



# CONSTITUTION PARTY PLATFORM

## AS ADOPTED AT THE 2012 NATIONAL CONVENTION

Platform—Page 1

We declare the platform of the Constitution Party to be predicated on the principles of:

### The Declaration of Independence,

### The Constitution of the United States and

### The Bill of Rights,

according to the *original intent of the Founding Fathers*. These founding documents are the foundation of our Liberty and the Supreme Law of the Land.

The sole purpose of government, as stated in the Declaration of Independence, is to secure our unalienable rights given us by our Creator. When Government grows beyond this scope, it is usurpation, and liberty **is compromised**.

We believe the major issues we face today are best solved by a renewed allegiance to the original intent of these founding documents.

### Preamble

The Constitution Party gratefully acknowledges the blessing of our Lord and Savior Jesus Christ as Creator, Preserver and Ruler of the Universe and of these United States. We hereby appeal to Him for mercy, aid, comfort, guidance and the protection of His Providence as we work to restore and preserve these United States.

This great nation was founded, not by religionists, but by Christians; not on religions but on a foundation of Christian principles and values. For this very reason peoples of all faiths have been and are afforded asylum, prosperity, and freedom of worship here.

The goal of the Constitution Party is to restore American jurisprudence to its Biblical foundations and to limit the federal government to its Constitutional boundaries.

The Constitution of the United States provides that "no religious test shall ever be required as a qualification to any office or public trust under the United States." The Constitution Party supports the original intent of this language. Therefore, the Constitution Party calls on all those who love liberty and value their inherent rights to join with us in the pursuit of these goals and in the restoration of these founding principles.

The U.S. Constitution established a Republic rooted in Biblical law, administered by representatives who are constitutionally elected by the citizens. In such a Republic all Life, Liberty and Property are protected because law rules.

We affirm the principles of inherent individual rights upon which these United States of America were founded:

- that each individual is endowed by his Creator with certain unalienable rights; that among these are the rights to life, liberty, property and the pursuit of happiness;
- that the freedom to own, use, exchange, control, protect, and freely dispose of property is a natural, necessary and inseparable extension of the individual's unalienable rights;
- that the legitimate function of government is to secure these rights through the preservation of domestic tranquility, the maintenance of a strong national defense, and the promotion of equal justice for all;

- that history makes clear that left unchecked, it is the nature of government to usurp the liberty of its citizens and eventually become a major violator of the people's rights; and
- that, therefore, it is essential to bind government with the chains of the Constitution and carefully divide and jealously limit government powers to those assigned by the consent of the governed.

### Sanctity of Life

The Declaration of Independence states:

*"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".*

We affirm the God-given legal personhood of all human beings from fertilization to natural death, without exception. The first duty of the law is to protect innocent life, created in the image of God. No government may legalize the taking of life without justification. Legalizing the termination of innocent life of the born or unborn, whether by abortion, infanticide, euthanasia or suicide, is a direct violation of their unalienable right to life. As to matters of rape and incest, we find it unconscionable to take the life of an innocent child for the crimes of his father.

Under no circumstances may the federal government fund or otherwise support any state or local government or any organization or entity, foreign or domestic, which advocates, encourages or participates in the practice of abortion. We also oppose the distribution and use of all abortifacients, and the funding and legalization of bio-research involving human embryonic or pre-embryonic cells.

In office, we shall only appoint to the federal judiciary, and to other positions of federal authority, qualified individuals who publicly acknowledge and commit themselves to the legal personhood of the pre-born child. In addition, we will do all that is within our power to encourage federal, state, and local government officials to protect the sanctity of the life of the pre-born through legislation, executive action, and judicial enforcement of the law of the land.

Article IV of the Constitution guarantees to each state a republican form of government. Therefore, although a Supreme Court opinion is binding on the parties to the controversy as to the particulars of the case, it is not a political rule for the nation. Roe v. Wade is an illegitimate usurpation of authority, contrary to the law of the nation's Charter and Constitution. It must be resisted by all civil government officials, federal, state, and local, and by all branches of the government - legislative, executive and judicial.

We affirm both the authority and duty of Congress to limit the appellate jurisdiction of the Supreme Court in all cases of abortion in accordance with the U.S. Constitution, Article III, Section 2.

Further, we condemn the misuse of federal laws against pro-life demonstrators, and strongly urge the repeal of the FACE Acts as an unconstitutional expansion of federal power into areas reserved to the states or people by the Tenth Amendment.

### Bring Government Back Home

The closer civil government is to the people, the more responsible, responsive, and accountable it is likely to be. The Constitution, itself, in Articles I through VI, enumerates the powers which may be exercised by the federal government. Of particular

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importance is Article I, Section 8 which delineates the authority of the Congress.

The federal government was clearly established as a government of limited authority. The Tenth Amendment to the Constitution specifically provides that: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Over time, the limitations of federal government power imposed by the Constitution have been substantially eroded. Preservation of constitutional government requires a restoration of the balance of authority between the federal government and the States as provided in the Constitution itself and as intended and construed by those who framed and ratified that document.

We pledge to be faithful to this constitutional requirement and to work methodically to restore to the States and to the people their rightful control over legislative, judicial, executive, and regulatory functions which are not constitutionally delegated to the federal government.

We stand opposed to any regionalization of governments, at any level, which results in removal of decision-making powers from the people or those directly elected by the people.

## Character and Moral Conduct

John Adams, 2nd President and signer of the Declaration of Independence warned:

*"Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other."*

He also counseled:

*"The people have a right, an indisputable, unalienable, indefeasible, divine right to that most dreaded and envied kind of knowledge - I mean of the character and conduct of their rulers."*

Our very Constitution is threatened when we permit immoral conduct by our leaders.

Public respect and esteem toward public officials has fallen to a shameful level. The Constitution Party finds that a cause of this national state of disgrace is the deterioration of personal character among government leaders, exacerbated by the lack of public outcry against immoral conduct by public office holders. Our party leaders and public officials must display exemplary qualities of honesty, integrity, reliability, moral uprightness, fidelity, prudence, temperance, justice, fortitude, self-restraint, courage, kindness, and compassion. If they cannot be trusted in private life, neither can they be trusted in public life.

It is imperative the members and nominated candidates representing the Constitution Party and its state affiliates recognize the importance of demonstrating good character in their own lives.

## Congressional Reform

*"The Senators and Representatives ... shall be bound by Oath or Affirmation, to support this Constitution".*

- US Constitution, Article 6, Clause 3

The Congress of these United States has become an overpaid, overstaffed, self-serving institution. It confiscates taxpayer funds to finance exorbitant and unconstitutionally determined salaries, pensions, and perks. Most members of Congress have become more accountable to the Washington establishment than to their constituents. Both houses of Congress are all too often unresponsive and irresponsible, arrogantly placing themselves above the very laws they enact, and beyond the control of the citizens they have sworn to represent and serve.

It is time for the American people to renew effective supervision of their public servants, to restore right standards and to take back the government. Congress must once again be accountable to the people and obedient to the Constitution, repealing all laws that delegate legislative powers to regulatory agencies, bureaucracies, private organizations, the Federal Reserve Board, international agencies, the president, and the judiciary.

The U.S. Constitution, as originally framed in Article I, Section 3, provided for U.S. Senators to be chosen by state legislators. This provided the states direct representation in the legislative branch so as to deter the usurpation of powers that are constitutionally reserved to the states or to the people. The Seventeenth Amendment (providing for direct, popular election of U.S. Senators) took away from state governments their representation in the federal legislative process. Since then, Congress has usurped power relatively unchecked, where today, very few members of Congress make it through a single session, without violating their oath of office to the Constitution.

If we are to see a return to the states those powers, programs, and sources of revenue that the federal government has unconstitutionally taken away, then it is also vital that we repeal the Seventeenth Amendment and return to state legislatures the function of electing the U.S. Senate. In so doing, the U.S. Senate would return to being a body that represents the legislatures of the several states on the federal level and, thus, a tremendously vital part of the designed checks and balances of power that our Constitution originally provided.

