

FOUNDATIONS OF WAR POWERS

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INTRODUCTIONS

A note about the researchers who contributed to this compilation of work...

Approximately six years ago, several years after meeting with Dr. Eugene Schroeder, up until that time, the proponent of War Powers, I became obsessed to understand how the current government in the United States gained power and usurped the Constitutional government from the people. I believed that only when we understood, as best we could, what had happened to us, why the law doesn't work for us, why we have to work to support those who don't, why we are in a constant "war", would we ever be able to understand how to get our promised land back. I soon learned that it didn't start in 1933 with FDR, as Schroeder had believed. It started long, long before that. It started before the Civil War.

It turned out that my son, Crae Robert Pease, sometime in the beginning of this quest, was between jobs, and since he is a fine researcher and a history buff, I hired him to track down the source of the usurpation. He read newspapers, looked at a lot of microfiche and finally we were able to lay our hands on the William Whiting book, War Powers under the Constitution of the United States. This book became his bible and the source for most of what he learned.

Most of what I know now, I learned from listening to Crae, but I have learned volumes from reading the Statutes at Large, the "laws" passed by Congress. Of course, I knew what I was looking for, for the most part, because of the clues furnished me by Crae. The object, for me, was for him to ferret out the source of the ills that now beset our country, and then he would chronicle it in a book. The book has never happened, although I consider Crae one of the foremost experts on War Powers in the United States, but hopefully he now will have the impetus to write what he knows.

At the same time all this was going on, I belonged to a group of researchers who, several times a year, met at Marland, Oklahoma, under the roof of Dan Meador. My particular realm of research was, of course, War Powers, and the others had their particular niche. The second time I was there, several of them asked more questions, and eventually, some of them came to believe that the War Powers are the base and bane of our current situation.

Among them, Marcia Doerr, whose forte is vast and varied, but from my perspective, I would say her expertise is most formidable in commerce. She understands it very well and has used it effectively. When she caught on to the War Powers thing, she teamed up with us and has been hot on the trail ever since. The fact that she was willing to physically come here to Austin and organize us into action is the reason you are reading this now. She is amazing.

Ralph Winterrowd in Alaska! An incredible man and a master researcher. He has tracked down oaths, or non-oaths of office, contracts, obscure regulations, all manner of pieces to the puzzle to make all of "their" machinations more visible and understandable. He is unstoppable and has uncovered all sorts of documents for us to better understand this plot.

Jack Cohen in Washington, the man I call on when I want something written in the style of Thomas Jefferson. A researcher with an incredible ability to teach, who has delved into parts of the Internal Revenue Code that most of us never want to see or know about.

And many others. A crumb here, an insight there, but, behind it all sits War Powers. That thing that has used us and abused us, stolen our substance, kept us captive, and enslaved an entire nation of people who believe or believed themselves to be free. This disk is meant to educate each and every one of you who is curious enough to want to learn.

Dessie Maria Andrews

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SOURCE MATERIAL

In the beginning of my research for this book, I relied on old newspaper accounts. Some of the papers I read were the New York Times, the Richmond Sentinel and the Atlanta Journal. However, there is about a four month gap in the coverage of the newspapers during the early years of the Territorial War. March 1861 to June 1861. I attempted to have micro fiche sent to the local libraries, but was told these months could not be located. So, it is only conjecture about what transpired during the time period for which the newspaper accounts cannot be found.

Unlike today, most newspapers during the 1860's reported more honestly and without apparent partisan editorializing. Interestingly enough, Salmon P. Chase owned The New York Times and Horace Greeley was the editor. Since Chase vied with Lincoln for the Republican nomination, Lincoln was never presented in a favorable light, although Mr. Chase's exploits were reported as those of a noble man. The reports in his newspaper appear to be biased, hateful and politically motivated against his enemies and glowing with praise for him and his friends. Even then the press appears to have had bias.

Most of the details about War Powers, however, came from the book [War Powers Under the Constitution of the United States](#) by William Whiting. Whiting was the Solicitor General of the War Department under Lincoln, and probably co-author of the Emancipation Proclamation. His book was written as an explanation to an angry public after the cessation of hostilities when it became apparent the lives of the American people would never be the same.

It is from his writings that we trace the roots of the slavery of all Americans to the present.

The only good note I find is: If we understand how we got here, we'll have the knowledge to get out.

Crae Robert Pease

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INTRODUCTION

To understand the magnitude of the lies that have been ingrained in us since birth, we, the people of America, currently living in mostly invisible shackles need to understand where we came from and what we have become. In order to do this, we have to understand the facts as they happened. Not the “history” we have been taught. I have come to believe that history is a fiction written down in books and taught in school in order to funnel us into the positions best suited to our masters. Nothing is new under the sun and slavery is as old as time.

America!! I always get goose bumps when I think about the word. America!!! Land of freedom. Home of the brave. That's who she was. Would have been, could have been, should have been, and I believe, will be again. If enough of her people understand what has happened and overcome the mighty war machine that has been placed in front of them, then we too can stand up to the juggernaut and face it down. Just as David slew Goliath, and that single Chinese student stood defiantly in front of that huge tank and forced it to halt, we too can once more let Freedom ring in this great land. We first have to learn what really happened and then we can, man by man, woman by woman wrest Freedom once again from this mighty, many-tentacled government corporation that has us chained to its production line.

The authors of this book spent much of their adult life living outside this country. A most unique and enlightening viewpoint. You see, propaganda is a tool used by the country in which you reside in order to help you follow the line of least resistance. This is done country by country. So, living when living in Germany, the Germans don't care if the truth about the United States is on their television or in their papers. They don't doctor the truth when it doesn't impact their own policies or peoples. Thus, living outside the fish bowl allows a very different viewpoint from the one fed to the people in their own land.

The powers behind the media, the main source of information for the majority of the men and women in any land, are very clever. All that is printed or reported follows the line laid down by the masters who control us. Books such as this one never get published by the mainstream publishing companies. It is not the information that “they” want given. We are not going to attempt to name the “theys” who have led us to point. It would be a guessing game and isn't really important. The fact of the matter is, we have been led down a path to slavery, but we don't have to stay on it. There is always a fork in the road. It is our wish that when you read this book and if you believe what we have written, that you will have the tools necessary to pick up your slingshot and slay the giant. This isn't a battle that can be won en masse. You can't through your actions, set your neighbor free. You can't wait for someone else to give you the keys to freedom. Only through your own efforts can you breathe the air, smell and taste the thing that is FREEDOM.

Dessie Maria Andrews

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PROLOGUE

January 7, 1999 USA TODAY quoting Former Secretary of Labor Robert B. Reich.

"The dirty little secret is that both houses of Congress are irrelevant." Reich pointed out that, "America's domestic policy is now being run by Alan Greenspan and the Federal Reserve," and "America's foreign policy is now being run by the International Monetary Fund." He also noted that "when the President decides to go to war, he no longer needs a declaration of war from Congress."

When I began my research on War Powers, I was a complete man, who having been raised as an American, took pride in the achievements of my forefathers and their bravery. I am from out west and believed in the American dream of individual accomplishment and the virtues that a free society has to offer.

My assignment was to research how we, as Americans, became enslaved; where it started, how it was implemented and how it now affects our daily lives.

I started my research and as I furrowed through microfiche and fragile ancient newspaper articles, my world was laid bare before me. My solemn belief in the saintliness of Mr. Lincoln, the Great Emancipator, lay shattered with every turn of the page. Gone was the ideal of a noble man bent on preserving the greatest democracy that the world had ever witnessed. Gone was the childlike worship of a man who for me stood as a symbol of virtue and right in the face of unbelievable crisis. No longer could I ignore the facts as they raced across the contours of my mind, filling me with cold dread as I perceived the reality of Mr. Lincoln's actions. I realized that my sense of loyalty and honor had been indeed misplaced. What I found was every bit as profound and disturbing as waking to find that one's wife has been murdered in bed while one slept soundly by her side. Yes, it was murder, murder of a life filled with the glorious tales of heroism and chivalry of Federal troops quelling a rogue Confederation. Of finally eradicating the vilest of institutions: SLAVERY

Slavery is one of mankind's most insidious and barbaric practices. Since the dawn of time people in positions of power have striven to subjugate those around them. Various methods have been used in the past to accomplish this heinous act. Starting early on, as one tribe pursued the quest of putting their neighboring tribe under their dominion. Booty in those earlier times was limited to the immediate scope of exploitation from the conquered. Grain stored for winter rations, horses for mobility and prestige, and of course the remnants of the defeated tribe, the people for working the fields and performing the daily chores and acquiescing themselves reluctantly to the victor's whims.

