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² The 10th and 9th Amendments are still officially, legally part of the Constitution—but since 1937 they are effectively gone, erased because of outrageous, illegal, unconstitutional Supreme Court decisions to just pretend they do not exist. They have been in effect eliminated.

³ Jay Cost, *Spoiled Rotten: How the Politics of Patronage Corrupted the Once Noble Democratic Party and Now Threatens the American Republic*, Broadside Books, 2012

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⁶ James Madison, *The Federalist* Number 45, 26 January 1788

⁷ James Madison, 1800, Report of 1800 given to Congress. Madison wrote “12th” amendment rather than 10th since the original Bill or Rights proposal had 12 Amendments, but the first 2 were never passed, so the 12th ended up as our 10th, with the exact wording as Madison used in this 1800 report.

<https://founders.archives.gov/documents/Madison/01-17-02-0202>

⁸ Charles Murray, *By the People: Rebuilding Liberty Without Permission*, Crown Publishing, 2016, p. 16

Charles Murray, *By the People: Rebuilding Liberty Without Permission*, Crown Publishing, 2016, p. 20

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¹⁰ Roger Pilon, Cato Institute, The Purpose and Limits of Government, Cato's Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

¹¹ Roger Pilon, Cato institute: "Nevertheless, in 1936 the Court said, albeit in dicta, that Congress did have an independent power to spend for the general welfare;³⁸ then in 1937 the Court announced that conclusion as part of its holding and added that it would not thereafter police Congress as to whether it was spending for the general or for some particular welfare but would leave it to Congress to police itself.³⁹ The result, not surprisingly, has been an ever expanding welfare state as Congress has been unable to resist — when it has not itself abetted — unrestrained demands on the public treasury — all in the name of the "general welfare." The story of the Commerce Clause is similar, for it too was meant to be a shield against power, not a sword of power as it is today. In this case, however, the Founders were concerned to restrain not federal but state power, which had been used under the Articles of Confederation to enact protectionist legislation aimed at protecting local manufacturers and merchants against competition from out-of-state interests. Seeking to ensure a national market and a regime of free trade among the states, the Founders gave Congress the power to regulate, or "make regular," commerce among the states. It was thus a power essentially to negate state efforts at restraining trade — and in fact was so read in the first great Commerce Clause case in 1824 and to enable Congress to take such other measures as might be necessary and proper to ensure free trade. Unfortunately, that functional account of the clause was gradually replaced over the years by a narrow, textual reading of the words "commerce" and "among," which left the Court in 1937 with slim precedents as it faced the New Deal's regulatory juggernaut. Cowed by the Court-packing scheme that year, the justices caved completely by saying that Congress had power to regulate anything that "affects" interstate commerce — which, of course, is virtually everything. With that, the modern regulatory state poured through the opening floodgates until today there seems to be almost no subject too personal or too trivial for federal regulatory attention." Roger Pilon, Cato Institute, The Purpose and Limits of Government, Cato's Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

¹² Roger Pilon, Cato Institute, offers a more detailed explanation of the explicit, clear purpose of the 10th Amendment: preventing expansion of federal government outside the limited, written, enumerated tasks specified in the Constitution: "But it was the doctrine of enumerated powers that was meant to constitute the principal defense against overweening government. Since all power began with the people, the people could limit their government simply by giving it, through the Constitution, only certain of their powers. That, precisely, is what they did, through enumeration, thus making it clear that the government had only such powers as were found in the document. The very first sentence of the Constitution, following the Preamble, makes the point: "All legislative Powers herein granted shall be vested in a Congress . . ." The point is reiterated in the Tenth Amendment, the final documentary statement of the founding period: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." In a word, power was delegated by the people, enumerated in the Constitution, and thus limited. The idea, plainly, was to limit government from the outset by limiting the things it could do, almost all of which, as Article I, Section 8 of the Constitution indicates, relate to securing rights. In fact, James Madison, the principal author of the Constitution, made the point in 1794 when he rose from the floor of the House to object to a welfare proposal, saying that he could not "The Declaration and the Constitution, as amended, are consistent and elegant statements about the purpose and limits of government." Notice that Madison was not objecting to benevolence. Rather, he was making a point about constitutional principle: however worthy the end might be, Congress had no power to pursue it since the people, through their Constitution, had given Congress no such power. In 1887, exactly 100 years after the Constitution was drafted, President Grover Cleveland made a similar point when he vetoed a bill to buy seeds for Texas farmers suffering from a drought, saying he could "find no warrant for such an appropriation in the Constitution." Roger Pilon, Cato Institute, The Purpose and Limits of Government, Cato's Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

¹³ Roger Pilon, "On Bill of Rights Day, Let's Not Forget the 9th and 10th Amendments," Real Clear Markets, December 15, 2022, https://www.realclearmarkets.com/articles/2022/12/15/on_bill_of_rights_day_lets_not_forget_the_9th_and_10th_amendments_870290.html

¹⁴ Burt Solomon, *FDR v. The Constitution*, Walker & Company, 2009, pp. 270-273

¹⁵ Gary Galles, "The Antifederalists Were Right," Mises Institute, 09/27/2006, <https://mises.org/library/antifederalists-were-right>

¹⁶ Charles Murray, *By the People: Rebuilding Liberty Without Permission*, Crown Publishing, 2016, pp.20-25

¹⁷ Pilon received his BA from Columbia University, MA and PhD from the University of Chicago, and a JD from the George Washington University School of Law. Pilon held five senior posts in the Reagan administration, and in 1989, the Bicentennial Commission presented him with its Benjamin Franklin Award for excellence in writing on the U.S. Constitution. He founded the Cato Institute's Center for Constitutional Studies, researching and writing there for decades on Natural Rights and our Constitution.

¹⁸ Reserved for future updates

¹⁹ First cite how Federal Reserve caused depression, then ; Burton Folsom, Jr., *New Deal or Raw Deal? How FDR's Economic Legacy Has Damaged America*, Threshold Editions, 2008

²⁰ someone who has an unnaturally strong wish for power and control, Cambridge Dictionary

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²² Reserved for future updates

²³ Charles Murray, *By the People: Rebuilding Liberty Without Permission*, Crown Publishing, 2016, p. 5

²⁴ Burton Folsom, Jr., *New Deal or Raw Deal? How FDR's Economic Legacy Has Damaged America*, Threshold Editions, 2008, p. 262

²⁵ <https://www.investopedia.com/financial-edge/0410/6-outrageous-political-earmarks.aspx>,

<https://www.cagw.org/reporting/all-about-earmarks>

²⁶ Citizens Against Government Waste, *1923 Congressional Pig Book*, <https://www.cagw.org/reporting/pig-book>

²⁷ <https://sgp.fas.org/crs/misc/R41545.pdf>

²⁸

<https://en.wikipedia.org/wiki/Reaganomics#:~:text=During%20the%20Reagan%20administration%2C%20fiscal,an%20increase%20of%2069%25>).

²⁹ Reserved for future updates

³⁰ PPP: Where did the money go and why did it go there? National Bureau of Economic Research, 2022

https://www.nber.org/system/files/working_papers/w29669/w29669.pdf; PPP: What Happened, National Bureau of Economic Research, WBUR Boston, 2022, <https://www.wbur.org/onpoint/2022/02/10/the-failures-and-future-of-the-paycheck-protection-program>

³¹ CBS News, June 30, 2023, <https://www.cbsnews.com/news/ppp-loan-forgiveness-student-loan-relief-cost-comparison/>

³² Ken Dilanian and Laura Strickler, NBC News, "'Biggest fraud in a generation': The looting of the Covid relief plan known as PPP The official in charge of Covid relief tells NBC News' Lester Holt that programs like PPP were structured in ways that were 'an invitation' to fraudsters," March 28, 2022, <https://www.nbcnews.com/politics/justice-department/biggest-fraud-generation-looting-covid-relief-program-known-ppp-n1279664>

³³ PPP loans to Congress and family (<https://rollcall.com/2020/07/08/14m-in-relief-funds-find-members-and-family/>) RollCall, 2020

³⁴ Just a few recent examples of Biden Administration legally and illegally buying votes with federal pork and adding (or not) regulations that would harm a business: requiring government agencies to add "social welfare, racial justice, environmental stewardship, human dignity, equity , and the interests of future generations" in required cost-benefit studies, leveraging Securities and Exchange Commission regulatory power and ability to levy fines to compel public companies to implement environmental policies (with no basis in law), violating the law to force Employee Retirement Income investments to fun environmental, social and governance goals, forgiving \$500 billion in student loans (with no authority to do so) to buy votes, adding child care mandates and paid leave benefits to the Chips Act (to benefit computer chip manufacturers) and requiring them to follow pro-union policies (union vote buying) without any legal basis for these requirements, Phil Gramm and Pat Toomey, "Transformational, and Not in a Good Way," *Wall Street Journal*, April 25, 2023, pA17; add more.....

³⁵ Gary Lee, "Lobbyists' Response To Perot: Who, Me?," *Washington Post*, October 8, 1992

³⁶ Ross Perot, quoted in Karl Cates, "Perot Attacks Lobbyists And Special Interests During Brief Stop In S.L.," *Deseret News*, Apr 3, 1993

³⁷ Philip Howard, *Life Without Lawyers: Restoring Responsibility in America*, WW Norton & Co, 2010

³⁸ Heritage Foundation, *Mandate for Leadership, The Conservative Promise, Project 2025*, 2023

³⁹ Reserved for future updates

⁴⁰ Allysia Finley, "When Big Business Married Big Government," *Wall Street Journal*, March 27, 2023 p. A17

⁴¹ "The term Administrative State refers to the policymaking work done by the bureaucracies of all the federal government's departments, agencies, and millions of employees. Under Article I of the Constitution, "All legislative

Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.” That is, federal law is enacted only by elected legislators in both houses of Congress. This exclusive authority was part of the Framers’ doctrine of “separated powers.” They not only split the federal government’s legislative, executive, and judicial powers into different branches. They also gave each branch checks over the others. Under our Constitution, the legislative branch—Congress—is far and away the most powerful and, correspondingly, the most accountable to the people. In recent decades, members of the House and Senate discovered that if they give away that power to the Article II branch of government, they can also deny responsibility for its actions. So today in Washington, most policy is no longer set by Congress at all, but by the Administrative State. Given the choice between being powerful but vulnerable or irrelevant but famous, most Members of Congress have chosen the latter. Congress passes intentionally vague laws that delegate decision-making over a given issue to a federal agency. That agency’s bureaucrats—not just unelected but seemingly un-fireable—then leap at the chance to fill the vacuum created by Congress’s preening cowardice. The federal government is growing larger and less constitutionally accountable—even to the President—every year.” Heritage Foundation, *Mandate for Leadership, The Conservative Promise, Project 2025*, 2023, p. 39

⁴² <https://www.usnews.com/news/healthiest-communities/slideshows/richest-counties-in-america?onepage>

⁴³ No data available on number of lobbyists prior to 1940s, author’s estimate

⁴⁴ Peter Grier, “The lobbyist through history: villainy and virtue,” *Christian Science Monitor*, Sep 28, 2009

⁴⁵ <https://www.statista.com/statistics/257340/number-of-lobbyists-in-the-us/>,
<https://www.statista.com/statistics/257337/total-lobbying-spending-in-the-us/>

⁴⁶ Jay Cost, *Spoiled Rotten: How the Politics of Patronage Corrupted the Once Noble Democratic Party and Now Threatens the American Republic*, Broadside Books, 2012

⁴⁷ Roger Pilon, Cato Institute, *The Purpose and Limits of Government*, Cato’s Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

⁴⁸ Roger Pilon, Cato Institute, *The Purpose and Limits of Government*, Cato’s Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

⁴⁹ Roger Pilon, Cato Institute, *The Purpose and Limits of Government*, Cato’s Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

⁵⁰ Thomas Sowell, *Barbarians inside the Gates and Other Controversial Essays*, 1999

⁵¹ [Why Feminism Wants to Dismantle the Family \(long\) | by Nikita Coulombe | Medium](#)

⁵² https://en.wikipedia.org/wiki/It_Takes_a_Village

⁵³ Wilcox and Wang, *The Marriage Divide*, American Enterprise Institute, 2017

⁵⁴ Wilcox and Wang, *The Marriage Divide*, American Enterprise Institute, 2017

⁵⁵ Dr. Thomas West, “Poverty and Welfare in the American Founding,” Heritage Foundation, May 19, 2015, <https://www.heritage.org/poverty-and-inequality/report/poverty-and-welfare-the-american-founding>

“Did Americans before the 20th century lack compassion for the poor? Did they treat the poor with indifference or even cruelty? That is the impression given by most high school and college textbooks. Few students ever learn that government-funded welfare, not to mention generous private charity, has existed throughout American history. James MacGregor Burns’s *Government by the People*, a college textbook, says that “[c]ontemporary American liberalism has its roots in Franklin Roosevelt’s New Deal programs, designed to aid the poor and to protect people against unemployment and bank failures.”[1] He implies that the poor received no government aid or protection before the 1930s. Reinforcing this impression, Burns goes on to say that “American conservatism has its roots in the political thinking of John Adams, Alexander Hamilton, and many of their contemporaries.... Most conservatives opposed New Deal programs and the War on Poverty in the 1960s.... Human needs, they say, can and should be taken care of by charities.”[2]

Larry Berman and Bruce Murphy’s college textbook *Approaching Democracy* gives a similar slant: “While poverty has existed in the United States since the early colonial days, it first reached the public agenda in the early 1900s as a result of the writings of muckraking journalists.”[3] If poverty “first reached the public agenda” only then, readers are likely to conclude that government did nothing about it before that time. Nothing in Berman and Murphy contradicts that conclusion. Most history textbooks present accounts that are the same as or similar to the accounts given by these political scientists.

