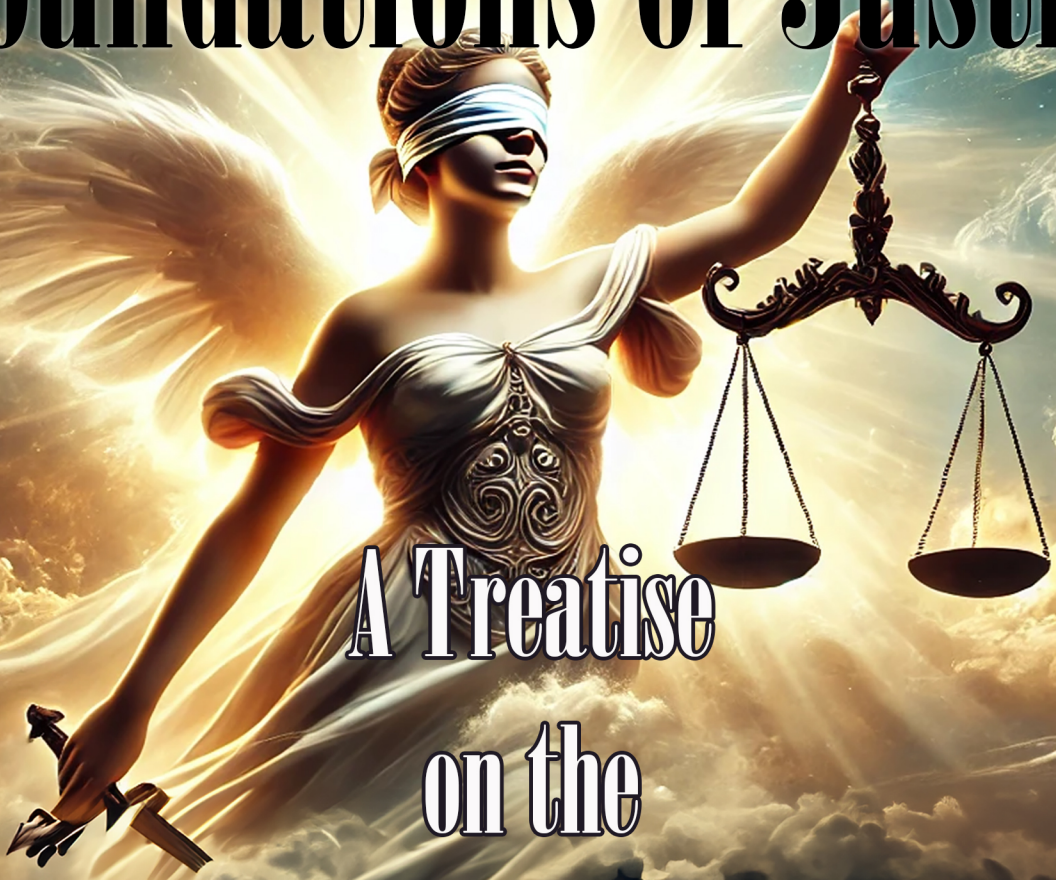


Foundations of Justice

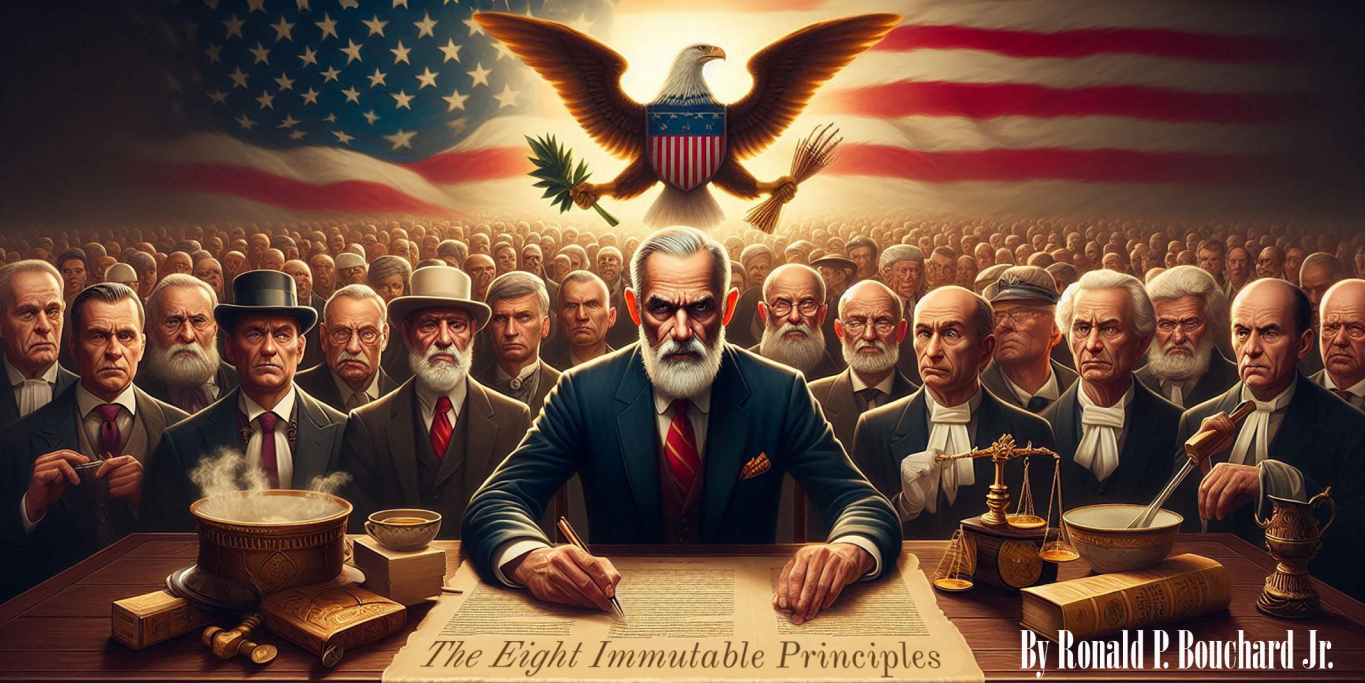


A Treatise

on the

Eight Immutable Principles

of American Law and Governance



*The Eight Immutable Principles
Of American Law and Governance*

By Ronald P. Bouchard Jr.

FOUNDATIONS OF JUSTICE:
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American Law and Governance

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FOUNDATIONS OF JUSTICE: A Treatise on the Eight Immutable Principles of American Law and Governance

Introduction

The **Foundations of Justice** outlined in these eight immutable principles reflect the bedrock of American law and governance. Rooted in divine and natural law, these principles assert the supremacy of fundamental, immutable truths over man-made-made enactments, ensuring that all laws, government actions, and judicial interpretations align with higher, unchanging standards. The Founders, drawing from a rich tapestry of enlightened political philosophies, biblical teachings, and common law principles, sought to establish a framework of governance that prioritizes the inherent rights and liberties of all men and women over the powers of the state.

The primary purpose of government, according to the Founders, is to protect these inherent rights, deriving its legitimacy solely from the explicit consent of the governed. As trustees and servants of the People, government officials are bound by a solemn duty to uphold constitutional limits and safeguard liberty. Courts, in turn, are limited to a role of applying and declaring the law as it stands, rooted in higher principles of divine and natural law, without modifying or expanding its scope through the subjective interpretations of a judge or magistrate. This carefully balanced structure of governance ensures accountability, limits on power, and a perpetual alignment with foundational principles that transcend man-made authority.

