

Module 4 Study Guide: Constitutions as Trust Instruments

Delegation, Fiduciary Duty, and Strict Construction

Lesson Summary

Module 4 initiates a paradigm shift from viewing government as an atmospheric phenomenon, unpredictable and reactionary, to analyzing it through the "physics" of its legal engineering. The core narrative posits that the Constitution is not a flexible, "living" document, but a fixed Trust Instrument: a binding deed of delegation and restraint.

The module identifies government as a "creature" of collective force that naturally seeks to expand. To protect the "Res" (the assets of life, liberty, and property), the "Settlers" (the People) created a written contract to bind the "Trustee" (the government). This structural analysis emphasizes that any power exercised by the government that is not expressly granted in the parchment is non-existent. The document outlines the architecture of this "cage" through the seven Articles of the Constitution, the 18 enumerated powers of Congress, and the specific rules governing delegation. Finally, it warns against the "stretching" of clauses, such as the General Welfare, Commerce, and Necessary and Proper clauses, as acts of usurpation and breach of trust.

Key Maxims

- **The Parchment is the Contract:** The Constitution is a fixed, written agreement; deviation from its strict letter transforms it from a constitution into a "scheme."
- **Potestas delegata non potest delegari:** Delegated power cannot be further delegated (e.g., the legislature cannot transfer lawmaking to an agency).
- **Casus Omissus:** The silence of the Constitution is a deliberate prohibition; what is not expressly granted is withheld.
- **Ultra Vires:** Acts performed beyond the scope of delegated power are void from the beginning (*void ab initio*).

Study Quiz

1. **What is the "Paradigm Shift" described in the module regarding the public's view of government?** The paradigm shift involves moving away from the "daily doom scroll" and treating government like an atmospheric storm that simply happens to people. Instead, individuals are encouraged to use "seismographs" to map the "fault lines" of the legal structure, viewing government as a machine governed by the physics of force rather than a series of personality-driven headlines.
2. **In the "Rich Kid" model of trust law, identify the three parties and their roles as they relate to the Constitution.** The Settlers are "We the People," who earned the assets and hold the original power to write the rules. The Trustee is the Government, which acts as hired help with no original power, only delegated authority. The Res represents the assets being protected: the life, liberty, and property of the People.
3. **How does the module define the "physics" of government force?** Government is defined as an artificial entity of collective force characterized by the "gun in the room,"

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meaning it is the only entity legitimized to use aggressive physical violence. Like a hammer or a gas, this force has no conscience and naturally expands to fill any available space, testing its boundaries unless it is physically restrained by a "cage."

4. **What are the five unalterable rules that govern every delegation of power?** The rules are: (1) Limited Source, meaning one cannot grant what they do not own; (2) No Redelelegation, meaning an agent cannot pass their power to another; (3) No Exceeding Scope, meaning derivative power cannot surpass the original grant; (4) Express Exclusion, meaning the inclusion of one thing excludes others; and (5) Constitutional Silence is Prohibition, meaning omission is an intentional lack of jurisdiction.
5. **Explain the mnemonic "Let Everyone Just Sit And Silently Read."** This mnemonic helps navigate the seven Articles of the Constitution: **L**egislative (Article I), **E**xecutive (Article II), **J**udicial (Article III), **S**tates (Article IV), **A**mendments (Article V), **S**upremacy (Article VI), and **R**atification (Article VII). It provides a structural map of how powers are delegated and organized within the trust instrument.
6. **What is the significance of "Casus Omissus" in constitutional interpretation?** *Casus Omissus* refers to jurisdictional omission, where the silence of the Constitution is viewed as an intentional prohibition by the Settlers. It dictates that there are no constructive or implied powers beyond the letter of the grant, and any gap in the text cannot be filled by the government through "invention" or "long usage."
7. **How has the "Commerce Clause" been "stretched" from its original meaning?** Originally, the Commerce Clause was a narrow power to regulate trade, navigation, and exchange crossing state lines. It has been stretched by the "creature" to cover any activity with a "substantial effect" on interstate commerce, allowing federal reach into local issues like home-grown wheat or medical marijuana, effectively erasing the federal-state divide.
8. **What is the "No-Appropriation-Without-Appropriation" rule found in Article I, Section 9?** This rule serves as a structural firewall, stating that no money can be drawn from the Treasury unless it is in consequence of an appropriation made by law. Furthermore, Madison insisted that these appropriations can only fund activities that fall within the 18 specifically enumerated powers of Congress.
9. **According to the module, why is the Constitution not a "living document"?** The module argues that the Constitution is a fixed contract whose meaning was set at the moment of adoption; if the "bars" of the cage can stretch to accommodate the "creature" inside, the cage is an illusion. Any attempt to "evolve" the text without a formal Article V amendment is considered alteration and forgery, not construction.
10. **What is the "Fiduciary Duty" of the People regarding the Constitution?** Because the agents of government benefit from expansion and will not limit themselves, the People, as Settlers, have the duty to enforce the trust. This involves "slapping the hand" of the creature when it reaches beyond its bars and reforming or establishing new government when the ends of the current one are perverted.

Answer Key

1. **Paradigm Shift:** Moving from emotional reaction to headlines (weather) to structural analysis of the law's engineering (physics).
2. **Trust Parties:** Settlers (The People), Trustee (Government), Res (Life, Liberty, Property).

