate that our legislators care more about other factors such as reelection and donations than they do about the people. We have enough people in the country right now or else our real unemployment picture would not look so bad. Why bring more “slave labor” into the country when we know it will make the problem of making ends meet for American families that much worse?

Perhaps too many of US, until things got this bad, had been hoping George would do it! Well, George Washington, one of our finest patriots is long gone, and unless you know of a recent George with the time, it is up to US to do it. Those in Congress who bow to special interests and liberal instincts should be made to take their final bows.

And, by the way, the two George Bush’s did not get it done either. But, yesterday’s President – just months ago in 2016 and before, and his Attorney General would not even give it a try. They chose to be the other team. They chose not to enforce any immigration laws. They did not follow the law of the land, the Constitution. This is tyranny, yet with a Republic Congress that deferred wimpishly to the president, it was tough to get action on behalf of the people.

This book is not about immigration, but it is about the Constitution and since the Constitution incorporates the Bill of Rights in its core. Both of these patriotic documents help all Americans to know that the laws are made for Americans to benefit. To demonstrate the lawlessness of the prior administration and the disdain they had even for war heroes, here are a few anecdotes.

Without a scintilla of Constitutional authority, yesterday’s President ordered well over 30,000 imprisoned criminals in illegal status to simply be released so “they could be reunited with their families in the US.” Among them were documented rapists and murderers. The homicide victims got no say. The criminals were released from prison into the US. They were not deported to their home countries.

They are even now with a new President, back on the streets of the US. Did we really need 30,000 more criminals on our streets? Yesterday's President believed that we should cajole and love the 60,000,000 souls in our illegal population, and he acted as if our laws did not apply to him or to foreigners.

Meanwhile these 30,000 American citizens in prison were not released to be with their families. I agree American criminals should not be released but neither should foreign national criminals.

There is another true story that shows how ridiculous it has been for the US to bend over backwards to coddle 30,000 criminals with illegal foreign national status. Mexican authorities know how to handle immigration.

The Mexican government punishes Americans in Mexico for the smallest of infractions and will not free them even when there is national outrage in the USA. About a year ago, many of you may recall that Mexican authorities were holding Sergeant Andrew Tahmooressi, a Marine war hero from Florida. It did not matter to Mexico.

Major US outrage was expressed in a headline from Memorial Day Weekend, 2014: "Leave no man behind: Why is Team Obama unable to bring home Marine held in Mexico?" Later many were wondering how today's president could free a deserter from the Taliban and completely ignore the plight of a hero marine.

While on the battlefield, this brave Marine, held captive in Mexico saved eight fellow Marines from the Taliban, and in a separate incident, he saved a Marine from bleeding to death after he stepped on an IED and lost his legs. Tahmooressi also suffered a concussion when his vehicle hit an IED.

On March 20, 2014, the U.S. Department of Veterans Affairs diagnosed this young soldier with Post-Traumatic Stress Disorder (PTSD). Yet, even our past President chose not to do all he could to get him freed from a Mexican Jail. Maybe this President had not yet made the call, or maybe he simply did not like Marines? Or maybe he had no power? Who really knows?

This unlucky former Marine simply mis-navigated the San Diego highways and ended up in Mexico. Rather than being treated with respect and returned, this hero Marine was apprehended and incarcerated and after two to three months, he was still there fearing for his life in a dreadful and very dangerous Mexican prison.

After a night in which he avoided death from a prison “Hit Squad,” he was placed in solitary confinement with his four limbs chained to a bed. We treat no illegal foreign nationals with such cruelty. Maybe Mexico is trying to teach the US how to treat border violators?

Can it be that too many of US and too many of our friends have been constitutional dummies for too long? Perhaps understanding our rights and government limitations from the Constitution, as well as your exhortations to all your friends will help many Americans awaken to what happens in a country in which government, rather than the people, has the stronger hand.



# Chapter 3 Why Does “The Constitution” Matter?

## Americans are too trustworthy

Our representatives are in office far too long and they gain relationships with other politicians, corporate moguls, and lobbyists, who make up the ruling class. Instead of thinking about the folks in Danbury or Wilkes-Barre, or Clarks-Summit, or Santa Rosa, or Chicago, or Avoca, or Great Plains, or Orlando, our esteemed politicians begin to think they belong in Washington DC, not their home cities.

The social life in DC is lots better than most home towns, and our devoted representatives get to rub elbows with the hoity-toity, and the progressive Marxist communists that do not exist in their home areas. They get corrupted. It is that simple. All of a sudden, they are important, and being from Podunk or Plymouth does not matter. They begin to like the trappings of Washington more than being with their loved ones back in their home states.

And they try to please the lobbyists and the communists and even those on the other team. They want to be liked and they want something in return that they don't get from the home town folks. Sometimes it is gifts, sometimes it is invitations to the best parties, and sometimes it is the promise of a great job if not reelected. The longer they are in Congress or in politics per se, the greater the opportunity for corruption.

Unfortunately for all Americans, the new “important” relationships trump the notion of fair representation for the people (US) from back home. When they take their oaths of office and they promise to represent US, most are sincere at the time. That may be the last time.

Once they come to Washington, they experience the trappings and the temptations. And, because humans are only human, way too many of our finest national officials stray from the mark and contribute to the re-creation of a country of which few thinking Americans are proud today. President Trump calls it the SWAMP.

Yet, we Americans are either too kind or not enough self-assured that we trust them even after innumerable lies and self-aggrandizement. We can't believe they would do "that;" yet they do. So, like dummies, we go ahead and we call them hizzoner or herronner and we reelect them because we think they really cannot be that bad. But they are!

Ladies and gentlemen, they are that bad. Stop electing them. Their biggest fear is that someday all Americans will understand the Constitution chapter and verse. On that day, we have all the rights, and they have zero.

Think about our Forefathers, especially George Washington, who guided our troops in the revolution against England's tyranny. Think about honest Abe Lincoln, who freed the slaves and saved the union. They would weep to see what their political successors, our representatives, have done to our nation.

So, our fair-haired representatives (figure of speech) choose to represent themselves and their special interests, rather than the areas of the country that sent them to the Congress of the USA to represent the people. Perhaps a dose of Lincoln's "honesty," is all that is needed to save the day. Wouldn't that be nice?

Our "honorable," do not even seem to care for our well-being. They do, however, care for their leadership positions, which make them big shots. They care for themselves for sure. Unfortunately, they just can't get it into their heads that we the people are the reason they are in their positions in the first place.

We the people are the employers of all members of Congress, and they serve at our pleasure. The more we all understand that the tighter the reins we can place on errant politicians, the more the people are in charge. It is not too late. The Constitution is our guide and it is our license to rid ourselves of a poor government.

We must understand the Constitution in order for it to work again for US and for America. The last thing we should consider doing is to permit corrupt politicians that we unfortunately have already elected to serve the people, to disembody our Constitution through legislation or by permitting improper unconstitutional executive actions.

Part of the problem is our fault since we do not check them out well enough before we slam them into office. To make it simple to understand this notion—if there is a rotten piece of fish in the market and we select it for dinner, whose fault is it when it doesn't taste so good and our guests get sick? So, when we pick a rotten person to represent US—whose fault is that? You see, we do not have to be dummies. We simply too often choose to be.

Does it matter whether the government is controlled by Democrats or Republicans? Democratic leaders have become liberal socialist progressives, just this side of communists over the past several years. The Democrats at home are not far leftists but their leaders are. Republicans still seem to love the American way and are not moving the country towards communism. But, Republicans are too passive in dealing with Democratic leadership that appears hell-bent on destroying our country.

Our country's demise rate grows at a higher rate when leftist progressive communists are in office. When Republicans take over, though it lessens, it does not go to zero as it should because a number of Republicans have become progressive also.

So, right now at least, Republicans, especially conservative Republicans are a better choice for America than Democrats. As a conservative Democrat myself, that is very tough for me to say. I wish it were not so. The best thing for America is to vote for conservatives, populists, and nationalists—people who love America, even if they are Democrat. But, the facts show most conservatives are either Republican or Libertarian.

The people have been short-changed on the notion of representation and honesty. Honesty is the first thing to go when a representative must lie in order to get the extra benefits their positions can deliver.

When has any incumbent representative run effectively on honesty? Is that because we the people do not care about honesty or are we all smart enough to know that they are kidding. We do not need the Constitution to know that but it might help us to be more honest if we knew and loved the Constitution just a little bit more. Either way it is our fault. We voted all of these 545 miscreants to run our government. We get the government we deserve.

