

## BIRTH OF A NATION UNDER GOD

### DECLARATION OF INDEPENDENCE - AMERICA'S FOUNDATION

On June 11, 1776 Thomas Jefferson was appointed to a five-man committee—alongside John Adams, Roger Sherman, Benjamin Franklin, and Robert R. Livingston and was charged with drafting a formal statement justifying the break with Great Britain. The other members of the committee “unanimously pressed on Thomas Jefferson alone to undertake the draught. Jefferson consented and drew it. Before Jefferson reported it to the committee he communicated it separately to Dr. Franklin and Mr. Adams requesting their corrections and then wrote a fair copy, reported it to the committee, and from them, unaltered to the Congress.”

James Madison wrote the initial draft of the Constitution called the Virginia Plan. Modifications were made to it at the Constitutional Convention by 55 delegates, presided over by George Washington. James Madison was one of the many delegates who wrote the Bill of Rights. Thomas Jefferson and James Madison were more than good friends. These two Virginians and Founding Fathers participated in what was probably the greatest political collaboration in American history. Indeed, the history of the early republic is incomprehensible without an understanding of this political partnership. As John Quincy Adams once observed, *“The mutual influence of these two mighty minds upon each other is a phenomenon, like the invisible and mysterious movements of the magnet in the physical world, and in which the sagacity of the future historian may discover the solution of much of our national history not otherwise easily accountable.”*

The credit for giving an idea to bring about amendments goes to George Mason. He is popularly called the Father of the Bill of Rights. He is known to have convinced Madison to write the Bill. Following the often bitter 1787–88 debate over ratification of the U.S. Constitution, the Bill of Rights was written to address the objections raised by Anti-Federalists. The Bill of Rights amendments add to the Constitution specific guarantees of personal freedoms and rights, clear limitations on the government's power in judicial and other proceedings, and explicit declarations that all powers not specifically delegated to Congress by the Constitution are reserved for the states or the people. The concepts codified in these amendments are built upon those found in several earlier documents, including the Virginia Declaration of Rights and the English Bill of Rights, along with earlier documents such as Magna Carta (1215).

The Declaration of Independence is the foundation of American Law, the Constitution is the framework of American Law and the Bill of Rights is the capstone of American Law. These three founding documents collectively express American Law and defines who we are as a People setting us apart from any other Republic. A republican form of government is a government that functions under law via a constitution. The difference between our American Republic and any other republic is that We the People ordained and established our Constitution in light of Natural Law.

It is impossible to read and study our founders and our founding documents and not be instructed in God's law. This is our heritage so long as we discern it and teach our children the same. If We the People neglect to identify with our founding fathers and their instructions (founding documents) in Law we will lose the blessings of liberty and become like any other godless republic destined to be ruled by despots, for if we are not ruled by God we will be ruled by men. The People have forgotten who they are and where they came from and it is therefore no surprise that our elected and appointed

servants have also. It is the duty of those who come to an understanding of these things to revive liberties flame and spread the knowledge of this truth, join us at [www.NationalLibertyAlliance.org](http://www.NationalLibertyAlliance.org).

**AMERICA WAS FOUNDED UPON  
“EIGHT ANCIENT PRINCIPLES”<sup>1</sup>**

*The man who discovered America's freedom formula!*

It is doubtful that any of the Founders could have brought to this assignment a more profound and comprehensive training in history and political philosophy than Thomas Jefferson. Even by modern standards, the depth and breadth of his education are astonishing. Here is a summary of his background:

Jefferson had begun the study of Latin, Greek, and French at the age of nine. At the age of sixteen he had entered the College of William and Mary at Williamsburg as an advanced student. At the age of nineteen he had graduated and immediately commenced five years of intensive study with George Wythe, the first professor of law in America. During this period he often studied twelve to fourteen hours per day. When he was examined for the bar he seemed to know more than the men who were giving him the examination.

By the time Jefferson had reached early adulthood, he had gained proficiency in five languages. He had studied the Greek and Roman classics. He had studied European and English history. He had carefully studied both the Old and New Testaments.

