## Rescission of the Constitution for the United States of America — <u>To enable better "securing the Blessings of Liberty"</u>

On November 3, 2020, I transmitted the following message to my State Senator, along with a suggested application bill:

"Subject: Article V Convention Application Bill

On this Election Day it seemed to me that perhaps the best mode for participation, given the regrettable apparent irreconcilability in our nation, would be to propose the submission by you of a Bill for a Convention of the States, pursuant to US Const, Art V.

Accordingly, I submit the attached for your consideration and potential action."

A suggested application in generic format can be downloaded from here.

As many conceive and as the author reluctantly concurs, there then existed a "regrettable apparent irreconcilability in our nation"; this assessment was articulated by diverse voices, from across the spectrum consisting of both liberal and conservative proponents, from "elite" and from "ordinary" exponents. This irreconcilability has only been accentuated during the ensuing fifteen months.

While the polarization is between both various segments within society as well as government units of the nation, the author apprehends that the catalyst is an excessively-powerful National government. Rather than restrict itself strictly to the enumerated powers granted to it, it has expanded its reach to innumerable arenas of the liberty, and even of the freedom, of its citizens. Accordingly, the possibility of a radical restructuring of the National government should be seriously considered; by this I suggest the repeal of the *Constitution for the United States of America* and its replacement by a new instrument of government.<sup>1</sup>

The author herein uses the verbiage of **rescission** rather than **repeal** since repeal is restricted to, or at least most appropriate for, action by a constituted legislative body. Here, though, the action would be by the sovereign citizens through their duly-designated representatives, with the effect of the action eliminating and rendering as impuissant any legislative body. Hence, the sovereign citizens are performing the legislative, as well as constitutional formation, function.

The author of course acknowledges that US Const, Art V provides mechanisms for "propos[ing] Amendments to this Constitution" and by this language doesn't explicitly contemplate the rescission or revocation thereof, in whole or in part. Yet it is established procedure for legislatures, at their choice, to pass bills whose amendments wholly replace existing statutory provisions — thereby repealing those provisions. The author is unaware why a like procedure could not be adopted here, by proposing the adoption of a new constitution that in whole replaces the present *Constitution for the United States of America*. Moreover, if the right of statutory repeal is reserved to the citizens, albeit exercised through their duly-designated representatives, then no reason is apparent why the right of constitutional rescission by such a method is not likewise reserved — as a statute only minimally affects rights whereas a constitution substantially affects rights, the reservation of this basic right thus must hence be deemed inalienable.

Yet this procedural issue of the utilization of an amendment process requires further research and analysis, and is

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The evolution of the settlement of our Nation essentially followed the historical course of community formation. Initially, local enclaves were established; most of these habitations though were pursuant to commercial grants from the English Crown rather than autonomous individual and group migration into virgin territory.<sup>2</sup> Many of these grants allocated territory to these adventurers greatly in excess of those enclaves first inhabited.

Initially the magistrates of those enclaves only governed locally since habitation had not expanded beyond their limited peripheries. Yet, as the magistrates' authority extended to the boundaries of these grants and various inhabitants of these enclaves migrated to new localities within those boundaries, their authority likewise expanded to encompass them — resulting in a commonwealth embracing numerous communities and the subordination of the initial enclave thereto. Thus, though the inaugural local body polities constituted the foundation of these commonwealths, they did not remain as the predominant civil order but rather were incorporated within and subject to the commonwealth.<sup>3</sup>

This then resulted in the Colonies, and eventually the States, being the sovereign bodies.<sup>4</sup> We then are compelled to consider the powers and remedies available within the context of State jurisdiction rather than local jurisdiction.

Nevertheless, in assessing whether fundamental changes to governmental structure are necessary, as well as the parameters thereof, we must constantly remember core concepts and axioms. For these constitute the foundation upon which any governmental edifice must be structured; repudiation of these concepts and axioms, and substitution instead of an artificial composition will only introduce fragility and the failure and destruction of the edifice.

The author conceives these concepts and axioms to consist of the following:

• Neighborhoods initially were, and remain still, the core unit of habitation. (This was propounded in the first volume of the author's *Interstice Amid the Fabric of Life* essay, *The State of Primordial Mankind.*) The most-frequent interactions

beyond the scope of this article. For purposes of the discussion herein it is assumed that neither precedent not logic prohibits its application.