Yet, despite this framework, a grave challenge confronts us: The BAR (British Accredited Registry) and all members of the legal profession in America act as gatekeepers, obstructing access to true legal knowledge and justice. The American Bar Association (ABA) and International Bar Association (IBA) have long functioned as Praetorian Guards, keeping the People distanced from genuine law and subjugating justice to a complex web of codes, statutes, and procedures that often contradict constitutional and fundamental law. This monopoly over legal practice, rooted in allegiances to the Crown Temple and systemic oaths, has positioned BAR attorneys as enforcers of a legal system that serves corporate and commercial interests over the rights of the People.

Most BAR attorneys, whether by design or ignorance, are unaware of the true origins of law and remain programmed and coerced into upholding this restrictive and often unconstitutional framework. As a result, they propagate an approach to law that fails to align with immutable constitutional principles and instead imposes inferior, coercive statutes upon the People. This obstruction of justice is best summarized by the biblical admonition: “**Woe unto you, lawyers!** for ye have taken away the key of knowledge: ye entered not in yourselves, and them that were entering in ye hindered” (Luke 11:52).

FOUNDATIONS OF JUSTICE: A Treatise on the Eight Immutable Principles of American Law and Governance

This treatise, therefore, is written as a primer for all Americans to understand that reclaiming and enforcing these immutable principles within governance is essential to overcoming corruption and restoring true justice. The brilliance of the Founding Fathers, guided by enlightened political philosophers such as Montesquieu, Cicero, John Locke, and Sir William Blackstone, laid a firm foundation for a just society.

As Montesquieu warned, “When once a Republic is corrupted, there is no possibility of remedying any of the growing evils but by removing the corruption and restoring its lost principles; every other correction is either useless or a new evil.” It is only through steadfast adherence to these principles and a commitment to true justice that we can ensure a government that genuinely serves the People.

Principle #1: All man-made law originates from and must align with Divine or Natural Law; any Law that fails to do so is inherently Invalid

The legitimacy of all man-made laws derives from their adherence to a higher, immutable order of divine or natural Law. This principle was foundational in America's jurisprudence and constitutional development, as the early colonies and Founders established a system rooted in biblical and Christian teachings. Any law that contradicts these foundational truths is inherently void and lacks legitimate authority. Statutes, as expressions of legislative power, are intended to govern the conduct of government bodies and public officials, while preserving and respecting the inherent rights and liberties of the People. When statutes conflict with natural rights or divine law, they are invalid and must be rendered null.

Founders' Intent and Historical Context:

The Founders recognized natural law, grounded in divine authority, as the cornerstone of just governance. The history of America's founding legal documents demonstrates that the founding fathers aspired, prayed for, and labored to establish a Christian nation. They had no intention or desire to create a country where the gods of other religions or pagan beliefs would be worshiped alongside the one true God — Jesus Christ. This belief was evident throughout their writings and the founding documents of the United States of America:

- **Biblical and Christian Foundations:** The Pilgrims and other early settlers founded American colonies with a strong dedication to living under "the gospel of the kingdom of Christ" and applying Christian principles to their governance. This commitment was evident in foundational acts such as the Mayflower Compact, the first legal document establishing self-governance by individual settlers. The agreement, made in A.D. 1620, declared: "*IN THE Name of God, Amen. We, whose names are underwritten,. . . Having undertaken for the Glory of God, and Advancement of the Christian Faith, and the Honour of our King and Country, a Voyage to plant the first Colony in the northern Parts of Virginia.*" This act symbolized their devotion to divine authority in their self-governance and community life.
- **Colonial Charters and Compacts:** Many colonial charters emphasized adherence to divine law and the propagation of Christian principles as the basis for governance. These early compacts established a precedent for aligning man-made law with higher, immutable moral laws.
 - **The Charter of Maryland (A.D. 1632)** Regarding any future questions that might arise concerning the interpretation of the Charter, the following proviso was included:
XXII. "Provided always, that no Interpretation thereof be made, whereby God's holy and true Christian Religion... may in any wise suffer by Change, Prejudice, or Diminution..."
 - **Grant of the Province of New Hampshire to Mr. Mason (April 22, A.D. 1635)**
"To all Christian People unto whom these presents shall come, the Council for the affairs of New England in America send greeting in our Lord God everlasting."

- **Grant of the Province of Maine (A.D. 1639)** *"No interpretation [shall be] made of any word or sentence whereby God's word [and] true Christian Religion, now taught, professed, and maintained in the fundamental Laws of this Realm... may suffer prejudice or diminution."*
- **Organic Laws and the Holy Bible:** Early American laws and charters explicitly acknowledged God's authority as the supreme lawgiver. The Declaration of Independence asserts that "all men are created equal" and are "endowed by their Creator with certain unalienable Rights." This affirmation establishes that legitimate governance must derive its authority from divine principles and protect the inherent rights bestowed by the Creator.
- **Thomas Jefferson** emphasized the inseparability of liberty and divine origins in *Notes on the State of Virginia*: **"Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the People that these liberties are the gift of God?"** Jefferson's statement underscores that natural rights are divinely granted and that any government action contradicting these rights would lead to societal and moral degradation.
- **Declaration of Independence (A.D. 1776)** The Declaration firmly establishes the belief that "all men are created equal" and are *"endowed by their Creator with certain unalienable Rights."* This declaration enshrines the idea that legitimate law must respect inherent rights bestowed by God.
- **State Constitutions:** Early state constitutions, such as those of Virginia, Massachusetts, and Connecticut, emphasized the necessity of aligning laws with higher moral and divine standards. These documents demonstrated a commitment to justice, moral virtue, and religious freedom in accordance with Christian principles.
 - **Virginia Constitution, Article I, Section 16** emphasizes that *"Religion or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and, therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity towards each other."* This section underscores the connection between fundamental law, divine authority, and inherent rights.
 - **Massachusetts Constitution, Part the First, Article III** similarly highlights the public's duty to worship "the Supreme Being, the great Creator and Preserver of the universe," and outlines Christianity as the only religion protected by liberty of conscience. It states: *"Any every denomination of Christians, demeaning themselves peaceably, and as good subjects of the commonwealth, shall be equally under the protection of the law: and no subordination of any one sect or denomination to another shall ever be established by law."*
 - **Constitution of Connecticut (A.D. 1776)** declares: *"And forasmuch as the free Fruition of such Liberties and Privileges as Man-madeity, Civility and Christianity call for, as is due to every Man in his Place and Proportion, without Impeachment and Infringement, hath ever been, and will be the Tranquility and Stability of Churches and Commonwealths; and the Denial thereof, the Disturbance, if not the Ruin of both."*

- **Court Opinions**
 - The only reason, I believe, why a freeman is bound by man-made laws, is that he binds himself. - **Chisholm v. Georgia. 2 Dallas (2 U.S.) 419,456 (1793)**

Universal Maxims of Law:

Foundational maxims of law express universal principles of justice and truth. As noted in *Chrisman v. Lindennan*, "A maxim is so called because its dignity is chiefest, and its the most certain, and because it is universally approved by all." Examples include:

- **"The Law of God and the natural Law of the Land and the Common Law are one and the same."** This maxim emphasizes that true law must align with divine and natural laws, and any statute or man-made enactment that contradicts these principles is inherently illegitimate.
- **"The Law of God cannot be affected [degraded, amended, or voided: Deuteronomy 12:32 'Whatever I command thee, ye shall not add to nor take away from it.']"** This highlights the immutability of divine law as the standard against which all man-made laws must be measured.
- **"An unjust law is no law at all" (Lex iniusta non est lex)** This principle, articulated by St. Augustine and later reaffirmed by Thomas Aquinas, emphasizes that laws contrary to natural justice are invalid.