While studying the history of ancient Israel, Jefferson made a significant discovery. He saw that at one time the Israelites had practiced the earliest and most efficient form of representative government. As long as the Israelites followed their fixed pattern of constitutional principles, they flourished. When they drifted from it, disaster overtook them. Jefferson thereafter referred to this constitutional pattern as the "ancient principles."

Jefferson was also surprised to find that the Anglo-Saxons somehow got hold of some of these "ancient principles" and followed a pattern almost identical to that of the Israelites, until around the eighth century A.D. It is interesting that when Jefferson was writing his drafts for the Virginia constitution he was already emphasizing the need to return to the "ancient principles."

For seventeen days-Jefferson composed and revised his rough draft of the Declaration of Independence. The major portion of the Declaration is taken up with a long series of charges against King George III. However, these were nearly all copied from Jefferson's drafts of the Virginia Constitution and his Summary View of the Rights of British America. To copy these charges into the Declaration would not have taken him more than a single day. What was he doing the other sixteen days?

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<sup>1</sup> Eight ancient principles, excerpts from "The Making of America," by W. Cleon Skousen

It appears that he spent most of the remaining time trying to structure into the first two paragraphs at least eight of the "ancient principles" which he had come to admire. His views on each of these principles are rounded out in other writings, and from these various sources we are able to identify the following fundamental principles in the first two paragraphs of the Declaration of Independence:

- 1) Sound government should be based on eight self-evident truths. These truths should be so obvious, so rational, and so morally sound that their authenticity is beyond reasonable dispute.
- 2) The equal station of mankind here on earth is a cosmic reality, an obvious and inherent aspect of the law of nature and of nature's God.
- 3) This presupposes (as a self-evident truth) that the Creator made human beings equal in their rights, equal before the bar of justice, and equal in his sight. (*Of course, individual attributes and personal circumstances in life vary widely.*)
- 4) These rights which have been bestowed by the Creator on each individual are unalienable; that is, they cannot be taken away or violated without the offender coming under the judgment and wrath of the Creator. A person may have other rights, such as those which have been created as a "vested" right by statute, but vested rights are not unalienable. (*Our three branches of government have vested rights.*) They can be altered or eliminated at any time. Writing the Declaration of Independence
- 5) Among the most important of the unalienable rights are the right to life, the right to liberty, and the right to pursue whatever course of life a person may desire in search of happiness, so long as it does not invade the inherent rights of others.
- 6) The most basic reason for a community or a nation to set up a system of government is to assure its inhabitants that the rights of the people shall be protected and preserved.
- 7) And because this is so, it follows that no office or agency of government has any right to exist except with the consent of the people or their representatives.
- 8) It also follows that if a government, either by malfeasance or neglect, fails to protect those rights- or, even worse, if the government itself begins to violate those rights - then it is the right and duty of the people to regain control of their affairs and set up a form of government which will serve the people better.

### **U.S. CONSTITUTION'S PRIME DIRECTIVE FRAMED UPON THE EIGHT ANCIENT PRINCIPLES**

**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.

### **SUPREME LAW OF THE LAND**

**ARTICLE VI CLAUSE 2:** 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, anything in the Constitution or laws of any State to the contrary notwithstanding.

## BOUND BY OATH

**ARTICLE VI CLAUSE 2:** 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;

The purpose of a written constitution is entirely defeated if, in interpreting it as a legal document, its provisions are manipulated and worked around so that the document means whatever the manipulators wish. Jefferson recognized this danger and spoke out constantly for careful adherence to the Constitution as written, with changes to be made by amendment, not by tortured and twisted interpretations of the text.

## JEFFERSON ON SLAVERY

If you want to destroy the heart and soul of America you must first assassinate the reputation of Thomas Jefferson, without which there would be no America. Ever since I can remember I've heard destructive statements such as: "Jefferson's remarkable declaration was an enigma."

