

Union or Nation

Contents

Introduction 2

From Colonies to Free and Independent States 3

What exactly is the Constitution? 5

 The Constitutional Powers delegated to Congress 5

 The Constitutional Powers of the Presidency 8

What are the Safeguards within the Constitution Limiting Union Overreach? 10

The Consequence of the War Between the States 13

Constitutional Solutions to Government Overreach of Authority 14

 State Nullification of Un-Constitutional Dictates 14

 Civil Disobedience: 15

 Last Resort 16

State of the Union 18

Study Questions: 20

Written by:

Peter D Konetchy

pkonetchy@startmail.com

(231) 578-9602

Introduction

How many medals did the European Union win at the 2014 Sochi Winter Olympic Games?

2014 Sochi Winter Olympic Medals by Country	
<u>Country</u>	<u>Total</u>
Russia	33
United States	28
Norway	26
Canada	25
Netherlands	24
Germany	19
Austria	17
France	15
Sweden	15
Switzerland	11
China	9
South Korea	8
Czech Republic	8
Slovenia	8
Japan	8
Italy	8
Belarus	6
Poland	6
Finland	5
Great Britain	4
Latvia	4
Australia	3
Ukraine	2
Slovakia	1
Croatia	1
Kazakhstan	1
Total:	295

The European Union won exactly zilch, zero, nada medals. Don't believe me? Look at the list.

There are 28 member States within the European Union, (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and United Kingdom) and many of these States won medals.

In fact, if you total all the medals won at the Olympics by the member States of the European Union, they more than quadrupled the medals won by the powerhouse teams of Russia or the United States.

So why isn't the European Union listed as a country?

Because each member of the European Union is a sovereign State, an independent country, with a fully functioning government of its own with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

The alliance of the European Union was patterned after the alliance of the United States. The various member States within Europe sought to emulate the unprecedented economic prosperity of the United States by replicating what it considered key aspects of our Union – the breaking down of trade barriers

between member States, a common currency, etc.

Being listed as individual nations highlights the understanding that the European Union is not a single nation, but simply an alliance of States seeking to improve their general welfare. These States never gave up their sovereignty, and if any State disagrees with the methods employed by the alliance, they are free to leave the Union... as has been initiated by the United Kingdom.

2014 Sochi Winter Olympic Medals by European Union Member States	
<u>Country</u>	<u>Total</u>
Netherlands	24
Germany	19
Austria	17
France	15
Sweden	15
Czech Republic	8
Slovenia	8
Italy	8
Poland	6
Finland	5
Great Britain	4
Latvia	4
Slovakia	1
Croatia	1
Total:	135



From Colonies to Free and Independent States

The United States began as thirteen British colonies (Georgia, North Carolina, South Carolina, Massachusetts, Maryland, Virginia, Pennsylvania, Delaware, New York, New Jersey, New Hampshire, Rhode Island, and Connecticut.) The people within repeatedly petitioned the crown for resolution of their grievances without success.



Our Declaration of Independence not only identifies in detail the purpose of government and the reasons for declaring Independence from Britain, but also defines and the declared status of the newly independent colonies:

*“...That these United Colonies are, and of Right ought to be **Free and Independent States**; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the **State of Great Britain**, is and ought to be totally dissolved; and that as **Free and Independent States**, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which **Independent States** may of right do.” (Emphases added)*

From reading this passage it’s clear that:

- 1) “State” does not mean a sub-section of a single country, such as many consider it now, but an independent nation — as reinforced by the reference to the “**State** of Great Britain.”
- 2) The reference to “Colonies” is plural and the reference to “Free and Independent States” is also plural. Each of the thirteen colonies declared their independence as thirteen “Free and Independent States.”
- 3) Each one of these thirteen Free and Independent States has “full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do.”
- 4) The Declaration reinforces that each of the thirteen Free and Independent States, through their right to contract alliances, can absolve all allegiance to the crown and all political connection between them and the “State” of Great Britain, and at their discretion may enter into other alliances they feel improve the general welfare of their State — as can every other nation on earth.

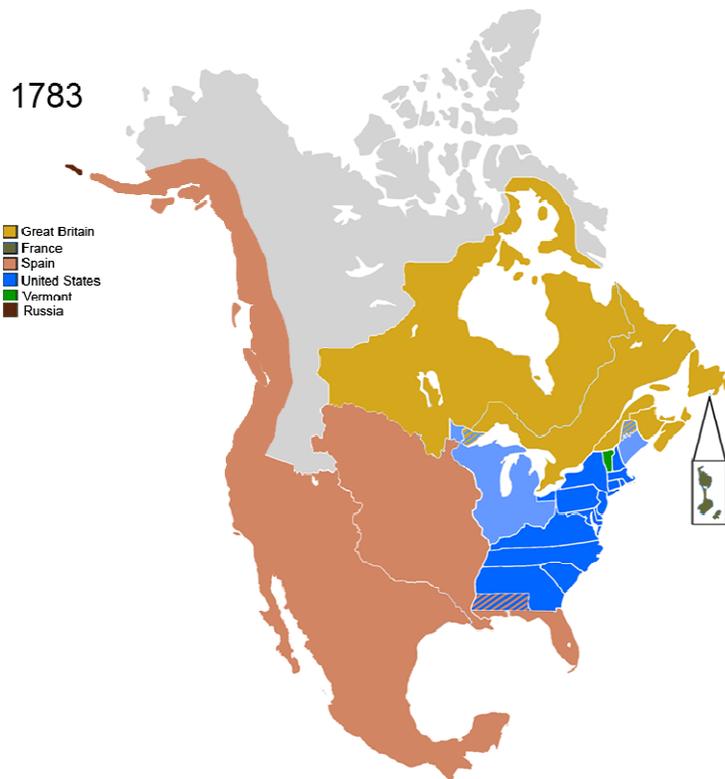
If the Declaration created a single State (country), encompassing all thirteen colonies, the Declaration **would have read**:

