

Populist #6 Constitutional Democracy as a Protection against Internal Hostilities

The previous four papers of this discussion have been dedicated to a catalogue of the dangers to which we have been and will continue to be exposed to from the threats of force and interference of foreign nations and organizations that wish to do us harm, if we are to remain under the rule of the republican federal structure that stands today. The use of the word republican is not to infer reference to any political party, and I only intend to utilize it to indicate the structure of the present American government as a republic. It has been shown in previous papers that restructuring our federal government to that of a Constitutional Democracy, with the Bill of Rights serving to protect the liberty of every citizen, will give us greater protection from dangers originating abroad. In this and the next installments of these papers, I shall now proceed to characterize dangers of a different and, perhaps, even more formidable kind - those which in all probability have and will come from inside our own country. These have already been in some cases lightly touched upon; but they deserve a more specific and in-depth investigation.

In our situation, we must look closely at three important principles that have the potential to affect our security from within; hostility between states, issues of sovereignty, and legislative and judicial tyranny. The former and latter of these are self-explanatory. Sovereignty issues, however, involve a number of matters, and these do overlap with acts of legislative and judicial tyranny as well as with the subject of foreign dangers, which was discussed in previous papers. Topics of note that affect our sovereignty, and create an increased internal danger, include the current massive influx of illegal immigrants across our borders, possible terrorist infiltration, legislation that systematically dismantles the rule of law by surrendering constitutionally-based congressional powers or sovereignty to the executive or to international organizations, as well as other relevant exigencies. I will discuss this topic of sovereignty in further detail in a subsequent paper.

Our nation's founders, when considering threats to our security *internally*, argued at great length for a strong union as a necessity to prevent internal hostility *between* the States. These arguments helped form the basic structure of our government, and after many years, experience has shown us that even with the trials and tribulations of our nation's maturation, this strong union has succeeded in protecting us from such danger better than any other structure could have done or will do in the future. This is not to say that protections from hostility between states should not be considered, but when analyzing our future, we must consider not only the deficiencies of the current system, but its successes as well. I am satisfied with the protections that the federal government provides us with against the dangers of *hostilities between states*, and since any proposed change in federal structure to a Constitutional Democracy will also require an equally strong union of the States, it is logical to assert that these same protections will endure.

Even though we will continue to be safeguarded in the best way possible against hostility between the states under the current federal structure or under a restructured Constitutional Democracy, let us not be deluded into thinking that this is a perfect situation in which we are to exist. Internal hostility includes not only overt violence, but also acts that antagonize the people, or incite resistance or violence. Since the Constitution and Bill of Rights are *eternal* contracts between the people of the United States and the federal government, acts by the government that violate either or both contracts are acts of hostility towards the people of this nation. Such actions have been discharged from the legislative, executive and judiciary branches on a regular basis for many decades, and thus, violations of our rights and liberty by our own government are the most grievous hostilities we face going forward.

As shown in previous papers, the current federal republic that rules over us today leads to a greater propensity towards war and conflict with foreign nations and terrorist organizations. This

state of continual war or fear or war in which we have existed only leads to a destruction of liberty. This concept is easily clarified by two statements from Alexander Hamilton:

"The violent destruction of life and property incident to war, the continual effort and alarm attendant on a state of continual danger, will compel nations the most attached to liberty to resort for repose and security to institutions which have a tendency to destroy their civil and political rights. To be more safe, they at length become willing to run the risk of being less free."

"It is the nature of war to increase the power of the executive at the expense of the legislative authority."

The legislative, acting as representatives of the people, has repeatedly lost or ceded its power to the executive, resulting in a growing hostility towards our rights and liberty.

We have seen many transgressions against our liberty in this country; oppression based on race, high court rulings desecrating private property rights, as well as legislation that has violated nearly every amendment in the Bill of Rights. Foolish are those who believe that the destruction of our liberty through actions such as eminent domain expansion, growth of the P.A.T.R.I.O.T. Act, violations of the Bill of Rights, and the like, will cease to continue and increasingly damage our rights in the future. This type of ruinous legislation is not a partisan issue, as many egregious violations have been enforced by political leaders from both the left and the right. Although the specifics of such infringements are of great importance to my overall discussion, a further detailed analysis of each will be best discussed in future papers.

It would not be logical to expect, from this time forward, without additional checks and balances on the power over the legislative, executive and the judiciary, that further breaches by the government, of moral obligation and social justice would cease to continue.

It is a rare occurrence, however, to find a person who believes that the federal government has not violated the rights of the people on numerous occasions; whether it is as a result of war, intentional tyranny, or other despotic designs. Nevertheless, the error in thought of many well-intentioned citizens has been to believe that it is the political party with which they are allied, that will protect them from the evils of the other. This couldn't be further from the truth, as hostilities against our liberty have come from both major parties in nearly equal numbers. With these *facts* in mind, it is then reasonable to deduce that it is neither the parties nor the politicians themselves that need to be replaced, but rather, the structure of the federal government that allows them to act in such a nefarious manner. Congress, the representatives of the people, has more often colluded with, or acted as the violators of liberty and justice, rather than as the constitutionally-required check and balance on tyrannical power that is necessary in a free society.

The problems we face are incontrovertible to all those who analyze them with the clarity of wisdom, justice and experience. The solution comes neither from the left nor the right, but rather, it rests in a change of our system of government to that of a Constitutional Democracy, where the power flows from the people; resulting in a diminished state of power in the hands of those who have designs to consolidate, usurp, and in turn, harm us by attacking our liberty. It is not my intention to show that an American government restructured as a Constitutional Democracy will be a *perfect* replacement for the current republic, but rather, that this new federal form will be much less *imperfect* than the republic which stands today. Such a revised federal government will serve as a greatly improved proponent of our liberty, security, and prosperity. It is the details of how this new form of government will better protect us from such internal hostilities, which will be the subject of my next paper, on July 14, 2005.

In the spirit of liberty and prosperity,

Franklin