

What Then Must We Do?

The people — the people — are the rightful masters of both Congresses, and courts — not to overthrow the Constitution, but to overthrow the men who pervert it.

— Abraham Lincoln (1859)

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing Government, they can exercise their constitutional right of amending it or their revolutionary right to dismember or overthrow it.

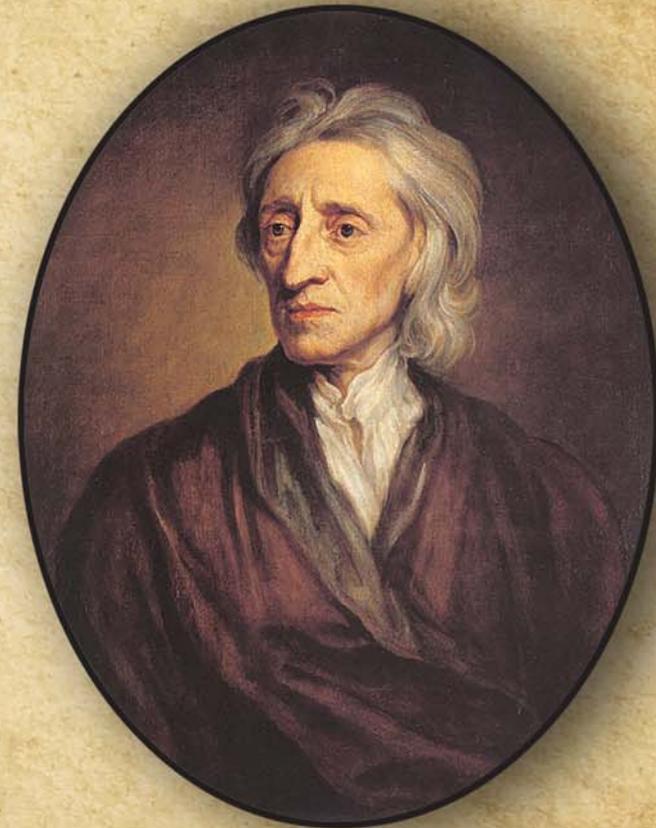
— Abraham Lincoln in his first inaugural address (1861)

In *What Then Must We Do?: The Lockean Solution to Ending Obama's Tyranny*, Kevin Groenhagen argues that the liberties of the American people are under an unprecedented attack from the Obama administration and his Socialist Coalition. According to the author, impeachment is not a viable option to end this attack since the Democrats can block conviction in the U.S. Senate. Other remedies designed to reestablish our Constitutional Republic, such as Mark R. Levin's "Liberty Amendments," would simply take too long to enact. Instead, Groenhagen proposes that constitutionalists follow John Locke's prescription for returning power to the American people through the nonviolent dissolution of the federal government. Using this route, a majority of the people can place the old form of government, i.e., our Constitutional Republic, in new hands.

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ISBN 978-1496020345

Introduction

This book is actually the nineteenth chapter of *Chapter 19: Defeating the Socialist Coalition and Restoring Our Constitutional Republic*, which I published earlier in 2014. The bulk of that book, which is named after the nineteenth chapter (“Of the Dissolution of Government”) of John Locke’s *Second Treatise of Government*, deals with what I call the “Socialist Coalition.” In *Chapter 19*, which is available at Amazon.com in both paperback and Kindle versions, I discuss the individuals and organizations that make up the Socialist Coalition in great detail. Many of these individuals and organizations have been working to “fundamentally transform America” since the 1960s. Others have been in operation for less than a decade.

Chapter 19 is a 476-page book with nearly 1,800 endnotes. While I urge readers to read *Chapter 19* to learn more about how the Socialist Coalition became powerful enough to put one of its own into the White House in 2008, and why its principles, values, and aims are far, far different from those espoused by Jefferson, Madison, and the other Founding Fathers, I understand that many readers simply don’t have the time and/or inclination to read a book with nearly 500 pages. I also realize that there are many who don’t need to be convinced that there is indeed a Socialist Coalition in this country that wields power disproportionate to their numbers. Therefore, I wanted to offer a much shorter book that briefly outlines how constitutionalists can counter—and ultimately prevail over—the threat posed by the Socialist Coalition and its leader, Barack Obama. A significant part of ending that threat entails the removal of Obama from the White House. This cannot be done through impeachment since Democrats can block conviction in the U.S. Senate, as they did with President Bill Clinton in 1998. However, as I show in the following pages, Obama (and other elected officials who have forfeited the power the people had put into their hands) can be removed from office by following John Locke’s prescription for returning power to the American people through the *nonviolent* dissolution of the federal government. Using this route, a majority of the people can place the old form of government, i.e., our Constitutional Republic, in new hands.

Kevin Groenhagen
Lawrence, Kansas

What Then Must We Do?

I sit on a man's back, choking him and making him carry me, and yet assure myself and others that I am very sorry for him and wish to ease his lot by all possible means—except by getting off his back. - Leo Tolstoy, What Then Must We Do?

The past shows unvaryingly that when a people's freedom disappears, it goes not with a bang, but in silence amid the comfort of being cared for. That is the dire peril in the present trend toward statism. If freedom is not found accompanied by a willingness to resist, and to reject favors, rather than to give up what is intangible but precarious, it will not long be found at all. - Richard M. Weaver

The knock on my door at the International Center came early on the morning of December 1, 1989. “Gringo is on the move,” yelled David Callender.

Callender and I were foreign students at the University of the Philippines. Callender, then a reporter with the *Capital-Times* in Madison, Wisconsin, was at the school on a Rotary International scholarship. “Gringo” was Colonel Gregorio Honasan, the leader of the Reform the Armed Forces Movement (RAM). RAM and troops loyal to former Philippine President Ferdinand Marcos had just launched a coup attempt against President Corazon Aquino.

Callender borrowed a few pesos from me and then I, still half asleep, went back to bed, not thinking too much about what he had just said. It wasn't until after Callender returned to the International Center several hours later that I understood the seriousness of the situation. Callender excitedly told me about a gun battle between RAM forces and government forces that took place near the intersection of Epifano De Los Santos Avenue (EDSA) and Quezon Avenue in Quezon City.

Callender and I, along with two other American students, then walked to the intersection to see what was going on. “*May utak doon* (there’s a brain over there),” a Filipino man said to us while pointing at a tree. As we approached the tree, we could see that it was bullet-riddled. At the base of the tree, three Filipino boys were squatting and poking a human brain with sticks.

As troops travelling on foot and in personnel carriers neared us, we decided to take cover in an abandoned building. We had no way of telling which side the troops were on. Once they passed by, we stepped outside and joined the crowd of Filipinos gathering on EDSA.

About half an hour later, two F-4 Phantom II fighters flew above us at a low altitude. I pulled the Americans aside and whispered, “The Philippine Air Force doesn’t have F-4s. Those are ours. We better head back to campus.” We later learned that President Aquino had requested U.S. assistance, which President George H.W. Bush granted. That assistance prevented RAM forces from using aircraft.

The next day, we ventured out to White Plains, a well-to-do neighborhood in Quezon City that overlooks Camp Aguinaldo. We watched as a Philippine Sirkosky helicopter slowly circled the base and fired rockets at RAM forces holed up there. Occasionally, an ambulance leaving the base would drive by us. At one point, we heard small weapons fire nearby. We took cover in a concrete “bunker” holding compost at a garden center. As we crouched down, we heard a bell ringing. I peeked out and saw that the bell ringer was a middle-aged Filipino man with a styrofoam cooler strapped over his shoulder. He was selling ice cream. The Filipinos had somehow managed to turn a coup attempt into a spectator sport complete with refreshments.

After several days, the coup attempt was quashed. Ironically, I had spent four years in the Marine Corps, yet my first and only combat experience came while I was a graduate student. We Americans survived the coup attempt without a scratch. Unfortunately, dozens of Filipino soldiers and civilians lost their lives.

Four years prior to the coup attempt, I was still in the Marines and stationed with Marine Aircraft Group 36 on Okinawa, Japan. I learned that one of our planes was flying to the U.S. naval base at Subic Bay the next morning and would return the following day. I begged my captain to let me go, noting that the next day was Thanksgiving and I wouldn’t be on duty. I also pointed out that I was scheduled to go through separations in just two weeks and may never see the Philippines again. She relented, knowing that I loved the Philippines. In fact, she had already given another officer, who was flying on the same plane, instructions to have a going away present made for me while we were in the Philippines. It was a plaque with our unit’s logo

and a plate engraved with words “Dedicated to God, Country, & P.I., Kevin L. Groenhagen, Sep 83-Dec 85.” “P.I.” stood for “Philippine Islands.”

Earlier that November, President Marcos had announced a “snap election” while appearing on *This Week with David Brinkley*.¹ I ended up spending my Thanksgiving eating at Shakey’s and talking with Filipinos about the upcoming election. They were excited about the election, but confident that Marcos, through hook or crook, would be reelected.

By the time the election was held on February 7, 1989, I had left my room in the barracks and had moved into a dorm room at Northern Illinois University (NIU). I had already befriended several Filipinos at NIU, including the family of a future chief justice of the Supreme Court of the Philippines. While the Commission on Elections (COMELEC) said Marcos had won the election, the National Movement for Free Elections, an accredited poll watcher, had Corazon Aquino as the winner. The Filipinos at NIU were saddened when it appeared that Marcos had cheated them yet again. However, COMELEC computer technicians walked out in protest. According to Francis X. Clines of the *New York Times*, “Weeping and fearful, the Government computer workers arose from their terminals and, data disks in hand, darted from the Commission on Elections to make the charge that the Marcos Government was rigging the presidential vote.”²

The vote rigging eventually led to tens of thousands of Filipinos amassing on EDSA. They served as a human cordon protecting rebel forces from an attack by Marcos’ army. “As the tanks rolled toward the rebels, crying women stood in front of them,” Raymond Bonner, an investigative reporter and foreign correspondent for the *New York Times*, wrote. “It became ‘People Power.’ The whole world watched and cheered as the people stood up to the dictator and the tanks.”³

The United States had intercepted a radio message from Malacañang Palace, the official residence of the Philippine president, giving orders to attack the rebel forces. However, the White House issued a public statement to Marcos calling for the “peaceful transition to a new government.”⁴ Marcos agreed to give up power and Aquino became president on February 25. The U.S. Air Force flew Marcos to Hawaii, where he lived until his death two months prior to the 1989 coup attempt.

What does the Philippines have to do with this book? I wanted to note two very different approaches to setting up a new government. In the first, the coup attempt, individuals unhappy with the status quo decided to use force to get their way. The people were not with them and the attempt ended in failure, but not before dozens of Filipinos had died. In the second, the people themselves, unhappy with the status quo, used peaceful methods to force a dictator out of office. Had Marcos opted to attack the rebel forces, I believe the people then could have justifiably used arms to protect them-

selves. However, the use of arms against a tyrannical government should always be the last resort.

Of course, civil disobedience doesn't always work. It was effective when Mohandas Gandhi used it against British rule in India. However, it failed when Chinese students carried a model of the Statue of Liberty and stood in front of tanks in Tiananmen Square in 1989. The Chinese Red Cross initially reported that 2,600 died when Chinese troops attacked the students. The official Chinese government figure is 241 dead and 7,000 wounded.⁵ If the Chinese ruled India instead of the British, it is almost a certainty that Gandhi and his followers would have suffered the same fate as the Chinese students. It is also likely that if the U.S. had not intervened in the Philippines in 1986, the "People Power" protest would have ended in bloodshed.

If change is to come in the United States outside of the ballot box, I believe it must be to prevent a tyrannical government and accomplished through civil disobedience. Talk of "Second Amendment remedies," as unsuccessful U.S. Senate candidate Sharron Angle put it in 2010, is, at this point, irresponsible, dangerous, and premature.

In a December 26, 1825 letter to William B. Giles, former President Thomas Jefferson noted that the "federal branch of our Government is advancing toward the usurpation of all the rights reserved to the States, and the consolidation in itself of all powers, foreign and domestic." "Under the authority to establish post roads, they claim that of cutting down mountains for the construction of roads, of digging canals, and aided by a little sophistry on the words 'general welfare,' a right to do, not only the acts to effect that, which are specifically enumerated and permitted, but whatsoever they shall think, or pretend will be for the general welfare," Jefferson wrote. Further:

And what is our resource for the preservation of the Constitution? Reason and argument? You might as well reason and argue with the marble columns encircling them. The representatives chosen by ourselves? They are joined in the combination, some from incorrect views of government, some from corrupt ones, sufficient voting together to outnumber the sound parts; and with majorities only of one, two, or three, bold enough to go forward in defiance. Are we then to stand to our arms, with the hot-headed Georgian? No. That must be the last resource, not to be thought of until much longer and greater sufferings. If every infraction of a compact of so many parties is to be resisted at once, as a dissolution of it, none can ever be formed which would last one year. We must have patience and longer endurance than with our brethren while under delusion; give them time for reflection and experience of consequences; keep ourselves in a situation to profit by the chapter of accidents; and separate from our companions only when the sole alternatives left, are the dissolution of our Union, with them or submission to a government without

limitation of powers. Between these two evils, when we must make a choice, there can be no hesitation. But in the meanwhile, the States should be watchful to note every material usurpation on their rights; to denounce them as they occur in the most peremptory terms; to protest against them as wrongs to which our present submission shall be considered, not as acknowledgments or precedents of right, but as a temporary yielding to the lesser evil, until their accumulation shall outweigh that of separation.⁶

Jefferson's "brethren" have had nearly 200 years to reflect on the dangers associated with the growth of the federal government. Despite this "time for reflection and experience of consequences," the federal government has far, far fewer limits today than it did in his time. In other words, the evil of "a government without limitation of powers" is much greater today. Do we submit to this evil? Or is it time for us to give more serious thought to the other evil, which is the dissolution of our federal government?