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3. **Physics of Force:** Government is legitimized aggressive violence; force is non-neutral and naturally expands/tests boundaries.
4. **Five Rules:** Limited Source, No Redelegation, No Exceeding Scope, Express Exclusion, Silence is Prohibition.
5. **Mnemonic:** Legislative (I), Executive (II), Judicial (III), States (IV), Amendments (V), Supremacy (VI), Ratification (VII).
6. **Casus Omissus:** Silence equals prohibition; no implied powers; omission is intentional.
7. **Commerce Clause Stretch:** Moved from regulating interstate trade/navigation to regulating any local activity with a "substantial effect" on commerce.
8. **Article I, Section 9, Clause 7:** No spending without a law; spending must be tied strictly to enumerated powers.
9. **Not "Living":** Meaning is fixed at adoption; "evolution" is actually a breach of contract; "rubber" bars make the cage an illusion.
10. **Fiduciary Duty:** The responsibility of the People to monitor the Trustee and "slap the hand" to prevent usurpation.

Essay Questions

1. **The Nature of the "Creature":** Discuss the Founders' view of human nature as presented in the text. Why did they believe that a "job description" was insufficient for government officials, and how does the "physics of the cage" address the problem of inherent human ambition?
2. **The Trust Model vs. The Living Document:** Compare and contrast the "Trust Instrument" view of the Constitution with the modern "Living Document" theory. Use the concepts of "iron bars" versus "rubber bars" to explain the implications for the rule of law.
3. **The Architecture of Delegation:** Analyze the five unalterable rules of delegation. Choose one modern federal agency or program and evaluate it against these rules. Does it represent a valid delegation or a "usurpation"?
4. **The "Elastic" Expansion:** Examine how the General Welfare Clause and the Necessary and Proper Clause have been used to expand federal jurisdiction. How do these modern interpretations conflict with the principle of "Enumeration is Limitation"?
5. **Fiduciary Enforcement and the Power of the Purse:** Explain James Madison's argument that the power of the purse is the most "complete and effectual weapon" for the People. How does Article I, Section 9, Clause 7 act as a "lock on the vault," and what are the consequences when this lock is bypassed?

Glossary of Key Terms

Term	Definition
Casus Omissus	A jurisdictional omission; the principle that the silence of a constitution is an intentional prohibition of power.
Creature	The term used to describe government as an artificial entity of collective force formed by the People.
Enumerated Powers	The specific list of 18 authorities granted to Congress in Article I, Section 8 of the Constitution.

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Fiduciary Duty	The legal and moral obligation of a trustee (government) to act strictly within the bounds of the trust instrument (Constitution).
Inclusio Unius Est Exclusio Alterius	A legal maxim meaning "the inclusion of one is the exclusion of others"; used to show that listing specific powers limits the government to only those powers.
Potestas delegata non potest delegari	A common law principle stating that delegated power cannot be further delegated to another body.
Res	The assets held within a trust; in a constitutional context, these are the life, liberty, and property of the People.
Settlor	The party who creates a trust and provides the assets; in the U.S. system, "We the People."
Trust Instrument	A binding legal document (the Constitution) that delegates specific, limited authority to a trustee for the benefit of the settlers.
Ultra Vires	An act that is "beyond the powers"; any action taken by government agents that exceeds their delegated authority.
Usurpation	The assumption of power that has not been delegated; characterized as an act of "insurrection" against the sovereign People.
Void ab initio	A legal term meaning "void from the beginning"; describes an unconstitutional act that has no legal standing from the moment of its inception.

Homework Assignment: Matrix Inspection

Objective: To train the brain to see the "matrix" of government structure and recognize the boundaries of the "cage."

Instructions:

1. **Review:** Examine a copy of the Constitution of the United States.
2. **Select:** Choose one specific enumerated power from Article I, Section 8 (e.g., the power to coin money or establish post offices).
3. **Strict Construction:** Write one paragraph identifying exactly what has been delegated by the People and what has been omitted (*casus omissus*).
4. **Inspect:** Identify a modern agency or law related to your chosen power. Does this modern iteration stay within the strict delegation, or does it exceed the original scope of the "iron bars"?

Rule: Do not argue politics or whether a modern law is a "good idea." This is a purely mechanical inspection of the legal foundation.

THE Color-Coded Constitution of the United States

The Color-Coding Key

Category	Color	Purpose	Examples
Granting Clauses	Green	Gives a branch of Government a specific Power.	"The Congress shall have Power To lay and collect Taxes..."
Restrictive Clauses	Red	Explicitly forbids the Government from doing something.	"No State shall... coin Money."
Procedural Clauses	Blue	Sets the "Rules of the game" (how long Terms are, how to Vote).	"The House of Representatives shall be composed of Members chosen every second Year..."
Relational Clauses	Purple	Defines the relationship between States or federal vs. State.	The Full Faith and Credit Clause; The Supremacy Clause.
Rights Clauses	Gold	Protects individual liberties from infringement.	"Congress shall make no Law respecting an establishment of religion..."
Abused Clauses	<u>Black</u>	It is routinely used to violate the intent and written words.	Clauses that are routinely abused.
Amended Clauses	Gray	These clauses have been amended.	See Amendments 11-27.

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.

**Abuse Note: (We the people of the United States) has been bolded and underlined because, as Patrick Henry feared, this phrase is used to justify "Federal Supremacy" over State Sovereignty. It is abused to imply that the Federal Government has a direct, unlimited relationship with the Citizenry, allowing it to ignore the "Compact" nature of the Constitution and the role of the States as the primary protectors of the people's rights.*

"I have the highest veneration of those Gentlemen, -but, Sir, give me leave to demand, what right had they to say, We the People, instead of We, the States? States are the characteristics, and the soul of a confederation. If States be not agents of this compact, it must be one great consolidated National Government of the people of all the States." -Patrick Henry, Virginia Ratifying Convention 1788

**Abuse Note: (General Welfare) See Article I, Section 8, Clause 1 Note*

Mnemonic Device to Remember the Seven Articles of the Constitution

"Let Everyone Just Sit And Silently Read"



Article I **LEGISLATIVE POWERS**

Section 1. 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.