These claims about the American past are either untrue or misleading. America has always had laws providing for the poor. The real difference between the Founders’ welfare policies and today’s is over how, not whether, government

should help those in need. Neither approach has a monopoly on compassion. The question is: What policies help the poor, and what policies harm them?

From the earliest colonial days, local governments took responsibility for their poor. However, able-bodied men and women generally were not supported by the taxpayers unless they worked. They would sometimes be placed in group homes that provided them with food and shelter in exchange for labor. Only those who were too young, old, weak, or sick and who had no friends or family to help them were taken care of in idleness.

The Founders had little to say about the topic of poor relief. Like the family, welfare was not a controversial topic. Two of their rare statements on the subject occur in writings provoked by foreigners: Jefferson's Notes on the State of Virginia, written in answer to questions posed by a Frenchman, and an article criticizing the British welfare system written by Benjamin Franklin for the British press.

Jefferson explained the Virginia poor laws at the time of the Revolution:[8]

The poor, unable to support themselves, are maintained by an assessment on the tithable persons in their parish. This assessment is levied and administered by twelve persons in each parish, called vestrymen, originally chosen by the housekeepers of the parish.... These are usually the most discreet farmers, so distributed through their parish, that every part of it may be under the immediate eye of some one of them. They are well acquainted with the details and economy of private life, and they find sufficient inducements to execute their charge well, in their philanthropy, in the approbation of their neighbors, and the distinction which that gives them. The poor who have neither property, friends, nor strength to labor, are boarded in the houses of good farmers, to whom a stipulated sum is annually paid. To those who are able to help themselves a little, or have friends from whom they derive some succors, inadequate however to their full maintenance, supplementary aids are given, which enable them to live comfortably in their own houses, or in the houses of their friends. Vagabonds, without visible property or vocation, are placed in workhouses, where they are well clothed, fed, lodged, and made to labor. Nearly the same method of providing for the poor prevails through all our states; and from Savannah to Portsmouth you will seldom meet a beggar.

In his proposed Virginia "Bill for Support of the Poor," Jefferson explained that "vagabonds" are:

able-bodied persons not having wherewithal to maintain themselves, who shall waste their time in idle and dissolute courses, or shall loiter or wander abroad, refusing to work for reasonable wages, or to betake themselves to some honest and lawful calling, or who shall desert wives or children, without so providing for them as that they shall not become chargeable to a county.

In the poorhouse to which vagabonds are sent, there would be an overseer, a "discreet man ... for the government, employment, and correction of the persons subject to him." [9]

In the Notes on the State of Virginia passage just quoted, Jefferson referred to "those without strength to labor." In his proposed bill, they were more precisely described as the "poor, lame, impotent [i.e., weak], blind and other inhabitants of the county as are not able to maintain themselves." [10]

The terms "tithable," "parish," and "vestrymen" in the passage above refer to the pre-Revolutionary Southern practice of assigning care of the poor to the local Anglican church. In keeping with the spirit of the Revolution, which separated church from state, Virginia transferred this task from church to county government in 1785, as Jefferson had proposed. Poor children whose families could not provide for them, including orphans, were put out to suitable persons as apprentices so that they would learn "some art, trade, or business" while being of use to those who were training them. [11] However, this was not to be done, in Jefferson's plan, until they had attended public school for three years, if necessary at public expense. [12]

All the typical features of early American welfare policy can be seen in Jefferson's descriptions and proposals:

The government of the community, not just private charity, assumes responsibility for its poor. This is far from the "throw them in the snow" attitude that is so often attributed to pre-1900 America.

Welfare is kept local so that the administrators of the program will know the actual situations of the persons who ask for help. This will prevent abuses and freeloading. The normal human ties of friendship and neighborliness will partly animate the relationship of givers and recipients.

A distinction between the deserving and undeserving poor is carefully observed. Able-bodied vagabonds get help, but they are required to work in institutions where they will be disciplined. Children and the disabled, on the other hand, are provided for, not lavishly but without public shame. The homeless and beggars will not be abandoned, but neither will they populate the streets. They will be treated with toughness or mercy according to their circumstances.

Jefferson's idea of self-reliance was in fact family reliance, based on the traditional division of labor between husband and wife. Husbands were legally required to be their families' providers; wives were not. Nonsupporting husbands were shamed and punished by being sent to the poorhouse.

Poor laws to support individual cases of urgent need were not intended to go beyond a minimal safety net. Benefit levels were low. The main remedy for poverty in a land of opportunity was marriage and work. For Jefferson, the abolition of primogeniture and entail was a far more important anti-poverty measure than poor laws providing housing and food for people in need. As Jefferson boasted to John Adams, “These [anti-primogeniture] laws, drawn by myself, laid the axe to the root of the pseudo-aristocracy.” Laws restricting the use and ownership of private property were remnants of feudalism, whereby the common people were kept in their place by discouraging property owners from making the most economical use of the property they had or by making it hard for the poor to acquire property of their own. In America, said Jefferson, “everyone may have land to labor for himself if he chooses; or, preferring the exercise of any other industry, may exact for it such compensation as not only to afford a comfortable subsistence, but wherewith to provide for a cessation of labor in old age.”[13]

When Benjamin Franklin lived in England in the 1760s, he observed that the poverty problem was much worse in that country than in America. Britain did not limit its support of the poor to a safety net provided under conditions that prevented abuse. There, the poor were given enough that they could live in idleness. The result was to increase poverty by giving the poor a powerful incentive not to become self-supporting. Franklin wrote:[14]

I am for doing good to the poor, but I differ in opinion of the means. I think the best way of doing good to the poor, is not making them easy in poverty, but leading or driving them out of it. In my youth I travelled much, and I observed in different countries, that the more public provisions were made for the poor, the less they provided for themselves, and of course became poorer. And, on the contrary, the less was done for them, the more they did for themselves, and became richer. There is no country in the world where so many provisions are established for them [as in England] ... with a solemn general law made by the rich to subject their estates to a heavy tax for the support of the poor.... [Yet] there is no country in the world in which the poor are more idle, dissolute, drunken, and insolent. The day you [Englishmen] passed that act, you took away from before their eyes the greatest of all inducements to industry, frugality, and sobriety, by giving them a dependence on somewhat else than a careful accumulation during youth and health, for support in age and sickness. In short, you offered a premium for the encouragement of idleness, and you should not now wonder that it has had its effect in the increase of poverty.

We see in Franklin’s diagnosis a striking anticipation of today’s welfare state, in which, as we will see, poverty has remained stagnant as the welfare system has swelled since the 1960s. Franklin’s understanding of the welfare paradox—that aid to the poor must be managed carefully lest it promote indolence and therefore poverty—was shared by most Americans who wrote about and administered poverty programs until the end of the 19th century. These were the Founders’ practical proposals and views on poor relief. Their policies were intended to help the poor in ways that did not violate the rights of taxpayers or promote irresponsible behavior.

From Jefferson’s standpoint, poverty programs that help people who choose not to work are unjust. Far from being compassionate, compelling workers to support shirkers makes some men masters and other men slaves: Workers are enslaved to nonworkers. That violates a fundamental principle of the Declaration of Independence.

Jefferson’s whole career was devoted to the establishment of a government that would secure the rights of ordinary people against “pseudo-aristocrats” who would oppress them. To say that all men are born with a right to liberty means that no man has the right to rob another of the fruits of his labor. That principle goes for any person or group in society, whether it be European aristocrats, slaveholders, or those today who despise “dead-end jobs” and “chump change.”[15] (In a 2007 survey, only 5 percent of jobless poor adults blamed their unemployment on “inability to find a job.”[16])

Jefferson affirmed his principled opposition to government redistribution of income from the rich to the poor in this statement:[17]

To take from one, because it is thought his own industry and that of his fathers has acquired too much, in order to spare to others, who, or whose fathers, have not exercised equal industry and skill, is to violate arbitrarily the first principle of association, the guarantee to everyone the free exercise of his industry and the fruits acquired by it. The “first principle of association” is the right to liberty, including the right to the free exercise of one’s industry and its fruits.

According to the Declaration of Independence, we have an unalienable or natural right only to those things that we possess by nature. We are born alive and free, so life and liberty are natural rights, but no one has a natural right to a decent income or free medical care.

Jefferson’s and Franklin’s views were shared by most Americans during and after the Founding era. Burns suggested in the quotation cited on the first page of this paper that “conservatives” like Adams and Hamilton opposed government support of the poor. He cites no evidence to support that insinuation because there is none.

As noted, Trattner's *From Poor Law to Welfare State: A History of Social Welfare in America* criticizes early American welfare policy, yet his book presents a mostly accurate picture of what was done. Trattner shows that the earlier policies have much to recommend them: "Most communities [in colonial America] attacked the problem of poverty with a high degree of civic responsibility." [21] The same is true, in his telling, of the Founding era and after. A historian of Founding-era welfare in New York State agrees: "Local communities attempted as best they could to assist their destitute neighbors, balancing compassion with economy, benevolence with discipline." [22]

In colonial times, some communities supported the poor in their own homes or in the homes of others. As the poor population grew, many concluded that "outdoor relief" was leading people to look on welfare as an entitlement and creating a class of permanent dependents. Consequently, the emphasis soon shifted to "indoor relief"—almshouses and workhouses. Now, writes Trattner: [23]

Public assistance would be confined to institutional care, mainly for the "worthy" or hard-core poor, the permanently disabled, and others who clearly could not care for themselves. Also, the able-bodied or "unworthy" poor who sought public aid would be institutionalized in workhouses where their behavior not only could be controlled but where, removed from society and its tempting vices, they presumably would acquire habits of industry and labor.

For most people such institutions were not places of permanent, or even long-term, residence.... They were ... temporary shelters for the jobless during times of depression and widespread unemployment; maternity homes for young, unmarried pregnant women; and places of last resort for orphans and sick, helpless, and childless elderly persons.... [A]lthough they generally were dreaded, poorhouses often served as key life supports amidst the harshness and uncertainty of existence in early industrial America.

Because public aid was so limited, there was wide scope for individual acts of generosity and liberality. Today's conservatives are right to point to private charities as an important source of poor relief in the old days. Even before the Revolution, writes Trattner: [25]

Private philanthropy complemented public aid; both were part of the American response to poverty. While, from the outset, the public was responsible for providing aid to the needy ... as soon as they could afford to, private citizens and a host of voluntary associations also gave generously to those in distress.

After the Revolution and throughout the 19th century, hospitals for the poor, educational institutions, YMCAs, and Salvation Army branches were established in growing numbers all over America by public-spirited citizens. Like the public workhouses, these private charities distinguished between deserving and undeserving poor. Good character, it was thought, would enable most people to become self-sufficient. These agencies tried to build the character of their recipients through education, moral suasion, religious instruction, and work. [26]

Marvin Olasky shows in detail in *The Tragedy of American Compassion* how 18th and 19th century Americans combined Franklin's hardheaded realism about the ill effects of indiscriminate generosity with a warmhearted sympathy for those who fell into need through no fault of their own. Private welfare was often given by religious groups, and recipients were expected to pray, worship, and repent of the unindustrious habits and self-indulgence (such as excessive drinking) that often led them to seek assistance in the first place. Americans of that day believed that God himself set the proper example: His mercy is infinite—but only to the repentant who strive to mend their ways. [27]

However, if poverty and welfare policies are judged by their effectiveness in providing for the minimal needs of the poor while dramatically reducing poverty in a society over time, then America before 1965 could be said to have had the most successful welfare policy in world history. By the same benchmark, post-1965 poverty programs have failed. Two centuries ago, most Americans—at least 90 percent—were desperately poor by today's standards. Most houses were small, ill-constructed, and poorly heated and insulated. Based on federal family income estimates, 59 percent of Americans lived in poverty as late as 1929, before the Great Depression. [28] In 1947, the government reported that 32 percent of Americans were poor. [29] By 1969, that figure had declined to 12 percent, where it remained for 10 years. [30] Since then, the percentage of poor Americans has fluctuated but has remained near the same level. As of 2013, the poverty rate was 14.5 percent.

In other words, before the huge growth in government spending on poverty programs, poverty was declining rapidly in America. After the new programs were fully implemented, the poverty rate stopped declining.

The recipe for America's enormously successful pre-1960s antipoverty program was:

Establish free markets and protect property rights. Keep taxes and regulation at a minimum to encourage the poor to provide for themselves through their own work and entrepreneurship.

Provide strong government support for lifelong marriage and for a morality of self-controlled self-assertion (a morality combining industriousness, self-restraint, and basic decency with the vigilant spirit that says “Don’t tread on me”). The self-reliant family was to be the nation’s main poverty program.

As the poverty program of last resort, provide minimal, safety-net public and private support in local communities for the poor whose families were unable or unwilling to provide for them.

In the older America, most poor people were free to work or go into business without asking permission from government. Low taxes and minimal regulation allowed them to keep most of the fruits of their labor. The stability of marriage encouraged men to meet their family obligations. Government officials, teachers, and writers praised the dignity of responsible self-support and condemned irresponsible dependence on government handouts.

