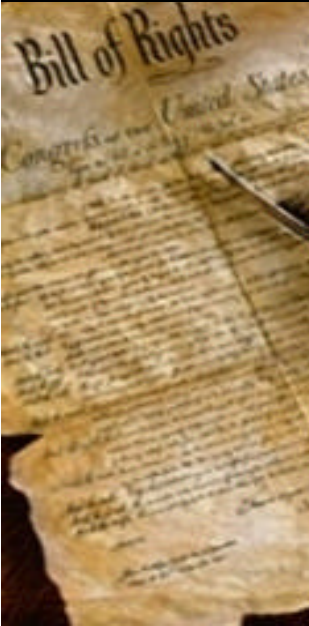


# AWAKEN AMERICA

January  
2003**Restoring the Government Our Founding Fathers Intended**

The Constitutional Review Committee advocates individual, community and business governance according to the *unalienable* rights guaranteed by our nation's Founders. The foundations of these rights are found in the Declaration of Independence, the Constitution of the United States as expounded by the Federalist Papers. The mission of our Committee is to proactively promote Constitutional legislation. Where American's rights are infringed upon or eliminated by legislation, take action to correct the situation. The means of corrective action being used is threefold.

1. To Petition the Government for Redress of Grievances (1st Amendment).
2. Proactively work for legislation to compel adherence to the Constitution (1st Amendment).
3. To push for the impeachment of Public Officials who violate the Oath of Office to "preserve, protect and defend the Constitution of the United States" (Article II Section 1 and Article VI)

This newsletter provides a brief, informative review of current legislation found to be unconstitutional, along with the research. All readers should contact their Public Servants regarding these violations of Constitutional Law. The Constitutional Review Committee and "Awaken America" is protected speech pursuant to the First Amendment to the Constitution of the United States of America.

**THIS ISSUE:**

<b>Federal Reserve Act</b>	<b>1</b>
<b>Gun Control</b>	<b>4</b>
<b>Freedom of Speech</b>	<b>8</b>

**C.R.C. UPDATES:**

<b>Accountability Bill</b>	<b>10</b>
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**Note:** As Congress is about to start a new session, this edition of *Awaken America* will focus on a few of the most talked about issues by our committee. These are by no means ALL of the issues or projects we are working on, some others include: Campaign Finance Reform, Education, Freedom of Religion, Freedom of the Press etc. We will be covering these in future editions.

## FEDERAL RESERVE ACT

**Your Constitutional  
Rights ARE  
your Defense!**

**Ex Post Facto Law** - "A law is unconstitutionally "ex post facto" if it deprives the defendant of a defense to criminal liability that he had prior to enactment of the law. Art. I, § 9 (CL. 3) and § 10.

**Blacks Law  
6th Edition**

The founding structure and guidelines set down for our monetary system began with the Declaration of Independence. The particular wording of the Declaration of Independence effectively cut off the British form of Government and dedicated our government to preserve the public good in the first four paragraphs:

"When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that 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. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."

# FEDERAL RESERVE ACT

Under our form of government every American, individually or by representation, is the high and supreme sovereign authority. The authority at each of the three departments of government is defined and established in the Constitution. It is entirely fitting and proper to observe that in all instances between the states and the United States, and the people, there is no such thing as the idea of a compact between the people on one side and the government on the other. The compact is that of the people with each other to produce and constitute a government.

To suppose that any government can be a party to a compact with the whole people, is supposing it to have an existence before it can have a right to exist. The only instance in which a compact can take place between the people and those who exercise the government, is that the people shall pay them while they choose to employ them. A Constitution is the property of the nation and more specifically of the individual, and not those who exercise the government. The Constitution of the United States is declared to be established in the authority of the people. The authority of the Constitution is grounded upon the absolute, God-given free agency of each individual, and this is the basis of all powers granted, reserved or withheld in the authorization of every word, phrase, clause or paragraph of the Constitution. Any attempt by Congress, the President or the Courts to limit, change or enlarge even the most insignificant provision is therefore *ultra vires* and void *ab initio*.

No one applying the Constitution to any situation has any business, right or duty to look in any direction for sovereignty but toward the people. Any attempt or inclination to do so is a violation of one's oath and continuing duty to uphold, maintain and support the Constitution of the United States of America.

See *Waring vs. Mayor of Savannah*, 60 Georgia, Page 93, where it is quoted as follows:

*"In this State as well as in all republics, it is not the Legislature, however transcendent its powers, who are supreme - but the people - and to suppose that they may violate the fundamental law, is, as has been most eloquently expressed, to affirm that the deputy is greater than his principal; that the servant is above his master, that the representatives of the people are superior to the people themselves; that men acting by virtue of delegated power may do not only what their powers do not authorize, but what they forbid."*

The law is made by the Legislature, but applied by the Courts.

