FREE !!!

COMMON SENSE

TAKE ONE

Editorialized News

(At least we admit it)

"Better a free press without government than government without a free press." – Thomas Jefferson

NOTICE: Nothing in this edition of Common Sense is to be construed as legal advice or an effort to interfere with any court's discretionary powers of substantive decision making. Nor is it to be construed as attempting to encourage any person to violate any of the the laws (e.g. tax) of the US or any state. The material contained herein is a 1st Amendment effort to get the judiciary to stop stonewalling the crucial issue of equal citizenship in the courts, to stop attempting to diffuse political accountability on this issue, to stop the wholesale abuse of pro se litigants by judge lawyers, and to stop the rampant misuse of the judicial process by the revenue-collecting agencies and "Justice" Department officials to persecute anyone who even attempts to publicly discuss the issues presented herein.

"LEGAL" BIGOTRY PART 3

by Chancellor B. Good

The 10th Circuit Court of Appeals has summarily ratified US District Court Judge Richard P. Matsch's refusal to consider the unconstitutionality of the legal "profession's" illegal for-purely-commercial-purposes-only monopoly on access to justice. In a morally insulting footnote at the bottom of the first page of its un-opinion in Wilkenson v. Watt, et al, the appellate court said: " This order and judgment has no precedential value and shall not be cited, or used by any court within the Tenth Circuit, except for establishing the doctrines of the law of the case, res judicata, or collateral estoppel." This legalese garbage simply means the case cannot be used in any way except against John Wilkenson if he makes any further efforts to obtain justice in the courts. That kind of selective injustice is what the "law" has degenerated into , folks!

The constitution guarantees due process and equal protection of law. Congress has passed the Equal Access to Justice Act, the Civil Rights Act (with various additions and amendments over the years), and the Civil Rights

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THE BIG LIE

by John Wilkenson

One of the reasons meaningful judicial reform has been so slow in coming, and one of the reasons the judiciary has been so successful in diffusing political accountability for their buddies in the legislatures, is because most Americans, when faced with a Supreme Court decision they don't like, tend to view it as a simple abberation, a freak occurence, rather that a fundamental systemic failure. Hopefully this essay and this entire edition of Common Sense will help change that phenomenon and speed the day when all supreme court justices and judges will have to stand for popular election.

To help understand the truth of history, the reader might find useful the following definitions the writer found necessary to look up in Black's Law Dictionary:

1. Bill of Credit—In constitutional law, a promissory note issue by the government of a state or nation, upon its faith and credit, designed to circulate in the community as money, and REDEEMABLE AT A FUTURE DAY.
2. Legal Tender—That kind of coin, money, or circulating medium which the law compels a

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THE MEDIA ATTACK DOG, POLITICAL VENDETTAS, AND THE REAL TAX CHEATS

by John Wilkenson

In its first edition, Common Sense said: "of course the Good Old Boys in the media (4th and most powerful branch of government) don't like un-people. So they've developed a three-prong strategy to 'neutralize' them: 1) deprive them of resources (let the 'system' wear them down with illegal and unjust decisions and actions); 2) label them as dangerous, crazy, radical, terrorist, or just plain 'unreasonable'; and 3) deprive them of access to public opinion (don't print their letters to the editor or do interviews or stories because they might be too persuasive to too many people)." Recent events have shown that additional lables such as "tax protester' or "tax cheat," "anarchist," and the ever-popular "outside the mainstream" were inadvertently omitted.

The media, which was specifically given special constitutional protection by the Founders to act as a watchdog AGAINST

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Commentary

Originally founded
by Thomas Paine in 1776

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EDITORIALS

The Politics of Confrontation

It is a fact of human behavior that most people much prefer harmony and peace to discord and strife. Accordingly, in a situation where one person is speaking, shouting, or gesturing angrily at a person who is simply smiling back and oozing charm, the first instinct of most people is against the shouter and in favor of the charmer, without bothering to find out what is really going on—who is really the aggressor, and who is really the defender. Yet it is entirely possible the shouter's child has just been molested by the charmer.

Imagery and illusion are not merely important things. In these post Orwellian 1984 times, to borrow a phrase from football, they are the ONLY things. That's why so many of the most successful public figures, whether they be in government, religion, media, business, or entertainment, are all smiles and professional charisma as they diligently promote an all-American-Aw-Gee-Shucks-I-would-like-to-be-your-buddy image. They don't want anyone to know they wouldn't hesitate for one second to cut a competitor's throat or steal a grandmother's life savings. They will very literally go to any lengths to keep the truth about them from becoming public knowledge.

The point is that it's entirely possible for a criminal's behavior (especially a smooth talking government one) to be so deceptive and dangerous that "reasonable" and attractive methods—e.g. soft-spoken use of logic and reason—of opposing criminal behavior are plainly inadequate. There are times when healthy doses of bluntly spoken truth are the only effective means of opposing criminals, and this is all the more true when the criminals have monopolized the media and mass instant access to public opinion. Indeed, there are even times when resorting to the use of force in self-defense is the only means of staying alive and avoiding becoming a victim/statistic. America's Founders did precisely that.

The truth screams out for the telling, and the public has the unquestionable right to know it, so the editor fervently hopes that the blunt truth so necessarily appearing in this issue of Common Sense does not seem unreasonable or mean-spirited.

Jail Fraud

The Thomas Paine Award for common sense goes to the Sunshine Press for exposing Mesa County's jail fraud in its May 1990 edition.

Basically what happened is the county commissioners conveyed millions of dollars worth of county property to Boettcher and Company for the grand sum of $10. Boettcher then sold "certificates of participation" to anonymous public debt investors. So now the county's taxpayers get to make huge annual lease-type payments (interest included), on property the county used to own outright.

Regardless of the courts' various cock-and-bull legalese "rationales" as to why bonds and certificates of participation do not constitute constitutionally forbidden public debt, the so-called "certificates of participation" are just another part of the public debt fraud described in detail elsewhere in this edition of Common Sense.

The editor talked to Paul Ferris who said Mark Eckert told him (in effect), "Elected politicians never cease to amaze me. Just when they had the case all but won, they did a complete about face and asked the judge to order them to build a new jail."