Somebody once said that if you like your honesty, you will be able to keep it and it should save you about \$2500.00 per year. Do you remember who that guy was? He was talking about us all saving \$2500 on Obamacare policies. How'd that work out for you? Helping fight a guy like that is a great place in which we can use our knowledge of the Constitution. Let's hope we do not have to do that again.

Nobody said that exactly but some president at some time in the last several years did tell Americans that we could keep our doctors, health policies, and that in so doing we would save at least \$2500.00. I am not kidding. He still tells lies because no person in Congress, especially Republicans, ever felt strong enough to take him on.

My objective in this book as in many others, is not to have you know who said that or to get you upset whether he or she did or did not say it. I just want you to think about what the founders promised and what American government had been delivering to the people before the liars took charge of the government. There is a chasm. We the people can fix that. Learning the precepts of the Constitution can inspire US to get that task done. Don't stand for their lies.

My objective is to help smarten you up so that guys like that, whether they are the president or not, do not get to treat any of us like chumps. Each time I write about this topic, I get smarter also as we all must keep learning all our lives and we must be watchful to keep our freedoms.

America is built on fairness, goodness, and individual strength. We are not supposed to give politicians an even break. The Constitution is our law and it is our obligation to pay attention so our rights are not violated by grabby politicians. If you happen to be in this low

information / overly nice category, thank you for visiting this book. I hope that through these writings, you will become a better American.

The low information gullible people in America must smarten up or we are all toast. Everybody's vote counts the same. When those who choose to not pay attention vote, it is a big plus for dirty politicians and a big loss for real Americans.

When you have the time, please finish reading this book, and you will understand how smart you can be and how much power you can wield against those who care nothing about you or me, or America. Always keep your eye on the ball and do not give the ball up to an opponent just because they lie or they schmooze you.

This book about the Constitution is written so that we can all know the truth even when the corrupt media lie to our faces. The not-so-free, very dishonest and corrupt press provides cover for the government as an ally, not as the fourth estate. It is propaganda for the government and too many gullible Americans sop it up as if it is the truth. The media would have us all believe in the "*Tooth Fairy*." Any of US that live by believing their lies, need to reevaluate so that we do not remain chumps.

Regardless of which party is responsible for the mess, Americans are on edge anticipating that somehow, because there are big problems, we will all get nailed by one or another of them in one way or another. Many of US think that we will lose our jobs, lose our ability to work full time, lose our health insurance policies, and not be able to afford the new government issued policies coming our way. I have a hard time believing Obamacare light is the health answer.

When I was growing up, it was not this way. It is time we went back to the better days when there was a real American Dream for everybody.

We may get sick and we may die because of the "Affordable Care Act." Thank God, the past president is still not under Obamacare so at least he will be available for a eulogy at any of our funerals.

Illegal immigration and amnesty is another of the bad jokes perpetrated on the American people. In this instance, both the

Democrats and the Republicans share the same vision – *to stiff the American people*, and to give priority to illegal foreign nationals rather than American citizens. What happened to America and Americans first?

We discussed this topic in detail in Chapter 2. Some truths stand forever. Even the past president, when he met with Pope Francis could not think of anything positive to say, so he quoted his buddy Harry Reid as you can see in the “cartoon” below. The bubbled exchange with the Pope is funny but too true. Pope Francis must have a great sense of humor. Don’t we just love his simplicity?



And, so, I decided that this book about the US Constitution would not be too political and it shall not be. It is anti-political. But, we must tell the truth about how things really are—don’t you think?

I have admitted previously that I am a registered Democrat but for twenty years or more, I have not been proud of my Party. The Democratic Leadership can do a lot better. Right now, the Party that is the lesser of two evils is unquestionably the Republican Party though it is an unholy combination of both Democrats and Republicans that have given us this sad state of affairs in the USA.

To help you and your family cope with the times, this book will be truthful and fact-filled and it will make each political party seem like they, and they alone, along with the two-party system—are responsible for the problems that America has been suffering while it is trying to stay America.

I know that when you and I think about it, we are on the same page for the same reason. We are all trying to preserve the American way of life—which cannot be found anywhere else in the universe.

Because I love the Constitution so much, I wrote this book so that I can share my sense of what America really is, and why, until the millennials got shut out of the American dream, with no jobs after college; this was the place in which anybody could succeed with some hard work.

America not only promised an American Dream. It delivered. And during that time, the government followed the precepts of the Constitution. Today as government ignores the American Dream or suggests it never existed, life simply is not as good.

Do not accept the communist doctrine that this is the new normal. They want to dumb you down and then take your freedoms. We can do much better and we will. It all starts by paying attention.

I hope this book helps to wake up Americans of all ages from the fog that has affected our brains. We have not changed but we have permitted our government to change. Our representatives and our government has changed so much that they have forgotten who we are and who we are supposed to be.

Without using those exact words, our Constitution gives us a government of the people, by the people, and for the people. It gives government only powers that are specifically enumerated by the people. Yet, somehow, Americans have become lazy and we have permitted corrupt politicians to be reelected regardless of whether they represent US well or not.

Abraham Lincoln is the most famous historical figure to use this patriotic phrase. It was in his Gettysburg Address from November 19, 1863. For posterity, here is Lincoln's last paragraph. It is chilling:

*“It is rather for us to be here dedicated to the great task remaining before us -- that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion -- that we here highly resolve that these dead shall not have died in vain -- that this nation, under God, shall have a new birth of freedom -- and that government of the people, by the people, for the people, shall not perish from the earth.”*

Big government doesn't work. Big agencies don't work. Big corporations don't work. Big doesn't work well at all, especially if you are one person looking for freedom and liberty.

Government has grown so big that we the people, who own the government according to a deed known as the Constitution, can no longer sort through all the lies and the empty promises. So, we must all help reduce the size of government for the people to ever matter again. We get our chances each election cycle. When we vote to favor corruption, we get the government we deserve.

If all Americans understood America, and were taught to respect America in our schools, instead of blaming America first for everything—we would not have to worry about being defeated from within.

In this way, if any American political party comes-by led by Democrats or Republicans, and it wants to change America into a Communist-Russia-like, or Communist-China-like, or Nazi-Germany-like country, we will be equipped to fire off a quick nyet, or a mhai, or simply, a hearty and guttural nein!

We can surely add no-way Jose for effect if we choose, simply because we are Americans and we are exceptional. We are the exception to the rule that freedom and liberty cannot work with regular people.

What we cannot do is accept and believe the propaganda from the corrupt, socialist progressive communist owned press in the US. Yes, that includes the New York Times, the Washington Post and of course MSNBC. Trying to find the truth in today's news is like trying to find a white glove in the snow.



America, from its inception, along with mercantilism, has used capitalism to create the strongest country in the world. Those who do not like America have already removed mercantilism from the landscape and now hope to replace capitalism with socialism / communism. Yet, small-c-communism has never worked anyplace.

Their replacement scenario is a promise of the best of small "c" communism in our later evolution, or revolution, but they may not permit freedom lovers to live when they gain control, if we are not totally happy with their form of control.

If you believe in any of these socialist philosophies and you also like your freedom, it might be a good time to visit the tombstone makers in your area and pick out a good one. In memoriam! You are gone!

Small "c" Communism, What Is It, Why Does It Matter?  
BY CFBLEACHERS FEBRUARY 6, 2012

The basics of what I write now comes from the title and author above.

The Daily Caller once "won" a contest to have dinner with Ayers and Dohrn. You already know who they are. Those invited to win figured they would not be able to keep their food down.

Bill Ayers, President BHO's major confidant once uttered the phrase "small c communist" to describe his political stance. He also suggested that he was probably the last person to call himself a "communist". He was the mightiest of the past President's long-term allies.

Mr. Ayers may have been laughing at the time, but there was much to take away from that rare moment of clarity. What made great thinkers who were "liberal" separate from the "small c communists"?

John Podhoretz, Sol Stern, David Horowitz, Ron Radosh, Roger Simon, David Mamet saw the disguise, the mask, the masquerade and have tried to unveil it.

Would a "liberal" make a nail bomb to attempt to maim, injure and murder 19, 20, 21-year-old boys and their innocent dates at Fort Dix. (or blow themselves up on the process)? I do not think so!

When we conflate the terms "liberal" with "small c communist" do we not assist in putting another addition on the safe house in which the small c communist can hide out?