Warren Throckmorton an associate professor of psychology and co-author with Dr. Michael Coulter of "Getting Jefferson Right," wrote: "*Jefferson proclaimed that all men were created equal and possessed natural rights. However, as Jefferson wrote those words, he owned slaves whose natural rights were not respected nor protected. Not long after he wrote the Declaration of Independence, his views on race became the basis for the movement to deport freed blacks to Africa or the West Indies. Jefferson bought and sold slaves throughout his adult life. He even sent bounty hunters after runaway slaves. Some Christian writers, such as David Barton, claim that Virginia law prevented Jefferson from freeing his slaves. However, this is not true;*"

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LIES! LIES! LIES! LIES! And let us not forget these peoples' most useful tool claiming sexual deviancy against their victims. You can find a powerful argument in support of Jefferson's character and witness as to where these lies came from by the people who knew Jefferson in the book "The Real Thomas Jefferson" Chapter 18 titled "A Season of Slander" [found at [www.nccs.net](http://www.nccs.net)]. And, it seems that every documentary and historian seems to regurgitate the lies. These People are enemies of America determined to destroy the heart and soul of America, we know this to be true because it is impossible to research Jefferson and not see how he struggled at every opportunity in his career to legalize emancipation in Virginia and extinguish slavery in America, he also stated that America will suffer the consequence of this sin at some future time.

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<sup>2</sup> Warren Throckmorton | Topic: American History & Presidents, <http://www.visionandvalues.org/2012/07/thomas-jefferson-american-enigma/>.

The following are some excerpts from the book "The Real Thomas Jefferson" Chapter 18 titled "A Season of Slander" - The Republican administration, despite its popularity with the masses, was subjected to a steady barrage of criticism by the Federalist press throughout Jefferson's two terms. The vilest attacks on the President himself, however, came from an unexpected source.

**Callender's Calumnies** - One of the victims of the Sedition Act who was pardoned by President Jefferson in 1801 was James Thomson Callender, a Republican journalist who had been an unrelenting critic of the Federalists during the last presidential campaign. But Callender wanted more than a pardon: later that year he plainly told James Madison, the new Secretary of State, that he hoped to be appointed postmaster in Richmond, Virginia. When it became clear that he was not going to be offered any government post, the embittered Callender sought revenge by going to work for a Federalist newspaper in Richmond. In March 1802, he began publishing various charges against Republican leaders in Congress and certain members of the Cabinet. By autumn he was training his guns on the President.

Callender has been described as "the most unscrupulous scandalmonger of the day, ... a journalist who stopped at nothing and stooped to anything .... [He] was not an investigative journalist; he never bothered to investigate anything. For him, the story, especially if it reeked of scandal, was everything; truth, if it stood in his way, was summarily mowed down." True to his style, he fabricated a series of scandalous stories about Jefferson's personal life, the ugliest of which charged him with having fathered several children by a mulatto slave at Monticello, a young woman named Sally Hemings. Although Callender had never gone near Jefferson's estate, he alleged that this was common knowledge in the neighboring area. He included many lurid details of this supposed illicit relationship among the "entertaining facts" he created for his readers, even inventing the names of children whom "Dusky Sally" had never borne.

Other Federalist editors took up these accusations with glee, and Callender's stories spread like wildfire from one end of the country to the other-sometimes expanded and embellished by subsequent writers. The President was charged with other evils as well; the torrent of slander never seemed to let up. As one biographer has written, "He suffered open personal attacks which in severity and obscenity have rarely if ever been matched in presidential history in the United States."

**Why Are These Libels Allowed?** - Like other men, Jefferson was sensitive to these false accusations. Years earlier he had written, "My great wish is to go on in a strict but silent performance of my duty, to avoid attracting notice, and to keep my name out of newspapers, because I find the pain of a little censure, even when it is unfounded, is more acute than the pleasure of much praise." Even before entering the presidency he felt he was being "used as the property of the newspapers, a fair mark for every man's dirt." And now that he was subjected almost daily to fresh doses of venom from Federalist penmen, he sorely lamented "the malignant perversions of those who make every word from me a text for new misrepresentations and calumnies."