In *Freedom in Chains*, James Bovard explored the "right of resistance." "History is replete with tyrannical governments that deserved to be destroyed by their victims," Bovard wrote. "At what point can we say that a government has placed itself in a state of war with the citizenry? By what standard or measure can people know when they have a right to forcibly resist illegitimate power... Unfortunately, there is no lucid standard for a citizen to use to know precisely when he must cease obeying."⁷

While there may not be a lucid standard, I believe that John Locke provided guidelines to help us establish whether or not the federal government has lost its legitimacy. That is why I named the companion book to this book after Chapter XIX, "Of the Dissolution of Government," of Locke's *Second Treatise of Government* (1690). "He that will with any clearness speak of the *dissolution of government*, ought in the first place to distinguish between *dissolution of the society* and the *dissolution of the government*," Locke wrote at the beginning of the chapter. "That which makes the community, and brings men out of the loose state of nature, into *one politic society*, is the agreement which every one has with the rest to incorporate, and act as one body, and so be one distinct common-wealth."⁸

Locke believed that the laws of a government should be "received and allowed by common consent."⁹ The Founders understood this need for common consent when they wrote and signed the Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.— That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, —That whenever

any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”

According to Locke, the people may dissolve a government “when the legislative, or the prince, either of them, act contrary to their trust.”¹⁰ Further:

He *acts also contrary to his trust*, when he either employs the force, treasure, and offices of the society, to corrupt the *representatives*, and gain them to his purposes; or openly preengages the *electors*, and prescribes to their choice, such, whom he has, by solicitations, threats, promises, or otherwise, won to his designs; and employs them to bring in such, who have promised before-hand what to vote, and what to enact. Thus to regulate candidates and electors, and new-model the ways of election, what is it but to cut up the government by the roots, and poison the very fountain of public security? for the people having reserved to themselves the choice of their *representatives*, as the fence to their properties, could do it for no other end, but that they might always be freely chosen, and so chosen, freely act, and advise, as the necessity of the common-wealth, and the public good should, upon examination, and mature debate, be judged to require. This, those who give their votes before they hear the debate, and have weighed the reasons on all sides, are not capable of doing. To prepare such an assembly as this, and endeavour to set up the declared abettors of his own will, for the true *representatives* of the people, and the law-makers of the society, is certainly as great a *breach of trust*, and as perfect a declaration of a design to subvert the government, as is possible to be met with. To which, if one shall add rewards and punishments visibly employed to the same end, and all the arts of perverted law made use of, to take off and destroy all that stand in the way of such a design, and will not comply and consent to betray the liberties of their country, it will be past doubt what is doing. What power they ought to have in the society, who thus employ it contrary to the trust went along with it in its first institution, is easy to determine; and one cannot but see, that he, who has once attempted any such thing as this, cannot any longer be trusted.¹¹

Let’s consider Locke’s words and the case of Obamacare. In 2009, Gallup reported that “roughly three in four Americans give a positive rating to their health coverage, whether it is privately or publicly funded, which includes a 31% excellent rating from those on Medicaid or Medicare plans and a 27% excellent rating from those on private plans.”¹²

Now if three in four Americans were to give a first-term president a positive rating, it would be extremely difficult to make the case that he does

not deserve a second term and, therefore, we need a new president. Yet in 2009 Obama and the Democrats argued that we needed a new health care system even though three in four Americans were satisfied with their health coverage. A majority of Americans did not agree with that argument.¹³ Nevertheless, the Democrats pressed on. On November 7, 2009, House Democrats passed the Affordable Health Care for America Act (HR 3962) with a vote of 220-215. Only one Republican, Anh Cao of Louisiana, voted for the bill, while thirty-nine Democrats voted against it. On December 24, 2009, Senate Democrats passed similar health care reform legislation called the Patient Protection and Affordable Care Act (HR 3590), with a sixty to thirty-nine party-line vote.

In the Senate, sixty votes were needed to overcome a Republican filibuster. In order to get to sixty votes, Obama needed to win over wavering Democrats. “In exchange for [Sen. Ben] Nelson’s vote on the \$871 billion health bill—the key 60th vote needed to overcome unanimous Republican opposition—Democratic leaders guaranteed the federal government would pay the full price of expanded Medicaid coverage in Nebraska,” reported the *New York Post*. “The \$45 million payday for Nelson’s home state came on top of a compromise on federal funding for abortion services demanded by the senator.” This payday became known as the “Cornhusker Kickback.”¹⁴

“He *acts also contrary to his trust*, when he either employs the force, treasure, and offices of the society, to corrupt the *representatives*, and gain them to his purposes,” Locke wrote. Didn’t Obama and the Democrats employ the treasure of society to “corrupt” Sen. Nelson and gain him to their purposes? Just before Nelson cast his vote for the Patient Protection and Affordable Care Act, Rasmussen Reports found that 64 percent of Nebraskans opposed the health care legislation, including 53 percent who strongly opposed it. Rasmussen also found that Nelson, who won 64 percent of the vote in 2006, was 31 points behind in a hypothetical matchup with Republican Governor Dave Heineman.¹⁵ In December 2011, Nelson announced that he would not seek reelection.

Locke also wrote that he who governs with the consent of the people acts contrary to his trust when he “openly preengages the *electors*, and prescribes to their choice, such, whom he has, by solicitations, threats, promises, or otherwise, won to his designs.” Prior to the “Cornhusker Kickback” bribe, there were reports that the White House threatened to put Nebraska’s Offutt Air Force Base on the Base Realignment and Closure Commission list if Nelson didn’t fall into line on health care reform. According to a Senate aide, this was a “naked effort by Rahm Emanuel and the White House to extort Nelson’s vote.”¹⁶

In early 2009, Rep. Peter DeFazio (D-Ore.) was one of a few Democrats to vote against Obama's so-called stimulus bill. "I supported the original objective to have a bill that was timely, targeted and temporary," DeFazio said. "Instead, we ended up with a huge grab bag, some of which is good like the \$80 billion to fix our crumbling infrastructure or the money to educate our children, but there are hundreds of billions of dollars in excessive tax cuts that will do little to stimulate our economy or put our nation on the road to recovery."¹⁷

The stimulus bill passed by a comfortable margin, 246-183. Nevertheless, DeFazio's negative vote displeased Obama. "Don't think we're not keeping score, brother," Obama said to DeFazio in a closed-door meeting of the House Democratic Caucus several weeks later.¹⁸

DeFazio voted for the Affordable Health Care for America Act on November 7, 2009.¹⁹ In July of that same year, DeFazio said he was committed to voting against any health care bill that did not include a strong public option.²⁰ In fact, DeFazio was one of fifty-seven Democrats who signed a July 30, 2009 letter declaring that "Any bill that does not provide, at a minimum, for a public option with reimbursement rates based on Medicare rates—not negotiated rates—is unacceptable."²¹ The Affordable Health Care for America Act included a public option. However, the Senate version, HR 3590, did not.

Unfortunately for the Democrats, negotiations to reconcile the House and Senate bills stalled in January 2010 when Republican Scott Brown won a special election in Massachusetts to fill the U.S. Senate seat vacated by the death of Ted Kennedy. With Brown's victory and his promise to be the 41st vote against Obamacare, the Senate Democrats lost their filibuster-proof majority of sixty votes.

It turned out that, as far as Obamacare is concerned, Brown's victory was not the game changer that Massachusetts voters had intended it to be. Obama urged the House Democrats to pass the Senate's bill (HR 3590), which they did with a vote of 219 to 212 on March 21, 2010, with thirty-four Democrats and all 178 Republicans voting against it.

The House later passed amendments to HR 3590 as the Health Care and Education Reconciliation Act of 2010 (HR 4872), which made financing and revenue changes to HR 3590. The Senate, no longer requiring a supermajority vote, approved the Reconciliation Act with amendments with a 56-43 vote. The House then approved the Senate's amended version of the act with a vote of 220 to 207.²²

The passage of the Senate bill in the House was not a sure thing. Rep. Bart Stupak (D-Mich.) and a group of pro-life Democrats had announced that they opposed HR 3590 because it violated the Hyde Amendment, which prevented the public funding of abortion and protected the con-

science clause. To secure their “yes” votes, Obama promised the pro-life Democrats that he would sign an executive order to ensure that federal funds would not be used for abortion services, consistent with the Hyde Amendment. He signed that order on March 24, 2010. During a September 4, 2012 Democrats For Life panel discussion during the Democratic National Convention, former Congressman Stupak admitted that Obama had snookered him and his fellow pro-life Democrats. “I am perplexed and disappointed that, having negotiated the executive order with the president, not only does the [Health and Human Services] mandate violate the executive order, but it also violates statutory law.”²³

Note that thirty-four House Democrats voted against HR 3590, which did not include a public option. Fifty-seven House Democrats signed a letter stating that a bill without a public option was unacceptable. That means that at least twenty-three of them, including DeFazio, changed their position on the acceptability of the bill. Were “solicitations, threats, promises, or otherwise” issued to secure their “yes” votes?

Locke also wrote that “those who give their votes before they hear the debate” have committed a breach of trust. However, how is it possible for representatives to debate legislation when they haven’t even read it? “I love these members, they get up and say, ‘Read the bill,’” said Rep. John Conyers, a Michigan Democrat. “What good is reading the bill if it’s a thousand pages and you don’t have two days and two lawyers to find out what it means after you’ve read the bill?”²⁴ “Mr. Conyers might think it’s an antiquated notion that congressmen actually read legislation, but it is the most fundamental responsibility of elected representatives to know and understand laws and how they will affect the lives of their constituents,” the *Washington Times* editorialized. “That is especially the case with such a gargantuan bill. The House version creates 53 new federal bureaucracies with everything from a Health Choices Administration to a Health Insurance Exchange Trust Fund to a Health Benefits Advisory Committee. Thirty-three entitlement programs are created or expanded.”

“I don’t think you want me to waste my time to read every page of the health care bill,” Senator Max Baucus, Finance Committee chairman, said in August 2010. “You know why? It’s statutory language. We hire experts.”²⁵ Three years later, Baucus expressed concern about Obamacare, saying he saw “a huge train wreck coming down.”²⁶ Perhaps the experts he hired missed that.

“We have to pass the bill so that you can find out what is in it, away from the fog of controversy,” then-Speaker of the House Nancy Pelosi infamously said regarding Obamacare on March 9, 2010.²⁷ “This is the same Nancy Pelosi who, only weeks earlier, was bragging about the transparency of the process that produced the bill that is currently stalled in Congress,”

wrote Peter Roff, a former senior political writer for United Press International. “The same Pelosi who brushed aside concerns raised by organizations like Let Freedom Ring!—where I am a senior fellow—that members of Congress actually commit to reading the bill before voting for it and that it be posted online for at least 72 hours before any vote so that the American people can read it, too.”²⁸

Sen. Ted Kennedy’s widow, Victoria Reggie Kennedy, and son, Rep. Patrick Kennedy (D-R.I.), attended the ceremony in the East Room of the White House as Obama signed the Affordable Care Act into law. The younger Kennedy carried a gift for Obama: a copy of a bill his father introduced in 1970 to provide national health insurance.²⁹ This was the bill that the Democratic Socialist Organizing Committee, which later became the Democratic Socialists of America (DSA), backed during the 1970s.³⁰ The Democrats treated the signing ceremony as a tribute to Ted Kennedy, which is what two prominent socialists urged shortly after the senator died. “Kennedy understood that reforming health care is a moral obligation, and that the responsibility to heal the sick is at the heart of every faith tradition and is required for a civilized society,” wrote Peter Dreier and Marshall Ganz in the *Washington Post*. “He was hoping to live long enough to see it happen. Obama and people of conscience cannot allow that victory—and that tribute to the late senator—to slip away.” The newspaper noted that Dreier and Ganz were both college professors who advised the Obama campaign in 2008, but failed to mention their radical backgrounds.³¹ Dreier was a member of DSA’s National Executive Committee. In addition, Dreier also served as a key strategist in ACORN’s campaign to pressure banks into funding high-risk mortgages to low-credit customers. Ganz was a top field organizer for Cesar Chavez’s United Farm Workers union for sixteen years.³² According to the *Los Angeles Times*, “When the Obama campaign held a series of ‘Camp Obama’ training sessions around the country” during the summer of 2008, “Ganz was brought in to hold two-day discussions of personal narrative and leadership.”³³

It is possible that, in 2010, a large percentage of Americans were unaware of the background of Ted Kennedy, the man the Socialist Coalition paid tribute to after the president signed Obamacare into law? In *Upstream: The Ascendance of American Conservatism*, Alfred S. Regnery pulled no punches when comparing Kennedy to Robert Bork, whom Ronald Reagan nominated to serve on the Supreme Court:

It was ironic indeed that it fell to Ted Kennedy to be the ringleader in bringing down Robert Bork. Bork graduated at the top of his University of Chicago Law School class; Kennedy was expelled from Harvard for cheating. Bork enlisted in the Marine Corps before college, and reenlisted as an officer between college and law school; Kennedy joined the

army for four years after getting kicked out of Harvard, but his father saw that it was reduced to two years (Kennedy never rose above the rank of private). Bork taught law at Yale and served as solicitor general of the United States; Kennedy had never held a job outside his elected jobs in Congress. Bork served with distinction on the U.S. Circuit Court of Appeals for the District of Columbia; the closest Kennedy ever came to a courtroom was under subpoena in 1970 for Mary Jo Kopechne's inquest. Bork had given countless speeches and written several serious books; Kennedy was so inarticulate when he was asked, on CBS by Roger Mudd in 1978, why he wanted to be president, he could not answer the question.³⁴

Some readers may not be familiar with Mary Jo Kopechne. According to PBS, "On July 18, 1969, following a party thanking workers from his brother Robert's presidential campaign, Senator Edward M. Kennedy drove his car off a bridge in Chappaquiddick, on the island of Martha's Vineyard, Massachusetts. Although he survived, his passenger, Mary Jo Kopechne, did not." Kopeche was found dead in the car ten hours after the accident. Kennedy, then thirty-seven, pleaded guilty to leaving the scene of an accident.³⁵ Decent people would have nothing to do with such a man, yet Obama and the Socialist Coalition chose to honor him.