In the Middle Ages, a serf might have worked hard all his life, but much of what he produced went into the hands of a wealthy landowner. In most countries of the world, including America today, government regulation and licensing requirements often prevent the poor from entering and competing freely in the market. Besides, much of what the working poor earn through their own efforts is taxed away to support those who do not work.

In the 19th century, a few American intellectuals, typically influenced by European thinkers opposed to the Founders’ idea of property rights, questioned the idea of individual responsibility. By 1900, many intellectuals were turning away from the traditional American view that in a free country, frugal and industrious conduct usually leads to an adequate living.

Christopher Jencks explains how different was the original congressional conception of ADC (later renamed AFDC, Aid to Families with Dependent Children) from today’s welfare:[32]

When Congress established ADC in 1935, it thought it was subsidizing a set of state programs known as “mothers’ pensions.” These programs had been established to ensure that indigent widows of good character did not have to place their children in orphanages. Not all states explicitly restricted benefits to widows, but most states did limit benefits to mothers who could provide their children with a “suitable” home. Local officials usually interpreted this requirement as excluding unwed, separated, and divorced mothers, on the grounds that such women set a poor moral example for their children.

However, the 1935 law had been based on a report written by bureaucrats in the Children’s Bureau who made sure that the language of the law would permit (although not require) states to give aid to divorced women and single mothers. Looking back on the episode, Frances Perkins, FDR’s liberal Secretary of Labor, said that:[33]

[She] felt that the Children’s Bureau had let her down.... She said it never occurred to her, in view of the fact that she’d been active in drives for homes that took care of mothers with illegitimate children, that these mothers would be [eligible for aid]. She blamed the huge illegitimacy rates among blacks on aid to mothers with dependent children. Perkins, like most other Americans at that time, accepted the older distinction between the deserving and undeserving poor, a distinction based on moral conduct.

State governments gradually loosened welfare eligibility standards and increased benefit levels during the 1940s and 1950s, but it was not until the mid-1960s that welfare was officially conceived as a right that could be demanded by anyone in need, regardless of conduct or circumstances.

Before 1965, most Americans believed that property rights and the marriage-based family were the most effective means to get people out of poverty. After 1965, government policy and elite opinion turned against the older view. In order to help the poor, government raised taxes on the working poor. In the name of safety and environmentalism, it set up licensing requirements and regulations that make it harder for the poor to go into business building houses, repairing air conditioners, exterminating insects, fixing cars, or running a store or restaurant. Local governments set up building codes that were meant to guarantee safe dwellings and businesses but which deprive the poor of inexpensive housing. Code requirements drive up the costs of new houses by tens of thousands of dollars.

Moreover, government routinely tears down poor people’s houses that are not “up to code” for defects as minor as peeling paint. The city of Dallas, Texas, demolished over a thousand private homes between 1992 and 1995, most of them in low-income and minority areas, sending previous residents onto the welfare rolls or into the streets as homeless.[34]

The most destructive feature of the post-1965 approach has been its unintentional promotion of family breakdown, which is a recipe for the neglect and abuse of children, the widespread crime that such abuse fosters, the impoverishment of women and children, and the loneliness and anguish of everyone involved.

Among the reasons that people get married and stay married (or used to) are happiness, mutual usefulness, a sense of moral obligation, and the penalty of shame and the law for those who misbehave. Post-1965 policies and ideas have ravaged all four of these supports of marriage.

Recent welfare policies have particularly undermined the usefulness of marriage for many women, at least in the short-term horizon in which people sometimes make such decisions. Marriage makes possible an efficient division of labor for raising children and providing for the care and livelihood of people of all ages. In the usual arrangement, the husband is the principal provider and protector, and the wife bears and tends the children when they are young. George Gilder has explained better than anyone else the role of welfare in family breakdown. Most women have a natural superiority to men in affairs of love and the heart, including especially the bearing and nurturing of children. What, then, can a man offer a woman? To put it bluntly, money and honor. Women rarely marry men who make less money than they do or whose social rank is below their own (unless the men have a good career in prospect), and women frequently divorce men who make less. Men and women often lose romantic interest in each other when one of the partners cannot offer an equalizing contribution.

When increasingly generous government support became widely available to women in the 1960s, illegitimacy and divorce grew dramatically. As Gilder writes, “Female jobs and welfare payments usurped the man’s role as provider, leaving fatherless families.” Welfare destroys the incipient families of the poor by making the struggling male breadwinner superfluous and thereby emasculating him emotionally. His response is predictable. He turns to the supermasculine world of the street: drinking, drugs, male companionship, and crime.[35]

The incentive structure of the modern welfare state is similar to the one that Franklin condemned in old England, except that ours is more generous and more tolerant of single motherhood. Since 1965, when President Lyndon Johnson inaugurated the modern War on Poverty, total annual government welfare spending has grown from less than \$9 billion (1.3 percent of gross domestic product) to \$324 billion (5 percent of GDP) in 1993 to \$927 billion (6 percent of GDP) in 2011.[36] Between 1965 and 2013, the government spent \$22 trillion (adjusted for inflation) on means-tested welfare programs—more than three times the costs of all military wars in the history of the United States.[37] In 2013, there were roughly 80 different federal means-tested welfare programs.[38] Just counting seven large federal programs (Temporary Assistance for Needy Families; Supplemental Nutrition Assistance; public housing; Medicaid; utilities; Women, Infants, and Children assistance; and emergency food assistance), a single mother of two was eligible in 2013 for benefits that were the equivalent of a job paying \$16.96 per hour in California, \$18.27 in New York, and \$20.44 in Massachusetts (\$35,287, \$38,000, \$42,515, respectively, per year). In California, the value of this package of welfare benefits was only 8 percent below the median salary in the state; in New York and Massachusetts, the value was less than 5 percent below the respective median salaries. Minimum-wage jobs do not even come close to competing with welfare in most states.

These figures do not take into account state, county, and municipal benefits. Nor do they take into account the massive use of Social Security Disability as a de facto welfare program (as of 2005, 4.1 percent of Americans between the ages of 25 and 64 were enrolled).[39] In Hawaii, the equivalent in taxable income for the total value of these seven federal benefits was \$60,590.[40]

From the point of view of the usefulness of marriage, the choice of the poor to forgo work is, as Charles Murray writes, “the behavior of people responding to the reality of the world around them and making the decisions—the legal, approved, and even encouraged decisions—that maximize their quality of life.”[41] As Robert Rector and William Lauber have explained:[42]

The current welfare system may be conceptualized best as a system which offers each single mother ... a “paycheck.” ... She will continue to receive her “paycheck” as long as she fulfills two conditions: (1) she must not work; and (2) she must not marry an employed male.... [Welfare] has converted the low-income working husband from a necessary breadwinner into a net financial handicap. It has transformed marriage from a legal institution designed to protect and nurture children into an institution that financially penalizes nearly all low-income parents who enter into it. Requiring able-bodied adults to work in exchange for welfare makes welfare more burdensome, but it does not remove its attractiveness altogether. The government-guaranteed jobs and day care that such schemes often require simply make the money less convenient. The basic problem—that government makes it affordable for women to bear and raise children without husbands while living independently in households of their own—is still there. If a society really believes that marriage is the best arrangement for the well-being of men, women, and children, then its laws and customs must reflect that belief seriously, consistently, and effectively.

High benefit levels and irresponsible attitudes toward sex and marriage create a world in which many children have few or no ties to their fathers; in which mothers, increasingly unmarried, are more often abused and exploited; and in which many men join gangs and take up crime as a way of life. This is a world not only of financial poverty, but also of emotional chaos and physical danger. It is not Hobbes’s state of nature, but life is increasingly “nasty” and “brutish.” The contemporary outlook on welfare has both propelled the family’s disintegration and promoted vast dependence.

Many today fail to note that antipoverty programs can easily have a corrupting effect if they are not set up in a way that promotes rather than breaks down the morality of self-restraint and self-assertion that is a necessary foundation of what Jefferson called “temperate liberty.” [44] Both Jefferson and Franklin supported laws that encourage responsibility toward family and community, self-sufficiency, and industriousness. They understood that political liberty rests on the moral character of a people.”

⁵⁶ Willis Krumholz, “Family Breakdown and America’s Welfare System,” Institute for Family Studies, Oct 7, 2019; <https://ifstudies.org/blog/family-breakdown-and-americas-welfare-system>

⁵⁷ <https://www.allaboutthewaltons.com/>

⁵⁸ M.Sgt. Roy P. Benavidez, USA SF (Ret.), with John R. Craig, Medal of Honor: One Man's Journey from Poverty and Prejudice, 2005, pp. 16-17

⁵⁹ Dr. Thomas West, “Poverty and Welfare in the American Founding,” Heritage Foundation, May 19, 2015, <https://www.heritage.org/poverty-and-inequality/report/poverty-and-welfare-the-american-founding>

⁶⁰ Dr. Thomas West, “Poverty and Welfare in the American Founding,” Heritage Foundation, May 19, 2015, <https://www.heritage.org/poverty-and-inequality/report/poverty-and-welfare-the-american-founding>

⁶¹ Dr. Thomas West, “Poverty and Welfare in the American Founding,” Heritage Foundation, May 19, 2015, <https://www.heritage.org/poverty-and-inequality/report/poverty-and-welfare-the-american-founding>

⁶² Dr. Martin Olasky, *The Tragedy of American Compassion*

⁶³ Lawrence Mead, *Beyond Entitlement*

⁶⁴ Reserved for future updates

⁶⁵ <https://www.census.gov/content/dam/Census/library/publications/2023/demo/p60-280.pdf>

⁶⁶ James Payne, “Why the War on Poverty Failed,” 1999, https://cdn.mises.org/The%20Freeman%201999_2.pdf,

Robert Rector, “The War on Poverty: 50 years of failure,” Heritage Foundation, <https://www.heritage.org/marriage-and-family/commentary/the-war-poverty-50-years-failure>,

⁶⁷ Ramsey Solutions, *Money Ruining Marriages in America: A Ramsey Solutions study*

Feb 6, 2018, <https://www.ramseysolutions.com/company/newsroom/releases/money-ruining-marriages-in-america>

⁶⁸ Dr. Kevin Roberts, Heritage Foundation, *Mandate for Leadership, The Conservative Promise, Project 2025*, 2023

⁶⁹ Charles Murray, *By the People: Rebuilding Liberty Without Permission*, Crown Publishing, 2016, p. 258

⁷⁰ Richard Lamm, *Two Wands, One Nation*, 2006, pp. 4-5

⁷¹ Shelby Steele, quoted in Richard Lamm, *Two Wands, One Nation*, 2006, pp.12-13

⁷² Richard Lamm, *Two Wands, One Nation*, 2006, p. 12

⁷³ Richard Lamm, *Two Wands, One Nation*, 2006, pp. 5-6

⁷⁴ Thomas Sowell, quoted in <https://www.texaspolicy.com/harris-county-is-creating-a-culture-of-dependency/> and <https://www.aei.org/carpe-diem/thomas-sowell-quotations-on-the-political-left/>

⁷⁵ https://www.brainyquote.com/quotes/lionel_sosa_744896

⁷⁶ Gregory Acs with Kenneth Braswell, Elaine Sorensen, and Margery Austin Turner, Urban Institute, “The Moynihan Report Revisited,” June 2013, p. 1

⁷⁷ Patrick Moynihan, quoted in <https://www.freedomworks.org/the-failure-of-the-war-on-poverty/>

⁷⁸ Martin Luther King Jr., “I Have a Dream: The Quotations of Martin Luther King, Jr,” 1968

⁷⁹ Daniel Bugler Et Al, “Who Should We Help? The Negative Social Consequences of Merit Scholarships,” Harvard Civil Rights Project, Aug 23, 2002; “An Evaluation of Georgia’s HOPE Scholarship Program,” 1999

⁸⁰ Dr. Thomas West, “Poverty and Welfare in the American Founding,” Heritage Foundation, May 19, 2015,

<https://www.heritage.org/poverty-and-inequality/report/poverty-and-welfare-the-american-founding>

“Did Americans before the 20th century lack compassion for the poor? Did they treat the poor with indifference or even cruelty? That is the impression given by most high school and college textbooks. Few students ever learn that government-funded welfare, not to mention generous private charity, has existed throughout American history. James MacGregor Burns’s *Government by the People*, a college textbook, says that “[c]ontemporary American liberalism has its roots in Franklin Roosevelt’s New Deal programs, designed to aid the poor and to protect people against unemployment and bank failures.” [1] He implies that the poor received no government aid or protection before the 1930s. Reinforcing this impression, Burns goes on to say that “American conservatism has its roots in the political thinking of John Adams, Alexander Hamilton, and many of their contemporaries.... Most conservatives opposed New Deal programs and the War on Poverty in the 1960s.... Human needs, they say, can and should be taken care of by charities.” [2]

Larry Berman and Bruce Murphy's college textbook *Approaching Democracy* gives a similar slant: "While poverty has existed in the United States since the early colonial days, it first reached the public agenda in the early 1900s as a result of the writings of muckraking journalists." [3] If poverty "first reached the public agenda" only then, readers are likely to conclude that government did nothing about it before that time. Nothing in Berman and Murphy contradicts that conclusion. Most history textbooks present accounts that are the same as or similar to the accounts given by these political scientists.

