

Chapter 4

Article 1: Legislative Usurpation

Section 1

All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a Senate and House of Representatives.

“Legislators”

No man’s life, liberty, or property is safe while the legislature is in session.¹

Noah Webster’s 1828 American Dictionary of the English Language defines “legislator” as “a lawgiver; one who makes laws....”² With this definition in mind, measure Section 1 by the following declarations:

For YHWH³ is our judge, YHWH is our lawgiver, YHWH is our king.... (Isaiah 33:22)⁴

There is one lawgiver.... (James 4:12)

As the source of morality, Yahweh⁵ is the source of all true law. Because legislation enacts morality, morality and legislation are indivisible. Yahweh holds the monopoly on legislation and thus on the determination of what is good and what is evil. For this reason, I make a distinction in this book between what is *lawful* by Yahweh’s standards and what is *legal* by man’s standards. Invariably, man makes illegal what is lawful and legal what is unlawful.

For any man or group of men to legislate a different code is tantamount to calling good evil and evil good and makes a mockery of Yahweh’s law.

How do ye say, We are wise, and the law of YHWH is with us? Lo, certainly in vain [*Strong’s*, a sham] made he it; the pen of the scribes is in vain. The wise men ... have rejected the word of YHWH; and what wisdom is in them? (Jeremiah 8:8-9)

In order to protect the Constitution from Biblical condemnation, some Constitutionalists attempt to neutralize its moral implications:

The Constitution contains little moral prescription.... The Constitution does not address ethical issues.... At best, the Constitution is a written set of political rules that will implement whatever moral precepts are generally held by the people at any given time.⁶

The Constitution is *full* of moral and ethical issues, which will be demonstrated throughout this book. It was impossible for the constitutional framers to have created a morally neutral document. Legislation is *never* morally neutral. Worse, calling good evil and evil good (as the Constitution repeatedly does) is itself a claim to divinity. One of the attributes of God is the authority to define and legislate good and evil (Genesis 2:16-17, 3:5). Because there is only one true God, there is only one standard for what is good and evil. Anyone who attempts to change His definitions is usurping His place as God. “[T]he other gods about whom we must be concerned are, as they ever have been, to be found in the seats of temporal, or human, government.”⁷ This is what Jesus,⁸ in Matthew 23:2, depicted as fraudulently sitting “in Moses’ seat.”

Legislative Power

Article 1 begins, “All legislative powers herein granted....” Granted by whom? You will look in vain to find any reference (inside or outside the Constitution) in which the framers affirmed the government’s legislative powers were granted by Yahweh. Neither did they ever affirm the laws of Yahweh:

Cursed be he that confirmeth not all the words of this law to do them. And all the people shall say, Amen. (Deuteronomy 27:26)

And yet the men at the Philadelphia convention are lauded for their disregard for Yahweh and His law. Any attempt to legislate outside Biblical parameters is sedition against Yahweh. To usurp a legislator’s power is to dethrone him:

[The God of Puritanism] stripped of his antique powers [by the constitutional framers] ... had no recourse but to enter as a weakened prince into the temple of individualism, and there to seek refuge.”⁹

David Barton audaciously declared the Constitution as the people’s standard for judging political principles:

Since citizens are entrusted with the responsibility to judge for themselves “the political principles and measures,” the first and primary standard for measurement is the Constitution.¹⁰

The primary and *only* standard of measurement for any political or lawful code always has been and always will be Yahweh’s morality as found in His commandments, statutes, and judgments. When have people ever been entrusted to judge matters already adjudicated by Yahweh?

I am YHWH thy God.... But my people would not hearken to my voice.... So I gave them up unto their own hearts’ lust: and they walked in their own counsels. (Psalm 81:10-12)

...the priests bear rule by their [own] means [authority, NASB]; and my people love to have it so.... (Jeremiah 5:31)

If you do not believe the people love to have it so, try challenging the validity of the Constitution.

The legislation agreed upon by the framers and authorized by the Constitution is frequently inconsonant with and antagonistic to Yahweh’s law:

Woe unto them that decree unrighteous decrees, and that write grievousness which they have prescribed. (Isaiah 10:1)

If we believe all morality originates with Yahweh, then we must conclude any law that adds to or subtracts from His law represents lawlessness, unrighteousness, and immorality. Because Yahweh is the sole legislator, only His legislation is law. Any attempt to make laws contrary or in addition to His laws is ultimately futile, as demonstrated by the fickle propensity of constitutional “legislators”:

Two people could have walked down any U.S. street in 1930 – one with a bottle of whiskey under his arm and one with a bar of gold in his pocket, and the one with the whiskey would

have been a criminal whereas the one with the bar of gold would have been considered a good law abiding citizen. If the same thing happened in any U. S. city in 1970, the one with the whiskey would be the law abiding citizen and the one with the gold bar would be the criminal.¹¹

Consider again one of the two Supreme Court decisions cited in the previous chapter:

"...a law repugnant to the Constitution is void."

Marbury v. Madison (1803)

This ruling was based upon [Article 6](#)'s declaration 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...." If you are a Constitutionalist, you must consider any law contrary to the Constitution – including Biblical law – to be null and void. This was evidenced when Ron Paul was asked in an interview by John Lofton if he believed "homosexuality ... [is] a sin?" Paul responded:

I'm not as judgmental about that ... probably because of my medical background. I don't see it in that simplistic terms [sic]. I think it's a complex issue to decide whether it's sin or other problems with the way people are born. It's too complex to me¹² ... to give an answer as simplistic as that.¹³

When Lofton asked, "Do you believe that God says it's a sin?" Paul responded:

Well, I believe a lot of people understand it that way, but I think everyone's God's child too, so I have trouble with that.¹³

Anyone who knows Paul's record knows that if the Constitution condemned sodomy, he would have unabashedly condemned sodomy as well. Yet he would not even acknowledge that Yahweh declares sodomy a sin. Why? His god is WE THE PEOPLE, and because the Constitution is his god's law, it trumps all other law.

On the other hand, if you are a Christian¹⁴ and Yahweh is your God, then any law repugnant to Yahweh's law, including the Constitution, is not law but lawlessness. Whether we see it this way or not, Yahweh certainly does.

The usurpation of Yahweh's law by the constitutional framers was essentially admitted to by President Ronald Reagan in his 1987 State of the Union Address:

Many countries have written into their constitutions provisions for freedom of speech and freedom of assembly. Well, if this is true, why is the Constitution of the United States so exceptional? Well, the difference is so small it almost escapes you – but it's so great it tells you the whole story in just three words: "We The People."

In those Constitutions, the government tells the people what they are allowed to do. In our Constitution, We The People tell the government what it can do and that it can do only those listed in that document and no others.

Virtually every other revolution in history has just exchanged one set of rulers for another. Our revolution is the first to say the people are the masters, and government is their servant. ...here in America, We The People are in charge.¹⁵

Instead of taking orders from Yahweh, most Americans take their orders from WE THE PEOPLE or, more precisely, from their legislators and ultimately from the Supreme Court Justices.

Section 2, Clause 1

The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

Extra-Biblical “Laws”

Yahweh is the only lawgiver, His law is perfect, and nothing found in Article 1, Section 2, Clause 1 could improve upon it:

What thing soever I command you, observe to do it: thou shalt not add thereto, nor diminish from it. (Deuteronomy 12:32)

Section 2, Clause 1 is the first of many needless legislative additions found throughout the Constitution. It is also the first constitutional provision mandating public slavery to a congress that has the power to make “laws,” not only in addition to, but also in contradiction to Yahweh’s laws. Since the Constitutional Convention, Congress has consistently legislated contrary to Yahweh’s morality. This incessant supplanting of Yahweh’s law will continue until Americans recognize and repent of their constitutional idolatry.