Section 2. 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. [Amended by the 14th]) 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 chuse 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.)*

Abuse Note: (Direct Taxes**) has been bolded and underlined as this is frequently abused because the federal Government now levies many Taxes (like the income Tax) that are not apportioned among the States by population, which was the original "restrictive" intent of this Power.*

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.**

Abuse Note: **Sole Power of Impeachment has been bolded and underlined because this Power is often viewed as having been transformed from a legal tool to remove officials for "High Crimes and Misdemeanors" into a political weapon used to resolve policy disagreements or Partisan disputes.*

Section 3. 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. [Amended by the 17th])

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 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. [Amended by the*

17th Amendment])

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.

**Abuse Note: (Sole Power to Try All Impeachments) Like the House's Power to initiate, the Senate's Power to try is underlined. In modern practice, the "Trial" is often criticized for lacking the standard due process or evidentiary Rules found in a Court of Law, often serving as a political theater rather than a judicial inquiry.*

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.**

Section 4. 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.

**Abuse Note: (Congress may... make or alter) I have bolded and underlined this grant of Power. This has been abused to strip States of their sovereign right to determine Election integrity measures, moving toward a "one-size-fits-all" federal mandate that ignores the first half of the sentence.*

The Congress shall assemble at least once in every Year, (and such Meeting shall be on the first Monday in December [Amended by the 20th Amendment]), unless they shall by Law appoint a different day.

Section 5. 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.

**Abuse Note: (Journal of its Proceedings) This has been bolded and underlined because, while it is intended to ensure transparency, critics argue that the "Secrecy" exception has been expanded far beyond original intent to hide expenditures and activities from the People.*

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.

Section 6. 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.**

**Abuse Note: (Speech or Debate... not be questioned) has been bolded and underlined because it is frequently criticized as a "Get Out of Jail Free" card. While intended to protect floor speeches, it has been used to shield members from investigations into Corruption, bribery, and the mishandling of Classified documents. This is also the only immunity clause in the Constitution.*

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.

Section 7. 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 repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section 8. Enumerated Powers:

The Congress shall have Power:

Financial & Economic Powers

1. 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;

Abuse Note: Modern interpretation treats this as an independent grant of Power, allowing Congress to spend Money on anything it deems "beneficial." This transforms the federal Government from one of **limited, enumerated Powers into one of **unlimited, general Powers**.*

***Madison's Note (Federalist No. 41):** James Madison ridiculed the idea that this clause granted extra-constitutional Powers. He argued that if the "General Welfare" phrase gave Congress unlimited Power, the specific List of Powers following it (to coin Money, declare war, etc.) would be completely "pointless and redundant."*

"For what Purpose could the Enumeration of Particular Powers be inserted, if these and all others were meant to be included in the preceding general Power?... Nothing is more natural nor common than first to use a general phrase, and then to explain and qualify it by a recital of Particulars." — James Madison

2. To borrow Money on the credit of the United States;
3. To ***regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;**

Abuse Note: (Regulate Commerce) Originally intended only to keep trade "regular" (free of State-on-State tariffs), it is now used to regulate almost all human activity. This replaces the **Laws of Nature regarding private property and local contract with **Administrative Fiat**, regardless of whether actual "Interstate Commerce" is occurring.*

4. To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;
5. To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;
6. To provide for the Punishment of counterfeiting the securities and current Coin of the United States;

Infrastructure & Innovation

7. To establish Post Offices and post Roads;
8. 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;

Judicial & Legal Powers

9. To ***constitute Tribunals inferior to the supreme Court;**

**Abuse Note: (Constitute Tribunals) This clause is systemically abused to create "pseudo-Courts" (Article I Administrative Tribunals) that operate within the Executive branch rather than the Judicial branch. By "constituting" these inferior Tribunals, Congress has allowed the creation of a system where administrative agencies act as legislator (writing Rules), prosecutor (filing complaints), and Judge (adjudicating the dispute). This consolidation of Power is a total subversion of the Republican Form of Government and the Rule of Law.*

***The Violation of Pre-existing Law:** This structure violates the ancient and settled legal maxim: **Nemo iudex in causa sua** (No one should be a Judge in his own cause). When an agency acts as both the complaining Party and the adjudicator, it abandons the requirement for an impartial judiciary and replaces the **Law of the Land** with **Administrative Fiat**, effectively stripping the people of their pre-existing right to a Trial before an independent Article III Court.*

10. To define and punish Piracies and Felonies committed on the high seas, and Offenses against the Law of Nations;

Military & Defense Powers

11. To declare War, grant letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;
12. To raise and support Armies, but no appropriation of Money to that use shall be for a longer Term than two Years;
13. To provide and maintain a Navy;
14. To make Rules for the Government and Regulation of the land and naval Forces;
15. To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;
16. 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;

Territorial & Necessary Powers

17. 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, dockyards, and other needful Buildings;--And
18. 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.

Abuse Note: (Necessary and Proper) or The "Elastic" Usurpation, uses a "blank check" to invent Powers not found in the text. This violates the **Settled Maxim Delegata potestas non potest delegari (delegated Power cannot be further delegated), as it is often used to justify the transfer of legislative Authority to un-elected agencies.*

Section 9.

1. 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.
2. ***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.

**Abuse Note: The Due Process Suspension (The "Privilege of the Writ") is systemically undermined through administrative detentions and the Classification of individuals as "enemy combatants" or "threats" to bypass the requirement of a Judge's inquiry into the Lawfulness of a Person's imprisonment.*

3. *No Bill of Attainder or ex post facto Law shall be passed.