Influential Thinkers:

- **John Locke** asserted in his *Second Treatise of Government* that natural law, rooted in reason and the will of God, is the basis of legitimate governance. Locke's assertion that individuals possess natural rights to "life, liberty, and property" directly informed the Founders' view of inherent rights.
- **Emer de Vattel**, in *The Law of Nations*, emphasized that governments must align their laws with the natural order established by divine providence and justice.
- **Montesquieu**, in *The Spirit of the Laws*, recognized that all man-made laws must be grounded in higher principles of morality, justice, and divine order.

Foundational Documents:

- **Colonial Charters** often invoked divine authority as the basis for governance and law, emphasizing the Creator's role in granting legitimacy and rights.
 -
- **The Articles of Confederation** echoed these principles by emphasizing a moral and just government, founded on the consent and moral order of the People.
 - **The Articles of Confederation of The United Colonies of New England – 1643**
"Whereas we all came into these parts of America with one and the same end and aim, namely, to advance the Kingdom of our Lord Jesus Christ and to enjoy the liberties of the Gospel in purity with peace; . . ."

Implications and Examples of Government Overreach:

The government frequently violates the immutable principle that all law must be based on the Law of Nature. This principle, affirmed by natural law theorists, maxims, and foundational documents, outlines several ways these violations occur:

1. **Subversion of Natural Rights:** The government's infringement on inherent unalienable rights—such as forced mandates or restrictions on conscience and religion—contradicts the principle that rights originate from the Creator, not the state.
2. **Failure to Uphold Equal Protection:** Deviations from equal application of the law, often through selective enforcement or laws that create unequal burdens, conflict with the Law of Nature's fundamental equality.
3. **Neglect of Guarding Against Invasions:** Failing to secure borders or prevent invasions violates the government's duty to ensure safety and sovereignty, as articulated in both constitutional and natural law principles.
4. **Interference in Natural Relationships:** Government actions that undermine family structures, education autonomy, or property rights disrupt natural orders and relationships that should be preserved under the Law of Nature.
5. **Deviation from Common Law Standards:** Common Law, rooted in natural law and reason, is often disregarded in favor of statutory systems that conflict with timeless maxims of fairness and justice.
6. **Abortion Laws in States:** Some states still allow abortion up to late terms, conflicting with the natural right to life.
7. **Restrictions on Conscience Rights:** Laws forcing individuals or businesses to act against religious convictions, such as compelling artists to create content that violates their beliefs.
8. **Euthanasia Legalization:** Governments permitting assisted suicide undermine the natural sanctity of life.
9. **Laws Against Parental Rights:** Policies allowing minors to receive medical procedures without parental consent conflict with natural family hierarchies.
10. **Climate Mandates:** Forcing individuals to comply with expansive climate regulations that undermine property rights (e.g., limiting land use).

Summary:

This commentary demonstrates that all man-made laws must derive their legitimacy from natural and divine law, as recognized by the Founders and established in foundational documents, maxims, and legal traditions. Laws that contradict these immutable principles are inherently void, and any statute must preserve and respect the inherent rights and liberties granted by the Creator.

Principle #2: All Rights are bestowed by our Creator, they are unalienable, inherent, and natural, and lie beyond the authority of Government to grant, alter, or infringe

Explainer Commentary Including Founders' Intent and Historic Context

This principle establishes that natural rights are intrinsic to mankind's existence and exist independently of man-made institutions, including government. These rights are derived from a higher moral authority and are inherent to every individual by virtue of their humanity. They precede and transcend the formation of government, meaning that governments are established solely to protect these rights, not to create, grant, alter, or infringe upon them. Rights can be both enumerated, i.e., explicitly listed in foundational documents, and unenumerated, recognized by their intrinsic existence and moral authority.

Nature of Rights Under this Principle:

Rights are Creator-Endowed:

Natural rights are bestowed upon People by their Creator and exist independently of man-made institutions. The Founders recognized that these rights are unalienable and derive from a Divine Source, making them immutable and beyond mankind's authority to alter or take away.

- **Thomas Jefferson, Declaration of Independence:** Jefferson proclaimed that “all men are created equal” and “endowed by their Creator with certain unalienable Rights.” This declaration affirms that these rights are a gift from a higher authority and are not granted by man-made governments.
- **Alexander Hamilton:** “The sacred rights of mankind are not to be rummaged for among old parchments or musty records. They are written, as with a sunbeam, in the whole volume of man-made nature, by the hand of the Divinity itself; and can never be erased or obscured by mortal power.”
- **John Locke:** In his *Second Treatise of Government*, Locke argued that natural rights, including life, liberty, and property, are derived from natural law, which is ordained by a Creator and preexists any man-made government. Locke emphasized that these rights are inalienable and that government exists solely to protect them. Any infringement on these rights by a governing body is inherently illegitimate.

Rights are Individual:

Each man and woman possesses natural rights intrinsically and individually, not collectively granted or defined by government or society. These rights exist as part of one's man-made nature and must be respected and protected. Individual rights are superior to the collective, general welfare, or common good because they are inherent and unalienable. The Founders emphasized that protecting individual liberties is the highest purpose of government, and any attempt to subordinate these rights to collective aims represents a dangerous encroachment on the natural freedoms of individuals.

- **Frédéric Bastiat**, stated in "**The Law**": "If every person has the right to defend—even by force—his person, his liberty, and his property, then it follows that a group of men have the right to organize and support a common force to protect these rights constantly. Thus, **the principle of collective right—its reason for existing, its lawfulness—is based on individual right.**" Bastiat emphasizes that collective rights and governmental authority must be grounded in and limited by individual rights. Any invocation of collective good or general welfare must respect and uphold individual freedoms, as the rights of the individual are foundational and precede collective considerations.
- **James Madison**: In his essay, *Property*, Madison stated, "Government is instituted to protect property of every sort... This being the end of government, that alone is a just government which impartially secures to every man whatever is his own." Here, Madison underscores that protecting individual rights is the sole and legitimate purpose of government and that collective aims must not infringe upon or supersede individual rights.
- **Thomas Jefferson**: Jefferson declared, "The will of the majority should always be respected... [but it must be] reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression." This reflects his belief that even in democratic systems, the rights of individuals must not be sacrificed for collective agendas.
- **Common Law Maxim**: "Individual liberties are antecedent to all government." — *C.L.M.* This maxim underscores that those individual rights existed prior to, and independently of, any government formation or action. The government's role is to protect these rights, not to subordinate them to collective interests.
- **John Locke**: Locke's writings affirm that individual rights to life, liberty, and property are preeminent and that any social contract or government action must be limited by the primary duty to protect these individual rights. Locke rejected the idea of sacrificing the rights of the few for the collective good unless such protection was mutually agreed upon by individuals in the formation of government.

The Founders believed that the rights of individuals are inherent and superior to any claims made on behalf of the collective good, general welfare, or common good. They saw the protection of individual liberties as essential to preserving true justice and preventing tyranny. Any attempt to diminish these rights in favor of collective aims undermines the legitimacy of government itself and must be vigilantly opposed. Governments serve the individual, and collective interests of the People, and cannot supersede the natural, Creator-bestowed rights of anyone.

Natural Rights are superior to Government:

Natural rights are superior to and lie beyond the authority of government. Governments are established by the People solely to protect these pre-existing rights. Any government action that infringes on these rights is inherently illegitimate and constitutes an overreach of power.

- **James Madison**: "The rights of persons, and the rights of property, are the objects, for the protection of which government was instituted." This reflects Madison's view that government exists solely to secure pre-existing rights.

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- **Emer de Vattel, "The Law of Nations":** Vattel emphasized that the legitimacy of government depends on its adherence to the protection of individual rights, in accordance with the law of nature.
- **Common Law Maxim:** "Law is a rule of right; and whatever is contrary to the rule of right is an injury." - *3 Buist. 313*. This maxim affirms that laws must be consistent with the principles of right, and any deviation constitutes a violation and an injury to individual rights.