As Sunshine Press Pointed out, since the lawsuit was a friendly one, and not a real controversy, judge Richard P. Matsch's order must be viewed as purely advisory in nature, and therefore illegal and of no legal force. From the point of view of the law, the Great Oz's order which so cleverly attempts to diffuse political accountability in Mesa County never existed!

That raises two questions: 1) Why are the current county commissioners pretending the illegal order must be obeyed? 2) How many Good Old Boy public debt fraud certificates are owned by folks like the Great Oz, the commissioners, Sheriff Williams and the local judges who are pushing so hard for a new "justice" complex, George Orbanek and the Daily Sentinel, Tillie Bishop (who helped bring us the Good Old Boy "legislation" making it all possible), ad infinitum?

Unfortunately, the Good Old Boy "laws" allowing the owners of the fraudulent public debt to remain anonymous may prevent that question from being answered. Oh well, no doubt the "art" of public debt thievery has been elevated to the following quid pro quo: "You rob the people in your county blind and I'll buy the bonds, and I'll rob the people in my county blind and you buy the bonds." That way the general public never gets to find out who the real theives and tax cheats are.

Obviously, whoever talked the commissioners into building the new jail because it would be good for the "economic development" of the community is better versed in criminal economics (tax/debt fraud) than in real economics (production of useable goods). Prisons and jails are created by government, and as such—unless they are to succeed in being turned into the unconstitutional slave labor force the Good Old Boys are planning—they produce nothing. Government does not produce. It taxes (mostly out of your pocket) and redistributes (mostly into the pockets of the Good Old Boys). A factory in the private sector, on the other hand, produces something real like flutes (Emerson) or down parkas and sleeping bags (Marmot) which can be exported and bring real wealth to the county.

Let's don't let the "economic development" hype and the promise of make-work "jobs" make us forget everything we ever knew about common sense economics. Money does not make money. Taxes do not bring

Common Sense believes the publication and distribution of "peoples" newspapers is essential to the public exposure of the whole truth and the preservation of liberty and justice. Accordingly, ***Common Sense*** encourages anyone who is having trouble getting the truth about injustice out to the people to feel free to borrow the idea of ***Common Sense*** and its format. Because so few ideas are truly original, the editor reserves the right of editorial control only over those volumes with his name on it as editor and publisher. Every issue of a "peoples" newspaper should be viewed as a completely separate enterprise, and other publishers of ***Common Sense*** ought to accept accountability by placing their names on any issues they might publish, much like America's Founders accepted accountability by signing the Declaration of Independence.

prosperity. Human effort (work, ingenuity) ceates wealth (real goods and services).

Common Sense is not so much opposed to the idea per se of a new jail—who knows whether or not we really need one?—as it is to the process by which it is being built: out and out fraud upon the people of Mesa County.

The icing on the fraud cake was an advertisement in the 5/13/90 issue of the Good Old Sentinel, which was an invitation to bid on site demolition in preparation for construction of "the new Mesa County Justice Center." Just exactly when was a public meeting held where it was decided to build a new "justice" center instead of just a new jail? Apparently the plot (and its rotten stench) is thickening.

The Real Scum

The other day a Los Angeles policeman was heard to say, on national TV, how terrible it was for being possible that a fellow policeman could be killed by "scum."

While it is absolutely true that the aggressive gratuitous violence of drug gangs is reprehensible and must be opposed with utmost vigor, at least they are evil operating in the name of evil. And evil in the name of evil is easy to identify and oppose. The unfortunate policeman in question was killed by common ordinary criminals, not scum.

In contrast, professionally educated, charismatic, and dissimulative public figures of great power, such as crooked judges, crooked prosecutors, crooked police, crooked legislators, crooked presidents, crooked governors, crooked newspaper publishers, crooked TV anchor people, crooked religious leaders, crooked educators, etc., are evil operating in the name of good. Evil in the name of good is infinitely more dangerous and difficult to identify and oppose. It cannot be tolerated, compromised with, or co-existed with in any way. It is an abomination. Evil in the name of good must be considered anathema by any moral person of good will.

America and her constitution are not being destroyed by a mindless bunch of blue collar criminals. The American dream, as embodied by the Declaration of Independence and the Bill of Rights, is being killed by the real scum.

Feel free to copy and distribute the material in Common Sense

LETTERS TO THE EDITOR

Dear Editor:

A response to a recent television documentary called "Waging Peace" seems to be required.

What with all the "communists" stepping down from power in Europe, an interesting question arises. Since SOMEBODY is obviously in control of the police power in Europe, just who is the real government anyway?

It looks like conditions got so bad the puppets were losing control and had to step down so their masters could retain control over nations of people fed up with government running and ruining their lives. Now a new batch of puppets will be put into place and the Good Old Boys can return to business as usual, this time in the name of "democracy' instead of "communism."

It is ironic that the same bunch of western banksters, who invented the "communists" by financing Karl Marx and the Bolshevik revolution which placed Lenin in power, have finally come full circle. First they used the boogie-man theory and waged cold war to scare the American and Russian people into paying astronomical taxes for "defense" so they would be "safe" from each other. And now that they've succeeded in using the threat of global nuclear war to tax all the economies of the world into complete chaos and ruin, they are at last forced to cut military spending and wage "peace" to buy time for all the governments of the world to unite in mock harmony for the protection and preservation of the fraudulent and murderous debt-money international financial system which is stealing the economic life bllod of all producing people in all countries of the world.

It's all happening right in front of our very eyes. In the new Orwellian global mark-of-the-beast society, modern armies will no longer be used to fight each other. Each army will be used to fight and control its own people. International money markets and "balance of trade" arguments will be used to force the various nations' productive classes to bid against each other to see who is willing to produce goods and sevices in return for the lowest standard of living. Money-monopoly "democracy" which was used to conquer by fraud, and money-monopoly "communism" which was used to conquer by force will have become one and the same.

Please keep reminding the people that I warned them many times before: Government is not reason; it is not eloquence; it is force! Like fire, it is a dangerous servant and a fearful master.

Sincerely,

George Washington

AMERICA'S OWN NORIEGAS

by Hope F.O.R. Justice

A furor was stirred up recently when US District Court Judge Robert W. Sweet became the first federal judge to publicly propose that illicit drugs be made legal. Attempting to honestly discuss the drug issue is a tricky thing. Just as abortion is the most difficult issue for government because there will be serious and effective dissent no matter which side of the issue government chooses, drugs is the most tricky issue for the individual citizen because America's own Noriegas dilligently promote the lie that to be pro-decriminalization is the same as being pro-drugs.