This scenario has played itself out countless times throughout the ages as man has evolved. With, in fact, singular regularity, it is one of the most embraced practices of humankind. First brought to use on a massive scale by the Egyptians, whose use of this practice continues to awe the peoples of the world even today. Every year, hundreds of thousands of people flock to Gaza to stare in wonder and amazement at the colossal achievements created by the lowliest of persons, the Slave.

Who among those millions of souls who have viewed these monuments through the centuries has not walked away shaking their heads in wonder at the magnitude and precision of these wonders created by man? Wondrous achievements that to this day stand in testimony to man's talents to construct the improbable. Modern construction methods fall short when viewing these mammoth projects. Even the construction of a relatively small pyramid in today's age of high-tech machines has proven impossible to recreate the detail and accuracy with which the enslaved of ancient Egypt mastered.

If a person were to look back in time and view the passage of human existence, one would find that it is only recently that man has looked into himself and found the courage to unbind the chains of oppression and hold the ideal that slavery itself is an abomination to be eliminated. It would seem at first glance that in the present day that only the backwaters of Africa and Asia still persist in this horrid discipline. But is that accurate? Are not children disappearing from our homes at an alarming rate and being sold into bondage in such places as Japan and Hong Kong as sex slaves at the ages of six or seven years of age? Are we not barraged with the images of rape and torture daily on the evening news? And now the more frequent sight of people running from buildings after a lunatic walks in off the street and commits mass murder? Would this be the price of freedom?

Where in the world does there exist a country without poverty and strife at some level of their society? Where is there a nation which stands confident and without fear of another country intruding or suppressing their values and way of life? One would think that there would be at least one nation on this fragile sphere of ours that would value Freedom. That perhaps in the development of the human species that one country could pull itself out of the quagmire of slavery and extol the achievements that only a free society can produce.

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This seemingly simple concept that was once put to paper in a document called the [Declaration of Independence](#). Words written on parchment that “All men are created equal.” This seemingly simple concept has evolved into a mantra for Third World countries living under the heel of tyranny. But what of the country that invented the concept? Is there a freeman among the citizens of the United States of America? While we sit idly by as we surpass Russia as the country with the highest ratio of people in prison per capita for having not been convicted of any real crime. And what are these crimes? At face value we would be pleased with this arrangement if it were indeed one of fairness and decency. But it is an accord fraught with inequities in the highest form. It is in fact a system that robs people of their very lives for the sake of feeding the government coffers. As I view my country’s accomplishments, I am struck by the singularly obvious acts of aggression that the Government inflicts upon those who do not meet its demands.

Whether it is in the form of not paying two forty dollar gun registration forms that David Koresh forgot to file, or in the form of bombing Slobadan Milosevik for his method of Governing ethnic minorities in Yugoslavia. The response of the Government is virtually the same, to terrorize and destroy that which it deems necessary, so that its will be followed blindly as Washington dictates.

If we are to truly be Americans once again we must understand how and why we now find ourselves bound so tightly to the Federal Government. We must recall that the Great Emancipator, Mr. Lincoln, in his proclamation freed only the slaves in the belligerent States of the South while his policy did nothing for the slaves that resided in the Border States that were under his control. It was only after a Union victory that he finally made his proclamation that he had prepared some months earlier and freed the slaves of the South. It is usually ignored that Lincoln rescinded the Fremont emancipation proclamation issued by that Union general in Missouri that freed the slaves who lived within its borders. At some point we must ask ourselves, “Are We truly Free?” When asked in the cold sober light of reality one can only look at the oppressive nature that the Federal Government has adopted towards it’s own citizens and we are left with the unerring truth that the Government is indeed the true terrorist faction that pervades our society.

If it were not for the diligent efforts of the F.B.I. then there would never have been a bombing of the World Trade Tower. After all, it was their paid informant who supplied both the technical know how and the materials to the poorly organized and poorly funded Islamic group that eventually was blamed in the bombing. Even after the facts came out of the F.B.I. involvement in the bombing it was summarily dismissed because as everyone knows, “They were just doing their job.” That phrase was used extensively by the Nazi hierarchy during the Nuremberg trials and was rejected by that court as a defense. Yet for some reason we now view it quite differently when it is “our” government officials that are caught in the act of domestic terrorism.

It is a sad statement of affairs that the Federal Government has become so intrusive in our lives, with our belief that the Government will protect us from the injuries that others may wish to inflict upon us. Or that only through the Government can we afford to build the highways and bridges to span our great nation. One must always bear in mind that the world has changed considerably from the times when our forefathers said enough of the yoke of tyranny and challenged the mightiest military nation on the Earth at that time. Their resolve was fierce and just, but seemingly insane when viewed in light of the circumstances of the time. We must find the courage in ourselves to remember a time when the Constitution was the Supreme Law of the Land and not the Government. When States made their own Laws and were not governed from the nucleus of Washington D.C. For it is now that we must possess the distinction of becoming a Free People as our Founders intended.

We must venture out of the caves of darkness that we live in and free ourselves as we emerge into the light of freedom. But as we emerge we must also remember that there will be opposition to change as there has always been in times of social transition. For it is not natural for the rulers to cede their powers lightly. It is for future generations that we must plant the seeds of freedom so that they may inherit a country that is worthy of our Founding Fathers visions of a true Democracy that will obey that dictates of the People and not the whims of the Elitists.

This can be accomplished with patience and with unity of thought and of purpose. But it can only be accomplished when people are willing to commit to the purpose of educating themselves and their children. It cannot be accomplished solely by wishing it to be so. There is always the threat of retaliation and of imprisonment, but this exists even without the movement to Peace. The Path to Peace is not tread lightly nor is it a path of certitude. But it is in the end the only true path that an American can follow with any possibility of self-respect.

But, we must also begin to live in the realities that exist and not the fiction that is created by Government propaganda; a perfect example of this propaganda concerns Income Tax. One generation ago our people understood that Income Tax was of a voluntary nature and that it was only instigated as a way to soak the rich and to break-up huge family fortunes such as the Rockefellers and the Vanderbilts. Yet over time more of the

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population began to believe that it was an obligation that the common man owed to the Government. At the beginning of World War II in order to bolster military coffers, the Pentagon asked none other than Walt Disney to assist them in their effort to collect taxes from the average citizens. Disney with his creation Donald Duck implored the American people to pay their Income Tax, not with the most patriotic phrase "It's your duty! Not your privilege." It may seem odd in today's society but it was quite effective at the time because of the war and the amount of peer pressure that a person would feel if they did not do everything in their power to help in the war effort. So because of what began as a patriotic gesture to help with the war effort people continued to pay even after the hostilities had ended. Because they had entered into a binding contract.

This is a prime example of the odd things that are done to the American people during different phases of government need and expediency. There are numerous more examples that I will use in my book, I hope that you find it readable and perhaps you will glean some ideas that may help make some of the reasons of what the government does and why they do it more understandable and applicable to today's social ills.

Crae Robert Pease

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CHAPTER 1. THE SIGNIFICANCE OF WORDS

Before we begin our journey from freedom to slavery, a few explanations are in order. First, every word has its own importance. We have become enslaved by the use of words. Never again look at a word and ASSUME that it means something. Three good dictionaries to use are Black's Law Dictionary, the older the better, as the laws change by definition, and a Black's Third edition is much different than a Black's Seventh edition. Beauvoir's 18__, and an old Funk and Wagnall's or a Webster's or Britannia. One can learn a lot about the law if you will take the time to study definitions.