Justice Story's commentaries on the Constitution, Vol. 1, Section 198 through 280 was primarily a debasement of our money and currency by the banks, similar to what is taking place in the United States today. The Federal Reserve Act violated the Constitutional guidelines by conferring the control of our monetary supply over to a private organization outside of the government and therefore uncontrollable by our system of government.

**"An Act of Congress that is in violation of the Constitution confers no rights or privileges" see 16 Am. Jur. 2d "Constitutional Law," - Sections 177 thru 179**

Article I, Section 10 of the United States Constitution provides that no State shall make any Thing but gold and silver coin a legal tender in payment of debts.

*"Bank Notes are a good tender on money unless specifically objected to. Their consent and usage is based upon the convertibility of such notes to coin at the pleasure of the holder upon presentation to the bank for redemption. When the inability of a bank to redeem its notes is openly avowed they instantly lose their character as money and their circulation as currency ceases."* - 36 Am. Jur. on Money, Section 9

*"A State can act only through its agents; and it would be absurd to say that any act was not done by a State which was done by its authorized agents."* *Briscoe et al vs. The Bank of the Commonwealth of Kentucky*, 11 Peters Reports at Page 319



*Committee Preparing the Declaration of Independence*

*"What a perversion of the normal order of things! ... to make power the primary and central object of the social system, and Liberty but its satellite.*

- James Madison

*"If ye love wealth greater than liberty, the tranquility of servitude greater than the animating contest for freedom, go home from us in peace.*

*We seek not your counsel, nor your arms. Crouch down and lick the hand that feeds you; May your chains set lightly upon you, and may posterity forget that ye were our country-men."*

- Samuel Adams

# FEDERAL RESERVE ACT

(Continued from page 2)

The sworn duty of all public servants and the duty of all Americans should be to refuse the tender of Federal Reserve Bank notes that are contrary to the Constitution of the United States. The States have no power to make bank notes a legal tender. See 35 Amer. Jur. on Money, Section 13. *"Only gold and silver coin is a lawful tender"*.

In order for Federal Bank Notes to be considered legal tender, there must be *"lawful consideration"*. A lawful consideration must exist for a Note. See 17 Amer. Jur. 2d on Contracts, Section 85 and also Sections 215, 216 and 217 of 11 Amer. Jur. 2nd on Bills and Notes. As a matter of fact, the *"Notes"*; are not Notes at all as they contain no promise to pay.

*Note – "An instrument that is a promise to pay other than a certificate of deposit. U.C.C. § 3-104(2)(d)." Black's Law Dictionary 6<sup>th</sup> Edition p. 732*

The activity of the Federal Reserve Banks in the United States is contrary to public policy and the Constitution of the United States and constitutes an unlawful creation of money and the use of *"credit"* is not warranted by the Constitution of the United States.

The Federal Reserve and National Banks exercise an exclusive monopoly and privilege of creating credit and issuing their Notes at the expense of the public, which does not receive a fair equivalent. It has defied the lawfully constituted Government of the United States. The Federal Reserve and National Banking Acts and Sec. 462 (392) of Title 31, U.S.C. are not necessary and proper for carrying into execution the legislative powers granted to Congress or any other powers vested in the Government of the United States, but, on the contrary, are subversive to the rights of the People in their rights to life, liberty and Property.

**"I believe that banking institutions are more dangerous to our liberties than standing armies . . . If the American people ever allow private banks to control the issue of their currency, first by inflation, then by deflation, the banks and corporations that will grow up around [the banks] . . . will deprive the people of all property until their children wake-up homeless on the continent their fathers conquered . . . The issuing power should be taken from the banks and restored to the people, to whom it properly belongs."** -- Thomas Jefferson -- The Debate Over The Recharter Of The Bank Bill, (1809)

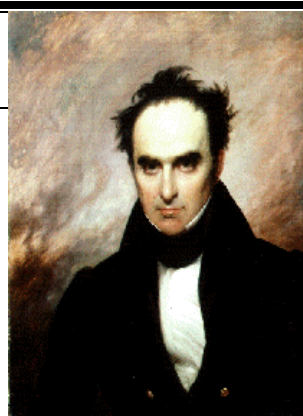
The meaning of the Constitutional provision *"No State Shall make any Thing but Gold and Silver Coin a tender in payment of debts"* is direct, clear, unambiguous and without any qualification. This Court is without authority to interpolate any exception. The duty of our legislators is simply to execute it, as written, and to pronounce the legal result.