These claims about the American past are either untrue or misleading. America has always had laws providing for the poor. The real difference between the Founders' welfare policies and today's is over how, not whether, government should help those in need. Neither approach has a monopoly on compassion. The question is: What policies help the poor, and what policies harm them?

From the earliest colonial days, local governments took responsibility for their poor. However, able-bodied men and women generally were not supported by the taxpayers unless they worked. They would sometimes be placed in group homes that provided them with food and shelter in exchange for labor. Only those who were too young, old, weak, or sick and who had no friends or family to help them were taken care of in idleness.

The Founders had little to say about the topic of poor relief. Like the family, welfare was not a controversial topic. Two of their rare statements on the subject occur in writings provoked by foreigners: Jefferson's *Notes on the State of Virginia*, written in answer to questions posed by a Frenchman, and an article criticizing the British welfare system written by Benjamin Franklin for the British press.

Jefferson explained the Virginia poor laws at the time of the Revolution: [8]

The poor, unable to support themselves, are maintained by an assessment on the tithable persons in their parish. This assessment is levied and administered by twelve persons in each parish, called vestrymen, originally chosen by the housekeepers of the parish.... These are usually the most discreet farmers, so distributed through their parish, that every part of it may be under the immediate eye of some one of them. They are well acquainted with the details and economy of private life, and they find sufficient inducements to execute their charge well, in their philanthropy, in the approbation of their neighbors, and the distinction which that gives them. The poor who have neither property, friends, nor strength to labor, are boarded in the houses of good farmers, to whom a stipulated sum is annually paid. To those who are able to help themselves a little, or have friends from whom they derive some succors, inadequate however to their full maintenance, supplementary aids are given, which enable them to live comfortably in their own houses, or in the houses of their friends. Vagabonds, without visible property or vocation, are placed in workhouses, where they are well clothed, fed, lodged, and made to labor. Nearly the same method of providing for the poor prevails through all our states; and from Savannah to Portsmouth you will seldom meet a beggar.

In his proposed Virginia "Bill for Support of the Poor," Jefferson explained that "vagabonds" are: able-bodied persons not having wherewithal to maintain themselves, who shall waste their time in idle and dissolute courses, or shall loiter or wander abroad, refusing to work for reasonable wages, or to betake themselves to some honest and lawful calling, or who shall desert wives or children, without so providing for them as that they shall not become chargeable to a county.

In the poorhouse to which vagabonds are sent, there would be an overseer, a "discreet man ... for the government, employment, and correction of the persons subject to him." [9]

In the *Notes on the State of Virginia* passage just quoted, Jefferson referred to "those without strength to labor." In his proposed bill, they were more precisely described as the "poor, lame, impotent [i.e., weak], blind and other inhabitants of the county as are not able to maintain themselves." [10]

The terms "tithable," "parish," and "vestrymen" in the passage above refer to the pre-Revolutionary Southern practice of assigning care of the poor to the local Anglican church. In keeping with the spirit of the Revolution, which separated church from state, Virginia transferred this task from church to county government in 1785, as Jefferson had proposed. Poor children whose families could not provide for them, including orphans, were put out to suitable persons as apprentices so that they would learn "some art, trade, or business" while being of use to those who were training them. [11] However, this was not to be done, in Jefferson's plan, until they had attended public school for three years, if necessary at public expense. [12]

All the typical features of early American welfare policy can be seen in Jefferson's descriptions and proposals: The government of the community, not just private charity, assumes responsibility for its poor. This is far from the "throw them in the snow" attitude that is so often attributed to pre-1900 America.

Welfare is kept local so that the administrators of the program will know the actual situations of the persons who ask for help. This will prevent abuses and freeloading. The normal human ties of friendship and neighborliness will partly animate the relationship of givers and recipients.

A distinction between the deserving and undeserving poor is carefully observed. Able-bodied vagabonds get help, but they are required to work in institutions where they will be disciplined. Children and the disabled, on the other hand, are provided for, not lavishly but without public shame. The homeless and beggars will not be abandoned, but neither will they populate the streets. They will be treated with toughness or mercy according to their circumstances.

Jefferson's idea of self-reliance was in fact family reliance, based on the traditional division of labor between husband and wife. Husbands were legally required to be their families' providers; wives were not. Nonsupporting husbands were shamed and punished by being sent to the poorhouse.

Poor laws to support individual cases of urgent need were not intended to go beyond a minimal safety net. Benefit levels were low. The main remedy for poverty in a land of opportunity was marriage and work.

For Jefferson, the abolition of primogeniture and entail was a far more important anti-poverty measure than poor laws providing housing and food for people in need. As Jefferson boasted to John Adams, "These [anti-primogeniture] laws, drawn by myself, laid the axe to the root of the pseudo-aristocracy." Laws restricting the use and ownership of private property were remnants of feudalism, whereby the common people were kept in their place by discouraging property owners from making the most economical use of the property they had or by making it hard for the poor to acquire property of their own. In America, said Jefferson, "everyone may have land to labor for himself if he chooses; or, preferring the exercise of any other industry, may exact for it such compensation as not only to afford a comfortable subsistence, but wherewith to provide for a cessation of labor in old age." [13]

When Benjamin Franklin lived in England in the 1760s, he observed that the poverty problem was much worse in that country than in America. Britain did not limit its support of the poor to a safety net provided under conditions that prevented abuse. There, the poor were given enough that they could live in idleness. The result was to increase poverty by giving the poor a powerful incentive not to become self-supporting. Franklin wrote: [14]

I am for doing good to the poor, but I differ in opinion of the means. I think the best way of doing good to the poor, is not making them easy in poverty, but leading or driving them out of it. In my youth I travelled much, and I observed in different countries, that the more public provisions were made for the poor, the less they provided for themselves, and of course became poorer. And, on the contrary, the less was done for them, the more they did for themselves, and became richer. There is no country in the world where so many provisions are established for them [as in England] ... with a solemn general law made by the rich to subject their estates to a heavy tax for the support of the poor.... [Yet] there is no country in the world in which the poor are more idle, dissolute, drunken, and insolent. The day you [Englishmen] passed that act, you took away from before their eyes the greatest of all inducements to industry, frugality, and sobriety, by giving them a dependence on somewhat else than a careful accumulation during youth and health, for support in age and sickness. In short, you offered a premium for the encouragement of idleness, and you should not now wonder that it has had its effect in the increase of poverty.

We see in Franklin's diagnosis a striking anticipation of today's welfare state, in which, as we will see, poverty has remained stagnant as the welfare system has swelled since the 1960s. Franklin's understanding of the welfare paradox—that aid to the poor must be managed carefully lest it promote indolence and therefore poverty—was shared by most Americans who wrote about and administered poverty programs until the end of the 19th century. These were the Founders' practical proposals and views on poor relief. Their policies were intended to help the poor in ways that did not violate the rights of taxpayers or promote irresponsible behavior.

From Jefferson's standpoint, poverty programs that help people who choose not to work are unjust. Far from being compassionate, compelling workers to support shirkers makes some men masters and other men slaves: Workers are enslaved to nonworkers. That violates a fundamental principle of the Declaration of Independence.

Jefferson's whole career was devoted to the establishment of a government that would secure the rights of ordinary people against "pseudo-aristocrats" who would oppress them. To say that all men are born with a right to liberty means that no man has the right to rob another of the fruits of his labor. That principle goes for any person or group in society, whether it be European aristocrats, slaveholders, or those today who despise "dead-end jobs" and "chump change." [15] (In a 2007 survey, only 5 percent of jobless poor adults blamed their unemployment on "inability to find a job." [16])

Jefferson affirmed his principled opposition to government redistribution of income from the rich to the poor in this statement: [17]

To take from one, because it is thought his own industry and that of his fathers has acquired too much, in order to spare to others, who, or whose fathers, have not exercised equal industry and skill, is to violate arbitrarily the first principle of association, the guarantee to everyone the free exercise of his industry and the fruits acquired by it. The “first principle of association” is the right to liberty, including the right to the free exercise of one’s industry and its fruits.

According to the Declaration of Independence, we have an unalienable or natural right only to those things that we possess by nature. We are born alive and free, so life and liberty are natural rights, but no one has a natural right to a decent income or free medical care.

Jefferson’s and Franklin’s views were shared by most Americans during and after the Founding era. Burns suggested in the quotation cited on the first page of this paper that “conservatives” like Adams and Hamilton opposed government support of the poor. He cites no evidence to support that insinuation because there is none.

As noted, Trattner’s *From Poor Law to Welfare State: A History of Social Welfare in America* criticizes early American welfare policy, yet his book presents a mostly accurate picture of what was done. Trattner shows that the earlier policies have much to recommend them: “Most communities [in colonial America] attacked the problem of poverty with a high degree of civic responsibility.”[21] The same is true, in his telling, of the Founding era and after. A historian of Founding-era welfare in New York State agrees: “Local communities attempted as best they could to assist their destitute neighbors, balancing compassion with economy, benevolence with discipline.”[22]

In colonial times, some communities supported the poor in their own homes or in the homes of others. As the poor population grew, many concluded that “outdoor relief” was leading people to look on welfare as an entitlement and creating a class of permanent dependents. Consequently, the emphasis soon shifted to “indoor relief”—almshouses and workhouses. Now, writes Trattner:[23]

Public assistance would be confined to institutional care, mainly for the “worthy” or hard-core poor, the permanently disabled, and others who clearly could not care for themselves. Also, the able-bodied or “unworthy” poor who sought public aid would be institutionalized in workhouses where their behavior not only could be controlled but where, removed from society and its tempting vices, they presumably would acquire habits of industry and labor.

For most people such institutions were not places of permanent, or even long-term, residence.... They were ... temporary shelters for the jobless during times of depression and widespread unemployment; maternity homes for young, unmarried pregnant women; and places of last resort for orphans and sick, helpless, and childless elderly persons.... [A]lthough they generally were dreaded, poorhouses often served as key life supports amidst the harshness and uncertainty of existence in early industrial America.

Because public aid was so limited, there was wide scope for individual acts of generosity and liberality. Today’s conservatives are right to point to private charities as an important source of poor relief in the old days. Even before the Revolution, writes Trattner:[25]

Private philanthropy complemented public aid; both were part of the American response to poverty. While, from the outset, the public was responsible for providing aid to the needy ... as soon as they could afford to, private citizens and a host of voluntary associations also gave generously to those in distress.

After the Revolution and throughout the 19th century, hospitals for the poor, educational institutions, YMCAs, and Salvation Army branches were established in growing numbers all over America by public-spirited citizens. Like the public workhouses, these private charities distinguished between deserving and undeserving poor. Good character, it was thought, would enable most people to become self-sufficient. These agencies tried to build the character of their recipients through education, moral suasion, religious instruction, and work.[26]

Marvin Olasky shows in detail in *The Tragedy of American Compassion* how 18th and 19th century Americans combined Franklin’s hardheaded realism about the ill effects of indiscriminate generosity with a warmhearted sympathy for those who fell into need through no fault of their own. Private welfare was often given by religious groups, and recipients were expected to pray, worship, and repent of the unindustrious habits and self-indulgence (such as excessive drinking) that often led them to seek assistance in the first place. Americans of that day believed that God himself set the proper example: His mercy is infinite—but only to the repentant who strive to mend their ways.[27]

However, if poverty and welfare policies are judged by their effectiveness in providing for the minimal needs of the poor while dramatically reducing poverty in a society over time, then America before 1965 could be said to have had the most successful welfare policy in world history. By the same benchmark, post-1965 poverty programs have failed. Two centuries ago, most Americans—at least 90 percent—were desperately poor by today’s standards. Most houses were small, ill-constructed, and poorly heated and insulated. Based on federal family income estimates, 59 percent of

Americans lived in poverty as late as 1929, before the Great Depression.[28] In 1947, the government reported that 32 percent of Americans were poor.[29] By 1969, that figure had declined to 12 percent, where it remained for 10 years.[30] Since then, the percentage of poor Americans has fluctuated but has remained near the same level. As of 2013, the poverty rate was 14.5 percent.

In other words, before the huge growth in government spending on poverty programs, poverty was declining rapidly in America. After the new programs were fully implemented, the poverty rate stopped declining.

The recipe for America's enormously successful pre-1960s antipoverty program was:

Establish free markets and protect property rights. Keep taxes and regulation at a minimum to encourage the poor to provide for themselves through their own work and entrepreneurship.

Provide strong government support for lifelong marriage and for a morality of self-controlled self-assertion (a morality combining industriousness, self-restraint, and basic decency with the vigilant spirit that says "Don't tread on me"). The self-reliant family was to be the nation's main poverty program.

As the poverty program of last resort, provide minimal, safety-net public and private support in local communities for the poor whose families were unable or unwilling to provide for them.

In the older America, most poor people were free to work or go into business without asking permission from government. Low taxes and minimal regulation allowed them to keep most of the fruits of their labor. The stability of marriage encouraged men to meet their family obligations. Government officials, teachers, and writers praised the dignity of responsible self-support and condemned irresponsible dependence on government handouts.

In the Middle Ages, a serf might have worked hard all his life, but much of what he produced went into the hands of a wealthy landowner. In most countries of the world, including America today, government regulation and licensing requirements often prevent the poor from entering and competing freely in the market. Besides, much of what the working poor earn through their own efforts is taxed away to support those who do not work.