The chicanery regarding Obamacare continued when the U.S. Supreme Court considered the constitutionality of the legislation in 2012. When the Democrats passed Obamacare, they did not use the word "tax" concerning the individual mandate, which requires that Americans either get insurance or pay a penalty. Since "the Anti-Injunction Act of 1867 blocks lawsuits over taxes that haven't been imposed yet," the case, *National Federation of Independent Business v. Sebelius*, could have been tossed out if Obamacare entailed a tax. "This is not a revenue-raising measure," said Justice Ruth Bader Ginsburg, referring to the Affordable Care Act. "If it's successful, nobody will pay the penalty, and there will be no revenue to raise."³⁶

However, as the *New York Times* reported, "[I]n its brief to the Supreme Court, the administration argued that while the penalty was not a tax that would fall under the Anti-Injunction Act, it should be viewed as a tax when the court considers on Tuesday whether the mandate is permitted under Congress's broad authority to levy taxes."³⁷ "Today you are arguing that the penalty is not a tax," Justice Samuel A. Alito, Jr. told Solicitor General Donald B. Verrilli, Jr., the administration's lead advocate. "Tomorrow you are going to be back and you will be arguing that the penalty is a tax. Has the court ever held that something that is a tax for purposes of the taxing power under the Constitution is not a tax under the Anti-Injunction Act?"³⁸

In effect, the Supreme Court allowed *National Federation of Independent Business v. Sebelius* to be argued because the individual mandate was a

penalty and not a tax. The next day, the court allowed the solicitor general to argue that the mandate is permitted under Congress's authority to tax. A 5-4 majority bought the solicitor general's argument. Chief Justice John Roberts, writing for the majority, said the individual mandate "makes going without insurance just another thing the government taxes, like buying gasoline or earning an income."³⁹

So it is now clear: Obamacare's individual mandate entails a tax. No, not according to the Obama administration. After the court issued its decision upholding Obamacare, White House spokesman Jay Carney told reporters that the individual mandate is not a tax. "It's a penalty, because you have a choice," Carney said. "You don't have a choice to pay your taxes, right?"⁴⁰

As of the end of October 2011, the Obama administration had granted 1,800 Obamacare waivers to businesses and unions. "They're small," House Majority Leader Nancy Pelosi said in an interview with CNBC. "I couldn't speak to all 1,800 of them, but some of the lists that I have seen have been very, very small companies. They will not have a big impact on the economy of our country." The "small" companies included McDonald's.⁴¹ Darden Restaurants with 34,000 enrollees received a waiver.⁴² Darden operates Olive Garden, Red Lobster and LongHorn Steakhouse restaurants. After Darden received its waiver, Michelle Obama joined Darden CEO Clarence Otis at an Olive Garden in Hyattsville, Maryland, where Otis announced that his restaurants planned to move towards healthier menus. "Because of our First Lady's leadership, parents are more aware of the need to encourage healthier living and exercise," Otis said. "At Darden, we want to support that effort."⁴³

"Small" unions, including the United Federation of Teachers Welfare Fund with 351,000 enrollees, also received waivers.⁴⁴ The United Federation of Teachers and its parent group, the American Federation of Teachers, endorsed Obama for president in 2008.⁴⁵

REI, the outdoor equipment company, received a waiver for health coverage provided to 1,180 of its employees.⁴⁶ In February 2013, Obama nominated Sally Jewell, president and CEO of REI, to replace Ken Salazar as Interior secretary.⁴⁷

In a radio address in October 2009, Obama claimed that Obamacare would create jobs. "I hear about it from small business owners who want to grow their companies and hire more people, but they can't, because they can barely afford to insure the employees they have," Obama said. "One small business owner wrote to me that health care costs are and I quote 'stifling my business growth.' He said that the money he wanted to use for research and development, and to expand his operations, has instead been 'thrown into the pocket of healthcare insurance carriers.'"⁴⁸

By the end of 2012, even Democrats were acknowledging that Obamacare is a job-killer. On December 4, 2012, sixteen Democrat senators, all of whom voted for Obamacare, wrote a letter to Senate Majority Leader Harry Reid, asking him to “delay the implementation of the medical device excise tax scheduled to take effect on January 1, 2013.”⁴⁹ One of the senators, Al Franken of Minnesota, issued a separate statement in which he called the medical device excise tax a “job-killing tax.” “The medical device industry creates tens of thousands of good paying jobs in Minnesota and 400,000 nationwide,” Franken wrote. “We should do everything we can to protect it.”⁵⁰

According to a January 18, 2013 article in the *Wall Street Journal*, “The federal health-care overhaul is prompting some colleges and universities to cut the hours of adjunct professors, renewing a debate about the pay and benefits of these freelance instructors who handle a significant share of teaching at U.S. higher-education institutions.” Obamacare requires large employers to offer a minimum level of health insurance to employees who work thirty hours a week or more starting in 2014, or face a penalty. “In Ohio, instructor Robert Balla faces a new cap on the number of hours he can teach at Stark State College,” the article noted. “In a Dec. 6 letter, the North Canton school told him that ‘in order to avoid penalties under the Affordable Care Act... employees with part-time or adjunct status will not be assigned more than an average of 29 hours per week.’” For Balla, a 41-year-old father of two, this means his salary will be cut by about \$2,000.⁵¹

Darden Restaurants, which received an Obamacare waiver and then got chummy with Michelle Obama, in 2012 began “experimenting with limiting hours of some employees to avoid health care requirements introduced in the Affordable Care Act.”⁵² Darden eventually announced that they would not shift full-time employees to part-time to save on health-care costs. However, many other companies have gone beyond the experimentation stage. A local Wendy’s franchise in Omaha, Nebraska, announced that all non-management positions will have their hours reduced to twenty-eight a week because of Obamacare. The decision affects about 100 employees.⁵³ John Schnatter, CEO of pizza chain Papa John’s, said he expected franchise owners to cut employees’ hours because they cannot afford to pay for health care. “That’s probably what’s going to happen,” he said. “It’s common sense. That’s what I call lose-lose.”⁵⁴ According to the Huffington Post, “Royal Farms, a Baltimore-based chain, recently reduced most of its full-time and part-time workforce to below thirty hours a week rather than provide health insurance as will soon be required under Obamacare, according to workers in Maryland, Delaware, Virginia and Pennsylvania.”⁵⁵

Other employers have been forced to hire fewer employees. For example, until recently, Elizabeth Turley had hired new employees for her

apparel company, Meesh & Mia Corp., to keep pace with its rapid growth. However, she now plans to hire more independent contractors to avoid crossing the threshold of fifty full-time employees, which would require her to “provide health coverage that meets government standards or potentially pay a penalty.”⁵⁶

Obama and the Democrats also told us that Obamacare would lower the deficit. According to the White House website, “In keeping with the President’s pledge that reform must fix our health care system without adding to the deficit, the Affordable Care Act reduces the deficit, saving over \$200 billion over 10 years and more than \$1 trillion in the second decade.”⁵⁷ However, a Government Accountability Office (GAO) report released in February 2013 showed that Obamacare will increase the long-term federal deficit by \$6.2 trillion. “The big-government crowd in Washington manipulated the numbers in order to get the financial score they wanted, in order to get their bill passed and to increase power and influence,” Sen. Jeff Sessions (R-Ala.) said. “The goal was not truth or financial responsibility, but to pass the bill. This is how a country goes broke.”⁵⁸

According to Article II, Section 3 of the Constitution, the president “shall take Care that the Laws be faithfully executed.” Whether we constitutionalists like it or not, Obamacare was passed by Congress and deemed constitutional by the U.S. Supreme Court. It is, as they say, the law of the land. Nevertheless, the Obama administration refused to obey the Constitution and, on several occasions, unilaterally changed that law. In an August 18, 2013 opinion piece entitled “How President Obama is flouting Obamacare,” Obama’s hometown newspaper, the *Chicago Tribune*, noted that the Obama administration was bending the enforcement of Obamacare “in ways that test, and arguably exceed, the boundaries of lawful conduct.” The ways included the following:

- “The mandate that employers provide insurance next year or pay a penalty, as the law requires? Delayed for at least a year.”
- “The law’s dictate that people applying for federal subsidies to buy insurance provide proof that they’re eligible for the government aid? Scaled back.”
- “Sharp limits on Americans’ out-of-pocket costs for health care? Suspended for a year.”
- “Providing members of Congress and more than 10,000 staff members with federal health care subsidies that the law does not allow? Done, via a deal brokered by President Barack Obama.”⁵⁹

“While the president does have substantial discretion about *how* to enforce a law, he has no discretion about *whether* to do so,” wrote Michael W.

McConnell, a former judge on the U.S. Court of Appeals for the Tenth Circuit, after Obama decided to suspend Obamacare's employer mandate. Further:

This matter—the limits of executive power—has deep historical roots. During the period of royal absolutism, English monarchs asserted a right to dispense with parliamentary statutes they disliked. King James II's use of the prerogative was a key grievance that led to the Glorious Revolution of 1688. The very first provision of the English Bill of Rights of 1689—the most important precursor to the U.S. Constitution—declared that “the pretended power of suspending of laws, or the execution of laws, by regal authority, without consent of parliament, is illegal.”⁶⁰

In *Federalist 62*, James Madison foresaw the types of problems we are now experiencing with Obamacare: “It will be of little avail to the people, that the laws are made by men of their own choice, if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood; if they be repealed or revised before they are promulgated, or undergo such incessant changes that no man, who knows what the law is today, can guess what it will be to-morrow. Law is defined to be a rule of action; but how can that be a rule, which is little known, and less fixed?”⁶¹

From the very beginning, Obamacare has been an exercise in corruption and deceit. The American people understand this and that is why a majority of Americans continue to withhold their support for the legislation. In fact, a CBS News/*New York Times* poll released in June 2012 found that just 34 percent of Americans approved of Obamacare. “Overall opinions of the health care law have barely wavered since its passage in March 2010, and support for it has never reached 50 percent in CBS News Polls,” CBS News reported. “Back in May 2010, two months after it was passed, 43 percent of Americans approved of the law—that’s the highest percentage to date.”⁶² Meanwhile, in February 2013, Rasmussen Reports found that 80 percent of likely voters rated “the overall quality of the health care they receive as good or excellent.” Just three percent considered the health care they receive as poor.⁶³

In *The Spirits of the Law*, Montesquieu, the 18th-century political thinker known for his theory of separation of powers, wrote, “There are two sorts of tyranny: one real, which arises from oppression; the other is seated in opinion, and is sure to be felt whenever those who govern establish things shocking to the existing ideas of a nation.”⁶⁴ When so many Americans oppose a law that was passed as a result of lies, bribes, and threats, are we not living under, at a minimum, the second sort of tyranny?

THE ROLLOUT OF OBAMACARE AND ITS AFTERMATH

The rollout of Obamacare on October 1, 2013 was nothing short of a disaster. The website, HealthCare.gov, was so poorly designed that only six people were able to enroll in Obamacare during the first day.⁶⁵ By mid-October, insurers were reporting that the website's technical problems made it difficult for them to handle even the trickle of enrollees who had gotten through so far. According to the *Wall Street Journal*, "Emerging errors include duplicate enrollments, spouses reported as children, missing data fields and suspect eligibility determinations, say executives at more than a dozen health plans."⁶⁶ The website actually misdirected a South Carolina attorney's personal information to a stranger in another state. "We're told constantly that it's a secure system and it's not, obviously," said Thomas Dougall, the attorney.⁶⁷

Further security concerns came to light regarding the Obamacare "navigators" in October 2013. The navigators were hired to guide individuals through the Obamacare enrollment process. Gov. Bobby Jindal of Louisiana raised concerns about the navigator program in August 2013:

The 'navigators' are prohibited from having financial ties to an insurance company, but other than that there are few constraints. Union organizers and community activists are among the types that are allowed to be hired as 'navigators', and having prior experience working in the health care field doesn't seem to necessarily be a pre-requisite for the job. I wonder what percentage of these 'navigators' will be partisan Democrats?

The 'navigators' will be required to take only 20 hours of online course training, which will apparently make them experts on the 1,000 page ObamaCare bill. An HHS official was even quoted this week saying, "We view training as an ongoing process." Count me as skeptical.

To make matters worse, these 'navigators' are going to have access to all kinds of personal information that will make the whole program ripe for fraud.⁶⁸

When my local newspaper in Kansas, the *Lawrence Journal-World*, reported that Rosilyn Wells was the only full-time navigator for Lawrence, I decided to do an online search to see if she was connected to any union or community organizing group. I didn't find such a connection, but instead found that Wells had been sued in 2007 for writing a "worthless check."⁶⁹ I forwarded this information to Michael Volpe of The Daily Caller. Volpe did further research and found that Wells also filed for bankruptcy in 2003, was more than \$1,700 behind on her state tax bill, and had an outstanding arrest warrant in nearby Shawnee County.⁷⁰ After Volpe shared this information

on The Daily Caller website, his article headlined the Drudge Report and was discussed on The Glenn Beck Program, Fox News, and other national media outlets.

One would think that an outstanding arrest warrant would disqualify someone from dealing with the Social Security numbers and other personal information that Obamacare enrollees are required to share. However, during a Senate Finance Committee hearing on November 6, 2013, Health and Human Services Secretary Kathleen Sebelius admitted that there was no federal requirement for navigators to undergo a criminal background check. “So a convicted felon could be a navigator and could acquire sensitive personal information from an individual unbeknownst to them?” asked Sen. John Cornyn of Texas. “This is possible,” Sebelius answered.⁷¹

In the weeks immediately following the roll-out of the Obamacare website, millions of Americans in the individual market began receiving letters informing them that their current health insurance policies were being canceled. This despite Obama’s oft-spoken promise, i.e., “If you like your health care plan, you’ll be able to keep your health care plan, period.”⁷² Obama’s defenders initially attempted to blame the cancellations on the insurance companies. For example, Dr. Ezekiel Emanuel, a former health care adviser to President Barack Obama, appeared on *Fox News Sunday* on November 3, 2013 and said, “No, the insurance companies are making that choice, not the president. The law does not require that.” Even PunditFact, which is affiliated with PolitiFact, did not buy that claim:

Ezekiel’s assertion that the law doesn’t require insurance companies to cancel plans hinges on a technicality. It is up to insurers how they comply with the law, which mandates that policyholders be covered for 10 “essential health benefits,” except for plans that are grandfathered in. But there’s little doubt the new law is influencing their changes in coverage. The law was designed to eventually do away with insurance that doesn’t meet minimum coverage standards. We rate Ezekiel’s claim Mostly False.⁷³

Obama tried to explain away his lie with yet another lie. “Now, if you have or had one of these plans before the Affordable Care Act came into law and you really liked that plan, what we said was you can keep it if it hasn’t changed since the law passed,” Obama said at a meeting of Organizing for Action on November 4, 2013. PolitiFact looked at Obama’s comments before and after the Democrats passed Obamacare, and issued this ruling:

[W]e found at least 37 times since Obama’s inauguration where he or a top administration official made a variation of the pledge that if you like

your plan, you can keep it, and we never found an instance in which he offered the caveat that it only applies to plans that hadn't changed after the law's passage. And seven of those 37 cases came after the release of the HHS regulations that defined the "grandfathering" process, when the impact would be clear.

While Sebelius' teleconference with reporters did provide that sort of caveat, in other instances, such as her blog post, she focused on the upside, not the downside. Her one mention of the extent to which grandfathered plans might be doomed strikes us as the equivalent of the fine print on a television commercial running in heavy rotation. Obama is ignoring the overwhelming majority of times he addressed the issue, where most people would have heard it. We rate his claim Pants on Fire.⁷⁴

On December 12, 2013, PolitiFact awarded Obama's "If you like your health care plan, you can keep it" as the "Lie of the Year."⁷⁵ Interestingly, PolitiFact judged that that lie was "true" on October 7, 2008.⁷⁶

It turns out that Obama deliberately lied to the American people when he promised that they could keep their health care plans if they liked them. "One former senior administration official said that as the law was being crafted by the White House and lawmakers, some White House policy advisers objected to the breadth of Mr. Obama's 'keep your plan' promise," the *Wall Street Journal* reported. "They were overruled by political aides, the former official said. The White House said it was unaware of the objections."⁷⁷

"We knew that there would be some policies that would not qualify and therefore people would be required to get more extensive coverage," House Democratic whip Steny Hoyer admitted on October 29, 2013. "I don't think the message was wrong. I think the message was accurate. It was not precise enough . . . [it] should have been caveated with 'assuming you have a policy that in fact does do what the bill is designed to do.'"⁷⁸

Of course, if Obama and the Democrats had included that caveat in 2009 and early 2010, they would not have been able to pass Obamacare.

White House spokesman Jay Carney attempted to minimize the issue of the canceled policies by arguing that it only affected people who buy insurance on their own. "That's the universe we're talking about, 5 percent of the population," Carney said. Of course, 5 percent of the population is more than fifteen million people. That's more people than the combined populations of New York City, Chicago, and Los Angeles.