The references in this book will be to *America, the land*. This is the land in which most of us think we live. However, America, the cradle of freedom, the hope for humanity, is a myth that exists in our minds. We actually live in the *United States*. This is a fictional entity, a corporation, which has taken control of our destinies and dictates how we live. The difference between America and the United States is as night and day. Yet, we have been conditioned to believe we live in the America land of the free. And we do, as long as we accept the fiction, the world that for us is Oz.

Question everything... every word, every phrase. Become good and intimate friends with your reference guides. Your world and its views will change once you learn to understand words as your masters define them.

In the beginning, America was not settled as the land of the free. The first voyagers to her shores, the people we have come to know as colonists, were hired to come to this land and exploit her natural resources, establish trade with the indigenous peoples. In exchange, one of their benefits was to be able to worship in whatever manner they saw fit. But make no mistake, this was a business venture. Many of the first colonists were indentured slaves sent to this unexplored, savage land to work off their servitude. They were expendable. The cost of doing business.

The first "colonists" who came for freedom were those who sailed on the Mayflower and came ashore at Plymouth Rock. These were men and women seeking religious freedom in a new land. The first of the "Freedom fighters".

One of the exceptions to the charters was William Penn. It was the custom in England for the king to bestow land upon the nobles in exchange for favors done for the king. Also, it was an effective method of controlling the far flung masses of the poor, as the new Lord took control of the distant land, and the king didn't need to expend his efforts to quell unrest and riots in places he had seldom or never seen.

William Penn, the son of a wealthy Admiral, who, during his studies at Oxford University, became a Quaker, was sent by his father to County Cork in Ireland to manage his father's estates. He wrote several books on his beliefs and religion, was imprisoned both in Ireland and England, and finally, after his books were causing great havoc in England, was given a grant of land in the America in payment of a debt owed to his father by the crown. The grant of land given him, Pennsylvania, was larger in land mass than the land from which he came, England. It was here that Penn wrote his Charter of Rights, a model for the future Constitution of the United States.

The others in the chartered colonies met and endured great hardships. They, of course, persevered and eventually prospered. Due to extreme distance between America and England, the grip of the Crown began to ease. The colonists more and more had to make their own decisions, the orders from England grew fewer. This germinated a condition never before known on this earth. Indentured men and women, no better than serfs or slaves, so far from the reach of the enslaver that they had to, by necessity, begin to think and act for themselves rather than at the bidding of another. They became responsible for their own destiny. Independent. Free.

When George III finally got around to imposing his control again on these colonists, in the form of a tax, they would no longer take direction nor bend their knees to a monarch that, for them, existed no more. When George finally sent his troops to subdue the masses and yoke them back in, it was too late. These were men and women who were no longer meek, docile servants of the King. These people were tough as nails. They were Americans. When the troops landed and the Revolutionary War began, these people fought as no people had fought before. They were cunning and sly and fought a guerilla war. They knew their land and the British didn't. The British marched in order and fought woodenly, as pieces placed on a chess board. The way wars had always been fought. Americans sniped and ran, and when the British struggled back into the nearby towns after having been decimated by hidden gunmen, the blacksmith, who hours before had been hidden in the woods shooting at a massed force, was innocently back at his forge, having seen and heard nothing. This constant sniping, this invisible enemy, this drain on the royal coffers finally caused George to surrender and withdraw his troops. The colonists were on their own. They had won their freedom.

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We are taught that their legacy has been passed to us unencumbered. We have been taught lies. The [Constitution of the United States](#), which few people in this land have read, is a document which DENIES AND LIMITS government powers. It enumerates ONLY what the government can do. It specifically states that all other powers not so enumerated lie in the hands of the people and in state's rights. The Founding Fathers did what they could to contain the monster that government can become. They relegated its power to a ten mile square area, Washington, D.C. They laid the foundation of a Republic, one where the few represent the wishes of the many. It was their hope that the power lay with the people, who could control the government within their own states, and so there would be no need for a large central government. The Federal government was to deal only with those issues which the individual states could not. Borders, treaties with other countries, imposts, exports, imports, standardization of weights and measures, and unification of things common to all the states.

What would those men think now if they could see what the United States has become? What Americans didn't understand in their rush to become United States Citizens, was that each succeeding generation had to work as hard and be as diligent as the originators of this land. But, we've rested on our laurels, and lost our independence. We now have a giant Oz at our head telling us once more what we can and cannot do. How many times do we hear, "It's the law."? But, is it really? Let's go back in time and see how we really got to where we are today.

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CHAPTER 2. BACKGROUND TO WAR

Eighty years after America achieved her independence, the plans had been laid to change the structure of the government. Originally, the plans for change called for a peaceful transition, but not everyone was cooperating with the impending take over of America. The Southern states, in particular, took umbrage at forced reconstruction.

Reconstruction: Act of constructing again. It presupposes the non-existence of the thing to be reconstructed, as a non-entity. That the thing before existing has lost its entity. Also the name commonly given to the process of reorganizing, by acts of congress and executive action, the governments of the states which had passed ordinances of secession, and of re-establishing their constitutional relations to the national government, restoring their presentation in congress, and effecting the necessary changes in their internal government, after the close of the civil war.¹

The Federal government, (the Northern, industrial states), was increasingly forcing its political will upon the Southern states. The Southern states had achieved an economic system based on agrarian principles, and had established international trade for their products. They were self-sufficient. The North, on the other hand, had taken the industrial route, whereby they needed raw materials to produce their end product. The government was creating laws whereby the Northern states would receive raw material at less cost than was previously possible. This, in effect, put an economic stranglehold on the Southern states, which forced them to sell to the North for far less than they could receive from international clients. The Southern states, in response, began selling more of their products abroad, rather than absorb the loss of selling to the Northern states. The Northerners found this an unacceptable situation because they had lobbied to have these laws enacted to force the South to subsidize their industry.

This strategy had been slowly implemented over a period of a decade. The slow strangling of the South by laws designed for this purpose accelerated the animosity between the agrarian society and the industrial corporations. Accordingly, the Southerners felt more and more ostracized by the government in Washington, and found the laws to be taxation without representation. The pressure was applied until the South finally snapped.

In October 1860, the Congress of the United States of America adjourned for the last time. Because of the impending election in November, they adjourned early to return to their home states. The South so hated the Republican candidate, Abraham Lincoln, that they vowed if he was elected, they would never return to Washington.

Previously, as the Republican Party held its convention in Chicago, a string of events would alter the outcome of the nomination and put Abraham Lincoln at the head of the Republican ticket.

Conventional wisdom held that the Republican nominee would be victorious in the upcoming election, and the nominee for the party would be William Henry Seward of New York. Seward was utterly confident of winning his party's nomination. So confident, in fact, that he wasn't even present at the convention, he left to vacation in England while his political handler Thurlow Weed would push forth Seward's position and complete all of the political wrangling needed in order for Seward to obtain the nomination.

Thurlow Weed was one of the first political bosses in the country to form party allegiances into the machinery that was to become commonplace in the future. It has been said that there was not a politician in the State of New York that didn't owe his office to Weed's benevolence. This included the Governor's office, which had been held by Seward.

Since his election to the office of Senator Seward had rarely strayed from any of Weed's agendas. Unfortunately for Seward, he had erred in his confidence of being the candidate of choice over the dour Abraham Lincoln. While Seward was occupied touring England, his man Weed was losing votes to Mr. Lincoln's more personable political manager David Davis. Davis was a rather portly man much like Weed in appearance, but Davis's style was opposite that of Weed's. Where Weed would wheel and deal in a serious almost extortionate manner, Davis would placate and cajole the delegates to his side. Weed's heavy-handed tactics, while working extremely well in New York, would backfire on him in Chicago.