Publicly, however, he made no response to these unscrupulous attacks. "I should have fancied myself half guilty," he said, "had I condescended to put pen to paper in refutation of their falsehoods, or drawn to them respect by any notice from myself." Nor did he use the channels of civil authority to silence his accusers. True to the declarations he had made in his inaugural address and elsewhere, he defended his countrymen's right to a free press. The Baron Alexander von Humboldt, a famous German explorer and scientist, learned the depth of Jefferson's commitment to this principle when he visited the city of

Washington in the summer of 1804. Calling at the Executive Mansion one morning, Humboldt was invited to meet with the President in the Cabinet room.

As he sat by the table, among the newspapers that were scattered about he perceived one that was always filled with the most virulent abuse of Mr. Jefferson, calumnies the most offensive, personal as well as political. "Why are these libels allowed?" asked the Baron, taking up the paper. "Why is not this libelous journal suppressed, or its editor at least fined and imprisoned?"

Mr. Jefferson smiled, saying, "Put that paper in your pocket, Baron, and should you hear the reality of our liberty [or] the freedom of our press questioned [in Europe], show this paper and tell where you found it." Jefferson's grandson, Thomas Jefferson Randolph, described the calm perspective with which the President viewed these slanders:

In speaking of the calumnies which his enemies had uttered against his public and private character with such unmitigated and untiring bitterness, he said that he had not considered them as abusing him; they had never known him. They had created an imaginary being clothed with odious attributes, to whom they had given his name; and it was against that creature of their imaginations they had levelled their anathemas (abominations).

Not only did Jefferson remain silent about the sensational accusations of James Callender and likeminded journalists, but he also instructed the members of his Cabinet to do the same. The Federalist press continued its harassment throughout Jefferson's presidency, but this unsavory effort lost much of its momentum after July 1803-the month Callender drowned himself in the James River.

In a conversation with an 19<sup>th</sup> century biographer Henry Randall, Jefferson's oldest grandson Thomas Jefferson Randolph confirmed what others close to the family had already disclosed: that Sally Hemings was actually the mistress of Jefferson's nephew Peter Carr, and that their connection was perfectly notorious at Monticello.

Thomas Jefferson was born to a slave-owning family, in 1767 at age 24 Jefferson inherited 5,000 acres of land and 52 slaves from his father. In 1774, Jefferson inherited two plantations and 135 more slaves from his father-in-law, John Wayles, who had been directly involved in the importation of enslaved Africans into Virginia. This practice was not prohibited until 1778, by an act drafted by Jefferson himself.

As chairman of the committee that drafted the Declaration of Independence, Jefferson wrote a paragraph condemning slavery in his first draft of the Declaration. He included this paragraph in his list of complaints against King George III. Before the final version of the Declaration was adopted, this paragraph was deleted. *"He [King George III] has waged cruel war against human nature itself, violating its most sacred rights of life liberty in the persons of a distant people who never offended him, captivating carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of infidel powers, is the warfare of the CHRISTIAN king of Great Britain determined to keep open a market where MEN should be bought sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce."*

*"My opinion has ever been that, until more can be done for them, we should endeavor, with those whom fortune has thrown on our hands, to feed and clothe them well, protect them from ill usage, require such reasonable labor only as is performed voluntarily by freemen, and be led by no repugnancies to abdicate them, and our duties to them." --Thomas Jefferson, 1814*

*"Nothing would induce me to put my Negroes out of my own protection,"* Jefferson wrote in 1820. Like many of his contemporaries in Virginia, he held paternalistic views of his human property, feeling responsible for their welfare while doubting their ability to succeed in a free white world. Jefferson had strong scruples against selling slaves, while freeing *"persons whose habits have been formed in slavery,"* he said, *"is like abandoning children."*

Jefferson's character had to be destroyed in order for the New World Order that was already entrenched in the creation of our government as early as 1776 to take a foothold and by 1792 Hamilton who already had strong ties to the foreign bankers was already advocating for a National bank at which time Jefferson saw Hamilton as a threat to liberty because he knew that a central bank would destroy America, and it was likely that the foreign bankers, already chomping at the bit, started the aforesaid "Season of Slander" against Jefferson when he became President.