Unfortunately, that fifteen million figure appears to be just the tip of the iceberg. As *Forbes* reported on October 31, 2013, ninety-three million Americans will be unable to keep their health plans under Obamacare. According to *Forbes*, the Obama administration wrote on page 34,552 of a

June 2010 edition of the *Federal Register*, “The Departments’ mid-range estimate is that 66 percent of small employer plans and 45 percent of large employer plans will relinquish their grandfather status by the end of 2013.”⁷⁹ Obama unilaterally delayed the employer mandate for at least a year.

THE IRS SCANDAL

In the 2010 mid-term elections, the Tea Party movement handed Obama what the president accurately called a “shellacking.” The Republican Party gained sixty-three seats in the U.S. House of Representatives and recaptured the majority. This was the largest seat change for any midterm election since 1938. The Republicans also gained six seats in the U.S. Senate and a record 680 seats in state legislative races.

In August 2010, Obama attacked Americans for Prosperity (AFP), which had been working with the Tea Party movement:

Right now all around this country there are groups with harmless-sounding names like Americans for Prosperity, who are running millions of dollars of ads against Democratic candidates all across the country. And they don’t have to say who exactly the Americans for Prosperity are. You don’t know if it’s a foreign-controlled corporation. You don’t know if it’s a big oil company, or a big bank. You don’t know if it’s a insurance company that wants to see some of the provisions in health reform repealed because it’s good for their bottom line, even if it’s not good for the American people.⁸⁰

What the American people didn’t know at the time was that the Internal Revenue Service (IRS) was also targeting conservative groups with extra scrutiny beginning shortly before the 2010 midterm elections. “The connection between Obama’s rhetoric and IRS action seems more than coincidental,” said Tim Phillips, president of AFP, on May 13, 2013. “It points to a clear agenda to silence those who oppose Obama’s big-government policies like Obamacare, Cap & Trade, and the failed Stimulus. Today Obama acknowledged the abuse taking place under his watch, but he needs to apologize to the American people who were targeted, take direct responsibility, and demand a full investigation.”⁸¹

On May 16, 2013, CNN reported that a congressional source said the IRS had identified two “rogue” employees in the agency’s Cincinnati office as being principally responsible for the “overly aggressive” handling of requests by conservative groups for tax-exempt status. Acting IRS Commissioner Steven Miller, who was aware in May 2012 that his agency was targeting conservative groups but did not inform Congress, reportedly

said that the two employees had already been disciplined. However, another source told CNN that “the problem with IRS handling of tax-exempt status for tea party groups was not limited to these two employees.”⁸² Letters discovered later that month by Jay Sekulow, an attorney representing twenty-seven conservative political advocacy organizations that applied to the Internal Revenue Service for tax-exempt status, showed that the problem did indeed extend beyond the Cincinnati office. “We’ve dealt with 15 agents, including tax law specialists—that’s lawyers—from four different offices, including (the) Treasury (Department) in Washington, D.C.,” Sekulow said. “So the idea that this is a couple of rogue agents in Cincinnati is not correct.” According to NBC News, “At least one letter requesting information about one of the groups bears the signature of Lois Lerner, the suspended director of the IRS Exempt Organizations department in Washington.”⁸³

On June 4, 2013, *USA Today* reported, “Tea Party, anti-abortion and other conservative groups told Congress on Tuesday that the Internal Revenue Service held up their applications for tax exemptions, harassed them with questions and leaked their donor lists to political opponents.” John Eastman, chairman of the National Organization for Marriage, said that his organization’s donor list was leaked—presumably by the IRS—to its political opponents, the pro-gay marriage Human Rights Campaign.⁸⁴

In late June 2013, Treasury Inspector General for Tax Administration J. Russell George sent a letter to Rep. Sandy Levin (D-Mich.) in which he contradicted claims from Democrats that the IRS also targeted progressive groups. “Our audit did not find evidence that the IRS used the ‘progressives’ identifier as selection criteria for potential political cases between May 2010 and May 2012,” George wrote. However, as *The Hill* reported, “The inspector general stressed that 100 percent of the groups with ‘Tea Party,’ ‘patriots’ and ‘9/12’ in their name were flagged for extra attention.” Democrats complained that George did not previously disclose that liberal groups were among the 298 organizations looked at for the audit.⁸⁵ It turned out that just six of the 298 organizations were progressive groups, while 292 were Tea Party groups.⁸⁶

In July 2013, Carter Hull, a recently retired IRS employee, testified before Congress. “Hull specifically said he was told to forward documents to an adviser for embattled IRS official Lois Lerner—who first revealed the targeting of Tea Party groups and has since refused to answer lawmakers’ questions,” Fox News reported. “But Hull said he was then told to send documents to the Office of Chief Counsel for their review—which is led by political appointee William Wilkins.”⁸⁷

Was the targeting of conservative groups politically motivated? Douglas Shulman, the IRS commissioner from 2008 to 2012, said that it was not. Democrats like to point out that Shulman was appointed by President

George W. Bush, which is true. However, they don't mention the fact that he donated \$500 to the Democratic National Committee in 2004.⁸⁸ He is also married to Susan L. Anderson, a senior program adviser at Public Campaign.⁸⁹ According to its website, "Public Campaign is a non-profit, non-partisan organization dedicated to sweeping campaign reform that aims to dramatically reduce the role of big special interest money in American politics."⁹⁰ Public Campaign's board of directors includes Ilyse Hogue, the president of NARAL Pro-Choice America, and Heather McGhee, vice president of policy and outreach for Demos.⁹¹ Demos' board of directors include Van Jones, the former Obama administration "green jobs czar," co-founder of Color of Change, and current senior fellow at the Center for American Progress. Gina Glantz, a senior advisor with Service Employees International Union (SEIU), is also a board member.⁹² Clarissa Martinez de Castro of the National Council of La Raza (NCLR) is a former board member.⁹³

Public Campaign receives major funding from, among other left-wing groups, Health Care for America Now! (HCAN).⁹⁴ HCAN "fought for passage of the health law and continues to battle insurers and political opponents to make sure the law is successfully implemented."⁹⁵ American Federation of State, County and Municipal Employees (AFSCME), SEIU, and USAction were identified as co-chair organizations when HCAN was launched in July 2008.⁹⁶ Other left-wing groups in HCAN include AFL-CIO, Americans for Democratic Action, Campaign for Community Change, Center for American Progress Action Fund, Center for Science in the Public Interest, Center for Social and Economic Justice, International Union, United Automobile, Aerospace & Agricultural Implement Workers of America, Human Rights Campaign, MoveOn.org, NAACP, National Abortion Federation, National Council of La Raza, Planned Parenthood Federation of America, Progress Now, Rock the Vote, the Congressional Black Caucus Health Brain Trust, and Working America.⁹⁷ Prior to its "disbanding" in 2010, ACORN claimed to be "the most represented organization" in HCAN.⁹⁸

Anderson herself appears to have participated in the Occupy Wall Street protests of 2011. There is a photo of her online holding a sign that reads, "JOBS ON MAIN STREET NOT ON K \$TREET, #OccupyDemocracy."⁹⁹ On December 6, 2011, she offered the following "tweet": "DC, good morning! Come down to the Mall and tell your 99% story!"¹⁰⁰ On November 4, 2012, she tweeted, "En route to airport after working 3 days 4 OFA." OFA, of course, stood for "Organizing for America" (now "Organizing for Action"). According to its website at www.barackobama.com, "Organizing for Action is a nonprofit organization established to support President Obama in achieving enactment of the national agenda Americans voted for on Elec-

tion Day 2012.”¹⁰¹ OFA, like the conservative groups that the IRS targeted, is classified as a “social welfare” organization within the meaning of section 501(c)(4) of the Internal Revenue Code.

The wife of the IRS commissioner at the time Tea Party and other conservative groups were targeted by his agency is deeply involved with the Socialist Coalition. This strongly suggests that the targeting was indeed politically motivated.

Also consider that Holly Paz, director of the Office of Rulings and Agreements, the IRS office that improperly targeted the conservative groups, contributed \$4,000 to Obama’s 2008 campaign.¹⁰² Incredibly, Paz, who was placed on administrative leave, told congressional investigators that “tea party” could mean any political group, conservative or liberal, just like “Coke” is used as a generic term for soda, or people refer to tissues as “Kleenex.”¹⁰³

According to *National Review*’s Eliana Johnson, “Before Lois Lerner was embroiled in the IRS scandal, she was involved in a questionable pattern of law enforcement at the Federal Election Commission that mirrors the discrimination recently exposed at the nation’s tax-collection agency.” Craig Engle, a Washington, D.C., attorney who from 1986 to 1995 served as the executive assistant to one of the FEC’s commissioners, “describes Lerner as pro-regulation and as somebody seeking to limit the influence of money in politics” Johnson wrote. “The natural companion to those views, he says, is her belief that ‘Republicans take the other side’ and that conservative groups should be subjected to more rigorous investigations. According to Engle, Lerner harbors a ‘suspicion’ that conservative groups are intentionally flouting the law.”¹⁰⁴

On September 12, 2013, the House Ways and Means Committee released emails that showed that Lerner specifically targeted Tea Party applications. “Tea Party Matter very dangerous,” Lerner wrote in a 2011 email, saying that those applications could end up being the “vehicle to go to court” to get more clarity on the Supreme Court’s *Citizens United* ruling on campaign finance rules.¹⁰⁵ “There is increasing and overwhelming evidence that Lois Lerner and high-level IRS employees in Washington were abusing their power to prevent conservative groups from organizing and carrying out their missions,” said House Ways and Means Committee Chairman Dave Camp (R-Mich.). “There are still mountains of documents to go through, but it is clear the IRS is out of control and there will be consequences.”¹⁰⁶

How out of control is the IRS? Even after the IRS admitted to targeting Tea Party and other conservative groups, we learned in August 2013 that the IRS was targeting the American Legion and other veterans groups. According to the American Legion, “Auditors with the IRS reportedly are starting

to fine Legion posts around the country for not keeping records of veterans' DD-214s, the separation document given by the military to prove honorable service, or other valid documentation." The IRS fined Legion Post 447 in Round Rock, Texas, \$12,000 for lack of compliance before finding documents to satisfy inspectors." Maintaining records of veterans' DD-214s is problematic because, as the American Legion notes, The DD-214 reveals Social Security numbers, dates of birth and, in some cases, places of birth and medical information."¹⁰⁷ In the wrong hands, such information could create an identity theft nightmare scenario.

Speaking of "nightmare scenarios," that's exactly what one labor union said Obamacare would cause their members. The union urged its members to write their members of Congress in opposition to H.R. 1780, which would "push federal employees out of the Federal Employees Health Benefits Program (FEHBP) and into the insurance exchanges established under the Affordable Care Act (ACA)." The union concerned about being covered under Obamacare, i.e., ACA, was the National Treasury Employees Union—the union that includes IRS employees.¹⁰⁸ In other words, employees of the IRS, which is charged with enforcing Obamacare's individual mandate and eligibility for the exchange subsidies, don't want to be pushed into the insurance exchanges established under Obamacare. Those employees "should be required to enroll in the same Obamacare exchanges that tens of millions of private citizens will have to," wrote Avik Roy of *Forbes*. "They should have to experience the same premium increases and limited flexibility that other Americans will endure there. Maybe then, we'll start to build a constituency for market-based reform."¹⁰⁹

Why does the IRS scandal matter? According to the IRS's audit, "Although the processing of some applications with potential significant political campaign intervention was started soon after receipt, no work was completed on the majority of these applications for 13 months. This was due to delays in receiving assistance from the Exempt Organizations function Headquarters office. For the 296 total political campaign intervention applications TIGTA reviewed as of December 17, 2012, 108 had been approved, 28 were withdrawn by the applicant, none had been denied, and 160 were open from 206 to 1,138 calendar days (some for more than three years and crossing two election cycles)."¹¹⁰

Elections require organizing. While the IRS denied no conservative applicants, they acknowledge that 160 applications were open from 206 to 1,138 days. Some applicants were unable to organize for as long as two election cycles. According to *USA Today*, in February 2010, the Champaign Tea Party in Illinois received approval of its tax-exempt status from the IRS in just ninety days. However, "There wouldn't be another Tea Party application approved for 27 months."¹¹¹ That would have been in the middle of

2012, which would have left little time to organize for the 2012 presidential election. Meanwhile, Lerner approved the Barack H. Obama Foundation's tax-exempt status on June 26, 2011, which was within a month of filing.¹¹² The Barack H. Obama Foundation was founded by Abon'go Malik Obama, the brother of President Obama, and is named after the brothers' father.¹¹³ While the brothers have different mothers and live on different continents, they appear to be close. Malik served as best man for Barack's wedding in 1992, while Barack was best man at the first of Malik's twelve weddings.¹¹⁴

In *A Law Unto Itself: Power, Politics and the IRS*, David Burnham, the co-founder and co-director of the Transactional Records Access Clearinghouse, noted that "in almost every administration since the IRS's inception the information and power of the tax agency have been mobilized for explicitly political purposes.... Eleanor Roosevelt prompted Treasury Secretary Morgenthau to order a tax investigation of a conservative newspaper publisher who had become one of the Roosevelt administration's leading critics."¹¹⁵ Nixon administration officials gave the IRS a list of official "enemies" to, in the words of presidential assistant John Dean, "use the available federal machinery to screw our political enemies."¹¹⁶

We still don't have all the details concerning the IRS scandal. However, it currently appears that the Obama administration is following in the footsteps of the Roosevelt and Nixon administrations. In January 2014, Obama's Department of Justice (DOJ) selected DOJ trial attorney Barbara Bosserman to lead the agency's probe into the Internal Revenue Service's targeting of certain advocacy groups during the 2010 and 2012 election cycles. According to the Washington Post, "Bosserman donated a combined \$6,750 to President Obama's election campaigns and the Democratic National Committee between 2004 and 2012."¹¹⁷

A FEDERAL GOVERNMENT OUT OF CONTROL

The Obamacare and the IRS outrages occurred on Obama's watch. The actions taken by the federal government regarding those outrages have definitely infringed on the liberties of Americans. However, I want to stress that the federal government has infringed on our liberties before Obama and, if we fail to take action, will further infringe on our liberties in the future. Note that libertarian author James Bovard penned *Lost Rights: The Destruction of American Liberty* in 1994 and *Freedom in Chains: The Rise of the State and the Demise of the Citizen* in 1999. Both of these books thoroughly document government repression in the United States throughout the last century. I advise the reader to read these books to gain a historical perspective on our out-of-control federal government. The abuses did not begin with Obama, but he has most certainly added to them.

We are currently putting up with abuses that rival those that our Founders faced during the 1770s. They responded to those abuses with an armed revolution. While I do not advocate such a remedy in the 2010s, I believe it is time for us to consider ways to end those abuses and restore our constitutional republic.

IS IT TIME TO WITHDRAW CONSENT?

