



LIBERTY RULES!

BILL OF RIGHTS

BY MR. MARTY

Liberty Rules!

Bill of Rights

(An excerpt of *Liberty Rules!*)

By Mr. Marty

Many Moons Solution

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Liberty Rules! Bill of Rights (An excerpt of *Liberty Rules!*)

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[Primarily REVISED LR#57, #74, LRA#1, #2, #6, #9, #13, Huh? #11, #14, #20, #23 thru #27, #29, Presidential Overreach, expanded bios and ADDED Huh? #19, #22, #30, #31, Proposed Liberty Rules Amendment #29 & #30, The *Liberty Rules!* Timeline, The Election References Matrix and The Information Mobility Timeline.]

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Love and appreciation to:
My nephew Mark who suggested breaking out the Bill of Rights to be freely distributed electronically.

The Constitution is not an instrument for the government to restrain the people,
it is an instrument for the people to restrain the government –
lest it come to dominate our lives and interests.

Patrick Henry

Governor – Virginia: 1776 – 1779, 1784 – 1786
1736 – 1799

Welcome to *Liberty Rules! Bill of Rights*. *Liberty Rules!* is based on *our* constitution. It's not as if I created it. I went on an adventure to explore and understand the U.S. Constitution. *Liberty Rules!* captures what I discovered. This excerpt of *Liberty Rules!*, providing the Bill of Rights, is a portion of that publication.

A little history: It is generally held that the Revolutionary War broke out when the American colonialists engaged in armed combat with the British troops on April 19, 1775 in Massachusetts at Lexington (whether Minutemen returned fire here is still debated but 8 were killed) and then Concord (where 3 British were killed and the rest forced to retreat to Boston in defeat). Not bad, 50/50 for the opening day double-header...

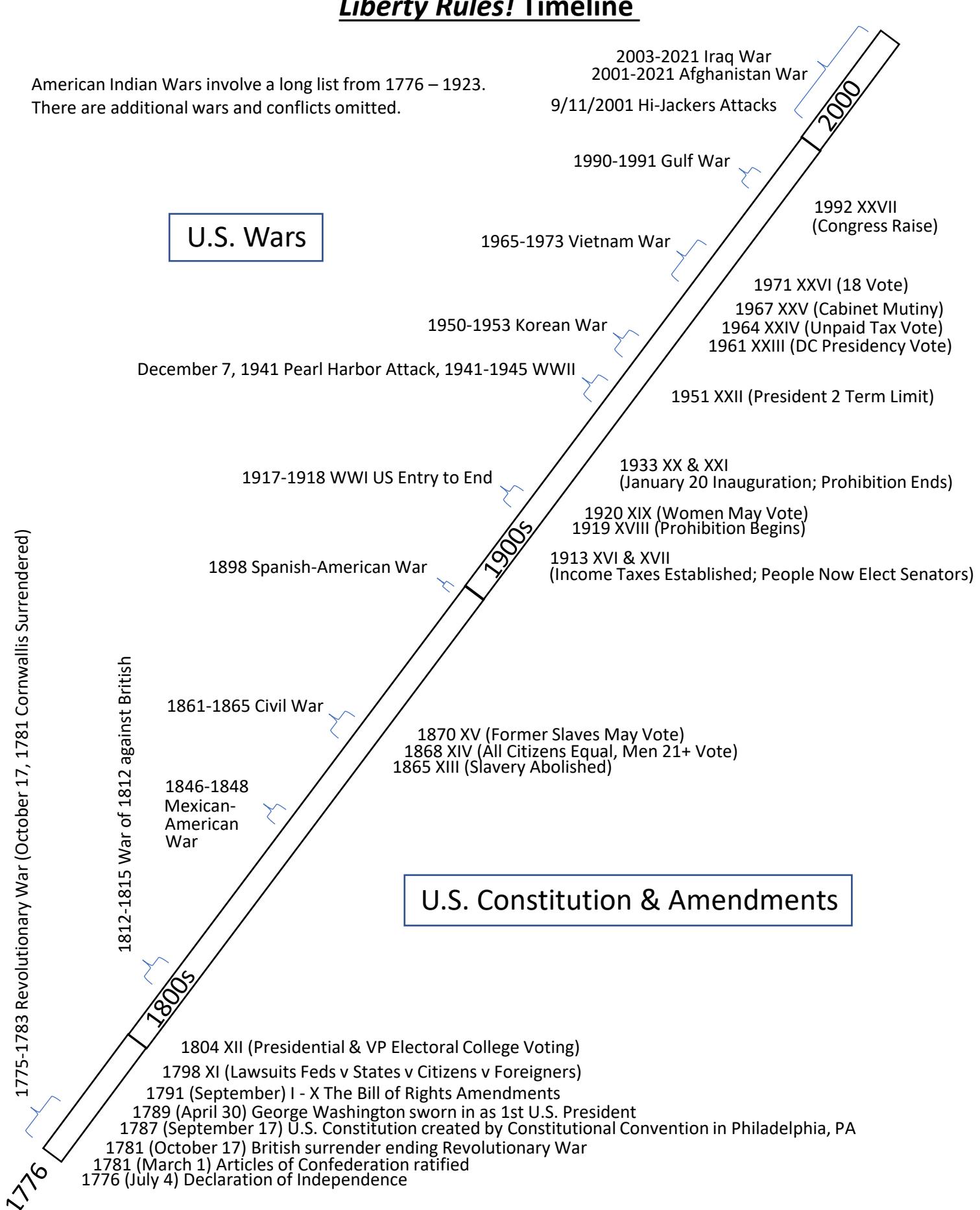
There were other actions leading up to this, such as the widely known Boston Tea Party on December 16, 1773 and the new-to-me Fort Constitution, NH raids of December 14 & 15, 1774 for which Paul Revere was a catalyst. The Concord and Lexington skirmishes were quickly followed by the Battle of Bunker Hill on June 17, 1775, which is said to have used the gun powder seized from the British at the Fort Constitution, NH raids.

On July 4, 1776, we formally declared our independence as a nation with the signing of the Declaration of Independence. The Continental Congress then immediately went to work on creating the Articles of Confederation which were completed in 1777 and ratified by all thirteen states in early 1781. Following the surrender of the British to the Americans on October 17, 1781, with the winning of the Revolutionary War, we gained the independence we declared on July 4, 1776. The Treaty of Paris formalized it on September 3, 1783.