In the 19th century, a few American intellectuals, typically influenced by European thinkers opposed to the Founders' idea of property rights, questioned the idea of individual responsibility. By 1900, many intellectuals were turning away from the traditional American view that in a free country, frugal and industrious conduct usually leads to an adequate living.

Christopher Jencks explains how different was the original congressional conception of ADC (later renamed AFDC, Aid to Families with Dependent Children) from today's welfare:[32]

When Congress established ADC in 1935, it thought it was subsidizing a set of state programs known as "mothers' pensions." These programs had been established to ensure that indigent widows of good character did not have to place their children in orphanages. Not all states explicitly restricted benefits to widows, but most states did limit benefits to mothers who could provide their children with a "suitable" home. Local officials usually interpreted this requirement as excluding unwed, separated, and divorced mothers, on the grounds that such women set a poor moral example for their children.

However, the 1935 law had been based on a report written by bureaucrats in the Children's Bureau who made sure that the language of the law would permit (although not require) states to give aid to divorced women and single mothers. Looking back on the episode, Frances Perkins, FDR's liberal Secretary of Labor, said that:[33]

[She] felt that the Children's Bureau had let her down.... She said it never occurred to her, in view of the fact that she'd been active in drives for homes that took care of mothers with illegitimate children, that these mothers would be [eligible for aid]. She blamed the huge illegitimacy rates among blacks on aid to mothers with dependent children. Perkins, like most other Americans at that time, accepted the older distinction between the deserving and undeserving poor, a distinction based on moral conduct.

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In order to help the poor, government raised taxes on the working poor. In the name of safety and environmentalism, it set up licensing requirements and regulations that make it harder for the poor to go into business building houses, repairing air conditioners, exterminating insects, fixing cars, or running a store or restaurant. Local governments set up building codes that were meant to guarantee safe dwellings and businesses but which deprive the poor of inexpensive housing. Code requirements drive up the costs of new houses by tens of thousands of dollars.

Moreover, government routinely tears down poor people's houses that are not "up to code" for defects as minor as peeling paint. The city of Dallas, Texas, demolished over a thousand private homes between 1992 and 1995, most of them in low-income and minority areas, sending previous residents onto the welfare rolls or into the streets as homeless.[34]

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Recent welfare policies have particularly undermined the usefulness of marriage for many women, at least in the short-term horizon in which people sometimes make such decisions. Marriage makes possible an efficient division of labor for raising children and providing for the care and livelihood of people of all ages. In the usual arrangement, the husband is the principal provider and protector, and the wife bears and tends the children when they are young. George Gilder has explained better than anyone else the role of welfare in family breakdown. Most women have a natural superiority to men in affairs of love and the heart, including especially the bearing and nurturing of children. What, then, can a man offer a woman? To put it bluntly, money and honor. Women rarely marry men who make less money than they do or whose social rank is below their own (unless the men have a good career in prospect), and women frequently divorce men who make less. Men and women often lose romantic interest in each other when one of the partners cannot offer an equalizing contribution.

When increasingly generous government support became widely available to women in the 1960s, illegitimacy and divorce grew dramatically. As Gilder writes, "Female jobs and welfare payments usurped the man's role as provider, leaving fatherless families." Welfare destroys the incipient families of the poor by making the struggling male breadwinner superfluous and thereby emasculating him emotionally. His response is predictable. He turns to the supermasculine world of the street: drinking, drugs, male companionship, and crime.[35]

The incentive structure of the modern welfare state is similar to the one that Franklin condemned in old England, except that ours is more generous and more tolerant of single motherhood. Since 1965, when President Lyndon Johnson inaugurated the modern War on Poverty, total annual government welfare spending has grown from less than \$9 billion (1.3 percent of gross domestic product) to \$324 billion (5 percent of GDP) in 1993 to \$927 billion (6 percent of GDP) in 2011.[36] Between 1965 and 2013, the government spent \$22 trillion (adjusted for inflation) on means-tested welfare programs—more than three times the costs of all military wars in the history of the United States.[37] In 2013, there were roughly 80 different federal means-tested welfare programs.[38] Just counting seven large federal programs (Temporary Assistance for Needy Families; Supplemental Nutrition Assistance; public housing; Medicaid; utilities; Women, Infants, and Children assistance; and emergency food assistance), a single mother of two was eligible in 2013 for benefits that were the equivalent of a job paying \$16.96 per hour in California, \$18.27 in New York, and \$20.44 in Massachusetts (\$35,287, \$38,000, \$42,515, respectively, per year). In California, the value of this package of welfare benefits was only 8 percent below the median salary in the state; in New York and Massachusetts, the value was less than 5 percent below the respective median salaries. Minimum-wage jobs do not even come close to competing with welfare in most states.

These figures do not take into account state, county, and municipal benefits. Nor do they take into account the massive use of Social Security Disability as a de facto welfare program (as of 2005, 4.1 percent of Americans between the ages of 25 and 64 were enrolled).[39] In Hawaii, the equivalent in taxable income for the total value of these seven federal benefits was \$60,590.[40]

From the point of view of the usefulness of marriage, the choice of the poor to forgo work is, as Charles Murray writes, "the behavior of people responding to the reality of the world around them and making the decisions—the legal, approved, and even encouraged decisions—that maximize their quality of life." [41] As Robert Rector and William Lauber have explained:[42]

The current welfare system may be conceptualized best as a system which offers each single mother ... a "paycheck." ... She will continue to receive her "paycheck" as long as she fulfills two conditions: (1) she must not work; and (2) she must not marry an employed male.... [Welfare] has converted the low-income working husband from a necessary breadwinner into a net financial handicap. It has transformed marriage from a legal institution designed to protect and nurture children into an institution that financially penalizes nearly all low-income parents who enter into it.

Requiring able-bodied adults to work in exchange for welfare makes welfare more burdensome, but it does not remove its attractiveness altogether. The government-guaranteed jobs and day care that such schemes often require simply make the money less convenient. The basic problem—that government makes it affordable for women to bear and raise children without husbands while living independently in households of their own—is still there. If a society really believes that marriage is the best arrangement for the well-being of men, women, and children, then its laws and customs must reflect that belief seriously, consistently, and effectively.

High benefit levels and irresponsible attitudes toward sex and marriage create a world in which many children have few or no ties to their fathers; in which mothers, increasingly unmarried, are more often abused and exploited; and in which many men join gangs and take up crime as a way of life. This is a world not only of financial poverty, but also of emotional chaos and physical danger. It is not Hobbes's state of nature, but life is increasingly "nasty" and "brutish." The contemporary outlook on welfare has both propelled the family's disintegration and promoted vast dependence. Many today fail to note that antipoverty programs can easily have a corrupting effect if they are not set up in a way that promotes rather than breaks down the morality of self-restraint and self-assertion that is a necessary foundation of what Jefferson called "temperate liberty."^[44] Both Jefferson and Franklin supported laws that encourage responsibility toward family and community, self-sufficiency, and industriousness. They understood that political liberty rests on the moral character of a people."

⁸¹ Dr. Thomas West, "Poverty and Welfare in the American Founding," Heritage Foundation, May 19, 2015, <https://www.heritage.org/poverty-and-inequality/report/poverty-and-welfare-the-american-founding>

⁸² I experienced this bull shit requirement in a relatively small government, a Republican dominated city. But everywhere the Perverted Triangle takes bribes, rewards supporters, passes laws to grow the power and size of government, and work for attorneys. I had to spend money, then go testify to get a variance to have less glass in my patio (which is still covered with windows) than the city code requirement. Most codes have no legitimate basis for public safety; they are there because of some company or party's self-interest, or to make it more difficult for do it yourselves, or other unjust reasons.

⁸³ Alex Horowitz & Tushar Kansal, "Survey Finds Large Majorities Favor Policies to Enable More Housing, Simplifying permitting, allowing more apartments are especially popular," Pew Charitable Trust survey, Nov 30, 2023

⁸⁴ <https://www.goodreads.com/quotes/44731-everything-that-is-really-great-and-inspiring-is-created-by>

⁸⁵ Chris Edwards, "Entrepreneurs and Regulations: Removing State and Local Barriers to New Businesses," Cato Institute, Policy Analysis No 916, May 5, 2021

⁸⁶ Reserved for future updates

⁸⁷ Reserved for future updates

⁸⁸ <https://www.stlouisfed.org/publications/bridges/spring-2006/100-years-of-bankruptcy-why-more-americans-than-ever-are-filing>; <https://www.debt.org/bankruptcy/statistics/>

⁸⁹ Reserved for future updates

⁹⁰ Thomas Sowell, "Ever Wonder Why?: and Other Controversial Essays", 2013, Hoover Press, p. 23

⁹¹ Robert A. Watson and Ben Brown, "The Most Effective Organization in the U.S." Leadership Secrets of the Salvation Army, NY: Crown Business, 2001, pp. 2, 16

⁹² Yes, with the moral and hypocritical error of denying such rights to slaves, addressed elsewhere, but not in every instance of possible mention in this short paper.

⁹³ Roger Pilon, Cato Institute, The Purpose and Limits of Government, Cato's Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

⁹⁴ Roger Pilon, Cato Institute, The Purpose and Limits of Government, Cato's Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

⁹⁵ Roger Pilon, Cato Institute, The Purpose and Limits of Government, Cato's Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

⁹⁶ Devin Watkins, The Federalist Society, "The Natural Law Foundation of the Constitution," Oct 15, 2016, <https://fedsoc.org/commentary/fedsoc-blog/the-natural-law-foundation-of-the-constitution> More from this paper: "Our legal culture has lost the context in which the Constitution was written. I speak of the natural law, the idea of law as founded upon reason and logic and not merely the ipse dixit of a given power. This has had profound implications for the modern misinterpretation of the Constitution. To demonstrate this, let me give one clear example of the incompatibility of the modern positive-law notions with the ideas of the Founders. When the Constitution was drafted, it did not contain any bill of rights and had no explicit protection for freedom of speech. To the legal positivist, without any explicit protection for the freedom of speech, the government could regulate speech. Yet none of the

Founders actually believed this. When the idea of a bill of rights was proposed, the objection was that the Bill of Rights was unnecessary and these rights were already protected. See Federalist No. 84. Instead, any enumeration of the rights already protected was seen as dangerous. If we say we have rights 1 to 100, that implies that we don't have right 101. So the enumeration of rights would limit the rights already protected. This problem was eventually solved by James Madison by explicitly rejecting the idea that the rights already protected were limited by the enumeration in the Bill of Rights in the Ninth Amendment. The only conclusion that can be drawn from this is that even before the Bill of Rights the people believed they already had the right to freedom of speech. How can this be from a positivist view of the Constitution? There is nothing explicit in the Constitution that mentions the freedom of speech, and yet it was originally widely understood that this right was already protected. Originalism disproves this strict textualism and instead requires a greater context to understand the original meaning of the constitutional text. There are only two reasonable originalist arguments that would protect the freedom of speech without the First Amendment. The first interprets the meaning of the word "law" as used in the Constitution before the Bill of Rights. The second incorporates the common law of agency and contract to limit the proper scope of the delegated power. It's likely that both of these are valid and reinforce each other. These also require an understanding of the Lockean notions of rights and liberty and the just powers of government as commonly understood at the founding. The Founders distinguished between "law"—which is the use of government power in the service of a rational, general, public principle—and mere "will" which was arbitrary political power. This distinction, of course, requires an understanding of the Lockean idea of rights and liberty to determine what are the rational objectives that government is instituted to protect. Justice Samuel Chase, in the first big Supreme Court opinion *Calder v. Bull* (1798), gave examples of arbitrarily power including one "that takes property from A and gives it to B." He explains that: An act of the legislature (for I cannot call it a law) contrary to the great first principles of the social compact cannot be considered a rightful exercise of legislative authority. The obligation of a law in governments established on express compact and on republican principles must be determined by the nature of the power on which it is founded. Notice it is not only an "express compact"—the written constitution—but also republican principles that underlie the legislature's rightful authority. Indeed, the Founders just finished fighting a war because the government would not respect these fundamental rights. The other argument comes from the common law understanding of contract and agency law. Our Constitution is in many ways a contract between us—the people—and those we hire to run the government on our behalf and where we delegate certain powers to our agents in government. But like any contract, not everything is spelled out explicitly; instead there are prohibitions implied by the text even if not explicitly stated. The government officers are also the people's agents hired to accomplish certain goals of protecting our rights and they are obligated to faithfully attempt to accomplish those goals. To purposefully violate those rights is like hiring a guard for a bank who then robs the bank—clearly beyond the scope of authority delegated even if not explicitly stated. The reason that governments are "instituted among men" is to protect our natural rights, as the Declaration of Independence states. Those natural rights of life, liberty, and property protected implicitly in the original Constitution are explicitly protected in the Bill of Rights. That right of liberty is the right to do all those things which do not harm another's life, property, or equal liberty. While this might sound circular, it's actually reflective. We have the right, for instance, to swing our arms around until that would interfere with another's equal right to do the same. Read in this way, the extent and meaning of the Bill of Rights becomes clear. Merely speaking or printing your opinion doesn't cause harm to another person (but defamation was considered to cause harm). Private belief or exercise of religion doesn't cause harm. Mere possession of a firearm doesn't cause harm to another. The Fourth Amendment protects private property where it isn't used to conceal evidence of harm to another (in which case a warrant can be issued). The right to "assistance of counsel" was meant to overturn the common law prohibition on hiring counsel in non-treason felony cases. This would clearly fall within the natural right of property and liberty to hire the counsel of your own choice with your own money. It wasn't until the 20th century that it was reinterpreted as a right to be provided counsel. See *Betts v. Brady*, 316 U.S. 455 (1942) (Sixth Amendment "not aimed to compel the State to provide counsel for a defendant"), overruled by *Gideon v. Wainwright*, 372 U.S. 335 (1963). This becomes especially important in the recent Supreme Court case *Luis v. United States*, where the government denied this natural right (but the Court rejected the government's assertions and recognized the original right). The rights contained within the Bill of Rights recognize various natural rights (specifically those of a person's liberty to do those acts not harmful to others). It is within this context that the Ninth Amendment has to be read to protect those other natural rights which are not explicitly enumerated in, but still protected by, the Constitution."