Abuse Note: **The Legislative Punishment: Abused when agencies levy "administrative penalties" or "debarments" that function as punishments without a Trial, or when regulations are applied retroactively to conduct that was Lawful under the **Laws of Nature** at the time it occurred.*

4. (*No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken. [Amended by the 16th Amendment])

Abuse Note: **(The Apportionment Default) Even with the 16th Amendment, the abuse lies in treating almost all federal levies as "excises" or "Duties" to avoid the strict requirement that direct Taxes be apportioned among the States by population.*

5. No Tax or Duty shall be laid on Articles exported from any State.

6. 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.

7. No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; *and a regular Statement and Account of Receipts and Expenditures of all public Money shall be published from time to time.

Abuse Note: **(regular Statement and account of receipts and expenditures of all public Money) Transparency Failure: Violated through the use of "Continuing Resolutions" and "Black Budgets." The mandate for a "regular Statement and Account" is ignored, allowing the Government to spend Money by fiat without the public accounting required for a Republic.*

8. *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.

Abuse Note: **(Title of Nobility) - The Professional Aristocracy. By allowing federal agencies to recognize and require membership in private guilds (the Bar) as a prerequisite for "Office of Profit or Trust," the Government creates a privileged Class of "Esquires" with exclusive access to the machinery of Law, violating the prohibition on creating a Nobility.*

Section 10.

1. 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.

Abuse Note: **(No State shall emit Bills of Credit) - The Fiat Usurpation: States are strictly forbidden from "emitting Bills of credit" (paper Money not backed by specie). By adopting and mandating the use of Federal Reserve Notes, which are circulating evidence of debt, the States have effectively bypassed this restriction via administrative reliance on the federal banking system.*

Abuse Note: **(Make any Thing but gold and silver Coin a Tender) - The Monetary Default: This is a direct command to the States. By requiring Citizens to pay Taxes, fees, and Court costs in fiat currency, the States are in a State of continuous constitutional default. This violates the **Rule of Law** which requires a stable, fixed measure of value rooted in the **Laws of Nature** (substance) rather than political fiat.*

**Abuse Note: (Law impairing the Obligation of Contracts) - The "Emergency" Override. Often violated through administrative "moratoriums" or legislative changes that retroactively alter private agreements. This violates the maxim Pacta sunt servanda (Agreements must be kept), placing Government "policy" above the pre-existing right of individuals to contract.*

**Abuse Note: (grant any Title of Nobility) - The Guild Monopoly. States violate this by granting exclusive legal privileges to the Bar. By requiring a "license" to access the Courts and recognizing the Title of "Esquire," the States create a privileged Class that stands between the common man and his remedy. This violates the maxim Equity delights in equality, as it creates a legal caste system.*

2. 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.
3. 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.



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:

**Abuse Note: (Implicit - The Executive Power): The very first sentence is often underlined by critics of "Executive Overreach." The Term "Executive Power" was originally understood as the Power to execute the Laws made by Congress, but it has been expanded through "Executive Orders" into a de facto Law-making Power.*

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 chuse the President. But in chusing 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. [Amended by the 12th Amendment])

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. [Amended by the 25th Amendment])

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.**"

**Abuse Note: (Preserve, protect and defend...) has been bolded and underlined because the Oath of Office is the most frequently "violated" clause in the entire document. Every time an Executive Order is signed that bypasses Congress, or a Law is enforced that violates the Bill of Rights, the Oath is broken.*

Section 2.

Military & Executive Oversight

1. 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;**

**Abuse Note: (Commander in Chief) has been bolded and underlined because this Power only activates during a Congressionally declared war (Article I, Sec 8). Today, it is used to justify unilateral military actions and "police actions" without a formal declaration of war.*

2. 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
3. He shall have Power to grant reprieves and pardons for offenses against the United States, except in Cases of impeachment.

Diplomacy & Appointments

4. 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

**Abuse Note: (Make Treaties): This is abused via "Executive Agreements." Presidents often enter into international deals (like climate or trade pacts) that function as treaties but bypass the required two-thirds Senate approval.*

5. 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.

**Abuse Note: (Appoint... all other Officers) is the foundation of the "Administrative State." By appointing Heads of departments who then create their own administrative "Courts" and "Rules," the President effectively exercises legislative and judicial Power through his appointees.*

6. 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.

Section 3.

Legislative & Administrative Roles

7. 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;
8. 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;
9. He shall receive Ambassadors and other public ministers;
10. ***He shall take care that the Laws be faithfully executed**, and shall commission all the Officers of the United States.

**Abuse Note: (Take Care... faithfully executed) is frequently cited as violated when a President chooses not to enforce specific Laws passed by Congress (selective enforcement) or uses the clause to justify creating new administrative Rules that weren't in the original Law.*

Section 4. 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.



Article III: **J**UDICIAL POWER

Section 1. ***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 Behaviour**, and shall, at Stated Times, receive for their Services, a ***compensation, which shall not be diminished** during their Continuance in Office.

** Abuse Note: (The judicial Power shall be vested) - The Vested Power Violation. The Constitution says the judicial Power shall be vested in the Courts. It does not say "shall be sold" or "shall be shared with agencies." When "judicial Power" is exercised by un-elected ALJs or through "Summary Judgments" that bypass juries, the vesting is fraudulent.*

**Abuse Note: ("Good Behaviour") has been systemically redefined as "Life tenure regardless of conduct," effectively granting Judges immunity from accountability. In a Republic, no Office is held by divine right; it is held on the condition of faithful Execution of the delegated Trust. When a Judge issues a ruling that willfully ignores the Constitution, the Laws of Nature, or Settled Maxims, they have breached the condition of "Good Behaviour."*

The Violation of Pre-existing Law: This violates the Settled Maxim Summum jus, summa injuria (Extreme Law is extreme injustice). A Judge who uses the "color of Law" to deny a jury Trial, enforce an unconstitutional filing fee, or uphold administrative fiat is no longer in "Good Behaviour." Under the Rule of Law, a breach of this condition should result in the immediate vacation of the Office, as the "Power of Attorney" granted by the People is revoked the moment the agent acts outside the scope of their Authority.