The Articles of Confederation provided for much independence and sovereignty of the thirteen states resulting in a weak federal government. The Constitutional Convention of 1787 created the U.S. Constitution with the aim of redefining the prescribed operation of the government of the United States of America to strengthen the federal government. The resulting U.S. Constitution was approved September 17, 1787 by the Constitutional Convention. Among the delegates who attended the entire proceedings, three refused to sign it. Two of them, Elbridge Gerry and George Mason, cited the absence of a Bill of Rights as the reason. George Mason had introduced one but it was quickly rejected.

The United States Constitution was subsequently ratified without a Bill of Rights and the new government went into operation in 1789 with President George Washington taking office on April 30, 1789. A couple of months later, James Madison (4th President), who was originally opposed to a Bill of Rights, introduced nine Amendments of the constitution to the 1st Congress. Later in 1789, a total of twelve amendments were approved by Congress as required by the new constitution with over two thirds approval by the House of Representatives and the Senate. They were then submitted to the thirteen states for ratification. Ten of the twelve proposed amendments were ratified in September of 1791 and became known as The Bill of Rights. The Bill of Rights limits the powers of the federal government by spelling out the broad guaranteed rights of the people and the states.

Liberty Rules! Timeline



A WORD

A Word by someone who has thoroughly exercised his Bill of Rights and in the process gained street cred with activities supporting the Occupy movement. The man whom I'm proud to say made me an Uncle, my nephew, Mark Propper:

Fellow Americans, Citizens of the Word & Enemies,

In a world now heavy with information, the struggle to remain informed and competent in the political arena becomes nearly impossible. Publishers, physical and electronic, have become malignantly irresponsible for their words to the detriment of all. Politicians armed with anthropologists, psychologists, and market researchers have assembled against freedom against Americans and all Peoples of this world in negligence serving personal victory, continued power and profits. Society is the expense; and our lives within it as those without the power and condition to escape the world built for and by those who believe they are above us. We are much better armed with education than with weapons. It is even possible that education can raise the species beyond the need for violence, the ultimate oppressor. It is in educated armament that I am proud of this work.

My uncle, Martin Danahy's ultimate purpose is to present, as cleanly as possible, the legally binding word of the laws and our rights as Americans, seasoned with humor and his insight. As a member of this Republic, Martin Danahy acts in the way Machiavelli believed one should act - towards the benefit of society through one's work - and not the way Machiavellianism - the self-serving undercutting squirm - criticizes the potentials of abuse and actions dictated in a Republic for which he is normally associated. For, it is neither necessary nor beneficial for self-benefit as the means to an end of an individual in a society. If so, we become segregated from our moralities. We may petition financially and in favor, to the detriment of others, claim this is an inherent morality and war amongst one another. Freedom becomes a law against somebody else. Eventually, despite all our victims and victories, we will still remain addicted and unfulfilled.

It is with pride that I am able to contribute to something that is free.

In this truncated version, we become reestablished with an intention and spirit unquestionably humanist. It is here this book has value: to describe an intention against abuses by government against the proper function of an individual. To describe universal rights in a society described by a Government who were protecting its citizenry against the State they sought to maintain.

Quick and dirty, this book can be used to create rational discourse between we confined to this society. "Do you know the law?" should be a question asked of anyone speaking of it. This book becomes effective in clearing up misunderstandings, protecting one's self and others, and, at times, of restoring sacred silence against verbal blight.

This is being written in 2017, a time of terrible political crisis as well as political despair. The enforced two parties maintain a tight hold over political discourse rife with emotion, false dichotomies, dislogic, pride in ignorance, market control, a campaign finance reform reformed to maximize bribery and minimize paperwork related to said bribery, the slaughter of science, and an infringing Theocracy. There are now those who boast pride and legislate against other's they disagree with. The Supreme Court is now a debauched pit of intentionally politicized interpretation, each side guilty and claiming it is the other side doing it. And then they speak of Patriotism, public duty, the good of America, and their golden plan. Machiavelli was right.

A WORD (continued)

“The Prince” has come. Just as Orwell’s “1984” seems more like an instruction manual than fiction today, “The Prince” is an effective manual for modern American behavior.

I, for one, am against these means of “winning friends” and “influencing people.”

As for my time in Occupy, I say I have seen many rights violated. Friends and comrades in peaceful protest arrested. I, thrice on my way home, was chased through my neighborhood by police. I saw the Tampa City Council protect the rights of the Republican National Convention over those who were legally free to take action in peaceful opposition. We slept on a sidewalk over a period of several months, awoken by police trying to enrage us into illegal behavior. And, not once was I arrested, because I was educated by fellow Activists about Police behavior and educated in the Law and our Rights.

And since then, I have seen an armed standoff between a farmer defending their right for cattle to expel feces on protected lands. I saw the militant. I became terrified. I have had friends assaulted by police for carrying signs. If Occupy had become armed, would we have won?

No. Political victory though violence would have been failure. The degree of force used to install a philosophy is the degree of force needed to maintain a philosophy. There is no greater degree of degradation to philosophy than the necessity of the destruction of others for its maintenance. That philosophy is failed when it cannot serve all.

So, finally, I must speak of the beauty of selfless Liberty. Liberty is never gained in removing it from another. Liberty is only increased when it is granted. So, do not despise those who need liberties you may never need, for they may grant you liberties they may never need. And though you may never benefit directly from liberties that you do not need, you will benefit and be carried forth by the Spirituality inherent in a society of those who care about one another and set one another free, each to each, than a society comprised of those deigned to thwart.

Be armed with wisdom and fact. May you have every Freedom you desire and have need. And may we all live - in safety - beyond each other’s control.

I urge all to support the ACLU.

Mark Propper

Anarcho-Collectivist

Organization with Key Words (this excerpt - what's in here)

Liberty Rules! Timeline - U.S. Wars vs. U.S. Constitution & Amendments

Page 4

The Liberty Rules Amendments; The Bill of Rights, Amendment I – X

Liberty Rules Amendment #1 (LRA1) (1791). Freedom of religion, free speech, free press, the right to protest or party, petition the government	[Huh? #20]	Page 11
LRA2 (1791). Government won't mess with rights to possess, carry and use weapons, state militias		Page 13
LRA3 (1791). Soldiers, homeowner's consent		Page 14
LRA4 (1791). Right to privacy	[Huh? #21]	Page 15
LRA5 (1791). Right to remain silent, due process		Page 16
LRA6 (1791). Defense attorney, speedy public trial by impartial jury, hear, see, subpoena witnesses		Page 17
LRA7 (1791). Civil lawsuits, federal court consideration		Page 18
LRA8 (1791). Bail, fines, cruel and unusual punishments		Page 19
LRA9 (1791). The free to be me amendment. Unbounded rights	[Huh? #22]	Page 20
LRA10 (1791). [Outside] constitution, powers will go to the states or the people	[Huh? #23]	Page 26
U.S. Constitution & Amendments original transcripts links		Page 28

Organization with Key Words (balance of contents that are not in here)

Liberty Rules! Orientation

Introduction

How to utilize this book for Incredibly Brilliant People

The Liberty Rules

Preamble

Liberty Rule #1 (LR1): The people practice Liberty

Article I: The Legislative Branch

LR2: Senate, House of Representatives, laws, together they are the Congress.