Weed watched the first balloting, saw that the nomination was out of reach of his man, and immediately set about securing Seward a position in the Cabinet that would befit a man of Seward's experience. Weed brokered a

¹ Black's Law Dictionary, Fifth Edition, page 1144

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deal with Davis and the position of Secretary of State was the end result of Weed's efforts. After the election Davis would be rewarded with a position on the bench of the Supreme Court, a position from which he would render decisions favorable to the Union's position as was to be expected. Lincoln's earlier debates against Douglas had given him the publicity that made him the focal point of the Northerner's feelings of hostility towards the South. Since South Carolina's senators had already vowed to leave the Union if Lincoln were to become the President, the men of the North felt compelled to push the Carolinians to either make good on their threats of secession or to accept the inevitability of being governed from Washington D.C.

It would prove to be a challenge that would alter the country forever. On the third ballot Mr. Lincoln became the nominee of the Union cause and the country moved inexorably towards war. The final ballot in the electoral vote was 180 for Lincoln, John Breckenridge, the southern candidate received 72, John Bell of the Constitutional Party received 39; and Lincoln's long time opponent from the Democratic Party Stephen Douglas received only 12.

When Seward returned from his travels in England, he was understandably upset that his plan had gone so far astray. He needed to consolidate his position with Lincoln and regain ground lost during his absence. His first attempt to win over Lincoln was something of a comical affair. Lincoln remembered when, years earlier, he and Seward had been opposing attorneys in a trial and during the course of the hearing Seward and his colleagues treated Lincoln with little courtesy. Going so far as to dine in the same room with Lincoln without inviting him over to Seward's table, as was the custom of the time. So now it was Lincoln's turn and he used the occasion to temper Seward's cabinet recommendations with some of his own less controversial candidates.

Upon Abraham Lincoln's election as President of the United States, the *de jure* delegates of the Southern states refused to convene in Washington on the first Monday of December as Constitutionally mandated, and as a result, the United States has never since that time had a meeting of a Constitutional Congress.

Instead, when representatives were not present in December of 1860, and Lincoln was inaugurated in February of 1861, because, as a clever attorney he knew the law, he understood the significance of Congress not meeting as stipulated by the Constitution. He knew that the Republican form of government was dependent on representation and when the people were not represented there was no government. The result is anarchy. To impose some form of government on the people, one of his first acts as President was to impose martial law upon the land.

Secession had begun.

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CHAPTER 3. WAR POWERS EXPLAINED

War Powers is the cornerstone upon which the United States government has been built, it is a systematic and seemingly irreversible method by which the government can, through time and with the help of Supreme Court decisions, eradicate the constitutional freedoms that our forefathers intended. It is a way that the politicians can and do control the populace without their consent. The basis of War Powers seems simple enough when viewed as a mechanism for waging war. The president is the Commander-in-chief during any crisis that may arise in the war theater, and has the power to determine the objectives that the field commanders will pursue to achieve victory in the hostile area. Through the years since Lincoln declared War Powers to be in effect, the fundamental principles that have governed this awesome power have been subverted in many dangerous and diabolical ways. The original reason that War Powers was declared was because, Lincoln was under fire in the courts and was being sued by a number of people for a variety of reasons. Being a fairly astute corporate lawyer and knowing that the basis for his declaration for hostilities against the South were wholly inadequate, the Supreme Court had already ruled against him in two instances, he did what seemed to him to be the best way out of his dilemma, he invoked War Powers.

Once the declaration was made, all lawsuits became null and void. It made it possible for him to carry out any and all necessary means to affect the return of the Southern states into the Union. This literally meant the suspension of the constitution across the land. He was then free to press the war in and by any means at his disposal without the bothersome burden of proving its constitutionality. He was moving in a direction that would bring him power over, and no meddling from, the citizens of the Union.

He then proceeded unencumbered to suspend Habeas Corpus and began the arrests and detainments that he felt would bolster his seemingly fragile position. When he began this enterprise the Chief Justice of the Supreme Court Roger B. Taney was one of the first to protest this clear and flagrant violation of constitutional privileges. It was Taney who saw clearly that Lincoln had taken the first step towards tyranny. And as history has shown us repeatedly, once a tyrant assumes control, there is very little incentive for the tyrant to acquiesce any power that might weaken his position. Under War Powers the first challenge was to make the populace submit to being ruled from Washington. One of the more interesting aspects of this evolution of the government is covered in the INSTRUCTIONS FOR THE GOVERNMENT OF ARMIES OF THE UNITED STATES IN THE FIELD, Section 1, Article 1.

This is the text; A place, district, or country occupied by an enemy stands, in consequence of the occupation, under the Martial Law of the invading or occupying army, whether any proclamation declaring Martial Law, or any public warning to the inhabitants, has been issued or not. Martial Law is the immediate and direct effect and consequence of occupation or conquest.

The presence of a hostile army proclaims its Martial Law.

A perfect example of an occupational army would be Germany before the Wall was brought down. This gives an easier way to grasp the ramifications of an occupying force. In Germany there were 187 military installations that the United States Military was operating before reunification. Realize that Germany at that time was approximately the size of the state of Oregon and it was impossible to drive more than fifteen minutes without seeing a sign for the next military base. In a situation such as Germany the occupying force is obvious and for any practical purpose impossible to ignore. But under the War Powers Act, Martial Law was in effect. The difference is that after the guns have stopped firing then the occupation begins. Here in the United States of America it just happens that our occupation began in 1865.

After such a lengthy time I doubt if there is a person now living who can remember what day the U. S. army occupied their district. If you look at a map and locate the nearest military facility, that is where the occupying forces are stationed. This is how the government works its magic of selective education. If people are to learn anything of importance in this country it is that they must choose to see for themselves the importance of understanding how the country is run, and understanding the rules by which we are governed. A person who professes that the constitution is the document by which all issues should be decided does not live in the present. These people, while having noble intentions, are deluding themselves by not accepting the realities of the present. The Supreme Court makes the judgments that will affect not only ourselves, but many future generations of our countrymen.

People lose the sense of historic rulings simply because the act is not passed here in the present. The present has a wonderful thread of continuity that runs through it and becomes the past, which forms the tapestry of history. Rarely does a time come when the mind of man can liberate itself of the preconceived ideas that have

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hindered him in his quest for unlimited knowledge. Knowledge that, if harnessed properly, could benefit man in ways as of yet unknown. But only when we liberate ourselves to see the truth of the past not the falsehood of the present, but see it all as the tapestry being loomed before your eyes and that with every pass of the shuttlecock the tapestry contains both the past and the present, inextricably woven together. Understanding our collective history is important in order to know where the Constitution ends and where the war begins in your everyday life.

One of the more obvious military campaigns that we are presently involved in on a huge scale is the War on Drugs. This is part of the continuity from the original War Powers Act, one that states that the Commander-in-Chief must make a public declaration of hostilities in order for there to be any validity to his claim for the need of aggression. Pressing this issue under the umbrella of the Drug War the military has gone to the lengths of deploying marines along the Texas-Mexico border in order to eradicate the flow of illegal drugs. Their efforts ended in the shooting death of an innocent eighteen year old sheepherder tending the family livestock on the family land. It was dark and the marine had been hiding in a camouflage Gila suit to help him blend into the terrain. When the boy stumbled upon the marine, there seemed to be some confusion, the boy had a .22 caliber rifle to scare off coyotes and other threats to the livestock. It is common practice in these vastly rugged areas to do so. The marine moved in the twilight and according to his account, the only one that we will ever have of the event, the boy discharged his rifle and then the marine fired his military issue weapon striking the boy and disabling him. It took two hours for any real medical personnel to arrive. Part of the delay was while the marines debated amongst themselves on how to proceed. This took twenty minutes. The marine who shot that young sheepherder was found not guilty in court. The reason is because he was in accordance with the current policy on how to press the war. Since this horribly tragic incident the Marine Corps has stopped the practice of protecting the border area against drug traffickers. It must also be noted that military troops are not meant to be dispersed inside the United States without some a declaration of Martial Law having been made in some public manner. The declaration of Martial Law has never been revoked from the first instance of its use in 1861. It has been modified under the guise of War Powers, which have been camouflaged as everyday corporate law so one has the general perception of freedom. However the facts point in other directions, to places that we would rather not venture. We stay away from these places because they are dark and evil. There is an uneasy corruption that lingers hidden in plain view.