We support legislation to prohibit the attachment of unrelated riders to bills. Any amendments must fit within the scope and object of the original bill.

We support legislation to require that the Congressional Record contain an accurate record of proceedings. Members of Congress are not to be permitted to rewrite the speeches delivered during the course of debates, or other remarks offered from the floors of their respective houses; nor may any additional materials be inserted in the Record, except those referred to in the speaker's presentation and for which space is reserved.

We seek to abolish Congressional pensions and other benefits that extend beyond their term in office, and favor a conflict-of-interest provision that prevents former congressmen from lobbying for two years after leaving office.

## Conscription

US Constitution, 5th Amendment:

*"No person shall be ... deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."*

Conscription deprives a person of liberty without due process of law. This is clearly prohibited by the 5th amendment. Conscription is an involuntary taking of a person's labor—which is a form of property—without just compensation as provided by the eminent domain provisions of the 5th amendment.

Compulsory government service is incompatible with individual liberty. We oppose imposition of the draft, the registration law, compulsory military training or any other form of compulsory government service. We support a well-trained and highly organized volunteer state home militia, and voluntary Reserve Officer Training Corps (R.O.T.C.) military training in our schools, colleges, and universities.

## Constitutional Convention

We affirm the original text of the United States Constitution and the Bill of Rights. We affirm that the nation's Charter, the Declaration of Independence, and the Constitution contain the foundational law of the federal union. We condemn, therefore, all legislative, executive, and

judicial action that departs from the texts and intent of the Charter and the Constitution and their original meaning.

We oppose any attempt to call for a Constitutional convention, for any purpose whatsoever, because it cannot be limited to any single issue, and such convention could seriously erode our Constitutionally protected unalienable rights.

## Copyrights and Patents

Article I, Section 8 of the Constitution states that Congress shall have the power *"to promote the progress of science and useful arts, by securing"* copyright and patent protection for authors and inventors.

We oppose the unconstitutional transfer of authority over copyright and patent policy from Congress to other agencies, domestic or foreign. We favor more vigorous efforts in both domestic and foreign markets to protect the interests of owners in their copyrights and patents.

## Cost of Big Government

James Madison said: *"The powers delegated by the proposed Constitution to the federal government are few and defined."* (Federalist Papers #45) The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people (Amendment X).

A legitimate and primary purpose of civil government is to safeguard the God-given rights of its citizens; namely, life, liberty, and property. Only those duties, functions, and programs specifically assigned to the federal government by the Constitution should be funded. We call upon Congress and the President to stop all federal expenditures which are not specifically authorized by the U.S. Constitution, and to restore to the states those powers, programs, and sources of revenue that the federal government has usurped. We call upon the President to use his veto power to stop irresponsible and unconstitutional appropriations and refuse to spend money appropriated by Congress for unconstitutional programs or in excess of tax revenue collected.

Budget considerations are greatly impacted by the ever rising national debt. Interest on the debt is one of the largest expenses of government, and unless the interest is paid, the debt will continue to grow as interest is added to interest. We must eliminate the debt in the shortest reasonable time by:

- Not spending more than collected revenues;
- Paying interest as it accrues; and
- Making annual reductions in the principal

We could eliminate the debt more rapidly by selling certain lands and other federal assets, including foreign military bases, and applying the proceeds exclusively to debt reduction.

One of the greatest contributors to deficit spending is war. If the country is to eliminate debt, these United States cannot become gratuitously involved in constant wars. Constitutional government, as the founders envisioned it, was not imperial. It was certainly not contemplated that America would police the world at the taxpayers' expense.

We reject the misleading use of the terms "surplus" and "balanced budget" as long as we have public debt. We oppose dishonest accounting practices such as "off-budget items" used to hide unconstitutional spending practices.

We call for an end to the raiding by the federal government of the Social Security, Railroad Retirement and Medicare funds. We believe that over a protracted period the Social Security system may be privatized without disadvantage to the beneficiaries of the system.

However, the program has been in place since the 1930s, and workers and their employers were taxed for the program and paid in good faith. The government promised to deliver the benefits, and must meet this commitment.

We call for the abolition of the Civil Service system, which is perceived to confer on government employees a "property right" regarding their jobs.

## Crime

St. George Tucker was the pre-eminent constitutional scholar of the American founding era. He published *View of the Constitution of the United States* in 1803 as a comprehensive review of the Constitution of 1787 and the Bill of Rights.

Felonies not enumerated within the United States Constitution are, in Tucker's view, left within the jurisdiction of the state.

*"...the very guarded manner in which congress are vested with authority to legislate upon the subject of crimes, and misdemeanors. They are not entrusted with a general power over these subjects, but a few offenses are selected from the great mass of crimes with which society may be infested, upon which, only, congress are authorized to prescribe the punishment, or define the offense. All felonies and offenses committed upon land, in all cases not expressly enumerated, being reserved to the states respectively."* (*View of the Constitution of the United States, p.210-211*)

US Constitution, Article I, Section 8 Clause 6:

*"To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;"*

US Constitution, Article III, Section 3, Clause 2:

*"The Congress shall have power to declare the Punishment of Treason"*

Amendment 10:

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

Crime, in most cases, is to be dealt with by state and local governments. To the degree that the federal government, in its legislation, judicial actions, regulations and executive branch activities, interferes with the ability of the people in their communities to apprehend, judge, and penalize accused lawbreakers, it bears responsibility for the climate of crime which has grown more destructive with each passing year.

We favor the right of states and localities to execute criminals convicted of capital crimes and to require restitution for the victims of criminals. Federal involvement in state and local criminal justice processes should be limited to that which is constitutionally permitted.

All who are accused of crimes, petty to capital, shall have a trial by jury upon request, and the jury shall be fully informed of its right to nullify the law. Furthermore, we oppose defendants being charged and tried by both state and federal jurisdictions under different laws for the same alleged criminal act, thus violating the constitutionally secured prohibition against double jeopardy.

We are opposed to "hate crime" legislation and to enhanced penalties for so called hate crimes. We recognize that a real result of the designation of "hate crime" is to extend federal jurisdiction to crimes which would otherwise be in the province of the states.

## Defense

"The very purpose of Government, as defined in the 2nd paragraph of the Declaration of Independence, is *"to secure these [unalienable] rights, Governments are instituted among Men", "that among these are Life, Liberty and the pursuit of Happiness."*

To fulfill this obligation, the Preamble of the Constitution states one of the duties specifically delegated to the Federal Government is to *"Provide for the common defense"*.

US Constitution, Article 1, Section 8, Clauses 11 - 16 give Congress further direction and authority in this area, including the power *"To raise and support Armies"* and *"To provide and maintain a Navy"*.

It is a primary obligation of the federal government to provide for the common defense, and to be vigilant regarding potential threats, prospective capabilities, and perceived intentions of potential enemies. We oppose unilateral disarmament and dismemberment of America's defense infrastructure. That which is hastily torn down will not be easily rebuilt.

We condemn the presidential assumption of authority to deploy American troops into combat without a declaration of war by Congress, pursuant to Article I, Section 8 of the U.S. Constitution.

Under no circumstances would we commit U.S. forces to serve under any foreign flag or command. We are opposed to any New World Order, and we reject U.S. participation in or a relinquishing of command to any foreign authority.

The goal of U.S. security policy is to defend the national security interests of the United States. Therefore, except in time of declared war, for the purposes of state security, no state National Guard or reserve troops shall be called upon to support or conduct operations in foreign theatres.

We should be the friend of liberty everywhere, but the guarantor and provisioner of ours alone.

We call for the maintenance of a strong, state-of-the-art military on land, sea, in the air, and in space. We urge the executive and legislative branches to continue to provide for the modernization of our armed forces, in keeping with advancing technologies and a constantly changing world situation. We call for the deployment of a fully-operational strategic defense system as soon as possible.

We believe that all defense expenditures should be directly related to the protection of our nation, and that every item of expenditure must be carefully reviewed to eliminate foreign aid, waste, fraud, theft, inefficiency and excess profits from all defense contracts and military expenditures.