House of Representatives

Some Constitutionals argue that the concept of representative government originated with Moses:

And Moses chose able men out of all Israel, and made them heads over the people, rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens. (Exodus 18:25)

Nowhere in the framers’ copious convention notes, the Federalist Papers, or anywhere else in their writings, do we find any indication that the idea for the House of Representatives was inspired by Exodus 18:25. Christian Constitutionals apply Exodus 18:25 to this section of the Constitution to give it an aura of Biblical authority. But Moses’ charge has nothing to do with representatives of the people. As proven by its context, it is a provision for judges – representatives of Yahweh:

...thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness; and place such over them, to be rulers of thousands, and rulers of hundreds, rulers of fifties, and rulers of tens: And let them judge the people at all seasons: and it shall be, that every great matter they shall bring unto thee, but every small matter they shall judge.... So Moses ... chose able men out of all Israel, and made them heads over the people, rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens. And they judged the people at all seasons.... (Exodus 18:21-26)

It is, in fact, a violation of Yahweh's law for rulers to respect (represent) the people, regardless their numbers, rank, or for any other reason:

And I [Moses] charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. Ye shall not respect persons in judgment, but ye shall hear the small as well as the great; ye shall not be afraid of the face of man; for the judgment is God's.... (Deuteronomy 1:16-17)

And [King Jehoshaphat] said to the judges, Take heed what ye do: for ye judge not for man, but for YHWH.... (2 Chronicles 19:6)

Section 2, Clause 2

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen....

These are the *only* qualifications required to be a representative of the people. Is it any surprise that “no man's life, liberty, or property is safe while the legislature is in session”? [Article 6](#)'s federal ban on religious tests eliminated any possibility of the Biblical qualifications being utilized to determine whether a candidate is qualified and competent to fill a leadership position. (See [Chapter 5](#) “Article 2: Executive Usurpation” for a list of Biblical qualifications for public service.) Without Biblical qualifications, the representatives (also senators, presidents, and judges) voted or appointed into office are not likely to be any better than the leaders described by Micah:

The best of them is as a brier: the most upright is sharper than a thorn hedge.... (Micah 7:4)

Only one qualification in Section 2, Clause 2 agrees with Yahweh's law – the age requirement of twenty-five. Numbers 8:24-25 stipulates that the Levite layman (the civil servants of that day, not to be confused with the Levitical priests for whom age limitations did not exist) were to begin their service at the age of twenty-five and complete it at the age of fifty. However, we find no indication that the minimum age requirement for Representatives was inspired by Numbers 8:24-25.

Section 2, Clause 3

Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers.... The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.

Decennial Census

This is the origin of the unlawful decennial census, which has been exploited to pry into every household's private affairs.

The people in former times objected to the census because it was “obviously the forerunner of conscription into the army and was also a survey to determine how many people there were who could be taxed and how much tax they could bear.” Resentment against the census has continued down through the centuries. “The first count of population in the United States was

undertaken in New York in 1712, but had to be left unfinished, so violent was the opposition. New Jersey, a few years later, wanted to take a census but it did not dare begin.”¹⁶

If such a census were necessary, we would find it provided for in Yahweh’s perfect law. The only census Yahweh authorized is for men of military age:

Take ye the sum of all the congregation of the children of Israel, after their families, by the house of their fathers, with the number of their names, every male by their polls; from twenty years old and upward, all that are able to go forth to war.... (Numbers 1:2-3)

This census was abused by King David with grave consequences:

And David said to Joab and to the rulers of the people, Go, number Israel from Beer-sheba even to Dan; and bring the number of them to me, that I may know it. And Joab answered, ... Why will he be a cause of trespass to Israel? ...And God was displeased with this thing; therefore he smote Israel.... So YHWH sent pestilence upon Israel: and there fell of Israel seventy thousand men. (1 Chronicles 21:2-14)

The Constitution’s decennial census is not forbidden in the Bible, but neither was David’s. Something does not necessarily have to be forbidden to be outside Yahweh’s law.

Bible readers often wonder, “Why were the people judged instead of David?” The people, in their apathy, did nothing to contravene David’s unlawful act – just as Americans did nothing in the late 1700s when a handful of men claimed for the people an authority and justice that originated with themselves:

And have no fellowship with the unfruitful works of darkness, but rather reprove [expose, NASB] them. (Ephesians 5:11)

In 1 Samuel 14:44-45, when King Saul intended to kill his son Jonathan, the people repudiated his work of darkness, just as late 18th-century Americans should have done with the Constitution. 2 Kings 20 provides precedent for opposing an unbiblical census:

At that time Berodach-baladan ... king of Babylon, sent letters and a present unto Hezekiah [king of the house of Judah].... And Hezekiah hearkened unto them, and shewed them all the house of his precious things, the silver, and the gold, and the spices, and the precious ointment, and all the house of his armour, and all that was found in his treasures: there was nothing in his house, nor in all his dominion, that Hezekiah shewed them not. (2 Kings 20:12-13)

Although not a formal numbering of the people, Hezekiah’s disclosure sounds all too similar to undiscerning, government-obedient Christians at census time. Is Yahweh pleased with such indiscriminant disclosure?

Then came Isaiah the prophet unto king Hezekiah, and said unto him, ...What have they seen in thine house? And Hezekiah answered, All the things that are in mine house have they seen: there is nothing among my treasures that I have not shewed them. And Isaiah said unto Hezekiah, Hear the word of YHWH. Behold, the days come, that all that is in thine house, and that which thy fathers have laid up in store unto this day, shall be carried into Babylon: nothing shall be left, saith YHWH. And of thy sons that shall issue from thee, which thou shalt beget, shall they take away; and they shall be eunuchs in the palace of the king of Babylon. (2 Kings 20:14-18)

Nowhere was Hezekiah forbidden to divulge particulars about his family and his possessions to the Babylonians, but he was judged for his indiscretion nonetheless.

Section 2, Clause 5

The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

Impeachment finds implicit Biblical precedent in its qualifications for civil rulers. However, the House of Representatives' "sole power of impeachment" has no basis in the Bible. This power of self-discipline, indicative of a good ol' boys' club, has been employed only once in over 220 years (in the case of Senator William Blount on July 8, 1797), despite the fact that almost everyone in the House of Representatives deserves impeachment. Even Charlie Rangel, with his numerous ethics violations, did not rate an impeachment in 2010. Except in the rarest instances, the members of the House are not about to turn on one another for fear that they, in turn, will be devoured by one another.

The Biblical power for removing a judge from his bench is to be impartially enforced whenever a judge breaches the Biblical qualifications, as stipulated in Exodus 18:21; Deuteronomy 1:13-17, 17:15-19; 2 Chronicles 19:5-8; Romans 13:1-4; 1 Corinthians 6:1-5; 1 Timothy 3:1-13; and Titus 1:5-9.

Section 3, Clause 1

The Senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof,¹⁷ for six years; and each senator shall have one vote.