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CHAPTER 4. YEAR ONE

Once Mr. Lincoln was inaugurated as the President, it soon became clear to him the magnitude of the burden he had undertaken. At first the new President was troubled by the antagonism that he was receiving at the hands of the Press, there was absolute hatred of the man in the Southern states, where he had not received a single vote. Whether he had wanted it or not, it had come home to roost at his doorstep. His predecessor Buchanan had managed to contain the conflict of interests merely by ignoring the more volatile groups and hoping that he would not be the one under whose leadership the Union would split apart. Once he left office, his great legacy, which he mentioned numerous times in his letters to acquaintances, would be that the Union did not fracture under his leadership. Not so fortunate was the newly elected Lincoln, who now inherited a major crisis. Another problem that arose immediately for Lincoln, and that was lawsuits were being brought against him. There were sixty-three suits filed against Lincoln when he declared the Territorial War Act on July 13th, 1861. With the declaration of that Act he effectively voided all of the sixty-three lawsuits. After this he had a free hand to do as he pleased because the declaration of a Territorial war meant that as the Commander-in-Chief he was above all Constitutional guidelines. This, simply stated, meant that no one could sue either the President or the Government during the time of the hostilities. He had declared himself effectively, Dictator of the United States. Any further attempts to harass the government through the courts would be considered a belligerent act and the instigator would be imprisoned under the suspension of Habeas Corpus as a traitor. There was a great uproar to this decree. It ensued that thousands of people were imprisoned, some simply because of stating their opinions against the draft as was the case with Vallandigham. The voice of freemen was strangled. Also, at this time, Lincoln introduced the General Orders for the military. This list of orders was the framework from which the military was to conduct itself in the field. Also known as the Lieber code, the basic idea of the General orders was that the field commanders would have some idea of the general mayhem that they could create in the pursuit of victory for the Union. This domination of the military over the civilian population is still very much part of our governmental structure. Even though there can no longer be armed soldiers patrolling the streets. If a national emergency is declared, the military is free to act as judge, jury, and executioner. Though rarely implemented, this policy has had rather profound effects when put to action. One of the most recent times being at Kent State where the National Guard murdered four innocent students. The fallout from this action was a lightning rod for the news media that still reverberates throughout our collective thought. If, Mr. Lincoln's orders are to be put into perspective, then it would be the equivalent of shutting down the highways and airports and having troops at the train stations to monitor the movements of the populace.

We in modern times abhor the very idea of someone hindering our travels but we are faced with the same attitude today when we are stopped for traffic violations. This is a direct tie to the territorial war act. If you remember that when Jefferson took office as the President of the United States of America, one of his first acts was to fire all of the tax collectors for corruption within the system. The people were paying their taxes, of course, but the taxes were not making it to the government coffers. Can one imagine a President in today's times dismissing the I.R.S. as being too expensive to run because of its corruptive nature?

Lincoln's solution was cold and calculating, as was his nature. But where Jefferson had moved to make a more manageable system for the people, Lincoln made a system more conducive for the government to rule the people. Mr. Lincoln it must be remembered was an accomplished corporate attorney, he took the country from being a government of the people, to a government of laws. Many modern politicians confirm this notion when they are interviewed on television.

Lincoln bound every person to the government by contractual agreement, through acquiescence. The easiest way to confirm this is by looking at a birth certificate. On every Certificate of Live Birth, there is a line for the witness who is the parent of the infant who is born. This instantly changes the status of the baby. He/she goes from an infant to a minor. From the control of the parent to a ward of the State.

Before the war these documents stated parent and after the war it was changed to witness or informant. This is because a parent cannot give away the newborn's rights, but a witness can testify to the existence of the newborn's contractual obligation to the State. This puts the child into the charge of the state and the contract that binds the two is never again in dispute. The government may intervene at anytime during the bonded person's life in any manner that the government deems to be in the Public good.

The Public good is what Lincoln had in mind, not the good of all of the people. His was a view that the United States was to become a government where the Federal authority had the last word. Where persons were detained for speaking out against the newly imposed draft. The wholesale arrests were in keeping with the suppression of freedoms. In times of war the government cannot allow freedoms as we understand them for the

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simple reason that to speak out against the government would be to hinder the war effort and that would be going against the good of the public, because if the government cannot raise the necessary material, the chances of winning any type of engagement become impossible. It is for the public good that we are here today.

Unfortunately when Lincoln commenced hostilities he had to rid himself of international laws under the Laws of Nations. In order to do this he devised the novel idea that the Laws of Nations did not apply to the belligerents because they were citizens of the Union and as such the rules of war did not apply in this case. The people of the south and of the north were in one grand act all declared belligerents. This meant that no one had any rights. The Constitution was suspended and a new form of rule where neither laws nor rights were recognized began. As an internal conflict the war was to be fought against men, women, children, and most importantly, property. For it was for the preservation of the Union that hostilities began. It became the duty of Lincoln to return the Union to the original status quo that he had inherited. He could not do this within the framework of a normal Civil war. He had to have absolute power to make the decisions that would bring this about. So he had the Solicitor General draft the paperwork that would ensure this result.

So the term belligerent was applied to the southern states and the war could be pressed against any and all who hindered the process of unification regardless of their geographic locale.

Since it had been declared that the belligerents had no rights whatsoever in any legal forum, then the problem of being answerable to any higher international court became moot. Because a belligerent is declared a citizen of the government and bound to the government they are to have no freedoms that would normally exist. The right of the farmer to sue for compensation of lost property destroyed during the hostilities was taken away. Any and all property became war booty, and as such there is no need for the government to answer the farmers pleas for restitution. It is a cost effective way to take anything and never have to worry about draining the treasury coffers for waging war. This Act has through the years been modified but never repealed. It was the basis of Franklin Roosevelt's declaration of war powers at the outset of World War II. If he had not instigated the war powers, then any person who lost property or physical appendages would be entitled to sue the United States for what ever was lost. This meant that if a soldier who had been drafted and had lost an arm or a leg during the conflict, that person would be entitled to sue the government to gain some form of reimbursement for that loss. This does not apply to volunteers, since they volunteer their physical property to the governments cause.

We as a people are still considered to be belligerents by our government. We are the enemy that keeps the war machine functioning smoothly, and we have acquiesced to this agreement.

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CHAPTER 5. LINCOLN'S WAR CABINET

Lincoln's War cabinet consisted of an odd contentious assortment of men. William Henry Seward who had bargained for his position of Secretary of State, Salmon P. Chase, Secretary of the Treasury, Edwin M. Stanton, Secretary of War, Edward Bates, Attorney General, Caleb B. Smith, Secretary of the Interior and Gideon Welles, Secretary of the Navy.

There was far more to Mr. Seward than anyone would guess by reading the current crop of history books. Indeed he was probably, until the war broke out, the most politically powerful man in the country. He had successful terms as both Governor and Senator of New York and was eager to impress himself and his beliefs onto the country as a whole, and had popular opinion on his side as well. After the presidential election, he had regrouped and set about using his influence to try to pack Lincoln's administration with his own people. He was on a quiet rampage.

Through political bribes and in certain cases thinly veiled extortion, Seward made up a good portion of Lincoln's government with men of like thinking. His main hindrance in these appointments came from David Davis, who having experienced Seward's methods at the hands of Boss Tweed warned Lincoln that if he were not careful that it would be Seward and not Lincoln that would be given credit for running the country. In fact for almost the first two years of the War, it was Seward who signed the majority of the executive orders invoking Lincoln's name and answering to the President only if pressed on some issue.

At one point Seward, at odds with some of the other Cabinet members implored Lincoln to appoint him Prime Minister. Lincoln showed some shrewdness here, telling his secretary "I can not let Seward win the first trick."