LR3: House of Representatives, elected by the people

LR4: Representative, 7 year U.S. Citizen, 25

LR5: Census [Huh? #1]

LR6: Representative drops out

LR7: House of Representatives, Impeachment

LR8: Senators chosen by each states' legislature [Huh? #2]

LR9: One third of Senators elected every two years

LR10: Senator, 9 year U.S. Citizen, 30

LR11: Vice President, president of the Senate

LR12: Vice President isn't around

LR13: Senate is Jury for all impeachments

LR14: Convicted impeachment

Organization with Key Words (balance of contents that are not in here) (continued)

LR15: Elections of Representatives and Senators [Huh? #3]
LR16: Congress must meet
LR17: Judge of the Elections of its own Members
LR18: Rules of its Proceedings
LR19: Record of the Proceedings
LR20: Houses adjourn
LR21: Senators and Representatives paid, said in session, questioned in session
LR22: Senator or Representative cannot hold any other office
LR23: Funding federal government, House of Representatives
LR24: President, reject a bill, veto, veto override [Huh? #4]
LR25: Order, resolution or vote not approved by the president
LR26: Congress may tax everyone and everything imported uniformly [Huh? #5]
LR27: Congress may borrow money
LR28: Congress may regulate commerce
LR29: Congress, uniform rules for naturalization, bankruptcy
LR30: Congress, oversee money, standards of weights and measures
LR31: Counterfeiting, Congress
LR32: Congress, Post Offices, highway transportation
LR33: Congress, secure intellectual property rights
LR34: Congress, federal court hierarchy
LR35: Congress, offenses of international law
LR36: Congress, declare War, enemy combatants [Huh? #6]
LR37: Congress funds the military
LR38: Congress, naval force
LR39: Congress, regulation of the military
LR40: Congress, militia, uprisings, invasions
LR41: States, militias
LR42: Congress, Washington, D.C., federal facilities [Huh? #7]
LR43: Congress makes the laws
LR44: Slavery will continue until 1808 or so [Huh? #8]
LR45: Right to protest being jailed [Huh? #9]
LR46: Not put in jail or executed for who you are [Huh? #10]
LR47: Tax per person
LR48: Free commerce
LR49: Ports
LR50: Spending authorized by Congress [Huh? #11]
LR51: Gifts or Title of Nobility [Huh? #12]
LR52: States may not..., gold and silver [Huh? #13]
LR53: Congress, state's taxes or duties on imports
LR54: States not allowed to, ports, military, agreements

Article II: The Executive Branch

LR55: Executive Power, president, elected every four years
LR56: Electoral College [Huh? #14]
LR57: Election Day

Organization with Key Words (balance of contents that are not in here) (continued)

LR58: President, natural born citizen, 35

LR59: President succession list

LR60: President, paycheck

LR61: Constitution, Law of the Land

LR62: President commands armed forces

[Huh? #15]

LR63: Treaties when two thirds of the Senate agree, Senate approval for
presidential picks

[Huh? #16]

LR64: President can fill any vacancies

[Huh? #17]

LR65: President, annual State of the Union address, hostess for dignitaries of states

LR66: President, Vice President, kicked out of office

Article III: The Judicial Branch

LR67: Supreme Court, Judges' salaries

LR68: Federal courts, original jurisdiction

LR69: Supreme Court, last stop

LR70: Trials shall be by juries

LR71: Traitor

LR72: Punishment for Treason

Article IV: States

LR73: States shall accept each other's records

[Huh? #18]

LR74: Citizens 'privileges and immunities' enacted by law in any state

[Huh? #19]

LR75: Answer for your alleged crimes

LR76: Slavery, obsolete

LR77: New states

LR78: Congress, property of the United States

LR79: United States promise to states, Republic, we've got your back

Article V: Amendment

LR80: Constitution can be revised

Article VI: Debts, Supremacy of Constitution

LR81: United States debts

LR82: Law of the Land, treaties, honored by all judges

LR83: All must support this Constitution

Article VII: Ratification

LR84: Done

Organization with Key Words (balance of contents that are not in here) (continued)

The Liberty Rules Amendments; The Bill of Rights, Amendment I – X; Amendment XI – XXVII

LRA1 - LRA10 (1791). Bill of Rights (**what's in here – see page 7 for Key Words**) [Huh? #20 – Huh? #23]
Liberty Rules Amendment #11 (LRA11) (1795/1798). States sued
LRA12 (1804). Electoral College, tie, VP natural born citizen, 14 year resident, 35 [Huh? #24]
LRA13 (1865). Slavery is mostly abolished. For convicted criminals, not so much...
LRA14 (1868). Citizen, freedoms and equal rights, full protection of the law,
 aid and comfort to a rebellion, rebellion debts [Huh? #25]
LRA15 (1870). Former slaves may vote
LRA16 (1913). Congress can tax [Huh? #26]
LRA17 (1913). People elect their Senators [Huh? #27]
LRA18 (1919). Alcohol prohibition
LRA19 (1920). Women vote
LRA20 (1933). Presidential inauguration, Senators and Representatives take office
LRA21 (1933). So much for alcohol prohibition
LRA22 (1951). Term limits for the president
LRA23 (1961). D.C., vote for the president
LRA24 (1964). Taxes, right to vote
LRA25 (1967). VP takes over if the president dies, provisions for a mutiny by the
 VP and the cabinet
LRA26 (1971). Voter minimum age of 18
LRA27 (1992). Congress, raise [Huh? #28]

***Liberty Rules! Timeline* - U.S. Wars vs. U.S. Constitution & Amendments**

Election References Matrix

Information Mobility Timeline - U.S. Communications vs. U.S. Transportation

Commentary

Proposed LRA28. Term limits for Representatives and Senators [Huh? #29]
Proposed LRA29. All juries must reach unanimous decisions [Huh? #30]
Proposed LRA30. Voting Harmonization, Election Day Restoration, 16+ Vote,
 Candidate Age Reductions, Candidate Residency Increases,
 Felon Eligibility, Governors' Responsibilities [Huh? #31]
Prohibited Powers Abuse Re-Cap
Presidential Overreach
Applied Logic Example – The DAPL Dilemma
Food for Thought
Conclusion
Final Thought
U.S. Constitution & Amendments original transcripts links

The citizens of the United States of America have a right to applaud themselves for having given to mankind examples of an enlarged and liberal policy—a policy worthy of imitation.