The Senate

The Senate is no more Biblical than is the House of Representatives. Patrick Henry had very little good to say about the Constitution's proposed Senate and its lack of accountability:

...Your Senate is so imperfectly constructed that your dearest rights may be sacrificed by what may be a small minority.... It is on a supposition that your American Governors [senators] shall be honest ... but its defective, and imperfect construction, puts it in their power to perpetrate the worst of mischiefs, should they be bad men: and, Sir, would not all the world, from the Eastern to the Western hemisphere, blame our distracted folly in resting our rights upon the contingency of our rulers being good or bad. Show me that age and country where the rights and liberties of the people were placed on the sole chance of their rulers being good men, without a consequent loss of liberty? I say that the loss of that dearest privilege has ever followed with absolute certainty, every such mad attempt.¹⁸

Limited Government

A senate further enslaves the people to a gargantuan federal government, which must be paid for with tax dollars. Constitutionalists, Libertarians, and even Republicans are often heard discussing the idea that limited government was an objective of the framers. It is true that government was much more limited in the late 1700s than it is today. But do not believe for a minute that the Constitution provided us with limited government, even in the late 1700s. A government consisting of a president, vice president, House of Representatives, Senate, and judiciary can hardly be described as limited. When the framers threw away America's Christian theocracy in exchange for the United States' secular theocracy, they also cast aside limited government.

With some rare exceptions, Yahweh's government consists of only one King and Legislator – Yahweh – and a judiciary to litigate His commandments and statutes and enforce His judgments. *That is limited government.* Yahweh's government has no need for a president and his cabinet, no need for the House of Representatives or the Senate and their glutted bureaucracy, no need for a prison complex, no need for a parasitical welfare system, no need for the Federal Reserve, no need for the Internal Revenue Service, and no need for a tax-subsidized standing army. Constitutionalists want to abolish nearly everything enumerated here, but they would have us “return” to the very document that permitted these excesses and robbed us of a truly limited government.¹⁹

Section 3, Clause 3

No person shall be a senator who shall not have attained to the age of thirty years....

The arbitrary age requirement of thirty years cannot be found in the Bible.

Section 3, Clause 4

The Vice President of the United States shall be president of the Senate, but shall have no vote, unless they be equally divided.

No Biblical precedent exists for a vice president. If we have no need of a president, we certainly have no need of a vice president. (See [Chapter 5](#) “Article 2: Executive Usurpation” for additional information regarding the superfluous positions of president and vice president.)

A search of the records in 1942 showed that in the course of our history the Vice President had cast the deciding vote in the Senate 188 times, often with respect to the most momentous matters. To August of 1994 this has occurred 234 times. It is interesting to note that the fate of the Nation has hung on the ethics and integrity of one man this many times.²⁰

In such instances, instead of determining the future or fate of the nation upon Yahweh's perfect morality as stipulated in His law, the Constitutional Republic relies on the integrity of one finite man, whose deciding vote has often been in contempt of Yahweh's morality.

Section 3, Clauses 6-7

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the chief justice shall preside: And no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

The Senate, like the House of Representatives, is a part of the good ol' boys' club that protects its own in order to protect itself. President Bill Clinton, who was convicted of the misuse of his high office in the obstruction of justice and of perjury before both grand and civil juries, was impeached by the House of Representatives, but the Senate refused to convict him. It is tragic that our forefathers did not heed Patrick Henry's advice:

This, Sir, is my great objection to the Constitution, that there is no true responsibility – and that the preservation of our liberty depends on the single chance of men being virtuous enough to make laws to punish themselves.²¹

Section 6, Clause 1

The Senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States....

Originally, Congressional salaries were \$6 per day while in session. By 1815, Congressmen received \$1,500 annually, and, by 1968, their annual salaries had been raised to \$30,000. The current salary for Senators and Representatives is \$174,000. The Speaker of the House receives \$223,500, and the Majority and Minority Leaders each receive \$193,400. Every year, Congressmen and Senators receive an automatic cost of living adjustment (COLA). Additionally, every member in the Senate and House receives an allotment for office expenses, which includes staff payroll and traveling expenses. This amounts to approximately \$1 million per office. The current annual Congressional expenditure is \$626,103,500, and this does not account for the many other financial perks²² and the lavish retirement plans received by former Congressmen and women and their spouses:

With service of 20-25 years, a Member of Congress could retire with up to 80 percent of his or her final salary replaced. Of course, the only cap on how fast their benefits rise is the rate of increase in CPI [Consumer Price Index]. For this reason, Congressional pensions can and frequently do exceed a Member's final salary, but only after a few years in retirement, when COLAs begin to kick in. For example, a Member of Congress ... could collect \$5 million or more, if he or she retires in his/her fifties, lives until his/her eighties, and elects to leave a part of the pension benefit to a spouse, who then lives 10 or more years longer.... With Cost of Living Adjustments, total payments over a lifetime can reach these levels (though the more typical payout is likely to be between \$1 million and \$2 million). In the final analysis, Congressional pension benefits are 2-3 times more generous than what a similarly-salaried executive could expect to receive upon retiring from the private sector.²³

A return to Yahweh's government, in which a Senate and House of Representatives is superfluous, would eliminate this heavy tax burden altogether.

Section 7, Clauses 1-2

All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law.... If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall become law....

Any legislation in agreement with Yahweh's law is already law and does not need man's ratification to validate it. Any legislation not in agreement with Yahweh's law is simply legalized immorality because "what is morally wrong cannot be made legally right."²⁴

The Constitution authorizes a simple majority in the Senate and House or, if vetoed by the President, a two-thirds majority to make *anything* "law" – including infanticide and the protection and promotion of sodomy. That the federal government does not have jurisdiction to legalize infanticide and sodomy is technically true. However, this does not change the fact that it *did* legalize these and other abominations. Libertarian attorney Lysander Spooner (1808-1887) wrote that the Constitution "has either authorized such a government as we have had, or has been powerless to prevent it."²⁵

That Sundays are an exception in the Constitution's ratification process is not proof that the Constitution is a Christian document. It merely recognizes that presidents are not likely to do business as usual on Sundays. Sundays were exempted in the ten day count to provide presidents a full ten days to consider any bill put before them.

Section 8, Clause 1

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States....

Power

This Clause begins, "The Congress shall have power...." From where is this power derived? From a temporal perspective, this power comes from the god WE THE PEOPLE. Ultimately, it comes from Yahweh. The Prophet Daniel wrote that Yahweh "ruleth in the kingdom of men, and giveth it to whomsoever he will, and setteth up over it the basest of men" (Daniel 4:17). Jesus told the Roman governor Pontius Pilate that "thou couldest have no power at all against me, except it were given thee from above" (John 19:11). However, although all power or authority originates with Yahweh, this does not mean He approves all authority:

...He [Yahweh] shall come as an eagle against the house of YHWH, because they have transgressed my covenant, and trespassed against my law.... Israel hath cast off the thing that is good.... They have set up kings, but not by me: they have made princes, and I knew it not.... (Hosea 8:1-4)

Are we to believe the omniscient, sovereign God did not know what these rebellious Israelites were doing? Rather, their rulers were set in positions of authority *without Yahweh's favor*. This is no different from Yahweh's telling Samuel to give the Israelites the earthly king they desired in 1 Samuel 8, despite the fact that in so doing they were rejecting Him as their King.