If we examine the case of *Edwards v. Kearzev*, 96 U.S. 595, the Federal Reserve Notes (fiat money), which are attempted to be made a legal tender, are exactly what the authors of the Constitution of the United States intended to prohibit. Congress has no power to authorize a State to make *"Federal Reserve Notes"* a legal tender. The effect of binding Constitutional provisions is seen in *Cooke v. Iverson*, 108 M. 388 and *State v. Sutton*, 63 M. 147. The fraudulent Federal Reserve System and National Banking System has impaired the obligation of Contract, promoted disrespect for the Constitution and Law and has shaken society to its foundations.

Research into what laws these Notes could be possibly be based upon to sustain their validity. To aid the Court he presented the following: Section 411, 412, 417, 418, 420 of USC Title 12 and Title 31, USC Sec. 462 (392).

On the one hand Section 411 holds and states that the Notes are to be used for the purpose of making advances to Federal Reserve Banks through Federal Reserve Agents and for no other purposes. Then Title 31, Section 462 (392) states: *"All Federal Reserve Notes and circulating Notes of Federal Reserve Banks and National Banking Associations heretofore or hereafter issued, shall be*

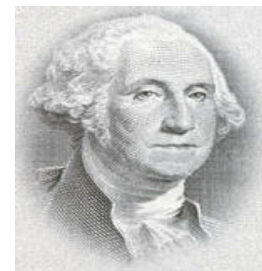
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Daniel Webster said:

*Hold on, my friends, to the Constitution and to the Republic for which it stands. Miracles do not cluster, and what has happened once in 6000 years, may not happen again. AND*

*"The contest, for ages, has been to rescue liberty from the grasp of executive power."*



*"Much to be regretted indeed would it be, were we to neglect the means and depart from the road which Providence has pointed us to, so plainly...."*

- George Washington





*"The Hand of providence has been so conspicuous in all this, that he must be worse than an infidel that lacks faith, and more than wicked, that has not gratitude enough to acknowledge his obligations."*

- George Washington

*"These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it now, deserves the love and thanks of man and woman."*

Thomas Paine

## FEDERAL RESERVE ACT

*(Continued from page 3)*

*legal tender for all debts public and private."*

Therefore, Title 31 USC, Section 462 (392) is in direct conflict with the Constitution insofar as at least, that it attempts to make Federal Reserve Notes a Legal Tender, the Constitution is the Supreme Law of the Land. Sec. 462 (392) is not a law which is made in pursuance of the U.S. Constitution. We can conclude that Federal Reserve Notes are null and void for any lawful purpose.

In **MARTIN V. MAHONEY**, on December 7, 1969, Mr. Morgan of the Bank of America appeared as a witness and testified to his 20 years of experience as plaintiff in this case. He testified to his familiarity with the operations of the Federal Reserve System. During his testimony, he freely admitted that his Bank created all of the money or credit upon its books. Further he freely admitted that no United States Law gave the bank the authority to do this. There was obviously no lawful consideration for the Note (involved in this case). The Bank parted with absolutely nothing except a little ink. In this case the evidence was on January 22, 1969 that the Federal Reserve Banks obtain the Notes for the cost of the printing only. This seems to be confirmed by Title 12 USC, Section 420. The cost is about 9/10ths of a cent per Note, regardless of the amount of the Note. The Federal Reserve Banks create all of the Money and Credit upon their books by bookkeeping entry by which they acquire United States and State Securities. The collateral required to obtain the Notes is, by Section 412, USC, Title 12, a deposit of a like amount of Bonds, Bonds which the Banks acquired by creating money and credit by bookkeeping entry.

No rights can be acquired by fraud. The Federal Reserve Notes are acquired through the use of unconstitutional statutes and fraud.

The Common Law requires a lawful consideration for any Contract or Note. These Notes are void for failure of a lawful consideration at Common Law, entirely apart from any Constitutional Considerations upon this ground the Notes are ineffectual for any purpose. This seems to be the principal objection to paper fiat money and the cause of its depreciation and failure down through the ages. If allowed to continue Federal Reserve Notes will meet the same fate. In the same case, evidence was introduced on January 22, 1969, and the Court finds that as of March 18, 1968 all Gold and Silver backing was removed from Federal Reserve Notes.

One only has to look at the decline in the value of our "dollar" over the last century and the current state of instability in our economy to realize that the Federal Reserve Act should be abolished and the power be returned to Congress to:

*"To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of*

## GUN CONTROL LAWS

Of any other single fundamental right guaranteed by our founders, the 2<sup>nd</sup> Amendment "Right to Keep and Bear Arms", has most certainly caused the loudest objections and been the object of more direct violation than any other right. Those who would remove or restrict that right little realize that they shackle the people of the United States and create the very situation that our founders fought and died to prevent.

Currently there are over hundreds of pieces of legislation at the Federal, State and Local levels which infringe on the "unalienable" right to keep and bear arms.

