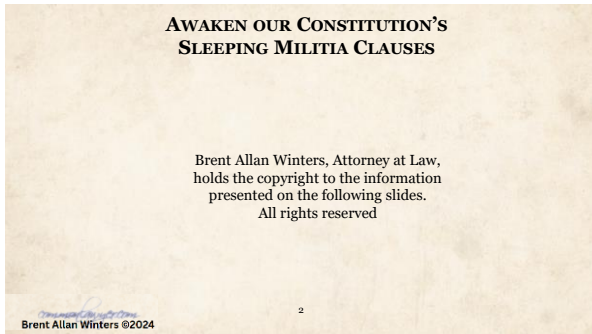
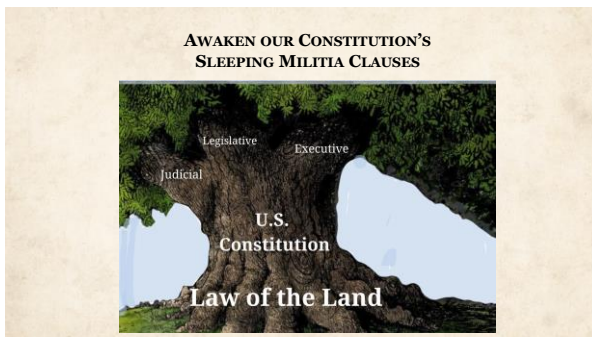


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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Lesson 1

God gives authority to each-man of the people (the Militia) to together create government: the legislative, executive, and judicial powers. See U.S. DECLAR. Of '76 ¶ 8.

⇓

The people (the Militia) then establish their respective States and give to these States authority for government: the legislative, executive, and judicial powers.

⇓

The people (the Militia) , each through their States, then establish our general (national) Constitution. Thus, the People of the respective United States create our Constitution.

⇓

Our U.S. Constitution then establishes the limited, separate, and coequal branches of our general (national) government: legislative, executive, and judicial powers.

⇓

Thus, the legislative, executive, and judicial powers of our general (national) government are creatures (creations) of our Constitution; but the People which are the Militia, are not our Constitution's creations.

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

I have six faithful friends, they taught me all I knew, their names are **What?** and **How?** and **Why?** and **When?** And **Where?** and **Who?** —RUDYARD KIPLING

- Our Constitution's Four Militia Clauses Course participants shall learn answers to the following questions:

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

2. What is the Militiaman's lawful oath?

Answer: To defend our *law of the land* from enemies foreign and domestic.
—U.S. CONSTITUTION, art. 6, para. 3 (Oath-or-Affirmation Clause).

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

3. What does the Militiaman's lawful oath require?

Answer: The Militiaman's lawful oath requires his two-fold duty: (1) Armed defense of the land from enemies *foreign* and (2) defense of the law of the land from enemies *domestic*. See U.S. CONST., art. 6, para. 3 (*The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and 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*);

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

I will support and defend the Constitution of this State and of the United States against all enemies, foreign and domestic; and upon being duly called forth and mustered into actual service of this State, will obey all lawful orders of the Governor of this State and of the officers placed over me; and upon being duly called forth and mustered into actual service of the United States, will obey all lawful orders of the President of the United States and of the officers placed over me.

—BRENT ALLAN WINTERS, MILITIA OF THE SEVERAL STATES PRIMER, § 13, para. 5

4. What law governs the Militiaman when a U.S. President summons him?

Answer: Martial law. See United States U.C.M.J.: UNIFORM CODE OF MILITARY JUSTICE).

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

5. What is the Militiaman armed with?

Answer: At common law, if his State's governor summons him, he shall arm himself with the weapon his State legislature designates by legislation. If his State legislature has neglected its duty, he shall arm himself with whatever military grade weapon he can obtain. If a U.S. President summons him, he shall arm himself with whatever weapon the Congress provides; if Congress has failed to provide a weapon, he may provide his own weapon.

- Winston Churchill was chastised for ending a sentence with a preposition. he responded. *This is the type of arrant pedantry up with which I will not put.*

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

6. What is Congress' duty respecting the Militia?

***Answer:** The Congress shall have Power To...provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions; To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States. U.S. CONST. art. I, § 8, cls.15–16.*

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

7. What is a U.S. President's duty respecting the Militia?

***Answer:** The President shall be Commander in Chief of...the Militia of the several States, when called into the actual Service of the United States. U.S. CONST. art. II, § 2, cl.1.*

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Lesson 2

8. What is a State governor's duty respecting the Militiaman?

***Answer:** Each State governor shall be Commander in Chief of the Militiamen of his State, whom he has called forth into the actual Service of his State, according to the Constitution and laws of his State.*

- Each of our Union's States has discretion to determine how to implement this standard of law.

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

9. What is each State legislature's duty respecting the Militiaman?

Answer: [R]eserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress. U.S. CONST. art. I, § 8, cl.16

- When President Polk offered command of Mississippi's State Militia to West Point graduate and to-be President of the Southern Confederacy Jefferson Davis, Davis refused, citing this Second of our U.S. Constitution's four Militia Clauses
- Polk's laxness toward our U.S. Constitution's Militia Clauses is not new

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

10. What is the posse commitatas?

Answer: The posse commitatas is the State militiamen within a Sheriff's county, subject to his calling forth, and arranged under his authority under pain of criminal penalty for failure to obey his calling forth.

- See further generally Winters Inn course, *Sheriff at Common Law* (18 hours of presentations unpacking the Sheriff's power of the county, called in Latin posse comitatus) at www.commonlawyer.com

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

11. How does one become a Militiaman?

Answer: By male birth, becoming over age 20 years, and able-bodied enough to contribute to militia service

Take ye the sum of a headcount of all the congregation of the children of Israel, after their families, by the house of their fathers, with the number of *their* names, every male by their polls; from twenty years old and upward, all that are able to go forth to war...

—Numbers 1:2–3a

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

12. How is a Militiaman armed?

Answer: At common law, as a State militiaman, at his own expense; when called forth and mustered into national service, of the provision Congress sets forth.

- See U.S. CONST. art. I, § 8, cls.15–16 (Congress shall have Power...*To provide for...arming...the Militia...as may be employed in the Service of the United States*)
- This provision of our U.S. Constitution says "Congress shall...provide for arming"; it does not say Congress shall provide arms

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

13. How is the Militiaman trained?

Answer: At his own expense and according to the uniform discipline Congress mandates.