No government can exist without Yahweh's allowing it. But two different types of government exist for two different types of people. Nations that submit to Yahweh's Word are blessed with just and righteous rulers. Nations who rebel against His Word are visited with oppressive rulers for the purpose of bringing them to submission:

...they [the twelve tribes of Israel] were disobedient, and rebelled against thee, and cast thy law behind their backs.... Therefore thou deliveredst them into the hand of their enemies, who vexed them ... they did evil again before thee: therefore leftest thou them in the hand of their enemies, so that they had the dominion over them.... And [Yahweh] testifiedst against them, that thou mightiest bring them again unto thy law; yet they dealt proudly, and hearkened not

unto thy commandments, but sinned against thy judgments.... Howbeit thou art just in all that is brought upon us ... we have done wickedly: Neither have our kings, our princes, our priests, nor our fathers, kept thy law, nor hearkened unto thy commandments and thy testimonies.... For they have not served thee in their kingdom.... Behold, we are servants this day ... unto the kings whom thou hast set over us because of our sins: also they have dominion over our bodies, and over our cattle, at their pleasure, and we are in great distress. (Nehemiah 9:26-37)

Power to Unfairly Tax

Some people believe the Constitution's authority to tax is implied in Romans 13:

Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation.... Wherefore ye must needs be subject, not only for wrath, but also for conscience' sake. For for this cause pay ye tribute [taxes, NASB] also: for they are God's ministers, attending continually upon this very thing. Render therefore to all their dues: tribute to whom tribute is due; custom to whom custom; fear to whom fear; honour to whom honour. (Romans 13:1-2, 5-7)

Many ministers have turned this passage into "a sword of oppression rather than a shield from tyranny."²⁶ If one ignores the context, it does appear that all governments have the right to tax their citizens and that Christians are obligated to pay any and all taxes. But this interpretation can only be defended if verses 3 and 4 are ignored. In verse 6, we are told, "for this cause pay ye tribute." In other words, for the specific cause mentioned in the previous verses:

For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same: For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. (Romans 13:3-4)

The Apostle Paul was explicit about the type of rulers to whom he was referring. Three times in five verses he identified them as ministers or servants of Yahweh who do good to the righteous and strike fear into the hearts of the wicked. Does this description apply to everyone working in government today? Does this description apply to *anyone* in government today? Just as respect and honor are not due to everyone, neither are taxes due to someone just because he claims them. Are taxes due to those who legislate and finance pornography, sodomy, and infanticide? Are taxes due to those who conspire to disarm law-abiding citizens and who promote an antichrist New World Order?

Because Article 6 bans Biblical qualifications for public officials, it was inevitable that evil men (the opposite of those described in Romans 13) would one day sit in the "seat of Moses" here in America. In paying government officials who do not fit Paul's description, we finance our own destruction:

The fact is that the government, like a highwayman, says to a man: "*Your money, or your life.*" The highwayman ... does not pretend that he has any rightful claim to your money, or that he intends to use it for your own benefit. He does not pretend to be anything but a robber.... He does not persist in following you on the road, against your will; assuming to be your rightful "sovereign," on account of the "protection" he affords you.... He is too much of a gentleman to be guilty of such impostures, and insults, and villainies as these.

...whoever desires liberty, should understand these vital facts, viz.: 1. That every man who puts money into the hands of a “government” (so called), puts into its hands a sword which will be used against him, to extort more money from him, and also to keep him in subjection to its arbitrary will. 2. That those who will take his money, without his consent, in the first place, will use it for his further robbery and enslavement, if he presumes to resist their demands in the future.... 5. That the only security men can have for their political liberty, consists in their keeping their money in their own pockets, until they have assurances, perfectly satisfactory to themselves, that it will be used as they wish it to be used, for their benefit, and not for their injury [as per Romans 13:3-4].²⁷

In 1749, Pastor Jonathan Mayhew concurred in a sermon preached from Romans 13:

Here the apostle argues the duty of paying taxes from this consideration, that those who perform the duty of rulers are continually attending upon the public welfare. But how does this argument conclude for paying taxes to such princes as are continually endeavoring to ruin the public, and especially when such payment would facilitate and promote this wicked design?

Does this argument conclude for the duty of paying tribute, custom, reverence, honor, and obedience to such persons as, although they bear the title of rulers, use all their power to hurt and injure the public? – such as are not God’s ministers, but Satan’s? such as do not take care of and attend upon the public interest, but their own, to the ruin of the public? – that is, in short, to such as have no just claim at all to tribute, custom, reverence, honor, and obedience? It is to be hoped that those who have any regard to the apostle’s character as an inspired writer, or even as a man of common understanding, will not represent him as reasoning in such a loose, incoherent manner, and drawing conclusions which have not the least relation to his premises. For what can be more absurd than an argument thus framed: “Rulers are, by their office, bound to consult the public welfare and the good of society; therefore, you are bound to pay them tribute, to honor, and submit to them, even when they destroy the public welfare, and are a common pest to society by acting in direct contradiction to the nature and end of their office”?²⁸

Renowned Bible Commentator Adam Clarke also commented upon Paul’s intent:

...there is no insinuation in the apostle’s words in behalf of an extravagant and oppressive taxation, for the support of unprincipled and unnecessary wars; or the pensioning of corrupt or useless men.²⁹

Even Thomas Jefferson declared that no one should be forced to underwrite immoral legislation:

...to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical....³⁰

Furthermore, nowhere in the Constitution is a limit imposed on taxation. This greatly concerned Patrick Henry and Luther Martin:

The clause under consideration gives an unlimited and unbounded power of taxation.... [T]he whole of our property may be taken by this American government, by laying what taxes

they please, giving themselves what salaries they please and suspending our laws at their pleasure....³¹

By the power to lay and collect imposts, they impose duties on any and every article of commerce imported into these States, to what amount they please. By the power to lay excises ... the Congress may impose duties on every article of use of consumption, on the food that we eat, on the liquors that we drink, on the clothes that we wear, the glass which enlightens our houses, or the hearths necessary for our warmth and comfort. By the power to lay and collect taxes, they may proceed to direct taxation on every individual, either by capitation tax on their heads, or an assessment on their property. ...to what amount they choose, and thus to sluice them at every vein as long as they have a drop of blood, without any control, limitation, or restraint....³²

Henry's and Martin's³³ concerns were prophetic. This "unlimited and unbounded power of taxation" – what today might be described as womb-to-tomb taxation – has become a reality. Biblical tax, on the other hand, is fixed at ten percent of a person's increase. Under Yahweh's economic system, only those who can afford it are taxed. No one would ever be encumbered with income or property tax. These egregious taxes, and others, are addressed in Chapter 25 "Amendment 16: Graduated Income Tax vs. Flat Increase Tax."

Christians should gladly pay a tithe of their increase to a government that does good works, supports the righteous, and brings wrath (judgment) upon the wicked. In fact, we are explicitly charged to do so. However, because the Constitution is antithetical and antagonistic to Yahweh's morality, the United States Constitutional Republic is disqualified as the type of government described by Paul in Romans 13.

Section 8, Clause 2

[Congress shall have power] To borrow money on the credit of the United States.