*(Continued on page 5)*



# GUN CONTROL LAWS

(Continued from page 4)

The single purpose of the Right to Keep and Bear Arms was to prevent any government from ever usurping power from the people by force of arms.

*"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."* – 2<sup>nd</sup> Amendment, Bill of Rights

Those that tend to detract and misconstrue the 2<sup>nd</sup> Amendment, attempt to tie the Right to Bear Arms into the Militia which has also been misconstrued and twisted into a meaning which it was not intended, that being equating of the National Guard to the *Militia*. This is facially incorrect, linguistically false and is a blatant attempt to controvert the intent of the Amendment in its entirety. It is necessary to take these in the proper context.

These statements in the 2<sup>nd</sup> Amendment are separated into two thoughts and therefore are two separate "*unalienable*" rights:

1. The right to have a regulated militia (being necessary to the security of a free state).
2. The right of the people to keep and bear arms.

AND Neither of which should be infringed.

This is the intended meaning of this amendment. To understand this fact, we must look at the founders and their adoption of this amendment to find any controversy that may have existed which might guide us to adopt it in its appropriate interpretation.

## Important Facts:

1. The 2<sup>nd</sup> Amendment, in the same form as it stands to this date, passed the House by a *voice vote without objection* and hardly a debate! (Whereas proposals for freedom of religion and those for freedom of assembly, passed only after lengthy and bitter debate)
2. Samuel Adams, in his request for the content of this Amendment, proposed that it state that the: "*Constitution shall never be construed ... to prevent the people of the United States who are peaceable citizens from keeping their own arms*" (He would be shocked to hear that today, his native state of Massachusetts, imposes a year's sentence, without probation or parole, for carrying a firearm without a police permit.
3. "*The great object is that every man be armed ... Everyone who is able may have a gun.*" - Patrick Henry, in the Virginia Convention on the ratification of the Constitution.
4. "*To preserve liberty, it is essential that the whole body of the people always possess arms, and be taught alike, especially when young, how to use them.*" - Richard Henry Lee, Virginia delegate to the Continental Congress, initiator of the Declaration of Independence, and member of the first Senate, which passed the Bill of Rights.
5. "*The advantage of being armed ... the Americans possess over the people of all other nations ... Notwithstanding the military establishments in the several Kingdoms of Europe, which are carried as far as the public resources will bear, the governments are afraid to trust the people with arms.*" -James Madison, author of the Bill of Rights, in his Federalist Paper No. 46.
6. "*No free man shall ever be de-barred the use of arms. The strongest reason for the people to retain their right to keep and bear arms is as a last resort to protect themselves against tyranny in government.*" – Thomas Jefferson
7. "*Under any other construction of the amendment relating to the [right to keep and bear arms], than that it declared the [right to keep and bear arms] to be wholly exempt from the power of*

(Continued on page 6)



Thomas Jefferson said:  
*"The time to guard against corruption and tyranny is before they have gotten hold of us."*

*"Our cruel and unrelenting enemy leaves us only the choice of a brave resistance, or the most abject submission. We have, therefore, to resolve to conquer or to die.*  
 - George Washington

*"The liberties of our country, the freedom of our civil constitution, are worth defending against all hazards: And it is our duty to defend them against all attacks.*  
 -Samuel Adams

# GUN CONTROL LAWS

(Continued from page 5)

*Congress, the amendment could neither be said to correspond with the desire expressed by a number of the States, nor be calculated to extend the ground of public confidence in the government."* – James Madison, from the Report of 1799 on the Kentucky-Virginia Resolutions

8. *"Firearms stand next in importance to the Constitution itself. They are the American people's liberty teeth and keystone under independence. From the hour the Pilgrims landed, to the present day, events, occurrences and tendencies prove that to ensure peace, security and happiness, the rifle and pistol are equally indispensable. The very atmosphere of firearms everywhere restrains evil interference - they deserve a place of honor with all that's good."* – George Washington, Commanding General of the Continental Army, Father of Our Country and First President of the United States, *Address to the 2nd Session, 1st Congress, 1789.*

From the modern viewpoint, the Second Amendment is perhaps one of the worst drafted of all its provisions. The point of dispute in this Amendment is the inclusion of an opening clause that seems to set out its purpose. No similar clause is part of any other Amendment. The standard premise of those who wish to limit the Second Amendment's force is to focus on its opening clause as setting out a restrictive purpose. If this was truly the case, then surely the Framers would simply have said something like "Congress shall have no power to prohibit state-organized militias." The obvious reason for this is that they did not intend this as a restrictive clause.