Drugs kill people. Worse yet, our own government Noriegas are frantically using the drug frenzy to kill the entire Bill of Rights. With the possible exception of the 1st Amendment, the US Constitution is already stone dead in our entire "justice" system.

Many well-meaning people who favor the criminalization of drugs seem to believe drugs are something deliciously sinful, a secret dirty pleasure to be hidden, forbidden, and repressed by law. Reality does not even slightly support this mistaken notion.

Rat poison will kill you, but it's not illegal. Why? Children have been known to make suicide pacts and kill themselves by drinking household ammonia, yet it's not illegal. Why? It should be obvious we don't need laws to keep us from ingesting things that are harmful to our bodies. We don't need laws which purport to protect us from ourselves. The only real answer to the drug problem, especially the "legal" drugs tobacco and alcohol, is educating people, particularly children, to the fact drugs are poison. Period.

Some individuals who favor criminalization of drugs are not well-meaning. Many free-market drug czars and government Noriegas favor criminalization because they know it drives the price and profits of illegal drugs up, and that's how they make their money. No doubt Panama's Noriega is very small potatoes to some of America's highly placed elite.

The main argument used to support criminalization is the amount of crime perpetrated by drug users to get money to buy drugs. This argument is instantly shot down by pointing out that if drugs were legalized, not only would the thrill of dabbling in something illegal be gone, but users would be identified, street gangs would be eliminated, and government could use its to-tax-is-to-destroy powers to discourage drug use and raise revenue for prevention advertising and rehabilitation.

In the short run, competition and production would increase and prices and profits would plummet, because government's covert monopoly on drugs would be eliminated. With the advent of rock-bottom prices, crime perpetuated to get money to buy drugs would all but disappear because every person stupid enough to want drugs could afford them. In the long run, drug use would dramatically decline,

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Legal Bigotry continued from page 1.

Attorney Fees Award Act. The object of all civil rights legislation is to deter government lawlessness by making state government officials pay damages, costs, and attorney fees out of their own personal pockets to the victims of their constitutionally violative behavior. In 1971 the US Supreme Court extended these principles and these liabilities to federal government officials by creating a federal cause of action in Bivens v. Six Unknown Named Narcotics Agents.

To counteract the gains in civil rights, predator members of the judiciary have developed (over the eloquent dissent of William O. Douglas) the tyrannical doctrine of official immunity, which absolutely exempts legislators (1957), judges (1967), prosecutors (1976), and presidents (1982) from being sued for intentionally using the power of the public office they hold to violate your most basic constitutional rights.

Most recently, in Wilkenson v. Watt at the federal level, and Wilkenson v. Grandbouche at the state level, predator judges have abolished all civil rights and anti trust legislation for any person who is not a lawyer or represented by a lawyer. The courts' attitude, simply put, is: "If you're not a lawyer, or don't have a lawyer, to hell with you." They have accomplished this in a very deliberate and sneaky way under the unspoken, unwritten, and uncited theory that since a non-lawyer's prevailing time and efforts spent in litigation-related work are of no monetary value—this "conclusion" is based on the idea non-lawyers are not commercially licensed to take money for doing legal work on behalf of third parties—it is impossible for him to incur any costs, expenses, damages, or attorney fees resulting from government lawlessness.

In Wilkenson's situation, he was cost more than $6,000 in out-of-pocket expenses and 1500 hours of research time by government lawlessness. Obviously, to say this loss is no loss is not only a lie of fact, but is also unequal protection of law. It clearly violates both the constitution and anti-monopoly legislation. Any non-predator court which would consider the issue would be forced to admit the fact or appear incompetent, corrupt, or both. The way predator courts get out of addressing and answering these issues and questions is to violate court rules and simply say "denied" to the hapless pro se litigant/victim, without any explanation, authoritative cites, or reasoning.

The courts are keenly aware that the procedural manner in which a predator judge handles his cases is not yet a matter of widespread public knowledge and concern. So there is not yet a sufficient public outcry demanding real, rather than cosmetic, reform. It is precisely to prevent the public from finding out, and to prevent a great outcry, that these types of un-"decisions" are ordered to be unpublished and uncited.

In Cooper v. Singer, 719 F2d 1496 (1983), the 10th Circuit quoted the American Bar Association which, while admitting that the legal "profession" is autonomous, said: "The legal profession's...relative autonomy carries with it the relative responsibilities of self-government. The profession has a resposibility to assure that its regulations are conceived in the public interest and not in the furtherance of parochial or self-interested concerns of the bar."

Without painting any possibly existing tiny minority of decent judges and lawyers with the same broad brush used for the predator majority, the legal "profession's" rhetoric is the exact opposite of its actions. The noble idea—being systematically used to brainwash children in public schools—that the king and the scullery maid are equal in the eyes of the law, is, for any and all practical purposes, a deliberate and very cleverly told lie.

The effects of the lawyers' monopoly on society could not be more catastrophic. If the law were not a political fraud, and the judges were not predators, any citizen involved in a genuine controversy could go into court without a lawyer and get unconstitutional laws or unconstitutional behavior by government officers and employees corrected. As it is, a lawyer's first duty is to the bar association and the judge (deceptively called "court," but really just another lawyer disguised as "part of the government"), not his customer, the legal consumer, truth, or justice.

> "If pro se litigation declines it will be because the ... courts have so failed to meet these needs that a more violent solution will have been sought."

Most lawyers, when approached by a victim of government lawlessness, will either not take the case unless he thinks it will pay him enough to retire on, or will actually orchestrate his client's defeat in court. It is an economic and political fact of life that lawyers who handle cases (with the intent to win) against power brokers don't find work. For example, the Glade Park access controversy could not have been won with a lawyer, since no lawyer would take the case on a contingency basis. The case was purely political (involving intentional government lawlessness) from beginning to end because the legislative history actually said "the last thing in the world" the relevant legislation and regulations were intended to do was what the government lawbreakers were trying to do with it. From the outset, the government predators were determined to simply ignore the law.

