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## A Return to Constitutional America.

Vic Biorseth, Monday, June 22, 2009  
<http://www.Thinking-Catholic-Strategic-Center.com>

Constitutional America is the term I use to describe the America of the Founding Fathers, as updated and amended by a strong history of American and Constitutional progress through Representative Government. My argument seeks to advance the principle of the *Rule Of Law* versus the counter-principle of the *Rule By Arbitrary Government*. In this context, the term Government Central Planning is synonymous with the term Arbitrary Government Rule.

The difference is critical to understanding the nature of America as originally constituted and developed up until the election of President Obama. As an analogy, we are talking about the difference between laying down a set of "rules of the road", including traffic laws and directional sign posts, as opposed to ordering people where to go and commanding what roads to take to get there. In the first instance, people are free to use the roads so long as they obey the laws pertaining to road usage. In the second, people are *not* free to use the roads, except, and *only*, precisely as ordered and directed by government.

When people are free to act on their own initiative, they must know and be able to accurately predict the response of government toward their personal and private actions on the roads. When people are *not* free to act on their own initiative, they must be told by government precisely where to go, precisely when to go there and precisely how to go there, meaning what specific roads to take. So the question before us is whether we are to take care of ourselves, as Americans thus far have historically done, or whether the government is to take care of us.

What is meant by the often heard (and often ignored) statement that we *are a nation of laws and not just of men*, is that there is and must be some framework of fixed and semi-permanent if not permanent laws of use to both guide and restrict government in its treatment of people and private property, i.e., the means of production. In America, since her founding, the citizenry have been recognized in nature and in law as, number one, *free*, and, number two, as the proper owners of *property*. Implicit within the Commandment *Thou shalt not steal* is the natural right of the individual citizen to actually *own something*. This is the natural right to private property handed on to America via the morality and the [Judao-Christian Ethos](#) developed over the long history of Western Civilization.

Under Rule Of Law, the reaction of government to any private citizen

- Home
- Mission Statement
- Arguments Pro and Con
- Church & State in Art
- The Catholic Thinker
- Our Guiding Ethos
- Values Vs Ethos
- Critical Thinking
- Redirection of Ethos?
- Indifferentism
- The American Ideal
- Daily Gaggle Cartoon
- On Thinking Catholic
- Battle Lines
- Catholic Culture
- National Existence
- National People-hood
- Worldly Village-ism
- It's Not MY Language
- For God and Country
- Cultural Morality
- Enlightenment=Scientism

The Modernist Heresy
Culture Wars
Dogmas of Secularism
The Marxism of Obama
Warning all Bourgeoisie
Constitutional America
Solzhenitsyn Speaks
Jefferson Speaks
The Darwinism Fad
Radiocarbon Dating
The Freudianism Fad
The Marxism Fad
The Femi-Nazi Front
The Eco-Nazi Front
The Homo-Nazi Front
HIV=AIDS=DEATH Hoax
Population Problem Hoax
Artificial Contraception
Abortion in America
Refuting Pro-Choice
Masturbation Industry
Chastity vs Sophistication
Gun Control
The Vietnam War
Limited War Doctrine
The Necessity Of War
Islam and the Jews
Rabbi Kahane's Letter
Islam Opposes America
The Islamic Theocracy
The Church and Slavery
Racial Victimology
Cafeteria Catholic 1
Cafeteria Catholic 2
Cafeteria Catholic 3
Cafeteria Catholic 4
Cafeteria Catholic 5
The 1962 Latin Mass

action is known and predictable. The reason for this orderliness and predictability is that government is *legally restrained* in its treatment of people and private property. Under Arbitrary Government Rule, the rules pertaining to individual citizen behavior are *unpredictable*, for they are constantly in a state of change to meet every random new contingency as it presents itself. Government, in this instance, is *unrestrained* in its treatment of people and private property, i.e., the means of production. Indeed, in the [Marxist](#) view, all private property becomes "public" property, and there is no private property any more. All things and all people come under the direct control of government.

Under arbitrary government rule, terms like "public good" and "public welfare" and "public service" and "public property" and "public control" are all just fuzzy-wuzzy feel-good terms that mean, in reality, that the supreme dictator is in charge of whatever you're talking about.

Constitutional America is the America that I love. Because I see Constitutional America slipping away, and because now, in current, right-now history, the process is accelerating so rapidly, I am afraid that it is quite possible for Constitutional America to be lost forever. The Constitution is being trashed so quickly and thoroughly that it may not be able to recover. And still, most of the American people don't see what's going on because our media, the [SLIMC](#), which is already Marxist to the core, is in the Government hip pocket. The [SLIMC](#) is now a government entity; it is nothing less than the sitting government's publicity and propaganda arm.

