Constitutional Gaslighting, Dershowitz, and the Age of COVID

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The unspecified “retained rights” of the Ninth Amendment and the unspecified “reserved powers” of the Tenth Amendment are independent of the jurisdiction of both the federal government as well as state governments. The foregoing principle is, first, developed more fully and, then, used as an instrument through which to critically reflect on certain aspects of Alan Dershowitz’s perspective concerning current events.

Thesis: The unspecified "retained rights" of the Ninth Amendment and the unspecified "reserved powers" of the Tenth Amendment are independent of the jurisdiction of both the federal government as well as the state governments. Therefore, the executive, legislative, and/or the judicial branches of federal and state governments do not have any constitutional standing or authority with respect to identifying, designating, defining, or making rulings concerning the conceptual structure and/or content that might be entailed by either the "retained rights" or "reserved powers" of the Ninth and Tenth Amendments respectively.

Another way of stating the foregoing thesis is the following. Anyone (whether government official, lawyer, judge, media personality, senator, representative, corporate official, or academic) who tries to claim that the Constitution recognizes only the rights, powers, and sovereignty of federal or state authorities, and, thereby, allegedly establishes that individuals do not have "retained rights" and "reserved powers" under the Ninth and Tenth Amendments that give expression to a separate, independent venue of rights, powers and sovereignty which is not subject to the authority of either the federal or state governments is engaging, knowingly or unknowingly, in a process of seeking to gaslight whomever they are addressing.

To restrict the nature of the Constitution to being the exclusive function of either federal or state rights and powers is to significantly distort the character of what is being said in the Bill of Rights facet of the Constitution. Unfortunately, the foregoing, erroneous, binary reading of the Constitution not only began to increasingly manifest itself after 1791 when the Bill of Rights had been ratified, but, in fact, constitutes a perspective that can be traced back to the various Ratification Conventions that were subsequently convened in order to consider, discuss, as well as vote upon the acceptability of the constitutional document that emerged from the Philadelphia Convention of 1787.

More specifically, during the aforementioned ratification conventions, the statements of many participants in those gatherings concerning individual rights and powers were consistently ignored or dismissed by those

individuals who were in favor of a binary axis of authority that was to be divided between federal and state governments and, therefore, who sought to rigorously resist all efforts to have any of the ideas about individual rights and powers included in the text of the pre-amended Constitution that was to be ratified.

Promises to address the foregoing sorts of concerns were made by those who were in favor of a binary division of power between federal and state governments, but those promises were soon forgotten when the constitutional document of 1787 was ratified by the requisite number of conventions … a number which was arbitrarily fixed by the Philadelphia document that was to be ratified. One might also note that the various ratification conventions which took place following the public release of the 1787 constitutional document consisted entirely of people who had been appointed by an array of communities, villages, towns, and cities rather than by state governments.

In short, state governments were not ratifying the 1787 constitutional document. That document was being ratified by people who were serving as representatives of other individuals rather than their state governments, although, as the activities of the ratification conventions unfolded, the fact that quite a few of the representatives in the conventions being held in various states were serving as lobbyists and power brokers for state and federalist interests soon became quite clear.

As indicated earlier, promises that had been made during different ratification conventions concerning the issue of individual rights and powers were forgotten once the Constitution of 1787 had been ratified. Those concerns might have remained in the dustbin of history if a variety of individuals had not persistently reminded an initially resistant James Madison about those promises and, as a result, induced him (some might say guilted him) to put together a number of rights concerning people and bring those ideas to Congress for consideration.

One might also note in passing the following piece of history. When the wording of the Tenth Amendment was being discussed by the members of

Congress, the following version of the Tenth Amendment had, more or less, been agreed upon – namely:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved for the states respectively."

After some collective reflection on the foregoing, Roger Sherman, of Connecticut, added: "or to the people", to the foregoing. His offering was accepted without discussion.

Roger Sherman is the only individual in American history to have been part of the processes that led to the signing of: (a) the Continental Association; (b) the Declaration of Independence; (c) the Articles of Confederation, and (d) the 1787 Philadelphia Constitutional Convention, and, as well, participated in the official Congressional formulation concerning the Bill of Rights. Furthermore, one should keep in mind that Sherman, along with many of the other participants who helped bring the United States of America into formal existence, tended to be wordsmiths, and, therefore, in light of his experience throughout the early history of America, the fact that he added the words "or to the people" to the aforementioned preliminary text of the Tenth Amendment indicates that "or to the people" means something that is different from, and not identical to, the term "states". Moreover, given that the addition of the four words which he was suggesting should be added to the end of the Tenth Amendment were accepted without comment by his Congressional colleagues indicates that most, if not all, of them understood the significance of what he was proposing.

The foregoing comments are intended to provide a context through which the concepts which are about to be explored in this essay are to be engaged. Although the principles that are to be examined in what follows are implicit within -- if not specifically stated, in one form or another, during the pages of a previous essay: namely, The Essence of the Problem That Lies Before Us -- nonetheless, perhaps a more nuanced and direct rendering of those ideas, along with an application of those ideas to various current events, might be of value. To begin with, and as noted previously, while many commentators often approach Constitutional issues through the either-or formulation of

federal versus states rights, the aforementioned essay indicates how, from a number of vantage points, that sort of characterization of the Constitution is inappropriate.

For example, the first ten amendments – known as the Bill of Rights – are almost entirely committed to stipulating that the people (qua people and not considered as citizens of this or that state) have a standing in matters of government that are quite independent of both the federal and state governments. For example, the term "state" appears only three times (2nd, 6th, and 10th Amendments) in the Bill of Rights, while the remaining contents of those ten principles concerning rights are focused on the people and not the states.

Even when the term "state" appears in the amendments within the Bill of Rights, the term tends to play a contextual role rather than conveying a sense in which the state is to have a role of primary and overarching authority or centrality with respect to the rights and powers of the people. Thus, in the second amendment, one discovers that:

"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 foregoing amendment does not identify the state as having the right to keep and bear arms. Rather, the amendment identifies the people as the resource which is needed to keep a state free, and, thus, the people – not the state -- are the ones who are being given the right to keep and bear arms. Consequently, the presence of the term "state" in the 2nd Amendment plays a purely secondary, contextual role with respect to the identity of those who have authority concerning the keeping and bearing of arms.

In the 6th Amendment one encounters the term "state" within the Bill of Rights for a second time. Thus, one reads:

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law …"

The phrase "state and district" that appears in the foregoing amendment refers to a geographical location where a given crime is supposed to have occurred. Nothing is said about whether the alleged crime in question constitutes a violation of principles that have been established by the people – operating in accordance with the rights and powers of, respectively, the 9th and 10th Amendments – or whether such an alleged crime is considered to constitute a transgression of the statutes that have been passed into law by the state within which a given crime supposedly has been committed.

Furthermore, although the term "district" in the 6th Amendment is qualified by the following:

"… which district shall have been previously ascertained by law",

nothing is said about whose law – i.e., laws of the state or laws of the people (a possibility to which allusions are made in both the 9th and 10th Amendments) and, therefore, a form of law that would be independent of the states -- is responsible for having ascertained the nature of such a district.

Once again, the term "state" – or a given geographical "district" that has been ascertained by the laws of either the people or the state – which appears in the 6th Amendment is merely playing a secondary, contextual role. In other words, there is nothing in the foregoing amendment which indicates that the state –- as opposed to the people (under the provisions of the 9th and 10th Amendments) -- has primary authority in such matters.

What is stipulated, however, is that irrespective of the nature of the alleged transgressions (i.e., independently of whether those supposed misdeeds are said to be crimes against a state, district, or the people), the accused is entitled to certain protections. Among these is the right to:

(1) "be informed of the nature and cause of the accusation"; (2) "to be confronted with the witnesses against" one; and, (3) "a speedy and public trial, by an impartial jury of the state or district wherein the crime shall have been committed."

Although the 6th Amendment does indicate that an impartial jury must be selected, nonetheless, the amendment does not specify whether the forming of such a jury should be done in accordance with, on the one hand, the authority of the state or district wherein a crime is alleged to have been committed, or, on the other hand, whether such a jury might be formed in accordance with the authority of the people living within that state or district in which a crime is alleged to have been committed … a Constitutional authority that has been established through the 9th and 10th Amendments. All that the aforementioned amendment stipulates is that the jury – by whomever it is organized -- must be impartial and drawn in some fashion from among the people who reside in that state or district.

Moreover, while the 6th Amendment stipulates that trials must be public, the foregoing amendment does not indicate how such trials should be organized or conducted. In addition, the amendment does not indicate who should have authority to establish the framework through which such a public trial takes place – that is, whether such authority is to be exercised by, on the one hand, the state, or, on the other hand, by the people, independently of the state governmental machinery, as they seek to operate in accordance with the Constitutional standing to which the 9th and 10th Amendments give expression.

The third, and final, use of the term "state" which occurs in the Bill of Rights takes place within the 10th Amendment. More specifically:

"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 10th Amendment is not an assertion of states' rights. Rather, the amendment is about the existence of powers that have been reserved to either the states or to the people as long as those powers have not been "delegated to the United States by the Constitution, nor prohibited by it to the states."

The first use of the term "state" in the 10th Amendment is a reference to considerations of governance that have been prohibited to the states. The

second use of the term "state" is an allusion to the powers (which have not been specified) that have been reserved for "the states respectively, or to the people."