In the present situation where lawyers regularly help their customers lose to the government while judge/lawyers refuse to consider the equal-protection and equal-right-to-petition-for-redress-of-grievances aspects of their union's illegal comercially-motivated monopoly on justice and access to it, all of non-lawyer society loses in the most fundamental and important way possible. INSTEAD OF BEING ENCOURAGED TO HONOR AND OBEY THE SOCIAL COMPACT, THE GOVERNMENT PREDATORS ARE ACTUALLY BEING SUBSIDIZED TO VIOLATE AND DESTROY IT.

There is no issue more important than equal citizenship. And no single part of that issue is more important than equal citizenship in the courts. The vicious, sneaky, and destructive anti-pro-se-litigant bigotry of the legal "profession" must become public enemy number one to the civil rights restoration movement of the present and future if equal citizenship is to ever be anything more than a dream or a hollow phrase.

For the purposes of the pro se issue, the final step to proving whether or not there is any honesty, morality, or justice in the legal system anywhere, is appealing this issue and the injustice to the US Supreme Court itself. Wilkenson says he plans to do just that.

To encourage other individuals to join the legal reform movement, Common Sense provides the following list of law review articles as a starting point for anyone who wants to research the pro se litigant issue. The 10th Circuit Court of Appeals already has all this information, but thinks the people are too stupid and lazy to understand or care.

Pro Se Can You Sue?: Attorney Fees for Pro Se Litigants, Stanford Law Review, Vol 34:659

Fee Awards for Pro Se Attorney and Nonattorney Plaintiffs under the FOIA, Fordham Law Review, Vol 52:375

The Invisible Litigant: An Inside View of Pro Se Actions in the Federal Courts, New York University Law Review, Vol 47:157

The Misunderstood Pro Se Litigant: More Than a Pawn in the Game, Brooklyn Law Review, Vol 41:769

Pro Se Litigation, Litigating without counsel: Faretta or For Worse, Brooklyn Law Review, Vol 42:629

The Cost of Justice: An American Problem, and English Solution, Villanova Law Review, Vol 9:400

The Right to Appear Pro Se: Developments in the Law, Nebraska Law Review, Vol 59:135

Counsel fees and other expenses of Litigation as an Element of Damages, Minnesota Law Review, Vol 15:619

The Recovery of Attorney's Fees: A New Method of Financing Legal Services, Forham Law Review, Vol 40:761

Costs, Yale Law Journal, Vol 38:849

Distribution of Legal Expense Among Litigants, Yale Law Journal, Vol 49:699

Reimbursement of Counsel Fees and the Great Society, California Law Review, Vol 54:792

Court Awarded Attorney's Fees: What is "Reasonable?", University of Pennsylvania Law Review, Vol 126:281

The Misguided Application of Traditional Fee Doctrine to the Equal Access to Justice Act, Boston College Law Review, Vol 26:843

Rebalancing the Scales of Justice: Assessment of Public Interest Law, Harvard Journal of Law and Public Policy, Vol 7:483

In Person Solicitation by Public Interest Law Firms: A Look at the A.B.A. Code Provisions in Light of Primus and Ohralik, George Washington Law Review, Vol 49:309

Awarding Fees to the Self-Represented Attorney Under the FOIA, George Washington Law Review, Vol 53:291

Award of Attorney's Fees in Alaska: An Analysis of Rule 82, UCLA-Alaska Law Review, Vol 4;129

The Attorney Fee: Why Not a Cost of Litigation? Iowa Law Review, Vol 49:75

The "Equal Access to Justice Act": Private Enforcement of Public Contract Law. Author: William M. Simmons, Public Contract Law Journal p284

From here to Attorney's Fees: Certainty, Efficiency, and Fairness in the Journey to the Appellate Courts, Cornell Law Review Vol 69:207

One reform-minded law review article said: "Pro se litigation receives unique treatment in the federal courts...Often a pro se case is dismissed or denied without opinion, even if a memorandum is written, it is rarely published. Thus pro se litigation is primarily invisible—as to its participants, its rules of practice, and its results. Because of this invisibility, many of the underlying inequities suffered by the pro se litigant have remained hidden." See The Invisible Litigant, supra.

The same article continues: "A basic characteristic of all pro se litigants is a growing awareness of their rights and a growing militancy in demanding those rights, a phenomenon observed in many other areas of our society. Thus it is probably to late to talk of 'closing the floodgates' to this litigation, just as it is foolish to talk of minority groups being patient with the slow improvement of their conditions. It can only be expected that the ranks of pro se litigants will continue to swell as people turn to the courts for vindication of their rights. If pro se litigation declines, it will be because the federal courts have so failed to meet these needs that a more violent solution will have been sought."

Common Sense can think of little to add to the immediately preceding quote except to offer some explanation as evidence in support of the view. It is a historical fact that the anti-pro-se-litigant bigotry of the legal "profession" is rooted in prisons. There is a large number of pro se litigants who are prisoners. Prison officials constantly and continually violate prison regulations and what few rights are left to a prisoner. An example would be refusing to allow a prisoner to have a picture of his family. The prisoner sues pro se, because, although the prisoner's rights are being violated, no lawyer considers it worth his time. If the prisoner is lucky, a judge may correct the injustice, but nothing happens to the prison personnel for the deliberate violation of rights, and they are in no way deterred from engaging in further government lawlessness.

The courts have taken a view that civil rights legislation was not designed to create a cottage industry for prisoners. Obviously ignored in this bit of tyranny is the fact that if prison officials would simply obey the law, there would be no "cottage industry" to worry about. Of course in subsidizing the mistreatment of prisoners, the courts are fully aware of the political realities that most people tend to feel prisoners deserve whatever they get, so there is no public pressure for either the courts or prison officials to obey the law.

The real danger and travesty of the courts' position is that they have expanded their shameful anti-pro se "doctrine" from prisoners to include all the rest of non-lawyer society. Isn't it reassuring to know the predator judges and their lawyer brothers consider you to be no better, and to have no more rights in court, than convicted prisoners? See Davis v. Parratt, 608 F2d 717 and progeny.

The Big Lie continued from page 1.

creditor to accept in payment of his debt, when tendered by the debtor in the right amount.

3. Nemine Contadicente—No one dissenting; no one voting in the negative. A phrase used to indicate the unanimous consent of a court or legislative body to a judgment, resolution, vote, or motion. Commonly abbreviated "nem. con."