Whatever happens, America will never be the same again.

I feel compelled to take action. As a low-level ordinary citizen, the only thing I know how to do that might be better than yelling from my rooftop is to write things on this website. I may be just an ordinary citizen, but I have this website, and I know how to type. Maybe someone with more power than me will be moved to action by something read here; that is my prayer. So . . . here goes.

I will present my case for Constitutional America in the form of a hypothetical argument between hypothetical adversaries.

In the corner for Constitutional America stands adversary number one, whose name is Rule Of Law, hereinafter to be referred to as **ROL**.

His opponent, in the corner for Government Central Planning, is adversary number two, whose name is Arbitrary Rule by Government, hereinafter to be referred to as **ARG**.

Let the arguments for and against Constitutional America begin.

## Let's talk about taxation.

**ROL:** OK; that's as good a beginning point as any. First of all, our tax code is far, far too complicated. As an illustration of my point, I have here in my shirt pocket, in this small, flat little booklet, a copy of our Declaration of Independence, and the complete Constitution of the United States of America, with all Constitutional Amendments up through XXVII, published by the Cato Institute. As you can see, it is very small, with 58 perfectly readable little pages. This one document represents the whole of the construction and organization of the Federal government, and the whole of the working rules for the Federal governance of the United

Eucharistic Presence
The Inquisition Myth
The Galileo Inquisitions
The Medieval Crusades
Byzantine 4th Crusade
Perpetual Virginity
Papal Infallibility
Catholic Prayer
Catholic Annulment
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States of America. (Note that all American *State* Constitutions are quite similar in organization and length.)

Now, seeing all this *design*, and all this *law*, compactly contained in this one, quite small shirt-pocket sized booklet, why on earth would anyone think that our national tax code ought to be or might need to be in excess of 70,000 full sized pages in length?

Truth, like clarity, seeks simplicity and does not take many words. Falsehood, like obfuscation, seeks complexity and *does indeed* take many words. My suspicion is that there is much in our tax code that really cannot stand the light of day. Our tax code ought to be far more simple and easier to understand than all of the organization and operating rules of the national government of the most powerful nation on earth.

**ARG:** Not necessarily so. Our tax code became complex in order to become more *fair*. It had to become a *progressive* code with tables in order to tax the wealthy at a higher rate than the poor.

**ROL:** Any flat income tax, or any fixed percentage income tax, is already "progressive" in that, the more you make, the more you pay, and the less you make, the less you pay. But why should we have an *income* tax at all? America did fine before the income tax came along and began to grow, like a cancer, becoming more and more oppressive and onerous.

In the interest of simplicity, clarity, honesty, fairness and solving our current anti-Capitalism-induced economic dilemma, we should adopt the [Fair Tax](#) and outlaw all other forms of taxation. Which means, of course, repeal of Amendment XVI, the infamous *income tax* Amendment. All forms of Federal tax, including Social Security, Medicare, Medicaid and any and all others, would be *outlawed*.

The [Fair Tax](#), in and of itself, will take Social Security and Medicare out of the deficit situation they face and fully fund then on into the unlimited future. It is, essentially, a national sales tax that will not raise the price of anything for sale. If that still sounds weird to you, then you haven't read the details at the link yet, and I encourage you to look at them. You might not know it yet, but you are *already* paying your and your employer's share of all of your taxes through your reduced paycheck. Under the [Fair Tax](#), all taxes are paid at the site of the retail sale, be it a gas pump, a grocery store, a department store, restaurant, garage or anywhere else you pay retail price for any good or a service. It's rung up at the register, and the *merchant* sends the tax revenue along to Uncle Sam.

It will give poor people (actually, it will give *all* people) an un-earned monthly income that exceeds the income of many workers in Socialist nations, such as Cuba. And, unlike the Cubans, Americans won't have to work for it. It will eliminate the need to file any annual income tax statements *ever again*. It will shut down probably 90% of the IRS. It will boost government revenue like never before. The first year enacted, it should provide (on paper) the same revenue as the grand total of all government taxes (including SS, etc.) that are in effect at the time of adoption.

Every worker in America will enjoy a huge increase in pay, since no federal taxes or SS taxes will be deducted from any paychecks. Every business in America will enjoy a huge spike in revenue, because they will

no longer be paying any taxes on their business income, or any part of their employee's taxes, workers compensation, etc., all of which will still be fully funded. America will become an *economic magnet*, irresistibly drawing other businesses to locate here where they will not be taxed. The demand for jobs will radically increase at the same time that consumer demand increases for virtually everything, due to the increased discretionary dollars now in worker-consumer pockets. More spending means more government revenue, too.