The first nine months of the War, Seward spent the brunt of his considerable skills trying to get Lincoln to relieve Secretary of War Cameron from his post and to replace him with Seward's own man, Stanton. In order to facilitate this, Seward employed people in Cameron's own office to sabotage him after nine months of chaos in the War department, created mainly by poor managerial skills on Cameron's part and corruption by others. Cameron having been disgraced and embattled in an increasing struggle, resigned. His legacy to the Union would not be one of glory for which he had hoped.

In his stead Lincoln now appointed Seward's man, Stanton. Stanton was something of a miserable creature. Brought to prominence by Seward, he felt an overwhelming obligation towards Seward; one that would often times conflict with his loyalty to the President. On more than one occasion Stanton's sense of debt showed itself. He had a very bad habit at the beginning of his term of writing his situational reviews to Seward and not informing Lincoln at all. Lincoln would let this continue for almost a full year until finally in a cabinet meeting, Lincoln addressed his Cabinet and explained to them the chain of command. When he did this he conspicuously stated that during the present conflict that the Secretary of War was a more important role than the Secretary of State.

This meeting had a profound effect upon Stanton and Seward alike. Because Lincoln, with this meeting, effectively took away Seward's hold over Stanton and brought Stanton over to Lincoln's side for the duration of the War.

Bates, the Attorney General was completely ineffectual and has no real significance in the Cabinet or the outcome of the hostilities.

Chase, also known as "Mr. Greenbacks", instituted "debt notes or federal reserve notes". Lincoln is generally credited with originating the Greenback, but it was Chase who conceived and implemented the plan. Chase also was responsible for the institution of the first central bank with the passage of the National Banking Act on February 13, 1863. A concept the Founding Fathers fought bitterly about and who considered the implementation of a central bank would be the beginning of the end for America.

It would be difficult to choose who was the biggest power monger. Chase or Seward.

There was no synergy in this cabinet other than the pursuit of the war. Most of the men, especially Seward and Chase were locked in mortal combat for positions of power in pursuit of their own selfish ideals. It was almost two years before Lincoln was to achieve any real control of his cabinet members.

It was at this juncture that the country was itself roiling in conflict. There hadn't been any true major victory for the North and Lincoln needed a victory to implement his goals. It cannot be overstated that at this point in time that the North had declared war on the South as a territorial war, the Territorial War Act of July 13, 1861. This is an interesting and very important point. In modern history books it is stated repeatedly that the issue at hand was simple and clear, that the war was fought to free the slaves. Clearly a freedom loving person could never tolerate

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slavery. In fact, it is an institution that on its own is most despicable. However, in the newspapers of the time, slavery was almost never mentioned until the second year of the war.

It's very important to also know that freeing the slaves was never mentioned, only emancipation was talked about and the difference between freedom and emancipation is extreme. Emancipation was not some new and novel concept. Indeed, in the War of 1812, the British advance a proclamation of emancipation to all slaves in the United States in order to weaken the resources of the American army. The Treaty of Ghent, which was the treaty that ended the hostilities between the U.S. and Britain, has a specific paragraph that states that the English would return the runaway slaves to their rightful owners. This clause was wholly ignored by the British, who naturally thought that if they returned the slaves, they could never use this gambit in any future conflicts. Therefore the former slaves were put on ships and sent to various parts of the British Empire. Later the issue of reimbursing the slave owners was settled by the Tzar of Russia in the British's favor.

Lincoln played the emancipation card only after the Federal army had secured a decisive victory in the field, the battle at Antietam. On January 1st 1863 the Emancipation Proclamation was made public, it had been drafted months before but was not issued because of the lack of progress in the war. The proclamation was only for the Southern states and only then for the generation of slaves alive at that time. Lincoln did not emancipate any of the slaves among the Border States for fear of upsetting the slave owners and losing these states to the southern cause. Indeed, General Fremont who was the district commander in Missouri had at one point emancipated the slaves under his jurisdiction. Lincoln rescinded Fremont's order, saying that only the President had the authority to make such a decision. Fremont was subsequently relieved of command and ordered home. Fremont's wife was so distraught by this humiliation that she boarded a train to Washington D.C. and confronted Lincoln in his bedroom to plead her husband's case for reinstatement. Lincoln mildly rebuffed her and held firm in his decision. Fremont returned to his home to await new orders that would never arrive. Such was the state of affairs in the Federal Government. It is an early example of conflicts within the government that continue to plague a supposedly free society.

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CHAPTER 6.

THE CONSTITUTIONAL RIGHT OF THE GOVERNMENT TO APPROPRIATE PRIVATE PROPERTY TO PUBLIC USE.

As to the beginning of this book it cannot be emphasized enough that the definitions of certain words that pertain to War Powers must be read as legal verbiage and not be misconstrued as something from Webster's Dictionary. Most of the words of importance will be underlined with the definition from Black's Law Dictionary in the rear of the book.

The general government of the United States has, in time of peace, a legal right, under the constitution, to appropriate to public use the private property of any subject or of any number of subjects, owing it allegiance, whenever justified by public necessity. Each of the States claims and exercises a similar right over the property of its own citizens.

Most of us think of War Powers as something in our collective history as a thing to do with World War II and Franklin Roosevelt making his famous declaration of supreme authority after the bombing of Pearl Harbor. We must now consider from where did President Roosevelt acquire this authority? Most people assume that this awesome power is derived in the constitution. This leads to many debates on the subject concerning the fundamental power of the President during times of War, but as with any assumption, there is always the preponderance for error. War Powers was first brought into the lives of Americans by Abraham Lincoln in 1861. It was later renamed the Reconstruction Act and has had several other changes until the present time when it is so ingrained into American culture that we no longer have only one name for this suspension of the Constitutional Rights of the People of the United States of America.

Whenever you read in the papers or see on the T.V. news reports of the police practicing tactics for "urban assaults" or "bacteriological attacks," what needs to be understood is that according to the Constitution, a government which pursues the governed or practices tactics to suppress our freedoms in the name of "public good" is a government which is solely answerable to the President and all of our lives and properties are subject to the President's whims. This extraordinary situation exists in the "Land of the Free" because we are still under War Powers from the time of the Civil War.

There are quite a few people who believe that the War Powers Act was repealed at the cessation of hostilities between the North and South. Yet there is simply no clear evidence for this position other than government statements. There is no proof that exists more clearly to show that War Powers is still with us than that of a mortgage. When you read a mortgage contract, you will read that the beneficiary is the State in which the property lies.

If we were still under constitutional law then the mortgage contract would have the person paying the mortgage as the beneficiary. Thereby giving the buyer the right of ownership to the property. However since the buyer is never the beneficiary then the buyer never asked for ownership, but volunteers to take on this burden freely and most times gladly in the belief that they will eventually acquire title to the property. If we were not to have this false belief then no one would ever submit to the strain of mortgage payments. But this is a myth. Under War Powers only the government has rights of propriety. The average citizens live their lives in the belief that they are safe and secure in the loving arms of the government. The cold fact is that the citizen is indemnified to the government in a variety of ways and almost completely.

Indemnity is required.

When individuals are called upon to give up what is their own for the advantage of the community, justice requires that they should be fairly compensated for it: otherwise public burdens would be shared unequally. To secure the right to claim indemnification, which was omitted in the original constitution of the United States, an amendment was added, which provides that private property shall not be taken for public use without just compensation. Similar provisions are found in the constitutions of Massachusetts and of several other States. The language of this amendment admits the authority of the government to take private property for public use as eminent domain, and being now a part of the constitution, leaves that authority no longer open to question, if it ever had been questioned.*

In guarding against the abuse of the right to take private property for public use, it is provided that the owner shall be entitled to be fairly paid for it; thus, he is not to be taxed more than his fair share for public purposes.