Since March 3 1884, the majority of the US Supreme Court has been composed of revisionist-history bald-faced liars, either for telling the original Big Lie, or for refusing to correct or even criticize it. The result could not possibly have been more catastrophic. On that date, without having listened to any public argument on the case, the court said: "The power to make the notes of the government a legal tender in payment of private debts being one of the powers belonging to sovereignty in other civilized nations, and not expressly withheld from congress by the constitution; we are irresistibly impelled to the conclusion that the impressing upon the treasury notes of the United States the quality of being a legal tender in payment of private debts is an appropriate means, conducive and plainly adapted to the execution of the undoubted powers of congress."

Justice Stephen J. Field wrote a scathing and scholorly dissent, the last paragraph of which is especially worthy of note: "From the decision of the court I see only evil likely to follow. There have been times within the memory of us all when the legal tender notes of the United States were not exchangeable for more than one-half their nominal value. The possibility of such depreciation will always attend paper money. This inborn infirmity no mere legislative declaration can cure. If Congress has the power to make the notes a legal tender and pass as money or its equivalent, why should not a sufficient amount be issued to pay the bonds of the United States as they mature? Why pay interest on the millions (make that billions and trillions nowadays—Common Sense) of dollars of bonds now due, when Congress can in one day make the money to pay the principle? And why should there be any restraint upon unlimited appropriations by the government for all imaginary schemes of public improvement, if the printing press can furnish the money that is needed for them?"

Thanks to the diligence of James Madison (who took notes at the constitutional convention) anyone who can read can determine the truth about the intent of the US Constitution regarding money.

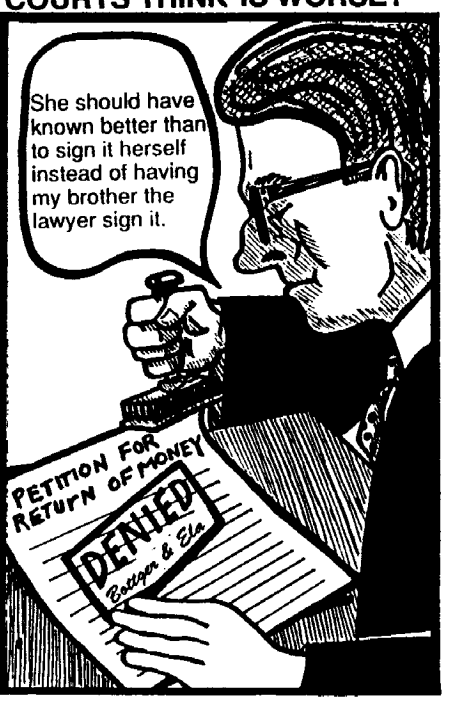
Regarding the August 16, 1787 debate on Article I, Section 8, Madison wrote:

"Mr. Govr Morris moved to strike out 'and emit bills on the credit of the U. States'—If the United States had credit such bills would be unnecessary: if they had not unjust & useless.

Mr. Butler, 2ds. the motion.

Mr. Madison, will it not be sufficient to prohibit the making them a tender? This will remove the temptation to emit them with unjust views. And promissory notes in that shape may in some emergencies be best.

GUESS WHICH OFFENSE THE COURTS THINK IS WORSE?



Mr. Govr. Morris. striking out the words will leave room still for notes of a responsible minister which will do all the good without the mischief. The Monied interest will oppose the plan of Government, if paper emissions be not prohibited.

Mr. Ghorum was for striking out, without inserting any prohibition. if the words stand they may suggest and lead to the measure.

Col. Mason had doubts on the subject. Congs. he thought would not have the power unless it were expressed. Though he had a mortal hatred to paper money, yet as he could not foresee all emergencies, he was unwilling to tie the hands of the Legislature. He observed that the late war could not have been carried on, had such a prohibition existed.

Mr Ghorum—The power as far as it will be necessary of safe, if involved in that of borrowing.

Mr. Mercer was a friend to paper money, though in the present state & temper of America, he should neither propose nor approve of such a measure. He was consequently opposed to a prohibition of it altogether. It will stamp suspicion on the Government to deny it a descretion on this point. It was impolitic also to excite the opposition of all those who were friends to paper money. The people of property would be sure to be on the side of the plan, and it was impolitic to purchase their further attachment with the loss of the opposite class of Citizens.

Mr. Elseworth thought this a favorable moment to shut and bar the door against paper money. The mischiefs of the various experiments which had been made, were now fresh in the public mind and had excited the disgust of all the respectable part of America. By withholding the power from the new Governt. more friends of influence would be gained to it than by almost any thing else—Paper money can in no case be necessary—Give the Government credit, and other resources will offer—The power may do harm, never good.

Mr. Randolph, notwithstanding his antipathy to paper money, could not agree to strike out the words, as he could not foresee all the occasions that might arise.

Mr. Wilson. It will have a most salutary influence on the credit of the U. States to remove the possibility of paper money. This expedient can never succeed whilst its mischiefs are remembered. And as long as it can be resorted to, it will be a bar to other resources.

Mr. Butler. remarked that paper was legal tender in no Country in Europe. He was urgent for disarming the Government of such a power.

Mr. Mason was still averse to tying the hands of the Legislature alltogether. If there was no example in Europe as just remarked it might be observed on the other side, that there was none in which the Government was restrained on this head.

Mr. Read, thought the words, if not struck out, would be as alarming as the mark of the Beast in Revelations.

Mr. Langdon had rather reject the whole plan than retain the three words '(and emit bills').

On the motion for striking out

N.H. ay—Mas. ay. Ct. ay. N-J. no. Pa. ay. Del.ay. Md. no. Va. ay.* N.C—ay. S.C. ay. Geo. ay. [Ayes—9; noes—2]

The clause for borrowing money, agreed to nem. con.

Adjd

*This vote in the affirmative by Virga. was occasioned by the acquiescence of Mr. Madison who became satisfied that striking out the words would not disable the Govt from the use of public notes as far as they could be safe & proper; & would only cut off the pretext for a paper currency and particularly for making the bills a tender either for public or private debts."