**ARG:** This sounds like pie-in-the-sky, too good to be true. This needs to be studied very carefully before going any farther with it.

**ROL:** I submit that no tax proposal that I know of is more thoroughly researched and documented than the [Fair Tax](#). I'm talking all of American history here. The theory is sound and proven, in as much as it may be proven without being enacted. I have looked very closely at it, and it beats the living hell out of our existing tax mess. It promises an end to the huge morass of tax complexity that threatens to bury us. And, as a bonus, it provides a path out of the economic doom being purposely orchestrated by the Obama administration and the Democrat-controlled Congress.

## The Case for Impeachment of Obama.

**ARG:** Huh? President Obama is bringing us *change we can believe in*, and *hope*, and *fairness*. He hasn't even been in office half a year yet; why don't you give him a chance?

**ROL:** Nearly everything he says and nearly every action he takes is, in some way, a violation of his oath of office. Hardly a day goes by without another violation. He swore to defend a Constitution that he is on record as opposing. He has stated that he considers our Constitution to be flawed, and that he considers America to be flawed, in its very foundation. By his words and actions he has virtually abrogated contract law, which is the very foundation stone of all free commerce *everywhere*. He has fired and hired CEOs of theoretically "private" enterprises. He has taken partial ownership (meaning government control) of major private financial institutions and private manufacturing industries. He has expropriated private property, in the form of investor's stock, and redistributed it to others. He, personally – not any bankruptcy court – has personally demanded, received and approved *bankruptcy reorganization plans* of major private enterprises. He has set limits on the amount of compensation executives may earn in theoretically "private" enterprises. *And he is just getting started.*

He is rapidly and systematically taking over the entire private sector.

In the [Marxism-Of-Obama](#) page we showed how his own recorded *words* betray him as being, at least philosophically, a Communist, who loves collectivization and redistribution. Those are his words. But his *actions* since taking office betray him as being in actuality a Fascist. The difference is that Obama, like Mussolini and Hitler, keeps the owners and CEOs of private enterprises on a tight leash rather than getting rid of them altogether, as a Lenin or a Stalin would do. Rather than owning the enterprises, he owns the owners of the enterprises. Either way, he's still a [Marxist](#), and as such he despises America as Constituted, and he despises everything she stands for.

Nearly everything he says turns out to be another lie. You can't even count them all; I've given up on that. I just look at the major ones now. Count the gigantic TARP (Troubled Asset Relief Program) bills; count the gigantic Bail-Out bills; count the gigantic Stimulus bills. Every one of them came with it's own lie, or set of lies. The enterprise was "too big to allow to fail." The bill would keep it from failing. Bankruptcy for such a large manufacturer was *out of the question*; it could have negative effects on the whole economy, and the economy of the world; we simply *cannot* allow this enterprise to fail. Only the government is big enough to solve this economic problem. This bill is all that is needed to solve the problem. *All lies.*

Not one single pre-bill statement was true. Not one single one of these bills did what it was supposed to do. Not one single private enterprise was "saved." Not one single bankruptcy was averted; indeed, major bankruptcies were *demande*d and *orchestrated*. Where did all that money go? I mean, besides the snake eradication program on the island of Guam. And not counting the thousands and thousands of other [earmarks](#) Obama swore we would never see again.

Bottom line: no "troubled asset" got any relief; no bailed-out enterprise was kept any higher afloat; no part of the economy was "stimulated." It was all just lie after lie after lie. *And there are more coming.* Every one of them will be an emergency, and every one of them will fail, and every one of them will involve political lies.

Obama is clearly a [MEJTML](#) who very deceptively, smoothly and yet strongly promotes [The Great Communist Lie](#) to all dupes and fellow ideologues, and to the American people. People actually believe him.

The thing I find particularly troubling, believe it or not, is the Democrat friends who are now finally upset at Obama, but for the *wrong reasons*. They think – they actually believe – that Obama gave TARP / Bail-Out / Stimulus money to corporate big shots rather than "the workers" and "the poor" who they thought should have gotten most or even *all* of that money. This mistaken belief is due, I suppose, to mal-education and/or semi-literacy, or perhaps gullibility. Maybe it's due to the propaganda-as-news that they get from the [SLIMC](#). For whatever reason, they still don't realize that Obama is *taking command* of the very big shots these people think are somehow profiting from all these bills, and yet, he is taking their authority, *chopping their income*, destroying their businesses, and making them smile while he does it.

I don't even know what to say about that. But in the end, the workers and the poor will indeed suffer the most, as Obama continues to maul, abuse, mal-manage and strangle all of private enterprise, in an unbelievably gross over-stepping of his Constitutional authority.