All possess alike liberty of conscience and immunities of citizenship.

It is now no more that toleration is spoken of as if it were the indulgence of one class of people

that another enjoyed the exercise of their inherent natural rights,

for, happily, the Government of the United States,

which gives to bigotry no sanction,

to persecution no assistance,

requires only that they who live under its protection should demean themselves as good citizens
in giving it on all occasions their effectual support.

George Washington

August 18, 1790 Letter to the Jews of Newport

Commander-in-Chief of the Continental Army

1st President

1723 – 1799

Liberty Rules Amendment #1 (1791): We'll practice freedom of religion, free speech, free press, the right to get together to protest or party and the right to petition the government if you feel you were done wrong.

Huh? #21: In 1954, what is known as “The Johnson Amendment” came into existence. It carries the name of then Senator Lyndon B. Johnson (D-TX, 36th President). It’s not an amendment to the constitution, it’s a late change to a tax law that, I’d argue, is an affront to the constitution. Specifically, it’s an amendment to H.R. 8300 bill before the 83rd Congress and became part of the Internal Revenue Code of 1954. It forbids 501(c)(3) tax exempt organizations from speaking ill or kindly of politicians.

Johnson was known as a strong politician. It’s further reported that it was a specific reaction to silence opposition that he experienced in Texas during a political campaign. It’s said to have been passed July 2, 1954 without debate. The 1st Amendment specifically and clearly states that “Congress shall make no law ... abridging the freedom of speech...” I’m not twisting the words, I’m exactly quoting the words relevant to this discussion and I see no other words that affect the meaning of these words in the 1st Amendment. We know that randomly yelling “fire” in a movie theater creates a public safety hazard which isn’t protected within the bounds of free speech. However, saying “Lyndon B. Johnson something or another” from the pulpit doesn’t create an immediate public safety hazard. The 1st Amendment doesn’t go on to say, unless of course you’re a preacher or a non-profit organization. It applies to all. I see nothing remotely constitutional about this law. In 2017, President Trump agreed. His Executive Order 34 (#13,798) eased the restrictions.

The Sedition Act of 1798? That plus this book and I’d be up the river for good. Jefferson pardoned those jailed.

Bill of Rights Introduction and Amendment I (1791) text on next page.

Bill of Rights Introduction:

Congress of the United States begun and held at the City of New-York, on Wednesday the fourth of March, one thousand seven hundred and eighty nine.

THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.

ARTICLES in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

Amendment I (1791)

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Americans have the right and advantage of being armed –
unlike the citizens of other countries
whose governments are afraid
to trust the people with arms.

James Madison

The Federalist, No. 46 at 243- 244
4th President (1809 – 1817)
U.S. Secretary of State for President Thomas Jefferson (1801 – 1809)
U.S. Representative (VA, 1st – 4th Congress, 1789 – 1797)
1751 – 1836



Liberty Rules Amendment #2 (1791): The government won't mess with the rights of people to possess, carry and use weapons. This ensures the capability to form self-equipped state militias.



Amendment II (1791)

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

The Third Amendment, which forbids the 'quartering' of 'soldiers' in private homes without the owner's consent, is often the butt of jokes because it is so rarely litigated.

But in this case, a Nevada family claimed that local police had violated the Amendment by forcibly occupying their home in order to gain a "tactical advantage" against suspected criminals in the neighboring house.

Ilya Somin

The Washington Post – Article 3/23/15

Professor of Law at George Mason University School of Law

ANTHONY MITCHELL, et al. Plaintiffs, v. CITY OF HENDERSON, et al., Defendants.



Liberty Rules Amendment #3 (1791): No soldiers are permitted to expect a place to crash without the homeowner's consent, except, perhaps in time of war, as prescribed by law.



Amendment III (1791)

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Statutes authorizing unreasonable searches
were the core concern of the framers
of the Fourth Amendment.

Justice Sandra Day O'Connor

Dissenting opinion (Illinois v. Krull, (No. 85-608)), March 9, 1987
First woman to serve as a Supreme Court Justice
Supreme Court Justice 1981 – 2006
Born 1930



Liberty Rules Amendment #4 (1791): We have the right to privacy except if a warrant is issued with probable cause, but then only search and seizures as described in the warrant may be carried out.



Huh? #21: In 1791, it was physically possible for the government to bust your door down and raid your personal and private belongings, but they chose to include the 4th Amendment in the Bill of Rights to specifically prohibit that. Nowadays, it's technically possible for the government to bust through a back door into your phone or computer and raid your personal and private belongings. They act like because they can utilize technology to do it that makes it okay. What difference does it make how they raid your stuff? Either way, it's clearly unconstitutional.



Amendment IV (1791)

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Pay attention.

If ever you should find yourself in a serious jam, remember this:

The First Amendment gives you the right to speak freely.

The Fifth Amendment reminds you that you need to know when to shut up.



Liberty Rules Amendment #5 (1791): You have the right to remain silent. If you're accused of murder or other felony, you must be indicted by a grand jury to be prosecuted for it, except for servicemen when in war or during times of public danger. You can only be tried once for an offence. Your life, liberty, and property cannot be seized without due process and if they take your property for public use you must be paid a fair price for it.



Amendment V (1791)

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

He [George Washington] has often declared to me that he considered our new constitution as an experiment on the practicability of republican government, and with what dose of liberty man could be trusted for his own good; that he was determined the experiment should have a fair trial, and would lose the last drop of his blood in support of it.

Thomas Jefferson

3rd President (1801 – 1809)

2nd VP to President John Adams (1797 – 1801)

1st U.S. Secretary of State for President George Washington (1790 – 1793)

Declaration of Independence author (1776)

1743 – 1826



Liberty Rules Amendment #6 (1791): You have the right to a defense attorney and a speedy public trial by an impartial jury where the alleged crime was committed. You must be told what the charges are, you can hear and see what the witnesses against you have to say and you may subpoena other witnesses in your defense.



Amendment VI (1791)

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

We need a law that will permit a voter
to sue a candidate
for breach of promise.