*“...That these United Colonies are, and of Right ought to be [a] Free and Independent **States** [State]; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as [a] Free and Independent **States** [State], they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which [an] Independent **States** [State] may of right do.” (Modifications are in brackets [] or struck out.)*

The Declaration does not read this way.

Each colony declared independence as a Free and Independent State (nation). The citizens within pledged their lives, their fortunes, and the future of their posterity, for full independence — not to become subjected to a different government as of yet unknown.

There were actually fourteen colonies rebelling against British control, the thirteen colonies within the Continental Congress plus Vermont. Vermont declared its independence separately in 1777 establishing itself as a sovereign nation — with all authority therein vested. It issued its own currency, raised its own army, established a national postal service and named its own president (governor). Vermont was very much a part of the Revolution and fought with the other colonies against the British. Yet, after declaring its independence, Vermont was in a precarious state being a small nation surrounded by hostile powers, unable to adequately defend itself if attacked. Additionally territorial disputes with New York created additional tension for this new nation of Vermont.



After winning the Revolution the newly created Free and Independent States, the former colonies, found themselves in a similar position as the State of Vermont. To the west and south they were surrounded by Spain with the British to the north. The forces of these superpowers far exceeded the defensive capabilities of any one of the new Free and Independent States leaving each vulnerable if individually attacked.

Additionally, these Free and Independent States imposed varied trade and travel restrictions between themselves, including stiff tariffs, which stifled economic development.

To address these areas of deep concern the States sought to create an alliance, a Union, to better provide for their common defense and to break

down barriers to commerce. The terms of this alliance were defined within the Constitution.

It's extremely important to understand that the Constitution created a Union of Free and Independent States — not a new nation.

The concept of the Union of the United States is no different than the Union of the European Union. They're both alliances of Free and Independent States formed to promote common interests — thus better providing for the defense and General Welfare of the States involved. Neither alliance — the United States or the European Union — dissolved the sovereignty of the member States or created a new nation.

What exactly is the Constitution?

The Constitution created a Union between the Free and Independent States primarily for the purpose of common defense and expedited commerce. It defines the specific responsibility delegated to the Union reinforced by severe limitations of its authority.

The Preamble is an introduction which explains its purpose.

“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, 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.”

As a general overview, the preamble explains the overall reason for the creation of the Union, but doesn't delegate any power or responsibility to the Union away from the States. The specific powers, responsibility, and function of the Union are defined within the body of the Constitution.

Nothing in the preamble defines, or hints at defining, a new nation. As a point of comparison, substitute the words “European Union” for “United States.”

“We the People of the ~~United States~~ [European Union], in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, 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~~ [European Union].”

Nothing in the “modified” Preamble hints at the creation of a new nation, leaving the member States of the United Kingdom, France, Spain, Germany, etc as simply subservient provinces dominate by the massive central government of the newly created European Union. The Preamble only addresses the creation of a new Union, or alliance, created by the member States to enhance the general welfare of the nation States included.

There is great significance pertaining to the Constitution's creation of a Union contrasted with the forced perception that the Constitution created a new nation. A new nation requires a massive federal government responsible for imposing domestic policy throughout the nation. All governments within the nation are subservient to this supreme federal government.

A Union does not authorize or require a federal government to address domestic policy. All domestic policy pertaining to the operation of the member States and the people within are the responsibility of the individual governments of the sovereign States.

The Constitutional Powers delegated to Congress

The Constitution is very clear and concise when defining the powers allocated to the Union. Article 1 Section 8 defines the powers of Congress. The delegated powers allow Congress to regulate trade between the both the member States within the Union or other States outside the Union, eliminate trade barriers in place between member States within the Union, provide for the common defense of all member States within the Union, and to



establish uniform standards and practices desired by member States within the Union.

The States granted the Union no authority whatsoever over any aspect of the day to day lives of the people or over the routine operation of the States.

I summarize the powers delegated to the Union within Article 1 Section 8 of the Constitution, as follows:

1) The thirteen Free and Independent States had to be able to defend themselves from those wishing to do them harm — as noted earlier, they were surrounded by foreign powers, principally Great Britain and Spain, wanting to acquire their lands. After the drain and effort of winning the Revolution, the individual States were not able to adequately defend themselves from the long-established superpowers of the world. Common defense was the primary reason the individual States agreed to form this alliance. To better provide for their common defense, the several States granted these specific powers to the Union:

- To raise and support Armies,
- To provide and maintain a Navy,
- To make Rules for the Government and Regulation of the land and naval Forces,
- To declare War,
- To provide for calling forth the Militia,
- To provide for organizing, arming, and disciplining the Militia,
- To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations.

