

The Constitution vs. The Constitutionalist

After many years of abusive and tyrannical federal intrusions into state, local and private personal affairs, protected freedoms and liberties, well beyond the constitutional authority granted to the federal government in the U.S. Constitution, it has become necessary to return to our founding principles and values, to restate and enforce the Rule of Constitutional Law in preservation of our once free republic.

It has also become socially popular to proclaim the name of constitutionalist, an indication of both knowledge of and reverence for our Charters of Freedom. Yet too many constitutionalists are not even vaguely familiar with the Charters of Freedom, often calling for alterations to our form of self-governance in the name of constitutional conscience, but at odds with constitutional text, wisdom and intent.

The Obama Administration has indeed been historic in many ways, first and foremost, the failed but extreme effort to “fundamentally transform” our sovereign Constitutional Republic into a secular socialist member of a criminal global commune. No previous President has ever done so much to destroy the republic or their own political party, Obama having lost the Democratic Party more than 1000 political seats in less than eight years.

The 2016 revolt of the people that resulted in the historic election of political outsider Donald J. Trump also resulted in Republicans gaining control of both chambers of Congress, 2/3 of the state governorships and all but 13 of the 50 state legislatures. In short, the Obama era has been disastrous for both the country and his party.

Still, even Barack Hussein Obama claims constitutional expertise and reverence, as he works day in and day out to destroy everything the Founders created some 240 years ago. Like many modern lawyers trained in Common Law [noun: common law is the part of English law that is derived from custom and judicial precedent rather than statutes;] instead of Constitutional Law based in Natural Law, experts with a left-leaning agenda may be experts, but use that expertise to undermine and subvert the Rule of Constitutional Law rather than uphold and preserve it. Three great examples of this is demonstrated by the open assault on States' Rights, the call for congressional term limits and the end of the Electoral College.

Because the vast majority of Americans stopped being forever vigilant in self-governance long ago, many now seek what they believe to be shortcut solutions to solve the natural consequences of a society no longer informed or engaged in self-governance. These notions are at odds with both constitutional text and intent.

THE ELECTORAL COLLEGE

People have referred to the U.S.A. as a "democracy" for far too long. The Founders took great pains to avoid establishing a pure "popular vote" only form of democracy, referred to by our Founders as nothing more than "mob rule."

To assure that the U.S.A. would never be a pure democracy ruled by popular referendum alone, the Electoral College was created to prevent an entire nation from falling under the rule of "the mob" huddled in a handful of high population centers which always lean left politically due to the inherent challenges of inner city life.

The 2016 election provides a perfect example of exactly what the Founders had in mind when they established the Electoral College. Of our 50 states in the union, Trump won 30, or 60%.

Of our 3142 counties across the country, Trump won 2523 (80.3%) to Clinton 490 (15.6%). Without the Electoral College, Hillary Clinton would have (allegedly) won the 2016 election by popular vote (pure democracy), despite 80.3% of the counties and 60% of the states voting against her.

I say “allegedly” because the actual popular vote numbers are horribly tainted by vote fraud and illegal alien votes in places like California. We actually don’t know (and never will know) the real outcome of the legitimate popular vote, which is again, why the Electoral College exists.

To eliminate the Electoral College would be to destroy the Founders constitutional guarantee to every state of the union under Section 4 of Article IV, a republican form of government, as opposed to a democracy.

So, why do many modern self-proclaimed constitutionalists demand an end to the Electoral College?

CONGRESSIONAL TERM LIMITS

Many constitutionalists seek a quick fix for a general lack of public oversight of congress by arguing in favor of congressional term limits. Once again, this concept is wholly at odds with constitutional text and intent.

To be certain, past alterations in constitutional intent for congress, such as the 17th Amendment which ended states representation in the U.S. Senate by using popular vote instead of state legislatures to elect senators, along with the power of incumbency, has made the concept of term limits look attractive to many.