Mark Twain

American Author
1835 - 1910



Liberty Rules Amendment #7 (1791): Civil lawsuits may be tried by a jury and once concluded the facts established may not be re-examined. The lawsuit must be greater than seventy-five thousand dollars to gain eligibility for federal and potentially Supreme Court consideration. A minimum amount in controversy was established by the Judiciary Act of 1789 in the amount of five hundred dollars and was raised for the fifth time to this level in 1996 by Congressional decree 28 U.S.C. § 1332(a).



Amendment VII (1791)

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Hi, it's me again.

I am tortured by the thought that the inhumane atrocities by terrorists makes their torture justifiable.



Liberty Rules Amendment #8 (1791): Excessive bail and fines are forbidden as well as cruel and unusual punishment.



Amendment VIII (1791)

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

The very purpose of a Bill of Rights was to withdraw certain subjects
from the vicissitudes of political controversy,
to place them beyond the reach of majorities and officials,
and to establish them as legal principles to be applied by the courts.

One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly,
and fundamental rights may not be submitted to vote;
they depend on the outcome of no elections.

Justice Robert H. Jackson

319 U.S. 624, West Virginia State Board of Education v. Barnette (No. 591) (1943)

Supreme Court Justice 1941 – 1954

1892 – 1954



Liberty Rules Amendment #9 (1791): The free to be me amendment! People have unbounded 'rights' and authority of self-determination in all matters concerning their *being* at or below the skin, seen and unseen. They extend to all matters relating to their consenting relationship(s).



Huh? #22: Thank goodness for the 2022 Roe vs. Wade Overturn (xRvW). I think it sucks! However, it made me seriously reconsider Amendment 9 & 10, 1791, Amendment 14, 1868 and the behavior of the Supreme Court here and in general. Overall, I've concluded Amendment #9 is mighty fine! It's been hiding in plain sight. The quote above seemed to nail it so well, I overlooked its true magnificence.

Although the subject of a woman's right to abortion was confirmed nationwide by the original Roe vs. Wade decision dated January 22, 1973, the subject's continued to fester as a socially, emotionally, religiously and politically charged concern. For very good and justifiable reasons, there are many groups that have coalesced with very strong convictions in their position on the subject. There are religious and faith based groups that for their beliefs or simple direct willful submission to the doctrine of their religion hold a blind faith opposition to the notion of abortion. On the opposite end, there are groups for similarly justifiable reasons that adhere to a strict doctrine of "my body my choice." Between them, there exists no middle ground, or happy medium, that can please either of them. However, there are several other loosely defined groups that promote compromise positions on abortion. Whether driven by reason, accommodation, compassion, or tradition, they take a somewhat pragmatic approach to draw some line in between where, under certain circumstances, or up until a certain time in gestation, abortion should be permissible country-wide.

The subject itself is such a delicate matter. Any woman or couple faced with even the momentary hesitation of a decision rather than pure joy, wonder, excitement and anticipation is surely in a difficult heart wrenching moment.

Any state or federal policy other than a hardline yes or no is inherently arbitrary in all circumstances. Regardless of where any line may be drawn, those at the extremes will persistently drive to relentlessly move that line incrementally towards their absolutely black and white, yes or no position. It becomes a never ending negotiation. Ultimately and necessarily, government is the arbiter. That makes it an even stickier issue.

Liberty Rules Amendment #9 (1791) (continued)

Every one of many aspects of regulation are cause for lengthy debate. Regarding the age of the woman, whether they should have any obligation to share a decision with either a parent, if very young, or the lover at any age. Should there be any obligation to be counseled or mull it over a bit? In cases of rape or incest there's often wide consensus that it's an entirely different situation and most make an accommodation for that instance without question. Medical circumstances where decisions are driven by preserving the health of the woman is also among the typically widely accepted recognized exceptions. There's also the valid concern that to make it illegal may make it unsafe for those who seek it or financially impossible for economically insecure women.

The issue has crossed the bench of the Supreme Court many times. Roe vs. Wade largely settled it from the critical aspect that it became legally available in all states. That made it safe and accessible for all women.

Over the decades after RvW, all had to accept it but some of the practices regarding it became justifiably offensive as well. There's tax-payer funding objections. Undercover videos emerged where the counseling and coaching of young adults clearly encouraged abortion nearly to the point of pressuring women to get it. Genetic engineering advances bring other questions of underlying motives and benefits that may exist in "harvesting" human embryos or fetus for stem cells or other genetic therapy measures for the living.

If you could indulge me for a moment, and try to put all that aside, as I'm trying to do, I'd like to share with you a few of my observations from my best effort to thoroughly read only two of the very many decisions related and cited on the subject and glean from them what I may on the subject from a constitutional stand point. The Law of the Land's provisions for the Rights of the People. One could easily dedicate the rest of their lives trying to understand the world, USA and Supreme Court histories and precedence. I'm not that guy!

The high impact abortion decisions are given as follows (**my shorthand** // typical shorthand // formal case).

1/22/1973: RvW // Roe vs Wade // Jane ROE, et al., Appellants, v. Henry WADE.

Summary Impact: Made abortion legal in all 50 states. Created a trimester framework for latest abortion date. **Historical context of 1/22/1973:** 1969 Summer of Love culmination of the psychedelic experimenting, free loving, civil rights & Vietnam War protesting 1960s is still fresh in people's minds. Republican President Richard Nixon's 2nd term inauguration happened the day before. The unpopular Vietnam War is still on-going.

6/29/1992: Casey // Planned Parenthood vs. Casey // PLANNED PARENTHOOD OF SOUTHEASTERN PA v CASEY

Summary Impact: Preserved RvW but changed trimester framework to a viability test to refer to length into pregnancy after which the fetus could live outside the womb for latest abortion date.

Historical context of June 1992: The 1980s were deemed the "Me Generation." In those days kids got into playing video games at home. After 2 terms of Republican President Ronald Reagan, and about 6 months before the end of his VP's 1st term as President, George H. W. Bush was in campaign mode for his losing bid for a 2nd term. The Berlin Wall came down November 11, 1989 which was declared the end of The Cold War.

6/24/2022: xRvW // Dobbs vs. Mississippi // THOMAS E. DOBBS, STATE HEALTH OFFICER OF THE MISSISSIPPI DEPARTMENT OF HEALTH, ET AL., PETITIONERS v. JACKSON WOMEN'S HEALTH ORGANIZATION, ET AL.

Summary Impact: Overruled RvW & Casey and returned the authority to legislate on abortion from legal nationwide to each of the 50 states to decide.

