Liberty Tree

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LIKE THE UNITED STATES CONSTITUTION — CHRISTIANITY IS IN THE WAY OF THE NEW WORLD ORDER!

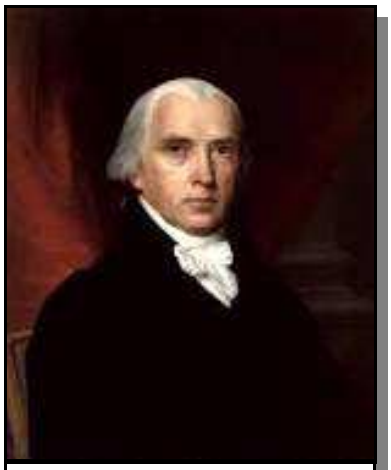
Part II

By John Baptist Kotmair, Jr.

James Madison, in his letter "To the People of the State of New York," dated February 6, 1788, (popularly known as Federalist No. 51), made the profound statement:

> If angels were to govern men, neither external nor internal controls on government would be necessary.

He was reassuring them that their concerns about a powerful central government were unnecessary, because the proposed federal government would be held in check by the separation of its powers between three branches. As an extra assurance, all of the law-making powers were also enumerated in Article 1, Section 8 of the Constitution, so they could be examined by all who would be affected.



James Madison.

Unfortunately, angels were not governing, and it took devious men of evil purposes only 30 years to work their way around the Constitutional safeguards devised by the Framers for securing our Unalienable Rights promised in the Declaration of Independence.

The bold usurpation by the Federalists

With the Supreme Court decision in the case of *McCulloch v. Maryland*, 17 U.S. 316 (1819), the Federalists set into motion the unlawful practice of judicial activism, which went virtually unopposed, except for the cries and warnings of Thomas Jefferson. This event was set up by President John Adams rushing to appoint John Marshall to the post of Chief Justice of the Supreme Court, before Jefferson replaced him as President. Adams and Marshall were both members of Alexander Hamilton's Federalist Party, and believers in strong central government control. The Federalists believed in rule by the elite.

In his majority opinion, Marshall confessed that his ruling was not authorized within the enumerated powers given in Article 1, section 8:

> Among the enumerated powers, we do not find that of establishing a bank or creating a corporation. But there is no phrase in the instrument which, like the articles of confederation, excludes incidental or implied powers; and which requires that everything granted shall be expressly and minutely described.

He continues rationalizing his erroneous opinion by pointing out that a precedent was set by the first Congress authorizing the unconstitutional Bank of the United States:

> The power now contested was exercised by the first Congress elected under the present constitution. The bill for incorporating the bank of the United States did not steal upon an unsuspecting legislature, and pass unobserved. Its principle was completely understood, and was opposed with equal zeal and ability. After being resisted, first in the fair and open field of debate, and afterwards in the executive cabinet, with as much preserving talent as any measure has ever experienced, and being supported by arguments which convinced minds as pure and as intelligent as this country can boast, it became law.

In other words, the principle that citizens of these

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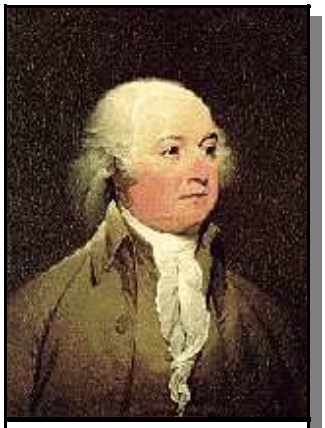
States united are governed by written law, and not men, merely sounds good, but has no basis in fact as practiced both then and now.

Jefferson warned against accepting this decision as a practicing precedence, but history, as well as the general practice of the courts, clearly show that his warnings went unheeded. Marshall, on the other hand, is hailed as a great jurist, having given birth to the "judicial activism" that present-day brainwashed law school graduates call "law."



John Adams.

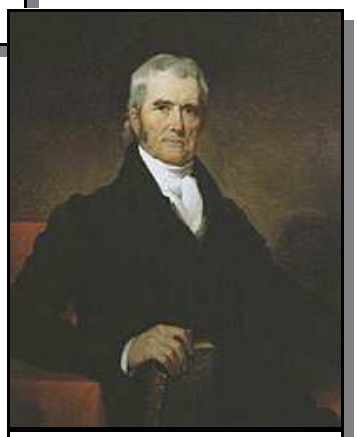
To illustrate the absurdity (and the illegality) of this, one need only read the very first sentence of Article 1, Section 1 of the Constitution:

> All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

In addition, Article 6, Clause 2 states:

> This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

So, if all law must come from Congress, and it must be made in pursuance of what is written within the Constitution, and all judges are thereby bound by that law, then where is the authority for court rulings made outside the confines of the written Constitution to be law? The answer, of course, is that there is none.