We reject the policies and practices that permit women to train for or participate in combat. Because of the radical feminization of the military over the past two decades, it must be recognized that these "advances" undermine the integrity, morale, and performance of our military organizations by dual qualification standards and forced integration.

We fully support well regulated militias organized at the state level. Further, we fully support and encourage the restoration of unorganized militia at the county and community level in compliance with our patriotic and legal responsibilities as free citizens of the United States.

Under no circumstances should we have unilaterally surrendered our military base rights in Panama. The sovereign right of the United States to the United States territory of the Canal Zone has been jeopardized by treaties between the United States and Panama. Inasmuch as the United States bought both the sovereignty and the grant ownership of the ten-mile-wide Canal Zone, we propose that the government of the United States restore and protect its sovereign right and exclusive

jurisdiction of the Canal Zone in perpetuity and renegotiate the treaties with Panama by which the ownership of the canal was surrendered to Panama.

It should be a priority goal of the President and Congress to insist on enforcement of that portion of the 1978 Panama Canal Neutrality Treaty which prohibits control of the entrances to the Panama Canal by any entity not part of the Republic of Panama or the United States of America. By this standard, the award of port facilities at the entrances to the Panama Canal to Hutchison Whampoa, a Hong Kong company closely linked to the Chinese Communist People's Liberation Army, must be overturned. Similarly, Congress and the President should take advantage of Panama Canal treaty provisions to negotiate the return of a U.S. military presence at the Isthmus of Panama. At a time when the U.S. Navy is one-third its former size, it is essential that rapid transit of U.S. military vessels between the Atlantic and Pacific Oceans be assured.

## Domestic Federal Aid

The 10th Amendment states:

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

The Constitution assigns all powers not delegated to the federal government to the states or the people.

Domestic federal "aid" not authorized by the Constitution is not only illegal, it is immoral.

We call upon the states, therefore, to decline to accept all monies from the federal government for any purpose not specifically and clearly articulated in the Constitution, and reject all federal mandates and regulations which are unconstitutional, thus restoring the intended balance of power between the states and their creation, the U.S. Government.

## Drug Abuse

The 10th Amendment states:

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

The 4th Amendment states:

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

The Constitution Party will uphold the right of states and localities to restrict access to drugs and to enforce such restrictions. We support legislation to stop the flow of illegal drugs into the United States from foreign sources. As a matter of self-defense, retaliatory policies including embargoes, sanctions, and tariffs, should be considered.

At the same time, we will take care to prevent violations of the Constitutional and civil rights of American citizens. Searches without probable cause and seizures without due process must be prohibited, and the presumption of innocence must be preserved.

## Education

Since the Constitution grants the Federal Government no authority over Education, the 10th Amendment applies:

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

All teaching is related to basic assumptions about God and man. Education as a whole, therefore, cannot be separated from religious faith. The law of our Creator assigns the authority and responsibility of educating children to their parents. Education should be free from all federal government subsidies, including vouchers, tax incentives, and loans, except with respect to veterans.

## Section 1 - WE SUPPORT THE PARENTAL RIGHT TO PROVIDE FOR THE EDUCATION OF THEIR CHILDREN:

- We support the unimpeded right of parents to provide for the education of their children in the manner they deem best, including home, private or religious.
- All legislation from any level of government that would interfere with or restrict that liberty should be opposed.
- Equitable tax relief for families whose children do not attend government schools should be provided for.
- Compulsory attendance laws should be repealed. Parents need not defy the law by refusing to send their children to schools of which they disapprove.

## Section 2 - WE SUPPORT ALTERNATIVE EDUCATION OPTIONS:

- We affirm the free market principles which drive improvement of education through non-traditional options such as internet-based schools, charter schools, Christian and private schools, as well as home schooling options.

## Section 3 - WE CALL FOR THE ELIMINATION OF THE FEDERAL DEPARTMENT OF EDUCATION:

- There is no Constitutional provision that empowers the federal government to provide for and regulate the education of our children.
- All current federal legislation related to education should be repealed. No new federal laws subsidizing or regulating education should be enacted.

## Section 4 - WE OPPOSE ANY FEDERAL CONTROL OVER THE EDUCATION OF CHILDREN

- Because control over education is now being relegated to departments other than the Department of Education, we clarify that no federal agency, department, board, or other entity may exercise jurisdiction over any aspect of children's upbringing. Education, training, and discipline of children are properly placed in the domain of their parents.
- Under no circumstances should the federal government be involved in national teacher certification, educational curricula, textbook selection, learning standards, comprehensive sex education, psychological and psychiatric research testing programs, and personnel.

## Section 5 - WE OPPOSE THE NO CHILD LEFT BEHIND ACT (NCLB Act) and RACE TO THE TOP AND CALL FOR THEIR REPEAL BY CONGRESS:

- The NCLB Act is unconstitutional and imposes unfunded mandates on the states which not only encumber the states, but often tie their hands - prohibiting the states from making decisions about education and threatening the loss of federal monies if the states are non-compliant. Since the re-enactment of NCLB, grades have continued to fall and graduation rates have continued to plummet. Once the shining light on a hill for the world, our education system is in shambles.

## Section 6 - WE CALL UPON THE LEGISLATURES OF THE STATES TO exercise their sovereignty under the 10th Amendment to nullify the "No Child Left Behind" Act, and all regulations imposed by the Department of Education, and to reject federal monies for grades K-12.

## Election Reform

US Constitution, Article 1, Section 4, Clause 1:

*"The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing\* Senators." (\*original spelling from Constitution)*

The Constitutional balance of power on this matter has been destroyed by the 17<sup>th</sup> Amendment. The States no longer have a representative at the Federal level. (See "Congressional Reform" plank.)

The Constitution Party seeks the restoration of an electoral process which is controlled at the state and local level and is beyond manipulation by federal judges and bureaucrats. The federal government has unconstitutionally and unwisely preempted control in matters of district boundaries, electoral procedures, and campaign activities.

The Voting Rights Act should be repealed. The Federal Election Campaign Act, including its 1974 amendments, and the Federal Election Commission should be abolished.

Each citizen should have the right to seek public office in accordance with the qualifications set forth in federal and state constitutions. Additional restrictions and obligations governing candidate eligibility and campaign procedures burden unconstitutionally the fairness and accountability of our political system.

To encourage free and fair elections, all candidates must be treated equally. We call for an end to designated "Major Party" status that gives an unfair advantage to some candidates by providing ballot access and taxpayer dollars, while requiring others for the same office to gather petition signatures or meet other more stringent criteria.

We call for a repeal of all federal campaign finance laws (i.e. McCain-Feingold) due to their violation of the First Amendment to the U.S. Constitution.

In order to avoid election fraud, we urge an end to electronic or mechanical voting processes and a return to the manual counting process overseen by, and accountable to, voters resident in each precinct where the votes are cast.

There is a growing movement within the states and nation to undermine our right of a "Secret Ballot" by making people vote by absentee ballot. This move away from a "Secret Ballot" and "Vote-in-person" approach is an insecure system, not only because the Post office has been losing and misplacing mail for many years, but also because of increasing fraud and vote rigging, such as voter suppression, vote buying, and ballot box stuffing. Even though Vote-By-Mail seems to increase voting percentages in the short-term, it has proven to cause a long-term decline. Also verifying signatures "after the fact" greatly increases the cost of an election. Since true freedom requires being inconvenienced and putting forth extra effort from time-to-time, we oppose any movement to codify or use Vote-By-Mail and other such schemes which undermine the liberty-preserving privilege of voting in secret, in person, at precinct-based polling places.

## Electoral College

Article II, Section I of the U.S. Constitution states, in part:

*"Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole Number of Senators and representatives to which the state may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an elector."*

This established our Electoral College.

The Constitution does not provide for the election of the President and Vice President of the United States by popular vote, but rather by the selection of "Electors" according to rules adopted by each state's legislators. These electors would receive the list of certified candidates. They would then cast their vote for whomever they ascertained as best qualified to fill these two highest offices of trust with the federal government. The Constitution Party seeks a restoration of this electoral process for the choosing of the President and the Vice President of the United States.