Regarding the August 28, 1787 debate on Article I, Section 10, Madison wrote:

"Mr. Wilson & Mr. Sherman moved to insert after the words 'coin money' the words 'nor emit bills of credit, nor make any thing but gold & silver coin a tender in payment of debts' MAKING

" ... Tender laws ... operate to destroy morality ... and the punishment of a member who should move for such a law ought to be DEATH."

THESE PROHIBITIONS ABSOLUTE, INSTEAD OF MAKING THE MEASURES ALLOWABLE (as in the XIIIart:) WITH THE CONSENT OF THE LEGISLATURE OF THE U.S.

Mr. Ghorum thought the purpose would be as well secured by the provision of art: XIII which makes the consent of the Genl. Legislature necessary, and that in that mode, no opposition would be excited; whereas an absolute prohibition of paper money would rouse the most desperate opposition from its partizans—

Mr. Sherman thought this a favorable crisis for crushing paper money. If the consent of the Legislature could authorize emissions of it, the friends of paper money would make every exertion to get into the Legislature in order to license it.

The question being divided: on the 1st. part—'nor emit bills of credit'

N.H. ay. Mas. ay. Ct. ay. Pa. ay—Del. ay. Md divd. Va. no. N—C—ay—S—C. ay. Geo. ay. [Ayes—8; noes—1; divided—1.]

The remaining part of Mr. Wilson's and Sherman's motion, was agreed to nem: con:

When reading the words of the Founders, it must be remembered they were discussing the idea of the GOVERNMENT printing paper money. It did not enter the minds of the Founders as even being possible or thinkable that Congress could or would delegate the monetary powers to a group of private banksters.

To supplement the clear proof of the intent of the Founders, any honest supreme court law clerk of that day, or any honest truth-seeker of modern times can easily find many opinions like the following:

OPINION OF THOMAS JEFFERSON.

"The federal government—I deny their power to make paper money a legal tender."

OPINION ON PAPER MONEY, AS EXPRESSED IN 1776 BY THOMAS PAINE, the author of "Common Sense."

"The laws of a country ought to be the standard of equity and calculated to impress on the minds of the people the moral as well as the legal obligations of political justice. But tender laws, of any kind, operate to destroy morality, and to dissolve by the pretence of law what ought to be the principle of law to support, reciprocal justice between man and man; and the punishment of a member who should move for such a law ought to be DEATH."

FROM A SPEECH OF CHARLES PINCKNEY, 20 May, 1788, in the convention of South Carolina.

"I apprehend these general reasonings will be found true with respect to paper money:—That experience has shewn, that in every state where it has been practiced since the revolution, it always carries the gold and silver out of the country, and impoverishes it: that while it remains, all the foreign merchants, trading in America, must suffer and lose by it; therefore, that it must ever be a discouragement to commerce: that every medium of trade should have an intrinsic value, which paper money has not; gold and silver are therefore the fittest for this medium, as they are an equivalent, which paper can never be: that debtors in the assemblies will, whenever they can, make paper money with fraudulent views. That in those states where the credit of paper money has been best supported, the bills have never kept to their nominal value in circulation; but have constantly depreciated to a certain degree."—Elliot's Debates, IV.334.

OPINION OF JOHN ADAMS on paper money.

"I have always thought that Sir Isaac Newton and Mr. Locke, a hundred years ago, at least, had scientifically and demonstratively settled all questions of this kind. Silver and gold are but commodities, as much as wheat and lumber; the merchants who study the necessity, and feel out the wants of the community, can always import enough to supply the necessary circulating currency, as they can broadcloth or sugar, the trinkets of Birmingham and Manchester, in 1750, and a silver currency taking its place immediately, and supplying every necessity and every convenience. I cannot enlarge upon this subject; it has always been incomprehensible to me, that a people so jealous of their liberty and property as the Americans, should so long have borne impositions with patience and submission, which would have been trampled under foot in the meanest villlage

in Holland, or undergone the fate of Wood's halfpence in Ireland. I beg leave to refer you to a work which Mr. Jefferson has sent me, translated by himself from a French manuscript of the Count Destutt de Tracy. His chapter 'of money' contains the sentiments that I have entertained all my lifetime. I will quote only a few lines from the analytical table, page 21.

'It is to be desired, that coins had never borne other names than those of their weight, and that the arbitrary denominations, called moneys of account, as L, s., d., etc., had never been used. But when these denominations are admitted and employed in transaction, to diminish the quantity of metal to which they answer, by an alteration of the real coins, it is to steal; and it is a theft which even injures him who commits it. A theft of greater magnitude and still more ruinous, is the making of paper money; it is greater, because in this money there is absolutely no real value; it is more ruinous, because, by its gradual depreciation during all the time of its existence, it produces the effect which would be produced by an infinity of successive deteriorations of the coins. All these iniquities are founded on the false idea, that money is but a sign.'

Permit me to recommend this volume to your attentive perusal."

OPINION OF ROGER SHERMAN (the only man to sign all four of America's most important founding documents), quoted from his almost extinct book, A CAVEAT AGAINST INJUSTICE, OR AN INQUIRY INTO THE EVILS OF A FLUCTUATING MEDIUM OF EXCHANGE.

"But if what is used as a Medium of Exchange is fluctuating in its Value it is no better than unjust Weights and Measures, both of which are condemned by the Law of God and Man, and therefore the longest and most universal Custom could never make the Use of such a Medium either lawful or reasonable...And I doubt not but that if those two great Evils (dishonest money and drugs—editor) that have been mentioned were restrained we should soon see better Times."

OPINION OF MASTER POLITICAL ECONOMIST HENRY STORCH.

"This deadly invention may be looked upon as the greatest chastisement of nations; and nothing but the most commanding necessity (government's greatest "necessity" always has been, and always will be, war—editor) can justify its use in the eyes of reason. Abuse is almost inseperable from the use of it. When necessity orders to put an end to it, the order always comes too late."

OPINION OF DANIEL WEBSTER, from a speech in the US Senate on December 21, 1836.