Power to Economically Enslave

...thou shalt lend unto many nations, and thou shalt not borrow. (Deuteronomy 28:12)

The rich ruleth over the poor, and the borrower is servant [slave, NASB] to the lender. (Proverbs 22:7)

The United States government was in debt from its inception:

From the very beginning, the U.S. had a monetary system based on borrowing and debt. First came the thousands of state chartered banks that began operating late in the Revolutionary War period and continued in one form or another until today. Then there were the two early central banks: the First Bank of the United States (1791-1811) and the Second Bank of the United States (1816-1836). Today's national banking system began during the Civil War with the National Banking Acts of 1863-64. Then there is the system we are living under today, the Federal Reserve, chartered by Congress in 1913. Even during the times when the government has sold its debt directly to the public, as with war bonds, savings bonds, and Treasury notes and bills, that too has been money borrowed at interest.³⁴

Because borrowing money was perceived as necessary since the ratification of the Constitution, the United States government has been under the curse of Yahweh from its inception. One of Yahweh's blessings is the ability to lend; one of His curses is the necessity of borrowing:

And it shall come to pass, if thou shalt hearken diligently unto the voice of YHWH thy God, to observe and to do all his commandments which I command thee this day, that YHWH thy God will set thee on high above all nations of the earth: And all these blessings shall come on thee, and overtake thee.... YHWH shall open unto thee his good treasure, the heaven to give the rain unto thy land in his season, and to bless all the work of thine hand: and thou shalt lend unto many nations, and thou shalt not borrow.... But it shall come to pass, if thou wilt not hearken unto the voice of YHWH thy God, to observe to do all his commandments and his statutes which I command thee this day; that all these curses shall come upon thee, and overtake thee.... The stranger that is within thee shall get up above thee very high; and thou shalt come down very low. He shall lend to thee, and thou shalt not lend to him: he shall be the head, and thou shalt be the tail. (Deuteronomy 28:1-2, 12, 15, 43-44)

Put simply, the Constitution provides for the monetary enslavement of the people of the United States of America. Because Americans chose a government that represented themselves, our present economic woes were inevitable:

Thus speaketh YHWH of hosts, saying, This people say, The time is not come, the time that YHWH's house [the seat of government] should be built. Then came the word of YHWH by Haggai the prophet, saying, Is it time for you, O ye, to dwell in your cieled [paneled, NASB] houses, and this house lie waste? ...Consider your ways. Ye have sown much, and bring in little; ye eat, but ye have not enough; ye drink, but ye are not filled with drink; ye clothe you, but there is none warm; and he that earneth wages earneth wages to put it into a bag with holes. Thus saith YHWH of hosts; Consider your ways. ...build the house; and I will take pleasure in it, and I will be glorified, saith YHWH. Ye looked for much, and, lo, it came to little; and when ye brought it home, I did blow upon it (blow it away, NASB). Why? saith YHWH of hosts. Because of mine house that is waste, and ye run every man unto his own house. (Haggai 1:2-9)

Shortly after his appointment as the United States' first Secretary of Treasury, Alexander Hamilton funded the new economy with borrowed money. Five months later, James Jackson, the first congressman of Georgia, predicted our present-day economic quagmire:

Though our present debt be but a few millions, in the course of a single century it may be multiplied to an extent we dare not think of.³⁵

Yahweh's law does not permit government borrowing. According to Deuteronomy 28:43-44, having to borrow from other nations is a curse for failing to follow Yahweh's commandments, statutes, and judgments. In Deuteronomy 15:1-11, Yahweh limits private debts to seven years, which results in the following blessings:

At the end of every seven years thou shalt make a release. ...Every creditor that lendeth ought unto his neighbour shall release it.... For YHWH thy God blesseth thee, as he promised thee: and thou shalt lend unto many nations, but thou shalt not borrow; and thou shalt reign over many nations, but they shall not reign over thee. (Deuteronomy 15:1-6)

R.J. Rushdoony described the subterfuge involved in the promise of a balanced budget under constitutional government:

...although politicians may promise a balanced budget, they are more likely to gain the power they desire by increasing debt, for in a debt-free country, the citizenry is strong and the civil government is limited. In a debt-ridden country, taxes increase, liberties decrease, and the civil government, increasingly less responsive to the will of the citizenry, increases its own power over the people even as it vastly enlarges the power of the invisible government over all.³⁶

Debt invariably enslaves future generations as well:

The last of the Civil War debt was retired in 1934. As of June 30, 1919, the Treasurer of the United States reported the estimated gross cost of World War I as \$30,177,000,000. The debt for World War II is placed at around \$275,000,000,000.³⁷

Circa 1988, the United States of America became the world's greatest debtor nation. At the end of 2007, the United States national debt was \$8.7 trillion and growing by \$600 billion a year. To float our economy, we borrow approximately \$2 billion daily from foreign investors. It is estimated that every man, woman, and child in the United States would have to shell out \$49,000 to pay off the United States' current debt.

Section 8, Clause 3

[Congress shall have power] To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

Power to Contract With Non-Christian Nations

Clause 3 contains no stipulation for commerce with only Christian nations, as required under Yahweh's law:

But if thou shalt indeed obey his [Yahweh's] voice, and do all that I speak; then I will be an enemy unto thine enemies, and an adversary unto thine adversaries.... Thou shalt make no covenant with them, nor with their gods. (Exodus 23:22-32)

Be ye not unequally yoked together with unbelievers: for what fellowship hath righteousness with unrighteousness? And what communion hath light with darkness? And what concord hath Christ with Belial? Or what part hath he that believeth with an infidel? And what agreement hath the temple of God with idols? For ye are the temple of the living God; as God hath said, I will dwell in them, and walk in them; and I will be their God, and they shall be my people. Wherefore come out from among them, and be ye separate, saith the Lord, and touch not the unclean thing; and I will receive you, and will be a Father unto you, and ye shall be my sons and daughters, saith the Lord Almighty. (2 Corinthians 6:14-18)

Section 8, Clause 3 paved the way for the General Agreement on Tariffs and Trade (GATT), the North American Free Trade Agreement (NAFTA), the North American Union (NAU), and other disastrous unbiblical trade agreements:

And Jehu the son of Hanani the seer ... said to king Jehoshaphat, Shouldest thou help the ungodly, and love them that hate YHWH? Therefore is wrath upon thee from before YHWH. (2 Chronicles 19:2)

These passages also rule out any kind of foreign aid to non-Christian nations. To provide financial assistance to pagan nations may be a contravention of Yahweh's judgment of financial impoverishment on an ungodly or idolatrous nation. No amount of money can bail out a nation under Yahweh's judgment.

Section 8, Clause 4

[Congress shall have power] To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

Power to Unlawfully Integrate

In disregard of Yahweh's laws of segregation, the framers' vague language regarding naturalization and citizenship opened the door to integration, multiculturalism, and pluralism. (See [Chapter 22](#) "Amendment 13: Constitutional vs. Biblical Slavery" for additional information regarding Biblical laws concerning segregation, and [Chapter 23](#) "Amendment 14: First-Birth vs. Second-Birth Citizenship" for additional information regarding constitutional versus Biblical citizenship.) This, in turn, has led to advocates of gods other than Yahweh ruling over us and legislating additional "laws" contrary to Yahweh's. (See [Chapter 24](#) "Amendment 15: Colorblind Voting" for additional information regarding the consequences of integrated elections.)

Power to Implement Unbiblical Bankruptcy Regulations

In Deuteronomy 15:1-11, the [Fourth Commandment](#)'s sabbatical year provides a seven-year bankruptcy provision, by which those unable to meet their financial obligations can be forgiven their debt. However, because the framers disregarded this Biblical provision, unbiblical bankruptcy regulations have been implemented in its place.

