

# A Nation Based on Law

“America” in “quotes” = “The United States of America”

## Historical Background of “America”

*The 26 years it took...*

### 28th Amendment Proposal

*(Citizenship should be earned not granted)*

Political Commentary *Back Cover*

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“America” did not happen overnight. Starting with the Stamp Act in 1765 and culminating with the Bill of Rights in 1791, the Declaration of Independence in 1776 was less than halfway through the 26 years it took to *form and formalize* the USA—where thirteen separate colonies joined together and became one nation. It was one of the most unlikely scenarios in history, where the ancient human dream of being free, ruled by law, became a real possibility for the first time.

**George Washington** and the rebel army persevered to win “American” independence in 1781, at Yorktown, shocking the world. But when he resigned his commission after the Paris Peace treaty in 1783, and retired back to civilian life, it stunned the world! No general in all of history had ever done that. Something was definitely brewing in “America” *more than Sam Adams’ beer.*

**Four tumultuous years after the revolution** there was still wide-spread disagreement about what the new federal government should be—if there should even be a federal government—as creditors and debtors of the war got increasingly antsy. Then, in 1787, a convention was called and General Washington was persuaded to come out of retirement to preside. Some thought Washington should be King, but in the end he agreed to become President—to prove that it could be done perhaps, that a new nation based on law and merit and majority rule with minority rights could succeed somehow without a king—because not everybody believed it was possible, then or now, to have duly elected government ruled by honestly enforced laws... Political hyperbole still exists and outright fraud never seems to take a rest as we struggle forward. Some things never change perhaps.

**The long hot summer of 1787** at the Constitutional Convention in Philadelphia did not end with certainty. **Benjamin Franklin** called it, “the best we could do.” **Thomas Paine** said, “You can’t defeat an idea with an Army!” America was a new *idea* in the fall of 1787 and after much wrangling it was put before “The People” to decide. In 1788 enough states ratified the new constitution to elect the First Congress, which convened in New York City on March 4th, 1789, and, among other things, proposed *the first ten critically important amend-*

*ments to the constitution*, the Bill of Rights, which were ratified by all the states and adopted by the Second Congress on **December 15, 1791**, which, at that point, finally finalized the founding of “America.”

**James Madison**, 4th President of the United States (probably the main framer of the constitution) said, “A multiplicity of ‘factions’ shall save us, the ‘tyranny of the majority’ will be restrained that way...” The list is long of the many “factions” who helped found America—not to forget **Martha Washington and Abigail Adams, Shay’s Rebellion, and so many more...** (Not to forget the entire French Nation without who’s aide and assistance we never could have done it!) *America is not the work of a few individuals, it is the culmination of an ancient dream by all who understand freedom and its true nature, and who have always wanted to be free!* The challenge of keeping the many factions satisfied, however, “to maintain that delicate balance,” that challenge never ends...

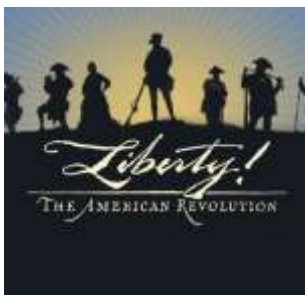
**It took 4 years after the Bill of Rights** to get to the 11th Amendment, 9 years after that to get to the 12th. America is over 200 years and 27 amendments in the making, and we’re not done yet! Education and Health Care have not yet been covered. Welfare is not explained. The size and shape of the federal government has grown large and contorted—where many branches and levels of government overlap—with many disputes over jurisdiction... Maybe Congress should have been capped at 200 instead of 435? Maybe Congressional redistricting should be more geographical and less geopolitical? Maybe our two-party system (of Donkeys and Elephants) is obsolete?

**A Citizen’s Edition** of the U.S. Constitution, *Ken’s Pamphlet 002*, was inspired by CBS newsman **Fred Friendly**, who, “It’s Been Said,” carried copies of the constitution with him to hand out when he *felt the urge...* “Our government is as distant and incomprehensible as we make it.” he liked to say, as he handed you one, and then he liked to say, “These are the rules!”