Given that the first nine amendments of the Bill of Rights are almost, if not, exclusively about the rights of people – rather than about the rights of states – and given (as outlined previously) that the use of the term "state" plays an entirely secondary and contextual role in those first nine amendments, one cannot suppose, in any rigorous or well-reasoned sense, that the Tenth Amendment should be understood to be exclusively about the "rights" of states since the Bill of Rights was intended by Madison (who introduced into Congress the original list of possible amendments … a list that was subsequently modified in various ways) to address the concerns voiced by many people throughout numerous ratification proceedings with respect to the need to include in the Constitution a set of principles that safe-guarded the rights of people over against the activities of any given form of governance – local, state, or federal. Consequently, the phrase: "Or to the people" is not just an alternative way of talking about "states" but is, instead, a phrase that continues to develop a constitutional framework which began during the first eight amendments and has been extended by alluding to the rights that have been "retained" by the people (in the 9th Amendment) as well as to the yet-to-be determined "powers" that have been "reserved" for the people and to the respective states in the 10th Amendment.

Some might wish to suppose that the Constitution has given ultimate jurisdiction to the Supreme Court in conjunction with the many issues that are touched upon during the foregoing discussion concerning the Bill of Rights. Nevertheless, notwithstanding the long-standing policy (more than two hundred years) of being governed by, and steeped in, precisely that sort of supposition with respect to who has the authority to determine the meaning of Constitutional provisions, such a perspective is problematic, and this is so for a number of reasons.

First, if one assigns powers to the Supreme Court that permit it to have preeminent authority in relation to determining the meaning of the

Constitution, this tends to undermine the idea that the Constitution gives expression to a republic that consists of three separate, but equal branches of the government, as well as runs contrary to the idea that the Constitution constitutes a method of governance which provides a tripartite set of checks and balances to ensure that government will serve the interests of the people rather than the interests of the people in government (and these two sets of interests, unfortunately, are not necessarily co-extensive).

If one of the three branches of government – e.g., the judiciary -- gets to have the final say about what the Constitution means, then the three branches of republican governance are no longer equal. In addition, if one of the three branches of government – e.g., the judiciary – has the capacity to assign meanings to the nature of the Constitution, then, the other two branches (namely, the legislative and the executive) have no effective way to check such a process of rendering Constitutional meaning, and, in effect, are held hostage to those judicial determinations.

Article III of the Constitution stipulates that:

"The judicial power shall extend to all cases, in law and equity, arising under the Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; - to all cases affecting ambassadors, other public ministries and consuls; - to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be party; - to controversies between two or more states; - between a state and citizens of another state; - between citizens of different states; between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects."

One might note that there is nothing in the foregoing section of Article III, nor any of the other sections of Article III (either preceding the quoted section, or following it) that defines what is meant by the notion of "judicial power".

Judicial power could involve various modes of consultation, arbitration, mediation, or what might be termed "methodological validation" (more on this shortly) rather than primarily being focused on issues of interpretation

concerning "the meaning" of the Constitution … a process which was arbitrarily invented by John Marshall. For instance, with respect to the aforementioned notion of 'methodological validation', the power of the judiciary might only give expression to a process which concerns itself with trying to ensure that the cases which came before it – whether original or appellate – would have been conducted, or are being conducted, in accordance with the provisions of Article IV, Section 4 which:

"… guarantee to every state in this union a republican form of government"

… that is, a form of governance which must abide by the principles of republicanism that require government officials to be individuals who are: Impartial, disinterested in personal gain, unbiased, selfless, objective, fair, honorable, given to reason, compassionate, inclined toward self-sacrifice, committed to the idea of liberty, as well as require individuals in government to act with integrity, independence, egalitarianism, and who are opposed to the idea of serving as judges in their own causes.

When Justice John Marshall decided to relegate to himself and his fellow jurists on the Supreme Court the power to interpret the meaning of the Constitution – as was first evidenced in Marbury v. Madison and which constituted a form of hermeneutics that dominated the dynamics of the Marshall Court for the next three-and-a-half decades -- he (and all those who, subsequently, followed in his hermeneutical footsteps) violated one of the central precepts of republicanism since every decision which he rendered served to make him a judge in his own causes … namely, to attempt to impose on everyone else in America an understanding of the Constitution that gave expression to his political, economic, social, and legal philosophy concerning the nature of life.

In his own way, he -- along with his fellow cohorts on, and subsequent members of, the Supreme Court –- attempted to establish a form of religious philosophy which specified how people should, and should not, engage life. However, whereas the 1st Amendment specifically constrains Congress from establishing religion or prohibiting religion's free exercise thereof, nonetheless, when one considers members of the judiciary (as well as

members of the executive branch) such individuals are prohibited -- through the provisions of Article IV, Section 4 of the Constitution which guarantees a republican form of government -- from engaging in forms of governance in which they serve as judges in causes that are shaped by their own set of legal, political, economic, scientific, philosophical, and/or religious orientations. Indeed, to advance interpretations of the Constitution that are shaped by one's legal, economic, or political philosophy concerning the nature of the Constitution is to serve as a judge in one's own personal cause and, therefore, is contrary to the requirements of republicanism … a principle that is guaranteed by the Constitution – indeed, it is the only principle that is guaranteed by the Constitution.

In addition to the foregoing considerations, there is another limit or restriction on judicial power that is of fundamental importance. For example, reflect on the list of circumstances that are cited in Article III, Section 2 of the Constitution for which the Supreme Court has either original or appellate jurisdiction. More specifically:

"The judicial power shall extend to all cases, in law and equity, arising under the Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; -- to all cases affecting ambassadors, other public ministries and consuls; -- to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be party; -- to controversies between two or more states; -- between a state and citizens of another state; -- between citizens of different states; between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects."

The foregoing section of Article III makes no mention of circumstances involving an individual (or individuals) within a given state who is (are) seeking to exercise the nature of one's (their) retained rights under the 9th Amendment or one's (their) reserved powers under the 10th Amendment but who are not (as outlined in Article III, Section 2) engaged in: (1) "claiming lands under grants of different states," or (2) who are not involved in matters "between a state, or the citizens thereof, and foreign states, citizens or

subjects," or (3) who are involved in controversies "between a state and citizens of another state," or "between citizens of different states." In other words, what about an individual or a number of individuals within a given region – which happens to be part of the area that is encompassed by a specific state -- who are attempting to seek or to explore the possible parameters and degrees of freedom entailed by the retained – but unspecified -- rights of the 9th Amendment or the reserved – but unspecified – powers of the 10th Amendment?

One cannot claim that the foregoing possibilities fall under the purview of a judicial power that "shall extend to all cases, in law and equity, arising under the Constitution, the laws of the United States" since the very essence of the rights that are retained under the 9th Amendment and the powers that are reserved under the 10th Amendment is that those rights and powers fall beyond the scope of the federal government's capacity or authority to regulate. In other words, the federal government does not have the Constitutional authority or standing to make laws – via the legislative, executive, or judicial branches – concerning the nature of the unspecified rights or powers to which the 9th and 10th Amendments refer respectively.

Furthermore, the rights and powers of the 9th and 10th Amendments do not give expression to "controversies to which the United States shall be party" (Article III, Section 2). The federal government gave up being a party to whatever controversies might arise in conjunction with the two aforementioned amendments when the 9th and 10th Amendments were formulated and approved by the two Houses of Congress, agreed to by the executive branch and, subsequently, ratified by the citizens of various states.

In addition, the judicial power – as well as the power of the legislative and executive branches -- concerning the first 8 amendments of the Bill of Rights is, as previously indicated, also circumscribed by the requirement of Article IV, Section 4 of the Constitution which indicates – as noted earlier -- that the United States

"shall guarantee to every state in this union a republican form of government."

Therefore, among other things, the federal government – including the judiciary – is prohibited from advancing any policy, law, program, decision, order, or judgment in which members of the judiciary will serve as judges in their own causes, and, therefore, through which the federal government will seek to impose its own personal political, economic, legal, religious, or social philosophy concerning, or orientation toward, life on the citizens of the states to which such a guarantee is being given.

What is the principle, or set of principles, that supposedly justifies the judiciary's self-assigned authorization in, say, Marbury v. Madison for engaging in a process of interpreting the possible parameters and degrees of freedom, or restraints, which arise in conjunction with the provisions being given expression through the Constitution (including amendments)? How does one seek to justify such an alleged constitutional standing without wading into theories concerning legal, political, social, economic, religious, and philosophical perspectives that entail members of the judiciary (at whatever level) serving as judges in causes that advance their own set of personal beliefs and values, and, consequently, transgress against the guarantee of republican government which are stipulated in Article IV, Section 4 of the Constitution?

The states (both the original thirteen as well as all subsequent additions) have sought to leap into the power vacuum to which the 9th and 10th Amendments give rise. As a result, states have attempted to usurp authority with respect to all issues arising out of the 9th and 10th Amendments, and, consequently, unfortunately, states have sought to create a proprietary Constitutional standing for themselves through their confiscation of the aforementioned unspecified rights and powers at the expense of the rights which have been retained by the people (and not the states) under the 9th Amendment as well as at the expense of the powers that have been reserved for the people – and not just the states – under the 10th Amendment.

The problem – as was indicated previously – is that the federal government has no constitutional standing to adjudicate the usurpation of rights and powers by the states that have been acknowledged as belonging to the people

under, respectively, the 9th and 10th Amendments. On the other hand, the states cannot constitutionally justify their power grab and subsequent denial of the rights and powers that belong (according to the Constitution) to the people quite independently of the states, and, as such, this dynamic of power politics has been a cancer eating away at the soul of American social, political, economic, educational, and legal existence for more than two hundred and thirty years.

