

Open Letter to Lancaster County, Pa. Oath Takers

There are currently two competing, polar-opposite views on the Constitution. Only one can be true:

- **A list of Enumerated Powers severely limiting the function and scope of our federal government so that we can be free from a powerful central government.**
- **A 'living document' removing all constitutional limits and allowing federal workers to define and limit the scope of their own power.**

Democrats and Republicans refer to and treat the Constitution as a 'living document.' This is a weak attempt to justify unconstitutional laws, rules, regulations, taxes, fees, agencies, and decisions and it reveals the necessity of denigrating the Constitution for both parties to continue operating outside of the 10th Amendment and the Enumerated Powers.

"The plan of the convention declares that the power of Congress, or, in other words, of the national legislature, shall extend to certain enumerated cases. This specification of particulars evidently excludes all pretensions to a general legislative authority, because an affirmative grant of special powers would be absurd, as well as useless, if a general authority was intended." - Alexander Hamilton, Federalist No. 83

The 'living document' argument is an obvious lie. It is a successful lie, however, if millions knowingly or unknowingly repeat and believe the lie, and if through apathy and fear we do nothing to call attention to this deception and continue to cooperate as if it were true. Those pushing for control through Socialism of course will fight this conversation.

In 1902 Oliver Wendell Holmes Jr. was appointed to the Supreme Court and was instrumental in institutionalizing the additional lie that the judiciary are the lone arbiters of what is constitutional. The federal government was created by the People and never, during or after, did we give up our power to determine when our creation is operating outside of the confines of its Delegated Responsibilities, nor have we ever surrendered the right to respond accordingly.

As part of the federal government the Supreme Court is under the Constitution, never over it. Despite what is commonly believed the Constitution itself does not give the Supreme Court or the judiciary final authority over what is constitutional, and the Separation of Powers requires that the Supreme Court be tightly held in check by the other two branches. Our Declaration of Independence makes it abundantly clear that the Supreme Court will never have the final and only word on Liberty or on our Rights. The Supreme Court is the highest court, not the Supreme Law of the Land.

Through legislation, executive orders, case law, and the force of multiple layers of law enforcement agencies the federal government's extra-constitutional activity is given the appearance of legitimacy. The 10th Amendment, however, still stands and the Oath to obey and defend the Constitution remains an absolute requirement of all who would serve us. Jefferson rightly called the 10th Amendment the foundation of our Constitution. Neither party wants this to be known.

Only federal activity within the strict confines of the Constitution and the principles of which it is a simple but powerful reflection are valid. Thomas Jefferson said **"whenever the General Government assumes undelegated powers, its acts are void, null, and without force."** The Supreme Court declared: **"...a law repugnant to the Constitution is void..."** - Marbury v. Madison, (1803). Our judges used to honor their Oaths' to obey and defend the Constitution: **"An unconstitutional act is not law; it confers no right; it imposes no duties; it affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed."** - Norton v. Shelby County, (1886).

Law enforcement officers apply the law daily and we are very concerned, as all true Americans should be, whether they are enforcing and allowing the enforcement of what is unlawful. Legislators responsible for interposing themselves between us and unconstitutional federal dictates are instead cooperating with and facilitating unlawful federal activity. Judges and lawyers have become accountable to only themselves by rejecting the Constitution and the source of its principles and instead stand on the miasma that is case law, which they produce and alone are allowed to interpret.

Whether or not federal, State, and local Oath takers are honoring their Oath of Office and obeying and defending the Constitution or are instead enforcing everything Washington D.C. produces has become a one-sided conversation.

The Constitution as written clearly limits the federal government to only two essential tasks, defense and facilitating trade. Despite it having become 'normal' for the federal government to operate outside of its constitutional confines, it

is never too late for us to draw attention to their unlawful activities and to start restoring the Rule of Law and our Liberty. It is, in fact, our duty as Americans to do so whether all of you that swear the Oath of Office honor it or not.

We cannot easily rein in Washington, D.C. or even our Commonwealth, but we can certainly restore Freedom to our County. In an entire nation that should be protected by the Constitution we are entitled to create a **10th Amendment County** where the Enumerated Powers, the Bill of Rights, and the great principles that created our Republic are again what protect and guide our lives. To achieve this, **interposition** will again be required of all that have sworn their Oath.

We should never lose our Liberty because people among us neither want theirs nor know how to live free. It is because of them that we wrote the Constitution and require that you swear your Oath of Office to us and it is our responsibility to hold you to that oath. We will enforce the 10th Amendment again, but we must know where your allegiance lies.

The Constitution cannot be two opposite things at the same time. Is the Constitution our Highest Law that keeps us free, or is it an anachronistic document flippantly referenced on rare occasions? Are our Rights from God and eternal, or favors from man and transient? Are our responsibilities individual and voluntary, or collective and coerced?

If the 10th Amendment has not been repealed, and it has not, and if the Rule of Law, Personal Responsibility, and Freedom still define our Republic, and they do, then we need to resolve what defines and limits our federal government, the Constitution or bureaucrats. Only when the Constitution *as written* is obeyed and defended are we free.

It is often discussed that the U.S. Department of Education is unconstitutional. Many days could be spent listing the agencies, programs, taxes, fees, rules, and regulations that are outside the scope of the Constitution. If we are not mistaken that list well exceeds 65 million. The long overdue conversation that needs to take place about what limits the federal government will never occur if we keep waiting on our several levels of government to begin that conversation.

The Constitution and your Oath of Office are what should have prevented the expansion of Washington D.C.'s size and power. As the intended objects of your Oath, we have a vested interest and an undeniable Right to know who and what you swore to support and defend. How you view the Constitution tells us exactly which oath you swore and to whom.

Our pursuit of answers in this conflict is not just academic, the implications to the very nature of our Republic and the Rule of Law are obvious. Our Republic is increasingly divided over many issues, but we believe that the Constitution and, much more importantly, the principles that created it form the true divide that is seeing it torn apart.

If we as a nation cannot even discuss and agree upon the importance and genius of the Constitution as written, and that our Liberty is inversely proportional to the size of government, then we are irreparably divided and serious conflict is once again inevitable. Tragically, easily disproven lies have steered our Republic into this avoidable constitutional crisis.

Our singular interest is in a public conversation on the Constitution, the 10th Amendment, the Enumerated Powers, and the Oath of Office before we relegate all of them to the trash heap and completely rely upon the mercies and whims of federal employees that routinely and increasingly abandon our Republic's most fundamental principles and the constitutional limits on their activity. Those that disagree are invited to vigorously defend their 'living document' view.

We are scheduling a Town Hall meeting for April 14th to resolve this pivotal issue. As one of the people that publicly and willingly swore the Oath of Office to obey and defend the Constitution, it is your duty to promote this critical conversation. We will also be asking the media, which has special protection in the Constitution and specific obligations as a result, to also help clarify this issue. **Most importantly, we are asking all Oath takers in Lancaster County to immediately release a statement clarifying which of the two views on the Constitution you hold.**

We have a right to know and by your Oath you are obligated to answer. It is an absolute necessity in resolving this nation-dividing constitutional crisis. Discussing the Constitution is not 'political,' as some try to claim. It is the Law that each of you swore to obey and defend. Stating your view is the first and most fundamental act of fulfilling that duty.

Please contact us at your earliest convenience to set a time to meet and discuss in what way you will help facilitate and promote this Town Hall rally and this conversation. We look forward to hearing from you and reading your statement.