- See U.S. CONST., art. I, § 8, cls.15–16 (*Congress shall have Power ...To provide for...arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States*).

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

14. How does our common-law breathe life into our Constitution's Militia Clauses?

Answer: By the laws of nature (our common law) and of nature's God (our Bible). DECLAR. of '76 (U.S. 1776).

Upon these two foundations, the law of nature [our common law] and the law of revelation [the Bible] . . . [N]o human laws should . . . contradict these.

[T]he revealed law [the Bible] is of infinitely more authenticity than [any] moral system...denominated the natural law [law of nature]... If we could be as certain of the latter [the law of nature] as we are of the former, [the Bible] both would have an equal authority; but...they can never be...in competition.

—WM. BLACKSTONE

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

15. Why is our Militia of the several States necessary?

Answer: For the security of a free State.
—See U.S. CONSTITUTION, amend. 2

- Security and freedom at the same time are possible only as the Militia of each State fulfills its affirmative, non-delegable duty according to our Constitution's four Militia Clauses: art. I, sec. 8, cls.15, 16; art. II, sec. 2, cl.1; amend. 2.

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Lesson 3

17. Why may a U.S. President call forth a militiaman?

Answer: To execute the Laws of the Union, repel invasion, quell insurrection.
—See U.S. CONST. art. I, 8, cls.15–16

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

18. Why may a State governor call forth a militiaman?

Answer: At common law, to execute the Laws, repel invasion, and quell insurrection; and at common law, as State law may additionally direct

Why may a county Sheriff call forth a militiaman as a posse member?

Answer: At common law, to execute the Laws, repel invasion, and quell insurrection

- Additionally, as State law may direct, such as to execute warrants, raise the hue and the cry, and track-down, and capture fugitives from justice

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

19. Why may a county Sheriff call forth a militiaman as a posse member?

Answer: At common law, to execute the Laws, repel invasion, and quell insurrection

- Additionally, as State law may direct, such as to execute warrants, raise the hue and the cry, and track-down, and capture fugitives from justice

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

20. When does a militiaman come under martial law?

Answer: Upon mustering where commanded, whether by the militiaman's State governor or a U.S. President

- Militiamen, says Justice Story, *are subjected to martial law only when in actual service, and not merely when called forth, before they have obeyed the call*, and only during times of war or public danger
- Thus, the Militiaman, by his answering the call—not by the government merely making the call—brings himself under martial jurisdiction (our Uniform Code of Military Justice) until his lawful release from duty

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

21. When does the militiaman muster?

Answer: At the summons of a State's governor or a U.S. President, whichever summons him first

- On 24 September 1957, Eisenhower invoked the Insurrection Act of 1807 to use federal troops for domestic law enforcement, to enforce racial integration
- Ike then ordered the U.S. Army 101st Airborne Division to Little Rock, Arkansas (with only its Caucasian members) and federalized the entire 10,000-member Arkansas National Guard, taking it all out of Arkansas Governor Faubus's control
- General Walker, commanding the 101st, later regretted following Ike's orders, saying the order was unconstitutional

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

22. *When* does a militiaman become part of the U.S. armed forces?

Answer: When a U.S. President summons, and has, under that President's authority, mustered him

—U.S. SUPREME COURT JUSTICE JOSEPH STORY, COMMENTARIES ON THE CONSTITUTION OF THE UNITED STATES (1833)

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

23. *Where* does the militiaman muster?

Answer: Wherever his State's governor or a U.S. President directs, by calling him forth

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Lesson 4

24. *Who* musters the militiaman?

Answer: Either a State's governor or the U.S. President, whichever calls him forth first

- Concurrent jurisdiction is three men holding jurisdiction at the same time to call forth a State's Militia
- The county Sheriff
- The State governor
- The U.S. President
- Comity: an association of nations (such as our U.S. States) for their mutual benefit
- Comity is Latin for *courteous* (mindin' yer manners)

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Comity:

An association of nations (such as our U.S. States) for their mutual benefit, being courteous with each other

- *Comity* is Latin for *courteous* (mindin' yer manners)
- Thus when of these three men muster a militiaman, the other two must *courteously* wait until he is done with him


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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

25. *Who is a militiaman?*

Answer: At common law: all males, 20 years old and upward able-bodied to bear a military grade weapon in battle; and all males, able-bodied or not, for Jury duty.

And each'n-all of Israel's sons, from right-at year twenty and upward, were-being-mustered . . . , each'n-everyman among Israel going-forth armed

—GOOD BOOK UNCOOKED, A COMMON LAWYER TRANSLATES FROM THE ORIGINAL TONGUES AND ANNOTATES, *Numbers* 1:45


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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Only two of the 603,550 Israelite militiamen that came out of Egypt in the Exodus of 1491 B.C. served as militiamen in the conquest of Canaan:

- *Joshua* served as commander of the Militia of Israel's 12 several tribes while at least 60 and probably closer to 80
- *Caleb* served as militiaman at age 85

—*Joshua* 14:6–15

See JAMES USSHER'S CHRONOLOGY ANNALS OF THE OLD TESTAMENT, DEDUCED FROM THE WORLD'S FIRST ORIGINS (1650)(1654)


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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

See, for example, United States Code, Title 10, Subtitle A, THE MILITIA:

The militia of the United States consists of all able-bodied males at least 17 years of age and . . . under 45 years of age who are, or who have made a declaration of intention to become, citizens [freeman] of the United States.

—U.S.C. Title 10, Subtitle A, ARMED FORCES GENERAL MILITARY LAW, Part I—ORGANIZATION AND GENERAL MILITARY POWERS, chap 12: THE MILITIA:

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

26. Who arms the militiaman?

Answer: At common law, when his county Sheriff or his State's governor calls him forth into duty, the militiaman arms himself, at his own expense

- When a U.S. President calls him forth into duty, Congress provides **for** the militiaman's arming
- Our Constitution does not say that Congress is to **arm** the Militia
- Thus, Congress' duty is to pass legislation requiring what weapon the militiaman is to arm himself with, including the penalty for not doing so

—See U.S. CONSTITUTION art. I, § 8, cls.15–16 ("To provide **for** organizing, arming...the Militia")

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

However, the Fourth Militia Clause (the Second Amendment) assumes our common-law tradition:

- That the militiaman arms and train's himself at his own expense
- To be sure, says Granville Sharp,
"The [common] laws...always required the people [the militiamen] to be armed, and not only armed, but to be expert in arms"

GRANVILLE SHARP was a leading New-Testament Greek grammarian, common-law militia advocate & close correspondent and friend of American Founder Benjamin Rush

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

27. Who does the *posse comitatus* comprise?

Answer: Each State Militiaman whom his county's sheriff has deputized within his county

What is a sheriff's deputy?