"Most unquestionably there is no legal tender, and there can be no legal tender, in this country, under the authority of this government or any other, but gold and silver, either the coinage of our own mints, or foreign coins, at rates regulated by congress. This is a constitutional priciple, perfectly plain (to everyone but the US Supreme Court—editor), and OF THE VERY HIGHEST IMPORTANCE (emphasis added). The states are expressly prohibited from making anything but gold and silver a tender in payment of debts; and although no such express prohibition is applied to congress, yet as congress has no power granted to it, in this respect, but to coin money and to regulate the value of foreign coins, it clearly has no power to substitute paper, or anything else, for coin, as a tender in payment of debts and in discharge of contracts. Congress has exercised this power, fully, in both its branches. It has coined money, and still coins it; it has regulated the value of foreign coins, and still regulates their value. The legal tender, therefore, the constitutional standard of value, is established and cannot be overthrown. To overthrow it, would shake the whole system. The constitutional TENDER is the thing to be preserved, and it ought to be preserved sacredly, under all circumstances."

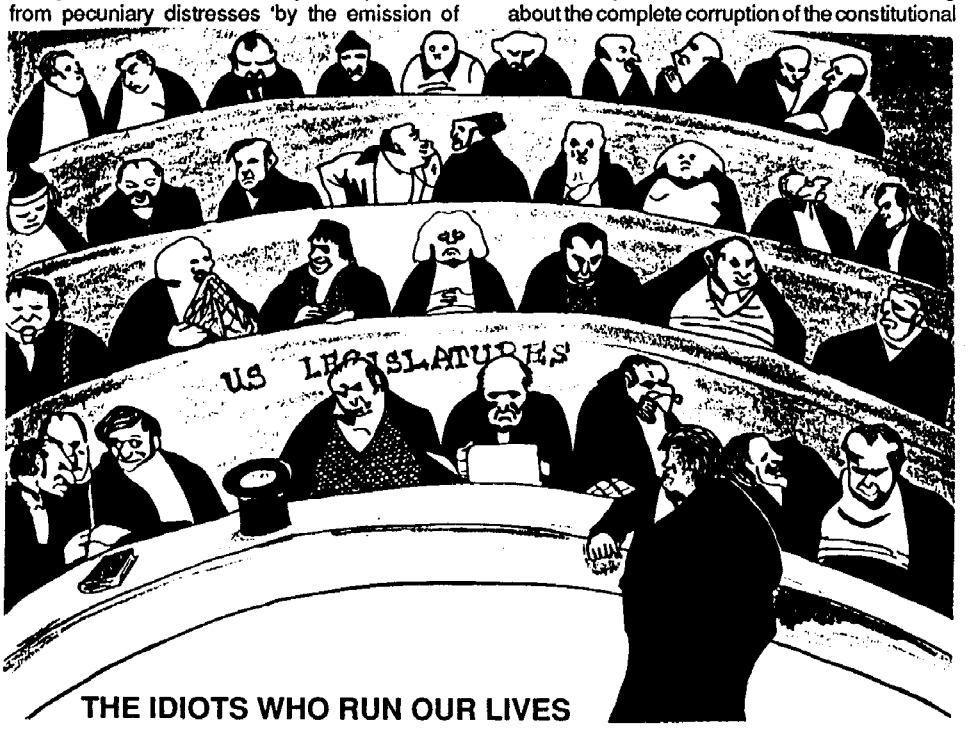
REGARDING THE OPINION OF JOHN MARSHALL (widely considered for his opinion in Marbury v. Madison as being perhaps THE greatest judge in US history).

"The inflexible adversary of paper money, detesting it with a hatred almost amounting to a passion, was the chief justice of the United States, John Marshall. While he was on the bench, no case could come before him, in which power was claimed for the United States to issue bills of credit; because at that day he and everybody else well understood and willingly acknowledged that the power to emit bills of credit was withheld from the United States, was forbidden by not being granted. But his opinion of the illegality of the issue of bills of credit by the states gave him the opportunity to declare in terms of universal application that the greatest violation of justice was committed when paper money was made a legal tender in payment of debts. But the opportunity to express his opinion, which was never offered to him as a judge, he found as a historian in his life of Washington. He claimed for himself and those with whom he acted, an 'unabated zeal for the exact observance of public and private engagements.' He rightly insisted that the only ways of relief for pecuniary 'distresses' were 'industry and frugality;' he condemned 'all the wild projects of the moment;' he rejected as a delusion every attempt at relief from pecuniary distresses 'by the emission of paper money;' or by 'a depreciated medium of commerce.' These were his opinions through life. He gave them to the public in 1807, and twenty-four years later in a revised edition of his Life of Washington he confirmed his early convictions by the authority of his maturest life." See Tupper Saussy's notes in his republished version of A PLEA FOR THE CONSTITUTION by George Bancroft.

"Okay, okay, so the Supreme Court lied to the American people about money," you might say. "But that was a long time ago. What's the big deal? How does that affect me today." In countless more ways, and much more seriously than anyone who is not acquainted with the issue can possibly imagine. For absolute proof, read on.

An argument might be made that paper money, per se, is not evil, regardless of what the Framers thought, and that it could be used in a morally legitimate social experiment as a substitute for taxation. The government could simply print the money necessary to build roads, bridges, libraries, etc., as Justice Field suggested. But it is crystal clear Article I, Section 8 would have to be amended to include the striken power to "emit bills of credit," and the relevant parts of Article I, Section 10 would have to be repealed. Furthermore, it the government were lawfully given the power to print paper money, it quite obviously would have no need of the power to borrow (with its attendant fraudulent "national" or "public" debt), as Justice Field so rightly observed.

But we are not talking about any kind of morally legitimate social experiment. We are talking about a highly organized and extremely clever criminal system of thievery where deliberately lying judges change the constitution covertly to allow their buddies in Congress and the rest of the financial establishment to circumvent constitutional procedures for amending the US Constitution and thereby avoid the comprehensive public exposure and debate that accompanies such causes. We are talking about the complete corruption of the constitutional