Mark R. Levin's *The Liberty Amendments: Restoring the American Republic* appeared in bookstores as I was writing this book. Levin, the president of the Landmark Legal Foundation, argues that America has entered an age of *post-constitutional soft tyranny*.¹¹⁸ In addition, "today's government masterminds and their fanatical adherents ... long ago renounced by word and action their adherence to the Constitution's confinements since the Statists' utopia and the Framers' Constitution cannot coexist."¹¹⁹ Levin's plan to restore the American Republic entails using a method found in Article V of the Constitution to amend the Constitution. That method involves the "direct application of two-thirds of the state legislatures for a *Convention for proposing Amendments*, which would thereafter also require a three-fourths ratification vote by the states." This, according to Levin, "has been tried in the past but without success."¹²⁰

Levin proposes the following eleven amendments to the Constitution:

- An Amendment to Establish Term Limits for Members of Congress
- An Amendment to Restore the Senate
- An Amendment to Establish Term Limits for Supreme Court Justices and Super-Majority Legislative Override
- Two Amendments to Limit Federal Spending and Taxing
- An Amendment to Limit the Federal Bureaucracy
- An Amendment to Promote Free Enterprise
- An Amendment to Protect Private Property
- An Amendment to Grant the States Authority to Directly Amend the Constitution
- An Amendment to Grant States Authority to Check Congress
- An Amendment to Protect the Vote

I deeply respect Levin's work and wholeheartedly support his proposed amendments to the Constitution. However, I see two problems with Levin's plan. First, I believe it could take too long to enact his amendments. When addressing his proposal concerning term limits for Supreme Court justices, Levin notes that Justices Antonin Scalia, Anthony Kennedy, and Clarence

Thomas are unlikely to be on the Supreme Court “by the time the state convention process would be organized by two-thirds of the states and its work completed, followed by the state ratification process—which requires approval of the amendments by a three-fourths supermajority of the states.”¹²¹ The youngest of those three justices, Thomas, is currently sixty-five. The ages upon retirement (or, in the case of Chief Justice William Rehnquist, death) of the justices who retired from the Court during the past twenty-five years range from David Souter at sixty-nine to John Paul Stevens at ninety. The average age upon retirement during the past twenty-five years is seventy-nine. If Thomas retired at seventy-nine, Levin’s timeframe for the enactment these amendments could possibly be no sooner than 2027. That may be an optimistic timeframe. In Levin’s previous book, *Ameritopia: The Unmaking of America*, he wrote, “It will take nothing short of a prodigious effort, of the kind I discussed in *Liberty and Tyranny*, over a course of many decades, to reestablish America as a constitutional republic.”¹²² In *The Art of War*, Sun Tzu, the Chinese general and strategist, wrote, “There has never been a protracted war from which a country has benefited.” In 1998, Balint Vazsonyi wrote about “America’s 30 Years War.” We’re currently engaged in a war that has gone on for nearly half a century. How much more damage can be done over a course of several more decades?

The second problem I see with Levin’s plan is related to the first. The reason it would take so long to enact Levin’s amendments is because of the supermajorities required in both the state convention process and the ratification process. Levin’s amendments would have to be ratified by thirty-eight of the fifty states. According to Gallup, “Fourteen states met the threshold for ‘solid Democratic’ states in 2012, adding Michigan and Minnesota to the 12 that met that threshold in 2011.”¹²³ Even if the thirty-six states that are not “solid Democratic” were to ratify Levin’s amendments, would two of the “solid Democratic” states ever ratify amendments that would most certainly weaken the Democratic Party?

But what if there was a process that would require merely a simple majority that wished to reestablish America as a constitutional republic? As I noted above, Locke believed that the laws of a government should be “received and allowed by common consent.” Locke also believed that the people can withdraw that consent:

Whensoever therefore the legislative shall transgress this fundamental rule of society; and either by ambition, fear, folly or corruption, *endeavour to grasp themselves, or put into the hands of any other, an absolute power* over the lives, liberties, and estates of the people; by this breach of trust they *forfeit the power* the people had put into their hands for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty, and, by the establishment of a new

WHAT THEN MUST WE DO?

legislative, (such as they shall think fit) provide for their own safety and security, which is the end for which they are in society.¹²⁴

Does this mean that any minority group that is unhappy with the current government can establish a new legislative? No. That would be similar to what the coup leaders attempted to do in the Philippines in 1989. Locke made it clear that the power to withdraw consent rests with the majority:

For when any number of men have, by the consent of every individual, made a community, they have thereby made that *community* one body, with a power to act as one body, which is only by the will and determination of the *majority*: for that which acts any community, being only the consent of the individuals of it, and it being necessary to that which is one body to move one way; it is necessary the body should move that way whither the greater force carries it, which is the *consent of the majority*: or else it is impossible it should act or continue one body, *one community*, which the consent of every individual that united into it, agreed that it should; and so every one is bound by that consent to be concluded by the *majority*. And therefore we see, that in assemblies, impowered to act by positive laws, where no number is set by that positive law which impowers them, the *act of the majority* passes for the act of the whole, and of course determines, as having, by the law of nature and reason, the power of the whole.¹²⁵

A majority of Americans agreeing to withdraw consent from the current government would be similar to what the Filipinos did in the People Power Revolution of 1986. Under such a system, Locke believed revolutions would be rare. “[S]uch *revolutions happen* not upon every little mismanagement in public affairs,” he wrote. “*Great mistakes* in the ruling part, many wrong and inconvenient laws, and all the slips of human frailty, will be born by the people without mutiny or murmur. But if a long train of abuses, prevarications and artifices, all tending the same way, make the design visible to the people, and they cannot but feel what they lie under, and see whither they are going; it is not to be wondered, that they should then rouse themselves, and endeavour to put the rule into such hands which may secure to them the ends for which government was at first erected.”¹²⁶

The Founders, who studied Locke, made the same point in the Declaration of Independence:

Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations,

pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.

I believe that we have experienced a long train of abuses and usurpations. However, is there now a majority of Americans willing to throw off the current government and “provide new Guards for their future security”? In *The Battle: How the Fight Between Free Enterprise and Big Government Will Shape America’s Future* (2010), Arthur C. Brooks argued that the United States is a “70-30 nation,” in which “70 percent of Americans support the free enterprise system and are unsupportive of big government,” while “somewhere between 20 and 30 percent of the adult population opposes free enterprise and prefers government solutions to our problems.”¹²⁷ Brooks shared data from several polls to support his argument. More recent polls have findings that are consistent with those that Brooks cited:

- In April 2010, a Washington Post-ABC News poll found that “Fifty six percent of respondents favor a smaller government with fewer services while 40 percent would prefer a larger government with more services.” Further, “More than three-quarters of poll respondents say they see President Obama as favoring a bigger government with more services.”¹²⁸
- In September 2011, Gallup found that “A record-high 81% of Americans are dissatisfied with the way the country is being governed, adding to negativity that has been building over the past 10 years.” “49% of Americans believe the federal government has become so large and powerful that it poses an immediate threat to the rights and freedoms of ordinary citizens,” Gallup reported. “In 2003, less than a third (30%) believed this.”¹²⁹
- In another Gallup poll conducted in September 2011, Gallup found that “Americans estimate that the federal government wastes 51 cents of every dollar it spends, a new high in a Gallup trend question first asked in 1979.” “The current estimate of 51 cents wasted on the dollar is similar to what Gallup measured in 2009, but marks the first time Americans believe more than half of federal spending is wasted,” Gallup noted. “The low point in the trend is 38 cents wasted on the dollar, in 1986.”¹³⁰
- In July 2012, Rasmussen Reports found that just 22 percent of likely voters believed that the federal government has the consent of the governed. “Democrats are evenly divided as to whether or not the government has the consent needed for legitimacy,” Ras-

mussen reported “Only eight percent (8%) Republicans and 21% of unaffiliated voters believe it does.”¹³¹

- In October 2012, a CNN/ORC International poll found that “Six in 10 say the government is doing too much that should be left to individuals and businesses.”¹³²
- In December 2012, a Fox News poll found that 65 percent of American voters think the federal government is “broken,” while 26 percent feel it’s working “just okay.”¹³³
- In January 2013, Public Policy Polling (PPP) found that Congress had just a 9 percent favorability rating with 85 percent of voters viewing it in a negative light. PPP also tested Congress’ popularity against twenty-six different things. They found that Congress is less popular than cockroaches, traffic jams, and Genghis Khan.¹³⁴ The media often suggest that recent polls on Congress are a reflection of the Republican-controlled House. However, a September 2013 Gallup poll found that Democratic Senate Majority Leader Harry Reid had the lowest approval rating among the four highest-ranking congressional leaders.¹³⁵
- In January 2013, the Pew Research Center found that “trust in federal government remains mired near a historic low and frustration with government remains high.” In 1958, 73 percent of Americans trusted the federal government “just about always/most of the time.” In early 2013, the percentage was just 26 percent. The level of trust began dropping during the Bush 43 administration and reached its nadir during the Obama administration.¹³⁶
- In January 2013, The Pew Research Center also found that 53 percent of Americans believe that “the federal government threatens their own personal rights and freedoms.” This was the first time that a majority of Americans believed this. In November 2001, just 30 percent of Americans believed this.¹³⁷
- In April 2013, the Pew Research Center reported that just 28 percent of Americans rate the federal government in Washington favorably. According to Pew, “That is down five points from a year ago and the lowest percentage ever in a Pew Research Center survey.” In addition, “For the first time since Barack Obama became president, more Democrats say they have an unfavorable view of the federal government in Washington than a favorable view (51% unfavorable vs. 41% favorable).” Republican approval of the federal government was just 13 percent. The same survey found that 63 percent have a favorable opinion of their lo-

cal government, while 57 percent have a favorable view of their state government.¹³⁸

- In June 2013, Rasmussen Reports found that 57 percent of Americans fear that the government will use National Security Agency data to harass political opponents.¹³⁹
- In June 2013, Rasmussen Reports found that just 28 percent of Americans believe the Supreme Court is doing a good or an excellent job. Thirty percent of Americans rate its performance as poor, which is the highest-ever poor rating.¹⁴⁰
- “Americans ... expressed historically low levels of confidence in the federal government’s ability to handle domestic problems, with 42% reporting a great deal or a fair amount of confidence. This is one point below the previous low of 43% in 2011,” Gallup reported in September 2013. “Americans’ confidence in the federal government on domestic problems, as was true for international issues, peaked in the October post-9/11 poll, when 77% expressed confidence. Confidence then trended downward throughout the 2000s, and has sunk to several new lows since 2010.”¹⁴¹
- In September 2013, Rasmussen Reports found that only “30% of Likely U.S. Voters say the country is heading in the right direction.” Remarkably, the highest percentage of Americans who believed the country was heading in the right direction during the Obama administration was 43 percent, which occurred just before the 2012 presidential election. The percentage had been as low as 14 percent during the summer of 2011.¹⁴²
- In September 2013, Gallup found that a record 60 percent of Americans believe the federal government has too much power. According to Gallup, “At least half of Americans since 2005 have said the government has too much power.”¹⁴³
- On October 16, 2013, Rasmussen Reports reported that 78 percent of Americans would vote to get rid of the entire Congress and start over again.¹⁴⁴
- “Seventy-two percent of Americans say big government is a greater threat to the U.S. in the future than is big business or big labor, a record high in the nearly 50-year history of this question,” Gallup reported on December 18, 2013. “The prior high for big government was 65% in 1999 and 2000.”¹⁴⁵

These polls clearly show that a majority of Americans now disapprove of, distrust, and even fear the federal government. Most Americans also believe that the federal government does not have the consent of the people. In

other words, since government can only act legitimately with the consent of the people, most Americans do not believe that the federal government is acting legitimately. In this situation, as the Declaration of Independence says, “it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”

It is time for the American people to begin the process of withdrawing our consent and laying the groundwork to restore our Constitutional Republic. I offer the following steps to achieve these goals:

Work to make sure that Obama and his fellow socialists fail.

Rush Limbaugh was criticized in 2009 when he said that he hopes Obama fails.¹⁴⁶ “Do you ever say that about your president if you are an American who loves your country?,” asked Leonard Pitts of the *Miami Herald*. “Knowing his failure is the country’s failure? Isn’t that, well ... disloyal?”¹⁴⁷

Pitts made an error that many others on the left made when they heard Limbaugh’s comment, i.e., assuming that Obama and the country are one and the same. It is possible for Obama to fail and the country to succeed, or for Obama to succeed and the country to fail. “Another reform in the American constitution, is the exploding of all oaths of personality,” Thomas Paine wrote in *Rights of Man* (1791). “The oath of allegiance in America is to the nation only. The putting any individual as a figure for a nation is improper. The happiness of a nation is the superior object, and therefore the intention of an oath of allegiance ought not to be obscured by being figuratively taken, to, or in the name of, any person. The oath, called the civic oath, in France, viz. ‘*the nation, the law, and the king*,’ is improper. If taken at all, it ought to be as in America, to the nation only.”¹⁴⁸

The happiness of a nation is the superior object. If we believe Obama or any other president wants to enact policies that are inimical to that object, we have a right, and even an obligation, to work towards that president’s ultimate failure. Does Pitts really believe that a German citizen during the 1930s would have been disloyal if he had said, “I hope Hitler fails”? Tragically, millions of officers, soldiers, and civil servants took a “Hitler oath” during the Third Reich. According to Wikipedia, “The oath pledged *personal loyalty* to the person of Adolf Hitler in place of loyalty to the constitution.”¹⁴⁹

As Obama was preparing to be sworn in as president in 2009, a YouTube video produced by Oprah Winfrey’s Harpo Productions featured celebrities such Ashton Kutcher, Demi Moore, and Natalie Portman pledging “to be a servant to our president.”¹⁵⁰ One commentator on YouTube

countered the celebrities' pledge to Obama with a proper pledge: "I pledge to keep treating the President of the United States of America as the public servant that he is supposed to be. I pledge to attempt to correct anyone who thinks that we owe some allegiance to Barack Obama the man, rather than the country he is supposed to represent."¹⁵¹

Say "no" to bad laws and encourage your representatives to say "no" to bad laws.

The Republican Party has been criticized as being the "Party of No" during much of the Obama administration. That should be a moniker embraced with pride. In the February 2013 issue of *Imprimis*, author Amity Shlaes encouraged conservatives to look at Calvin Coolidge for their model. "President from 1923 to 1929, Coolidge sustained a budget surplus and left office with a smaller budget than the one he inherited," Shlaes wrote. "Over the same period, America experienced a proliferation of jobs, a dramatic increase in the standard of living, higher wages, and three to four percent annual economic growth. And the key to this was Coolidge's penchant for saying no.' If Reagan was the Great Communicator, Coolidge was the Great Refrainer."¹⁵²

In *Up From Liberalism*, William F. Buckley, Jr. noted that "Negative action is not necessarily a negative value." Further, "Political freedom's principal value is negative in character. The people are politically stirred principally by the necessity for negative affirmations. Cincinnatus was a farmer before he took up his sword, and went back to farming after wielding some highly negative strokes upon the pates of those who sought to make positive changes in his way of life."¹⁵³

At the end of *Up From Liberalism*, Buckley offered what he called a "No-Program":

I will not cede more power to the state. I will not willingly cede more power to anyone, not to the state, not to General Motors, not to the CIO. I will hoard my power like a miser, resisting every effort to drain it away from me. I will then use *my* power, as *I* see fit. I mean to live my life an obedient man, but obedient to God, subservient to the wisdom of my ancestors; never to the authority of political truths arrived at yesterday at the voting booth. That is a program of sorts, it is not?