(Please note: None of these delegated powers grants any authority to the Union to address, control, or interfere with the day to day operation of the States or the daily lives of the people.)

2) The several States granted the Union power to establish standards of uniformity to encourage commerce and consistency between the States. Uniform standards eliminate possible confusion pertaining to weights, measures, and the value of money from standards which otherwise could vary from State to State — for example, if a ton of produce was sold for a set dollar amount both the buyer and seller would be aware of the quantity and value. There would be no need to convert the value of money from, for example, the Canadian dollar to the U.S. dollar, or possibly having different weights in a ton, for example the British ton is 2240 pounds whereas the U.S. ton is 2000 pounds. The power granted to the Union, to encourage commerce and consistency between the States, include:

- To coin Money, regulate the Value thereof,
- To provide for the Punishment of counterfeiting,
- To fix the Standard of Weights and Measures,
- To establish an uniform Rule of Naturalization,
- To establish uniform Laws on the subject of Bankruptcies,
- To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries — [to set up a patent office.]

(None of these powers grants the Union any authority whatsoever to address, control, or interfere with the day to day operation of the States or the daily lives of the people.)

- 3) A primary means of funding the Union was through the imposition of duties, imposts, and excises. To collect these funds the Union needed the authority to regulate trade with foreign nations allowing them the ability to collect the generated revenue. Additionally, the States understood the importance of a vibrant free domestic market and accordingly wanted to break down existing trade barriers erected between the States. To do so the several States granted the Union the power:
- To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
- (This power grants the Union no authority whatsoever to address, control, or interfere with the day to day operation of the State or the daily lives of the People within the State — including regulation or control any aspect of the economy, or private business, occurring **WITHIN** the State. So, for example, the Union could make a law disallowing the sale of raw milk between the States, but it had no authority to limit the sale of raw milk within the individual States.)*
- 4) The Union included many States, and each State had jurisdiction within its own borders — but not outside. To facilitate consistent communication between the States the Union was granted the power:
- To Establish Post Offices and Post Roads.
- (Power to establish a post office grants the Union no authority whatsoever to address, control, or interfere with the day to day operation of the States or the daily lives of the people.)*
- 5) The seat of the Union needed to be independent of undue influence from any State. Therefore, the several States granted the Union power to govern the territory housing the seat of the Union and the area required for Union facilities:
- To exercise exclusive Legislation in all Cases whatsoever, over such District, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings.
- (It is extremely important to note that the States granted the Union authority over the seat of the Union, Washington DC, and over the land required for it to perform its duties – forts, arsenals, etc. The Union was never granted authority over any land not directly required for performance of its duties. Nowhere in the Constitution is the Union granted authority to control the vast expanse of “federal” lands in Alaska or west of the Mississippi. Nor was it ever granted any authority to impose regulations or control over State owned or private land.)*
- 6) Disputes could arise between the various States or the Union. To address these potential disputes, the several States granted the Union the power:
- To Constitute Tribunals inferior to the supreme Court.
- (As noted in the preamble, the court system was established to ensure that “justice” was dispensed based on the rule of law, not on the discretion of a monarch or on the discretion of any other body of men. The States further insisted, through the Bill of Rights, that all charges against individuals be heard in a public trial before a jury of the people.)*

7) Revenue would be required by the Union to perform its delegated responsibilities. To fund these functions the several States granted the Congress the power:

- To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States,
- To borrow money on the credit of the United States.

(Please note, the Union was granted authority to collect revenue to pay only for the performance of its enumerated powers summarized within the categories of the “common Defense and general Welfare of the United States.” It was granted no authority to continually raise more than was needed to perform its obligations, and then to redistribute the excess back to the States, or the people directly. Also, the only “tax” available to the Union was defined in Article 1 Section 2 and was assessed against the States based on their percentage of population — never against the people living within the States. This method of taxation has never been modified — only ignored.)

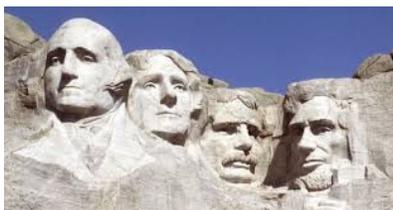
8) The Constitution grants the Union needed authority to fulfill its responsibilities, but prohibits it from making laws exceeding its defined and definite powers when it was granted power to:

- 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.

*(The Union was granted authority to make all laws which are “**necessary and proper**” to carry into execution the “**the foregoing Powers, and all other Powers vested by this Constitution ...**”. The Union was granted no authority over the day to day lives of the People or the normal operations of the States. Therefore, the Union is prohibited from making any laws affecting either. The Union has no authority to make laws **OUTSIDE** of powers vested by the Constitution.)*

These are the powers the States delegated to the Union of the United States to be performed on their behalf, but nothing more. This list of delegated powers grants the Union no authority over the routine operations of the State, the commerce within the State, or any aspect of the day to day lives of the people.