John Marshall.

Supposed origins of separation of Church and State

Thomas Jefferson became the third President of the United States on March 4th, 1801, after a bitter election campaign against the Federalist Party candidate, who was then-President John Adams. The Federalist Party spread false claims that Jefferson was an infidel and atheist, particularly in the New England states where their influence was the strongest among the Congregationalist Church. This concerted propaganda effort was so strongly promoted, that after Jefferson's election, there were reports of women in New England hiding Bibles, and expressing fears of the public burning of the Scriptures like was reported to be happening in France with the ongoing French Revolution, and Jefferson's reported support for this revolution.

Jefferson's main support in New England was the Baptist congregations, and on October 7, 1801, the Danbury Baptists Association, in the State of Connecticut, wrote President Jefferson a letter of congratulations. Reading between the lines, you can detect they wanted reassurance that such campaign propaganda was not true; after all, he did support the ongoing revolution in France:

> Our sentiments are uniformly on the side of religious liberty — that religion is at all times and places a matter between God and individuals — that no man ought to suffer in name, person, or effects on account of his religious opinions — that the legitimate power of civil government extends no further than to punish the man who works ill to his neighbors; But, sir, our constitution of government is not specific. Our ancient charter together with the law made coincident therewith, were adopted as the basis of our government, at the time of our revolution; and such had been our laws and usages, and such still are; that religion is considered as the first object of legislation; and therefore what religious privileges we enjoy (as a minor part of the state) we enjoy as favors granted, and not as inalienable rights; and these favors we receive at the expense of such degrading acknowledgements as are inconsistent with the rights of freemen. It is not to be wondered at therefore; if those who seek after power and gain under the pretense of government and religion should reproach their fellow men — should reproach their order magistrate, as a enemy of religion, law, and good order, because he will not, dare not, assume the prerogatives of Jehovah and make laws to govern the kingdom of Christ.

On January 1, 1802 Jefferson replied with this reassurance:

> **Believing with you** that religion is a matter which lies solely between man and his God, that he owes account to none other for his faith or his worship, that the legislative powers of government reach actions only, and not opinions, **I contemplate with sovereign reverence that act**

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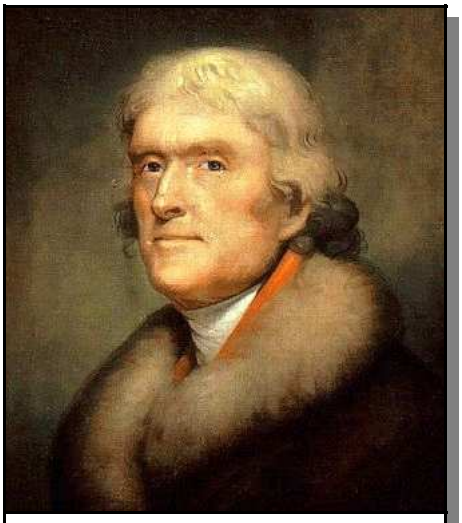
> **of the whole American people which declared that their legislature should "make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thus building a wall of separation between church and State**. Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights, convinced he has no natural right in opposition to his social duties.



Thomas Jefferson.

With his answer, Jefferson assured the Danbury Baptists that the possibility of the government favoring one religious denomination over another, like existed in the colonies and the various States before and after the revolution, was neither his, nor the government's intention. He certainly did not express that government should do everything in its power to deny the existence of the Creator, and remove any mention of, or semblance of Him from public buildings, places and events. Even if he did, his personal opinion, just like the court's opinion, is not law. The Constitution, and the laws of the Republic made in pursuance of it, are written in English by the federal and State legislatures, and so the public needs no judge in a black robe to tell them what those laws say or mean.

In fact, public buildings everywhere, including the Supreme Court building, which were built before the 1950s, display all kinds of ornamental religious designs, giving reverence to Almighty God, Creator of All Things, and asking His Blessings for the prosperity of America's existence.

Building the wall a brick at a time

The best illustration of the danger in Marshall's judicial proclamation that the courts interpret the law, is the gradual corruption of Jefferson's ***wall of separation*** phrase, reassuring the Baptists that the First Amendment insured all religious denominations the freedom to practice their beliefs without government interference, into justification for doing the exact opposite.