It is certainly program enough to keep conservatives busy, and Liberals at bay. And the nation free.¹⁵⁴

States should also reassert the 10th Amendment and say “no” to the federal government. In *Federalist* 46, James Madison noted that the states have the means to oppose the federal government:

[S]hould an unwarrantable measure of the federal government be unpopular in particular States, which would seldom fail to be the case, or even a warrantable measure be so, which may sometimes be the case, the means of opposition to it are powerful and at hand. The disquietude of the people; their repugnance and, perhaps refusal to cooperate with officers of the Union, the frowns of the executive magistracy of the State; the embarrassment created by legislative devices, which would often be added on such occasions, would oppose, in any State, very serious impediments; and were the sentiments of several adjoining States happen to be in Union, would present obstructions which the federal government would hardly be willing to encounter.¹⁵⁵

Boycott and “buycott.”

Our family stayed with Progressive Insurance for far too many years. Peter B. Lewis, who was the chairman of the insurance company until his death in November 2013, contributed millions to socialist causes. According to Snopes.com, Lewis “made donations of \$3 million and \$2.5 million (both of which were reportedly matched by billionaire activist George Soros) to America Coming Together (a liberal political action group which has since disbanded), and MoveOn.org (a progressive/liberal political action committee and public policy group) in 2004.”¹⁵⁶ Lewis also helped finance the beginnings of the Democracy Alliance, Media Matters, and the Center for American Progress. In addition, Lewis served on the board of trustees of Third Way, a think tank that claims it represents “Americans in the ‘vital center’—those who believe in pragmatic solutions and principled compromise, but who too often are ignored in Washington.”¹⁵⁷ Third Way, of course, is quite a bit to the left of center. Nancy Hale, a Third Way co-founder, was previously the managing director of the Tsunami Fund, which is the lobbying arm of the Tides Foundation and Tides Center.¹⁵⁸ Wade Rathke, the founder of ACORN, was also a founding board member of the Tides Foundation.¹⁵⁹ Drummond Pike, who runs the Tides Foundation, was also treasurer of the Democracy Alliance, which was set up in 2005 with major backing from Lewis and billionaire financier George Soros.¹⁶⁰

In 2013 we switched to an insurance company that caters to military veterans. As an added benefit, we’ll save hundreds of dollars a year on our auto insurance.

On August 1, 2012, thousands of Americans flocked to Chick-fil-A. According to ABC News, the fast-food chain had so many customers that

many of its stores had record crowds. One store even ran out of food and had to close early. In Crystal City, Virginia, customers waited up to three hours to be served.¹⁶¹

Why did Chick-fil-A have so many customers on that day? Because those on the left called for a boycott of the chain after its president, Dan Cathy, expressed his opposition to same-sex marriage. Interestingly, Cathy's opinion was exactly the same as Barack Obama's public position just three months earlier, yet many of those calling for a boycott of Chick-fil-A were Obama supporters before he "evolved" on same-sex marriage. Perhaps the most prominent hypocrite was Chicago Mayor Rahm Emanuel, who said that "Chick-fil-A's values are not Chicago values. They're not respectful of our residents, our neighbors and our family members."¹⁶² Of course, Emanuel served as Obama's chief of staff when Obama's official position on same-sex marriage was the same as Cathy's.

Individuals will have to decide for themselves which businesses to boycott and which to support through "buycotts." Do research to make sure that your boycott or buycott is based on valid information. Too often, especially amongst those on the left, boycotts are misguided. For example, leftists, including Rep. Joe Baca (D-Calif.), called for the boycott of Arizona-based companies to protest the immigration policies of Arizona. They even called for the boycott of Arizona Iced Tea, which is brewed by the Arizona Beverage Co. That company is based in New York.¹⁶³ A little due diligence can prevent you from making similar mistakes.

Covert your socialist friends and family members.

There are many former socialists who are now constitutionalists. One is John Mackey, the CEO of Whole Foods Market. In *Conscious Capitalism: Liberating the Heroic Spirit of Business*, Mackey noted that, when he was younger, he "drifted into progressivism (or liberalism or social democracy) and embraced the ideology that business and corporations were essentially evil because they selfishly sought only profits."¹⁶⁴ However, in the process of learning how to run his own business, Safer Way (which eventually became Whole Foods Market), he drifted away from progressivism. "As I steadily devoured dozens and dozens of business books trying to help Safer Way succeed, I stumbled into reading a number of free-enterprise economists and thinkers, including Friedrich Hayek, Ludwig von Mises, Milton Friedman, Jude Wanniski, Henry Hazlitt, Robert Heinlein, Murray Rothbard, Thomas Sowell, and many others," Mackey wrote. "I thought to myself, 'Wow, this all makes sense. This is how the world really works.' My worldview underwent a massive shift."¹⁶⁵

According to Mackey, “Much of today’s animosity toward capitalism stems from a misconception that we need to share all resources fairly and equitably.” However, “the reality is that by artfully combining resources, labor, and innovation, wealth can be greatly expanded. The poor can become wealthier without requiring the well-off to become poorer. The pie grows, and there is more for everyone. This idea is at the core of capitalism’s extraordinary and unique ability to generate wealth.”¹⁶⁶

We all know people who, like Mackey once did, believe businesses and corporations are evil. Some of these people are beyond hope, so don’t waste your time debating them. However, you can reach others. Perhaps you can make a deal with them in which you agree to read an author they suggest if they agree to read one of the authors Mackey “stumbled into reading.” People can be converted. As Eric Hoffer noted in *The True Believer*, “A Saul turning into Paul is neither a rarity nor a miracle.”¹⁶⁷

Educate yourself, educate others.

Take an hour or so each day to read books written by both constitutionalists and socialists. Read the authors that led to the conversion of John Mackey. Read Saul Alinsky’s *Rules for Radicals*. And, if you can find a copy, read Robert Creamer’s *Listen to Your Mother: Stand Up Straight! How Progressives Can Win*. Creamer’s 628-page book is full of lies, misrepresentations, and distortions. It is also poorly edited. For example, he refers to Harold Washington, the late mayor of Chicago, as “Herald Washington,”¹⁶⁸ and notes that our closest animal relatives are “guerrillas, chimpanzees and the baboons of Africa.”¹⁶⁹ Nevertheless, Creamer’s book is an invaluable resource for constitutionalists who wish to understand the Socialist Coalition.

Creamer has spent more than four decades in community organizing. His “first serious issue campaign involved pollution and the legendary community organizer Saul Alinsky.”¹⁷⁰ He later joined Illinois Public Action (IPA), “the progressive coalition,” which he directed for many years.¹⁷¹ The 20th annual IPA convention in December 1995 brought together many members of the Socialist Coalition. According to Rhon Baiman, who was present as a representative of the Chicago chapter of Democratic Socialists of America (DSA), IPA “has a board of about 120 or so folks representing unions, community groups, other organizations, progressive activists like DSA member Quentin Young, and elected officials in the state including: Congressman Luis Gutierrez and Lane Evans, Chicago alderman Joe Moore and Peoria alderman Frank McNeil, State Senator Alice Palmer, State Representative Jan Schakowsky, Cook County Clerk David Orr, among others.”¹⁷² The 20th IPA convention was held around the same time as when Palmer introduced Obama as her successor at the home of Bill Ayers and Bernar-

dine Dohrn, co-founders of the Weather Underground. Young was also present at that meeting.

Today, IPA is known as Citizen Action/Illinois. Citizen Action/Illinois' co-director, Lynda DeLaforge is a member of the USAction board of directors. USAction, the largest national coalition of progressive organizations, was co-founded by Heather Booth, who is also currently a USAction board member. Co-Director William McNary served as the president of USAction from 1999 to 2012. Political Director Julie Sampson previously worked as a regional director for USAction. Organizing Director John Gaudette previously served as the Illinois director of the Health Care for America Now! campaign and as the lead organizer with the Moveon.org PAC during the 2004 and 2006 elections in Ohio, Illinois, and Wisconsin.¹⁷³

While at IPA, Creamer met and married DSAer Jan Schakowsky. Schakowsky is currently a U.S. representative and a vice chair of the Congressional Progressive Caucus (CPC).

The first few pages of *Stand Up Straight!* include words of praise from many individuals representing groups that make up the Socialist Coalition. These individuals include John Podesta of the Center for American Progress, Heather Booth and Jackie Kendall of the Midwest Academy, Wes Boyd of MoveOn.org, Chuck Loveless and John Cameron of AFSCME, Greg Gazzullo of the Gamaliel Foundation, Roger Hickey and Robert Borosage of the Campaign for America's Future, David Axelrod, Jeff Blum and William McNary of USAction, CPC members Reps. Jim McGovern and John Lewis, Andy Stern of SEIU, and Miles Rapoport of Demos.

The partial client list of Creamer's firm, Strategic Consulting Group (SCG), reads like a who's who of the Socialist Coalition. These clients include ACORN, AFL-CIO, AFSCME, Campaign for America's Future, Midwest Academy, Natural Resources Defense Council, SEIU, USAction, and United Steelworkers Union of America.¹⁷⁴

Creamer is also a partner with Democracy Partners. Other partners include Heather Booth and Jackie Kendall of the Midwest Academy, John Hennelly, who served for four years as the National Field Director for Politics for SEIU (he also worked with Creamer at SCG prior to taking a position with the SEIU), Christine Pelosi, who is the daughter of former Speaker of the House Nancy Pelosi, Joe Sandler, who served as general counsel of the 1996 Democratic National Convention and as outside counsel to the 2000, 2004 and 2008 Democratic National Conventions, and Mike Lux, who has been the CEO of his own consulting firm, Progressive Strategies, since its beginning in 1999.¹⁷⁵ While serving with Iowa Citizen Action Network during the 1980s, Lux was a member of the Democratic Socialists of America.¹⁷⁶

Given Creamer's longtime association with the Socialist Coalition, *Stand Up Straight!* is essentially that coalition's playbook. Read it to gain a better understanding of the socialists' tactics and strategies, and then adopt and adapt tactics and strategies that constitutionalists can also use.

Act locally against the Socialist Coalition.

In May 2003 the Lawrence (Kansas) Chamber of Commerce board of directors approved contracting with the University of Kansas' Policy Research Institute (PRI) to conduct a study "assessing the potential impacts if a living wage ordinance were implemented in Lawrence." At the time the chamber approved contracting the study, it had not yet officially taken a position on a living wage, but expressed "hope the findings of the study will help define our position." Results of the study were expected sometime during the fall of 2003.

The chamber also expressed hopes that Lawrence city commissioners would wait for the study's results before approving a living-wage ordinance. At least one commissioner seemed willing to accommodate these hopes. "I sense the majority of the commissioners would like to wait on the study," Commissioner Boog Highberger said. "I would prefer to move sooner, but I don't see any real problems in waiting."¹⁷⁷

In the end, neither the chamber nor the city commission waited for the study to be completed. On July 23, 2003, the Chamber released a position statement on the living wage in which it declared its opposition to the concept of a minimum wage/benefits ordinance. City commissioners on August 19 began discussion of the proposed draft living-wage ordinance and approved a living-wage ordinance two months later.

My examination of the PRI staff directory found that the first four names listed—Steven Maynard-Moody, David Burress, Sharon Ashworth, and Dietrich Earnhart—also showed up on a list of contributors to the Progressive Lawrence Campaign (PLC) during 2002.¹⁷⁸ The PLC was a political action committee that promoted the city commission candidacies of Mike Rundle, David Schauner, and Highberger, all of whom were elected as commissioners on April 1, 2003. According to Kaw Valley Living Wage Alliance (KVLWA) member Graham Kreicker in an August 2003 column in the *Lawrence Journal-World*, these commissioners' "top campaign plank was enactment of a living wage ordinance."¹⁷⁹

PRI director Maynard-Moody contributed \$50 to PLC along with his wife, Carey, who was also a contributor to the Lawrence Coalition for Peace and Justice (LCPJ), a member group of KVLWA. In fact, LCPJ in 2000 applied for and received a \$5,500 grant from the Central Regional office of the American Friends Service Committee (LCPJ was founded by members of

the Oread Meeting of the Society of Friends in the late 1970s). The grant was used to hire a part-time coordinator for KVLWA.¹⁸⁰

Burress, a research economist/associate scientist with PRI's Center for Economic and Business Analysis, contributed \$200 to PLC and was also a contributor to LCPJ. He helped LCPJ raise funds on January 20, 2003 by hosting a "Sorry-Ass State of the Union" house party. In addition, Burress wrote an analysis of the Kansas Living Wage Report for the League of Women Voters/Lawrence-Douglas County's (LWV/L-DC) newsletter, and is a representative in the Lawrence Association of Neighborhoods (LAN). Both LWV/L-DC and LAN were member groups of KVLWA. Burress, representing LAN, in November 2001 spoke in favor of the living wage at a city commission meeting. On August 19, 2003, Burress again spoke in favor of the living-wage ordinance before the city commission.

In addition to the four PRI staff members mentioned above, PRI listed Dr. Karl Brooks under "Affiliated KU Faculty" and Holly Krebs as a research assistant. Both Brooks and Krebs served on PLC's steering committee.¹⁸¹ Brooks later joined the Obama administration as a regional director of the EPA.¹⁸²

"We're taking a risk here because we don't know what the outcome will be, and we can't predict it and we can't influence it," said Jean Milstead, interim CEO for the chamber, after the chamber contracted with PRI to study the potential impacts of a living wage in Lawrence.

The risk was about as great as the National Cattlemen's Beef Association contracting People for the Ethical Treatment of Animals to conduct a study on the effects of beef consumption in America. We will never know for sure what PRI would have found since the chamber asked PRI to cancel the study.

Boog Highberger is no longer on the city commission. He is on the board of directors of the Ad Astra Institute of Kansas (AAI). David Burress, who retired from the University of Kansas in 2004, is the president of AAI's board.¹⁸³ AAI's council of advisors includes U.S. Rep. Emanuel Cleaver (D-Mo.), who is a member of the Congressional Progressive Caucus, which is aligned with Democratic Socialists of America.

As constitutionalists, we need to do due diligence and learn about individuals and groups that are operating locally. Many statewide and national groups rely on these local individuals and groups. Exposing a cog in the machinery can cause significant damage to the Socialist Coalition. Remember that conservative activists Hannah Giles and James O'Keefe brought about the disbandment of ACORN in 2010 after they produced a video of ACORN workers at local offices giving advice on how to flout the law.¹⁸⁴ ACORN had an operating budget of \$50 million in 2008,¹⁸⁵ so we should not have expected an organization of that size to disappear completely. In

fact, members and staff of California ACORN founded a new organization, the Alliance of Californians for Community Empowerment,¹⁸⁶ while New York ACORN members and staff founded New York Communities for Change.¹⁸⁷ These and other new groups will have to be watched as well.

Divide the Socialist Coalition.