The Constitutional Powers of the Presidency



The office of the President has evolved into the most powerful position in the world that unquestionably controls the most potent military on earth. Most people assume the President has been granted significant authority to set social policy throughout the Union of the United States, but the Constitution — the Supreme law of the Land — refutes this misconception.

According to the Constitution the authorized powers of the President are defined in Article 2 Section 2.

“Article 2 Section 2. *The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.*

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of

the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

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

These are the total powers granted the President by the People through the Constitution.

I summarize these powers as follows:

- 1) He shall act as Commander and Chief of the armed forces — *when called into service of the United States,*
- 2) He may grant Pardons for Offences against the United States,
- 3) He represents the United States in foreign affairs and can negotiate treaties with foreign nations with the consent of the Senate,
- 4) He shall nominate and appoint, with the advice and consent of the Senate, Ambassadors, Union Judges, and all other officers not otherwise Constitutionally provided for.

The President has been granted NO control over domestic policy dealing with, but not limited to, food production, environment, energy, industry, education, jobs, housing, banking, cell phones, contraceptives, health care, and the like.

Article 2 Section 3 details a few of the job responsibilities of the President including:

- 1) He shall inform Congress as to the State of the Union,
- 2) He shall recommend to Congress for their Consideration such measures he shall judge necessary and expedient,
- 3) He shall receive Ambassadors and other public Ministers,
- 4) He shall take Care that the Laws be faithfully executed,
- 5) He shall Commission all Officers of the United States.

The severely limited power delegated to the President reinforces the fact that the primary purpose of the Union is to provide for the common defense of the member States. The President is authorized to command the military and negotiate treaties with nations outside the Union, but is prohibited from influencing or controlling the daily lives of the people or the routine operation of the States.

Based on the very limited powers delegated by the Constitution to the Congress and President, it's clear that the Union of the United States never established a new nation or authorized a massive national government with power to control every aspect of the lives of the people or micromanage every aspect of the operation of the States.

The severely limited powers confirm the Union was created to provide pooled resources to defend the member States and to implement unfettered commerce between the same. The Constitution is very clear that the routine operations of the States, and the needs of the people within, are to be addressed by the States or the people themselves – not the Union. The Constitution prohibits the national government in power today.

What are the Safeguards within the Constitution Limiting Union Overreach?



The People were very concerned about the power of the Union. They understood that the natural progression of government is expansion of authority ultimately resulting in submission of the governed. They feared replacing British rule with a massive federal government. To counteract this tendency, and to perpetuate the Union only as the desired alliance, they insisted upon severe limits of Union authority within the Constitution.

Some of the provisions limiting Union authority include:

1. **Preamble to the Bill of Rights:** As a condition to ratifying the Constitution and joining the Union, several States insisted upon amendments to the Constitution to reinforce the limitation of the Union's power. Each amendment within the Bill of Rights reinforces the prohibition against any interference with the rights of the people or the Union's interference in the routine operation of the States. The text of the Bill of Rights' preamble reads:

*"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:** ..." (Emphasis added)*

2. **The Ninth Amendment:** The 9th Amendment acknowledges the self evident, God-given, rights of man referenced within the Declaration: *"...all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."* The States insisted that all unalienable rights endowed by the Creator were retained by the people — not simply the few enumerated within the Bill of Rights. The text of the 9th amendment reads:

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

3. **The Tenth Amendment:** The Tenth Amendment states in no uncertain terms that the authority of the Union is limited to those powers specifically enumerated in the Constitution, and nothing more. All other responsibilities — including the full operation of the States and authority over the day to day lives of the people, fell to the people themselves, or if the people so desired, to the States. The text of the 10th amendment reads:

"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."

4. **Two houses of Congress:** Congress is granted all authority for the creation of legislation and laws imposed by the Union **in the performance of its Constitutional responsibilities**, yet the individuals within the Congress are ordinary citizens of the States directly accountable to the people or States.

The Representatives in the House are elected by the people to secure their liberties. The districts of the Representatives are small and the term of office short allowing people the opportunity to hold the Representatives directly accountable for their actions. This concept

works as demonstrated by the 2010 elections. The people throughout the States were frustrated and disgusted by the trillion dollar per year Union budget deficits and the pending implementation of federalized health care. This election switched the majority representation to the minority who pledged to address these two concerns. Sadly, once in power, the new majority reneged on their campaign promises and betrayed their constituents.

The Senate was originally created to protect the interest of the States. Senators were not elected by the people, but were appointed by the State legislatures. The Senator's allegiance was to the State, and if Union policy infringed upon the authority of the State, the Senator's purpose was to stop such policy. If this policy were still in place, federal healthcare would never have been passed — since well over half the States sued the Union over its implementation. The States lost this protection with passage of the 17th amendment which stripped them of all direct representation within the Union.

5. **The prohibition of the Union to directly tax, or otherwise interact with, the People.** Article 1 Section 2 specified that the Union had authority to tax the States base only on their percentage of population— not the people directly. It reads in part:

*“Representatives and **direct Taxes** shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, ...”*
(Emphasis Added)

The people could not be easily controlled without the ability to directly tax them. None of the enumerated powers within Article 1 Section 8 provides Congress with any authority to address the day to day lives of the people, reinforced by the unequivocal clarity of the 10th Amendment. The prohibition to directly tax the people has been destroyed by means of the 16th Amendment allowing the Union the pretense to directly control and dominate the people.