Similarly, when we use the term "mainstream" media...do we not assist in building a propaganda machine safehouse for those intent on destroying the truth in our information stream? Or are we simply calling a biased journalist a pinko?

Small c communism is decidedly illiberal. It is a mélange of anarchism, anti-capitalism, in near permanent rebellion and overthrow mode. It simply has co-opted "liberal" causes in which to hide.

When a non-friend of American Nationalists, George Clooney stands up and defends "all the good things about being liberal", he shows all the hiding places "owned" by leftists. In reality, all good people, including independents, social conservatives and faith-based folks believe in basic human decency. Liberals of today's ilk unfortunately choose not to care about the common good or the people in their own neighborhoods. Such things are not "owned" by the left.

Far from it. In fact, if there is religious bigotry, racial bigotry, ethnic bigotry, class bigotry, regional bigotry today, it is 100000 to 1 more likely to come from the left and their kneejerk steno pool of stereotyping, name-calling and intolerance. The left gives a hoot about themselves but cannot get a hoot raised for anybody else's

# Chapter 4 The Founders Wrote the Constitution to Protect US from Tyranny

## **Socialism, progressivism, Marxism, and communism were considered but rejected**

America has always been a capitalist country in which hard work pays off, and the same goes for our economy. If any American political party comes-by led by Democrats or Republicans, and it wants to change America into a communist, socialist, or Marxist country, once you understand the Constitution, and you are no longer part of the dummy crowd, you will be well-equipped with the information you are absorbing in this book to fire off a resounding “NO” in our native language of English.

Many of the founders, and our relatives from long ago, risked their lives to engage George III of England so America and all American Citizens would be free. I mean so that the people could be free and have unbounded liberty. Nobody of sane mind at the time wanted a revolution, but they eventually agreed that freedom is worth a revolution and a free America proves it every day.

Those from countries other than England who came to America engaged other Kings and royalty in addition to King George III. But, all came to America to be free. All Americans in the twenty-first century, our century, need to wake up to realize that freedom is not free.

The Founders never envisioned that tyranny would come from the people itself or from the supposed independent press, the so-called fourth estate. The press is in the Constitution and is listed as essential and the role of the fourth estate is explained. The role of the fourth estate, with Legislative, Executive, and Judicial being 1, 2, 3, for sure

has always been to keep government honest. Today that's like enlisting a weasel to guard the hen house.

The true role of the free press is not to take sides with corporations or government or any political party. It is not to bring in the most ad revenue and tell falsehoods as if they were fact. Yet, we have no fourth estate today in America because our press makes news and does not report news fairly. It leans communist, and the "fourth estate," backs every word of any left leaning administration as if the press itself were a branch of the Democratic Party.

The Founders never expected the citizenry to stand by and permit the powerful to take away liberties for which the revolutionaries shed blood. Our founders would not be happy with many of US today, because we sit idly and let things happen to US.

These brave souls, the Patriots, said no to the repression of freedom and they took matters into their own hands, risking life and limb, to provide US all with a free America. In this country, all of the people are free. Go get yourself a breath of fresh air. It is free. Only the corrupt press today will tell you to pay homage to something or somebody to get your clean air.

Today, it is a phenomenon that the well-to-do politicians have become very popular along with the dumbest of Americans, who want what they can give to them. Today's politicians, disguised as representatives of the people are sharp and cunning, and they are always ready to say or do anything that would help them advance to important offices of the city, the state or the federal government.

The word "politician" is used in this book in its most derisive form and always un-complimentary. Who are politicians? Politicians of the worst order are scoundrels who gain the people's trust and get elected to office and then they turn on the people for their own self-interests. Today, they dupe the lowest level of information citizens and they tease them with handouts to gain control of them.

The founders were well aware of politicians in England and other countries in Europe, and the treachery they caused. Back in the late 1700's as the Constitution was prepared for ratification, the founders were so tickled that George III was no longer in control, they almost

universally felt that the new America, which they were creating, would remain pure over time. Who would ever give up freedom?

Using the Constitution, they tried to build a set of laws that would never ever, ever, require another popular revolution to purify the government. They knew there was the risk of scoundrels, who may in later years attempt to take control of the government. In the twenty-first century, those scoundrels are here in droves, and the corrupt mainstream press has joined them to keep the people down.

That is why the founders rewrote the first Constitution known as the Articles of Confederation “*in order to form a more perfect union.*” Though their work was excellent, scoundrels still flourish. The union under the Constitution is much more perfect than under the Articles of Confederation (the first iteration of national law); but it is not perfect enough to stop all scoundrels at the doorstep.

To understand that the Founders advocated dissolving and reforming a government gone badly, this section of the Declaration of Independence does the trick:

*“...That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.”*

Though the Founders did not specifically add anything in the original constitution permitting the government to be overthrown by force, it is implicit as that is exactly what they did as leaders of America to answer Britain’s tyranny. When the government no longer works, it

is the duty of the people to overthrow the government and begin again.

Since the people have all rights in the Constitution, as you will see shortly, the Second Amendment to the constitution in the Bill of Rights provides all citizens the right to bear arms and it prohibits government from impinging on that right. And thus, the Declaration of Independence shows the willingness of the Founders to use force to overthrow a government if the government goes bad. Meanwhile, the 2nd Amendment gives the people the means – most notably guns and ammunition.

## Modern Scholars Concur

Ron Paul, Mark Levin, Andrew Napolitano and others see it exactly the same way as I do!

**Ron Paul:** *The Second Amendment, ironically, and a lot of people don't understand this, but it was to protect against abusive government.*

**Mark Levin** said that the 2<sup>nd</sup> amendment wasn't for target shooting or hunting or anything else in that realm. He said that "whether you like it or not or whether you agree with it or not, the reason why 2nd amendment exists is to arm the population in order to overthrow a tyrannical government. That's it."

**Judge Andrew Napolitano:** *The historical reality of the Second Amendment's protection of the right to bear arms is not that it protects the right to shoot deer. It protects the right to shoot tyrants, and it protects the right to shoot at them effectively with the same instruments they would use upon us.*

The fact that Americans are armed is unusual in the world today. America is the exception to all other countries. Our armed population has helped us win wars or at least avoid defeat. For example, a big reason why the Japanese never launched an invasion of the mainland US, even when we were at our most vulnerable after

Pearl Harbor, was because they knew the people were armed. America's "hunters" represented the world's largest army.

In just one state, Pennsylvania, for example, just about a million hunting licenses are sold each year. I know that many non-hunters in Pennsylvania also have rifles, and pistols for self-protection.

So, how many guns are there in the US? According to the Geneva-based Small Arms Survey – the leading source of international public information about firearms – the U.S. has the best-armed civilian population in the world, with an estimated 270 million total guns. That's an average of 89 firearms for every 100 residents. It is far ahead of Yemen, which comes in second with about 55 firearms for every 100 people, or Switzerland, which is third with 46 guns for every 100 people.

The Founders did not spend a lot of time on documentation necessary to overthrow the government because they had a difficult time envisioning a scenario in which the recently freed people in the colonies, post revolution, would join an oppressive and tyrannical government, such as ours is today.

Where we are today, it assures that the worst of the worst get to decide which freedoms and liberties should remain with the people, and which ones an all-knowing government should take away.

The Founders had created a set of rules, known as The Constitution to assure that all the people would be left with all freedom and all liberty in all cases. They did not want any scoundrels (politicians) messing with this notion or this nation.

Unfortunately, our legislators and at least one of our presidents in modern times have stopped full adherence to the Constitution and consequently, our freedom is now in jeopardy. Our representatives can stop this tonight or tomorrow or tomorrow night if they wish, the very next time Congress is in session. Ask them why they have not stopped the lawlessness already?

## Americans must act at the voting booth

Unfortunately, last time I checked, the legislature (Congress in both Houses but mostly the US Senate) are more interested in being important in Washington than helping the folks back home. As we learn more about the Constitution, we may become brave enough to call them home and replace them with patriots from the ranks of normal citizens.

Only Americans, who hope to be in control of a communist state, advocate against the American way. Egalitarian principles of socialism simply mean that nobody gets to be part of the cream of the crop since the most equal spot for all is the bottom of the barrel.

Before this is fait accompli, Americans who love freedom have to do a little more than just speak up. We have to know what the founders would do to protect liberty and freedom and we simply have to do it or suffer the consequences. Reading this book is a good start. Thank you for taking the first step.