In *Reynolds v. United States*, 98 U.S. 14 (1878), a case dealing with the question of polygamy practiced in the territory of Utah, the Court referred to Jefferson's metaphorical phrase, but held the First Amendment only forbids Congress from legislating against opinion, not action. It held that bigamy was an action that was against English common law from the time of King James I, upon which United States law was based.

Then, nearly seven decades later, Supreme Court Justice Hugo Black, in his majority opinion in the case of *Everson v. Board of Education of the Township of Ewing*, 330 US 1 (1947), rediscovered the metaphor. "In the words of Jefferson, the [First Amendment] clause against establishment of religion by law was intended to erect 'a wall of separation between church and State' .... That wall," the justices concluded, "must be kept high and impregnable. We could not approve the slightest breach."

These two exercises in Marshall-style sophistic judicial activism laid the foundation for using the ***wall of separation*** in 1962 in the case *Engel v. Vitale*, banning a non-denominational prayer in Ohio public schools, and later in the famous 1963 case *Murray v. Curlwett*, brought by avowed atheist Madalyn Murray O'Hair on behalf of her son, to end all prayer and Bible reading in public schools. See last month's *Liberty Tree* for further discussion of those two cases.

Save the Republic: nullify court-made law

You have just read how monarchist Alexander Hamilton and federalist John Adams rushed to appoint John Marshall as Chief Justice of the U.S. Supreme Court for the purpose of overcoming the restrictions of the Constitution on the federal government. To accomplish their deeds, these three seditionists used ageless political tools, which men adapt to and follow without question — *precedent, ego and greed.* And despite the warnings of Thomas Jefferson and James Madison, Americans got into lockstep behind Marshall, the pied piper, and have been marching to the tune of his judge-made law ever since. That tune, crafted by him and his accomplices, has been taught in America's law schools as law, instead of the written law, since very early in the Republic.

You can keep changing political shades of office-holders in the Executive and Legislative Branches from now until Kingdom come, but there will never be a change back to a controlled government, bound by the chains of the Constitution, until we abandon this silly notion that whatever proceeds from the mouths of judges is law.

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Let's revert back to the accomplishments achieved by the founding fathers by the American Revolution, and make the true purpose of government, as so eloquently stated in the Declaration of Independence, more than empty words. Get copies of the Fellowship booklet, "Do Courts Have Law Making Powers?" for yourself and your friends. By doing so, YOU WILL BE MAKING STRIDES TO SAVE OUR CHRISTIAN CULTURE!!!

But whoso looketh into the perfect law of liberty, and continueth therein, he being not a forgetful hearer, but a doer of the work, this man shall be blessed in his deed. — *James 1:25*

"The God who gave us life, gave us liberty at the same time; the hand of force may destroy, but cannot disjoin them."
—*Thomas Jefferson*

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Tayra Ondina Caridad (Soler) Antolick legally immigrated to Miami, Florida from Cuba at the age of eight in 1962, escaping communism with her parents Ricardo Francisco and Ondina Caridad, and one sister Ondina Elisa. Faride Amanda was born to Tayra's parents in 1965 as the first native-born American in her family.

Tayra graduated sixth in her class from Miami Edison Senior High School in 1971. In 1976, after graduating from Miami Christian College (now Trinity University) with a B.S. in psychology, she met Charles William Antolick, joined his Christian band, the "Water, Blood, and Wine Band," and ministered on the road, in prisons, beaches, coffee houses, and churches, for eight years. Their ministry also housed the homeless and runaways in Homestead and Interlachen, Florida. They married in 1980. Tayra also graduated from International Seminary with a Th.M. and M.A. in theology.

Her dealings as general manager of her husband's independent car dealership brought across her path legal issues which she found imperative to confirm. She therefore enrolled at Santa Fe Community College in the Legal Assistant program, graduating with honors and being inducted into Phi Theta Kappa, the All USA Academic Team, and All Florida Academic Team. From there, scholarships began to find their way to her mailbox; the offer from Florida Atlantic University Honors College was too good to pass up. With her husband's full support, she moved to Jupiter, Florida, to earn her second B.A. in law and society, graduating *magna cum laude*, and was inducted into Golden Key.

Believing that American law and Christianity are inseparable, Tayra seeks, through Liberty Works Radio Network and other venues, to educate all who are willing to learn of the important role Christianity had, and still should have, in our culture and our laws. She's available for seminars on the "un-Fair" Tax.

Daughter of Liberty!!