## Let's talk about Gay Marriage.

**ROL:** OK, but, why limit it to homosexual marriage? Why don't we broaden the topic to include public normalization and social acceptance of open, highly public homosexuality?

Homosexuality is against my religion. What does your religion say about it?

**ARG:** Religion has nothing to do with it. We have a constitutional principle of separation of Church and state here. This is a social matter that has only to do with individual conscience and no particular moral standard. An individual citizen has every right to believe differently than you. You cannot legislate morality. My religion is a private matter, and my religion has nothing to do with the homosexual marriage political issue.

**ROL:** I beg your pardon; religion has *everything* to do with it. Morality comes out of religion. Our national morality, or our [National Ethos](#), is born of Judao-Christianity, which animated and motivated our Founding Fathers, and which is at the root of our Constitution and all of our civil law. It is also the common ethos of the overwhelming majority of the American people, whom our government is Constitutionally required to represent.

I have a copy of our Constitution right here. Could you please point out the Constitutional Principle of Separation of Church and State for me? I can't seem to find it. Your "Constitutional Principle" argument is thoroughly refuted in the [Separation of Church and State](#) page. As explained there, it is a court-invented "precedent" that needs to be directly abrogated and eliminated either by legislative action or by executive order in a future government, in the interest of bringing back the Constitutional principle of the three co-equal branches of government, and governmental *checks and balances*.

I brought up the issue of [Open Homosexuality](#) because that is what is really at the core of this discussion. My religion condemns homosexuality as mortally sinful, and requires me to say so. Preventing or hindering my ability to publicly say so violates my Constitutional right to freedom of religious exercise. I refuse to put my religion aside on an issue such as this, or on any issue at all, because putting my religion aside is against my religion. My religion comes first. My religion guides my life.

You are quite right that an individual citizen has every right to believe differently than me. But he has no right to impose his divergent morality on me and mine, and on the predominantly Judao-Christian populace, through any arbitrary court decision, unrepresentative civil law or regulation.

Regarding the [Legislating Morality](#) issue; if we cannot legislate morality, then, what are we to we legislate? *Immorality*? I submit that morality is exactly and precisely what *must* be legislated by a moral government representing a moral electorate. If we ever get to the point where even *the civil law process* is to not recognize any moral standard, then we will have descended below barbarism and into animalism.

Your "private matter" argument is refuted at the [Religion As A Private Matter](#) argument page. I do not accept it. My religion is openly professed. Is there something about yours that cannot stand the light of day? My religion defines my moral standards and the rules that guide my life. I am only asking you to identify your moral standard, if you have one. You should be happy to give your argument some form of moral credence rather than some vague, "I don't have to believe what you believe" wimp-out statement.

And, if your religion has nothing to do with the homosexual marriage

political issue, then, what on earth kind of religion could it possibly be? What, exactly, guides your life and gives you purpose?

I go back to my original statement: Homosexuality is against my religion. What does your religion say about it?

## Let's talk about Choice.

**ROL:** OK. Abortion is against my religion. What does your religion say about it?

**ARG:** Oh-oh. Well . . . um . . . religion has nothing to do with it. We have a constitutional principle of separation of Church and state here. This is a social matter that has only to do with individual conscience and no particular moral standard. An individual citizen has every right to believe differently than you. You cannot legislate morality. My religion is a private matter, and my religion has nothing to do with the homosexual marriage political issue.

**ROL:** Ho hum, heavy sigh and here we go again. See the above response to the Democrat [Pro-Sodomy](#) political position. It is virtually identical to the logical response to the Democrat [Pro-Abortion](#) political position. The Democrat Party has a lot invested in basic Judao-Christian immorality. These are planks in their Party platform, and issues that morally define their political Party. Or, perhaps, they more correctly *immorally* define the Democrat Party.

In a similar manner to what was said about setting aside the so-called *Separation of Church and State*, the court-invented "Constitutional" rights to such things as abortion and privacy should be set aside by either legislative action or executive order in a future government. See the [abortion](#) page for the story of the disgusting judicial travesties that brought these ridiculous "laws" into being, and why they need to be undone.

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This could go on interminably, but it has to end somewhere. The intent is to stir thought in some conservative mind, hopefully a conservative candidate or future candidate, who might see it, and use some of this as rhetorical ammunition, with which to bring us to a higher place.

There is no reason for any devout Protestant, Catholic, Jew or Orthodox to back down in any way on these or any other issues in any political debate in America. It's time to take America back, and restore Constitutional America to what it was designed to be.

Pray for Constitutional America, and for future American leadership.

### [Reference Material](#)

Return to [Arguments Pro and Con](#) page

Return to [HOME PAGE](#)

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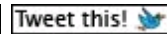
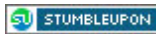
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