It is not a little singular that the framers of the constitution should have been less careful to secure equality in distributing the burden of taxes. Sect. 8 requires duties, imposts, and excises to be uniform throughout the United States, but it does not provide that taxes should be uniform. Although Art. 1. Sect. 9, provides that no capitation or other direct tax shall be laid unless in proportion to the census, yet far the most

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*important subjects of taxation are still unprotected, and may be UNEQUALLY assessed, without violating any clause of that constitution, which so carefully secures equality of public burdens by providing compensation for private property appropriated to the public benefit.*²

*see Amendment, Art. V., last clause.

So as we can see from this passage the framers of the constitution had it in their minds that the right of the Government to indemnify its citizens was not even an option of consideration. These men, Jefferson, Adams, Franklin and the others were putting forth the contention that all men are created equal and that government interference in the private lives of its citizens would eventually lead to a degenerative state where the government would seek to legislate all aspects of the citizens life. Subjecting the citizens' toil only for the public good. But the founding fathers did indeed address this issue at the debates in Constitution Hall in Philadelphia. John Adams speech proclaiming that "the rights of free men could not and should not be subjected to the possibility of government contamination" was not only correct but readily adopted. That is the reason that there was no mention of this evil in the original Constitution. These men were performing the most outrageous act of rebellion in the history of mankind. They were demanding the freedom to live as Freemen, not to be bound by the arbitrary manner of a deaf and violent government. There was no interest in these men to simply replace an imperial government with a more local version. These fellows were standing up before the entire world, against the mightiest military force known to that time and stating that they would rather die as Freemen than suffer a miserable existence as a subject to the Crown. The phrase "Give me Liberty or give me death!" was not some idle statement made in the confusion of the time with rash bravado, but an actual feeling of commitment that would change the world. We need to ask ourselves in this time of supposed economic bliss, where is the equality? At the present time only one (1) percent of the population owns seventy- three (73) percent of the material wealth of this nation, with blacks having less than one half of one (1) percent as their inheritance of freedom. As appalling as this is, it is indicative of the way that the government has been bastardized into a floating cesspool of special interest groups and lobbyists. The founding fathers had specific ideas for their newborn country, and government involvement was to be kept at a minimum. The government was to practice a brand of sovereignty that only had to do with trade with other countries. They did not want to see their nation turned into another Britain. It was to be a model for other nations to step forth and proclaim their own freedom, not to be hounded and badgered by tax collectors and magistrates. It was to be a country that was free from tyrants and tyrannical rule. A nation of Common people working for the Common good under Common Law.

Yet as happens so often in the history of Man these ideals and principals have been harnesses by the government to thwart the very principles of Freedom. We now stand before the world stage as the only remaining superpower. And as we do we can see in our leaders of today not one proponent of Peace and freedom. In fact if we are to believe our leaders the only real asset that we have today is our strong and sturdy government. A government that legislates its citizens with some of the most bizarre and arcane laws in the world. A government not in the ideal of the Framers but a government ideally suited only for war. Because it was in war that this government was forged, on the Devil's Anvil where brother kills brother, and then proceeds to enslave his brother's descendants for the folly of wishing to express their sovereign rights.

Right's that were established in the Constitution and which gave the States the sovereign right of self rule, only to be subjugated to Congress in times of national crisis. Constitutional right's that protected its citizens from tyranny and misuse. While it is true that the original question of Slavery was wholly edited from the Constitution, it must be remembered that the theory that prevailed at the time was that each succeeding generation would decide its own manifest destiny. When the Constitution was written Slavery was not just some institution imposed on the Man of color, but that there existed at the time various forms of Slavery. Such as Bondsmen and Indentured servants. When the Constitution was written, a minor was to be considered merely the property of his or her parents and the wife in the marriage was the property of her husband. These classes of people had no standing at all in a Court of Law. Yet a Slave owner could count on the privilege to vote three-fifths of his slaves as if they were a representative being. This meant that for every twenty-five slaves that the Slave-owner possessed he had the privilege of his own vote and fifteen more votes because of his status as a property owner. This unholy view was upheld in the Supreme Courts infamous Dred Scott decision. Where a slave sued for his freedom in the state of Missouri and lost in Court at the Supreme level because the Justices ruled that he was not a citizen because a slave had no legal status except as the property of another. This shameful decision was one of the catalysts that was to promote Abraham Lincoln to the Presidency. And as time progressed it was becoming clearer that the path to freedom was to be paved in blood. If you read the daily papers of the time, it is quite evident that certain factions were not only ready to spill the blood of their countrymen, but eager.

² War Powers under the Constitution by William Whiting.

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With this kind of mindset, it was merely an extension of thought that would give the Government the right to appropriate property at will. This is in the form of "Public Good," and has been used since the civil war to the point that now any type of property can be confiscated by the Government and there is very little that a citizen can do to receive "Just Compensation." The Constitution allows for the appropriation of property in times of conflict, but in its original meaning it was meant that the person whose property was being confiscated, had the right to be compensated promptly and accordingly. It was not meant that the Government could acquire private property and then let the claim drag on for years on end, in the hope that the claimant would die and that then his heirs would no longer pursue the matter. This was the original intent and has nothing whatsoever to do with the practices of today's regime.

This appropriation of property included slaves, whether they were runaways from the belligerent States, or had been confiscated in the United States for public use. It must be remembered that all slaves that were found to be in the domain of the Union, unless infirm or otherwise disabled, were pressed into military use of one nature or the other. This meant that if you were a healthy slave, whether male or female, escaping from the harshness of the South and found yourself in the North, you would be immediately pressed into military service. So if you were male you would be in the Army, without any proper provisions given to you. Or if you were female, then you would be pressed into service at one of the Government factories. Either way your life would not be your own to master.

The fear of a shortage of able bodied males became such an issue that Congress passed an Act on the 6th of August, 1861, that stated that the Washington Police force, which until that time had been arresting all escaping slaves and sending them back across the battle lines to Virginia, could no longer arrest the escaping slaves and that if any police officer did indeed arrest an escaped slave, that the arresting officer was to be arrested himself by the military and remanded to military prison.

But where is our freedom? As the words of one of the Drafters of the Emancipation Proclamation state;

The acts for confiscation or emancipation of enemy's slaves, and the President's Proclamation of the 22nd of September, do not abolish slavery as a legal institution in the States; they act upon persons held as slaves; they alter no local laws in any of the States; they do not purport to render slavery unlawful; they merely seek to remove slaves from the control of rebel master. If slavery shall cease by reason of the legal emancipation of slaves; it will be because slaves are removed; nevertheless, the laws that sanction slavery may remain in full force. The death of all the Negroes on a plantation would result in a total loss to the owner of so much "property;" but that loss would not prevent the owner from buying other Negroes, and holding them by slave laws. Death does not interfere with the local law of property. Emancipation and confiscation, in like manner, do not necessarily interfere with local law establishing slavery.

*The right to liberate slaves, or to remove the condition or status of slavery, as it applies to all slaves living at any one time, or the right to abolish slavery in the sense of liberating all existing slaves, is widely different and distinct from the right of repealing or annulling the laws of States which sanction the holding of slaves. State slave laws may or may not be beyond the reach of the legislative powers of Congress; but if they are, that fact would not determine the question as to the right to emancipate, liberate, or to change the relation to their masters of slaves NOW LIVING; nor the question as to the right of abolishing slavery, in the sense in which this expression is used when it signifies the liberation of persons now held as slaves, from the operation of slave laws; while these laws are still left to act on other persons who may be hereafter reduces to slavery under them.*³

This is perhaps the least understood aspect of the Emancipation Proclamation; in that the government was merely exercising its right to emancipate the enemies slaves for their own ends. Such was the case in the war of 1812 when the British proclaimed the emancipation of all of the slaves in the U.S. territories. The British used the slaves that ran away from their masters to build bulwarks and do other menial labor that would further their military interests in the war. Yet at the end of the hostilities the British were to return the runaway slaves to their original owners. This was a part of the Treaty of Ghent and one of the articles that the British wholly ignored, choosing instead to place the former slaves onto ships and send them to the far corners of the Empire. This does not mean that life of the former slave became any better under English rule, this was more of a political expediency so that in any future conflicts the British could use this tactic again to draw manpower under its control for further military use while depriving the belligerents of the product of the slave. It must also be understood that according to the Treaty of Ghent, that any disputes that lingered after the war were to be settled by an outside independent arbitrator, in the case of the slaves that were spirited away by the British it was given to the Emperor of Russia to decide if the British should return the slaves or pay a stipend to the slave owners for the loss of their property. He decided that the British had to neither return the slaves, nor compensate the owners

³Ibid

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for the acquisition and deportation of their property. The slaves were to remain free till the end of their days living where they were presently located as the Law of Nations so dictated.