Answer: a sheriff's deputy is a man that a county sheriff has *deputized*

What is a sheriff's deputization?

- The county sheriff's having delegation his authority to another man
- A sheriff's deputy is a man under a county sheriff's *immediate* command, empowered to act in place of that sheriff

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Do your duty:

Get started

- Get with your Sheriff and give him your contact information
- Get a standard AR-15 type military grade weapon
- Get 500 rounds of ammo
- Get well-trained in first principles of our common-law militia
- Get well trained in firearm safety
- Get well trained marksmanship
- Get with other men committed to do the same thing
- Get arranged under your Sheriff's authority
- Get with your State legislator
- Get the Model State Militia Statute to him
- Strike while the iron is hot

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Lesson 5

God gives authority to each-man of *the People* (the Militia) to agree with other men of *the People* to create common-law State government of coequal branches:

- Legislative
- Executive
- Judicial

See *Romans 13:1-4* (*All authority [jurisdiction] is from God*); DECLAR. of '76 (U.S. 1776) ¶ 8; see, for instance, U.S. CONST., Preamble (the Militia of the 13 original States ordaining our U.S. Constitution for establishing the U.S. general government)

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

The first draft of our U.S. Constitution's *Preamble* reveals the meaning of its final abbreviated form

The *Preamble's* first draft read as follows:

- *We the People of Maine, New Hampshire, & etc.,*
—naming each State on down the eastern seaboard to Georgia
- This first draft was given to a one-man Committee of Style, Gouverneur Morris
- He shorten the first draft to seven words:

We the People of the united States . . .

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

Thus,

- ***The People*** (the Militia), each through their own State, then establishes our general (national) U.S. Constitution
- Thus, ***the People*** of the respective united States create, establish, and ordain our U.S. Constitution
- Through our U.S. Constitution, ***the People*** (the Militia) establish the limited, separate, and coequal branches of our general (national) government: legislative, executive, and judicial powers

Thus, the Preamble's final form:

We the People [the Militia] of the united States . . . do ordain and establish this Constitution for the united States of America

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

Accordingly, our U.S. Constitution is ***The People's*** (the Militia's) written instrument to delegate specific and limited authority to U.S. presidents, State governors, congressmen, and State legislators, ***respecting*** our Militiamen

Of great note:

- Our U.S. Constitution neither creates, ordains, establishes, nor delegates authority to the Militia
- Rather, the Militia of the several States has ordained and established our U.S. Constitution and recognizes the Militia's authority

—See BRENT ALLAN WINTERS, DECLARATION OF '76 & U.S. CONSTITUTION, amend. 2 and accompanying notes

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

- Thus, the legislative, executive, and judicial powers of our general (national) government are *creatures* (creations) of the People through our U.S. Constitution
- Bottom line, **our U.S. Constitution does not create our Militia**, but our Militia of the several States (the People) created and settled our U.S. Constitution

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

- Our U.S. Constitution delegates no authority to our county Sheriffs
- Rather, just as the People (the Militias) of our separate States delegate limited and specific authority through our U.S. Constitution to the general government in Washington D.C.,
- The People** (Militiamen) of each county delegates our common law's authority to its sheriff to act as his county's chief executive and peace officer
- Further, our common law clothes each sheriff with authority to deputize any man in his county if, in his sole discretion within his delegation of duty (to keep the peace), he determines the need

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

The meaning of *peace* at common-law is not the same:

- The meaning of the Old-Testament Hebrew word *shalom* carries over to the Newer Testament. It does not signify absence of war, but signifies the presence of God's arranged authority, warring against the world's lawless disorder of no authority
 - [My] *peace* I give unto you;
 - I do not give it to you according to
 - [the understanding of] this world-order

~John 14:27
But this world says order says *peace* is absence of war

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

At common law, everyman has his *peace*

- The king's *peace* is the lawful order of his limited jurisdiction (responsibilities)
- Each man's *peace* is the lawful order of his scope of jurisdiction
- According to the laws of nature (our common-law due process) and of nature's God (our Bible), peace is the

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

According to
The laws of nature (our common-law due process) and
Of nature's God (our Bible)

The foremost duty of the

- Peace officer (county sheriff)
- Militiaman (posse member)

Is to protect every person's lawful duties (spheres of authority)
from interference, hinderance, hampering, discouragement

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

According to the civil-canon laws of the city, only the powers-that-be's
(the state's) peace has recognition and protection

- Every person must protect the peace (order, power) of the state at all costs
- The state's peace is an unlimited (total) jurisdiction
- Every person must sacrifice his peace to that of the state
- The *pax* (peace) of Rome subsumed every man's peace in the *total* state

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Our Constitution's plan is simple:

Three of our U.S. Constitution's four Militia Clauses delegate three different sets of duties on three separate classes of persons:

- U.S. congressmen
- State legislators and governors
- U.S. presidents

And the fourth class of persons:

- The people (Militiamen)

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

But our U.S. Constitution's the Fourth Militia Clause delegates no duty

- It rather **recognizes** a duty that God has already delegated to each Militiaman
- It guarantees that the U.S. government will not breach (infringe) upon any man's peace
- **Respecting his duty to keep and carry a loaded gun**

Each man's peace consists in the un-interfered-in enjoyment of doing the duties that God has charged him with

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Lesson 6

***Congress** shall have Power To...provide for calling forth the Militia . . . [when] in the Service of the United States*

1. to execute, the Laws of the Union,
2. suppress Insurrections and
3. repel Invasions

Note well, this clause delegates Congress no authority to call forth the State militiamen, but rather, to *provide for* calling forth State militiamen

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

- *to execute*
Not to *enforce* execution of the laws, but to *execute*: carry out, do,
- *the Laws of the Union*
Laws of the Union are laws *arising under* the limited jurisdiction of our U.S. Constitution