These communities generally were similar in that they were inspired by private groups, rather than public agencies, and were privately funded. However they were not all instigated pursuant to official sanction. Using Massachusetts as an example, the Massachusetts Bay Company was chartered by the English Crown, but Plimoth Plantation was formed without official sanction.

Admittedly, this was not novel but parallel to the development of most nation-states. This process is explicated as prefatory to the balance of the discussion.

By this characterization the author does not suggest that the governmental bodies are the Sovereign. Rather, Sovereignty, as has been propounded by many of the classical theorists, is the right and power invested in the inhabitants of a community; they then, if they elect to do so, establish a commonwealth, the inhabitants become citizens of it, and they delegate but expressed powers to it. The commonwealth then becomes the appointed representative of the citizens in the exercise of these granted powers, and, but in this limited sense and for convenience of description, are they here designated as "sovereign bodies".

- transpire between persons in close physical proximity and regular intercourse with each other and from which their identities are embellished.
- Neighborhoods then are described and delineated by the radius of normal interaction between the majority of contiguous inhabitants. This interaction will allow the development of common identities and a network of mutual supply of physical necessities and reciprocal assistance and support, both physical and moral.
- The smaller the political entity, the less the diversity of its inhabitants.

Thus, though we are compelled to recognize the States as the operative entity, we are also compelled to recognize the surpassing importance of the local civil orders and their utilization as the primary expression of the civic will. The justification for this assertion is further confirmed by an examination of the purpose and limitations of these civil orders.

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The initial stage of the inquiry is the consideration of the inextricable limitation on their authority; for the prime proscription on their powers consists of those inherent rights of its inhabitants which are beyond their capacity to invade. As argued previously by the author, no person, individually or collectively, has the authority to alienate his Primary Natural Rights.<sup>5</sup> Only Secondary Natural Rights are capable of alienation; even then the alienation must be express, unambiguous and unqualified, and restricted to the context which induced the alienation thereof.<sup>6</sup>

Therefore, if the inhabitants of a locality elect to establish a commonwealth for it, the only powers they can grant to it are the powers to regulate Secondary Natural Rights.<sup>7</sup> The necessary corollary, since a commonwealth can only exercise the powers granted to it, is that its powers then are limited to the regulation of these Secondary Natural Rights; even then the regulation of

This prohibition is not only for the protection of posterity but for the individual himself. Without his Primary Natural Rights no individual, in his solitary capacity, is capable of insuring his survival. The differentiation between and distinction of Primary Natural Rights and Secondary Natural Rights is discussed by this author in **Appendix C** to Interstice Amid the Fabric of Life / Volume 1: The State of Primordial Mankind and Chapter 1 of Interstice Amid the Fabric of Life / Volume 2: The Nature of Mankind and Government.

As an autonomous individual each person should be unrestricted in his power of alienation of a Secondary Natural Right; it would be an invasion of the atomistic foundation of society for there to be the right of collective restriction on this power. Nevertheless, an alienation should never be lightly assumed to have transpired; therefore the recited conditions on this power are necessary.

If the individual persists in declaring the alienation was broader than would be construed by employment of those conditions, then the society must acquiesce in accepting his extensive surrender of those rights. However, the process of limited construction, resistance to broader interpretation, and a confirmation of renunciation will produce the salutary effect of overt recognition by the balance of society that alienation is an aberration and therefore must be unequivocal — thus inspiring more jealous protection by all of society of these rights.

<sup>&</sup>quot;Commonwealth" is here used in the sense of any formal political union, regardless of its extent. It is not restricted to the union of the greatest population or geographical extent but, rather, is applied to any union regardless of the existence of a more-expansive union that may encompass it geographically and subsume its population. Consequently, "commonwealth" here contemplates a multi-layered set of commonwealths, each qualifying for status as such, beginning with the neighborhoods, and proceeding to the larger commonwealths of community, region, and nation.

those rights must be both uniform and subject to the express and innate restrictions upon those powers.<sup>8</sup>

Thus, governmental powers are inherently and inextricably limited.<sup>9</sup> The initial and basic limitation consists of the scope of power delegation, for the state cannot exercise a power that it was not granted. This scope is inextricably proscribed as the citizens of a commonwealth are entitled to delegate to a government only those powers whose exercise will generally restrict the Civil rights of at least a majority of the citizens of the commonwealth.<sup>10</sup> In addition to the prohibition against a government exercising power that would restrict the Primary Natural Rights of its citizens, it is limited to regulating only the portion of those additional Civil rights, viz,

power. Therefore, the burden is upon a commonwealth to demonstrate that a particular power was granted to it,

it *prima facie* remaining with the inhabitants.