Section 8, Clause 5

[Congress shall have power] To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

Power to Fix Unjust Weights and Measures

Yahweh's law is specific regarding money and its standard of weights and measures. Any empowering of Congress to do the same was redundant, at best:

Just balances, just weights, a just ephah, and a just hin, shall you have: I am YHWH your God.... (Leviticus 19:36)

Granting this power to Congress gave them the means to corrupt this Biblical provision:

...the Act of Congress of February 25, 1862, as revised down to March 3, 1863, is still effective, declaring that "United States Notes shall be lawful money, and a legal tender in payment of all debts, public and private, within the United States, except for duties on imports and interest on public debt." It must be here noted that Federal Reserve Notes (FRNs) are only in the form of a note, no longer a promissory note, having no provision for redemption in lawful money [gold or silver], and are sustained in value as MONEY only by COMMON USAGE and

BELIEF. It is true FIAT MONEY. The new \$100 “off center” Franklin bill issued in 1998 and the other “off center” bills issued since are no longer even against a Federal Reserve Bank, the Seal is that of the Federal Reserve System.³⁸

The divine power to impute value to paper currency (creating something out of nothing) is additional evidence that WE THE PEOPLE, as represented by Congress, has usurped Yahweh as God. Because the United States economic system is based on nothing more than faith, it is essentially a religion. Once the populace figures out the worthlessness of their Federal Reserve Notes and stops believing in them, the economic system will collapse. Ominous signs indicate this inevitability may not be far off.

Section 8, Clause 7

[Congress shall have power] To establish post-offices and post-roads.

Power to Establish Monopolies

Monopolies are often misunderstood:

Being a single seller, by itself, is not good, nor evil – it depends on how one obtained that single-seller status. Did one obtain a monopoly by economic competition in the marketplace, or did one obtain it by political pull, i.e., lobbying? ...The sole source of harmful monopolies is the government, which is the only agency that has the power to outlaw (i.e., regulate) competition. As evidence, witness the United States Post Office, which makes it illegal for anyone to charge less than 34¢ [44¢ today] for first class mail... Other examples include the East India Company of the 17th and 18th centuries, the American Pacific Railroads of the 19th century, and the AMA’s monopoly over the prescription of medicine in the 20th [and 21st] century.³⁹

When government legalizes a monopoly, it discriminates against, restricts, and even prohibits others from making a lawful living by the same means. Put simply, government-created monopolies are organized theft. The following passages condemn monopolies, in principle, including the United States Postal Service and the government’s ownership of America’s highway system:

Thou shalt not remove thy neighbour’s landmark, which they of old time have set in thine inheritance, which thou shalt inherit in the land that YHWH thy God giveth thee to possess it. (Deuteronomy 19:14)

Woe unto them that join house to house, that lay field to field, till there be no place, that they may be placed alone in the midst of the earth! (Isaiah 5:8)

The establishment of the Postal Service was the first act of Congress by which unbiblical monopolies were authorized. The Postal Reorganization Act of 1970, also known as Public Law 91-375, changed the Postal Service into a self-supporting corporation owned by the federal government. Government has no business owning anything. Deuteronomy 19:3 provides for vital roads to be built (in this instance, to and from the cities of refuge), but it does not designate by whom. Because all land is to be held privately, it stands to reason that the roads are also owned privately and either opened to the public free of charge or operated as toll roads.

Section 8, Clause 11

[Congress shall have power] To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

Power to Engage in Unlawful Warfare

The power to declare war is a serious responsibility. Why were the framers so vague in defining the parameters of war and the conditions under which it could be declared? Section 8, Clause 11 is the only place of significance where warfare is mentioned in the Constitution. Little wonder this power has been abused. Luther Martin protested:

...the congress have also a power given them to raise and support *armies*, without *any limitation* as to *numbers*, and without *any restriction in time of peace*. Thus, sir, this plan of government, instead of guarding against a standing army, that engine of arbitrary power, which has so *often* and so *successfully* been used for the *subversion of freedom*, has in its formation given it an *express and constitutional sanction*....⁴⁰

John Quincy Adams predicted the consequences of America's international military entanglements:

America ... has abstained from interference in the concerns of others, even when the conflict has been for principles to which she clings.... Wherever the standard of freedom and independence has been or shall be unfurled, there will her heart, her benedictions, and her prayers be. But she goes not abroad in search of monsters to destroy.... She well knows that by once enlisting under other banners than her own, were they even the banners of foreign independence, she would involve herself beyond the power of extrication, in all the wars of interest and intrigue, of individual avarice, envy and ambition, which assume the colors, and usurp the standard of freedom. The fundamental maxims of her policy would insensibly change from *liberty* to *force*; the frontlet on her brow would no longer beam with the ineffable splendor of freedom and independence; but in its stead would soon be substituted an imperial diadem, flashing in false and tarnished luster, the murky radiance of dominion and power. She might become the dictatress of the world: she would be no longer the ruler of her own spirit.⁴¹

Because the framers provided no Biblical parameters, unbiblical warfare has been the rule ever since. Following is a list of the countries bombed by the United States since World War II:

- China: 1945-46; 1950-53
- Korea: 1950-53
- Guatemala: 1954; 1967-69
- Indonesia: 1958
- Cuba: 1959-60
- Vietnam: 1961-73
- Congo: 1964
- Laos: 1964-73
- Peru: 1965
- Cambodia: 1969-70
- Granada: 1983
- Libya: 1986; 2011
- El Salvador: 1980s

- Nicaragua: 1980s
- Panama: 1989
- Iraq: 1991-2001; 2003-09
- Sudan: 1998
- Afghanistan: 1998; 2003-09
- Yugoslavia: 1999.

From 1945 to the present, the United States has bombed nineteen different countries under the guise of defending America's sovereignty and promoting democracy. But America is none the better for it, and not one of these countries has become a legitimate democracy – not that this would be anything to celebrate. Something is amiss. Wars fought for political gain or financial profit can only be classified as ungodly acts of aggression. It would be prudent for today's presidents to learn from Kings Josiah's and Amaziah's tragic mistakes. Although they were both acclaimed as godly men by Yahweh, Josiah was killed (2 Chronicles 35:21-24) and Amaziah (2 Kings 14:8-14) was taken captive for their wars of aggression.

We often hear that we need to “fight them over there so we won't have to fight them over here.” But fighting alleged enemies “over there” has not made America any safer and, in some instances, such acts of aggression have made America *less* safe.

Without the constitutional power to borrow, these and all subsequent ungodly wars could have perhaps been averted.