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

- *Suppress*
Press down, subdue
- *Insurrections*
Uprisings

Example of use of the word *uprising* over 200 years ago:
Good Lord willing and the Creek don't rise

Letter from Col. Benjamin Hawkins, Indian Affairs Agent south of the Ohio (1796–1806), while in Georgia, in response the U.S. President's request that he return to Washington D.C. (because he capitalizes the word Creek it has been understood that he refers to the Creek Indian Tribe)

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

- *repel Invasions*
drive back, drive away
- Under orders of Texas governor Rannel, popular Sunday-school teacher R.I.P. Ford and Tonkawa Chief Placido led Texas militiamen and the Tonkawa in invasion of Indian Territory (Oklahoma) to repel Comanches under Chiefs Iron Jacket & Peta Nocona
- Peta Nocona was Cynthia Anne Parker's husband and father of the half-breed Quanah Parker, the last Comanche war chief
- After burying the hatchet, Quanah Parker became a wealthy banker in Lawton, Oklahoma
(from rifles to usury: the ultimate Redman revenge)

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

First Militia Clause

The Congress shall have Power To...provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions; To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States,

—U.S. CONST. art. I, sec. 8, cls.15–16

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To provide for organizing, arming, and disciplining, the Militia

- *Provide for* = promulgate rules and regulations

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Second Militia Clause

*reserving to **the States** respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress.*

—U.S. CONST. art. I, sec 8, cl.16

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Third Militia Clause

The President shall be Commander in Chief of . . . the Militia of the several States, when called into the actual Service of the United States;

—U.S. CONST. art. II, sec. 2, cl.1.

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Fourth Militia Clause

*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.*

—U.S. CONST. amend. II

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Lesson 7

- Our Constitution's first three Militia Clauses each delegate a specific scope of jurisdiction to four different classes of government office holders
- However, the Fourth Militia Clause, the People (Militiamen) draw no authority from our U.S. Constitution but draw authority (right to act) direct from God in order to establish our Constitution
- By contrast, our general government draws its limited authority only from our Constitution

In sum, because the Militia is the People, our Constitution never creates the Militia but rather recognizes and affirms it

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

First, our U.S. Constitution charges **the Congress** with providing rules for the 50 States for calling forth the Militia, when called into the service of the United States to execute the *Laws of the Union*, suppress *Insurrections* and *repel Invasions*; ...for governing such Part of them as may be employed in the *Service of the United States*.

—U.S. CONST. art. I, sec. 8, cls.15–16

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Second, our U.S. Constitution reserves to each of the **50 States**, the Appointment of the Officers, and the authority of training the Militia according to the discipline prescribed by Congress

—See U.S. CONST. art. I, sec. 8, cl.16

- Accordingly, each of the 50 States has our U.S. Constitution-delegated duty to provide practical standards for its Militia:
 - What kind firearm and amount of ammunition each member must himself provide and safely keep handy
 - The level of firearm training, discipline, and skill he must himself attain

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Third, our U.S. Constitution gives each **president** authority over each member of a State's Militia only

[W]hen called into the actual Service of the United States.

—U.S. CONST. art. I, sec. 8, cls.15–16

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

Fourth, our U.S. Constitution bars infringement upon the God-given individual *right* (Anglo-Saxon word for *duty*) of each of **the people** to *keep and bear arms*, forbidding any act that interferes with this individual right to keep and carry a gun

- There is no other kind of right but *individual*
- No law recognizes any *group right*

—See U.S. CONSTITUTION amend. II

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

As to the **Second Amendment**, our common-law tradition has always understood rights as an individual and personal, not collective, matter

- *[T]he public good, said Blackstone, is in nothing more essentially interested than the protection of every individual's private rights*
- By this principle, James Madison structured the Second Amendment: the public good (*the security of a free State*) depends upon the private right to *keep and bear Arms*, being kept from infringement

—See further generally, *Heller vs. District of Columbia*, 544 U.S. 570 (recognizing that our U.S. Constitution's Second Amendment protects no group right, but an individual, personal duty, called a right)

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

- In the event Congress neglects our U.S. Constitution's mandate to provide rules for training the Militia of the several States, when called into service of the United States

—U.S. CONST. art. I, sec. 8, cls.15–16

- As indeed it has . . .

- Our U.S. Constitution requires each State to organize (appoint officers), designate the kind of firearm, ammunition, discipline, and training the Militiaman must obtain, when called into the service of his State

—See U.S. CONST. art. I, sec. 8, cl.16

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

- In the event both Congress and any of the several States neglects our U.S. Constitution's Militia-Clause mandates to them
- Then *the people* (the Militiamen) must never neglect their constitutional-required *right* (Anglo-Saxon word for *duty*) to keep themselves forearmed (regular), safe, and skilled in the lawful use of firearms

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

- To be sure, if *the people* (the Militiamen) fail to fulfill this fundamental duty of arming and training themselves,
- The U.S. government will gather an absolute monopoly of violent force and power
- And will evermore both dominate the State governments and oppress *the People* (the Militiamen)—as is now seen

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES


- In all events, our U.S. Constitution assigns none of these Militiamen's two duties of government (armed defense and Jury duty) to any Army, Navy, or National Guard (constitutionally unknown)
- And, least of all, to any police force or other bureaucracy agents
- Militiaman's readiness is the *supreme Law of the Land*
—*the way, course of process for executing laws of the Union suppressing insurrections, and repelling invasions*
- This means that any State or national law *infringing* (even slightly interfering) with our U.S. Constitution's four Militia Clauses commanded duties is null and void
—U.S. CONST. art. V

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**



Tench Coxe

Who are the militia? Are they not ourselves? Is it feared, then, that we shall turn our arms each man against his own bosom. Congress have no power to disarm the militia. Their swords, and every other terrible implement of the soldier, are the birthright of an Americans.