Although the Constitution does not require the states to adhere to any specific manner in electing these electors or how they cast their votes, it suggests, by its wording, that prominent individuals from each congressional district, and from the state at large, would be elected or appointed as electors that represent that district. Under this arrangement, a voter would vote for three individuals, one to represent his district and two "at large" representatives to represent his state. These electors, in turn, would then carefully and deliberately select the candidate for president. Under this system each congressional district could, in essence, select a different candidate. The candidate with the most electors nationwide would become the next president.

This was the general procedure used until the 1830's at which time all the states, except for South Carolina, changed to a "general ticket." The "general ticket" system is still in use today. Inherently, it causes corruption by the inequitable transfer of power from congressional districts to the states and large cities at the expense of rural communities.

The Constitution Party encourages states to eliminate the "general ticket" system and return to the procedure intended by the Framers. The so-called National Popular Vote is a dangerous threat to our Constitutional Republic, allowing as few as eighteen to twenty-one states to circumvent the Constitutional requirement of 38 states to amend the Constitution. The National Popular Vote process would effectively eliminate the last vestiges of the Electoral College as originally set forth in the United States Constitution. The National Popular Vote creates a fake majority by forcing electors to vote against the votes cast by their own constituents.

The elimination of the Electoral College would overnight make irrelevant the votes of Americans in approximately 25 states because candidates would only be interested in campaigning in large population states making small states meaningless zeros. There is no threshold of what constitutes a "majority" under National Popular Vote. Therefore, a presidential candidate could be elected with as little as 15% of the popular vote. Under the National Popular Vote scheme, chaos would ensue in any close election. Under the Electoral College no single faction or region of the country can elect a president, ensuring broad representation across America.

The national Constitution Party opposes National Popular Vote and will work to defeat it in individual state legislatures.

## Energy

James Madison said: "*The powers delegated by the proposed Constitution to the federal government are few and defined.*" (Federalist Papers #45) The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people (Amendment X).

We call attention to the continuing need of the United States for a sufficient supply of energy for national security and for the immediate adoption of a policy of free market solutions to achieve energy independence for the United States. We call for abolishing the Department of Energy.

Private property rights should be respected, and the federal government should not interfere with the development of potential energy sources, including natural gas, hydroelectric power, solar energy, wind generators, and nuclear energy.

We call for abolishing the Department of Energy.

## Environment

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It is our responsibility to be prudent, productive, and efficient stewards of God's natural resources. In that role, we are commanded to be fruitful and multiply and to replenish the earth and develop it (e.g., to turn deserts into farms and wastelands into groves). This requires a proper and continuing dynamic balance between development and conservation, between use and preservation.

In keeping with this requirement, we wholeheartedly support realistic efforts to preserve the environment and reduce pollution - air, water, and land. We reject, however, the argument of the perceived threat of man-made global warming which has been refuted by a large number of scientists. The globalists are using the global warming threat to gain more control via worldwide sustainable development.

The Fifth Amendment of the United States Constitution limits the federal power of eminent domain solely to the purchase of private property with just compensation for public use, such as military reservations and government office buildings - not for public ownership, such as urban renewal, environmental protection, or historic preservation. Under no circumstances may the federal government take private property, by means of rules and regulations which preclude or substantially reduce the productive use of the property, even with just compensation.

We call for a return to the states and to the people all lands which are held by the federal government without authorization by the Constitution.

We also call for repeal of federal wetlands legislation and the federal Endangered Species Act. Moreover, we oppose any attempt to designate private or public property as United Nations World Heritage sites or Biosphere reserves. We call for an end to United States participation in UN programs such as UNESCO, Man and the Biosphere, and the UN Council on Sustainable Development. We oppose environmental treaties and conventions such as the Biodiversity Treaty, the Convention on Climate Control, and Agenda 21, which destroy our sovereignty and right to private property.

## Executive Orders

Article 1, Section 1 of the Constitution clearly restricts the power to make laws: "**All legislative Powers herein granted shall be vested in a Congress of the United States**".

Presidential Executive Orders are clearly "legislative powers".

We oppose the use of Presidential executive orders that make law or otherwise usurp the Constitutional authority and responsibilities of the legislative and judicial branches. This Constitutionally subversive practice must be stopped by Congress. All unconstitutional executive orders must be repealed.

## Family

No civil government may legitimately authorize or define marriage or family relations, as affirmed by the 10<sup>th</sup> amendment, delegating to the people, - as our Founders understood the family - as necessary to the general welfare.

We affirm the importance of Biblical scripture in the founders'

# CONSTITUTION PARTY PLATFORM

AS ADOPTED AT THE 2012 NATIONAL CONVENTION

Platform—Page 7

intent as eloquently stated by Noah Webster: *“The moral principles and precepts contained in the Scriptures ought to form the basis of all our civil constitution and laws... All the miseries and evils which men suffer from vice, crime, ambition, injustice, oppression, slavery, and war proceed from their despising or neglecting the precepts in the Bible.”*

The law of our Creator defines marriage as the union between one man and one woman. The marriage covenant is the foundation of the family and the family is fundamental in the maintenance of a stable, healthy and prosperous social order. No government may legitimately authorize or define marriage or family relations contrary to what God has instituted. We are opposed to any judicial ruling or amending the U.S. Constitution or any state constitution re-defining marriage with any definition other than the Biblical standard.

We call for an end to all taxation and economic formulas that discourage marriage, incentivize co-habitation and child bearing outside of marriage or authorize or provide government funding for policies and programs that further erode the jurisdiction of the family or parental rights.

We reject the notion that homosexuals, transgenders or those who are sexually deviant are deserving of legal favor or special protection, and affirm the rights of states and localities to proscribe offensive sexual behavior. We oppose all efforts to impose a new sexual legal order through any courts or legislatures. We stand against so-called “sexual orientation” and “hate crime” statutes that attempt to legitimize inappropriate sexual behavior or stifle public opposition to its expression. We oppose government funding of “partner” benefits for unmarried individuals. Finally, we oppose any legal recognition of homosexual or civil unions.

We recognize that parents have the fundamental right and responsibility to nurture, educate, and discipline their children. We oppose the assumption of any of these responsibilities by any governmental agency without the express delegation of the parents or legal due process. We affirm the value of the father and the mother in the home and we oppose efforts to legalize adoption of children by homosexual singles or couples.

## Foreign Policy

*“Europe has a set of primary interests, which have to us none, or very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.”*

*“Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?”* (George Washington’s Farewell Address)

*“I deem [one of] the essential principles of our government, and consequently [one] which ought to shape its administration,... peace, commerce, and honest friendship with all nations, entangling alliances with none.”* Thomas Jefferson - First Inaugural Address. Bergh 3:321. (1801.)

*“America has abstained from interference in the concerns of others, even when the conflict has been for principles to which she clings....She goes not abroad in search of monsters to destroy. She is the well-wisher to the freedom and independence of all. She is the champion and vindicator only of her own.”* (John Quincy Adams, Speech Delivered in Washington DC 04 July 1821)

*we have never taken any part, nor does it comport with our policy so to do....Our policy in regard to Europe...is, not to interfere in the internal concerns of any of its powers...”* (James Monroe, Monroe Doctrine)

## National Sovereignty:

The United States is properly a free and sovereign republic which should strive to live in peace with all nations, without interfering in their internal affairs, and without permitting their interference in ours. We are, therefore, unalterably opposed to entangling alliances - via treaties, or any other form of commitment - which compromise our national sovereignty, or commit us to intervention in foreign wars. We are opposed to the negotiation or ratification of any treaty, agreement, or partnership that would deprive United States citizens of their rights protected by the United States Constitution. We are also opposed to any union whether political or economic, of the United States, Mexico, and Canada (NAU).