A coalition is “the growing together of parts.” During the founding convention of the Democratic Socialist Organizing Committee (DSOC) in October 1973, the DSOC released a statement noting that it would use “coalition politics” to achieve its goals of “a redistribution of wealth through the progressive income tax, a shift of resources from private to public sector in areas like medicine and pensions,” and “fully socialized medicine in which all services would be collectively paid for through funds collected by a progressive income tax and would be available on the basis of need alone.”

“The old socialist dream that disinherited workers would become the vast majority of capitalist society did not come to pass,” the DSOC statement said. “There is no single group—neither the trade unionists, nor the poor nor the minorities, nor the middle class liberals and radicals—which is sufficiently numerous and cohesive to win a democratic majority. Therefore each potential component of the democratic Left must both organize and speak for itself and enter into a coalition with other groups.”

The DSOC statement was clear as to how these groups would enter into such a coalition: “The organizational focus for bringing together these disparate forces in the foreseeable future is, for better or worse, the Democratic Party.”¹⁸⁸ There are opportunities for constitutionalists to divide the parts of the Socialist Coalition that make up today’s Democratic Party. For example, *The Nation* reported in April 2012, that not all is well with the so-called “blue-green” alliance. “At the height of the Keystone debate, four unions stood with the titans of the fossil fuel industry to lambaste progressive environmentalists as extremist job killers,” the magazine reported. “The Laborers International Union of North America (LIUNA) president, Terry O’Sullivan, went so far as to describe unionists who opposed the climate-destroying pipeline as being “under the skirts of delusional environmental groups which stand in the way of creating good, much needed American jobs.” *The Nation* concluded that the “‘blue-green alliance’ between labor and environmentalists is on life support.”¹⁸⁹

The Sierra Club, BlueGreen Alliance, and Greenpeace are among environmentalist groups that currently support the comprehensive immigration reform measures promoted by Obama and the Senate’s Gang of Eight. However, as Politico reported, in the past the vocal faction of the Sierra Club “argued too many new immigrants living the American dream could

spell doom for the planet.” Further, in 1997-98, “Several environmental heavyweights, including former Kennedy and Johnson administration Interior Secretary Stewart Udall, Earth Day founder and former Wisconsin Democratic Sen. Gaylord Nelson, Harvard biologist E.O. Wilson and Earth First co-founder Dave Foreman, spoke up for the ballot initiative” favoring “an end to U.S. population growth at the earliest possible time through reduction in natural increase (births minus deaths)” and “through reduction in net immigration.”¹⁹⁰

The Socialist Coalition sees millions of new citizens as millions of new voters for their candidates and causes. However, as the Federation of American Immigration Reform notes, “When immigrants come to the United States, they do not maintain the traditional lifestyle of their home country. Rather, they quickly adapt to the American lifestyle. As they do, they become greater consumers and polluters; their individual ecological footprint increases. For example, the carbon footprint of the average immigrant is 302 percent higher than it would have been had s/he remained at home.”¹⁹¹ Environmentalists in the Socialist Coalition who believe the new voters are not worth the increase in energy consumption and CO2 production could split from the coalition.

Labor unions make up a significant force in the Democratic Party. They provide the foot soldiers and a great deal of the funding. For example, in 2008 Gerald McEntee, president of AFSCME, said his union would mobilize 40,000 volunteers for the fall campaign and spend \$50 million, largely on voter education and getting out the vote.¹⁹² SEIU spent \$60.7 million to elect Obama in 2008.¹⁹³ SEIU also deployed 100,000 volunteers during the campaign, including 3,000 who worked on the election full time.¹⁹⁴ Of course, this money comes from the dues that union members pay. Exit polling in 2008 found that 37 percent of union members voted for John McCain, the Republican presidential candidate.¹⁹⁵ Union members who prefer Republican candidates should not be funding the campaigns of Democratic candidates. Therefore, constitutionalists should work to pass “paycheck protection” laws. Such laws require unions to obtain written permission from their members before they can spend membership dues on political causes. According to the Heritage Foundation, “These laws reduce union campaign donations by approximately 50 percent.”¹⁹⁶

Union members who are Republicans and independents may not be aware of the fact that socialists have taken control of their unions. Once they learn this, they may be able to take steps to leave their unions or work to remove the socialists from their leadership positions.

Constitutionalists also have opportunities to divide the Socialist Coalition amongst minorities. “How many unemployed did Obama create among African Americans, Latinos, women?” David Horowitz asked after

Obama's reelection. "The official unemployment rate in Detroit after 50 years of Democratic rule and four years of Obama stimulus was 19% but actually 45% were unemployed." Further, "Thirty-five percent of Detroit's citizens are on food stamps. Democrats destroy jobs and make people poor. Why wasn't there a \$300 million Republican campaign saying this?"¹⁹⁷

Thanks to the Socialist Coalition, minorities are also suffering in our public education system. "In the middle of the 2012 campaign, a teachers union strike shut down the schools in Chicago, Obama's home town," Horowitz wrote. "The issue was not pay but the union's refusal to allow teacher rewards to be connected to teacher performance. African American and Hispanic children were the true victims of the determination to protect bad teachers and not to reward good ones. Yet Republicans are too polite to mention it."¹⁹⁸

In June 2013, several media outlets reported that Chicago Public Schools' (CPS) graduation rate had increased to 63 percent. "We are happy to see increased graduation rates for CPS," the Chicago Teachers Union stated in a press release. "It proves those diatribes against teachers and the labeling of our public schools as failing is not only mean-spirited but inaccurate. We only wish that CPS had applied the same approach to the scores of schools they just closed."¹⁹⁹ However, as Josh Dwyer with the Illinois Policy Institute noted, the graduation rates don't tell the full story. "Statistics from the City Colleges of Chicago also show a grim picture," Dwyer wrote. "From the fall 2009 semester, of the more than 2,800 CPS high school graduates attending CCC, 71 percent needed remedial reading, 81 percent needed remedial English and 94 percent needed remedial math." Further:

Clearly, this is not the hallmark of a successful K-12 education system.

None of this will change unless CPS and CTU are held accountable for these lackluster results. The only way to do that is to empower parents and let them to decide what school works best for their child. My bet is that it's not a school where almost a majority of graduates are neither working nor in school after graduation, or spending thousands of dollars in student loans taking remediation classes in college.²⁰⁰

Is it unfair to characterize CTU and other teachers unions as forces in the Socialist Coalition? Consider that the "Socialism 2013" conference was held in Chicago in June 2013. Promising "A full weekend of radical politics, debate and entertainment," the conference featured a photo of protesting CTU members on the front page of its brochure.²⁰¹ In addition, CTU's vice president, Jesse Sharkey, participated in the Midwest Marxism Conference at Northwestern University in November 2012.²⁰²

Of course, others can certainly think of additional ways constitutionalists can work to divide the Socialist Coalition.

Be vigilant.

As noted above, in 1973 the DSOC released a statement noting that it would use “coalition politics” to achieve its goals of “a redistribution of wealth through the progressive income tax, a shift of resources from private to public sector in areas like medicine and pensions,” and “fully socialized medicine in which all services would be collectively paid for through funds collected by a progressive income tax and would be available on the basis of need alone.”

The Socialist Coalition has moved the U.S. steadily to the left in increments over several decades. Obamacare was one of those increments, but the socialists will not be content stopping there. The socialists have made it clear that they want a “single-payer” healthcare system that is run by the federal government.

Rep. Jan Schakowsky (D-Ill.), a DSAer, spoke at a Health Care for America Now! event in 2009. “And next to me was a guy from the insurance company who argued against the public health insurance option, saying it wouldn’t let private insurance compete,” she told the audience. “That a public option will put the private insurance industry out of business and lead to single-payer. My single-payer friends, he was right. The man was right.”²⁰³

Barney Frank, a former U.S. representative from Massachusetts, echoed Schakowsky when speaking to a member of Single Payer America. “I think that if we get a good public option it could lead to single-payer and that is the best way to reach single-payer,” Frank said. “Saying you’ll do nothing till you get single-payer is a sure way never to get it.... I think the best way we’re going to get single-payer, the only way, is to have a public option and demonstrate the strength of its power.”²⁰⁴

“They have a sneaky strategy, the point of which is to put in place something that over time the natural incentives within its own market will move it to single-payer,” *Washington Post* reporter Ezra Klein told Netroots Nation in 2008.²⁰⁵

Despite all the evidence that the socialists have a “sneaky strategy” to move to a single-payer system, Obama told the American Medical Association the following in June 2009: “What are not legitimate concerns are those being put forward claiming a public option is somehow a Trojan horse for a single-payer system.... So, when you hear the naysayers claim that I’m trying to bring about government-run health care, know this—they are not telling the truth.”²⁰⁶

However, compare Obama's words in 2009 with what then State Senator Obama told an AFL-CIO audience in 2003:

I happen to be a proponent of a single-payer universal health care program. I see no reason why the United States of America, the wealthiest country in the history of the world, spending 14 percent of its Gross National Product on health care cannot provide basic health insurance to everybody. And that's what Jim is talking about when he says everybody in, nobody out. A single-payer health care plan, a universal health care plan. And that's what I'd like to see. But as all of you know, we may not get there immediately. Because first we have to take back the White House, we have to take back the Senate, and we have to take back the House.²⁰⁷

Obama reiterated his support for a single-payer system while speaking at SEIU's New Leadership Health Care Forum on March 24, 2007:

As I indicated before, I think that we're going to have to have some system where people can buy into a larger pool. Right now their pool typically is the employer, but there are other ways of doing it. I would like to—I would hope that we could set up a system that allows those who can go through their employer to access a federal system or a state pool of some sort. But I don't think we're going to be able to eliminate employer coverage immediately. There's going to be potentially some transition process. I can envision a decade out or 15 years out or 20 years out where we've got a much more portable system. Employers still have the option of providing coverage, but many people may find that they get better coverage, or at least coverage that gives them more for health care dollars than they spend outside of their employer. And I think we've got to facilitate that and let individuals make that choice to transition out of employer coverage.²⁰⁸

Obama wants a single-payer system run by the government. However, as president, he knows that such an option is not now politically viable. He knows the socialists will have to get there in increments. Constitutionalists need to be aware of that.

Constitutionalists also have to be concerned about DSOC's proposed "shift of resources from private to public sector" in the area of pensions. What would that entail?

In an April 2013 interview, Jim Rogers, who co-founded the Quantum Fund with George Soros 1973 and "retired" in 1980, said he was taking preparations, just in case the government begins going after pension plans. "401k plans, IRA's, and pensions plans which the government knows about [may be next]," Rogers said. "Their rationale would be, 'Well most people

haven't been doing well in their IRAs and pension plans for the past several years, so we're going to help you. We're going to take your pension plan and give you government bonds so that you have a guaranteed return." Further: "That's how they'll rationalize taking our money. They know where all the pension plans are because we have to report it, so they're easily accessible by governments. They know where they are, what they are, and they'll be able to snatch them away. Who knows what they'll do, but they'll certainly find some way to take our money when things get worse, they always have."²⁰⁹

According to Rogers, pension plans are "easily accessible by governments." On the September 12, 2013 edition of Russia Today's *The Big Picture*, host Thom Hartmann said the following: "This country is not broke. This country is insanely wealthy. This country has an enormous amount of money. *All we have to do is access it.*" (My emphasis)

"The bottom line is we're not broke, there's plenty of money, it's just the government doesn't have it," Rep. Keith Ellison (D-Minn.) said during a Progressive Democrats of America (PDA) roundtable in July 2013. "The government has a right, the government and the people of the United States have a right to run the programs of the United States. Health, welfare, housing—all these things."²¹⁰ Ellison is the co-chair of the Congressional Progressive Caucus. The other co-chair Rep. Raúl Grijalva (D-Texas). Grijalva is also a member PDA's advisory board, as is Hartmann.²¹¹

Ellison was not discussing pensions when he offered his comment at the PDA roundtable. However, he was clearly talking about the federal government having the "right" to take private property so that it can run social welfare programs. Would it be inconceivable that the government would take over our private pension plans for this purpose? According to the *Washington Post* on November 21, 2008, "Argentina's Senate on Thursday night gave final approval to the government's plan to nationalize the private pension system in an attempt to protect retirement investments from the international financial crisis."²¹² In January 2011, Jan Iwanik, a blogger with the Adam Smith Institute, reported that Hungary, Poland, and three other nations had taken "over citizens' pension money to make up government budget shortfalls." Further:

People's retirement savings are a convenient source of revenue for governments that don't want to reduce spending or make privatizations. As most pension schemes in Europe are organised by the state, European ministers of finance have a facilitated access to the savings accumulated there, and it is only logical that they try to get a hold of this money for their own ends. In recent weeks I have noted five such attempts: Three situations concern private personal savings; two others refer to national funds.²¹³

During the healthcare debate, the socialists said that we needed healthcare reform because we are the “only industrialized nation without universal health insurance.” I believe that at some point in the not-so-distant future, we’ll hear them say that the government needs to take control of private pension plans because we are the only industrialized nation that has not done so.

Work within the Republican Party.

Republicans in Washington have let constitutionalists down time after time. Therefore, the desire to start a third party is understandable. However, I do not believe this is a wise course since neither the Republican Party nor the third party would be powerful enough to take on the Socialist Coalition that works within—and has taken over—the Democratic Party. We have to form our own Constitutionalist Coalition to work within the Republican Party. We have to work to elect the right people to serve in Washington and our state capitals. When we fail to elect the right people, we have to work to ensure that the wrong people do the right things.

If you have money to contribute to candidates and/or causes, send it directly to those candidates and causes. Do not send it to the Republican National Committee, the National Republican Congressional Committee, etc.

Veterans for Restoring Our Constitutional Republic.

As noted above, William F. Buckley, Jr. wrote of the farmer Cincinnatus, who took up his sword and then returned to farming. There is an organization called the Society of Cincinnati, which was founded in 1783 by officers of the Continental Army and their French counterparts who served together in the American Revolution. According to the group’s website, “The founders of the Society assigned their descendants the task of preserving the memory of the patriotic sacrifices that made American liberty a reality.”²¹⁴

According to the Census Bureau, there were 21.5 million U.S. military veterans in 2011. Of that number, just 5.4 million served during peacetime only.²¹⁵ These veterans, like those who founded the Society of Cincinnati, have made many sacrifices to protect our liberties. And, like the president and members of Congress, they took an oath to “support and defend the Constitution of the United States against all enemies, foreign and domestic.” However, whereas Americans have lost confidence in the presidency and Congress, a large percentage of Americans have confidence in the military. In June 2013, Gallup found that 76 percent of Americans have either a

“great deal” or “quite a lot” of confidence in the military. Below I have compared the combined “great deal” and “quite a lot” percentages of confidence of several institutions in June 1-4, 2013 with the percentages Gallup found in March 30-June 2, 1975 and March 22-24, 1993.²¹⁶

<u>INSTITUTION</u>	<u>1975</u>	<u>1993</u>	<u>2013</u>
Military	58	67	76
Presidency	52	43	36
Supreme Court	49	43	34
Television News	—	46	23
Organized Labor	36	26	20
Congress	40	18	10

As you can see, with the exception of the military, Americans have lost a great deal of confidence in most of our institutions during the past four decades. The American Legion, Veterans of Foreign Wars, Vietnam Veterans of America, and other veterans groups already have their defined goals and missions. Therefore, I propose the founding of a new veterans group that has the goal of placing the old form of government, i.e., our Constitutional Republic, in new hands.