I do not have to preach freedom to 99% of Americans out there. We are all either products of good people who came here to be free or we came here ourselves to be free.

Permitting politicians from either party to talk us out of our birthright is not only dumb... it is asinine.

Yet, we can choose to be the dumbest Americans of all time or we can choose to engage, smarten up, stop being chumps, and take on these bad guys. They do not care at all about us.

Think of the leaders of the regimes that committed the atrocities that prompted our forefathers or us to come here. They were evil. They were bad. They would love to have their boot on your neck right now if you would let them.

I have had the pleasure of writing a lot of patriotic books. I write tech books and patriotic / political books. This is book # 120 based on a



few others. It is really fun to help people with clear thinking avoid the dribble from the most egregious of today's politicians.

Each time I write a book, I hope that I can attract another person into a love affair with America and its almost perfect Constitution. If you have read any of my other stuff, you know that I point out the bad guys and I pull no punches in my description of what we must do to escape from their reach. They will destroy us if we do not pay attention and escape their grasp.



# Chapter 5 Replace Congress with Honest Citizens

## Write opinion letters and call your representatives

The purpose of this book as noted from the beginning is to help US all be better Americans by understanding the Constitution along with America's founding. Most of US have seen or read or heard parts of the Constitution and if they have been presented properly, we more than likely, really like them.

The Constitution is the defining document of our country. It is the place to go to find out what America is all about! It is about the U.S. of A.—our nation. Our Country is what it is because its definition is embodied in the Constitution, which is America's most fundamental prized set of laws.

Our job, moving through life, of course is to learn what we can about our government (as defined by the Constitution). In this endeavor, we should all pay attention that our representatives actually spend their time representing US according to the laws of the founders.

When our representatives do not do the will of the people in-between elections we need to write letters to the editors of newspapers and other media, and write our Congressmen and Senators so they know they cannot snooker us.

If they don't listen, then we must do the honorable thing and write them even more letters, and letters to the editor and when they choose not to respond in our favor, we then can un-elect our leaders their next time out on the ballot.

## Un-elect them! They would hate it!

Unfortunately for Americans, our representative in the Congress, the Supreme Court, and the Presidency is not Jefferson Smith from the movie *Mr. Smith Goes to Washington*. His honor is impeccable. But, the honor of our representatives given our experience today is quite questionable.

Our representation has been getting progressively worse each year—not better. Over the past few years, since 2009 through 2016 especially, with the healthcare debacle, it is clear that the voices of the people have not been heard in Washington, DC. There is room for hope when a new President takes office, and I admit that in 2017, I am encouraged with what I see in the Executive Branch but I am still disappointed in both parties when they “represent us” in Congress.

Just as Jefferson Smith in the Frank Capra classic movie, *Mr. Smith Goes to Washington*, found out, the corrupt purposes of elected officials are more obvious than we might think. It is to serve themselves by serving special interests.

In the sunlight of the day, therefore, the existing Congress—yes, both houses must go. Not the institution of Congress, just the corrupt members who choose not to serve the people.

We must bid them sayonara. We must say adieu. And when it comes time to elect any President, and any member of Congress; let’s not forget to bring in an honest and competent person who loves America as much as we do.

If the mess we gave President Trump in January 2017, was not the prior president’s intentions, and therefore his direct fault, then whose fault, I might ask, was it? Might it be Stanley Laurel’s or Oliver Hardy’s—for it surely was a comedy and the American citizens were the ones who got the pie in the face.

## Surprise in today's email

Before I get to this email, I got another surprise during the final year of the Obama Administration. Before I show you the picture and the remarks I received, I want to report on an eventful shopping trip to Malacari's, a great produce market in Wilkes-Barre PA. I was joking around with the checkout person and the person behind me. I admitted that I was unemployed but I did not say that I was writing books such as this, hoping my big ship would come in. Hah!

I jokingly said that I was thinking about running for President but it seemed that everybody was so happy with the current president (BHO at the time) that I figure I will have to look someplace else for employment. I then said that everybody loves him so much, I would not have a prayer.

I was stunned. The cashier stopped in her tracks and said, that may have been a while ago but you should check again; it is not that way now. The lady behind her said that she did not think anybody liked him anymore.

I have relatives in my family who are still doing well and they still love the president, so I figured the president was still doing OK. But, when these Jane Q Publics told me they were retired and collecting and still felt they had to work 'til they died, I started to think maybe you can't fool all of the people all of the time. I thought it was encouraging that people are beginning to think and it is also good that they talk about it.

Yes, I was even more surprised when my old home County, Luzerne, PA, home of Malacari's great produce market, came through for Donald J. Trump in the November 9 presidential election. Apparently regular people such as those that I met in the cashier line had had enough. The corrupt media simply did not report it. Now, the same nasty media are trying to delegitimatize the votes cast in my home town.

The Pennsylvania News Outlets were loaded with stories about where Hillary had won big and eventually they talked about where she lost. Hillary Clinton did in fact what Democratic presidential

nominees had done for years to win Pennsylvania on Election Day: She simply blew away her Republican rival in Philadelphia and its suburbs.

President Donald J. Trump was basically inert in the big PA cities. This time, the norm was not enough in a race against a new kind of candidate.

This time, counties far from the much-ballyhooed Philadelphia region delivered Trump enough votes to outgun Clinton's commanding support in the southeast, and lift him to a stunning victory.

Like my Malacari experience, it was a matter of intense passion for Trump and antipathy toward Clinton, which prevailed in Pennsylvania's rural and rust belt communities, observers and analysts said. Together, those strong sentiments fueled the 73,224-voter edge Trump used on November 9, 2016, to capture a state that effectively sealed President Donald J. Trump's Electoral College victory.

In the same vein, I got another surprise from a famous artist and a magnificent painting that I show below.

This is the intro to the email before I show you the picture. I subsequently learned that the painting shown below is now several years old

**From:** Trish

**To:** great people

**Subject:** RE: New Old Painting

**If you are familiar with Jon McNaughton's paintings, you will love this one.**

This was his latest at the time—his opinions on what was the current situation at the time are stated very clearly by his paintbrush and his comments below, but no comment is really needed. McNaughton felt compelled to add text to his painting as follows:

Many Americans today feel a sense of dismay and horror as we see our country in a downward spiral;

economically, morally, and politically. President Obama's indifferent attitude and the continuous list of scandals and bad policy are leading the country to ruin. As an artist, I am reminded of the old saying "Nero fiddled while Rome burned." History believes that Nero himself may have set the great fire that burned a part of Rome during his leadership. Afterwards, he blamed it on the Christians who suffered great persecution under his rule. I see great similarities to what we are experiencing today. Obama fiddled, while the people witnessed the demise of America. **Jon McNaughton**

Here is the painting that was sent in the email. It was well received:



Again, it is not my intent to cast aspersions on the former president. My purpose is to use this Companion book to set the stage to teach the Constitution. This was intended originally when I conceived of the book to help all Americans know what to do to get from under the yoke of this particular president. As I wrote this book, I decided

to use this first five chapters of this book to build the case for the book. Why is this book necessary?

Look at McNaughton's painting and you get it clearly. America is falling apart and we want to save it. If President Obama was an innocent bystander then maybe someday, I felt, we could find a leader to help rescue us from his intransigence. Just Maybe! Well, maybe has come true.

It is my opinion that we have done this with Donald J. Trump as President. Bravo America! Next, we the people must begin to take on the Congress. There are more than a few Nero's traipsing the hallowed halls of the US Capitol Building today as I write.

Of course, BHO is no longer President so my angst is substantially reduced as I no longer fear hearing about his latest anti-American act of the day. For almost eight years, I woke up waiting for the boom to fall and most often it did in one way or another. The irony is that while the past President was engaging in what I would call tyranny, he was not even pleasing his liberal progressive base. A popular news magazine showed this headline recently for an article they felt summed up the Obama Presidency:

*Instead of 'hope and change' Obama gave progressives Trump*

Every now and then, we all get encouraged when somebody speaks out exactly how we all should be speaking out. As a conservative Democrat myself, trying to make this book, about how to learn the Constitution the most effective way, apolitical, I thought about redacting parts of the note above and the email below that discuss people and party in specific terms. But, then again, it is what it is.