The same terminology also occurs in the text of the Bill of Rights itself and the usage there of terms "the people" in the First, Fourth, Ninth, and Tenth Amendments. Consider that the Fourth Amendment protects "[t]he right of the people to be secure in their persons," or that the First Amendment refers to the "right of the people peaceably to assemble, and to petition the Government for a redress of grievances." It is obvious that what the founders meant by these rights was specifically for the protection of individual rights.

There is then, strong evidence that "militia" refers to all of the people, or at least, all of those treated as full citizens of the community which were endowed with the "unalienable rights" mentioned in the Declaration of Independence.

George Mason, one of the Virginians who refused to sign the Constitution because of its lack of a Bill of Rights asked, "Who are the militia? They consist now of the whole people." And in a normally conflicting stance, the Federal Farmer, one of the most important Anti-Federalist opponents of the Constitution, referred to a "militia, when properly formed, [as] in fact the people themselves."

The consensus of opinion is obvious when you consider that for the next 100 years following the ratification of the Constitution and Bill of Rights, the foremost legal scholars of our time all came to the same opinion on the intent of both the "militia" and the "right to keep and bear arms" as belonging to the sovereign people and the individual alike. They each refuted any power of the government to infringe on these rights.

1803 - *"This may be considered as the true palladium of liberty...The right of self defence is the first law of nature: in most governments it has been the study of rulers to confine this right within the narrowest limits possible. Wherever standing armies are kept up, and the right of the people to keep and bear arms is, under any colour or pretext whatsoever, prohibited, liberty, if not already annihilated, is on the brink of destruction."* – "Tucker's Blackstone"

1829 - *"The corollary, from the first position, is, that the right of the people to keep and bear arms shall not be infringed."* – William Rawle, LL.d. from "A View of the Constitution"

1833 - *"§ 1889 -§ 1890 . The next amendment is: "A well regulated militia being necessary to the*

(Continued on page 7)



What country can preserve its liberties, if its rulers are not warned from time to time, that its people preserve the spirit of resistance?

-Thomas Jefferson

*"America united with a handful of troops, or without a single soldier, exhibits a more forbidding posture to foreign ambition than America disunited, with a hundred thousand veterans ready for combat.*

- James Madison

*"If men...of zeal for the honour of the Supreme Being...are chosen to fill the seats of government, we may expect that our affairs will rest on a solid and permanent foundation."*

- Samuel Adams





## GUN CONTROL LAWS

(Continued from page 6)

*security of a free state, the right of the people to keep and bear arms shall not be infringed." The importance of this article will scarcely be doubted by any persons, who have duly reflected upon the subject. The militia is the natural defence of a free country against sudden foreign invasions, domestic insurrections, and domestic usurpations of power by rulers. It is against sound policy for a free people to keep up large military establishments and standing armies in time of peace, both from the enormous expenses, with which they are attended, and the facile means, which they afford to ambitious and unprincipled rulers, to subvert the government, or trample upon the rights of the people. The right of the citizens to keep and bear arms has justly been considered, as the palladium of the liberties of a republic; since it offers a strong moral check against the usurpation and arbitrary power of rulers; and will generally, even if these are successful in the first instance, enable the people to resist and triumph over them. And yet, though this truth would seem so clear, and the importance of a well regulated militia would seem so undeniable, it cannot be disguised, that among the American people there is a growing indifference to any system of militia discipline, and a strong disposition, from a sense of its burdens, to be rid of all regulations. How it is practicable to keep the people duly armed without some organization, it is difficult to see. There is certainly no small danger, that indifference may lead to disgust, and disgust to contempt; and thus gradually undermine all the protection intended by this clause of our national bill of rights."* – Joseph Story LL.D. from **Commentaries on the Constitution of the United States**

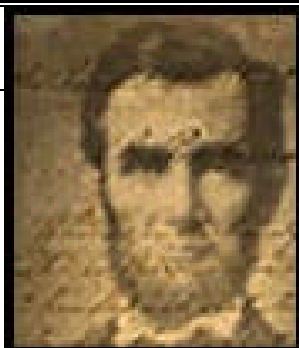
**1898** - "By the Second Amendment to the Constitution it is declared that "a well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed."