— AT QUOTES

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Lesson 8

- A Militiaman's readiness (regularness) is the *supreme Law of the Land*:
The way, course of process, for executing laws of the Union suppressing insurrections, and repelling invasions
- This means that any State or national law *infringing* (even slightly interfering) with our U.S. Constitution's four Militia Clauses stated duties, is null and void

—U.S. CONSTITUTION, art. VI

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

- In fact, because **the Militia**—as also the Jury—is *the People*, neither government nor even the People themselves can end it or alter its fundamental duties
- Americans that continue to ignore the common-law first principles of our U.S. Constitution's four Militia Clauses do so at peril to their *freedom* = free from doom)

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

- **Each State Militia**, being the People themselves, is no creation of our U.S. Constitution; rather, our U.S. Constitution recognizes the State Militias' existence
- In fact, because **the Militia**—as also the Jury—are *the People*, neither government nor even the *People themselves* can end it or alter its fundamental right (duty)
- Moreover, the Militia acting (1) in armed defense of our land and (2) as the Jury in defense of our common law of the land are the *People themselves*
- The Militia are the very men establishing and ordaining our U.S. Constitution

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

First Militia Clause is called the **Calling-Forth Clause**

*The Congress shall have Power To...provide **for calling forth** the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions; To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States,*

—U.S. CONSTITUTION art. I, sec. 8, cls.15–16

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

Our U.S. Constitution does not grant direct militia deployment power (power to call militiamen forth) (Anglo-Saxon and Dane: *fyrðfare*) to Congress, but the power to detail this **calling-forth power** by legislation

- Early on, Congress exercised this calling-forth power directly case-by-case
- In 1789, for example, Congress authorized the president, during the current session of Congress only, to **call forth** the militia for the purpose of protecting the inhabitants of the frontiers of the United States from hostile Indian incursions

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Beginning in the year 1792, Congress passed legislation ensuring the President's complete and unhindered jurisdictional scope to use the State(s) militia, within the three reasons the U.S. Constitution enumerates

- In case of **invasion**, Congress authorized the President to *call forth such number of the militia* as he thinks necessary
- To respond to **insurrections** against a State, Congress authorized the President to call forth the militia of other States
- And for **execution of the Union's laws**, Congress authorized the President to call forth the militia of the State where the obstruction the Union's laws was happening, and if that was not enough for the task, the President could call-forth militiamen from (an)other State(s)

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Congress also limited the jurisdictional scope of the President's authority to call forth the militia:

- When calling forth the militia to **repel invasions**, Congress directed the president to call forth only the militia *of the state or states most convenient to the place of danger or scene of action*
- And before using the militia to **execute the laws of the Union**, Congress required that a judge within the jurisdiction in question to first certify to the President that the unlawful resistance is *too powerful to be suppressed by the ordinary course of judicial proceedings* (common law's due process)
- Thus, in providing for **calling forth** militiamen by statute, Congress addressed earlier Anti-Federalist objections that Congress might march the militia long distances or use the militia as the routine means of enforcing the laws

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Because both each State governor and the President share concurrent jurisdiction over each State militia, questions have arisen

- During the War of 1812, Federalist governors in Connecticut and Massachusetts opposing the war, blocked the President's **calling forth** their States' militiamen

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Lesson 9

In response, the Massachusetts Supreme Judicial Court held that

1. State commanders-in-chief (State governors) could determine whether there was enough of an emergency to deploy the militia
2. A State's governor has authority to refuse the President's placing their militiamen under regular U.S. army officers' command

—Op. of Justices, 8 Mass. 548 (1812)

—See *further generally*, U.S. CONSTITUTION, art. I, sec. 8, cl.16 (reserving to each of the 50 States, exclusive authority to appoint its own officers)

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

In May of 1847, President Polk offered future President of the Confederacy a federal commission of brigadier general to command Mississippi militia units in the event President Polk ever called Mississippi militia units into federal service

- Davis, however, declined the appointment, saying that the U.S. Constitution allows only each State to appoint their own militia's officers
- Bottom line, the U.S. Constitution bars the federal government from appointing officers of any State's militia

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

The U.S. Supreme Court has held that Congress gave the President sole and unreviewable authority to determine when an emergency exists to call forth any State's militia or any part thereof

—See *Martin v. Mott*, 25 U.S. (12 Wheat.) 19, 28 (1827)

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

Following the War of 1812, U.S. Supreme Court Justice Story said that if the State governors could bar the President's calling forth of a State's militiaman, *the public service must be continually liable to very great embarrassments*

—3 JOSEPH STORY COMMENTARIES ON THE CONSTITUTION § 1197 (1833).

- This is Justice Story's way of saying that Americans will look like *dern fools*

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

Finally, the President's authority to call forth State militiamen only for domestic, defensive purposes has met objection

- In the War of 1812, some State militia units refused to chase British troops having hightailed into Canada, believing that to do so would be an unconstitutional use of militiamen to invade another country
- The U.S. Constitution, they said, gives authority to a U.S. President, to call forth a State militiaman to *repel invasion*, not to invade

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

Indeed, to invade another country is going beyond the three reasons our U.S. Constitution gives for which a president can call forth a State militiaman

1. to execute the Laws of the Union
2. suppress Insurrections and
3. repel Invasions

—U.S. CONSTITUTION art. I, sec. 8, cls.15–16

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

And, particularly in the 20th century, Congress has sought to use nonprofessional forces for offensive operations into foreign lands

- Under the guise of CIA bureaucrats to contracted security

—Robert Leider, *Federalism and the Military Power of the United States*, 73 VAND. L. REV. 1011–14, n.43 (2020) (recounting the incident)

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

In 1912, U.S. Attorney General George W. Wickersham opined that Congress could authorize use of the militia *only to enforce the laws, suppress insurrections, and repel invasions*

—*Auth. of President to Send Militia into A Foreign Country*, 29 U.S. Op. Atty. Gen. 322 (1912)

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Nowadays, the above-cited legal disputes about the several State militias are ignored because

- Congress uses the Armies Clause to conscript State militiamen into the army

—U.S. CONSTITUTION, art. 1 sec. 8, cl. 12

- And Congress, by equipping the States' *Army National Guard* (falsely called the organized militia) has required that it enroll in the U.S. Army

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

Lesson 10

Hue'n cry = A loud clamor of public outcry

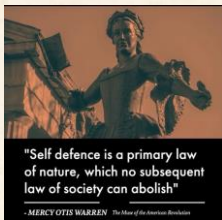
- A loud cry of all, calling for the chase and capture of a criminal suspect
- English common law requires that the dwellers of a *hundred* (today's township),
- Wherein a robbery or murder has happened
- To raise the hue'n cry
- Or the township becomes liable for the damages the victim suffered

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES



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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

- Therefore, by these means and by relabeling the militiaman as U.S. Army, Congress tries to bypass our U.S. Constitution's four Militia Clauses
- And thereby assumed power to send State militiamen abroad for offensive operations (invasion) as U.S. Army draftees and National Guard soldiers