Natural Rights are Inherent and Unalienable:

Natural rights exist by virtue of man-made existence; they cannot be granted, taken away, or modified by government authority. These rights are permanent and must be recognized and protected.

- **The Declaration of Independence:** It declares that all men (and women) are "endowed by their Creator with certain unalienable Rights," meaning these rights are inherent and cannot be rightfully infringed by any government.
- **John Locke:** Locke asserted in his "Second Treatise of Government" that life, liberty, and property are natural rights intrinsic to man-made beings, and any government that fails to protect these rights forfeits its legitimacy.

Natural Rights Recognized in Founding Documents:

- **The National Constitution, Ninth Amendment:** This amendment clearly acknowledges that not all rights need to be explicitly listed in the Constitution; it protects unenumerated rights, affirming that the People retain all inherent rights, whether enumerated or not.

Historic Context and Evidentiary Authorities:

Maxims of Common Law and Principles of American Jurisprudence:

- **Maxim 51i:** "Individual liberties are antecedent to all government." — *C.L.M.*
- **Maxim 59o:** "Law is a rule of right; and whatever is contrary to the rule of right is an injury." *3 Buist. 313*.
- **"That which is against reason is contrary to law" (Quod est contra rationem non valet lex):** This maxim emphasizes that laws and actions that conflict with reason and natural law are inherently invalid.
- **"All are equal under Almighty God":** This common law maxim reinforces the universality of rights granted by a Creator, affirming their intrinsic and unalienable nature.

Examples of Government Overreach:

1. **Perverted Justice Through Legal Plunder:** Laws are sometimes used to favor one group at the expense of another, violating natural rights to life, liberty, and property. This includes unjust taxation, subsidies, and economic interventions that undermine the law's proper role.

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2. **Censorship of Free Speech:** Collaboration between social media platforms and government agencies to suppress dissenting views.
3. **COVID-19 Vaccine Mandates:** Forcing vaccination despite individual conscience or religious objections.
4. **Gun Control Laws:** State laws banning certain firearms infringe on the natural right of self-defense.
5. **Property Seizures:** Abuse of eminent domain for private development projects.

Summary:

Natural rights, endowed by the Creator and inherent to every man and woman, are superior to and lie beyond the reach of government authority. Governments exist solely to protect these rights, not to grant, alter, or infringe upon them. This foundational principle ensures that the inherent dignity, equality, and freedom of every individual are safeguarded against any usurpation or overreach of power by man-made institutions. All man-made laws must conform to and protect these fundamental rights, as recognized and reinforced by foundational documents, common law maxims, and the foundational principles espoused by the Founders and enlightened political philosophers.

Principle #3: The sole and only legitimate reason Government exists is to secure the People's Rights; and every other function is an act of Usurpation, Oppression and Treason.

Explainer Commentary Including Founders' Intent and Historic Context

The fundamental principle of American Jurisprudence that "The Sole and Only Legitimate Reason Government Exists Is to Secure Our Rights; Every Other Function Is an Act of Usurpation, Oppression and Treason" emphasizes that all government's primary purpose is to protect individual rights. When the government extends beyond this purpose, it becomes oppressive and illegitimate.

Founders' Intent: The Declaration of Independence asserts that governments derive their "just powers from the consent of the governed" and exist "to secure these rights"—referring specifically to unalienable rights such as "Life, Liberty, and the pursuit of Happiness." Thomas Paine, in *Common Sense*, characterized government as a "necessary evil," highlighting its limited role as a protector of individual liberty. Paine warned that government, if left unchecked, becomes a destructive force contrary to the interests of the People it was designed to serve.

John Locke, in his *Second Treatise of Government*, argued that individuals consent to form a government to protect their natural rights, and any government that acts contrary to this purpose becomes tyrannical. Locke's philosophy was foundational to the American conception of government, emphasizing that the legitimacy of government hinges on its role as a protector of rights.

Emer de Vattel, in *The Law of Nations*, reinforced this understanding by asserting that the primary function of any government is to secure the natural rights and well-being of its citizens. Vattel argued that when a government acts beyond this scope, it breaches its social compact and forfeits its legitimacy, **leaving it subject to the People's correction.**

The **Preamble to the Massachusetts Constitution** also reflects this principle: "The end of the institution, maintenance and administration of government is to secure the existence of the body politic; to protect it; and to furnish the individuals who compose it with the power of enjoying in safety and tranquility their natural rights and the blessings of life." This declaration underscores that government must operate for the common good by securing the rights and well-being of the People.

The **Alabama Constitution Article I, Section 35** further underscores this concept: "That the sole object and only legitimate end of government is to protect the Citizen in the enjoyment of life, liberty, and property, and when the government assumes other functions, it is usurpation and oppression." This provision emphasizes that any government action beyond the protection of fundamental rights is inherently illegitimate and oppressive.

Historic Context and Evidentiary Authorities:

- **Common Law Principle:** Governmental actions must be assessed based on their adherence to the role of protecting inherent rights. Any deviation from this protective function constitutes overreach and usurpation of power.
- **Thomas Paine:** “Government, even in its best state, is but a necessary evil; in its worst state, an intolerable one.” — *Common Sense*

Examples of Government Overreach:

1. **Funding Ideological Programs:** Federal funding for educational programs that promote specific ideologies over neutral education.
2. **Surveillance Programs:** NSA data collection violates privacy rights under the guise of national security.
3. **Misallocation of Taxpayer Funds:** Spending on foreign aid or corporate bailouts unrelated to protecting citizen rights.
4. **Inaction on Public Safety:** Failure to secure borders undermines citizens' safety and rights to sovereignty.
5. **Overregulation of Small Businesses:** Imposing complex and unnecessary restrictions that harm economic liberty.

This principle establishes a strict boundary for governmental action, mandating that all functions and powers must align with the protection of individual rights. Actions exceeding this scope are illegitimate, oppressive, and warranting correction. The writings and philosophies of Locke, Paine, and Vattel, along with the constitutional affirmations found in the Alabama and Massachusetts Constitutions, firmly root this limitation on government in American and natural law traditions. The inclusion of these thinkers highlights that government’s sole legitimacy derives from its role as a servant of the People’s rights.

Principle #4: All Government holds authority solely through explicit, expressed delegation from the People; any power taken without such delegation is overreach and constitutes Usurpation and Treason.

Explainer Commentary Including Founders' Intent and Historic Context:

The principle that "Government Holds Authority Solely Through Explicit, Expressed Delegation from the People; Any Power Taken Without Such Delegation Is Overreach and Constitutes Usurpation" underscores the bedrock belief that all legitimate governmental power is derived from the express consent of the People. Government exists solely to serve as a custodian of the powers delegated to it by the People. This delegation must be explicit, limited, and continuously accountable, with any expansion or assumption of power beyond these bounds considered an illegitimate act of usurpation and a betrayal of the trust of the governed. This principle, deeply rooted in American constitutional and philosophical traditions, safeguards liberty and prevents government overreach.

Founders' Intent and Supporting Citations:

- **James Madison, Federalist No. 45:** Madison emphasized that "The powers delegated by the proposed Constitution to the federal government are few and defined." This reflects the Founders' intent that governmental authority be strictly limited to what has been expressly delegated by the People, with all remaining powers reserved to the states or the People themselves.
- **Thomas Paine, *The Rights of Man*:** Paine wrote, "All power exercised over a nation must have some beginning. It must either be delegated or assumed. There are no other sources. All delegated power is trust, and all assumed power is usurpation." This succinctly delineates the distinction between lawful, delegated authority and unlawful, assumed power.
- **St. George Tucker, *Blackstone's Commentaries* (Vol. 1, Appendix Note B, Section 3, 1803):** Tucker stated, "If in a limited government, the public functionaries exceed the limits which the constitution prescribes to their powers, every act is an act of usurpation in the government, and, as such, treason against the sovereignty of the People." This powerful assertion reinforces that any breach of delegated authority constitutes a direct violation of the public trust.