It was Jefferson who discovered Americas Freedom formula. He rediscovered Natural Law a/k/a Common Law and the government structure we have today. Jefferson served as minister to France and was out of the country during the Constitutional Convention and the writings of the antifederalist papers that resulted in the Bill of Rights and corresponded with James Madison concerning the same. Antifederalist opposed the creation of a stronger U.S. federal government and which later opposed the ratification of the 1787 Constitution. The previous constitution, called the Articles of Confederation, gave state governments more authority. Led by Patrick Henry of Virginia, Anti-Federalists worried, among other things that the position of president, then a novelty, might evolve into a monarchy. Though the Constitution was ratified and supplanted the Articles of Confederation, Anti-Federalist influence helped lead to the passage of the United States Bill of Rights where we read in the Preamble:

*THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.*

On December 7, 1787 five states Delaware, Pennsylvania, New Jersey, Georgia, and Connecticut ratified it in quick succession. However, other states, especially Massachusetts, opposed the document, as it failed to reserve undelegated powers to the states and lacked constitutional protection of basic political rights, such as freedom of speech, religion, and the press. In February 1788, a compromise was reached under which Massachusetts and other states would agree to ratify the document with the assurance that amendments would be immediately proposed. The Constitution was thus narrowly ratified in Massachusetts, followed by Maryland and South Carolina. On June 21, 1788, New Hampshire became the ninth state to ratify the document, and it was subsequently agreed that government under the U.S. Constitution would begin on March 4, 1789. In June, Virginia ratified the Constitution, followed by New York in July

On September 25, 1789, the first Congress of the United States adopted 12 amendments to the U.S. Constitution—the Bill of Rights—and sent them to the states for ratification. Ten of these amendments were ratified in 1791. In November 1789, North Carolina became the 12th state to ratify the U.S.

Constitution. Rhode Island, which opposed federal control of currency and was critical of compromise on the issue of slavery, resisted ratifying the Constitution until the U.S. government threatened to sever commercial relations with the state. On May 29, 1790, Rhode Island voted by two votes to ratify the document, and the last of the original 13 colonies joined the United States. Today the U.S. Constitution is the oldest written constitution in operation in the world.

The first act of Jefferson's political career, as noted earlier, was an attempt to make it legal for slave owners in Virginia to emancipate their slaves. That bill was rejected, as was the condemnation of slavery in his original draft of the Declaration of Independence. His labors in this cause finally met with some success in 1778, when he introduced a bill in the Virginia House of Delegates to prevent the further importation of slaves into the state. The proposal was approved, but he recognized that it only "stopped the increase of the evil by importation, leaving to future efforts its final eradication."<sup>3</sup> It was Jefferson's desire to open the way for this "final eradication" the very next year, when his committee submitted their proposals for the revision of Virginia's legal code. However, he ascertained through conversations with his colleagues that the legislature was not yet prepared to consider such a progressive step so he calculated another strategy. The bill on the subject of slaves was a mere digest of the existing laws respecting them, without any intimation of a plan for a future and general emancipation. It was thought better that this should be kept back, and attempted only by way of amendment whenever the bill should be brought on.<sup>4</sup>

But when the bill did come up for debate, Jefferson was unable to get his amendment passed. *"It was found that the public mind would not yet bear the proposition .... Yet the day is not distant when it must bear and adopt it,"* he wrote, *"or worse will follow. Nothing is more certainly written in the book of fate than that these people are to be free."*<sup>5</sup> Jefferson would be heard from again on the issue of slavery.

**"HEAVEN WAS SILENT IN THAT AWFUL MOMENT!"** The vast area between the Appalachians and the Mississippi River had long been claimed by several of the original states, but the recent cession of these claims placed the area under the control of Congress. In early 1784, Jefferson was appointed chairman of a committee to settle the many land disputes which had arisen and to prepare a plan for the government of this western region. Jefferson himself drafted the report, known to history as the Ordinance of 1784. According to one scholar, the plan "ranked second in importance only to the Declaration of Independence among Jefferson's state papers"<sup>6</sup>. This document, which reprinted, together with preliminary drafts, in Boyd 6:603-15 became the basis for the famous Northwest Ordinance of 1787. It provided for the creation of self-governing territories that would eventually be admitted to the Union on terms of full equality with the original states. It was a bold and brilliant concept, one that would ultimately have a tremendous influence on the westward expansion of the United States.!"