For instance, during the current COVID-19 controversy -- many states and local districts have implemented a series of mandates concerning the wearing of masks, together with social distancing provisions, as well as policies involving the locking down of various facets of society for different periods of time, and, finally, a push toward -- teetering on the edge of compelling – a society-wide implementation of programs involving experimental inoculations which give expression to, among other things, various forms of gene therapy (which are not vaccinations in any traditional sense of that term). The states and districts that are engaging in the aforementioned sorts of practices claim to have a Constitutional right as well as the Constitutional power to pursue those kinds of policies, but, in point of fact, the 9th and 10th Amendments do not acknowledge that any such rights or powers exists independently of, or in preference to, the retained rights – under the 9th Amendment -- and reserved powers – under the 10th Amendment -- of the people to be able to deal with such issues in a manner that is determined by individual choice rather than collective, state-sanctioned impositions.

The essence of the challenge that lies before us is the task of working out an arrangement involving individuals, states, and a federal government that, among other things, acknowledges and enables the Constitutional standing of individuals to explore -- free from unnecessary and oppressive interference by local, state or federal governments -- the significance of the unspecified retained rights of the people that are established through the 9th Amendment, as well as determining the degrees of freedom that might be entailed by the reserved powers of the people who have been assigned equal Constitutional standing with the states under the 10th Amendment. This remains one of the

great, unresolved issues that are a natural consequence of the structure of the amended Constitution.

Article III, Section 2 indicates that:

"In all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

What is the nature of the "original jurisdiction" -- "both as to law and fact" -- with respect to cases in which a state is a party but, as well, an individual (or individuals) also is (are) a party (or are parties) but the latter individual (or individuals) is (are) not engaged in the sorts of cases over which the Supreme Court has jurisdiction – namely: (1) "claiming lands under grants of different states," or (2) cases involving matters "between a state, or the citizens thereof, and foreign states, citizens or subjects," or (3) cases involving controversies "between a state and citizens of another state," or "between citizens of different states," but who, as a person or persons, is (are), instead, seeking to establish the nature of his, her, or their unspecified, retained rights and unspecified, reserved powers under, respectively, the 9th and 10th Amendments of the Constitution? The Supreme Court might have original jurisdiction with respect to states – because Article III, Section 2 says as much – but it has no Constitutional authority or standing (whether original or appellate) with respect to an individual or individuals who are seeking to assert their retained rights under the 9th Amendment or their reserved powers under the 10th Amendment but who do not fall under any of the previously noted exceptions [namely, instances (1), (2), and (3) stated earlier] that are identified in Article III, Section 2, of the Constitution.

How does the Supreme Court exercise judicial power in mixed cases involving not only entities (i.e., states) over which it does wield Constitutional standing but, entities (individuals pursuing their 9th and 10th Amendment rights and powers) with respect to which it has no Constitutional standing or authority to make judgments concerning either law or facts? And, moreover, given that

the Supreme Court is constrained by the guarantee present in Article IV, Section 4 of the Constitution and, therefore, cannot serve as judges in their own causes (i.e., whatever the character of their judicial philosophy might be concerning the nature of the Constitution), what, exactly, would the role of the Supreme Court be in the foregoing sorts of mixed cases involving a given state and an individual (or individuals) who is (or are) seeking to realize some of the retained rights of the 9th Amendment or the reserved powers of the 10th Amendment?

Conceivably, under the aforementioned set of circumstances, the Supreme Court could serve as some kind of a consultative or mediating body. As such and for reasons stated previously, its task would not be to generate legal decisions that are binding on either states or an individual (individuals) who are engaged in trying to work out the boundary dynamics of the 9th and 10th Amendments between a state and an individual (or individuals), but, rather, the task of the Supreme Court would be one of trying to facilitate constructive discussions concerning, and explorations of, a variety of possible arrangements in conjunction with the 9th and 10th Amendments by organizing a consulting and mediating dynamic of some kind that is operated in accordance with the constraints that are imposed on the Supreme Court (as well as on Congress and the Executive) through the principles inherent in the guarantee of a republican form of government.

Unfortunately, notwithstanding whatever common sense might be present in the foregoing considerations, there is a game that has been played within America for more than 220 years. It is called the game of "the rule of law."

This game seeks to give the impression that the society operates in accordance with a set of rules that are Constitutional in nature and, which, therefore, are entitled to claim the status of law. In point of fact, almost none of the elements or dynamics of that game can be reconciled with the provisions which are set forth in the amended Constitution, especially in conjunction with its provisions which stipulate: (1) that there are constraints concerning any kind of legislation that seeks to establish and/or prohibit the exercise of religion; (2) that the members of government – irrespective of

branch – must operate in accordance with the moral requirements inherent in Article IV, Section 4, and (3) that both federal and state governments are constrained by the potential for self-governance that is inherent in the people's retained rights under the 9th Amendment as well as their reserved powers under the 10th Amendment.

However, the inertial momentum that has been generated through the activities of more than 220 years of federal and state bodies of governance and the manner in which those dynamics have transgressed against, ignored, and sought to undermine the aforementioned principles of constitutionality (i.e., the First Amendment provisions concerning religion; Article IV, Section 4 of the Constitution prior to being amended, as well as the 9th and 10th Amendments), and in the process of ignoring or dismissing such constraints on government, a playing field has been established in which federal and state governments get to do pretty much whatever they want while actively denying the retained rights and reserved powers that could form the foundation of a process of sovereignty that would enable people to exercise more self-governance – independently of the federal and state governments -- than is currently permitted by the game known as the "rule of law".

Many lawyers, judges, political organizations, educational institutions, corporations, and forms of media are entangled within the different facets of the foregoing game. Those individuals and groups are often quite talented and have many resources on which to call when it comes to playing the game known as "the rule of law," and as a result, they are able to realize their interests at the expense of the people's ability to pursue forms of self-governance – independent of the federal and state governments -- that might protect against the gaming activities of those who have a deep, vested interest in ensuring that the pathological and oppressive forces of inertia which are present in the rule of law game continue on unabated no matter what the costs to the generality of people might be.

Notwithstanding the manner in which many non-governmental entities have discovered ways through which to derive benefit from skillfully playing the rule of law game, nevertheless, the chief architects of that game are also the

creators of the rule books (on both a federal and state level) that govern the game, as well as serve as the referees who have assigned themselves to be the sole interpreters concerning the meaning and application of those rules, and such individuals are none other than the many men (mostly) and some women who have become justices on the Supreme Court (on both the federal and state level of government) and, in the process, have invented a game of their own making that often has very little to do with the actual provisions of the amended Constitution.

The rule of law game is possible because, on the one hand, jurists – along with members of Congress and the Executive – refuse to act in accordance with the principles of morality that are inherent in republicanism, and, on the other hand, refuse to acknowledge, via a process of willful blindness, the unspecified, but potential, "retained rights", as well as the unspecified, but potential, "reserved powers" of the people that are quite independent of both federal and state governments. The rule of law game has led us into the political, economic, legal, educational, media, military, corporate, and institutional cul-de-sac in which we currently find ourselves.

Of course, all of the game players being alluded to in the foregoing are likely to complain loudly concerning the current critique of their game. After all, their vested interests -- whether in the form of finances, resources, property or power -- are being threatened.

Nevertheless, none of those game players – not even the inventors, rule makers, referees, and custodians of that game -- has a rigorous, plausible, justifiable basis for asserting (let alone compelling) that the rule of law game deserves everyone's moral, political, or legal allegiance. One simply can have no respect for a game that ignores – if not actively evades -- the requirements of character, integrity, and fairness that are present in the principles of republicanism which are guaranteed in the Constitution, nor can one have any respect for a game that seeks to prevent individuals from being able to lay claim to their retained rights or reserved powers under the 9th and 10th Amendments respectively.

For instance, among the retained rights and/or reserved powers of the people – considered independently of the spheres of authority and influence that give expression to the activities of federal and state governments -- one might find the following issues: Education, travel, military conscription, and medicine. The foregoing four issues do not exhaust the possibilities for the kinds of activities over which the people – as individuals – might have the sort of constitutional standing and authority that is independent of federal and state constitutional authority, and, therefore, are merely intended to be suggestive.

Let's consider the last of the four issues noted previously – namely, medicine – and, furthermore, let's do so in a specific context that has relevance for events taking place in today's world. More specifically, in late 2020, claims were made (e.g., Alan Dershowitz) that a person has "no constitutional right to endanger the public and spread … disease." He goes on to claim that an individual has "no right not to be vaccinated" or "not to wear a mask" or to "open up" a business during a health crisis.

He adds that: "If you refuse to be vaccinated the state has the power to literally take you to a doctor's office and plunge the needle into your arm." Dershowitz also has indicated that there have been many decisions handed down by the Supreme Court which stipulate that governments are entitled to place restraints on human liberty in order to protect the health of the public.

There are various issues which can be raised in conjunction with Dershowitz's foregoing perspective concerning the status of human liberty vis-à-vis government authority. For example, while one might agree that an individual does not have a constitutional right to endanger the public or to spread a disease, one might also note that the government has no constitutional right to impose policies on the public that either endanger the public or which make claims that a certain kind of viral disease exists when this is not necessarily the case.