The standard of this infirmity in power then should also be employed in assessment of *any* type of effort by it to exercise **expansive power**, so as to require the government to demonstrate by *compelling proof* the <u>appropriateness and necessity</u> of accession to it of additional functions.

Each power exercised by a commonwealth must be: expressly granted since the inhabitants are precedent to it, it would not exist but by their formation of it, and therefore is dependent for power upon those allowed to it; discrete as to the scope (viz,breadth) and the extent (viz, depth) thereof since the power to regulate upon a particular subject is defined by and dependent upon the respective express grant thereof; and thus indivisible since discrete and created by the affirmative act of the inhabitants as a united body politic, inasmuch as Natural Law and its ancillary Natural Rights prohibit any individual or group of individuals compelling another to join a commonwealth, an action that would implicitly constitute an alienation of some of those rights. Thus, the formation of a commonwealth must be by the collective will of all of the inhabitants and not merely a segment thereof. Therefore, restrictions must be uniform since otherwise they would exceed the powers granted to it; for non-uniform restrictions would constitute an exercise of authority that might have been granted only by the segment of the inhabitants not affected by those restrictions, and thus deviate from and neutralize the authority that was granted by the segment affected by them — a development constituting a repudiation of all three of those limitations, particularly indivisibility. Furthermore, the promulgation of non-uniform restrictions would produce disharmony within the commonwealth — a condition in conflict with the order demanded by Natural Law and the Natural Rights proceeding from it — emanating from the segment adversely affected by those restrictions. The foregoing sufficiently explicates upon the *express* restrictions upon these powers. However, there are also innate restrictions since all power (in a mortal context) present in a defined geography is within the capacity of and exercised by the collective inhabitants, and divided between them individually in proportion to their respective capacities and will to actively employ them. This power continues to reside there unless and until it is delegated to some other actor. Upon formation of a commonwealth a portion thereof is granted to it. However, absent any clear delegation, it cannot be assumed that the commonwealth is authorized to exercise any particular

By virtue of being constrained to the regulation of Secondary Natural Rights only — due to the inability of the citizens to alienate any of their Primary Natural Rights — governmental powers should be construed as essentially impuissant. For the existence of any essential and preponderant prohibition on power to any person or body constitutes a mandatory inference of the existence of the severe restriction in his or their powers. The government's relative impotence then would not only prohibit it from regulation of rights that are so core to existence as those primary rights, but would afflict it in every effort to exercise, as well as claims for, power beyond its explicit and express charter.

At first blush this formula may be perplexing. However, it is tendered that upon further examination its rationale becomes evident.

If a commonwealth is entitled to restrict the rights of a **minority** of its citizens, then the majority, even if it is only a slight majority, has the opportunity to wreak manifold abuses. However, it it is limited to restricting the rights of a **majority** of its citizens, then any excessive restriction will prompt, and perceivably compel, vigorous opposition from the majority — thus necessitating retrenchment by the government, and possibly even the expulsion of it.

those which do not constitute Primary Natural Rights, that also constitute Civic rights<sup>11</sup>. There, however, are further reasons for this conclusion.

A more-important, albeit conceptual, limitation consists of the role of a commonwealth and the powers it is entitled to exercise in the performance of this role; if we first isolate the basic purpose of the commonwealth then we better delineate this role. The basic purpose of a commonwealth is to prevent, as far as practicable, an abbreviation of the scope of Liberty available to each individual in the natural order. Hence, the role is to eliminate, or at least ameliorate, conditions that adversely affect at least a majority of its citizens, viz, constitute *general* problems within the commonwealth.<sup>12</sup>

By this formula the powers that can be exercised gradually diminish, in both scope and degree, the greater the population and geographical extent of the commonwealth — as within the most geographically-restricted commonwealth the impact that any target condition<sup>13</sup> may exert upon the citizens will be more general and tend toward commonality due to the relative homogeneity of those citizens, while within the most geographically-expansive commonwealth ("federal commonwealth") any target condition that may exert general impact upon the citizens will be few and extraordinary due to the relative diversity of those citizens.<sup>14</sup> The most local commonwealth then is implicitly granted the greatest quantum of power to eliminate or ameliorate adverse conditions within its boundaries, whereas the federal commonwealth is implicitly granted the least quantum of these powers.

