

Paper #12

Article I, Sec. 1 & The Unconstitutional Administrative State.

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Art. I, Sec. 1, U.S. Constitution, reads: "*All legislative Powers herein granted shall be vested in a Congress of the United States...*"

That one little phrase is of *immense* importance: It means what it says, that only Congress may make laws. Laws are to be made by Representatives whom we have a chance to fire every two years; and by Senators whom the State Legislatures (before the ill-advised 17th Amendment) could fire every six years (or less).

But what has happened is this: Since the time of Woodrow Wilson, Congress began delegating its lawmaking powers to the various agencies within the Executive Branch of the national government. Congress passes an overall legislative framework, and delegates the details to be written by unelected, nameless, faceless bureaucrats in the Executive Agencies. The result is the monstrous Code of Federal Regulations, which takes up some 22 feet of space on library shelves. See: <http://www.gpoaccess.gov/cfr/> Click on some of the titles and have a look around.

Not only did the Agencies within the Executive Branch (revenue, firearms, alcohol & tobacco, education, etc. etc. etc.) start writing "rules" which the Agencies claim have the force & effect of "Law"; these Agencies also created their own enforcement arms (armed swat teams from, e.g., Bureau of Alcohol, Firearms & Tobacco), they also set up their own courts (with "administrative law" judges hearing & deciding cases). Every bit of this is completely unconstitutional. Yet, the law schools teach "administrative law" without comment on its blatant unconstitutionality. The federal courts have approved it, so that's it!

And then, of course, there is the larger constitutional issue that no branch of the federal government has authority under the Constitution to do ANYTHING about alcohol, tobacco, education, fuels, health, housing, poverty, CO2, etc., etc., etc.

So! We The People must reclaim OUR sovereign status. WE are the ultimate political power. When our servants disobey us - as all those in the Executive Branch, 99.99 % of those in the Judicial Branch, and 99.99% of those in the Legislative Branch, have done; it is up to us to call them down for it, lock their heels, and read the riot act to them.

But first, WE must gain a working knowledge of The Constitution. ***Read an Article of the Constitution every day.*** Look up words in Webster's 1828 Dictionary. Look up the concepts in The Federalist Papers.

I'll illustrate: When I was in law school, we studied the "interstate commerce" clause. Our "study" consisted of reading U.S. Supreme Court opinions culminating in the notorious Wickard v. Filburn (1942) case. See: <http://publiushuldah.wordpress.com/category/interstate-commerce-cla...> The message taught in law school is that the "interstate commerce" clause means whatever the Supreme Court says it means; and to "keep up" with "the law", one must read all their interstate commerce clause cases as they come out. This is quite an undertaking! One really has to be a lawyer to do this. ***Thus, the "Law" and The Constitution were taken away from the People!***

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But one day it occurred to me to find out the "original intent" of the "interstate commerce" clause. Using the index and the collated copy of The Constitution in my edition of The Federalist Papers, I quickly found Federalist No. 42 (paras 8-10), No. 45 (paras 9-11), & No. 22 (4th para). These explained the original intent of the "interstate commerce" clause and it took 15 minutes to figure it out. **THIS** is how **WE** find out what the Constitution means. **YOU** can do this as well as I. **THIS** is how **We The People** reclaim **Our Constitution**. It is **OURS**, and we must **TAKE IT BACK** from the federal courts.

Do not allow anyone to tell you that you must read this or that incoherent writing of this or that professed "intellectual" to understand The Constitution; and that if you do not understand the incoherent writing, then you are just too stupid to understand the Constitution. That mind-set is poison and is the mindset which has already separated Us The People from **OUR Constitution**.