We can see from this and other national movements of the time, a shifting of policy away from slavery and the whole institution of bondage. Debtors prisons were being closed because a person who for example was in prison for not paying taxes of two or three pounds, would in fact cost the crown considerably more to feed for the five year minimum sentence. A prime example of this in today's society is the mandatory drug sentencing that places a person in prison for five years for possession of marijuana. The person may have a job where he or she pays ten-thousand dollars a year in taxes, yet when he or she becomes a felon it costs nearly sixty-thousand dollars a year to maintain them in our penal system. This shortfall must be made up somewhere in the system so it is a burden that is passed onto the taxpayer's who either chose not to partake in drug use or who are fortunate enough not to be caught in the first place. As the political campaigns of our times would suggest, there is a great majority of our candidates that have used drugs in the past. These are the same policy makers who issue the laws onto the society at large and practice their blatant hypocrisies in the full glare of the media spotlight. Where does their responsibility to the social question lie? Is it merely enough for them to admit to past criminal activity only to pass laws that make criminals of our youth for the same behavior that they themselves felt justified in doing?

This is perhaps a time for honesty from our leaders

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LAWS FOR PEACE AND LAWS FOR WAR.

Times of peace have required the passage of numerous statutes for the protection and development of agricultural, manufacturing, and commercial industry, and for the suppression and punishment of ordinary crimes and offences. A state of general civil war in the United States is, happily, new and unfamiliar. These times have demanded new and unusual legislation to call into action those powers that the Constitution provides for in times of war.

Leaving behind us the body of laws regulating the rights, liabilities, and duties of citizens, in time of public tranquility, we must now turn our attention to the RESERVED and HITHERTO UNUSED powers contained in the constitution, which enable Congress to pass a body of laws to regulate the rights, liabilities, and duties of citizens in time of war. We must enter and explore the arsenal and armory, with all their engines of defense, enclosed, by our wise forefathers for the safety of the republic, within the old castle walls of that constitution; for now the garrison is summoned to surrender; and if there be any cannon, it is time to unlimber and run them out the port-holes, to fetch up the hot shot, to light the match, and hang out our banners on the outer walls.⁴

The reason Mr. Whiting was inclined to explore the arsenal and armory of the constitution was the simple fact that our wise forefathers never could have envisioned a United States that would ever be involved in a Civil war. The whole idea of warring against a State that exercised its own Sovereign destiny and chose to cede from the Union would have been unthinkable to the framers of the Constitution. The Constitution is meant to be a framework of how to have a tolerant non-intrusive form of government, at the State level, not an instrument to be used by the Federal Government to subjugate it's citizens at the point of a bayonet. The founding fathers knew instinctively that their form of government was going to expand into a body that would represent the peoples of the various territories and colonies that would be sure to join in the future.

The framers of the Constitution needed a guideline that most independent minded people could tolerate. This had to be fair, both to merchant and consumer alike, where that all men are treated in a like manner under the purview of the law.

Yet by 1861 this idea of a peaceful secession from the Union had reached the point to where the Solicitor General of the United States was beginning to go on a journey through the Constitution that at its end would render the Constitution a hapless victim to political expedience. And the victim has not yet recovered from this outrage.

For the first time it was being pursued rather aggressively that the Constitution was not necessarily a framework for keeping the government in balance and was indeed quite something else. It was now being propagated that the Constitution was in fact wholly unsuited for governing a nation in turmoil, in fact it was being sold as a living document that had to be updated to better suit the times in which people were living, and not the blissful state of ignorance of the Framers who couldn't possibly have foreseen how epidemic the issue of slavery would become. Since a good many of the founding fathers were slave owners themselves, it is quite an easy argument to make that they didn't foresee something along the nature of a Civil war erupting over an issue that they themselves left vague. At the time of the declaration of the War Powers Act, it was deemed that this was the generation that would resolve the issue. Some saw themselves as being God's chosen to bring forth his word and emancipate the slaves from their bondage. Such was certainly the case of John Brown who was freeing slaves by the novel act of murdering the owners. He was duly rewarded by a generous and appreciative government for his enlightenment. He and his followers were killed for their beliefs. Not the last to die in this period of bloody conflict. Yet the manner of his demise was to be a sort of guideline of things to come.

⁴ Ibid

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CHAPTER 7. EMANCIPATION

When the question of emancipation comes to mind I always thought of Lincoln stoically freeing the slaves from brutish and arrogant southern plantation owners. Now, I think of Washington, and Jefferson. After all, both men suffered from having their property seized by the British during the war. Washington was concerned enough with Lord Dunmore's Proclamation to emancipate the slaves, and have them join the British cause, he wrote.

His strength, will increase as a snow-ball by rolling faster and faster, if some expedient cannot be hit upon to convince the slaves and servants of the impotency of his designs.

Under the Proclamation from Lord Cornwallis, Jefferson suffered injury to his estate and expressed it this way.

He destroyed all my growing crops and tobacco: he burned all my barns, containing the same articles of last year. Having first taken what corn he wanted, he used, as was to be expected, all my stick of cattle, sheep, and hogs, for the sustenance of his army, and carried off all the horses capable of service. He carried off also about thirty slaves. Had this been to give them freedom, he would have done right.

From an estimate made at the on the best information I could collect, I suppose the State of Virginia lost under Lord Cornwallis's hands, that year, about thirty thousand slaves."

This was a rather typical view of the founding fathers. Washington, arguably the wealthiest man in the colonies, was more concerned about how to convince the slaves that there was nothing to be gained by empty promises. After all, when the hostilities ceased, it was common practice to return the slaves to their owners. This probably helped his position greatly.

During the war of 1812, the British issued a proclamation to the slaves to repair to their standard, with the promise of freedom. Many did indeed go over to the British side. However this time the British would remove the slaves from the area of hostilities. After the cessation of hostilities the slave owners pressed for the return of their property and the British put the former slaves onto ships and sent them to the far corners of the empire.

In school we are now taught that the war was fought to free the slaves. I wonder what a person from that era would think of this new interpretation of history. You read in papers today of the confederate battle flag being a symbol of bigotry and prejudice, the amazing aspect of this is that for the years prior to the war the stars and stripes was the flag under which slavery flourished. It is amazing that there is not a call to design a new flag that does not have all of the historical inequalities that come along with "Old Glory". It must be remembered that the stars and stripes was the flag under which millions of native Americans were systematically starved and slaughtered over many years; which saw the wholesale subjugation of any people of non-European coloring in a brutal system of slavery and torture. Where indentured servitude was acceptable as the norm of doing business. The man who succeeded Lincoln, Andrew Johnson was himself as a youth an indentured servant.

It has been said by many that the Civil war was fought to end slavery. This is said only by the ignorant and illiterate who wish to glorify the incredibly wasteful nature of the war. This position would be a wonderfully noble attitude if it were not for the simple fact that it is not a position that can be defended with any facts based in reality. On July 25, 1861 Congress passed the Crittenden resolution, it states specifically why the war is being pressed against the southern states. It is here for you the reader to see that the noble act of emancipation was not even among the criteria of the reasons listed for the need for hostilities.

For this reason we must consider if perhaps the veracity of our re-written history may be suspect in other areas as well. For as Lincoln himself wrote, in an open letter to Horace Greeley on August 22, 1861, " My paramount object in this struggle is to save the Union and is not either to save or destroy slavery."