But as is the case with all alterations to the original design and intent, those alterations come at a high price. Some even seek term limits for the U.S. Supreme Court, at risk of great peril. Members of that court or any other can be removed from the court in an instant for anything deemed to be “bad

behavior," which should certainly include failing to uphold and enforce the Supreme Law of this land.

The House of Representatives (by congressional district) was originally intended to be the most powerful branch of the federal government, as it was designed to be the branch closest to the people with only two-year terms. Members are term limited to two years of service, unless the people re-elect.

The U.S. Senate was originally designed to represent States' interests only, which is why senators were to be elected by State Legislatures (not popular vote) and each state assigned the same number of senators regardless of population, two per state. The passage of the 17th Amendment eliminated the U.S. Senate as a body representing State interests and essentially eliminate states' rights in the process. Senators are term limited to six years of service unless reelected.

The problem is the people are not forever vigilant. Incumbency has become so powerful not just because of the money available to incumbent's vs challengers, but because the people tend to reelect repeatedly unless a senator is such a bad actor that they simply must replace them.

The downside to additional term limits is that it is not the incumbents being tossed out, but rather the voters. The will of the people is overruled by the clock. No matter how good a member of congress might perform, they are forced to leave when the clock runs out. There are no guarantees that the seat will be filled with someone better suited to the position, just because the clock ran out. In fact, more often than not, we would end up with someone worse, as most decent and honorable people do not seek public office at all.

Had the Founders seen a need and benefit to additional term limits, they would have placed them in Article I of the U.S. Constitution. They didn't... So, why do many constitutionalists

seek to alter the Founders design when it comes to term limits?

STATES' RIGHTS

The primary rights of every state of the union is to be secure in their independent sovereignty and they are guaranteed a republican form of government, not a democracy.

So, when the federal government becomes abusive or destructive of state sovereignty and rights, it is the power of each state to check the federal government and force it back into constitutional boundaries, alter or abolish it altogether.

For the past eight years of the Obama regime, many states have sought to check the federal government abuses by numerous means, from State Level 10th Amendment bills like The Balance of Powers Act to individual issue nullification efforts, or even chatter about State Conventions and secession, all of it thwarted by left-leaning politicians and courts seeking to expand federal authority beyond constitutional boundaries via broad interpretations of federal supremacy.

Now that Trump will be taking the reins of the federal government on January 21, 2017, even many democrat politicians are suddenly supportive of 10th Amendment protections against federal abuses of power – something they entirely opposed while their dictator-in-chief was in power.

But once again, many constitutionalists overlook the power of the 10th Amendment and the states to force the federal government back into constitutional compliance in their efforts to find a quick cure-all for federal tyranny. They know that the federal government was created by and exists at the pleasure of the member states, but fail to look to those states to solve federal abuses and expansions of power.

The truth of the matter is that no matter which political party or person is in power at the federal level at any given

time, none of them will operate within constitutional boundaries unless forced to do so by the states and the people.

The Constitution vs. The Constitutionals

Not everyone who claims the title of constitutionalist is one. Many have never even read the document much less the underpinning for everything in it, Natural Law. Thus, many find themselves working for “unconstitutional” solutions to problems easily remedied within the original constitutional text and intent.

Political points of view and related agendas drive the dialogue. People with progressive-leanings interpret constitutional text entirely different than those with libertarian-leanings. Those who think we are a democracy will interpret text entirely different than those who know why we are a republic. The agenda drives the interpretation, instead of the original text and intent driving the agenda.

No true constitutionalist believes that the original document can be improved upon with additional alterations. Every real constitutionalist knows that the document has been altered far too much already. The solution is not to alter it further, but rather to unwind some of the past alterations that have served only to undermine the original text and intent.

When considering which “constitutionalist” to follow in your political activism, look at who is seeking to further amend the original document vs who is looking to restore and enforce the original text and intent.

Despite the human tendency to see ourselves as the smartest person in any room these days, the reality is there is no one alive today who is wiser than the original Founders. There is no one alive today who can improve upon the divinely inspired work of our Founding Fathers.

Only someone who understands this is a true constitutionalist!

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