But Congress rejected a very significant element in Jefferson's report on the western territories. He had included in his bill a clause barring slavery in any of these territories after the year 1800—a measure which might have averted the Civil War<sup>7</sup> but this proposal was defeated by one vote. Jefferson lamented:

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<sup>3</sup> Autobiography (1821), Bergh 1:56

<sup>4</sup> Ibid. p.72

<sup>5</sup> Ibid

<sup>6</sup> Malone, Dictionary of American Biography, 10:21; see also Chinnard, Thomas Jefferson: The Apostle of Americanism, p. 147.

<sup>7</sup> Malone, Jefferson the Virginian, p. 414; Richard B. Morris, The American Revolution Reconsidered (New York: Harper & Row, 1967), p. 73.

*“The voice of a single individual ... would have prevented this abominable crime from spreading itself over the new country. Thus we see the fate of millions unborn hanging on the tongue of one man, and Heaven was silent in that awful moment! But it is to be hoped it will not always be silent, and that the friends to the rights of human nature will in the end prevail.”*<sup>8</sup>

Yet he worried about what might have to take place before this victory for "*the rights of human nature*" could be secured. Jefferson had actually advocated this idea eight years earlier. His proposed new Virginia constitution contained a provision that any future colonies established from Virginia's western domain would be "*free and independent of this colony and of all the world.*"<sup>9</sup>

*“I tremble for my country when I reflect that God is just; that His justice cannot sleep forever; that considering numbers, nature, and natural means only, a revolution of the wheel of fortune, an exchange of situation, is among possible events; [and] that it may become probable by supernatural interference! The Almighty has no attribute which can take side with us in such a contest.”*<sup>10</sup> -- Thomas Jefferson

Always an optimist in the end, however, Jefferson noted the next year that "*the cause of emancipation was gaining daily recruits from the influx into office of young men, grown and growing up. These have sucked in the principles of liberty, as it were, with their mother's milk; and it is to them I look with anxiety to turn the fate of this question.*"<sup>11</sup>

The Theory of Government borrowed from John Locke, holds that "*the only purpose of government, and its only competence, is to protect private property. If it presumes to go beyond that function it is guilty of misfeasance; if it fails to perform that function it is derelict in its duty.*" In Federalist Paper number ten Madison writes: "*The first object of government is the protection of the diversity in the faculties of men, from which the rights of private property originate.*" From that theory, despite their willingness to make compromises, the Founding Fathers never deviated.

Jefferson said: "*Common sense [is] the foundation of all authorities, of the laws themselves, and of their construction.*"<sup>12</sup> *The Constitution on which our Union rests, shall be administered by me [as President] according to the safe and honest meaning contemplated by the plain understanding of the people of the United States at the time of its adoption--a meaning to be found in the explanations of those who advocated, not those who opposed it, and who opposed it merely lest the construction should be applied which they denounced as possible.*<sup>13</sup> *I do then, with sincere zeal, wish an inviolable preservation of our present federal Constitution, according to the true sense in which it was adopted by the States, that in which it was advocated by its friends, and not that which its enemies apprehended, who therefore became its enemies.*"<sup>14</sup>

*“Where powers are assumed which have not been delegated, a nullification of the act is the rightful remedy.”*<sup>15</sup> *[The States] alone being parties to the [Federal] compact... [are] solely authorized to judge in the last resort of the powers exercised under it, Congress being not a party but merely the creation*

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<sup>8</sup> TJ to Jean Nicolas Demeunier (22 June 1786), Boyd 10:58.

<sup>9</sup> Boyd 1:353, 363

<sup>10</sup> Notes on the State of Virginia (1782), Bergh 2:227

<sup>11</sup> TJ to Dr. Richard Price (7 Aug. 1785), Bergh 5:56

<sup>12</sup> Thomas Jefferson: Batture at New Orleans, 1812. ME 18:92.

<sup>13</sup> Thomas Jefferson: Reply to Address, 1801. ME 10:248.