⁹⁷ Roger Pilon, "On Bill of Rights Day, Let's Not Forget the 9th and 10th Amendments," Real Clear Markets, December 15, 2022,

https://www.realclearmarkets.com/articles/2022/12/15/on_bill_of_rights_day_lets_not_forget_the_9th_and_10th_amendments_870290.html

⁹⁸ Randy Barnett, Georgetown Law School, "The Ninth Amendment: It Means What It Says." 2006

<https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=1850&context=facpub>

⁹⁹ Randy Barnett, Georgetown Law School, "The Ninth Amendment: It Means What It Says." 2006

<https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=1850&context=facpub>

¹⁰⁰ Randy Barnett, "Another defender of "judicial restraint" attacks a straw man," Washington Post, Feb 1, 2015,

<https://www.washingtonpost.com/news/volokh-conspiracy/wp/2015/02/01/another-defender-of-judicial-restraint-attacks-a-straw-man/>

Excerpts: "Courts should not invent doctrines like "the substantial effects" doctrine that allow Congress to exceed these powers under a hyper-expansive reading of the Necessary and Proper Clause. Indeed several state constitutions contained such "natural rights rhetoric," some modeled after Virginia's Declaration of Rights that was authored in 1776 by George Mason.

Massachusetts: "All men are born free and equal, and have certain natural, essential and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness."

New Hampshire: "All men have certain natural, essential, and inherent rights; among which are — the enjoying and defending life and liberty — acquiring, possessing and protecting property — and in a word, of seeking and obtaining happiness."

New York: "We hold these Truths to be self-evident, that all Men are created equal; that they are endowed by their Creator with certain unalienable Rights; that among these are Life, Liberty, and the Pursuit of Happiness."

Pennsylvania: "That all men are born equally free and independent, and have certain natural, inherent and unalienable rights, amongst which are, the enjoying and defending of life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety."

Vermont: "That all Men are born equally free and independent, and have certain natural, inherent and unalienable Rights, amongst which are the enjoying and defending Life and Liberty; acquiring, possessing and protecting Property, and pursuing and obtaining Happiness and Safety."

Virginia: "That all men are by nature equally free and independent and have certain inherent rights, . . . namely the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety."

Far from being irrelevant to state courts, such "natural rights rhetoric" had been used by the Massachusetts supreme court to invalidate slavery in that state in 1783 (which may help explain why Congress refrained from including such language in its proposed amendments).

Keep in mind that, like most of the natural rights retained by the people. the police powers of the states are "unenumerated." Those who cite the uncertainty of identifying unenumerated natural rights are quite content to assert the equally unenumerated police power of states. Yet while these powers are general, few believed that they were unlimited, as federalist Justice Chase famously explained in *Calder v. Bull.*"

¹⁰¹ Roger Pilon, Cato Institute, May 9, 2023, <https://www.cato.org/commentary/americas-love-affair-unenumerated-rights>

¹⁰² James Knight, Cato Institute, "Americans Should Remember the Ninth Amendment: It protects rights that are not listed in the Bill of Rights," Nov 20, 2019, <https://www.cato.org/commentary/americans-should-remember-ninth-amendment>

¹⁰³ James Knight, Cato Institute, "Americans Should Remember the Ninth Amendment, It protects rights that are not listed in the Bill of Rights," Nov 20, 2019, <https://www.cato.org/commentary/americans-should-remember-ninth-amendment>

¹⁰⁴ George Will, "The constitutional right to be left alone," Washington Post, April 18, 2012

https://www.washingtonpost.com/opinions/the-constitutional-right-to-be-left-alone/2012/04/18/gIQA8YrIRT_story.html

¹⁰⁵ At the risk of overwhelming readers with repetition, here is another example from Paul Cleveland, a Professor of Business Administration and Economics, and a member of yet another Institute working to try and reform our horrible state of government and stop the Perverved Triangle: Paul A. Cleveland, "Government: The Good, the Bad, and the Ugly," Independent Institute website, Sep 1, 1997, <https://www.independent.org/publications/article.asp?id=1598>
Excerpts: "Since the 1930s, however, for all practical purposes, the Constitution has been ignored and the national government has continued to grow virtually unchecked. As a result, there has been a proliferation of bad government

which may very well turn ugly. . . . Nevertheless, the vast majority of government programs in the twentieth century have been designed to redistribute income at the expense of protecting life, liberty, and property. This has been done through the proliferation of laws. In fact, the legal code has become so extensive and complex that most everyone, if not in fact everyone, is guilty of violating some portion of it. The recent ethical crises among political figures are evidence of this fact. The tax laws provide another example. The tax code has become so extensive and convoluted that there is no uniform agreement even among tax experts as to what it actually says or means. In this atmosphere the execution of law becomes arbitrary. When the legal code is expanded to this point, society is well on its way to the ugliest form of government because authorities can use the legal code for political ends rather than for the promotion of justice. Government authorities of this genre hide behind their legal position and use their power in all sorts of hideous ways.”

¹⁰⁶ Editorial, “The Case for Overturning Chevron Deference,” *Wall Street Journal*, Jan 16, 2024, p. A16.

¹⁰⁷ Reserved for future updates

¹⁰⁸ Richard M. Reinsch, “The Book of Judges,” *Washington Post*, Jan 30, 2015, <https://lawliberty.org/the-book-of-judges/>

¹⁰⁹ Roger Pilon, Cato Institute, “More on the Protection of Unenumerated Rights,” Dec 20, 2021, <https://www.cato.org/blog/more-protection-unenumerated-rights>

¹¹⁰ Roger Pilon and Aaron Rhodes, Cato Institute, “The American Understanding of Natural Rights: Our chances of maintaining America’s natural-rights tradition are far better if we ground our rights not on religious belief but on reason, common to all, as America’s Founders did,” Aug 24, 2020, <https://www.cato.org/commentary/american-understanding-natural-rights>

¹¹¹ Randy Barnett, “Reconceiving the Ninth Amendment,” Georgetown University Law Center, 1988, <https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=2557&context=facpub>

¹¹² Roger Pilon, Cato Institute, “More on the Protection of Unenumerated Rights,” Dec 20, 2021, <https://www.cato.org/blog/more-protection-unenumerated-rights>

¹¹³ Roger Pilon, Cato Institute, “More on the Protection of Unenumerated Rights,” Dec 20, 2021, <https://www.cato.org/blog/more-protection-unenumerated-rights>

¹¹⁴ Anthony Sanders, “Baby Ninth Amendments: How Americans Embraced Unenumerated Rights and Why It Matters,” Institute for Justice, 2023, <https://ij.org/books/baby-ninth-amendments-how-americans-embraced-unenumerated-rights-and-why-it-matters/>

¹¹⁵ Reserved for future updates

¹¹⁶ Reserved for future updates

¹¹⁷ Reserved for future updates

¹¹⁸ Reserved for future updates

¹¹⁹ Reserved for future updates

¹²⁰ <https://www.uscourts.gov/about-federal-courts/educational-resources/annual-observances/standing-bears-courtroom-speech-native>

¹²¹ Roger Pilon, Cato Institute, *The Purpose and Limits of Government*, Cato’s Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

¹²² Reserved for future updates

¹²³ Lee Ohanian, “Why Shoplifting Is Now De Facto Legal In California,” Hoover Institute, Aug 3, 2021, <https://www.hoover.org/research/why-shoplifting-now-de-facto-legal-california>

¹²⁴ Institute for Legal Reform, US Chamber of Commerce, “International Comparisons of Litigation Costs, Canada, Europe, Japan, and the United States,” June 2013

¹²⁵ <https://www.tbdmarketing.co.uk/which-country-has-the-most-lawyers-per-head/>

¹²⁶ Charles Murray, *By the People: Rebuilding Liberty Without Permission*, Crown Forum, 2015

¹²⁷ Some books to read about lawyers regularly lying in Court and the Perverted Triangle’s laws to promote hiring lawyers and lawsuits include *The Bodyguards of Lies: Lawyers’ Power and Professional Responsibility and Servants of the Damned: Giant Law firms, Donald Trump, and the Corruption of Justice*. A prospective Franchisee reading their Franchise Disclosure Document does not know that every aspect of the document is dictated by federal law written to promote lawyers and lawsuits as its top goal, not protect Franchisees. Every aspect of the document is dictated by law written by attorneys and passed the Perverted Triangle. For example, the following statement, exactly as the Perverted Triangle lawyers wrote it into federal law, must be in every Franchise Disclosure Document: “The terms of your contract will govern your franchise relationship. Don’t rely on the disclosure document alone to understand your

contract. Read your contract carefully. Show your contract and this disclosure document to an advisor, like a lawyer or accountant.” The law also is written to promote lawsuits, with ridiculous requirements on disclosing financial information. When I worked at ConAgra Inc, a Fortune 25 company under a fantastic CEO, Mike Harper, we had no General Counsel on staff because Harper knew attorneys generally provide really bad business advice, and understandably are inclined to recommend doing nothing as the best way to avoid lawsuits. Lawyers are generally not good advisors for a Franchisee to talk to. So this is what I put into the Fortitude Ranch Franchise Disclosure Document: “The law is written to help employ attorneys who profit by suing franchisors who dare to help prospective franchisee’s estimate their likely financial results. We do have the best expertise on estimating your likely financial results, and otherwise would like to assist you, but this law and our legal system will screw us if we attempt to do so. DP LLC, the parent company of FR, has been profitable since 2020, but we cannot provide our financial data or assist you in estimating your likely financial returns due to bad regulations and worse lawyers. As any business operator with an IQ over 90 knows, the results of business are subject to great risks, uncertainty, and sometimes losses. If you don’t have experience running a business, research starting up a business and consult with smart business persons you know. This regulation advises you to consult with lawyers for business advice (and requires that we print this recommendation)—we think that is foolish. Work with people who have real business experience, and be conservative rather than optimistic in your estimates. Assume that things will go wrong, sales won’t grow as fast as you anticipate, etc. Please do not ask us for any help estimating your financial results as a franchisee. We would like to help you, but cannot due to the high risk of lawsuits due to horrible regulations and our legal system.” Franchisees would benefit from a disclosure and illustration of the range of expenses and earnings they may expect, subject to huge variations depending on hundreds, thousands of factors. A normal investment document would have this, but if you offer this guidance to a Franchisee you are inviting a lawsuit from attorneys who specialize in suing Franchisors, empowered by the Perverted Triangle’s unconstitutional federal law on business franchise.

¹²⁸ Jordi Blanes i Vidal, Mirko Draca and Christian Fons-Rosen, “Revolving Door Lobbyists,” *The American Economic Review*, Dec 2012

¹²⁹ Reserved for future updates

¹³⁰ Google PPP fraud defense lawyer and you’ll find hundreds of law firms advertising for business to defend people who committed fraud like this: <https://www.nealdavislaw.com/criminal-defense-guides/ppp-fraud-defense/>

¹³¹ Gallop Poll, 2021

¹³² Not just a 30% fee to buy the App on their store and be on their device, but a 30% fee on any in-App purchases—with restrictions on allowing purchases outside the App. The cost to Apple for facilitating the transactions is on the order of 1%; yielding an obscenely huge monopoly profit. Google has similar though not quite as obscene gouging on their phones.

¹³³ Aaron Tilley, “Apple Wins Appeal in ‘Fortnite’ Case,” *Wall Street Journal*, April 25, 2023, p. B1

¹³⁴ Philip Howard, *Life Without Lawyers: Restoring Responsibility in America*, WW Norton & Co, 2010, p. 31

¹³⁵ Philip Howard, *Life Without Lawyers: Restoring Responsibility in America*, WW Norton & Co, 2010, pp 72-73.

¹³⁶ Philip Howard, *Life Without Lawyers: Restoring Responsibility in America*, WW Norton & Co, 2010, p. 75;

¹³⁷ Philip Howard, *Life Without Lawyers: Restoring Responsibility in America*, WW Norton & Co, 2010, p. 84.

¹³⁸ Philip Howard, *Life Without Lawyers: Restoring Responsibility in America*, WW Norton & Co, 2010, p. 85.