6. **The Union was granted the authority to tax and collect only what was required to perform its enumerated duties.** The power delegated within Article 1 Section 8 paragraph 1 reads as follows:

*“The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, **to pay the Debts and provide for the common Defense and general Welfare of the United States;**...”*(Emphasis Added)

The authority to tax is limited by an important caveat, that taxes must be used to pay for the specifically enumerated duties — the Debt (as enumerated via Article 1 Section 8 paragraph 2), common Defense (as enumerated via Article 1 Section 8 paragraphs 10 – 16), and to provide for the general Welfare of the States (as enumerated via Article 1 Section 8 paragraphs 3 – 9). Collecting taxes to pay for any other activities is prohibited.

7. **The Union was granted the authority to disburse funds from the treasury only in performance of its enumerated duties, nothing more.** Article 1 Section 9 paragraph 7 states clearly that:

*“No Money shall be drawn from the Treasury, but in Consequence of Appropriations **made by Law.**”* (Emphasis added)

Combine this limitation with that of Article 1 Section 8 which states that Congress shall have power to:

*“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.” (Emphasis added)

Since money may only be drawn from the US Treasury in consequence of Appropriations made by Law, and Congress may only make Laws pertaining to its enumerated responsibilities, then the Constitution requires that no money be spent by the Union except in performance of its enumerated responsibility.

- 8. The Supremacy clause reinforces that laws or treaties made by the Union are valid only when made pursuant to the provisions of the Constitution.** The supremacy clause, Article 6 paragraph 2 reads:

*“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...”* (Emphasis added)

Laws not made pursuant to the Constitution, or treaties made outside the authority of the United States, are not the supreme law of the land, and accordingly cannot be binding on the States or People directly.

- 9. Officers at every level of government are required to swear on their honor to support the Constitution.** Article 6 paragraph 3 reads:

“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...”

This Oath of Office reinforces that the primary duty of every official, at every level of government, is to support the provisions within the Constitution which limit the authority of government and secure the Liberty of the People. If the Union exceeds its authority and passes laws, or approves treaties, outside of Constitutional authority, then is it incumbent that the officers of the State, county, and local governments honor their oath and refuse to honor, implement, or enforce un-Constitutional directives upon the people.

These safeguards are staunch principles upon which the Union was founded which must be honored by those in power to be effective. Sadly, most in government today consider these safeguards simply “words” and when found restrictive or inconvenient are ignored.

John Adams, the 2nd President of the United States and a signer of the Declaration of Independence and the Bill of Rights correctly stated: *“Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.”*

Immoral officials ignore these safeguards.

The Consequence of the War Between the States

It's been ingrained in peoples mind that the United States is "one NATION." Though Lincoln's Gettysburg Address was eloquent, he was factually wrong when he stated:

*"Four score and seven years ago our fathers brought forth on this continent, **a new nation**, conceived in Liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great **civil war**, testing whether that **nation**, or any **nation** so conceived and so dedicated, can long endure."* (Emphasis added)

We are not, and never were, brought forth as "one nation", but a "Union" or alliance of "Free and Independent States." A nation has one supreme central government to which all other levels of government (providences, counties, cities, townships, etc.) are subservient. The Union of the United States was never so conceived.

Another of Lincoln's factual errors was referring to the war as the "Civil War." Webster defines Civil War as "a war between opposing groups of citizens of the same country." A Civil War could occur within the State of Georgia, New York, Virginia, Canada, Russia, China, etc., but not within a Union, or alliance, of multiple member States. It was not a "Civil War" but a "War Between the States."

Consider the Union, or alliance, between the member States of the European Union. Imagine if Jean-Claude Juncker, the President of the European Commission, chastised the United Kingdom for desiring to extract itself from the European Union, by proclaiming these words: *"Three score years ago (60 years) our fathers brought forth on this continent, **a new nation** (European Union), conceived in Liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great **civil war**, testing whether that **nation** (European Union), or any **nation** (European Union), so conceived and so dedicated, can long endure."* (Emphasis added)

People would scratch their heads and say "What???" The European Union was never conceived as a new nation just as the United States was never conceived as a new nation. If President Juncker declared war on the United Kingdom for seeking to extract itself from the Union, the war could never be classified as a "Civil War" because the United Kingdom is not a part of the "country" of the European Union.

At the time of the War Between the States, the Union of the United States was only 27 years older than the European Union.



The consequence of the War Between the States was cementing as fact the perception that the United States is a single nation rather than a Union of Free and Independent States; that the States, and people within, are now subject to the discretionary rule of the

Union government; that the rule of the Union is supreme; that the Free and Independent States are forever prohibited from challenging the authority of the Union; and being no longer Free and Independent, the individual States can no longer enter or exit alliances as they deemed proper. The States, and the people within, are now subservient to the Union.

Constitutional Solutions to Government Overreach of Authority

What can people do when the government passes law outside of Constitutional authority?

State Nullification of Un-Constitutional Dictates

Every state, county, and local official charged with developing or enforcing public policy is required by both the United States and State Constitution(s) to swear on their sacred honor to support the provisions of both. It's critical that those taking this oath actually read and understand the constitutions they swear to support. Otherwise the oath is meaningless. The oath of office in Michigan reads:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of according to the best of my ability."