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For an introductory discussion of the differences between **Civil** Rights and **Civic** Rights, the author refers the reader to his *The Elective Franchise* — *A Secondary Civic Right* article. Moreover, as a government can only properly exercise a power if the direct purpose of it is to restrict the Civil rights of at least a majority of the citizens of the commonwealth, then only those Civil rights that also constitute Civic rights can be delegated.

Though other conditions can cause those effects, the enduring primary condition consists of the exercise of power by a minority of the citizens who have acquired an undue concentration of power that at the least minimally restricts the Primary Natural Rights, or substantially restricts the Secondary Natural Rights, of the majority; the role of inhibiting the aggregation of these concentrations, or if already formed then countering both the perpetuation of and the exercise of this minority power, is the core sanction delegated to a government. When the effect of the exercise of this minority power attains one of the aforesaid levels, then the authority of the commonwealth to assail it is activated.

<sup>&</sup>quot;Target condition" and "condition", as used in this paragraph and the footnote hereto, mean a circumstance or set of circumstances that adversely (or fortuitously) affects a person or persons in a commonwealth. The routine purpose of legislation is to ameliorate or eliminate those effects by directly or indirectly addressing the condition. (While the usual objective of this legislation is to address those conditions which produce adverse effects, it may occasionally address those conditions which produce fortuitous effects when the beneficial effect bestowed on some results in detrimental effects on others.)

Hence certain conditions may be unique by exerting adverse general impact upon the citizens of a particular commonwealth or even multiple commonwealths within a multi-layered commonwealth but not upon the citizens of all component commonwealths nor of the federal commonwealth. Even if a conditions exerts an adverse impact upon citizens of all component commonwealths, the impact will likely not be general within a particular component commonwealth or commonwealths and, even if so, the effect will vary between them. Finally, even if a condition exerts an adverse general impact upon citizens of all component commonwealths, its impact may not be general as to the citizens of the federal commonwealth but rather likely will have substantially diminished in effect due to the greater diversity within it.

Hence, the powers to which the commonwealth is confined — and which constitute the limit of those delegated to it, unless indisputable evidence to the contrary is tendered by it — are those proper and necessary for the performance of this role and the discharge of this function. <sup>15</sup> In this performance and this discharge, the commonwealth is obliged to ignore problems that are only transient and limited within the body of citizens for which it was instituted. Any other standard would implicate the commonwealth intervening in a myriad of potentially-minuscule controversies, with any boundary line beyond which it should refrain being difficult to define and envision.

Objection will presumably be made that this standard will allow the abuse of, by potential abbreviation of rights that should be afforded to, minority segments of the citizenry. Facially this objection would be well-taken. The solution, however, is the formation of a multi-tiered framework of commonwealths, progressively devolving as far as practicable to the most localized jurisdiction. By such a framework those minority segments will have the capacity to constitute a majority in a localized commonwealth and thereby preserve the rights afforded to them.

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Does the current structure or practices of government in the United States of America conform to the foregoing standards? Clearly they do not.

By virtue of historical development the States have paramount jurisdiction over the local civil organs; the latter, except for limited functions are wholly subordinate. Instead, the author has proposed that it is the local civil organs that should perform the majority of proper and necessary functions and hence possess most governmental power. Nevertheless, given this historical development, there is little present recourse other than to accept the States as the primary unit.

However, the question of the National government is wholly of another class. The extent to which it has grossly exceeded its constitutional limits and eclipsed the status and roles of the State and local civil organs is malevolence indeed. By endeavoring to do too much, it has necessarily antagonized large swaths of the diverse segments in the country; for while policies can contain various exceptions, any policy has to be essentially uniform and general — and no policy can be sufficiently uniform and general to accommodate such disparate diverse segments.

Hence, a dramatic restructuring is in order. Of what form might it consist?

It is supposed that numerous alternative might be suggested. But the author is bold enough to propose one possibility that, it seems to him, should revert inter-governmental relationship closer to the design originally envisioned, and thereby better "secur[e] the Blessings of Liberty".