<sup>14</sup> Thomas Jefferson to Elbridge Gerry, 1799. ME 10:76.

<sup>15</sup> Thomas Jefferson: Draft Kentucky Resolutions, 1798. ME 17:386.

*of the compact and subject as to its assumptions of power to the final judgment of those by whom and for whose use itself and its powers were all created and modified.<sup>16</sup> The government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion and not the Constitution the measure of its powers; but... as in all other cases of compact among powers having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.”<sup>17</sup>*

In Federalist Paper number Forty-five Madison writes: “*The powers delegated by the proposed Constitution to the federal government are few and defined. Those which remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation and foreign commerce; with which last part the power of taxation will, for the most part, be connected. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties and properties of the people, and the internal order, improvement and prosperity of the State.*” *The operations of the federal government will be most extensive in times of war and danger; those of the State governments in times of peace and security. As the former periods will probably bear a small proportion to the latter, the State governments will here enjoy another advantage over the federal government.”*

Once the Constitution was written, it needed to be approved by the states to become law. Many state delegates worried that even with the concepts of federalism and dual sovereignty in the document, it was still too ambiguous and could someday be interpreted to give the federal government too much power. To calm these fears, the Bill of Rights was added to further limit the federal scope.

All of these checks were needed because the federal government will never check its own power. If left unattended, as the People have done via constitutional ignorance it will naturally move toward centralization to enhance its own authority. That is why the founders created a federal system of government based on dual sovereignty, along with the Bill of Rights to place as much power as possible into the hands of the states and the people. That is also why it is so important for states to assert their sovereignty and question or resist federal laws that they believe are unconstitutional.

Thomas Jefferson believed that the most important protector of individual liberty was “the support of the state governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against anti-republican tendencies.” Without states’ rights, the people are no longer sovereign. When this happens, the federal government becomes the master, not the servant, of the people. This is exactly what the founders worked so hard to prevent via:

BILL OF RIGHTS PREAMBLE: “...*THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution...*”

The Anti-Federalists believed in more rights for the individual than for the state, asserting that the biggest threat to freedom was a powerful federal government. They believed that even the balance of power between the three branches of government was not enough to prevent the government from becoming tyrannical. These works played an important role in the passage of the US Bill of Rights that

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<sup>16</sup> Thomas Jefferson: Draft Kentucky Resolutions, 1798. ME 17:387.

<sup>17</sup> Thomas Jefferson: Draft Kentucky Resolutions, 1798. ME 17:380.

were proposed following the often bitter 1787–88 debate over ratification of the U.S. Constitution, and written to address the objections raised by Anti-Federalists,

The Bill of Rights amendments add to the Constitution specific guarantees of personal freedoms and rights, clear limitations on the government's power in judicial and other proceedings, and explicit declarations that all powers not specifically delegated to Congress by the Constitution are reserved for the states or the people. The concepts codified in these amendments are built upon those found in several earlier documents, including the Virginia Declaration of Rights and the English Bill of Rights, along with earlier documents such as Magna Carta (1215).

The Constitution lists the powers, restrictions and elections of government representatives. Generally speaking and as Jefferson said:

*“Laws are made for men of ordinary understanding and should, therefore, be construed by the ordinary rules of common sense. Their meaning is not to be sought for in metaphysical subtleties which may make anything mean everything or nothing at pleasure.”*

IN CONCLUSION:

Upon exiting the Constitutional Convention Benjamin Franklin was approached by a group of citizens asking: *“Well, Doctor, what have we got a Republic or a Monarchy?”* He responded: *“A Republic, if you can keep it.”*

**JAMES MADISON** - *“A well-instructed people alone can be permanently a free people:”*

**SAMUEL ADAMS** - *“The natural liberty of man is to be free from any superior power on Earth, and not to be under the will or legislative authority of man, but only to have the law of nature for his rule.”*

**THOMAS JEFFERSON** - *“How little do my countrymen know what precious blessings they are in possession of, and which no other people on earth enjoy?”* But, *“When injustice becomes law, resistance becomes duty”*