*The amendment, like most other provisions in the Constitution, has a history. It was adopted with some modification and enlargement from the English Bill of Rights of 1688, where it stood as a protest against arbitrary action of the overturned dynasty in disarming the people, and as a pledge of the new rulers that this tyrannical action should cease. The right declared was meant to be a strong moral check against the usurpation and arbitrary power of rulers, and as a necessary and efficient means of regaining rights when temporarily overturned by usurpation.*

**The Right is General.** — *It may be supposed from the phraseology of this provision that the right to keep and bear arms was only guaranteed to the militia; but this would be an interpretation not warranted by the intent. The militia, as has been elsewhere explained, consists of those persons who, under the law, are liable to the performance of military duty, and are officered and enrolled for service when called upon. But the law may make provision for the enrolment of all who are fit to perform military duty, or of a small number only, or it may wholly omit to make any provision at all; and if the right were limited to those enrolled, the purpose of this guaranty might be defeated altogether by the action or neglect to act of the government it was meant to hold in check. The meaning of the provision undoubtedly is, that the people, from whom the militia must be taken, shall have the right to keep and bear arms, and they need no permission or regulation of law for the purpose. But this enables the government to have a well regulated militia; for to bear arms implies something more than the mere keeping; it implies the learning to handle and use them in a way that makes those who keep them ready for their efficient use; in other words, it implies the right to meet for voluntary discipline in arms, observing in doing so the laws of public order."* – Thomas M. Cooley, LL.D., from **The General Principles of Constitutional Law**

The Founding Fathers recognized that, without learning of the principles behind their fundamental rights, citizens would be unable to maintain their liberty and free government could not be maintained. This is the core of the issue today.

The average American has little knowledge of the founding principles and documents of their own country. It is not taught in schools and it has been systematically eliminated from our media. The



**Abraham Lincoln said:**

*"I hope I am over wary; but if I am not, there is even now something of ill omen amongst us. I mean the increasing disregard for law which pervades the country - the growing disposition to substitute the wild and furious passions in lieu of the sober judgment of courts, and the worse than savage mobs for the executive ministers of justice. This disposition is awfully fearful in any community; and that it now exists in ours, though grating to our feelings to admit, it would be a violation of truth and an insult to our intelligence to deny.*



(Continued on page 8)

## GUN CONTROL LAWS

(Continued from page 7)

true history of our country has been revised, manipulated and mutilated to give a distorted view of our government and removed the basic concept of popular sovereignty from our public awareness.

To truly understand and appreciate the critical value of this knowledge, we need to take a step back and study where we came from and look at where we are now. We need to re-establish the purpose and principles our founding fathers intended in order to maintain this great country of ours.

According to the intent of our forefathers, the *right to keep and bear arms*, like other rights in the Bill of Rights, is an individual right, at all levels of government, and covers all weapons or other tools or supplies that might be used for defense, riot control, personal protection, law enforcement, or emergency response.

No fundamental right, including the right to keep and bear arms, may be disabled or restricted partially or entirely as these rights are those that our founders considered “unalienable”. These rights are not granted by our government or even our Constitution as they existed prior to their existence.

## FREEDOM OF SPEECH

One of the most talked about of all the *unalienable* rights is Freedom of Speech. It is the one right which is most denied and/or controlled by dictatorial governments. The repression of speech is at its highest in communist, socialist and fascist governments.

The very fact that this right is recognized as one of the *unalienable* rights makes it necessary that we obtain the true definition of unalienable or *inalienable* rights (the difference between the two having been debated for years but actually mean the same thing).

*Unalienable* – “*Inalienable; incapable of being aliened, that is, sold and transferred.*”  
p.1057 *Black’s Law Dictionary 6<sup>th</sup> Edition*

*Inalienable rights* – “*Rights which can never be abridged because they are so fundamental.*” P. 1057 *Black’s Law Dictionary 6<sup>th</sup> Edition*

Every state Constitution also includes the unalienable right to Freedom of Speech and many of them are more succinct in what that right actually means. For instance:

“§ 10 -- No law shall be passed impairing the freedom of speech; every person shall be free to speak, write or publish whatever he will on any subject, being responsible for all abuse of that liberty...” – Colorado Bill of Rights Article II of Colorado Constitution

This statement is very clear that the freedom of speech has a stronger grounding than what is commonly thought regardless of the rhetoric by many advocates in our society.

Like dignity and happiness, freedom of speech is considered to be one of the “Natural Laws of Man” and incapable of being abridged. In many cases in our current legal system, freedom of speech is commonly brought up in regards to cases involving privacy. In legal terms, however, privacy is regarded as a secondary quality, contingent on the upholding of other rights and a strict limitation of the size and role of government.

The right to speech, freedom of association and the like should simply derive from a general liberty - within the obvious limits - to do as one pleases. But this general liberty is so little recognized in the United States - and, for that matter, in the rest of the comparatively free world - that it is in danger of being eliminated in its entirety if extreme vigilance is not taken.



**Patrick Henry**  
*said:*

*If we wish to be free -- if we mean to preserve inviolate those inestimable privileges for which we have been so long contending -- if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon until the glorious object of our contest shall be obtained - we must fight! I repeat it, sir, we must fight! An appeal to arms and to the God of hosts is all that is left us! ... The millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us.”*





## Constitutional Review Committee

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## C.R.C. UPDATES

## FREEDOM OF SPEECH

*(Continued from page 8)*

Freedom of speech was originally intended to prohibit government from any act which would prevent free speech regarding the government. It is now regularly accepted to have wider prohibitions against censorship. Freedom of speech and persuasion – the freedom to attempt to rationally convince willing listeners – is so fundamental an individual right that without it no other rights, not even the existence of rights, can be enforced, claimed, debated, or even queried.