*“Where reason and truth should prevail with majority rule not mob rule and guaranteed rights of Liberty and Justice for all... This is something to believe in — Worth fighting for!”*

**The Founding Documents of “America:”** The Declaration of Independence, The Constitution, and The Bill of Rights (the first ten amendments to the constitution) are unique in all of human history for what each one of them does individually, while collectively they explain almost everything there is to know about “America.” In the early days of the American continent it was relatively easy to start a small business—a farm, a trading post, a plantation of some kind—but a whole country, nobody had ever dared try that before... “Who did those ‘Americans’ think they were?” Not many, including many “Americans,” believed it was possible to start a whole country.

**The magic of the 26 years** from 1765 to 1791 cannot be captured adequately in a few words. There was a PBS television special in 1997 that did capture the essence of it all and those years that led up to the “American” Revolution—how it got started and how the rebels managed to win the war but came so close to losing it—only to turn things around so many times and, in the end, to create this great country, “from an idea!” How improbable. Or was it, as some believe, inevitable?



**Liberty! The “American” Revolution** is available at most public libraries on VHS tape or DVD, or directly from PBS on DVD for about \$50—six one-hour episodes—that bring tears to my eyes every time I watch them... It tells the whole story so well, non-partisan—the music, the costumes, the commentary and characterizations—all of it is so superbly done and edited. If you’ve never seen all six hours of Liberty you should. You won’t regret it. It makes the case for the 26 years and who we Americans are, where we came from and how we got here if we weren’t here already (as if it matters). It’s an incredibly well done milestone documentary full of emotional and inspiring stuff that should be seen by all who believe in Liberty!

**After the Revolution** not everything was immediately settled... For a long time things were put off until *mysteriously* they worked out—and how that happened we may never know unless we subscribe to the *inevitability* of human progress... How long can people remain selfish and aloof? How long before education and equal opportunity catches up with social nonsense and inherited privilege? The Story of the United States is the story of earning your way not being granted it, where ideas and imagination count, trumping fear and prejudice, and where the little guy *can truly* make it big! But it didn’t happen overnight, and it didn’t happen *s-m-o-t-h-l-y*.

**It took a long time** before the promise of people being created equal was finally realized—a hundred years before it was formalized in amendments 13,14 and15 after the Civil War—and another hundred after that before it was finalized in the Civil Rights Act of 1964: Two hundred years and ten generations to achieve what was self evident and obvious the whole time!

**There have been many setbacks** and embarrassments in American history: Slavery, the Trail of Tears, WWII Japanese interment camps and the need for a Civil Rights Act in 1964... And we’re not done yet. We have not yet completely evolved from the jungle. The eyes of the world remain upon us. We have awesome charisma and devastating firepower. Some worry our power has gone to our head (like it goes to the heads of all colonial powers). It is so difficult to be humble and sharing, caring of others, when adoration and praise seem so much more appropriate and satisfying to those of us who qualify as, “Ugly Americans.”

**Our last election** made it seem like maybe our Civil War was finally over, and that everyone in “America” who wants to can vote for whoever they want, maybe even get elected, but once elected then what? The same old story? Must campaign promises always be broken? Must the urgent emergency of now always take precedence over what might have been said? If you voted for Change in the last election you will be disappointed. Nothing has changed. The wars in Iraq and Afghanistan go on; Guantanamo is still open; the economy has collapsed, which is different, but not a change for the better... Wall Street banks and insurance companies have been bailed out, but Main Street and housing and manufacturing good jobs in general are not doing so good. (Who needs a job when you can become an investment banker?)