Historical Context of the 21st Century: 2000-2023 in a nut shell... it's been nuts!!!

Liberty Rules Amendment #9 (1791) (continued)

The Roe vs. Wade Overturn decision (xRvW) led me to read the Barnette decision cited here regarding doing the Pledge of Allegiance and then read the xRvW decision's Opinions and Dissent in their entirety. That led to an epiphany of the true depth and intent of this 9th Amendment and the sharp distinction of it versus the 10th Amendment. Once there, I laid out "The *Liberty Rules!* Timeline" of U.S. Wars versus the U.S. Constitution and its Amendments dates located after the Liberty Rules Amendments on Page 149. That helps to demonstrate the outrageousness of Justice Alito's ignorance of the Pearl Harbor attack of December 7, 1941 in his Opinion for the court. He cites Barnette in his justifications and gross misrepresentation of its decision being a primary example demonstrating the Supreme Court overturning earlier decisions justifying the RvW overturn. In the xRvW Opinion, he asks rhetorically, what happened between 1940 and 1943 as if it was some vacuum in time of quaint serenity. Additionally, the timeline shows the contextual reality of how Amendment 14, 1868 should be viewed as a direct result of the Civil War and applied more limitedly forward going.

I've been carrying a deep seated suspicion of the lapses of integrity of the Supreme Court over our history. Past decisions, possibly influenced by private interests, have been stood on to justify and perpetuate serial 'right' killing principles and political feeding frenzies. xRvW was such a blatant political hack job, which I fully realized the moment I reached the xRvW Opinion declaration that the decision exclusively impacts abortion ("So it is written, so shall it be done!"), that it inspired the deep dive to confirm that. I still stand by that assessment. If one is to judge something in earnest, you may be forced to consider if the 999 good points allow the 1 deviant point to be overlooked or if the one deviant point is the unraveling of the true intent and nature of the judged. I'm raising the glaring deviant points and omissions that call it all into question.

Bottom line assessment: Two wrongs didn't make it right!

xRvW Beneficial Revelations:

A – This Supreme Court has gone on record that they've got it wrong before, they'll get it wrong again. They can, on occasion, correct past bad decisions of the court when necessary. 'Stare Decisis' as they say. 'Stare' as in look. 'Decisis' as in cease and desist. "STOP LOOKING AT THAT!" with regard to prior precedence cases.

B – This Supreme Court has clearly made one very good constitutional point. The Opinions describe the RvW original decision as looking like a piece of legislation rather than a court decision. That's clearly outside of the role of the Judicial Branch per the U.S. Constitution. If the Supreme Court stays in their lane, maybe the Executive and Legislative branches will revert to staying in their lanes and truly holding each other accountable as they should always be doing per the U.S. Constitution defined roles and responsibilities.

The quote I used by Chief Justice Earl Warren with Liberty Rules #46 from 1965 describes the separation of powers and that the Judiciary's unique role ensures no "trial by legislation" by the Congress. xRvW calls out the malpractice of the prior seated RvW Supreme Court doing what should be termed "legislating from the bench." It is this seated Supreme Court's Opinions' cornerstone argument for overturning RvW.

So, although I believe that xRvW represents one huge step backwards, it also is two baby steps in the 'right' direction. No pun/Pun intended... The bright light that all this is shining on the federal 3-branch dysfunction is a vanity mirror. This court calling out a prior court has inadvertently exposed them as party to a 3-ring circus.

4th Amendment only relates to our things: Within Liberty Rules Amendment #4, Justice Sandra Day O'Connor is quoted in Dissent to a decision "Statutes authorizing unreasonable searches were the core concern of the framers of the Fourth Amendment." In this quote, Justice O'Connor confirms my position that this

Liberty Rules Amendment #9 (1791) (continued)

amendment primarily protects us from the uncalled for, unjustified and unauthorized search of our stuff. I'm not certain what other concerns she may believe the 4th Amendment was meant to address outside of this "core concern." Regardless, I see nothing remotely associated with our *being* as it is currently known to exist or as it may come to be known to exist at or below the skin. The first reference to 'persons' in the 4th Amendment is regarding someone's clothing and what they may be carrying around with them, not their *being* at or below the skin, seen and unseen. The second reference is just a plural of person.

9th Amendment's Infinite Me Liberty: Per Liberty Rules Amendment #9 (1791) posted here.

14th Amendment Smoke and Mirrors: The court has historically sidestepped the recognition of the unbounded rights that the 9th Amendment affords us. They've systematically misrepresented the 14th Amendment to fit desired outcomes rather than give us a clue of our boundless rights ensured by the 9th Amendment. I strongly believe that the 14th Amendment did not re-assert any of the Bill of Rights as parts of these and other past Opinions falsely claim. No Amendment has ever done anything like reaffirming prior amendments as they claim with the exception of, perhaps, the 25th, which I haven't unraveled yet. The Civil War ended in 1865 and Amendment 13, 1865, abolishing slavery, is unquestionably associated with that. To me, given the context of history, Amendment 14, 1868 was clearly in response to the continued overt injustices that African American people and former slaves were experiencing after becoming free people by Amendment 13, 1865. xRvW dances around this with 101 'fourteenth' mentions versus 7 of the 'ninth.'

The 14th attempted to narrow the lanes of oppression that continued after the civil war in varying degrees and, I must add, existed in highly offensive ways even a century later when Reverend Martin Luther King Jr. spearheaded the 1960s civil rights movement that finally turned the tide against systematic "legal" racial oppression in the USA. Furthermore, it is evident in their use of the words 'privileges and immunities' rather than 'rights' in Section 1 of Amendment 14, 1868 that they weren't reasserting the Bill of Rights existence. At that time they were still respecting the reservation of 'rights' belonging to people only. As freshly freed people and citizens, they inherently had equal rights under the Bill of Rights. Liberty Rule #82 dictates that all states judges honor the constitution which, by Liberty Rule #80, includes its amendments. Amendment 14, 1868 did not change states' obligations. The 10th Amendment's recognition of state sovereignty and codifying the limited role of the federal government over the daily activities of the people, their businesses and the states made it clear to all the states that their 'powers' exercised in their laws had to treat all citizens equally assuring their common 'privileges and immunities' as etched in Liberty Rule #74 as well. Unfortunately, words, while helpful, don't always cause the immediate results they intend and support. Everything in Amendment 14, 1868 should be looked at from the viewpoint of recognizing it immediately followed and was in response to the end of the Civil War. Nothing in Amendment 14, 1868 should be used to justify disparaging any rights of individual people assured by the 9th Amendment's infinite scope respecting our individual sovereignty.