This oath affirms the primary duty of every state, county and local official is to secure the rights of the People through the support of the Constitution(s). All other job responsibilities are secondary.

Military members are no different. The oath taken at the time of induction reads:

*"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, **according to the regulations and the Uniform Code of Military Justice.** So help me God" (Emphasis added)*

Military personnel do not swear to follow orders blindly, but according to "regulations and the Uniform Code of Military Justice" which unequivocally confirms that members of the military have an obligation to disobey unlawful orders. Their allegiance is to the Constitution — which limits government's authority and secures the liberty of the People— not to the discretion of any man or body of men.

The obvious Constitutional solution to overreach of authority by the Union is for any state officer, elected official, or public servant, at any level of government — state, county, or local —, to refuse to acknowledge or enforce any policy implemented outside Constitutional authority.

Consider once again the "Supremacy Clause" in the US Constitution:

"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..."

Therefore, if the Union makes a law pursuant to its Constitutional authority — such as dealing with the military, the patent office, or the post office, for example, then these laws are the supreme law of the land and the States must honor these laws if they choose to remain in the Union. Yet, if a law is passed by the Union **NOT** pursuant to Constitutional authority, then according to the supremacy clause, that law is NOT the supreme law of the land, is null and void, and cannot be implemented over the States or People within. By their sacred oath of office, state, local and county officials are required to support the Constitution by refusing implementation of any law or dictate passed outside its authority.

State Legislators must refuse to accept funding, and implement dictates, from the Union pertaining to any function outside of its Constitutional authority. Public servants charged with enforcement of policy must evaluate their duties and refuse to take action negating our Constitutionally protected liberties — especially when presented in the form of an unjust law.

Refusal by public servants to honor, implement, or enforce un-Constitutional Union dictates upon the people would instantly make such dictates irrelevant.

Civil Disobedience:

“Civil Disobedience” is an act of protest against the unjust laws of a government.

What can a normal person do when faced with unjust laws? Consider the thoughts and actions of several diverse men conscious of the need for civil disobedience when facing tyranny:

"One has a moral responsibility to disobey unjust laws." and ...

"I became convinced that noncooperation with evil is as much a moral obligation as is cooperation with good."

Martin Luther King Jr.

"Civil disobedience becomes a sacred duty when the state becomes lawless and corrupt."

Mahatma Gandhi

"If a law is unjust, a man is not only right to disobey it; he is obligated to do so."

Thomas Jefferson

"You're not supposed to be so blind with patriotism that you can't face reality. Wrong is wrong, no matter who says it."

Malcolm X

Our Constitution exists to secure our liberties by restraining government. All law within the Union must be based on Constitutional authority. No law can override or negate our rights confirmed and protected within the US Bill of Rights.

Whenever government exceeds its authority and imposes its discretion upon the people, we are faced with a decision.

The easiest action is to accept the usurped authority of government and submit to its demands. You will not be confronted by the State and can live comfortably within the confines allowed. Yet, you will not be free – government will be your discretionary master and you will be the obedient subject.

The harder action is to understand that any usurpation of authority by government is evil and to resist this authority as free men — knowing full well that the full force of state-sponsored enforcement may be unleashed against you. Government detests dissent and strives to subdue the governed. Resistance of unjust laws will not be welcomed by government and may result in arrest and incarceration. You will be forced to rely on Divine Providence, your cherished principles of Liberty, and your fellow countrymen’s understanding of justice for salvation.

Consider the courage and determination of Rosa Parks who refused to obey an unjust law requiring a black woman to surrender her bus seat to a white man. She could have easily complied with this injustice, given up her seat, and continue to live in relative “peace” — but she refused. She knew that segregation laws were not only wrong but directly conflicted with her God-given rights. Her decision caused harassment, arrest, and being fired from her job. Regardless, she stood for principle and this act became a focal point for dissolving segregation laws throughout the Union. Rosa Parks was a free woman who understood liberty.

It is especially important that Public Servants — those employed by the state to enforce public policy upon the people (by force if necessary) — honor their required oath to support the Constitution(s). Before swearing to this oath it’s critical that these public servants actually read and understand the Constitution they’re swearing to support. This oath of office reinforces the fact that the primary duty of every Public Servant is to secure the liberty of the People; their specific job responsibilities are secondary. Tyranny can never be imposed without the willing cooperation of the people the tyrants

seek to control. Law passed by government NOT imposed on Constitutional authority — which expand government's power beyond Constitutional limits and infringe upon the liberty of the people — must NOT be honored or enforced by Public Servants. Forcing compliance to unconstitutional laws not only betrays the liberty of their fellow countrymen, friends, and neighbors; but themselves and their families as well. Once liberty is forfeited, it is very hard to regain.

Whenever faced with unjust laws we all must consider the consequences. We may be punished and imprisoned for refusing to comply while standing for liberty — but will be free. Alternatively we may comply with unjust authority and survive as a nothing more than a subject.

We must decide for ourselves the price of Liberty.

Last Resort

What happens if the Union exceeds its authority — or — addresses its authorized duties in a manner the People find destructive?