I'll let the emails that I received speak for themselves and then after you read them, we will move to the next section of this book. I once used this coming email in a book titled America 4 Dummies, and I think it also fits US well here also, as we make our points in this book. Here it is:



Sent from my iPad

Begin forwarded message:

From: Roger

To: undisclosed-recipients;;

Subject: Fwd: FW: Two Americas

Two Americas

To add balance to one of President Obama's speeches from the past, please read the below note to Americans by Bob Lonsberry. My personal thanks to Roger for sending the text.

This is as well said as anything I have seen. You will not regret the time you take to read it. No matter your political affiliation, Democrat, Republican, or Independent, it should be clear that this country continues to be in a lot of trouble. Some of us will live long enough to see the consequences, but I really fear for our children and grandchildren's future.

The damage that has been done over the last eight years may be irreversible or it may take many years to overcome. At least we have begun our recovery. I sure hope that we can make America great again!

In early January 2014, Bob Lonsberry, a Rochester talk radio personality on WHAM 1180 AM, said this in response to what we can call Obama's "income inequality speech":

*To Americans,*

*The Democrats are right, there are two Americas.*

*The America that works, and the America that doesn't. The America that contributes, and the America that doesn't. It's not the haves and the have not's, it's the do's and the don'ts. Some people do their duty as Americans, obey the law, support themselves, contribute to society, and others don't. That's the divide in America.*

*It's not about income inequality, it's about civic irresponsibility. It's about a political party that preaches hatred, greed and victimization in*

*order to win elective office. It's about a political party that loves power more than it loves its country. That's not invective, that's truth, and it's about time someone said it.*

*The politics of envy was on proud display a couple weeks ago when President Obama pledged the rest of his term to fighting "income inequality." He noted that some people make more than other people that some people have higher incomes than others, and he says that's not just.*

*That is the rationale of thievery. The other guy has it, you want it, Obama will take it for you. Vote Democrat. That is the philosophy that produced Detroit. It is the electoral philosophy that is destroying America.*

*It conceals a fundamental deviation from American values and common sense because it ends up not benefiting the people who support it, but a betrayal. The Democrats have not empowered their followers; they have enslaved them in a culture of dependence and entitlement, of victimhood and anger instead of ability and hope.*

*The president's premise - that you reduce income inequality by debasing the successful - seeks to deny the successful the consequences of their choices and spare the unsuccessful the consequences of their choices.*

*Because, by and large, income variations in society is a result of different choices leading to different consequences. Those who choose wisely and responsibly have a far greater likelihood of success, while those who choose foolishly and irresponsibly have a far greater likelihood of failure. Success and failure usually manifest themselves in personal and family income.*

*You choose to drop out of high school or to skip college - and you are apt to have a different outcome than someone who gets a diploma and pushes on with purposeful education. You have your children out of wedlock and life is apt to take one course; you have them within a marriage and life is apt to take another course. Most often in life our destination is determined by the course we take.*

*My doctor, for example, makes far more than I do. There is significant income inequality between us. Our lives have had an inequality of outcome, but, our lives also have had an inequality of effort. While my doctor went to college and then devoted his young adulthood to medical school and residency, I got a job in a restaurant.*

*He made a choice, I made a choice, and our choices led us to different outcomes. His outcome pays a lot better than mine.*

*Does that mean he cheated and Barack Obama needs to take away his wealth? No, it means we are both free men in a free society where free choices lead to different outcomes.*

*It is not inequality Barack Obama intends to take away, it is freedom. The freedom to succeed, and the freedom to fail. There is no true option for success if there is no true option for failure.*

*The pursuit of happiness means a whole lot less when you face the punitive hand of government if your pursuit brings you more happiness than the other guy. Even if the other guy sat on his arse and did nothing. Even if the other guy made a lifetime's worth of asinine and shortsighted decisions.*

*Barack Obama and the Democrats preach equality of outcome as a right, while completely ignoring inequality of effort.*

*The simple Law of the Harvest - as ye sow, so shall ye reap - is sometimes applied as, "The harder you work, the more you get." Obama would turn that upside down. Those who achieve are to be punished as enemies of society and those who fail are to be rewarded as wards of society.*

*Entitlement will replace effort as the key to upward mobility in American society if Barack Obama gets his way. He seeks a lowest common denominator society in which the government besieges the successful and productive to foster equality through mediocrity.*

*He and his party speak of two Americas, and their grip on power is based on using the votes of one to sap the productivity of the other. America is not divided by the differences in our outcomes, it is divided by the differences in our efforts. It is a false philosophy to say one man's success comes about unavoidably as the result of another man's victimization.*

*What Obama offered was not a solution, but a separatism. He fomented division and strife, pitted one set of Americans against another for his own political benefit. That's what socialists offer. Marxist class warfare wrapped up with a bow.*

*Two Americas, coming closer each day to proving the truth to Lincoln's maxim that a house divided against itself cannot stand.”*

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Wow! Isn't that why you are reading this book? Thank you Bob Lonsberry! We need more of you in our America!

# Chapter 6 Introduction to the Constitution

## About the Constitution & the Preamble

The Articles of Confederation were admittedly an imperfect constitution for the newly formed union. And, so the founders from all the states worked together to build a more perfect union of the states. The result of their work on September 17, 1787 was the document we know as The Constitution of the United States of America.

From here the advocates of the Constitution known as the Federalists, wrote 85 pro-Constitution essays that were hosted by various newspapers within the 13 colonies. Eventually enough states were convinced that the Constitution was ratified and became the law of the land. On June 21, 1788, New Hampshire became the ninth state to ratify; and the Confederation Congress established March 4, 1789, as the date to begin operating a new government under the newly minted US Constitution.

## From the National Archives:

<http://www.archives.gov/national-archives-experience/charters/constitution.html>

I like how this text from the national archives reads—so instead of trying to rephrase this, I simply am including it below to explain the purpose of the work behind the *Constitution*.

*The Federal Convention convened in the State House (Independence Hall) in Philadelphia on May 14, 1787, to revise the Articles of Confederation. Because the delegations from only two states were at first present, the members adjourned from day to day until a quorum of seven states was obtained on May 25. Through discussion and debate it became clear by mid-June that, rather than amend the existing Articles, the Convention would draft an entirely new frame of government.*

*All through the summer, in closed sessions, the delegates debated, and redrafted the articles of the new Constitution. Among the chief points at issue were how much power to allow the central government, how many representatives in Congress to allow each state, and how these representatives should be elected--directly by the people or by the state legislators. The work of many minds, the Constitution stands as a model of cooperative statesmanship and the art of compromise.*

### **The Preamble to the US Constitution:**

*We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.*

**Explanation of the Preamble:** How could the introduction to the law of the land have been written any better? The Preamble describes why the founders drafted the Constitution. It shows the desires of the Framers to improve on the government they currently had to be "more perfect" than the Articles of Confederation. The new government was to be just, and it was designed to protect citizens from internal strife and from attack from the outside. It would help the people rather be a detriment. And, perhaps as importantly, it was built to provide benefits for future generations of Americans.

## **The first constitutional battle**

If you think you heard this already, you are right. But, like all good stories, the more times you hear it, the more believable it becomes. This again is the constitutional battle of those for a Bill of Rights and those against it. It is a battle worth rehearsing.

As we continue to summarize the battle for the Bill of Rights, just a few years after the Constitution was written and approved by the convention, a new political battle had ensued. It pitted the Founding

Fathers against one another and threatened the ratification of the document over which they'd wrestled so hard and long to create.

The Federalists, including James Madison, George Washington and Alexander Hamilton, feared that if some rights were listed, others not explicitly enumerated would be left vulnerable. On the other side, the Anti-federalists, including George Mason, Thomas Jefferson and Patrick Henry, were adamant that the *Constitution* must explicitly guarantee certain fundamental rights that no government could take away. They believed that not listing rights risked there being no rights.

Out of it all, ten of the twelve notions brought forward to the Congress were approved and later ratified by the states. The Bill of Rights is a hallmark of our Democratic Republic, and never were so many Constitutional Amendments approved by the Congress and ratified by the states in such short order

In the end, we have the US Constitution!

At the end of the Constitutional Convention in 1789, Benjamin Franklin, a great Founder from Pennsylvania, wrote:

"It is a singular thing in the history of mankind that a great people have had the opportunity of forming a government for themselves. We are making experiment in politics. In these sentiments, I agree to this *Constitution*, with all its faults, if they are such. For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. It therefore astonishes me to find this system approaching so near to perfection as it does."

Franklin also warned, "We must all hang together, or most assuredly we shall all hang separately."