Furthermore, whether, or not, a person has a right not to be vaccinated would depend on the extent to which such vaccinations can be shown to be safe and effective. Similarly, whether, or not, an individual has the right not to wear a mask would depend on the efficacy and safety of those masks, and, in addition,

one might note that whether, or not, a business has a right to open up during an alleged health crisis would depend on whether, or not, the reasons for seeking to prevent a business from conducting its commercial activities are capable of being rigorously justified.

Finally, one might also raise issues concerning the notion of "public health." For instance, who gets to define what constitutes health or how one should go about establishing such a condition?

Why are governments so readily inclined to believe that they are the default choice for determining all manner of issues? Such a question is even more relevant in light of the many aforementioned constraints that have been noted in conjunction with the manner in which governments are constitutionally permitted to go about their activities.

Mr. Dershowitz seems to be of the opinion that only federal or state governments have the constitutional authority or requisite expertise to be able to determine how to proceed with respect to issues involving, for example, health and medicine. Such a perspective is supposedly supported by his reference to the fact that the Supreme Court has issued an array of decisions which stipulate that government authorities are entitled to place restraints on human liberty in order to protect the health of the public.

Notwithstanding the foregoing considerations, nowhere in the Constitution does one find clear, compelling evidence that any of the branches of the federal government possesses a right to develop and impose theories about what constitutes health or disease, nor does the Constitution specifically authorize any of the three branches of the federal government to mandate how to go about acquiring health or avoiding disease. Therefore, the fact that over the passage of time, the Supreme Court has issued decisions stipulating that governments are entitled to place constraints on human liberties in order to protect public health is neither here nor there since the Supreme Court has no Constitutional authority to make those kinds of decisions. Indeed, any attempt by the federal judiciary (whether through the Supreme Court or any of the inferior forms of federal judicial activity) to establish policies concerning what constitutes health and disease or to establish policies which

provide institutionalized systems for how to acquire the former (i.e., health) while avoiding the latter (i.e., disease) would be a violation of Article IV, Section 4 of the Constitution which guarantees each of the states – and the citizens of those states – a republican form of government. After all, as previously noted, one of the tenets of republicanism – which is a moral philosophy that emerged during the Enlightenment -- is that individuals should not be judges in cases involving their own causes and interests.

As a result, the jurists on the Supreme Court do not have the Constitutional authority to impose their ideas, values, and beliefs (i.e., their causes and interests) concerning issues of health and disease on to the general public. Furthermore, in view of the fact that the First Amendment denies Congress the authority to make any law respecting either the "establishment of religion, or preventing the free exercise thereof," and, moreover, since ideas concerning health and disease (physical, emotional, social, political, economic, financial, and spiritual) are often central to the notion of religion because such perspectives are functions of hermeneutical processes that are geared toward trying to understand or realize the truth concerning the nature of one's relationship with Being or the Universe, then in effect, Congress would be seeking to either establish or restrict religion if that political body were to pursue policies that sought to impose ideas about health and disease on to the people of the respective states because such policies would be an attempt to dictate how people could, and could not, go about trying to determine the truth with respect to the nature of their relationship with the Universe, Being, or reality in conjunction with issues involving health and disease.

Given that agencies such as the CDC, the FDA, and the NIH are created through Congressional legislation, this means that while those agencies are perfectly entitled to pursue research that might, or might not, be of assistance to the public, nonetheless, those agencies have no Constitutional authority to impose their ideas or policies on the general public. Doing so would constitute a form of either trying to establish or restrict processes that seek to determine the truth concerning the nature of the relationship between human beings and reality – in other words, such ideas and policies would be an attempt to establish or restrict religion.

Let's further explore the foregoing ideas in a concrete setting of events that have transpired over the last year and a half. More specifically, in December 2019, an unknown – but, apparently, substantial -- number of cases involving a respiratory disease of some kind began to occur in Wuhan, China. An early diagnosis – supposedly backed by studies in China, Canada, and Australia that claimed to have isolated a "novel" virus -- asserted that the phenomenon was a viral infection caused by SARS-CoV-2, and the disease began to be known as COVID-19.

However, the foregoing conceptual orientation is problematic for a number of reasons. To begin with, although there were several research papers that were issued (e.g., China, Canada, and Australia) indicating that the virus allegedly responsible for the outbreak of the aforementioned respiratory disease had been isolated, nevertheless, none of those papers actually accomplished what they claimed (in this regard, see the work of Dr. Andrew Kaufman , Dr. Thomas Cowan , and Dr. Stefan Lanka) because all of those alleged scientific papers had committed the same mistake that had been made by an early pioneer in the field of virology – namely , John F. Enders . This mistake consisted in a failure to properly purify and isolate viruses and, instead , have tried to argue , again and again , that an amalgamation of cells drawn from sick individuals which were , then , subsequently cultured in a stew of toxic chemicals and left in a nutrient -deprived condition which was followed by the death of those cells somehow constituted proof that the cause of cellular death was due to the presence of a virus.

The foregoing conclusion was reached despite the fact that none of the virologists who followed in the footsteps of Enders ever ran control experiments. Oddly enough, Enders did run an appropriate sort of control experiment and stated that he could not distinguish any difference in outcome between the experimental group and the control group and, yet, nobody seemed to grasp the significance of his words because if both the experimental group and the control group generated the same results (i.e., the death of the cells in both cultures), then one could hardly claim that a virus was responsible for the death of the allegedly "infected" cells in the experimental culture.

An appropriate control experiment would have involved obtaining cellular material from healthy people and, then, subsequently exposing those cell to the same concoction of toxic chemicals and nutrient-deprived conditions to which cells drawn from sick people had been exposed and, then, record whether, or not, the cells from healthy individuals died because if one wishes to claim that a virus is the cause of an observed demise of cells under laboratory conditions, then the tenability of such a claim depends on being able to demonstrate that there will be a difference in outcome between the cells from healthy people that are exposed to such laboratory conditions and the cells from unhealthy individuals which are similarly exposed to the same set of conditions.

Stefan Lanka , a German biologist , has actually run the foregoing sorts of control experiments. He discovered that what kills the cells from both sick and healthy individuals is the process of culturing those cells and not any inferred, but unseen entity such as a “virus”.

With the possible exception of bacteriophages, which are viral-like entities that attack and infect various kinds of bacterial and Archaea organisms, virologists have never succeeded in either purifying or isolating other kinds of viruses … especially the kinds of viruses that, supposedly, attack or infect human beings and other mammals or vertebrates. This is as true for SARS-CoV-2 as it is for the alleged measles and polio viruses, as well as a host of other candidates for viral instantiation.

Since SARS-CoV-2 has never been properly purified or isolated, the actual contents of such an alleged virus have never been opened up and analyzed to ascertain its purported genetic sequence. The alleged genetic sequences that are attributed to the SARS-CoV-2 virus (along with the alleged genetic sequences of any number of other viruses) is nothing more than a theoretical model that has been stitched together by selecting various short genetic sequences from an assembled library of RNA or DNA sequences that have been arbitrarily collected, characterized, and categorized in accordance with the determinations of a set of mathematical algorithms, and, then, combined together to construct what is claimed to reflect the genetic sequence of a virus

that has never been properly purified or isolated, and, therefore, has never been empirically verified to contain the genetic sequence that the mathematical model claims the purported virus has.

In short, every non-bacteriophage virus that is said to exist is, actually nothing more than a model that has been constructed by means of a template which operates in accordance with a set of algorithms that organize short segments of RNA or DNA from a library of such segments into a theoretical rendering of a purported virus according to a consensus of opinion (and not actual empirical facts) of like-minded virology researches. As such, viruses are purely theoretical entities and not actually existing bodies that have been discovered, isolated, purified, and whose genomes have been empirically sequenced rather than merely having been cobbled together in accordance with an arbitrary set of mathematical modeling assumptions and calculations.

In effect, what virologists do when they invent viruses is comparable to what artists might be required to do under certain circumstances. For example, if an artist were asked to paint something that the artist had never seen and which might not even actually exist, the artist would have to rely on his, her, or their imagination in order to come up with some sort of image.

Artists use paints, brushes, charcoal, pens, crayons, as well as canvasses, paper, and boards to create their rendering of something they have never seen and which might not even exist. Virologists use mathematical algorithms and a library of arbitrarily collection snippets of RNA and DNA to give expression to their rendering of something that they have never seen and which might not even exist.

Since the existence of the SARS-CoV-2 virus has never been purified, isolated, or genetically sequenced through a rigorous and competent scientific methodology, no one has actually shown that SARS-CoV-2 exists or that it is either infectious or lethal. Everything about SARS-CoV-2 – from beginning to end – is merely a theoretical narrative that has been concocted through the imaginations of virologists.

There are many environmental poisons and conditions that are capable of helping to induce the array of symptoms that frequently are associated with COVID-19. Furthermore, one should keep in mind that the foregoing notion of symptoms reflects the body's manner of responding to the presence of certain kinds of environmental poisons and toxic conditions rather than necessarily constituting properties that such poisons engender in the body. Furthermore, environmental poisons and toxic conditions are capable of causing a clustering of cases (i.e., individuals who have been exposed to the same set of poisons or toxic environmental conditions) that are often misinterpreted as constituting the presence of an infectious agent.

Since something called SARS-CoV-2 has never been properly purified, isolated, sequenced, and shown to be infectious, then, in reality, SARS-CoV-2 has never been proven to exist. Furthermore, since SARS-CoV-2 has never been shown to exist, then, the PCR protocols that are being used to infer the presence of such a theoretical entity are entirely fictitious.