To this end, we shall:

- steadfastly oppose American participation in any form of world government organization, including any world court under United Nations auspices;
- call upon the President, and Congress, to terminate United States membership in the United Nations, and its subsidiary organizations, and terminate U.S. participation in all so-called U.N. peace keeping operations;
- bar the United Nations, and its subsidiaries, from further operation, including raising of funds, on United States territory; and
- propose that the Constitution be obeyed to prohibit the United States government from entering any treaty, or other agreement, which makes any commitment of American military forces or tax money, compromises the sovereignty of the United States, or accomplishes a purpose properly the subject of domestic law. In this connection we specifically denounce the agreement establishing the proposed Free Trade Area of the Americas (FTAA) and any other such trade agreements, either bi-lateral or regional in nature. All treaties must be subordinate to the Constitution, since the Constitution is the only instrument which empowers and limits the federal government.

American troops must serve only under American commanders, not those of the United Nations or foreign countries.

## Pacts and Agreements:

Since World War II, the United States has increasingly played the undesirable role of an international policeman. Through our involvements abroad our country is being changed from a republic to a world empire in which our freedoms are being sacrificed on an altar of international involvement. The United States is now committed by treaty to defend foreign nations in all parts of the world, and by agreements other than treaties to defend more. Therefore, we call upon the President, and Congress, to immediately commence a systematic withdrawal from these treaties and agreements, each of which holds the potential to plunge America into war in some far-flung corner of the earth.

NATO, for instance, serves no defensive purpose for the United States, and this country should withdraw from it.

## Unconstitutional, Undeclared Wars:

Since World War II, the United States has been involved in tragic, unconstitutional, undeclared wars which cost our country the lives of many thousands of young Americans. These wars were the direct and foreseeable result of the bi-partisan interventionist policy of both Democrat and Republican administrations.

The Constitution Party is opposed to the continuation of the same interventionist policy, with that policy’s capacity to involve our country in repeated wars.

We demand that:

never again shall United States troops be employed on any foreign field of battle without a declaration of war by Congress, as required by

- the United States Constitution;
- Congress refuses to fund unconstitutional, undeclared wars pursuant to presidential whim or international obligations under which American sovereignty has been transferred to multi-national agencies.

#### Foreign Involvement:

The Constitution Party has consistently opposed American involvement in conflicts in the Middle East, Africa, Asia, Europe, and Central and South America. The United States has no interest in these areas which would justify the sacrifice of Americans on foreign battlefields - nor is our country properly cast as a merchant of death in international arms races.

We propose that the United States

- repudiate any commitment, express or implied, to send U.S. troops to participate in foreign conflicts, whether unilaterally, under NATO auspices, or as a part of the United Nations "peace-keeping" operations; and
- cease financing or arming of belligerents in the world's troubled areas.

We support the principle of the Monroe Doctrine, which expresses U.S. opposition to European adventurism in the Western Hemisphere.

We call upon the Congress to immediately terminate American military presence in all foreign countries where such U.S. presence constitutes an invitation for this nation to become involved in, or further participate in, foreign wars.

We are opposed to the negotiation or ratification of any treaty, agreement or partnership which would deprive United States citizens of their rights protected by the United States Constitution. We are also opposed to any union, whether political or economic, of the United States, Mexico, and Canada (NAU),

#### Foreign Aid:

Since World War II, the United States has engaged in the greatest international giveaway program ever conceived by man and is now spending billions of dollars each year to aid foreign nations. There is no constitutional basis for foreign aid. These expenditures have won us no friends and constitute a major drain on the resources of our taxpayers. Therefore, we demand that:

- no further funds be appropriated for any kind of foreign aid program;
- United States participation in international lending institutions such as the World Bank and the International Monetary Fund be ended;
- the Export-Import Bank be abolished;
- all government subsidies, tax preferences and investment guarantees to encourage U.S. businesses to invest in foreign lands be immediately terminated; and
- all debts owed to the United States by foreign countries, or foreign entities, be collected.

#### Gambling

James Madison said: *"The powers delegated by the proposed Constitution to the federal government are few and defined."* (Federalist Papers #45) The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people (Amendment X).

Gambling increases crimes, destroys families, grows governmental bureaucracies, exploits those who are addicted and leaches the economic prosperity out of our communities. We are opposed to government sponsorship, involvement in or promotion of gambling such as lotteries, casinos or subsidization of Native American casinos.

We call for the repeal of federal legislation that usurps state and local authority regarding authorization and regulation of tribal casinos in the states.

#### Government/ Private Partnership

*"...what more is necessary to make us a happy and a prosperous people? ...a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government."* – Thomas Jefferson, First Inaugural Address – Wednesday, March 1, 1801

America was founded on the economic principles of the "free enterprise" system. An individual was free to operate his business under the law without government intervention and regulation. This economic system is being replaced by public (government) – private partnerships. This system is called fascism. The Constitution Party is opposed to public-private partnerships and is for a return to the true "free enterprise" system that once made our nation great and economically prosperous.

#### Gun Control

The 2nd Amendment strictly limits any interference with gun ownership by saying:

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

The right to bear arms is inherent in the right of self defense, defense of the family and defense against tyranny, conferred on the individual and the community by our Creator to safeguard life, liberty, and property, as well as to help preserve the independence of the nation.

The right to keep and bear arms is guaranteed by the Second Amendment to the Constitution; it may not properly be infringed upon or denied.

The Constitution Party upholds the right of the citizen to keep and bear arms. We oppose attempts to prohibit ownership of guns by law-abiding citizens and stand against all laws which would require the registration of guns or ammunition.

We emphasize that when guns are outlawed, only outlaws will have them. In such circumstances, the peaceful citizen's protection against the criminal would be seriously jeopardized.

We call for the repeal of all federal firearms legislation, beginning with Federal Firearms Act of 1968.

We call for the rescinding of all executive orders, the prohibition of any future executive orders, and the prohibition of treaty ratification which would in any way limit the right to keep and bear arms.

#### Health Care and Government

James Madison said: *"The powers delegated by the proposed Constitution to the federal government are few and defined."* (Federalist Papers #45) The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people (Amendment X).



# CONSTITUTION PARTY PLATFORM

AS ADOPTED AT THE 2012 NATIONAL CONVENTION

Platform—Page 9

The Constitution Party opposes the governmentalization and bureaucratization of American medicine. Government regulation and subsidy constitutes a threat to both the quality and availability of patient-oriented health care and treatment.

Hospitals, doctors and other health care providers should be accountable to patients - not to politicians, insurance bureaucrats, or HMO Administrators.

If the supply of medical care is controlled by the federal government, then officers of that government will determine which demand is satisfied. The result will be the rationing of services, higher costs, poorer results - and the power of life and death transferred from caring physicians to unaccountable political overseers.

We denounce any civil government entity's using age or any other personal characteristic to: preclude people and insurance firms from freely contracting for medical coverage; conscript such people into socialized medicine, e.g., Medicare; or prohibit these people from using insurance payments and/or their own money to obtain medical services in addition to, or to augment the quality of, those services prescribed by the program.

We applaud proposals for employee-controlled "family coverage" health insurance plans based on cash value life insurance principles. The federal government has no Constitutional provision to regulate or restrict the freedom of the people to have access to medical care, supplies or treatments. We advocate, therefore, the elimination of the federal Food and Drug Administration, as it has been the federal agency primarily responsible for prohibiting beneficial products, treatments and technologies here in the United States that are freely available in much of the rest of the civilized world.

We affirm freedom of choice of practitioner and treatment for all citizens for their health care.

We support the right of patients to seek redress of their grievances through the courts against insurers and/or HMO's.

We condemn the misrepresentations made by the Federal Administration in securing passage of the recently enacted Medicare prescription drug bill and the use of such legislation to secure government subsidies to special interests such as the HMOs, and to protect the artificially high cost to consumers of prescription drugs.