# Chapter 7 Summary of the US Constitution

## Explanation / Summary of Article I of the US Constitution:

**Article I: The Legislative Branch** consists of 10 sections and defines:

1. All Legislative powers,
2. Composition of the House of Representatives,
3. Composition of the Senate
4. Holding Elections,
5. Congress sets its own rules by House,
6. Compensation for Senators,
7. Revenue Bills originate in House,
8. Congress can lay and collect taxes,
9. States' rights and taxes,
10. State treaties.

**Article II: The Executive Branch: Consists of 4 sections and defines:**

(1) Executive Power and President, (2) President as Commander in Chief, (3) State of the Union & Information Requirements, (4) Rules of Executive Branch impeachment

**Article III: The Judicial Branch:** Consists of 3 sections and defines:

(1) Judicial Power, (2) Laws and Trial by Jury, (3) Treason

**Article IV: Relations Between States:** Consists of 4 sections and defines:

(1) Faith and Credit of State Laws, (2) Privileges apply to all in all states, (3) New States May be Admitted to the Union, (4) Federal guarantee to defend states.

**Article V: The Amendment Process:** Consists of 1 section and defines the amendment process for adding / deleting to/from the Constitution.

**Article VI: General Provisions, Supremacy of the Constitution:** Consists of 1 section and defines the debt process and the requirement to support the Constitution

**Article VII: Ratification Process:** Consists of 1 section and it outlines the process for ratifying the Constitution.

***End of summary***

## The Constitution Companion

You may want to read the full text of the Constitution from start to finish before you begin to learn it in any depth. Take a light read when you have the chance to get you going. The Constitution itself is available in hard copy paperback book form and breast pocket editions are also available. You can download the text of the constitution from Kindle or from many other sources on the Internet. Some are free sources and some have a modest charge.

Your author, Brian W. Kelly, has written a book that includes the full text of the Constitution. Its title is *The Constitution by Hamilton, Jefferson, Madison, et. Al.* and it is available for \$7.95 on Amazon, Kindle, Barnes & Noble and other booksellers.

The technique that we use in presenting the Constitution and explaining the meaning of the text in Articles and Sections in this Constitution Companion book is very straight-forward. The Constitution is very precise but some find the language somewhat difficult to follow.

This Companion first displays the text of a small chunk of the Constitution, such as the preamble or an Article or a Section or two. And, then immediately after each block of Constitution text, we provide another section titled “Explanation of...” Following this standard heading, a detailed explanation of the block of text in is provided in highly readable English.

The Constitution itself does not have the Explanatory text and so it is a good source to test yourself on whether you grasp the meaning of a particular block of text. Therefore, it is good to have both the Constitution and the Constitution Companion available when reading, learning, or reviewing this major historical document.

**Let’s get started on the details of the Constitution itself.**

The preamble and the detailed Articles of the US Constitution begin in the next chapter – Chapter 8.



# Chapter 8 Preamble through Article I Section III

## The Preamble to the US Constitution:

### **Preamble**

*We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.*

**[Explanation of the Preamble:** How could the introduction to the law of the land have been written any better? The Preamble describes why the founders drafted the Constitution. It shows the desires of the Framers to improve on the government they currently had to be "more perfect" than the Articles of Confederation. The new government was to be just, and it was designed to protect citizens from internal strife and from attack from the outside. It would help the people rather than be a detriment. And, perhaps as importantly, it was built to provide benefits for future generations of Americans.]

[Now, let us all look at the meat of the Constitution of the United States Of America, our country, aka—the USA! We'll begin with Article I.]

## Article I Legislative Power

### **Section. I.**

*All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.*

**[Explanation of Article I, Section I:** This establishes the first of the three branches of the government, the Legislature. The legislature was to be bicameral meaning two distinct chambers and it establishes the name of the legislature as *The Congress*. The Senate and the House of Representatives became the names for the two chambers.]

**Section. II.**

*The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.*

*No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.*

*Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.*

*The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct.*

*The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.*

*When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.*

*The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.*

**[Explanation of Article I, Section II:** This defines the House of Representatives, as the lower House of Congress. It also establishes several minimum requirements, such as a 25-year-old age limit. Additionally, it says that the people (citizens) will elect the members of the House for two years each. The members of the House are divided among the states proportionally, aka-- according to size.

This means that the states with the larger populations are given more representatives in the House. The leader of the House is to be called The Speaker of the House, and is to be chosen by the members of the House. The number of people per representatives changed when the total become 435—nine years after the 1920 census,

The Congress at the time passed a bill called the Reapportionment Act of 1929, which set a maximum of 435 seats and established a permanent method for allocating the 435 seats in the House. Some think this move itself was unconstitutional for the Congress as they do not believe the Congress had the authority.]

### **Section. III.**

*The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years; and each Senator shall have one Vote.*

*Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the*

*next Meeting of the Legislature, which shall then fill such Vacancies.*

*No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.*

*The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.*

*The Senate shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.*

*The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.*

*Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.*

**{Explanation of Article I Section III:** This defines the Senate as the upper house of Congress. It also establishes several minimum requirements, such as a 30-year-old age limit and nine years as a citizen. Senators were originally appointed by the legislatures of the individual states, though this was later changed by the Seventeenth Amendment to the Constitution, (Unlike the 435 number, this was the legitimate means of changing the Constitution).

This change permitted direct election of United States Senators by popular vote. This author thinks it was better the way the founders created it for today it is almost impossible for a state to recall a rogue Senator. Right after the founding the state government had the right to do so.



Additionally, it says that the Senators will serve for six years each. Each state has equal suffrage in the Senate. This means that each state has the exact same number of Senators, two each, and it is not based on how small or how large a state might be in terms of the population.

In this section, the idea of a Vice-President is defined. This person, in addition to succeeding the President in the event of an emergency or death, is the President of the Senate. The Constitution provides for two officers to preside over the Senate. The Vice President of the United States is designated as the President of the Senate. A temporary president (President Pro Tempore) is also authorized. It is a high-ranking senator of the majority party who presides over the US Senate in the absence of the Vice President.

The Vice-President does not vote as a member of the US Senate unless there is a tie. He or she represents the tie breaking vote.

Many readers of the Constitution want to understand the line of succession in the event of the President's untimely death or resignation. There had been no provision for filling a vacancy in the vice presidency, and what such an appointment would mean.

When a president would die in office, the vice president would succeed him, and the vice presidency then simply remained vacant. Congress did not like the nebulous language in the Constitution re: Succession, and so they proposed the 25th amendment

This amendment supersedes the ambiguous wording of Article II, Section 1, Clause 6 of the Constitution, which does not expressly state whether the Vice President becomes the President, as opposed to an Acting President, if the President dies, resigns, is removed from office or is otherwise unable to discharge the powers of the presidency. The Twenty-fifth Amendment was adopted on February 23, 1967.

The first vice president to take office under the new procedure was Gerald Ford, who was nominated by Nixon after Spiro Agnew's resignation on Oct. 12, 1973, and confirmed by Congress the following Dec. 6, 1973.

Eight presidents have died in office. Four were assassinated and four died of natural causes. William Henry Harrison holds the dubious record for shortest term served, holding the office of presidency for 31 days before dying. Harrison was the first president to die while in office when he caught pneumonia and died on April 4, 184. Seven Vice Presidents died in office and two resigned, John C. Calhoun and Spiro Agnew.

The 25th Amendment solved the problem with the vice president resigning. The Text of Section II of the 25th Amendment is as follows:

“Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.”

Please remember that it is not the names of the people but the positions they hold that matter in terms of the line of succession for the Presidency. The current line of succession as of June 2016 is as follows:

- The Vice President Joseph Biden
- Speaker of the House Paul Ryan Boehner
- President pro tempore of the Senate Patrick Leahy
- Secretary of State John Kerry
- Secretary of the Treasury Jacob Lew
- Secretary of Defense Ashton Carter
- Attorney General Loretta Lynch
- Secretary of the Interior Sally Jewel
- Secretary of Agriculture Tom Vilsack
- Etc... the chain is longer...

]

# Chapter 9 The Constitution, Article I, Sections IV through X

## Article I Sections IV through X

### **Section. IV**

*The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.*

**[Explanation of Article I, Section IV:** This offers some additional requirements on the Congress. For example, the body must assemble at least once in each and every year, and the meeting shall be held on the first Monday in December, unless the Congress itself, by Law selects a different Day].

