



RAY BARTKUS

# THE 2ND DECLARATION OF INDEPENDENCE

BY ROBERT STANLEY NEED

*"Revolutions have a terrible arm and a fortunate hand; they strike hard and choose well. Even when incomplete, even degenerate and abused...they almost always retain enough of the light of providence to prevent a fatal fall. Their eclipse is never an abdication."*

~VICTOR HUGO

## PROLOGUE

In the course of two centuries it becomes necessary for the citizens of the Republic of the United States of America to reaffirm and redefine the principles upon which rests their personal liberty and to reestablish and unquestionably restore and enforce their collective sovereignty as the ultimate power of the Nation.

For, in the course of the two centuries since the founding of the Republic and the adoption of the Federal Constitution, not failures or disasters, but eminent success in arms, arts and agriculture, in industry, trade and commerce, in medicine, transportation, and all forms of endeavor to compliment the physical well being, the stress of the Nation's growth has unwittingly strained the bonds and ties that hold us in union.

We must then at this time dedicate ourselves and our energies to the proper restoration of values to those precepts embodied in our Constitution and proper laws and statutes that protect and insure our current liberties and guarantee their promulgation through the ages of our prosperity.

Those precepts born in the violence of armed and successful rebellion to free us from the dictates of a foreign state need not be reestablished and confirmed in like manner, but rather in fulfillment of our laws, and under their aegis, which provide the tools and systems for maintenance, change or correction, should we now declare ourselves in revolution against the excesses, omissions and perversions that time and our neglect have allowed to flourish.

As men/women may justifiably engage in warfare to protect their homes, families and communities from foreign domination or intimidation, as men/women justifiably unite in physical rebellion against tyranny that would impose harsh, unjust, inhuman and illegal denial of their liberties, so must the American citizen as charged by the founders of this Nation engage in periodic and perpetual revolution against individuals, groups, bodies or classes that would seek to divert, curtail or in any way diminish the total sovereignty of the People.

In view of this, *We, the People of the United States of America*, after two hundred years of nationhood, do hereby resolve, redeclare and define the precepts of our independence from all forces foreign or domestic that would subvert or deny our unalienable rights to *Life, Liberty & the Pursuit of Happiness*.

## THE DEFINITION OF LIBERTY

We hereby resolve that human liberty is the quality of life that provides that all individuals are free to pursue their own selected ends in life and shall under no circumstances of birth, race, sex, religion, political creed, or age, have such pursuit restricted, changed or inhibited in any way by other private individuals or the state. No citizen shall be restrained from the conduct of his/her affairs or the total exercise of his/her inherent liberty unless under due process of law such person is found unquestionably guilty infringing upon the Liberty and Happiness of others. In such cases, the law applied must be eminently just and established in concert with the precepts of the Constitution and reflect without question the will and consent of the People.

American liberty shall in no way be defined as promiscuous license allowing one, or many, to in any way conduct their activities in such a manner that it threatens or infringes upon the liberties of others. Personal liberty, though established as an intrinsic personal right, is in truth, more importantly, a personal responsibility to participate in the maintenance of the general order of society in a democracy. In an authoritarian state there is no such responsibility for the individual since the state has arrogated such powers for order to itself. If the Republic is to endure and its sovereignty is to be collectively shared among the citizens, each then is responsible for the personal liberties of all.

## JUSTICE & THE LAW

We hereby resolve that the United States of America is that unique and distinctive state, apart from all others, that maintains and protects the liberties and rights of all its citizens with the shield of human justice that rises above the letter of its laws. The Constitution and the laws of the land and its separate states shall exist as the fundamental, but changeable, statutes prescribing the conduct of civil life. No law shall exist, be tolerated, be observed or enforced that does not fully reflect the will and consent of the governed, for such regulation would inhibit the personal liberty of some and permit petty tyrannical authority in others; such regulation would thwart and limit the proper exercise of the courts and nullify the ends of equal justice. The law is an instrument of the People, it shall be written by them, it shall be adopted by them, it shall be enforced by them. No law, statute, regulation or ordinance shall exist within the United States of America that in any way inhibits or denies the eternal perpetuation of the absolute application of equal justice to all its citizens. American justice shall be defined as that exercise of its proper laws that allows and protects the general tranquility of society, equally protecting individual rights without the imbalance of advantage towards some and denial to others regardless of its application be it administrative, regulatory, civil or criminal.

## THE CONDUCT OF ELECTION TO PUBLIC OFFICE

We hereby resolve that the selection of any individual to serve in any office of the United States of America, its several states and municipalities, shall be solely predicated upon the separate votes of the individual citizens in no way restricted, encumbered, or denied by unequal law, regulation, statute or ordinance. No election in this Nation, its states, municipalities, districts or territories shall be permitted under any circumstance, general, primary, special or other, that would deny either the whole or portions of the whole ballot to any portion of the electorate. No law, statute or regulation shall be established or enforced that provides a limited or restricting definition of members of the electorate by race, color, creed, political party, status of property, sex or age over 18 years. The sovereignty of all the citizens shall in no way be infringed upon by any requirements for allegiance to, membership or participation in any political party, alliance or group. Such parties may exist and aspirants for public office may proclaim themselves representatives of that party's aims and goals, and further, may on public ballots be identified as being members of such party. But under no circumstances is a public ballot of the United States of America, its several states, municipalities, districts, or territories ever to exclude non-party candidates having filed properly as commensurate with party candidates, nor, shall there ever be

issued in a public polling place of this Nation any separate or distinct ballot that cannot be acted upon by any member of the entire electorate.

## THE CONDUCT OF GOVERNMENT

We hereby resolve that the conduct of the Government of the United States of America, of its several states, municipalities, districts, and territories shall be as prescribed in the Constitution and such lawful adjunct statutes, ordinances and regulations as may be promulgated through and by the will of the People and their properly elected representatives. The first criteria of government shall be the direct service of the individual citizens of that governmental body's electorate, and that all officers of that government, their departments, bureaus, offices and their activities, shall be under constant review of all citizens. No elected representative, officer or appointed or employed official of any segment of this Nation's governments shall be above or beyond the restrictions of public law. No term of office, appointment or employment shall be construed to insure full tenure if for any valid reason the proper representatives of the People, the public courts, or the electorate decide to nullify and discontinue such office, appointment or employment. The Constitution of the United States of America shall include addendum establishing and perpetuating an article of referendum that guarantees the full expression of the will of the electorate which may be invoked under proper procedures of public petition or by Congress assembled, request of the Supreme Court, or by desire of the President. When invoked, exercised and tallied, such referendum stands inviolate as the supreme law of the land and transcends the Constitution, and all other separate laws, ordinances or regulations of the state, the separate states, municipalities, districts or territories.

## THE PRESERVATION OF DOMESTIC TRANQUILITY

We hereby resolve the United States of America shall be that distinct union of free citizens who shall have established and perpetuated a society of continuing domestic tranquility. The Declaration of 1776 prescribed the three tantamount rules of all the People as *Life, Liberty & the Pursuit of Happiness*. This Declaration ascribes primal importance to the latter, finding *Life and Liberty* as corollary, but only resultant in a general society that must first have the peace of mind to direct it and conduct its affairs. The history of mankind has clearly drawn the inescapable lesson that a national body suffering in despair, distrust, hatred and tyranny soon falls prey to rebellion, invasion or disintegration; while the national state that enjoys mutual trust, equal collaboration in general endeavors, provides for equal justice

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