**The Last Hurrah!** A 1950’s political book/movie and commentary about the end of machine politics in big-cities (where they couldn’t compete with the guys in Washington anymore) could be a sign of what’s to come full-circle finally for Washington... There will be no more “change” from them, just business as usual. Shame on all of them, and Obama, as they laugh all the way to the bank. Out with them all (except for maybe a very select few)!

**The Promise of America** could be ending... Promises in politics get broken every day. The shelf life of campaign promises has gotten really short. “Mr. Smith,” went to Washington and they showed him! Although the ending of “Mr. Smith” was left a little vague, from all accounts it’s impossible to remain honest and effective for long in Washington. No one can hold off the corporate lobbyists and military interests forever. The smart players cash in early and sell out completely, they get to stay as long as they want—they know not to tilt at windmills and waste time on impossible dreams, “to fight unbeatable foes,” “to right unrightable wrongs,” etc. Only fools champion lost causes and pursue hopeless dreams. And they don’t last long.

**If we really want change** we have to start over, throw all the rascals out, including Obama, and elect no more Republicans or Democrats or Complex Complexities of any kind. We need a whole new slate of **Bernie Sanders!** The game in Washington is a constant tie score: 50-50 Republicans and Democrats plus a few others who get there by fluke, like Bernie. There will have to be a lot of electoral process reforms to see real change; we will have to put “America” back to work; find a job for everyone; and redefine the rules of commerce (which is to say the rules of Capitalism). We don’t have a divide in “America” of left and right, we have a divide of up and down, top and bottom, rich and poor. Life’s *natural adversarial relationships* do not lend themselves *naturally* to cooperative team efforts. Leadership and good government starts at home, with mom and dad, to keep things fair—then moves up the ladder that is perennially tipped toward the top. Occasionally, things need to be turned “upside down” to be rectified.

**While we’re waiting** for more Bernie’s to be discovered... How about passing a 28th amendment that redefines “American” citizenship and what is required to become a U.S. citizen (if we want to be one or remain one or not). The 14th amendment only made one mistake, granting citizenship upon birth. Citizenship should be earned not granted. This proposal will fix that.

## 28th Amendment Proposal

- 28. Citizenship:** All persons age 18 or older, *without exception*, who wish to become a citizen of the United States, *including all current citizens of the United States by birth or naturalization prior to this amendment who wish to remain a citizen*, must make Application and satisfy all Requirements therein, including 2 years of Public Service as prescribed by law. **Retroactive:** Persons currently receiving benefits from the federal government, or expecting benefits prior to this amendment, must make Application upon ratification of this amendment and satisfy all current requirements within 4 years. That portion of Amendment 14 that says, “All persons born or naturalized in the United States are citizens.” is hereby repealed. **Benefits:** Social Security, Healthcare, Education, Vocational Training and Rehabilitation, as prescribed by law, are guaranteed to all children in the United States through age 18 and to all Citizens of the United States who have satisfied this amendment.

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**Note:** In addition to military service it is assumed that law enforcement, fire fighting, teaching, healthcare, childcare and a variety of jobs as specified by law will satisfy the Public Service requirement—either outright or by formula—including special arrangements for those persons older, handicapped, or infirm... Public service is not just “military” service. Most will find *their “service”* rewarding and satisfying.

## Explanation & Rationale

**Amendments are hard.** Look what happened to the 18th amendment after all that hard work, and now what’s being proposed for the 14th... Some think we should have another Constitutional Convention and cut to the chase there’s so much to do that needs fixing. If you agree that citizenship should be earned and not granted and that it should count for much, then help spread the word... Passing the 28th amendment will clear up more than just citizenship, it will provide workers for public projects, help put an end to paid volunteer militarism, and maybe even (when a 29th amendment proposal is made) eliminate begging and panhandling while curtailing commercial advertising on public airways for things we neither want nor need. The 28th Amendment will clear up a lot of things and if you agree that it should be passed it will! There isn’t anything we can’t do once we set our mind to it. (Remember the moon?) There isn’t anything we can’t have that’s obtainable through work, leadership, and willpower. We don’t need investment bankers and insurance agents to sell us things we don’t want or need, we need informed citizens dedicated to earning their way with a renewed attitude of unique “American” ingenuity and can-do spirit. The “American” way shall not perish... It shall “live long and prosper!”