Nature of Delegation of Power:

1. **Governmental Powers Cannot Be Delegated by Government:**
 - **Maxim of Law:** "A delegated power cannot be delegated" (*Delegata potestas non potest delegari*). This principle ensures that once the People have delegated power to a specific branch or position of the government, the government cannot further delegate that power or alter its scope without the express consent of the People.
 - **Massachusetts Constitution, Part the First, Article V:** This provision asserts that the People "have the sole and exclusive right of governing themselves as a free,

sovereign, and independent State," reaffirming that any delegation of governmental power originates solely from the People.

2. **Governmental Powers Cannot Be Created from Whole Cloth:**

- **Article IV, Section 4 of the national Constitution:** Guarantees every state a "Republican Form of Government," affirming a government "of the People, by the People, and for the People." This provision prohibits the assumption or creation of powers not expressly delegated by the People.
- **Thomas Paine's Warning:** Paine's admonition against assumed power illustrates that government must trace its authority back to the People's express consent, without fabricating new powers.

3. **Governmental Powers Cannot Be Greater Than the People:**

- **Maxim of Law:** "The derivative power cannot be greater than the original from which it is derived." This establishes that government, as a creation of the People, cannot possess or exercise authority greater than that of the People themselves.
- **Massachusetts Constitution, Part the Second:** Defines the "State" as "the body politic is formed by a voluntary association of individuals... for the common good." This emphasizes that government exists solely by the social compact of the People and must remain limited to this agreement.

Article I, Section 8 Limitations and Examples of Government Overreach:

The national Constitution's Article I, Section 8, enumerates the specific powers granted to Congress. This serves as a clear limitation on legislative authority, with any actions or statutes enacted beyond these explicit grants constituting an overreach and violation of the Constitution:

1. **Federal Regulatory Overreach:** Federal agencies enacting regulations that impact purely intrastate commerce or individual behavior often exceed Congress's enumerated powers, infringing on state sovereignty and individual liberties.
2. **Abuse of Spending and Taxing Power:** The federal government's coercive use of its taxing and spending authority to impose mandates on states frequently represents an overreach of delegated powers, contrary to constitutional limitations.
3. **Emergency Powers Abuse:** Declaring broad "emergency powers" that circumvent constitutional limits exemplifies governmental usurpation beyond the authority granted by the People.
4. **Expansive Executive Orders:** Presidents issuing orders that bypass legislative processes, such as mandates on immigration or healthcare.
5. **Federal Education Oversight:** The Department of Education enforcing national standards on states despite the Tenth Amendment.
6. **Unilateral War Decisions:** Engaging in conflicts without congressional approval.
7. **Bureaucratic Overreach:** Agencies like the EPA implementing wide-reaching environmental policies without explicit authorization from Congress.
8. **Mandated Use of Digital Currencies:** Moves toward federal control of digital currency without public debate or approval.

The Elastic Clause (Necessary and Proper Clause) as a Source of Abuse:

- **Intended Purpose:** The Necessary and Proper Clause was designed to enable Congress to carry out its enumerated powers, not to justify expansive or unchecked authority.
- **James Madison's Warning:** Madison cautioned that broad interpretations of this clause could lead to dangerous expansions of government power, undermining constitutional limits and violating the People's expressed delegation of authority.

Historic Context and Evidentiary Authorities:

- **Common Law Maxim:** "All political power is inherent in the People." This maxim emphasizes that governmental power originates exclusively from the People's consent, and any exercise of power without such consent is illegitimate and constitutes overreach.
- **John Locke, *Second Treatise of Government*:** Locke asserted that "As usurpation is the exercise of power, which another has a right to; so, tyranny is the exercise of power beyond right, which nobody can have a right to." This underscores that any exercise of power not explicitly delegated by the People is both usurpation and tyranny.
- **Declaration of Independence:** The Declaration asserts that governments derive "their just powers from the consent of the governed," underscoring that any power exercised without the consent of the People is illegitimate.

Summary:

This constitutional principle serves as a bulwark against government overreach, ensuring that all power exercised by public officials is explicitly granted by the People and remains confined to the limits set by the Constitution and higher laws. The government, as a derivative institution, cannot possess powers greater than those of its creators, the People. When it exceeds its delegated authority, it engages in usurpation, betraying the trust placed in it by the sovereign People [*Chisholm v. Georgia*, 2 Dallas (U.S.) 419, 471-472 (1793)]. Strict adherence to this principle preserves individual liberties and maintains the integrity of constitutional governance, grounding all governmental authority in the explicit, expressed will of the People.

Principle #5: All Government officials, as Trustees of the People, are bound by an Oath to uphold and defend the Constitutions.

Explainer Commentary Including Founders' Intent and Historic Context

The principle that "Government Officials, as Trustees of the People, Are Bound by an Oath to Uphold and Defend the Constitutions" underscores the solemn duty of public servants to serve as stewards of the public trust. This duty, assumed through election or appointment, imposes a binding obligation to preserve, protect, and defend the original organic Constitution of A.D. 1787 and, where applicable, state constitutions. The oath of office is more than a ceremonial formality; it is a sacred promise to adhere to constitutional principles and defend the liberties and governance framework enshrined by the People. Public officials' actions must consistently reflect their commitment to the Constitution, ensuring that they act as protectors of the People's Rights and the Republic's stability.

Founders' Intent

The Founding Fathers recognized that binding public officials to their constitutional duties was critical for safeguarding liberty and preventing tyranny. This belief is enshrined in the national Constitution, which explicitly requires an oath of office. **George Washington**, the first President, exemplified this commitment when he stated, "The Constitution is the guide which I never will abandon." This sentiment emphasizes the expectation that every government official remains steadfastly loyal to the constitutional order and the liberties it enshrines.

James Madison, often called the "Father of the Constitution," highlighted the importance of public accountability and fidelity to the Constitution, stating, "A dependence on the People is, no doubt, the primary control on the government." This dependence and accountability are reinforced through the binding nature of the oath, ensuring that public officials recognize their role as trustees and servants of the People, sworn to uphold constitutional limits.

Historic Context and Evidentiary Authorities

- 1. Oath of Office Requirement (Article VI of the national Constitution):** Article VI explicitly mandates that all federal and state officials "shall be bound by Oath or Affirmation, to support this Constitution." This requirement emphasizes that public service is conditioned upon a commitment to the constitutional framework, making adherence to constitutional principles a non-negotiable fiduciary duty.
- 2. Maxims of Law:**
 - **"Public office is a public trust."** This maxim underlines that public officials are trustees of the public interest and must act with the utmost fidelity to their constitutional responsibilities.
 - **"No man ought to be a judge in his own cause."** This principle prevents officials from acting in self-interest or beyond their delegated authority, reinforcing their obligation to act within the constitutional framework.

- **"There is no stronger link or bond between men than an oath."** (*Jenk. Cent. Cas. 126; Id. p. 126, case 54*) This maxim underscores the seriousness and binding nature of an oath, highlighting its unique role in creating an unbreakable bond of trust and accountability.
 - **"It is immaterial whether a man gives his assent by words or by acts and deeds."** (*10 Coke, 52*) This principle demonstrates that an official's commitment to their oath extends beyond words to their actions and decisions.
3. **The Federalist Papers:** In **Federalist No. 44**, James Madison articulated that the oath serves as a safeguard to ensure that government officials operate within constitutional limits. He emphasized that officials must be bound by their oaths to prevent arbitrary actions and ensure the preservation of the republic.