### **Section. V.**

*Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.*

*Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.*

*Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.*

*Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.*

**[Explanation of Section V:** This section demands the following:

- Congress must have a minimum number of members present in order to meet
- Congress may set fines for members who do not show up.
- Members of each House may be expelled and sent home with a 2/3 majority/
- Each house must keep a journal to record proceedings and votes.
- Neither house of The Congress is permitted to adjourn without the permission of the other.]

### **Section. VI.**

*The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.*

*No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.*

**[Explanation of Article I, Section VI:** This section establishes the following:

- All members of Congress will be paid
- Members of Congress cannot be detained while traveling to and from Congress
- Members of Congress cannot hold any other office in the government while in the Congress.]

**Section. VII.**

*All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.*

*Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States: If he approve, he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it.*

*If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively.*

*If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.*

*Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be re-passed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.*

**[Explanation of Article I Section VII:** This section details how bills become law. A bill is a proposal for a new law that is introduced by a representative in the House or the Senate. It could be your representative. First, any bill for raising money (such as by taxes or fees) must start out in the House Chamber.

All bills must pass both Houses of Congress in the exact same form to become law.

Bills that pass both Houses are sent to the President. He / She can either sign the bill, in which case it becomes law, or he can veto it. In the case of a veto, the bill is sent back to Congress, and if both houses pass it by a two-thirds majority, the bill becomes law over the President's veto. This is known as overriding a veto.

This section gives the President (defined in Article II) a couple more options for bills, which are presented.

The founders use the generic term he for president and so in the spirit of the founders and in the interest of brevity in this book forward, so shall this author.

First, if he neither vetoes a bill nor signs it, it becomes a law without his signature after 10 days. The second option is called a pocket veto. It occurs if Congress sends the bill to the President and they then adjourn. If the President does not sign the bill within 10 days, it does not become law.]

### **Section. VIII.**

*The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;*

- *To borrow Money on the credit of the United States;*
- *To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;*
- *To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;*
- *To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;*
- *To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;*
- *To establish Post Offices and post Roads;*
- *To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the*

*exclusive Right to their respective Writings and Discoveries;*

- *To constitute Tribunals inferior to the supreme Court;*
- *To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;*
- *To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;*
- *To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;*
- *To provide and maintain a Navy;*
- *To make Rules for the Government and Regulation of the land and naval Forces;*
- *To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;*
- *To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;*
- *To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;--And*
- *To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.*

**[Explanation of Article I Section VIII:** This section is very readable and so no major explanation is provided. It lists the specific powers of Congress, which include the power to establish and maintain an army and navy, to establish post offices, to create courts, to regulate commerce between the states, to declare war, and to raise money. This section also includes a clause known as the Elastic Clause which

allows it to pass any law necessary for the carrying out of the previously listed powers.]

**Section. IX.**

*The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.*

- *The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.*
- *No Bill of Attainder or ex post facto [with retroactive effect or force] Law shall be passed.*
- *No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.*
- *No Tax or Duty shall be laid on Articles exported from any State.*
- *No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.*
- *No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.*
- *No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.*



**[Explanation of Article I Section IX:** In the first clause, the Constitution bars the Congress from banning the importation of slaves before 1808. Until this time, as despicable as it now sounds, slaves were a commodity in the US. Still an act of Congress was necessary.

The Act of Congress which actually prohibited the importation was passed in 1807 (2 Stat. 426, enacted March 2, 1807). It is a United States federal law that stated that no new slaves were permitted to be imported into the United States. It took effect in 1808, the earliest date permitted by the United States Constitution. Unfortunately, it offered no remedy for existing slaves.

Congress cannot just willy-nilly choose to create ad hoc demands as the British Parliament appeared to do to the colonists. The colonists were not interested in going from the frying pan into the fire, and so even though it was America, they chose to place major restraints on the government so that it would be difficult for it to become tyrannical.

This section places other certain reasonable limits on Congress. Certain legal items, such as suspension of habeas corpus, bills of attainder, and ex post facto laws are prohibited. No law can give preference to one state over another; no money can be taken from the treasury except by duly passed law, and no title of nobility, such as Prince or Marquis, will ever be established by the government.]

**Section. 10.**

*No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.*

*No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the*

*United States; and all such Laws shall be subject to the Revision and Control of the Congress.*

*No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.*

**[Explanation of Article I, Section X:** At the end of Article I, this section prohibits the states from a number of things. All other potential restrictions not listed within the Constitution are thereby permitted.

- The states cannot print or coin their own money
- The states cannot declare war
- The states cannot do most of the other things prohibited Congress to do in Section 9
- The states cannot tax goods from other states
- The states cannot have navies.

As you can see above, there is cause for amazement about how much the colonists had a major disdain for the notion of all royalty and nobility. As previously noted but worth bearing a repeat, one of the first constitutional loopholes was the notion of the giver being the King, Prince, or a leader of a foreign state

There is nothing here unfortunately about taking the title (“Honorable”) for oneself or having it granted via obscure rules of etiquette that have never passed the test of law. Consequently, in America today, we have far too Honorables. But, from my perspective and many others, all of these titles of honor are unconstitutional because of this clause.]

# Chapter 10 The Constitution, Article II— Executive Power

## Article. II. Executive Power

### **Section 1.**

*The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:*

*Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.*

*The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted.*

*The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five*

*highest on the List the said House shall in like Manner choose the President.*

*But in choosing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall choose from them by Ballot the Vice President.*

*The Congress may determine the Time of choosing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.*

*No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.*

*In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.*

*The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.*

*Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:--"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States,*

*and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."*

**[Explanation of Article II Section I:** The purpose of Article II is to establish the second of the three branches of government, the Executive Branch. The Legislative Branch (House & Senate) were defined in Article I. Section 1 establishes the office of the President and the Vice-President. It sets their terms to be four years for each of them.

Presidents are not elected by the people per se. Instead, there is this notion called the Electoral College, and they elect the President. The people have a big say in the matter as they vote for Electoral College delegates who then vote for the President according to their state's wishes. Each state has one vote in the "Electoral College" for each member of Congress.

Originally, the President was the person with the most votes and the Vice-President was the person with the second most, though this was later changed to recognize that a Democrat President should have a Democrat VP. This was not always the case.

When John Adams became President, he was a member of the long-gone Federalist Party. Thomas Pinckney was his running mate. He was a Democratic-Republican, a party whose name has also disappeared.

Aaron Burr, was Jefferson's running mate in the election of 1796. Despite being from different parties, Adams and Jefferson were the President and Vice-President respectively for four years. After Adams, the next highest vote getter was Thomas Jefferson. The twelfth Amendment made it so both the President and Vice-President heretofore would be from the same political party even if it were the Rathskeller Party or the Liquor Party!

In Article II, Section I, other minimum requirements were established again, such as a 35-year minimum age. Presidents must also be natural-born citizens of the United States. The President is to be paid a salary, which cannot change, up or down, as long as he is in office.]

**Section. II.**

*The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.*

*He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.*

*The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.*

**[Explanation of Article II Section II:** This provides the President some important powers. He is the top commander-in-chief of the armed forces and of the militia (National Guard) of all the states; he has a Cabinet of people in various capacities such as war and education to assist him, and he has the power to pardon criminals.

The President makes treaties with other nations, and he picks many of the judges and other members of the government (all must be with the expressed approval of the US Senate). The founders did not trust that any man or body of men and/or women could be trusted over time without major restraints. The Constitution is the basis for those restraints.

And, in the twenty-first century in which we live, when citizens observe the government doing its own thing rather than abiding by the Constitution, there is a rightful call to alarm.]

**Section. III.**

*He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.*

**[Explanation of Article II, Section III:** This section delineates the duties of the President:

- To give a state of the union address.
- To make suggestions to Congress.
- To act as head of state by receiving ambassadors and other heads of state.
- To assure that the laws of the United-States are carried out.

Americans paying attention have noticed that the current president has decided that he does not need to carry out laws of which he does not agree. Clearly as you observe the creed set forth in this section, you will note that no President has such authority. Thus, many suggest we are in a state of tyranny today.]

**Section. IV.**

*The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.*

**[Explanation of Article II Section IV:** This section briefly discusses the notion of removing a President from office in a process known as impeachment. Perhaps if this notion were better clarified by the framers, in recent years when impeachment has been desirable, it might even be able to be effected without the concurrence of both or the many as it may be, political parties in standing.]