Non-existent "viruses" with genetic sequences that have been invented via a set of mathematical algorithms and accompanying assumptions do not have any features that are unique to them (indeed, they have no features at all except their fictitious nature). Therefore, those entities either contain no elements that are capable of being detected through the use of the PCR protocols irrespective of how few or many cycles are run, or, alternatively, whatever is detected is a reflection of an invented, theoretical model of what virologists believe such alleged viruses might look like if they were to exist, and, therefore, the PCR protocol detects whatever the people running the protocol want to detect and has nothing to do with having detected the presence of a purported infectious agent.

Furthermore, all claims concerning the formation of antibodies in response to the alleged presence of SARS-CoV-2 bodies are also entirely fictitious. Even if a given virus were to exist – and there is absolutely no proof that this is the case – the fact of the matter is that antibody proteins are notoriously promiscuous, and, therefore, just because some serological procedure generates a positive

result does not necessarily indicate that the cause of such a result is the presence of a virus for which a given antibody is supposedly a marker.

For instance, back in the 1980s and 1990s, various antibody tests for HIV were all demonstrated to be fatuous because the antibodies being focused on in those tests have been shown to cross-react with more than 70 different conditions – including pregnancy (see the work of Val Turner and Eleni Papadopoulos of the Perth Group in Australia for further information). As a result of such erroneous positive tests, many people were unnecessarily subjected to an array of toxic antiviral medications and speculative forms of medical treatment because of antibody tests that weren't worth the paper on which those tests were recorded. Now, people are being pressured into accepting a form of gene therapy in conjunction with SARS-CoV-2 that is based on a set of theoretical models that are as fictitious as the ones on which the HIV causes AIDS myth were based (Nobel Prize winner Kary Mullis showed that this was the case back in the 1990s … he demonstrated that no one could point to any compelling experimental evidence which showed that HIV caused AIDS) … and, indeed, the same is true for all of the viruses that have been mentioned in connection with, for example, various forms of influenza (e.g., bird flu, swine flu, and Hong Kong flu, as well as any of the many theoretical models of purported corona viruses) that have been invented through various algorithmic concoctions.

Allegedly, various kinds of gene therapies have been concocted by Moderna, Pfizer, AstraZeneca, Johnson & Johnson, as well as various Russian and Chinese companies in order to attack, among other things, the so-called spike protein of the purported SARS-CoV-2 virus. Since SARS-CoV-2 has never been properly isolated, purified, sequenced, characterized or shown to be either infectious or lethal, the claim that such an entity contains a spike protein of some kind is purely speculative, and, moreover, the notion that the spike protein is how the aforementioned virus gains entry to human cells is a purely theoretical one and, therefore, not based on actual empirical data.

No one actually has seen the dynamics through which such a putative spike protein is actually capable of gaining access to human cells through, for

example, alleged ACE-2 receptors in the lungs. This is nothing more than a theory which has little, or no, empirical evidence indicating that the star of such a theory – namely, SARS-CoV-2 – even exists or is infectious.

Consequently the RNA and DNA gene therapies that have been invented and are being touted as the way to deal with the mythical SARS-CoV-2 entity are nothing more than treatments that are based on speculative theories that have no actual basis in empirical discoveries concerning the existence, genetic sequence, infectivity, or lethality of such a viral body. Not only are the aforementioned sorts of genetic therapies chasing an empirical will-o'-the-wisp, but those therapies actually constitute a violation of those facets of the Nuremberg Code that forbid governments and medical doctors from using members of the general public as experimental guinea pigs.

All of the foregoing considerations and comments could easily be summed up by a quote from Leo Tolstoy's War and Peace (Chapter 1, Book XIII) – Namely,

"Man's mind cannot grasp the causes of events in their completeness, but the desire to find those causes is implanted in man's soul. And without considering the multiplicity and complexity of the conditions any one of which taken separately may seem to be the cause, he snatches at the first approximation to a cause that seems to him intelligible and says: 'This is the cause.' "

Radio frequency poisoning is capable of inducing all of the symptoms that are claimed to be characteristic of COVID-19, including those that involve blood clotting, hemorrhaging, apoxia, extreme fatigue, lost of a sense of smell, and/or neurological deficits. Moreover, unlike SARS-CoV-2, radio frequency poisoning has a long, documented history of actually existing (e.g., see the work of Arthur Firstenberg, Daniel T. DeBaun, Samuel Milham, Dr. Olle Johnston, Dr. Devra Davis, and Dr. Martin Pall, as well as the extensive research that, for more than 50 years, has been pursued with respect to this topic by a variety of Russian scientists and which was known about by the CIA, and in conjunction with that research, the agency released a report in 1970s).

COVID-19 is a real condition, but, as indicated previously, the nature of that condition has not, yet, been empirically identified in any methodologically rigorous manner. However, what is capable to being empirically demonstrated is that SARS-CoV-2 has not been proven to: Exist, be infectious, or shown to be the cause of COVID-19. Instead, unfortunately, sloppy science, medicine, journalism, and government activity have led to a series of misdiagnoses and/or dubious forms of medical intervention that have exacerbated a set of symptoms that might, or might not, be due to such environmental toxins as radio frequency poisoning, but certainly have not been shown to be caused by SARS-CoV-2.

Whatever happened in Wuhan in late 2019 is, currently, unknown. However, based on speculative and misleading papers that, euphemistically, might loosely be referred to as being "scientific" and which were issued in conjunction with the events of 2019, and despite an absence of real, substantive evidence concerning either the existence or infectious nature of the purported cause of the clinical pathologies that were being observed in Wuhan, nevertheless, a tentative diagnosis was issued claiming that the pathology which had emerged in Wuhan was due to a corona virus.

As a result of the foregoing clinical diagnosis that was largely devoid of any reliable evidence concerning the actual cause of the pathological condition that was being diagnosed, a set of medical protocols were implemented (according to standards of care that already had been established previously) which were based on the assumption that the respiratory disease that was being observed by individual medical doctors as well as in hospitals was viral in nature. Consequently, among other things, an array of toxic antiviral drugs (e.g., Remdesivir which, according to theory, attaches itself to the RNA-dependent polymerase of a virus and, allegedly interferes with the ability of the virus to complete the process of viral transcription, and, therefore, replication) began to be used in order to treat such patients. Given that the existence, infectivity, and lethality of SARS-CoV-2 has never been proven, one can only wonder about the possible problematic ways in which such antiviral drugs interacted with human tissue, and, so, when, patients receiving such treatments became worse, those individuals were often placed on ventilators

that were programmed in a manner that did not necessarily reflect what might actually have been wrong with those patients, and, as a result, a lot of people began to die.

The foregoing deaths were attributed to the presence of a virus whose existence had not been proven and, therefore, had not been empirically demonstrated to be either infectious or lethal. No one considered the possibility that the deaths were entirely iatrogenic in nature – that is, those individuals were dying due to a faulty modality of medical diagnosis along with problematic forms of medical treatment rather than from a virus.

About 300,000 people die from respiratory diseases of one kind or another every year in China. Those diseases have many non-viral causes – excessive pollution being one of them.

Other countries also have many people die every year as a result of non-viral forms of pathology. However, when the medical communities in Italy and Iran began to look at new cases of respiratory diseases in their respective countries through the clinical filters that had emerged in conjunction with declarations that had been made about events in Wuhan (e.g., The WHO), medical practitioners in those countries began to operate in accordance with group think and, as a result, failed to ask questions about whether a virus was the actual culprit that was causing such respiratory problems in the patients they were seeing.

Consequently, many medical people and institutions were induced to operate (without any real evidence) as if they were dealing with a viral epidemic or pandemic of some kind. As a result, they began to apply the same sorts of problematic treatment protocols to their patients in Italy and Iran as had occurred in China.

Possibilities -- concerning the impact that environmental pollution and toxicity of different kinds might be having on the patients they were seeing -- were all ignored or discounted because of a ill-considered diagnosis of viral infection that, at no point, had been proven to exist. Death ensued in many cases by virtue of what appears to be a massive dose of iatrogenic

misadventure rather than necessarily being due to the purported presence of an infectious and deadly viral disease.

Shortly, thereafter, the same faulty set of medical protocols involving misdiagnosis and mistreatment were pursued in the United States. The result, once again, led to a plethora of deaths that appear to have been the result of iatrogenic misadventure rather than having been due to the proven existence of an infectious and lethal virus.

When various scientists, medical clinicians, governments and media representatives began to look at the events in China, Italy, and Iran through the lenses and filters of a novel viral disease – and, as noted previously but needs to be said again, this was a perspective which had zero empirical evidence to support it – then every sniffle, cough, fever, or sense of fatigue was colored by the character of the lenses of virology through which such complaints were being engaged. This was especially the case when such symptoms were accompanied by a PCR positive result despite the fact that those results had never been proven to have anything to do with the existential presence of a purported SARS-CoV-2 virus.

The foregoing cloud of unknowing was hyped by the media as being evidence that humanity was in the midst of a terrible pandemic, and the WHO, as well as the CDC, contributed to the foregoing hysteria by failing to do due diligence and confirm that something called SARS-CoV-2 actually existed. Such a perspective both misinformed as well as unnecessarily terrorized the public, and, as a result what began as a set of pathological conditions of unknown cause in Wuhan, China, soon became a PCR-test driven pandemic of ignorance and premature diagnoses that led to a lot of people being unnecessarily subjected to toxic medicines and inappropriately programmed ventilators, and, as a result, a lot of people died.