**Abuse Note: (Compensation... not be diminished)- The Independence Standard: This was designed to ensure Judges were not beholden to the hand that feeds them. However, when the "hand that feeds" is the Same one that "constitutes" Article I Tribunals, the independence required by the Laws of Nature is lost.*

Section 2. *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 [Amended by the 11th Amendment]);

--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.

**Abuse Note: (The judicial Power shall extend...) has been bolded and underlined because of Judicial Activism. Critics argue that the Courts have used the phrase "Cases arising under this Constitution" to essentially rewrite the Constitution from the bench (Legislation by judicial decree) rather than simply declaring the Law as written.*

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.

Section 3. 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.



Article IV: States' Relations

Section 1. 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.

Section 2. The *Citizens of each State shall be entitled to all privileges and immunities of Citizens in the several States.

**Abuse Note: (Privileges and Immunities) has been bolded and underlined because it is often cited in discussions regarding the "right to travel" and the "right to work." Critics argue that by requiring State-specific bar licenses or other "tolls" to practice common-Law rights, the States are effectively stripping Citizens of the "Privileges and Immunities" they should enjoy across all 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. [Nullified by the 13th Amendment])

Section 3. New States may be admitted by the Congress into this Union; but no new States 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.

**Abuse Note: (Territory or other Property) is marked as abused because it has been used to justify the federal Government owning massive swaths of land (especially in the West) that were never ceded for the specific Purposes Listed in Article I, Section 8, Clause 17.*

Section 4. 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.

**Abuse Note: (Republican Form of Government) is systemically violated when the Rule of Law, which must precede and limit all Government action, is replaced by Administrative Fiat.*

*True Law is rooted in the **Laws of Nature, Settled Maxims, and the Constitution**; these are pre-existing frameworks that the Government has no Authority to alter. This Order is subverted when the federal Government delegates its vested Powers to un-elected agencies, commissions, or private guilds (such as the Bar). These bodies govern by administrative decree rather than delegated Authority, creating a "Government of men" that is unaccountable to the people and exists outside the Jurisdictional boundaries of the Law of the Land.*



Article V: A Amendment Process

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.**

**Abused Clause: (The entire Article V process): While not underlined in the text above to avoid clutter, the omission of this process is the abuse. When the Supreme Court or an Executive Agency "reinterprets" a clause to mean the opposite of its original intent, they are effectively amending the Constitution without the Consent of 3/4 of the States, which is a Jurisdictional violation of Article V.*



Article VI: Supremacy

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, anything in the Constitution or Laws of any State to the contrary notwithstanding.

**Abuse Note: (Supremacy Clause) is heavily bolded and underlined because the abuse occurs when people forget the phrase "in Pursuance thereof." Federal Laws are only supreme if they follow the Constitution. If a federal Law (like a filing fee statute) violates a higher principle or an original right, it is not made "in pursuance" of the Constitution and is therefore not supreme and void ab initio. It is also only supreme on the subject matters expressly delegated. (See 10th Amendment)*

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.**



Article VII: Ratification

The ratification of the conventions of nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the Same.

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,

*G. Washington-Presidt. and deputy from Virginia New Hampshire: John Langdon, Nicholas Gilman
Massachusetts: Nathaniel Gorham, Rufus King Connecticut: Wm. Saml. Johnson, Roger Sherman New York:
Alexander Hamilton*

New Jersey: Wil: Livingston, David Brearly, Wm. Paterson, Jona: Dayton

*Pennsylvania: B. Franklin, Thomas Mifflin, Robt. Morris, Geo. Clymer, Thos. FitzSimons, Jared Ingersoll,
James Wilson, Gouv Morris*

*Delaware: Geo: Read, Gunning Bedford jun, John Dickinson, Richard Bassett, Jaco: Broom Maryland: James
McHenry, Dan of St Thos. Jenifer, Danl Carroll*

Virginia: John Blair--, James Madison Jr.

North Carolina: Wm. Blount, Richd. Dobbs Spaight, Hu Williamson

*South Carolina: J. Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler Georgia: William
Few, Abr Baldwin Tyranny*

The Bill of Rights

Congress of the United States

begun and held at the City of New-York, on

Wednesday the fourth of March, one thousand seven hundred and eighty nine.

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.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and Purposes, as Part of the said Constitution; viz.

ARTICLES in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

Amendment I

***Congress shall make no Law** respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Abuse Note: The phrase "Congress shall make **no Law" is the ultimate restrictive clause. It is bolded and underlined because "loose construction" has allowed for thousands of regulations, "zones," and "permits" that effectively function as Laws abridging these rights.*

Amendment II

A well-regulated Militia, being necessary to the security of a free State, ***the right of the people to keep and bear arms, shall not be infringed.**

**Abuse Note: This is underlined because of the word "infringed." To "infringe" means to encroach or trespass. Any licensing, registration, or Tax on a firearm is an unconstitutional "infringement" on a pre-existing right.*

Amendment III

No soldier shall, in time of peace be quartered in any house, without the Consent of the owner, nor in time of war, but in a Manner to be prescribed by Law.

Amendment IV

The right of the people to be secure in their Persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, **and *no warrants shall issue, but upon probable cause, supported by Oath or Affirmation,** and Particularly describing the place to be searched, and the Persons or things to be seized.

**Abuse Note: This is arguably the most violated amendment in the modern digital age. The use of "General Warrants," bulk data collection, and "Administrative Subpoenas" (which lack a Judge's signature or probable cause) are viewed as direct violations of the "Oath or Affirmation" requirement.*

Amendment V

No Person shall be held to answer for a capital, or otherwise infamous crime, unless on a Presentment or indictment of a grand jury, except in Cases arising in the land or naval forces, or in the Militia, when in actual Service in time of war or public danger; nor shall any Person be subject for the Same offense to be twice put in jeopardy of Life or limb; nor shall be compelled in any criminal Case to be a witness against himself, ***nor be deprived of Life, Liberty, or property, without due process of Law;** nor shall private property be taken for public use, without just compensation.