Nevertheless, the standard of "proper and necessary" cannot be construed to expand the scope of those powers since the commonwealth's only powers are those expressly granted to it. This standard is only important to enable the citizens to gauge potential abuse by the commonwealth and, in that event, provide the impetus for resistance to it, rectification of this abuse, and provide barriers to avoid future abuse.

This proposal consists of:

- the passage of bills by two-thirds (2/3) of the States applying for a Convention of the States:
- the calling by the U.S. Congress of a convention pursuant to these applications;
- the convening of the convention;
- the proposal at and approval by the convention of an amendment rescinding *The Constitution of the United States*, thereby reverting the several States to their full sovereign capacities, or the approval of a new Constitution that provides for and thereby constitutes an amendment rescinding *The Constitution of the United States*<sup>16</sup>;
- the formation of a minimum of, say, nine (9) federations between contiguous States, which could conform to:
  - historical, cultural, or unique geographical characteristics, such as, for example:
    - New England,
    - the Mid-Atlantic States,
    - the South.
    - the Northwest Territory States,
    - the Louisiana Purchase States,
    - the Mexican War States, and
    - the Western Coast (including Alaska and Hawaii); or
  - the current divisions of the U.S. Courts of Appeal; or
  - o other combinations not yet identified.
- the formation of a confederation between these various federations.<sup>17</sup>

The chronology of the foregoing stages of this proposal might be differently manipulated. However, it is tendered that this is a framework that ought to be given serious consideration.

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In 1787 there admittedly were significant differences between the States. These were the result of various factors, including the different groups of adventurers who founded the colonies as

By the alternative language it is apparent the author is presently ambivalent on the preferable staging and mechanism for the rescission of the present constitution in order to replace it with a new instrument of government. Should the amendment simply repeal the present document or should it repeal it by the drafting and adoption of a new constitution?

The normative procedure would be the latter. However, the form and content of it would seem most appropriate at the formation of the within-proposed confederation.

Nevertheless, as a precondition to the respective States forming the within-proposed federations, it would be prudent for them to be apprised of the union that would ultimately be formed between these federations. Accordingly, the latter alternative would presently seem both preferable and consistent with historical practice inasmuch as the 1787 Convention generated a formal document but was not operative until sufficient ratification — during which interim the *Articles of Confederation* remained operative.

The reader might consider the division of the country to be an extreme measure; it, however, is certainly not unprecedented. Using but the last seventy-seven (77) years as a reference we already have divisions of the following countries as a few examples: Germany; the Soviet Union; Czechoslovakia; and Yugoslavia.

well as the divergent religions to which the respective inhabitants adhered.

Nevertheless, as the substantial majority of the immigrants to the colonies were of British origin, these citizens perceived they were endowed with the inherent and established rights of Englishmen. As a result of this common historical knowledge and perception, the similarities between them were more profound than their differences and effectively submerged, or at least subordinated, any dissimilarities.

Hence, a National government was not regarded as likely to be oppressive since there would exist a common body of citizens of similar mind and experience ready and prepared to resist any tyrannical encroachments. Moreover, there was significant dispersion of the inhabitants within the various States. This relative isolation of the citizens, from each other and from the seats of government, constituted substantial obstacles to any effort to infringe the Liberties of them by any particular factions or control by the respective governments.

These conditions, however, soon experienced eradicable alteration — compromising these protections and, ultimately, these principles. The initial, as well as ultimate, cause was the vast accretion of territory controlled by the United States of America.<sup>18</sup> This geographical expansion, proceeding at various times and occasioned by a variety of circumstances, permanently corrupted the carefully-designed polity.

By enabling the multiplication of the number of potential States it presented the specter of lessened cohesion between the existing and new States; for the lesser the number of jurisdictions the greater the capacity for them to unite on proposing or opposing certain policies, with the converse situation the greater the number of jurisdictions. This then presented both the opportunity and justification for the National government to expand its role and power by entry into this void.<sup>19</sup> Thereby was the equilibrium in the Federal system, between the National government and the State governments, imbalanced.