PLACING THE LEGISLATIVE IN NEW HANDS

We clearly have a confidence and trust crisis in America. I believe this loss of confidence and trust is due to what Locke called “miscarriages of those in authority.” If the people believe those miscarriages are great enough, the people can determine that those in authority have forfeited the power with which society provided them. According to Locke, “[U]pon forfeiture, or at the determination of the time set, *it reverts to the society*, and the people have a right to act as supreme, and continue the legislative in themselves; or erect a new form, or under the old form place it in new hands, as they think good.”²¹⁷

I do not propose a wholesale overhaul of our political system. Instead, I believe we should place the old form, i.e., our Constitutional Republic, in new hands. The steps outlined above would weaken the Socialist Coalition, but they are unlikely to cause the “old hands” to voluntarily leave their offices. Therefore, a campaign of nonviolent resistance involving millions of Americans will be needed.

According to Gene Sharp, the author of the 1973 three-volume study, *The Politics of Nonviolent Action*, “Power always depends for its strength and existence upon a replenishment of its sources by the cooperation of numerous institutions and people—cooperation that does not have to

continue.”²¹⁸ It will take a great deal of imagination, but constitutionalists can certainly think of many ways to prevent the federal government from replenishing its resources. After all, we the people make those resources possible. Our cooperation provides those in the federal government with power and legitimacy. Our withdrawal of that cooperation would deprive them of that power and legitimacy.

After the “People Power” revolution in the Philippines in 1986, the U.S. flew Ferdinand Marcos and his family to Hawaii. We can do the same for Obama and his family if the federal government is put into new hands before January 2017.

IS WITHDRAWING CONSENT TREASONOUS?

Undoubtedly, there will be those who claim that withdrawing consent from those running the federal government is a form of treason. According to the U.S. Constitution, “Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort.” As I argued above, it is the federal government that has levied war against its citizens.

“This country, with its institutions, belongs to the people who inhabit it,” President Abraham Lincoln said in his first inaugural address in 1861. “Whenever they shall grow weary of the existing Government, they can exercise their *constitutional* right of amending it or their revolutionary right to dismember or overthrow it.”²¹⁹ “The people—the people—are the rightful masters of both Congresses, and courts—not to overthrow the Constitution, but to overthrow the men who pervert it,” Lincoln said in 1859.

My proposal is not to overthrow the Constitution, but to restore it. My proposal also entails overthrowing the men—and women—who pervert the Constitution. That is not treason; that is, as Lincoln noted, our right as Americans.

INDEX

- ACORN, 10, 21, 33, 36, 38
Action Fund, 21
Ad Astra Institute of Kansas, 38
Adam Smith Institute, 44
AFL-CIO, 21, 36, 43
Alinsky, Saul, 35
Alito, Jr., Samuel A., 11
Alliance of Californians for Community Empowerment, 39
America Coming Together, 33
America's 30 Years War, 26
American Federation of State, County and Municipal Employees, 21, 36, 40
American Federation of Teachers, 12
American Friends Service Committee, 37
American Legion, 22, 46
American Revolution, 45
Americans for Democratic Action, 21
Americans for Prosperity, 19
Ameritopia: The Unmaking of America, 26
Anderson, Susan L., 21
Aquino, Corazon, 1, 3
Art of War, The, 26
Ashworth, Sharon, 37
Axelrod, David, 36
Ayers, William, 35
Baca, Joe, 34
Baiman, Rhon, 35
Ball, Robert, 13
Barack H. Obama Foundation, 24
Battle: How the Fight Between Free Enterprise and Big Government Will Shape America's Future, The, 28
Baucus, Max, 9
Beck, Glenn, 17
Big Picture, The, 44
BlueGreen Alliance, 39
Blum, Jeff, 36
Bonner, Raymond, 3
Booth, Heather, 36
Bork, Robert, 10
Borosage, Robert, 36
Bosserman, Barbara, 24
Bovard, James, 5, 24
Boyd, Wes, 36
Brooks, Arthur C., 28
Brooks, Karl, 38
Brown, Scott, 8
Buckley, Jr., William F., 32, 45
Burnham, David, 24
Burruss, David, 37, 38
Bush, George H.W., 2
Bush, George W., 20
Callender, David, 1
Cameron, John, 36
Camp Obama, 10
Camp, Dave, 22
Campaign for America's Future, 36
Campaign for Community Change, 21
Cao, Anh, 7
Carney, Jay, 12, 18
Cathy, Dan, 34
Center for American Progress, 21, 33, 36
Center for Science in the Public Interest, 21
Center for Social and Economic Justice, 21
Champaign Tea Party, 23
Chavez, Cesar, 10
Chicago Public Schools, 41
Chicago Teachers Union, 41
Chick-fil-A, 33, 34
Cincinnatus, 32, 45
Citizen Action/Illinois, 36
Citizens United, 22
Cleaver, Emanuel, 38
Clines, Francis X., 3
Color of Change, 21
Congressional Black Caucus, 21
Congressional Progressive Caucus, 36, 38, 44
Conscious Capitalism: Liberating the Heroic Spirit of Business, 34
Conyers, John, 9
Coolidge, Calvin, 32
Cornhusker Kickback, 7
Cornyn, John, 17
Creamer, Robert, 35
Daily Caller, 16
Darden Restaurants, 12, 13
de Castro, Clarissa Martinez, 21
Dean, John, 24
DeFazio, Peter, 8

INDEX

- Democracy Alliance, 33
Democracy Partners, 36
Democratic Socialist Organizing
Committee, 10, 39, 42, 43
Democratic Socialists of America, 10,
36, 38
Demos, 21, 36
Dohrn, Bernardine, 36
Dougall, Thomas, 16
Dreier, Peter, 10
Drudge Report, 16
Dwyer, Josh, 41
Earnhart, Dietrich, 37
Eastman, John, 20
Ellison, Keith, 44
Emanuel, Ezekiel, 17
Emanuel, Rahm, 7, 34
Engle, Craig, 22
Evans, Lane, 35
Federal Election Commission, 22
Federal Register, 18
Federalist 46, 33
Federalist 62, 15
Federation of American Immigration
Reform, 40
Foreman, Dave, 40
Fox News Sunday, 17
Frank, Barney, 42
Franken, Al, 13
Freedom in Chains, 5
*Freedom in Chains: The Rise of the State
and the Demise of the Citizen*, 24
Friedman, Milton, 34
Gamaliel Foundation, 36
Gandhi, Mohandas, 4
Ganz, Marshall, 10
Gaudette, John, 36
Gazzullo, Greg, 36
General Motors, 32
George, J. Russell, 20
Giles, Hannah, 38
Giles, William B., 4
Ginsburg, Ruth Bader, 11
Glantz, Gina, 21
Greenpeace, 39
Grijalva, Raúl, 44
Gutierrez, Luis, 35
Hartmann, Thom, 44
Hayek, Friedrich A., 34
Hazlitt, Henry, 34
Health Care for America Now!, 21, 36,
42
HealthCare.gov, 16
Heineman, Dave, 7
Heinlein, Robert, 34
Hennelly, John, 36
Heritage Foundation, 40
Hickey, Roger, 36
Highberger, Boog, 37, 38
Hitler, Adolf, 31
Hoffer, Eric, 35
Hogue, Ilyse, 21
Honasan, Gregorio, 1
Horowitz, David, 40
Hoyer, Steny, 18
Huffington Post, 13
Hull, Carter, 20
Human Rights Campaign, 20, 21
Hyde Amendment, 8
Illinois Policy Institute, 41
Illinois Public Action, 35
Imprimis, 32
Internal Revenue Service, 19, 20
International Union, 21
Iowa Citizen Action Network, 36
Iwanik, Jan, 44
Jefferson, Thomas, 4
Jewell, Sally, 12
Jindal, Bobby, 16
Johnson, Eliana, 22
Jones, Van, 21
Kaw Valley Living Wage Alliance, 37
Kendall, Jackie, 36
Kennedy, Anthony, 25
Kennedy, Patrick, 10
Kennedy, Ted, 8, 10
Kennedy, Victoria Reggie, 10
Klein, Ezra, 42
Kopechne, Mary Jo, 11
Krebs, Holly, 38
Kreicker, Graham, 37
Kutcher, Ashton, 31
Laborers International Union of North
America, 39
Landmark Legal Foundation, 25
*Law Unto Itself: Power, Politics and the
IRS*, A, 24
Lawrence Coalition for Peace and
Justice, 37
Lawrence Journal-World, 16, 37
Lerner, Lois, 20, 22
Let Freedom Ring!, 10
Levin, Mark R., 25
Levin, Sandy, 20

- Lewis, John, 36
 Lewis, Peter, 33
Liberty Amendments: Restoring the American Republic, The, 25
Liberty and Tyranny, 26
 Limbaugh, Rush, 31
 Lincoln, Abraham, 47
Listen to Your Mother: Stand Up Straight! How Progressives Can Win, 35
 Locke, John, 5
 LongHorn Steakhouse, 12
Lost Rights: The Destruction of American Liberty, 24
 Loveless, Chuck, 36
 Lux, Mike, 36
 Mackey, John, 34, 35
 Madison, James, 15, 33
 Malacañang Palace, 3
 Marcos, Ferdinand, 1
 Maynard-Moody, Steven, 37
 McCain, John, 40
 McConnell, Michael W., 15
 McDonald's, 12
 McEntee, Gerald, 40
 McGhee, Heather, 21
 McGovern, James, 36
 McNary, William, 36
 McNeil, Frank, 35
 Media Matters for America, 33
 Medicaid, 6, 7
 Medicare, 6, 8
 Meesh & Mia Corp., 14
 Midwest Academy, 36
 Midwest Marxism Conference, 41
 Miller, Steven, 19
 Milstead, Jean, 38
 Montesquieu, 15
 Moore, Demi, 31
 Moore, Joe, 35
 Morgenthau, Jr., Henry, 24
 MoveOn, 21, 33, 36
 Moveon.org PAC, 36
 NARAL, 21
Nation, The, 39
 National Abortion Federation, 21
 National Association for the Advancement of Colored People, 21
 National Council of La Raza, 21
National Federation of Independent Business v. Sebelius, 11
 National Organization for Marriage, 20
National Review, 22
 National Treasury Employees Union, 23
 Natural Resources Defense Council, 36
 Nelson, Ben, 7
 Nelson, Gaylord, 40
 Netroots Nation, 42
 New York Communities for Change, 39
 Northern Illinois University, 3
 O'Keefe, James, 38
 O'Sullivan, Terry, 39
 Obama, Abon'go Malik, 24
 Obama, Barack
 bending the enforcement of Obamacare, 14
 broken Obamacare promise of, 17
 celebrities' pledge to, 32
 claim that Obamacare will lower the deficit, 14
 support for single-payer system, 42
 suspension of Obamacare employer mandate, 15
 Obama, Michelle, 12, 13
 Obamacare, 6, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 23, 24
 Occupy Wall Street, 21
 Olive Garden, 12
 Organizing for Action, 17, 21
 Organizing for America, 21
 Orr, David, 35
 Otis, Clarence, 12
 Paine, Thomas, 31
 Palmer, Alice, 35
 Papa John's, 13
 Paz, Holly, 22
 Pelosi, Christine, 36
 Pelosi, Nancy, 9, 12, 36
 Pew Research Center, 29
 Phillips, Tim, 19
 Pike, Drummond, 33
 Pitts, Leonard, 31
 Planned Parenthood, 21
 Podesta, John, 36
 Politico, 53
Politics of Nonviolent Action, The, 46
 PolitiFact, 17
 Portman, Natalie, 31
 Progress Now, 21
 Progressive Democrats of America, 44
 Progressive Insurance, 33
 Progressive Lawrence Campaign, 37

INDEX

- Progressive Strategies, 36
Public Campaign, 21
PunditFact, 17
Quantum Fund, 43
Rapoport, Miles, 36
Rasmussen Reports, 7, 15, 28, 30
Rathke, Wade, 33
Reagan, Ronald, 10
Red Lobster, 12
Reform the Armed Forces Movement, 1
Regnery, Alfred S., 10
Rehnquist, William, 26
REI, 12
Reid, Harry, 13, 29
Rights of Man, 31
Roberts, John, 12
Rock the Vote, 21
Roff, Peter, 10
Rogers, Jim, 43
Roosevelt, Eleanor, 24
Rothbard, Murray, 34
Roy, Avik, 23
Royal Farms, 13
Rules for Radicals, 35
Rundle, Mike, 37
Russia Today, 44
Salazar, Ken, 12
Sampson, Julie, 36
Sandler, Joe, 36
Scalia, Antonin, 25
Schakowsky, Jan, 36, 42
Schauner, David, 37
Schnatter, John, 13
Sebelius, Kathleen, 17
Second Amendment, 4
Second Treatise of Government, 5
Sekulow, Jay, 20
Service Employees International Union,
21, 36, 40, 43
Sessions, Jeff, 14
Sharkey, Jesse, 41
Sharp, Gene, 46
Shlaes, Amity, 32
Shulman, Douglas, 20
Sierra Club, 39
Single Payer America, 42
Snopes.com, 33
Social Security, 17, 23
Society of Cincinnati, 45
Soros, George, 33, 43
Souter, David, 26
Sowell, Thomas, 34
Spirits of the Law, The, 15
Stern, Andy, 36
Stevens, John Paul, 26
Strategic Consulting Group, 36
Stupak, Bart, 8
Sun Tzu, 26
Tea Party, 19, 20, 22
Third Way, 33
This Week with David Brinkley, 3
Thomas, Clarence, 26
Tiananmen Square, 4
Tides Center, 33
Tides Foundation, 33
Tolstoy, Leo, 1
Transactional Records Access
Clearinghouse, 24
*True Believer: Thoughts on the Nature of
Mass Movements, The*, 35
Turley, Elizabeth, 13
Udall, Stewart, 40
United Automobile, Aerospace &
Agricultural Implement Workers of
America, 21
United Farm Workers, 10
United Federation of Teachers Welfare
Fund, 12
United Steelworkers Union of America,
36
Up From Liberalism, 32
*Upstream: The Ascendance of American
Conservatism*, 10
USAction, 21, 36
Vazsonyi, Balint, 26
Verrilli, Jr., Donald B., 11
Veterans of Foreign Wars, 46
Vietnam Veterans of America, 46
Volpe, Michael, 16
von Mises, Ludwig, 34
Wanniski, Jude, 34
Washington Times, The, 9
Washington, Harold, 35
Weather Underground, 36
Weaver, Richard, 1
Wells, Rosilyn, 16
Wendy's, 13
What Then Must We Do?, 1
Whole Foods Market, 34
Wilkins, William, 20
Wilson, E.O., 40
Winfrey, Oprah, 31
Working America, 21
Young, Quentin, 35

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KEVIN GROENHAGEN

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