Abuse Note: The **Due Process clause is bolded/underlined because it is often bypassed by "Administrative Procedures" and "Civil Asset Forfeiture," where property is taken without a criminal conviction. Due Process is sanctioned by settled maxims of Law not administrative procedures.*

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public Trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by Law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, ***and to have the**

assistance of counsel for his Defense.

**Abuse Note: The Assistance of Counsel is underlined to reflect the concern that "Counsel" has been redefined as "Licensed Bar Member" only, effectively creating a monopoly that prevents the "Assistance" of a non-licensed peer or the unencumbered exercise of self-representation.*

Amendment VII

***In suits at common Law, where the value in controversy shall exceed twenty dollars, the right of Trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the Rules of the common Law.**

**Abuse Note: (suits at common Law) This amendment is systemically violated by the total replacement of Common Law with Statutory/Administrative Codes. When the Government reclassifies a "Suit at common Law" as an "Administrative Hearing" or an "Agency Adjudication," they claim the Jury right no longer applies. This is a Jurisdictional fraud used to bypass the \$20 threshold.*

**Abuse Note: This is arguably one of the most violated rights in the legal system today. "Administrative Law" and "Summary Judgments" often deny Citizens a jury Trial in civil matters and access to real Law, despite the clear \$20 threshold.*

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The Enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

**Abuse Note: This is underlined because it is frequently treated as a "dead letter." It was intended to ensure that just because a right (like the right to travel or the right to contract) wasn't Listed, the Government couldn't claim it didn't exist.*

Amendment X

The Powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

**Abuse Note: This is the most "abused" clause. It is the "Anchor" of the Bill of Rights. If a Power was not delegated in Article I Section 8, the federal Government has zero Jurisdiction. The massive expansion of federal agencies is a total disregard for this restriction.*

Amendments to the Constitution

Amendment XI - Judicial Limits. Ratified 2/7/1795. The Judicial Power of the United States shall not be construed to extend to any suit in Law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

Abuse Note: The Sovereign Immunity Shield: While intended to protect State treasuries, this amendment is abused to create a pretend "Sovereign Immunity" shield that prevents the People from holding State officials accountable for constitutional violations. It violates the Settled Maxim Ubi jus, ibi remedium (Where there is a right, there is a remedy) by allowing the State to commit a wrong and then close the Courthouse door to the victim.

Amendment XII - Choosing the President, Vice-President. Ratified 6/15/1804.

1. The Electors shall meet in their respective States, and Vote by Ballot for President and Vice-President, one of whom, at least, shall not be an Inhabitant of the Same State with themselves; they shall name in their Ballots the Person Voted for as President, and in distinct Ballots the Person Voted for as Vice-

President, and they shall make distinct Lists of all Persons Voted for as President, and of all Persons Voted for as Vice-President and of the Number of Votes for each, which Lists 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 for President, shall be the President, if such Number be a majority of the whole Number of Electors appointed; and if no Person have such majority, then from the Persons having the highest Numbers not exceeding three on the List of those Voted for as President, the House of Representatives shall choose immediately, by Ballot, the President.

2. 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. *(And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the Case of the death or other constitutional disability of the President.)* The Person having the greatest Number of Votes as Vice-President, shall be the Vice President, if such Number be a majority of the whole Number of Electors appointed, and if no Person have a majority, then from the two highest Numbers on the List, the Senate shall choose the Vice-President; a quorum for the Purpose shall consist of two-thirds of the whole Number of Senators, and a majority of the whole Number shall be necessary to a choice. But no Person constitutionally ineligible to the Office of President shall be eligible to that of Vice-President of the United States.

Amendment XIII - Slavery Abolished. Ratified 12/6/1865.

1. **Neither slavery nor involuntary servitude, *except as a punishment for crime whereof the Party shall have been duly convicted, shall exist within the United States, or any place subject to their Jurisdiction.**

**Abuse Note: The "Conviction" Loophole: The bolded exception is abused through the "Industrial Prison Complex." By creating an endless List of Administrative Crimes (fiat crimes that lack a victim or injury), the State "duly convicts" people for regulatory violations and then subjects them to involuntary servitude, effectively bypassing the spirit of the amendment.*

2. Congress shall have Power to enforce this article by appropriate Legislation.

Amendment XIV - Citizenship Rights. Ratified 7/9/1868.

1. All Persons born or naturalized in the United States, and subject to the Jurisdiction thereof, are Citizens of the United States and of the State wherein they reside. ***No State shall make or enforce any Law which shall abridge the privileges or immunities of Citizens of the United States; nor shall any State deprive any Person of Life, Liberty, or property, without due process of Law; nor deny to any Person within its Jurisdiction the equal protection of the Laws.**

**Abuse Note: This is the most complex point of "Administrative Fiat." Critics argue this amendment was used to create a second, "federal" Class of Citizenship that is subject to the total Jurisdiction of the administrative State, effectively moving the People from "Sovereign State Citizens" to "Federal Subjects."*

The Privileges & Immunities Violation: This is bolded/underlined because the Courts have essentially "written it out" of the Constitution. It should protect the Laws of Nature (right to travel, right to work), but it is ignored to allow States to impose licensing (Bar monopolies) and other "tolls" on pre-existing rights.

2. Representatives shall be apportioned among the several States according to their respective Numbers, counting the whole Number of Persons in each State, excluding Indians not Taxed. But when the right to

Vote at any Election for the choice of Electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial Officers of a State, or the members of the Legislature thereof, is denied to any of the male Inhabitants of such State, being twenty-one Years of age, and Citizens of the United States, or in any way abridged, except for Participation in Rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the Number of such male Citizens shall bear to the whole Number of male Citizens twenty-one Years of age in such State.