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

- In sum, by Congress enrolling National Guardsmen in the U.S. Army and drafting State militiamen into the U.S. Army, it bypasses each State's authority over its militiamen
- Our U.S. Constitution gives no authority to Congress to enroll State National Guardsmen into the U.S. Army or to draft State militiamen into the U.S. Army
- But our U.S. Constitution does give an even wider scope of authority to U.S. presidents to call forth every able-bodied male over age 21

(Congress's current legislation says U.S. presidents have authority to call forth every able-bodied male over age 18)

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

- Just as an unlawful result reached by lawful means is still an unlawful result . . .
- So also, an unconstitutional result reached by *constitutional means* is still an unconstitutional result

Therefore,
Militiamen are duty bound to

Awaken our U.S. Constitution's Militia Clauses

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AWAKEN OUR CONSTITUTION'S SLEEPING MILITIA CLAUSES

The evil empire's civil-canon law says to our U.S. States' militiamen,

Give us your freedoms and relax; our professional police-state bureaucrats will protect you from foreign invasion, insurrection, and lawlessness

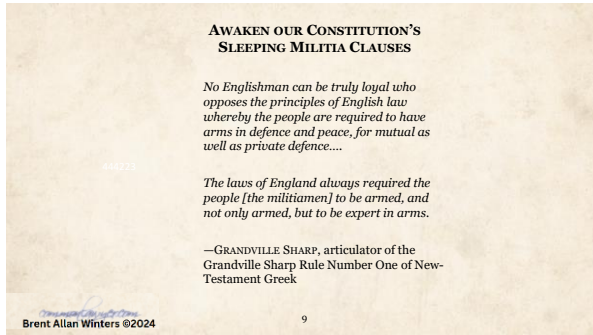
Our common law of the land says to our U.S. States' militiamen,

Protect yourselves from foreign invasion, insurrection, and lawlessness, and you shall keep your freedoms too

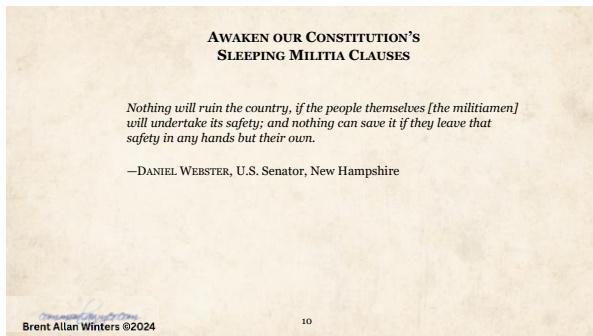
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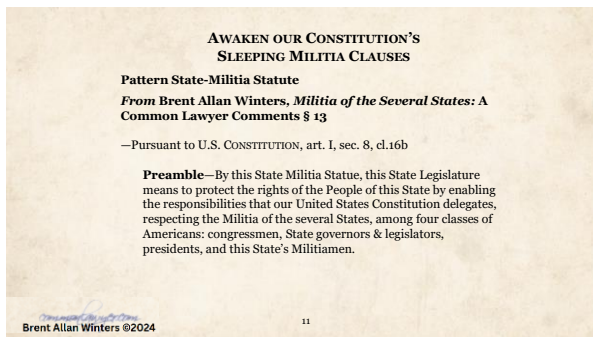
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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Whereas the purpose of the Militia of the several States is to secure freedom and security at the same time by,

First, stopping wrongful taking life, liberty, or property;

Second, protecting our common-law government of laws against any government of mere men, whether foreign or domestic; and

Third, thereby thwarting overthrow of lawful government;

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Whereas the Militia of this State comprises those men dwelling within its boundaries,

- Male
- Over age 21
- Able-bodied to carry and use a firearm;

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Whereas the People of this State recognize and declare the exclusive necessity of our States' Militia to the security of our State in freedom;
—See U.S. CONSTITUTION, amend. II

Whereas the People of this State recognize and declare that our United States Constitution affirms our State's common-law Militia;

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Whereas the People of this State recognize and declare that the congressmen and presidents must draw their authority only from our U.S. Constitution, that said Constitution and each of the several States holds its authority direct from the militiamen of each of the several States;

Whereas the People of this State recognize and declare that our U.S. Constitution arranges duties under its four Militia Clauses among four classes of men: congressmen, State governors and legislators, U.S. presidents, and State militiamen;

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Whereas the People of this State recognize and declare that we, the People of the several States of our Union, by our U.S. Constitution, have delegated to the U.S. president certain, yet limited, responsibilities respecting the Militia of the several States;

Whereas our United States Constitution recognizes concurrent jurisdiction of the Militia of the several States: this State's Sheriffs and Governor having jurisdiction of this State's Militia, while the President of the United States also has jurisdiction, under the restraints and according to the standards and rules our U.S. Constitution and Congress has set for him;

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Whereas this concurrent jurisdiction of the Militia of each State arises from an incontestable dual sovereignty, one sovereignty being of each of the several States and the other being of the United States;

- *E Pluribus Unum* (this is not the United States motto)

Whereas our U.S. Constitution charges Congress alone with providing rules for calling forth the Militia;

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Whereas our U.S. Constitution limits the reasons a president can call the Militia of the several States or any part of these into the service of the United States to only three: *to execute the Laws of the Union, suppress Insurrections and repel Invasions;*

Whereas our U.S. Constitution gives the President authority over any member of this State's Militia only *when called into the actual Service of the United States.*

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Whereas our U.S. Constitution reserves to each State, the *Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;*

Whereas each State, accordingly, has the common-law responsibility to provide practical standards for its Militia: the kind of firearm and amount of ammunition each Militiaman must provide himself, keep, and bear; the training, discipline, and skill with this firearm, to which he must attain at his own cost; and any penalties for failure to so do;

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AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES

Lesson 11

Whereas our U.S. Constitution bars infringement of each and every individual's God-given right to *keep and bear arms*, forbidding any act that interferes with this individual and fundamental right to keep and carry a gun;

Whereas our U.S. Constitution's Amendment II states that security and freedom at the same time are possible only as each Militiaman of each State fulfills his duty in accord with our U.S. Constitution's four Militia Clauses;