# Chapter 11 The Constitution, The Supreme Court & Other Courts

## Article III. Establishes Supreme Court and other courts

### **Section. I.**

*The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.*

**[Explanation of Article III Section I:** This establishes the last of the three branches of government, the Judiciary. In this section, the Supreme Court is established. This is the highest court in the United States. It also sets the terms of all federal judges, of both the Supreme Court and lower courts: that they serve as long as they are on "good behavior," which usually means for life (No Justice and only a few judges have ever been impeached). State judges typically are voted in for specific terms. This section also requires that federal judges shall be paid for their work.]

### **Section. II**

*The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;--to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the United States shall be a Party;--to Controversies between two or more States;-- between a State and Citizens of another State;--between Citizens of different States;-- between Citizens of the same State claiming Lands under Grants*

*of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.*

*In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.*

*The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.*

**[Explanation of Article III Section II:** This section sets a number of important things for the federal judiciary:

- The types of cases that may be heard,
- Which cases the Supreme Court may hear first (called original jurisdiction),
- All other cases heard by the Supreme Court are by appeal.
- It also guarantees trial by jury in criminal court.]

### **Section. III.**

*Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.*

*The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.*

**[Explanation of Article III, Section III:** This section defines the crime of treason against the United States. Treason is the only crime specifically defined in the Constitution. A person is engaged in treason if he or she goes to war against the United States or gives

“aid or comfort” to an enemy. This is self-evident. However, he or she does not have to use a weapon and fight in combat against U.S. forces. Treasonous acts include helping the enemy by passing along classified information or supplying weapons or knowledge of critical war locations and positions.

Protesting or demonstrating for or against a war is not a treasonous act and in fact is protected by the free speech clause in the First Amendment. To be convicted of treason, a supposed perpetrator must either admit guilt in open court or be implicated by the testimony of two witnesses.

Attainder brings dishonor for it is the legal consequence of judgment of death or outlawry for treason or felony. It involves the loss of all civil rights. A bill of attainder in English law was a legislative act that singled out one or more persons and imposed punishment on them, without benefit of a judicial trial. The Constitution forbids this. In the case of treason, the crimes of the father may result in punishment to the son. Thus, The Congress may set the punishment, but it must be directed only at the guilty person and not at his or her friends or family if they were not involved in the crime.]

## Article. IV. Regarding the states

### **Section. I.**

*Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.*

**[Explanation of Article IV, Section I:** This section mandates that all states must honor the laws of all other states. The purpose of this, for example is that if a couple married under the laws of the nation and of say Florida is also considered married by Arizona, or that someone convicted of a crime in Virginia is considered guilty in Wyoming. There has been some confusion regarding this section

regarding some of the new issues regarding marriage within American society.]

### **Section. II.**

*The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.*

*A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.*

*No Person held to Service or Labor in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labor, but shall be delivered up on Claim of the Party to whom such Service or Labor may be due.*

**[Explanation of Article IV Section II:** This section guarantees that citizens of one state be treated equally and fairly like all citizens of another state. If a person, who is accused of a crime in one state, flees to another, this section requires that the potential criminal be returned to the state from which they fled. Additionally, this section offers a remedy for handling fugitive slaves, which no longer applies, as slavery has not been permitted in the US since April 1864 with the passage of the Thirteenth Amendment to the Constitution.]

### **Section. III.**

*New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.*

*The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.*

**[Explanation of Article IV Section III:** This section concerns the admittance of new states and the control of federal lands. Congress can admit new states into the Union, but a single state cannot create a new state within its boundaries. For example, the state of New Hampshire cannot make Berlin, NH a separate state. Likewise, two states cannot merge to become one state.

There are lands that are controlled by the United States that are not states—such as Washington D.C., and Puerto Rico. This section provides the US the right to set rules for any of lands owned by the United States, such as the national parks and national forests. There is a lot of opportunity for misunderstanding regarding lands theoretically owned by the federal government which they have been by law required to give back but have not. Cliven Bundy and Nevada is a recent example.]

#### **Section. IV.**

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.

**[Explanation for Article IV Section IV:** This section prescribes republican form of government (which, in this case, is synonymous with "Constitutional representative democracy—not a monarchy, oligarchy, or any aristocratic scheme). The country derives its power from the people, not from a king or emperor. This guarantees that the federal government will protect all the states against invasion and insurrection—even if the President does not like that particular state.



# Chapter 12 The Constitution, Articles V through VII

## Article. V. Changing the Constitution in the future

*The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.*

**[Explanation of Article V:** The Constitution can only be modified / amended by the specific method provided in Article V. The framers realized that over time, things would need to be spelled out better or the country's mood on certain issues would change and the nation needed a way to change the Constitution to meet such specific needs in a non-frivolous manner. And, so, the Constitution is very difficult to change, and this is good for the nation.

No act of Congress or Executive Order or Court Order can change the Constitution. The process to change the Constitution involves two thirds of the members of Congress proposing specific amendments; or they may call a convention in which amendments to the Constitution can be put forth. No amendment becomes part of

the Constitution unless three fourths of the total # of states in the Union ratify (approve) the amendment(s) in their own state legislatures. When proposed, passed, and ratified, an amendment becomes a permanent change to the Constitution.

The President has no authority to ignore any Constitutional Amendment. To make sure that all was on the up and up, the framers wrote so that three specific amendments were forbidden:

- To deny a state its votes in the Senate,
- That before 1808 would enable Congress to prohibit the importation of slaves
- That before 1808 would allow direct taxation except as based on the system of enumeration set out in Article I, Section 2.

As a result, the framers of the Constitution created a three-fifths compromise contained in Article I, Section 9, for how, slaves would be counted when determining a state's total population for constitutional purposes. This remained in place until 1808 when Congress banned the international slave trade.]

## **Article. VI. Regarding the United States itself**

*All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.*

*This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.*

*The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.*



**[Explanation of Article VI:** This concerns the United States itself.

1. It guarantees that the United States under the Constitution would assume all debts and contracts entered into by the United States under the Articles of Confederation.
2. It sets the Constitution and all laws and treaties of the United States to be the supreme law of the country.
3. It requires all officers of the United States and of the states to swear an oath of allegiance to the United States and the Constitution when taking office.]

### **Article. VII.**

*The Ratification of the Conventions of nine States shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.*

**[Explanation of Article VII:** This Article details the method for ratification, or acceptance, of the Constitution: of the original 13 states in the United States. Nine states had to accept the Constitution before it would officially go into effect.]

### **Framers notes at the end of the Constitution:**

*The Word, "the," being interlined between the seventh and eighth Lines of the first Page, the Word "Thirty" being partly written on an Erasure in the fifteenth Line of the first Page, The Words "is tried" being interlined between the thirty second and thirty third Lines of the first Page and the Word "the" being interlined between the forty third and forty fourth Lines of the second Page.*

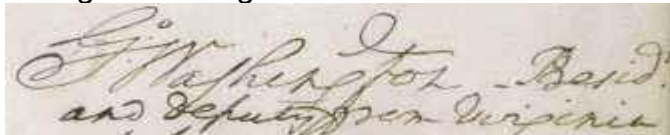
*Attest William Jackson Secretary*

### **Closing clause of the US Constitution**

*Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our*

*Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,*

*George Washington*



*President and Deputy from Virginia*

**Delaware**

Geo Read, Gunning Bedford, John Dickinson, Richard Bassett, Jacob Broom

**Maryland**

James McHenry, Dan of St Thos. Jenifer Daniel Carroll

**Virginia**

John Blair, James Madison Jr.

**North Carolina**

William Blount, Richard Dobbs Spaight, Hume Williamson

**South Carolina**

J. Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler

**Georgia**

William Few, Abraham Baldwin

**New Hampshire**

John Langdon, Nicholas Gilman,

**Massachusetts**

Nathaniel Gorham, Rufus King

**Connecticut**

William. Samuel Johnson, Roger Sherman

**New York**

Alexander Hamilton,

**New Jersey**

William Livingston, David Brearley, William Paterson, Jonathan Dayton

**Pennsylvania**

Ben Franklin, Thomas Mifflin, Robert. Morris, George. Clymer,  
Thomas. Fitzsimons, Jared Ingersoll, James Wilson, Gouv Morris

Rhode Island and its provinces were not represented. New York's representatives left before the convention had created the Constitution.

Reference with spelling corrections:

[http://www.archives.gov/national-archives-experience/charters/constitution\\_transcript.html](http://www.archives.gov/national-archives-experience/charters/constitution_transcript.html)

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