Unconstitutional censorship includes the regulation of the "public" airwaves by the FCC, as in the censorship which prohibits tobacco companies from advertising on the same medium which is commanded by government decree to carry "public service" propaganda, mainstream media can air politically-correct drivel for our children and even pass Orwellian legislation like the "Communications Decency Act". It also includes irrational "sexual harassment" or "hate speech" laws, which prohibit certain spoken words among co-workers. It is obvious that the *unalienable* right of Freedom of Speech is on the decline and has been *abridged* in violation of the Constitutional mandate.

*Abride* – "To reduce or contract; to diminish or curtail." p. 4 *Black's Law Dictionary 6<sup>th</sup> Edition*

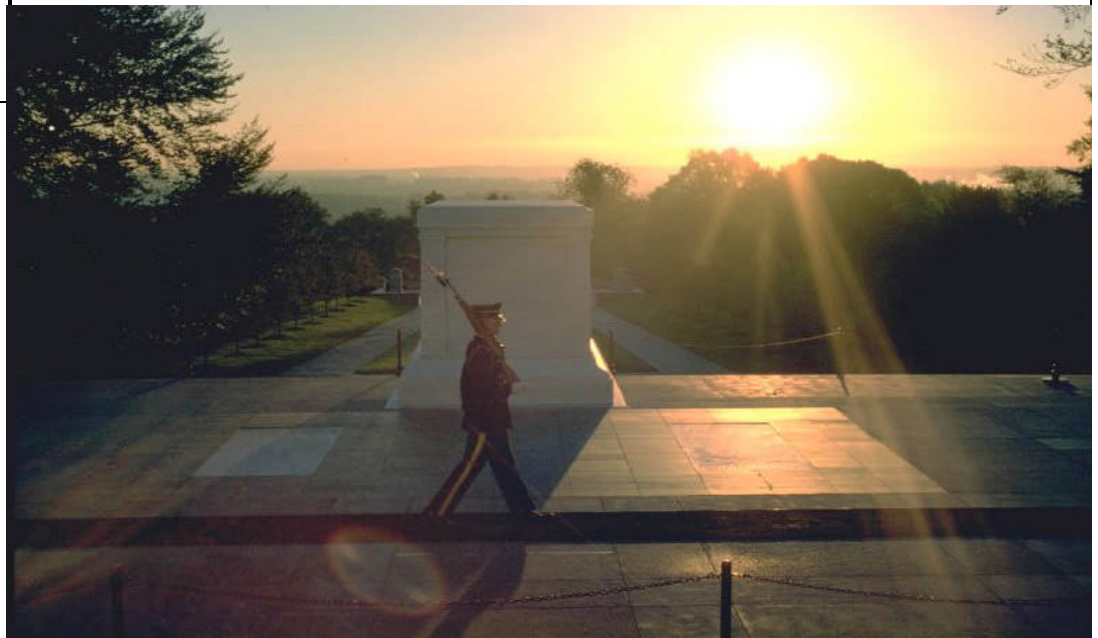
Although the above examples do not pertain to ideological or political speech, they are still censorship and are designed to intimidate people into the acceptance of *de facto* censorship. We say that *any* abrogation of free speech, and any form of censorship, which cannot be rectified by the political soapbox, the ballot box, or the jury box, will most likely be rectified by another rebellion that will make the carnage of the civil war look like Grenada.

"Without Freedom of Thought there can be no such Thing as Wisdom; and no such Thing as Public Liberty, without Freedom of Speech.

- Benjamin Franklin

"I have sworn upon the altar of God, eternal hostility against every form of tyranny over the mind of man."

- Thomas Jefferson's Letter to Dr. Benjamin Rush, Sept. 23, 1800



Tomb of the Unknown Soldier

## ACCOUNTABILITY BILL

Most of our readers and members are aware of our current (and primary) project to "Accountability Bill for Public Officials". This bill would increase the penalty for violating the Oath of Office by our public servants and thereby, attain a level of Accountability that is sorely needed and yet we have not enjoyed since the founding of this country. Our mission and timeline for submitting this bill/amendment is as follows:

1. Gather the desired content for this bill/amendment from our subscribers.
2. The Constitutional Review Committee will come to a consensus on the content and the basic intent of each clause.
3. As the wording for this bill/amendment is crucial to its passing, we will work with the best "wordsmiths" we can find to have it done correctly and concisely.
4. We will have the draft reviewed for legality according to its Constitutionality along with assuring it provides the most efficacious means to be passed.
5. We will distribute the final copy to our subscribers for review and suggestion.
6. Once approved by all, we will provide the final copy to our sponsors/supporters in Congress for submission.