## Immigration

US Constitution, Article 4, Section 4:

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion;

James Madison:

*"When we are considering the advantages that may result from an easy mode of naturalization, we ought also to consider the cautions necessary to guard against abuses ... aliens might acquire the right of citizenship, and return to the country from which they came, and evade the laws intended to encourage the commerce and industry of the real citizens and inhabitants of America, enjoying at the same time all the advantages of citizens..."*

We affirm the integrity of the international borders of the United States and the Constitutional authority and duty of the federal government to guard and to protect those borders, including the regulation of the numbers and of the qualifications of immigrants into the country.

Each year approximately one million legal immigrants and almost as many illegal aliens enter the United States. These immigrants - including illegal aliens - have been made eligible for various kinds of public assistance, including housing, education, Social Security, and legal services. This unconstitutional drain on the federal Treasury is

having a severe and adverse impact on our economy, increasing the cost of government at federal, state and local levels, adding to the tax burden and stressing the fabric of society. The mass importation of people with low standards of living threatens the wage structure of the American worker and the labor balance in our country.

We oppose the abuse of the H-1B and L-1 visa provisions of the immigration act which are displacing American workers with foreign. We favor a moratorium on immigration to the United States, except in extreme hardship cases or in other individual special circumstances, until the availability of all federal subsidies and assistance be discontinued and proper security procedures have been instituted to protect against terrorist infiltration.

We also insist that every individual group and/or private agency which requests the admission of an immigrant to the U.S., on whatever basis, be required to commit legally to provide housing and sustenance for such immigrants, bear full responsibility for the economic independence of the immigrants and post appropriate bonds to seal such covenants.

The Constitution Party demands that the federal government restore immigration policies based on the practice that potential immigrants will be disqualified from admission to the U.S. if, on the grounds of health, criminality, morals or financial dependence, they would impose an improper burden on the United States, any state or any citizen of the United States.

We oppose the provision of welfare subsidies and other taxpayer-supported benefits to illegal aliens, and reject the practice of bestowing U.S. citizenship on children born to illegal alien parents while in this country.

We oppose any extension of amnesty to illegal aliens. We call for the use of U.S. troops to protect the states against invasion.

We oppose bilingual ballots. We insist that those who wish to take part in the electoral process and governance of this nation be required to read and comprehend basic English as a precondition of citizenship. We support English as the official language for all governmental business by the United States.

## The Judiciary

We call attention to the following provisions of the Constitution:

Article 3, Section 1:

*"The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour".*

Note that the tenure of Federal Judges is not for life, but merely "during good behaviour".

Also, Article 2, Section 4:

*"all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors."*

"All civil officers" clearly includes Judges.

And the Constitution says regarding jurisdiction:

(Article 3, Section 2, Clause 2) *"the supreme Court shall have appellate Jurisdiction ... with such Exceptions, and under such Regulations as the Congress shall make."*

Note that the Constitution gives Congress the power to make exceptions to the jurisdiction of the Supreme Court.

And regarding the duty of Judges:

(Article 6, Section 1, Clause 3) *"all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution".*

Which Constitution must they swear to support?

The United States Constitution does not provide for lifetime appointment of federal judges, but only for a term of office during good behavior. We support Congressional enforcement of the Constitutional rule of good behavior and to restrain judicial activism by properly removing offending judges through the process of impeachment provided for in Article I, § 2 and 3 of the Constitution. Furthermore,

Congress must exert the power it possesses to prohibit all federal courts from hearing cases which Congress deems to be outside federal jurisdiction pursuant to Article III, § 2 of the Constitution.

We particularly support all the legislation which would remove from Federal appellate review jurisdiction matters involving acknowledgement of God as the sovereign source of law, liberty, or government.

We commend Former Chief Justice Roy Moore of the Alabama Supreme Court for his defense of the display of the Ten Commandments and condemn those who persecuted him and removed him from office for his morally and legally just stand.

We deny the validity of judicial rulings that use foreign court rulings to overturn U.S. precedent.

## Money and Banking

Article 1, Section 8, Clause 5 grants only to Congress the power *"To coin Money [and] regulate the Value thereof"*, with no provision for such power to be delegated to any other group.

Congress began immediately to fulfill this obligation with the Mint Act of 1792, establishing a US Mint for producing Gold and Silver based coin, prescribing the value and content of each coin and affixing the penalty of death to those who debase such currency.

Article 1, Section 10: *"No State shall ... coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts"*.

Thus, the Constitution forbade the States from accepting or using anything other than a Gold and Silver based currency.

Money functions as both a medium of exchange and a symbol of a nation's morality.

The Founding Fathers established a system of "coin" money that was designed to prohibit the "improper and wicked" manipulation of the nation's medium of exchange while guaranteeing the power of the citizens' earnings.

The federal government has departed from the principle of "coin" money as defined by the U.S. Constitution and the Mint Act of 1792 and has granted unconstitutional control of the nation's monetary and banking system to the private Federal Reserve System.

The Constitution Party recommends a substantive reform of the system of Federal taxation. In order for such reform to be effective, it is necessary that the United States:

- Return to the money system set forth in the Constitution;
- Repeal the Federal Reserve Act, and reform the current Federal Reserve banks to become clearing houses only; and
- Prohibit fractional reserve banking.

It is our intention that no system of "debt money" shall be imposed on the people of the United States. We support a debt free, interest free money system.

## Personal and Private Property Security

The 4th Amendment states:

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

The Fifth Amendment further protects property, by stating: *"No person shall be ... deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."*

We affirm the Fourth Amendment right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, including arbitrary or de facto registration, general and unwarranted electronic surveillance, national computer databases, and national identification cards. We also reaffirm that civil governments must be strictly limited in their powers to intrude upon the persons and private property of individual citizens, in particular, that no place be searched and no thing be seized, except upon proof of probable cause that a crime has been committed and the proper judicial warrant issued.

We further reaffirm the common-law rule that protects the people from any search or seizure whatsoever when that search or seizure violates the Fifth Amendment right against self-incrimination.

We deplore and oppose vigorously legislation and executive action that deprive the people of their Fourth and Fifth Amendment rights under claims of necessity to "combat terrorism" or to "protect national security."

We oppose legislation and administrative action utilizing asset forfeiture laws which enable the confiscation of the private property of persons not involved in the crime. Forfeiture of assets can only be enforced after conviction of the property owner as a penalty for the crime. Such forfeitures must follow full due process of law under criminal prosecution standards.

We oppose the monitoring and controlling of the financial transactions of the people through such proposed laws as "Know Your Customer." Banks should be repositories of treasure and fiduciaries for the people, not enforcers for the State. Any information regarding customer transactions the State obtains from banks must be subject to the traditional Fourth Amendment safeguards.

We support privacy legislation that prohibits private parties from discriminating against individuals who refuse to disclose or obtain a Social Security number. We also call for legislation prohibiting all governmental entities from requiring the use of the Social Security number except for Social Security transactions. Additionally, we call for the repeal of all laws, regulations and statutes that require the use of the Social Security number for any purpose other than Social Security transactions.

## Pornography, Obscenity & Sexually Oriented Businesses

Preamble of the US Constitution:

*"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity..."*

Samuel Adams said: *"While the people are virtuous they cannot be subdued; but once they lose their virtue they will be ready to surrender their liberties to the first external or internal invader."*

Pornography, obscenity and sexually oriented businesses are a distortion of the true nature of sex created by God for the procreative union between one man and one woman in the holy bonds of matrimony. This results in emotional, physical, spiritual and financial costs to individuals, families and communities.

Due to a lack of prosecution, the sexually oriented business industry has proliferated, aggravating the problems of child pornography, human trafficking and sexually transmitted diseases. This is decreasing our safety by increasing crime rates, specifically rape and molestation in addition to the loss of dignity belonging to all human beings.

We call on our local, state and federal governments to uphold our First Amendment right to free speech by vigorously enforcing all laws against obscenity.

We call on all levels of government to protect and promote that which is truly free speech while vigorously defending and enforcing laws that protect us from the proliferation of the pornography and sexually oriented business industries because they are proven to be toxic to community standards, lower property values and increase crime.

While we believe in the responsibility of the individual and corporate entities to regulate themselves, we also believe that government plays a vital role in protecting all citizens, particularly our most vulnerable, women and children, from exploitation.