3. **The Disqualification Clause.** *No Person shall be a Senator or Representative in Congress, or Elector of President and Vice-President, or hold any Office, civil or military, under the United States, or under any State, who, having previously taken an Oath, as a member of Congress, or as an Officer of the United States, or as a member of any State Legislature, or as an Executive or judicial Officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or Rebellion against the Same, or given aid or comfort to the enemies thereof. But Congress may by a Vote of two-thirds of each House, remove such disability.

Abuse Note: This section is systemically ignored or "judicialized" to protect the political Class. The 39th Congress intended this to be **self-executing, meaning the moment an official violates their Oath to "preserve, protect, and defend" the Constitution (by engaging in acts that subvert the **Law of the Land** or give aid to its enemies), they are **automatically disqualified** from holding Office.*

4. The validity of the public debt of the United States, authorized by Law, including Debts incurred for Payment of pensions and bounties for Services in suppressing insurrection or Rebellion, *shall not be questioned. But neither the United States nor any State shall assume or pay any debt or Obligation incurred in aid of insurrection or Rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such Debts, Obligations and claims shall be held illegal and void.

Abuse Note: The phrase "shall not be questioned" is systemically abused to justify unlimited "Fiat" spending. Whenever the federal Government reaches its debt ceiling, this clause is invoked to argue that the debt is "untouchable," effectively bypassing the **Article I, Section 9 requirement that Money only be drawn "in Consequence of Appropriations made by Law."*

5. **The Congress** *shall have Power to enforce, by appropriate Legislation, the provisions of this article.

Abuse Note: (The Enforcement Overreach): This clause is used as a "super-Power" to allow Congress to legislate in areas traditionally reserved for the States. It is often cited to justify the creation of massive federal administrative frameworks that override local **Rule of Law.*

Amendment XV - Race No Bar to Vote. Ratified 2/3/1870.

1. *The right of Citizens of the United States to Vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Abuse Note: While intended to prohibit discrimination, this amendment is now used to justify federal administrative control over the entire Electoral process. By moving the management of the "franchise" into un-elected commissions and agencies, the Government has replaced the **Republican Form of Government (where the People choose their agents) with an **Administrative Process** where the "Rules of the game" are changed by fiat.*

2. The Congress shall have Power to enforce this article by appropriate Legislation.

Amendment XVI - Status of Income Tax Clarified. Ratified 2/3/1913.

1. *The Congress shall have Power to lay and collect Taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any Census or Enumeration.

Abuse Note: The Direct Tax Usurpation This amendment is the primary tool used to destroy the Republican Form of Government. By removing the requirement of Apportionment (which previously kept the federal Government on a "financial leash" held by the States), it allowed for the unlimited extraction of wealth. This wealth is then used to fund the very "Administrative Agencies" that govern by fiat.

The Violation of Pre-existing Law: This violates the Laws of Nature regarding the "fruits of one's labor." Under the Rule of Law, a Tax should be a clear, uniform excise. Amendment XVI is abused to create a system where the Government claims a prior interest in every man's labor, effectively turning the "People" into a "Source" of Revenue for the "Agent" (the Government).

***Amendment XVII - Senators Elected by Popular Vote. Ratified 4/8/1913.**

1. The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six Years; and each Senator shall have one Vote. The Electors in each State shall have the Qualifications requisite for Electors of the most numerous branch of the State Legislatures. When Vacancies happen in the representation of any State in the Senate, the Executive Authority of such State shall issue writs of Election to fill such Vacancies: Provided, That the Legislature of any State may empower the Executive thereof to make temporary Appointments until the people fill the Vacancies by Election as the Legislature may direct. This amendment shall not be so construed as to affect the Election or Term of any Senator chosen before it becomes valid as Part of the Constitution.

****Abuse Note: The Destruction of the Compact.*** The Constitution was a compact between States. The Senate was intended to be the "House of the States," where the State Legislatures held their federal agents accountable. By shifting to a popular Vote, the States were stripped of their voice in the federal Government.

The Violation of Pre-existing Law: This violates the **Settled Maxim** that an agent cannot change the Terms of the Power of attorney without the Consent of the principals. By bypassing the State Legislatures, the federal Government transformed into a "Consolidated Government" (exactly what Patrick Henry warned against), allowing for the unchecked growth of administrative Law that now bypasses State sovereignty entirely.

***Amendment XVIII - Liquor Abolished. Ratified 1/16/1919. Repealed by Amendment 21, 12/5/1933.**

1. After one Year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the Importation thereof into, or the exportation thereof from the United States and all territory subject to the Jurisdiction thereof for beverage Purposes is hereby prohibited.
2. The Congress and the several States shall have concurrent Power to enforce this article by appropriate Legislation.
3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of the several States, as provided in the Constitution, within seven Years from the date of the submission hereof to the States by the Congress.

****Abuse Note: The Jurisdictional Breach.*** This was the first time the Constitution was used to **take away** a Liberty from the People rather than **restrict** the Power of the Government. It established the "blueprint" for the modern war on drugs and the expansion of federal police Power into the daily lives of Citizens, a Power never delegated in Article I, Section 8.

The Violation of Pre-existing Law: It violated the **Laws of Nature** regarding Personal property and self-ownership. It replaced the **Rule of Law** with a moral fiat, proving that once the "Contract" is amended to police behavior, the Government becomes a master rather than an agent.

***Amendment XIX - Women's Suffrage. Ratified 8/18/1920.**

1. The right of Citizens of the United States to Vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have Power to enforce this article by appropriate Legislation.