Supreme Court's role: In a smash up of their own words: It is the justices "duty" "against tyranny" as "the safeguard of our liberty and of our property under the constitution." (See LR34, LR46 & LR67 for citations.)

Supreme Court malpractice "indictments":

Concurring Justices (ALITO, THOMAS, GORSUCH, KAVANAUGH, BARRETT, and ROBERTS) (xRvW): To overrule and vacate RvW on procedure as legislation and then not correctly justify the 'right' to abortion as ensured by the 9th Amendment is a sort of double reverse legislating from the bench. It wronged a wrong in defiance of our 9th Amendment catch-all 'right' to final self-determination in all '*being*' matters.

Liberty Rules Amendment #9 (1791) (continued)

Justice ALITO (xRvW): Justice Alito's delivered the xRvW Opinion, in which he asks what happened between 1940 and 1943, in ignorance to the WWII Pearl Harbor attack of December 7, 1941. "Barnette stands out because nothing had changed during the intervening period other than the Court's belated recognition that its earlier decision had been seriously wrong." I consider that an impeachable offense. And they doubled down on it in rebuttal. Except for Roberts, the other four joined in the Judgement and Opinion, so they're just as guilty of this! Similarly appalling displays of malpractice through selective irrelevant dissertations on world and court history that run rampant in xRvW are shocking! Verbose inconsequential selective fluff ad nauseum. This is such a glaring and insulting omission and oversight it defies "good behavior" required by Liberty Rule #67.

Chief Justice ROBERTS (Affordable Care Act (aka ACA/Obamacare)): I believe that Chief Justice John Roberts had already legislated from the bench the way he preserved Obamacare by freelancing to create a basis to preserve it when that basis wasn't brought before him as an argument in that case. (See Liberty Rule #28). His statement there recognizes the states' role in the U.S. government. He cornered himself by that here.

Justice BREYER, SOTOMAYOR, and KAGAN (xRvW Dissent): To be fair, in full disclosure of my disgust with this court and the characters we've entrusted with this high duty, the xRvW Dissent includes the statement that "The first problem with the majority's account comes from JUSTICE THOMAS's concurrence—which makes clear he is not with the program." With all due and undue respect, marching out such casual "pop" language in a document for all future generations to refer to from the highest court in the land sounds like it was written by a snot nosed kid whose parents bribed their way into some entry-for-hire Ivy League cesspool. I must admit that their statement that "Casey is a precedent about precedent" is quite clever and catchy. However, it is ultimately an empty point that I disagree with in this case because they both stand on the 14th Amendment instead of the 9th. Their Dissent also goes on about the court's evolving recognition of rights. My view, rather, is that the court very slowly walks back unjustifiable limitations of rights as social mores and general acceptance of each other has evolved. The courts are timidly walking back so many things they need to throw down the gauntlet in recognition of the very wide mainstream of America is largely in understanding and acceptance of each other and of what we each do in our own spaces as Amendment 9, 1791 recognizes.

All 9 Justices of the 2022 xRvW Supreme Court (the fix was in): To add insult to injury, on top of all those appalling behaviors, the court's recognition that the parties in the case dictated that the court could only render an all or nothing decision is pathetic. If any one of these nine justices had a spine they would have thrown them all out of the court for good for the nerve to even make such an utterance! The audacity of the plaintiff and defense is beyond belief! And they got away with it! Chief Justice Roberts concurrence in the Judgement and the Dissent speak of this. Once they got to the Supreme Court, the parties presenting the case upped the ante. My wild speculation: The fix was in!

The Dissent supports that conclusion. The beauty of xRvW is that it finally lifted the veil of integrity that the Supreme Court has hid behind and revealed that they're just another dysfunctional bunch of misfits mirroring the rampant dysfunction of the presidency, House of Representatives and Senate telling us how to live our lives when they appear to all have gotten their law degrees out of Cracker Jacks boxes. This overall miscarriage of justice accomplishes one benefit for the "3-branch-club." The Judicial Branch served up a lob ball for the Legislative Branch to tee off on to whip up their tried and true one issue bases to keep them relevant for the 2022 mid-term election. Go government! You guys are awesome! Protecting us from those ogres with life long sentences, ah, positions to serve us or eat us alive! The Supreme Court took one for the team – government.

Liberty Rules Amendment #9 (1791) (continued)

If you'll recall, President Trump promised to pick his Justices from "The List." And he did. And "oh no, they didn't!", which means, "oh yes, they did!" ... take the first opportunity to overturn RvW because they knew they had the majority to do it. The case before them was just a vehicle in my sincere belief.

The Barnette decision is about a person's behavior. The xRvW decision is about a person's *being*: The Barnette decision cited here was about outward behavior required by the West Virginia Board of Education. Both the Opinions and the Dissent of xRvW refer to the decision. The court was of 7 Justices in total at the time of the Barnette decision in 1943 and went 6-1 to overrule the WV Board of Education requiring kids to say the Pledge of Allegiance in public school based on a Jehovah's Witness religious objection. I believe the one Justice who stood against it in Dissent, Justice Frankfurter, (yes, Frankfurter... Hot Dog! This oughta be good!) makes many compelling points that lead me to believe that he was right and the court got it wrong on the Barnette case on which they stand so proudly as setting good precedence to overturn prior decisions.

Justice Frankfurter actually makes a very interesting description of the long term value of leaving so much with the states the way it should be by way of the 10th Amendment. He describes it as fostering a healthy involvement of people engaged in their state's political process which has to ultimately be a good thing for our society and our republic's democratic process. The Barnette Dissent is definitely a good read. xRvW is about an individual's right. The RvW original decision correctly ensured it for the wrong reasons and by the wrong process. xRvW wrongly vacated that right and threw it back to the mob that exists in some states to impose their will on "pregos" not planning to carry to full term. I use the term "pregos" in the absolute most affectionate way possible, and I mean that! The xRvW primary valid argument was with the process.

They missed the opportunity to vacate it because of the process and then ensure it for all to come for the 'right' reason by way of the 9th Amendment. However, as due process and jurisprudence goes, I believe Justices aren't supposed to invent a way to justify a desired outcome as Justice Roberts did for Obamacare.