Examples of Government Overreach

1. **Corruption Cases:** Numerous public officials accepting bribes or engaging in fraudulent practices.
2. **Judicial Activism:** Judges interpreting laws beyond their original constitutional intent to push personal ideologies.
3. **Failure to Uphold Immigration Laws:** Federal officials refusing to enforce existing immigration statutes.
4. **COVID-19 Overreach:** Governors imposing restrictions exceeding their constitutional authority.
5. **Gerrymandering:** Manipulating district boundaries to benefit specific political parties at the expense of fair representation.
6. **Ignoring Constitutional Limitations:** When government officials enact or enforce laws that exceed their constitutional authority, such actions breach their sworn duty. For example, enacting policies that infringe upon constitutionally protected rights, such as freedom of speech or due process, violates their oath to uphold the Constitution.
7. **Abuse of Emergency Powers:** Using emergency powers to suspend constitutional rights without clear, delegated authority is a breach of the oath and undermines public trust.
8. **Failure to Defend Against Domestic Threats:** When officials neglect their duty to protect citizens' rights or misuse their office for personal gain, they violate the public trust and their constitutional oath.

Citations Supporting the Principle

- **Article VI of the national Constitution** establishes the binding nature of the oath or affirmation for all public officials, emphasizing their duty to uphold constitutional principles.
- **George Washington's declaration** serves as a timeless reminder of the personal commitment and unwavering loyalty required from officials to prioritize the Constitution above all other interests.
- **John Locke's Philosophy:** Locke's "Second Treatise of Government" asserts that government is a fiduciary power held in trust by public servants for the good of the People, emphasizing that officials are accountable to the public through their sworn commitments.

FOUNDATIONS OF JUSTICE: A Treatise on the Eight Immutable Principles of American Law and Governance

- **Emer de Vattel's "The Law of Nations"**: Vattel highlights that public officials act as trustees of the public trust and are bound to act within the limits of their authority to protect the public good.

Summary

The binding nature of the constitutional oath taken by government officials is more than a symbolic gesture; it is a foundational safeguard that ensures public officials remain accountable to the People, uphold constitutional principles, and protect individual liberties. Through their oaths, officials become custodians of the Republic, responsible for preserving the rule of law and maintaining the trust placed in them by the People they serve. The Founders intended for this oath to bind officials in conscience and action, ensuring a government that serves the People and operates within its delegated authority.

Principle #6. When the Government Acts Beyond Its Legitimate Powers or Becomes Oppressive, It Is the Duty of the People to Resist, Reform, or Abolish It.

Explainer Commentary Including Founders' Intent and Historic Context

This principle asserts that when a government exceeds its legitimate powers or becomes oppressive, the People not only have the right but also the duty to resist, reform, or abolish that government. This foundational tenet is rooted in natural law and has been enshrined in the American tradition, drawing heavily on the philosophies of enlightened political philosophers, and the experience of colonial oppression. The idea is predicated on the belief that governments are established to protect the inherent rights of the People. When governments fail in this role or become tyrannical, they lose their legitimacy, and it becomes necessary for the People to restore constitutional order and justice.

Founders' Intent

- **Declaration of Independence:** The Declaration states that "whenever any Form of Government becomes destructive of these ends [Life, Liberty, and the pursuit of Happiness], it is the Right of the People to alter or to abolish it, and to institute new Government." This declaration reflects the Founders' conviction that government derives its legitimacy solely from the consent of the governed and exists to protect their rights. When it no longer fulfills this purpose, the People have the right—and duty—to change or abolish it.
- **Thomas Jefferson:** Jefferson emphasized the need to resist tyranny and preserve liberty. He famously wrote, "The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants." This underscores his belief that vigilance and action are necessary to defend freedom against oppressive rule.
- **Federalist Papers:** James Madison, in *Federalist No. 46*, highlighted that the People retain ultimate authority over the government and can resist any encroachments upon their rights, whether by elected officials or government institutions.
- **Massachusetts Constitution, Part the First, Article VIII:** This provision states, "The People have a right to cause their public officers to return to private life and to fill up vacant places by regular elections and appointments." This enshrines the People's right to remove officials who have become oppressive.

Historic Context and Evidentiary Authorities

- **John Locke, Second Treatise of Government:** Locke argued that when legislators or rulers attempt to "reduce [the People] to slavery under arbitrary power," they forfeit their authority and "put themselves into a state of war with the People, who are thereupon absolved from any further obedience." Locke's social contract theory directly influenced the Founders, asserting that the People have a right to resist and overthrow oppressive governments.

- **Emer de Vattel, The Law of Nations:** Vattel stated that when a sovereign government becomes tyrannical and ceases to protect the rights of its citizens, it is not only the right but also the duty of citizens to resist and, if necessary, overthrow that regime to restore justice and order.
- **Baron de Montesquieu, The Spirit of the Laws:** Montesquieu emphasized the dangers of unchecked power and advocated for checks and balances to prevent government overreach. He argued that when power becomes oppressive, the People have a duty to act to restore balance and protect their liberties.

Examples of Government Overreach and Justifications for Lawful Resistance

1. **Suppression of Civil Liberties:** Government actions that infringe upon freedom of speech, press, religion, or assembly constitute a breach of fundamental rights, justifying resistance and redress.
2. **Unlawful Seizure of Property:** Arbitrary confiscation of private property without due process is a violation of both Natural and Constitutional Rights and must be corrected by the People.
3. **Excessive Executive Power:** When executive actions exceed constitutionally delegated powers, it represents a breach of authority, requiring the People to resist and reform such overreach.
4. **Criminalizing Protest:** Arresting peaceful protesters or imposing harsh restrictions on gatherings.
5. **Weaponization of Law Enforcement:** Using federal agencies to target political opponents.
6. **Suppression of Electoral Transparency:** Resistance to election audits or voter ID laws undermines accountability.
7. **Censorship of Redress Movements:** Silencing activists or movements advocating for government reform.

State Constitutions and Additional Support

- **Fifty State Constitutions:** Many state constitutions explicitly affirm the right of the People to alter or abolish their government when it becomes destructive of their rights. For instance, the Virginia Declaration of Rights asserts, "all power is vested in, and consequently derived from, the People;... and that, when any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, unalienable, and indefeasible right to reform, alter or abolish it."
- **Historical Precedent:** The American Revolution exemplifies the People's exercise of their right to resist and overthrow oppressive rule, illustrating that governments exceeding their bounds must be reformed or abolished to protect justice and liberty.

Summary

This principle is a cornerstone of American governance, affirming that government exists solely to serve and protect the People's rights. When it fails to do so, the People have a moral and natural duty to resist, reform, or abolish oppressive institutions, reclaiming their sovereignty and restoring justice. The writings of Enlightenment thinkers, the Founders' own declarations, and the enduring influence of natural law underscore the irrefutable nature of this right and duty.

Principle #7: That the People are the ultimate arbiters of justice, and they Alone Can Indict and Convict Are empowered to hold government accountable at all times.

Explainer Commentary Including Founders' Intent and Historic Context

The fundamental principle of American jurisprudence that "**It Is the People Alone Who Can Indict and Convict**" is deeply enshrined in the foundations of American governance, reflecting the Founders' recognition of the inherent sovereignty and authority of the People in matters of justice. The Founders understood that ultimate power does not rest in government officials or their agents but resides solely with the People. Processes of indictment and conviction must therefore be carried out through direct Citizen participation, and oversight, manifesting through grand and petit juries, or through representatives acting strictly in accordance with the People's will.

Founders' Intent and Founding Era Documents

The centrality of controlled by the People is evident in the explicit protections afforded by the **Fifth Amendment** to the U.S. Constitution, which mandates that "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury." This provision places the power of indictment firmly in the hands of the People, serving as a bulwark against arbitrary government prosecution and ensuring accountability.