Earlier during this essay, references were made to the fact that Alan Dershowitz claimed that, among other things, the government had the right to force people to wear masks in order to protect public health. What Mr. Dershowitz seems to have failed to consider is that even if the SARS-CoV-2 virus had been proven to exist, the putative size of that body is in the order of

.127 microns or less, and since the size of the mesh of pores in most masks is of the order of .3 microns or larger, then, the foregoing sorts of masks would have had absolutely no impact on the capacity of those masks to prevent bodies which are the purported size of viruses from entering, or leaving, the human body.

As has been revealed in the recent release of thousands of e-mails to and from Anthony Fauci, very early (February of 2020) during the declared pandemic (and that is all that it was – a declaration with no real evidence to back it up), Fauci readily admitted that masks were useless against entities that were the purported size of viruses. The recently published randomized controlled Danish study conducted by Henning Bundgaard and John Skov Bundgaard (Annals of Internal Medicine, November 2020) concerning the efficacy of masks with respect to COVID-19, as well as the April 2020 paper by Canadian physicist D. G. Rancourt ("Masks Don't Work: A Review Of Science Relevant to COVID-19 Social Policy") that provides a critical review of an array of previous studies concerning the alleged efficacy of masks in conjunction with different kinds of diseases, and both of the foregoing studies, along with a great deal of other research, support the perspective that masks don't work.

Fauci subsequently went on to reverse his position concerning the efficacy of masks claiming that he was only responding to changes in the scientific data with respect to such issues. However, one can only wonder to what empirical data he was referring when he changed his rhetoric concerning masks because every rigorous study (including the recent Danish study) that has been conducted in conjunction with this topic of health has come to the same basic conclusion again and again – namely, masks, in general, do not show any greater capacity to protect people from infectious agents than is the case in individuals who do not wear masks under similar conditions.

One might also note that Alan Dershowitz seems to be entirely ignorant of, if not ill-informed concerning, the many problems that surround and are entailed by the whole issue of vaccination. A proper discussion of this topic would best be left for another venue, but one can say that at the very least that Dershowitz's notion concerning the alleged right to physically drag someone

into a medical facility and inoculate that individual in order to protect public health needs to be placed in a more nuanced and empirically verifiable context. For example, if one were to read: Dissolving Illusions: Disease, Vaccines, and the Forgotten History by Dr. Suzanne Humphries and Roman Bystrianyk, or The Illusion of Evidence-Based Medicine by Jon Jureidini and Leemon B. McHenry, or Vaccines: A Reappraisal by Dr. Richard Moskowitz, or Vaccine Epidemic: How Corporate Greed, Biased Science, and Coercive Government Threaten Our Human Rights, Our Health, and Our Children, edited by Louise Kuo Habakus and Mary Holland, as well as Bechamp or Pasteur by Ethel D. Hume, or The Vaccine Court by Wayne Rohde, or Jabbed by Brett Wilcox, or Master Manipulator: The Explosive True Story of Fraud, Embezzlement, and Government Betrayal at the CDC by James Ottar Grundvig or Vaccines, Autoimmunity, and the Changing Nature of Childhood Illness by Dr. Thomas Cowan, or Virus Mania by Torsten Engelbrecht and Dr. Claus Kohnlein, or What Really Makes You Ill: Why everything you thought you knew about disease is wrong by Dawn Lester and David Parker, as well as the Contagion Myth by Dr. Thomas Cowan, one would get a very different understanding of the situation which Mr. Dershowitz seems to believe is a constitutional fiat accompli.

Among the many points that are established through the foregoing research are the following:

- The CDC and the FDA are both regulatory agencies that have been captured by the pharmaceutical industry. Both the CDC and the FDA have massive conflicts of interests as a result of the money that they receive from pharmaceutical companies in order to, among other things, to fast track the approval process for dumping drugs and vaccines into the general population. For example, the FDA receives “user fees” from the pharmaceutical industry which constitute roughly 75% of its operating budget, and, in addition, among many other fraudulent missteps pursued by the CDC, according to government whistleblower William Thompson, the CDC lied to the general public for more than a decade when the members of that agency asserted – despite substantial empirical evidence to the contrary – that there was no connection

between thimerosal – a mercury-based preservative -- contained in various vaccines (sometimes only in trace amounts) and the occurrence of autism, especially among black, male youth.

- All the various allegedly infectious diseases to which children seemed to be vulnerable – such as mumps, measles, chicken pox, polio, and so on – and for which vaccines have become mandated in many, if not most states, were all in substantial decline long before vaccines directed against those diseases actually emerged.

- The CDC has persistently resisted all calls for studies that compare the health of those who have been vaccinated with the health of those who have not been vaccinated, and when such studies have been conducted through other venues of research, the empirical results show, again and again, that unvaccinated individuals tend to be much healthier in general than vaccinated individuals are.

- There is no proof that vaccines actually confer immunity with respect to any specific given individual, but there is evidence demonstrating that people who have been vaccinated are, nonetheless, often subject to becoming ill with the very sort of malady against which they, supposedly, have been vaccinated.

- The primary evidence that is cited by various individuals within the medical and vaccine industries as indicating that vaccines confer immunity protection has to do with the presence of what are deemed to be relevant sorts of antibodies. However, a fair amount of clinical evidence indicates that people without such antibodies are, nevertheless, able to maintain their health despite having been exposed to allegedly infectious diseases while, alternatively, there also are people who have been shown to possess antibodies which, supposedly, protect against contracting a given disease and, yet, become ill with that very disease.

- There is substantial empirical and clinical evidence indicating that, at best, vaccines might have something to do with suppressing the body's

response to certain pathological conditions, yet, in the process of doing so, they render individuals vulnerable to an array of chronic illnesses.

- All vaccinations are inherently experimental because not only can one not predict who will, and who will not, become sick despite having been vaccinated, but, as well, one cannot predict who will, or who will not, experience adverse reactions in conjunction with such vaccinations. As such, when mandated, all vaccines are in violation of the Nuremberg Code concerning such medical issues.

- Nearly 5 billion dollars have been awarded to individuals who have been adversely affected by the use of vaccines. The money is paid out by the United States Government because as a result of 1986 federal legislation, the government has permitted itself to become a prostitute for the pimps it serves in the pharmaceutical industry, and the money that is paid comes not from the pharmaceutical industry but from citizens to whom the costs have been passed on through the pharmaceutical, medical and insurance industries.

- As noted earlier, nearly 5 billion dollars have been paid out to individuals who have had adverse reactions to vaccinations, and this rather substantial amount has been awarded despite the rather arbitrary set of definitions, rules, procedures, and standards of "proof" that have been instituted by the U.S. government in order to protect the image of pharmaceutical companies that in other contexts have been convicted for being criminally responsible or found to be civilly liable for all manner of practices and products that have been shown to kill and maim thousands, if not millions, of human beings on a fairly regular basis.

- The number of individuals whose adverse reactions to vaccinations has been studied. The individuals – themselves, or through family members, or, occasionally, via medical doctors and hospitals – who report adverse vaccine reactions to VAERS (Vaccine Adverse Event Reporting System) has been estimated by various research studies to be somewhere between 1% and 10% percent of the actual number of adverse events

that occur in conjunction with vaccinations. In the light of such data, the notion that vaccines are safe is laughable.

- Doctors who willingly co-operate with a system that forces on children (or adults) vaccines that are of questionable efficacy or safety and who are compensated for doing so according to the number of people they vaccinate (i.e., the more people they vaccinate, the more money they receive, and a substantial portion of the income of such doctors comes from giving vaccinations) have a massive conflict of interest when it comes to the issue of vaccines and, therefore, cannot be considered to be a credible source of information concerning the alleged benefits or necessity of such procedures.

- By law, infants in the United States – and in many other locations around the world as well – are required, within twelve hours of having taken their first breaths, to receive the Hep B vaccine which allegedly protects those children against a virus that is claimed to induce various forms of liver pathology. Originally, the Hep B vaccine was only given to infants who were born to mothers who showed evidence of suffering from liver diseases attributed to the presence of the Hep B virus, but for reasons that are far from clear or justifiable, the Advisory Committee on Immunization Practices at the CDC indicated that such vaccinations should be extended to less than twelve-hour old infants irrespective of the degree of risk to such babies with respect to having been exposed to conditions that might result in some form of liver disease.

- The medical problem against which tetanus is directed is not infectious in nature. The conditions under which the associated disease is incurred are very rare in most facets of modern societies, and, yet, a vaccine for a non-infectious and rare disease has been made mandatory on children in many parts of the United States. Similarly, diphtheria has not been proven to be an infectious disease but gives rise to a pathological condition that is caused by a toxin that is released from a bacteria and, for the most part, not only did this disease largely disappear long before a vaccination for it was invented, but in addition, the best sort of

prevention against diphtheria is not a vaccine but, rather is accomplished through being able to have access to clean drinking water as well as an environment which is kept free from the sorts of health conditions that are capable of giving rise to diphtheria.

- The notion of herd immunity – though widely used – is of questionable empirical status. It was based on an informal observation that was made more than two hundred years ago in which an individual noted that a given disease seemed to play itself out in a given population or community and that this might be due to the possibility that those who did not get sick were somehow able to acquire a form of protection with respect to a given disease that was circulating within that community. However, this observation has never been empirically proven to be a sustainable idea either in relation to the notion of natural immunity or in conjunction with the process of vaccination.