Summary: People have unbounded 'rights' (LRA1, LRA2, LRA3, LRA4, LRA9). People, their businesses and states have 'powers' to define 'privileges & immunities' (LR74, LRA10, LRA14) of those who are in their sphere of influence. Congress may sell and make 'rules & regulations' regarding federal property (LR78). No 'powers' of any people, states or federal entity may impose on people's unbounded 'rights' without 'due process' and respect or without a person's explicit permission (LRA5, LRA6, LRA7, LRA8). Got it? Get it. Do it!

If you seriously doubt my conclusions, that's cool... However, since you're already this invested in the subject, please read the entire Barnette and xRvW decisions, at the minimum, and come to your own conclusions.

To reel in the Supreme Court and "handcuff them" for these "indictments", Proposed Liberty Rules Amendment #29 is offered for your thoughtful consideration later in the Commentary section.

Remember, all people retain the rights and ability to do what they do to foster the outcomes they prefer.

Amendment IX (1791)

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

The powers delegated by the proposed Constitution to the federal government are few and defined.

Those which are to remain in the State governments are numerous and indefinite.

The former will be exercised principally on external objects, as war, peace, negotiation and foreign commerce; with which last the power of taxation will for the most part be connected.

The powers reserved to the several States will extend to all the objects which in the ordinary course of affairs, concern the lives and liberties, and properties of the people, and the internal order, improvement and prosperity of the State.

James Madison

Federalist, no. 45, 313-314

4th President (1809 – 1817), etc. (more experience noted in other instances of his many quotes herein)

1751 – 1836

Liberty Rules Amendment #10 (1791): If the constitution does not specifically provide for powers to the federal government, then those powers will go to the states or the people.

Huh? #23: ***Liberty Rules!*** opens with the following quote of Patrick Henry: "The Constitution is not an instrument for the government to restrain the people, it is an instrument for the people to restrain the government – lest it come to dominate our lives and interests." Amendment X essentially formalizes his position on the meaning, scope and power of the U.S. Constitution's purpose to restrain the federal government. However, I believe that in spite of this, the federal government has become like a million armed octopus. They've extended their tentacles into far too many facets of our lives and businesses. These matters of personal choice are expressly reserved to the states and the people by the 10th Amendment. If the personal affairs affecting the people were limited to legislation by the states and local governments then, as President Ronald Reagan said, people can vote with their feet. Oppressive states with imposing laws restricting personal choice and freedom could theoretically become isolated and abandoned. Judging by the quote of James Madison above, which was made during the development of the constitution, he obviously agrees. It also confirms that although the original Articles of Confederation were replaced by the U.S. Constitution to strengthen the federal government, they were careful to construct it such that at the same time the U.S. Constitution defines the limited powers that the federal government was designed to exercise.

In spite of these clear and noble goals embodied in the U.S. Constitution, the federal government has launched deep into the business of behavior modification of its citizens. The results of those efforts are becoming oppressive. That's tyranny. An old word with regrettably renewed meaning and relevance.

The 10th Amendment is the most powerful sentence of the entire U.S. Constitution protecting people & state sovereignty. I strongly believe that all federal laws should be vigorously debated and passed through the prism of their place to be legislated, if at all, with consideration to Amendment X. Let's call this "The Power of the X."

Amendment X (1791)

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

;-D

U.S. Constitution text source:

<https://www.archives.gov/founding-docs/constitution-transcript>

The Bill of Rights and the rest of the amendments text source:

<https://www.archives.gov/founding-docs/bill-of-rights-transcript>

www.LibertyRules.us

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April 7, 2023

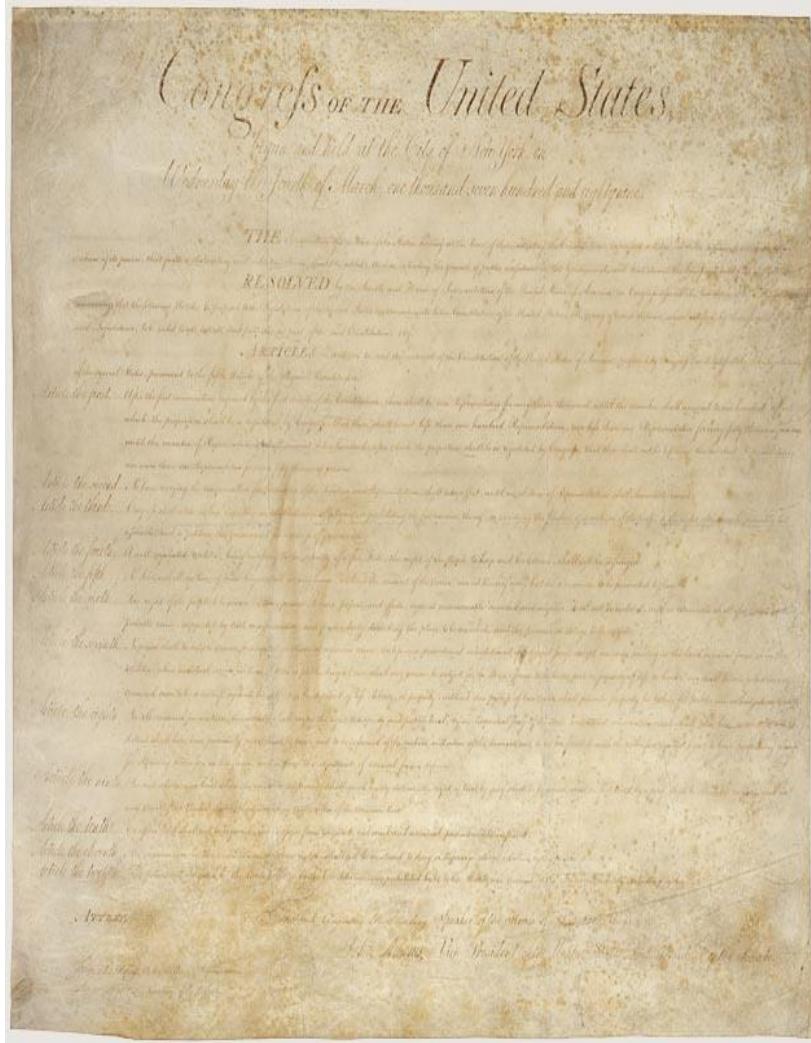


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Closing editorial note: I revisited the U.S. Constitution and Amendment text source links noted above briefly for the 3rd Edition and it appears that they've integrated some effort to correlate the impact of the Amendments XI - XXVII to the original constitutional text. I've not examined it in enough detail to comment on the pros and cons of how it's been done. All of my correlations were done independently and I haven't compared my cross references versus theirs.

The Bill of Rights

U.S. Constitution Amendment I through Amendment X



First Congress of the United States of America, 1789