¹³⁹ Charles Murray, *By the People: Rebuilding Liberty Without Permission*, Crown Forum, 2015, pp 31-32

¹⁴⁰ Jeanine Cali, Library of Congress, *Frequent Reference Question: How Many Federal Laws Are There?* March 12, 2013; <https://blogs.loc.gov/law/2013/03/frequent-reference-question-how-many-federal-laws-are-there/>

¹⁴¹ Reserved for future updates

¹⁴² Philip K. Howard, “The Death of Common Sense,” Random House, 1994, p. 50

¹⁴³ Philip K. Howard, “The Death of Common Sense,” Random House, 1994, p. 53

¹⁴⁴ Roger Pilon, Cato Institute, *The Purpose and Limits of Government*, Cato’s Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

¹⁴⁵ According to Merriam-Webster dictionary, a “police state” is “a political unit characterized by repressive governmental control of political, economic, and social life usually by an arbitrary exercise of power by police and especially secret police in place of regular operation of administrative and judicial organs of the government according to publicly known legal procedures”

¹⁴⁶ Charles Murray, *By the People: Rebuilding Liberty Without Permission*, Crown Publishing, 2016, pp. 33-37

¹⁴⁷ Reserved for future updates

¹⁴⁸ <https://abovethelaw.com/2020/05/biglaw-firms-are-charging-how-much-for-associates/>

¹⁴⁹ Evan Whitton, “America’s English-Style Legal System Evolved to Conceal Truth, Not Reveal It,” *The Atlantic*, June 14, 2012

¹⁵⁰ James R. Copland, Trial Lawyers, Inc., <https://www.manhattan-institute.org/triallawyersinc> :

¹⁵¹ Reserved for future updates

¹⁵² US District Judge Kevin Castel, quoted in “Lawyers have real bad day in court after citing fake cases made up by ChatGPT, Jon Brodtkin, *arstechnica.com*, June 23, 2023 <https://arstechnica.com/tech-policy/2023/06/lawyers-have-real-bad-day-in-court-after-citing-fake-cases-made-up-by-chatgpt/>

¹⁵³ There is no central data base reporting on growth in mediation and arbitration versus using the courts, but FINRA despite resolution statistics (<https://www.finra.org> › arbitration-mediation), the rise of mediation in US Chapter 11 restructurings (<https://globalrestructuringreview.com>), American Arbitration Association data (<https://www.adr.org> › research), and other sources, <https://www.jamsadr.com>, <https://siepr.stanford.edu>, Bureau of Labor Statistics data, <https://www.bls.gov/ooh/legal/arbitrators-mediators-and-conciliators.htm> suggest mediation and arbitration is growing in popularity over using lawyers and courts.

¹⁵⁴ Charles Murray, *By the People: Rebuilding Liberty Without Permission*, Crown Publishing, 2016, p 38.

¹⁵⁵ Reserved for future updates

¹⁵⁶ Reserved for future updates

¹⁵⁷ Fucked Up Beyond All Recognition; believe it or not, was developed by US troops in WWII, 1944 according to Merriam-Webster, <https://www.merriam-webster.com/dictionary/fubar>

¹⁵⁸ Reserved for future updates

¹⁵⁹ <https://www.nbcnews.com/meet-the-press/data-download/costs-war-drugs-continue-soar-rcna92032>

¹⁶⁰ <https://www.prisonpolicy.org/reports/pie2023.html>; chrome-

extension://efaidnbmnnnibpcajpcgicfindmkaj/https://www.unodc.org/documents/ungass2016/Contributions/Civil/DrugPolicyAlliance/DPA_Fact_Sheet_Drug_War_Mass_Incarceration_and_Race_June2015.pdf

¹⁶¹ <https://www.ojp.gov/ncjrs/virtual-library/abstracts/national-guard-war-drugs>

¹⁶² Jared Grossi, “The Relationship between the War on Drugs and Crime,” May 2020

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3591798; <https://www.americanprogress.org/article/ending-war-drugs-numbers/>;

Christopher J. Coyne and Abigail R. Hall, Cato Institute, “Four Decades and Counting: The

Continued Failure of the War on Drugs,” POLICY ANALYSIS NO. 811, April 12, 2017, <https://www.cato.org/policy-analysis/four-decades-counting-continued-failure-war-drugs>;

P. J. Goldstein, H. H. Brownstein, P. J. Ryan, and P. A.

Bullucci, “Crack and Homicide in New York City: A Case Study in the Epidemiology of Violence,” in *Crack in America: Demon Drugs and Social Justice*, ed. Craig Reinerman and Harry G. Levine (Berkeley: University of California Press,

1997), pp. 113–30; Bruce L. Benson, Ian Sebastian Leburn, and David W. Rasmussen, “The Impact of Drug Enforcement

on Crime: An Investigation of the Opportunity Cost of Police Resources,” *Journal of Drug Issues* 31, no. 4 (2001):

989-1006; Jeffrey A. Miron, “Violence and the US Prohibition of Drugs and Alcohol,” *American Law and Economics*

Review 1, no. 1–2 (1999): 78–114.

¹⁶³ This is a 1996 study, but as of January 2023, still up on the Department of Justice website.

<https://www.ojp.gov/ncjrs/virtual-library/abstracts/legalizing-drugs-would-not-reduce-crime-legalizing-drugs-p-110-113#:~:text=Drug%2Drelated%20crimes%20may%20decrease,will%20persist%20even%20with%20legalization.>

Despite lessons of Prohibition, studies showing the opposite conclusion and common sense, the Perverted Triangle continues

to fund and defend the War on Drugs for the huge budget, jobs, patronage, and power it brings.

¹⁶⁴ Graham Boyd, founder and director of the ACLU Drug Policy Litigation Project, *Collateral Damage In The War On*

Drugs, *Villanova Law Review* 2002 47 Vill. L. Rev. 839

¹⁶⁵ Graham Boyd, founder and director of the ACLU Drug Policy Litigation Project, *Collateral Damage In The War On*

Drugs, *Villanova Law Review* 2002 47 Vill. L. Rev. 839

¹⁶⁶ Milton Friedman a brilliant, leading economist and champion of capitalism. William Buckley was a leading

conservative politician and influencer, editor of the *National Review*. Both opposed the criminalization of personal use

of “illegal” drugs and the stupid war on drugs. [https://www.thirteen.org/openmind-archive/the-law/on-legalizing-](https://www.thirteen.org/openmind-archive/the-law/on-legalizing-drugswith-william-f-buckley/)

[drugswith-william-f-buckley/](https://www.thirteen.org/openmind-archive/the-law/on-legalizing-drugswith-william-f-buckley/)

¹⁶⁷ chrome-

extension://efaidnbmnnnibpcajpcgicfindmkaj/https://www.unodc.org/documents/ungass2016/Contributions/Civil/DrugPolicyAlliance/DPA_Fact_Sheet_Drug_War_Mass_Incarceration_and_Race_June2015.pdf

¹⁶⁸ Graham Boyd, founder and director of the ACLU Drug Policy Litigation Project, *COLLATERAL DAMAGE IN THE WAR*

ON DRUGS, *Villanova Law Review* 2002 47 Vill. L. Rev. 839

¹⁶⁹ Reserved for future updates

¹⁷⁰ Reserved for future updates

¹⁷¹ Cited in Paul A. Cleveland, “Government: The Good, the Bad, and the Ugly,” Independent Institute website, Sep 1, 1997, <https://www.independent.org/publications/article.asp?id=1598>

¹⁷² Largely copied from a poster from the late 1800s entitled “Maxims for Young Men”, an early American philosophy statement of our culture and values—and our once strong emphasis on personal responsibility. Minor adaptations (adding “and Women” and italic notes) by Drew Miller. Picture of George Washington at top of poster. Original source not known, but started appearing in US newspapers in late 1800s, for example:

<https://virginiachronicle.com/?a=d&d=SS18810531.1.1&e=-----en-20--1--txt-txIN----->

¹⁷³ Reserved for future updates

¹⁷⁴ Some may condemn the Boy Scouts because of sex abuse cases. It would be more right to condemn lawyers. Much of the following is from Wikipedia: Boy Scouts of America sex abuse cases. The Boy Scouts of America (BSA) is one of the largest youth organizations in the United States, with a million youth members and hundreds of thousands of adult volunteers. There is a higher risk of sex abuse in volunteer youth organizations, so the BSA created a sex abuse education and prevention program in 1988. Civil Air Patrol and other youth program groups have taken similar precautions such as not allowing youth alone with a single adult. In 2010, a jury ordered that the Boy Scouts of America to pay US\$18.5 million to a scout who was abused in the 1980s, the largest punitive damages award to a single plaintiff in a child abuse case in US history. As this point, other lawyers flooded in, marketing for class action lawsuits against the BSA. The deluge of lawyers and class action lawsuits ended up bankrupting the BSA. In February 2020, the Boy Scouts of America filed for a Chapter 11 financial restructuring to offer “equitable compensation” to survivors and their families. The BSA cited approximately 200 pending lawsuits in state and federal district courts across the United States and 1,700 potential claimants in total. In September 2022 – as part of their bankruptcy settlement – the BSA agreed to pay over \$2.4 billion into the fund, with payments beginning in September 2023. The lawyers fees being charged to this fund for the benefit of lawyers, not abused scouts, were so outrageous, a Judge rejected one of their \$21 million claims. Randall Chase, Associated Press, “The judge presiding over the Boys Scouts of America’s bankruptcy has rejected a \$21 million fee request from attorneys hired by law firms representing survivors of child sexual abuse,” Dec 6, 2023. According to a New York Times article: “One lawyer negotiating a resolution to the multi-billion-dollar bankruptcy filed by the Boy Scouts of America billed \$267,435 in a single month. Another charged \$1,725 for each hour of work. New lawyers fresh out of law school have been billing at an hourly rate of more than \$600.” <https://www.nytimes.com/2021/05/11/us/boy-scouts-bankruptcy-legal-fees.html>

Law firms are expected to take roughly 40% of any payments to clients from the \$2.4 billion trust fund established for abuse survivors. More than two dozen law firms that collectively represent more than 60,000 claimants are feeding on the trust fund. Critics of the lawyers argued that “the huge number of claims was the result of a nationwide marketing effort by personal injury lawyers working with for-profit claims aggregators to drum up clients.” The real number of abused scouts is unknown, but likely a small fraction of the numbers claimed by lying lawyers. If it was 60,000 that would be 2% of the 130 million Boy Scouts. According to the Rape, Abuse & Incest National Network, 3% of American males experience an attempted or completed rape in their lifetime. <https://www.rainn.org/statistics/victims-sexual-violence#:~:text=About%203%25%20of%20American%20men,completed%20rape%20in%20their%20lifetime.&text=1%20out%20of%20every%2010%20rape%20victims%20are%20male>. This suggests the rate of sexual abuse in the BSA was not worse than average. Wherever a rape occurs it is deplorable, but the class action lawsuits of scumbag attorneys against the Boy Scouts of America was arguably more offensive.

¹⁷⁵ Reserved for future updates

¹⁷⁶ Roger Pilon, Cato Institute, The Purpose and Limits of Government, Cato’s Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

¹⁷⁷ Booker T. Washington, Up From Slavery, 1900

¹⁷⁸ Douglas J. Den Uyl and Douglas B. Rasmussen, “The Philosophic Thought of Ayn Rand,” University of Illinois Press, 1986, pp. 75-76

¹⁷⁹ David Stokes, JFK’s Ghost: Kennedy, Sorensen, and the Making of Profiles in Courage, Lyons Press, June 1, 2021; Publication date: June 1, 2021; David Nasaw, The Patriarch, Penguin Group, 2012

¹⁸⁰ Reserved for future updates

¹⁸¹ Philip Howard, Life Without Lawyers: Restoring Responsibility in America, WW Norton & Co, 2010, pp. 139-140

¹⁸² Richard Lamm, Two Wands, One Nation, 2006, pp. 19, 23

<https://www.justice.gov/archive/ndic/pubs27/27612/estimate.htm#:~:text=More%20than%2020%2C000%20gangs%20consisting,Columbia%2C%20and%20all%20U.S.%20territories.>

¹⁸⁴ <https://medium.com/@collapsesurvivor/we-need-a-civil-ground-patrol-to-survive-a-real-pandemic-or-other-major-disaster-d53b5d5c62ea>

¹⁸⁵ [Donald Trump, Hillary Clinton, and Joe Biden should be imprisoned in adjoining cells for their illegal abuse of classified national security information | by Dr. Drew Miller | Medium](#)

¹⁸⁶ [Donald Trump, Hillary Clinton, and Joe Biden should be imprisoned in adjoining cells for their illegal abuse of classified national security information | by Dr. Drew Miller | Medium](#)

¹⁸⁷ Reserved for future updates

¹⁸⁸ Dr. Drew Miller, “The Age of Designer Plagues,” The American Interest, Nov 2016, <https://www.the-american-interest.com/2016/09/20/the-age-of-designer-plagues/>

¹⁸⁹ Drew Miller, “The Age of Bioengineered Viral Pandemics and Collapse,” The Institute for Defense Analyses, NSD-5335, Oct 2014, <https://www.ida.org/-/media/feature/publications/t/th/the-age-of-bioengineered-viral-pandemics-and-collapse/d-5335.ashx>

¹⁹⁰ This was explained and illustrated in a Collapse Survivor App simulation:

<https://www.youtube.com/watch?v=n8cYPVQqV6c&t=55s>

¹⁹¹ Reserved for future updates

¹⁹² <https://www.washingtonexaminer.com/washington-secrets/new-emp-warning-us-will-cess-to-exist-90-of-population-will-die>

¹⁹³ David Tice, Glen Rhodes, Greg Ellsworth, Chuck Manto, and other responsible Americans have been working to pressure federal and state governments to harden our electric grid. www.emptaskforce.us is the website for a national effort, that piggy backs on the Congressionally sponsored EMP Committee that published a report recommended grid hardening that Congress ignored. David Tice produced a documentary and started a program to pressure elected officials to act. Tice also promoted legislation in Texas in 2023 to create a commission to force utilities to harden the grid. Utilities and some businesses that want low-cost electricity opposed the bill but the opposition was not that intense. First, it was weakened from a bill allowing the Commission to force hardening to just allowing the Commission to make recommendations to study the Texas Electric grid vulnerabilities. Politicians are afraid that if they force grid security improvements, the costs will lead to higher electric bills and loss of votes. Politicians prioritize their re-election, not protecting citizen’s lives. The weakened bill (SB330) passed the Senate unanimously but was essentially killed by the Speaker of the House (whose former co-chief of staff works for the Association of Electric Companies of Texas) with delayed hearings and then lowest priority scheduling so the bill never reached the floor of the House for a final vote. Therefore, the bill died when the legislative session ended. Over the last eight years, the Center for Security Policy’s CEO Tommy Waller has brought multiple technical experts to Austin to educate lawmakers, evidenced by more than fifty hours of public presentations. But the donations of the utility company lobbyists and the fear of lost votes from raising electric rates outweighs the efforts of a few dedicated citizens and the politicians prioritization of re-election over keeping citizens alive.