## Religious Freedom

Article I of the Bill of Rights reads: "*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...*"

Our Constitution grants no authority to the federal government either to grant or deny the religious expressions of the people in any place. Both the First and Tenth Amendments forbid such tyranny.

We call upon all branches of government to cease their attacks on the religious liberties of the people and the states, regardless of the forum in which these liberties are exercised.

We assert that any form of taxation on churches and other religious organizations is a direct and dangerous step toward state control of the church. Such intrusion is prohibited by the Constitution and must be halted.

We assert that private organizations such as the Boy Scouts of America can determine their own membership, volunteers and employment based on their oaths and creeds.

## Social Security

The Declaration of Independence declares "*all men ... are endowed by their Creator with certain unalienable Rights ... That to secure these rights, Governments are instituted among Men ...*"

The Preamble of the US Constitution shows how these rights are to be secured including "**provide** for the common defense, **promote** the **general Welfare**".

Two clear distinctions should be made here:

1. Provide implies actively and financially supporting, promote implies a more passive approach.
  - For example, I'll **promote** that we put on a grand feast, but I want you to **provide it!**
2. General Welfare is not the same as individual Welfare. General Welfare would benefit the people generally, individual Welfare targets a certain segment of society to benefit, such as the poor.

**Social Security is a form of individual welfare** not authorized in the Constitution.

The Constitution grants no authority to the federal government to administrate a Social Security system. The Constitution Party advocates phasing out the entire Social Security program, while continuing to meet the obligations already incurred under the system. Until the current Social Security system can be responsibly phased out, we propose that:

- The Social Security tax must not be a "rainy day" fund which politicians can pirate, or from which they can borrow to cover their errors and pay for their excesses
- Individuals who have contributed to Social Security be allowed to withdraw those funds and transfer them into an IRA or similar investments under the control of the individual contributor.
- Any sort of merger between the U.S. Social Security System and that of any foreign country be banned, so the distribution of benefits will not go to persons who have not qualified for payments under American law as legal residents.
- Earning limitations on persons aged 62 and over be removed, so that they may earn any amount of additional income without placing their benefits at risk.
- Those provisions of the Social Security system which penalize those born during the "notch years" between 1917 and 1926 be repealed, and that such persons be placed on the same benefit schedules as all other beneficiaries.

We support the right of individuals to choose between private retirement and pension programs, either at their place of employment or independently.

## Statehood

US Constitution, Article I Section 8 Clause 17:

*"Congress shall have power ...To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings..."*

Article IV Section 4:

*"The United States shall guarantee to every State in this Union a Republican Form of Government."*

Article IV Section 4 Clause 3:

*"New States may be admitted by the Congress into this Union."*

Northwest Ordinance of 1787 (re-enacted under Constitutional authority 1789) defined that all new states appropriately admitted will enter the nation on an equal footing with the original 13 states.

We oppose any effort to confer statehood on the District of Columbia or any representation in Congress comparable to that of an independent state in the federal union.

We oppose efforts to confer statehood upon the Commonwealth of Puerto Rico or expand statehood beyond the current fifty states.

We acknowledge that each state's membership in the Union is voluntary.

We support the equal footing doctrine, co-equal with the original thirteen states for all states coming into and having entered the Union as states.

## State Sovereignty

The 10th Amendment states:

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

The Constitution delegated few, enumerated powers to the Federal Government, reserving **all remaining powers** to the States and the people. Thus, powers of the Federal were the exception.

Our federal republic was created by joint action of the several states. It has been gradually perverted into a socialist machine for federal control in the domestic affairs of the states.

The federal government has no authority to mandate policies relating to state education, natural resources, transportation, private business, housing, health care, ad infinitum.

We call upon the states to reclaim their legitimate role in federal affairs and legislation (See Amendment 10 United States Constitution) and thus cause the federal government to divest itself of operations not authorized by the Constitution and extract the federal government from such enterprises, whether or not they compete with private enterprise.

## Tariffs and Trade

Article I, Section 8, of the Constitution states that Congress shall have the power *"To regulate Commerce with foreign Nations."*

Congress may not abdicate or transfer to others these Constitutional powers. We oppose, therefore, the unconstitutional transfer of authority over U.S. trade policy from Congress to agencies, domestic or foreign, which improperly exercise policy-setting functions with respect to U.S. trade policy.

We favor the abolition of the Office of Special Trade Representative, and insist on the withdrawal of the United States from the North American Free Trade Agreement (NAFTA), the General Agreement on Tariffs and Trade (GATT), the World Trade Organization (WTO), and all other agreements wherein agencies other than the Congress of the United States improperly assume responsibility for establishing American trade policies.

Article I, Section 8 provides that duties, imposts, and excises are legitimate revenue-raising measures on which the United States government may properly rely. We support a tariff based revenue system, as did the Founding Fathers, which was the policy of the United States during most of the nation's history. In no event will the U.S. tariff on any foreign import be less than the difference between the foreign item's cost of production and the cost of production of a similar item produced in the United States. The cost of production of a U.S. product shall include, but not be limited to, all compensation, including fringe benefits paid to American workers and environmental costs of doing business imposed on business by federal, state and local governments.

Tariffs are not only a constitutional source of revenue, but, wisely administered, are an aid to preservation of the national economy. Since the adoption of the 1934 Trade Agreements Act, the United States government has engaged in a free trade policy which has destroyed or endangered important segments of our domestic agriculture and industry, undercut the wages of our working men and women, and totally destroyed or shipped abroad the jobs of hundreds of thousands of workers. This free trade policy is being used to foster socialism in America through welfare and subsidy programs.

We oppose all international trade agreements which have the effect of diminishing America's economic self-sufficiency and of exporting jobs, the loss of which impoverishes American families, undermines American communities, and diminishes America's capacity for economic self-reliance and the provision of national defense.

We see our country and its workers as more than bargaining chips for multinational corporations and international banks in their ill-conceived and evil New World Order.

We reject the trade concept of normal trade relations (Most Favored Nation status), used to curry favor with regimes whose domestic and international policies are abhorrent to decent people everywhere and which are in fundamental conflict with the vital interests of the United States of America.

We strongly oppose unconstitutional "Trade Promotion Authority," which transfers the establishment of trade policy from Congress to the Executive branch of government.

In the name of free trade, multi-national corporations have been given tax breaks by the U.S. government which are not available to American businesses, and the money extracted from U.S. taxpayers has been used by the government to subsidize exports and encourage businesses to move abroad. Such improprieties must cease.

The United States government should establish the firm policy that U.S. or multinational businesses investing abroad do so at their own risk. There is no obligation by our Government to protect those businesses with the lives of our service personnel or the taxes of our citizens.

In the area of national security, foreign interests have been abetted in gaining access to America's high-tech secrets under the guise of commercial enterprise. We propose that technology transfers which compromise national security be made illegal and urge that all violators be prosecuted. We demand that all weapons systems, military uniforms and equipment purchased for the American military be domestically produced in their entirety along with all their component parts.

We oppose the practice of any officer of the United States government, or spouse thereof, who, subsequent to Federal government employment is employed to represent a foreign government or other foreign entity, public or private, for purposes of influencing public opinion or policy on matters affecting U.S. trade with such foreign government or entity.

## Taxes

The Constitution, in Article I, Section 8, gives Congress the power *"to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States."*

In Article I, Section 9, the original document made clear that *"no Capitation, or other direct Tax shall be laid, unless in Proportion to the Census of Enumeration herein before directed to be taken."* It is moreover established that *"No Tax or Duty shall be laid on Articles exported from any State."*

Since 1913, our Constitutional rights to life, liberty, and property have been abridged and diminished by the imposition on each of us of Federal income, payroll and estate taxes. This is an unconstitutional Federal assumption of direct taxing authority.

The Internal Revenue Service is the enforcement arm of the Federal government's present unjust tax system. Citizens, both in groups and as individuals, have repeatedly sought responses from the IRS bureaucracy as to the basis for the agency's tax policies and procedures. No answers have been forthcoming although a responsible government must be answerable to the people and has a duty to those it is supposed to serve.