## Political Commentary

*"This government of the people, by the people, for the people, shall not perish from the earth,"* as Lincoln prescribed—because it is government by consent of the people, not historical precedent or fiat, to be governed. *"You can fool some of the people all of the time, all of the people some of the time, but not all of the people all of the time"*—no matter how much or how little you pay them, or how much you try to scare them... Eventually enough will figure it out.

**Ancient wars** (Privilege vs. People, Church vs. State, etc) started to creep back into the American way of life in the 1950's... **Ugly "Americans"** demanded respect abroad; **Rich "Americans"** multiplied; **Religious "Americans"** put God into our pledge of allegiance and onto our nation's currency under the guise that "under God" and "In God We Trust" were innocuous enough as to not offend anybody (important). The constitution never mentions God. The closest it comes is: "Blessings of Liberty," or to "Solemnly swear or affirm" as an "oath or affirmation" to office. Article VI spells it out explicitly: "No religious Test shall ever be required as a Qualification to any Office or Public Trust under the United States." Period. **True "Americans"** when we swear or affirm to "tell the truth, the whole truth, and nothing but the truth" in a court of law, know it is not a test of our religious faith—but a solemn pledge to, simply, "tell the truth." God is kept out of the constitution because God is a personal matter not a public issue.

**This pamphlet**, one of many, may go too far for some or leave out too much for others, but each one is faithful to its stated purpose and the "American" ideal that, The People, given enough time and opportunity and information to work with will decide. The more who know the better, but "knowing" can be tricky and is easily beguiled... "America" is not a small nation with little ideas or big secrets, it can only be defeated from within, by its own people—who if enough of them give in to the darker side of their nature we are done for.

**The Dark Angels** of ruling class mentality and inherited privilege were dealt severe blows by the founding fathers and mothers in 1791 — Civil War, two World Wars, a Great Depression and the 1960's dealt additional blows... But since 2000 we've been going backwards—ruling class mentalities have made a comeback—constitutional guaran-

tees have reached a new low while government spending and congressional and military "complexities" have reached a new high.

**The Complex** (*military, industrial, congressional, corporate, and insurance*) dominates almost every aspect of "American" life, and most life on the planet, and shows no sign of letting up. *"We have met the enemy and he is us!"* Said Walt Kelly through "Pogo." *We want it all, we want it now—and we want it at the lowest possible price!* There is plenty of blame to go around.

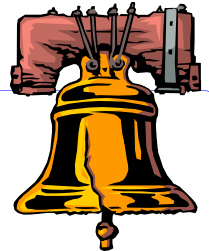
## Future Prospects

**Punitive practices and ruling class mentalities** must continue to give way to Social Progress. Liberty and justice are not inspired by fear and punishment but by dreams come true. Good deeds, rewarded generously, trump punishment (while holding punishment and incarceration in reserve of course) — *the success of society is not measured by how many wrongdoers are put away in jail but by how many wrongs are prevented or rectified.* When enough common ground is staked out on this planet to sustain everyone in a lasting manner with sufficiency, whether everyone likes it or understands it or accepts it or not, we will have finally arrived on this planet as a form of life worthy of existence and posterity. Our Mission in Life will have been accomplished at that point, so to speak. "Just in Time," to head out for other places in the universe, to "Space the Final Frontier," if we're up to it, if we are worthy of such a higher purpose and mission... *"Only The Shadow Knows."*

## With Liberty and Justice for All

**"The only cure for the ills of Democracy is More Democracy!"**

**The only cure for out of control Capitalism is More Regulation and Control...**



## Comments, Corrections (Requests for more pamphlets)



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