

Open Letter to Lancaster County Oath Takers:

We see only two possible views on the Constitution. If there is a third view, we cannot conceive of what it could be.

Only one of these is true:

- The Constitution is a list of Enumerated Powers limiting the function and scope of the federal government.
- The Constitution is a 'living document,' allowing for a truly limitless federal government in theory and practice.

The entire Democrat Party and most Republicans call and treat the Constitution as a 'living document.' This is a weak intellectual attempt to justify unlawful activity, and it reveals their need to denigrate the Constitution in order to continue allowing the federal government to function outside of the Enumerated Powers in the Constitution.

The 'living document' argument is an obvious lie. Why list Enumerated Powers if the federal government is granted unlimited power? It is a successful lie, however, if millions knowingly or unknowingly repeat and believe the lie, and if through apathy and fear we do nothing to call attention to this deception and continue to cooperate as if it were true.

Long ago the Supreme Court declared itself the lone arbiter of what is constitutional. The federal government was created by the People and their States. Never, during or after, did they give up their power to determine when their creation was operating outside of the confines of its Enumerated Powers, nor surrender the power to respond accordingly when it is no longer constitutionally restrained.

The Supreme Court is part of the federal government and therefore under the Constitution, never over it. There is no place in the Constitution where the Supreme Court is given the final authority over what is constitutional. Through the Separation of Powers the Supreme Court is supposed to be held in check by, and along with, the other two branches. Our Declaration of Independence also makes it abundantly clear that the Supreme Court will never have the final and only word on Liberty or our Rights. The Supreme Court is the highest court, not the Supreme Law of the Land.

Through legislation, executive orders, case law, and the force of multiple layers of law enforcement agencies the federal government's extra-constitutional activity is given the appearance of legitimacy. The 10th Amendment has not been repealed and the Oath to obey and defend the Constitution is still an absolute requirement of all who would serve us.

Case law, legislation, and executive orders within the strict confines of the Constitution and the principles of which it is but a simple reflection, are clearly valid. Case law and legislation outside of the Constitution are, as Thomas Jefferson said, just as clearly "void, null, and without force." They could be nothing else. Long ago even the Supreme Court believed this to be true: "...a law repugnant to the Constitution is void..." - Marbury v. Madison, (1803)

Law enforcement officers apply the law daily and we are very concerned, as all true Americans should be, whether they are enforcing and allowing the enforcement of unlawful decrees. Legislators responsible for interposing themselves between us and unconstitutional federal dictates are instead cooperating with and facilitating the vast majority of unlawful federal activity. Judges and lawyers have become accountable to no one but themselves by abandoning the Constitution and the source of its principles and embracing the miasma of case law, which they produce and control.

Whether or not federal, State, and local Oath Takers are honoring their Oath of Office and obeying and defending the Constitution or are instead enforcing everything Washington D.C. produces has become a one-sided conversation.

The Constitution as written clearly limits the federal government to only two essential tasks, defense and facilitating trade. Because it has become 'normal' for the federal government to operate outside of the Constitution does not mean that it is ever too late to draw attention to their unlawful activities and to start restoring the Rule of Law and our Liberty. It is, in fact, our duty as Americans to do so whether all of you that swore the Oath of Office actually honor it or not.

We cannot easily change our State or even a region of it, but we can certainly change our County. In an entire nation that should be protected by the Constitution, we are entitled to create, or re-create, a Constitutional Sanctuary County

where the Constitution, the 10th Amendment, the Enumerated Powers, and the great principles that created all of them are again what protect and guide our lives.

We should never lose our Liberty because people among us neither want nor know how to be free. It is because of them that we wrote the Constitution and require that you swear the Oath of Office, and it is our responsibility to hold you to your Oath. In America, Liberty is not negotiable. You need to choose: the Constitution, or the federal government.

The Constitution cannot be two utterly opposite things at the same time. Is our Constitution the Highest Law of the Land or simply an esteemed document that the federal government references on occasion? Are our Rights from God and eternal, or favors from man and transient? Are our responsibilities individual and willing, or collective and coerced?

If the 10th Amendment has not been repealed, and it has not, and if the Rule of Law, personal responsibility, and Freedom still define our Republic, and they do, then we need to resolve what defines our federal government: the Constitution or the federal government itself. The Constitution as written, if obeyed, clearly means Freedom.

It is often discussed that the U.S. Department of Education is unconstitutional. Many days could be spent listing the agencies, programs, taxes, fees, rules, and regulations that are outside the scope of the Constitution. If we are not mistaken, the list exceeds 65 million. The long overdue conversation that needs to take place about what limits the federal government will never occur if we keep waiting on our several levels of government to begin that conversation.

The Constitution and your Oath of Office are what should be preventing the expansion of Washington D.C.'s power and size. As the intended objects of your Oath, we have a right to know whether you swore to support and defend the Constitution or the federal government. Opposite views on the Constitution result in two completely different oaths.

Our pursuit of an answer to this conflict is not just academic, the implications to the very nature of our Republic and the Rule of Law are obvious. Our Republic is increasingly divided over many issues, but we believe that the Constitution and, much more importantly, the principles that created it form the true dividing line that is seeing our Republic torn apart.

If we as a nation cannot even discuss and agree upon the importance and genius of the Constitution as written, and that our Liberty is inversely proportional to the size of government, then we are irreparably divided and serious conflict is once again inevitable. Tragically, an easily disproven lie has steered our Republic into this avoidable constitutional crisis.

Our singular interest is in a public conversation on the Constitution, the 10th Amendment, the Enumerated Powers, and the Oath of Office before we relegate all of them to the trash heap and completely rely upon the mercies and whims of a federal government that routinely and increasingly abandons our Republic's most fundamental principles and the clear and long-established limits on itself. Those that disagree are invited to vigorously defend their 'living document' view.

We will soon be scheduling the first of as many Town Hall meetings as are necessary to resolve this pivotal issue. As one of the people that publicly and willingly swore the Oath of Office to obey and defend the Constitution, we are asking you to fulfill your duty and aid all of us in this important task. We will also be asking the media, which has special protection in the Constitution and specific obligations as a result, to help clarify this issue as well. We are asking all Oath takers to release a public statement clarifying which of the two views on the Constitution you hold. We have a right to know.

By your Oath you are obligated to answer, and it is certainly a necessity in resolving this constitutional crisis. Discussing the Constitution is not 'political,' as some say. The Constitution is law. The law that each of you swore to defend.

Please contact us at your earliest convenience to set a time to meet and discuss the manner in which you are able to help facilitate and promote these Town Hall meetings and this conversation. We look forward to hearing from you.

Joe Bennett

OURREPUBLIC

www.OurRepublic.us

oath@ourrepublic.us