We propose legislation to abolish the Internal Revenue Service and will veto any authorization, appropriation or continuing resolution which contains any funding whatsoever for that illicit and unconstitutional agency. We are opposed to the flat-rate tax, national sales tax, and value added tax proposals that are being promoted as an improvement

# CONSTITUTION PARTY PLATFORM

AS ADOPTED AT THE 2012 NATIONAL CONVENTION

Platform—Page 13

to the current tax system. The Sixteenth Amendment does not provide authority for an un-apportioned direct tax. Moreover, it is our intention to replace, with a tariff based revenue system supplemented by excise taxes, the current tax system of the U.S. government (including income taxes, payroll taxes and estate taxes.)

To the degree that tariffs on foreign products, and excises, are insufficient to cover the legitimate Constitutional costs of the federal government, we will offer an apportioned "state-rate tax" in which the responsibility for covering the cost of unmet obligations will be divided among the several states in accordance with their proportion of the total population of the United States, excluding the District of Columbia. Thus, if a state contains 10 percent of the nation's citizens, it will be responsible for assuming payment of 10 percent of the annual deficit. The effect of this "state-rate tax" will be to encourage politicians to argue for less, rather than more, federal spending and less state spending as well.

To the extent permitted by the Constitution, we believe that the taxation of corporations is an appropriate source of government revenue. The Supreme Court has defined "income" as a "gain or increase arising from corporate activity or privilege." People are not corporations and corporations need not be treated as "people" for the purposes of taxation.

There is substantial evidence that the 16th Amendment was never legally ratified. When elected, we will act to cease collection of direct Federal personal income taxes. We also support ratification of the Liberty Amendment which would repeal the Sixteenth Amendment and provide that "Congress shall not levy taxes on personal incomes, estates and/or gifts."

We support the use of motor fuel excise taxes, at rates not in excess of those currently imposed, to be used exclusively for the erection, maintenance, and administration of Federal highways. These taxes should never be used for "demonstration projects", mass transit or for other non-highway purposes.

We support the use of excise taxes to curb the use of tax dollars for media advertising, and to provide so-called "tax abatements", "tax incentives" and "economic development grants," which are pretexts to raid the public treasury and rob the workingman for the benefit of wealthy interests favored by the politicians.

## Terrorism and Personal Liberty

The Bill of Rights is the first 10 amendments to the Constitution. Because we will refer to the fourth and fifth amendments, let's read them in their entirety:

Amendment IV:

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

Amendment V:

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

Note there is no exception to these rights provided for war or public danger.

Article 1, Section 9, Clause 2: *"The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it."*

The threat of Terrorism has not been claimed to be a rebellion or an invasion.

America is engaged in an undeclared war with an ill-defined enemy (terrorism), a war which threatens to be never ending and which is being used to vastly expand government power, particularly that of the executive branch, at the expense of the individual liberties of the American people.

The "war on terrorism" is serving as an excuse for the government to spend beyond its income, expand the Federal bureaucracy and socialize the nation through taxpayer bailouts of the airlines, subsidies to the giant insurance corporations and other Federal programs.

We deplore and vigorously oppose legislation and executive action that deprive the people of their rights secured under the Fourth and Fifth Amendments under the guise of "combating terrorism" or "protecting national security." Examples of such legislation are the National Security Act, the USA PATRIOT Act, the proposed Domestic Securities Enhancement Act (colloquially known as "Patriot II"), the Military Commissions Act, the National Defense Authorization Act and especially the creation of the Department of Homeland Security. We further oppose any other governmental action that would deprive persons of life, liberty or property without due process of law.

- The National Security Act is used by the federal government as a shroud to prevent the American people and our elected officials from knowing how much and where our tax dollars are spent from covert operations around the world. The National Security Act prevents the release of Executive Orders and Presidential Decision Directives, e.g., PDD 25, to the American people and our elected representatives. Not only are many of these used to thwart justice in the name of national security but some of the operations under this act may threaten our very national sovereignty.
- The USA PATRIOT Act permits arrests without warrants and secret detention without counsel, wiretaps without court supervision, searches and seizures without notification to the individual whose property is invaded and a host of other violations of the legal safeguards our nation has historically developed according to principles descending from the Fourth and Fifth Amendments. Since we will no longer have a free nation while the federal government (or the governments of the several states, as the federal government may authorize) can violate our historic rights under such laws, we call for the rejection of all such laws and the ceasing of any such further proposals including The aforementioned Domestic Securities Enhancement Act.
- The National Defense Authorization Act gives authority to the President of the United States to have persons arrested, including U.S. citizens, without a warrant, without a trial, indefinitely.

The Constitution Party opposes all violent acts of sedition, treason and covert guerilla warfare conducted on U.S. soil. Individuals responsible for these acts must be punished for their crimes including the infliction of capital punishment where appropriate. In responding to terrorism, however, the United States must avoid acts of retaliation abroad which destroy innocent human lives, creating enmity toward the United States and its people; and in accord with the views of our Founding Fathers, we must disengage this nation from the international entanglements which generate foreign hatred of the United States, and are used as the excuse for terrorist attacks on America and its people. The "war on terrorism" is not a proper excuse for perpetual U.S. occupation of foreign lands, military assaults on countries which have not injured us, or perpetual commitment of

- taxpayer dollars to finance foreign governments.

## Veterans

President George Washington stated: *"The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportionate to how they perceive the veterans of earlier wars were treated and appreciated by their country"*.

The Constitution Party appreciates the contributions of our servicemen and veterans to the preservation of American freedom. We shall continue to recognize their contributions to the national welfare by providing equitable pay and benefits to our military personnel, and generous health, education, and other benefits to veterans.

We vigorously resist the attempt by any government agency to nullify or reduce earned benefits to veterans and their survivors, including but not limited to, compensation, pensions, education and health care.

## Wage and Price Control

The Declaration of Independence declares the purpose of Government is *"to secure these Rights"*, these unalienable rights such as Liberty.

Nothing in the Constitution, writings of the Founders, nor in logic, can imagine a God-given right to earn a specific wage or buy at a specific price.

We deny that civil government has the authority to set wages and prices; so doing is inconsistent with principles of individual liberty and the free market.

## Welfare

The Declaration of Independence declares *"all men ... are endowed by their Creator with certain unalienable Rights ...**That to secure these rights, Governments are instituted among Men ...**"*

The Preamble of the US Constitution shows how these rights are to be secured including *"**provide** for the common defense, **promote** the **general Welfare**".*

Two clear distinctions should be made here:

1. Provide implies actively and financially supporting, promote implies a more passive approach.
  - For example, I'll **promote** that we put on a grand feast, but I want you to **provide it!**
2. General Welfare is not the same as individual Welfare. General Welfare would benefit the people generally, individual Welfare targets a certain segment of society to benefit, such as the poor.

**Providing Individual Welfare** is not authorized in the Constitution.

God, who endows us with life, liberty, property, and the right to pursue happiness, also exhorts individuals to care for the needy, the sick, the homeless, the aged, and those who are otherwise unable to care for themselves.

America's welfare crisis is a government-induced crisis. Government social and cultural policies have undermined the work ethic, even as the government's economic and regulatory policies have undermined the ability of our citizens to obtain work.

Charity, and provision of welfare to those in need, is not a Constitutional responsibility of the federal government. Under no circumstances should the taxpayers of the United States be obligated, under penalty of law through forced taxation, to assume the cost of providing welfare for other citizens. Neither should taxpayers be indentured to subsidize welfare for persons who enter the United States illegally.

The message of Christian charity is fundamentally at odds with the concept of welfare maintenance as a right. In many cases, welfare provisions by the Federal government are not only misdirected, but morally destructive. It is the intended purpose of civil government to safeguard life, liberty and property - not to redistribute wealth. Such redistribution is contrary to the Biblical command against theft. We encourage individuals, families, churches, civic groups and other private organizations to fulfill their personal responsibility to help those in need.