We are well underway to accomplishing the first and second steps. We have placed a form on our website at:

[http://www.angelfire.com/co4/constcommittee/acct\\_bill.htm](http://www.angelfire.com/co4/constcommittee/acct_bill.htm)

This form allows our readers and supporters to select the content that will be included in this bill. We have been actively contacting the public using opt-in mailing lists and have had a steady flow of individuals providing their input. The content selections that have been included on the form are some of the suggestions we received during our poll to congressional candidates just prior to the last election. In addition, we have also included an area on the form where we can collect other suggestions and comments for this bill at the same time. Some of these suggestions and comments will be discussed by our members in our regular conference calls either for inclusion into this bill or for future Committee projects.

As of 5:45 PM January 1st 2003 we have had **347,797** respond. The following are the statistics so far on the basic selection items in the order they appear on the form:

1. I believe this should actually be an Amendment to the Constitution rather than a Bill/ Act. **35.8%**
2. I believe that the penalty for violating the Oath of Office should be increased to a felony. **89.2%**
3. I believe that there should be a "compelling clause" which would compel an investigation as to the Constitutionality of Legislation upon the receipt of names on a petition. **42.5%**
4. I believe that there should be a clause authorizing a "Citizen's Grand Jury" which would rule on cases of violating the Oath of Office to be selected by state election. **65.8%**
5. I believe that this bill should include all Public Officials who swear the Oath to "preserve, protect and defend the Constitution". **90.8%**
6. I believe that this bill should include all government employees regardless of whether they swear the Oath or not; Federal, State and Local. **57.5%**
7. I believe we need to lobby for a federal Constitutional Convention to get this legislation through. **36.7%**
8. I believe we need to lobby for state Constitutional Conventions to get this legislation through. **40.8%**

*"If Virtue and Knowledge are diffused among the People, they will never be enslav'd. This will be their great Security."*

- Samuel Adams

*"We are either a United people, or we are not."*

- George Washington

*"The time to guard against corruption and tyranny is before they have gotten hold of us."*

- Thomas Jefferson

*"Where liberty dwells, there is my country."*

- Benjamin Franklin



(Continued on page 11)



## ACCOUNTABILITY BILL

(Continued from page 10)

We are not nearly finished obtaining our statistics as we will be contacting a total of 8 million individuals and we have only attempted contact with 1 million so far. However, we can project the following as potential items of content for the bill.

1. Almost 90% of those responding want the penalty for violating the Oath of Office increased to a felony offense.
2. 65% of those responding want some form of "Citizen's Jury" to actually rule on cases of public officials violating the Oath of Office. (it has yet to be determined the exact method of choosing the jurors or who will determine whether an offense has occurred)
3. Over 90% of those responding want ALL public officials who swear the Oath of Office to be Accountable under this bill.

Another very good indicator of the support for this bill is that of the **347,797** people that responded, **65.8%** ( or **228,850**) asked that they be kept informed of this bill. To project this figure out, by the time we finish our emailing to the full 8 million individuals, we should have somewhere around **1.8 MILLION** supporters that we can contact and ask to petition and write their representatives supporting the bill.

We feel that we are making tremendous progress on this bill so far and the response is very encouraging. At the same time that we are gaining these valuable responses, we are asking these individuals to send others the link to the web form and then following up with a request that they join our organization. As we get closer to submitting the draft to our supporters, our costs will significantly increase due to correspondence that will have to go out along with any media we can get to promote the bill as well. With this kind of response, it will be hard to ignore. We can use your support in any way you can help!

*Liberty in our Lifetime!*

*"Patience and perseverance have a magical effect before which difficulties disappear and obstacles vanish."*

- John Quincy Adams

*"Hold on, my friends, to the Constitution and to the Republic for which it stands. Miracles do not cluster, and what has happened once in 6000 years, may not happen again."*

- Daniel Webster

*"Government is not reason, it is not eloquence, it is force; like fire, a troublesome servant and a fearful master. Never for a moment should it be left to irresponsible action."*

- George Washington

The Constitutional Review Committee and "Awaken America" are totally supported by the voluntary contributions of our readers. Without your help, we won't be able to actively pursue our aims of restoring the government of our Founding Fathers.

"Life, Liberty and the Pursuit of happiness" were guaranteed to us by the Constitution. And yet, "America the Beautiful" is headed down the path of slavery and Communism. You can support our efforts and this newsletter "Awaken America" by sending your donation by check or money order to:

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