In light of the considerable evidence that is given expression through the foregoing research – and those cited works are just a small sampling of the material which is available -- what Alan Dershowitz seems to be proposing is that the government has the right to take away the liberties of individuals in order to protect the public health based on theories that have not been shown to be correct, safe, or effective. Consequently, one can't help but wonder about exactly what parts of the Constitution Mr. Dershowitz is basing his evidently quite premature and unsubstantiated claims concerning what the government supposedly has a right to do to people?

Undoubtedly, Mr. Dershowitz might be able to come up with any number of "experts" whom he feels have a superior understanding of issues such as disease, vaccination, and health. However, on what actual evidence is such a feeling based, and why should the people – who have "retained rights" and "reserved powers" under the Ninth and Tenth Amendments – be forced to accept as authoritative only those opinions, ideas, values, and principles that members of the Supreme Court consider to be acceptable given that the Supreme Court has no intrinsic authority over, or constitutional standing with

respect to, the “retained rights” and “reserved powers” of the people in matters of medicine, health, vaccination, or disease.

These days, one hears terms like “vaccine hesitancy” and “anti-vaxxer” which tend to be used by some individuals who are trying to frame and control a given discussion concerning the issue of vaccines, much as the term “conspiracy theorist” is used by various people in an attempt to control discussions in conjunction with other kinds of controversial topics. When people start using ad hominem attacks in an attempt to undermine another person’s perspective and place such a point of view in a derogatory light, then, this is a fairly strong indication that the ones who are using such invective language really do not have much in the way of evidence or rational arguments to present for consideration but, instead, are just trying to induce other people to adopt a negative attitude toward whomever the terms “vaccine hesitancy” and “anti-vaxxer” might be directed.

I’m not against vaccines, and I do not suffer from vaccine hesitancy as long as vaccines are developed in accordance with the following provisions or conditions:

(1) If vaccine developers employ – and this has not heretofore been done -- randomized groups, one of which includes a control group whose members are given a true placebo (meaning that it contains only demonstrably inert materials). Moreover, for those people who wish to argue that it would not be ethical to have control groups whose members are deprived of the potential benefits of vaccines, such individuals are putting the benefit cart before the empirical horse … that is, before entertaining questions about whether, or not, having a placebo, control group as part of a vaccine study constitutes an ethical violation of some sort, one, first, needs to be able to prove that a given vaccine that has the benefits that are being hypothesized for it, and this can’t be done until one conducts the appropriate

sort of randomized, controlled studies being alluded to here;

(2) If vaccine developers actually explore – and this has not heretofore been done -- differences in health (both short-term and long-term) between individuals who have been vaccinated and those who have not been vaccinated;

(3) If vaccine developers alter – and this has not heretofore been done -- the temporal framework of their research and look beyond relatively short-term considerations (which are the usual focus of studies for the development of vaccines) and, instead, also investigate what long-term problems might arise following the vaccination of individuals involving different ages, genders, vulnerabilities, conditions, and so on;

(4) If vaccine developers conduct studies – and this has not heretofore been done -- which rigorously investigate the kinds of problems that might arise when individuals are given multiple injections at one sitting rather than being exposed to a single dose of different vaccines at various intervals;

(5) If vaccine developers eliminate – and this has not heretofore been done -- the use of adjuvants, preservatives, stabilizers, and other vaccine additives that do not directly contribute – in a provable manner – to enhancing the condition of immunity rather than just bringing about, say, an increase in antibody counts that do not necessarily confer immunity, and, moreover, do so at considerable risk to the individuals being exposed to such adjuvants and other additives;

(6) If vaccine developers eliminate – and this has not heretofore been done -- the use of all heavy metals (such as mercury or

aluminum and irrespective of whether only trace amounts of these substances are present) from vaccines;

(7) If vaccine developers engage in studies – and this has not heretofore been done -- that look at the synergistic interaction between metals such as mercury and aluminum which might be used in the same vaccine and which, as a result, tend to induce those metals to become substantially more toxic than is normally the case – and, one needs to keep in mind that when such metals are used individually, they are, nonetheless, highly toxic and capable of leading to various kinds of, among problems, neurological deficits;

(8) If vaccine developers utilize – and this has not heretofore been done – only viral antigens that have been properly isolated, purified, sequenced, and proven to be infectious and dangerous;

(9) If vaccine developers can show – and this has not heretofore been done – that vaccines are completely safe and effective for <u>every</u> individual since if vaccines were truly safe and effective then, among other things, the U.S. government would not have paid out nearly 5 billion dollars in acknowledgment that vaccines do cause damage and, therefore, are not necessarily safe and effective;

(10) If vaccine developers are prepared to return to the pre-1986 arrangement in which manufacturers, distributors, and injectors of such vaccines will assume all liability for whatever damages arise as a result of the use of those treatments. If the producer, distributor, or medical practitioner is unwilling to stand behind the safety and efficacy of certain products and, as a result, assume full liability for whatever problems might arise in conjunction with the use of those products, then, this tends to indicate that there is something deeply problematic with respect to

the producer's claim (or the claim of doctors who use that product) that such a product is both safe and effective;

(11) If vaccine development, distribution, and application only occurs when possible recipients have been given an opportunity for informed consent concerning the alleged benefits as well as potential risks of a given vaccine and, therefore, are free to accept or reject such vaccines upon being fully informed about them;

(12) If government agencies such as the CDC, FDA, and NIH are no longer permitted to engage in massive conflicts of interests due to having been captured by the pharmaceutical industry, and as a result, vaccines and drugs are approved by the aforementioned agencies for public use in exchange for payments or subsidizations from the pharmaceutical industry, or are approved in conjunction with, say, the registering of patents by members of the CDC or NIH concerning the development of drugs and vaccines that are, then, imposed on citizens;

(13) If any vaccine developer satisfies all of the foregoing conditions – and this has not heretofore been done – then, I will experience no "vaccine hesitancy" whatsoever, and in addition, I will not be opposed to the use of vaccines with respect to those individuals who are free to accept or reject those treatments.

Returning, now, to the earlier discussion about whether, or not, the Supreme Court is the appropriate venue for determining matters concerning health, disease, or medicine (a topic which Alan Dershowitz touched upon in his earlier comments), one should note that many of the so-called precedents that have been issued by one, or another, setting of the Supreme Court might be unconstitutional because, when closely analyzed, many of those decisions

have not necessarily been issued in accordance with the requirements of Article IV, Section 4 of the Constitution which guarantees to the states, as well as the citizens of those states, a republican form of government – that is, a form of government which stipulates how everything the federal government does must reflect the republican moral philosophy which is at the very heart of such a form of government, and in the case of jurists, this requires, among other things, that those individuals cannot be judges in matters that serve their own causes or interests. In short, jurists do not have the Constitutional authority to advance their own hermeneutical beliefs, ideas, theories, principles, and values concerning matters involving health, disease, or medicine as the legal tender with which everyone in the country must come into compliance.

To impose such hermeneutical perspectives on the republic is tantamount to doing what Congress is forbidden to do in the First Amendment – namely, to: "make laws respecting an establishment of religion, or prohibiting the free exercise thereof." When federal jurists seek to set a precedent, they are, in effect, attempting to establish a form of religion because the ideas, values, principles, theories, and beliefs that underlay, and are given expression through, such precedents are nothing more than a set of statements concerning what those jurists consider to be the nature of the truth concerning their – and everyone else's – relationship with reality … i.e., they are advocating for a form of religion that requires people to acquiesce to those beliefs and in the process prohibits people from being able to freely exercise their own way of engaging the search for truth concerning the nature of the relationship between a human being and Being, the Universe, or Reality.

The First Amendment prevents Congress from acting in the foregoing manner. Article IV, Section 4 prohibits jurists and members of the Executive Branch from acting in that manner.

In effect, based on the previously noted statements of Mr. Dershowitz, he appears to be trying to argue that irrespective of how spurious, fictitious, unfounded, and evidentially challenged the models, theories, frameworks, and systems are that are entailed by a given government's policies, decisions,

programs, precedents, and orders, nonetheless, according to him, apparently, people are under a obligation to submit to such proclamations because governments – both state and federal – supposedly have been given a Constitutional right by the Supreme Court to impose on the public whatever the members of those governments like, irrespective of how problematic or scientifically and medically challenged those policies might be.

Alan Dershowitz, like most, if not all, good lawyers, approaches the law like a lot of good baseball players tend to approach baseball. More specifically, baseball players know that individual umpires have similar, but different, ways of: Calling a game, setting the strike zone, and responding to individuals who question the umpire's way of officiating any given contest, and, therefore, good baseball players make adjustments with respect to the way in which they pitch a game, approach hitting, or question calls depending on the umpire who is officiating a contest.

Similarly, good lawyers tend to engage judges within the legal system – whether at a state or federal level -- out of a perspective that is similar in many ways to the manner in which good baseball players operate within the degrees of freedom and constraints that characterize the manner in which a given umpire calls a game. Good lawyers, like good baseball players, know the importance of understanding how any particular judge likes to call a legal contest, and, as a result, such lawyers will attempt to adjust – to varying degrees – their legal strategies accordingly.

Mr. Dershowitz is a good lawyer. Consequently, like a lot of other good lawyers, he appears to be a member in good standing with respect to the aforementioned rule of law game and might even be a possible candidate for a mythical Hall of Fame that – at least informally – could be invented to enshrine the individuals who not only play such a game with skill but who also seem consumed with the expectation that everyone else should play the game in the same way that such lawyers do.

