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Second American revolution underway

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The Declaration of Independence pledges Americans' "unalienable Rights" through Governments "deriving their just powers from the consent of the governed ...

"Whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it ..."

More and more of us are determined to alter our government by denying our consent to President Barack Obama's continuous discarding of our individual constitutional liberties, as I've demonstrated in recent columns.

But the most starkly lucid reasons for this looming Second American Revolution have been detailed by Randy E. Barnett, a Georgetown University professor of constitutional law and author of the book "Restoring the Lost Constitution: The Presumption of Liberty" (Princeton University Press, 2005).

In a recent column for The Wall Street Journal, Barnett provides a message of salvation to all Americans, regardless of political party. It is a model of unavoidable clarity defining who we are:

"In a republican government based on popular sovereignty, the people are the principals or masters and those in government are merely their agents or servants" ("The NSA's Surveillance Is Unconstitutional," Barnett, The Wall Street Journal, July 12).

Furthermore, he explains, "for the people to control their servants (in Government), however, they must know what their servants are doing."

This proved essential over time for the first American Revolution to succeed (due to the efforts of Samuel Adams, the Sons of Liberty and the Committees of Correspondence).

Barnett writes: "Relying solely on internal governmental checks violates the fundamental constitutional principle that the sovereign people must be the ultimate external judge of their servants' conduct in office.

"Yet such judgment and control is impossible without the information that such secret programs conceal," Barnett continues. "Had it not been for the recent leaks, (much of) the American public would have no idea of the existence of these programs, and we still cannot be certain of their scope."

He then gets to the ever-more pervasive and powerful Foreign Intelligence Surveillance Court. Once again, through the media, Americans now know of the court's existence, but hardly

anything else about how this secret institution still enables the National Security Agency to do its work unknown to us.

Barnett's solution: "Congress or the courts must put a stop to these unreasonable blanket seizures of data and end the jurisdiction of the Foreign Intelligence Surveillance Court to secretly adjudicate the constitutionality of surveillance programs."

I, too, think that in view of its record through the years, the Foreign Intelligence Surveillance Court must no longer exist. But any credible constitutional replacement would also obviously require the replacement of this president and the current, absurdly named Justice Department.

Eric Lichtblau's recent front-page New York Times expose is a deeply important corollary exposure of the unconstitutionality of the Foreign Intelligence Surveillance Court and its prime beneficiary -- the still boundlessly unconstitutional NSA. Reading what follows about this secret court's utter contempt for the separation of powers -- fully supported by Obama -- makes me ask, again, how can this president not be impeached for ravaging the oath of office?

"The rulings, some nearly 100 pages long, reveal that the court has taken on a much more expansive role by regularly assessing broad constitutional questions and establishing important judicial precedents with almost no public scrutiny, according to current and former officials familiar with the court's classified decisions" ("In Secret, Court Vastly Broadens Powers of N.S.A.," Lichtblau, The New York Times, July 7).

Have any of you sovereign citizens in this constitutional republic been at all consulted on the appointments of these judges who are deciding on broad constitutional questions?

Again, Georgetown's Barnett echoes Thomas Jefferson and James Madison when he reminds us that, "for the people to control their servants in Government, however, they must know what their servants are doing."

And, thanks to the revelations of former NSA contractor Edward Snowden, more members of the media have been awakened to these secret removals of the citizenry's authority over crucial parts of the Constitution. But there has not been enough sustained media coverage with the depth and consistency necessary to expose what our ultimate servants in Government are allowing to happen.

By contrast, a precipitating cause of the original American Revolution was the Committees of Correspondence, which sent news around the colonies of how our British rulers here and in London were utterly ignoring our rights as British citizens going back to the Magna Carta.

One example of an American president who continued to act as if he were emulating King George III -- even after our First Amendment was ratified in 1791 -- is John Adams. Our second president led Congress to enact the Alien and Sedition Acts in 1798, which made it seditious for new American citizens to use speech that brought the president or Congress "into contempt or disrepute."

As that news went through the new states, Adams lost his chance for a second presidential term.

If the media will now keep on this story while also gathering new information, at last Obama may be impeached before his years as president come to an end.

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