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Whereas, accordingly, in order for our State to have *the security of a free State*, Amendment II bars the national government or any State government from interfering (*infringement*) with any one of the People's non-delegable right and duty to keep and bear arms;

Whereas Congress has neglected our U.S. Constitution's mandate to provide rules for training *the Militia of the several States*;

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

Whereas the Militia of our several States and the offices it fills are unique from any standing army or police forces; accordingly, each of our U.S. Constitution's assignment of responsibilities respecting the Militia of the several States are non-delegable and un-assignable to any regular or reserve Army, Navy, or National Guard; or to any police force, or other bureaucracy or government agent;

Whereas our U.S. Constitution's recognition and affirmation of *the Militia of the several States* is the *supreme Law of the Land*;

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**AWAKEN OUR CONSTITUTION'S
SLEEPING MILITIA CLAUSES**

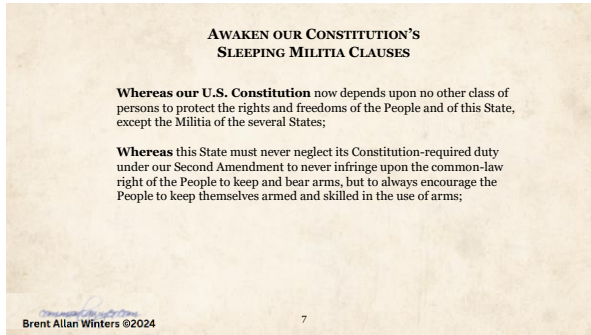
Whereas our U.S. Constitution requires each State to organize, discipline, and train its own Militia;

Whereas both Congress and the several States have neglected and violated the mandates of *the People* by our U.S. Constitution's four Militia Clauses;

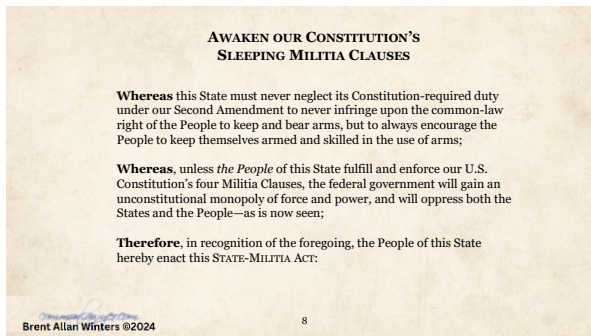
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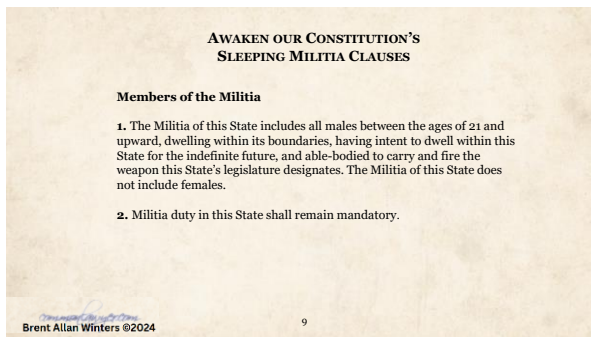
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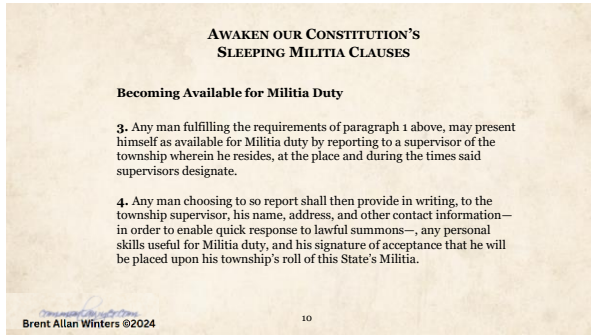
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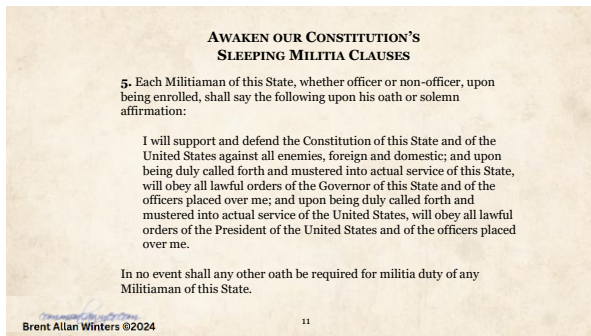
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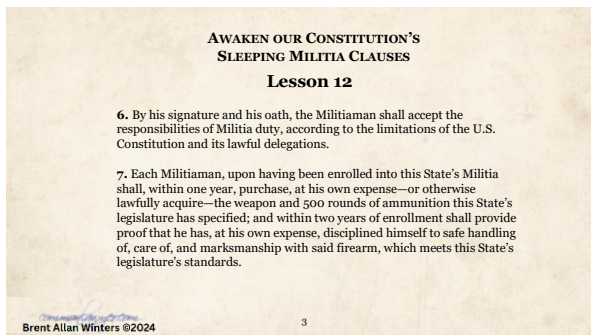
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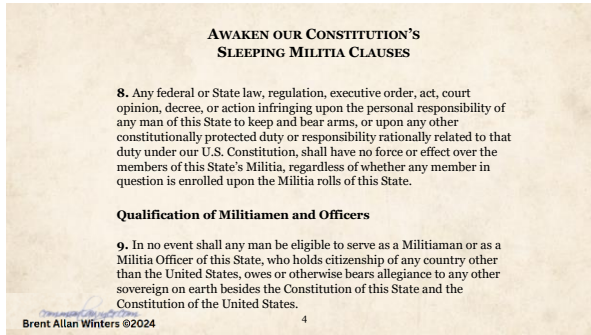
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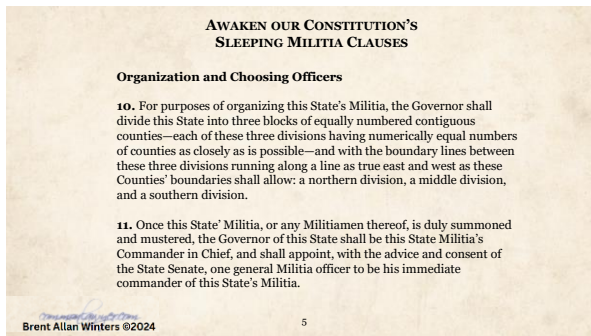
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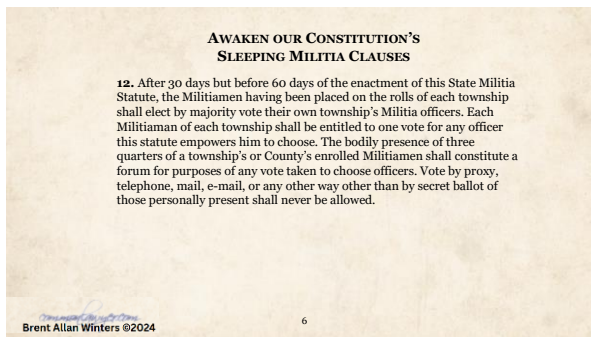
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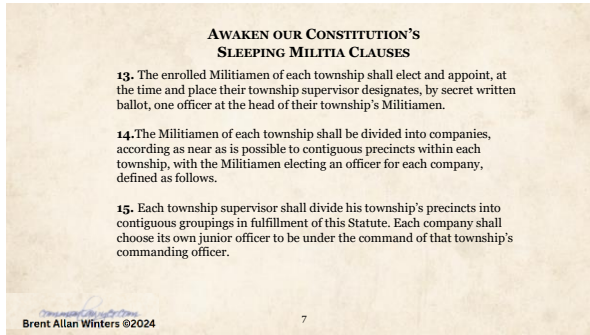
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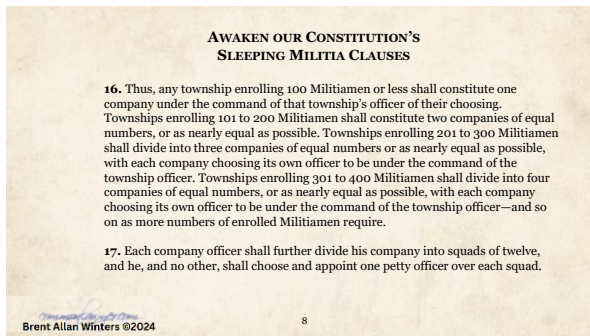
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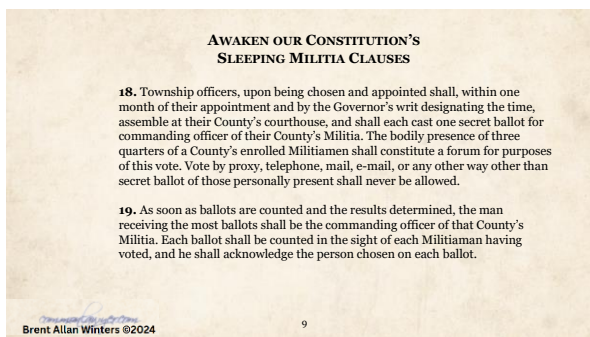
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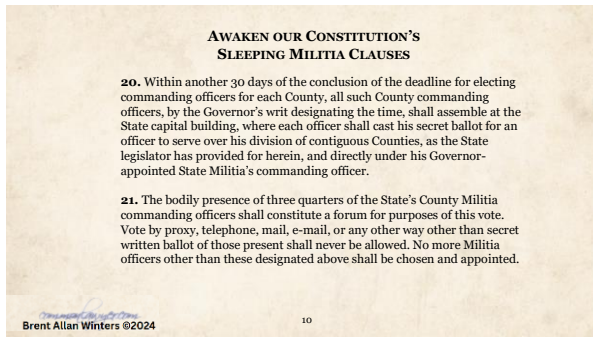
115