Assume the People within a State:

- Vehemently disagree with the foreign policy of the Union. The People argue the military is no longer being used for the defense of the Union, but to promote a globalist agenda by agitating global unrest through continual war, preemptive strikes, and toppling governments disliked by the globalists;
- Are aggravated by the Union's attack on the ownership and use of private property. The People feel the restrictions imposed upon private property, by a slew of what they consider un-Constitutional agencies, are destructive and no longer serve the General Welfare of the People or State;
- Are repulsed by attacks on the free exercise of religion and the forced secularization of society;
- Disagree with the immigration policies forced upon the State;
- Disagree with trade policies they perceive as detrimental to the economy of the State;
- Disagree with power delegated by the Union to the Federal Reserve;
- Disagree with the accumulation of incomprehensible debt, spent on discretionary functions outside the authority of the Union, which can never be paid;
- Disagree with Treaties entered into by the Union which they consider detrimental to the State which directly negate principles of morality, private property rights, and our specific Constitutionally protected rights;
- Abhor the fact that Union agencies surveil and store each and every aspect of our lives including scanning all e-mails, phone calls, and computer searches generated by every individual within the Union —without cause or a warrant;
- Are frustrated that the Supreme court no longer limits itself to Constitutional issues, but imposes its discretion throughout society — for example: it classifies carbon dioxide (required for plant growth and naturally exhaled by every living being) as a pollutant to be controlled and taxed by Union authority; overturns amendment initiatives passed by the people within the States; and/or interferes with the morality of society by forcing people to accept abortion and same sex marriage regardless of constitutional initiatives passed within the States by the People

to the contrary.

- Are repulsed by the federalization and militarization of local police departments;
- And are disgusted by the Union interfering with, and controlling, every aspect of the lives of the people or the operations of the State. The Union today, without any Constitutional authority, completely controls all aspects of agriculture, banking, commerce, education, energy, food, drugs, disaster relief, environment, healthcare, housing, mortgages, local and state police, retirement, student loan programs, transportation, and urban development —just to name a few.

If the Union refuses to abide within its Constitutional authority, when it no longer provides a benefit to the State but instead becomes a detriment, what are a free people to do? Severs ties with the Union.

Consider this example: Assume a family needs a place to live and enters into an agreement with an apartment complex for shelter. The terms of the agreement are month to month, and the landlord is to furnish a secure apartment, heat, electricity, and appliances. The landlord is also responsible for maintaining the physical wellbeing of the apartment. In return the family will pay an agreed upon monthly rent.

Assume the tenant disagrees with how the landlord is fulfilling their obligations. For example: the landlord provides winter heat — but only at about 45 degrees Fahrenheit to keep the pipes from freezing; the roof leaks, but the landlord maintains that it's in proper working condition since it keeps out the "majority" of weather; the landlord provides appliances, but the washer's spin cycle is broken, the dryer blows only cold air, and only a single burner works on the stove.

If the tenant cannot get satisfaction from the landlord, what is the family's proper action? The reasonable response would be to sever relations with the current landlord and find a new dwelling which better meets their needs.

Would the landlord be justified in disallowing the tenant from leaving? Could he lock the door, force them to live in conditions not acceptable to the tenant, and mandate they pay exorbitant rent?

Of course not.

How is a State voluntarily joining a Union any different? In principle there is none. If the State is not allowed to leave a voluntary alliance they find unacceptable, the State, and the People within, are nothing more than captives, prisoners, or slaves.

The War Between the States tried to cement as "fact" that the States are subservient to the Union. That they are no longer a sovereign nation with a fully functioning government of its own with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

This "fact" is wrong.

If a single State leaves the Union, the Union still exists — consisting of all the other member States supporting its actions. This is exactly the situation resulting from the United Kingdom leaving the European Union. If enough members leave the Union, the Union will either revert back to its original purpose, or it will be dissolved completely — as happened with the Soviet Union. The member States of the dissolved Soviet Union still exist as independent nations free to form new, or abstain from forming, alliances which better meets their needs.

State of the Union

The Union, as created by our forefathers through the Constitution, no longer exists.

The Union formed between the thirteen Free and Independent States to better provide for their common defense and general welfare has been replaced by an overbearing “federal” government intent on micromanaging every aspect of the people’s lives and exercising full control over the routine operations of the States. The States and the People are now subservient to, and dominated by, a self imposed tyrannical government — considered by many as tyrannical as that overthrown by our founders.

The Union was not transformed into a “nation” by Constitutional means, by amendment, or treaty, but by coercion and force — allowed by the cultivated apathy and forced ignorance of the people.

What is the State of the Union today? The Union controls every aspect of the lives of the people and the operations of the States. It completely controls, through direct influence or funding, agriculture, banking, commerce, education, energy, food, drugs, disaster relief, environment, healthcare, housing, mortgages, manufacturing, local and state police, retirement, student loan programs, transportation, and urban development —just to name a few.

In addition it infringes upon every right protected within the Bill of Rights: the free press; our right to assemble; the free exercise of religion; free speech; the right to keep and bear arms; the right to be safe and secure in our persons, homes and effects; and the right to hear charges against us and a speedy and public trial before a jury of our peers. The Union considers our-ironclad Bill of Rights as simply “privileges” allowed by government which it will honor, infringe upon, or negate, based on its discretion.