One might note in passing that the foregoing expectation of lawyers (namely, that the law as they see it should be incumbent on everyone else) seems to allude to something akin to a moral clause that is necessary in order for

someone to be eligible for consideration with respect to gaining entry into the aforementioned legal Hall of Fame. Be that as it may, Alan Dershowitz is very good at the game known as the "rule of law", but the activity at which he is very good often appears to have little, or nothing, to do with the actual nature of the Constitution.

As noted previously, the activities of every member of the federal government are proscribed by the moral requirements that are inherent in the guarantee of a republican form of government that is proclaimed by Article IV, Section 4 of the U.S. Constitution. And, this is why, for reasons stated earlier, not only are most of the pronouncements of the Supreme Court and other inferior courts often likely to be unconstitutional, but, as well, this is why almost everything that Congress and the Executive Branch do, and have done, is also often unconstitutional since those activities frequently fail to satisfy the principles of morality to which republicanism gives expression … principles such as: Honesty, selflessness, nonpartisanship, refraining from being judges in their own causes, compassion, and fairness.

In the case of Congress and the departments of the Executive Branch that have been created through the legislative process, their activities are not only constrained by the moral requirements of Article IV, Section 4 but, in addition, are also circumscribed by the prohibitions of the First Amendment that concern processes which involve the making of laws that either seek to establish religion in some form or prohibit the exercise thereof.

Political policies – whether economic, financial, institutional, social, legal, commercial, or militaristic in nature – are all predicated on an underlying hermeneutical theory or model about what the members of government believe to be the truth concerning the nature of the relationship between, on the one hand, human beings and, on the other hand, Being, the Universe, Reality, God, or gods. Such policies, programs, and pronouncements are nothing but a process of religion that is being referred to by way of another name, and through a lot of legal legerdemain, misdirection, and the legal equivalent of an elaborate game of three-card-Monte, people like Mr.

Dershowitz appear to be trying to convince citizens that the rule of law game which individuals like him have helped to invent is incumbent on everyone.

The individuals who play the rule of law game are likely to attempt to argue – ultimately ineffectively -- that the laws enacted by legislative bodies have nothing to do with First Amendment restraints concerning the establishment of religion or the prohibition thereof. Those same individuals are also likely to try to argue – again, ultimately ineffectively -- that there is no moral philosophy contained in the idea of republicanism, or are likely to claim that the unspecified retained rights of the Ninth Amendment, along with the unspecified reserved powers of the Tenth Amendment are matters that must be decided by federal and state governments through venues of duly appointed jurists.

All of those individuals are seeking to engage in a process of Constitutional gaslighting. They are trying to tell people/citizens that reality is a function of their way of doing things and, consequently, anyone who speaks about the constraints that the First Amendment places on government activities involving the establishment of religion or its prohibition concerning the exercise thereof, or anyone who mentions the absolute set of moral obligations that Article IV, Section 4 places on all federal employees, or anyone who indicates that neither the federal nor state governments have any Constitutional standing or authority with respect to determining or defining the nature, scope, and meaning of the unspecified retained rights of the Ninth Amendment or the reserved powers of the Tenth Amendment is operating in a delusional state.

The rule of law game is another way of referring to the way of power. Those who advocate for the rule of law game or the way of power will always try to convince the people that the latter do not have the liberties, rights, and powers that they actually have, and, as well, will try to convince citizens that those who form governments – whether federal or state – are not under any obligation to operate in a manner that has an intrinsic duty of care concerning the protection and cultivation of the liberties, rights, and powers of the

people that have been given full Constitutional standing via, among other provisions, the Ninth and Tenth amendments.

One further set of points should be advanced in conjunction with all that has been said up to this juncture of the present essay. In Article VI, paragraph two, of the Constitution, one finds the following:

“This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.”

There are at least two points that might be made with respect to the foregoing constitutional excerpt. These points are reiterations of things that already have been said, but, nonetheless, need to be said again.

First, in order to make laws “in pursuance” of the Constitution, or to make treaties “under the authority of the United States” those laws must not only be in full compliance with the moral requirements of Article IV, Section 4, but, in addition, those laws cannot transgress the boundaries that have been generated through the restrictions that are present in the First Amendment with respect to either “an establishment of religion or prohibiting the free exercise thereof.” Every political policy which gives expression to the making of laws or treaties involves philosophical, social, economic, financial, corporate, commercial, and/or military components, and, therefore, all such components are invariably a form of religion since all those policies are advocating for one, or another, theory concerning the alleged nature of the relationship between, on the one hand, human beings, and, on the other hand, Being, the Universe, or reality, and, consequently, irrespective of whether one refers to those policies as being philosophical, political, economic, financial, commercial, or military in nature, can one really effectively argue that what is being done is anything except attempting to establish religion or prohibit its free exercise in some fashion?

The second point to note in conjunction with Article VI, paragraph two of the Constitution is the following. In order for a document like the Constitution to be considered consistent and, therefore, reliable, it cannot both permit and forbid the same thing.

The Ninth Amendment indicates that there are "retained rights" – unspecified though they might be – that existed prior to the existence of the Constitution and will continue to exist should the Constitution be subsequently ratified. Furthermore, the Tenth Amendment stipulates that there are "reserved powers" – unspecified though they might be – which have not been "delegated to the United States by the Constitution, nor prohibited by it to the states" that "are reserved to the states respectively, or to the people."

If the people – independently of the states and the federal government (and in the latter case, independence is what is meant by the idea that something has not been delegated to the United States by the Constitution) – have "retained rights" and "reserved powers," then, one cannot interpret Article VI, paragraph two of the Constitution to mean that such "retained rights" and "reserved powers" are to be expunged or withdrawn as a result of the words" "anything in the Constitution or laws of any State to the contrary notwithstanding" without coming to the conclusion that either: (1) The promises which had been made to the people during various constitutional ratification meetings concerning the protection of various "retained rights" and "reserved powers" of the people that were independent of government, or: (2) The process of introducing, discussing, writing, approving, and ratifying the amendments that constitute the Bill of Rights – or both (1) and (2) together -- were duplicitous in nature, and if so, no country that is a duplicitous enterprise can expect to survive for very long without the nature of that duplicity becoming known, understood, and resisted.

Finally, while "the judges in every state shall be bound" by the stipulation that "This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land," nothing in what is being said in the foregoing declaration indicates that the people –

considered as individuals who are not judges -- are bound by such an arrangement. Nevertheless, notwithstanding the relevance of such an observation, one should not suppose that what is being implied is a call for some sort of political chaos, but, rather, that to which an allusion is being made in the foregoing comments is something that has been unacknowledged, ignored or dismissed for far too long.

For the most part, the Constitution is a document that sets forth a system in which the way of power might be shared between a central, federalized form of authority and a more decentralized and distributed form of authority known as states. That bifurcation of power is – at least in theory – constrained by the moral requirements of Article IV, Section 4 of the Constitution, but, in reality – and any rigorous, competent examination of American history, government, and society since 1787 would confirm this – neither the three branches of the federal government nor the judges of the respective states have managed to comply – in any consistent or continuous fashion -- with the facet of "the supreme law of the land" that concerns the moral requirements of republicanism that are being guaranteed by Article IV, Section 4 of the Constitution.

The conscience of government – whether federal or state – has always arisen from among the people. The fact that there were many people during various constitutional ratification meetings that followed the release of the 1787 Philadelphia Constitution and that were being held in different states, who voiced, again and again, during those meetings that they were concerned about the rights and powers of the people independent of government tends to support the previously noted idea that the conscience of government – whether federal or state – has always arisen from among the people, and, furthermore, the fact that the "retained rights" and "reserved powers" of the people – independent of government (whether federal or state) – were enshrined in the Ninth and Tenth amendments respectively also attests to the foregoing claim concerning the fact that the conscience of government is a function of the people considered independently of government.

If the people who are addicted to the way of power are to survive as a source of functional governance, the federal and state governments must come to grips with the foregoing reality – namely, that the people constitute a locus of power that is independent of governments. What the federal and state governments need to do if they do not wish to disappear in a self-destructive dissolution of their constitutionally assigned authorities due to the manner in which they have failed to comply with the moral requirements of republicanism, is to find ways to work with the people in accordance with the guarantee that is given through Article IV, Section 4 of the Constitution in order to be able to assist the people to have an opportunity to discover ways of actualizing, in practical and constructive ways, the unspecified "retained rights" and "reserved powers" that have been acknowledged in the Ninth and Tenth amendments respectively.

The federal government and state governments do not have some sort of automatic, default authority or priority over the people. Unfortunately, both the federal and state governments have a long history of trying to usurp, disparage, or deny the "retained rights" and "reserved powers" that have been given to the people through the Ninth and Tenth Amendments of the Constitution.

The foregoing essay has offered some observations, comments, and suggestions concerning how federal and state governments might conceptualize and engage the people as self-actualizing agents who have rights and powers independent of government. Those observations, comments, and suggestions have been introduced in both a general, constitutional sense, as well as in a more specific manner with respect to some of the issues surrounding, and entailed by, COVID-19.

If you would like to explore issues of sovereignty and constitutionality further please read any, or all, of the following books:

Quest for Sovereignty

The People Amendments

Beyond Democracy

The Search for Sovereignty

Sovereignty: A Play in Three Acts

Sovereignty and the Constitution\

Educational Horizons

The Spirit of Religion

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