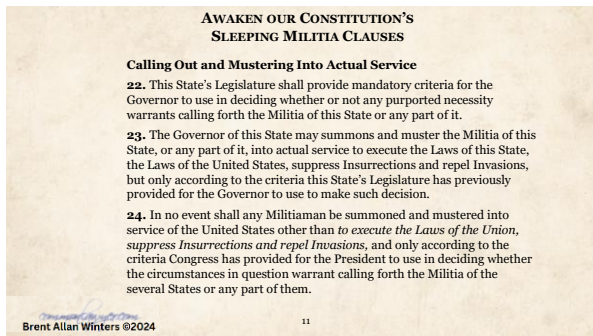
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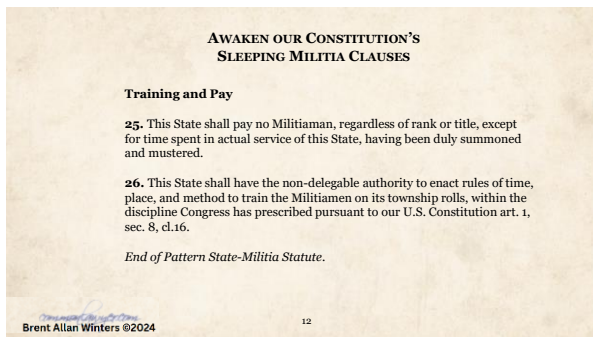
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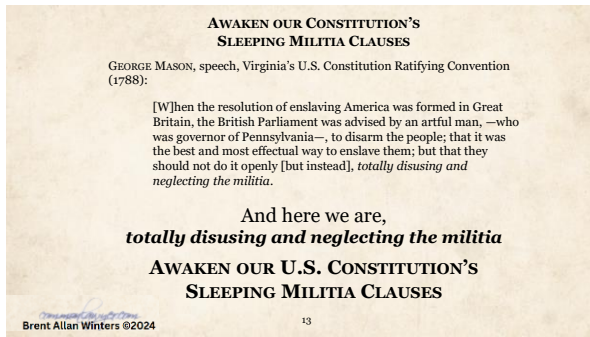
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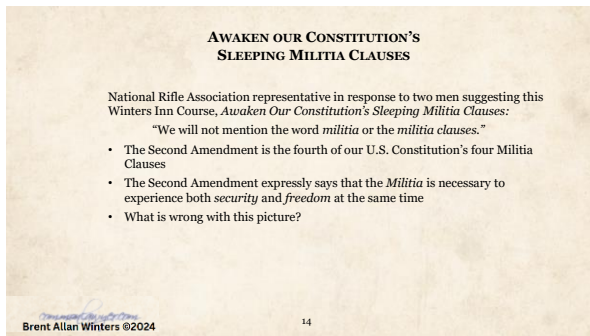
119



120



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