



Veterans in Defense of Liberty

NEWS FROM THE FRONT

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Dear fellow Warriors and Friends,

The truth, by our vice President, Darin Chappell!!

Dereliction of the United States Supreme Court

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The Supreme Court of the United States has become so enamored with its usurped power of Judicial Review, it has forgotten and abandoned its actual scope of authority to hear cases of conflict between the States. Regardless of how the case might have been decided, there are some real difficulties with the Court not hearing the Texas lawsuit.

The fact that the Founders saw the Judiciary as a needed, but inferior, branch of government can be seen by the relative inattention given to it in the Constitution itself. The third Article, which establishes the Supreme Court, is the briefest of the three outlining the national governmental bodies. Further, its powers were scant next to those of the Legislative and Executive bodies, and the Founders saw no need to expand them in those early years. Ironically, it was the Court denying a power to itself, which changed all of that.

In 1803, the Court decided what is perhaps the most consequential case in U.S. history: *Marbury v. Madison*. In this case, Congress had

given the Court the right to review cases like that of William Marbury, who had been denied his commission as Magistrate, even though he had been nominated by President John Adams, and had been confirmed to the post by the Senate. The issue was that Adams lost the 1800 election to Thomas Jefferson, and the new President, being of a different party, refused to honor the appointment, as it had not been delivered to Marbury by the time he took office. In deciding the case, the Court determined that Congress had erred, when it granted the authority to issue Writs of Mandamus to the Court via the Judiciary Act of 1789, and that portion of the law was struck down as unconstitutional. In saying that the Congress did not have the authority to grant the Court a power with which it was not endowed by the Constitution, the Court took upon itself the power of Judicial Review, which was an even greater expansion of its power, also not found anywhere in the Constitution. For more than two hundred years, we have seen that usurped power wielded over and over again to the detriment of our national and social contract.

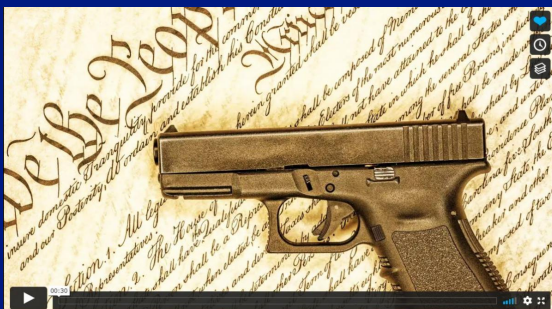
Now, the Court has decided that it will not hear a suit brought before it from one State, against four others, even though such cases are not only the purview of the Court, as per [Art III, Sec 2](#), but they are exclusively so, in that the Court has constitutionally mandated Original Jurisdiction over such cases. This means, of course, that no other court may hear such a case; it must always, and only, go to the Supreme Court for adjudication. Because the Court has refused to hear the Texas lawsuit, all means of relief from an unconstitutional scenario (all four States in question are alleged to have changed their election laws without consent of their respective State Legislatures, in violation of [Art I, Sec. 4, cl. 1](#) of the Constitution) have now been denied. The Court has done this, supposedly because Texas lacked "standing" to bring such an action before the Court. However, there are at least three reasons that Texas (or any State) does have standing in such matters.

Firstly, Texas has the right, nay, the responsibility to protect the voters of its own State to be heard in a manner that is not hindered unfairly by the actions of another State. If those four States changed their election laws contrary to their own State constitutions, without the consent of their State Legislatures, they violated the U.S. Constitution in a way that made their State electors have an undue power over the electors of other States. The will of the lawful voters was subverted by the inclusion of the unlawful ballots accepted, and this not only changes the outcome in the States in question, but also in the selection of electors to be sent to the Electoral College, thereby altering the outcome of the election for the highest Office in the land. The voters of each State that followed the rules had their voices cheapened by the electoral gymnastics of those few large cities, in those few States, which took away the ability of the American voter to be heard without muffling effect.

Secondly, as a State, Texas is represented by two Senators in the United States Senate, a body established by the Constitution to represent the interests of the States equally (hence two senators from each State, regardless of size, or population). The sitting Vice President of the United States serves also as the President of the Senate, and breaks all ties of the 100 member body. Since the Senate is representative of the State, and the President of the Senate is decided by this very election, to say that Texas (or any State) has no standing is ridiculous, and ignores reality at every turn. This is especially true, when one considers that, the Constitution grants the power to select the next Vice President, via the 12th Amendment, should no one reach a majority of votes in the Electoral College!

Thirdly, the highest Office in the land is called the President of the United States, and this is no accident. He (or she) is not the President of the American People, because the Office is to be concerned with the execution of laws that the national government imposes upon the States, their governments and their citizens. The form of Federalism adopted by our Founders saw the State governments as being a necessary wall of defense against an encroaching national power, and instilled many safeties in the powers of the Senate (representative of the rights of the States) versus that of the Chief Executive, namely: The Senate ratifies all treaties, the Senate gives "advice and consent" to all Executive appointments, and the Senate serves as the body of removal, should a President, or other official of the Executive Branch, be impeached of an act so grievous as to warrant such action. How can a State of the Union be deemed inconsequential to the question of which person should fill the office of the Presidency, when the body of representation for the States is endued with power to hold against the potential abuses of that office at nearly every turn?

Whether out of hubris, cowardice, or simple indifference, the Court has herein acted wrongly. There is no line of defense against a rogue Supreme Court which will not also shatter our constitutional foundation, which is all the more reason why such dereliction of duty cannot be tolerated.



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- Dwight D. Eisenhower

Dr. Wm. Scott Magill FACOG Diplomate ABOG
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"Those who expect to reap the blessings of freedom must, like men, undergo
the fatigue of supporting it." - Thomas Paine



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