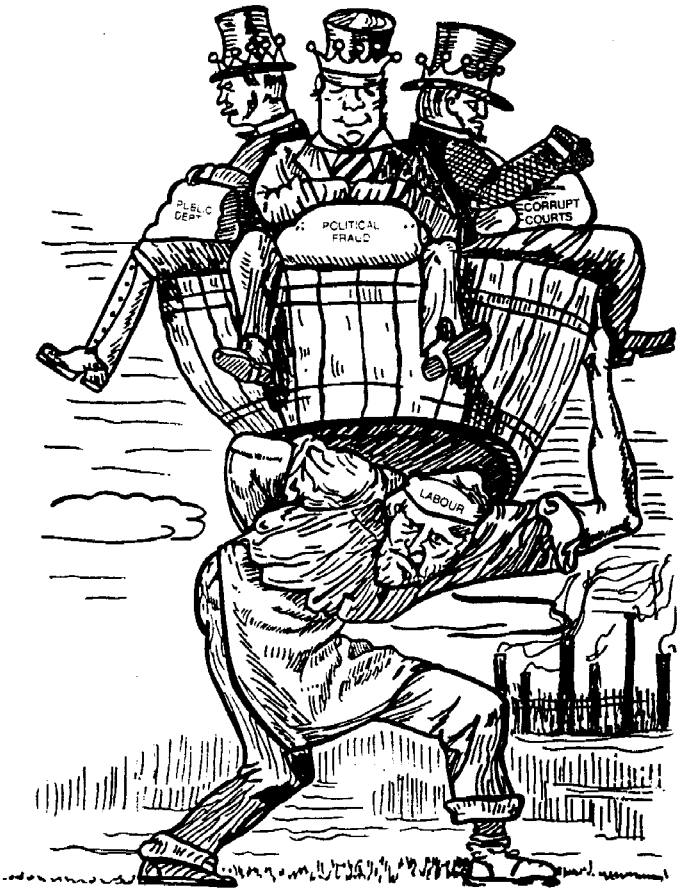


THE IDIOTS WHO RUN OUR LIVES

political processes by the very individuals who made such a big celebration out of its 200th anniversary to keep as many citizens as possible brainwashed into believing the Big Lie.

The problem is not one of economics (the science that deals with the production, distribution, and consumption of wealth), other than to say there has always been a struggle over the division of labor. There have always been individuals who would prefer to be king, to make the laws, print the money, and collect the taxes, rather than pull the weeds, pour the concrete, milk the cows, or invent or produce anything of real use to the human race.

The problem is a political one, politics



being defined by reality as being: person or group A trying to get person or group B to do the will of A. It is a problem of mistaken ideas caused by the systematic miseducation of generations of children taught by schools controlled by an establishment promoting moral relativism—as outlined by professor Alan Bloom's devastating book, THE CLOSING OF THE AMERICAN MIND—and seeing to it that real knowledge of politics and economics is reserved for the king's children only (kings never want competition for their "job"). You se, we don't have to recognize that slavery and thievery are evil if we can just understand that perpetrators and victims simply have different "value systems!" Then the only thing we really have to fear in society is the closed-mindedness of those who insist on seeing things as good or evil. Moral relativism is great for all kinds of criminals. Maybe that's why they work so hard to promote it.

There are really only two ways of getting someone else to do what you want them to: 1) actually have a better idea, or 2) resort to coercion (of which deception is a form). Since it is obvious to nearly everyone that government has very few better ideas, it becomes clear that the "art" or "science" of politics is deception. Understanding that, it is easy to see why the average politician is so incredibly mealy-mouthed.

There have always been the parasite/predator types who try to cause other people to do their work for them (remember the story of Tom Sawyer). Slavery is the most logical and coldly efficient extension of the parasite/predator philosophy. Predator propaganda involves a number of evil doctrines such as: "God says you should do what I say;" "God says I should be king;" "the authority—(misuse of language here, as 'authority' is DELEGATED power, and who delegates power to the Almighty?)—of God is manifested on earth as the church/state;" "the law says you have to do what I say;" and "the law says I can have whatever I want that belongs to you." For atheist and agnostic readers, substitute the words "will of the majority" for the words "will of God," and you have clarified the parasite/predator position.

Money is supposed to function as a lubricant for barter. Person A has apples and wants to exchange them for wheat. Person B has wheat and wants to exchange it for shoes. Person C has shoes and wants to exchange them for apples. To facilitate the necessary exchanges of commodities in society, it is very desireable that there be some universally acceptible commodity/ies for which all three persons, A, B, and C, can exchange the products of their labor in order to obtain, or "buy," what they need.

Traditionally, gold, silver, copper, iron, even fish hooks, furs, shells, and tobacco, have served as the mediums of exchange called "money." In order to have an honest and workable "economy," it is necessary for the mediums of exchange to actually BE products/commodities with a commensurate amount of human effort inextricably attached to their production. What justice would there be is a man could be forced to do a month's hard work in the fields and vineyards in exchange for a leaf, a pebble, or a small scrap of paper?

The starting point for misunderstanding money was the invention of special names for the units of monetary measure. As Count Destutt de Tracy recognized, monetary misunderstanding would be much less likely if coins simply bore the specific weight and fineness of the metals they contained. This concept is used on cans and boxes of food, so why not money? The term "dollar" is analogous to the term "gallon" or the term "pound." We don't go to the grocery store to buy gallons and pounds, which are but useless words without reference to the actual substance being measured. We buy gallons OF MILK and pounds OF POTATOES. So the question arises: we wish to obtain gallons of milk and pounds of potatoes in exchange for dollars OF WHAT?

Any productive person can, in a lifetime, produce vastly more than will be needed in retirement. A gallon of milk earned in youth is a gallon of milk in retirement. A pound of potatoes earned in youth is a pound of potatoes in retirement. A house built in youth is a house for shelter in retirement. So it would be with any honest unit of measure and any honest medium of exchange. There is no morally legitimate reason why a "dollar" earned in youth is not the same dollar in retirement.

"Parity" is the word used for expressing the price of one commodity in terms of another. Parities will always be in a state of change in nature and in a free enterprise system (which we profess to have, but do not have). In a year of plenty for apples and scarcity for wheat, it might take four bushels of apples to trade for one bushel of wheat. In a year of scarcity for apples and plenty for wheat, it might take four bushels of wheat to trade for one bushel of apples. And so it goes. In an honest economy (which we do not have), individuals are always free to channel the direction and extent of their efforts into producing whatever commodities they believe will best reward their efforts and meet their needs.

We see "inflation" as a gallon of milk "costing" more "dollars" at the supermarket this month than it did last month. What has actually happened is that the parity between milk and money changed. The more money that is created, the more its parity with all other products in the marketplace changes. The more money there is, the more its exchange "value" (aka purchasing power) depreciates. To see through the paper money fraud, it is necessary to understand that