The **Declaration of Independence** articulates a key grievance against King George III for "depriving us in many cases, of the benefits of **Trial by Jury**." This complaint underscores the colonists' insistence that only independent citizen juries comprised of twelve Members of the Body Sovereign, i.e. twelve of the People, could justly determine guilt and innocence, highlighting the People's role in safeguarding individual rights against government overreach.

The **Massachusetts Constitution of 1780**, crafted under the leadership of John Adams, enshrines the right to trial by jury as a core element of governance, emphasizing the social compact between the government and the People. It affirms that any act of criminal prosecution must involve the will and judgment of the citizenry to be considered legitimate and just.

In **Federalist No. 83**, Alexander Hamilton extolled the trial by jury, noting that "The friends and adversaries of the plan of the convention, if they agree in nothing else, concur at least in the value they set upon the Trial by Jury." His commentary reflects a consensus among the Founders that juries act as an indispensable check on government power, preventing potential abuses and ensuring that justice remains rooted in the People's authority.

The **Anti-Federalists**, were wary of centralized governmental power; and, consistently championed the right to trial by jury as a critical safeguard. Their writings emphasized that without a robust role for grand and petit juries, the People would be at the mercy of governmental overreach—a condition antithetical to the liberty for which the colonies fought.

Historic Context and Evidentiary Authorities

- **The Virginia Declaration of Rights (A.D. 1776):** Declared that "the ancient mode of trial by jury is preferable to any other, and ought to be held sacred." This reflects the Founding Era belief that only independent citizen juries comprised of the People can ensure impartial justice.
- **Thomas Jefferson:** Emphasized that trial by jury was "the only anchor yet imagined by man, by which a government can be held to the principles of its constitution," highlighting its critical role in restraining government power.
- **John Adams:** In defending the Boston Massacre soldiers, underscored that justice requires impartiality and the involvement of Citizen jurors, asserting that "Facts are stubborn things." He believed that only juries of ordinary Citizens could truly protect individual rights.

Maxims of Law and Foundational Principles of American Jurisprudence:

- **The Maxim of Law: "All political power is inherent in the People"** is enshrined in state constitutions and, is the Foundation of American Jurisprudence.
- **The Maxim of Law: "No man is condemned unheard"**—reflects the right to a fair trial by a jury of one's peers, to prevent government maladministration in any adjudication involving the Life, Liberty, or private Property of one of the People.

Examples of Government Overreach

1. **Prosecutorial Discretion Blocking Citizen-Induced Indictments**
 - **Abuse Context:** Prosecutors often exercise discretion to ignore credible allegations, even when substantial evidence is presented. This undermines the People's role in initiating justice and erodes trust in the judicial system.
 - **Violation of Misprision Laws:** Statutes such as Misprision of Felony and Misprision of Treason impose a duty on officials to report and act on serious crimes. Prosecutorial inaction violates this duty and suppresses the People's ability to seek justice.
2. **Failure to Indict High-Profile or Politically Connected Individuals**
 - **Abuse Context:** Reluctance to charge influential individuals, even with clear evidence of wrongdoing, illustrates selective enforcement motivated by political bias or systemic conflicts of interest.
 - **Impact on Justice:** Such selective application of the law undermines the principle of equality under the law, weakens public confidence, and nullifies the People's authority in ensuring accountability.
3. **Blocking of Citizen Grand Juries**
 - **Abuse Context:** Prosecutors increasingly control or suppress the grand jury process, preventing citizens from independently bringing indictments.
 - **Erosion of Citizen Authority:** By commandeering this process, prosecutors undermine the foundational role of the People as arbiters of justice and eliminate an essential check on government overreach.

4. **Failure to Pursue Evidence of Government and Corporate Malfeasance**
 - **Abuse Context:** Evidence of governmental corruption, corporate misconduct, or crimes against humanity is ignored due to political motivations or conflicts of interest.
 - **Consequences:** Inaction emboldens wrongdoers, denies victims justice, and weakens the rule of law by prioritizing special interests over public accountability.
5. **Administrative Courts Bypassing Jury Trials**
 - **Abuse Context:** Using administrative tribunals to resolve disputes strips citizens of their right to a jury trial and denies due process.
 - **Impact:** This bypass erodes public participation in justice, concentrating power in unelected bureaucracies.
6. **Mandatory Arbitration Agreements**
 - **Abuse Context:** Forcing individuals into private arbitration processes removes disputes from public courts, denying transparency and citizen oversight.
 - **Consequences:** These agreements often favor corporations or governments, undermining fairness and public trust.
7. **Criminal Justice System Bias**
 - **Abuse Context:** Political favoritism skews prosecutorial decisions, leading to inconsistent application of the law based on ideological or partisan alignment.
 - **Impact:** Such bias compromises the integrity of the criminal justice system and undermines the People's trust in equal justice.
8. **Erosion of Jury Nullification**
 - **Abuse Context:** Courts restrict jurors from being informed of their right to nullify unjust laws, diminishing their role in upholding fairness and justice.
 - **Impact:** This suppression limits juror independence and strengthens the influence of unjust legal frameworks.
9. **Federal Control Over Local Justice**
 - **Abuse Context:** Nationalizing criminal laws infringes on state and local autonomy, undermining the constitutional principle of decentralized governance.
 - **Consequences:** Federal overreach disempowers communities and diminishes the People's influence in administering local justice.

Citations Supporting the Principle

- **"Trial by jury [is] the inherent and invaluable right of every British subject in these colonies."** — Resolution of the Stamp Act Congress, 1765
- **"The inestimable privilege of trial by jury in civil cases is conceded by all to be essential to political and civil liberty."** — Justice Joseph Story

Summary

This principle serves as a cornerstone of American liberty. By ensuring that the People alone retain the power to indict and convict, the Founders established a vital safeguard against tyranny, securing justice and preserving individual rights through citizen-led processes. Any encroachment on this power undermines the People's sovereignty and weakens public trust. Upholding this principle requires vigilance to ensure that prosecutorial authority remains true to its original purpose, anchored in the express delegation of power from the People and serving justice impartially and transparently.

Principle #8. The Court Can Only Declare What the Law Is and Whether It Is Consistent with Divine Law, Fundamental Law, or Constitutional Law

Explainer Commentary Including Founders' Intent and Historic Context:

The fundamental principle of American Jurisprudence that "The Court Can Only Declare What the Law Is and Whether It Is Consistent with Divine Law, Fundamental Law, or Constitutional Law" strictly limits the judiciary's function to stating and applying the law as it is plainly written, consistent with its original intent, and within the constraints of higher moral and constitutional principles. The judiciary's role is not to reinterpret or modify laws based on the subjective opinions of a judge or magistrate, but to ensure that the laws adhere to the foundational norms set forth by divine law, natural law, and the Constitution itself. This approach protects the rule of law and upholds the People's rights against government overreach and arbitrary reinterpretation.

The Founders envisioned a judiciary constrained by the original meaning of the Constitution and laws, as articulated by Chief Justice John Marshall in *Marbury v. Madison*: "The duty of the judiciary is to declare what the law is." The courts are bound to a declarative role, focusing solely on whether Laws align with established constitutional and moral norms without creating new legal doctrines or expanding interpretations beyond their intended meaning. This view is echoed in legal maxims such as, "A court can only declare what the law is, and whether consistent with the law of God, and the fundamental or constitutional law of society," emphasizing that judicial actions must conform to pre-existing higher laws.

Thomas Jefferson's insight on the simplicity and accessibility of law further underscores this principle: "Laws are made for men of ordinary understanding and should, therefore, be construed by the ordinary rules of common sense. Their meaning is not to be sought for in metaphysical subtleties which may make anything mean everything or nothing at pleasure." This statement emphasizes that laws must be understandable and apply common sense without being clouded by complex interpretations. The judiciary, in its limited role, ensures that laws remain consistent with their original intent and are accessible to all people.