Biblical Warfare

Certain acts of warfare *are* Biblically justified. On numerous occasions in the Old Testament, Yahweh commanded His people to initiate war against ungodly nations. His law requires every able Israelite man, twenty years and older, to prepare for armed service:

...YHWH spake unto Moses ... saying, Take ye ... from twenty years old and upward, all [men] that are able to go forth to war in Israel ... number them by their armies. (Numbers 1:1-3)

This describes an autonomous militia, not a national standing army, national service, or military draft. Under King Saul, ancient Israel gave up this autonomy for a centralized standing army. The Constitutional Republic's standing army is part of the curse Yahweh warned the Israelites would accompany their enthronement of an earthly, human king:

...This will be the manner of the king that shall reign over you: He will take your sons, and appoint them for himself, for his chariots, and to be his horsemen; and some shall run before his chariots. And he will appoint him captains over thousands, and captains over fifties; and will set them to ear his ground, and to reap his harvest, and to make his instruments of war, and instruments of his chariots. (1 Samuel 8:11-12)

Our young men *and women* have been taken and often sacrificed by today's military industrial complex. United States citizens are financing the destruction of their own sons and daughters in ungodly conflicts. It is often implied that if your country calls, it is your duty to serve regardless the cause. However, Yahweh prescribes strict rules of warfare for His people:

When thou comest nigh unto a city to fight against it, then proclaim peace unto it. ...[I]f it make thee [an] answer of peace ... then it shall be, that all the people that is found therein shall be tributaries unto thee, and they shall serve thee. ...[I]f it will make no peace with thee, but will make war against thee, then thou shalt besiege it.... When thou shalt besiege a city ... thou shalt not destroy the [fruit] trees thereof ... thou mayest eat of them, and thou shalt not

cut them down ... to employ them in the siege: Only the trees which thou knowest that they be not trees for meat [fruit], thou shalt destroy and cut them down; and thou shalt build bulwarks against the city that maketh war with thee, until it be subdued. (Deuteronomy 20:10-20)

These and other Biblical rules of warfare determine the righteousness of a war. Untold numbers of people have been killed in wars fought in the name of Christianity, but few of these wars were Christian. If a military conflict waged in the name of Christianity is not Biblical, it is not Christian. More often than not, it is the departure from the Biblical rules of warfare that is responsible for the unjustified deaths in these “holy” wars.

Most Christians are oblivious to the United States’ unbiblical warfare tactics, including the indiscriminate Agent Orange defoliation policy in Vietnam and the attack upon Iraq after George W. Bush spurned Saddam Hussein’s peace offering. Only conflicts waged in legitimate defense of one’s homeland are justified and godly. Christians must be cautious about sending their children to fight in America’s military conflicts. Not only might their children be sacrificed for an unrighteous cause, Yahweh might very well consider soldiers in such campaigns to be murderers or accomplices to murder.

Section 8, Clause 15

[Congress shall have power] To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions.

Power to Provide and Call Forth a Militia

Except for the phrase “execute the laws of the union,” the Constitution has finally provided something compatible with the Bible: a militia composed of able-bodied men for the defense of themselves, their families, their communities, and their nation.⁴² However, Patrick Henry found good reason for concern with Congress’ control over the militia:

...this government ... does not leave us the means of defending our rights, or of waging war against tyrants.... Have we the means of resisting disciplined armies, when our only defense, the militia, is put into the hands of congress?⁴³

Section 8, Clause 18

[Congress shall have power] To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Power to Unlimited Legislation

Do not miss the open-ended legislative power granted Congress. Despite the Constitutionalists’ claims to the contrary, today’s government is constitutional. Nearly every “law,” which has and will be made, was made possible by this Clause. It might even be argued that this includes the much contested Fourteenth and Sixteenth Amendments. Although there are legitimate constitutional concerns regarding the manner by which both of those Amendments were passed, they have been accepted by every subsequent Congress, making them, in effect, constitutional law. That this Clause granted Congress almost unlimited power is proven in that it was vigorously contested for this very reason:

There was no opposition or discussion in the Convention, but great opposition was made in the State conventions. Patrick Henry often speaks of it as “the sweeping clause,” by which Congress was to overthrow the States. Those opposed to the Constitution assailed it with great vehemence, and endeavored, through the prejudice excited, to prevent the conventions of the States from ratifying the Constitution.... Mr. Madison says, “Few parts of the Constitution have been assailed with more intemperance than this....”⁴⁴

This power was already inherent in the Constitution, even without this Clause:

Writers on Constitutional Law agree that Congress would have had ample authority to make all laws necessary and proper for carrying into execution the powers vested in the general government by the Constitution, even if this clause had not been inserted. If the Constitution provides for a government, and invests it with powers, it follows as an unavoidable inference that the legislative department of that government can make the laws needful for carrying those powers into execution.... From the beginning of the government under the Constitution, laws have been enacted that could be justified only on the doctrine of implied powers.⁴⁵

Without the parameters of Yahweh’s morality as found in His commandments, statutes, and judgments, Section 8, Clause 18 becomes an open door to legislate almost anything. It places legislative decisions at the personal discretion (or indiscretion, as the case may be) of the Legislative and Judicial branches of the federal government.

Section 9, Clause 1

The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808, but a tax or duty may be imposed on such importations, not exceeding ten dollars for each person.

Power to Profit from Slavery

This Clause was rendered obsolete on January 1, 1808, when Congress prohibited all further importation of slaves. However, slavery was nonetheless constitutionally legal for nearly twenty-one years with the proviso that a tax be imposed upon the sale of slaves. Although the Bible allows certain forms of slavery (see [Chapter 22](#) “Amendment 13: Constitutional vs. Biblical Slavery”), it does not provide for a slave market from which government can profit. It is sometimes argued that because political changes do not occur overnight, the framers could not abolish such a longstanding institution immediately. This is probably true, but this argument does not justify the Constitution’s provision to profit from it.

Section 9, Clause 2

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

Habeas Corpus vs. Witnesses

Habeas corpus (Latin for “we command that you have the body” or “show the body”) is meant to protect individuals against arbitrary government prosecution. In order to hold and prosecute an indicted criminal, plausible evidence must exist. However, with the exception of treason, the Constitution does not specify the nature of credible evidence. Yahweh’s law, on the other hand, requires every indictment to be based upon the testimony of two or more credible witnesses (among other things⁴⁶):

One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sinneth: at the mouth of two witnesses, or at the mouth of three witnesses, shall the matter be established. (Deuteronomy 19:15)

Conclusion

Psalm 19:7-11 declares that Yahweh's commandments, statutes, and judgments are more desirable than gold. The framers obviously did not desire them because they replaced them with their own edicts.

...they that handle the law knew me not.... Hath a nation changed their gods, which are yet no gods? But my people have changed their glory for that which doth not profit.... For my people have committed two evils; they have forsaken me the fountain of living waters, and hewed them out cisterns, broken cisterns, that can hold no water. (Jeremiah 2:8-13)

Because Yahweh's law is perfect, endeavors to improve upon it, via human legislators, are attempts to dethrone our King and commandeer His throne. This is what happened in the Garden, at the Tower of Babel, and when the people chose Saul over Yahweh as their king. It is what has been attempted every time our forefathers rejected Yahweh's laws and chose man's laws to replace them.

Ephraim is oppressed and broken in judgment, because he willingly walked after the commandment [of men]. (Hosea 5:11)

In a lecture entitled "Law: The Biblical Foundations," constitutional attorney Herb Titus compared forming a government to building a ship:

Today if a man would build a ship to launch on the ocean according to his own views of the way ships ought to be built ... and he didn't conform that ship to the laws that govern navigation, that ship would either sink or it wouldn't get very far. Why does man think he can build the ship of state according to his own imagination [and not on the laws of Yahweh] as to what governs human relationships, whether they be sexual, commercial, or whatever...?⁴⁷

Too bad Titus did not apply this same standard to the Constitution.

The movie *The Ten Commandments* contains a personal introduction by director Cecil B. DeMille, in which he made a statement that is politically and, in many churches, religiously incorrect today:

The theme of this picture is whether men ought to be ruled by God's laws or whether they are to be ruled by the whims of a dictator like Ramses. Are men the property of the State or are they free souls under God? This same battle continues throughout the world today.⁴⁸

Few people believe Yahweh has the monopoly on legislation. If Christians truly believed Isaiah 33:22, they would refuse to use the word "legislators" for yesterday's constitutional framers or today's senators and representatives. They certainly would not regard the unbiblical decrees of these "legislators" as law.