Abuse Note: The Franchise as a Managed Privilege. Similar to the 15th Amendment, the abuse here is not in the extension of the right, but in the **Administrative Management** of the Vote. In a true Republic, the people's choice is the final check. Today, the "franchise" is managed by un-elected commissions that dictate the "Rules of entry" for candidates, effectively ensuring that only those who serve the "fiat system" can appear on the Ballot.

Amendment XX - Presidential, Congressional Terms. Ratified 1/23/1933.

1. The Terms of the President and Vice President shall end at noon on the 20th day of January, and the Terms of Senators and Representatives at noon on the 3d day of January, of the Years in which such Terms would have ended if this article had not been ratified; and the Terms of their successors shall then begin.
2. The Congress shall assemble at least once in every Year, and such Meeting shall begin at noon on the 3d day of January, unless they shall by Law appoint a different day.
3. If, at the time fixed for the beginning of the Term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his Term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by Law provide for the Case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the Manner in which one who is to act shall be selected, and such Person shall act accordingly until a President or Vice President shall have qualified.
4. The Congress may by Law provide for the Case of the death of any of the Persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the Case of the death of any of the Persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.
5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.
6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven Years from the date of its submission.

***Amendment XXI - Amendment 18 Repealed. Ratified 12/5/1933.**

1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.
2. The transportation or Importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the Laws thereof, is hereby prohibited.
3. The article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven Years from the date of the submission hereof to the States by the Congress.

Abuse Note: The Residual Administrative State: While the 21st Amendment repealed the "fiat" of the 18th, it did not dismantle the massive **Administrative Agencies** (like the predecessor to the ATF) that were built to enforce it. The Government kept the "machinery of control" and simply pointed it at other areas of human Life, violating the principle that once the Authority is gone, the apparatus must be dissolved.

Amendment XXII - Presidential Term Limits. Ratified 2/27/1951.

1. No Person shall be elected to the Office of the President more than twice, and no Person who has held the Office of President, or acted as President, for more than two Years of a Term to which some other Person was elected President shall be elected to the Office of the President more than once. But this Article shall not apply to any Person holding the Office of President, when this Article was proposed by the Congress, and shall not prevent any Person who may be holding the Office of President, or acting as President, during the Term within which this Article becomes operative from holding the Office of President or acting as President during the remainder of such Term.

2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven Years from the date of its submission to the States by the Congress.

Amendment XXIII - Presidential Vote for District of Columbia. Ratified 3/29/1961.

1. The District constituting the seat of Government of the United States shall appoint in such Manner as the Congress may direct: A Number of Electors of President and Vice President equal to the whole Number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the Purposes of the Election of President and Vice President, to be Electors appointed by a State; and they shall meet in the District and perform such Duties as provided by the twelfth article of amendment.
2. The Congress shall have Power to enforce this article by appropriate Legislation.

***Amendment XXIV - Poll Tax Barred. Ratified 1/23/1964.**

1. The right of Citizens of the United States to Vote in any primary or other Election for President or Vice President, for Electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll Tax or other Tax.
2. The Congress shall have Power to enforce this article by appropriate Legislation.

Abuse Note: The Paradox of the "Commercial Toll" While the 24th Amendment forbids a "poll Tax" for voting, the Government continues to enforce a "Justice Tax" (filing fees) for accessing the Courts. If the State cannot Tax your right to Vote, it certainly has no Authority under the Laws of Nature to Tax your right to a remedy in a Court of Justice. This is a selective application of the Rule of Law.

Amendment XXV - Presidential Disability and Succession. Ratified 2/10/1967.

1. In Case of the removal of the President from Office or of his death or Resignation, the Vice President shall become President.
2. 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.
3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the Powers and Duties of his Office, and until he transmits to them a written declaration to the contrary, such Powers and Duties shall be discharged by the Vice President as Acting President.
4. ***Whenever the Vice President and a majority of either the principal Officers of the Executive departments or of such other body as Congress may by Law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the Powers and Duties of his Office, the Vice President shall immediately assume the Powers and Duties of the Office as Acting President. Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the Powers and Duties of his Office unless the Vice President and a majority of either the principal Officers of the Executive department or of such other body as Congress may by Law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the Powers and Duties of his Office. Thereupon Congress shall decide the issue, assembling within forty eight hours for that Purpose if not in Session. If the Congress, within twenty one days after receipt of the latter written declaration, or, if Congress is not in Session, within twenty one days after Congress is required to assemble, determines by two thirds Vote of both Houses that the**

President is unable to discharge the Powers and Duties of his Office, the Vice President shall continue to discharge the Same as Acting President; otherwise, the President shall resume the Powers and Duties of his Office.

*Abuse Note: The "Silent Coup" Clause Section 4 of this amendment is often cited as a tool for the "Administrative State" to remove a President who refuses to follow the "fiat" agenda, effectively bypassing the **Impeachment** process (which requires a public Trial) and replacing it with a private "Medical" or "Administrative" determination.*

Amendment XXVI - Voting Age Set to 18 Years. Ratified 7/1/1971.

1. The right of Citizens of the United States, who are eighteen Years of age or older, to Vote shall not be denied or abridged by the United States or by any State on account of age.
2. The Congress shall have Power to enforce this article by appropriate Legislation.

***Amendment XXVII - Limiting Congressional Pay Increases. Ratified 5/7/1992.**

1. No Law, varying the compensation for the Services of the Senators and Representatives, shall take effect, until an Election of Representatives shall have intervened.

**Abuse Note: The Cost of Living Loophole. Congress bypasses this "restrictive clause" by passing "automatic cost-of-living adjustments" (COLAs). They argue that because the "Law" was passed Years ago, the annual increase doesn't count as a "new Law." This is a Classic example of using Legal Fiction to bypass a clear constitutional prohibition.*