These new territories also provided the opportunity and incentive for new and expanded immigration into the country, as the new regions and resources enticed the settlement and exploitation of them. This immigration exponentially increased the number of citizens of the country in the aggregate; moreover the diversity of the nationalities, and their accompanying national experiences and heritages, of the citizens was necessarily increased. As a result of this increased quantity and diversity the prospect of uniting on proposing or opposing certain policies was impeded, inasmuch as, one, a greater mass of persons always renders accedence to a common position

The author, perhaps consisting of a minority of one, considers The Louisiana Purchase to have one of the most-grievous errors committed by the National government. The attribution to it as an error was recognized by the prime mover for it, our 3<sup>rd</sup> President. Jefferson himself wrestled with finding justification within the four corners of the Constitution for this expansion. Nevertheless, the temporary advantages, as well as the allure of power — a passion that pervasively wreaks destruction — overcame his abstract reluctance.

Even without and prior to the admission of new States the role and power of the National government was able to expand, as it then would be the only government capable of administering these territories. Given this incipient expansion of power, the perception both by it and the existing States that the National government was the only organ for the promulgation of uniform policies, and the necessity of such policies, was thereby established.

more difficult and less likely, two, these greater dissimilarities rendered consolidation into a uniform position more difficult, and, three, these different traditions introduced the factor of willingness, or at least accentuated the volume of adherents thereto, in acceptance of, rather than resistance to, authority.<sup>20</sup> Thereby, with reduced meaningful opposition, was the continued momentum of the juggernaut of National authority unabated.

The augmented national territory augmented also its power, both in isolation and relative to other countries. The first effect thereof was to induce it to expand its defense establishment and capabilities.<sup>21</sup> As a normal consequence it was then induced to exercise this capability relative to other countries.

The exercise of this capability resulted in the international expansion of the country, both in the form of new territories — some by conquest and some by the exercise of monetary might incident to economic and military might — and the permanent presence within other countries. The latter is exhibited both in the economic influence over and foreign military establishments in numerous countries by the United States of America.

By all of these factors the authority of the National government was expanded to gargantuan proportions.<sup>22</sup> We are now Reaping the Whirlwind. The cavalier and virtually uninhibited exercise by the National government of its Article I and Article II powers, whether real, presumed, assumed, or seized, has strained the fabric of the country with the resulting tension approaching or being at the breaking point.

Accordingly it appears to more than a few isolated malcontents that a dramatic reconfiguration of this country is necessary. The within proposal is but one of many that could be a solution by which retrenchment of concentrated central power is realized. It though appears to the author that the necessity of this retrenchment is beyond cavil.

A sufficient number of Federations of various States — with substantial powers reserved to those States, and a substantial portion of those powers progressively reserved to the local jurisdictions therein — would not only enable geographical segmentation of diversity in those jurisdictions and thereby obstruct suppression of it by more populous segments of different characteristics in different jurisdictions, but would preserve Liberty by this division of power. A Confederation of these federations would maintain national unity, albeit of a more-restricted scope and a more-restrained National government.

This portion should not be read to infer that the author is criticizing the presence of diversity. A reading of his essay *Interstice Amid the Fabric of Life* will clearly indicate otherwise. Rather the author only criticizes the **suppression** of diversity by majority edict; diversity is a natural condition and must be protected. It is only when official authority exercises power over too great a scope of diversity that manifold difficulties and abuses are presented and inflicted.

<sup>&</sup>lt;sup>21</sup> This dynamic is more extensively discussed in the author's *Interstice Amid the Fabric of Life / Volume 1 : The State of Primordial Mankind*.

While the War Between the States, and its aftermath in the form of the 14<sup>th</sup> Amendment to the Constitution, unquestionably was a major contributor to this current dangerous condition, it is tendered that the effect of these other factors were the paramount causes.

The author does not contend this is an ideal framework; but nothing designed by mortal man is ever ideal. It is anticipated though, that under the conditions of 2022 as contrasted with those of 1787, this general skeleton would constitute a vast improvement of the corrupted evolution that has transpired over the intervening two hundred thirty-five (235) years.

While careful design of the structure of the Confederation will of course be necessary, it is anticipated that conceptually the functioning thereof should not be problematic. Conceptually, though, the functioning of the Federations could pose some consideration.

There theoretically is the danger from a smaller federation that its officials will have greater opportunity to interfere in the liberty of its citizens as a consequence of the government having fewer responsibilities and fewer disparate segments of society to distract itself. However, this may be sufficiently offset by its capacity to craft tailored rules for its fewer discrete segments rather than general rules which, by necessity, will not be able to accommodate all of a broad range of segments.

In any event, a solution of this type should obviate many of the problems, Nay, the evils, that exist presently. It is left to abler minds than that of the author to refine this solution more perfectly.

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