Throughout human history, those who considered themselves the elite — who consider themselves the strongest and smartest — have sought to dominate all others; and sadly, they have effectively conquered and dominated the once proud Free and Independent States within the Union of the United States.

Our forefathers experienced this tyranny while living under the discretionary rule of King George III as explained in the Declaration of Independence: *“The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States.”*

They shed massive amounts of their own blood to gain their independence. To safeguard their hard-won liberty they transformed the colonies into thirteen Free, Independent, and Sovereign States in which the citizens of each State could implement what they considered the “best” means to address their needs. The most common “solution”, based on the principles within the Declaration, was simply for the people to “pursue their happiness” without infringing on the liberty of others. Each individual, or family, decided how they wanted to live, and were responsible for their own needs. Government existed to enforce law the People considered necessary to protect their liberty – such as laws against murder, theft, or the encroachment of property rights.

According to our founding documents, the Constitution and Declaration of Independence, we are not, never have been, and were never meant to be a single nation subservient to the discretion of a massive, self initiated, all encompassing, supreme, Union government.

Regardless of what our founding documents proclaim, the Union no longer considers the States sovereign, but totally subservient. This central government no longer limits itself to the powers delegated by the Constitution but has assumed complete control over every aspect of our daily lives and the routine operation of the States.

We cannot return to our founding principles unless we understand what those principles are. By design these principles are not taught in public schools. Instead people are taught to blindly accept unlimited centralized Union control as legitimate, without question.

Far too many of us do.

Please remember: A **NATION** requires a National Government to impose domestic policy, a Union does not (the member states of the Union provide for their own needs). The Constitution did not set up a new nation, contains no reference whatsoever to “**FEDERAL**” nor does it ever reference the formation of a nation, but repeatedly refers to the creation of a **UNION** for example ...

- ... to form a more perfect **Union**,
- Representatives and direct Taxes shall be apportioned among the several States which may be included within this **Union**,
- The President shall execute the Laws of the **Union**,
- He shall from time to time give to the Congress Information of the State of the **Union**,
- New States may be admitted by the Congress into this **Union**,
- The United States shall guarantee to every State in this **Union**, a Republican Form of Government.

The Constitution clearly established a Union not a Nation, and never authorized or established a centralized federal government. This fact has been intentionally educated out of our consciousness. The federal government as it exists today is illegitimate without authority.

Tyranny cannot be imposed without the willing cooperation of those being dominated.

Wake up and take the necessary measures to reinstate our Constitutional as ratified. Otherwise the liberties our forefathers fought and died for will be lost and we will be forced to live in submission.

Peter Konetchy
May 31, 2018

Peter Konetchy is a resident of Roscommon, Mi; a 2012 candidate for the US Senate; a 2014 candidate for the US House of Representatives; author of the book “Empowering People Through Restrained Government.”; and author of the Michigan Constitutional Amendment initiative entitled “The Peoples Initiative to Hold Government Accountable.”

Study Questions:

The **ONLY** documents to be used to answer these questions are our founding documents:
The Declaration of Independence which established the Free and Independent States, and
The US Constitution which established the Union of the United States.

Questions

- 1) The author contends that the colonies declared their independence from Great Britain as thirteen individual, sovereign, nation-States. Others contend the thirteen colonies declared independence as a single nation comprised of thirteen States within. Read the Declaration of Independence and either confirm or refute these claims.
- 2) The author contends that the US Constitution created an alliance between the newly created Free and Independent States — the former colonies — primarily for the purpose of providing for their mutual defense and to encourage unfettered commerce. The author contends that the States had no intention or creating a new nation or yielding their hard-won sovereignty to the Union, and explicitly prohibited the Union from creating a national government addressing their internal affairs. An opposing consensus contradicts this claim and asserts that when the States ratified the Constitution they forfeited their sovereignty and created a new nation with a strong national government charged with overseeing and regulating every aspect of life within the States. Read the Constitution and confirm or refute these claims. If the latter is true, where in the Constitution did the States forfeit their hard won sovereignty proclaimed within the Declaration of Independence?
- 3) What other alliances, or Unions, exist in the world today between sovereign States established for mutual defense or enhanced commerce? Have the member States lost their sovereignty and are prohibited from withdrawing if these Unions no longer meet their needs? Which of these Unions formed a “new nation?”
- 4) Where in the Constitution are the States prohibited from leaving the Union of the United States if they determine this Union is no longer beneficial?
- 5) Would it be detrimental or beneficial to the States if the authority, power, and influence of the Union were returned back to only that delegated by the Constitution? Please explain and provide examples.
- 6) How do you think the Union was able to expand its power and influence beyond Constitutional authority and gain full oversight and control over the lives of the people and operation of the States?
- 7) What should be the Peoples response when unlawful authority infringes upon their rights?

The author is very interested in receiving feedback concerning this article. If possible, please scan and email answered Study Questions back to pkonetchy@startmail.com or send copies by mail to:

Peter Konetchy
PO Box 455
Roscommon MI

To better evaluate responses please include the respondent’s first name, state, and relative age — high school student, adult, etc. Thank you.