The judiciary's primary role, as envisioned by the Founders, is to interpret and apply the law strictly as written, ensuring it aligns with higher moral and constitutional principles without subjective reinterpretation or the creation of new legal doctrines. As Chief Justice John Marshall asserted in *Marbury v. Madison*: "The duty of the judiciary is to declare what the law is." Courts are to remain declarative bodies, restrained from legislating or expanding their own powers. By adhering strictly to the law's original meaning, the judiciary safeguards the People's rights, prevents arbitrary reinterpretation, and upholds the rule of law.

The judiciary's role, as limited by the Founders, reflects the principles articulated by:

- **John Locke and Natural Law:** Locke emphasized the need for all government institutions, including the judiciary, to protect natural rights and adhere strictly to fundamental legal principles.

- **Montesquieu:** Warned against judicial encroachment into legislative functions, emphasizing that such overreach erodes liberty.
- **Massachusetts Constitution, Part the First, Article XXX:** “The judicial shall never exercise the legislative and executive powers, or either of them,” ensuring that courts act strictly within their declarative role.

Examples of Judicial Overreach and Violations of Fundamental Legal Principles

1. **Expansion of “Due Process” Beyond Original Intent:** Courts have expanded “due process” protections under the Fifth and Fourteenth Amendments, creating new rights and restrictions beyond explicit constitutional text. This judicial overreach undermines the separation of powers and deviates from the judiciary's declarative role.
2. **Creation of “Penumbras” and “Emanations”:** Judicial decisions like *Griswold v. Connecticut* invented constitutional rights based on reasoning derived from “penumbras” and “emanations” of explicit provisions. This approach departs from judicial restraint and encroaches on legislative authority.
3. **Redefinition of Traditional Institutions:** Cases like *Obergefell v. Hodges* illustrate the judiciary redefining social institutions such as marriage without clear constitutional authorization, exceeding its declarative role and acting as a policymaking body.
4. **Expansion of the Commerce Clause:** Broad interpretations of the Commerce Clause have enabled extensive federal regulation beyond its original scope, undermining state powers and the Constitution’s intent to limit federal authority.
5. **Ignoring the Binding Nature of Affidavits:**
 - **Courts and agencies dismiss unrefuted affidavits** as insufficient evidence, violating the maxim: "An unrefuted affidavit stands as truth in law."
 - Administrative tribunals favor bureaucratic reports over sworn affidavits, ignoring their binding legal nature.
6. **Disregarding Facts in Sworn Statements:** Facts presented via affidavits are often overridden by hearsay or state-preferred evidence, breaching the maxim: "Truth is best discovered by adversarial hearing."
7. **Denial of Due Process Rights:**
 - **Failure to Provide Proper Notice:** Fines or actions are imposed without notifying affected parties, violating the principle: "Notice is the essence of justice."
 - **Denial of Opportunity to Be Heard:** Procedural dismissals occur without allowing evidence to be presented, contravening the maxim: "No one can be condemned unheard."
8. **Weaponizing Administrative Courts:** Administrative tribunals bypass jury trials, deny due process, and violate the maxim: "No man ought to be deprived of his property without due process of law."
9. **Selective or Biased Jury Selection:** The use of jury wheels and software for selection undermines randomness and neutrality, violating the maxim: "Justice must not only be done, but must also be seen to be done."

10. **Suppression of Grand Juries:** Grand juries are increasingly controlled by prosecutors or sidelined, removing their independence, contrary to the maxim: "The People are the ultimate arbiters of justice."
11. **Civil Asset Forfeiture Without Process:** Governments seize property without proper hearings or due process, violating: "No man ought to be deprived of his property without the law."
12. **Failure to Penalize Perjury:** Courts and agencies fail to enforce penalties for false sworn statements, undermining the sanctity of affidavits as binding instruments.
13. **Emergency Powers and Arbitrary Actions:** Declaring prolonged emergencies without public notice or hearings breaches the maxim: "What touches all must be approved by all."
14. **Judicial Support for Legislative Overreach:** Courts uphold laws that infringe upon natural rights, ignoring constitutional and natural law constraints, such as mandates that violate conscience rights.

Abuse of the Doctrine of Standing: Denial of Remedy and Violation of Legal Maxims

Misinterpretation of "Standing": Courts dismiss valid claims on technicalities, ignoring maxims that *"What is not rebutted stands as truth"* and *"A claim must be answered."* The misuse of the doctrine of standing to deny plaintiffs access to justice violates fundamental legal principles and maxims of law, including:

- **Maxim of Law 59o:** "Law is a rule of right; and whatever is contrary to the rule of right is an injury." Courts, by denying standing, prevent the law from functioning as a safeguard against injury, undermining its purpose and harming those who seek redress.
- **Maxim of Law 94u:** "The law wills that, in every case where a man is wronged and endamaged, he shall always have a remedy." Restrictive interpretations of standing deprive individuals of access to remedies, contrary to this foundational maxim and the judiciary's duty to provide redress for harm.

Historical Context and Founders' Intent: The Founders emphasized that laws must be comprehensible and protect individuals' rights. The Massachusetts Constitution and principles articulated by Locke and Montesquieu emphasize the judiciary's role in safeguarding justice. Restrictive standing requirements that deny access to courts reflect judicial overreach that betrays this mandate, leaving individuals without redress and undermining trust in the judicial system.

Summary

The judiciary's abuse of its declarative role by expanding doctrines, creating new rights, and misapplying restrictive doctrines like standing violates immutable legal principles and Founders' intent. Courts must adhere strictly to the original meaning of the law, provide remedies for all who are wronged, and avoid encroaching on legislative functions. By doing so, the judiciary upholds the rule of law, protects against government overreach, and ensures justice remains accessible, fair, and consistent with the People's will.

Final Thoughts:

The "Foundations of Justice: The Eight Immutable Principles of American Law and Governance" encapsulate the essence of America's founding vision—a nation built on divine, natural, and constitutional law that upholds the sanctity of individual rights and limits government authority. These principles affirm that all legitimate power flows from the People, and the government's role is to serve as a protector of their inherent, Creator-endowed liberties. When any branch of government exceeds its boundaries or acts oppressively, it is not merely a right but a duty of the People to take corrective action to safeguard liberty and justice.

By recognizing these timeless truths and adhering to their guidance, public servants are reminded of their solemn oaths, courts are anchored to their declarative role, and the People remain vigilant custodians of justice. These immutable principles offer a perpetual standard to evaluate governance, ensuring that America's foundational commitment to individual freedom, moral integrity, and just rule endures through the generations.

In honoring these principles, we preserve the Founders' vision of a government that exists solely by and for the People, rooted in higher truths and dedicated to protecting the unalienable Rights bestowed by the Creator. Through unwavering dedication to these ideals, we secure a legacy of Justice and Liberty for all.

Call to Action

To achieve this vision, it is imperative that all Americans learn and teach these principles. James Madison recognized the vital importance of knowledge, stating that “a well-instructed People alone can be permanently a free People” and emphasizing the necessity of a “broad diffusion of knowledge.” Similarly, Thomas Jefferson warned, “If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be.” Ignorance is the greatest threat to liberty, and only through widespread education and vigilant understanding can we preserve our freedoms.

We must also work together to “put government back into its cage,” restraining its actions within the boundaries of constitutional authority. As Jefferson declared, “The two enemies of the People are criminals and government, so let us tie the second down with the chains of the Constitution so the second will not become the legalized version of the first.” Our collective Duty is to ensure that the government serves the People, protects their rights, and remains confined by the immutable principles on which this nation was founded. By doing so, we can uphold Justice, Liberty, and insure the enduring Legacy of our Founding Father’s vision.