Know therefore this day, and consider it in thine heart, that YHWH he is God in heaven above, and upon the earth beneath: there is none else. Thou shalt keep therefore his statutes, and his commandments, which I command thee this day, that it may go well with thee, and

with thy children after thee, and that thou mayest prolong thy days upon the earth, which YHWH thy God giveth thee, for ever. (Deuteronomy 4:39-40)

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End Notes

1. Gideon J. Tucker, *New York Surrogate Reports* (New York, NY: New York Surrogate, 1866), p. 249, quoted in Suzy Platt, ed., *Respectfully Quoted: A Dictionary of Quotations* (New York: NY: Barnes & Noble, 1992) p. 198.
2. Noah Webster, *American Dictionary of the English Language*, s.v. “Legislator” (1828; reprint ed. San Francisco, CA: The Foundation for American Christian Education, 1967).
3. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the sacred names of God, “[The Third Commandment](#)” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested \$4 donation.*
4. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.
5. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, “[The Third Commandment](#)” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$4 donation.*
6. Gary DeMar, “Says Who?,” *Biblical Worldview* (Powder Springs, GA: American Vision, March 2003) vol. 19, num. 3, p. 7.
7. T. Robert Ingram, *The World Under God’s Law* (Houston, TX: St. Thomas Press, 1981) p. 33.
8. Yeshua is the English transliteration of our Savior’s given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, “[The Third Commandment](#)” may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$4 donation.*
9. Richard Mosier, *The American Temper* (Berkeley, CA: University of California Press, 1952) p. 70.

10. David Barton, *Original Intent: The Courts, the Constitution, & Religion* (Aledo, TX: WallBuilder Press, 2005) p. 339.
11. W.W. Turner, *The Amazing Story of the British Sovereign* (Nashville, TN: 1970) p. 4, quoted in Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) p. 644.
12. Ron Paul's answer "it's too complex to me" was similar to Barack Obama's equivocating response to Rick Warren's question, "At what point does a baby get human rights?" Obama responded, "To answer that question with specificity is above my pay scale."
13. Ron Paul, interview by John Lofton, Summer 2007, <http://www.youtube.com/watch?v=zIeWoDY64bE>.
14. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book Baptism: All You Wanted to Know and More may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.
15. President Ronald Reagan, 1987 State of the Union Address, [Click for Link](#).
16. H.B. Clark, *Clark's Biblical Law* (Portland, OR: Binford & Mort, 1943) p. 66.
17. The phrase "chosen by the legislature thereof" was changed by Amendment 17, Section 1 to "elected by the people."
18. Patrick Henry, Ralph Ketcham, ed., "Speeches of Patrick Henry (June 5 and 7, 1788)," *The Anti-Federalist Papers and the Constitutional Convention Debates* (New York, NY: Penguin Books, 2003, 2nd ed.) pp. 213-14.
19. In addition to Biblical judiciary, there would also need to be Biblically qualified men who would be responsible for applying Yahweh's law to arising situations: "Perhaps it would be more appropriate to refer to legislators as 'law finders' [or applicators] rather than 'law makers.' This would signify that their primary task is to search the Word of God for divine law on which to model the laws of the nation." Dennis Woods, *Discipling the Nations: The Government Upon His Shoulder* (Franklin, TN: Legacy Communications, 1996) p. 8.
20. Thomas James Norton, "The Constitution For the United States: Its Sources and Its Application: Article I" <http://www.barefootsworld.net/constit2.html>.
21. Henry, pp. 215-16.
22. "Salaries for members of congress, Supreme Court Justices, and the President," National Taxpayer's Union, [Click for Link](#).
23. "Information on Congressional Retirement Benefits," National Taxpayer's Union, <http://www.ntu.org/on-capitol-hill/pay-and-perks/information-on-congressional.html>.
24. Abraham Lincoln, quoted in H.B. Clark, *Clark's Biblical Law* (Portland, OR: Binford & Mort, 1943) p. 33.
25. Lysander Spooner, *No Treason, No. 7, The Constitution of No Authority*, <http://praxeology.net/LS-NT-6.htm#>.

26. Paul Hall, back cover of *Christian Duty Under Corrupt Government: A Revolutionary Commentary on Romans 13:1-7*, by Ted R. Weiland, 2nd ed. (Scottsbluff, NE: Mission to Israel, 2006). Christian Duty Under Corrupt Government may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$7 donation.*
27. Lysander Spooner, *No Treason No. 6: The Constitution of No Authority*,” <http://praxeology.net/LS-NT-6.htm>.
28. Jonathan Mayhew, “A Discourse Concerning Unlimited Submission and Non-Resistance to the Higher Powers,” quoted by John Wingate Thornton, *The Pulpit of the American Revolution: Political Sermons of the Period of 1776* (New York, NY: Da Capo Press, 1979) pp. 77-78.
29. Adam Clarke, *Clarke’s Commentary*, 6 vols. (New York, NY: Carlton & Phillips, 1853) vol. 6, p. 147.
30. Thomas Jefferson, preamble to the Virginia Bill for Establishing Religious Freedom, 1789.
31. Henry, pp. 211-12.
32. Luther Martin, Jonathan Elliott, ed., *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, 4 vols. (Washington, DC: Jonathan Elliott, 1836) vol. 1, p. 368 .
33. Patrick Henry refused to attend the Constitutional Convention, saying he “smelt a rat in Philadelphia.” Luther Martin became disillusioned and left the Convention without putting his signature to the document.
34. Richard C. Cook (a former U.S. federal government analyst), “A Master-Slave Society: Democrats in Denver Should Skip One of Their Parties and Read the American Monetary Act,” <http://www.marketoracle.co.uk/Article5992.html>.
35. James Jackson, *Annals of Congress*, Volume 1, February 1790, pp. 1141-42.
36. Rousas John Rushdoony, *The Nature of the American System* (Vallecito, CA: Ross House Books, 1965/2001) p. 169.
37. Thomas James Norton, “The Constitution For the United States: Its Sources and Its Application: Article I” <http://www.barefootworld.net/constit2.html>.
38. Ibid.
39. “Monopoly,” www.self-gov.org/good/a0276.php.
40. Martin, p. 59.
41. John Quincy Adams, quoted in William H. Seward, *Life and Public Services of John Quincy Adams* (New York, NY: C.M. Saxton, Barker & Co., 1860) p. 132.
42. See [Chapter 12](#) “Amendment 2: Constitutional vs. Biblical Self-Defense” for additional information regarding the Biblical mandate to bear arms.
43. Patrick Henry, quoted in William Wirt, *Sketches of the Life and Character of Patrick Henry*(Ithaca, NY: Andrus, Gauntlett, & Co., 1850) p. 195.
44. Israel Ward Andrews, *Andrews Manual of the Constitution* (Cincinnati and New York: Van Antwerp, Bragg & Co., 1887) pp. 132-33.
45. Ibid., pp. 132-35.

46. For a more thorough explanation of Yahweh's indictment requirements, "[The Ninth Commandment](#)" may be read online, or the book *Thou shalt not covet* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$4 donation.*

47. Herb Titus, "Law: The Biblical Foundations," Disc 2, *God, Man, & Law: The Biblical Principles*(Powder Springs, GA: The American Vision, 2007).

48. Cecil B. DeMille, *The Ten Commandments*, Paramount Pictures, Hollywood, 1956.

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