¹⁹⁴ <https://fortituderanch.com/2023/07/10/scum-politicians-continue-to-leave-our-grid-vulnerable-and-american-lives-at-risk/>

¹⁹⁵ Dr. Drew Miller, “The Age of Designer Plagues,” The American Interest, Nov 2016, <https://www.the-american-interest.com/2016/09/20/the-age-of-designer-plagues/>

¹⁹⁶ Dr Drew Miller, Institute for Defense Analyses, NSD-5335, “The Age of Bioengineered Viral Pandemics and Collapse,” 2014 <https://www.jstor.org/stable/resrep23620>

¹⁹⁷ Our “just in time delivery” economy is extremely vulnerable to disruptions. We have a very fragile economic system, with cities dependent on daily food deliveries. Food truck drivers will quickly realize that it’s too dangerous for them to drive into cities or on long trips, too much risk of either catching the virus or being attacked by marauders seeking food. Even workers with the courage to face the risk of catching the virus may change their mind when they realize they could bring a fatal virus home to infect their families. Those that do keep working — medics, firefighters, and police — are likely to soon be sick or dead. We should expect that most economic activity, public services, production of essential goods, and transportation will cease.

¹⁹⁸ Reserved for future updates

¹⁹⁹ Justin Haskins, “According to the Founders, all federal gun restrictions are unconstitutional,” The Hill, April 1, 2021

²⁰⁰ Governor Newsom’s proposed gun control amendment, should be soundly rejected. “Raising the federal minimum age to purchase a firearm from 18 to 21” when we have soldiers as young as 17 under arms proves the stupidity of that measure. Mandating universal background checks to prevent truly dangerous people from purchasing a gun that could be used in a crime” “Instituting a reasonable waiting period for all gun purchases” is ridiculous. A Sheriff goes in to buy a gun and is forced to wait? A computer system answers the person meets requirement—but still must wait? “Barring civilian purchase of assault weapons that serve no other purpose than to kill as many people as possible in a short amount of time – weapons of war our nation’s founders never foresaw.” This is also intolerable as explained earlier— we need military capable weapons “Assault” is a loaded term to suggest offensive; these weapons are needed for defense. “Additionally, the 28th Amendment will affirm Congress, states, and local governments can enact additional common-sense gun safety regulations that save lives.” That basically eliminates the 2nd Amendment, replacing with a standard of “Common sense” only. No American with any common sense would let the Perverted Triangle and Big Government enact any regulations they want.

²⁰¹ Estimate based on 8% of Adult population having felony convictions as of 2010,

[https://www.sciencedirect.com/science/article/abs/pii/S0049089X21001265#:~:text=This%20era%20of%20both%20m,ass,of%20the%20overall%20adult%20population.](https://www.sciencedirect.com/science/article/abs/pii/S0049089X21001265#:~:text=This%20era%20of%20both%20m,ass,of%20the%20overall%20adult%20population.;); a more recent source would be preferred, please email if found. A

non-violent felony is a crime that is very serious but does not involve the use or threat of force, such as high value theft, white collar fraud/tax/theft crime, public intoxication, DUI, drug manufacturing cyber crime, forgery, cheating while gambling, manufacturing counterfeit gambling chips, etc. Not crimes where the perpetrator is likely to later use a gun in a crime. The bigger problem is that you could agree to a felony conviction for a crime you are not guilty of because the costs of defending yourself are so high it’s better to plea guilty to avoid the abuse and risk of defending yourself in our always expensive and all too often unjust legal system. Courts, including the Supreme Court, have differed on whether some convicted felons have a constitutional right to bear arms. Justice Samuel Alito believes that the federal law barring felons from possessing firearms “probably does more to combat gun violence than any other federal law.” But some courts have ruled that the statute is unconstitutional when applied to, in one case, a person who pleaded guilty to making a false statement to obtain food stamps. There is strong support for allowing laws to disarm people who if armed would pose a grave, likely threat to the innocent citizens: 88% polled favor preventing mentally ill people from buying guns, 58% polled in 2023 favor stronger gun control laws than those in place today. In a famous 2008 Supreme Court case, a 5-to-4 in *District of Columbia v. Heller* held that people have a right to keep handguns in their homes for purposes of self-defense (unless convicted felons). In Colonial times, before the Constitution, there were instances of legislatures disarming those who had demonstrated a proclivity for violence or whose possession of guns would otherwise threaten public safety.

²⁰² for example, a \$5 circuit breaker that is absolutely adequate and completely safe is often forced by building codes to be a \$75 arc-fault breaker. The number and location of outlets required is often excessive, unnecessary, but a forced requirement of codes that are pushed by industry for their benefit, not safety, violating the most basic liberty of deciding what you want in your private home. Two 20 amp electric lines might be needed in a modern, big urban house, but should not be required in small homes or rural survival home that use little power. Electric building codes alone add thousands of dollars of cost, with plumbing and other building codes adding tens of thousands of unnecessary expense, and zoning restrictions completely preventing building guardhouses and separate housing units needed to keep people safely separated during a pandemic.

²⁰³ Reserved for future updates

²⁰⁴ <https://whitehouse.gov1.info/continuity-plan/>

²⁰⁵ <https://www.statista.com/statistics/191694/number-of-law-enforcement-officers-in-the-us/>,
<https://www.dailynews.com/2022/07/01/los-angeles-democrats-double-down-on-defund-the-police/>,
<https://www.usatoday.com/story/news/nation/2022/12/21/police-officers-quit-reform/10891315002/>

²⁰⁶ Tulsa City Mayor G.T Bynum, <https://www.themarshallproject.org/2023/01/21/police-hiring-government-jobs-decline>

²⁰⁷ Reserved for future updates

²⁰⁸ The highest rate of single parent families in the world: 23%, more than 3 times above the world average. The problem of broken families is interchangeable with “fatherlessness.” Simply put, father-absence is the now-widespread phenomena of children who have no close relationship with, or even knowledge of, their biological father. Only 9% of

children were raised without their father in 1960, yet today a quarter of American kids are raised without their father.” In today’s America, four-in-10 families with children receive support from at least one means-tested transfer program. Today, most Americans get some form of welfare benefits, with over 60% of American households receiving more in government benefits than they pay in taxes! The Perverted Triangle has built a dependent, Big Government welfare state with just federal government programs spending 34% of all wages and taxes in the U.S. Before FDR’s rape of Constitutional limits to federal programs, welfare, income transfer payments made up less than 10% of federal spending. By 1965, at the start of Lyndon Johnson’s Great Society, that percentage had doubled to 20%. By 2010, it had doubled again, reaching 42%, today it is 62%!!!! While the poor receive lots of benefits from many welfare programs (including lots of state socialist programs), the biggest federal expenditures go to middle-class entitlements: Social Security, Medicare, and even Medicaid supposedly for the poor, actually goes to millions of middle-class recipients as well. The Perverted Triangle buys votes to get re-elected and stay in power—and the political parties compete by buying votes regardless of whether the programs are constitutional, good for the recipients, or good for the country.

Since politicians are deliberate, polished liars, middle class Americans don’t think they get welfare benefits. They pay social security and Medicare payroll taxes and many other taxes. But there is no relationship between taxes paid into Social Security and Medicare and the benefits received. Not only is their no private funds, the money you pay in can (and is) used for anything government wants to spent it on, and Courts have upheld that individuals have no “legal, contractual, or property right” to Social Security benefits based on having paid Social Security taxes. Congress can, and must (due to pending bankruptcy) decide to tax more and pay out less. There is no contractual rights to Medicare benefits you have paid for, and much of Medicare’s funding is not from payroll taxes but from general government revenues—it is a welfare benefit, the same as handing out food stamps.

Perverted politicians love to promise more benefits to get reelected, but not taxes to pay for them, so we have horrendous national debt that will eventually lead to economic disaster—and perhaps great violence when Americans disgusted with an economic collapse start to steal, loot and maraud.

But like so much of what the Perverted Triangle presents to the public, the national debt is another great lie. It represents a small fraction of this country’s debt: the unfunded obligations of middle-class entitlements like Social Security and Medicare.

The debt clock shown earlier in the paper lists the multitude of sources, many deliberately hidden and not disclosed in government spending and debt reports.

The Social Security Trust Fund is another Big Government Lie. It is an accounting measure, not an actual accumulation of assets that can be used to pay benefits. Not only is there no investment fund of stocks or bonds or real economic assets that can be drawn down on to fund future benefit payments, it is in fact a debt, future benefit payments promised that can only be financed by raising taxes or more government borrowing. Social Security simply holds a promise that someday the government will repay those bonds, which total some \$2.9 trillion today.

Overall, according to the Social Security system’s trustees, the program faces a future shortfall of more than \$43 trillion. Unfortunately, however, the federal government doesn’t have an extra \$43 trillion. As a result, there is simply no way that Social Security can pay future benefits without a massive tax increase. And as horrific as the Social Security deficit is, the total unfunded liabilities of Medicare is “an even bigger fiscal nightmare than Social Security.” These welfare programs aren’t just fantastic for buying election votes and employing government workers—they are a windfall for lawyers. The complex, loophole filled (deliberately in lobbying and the buying and selling of votes) tax code and huge number of laws and regulations for welfare programs provides huge earnings for CPAs and lawyers and estate planners. “Indeed, an entire industry of elder law exists to help seniors to shelter or transfer their assets in order to qualify for Medicaid.”

The tax system is another highly profitable boondoggle for the Perverted Triangle. Lobbyists for Big Businesses and rich people earn million lobbying for tax breaks, readily hidden in the 000 page tax code. Their campaign donations (and sometimes bribes, jobs post government service) serve the career politicians. Government bureaucrats not just at the federal level, the IRS, but local and state government get more jobs as the tax system keeps growing. Even if higher tax rates are approved, the tax loopholes enable estate planning attorneys to make a fortune developing plans to help the wealthy avoid taxes. The Perverted Triangle wins, the economy and citizens lose.

The Nanny State was created by the Perverted Triangle for their benefit—at the expense of families, individual responsibility, moral values, crime, poverty, affordable housing, our Natural Rights and personal freedom, the U.S. Constitution, our economy, and ultimately, the destruction of our country.

“[N]umerous studies have demonstrated that workers could have achieved higher retirement benefits if they had been allowed to invest even a portion of their payroll taxes in private capital markets.” The return on private capital in the U.S. over the past century including a Great Depression, World War, and many stock market crashes and recessions has been around 6.1%.

Payroll taxes are so high that they make it difficult if not impossible for low—and middle-income workers to save privately.

Federal minimum wage laws that started in the 1950s, completely unconstitutional, are especially hard on the poor because they eliminate many jobs, especially entry level work. As Hoover Institution economist Thomas Sowell explains, “Congress passed a series of minimum wage increases over the years, while also spreading the coverage of the law to new low-wage sectors that had been exempt previously. Over the next three decades, teenage unemployment rose relative to unemployment of older workers and black teenage unemployment rose far above white teenage unemployment. By the 1970s, black teenage unemployment had risen to several times what it had been in 1950...” One of the many ways that Perverted Triangle laws promote poverty and crime.

That’s a disaster for them, but fantastic for the Perverted Triangle—dependent citizens, locked in poverty and welfare programs, eager to vote for the party offering the most welfare benefits. Poor American workers must pay huge amounts in payroll taxes, far more for housing due to government building codes enriching..... But what if they find some great investment opportunity, like a first round Facebook investment? The federal government’s unconstitutional Securities and Exchange Commission won’t let them invest; only rich people can invest in many of the best start up companies. they must be “accredited..... Another deliberate Big Government Lie Or they could start up a small business---if not for all the fees and permits and regulations that now block this once prime way to better your family and income.

The IRS estimates it losses \$1Trillion annually from tax cheats. In surveys, 6-12% of American taxpayers admit they cheat to pay less taxes, but many more likely do but will not admit it (and may not consciously realize that using the black market, not reporting income really is tax cheating). Some justify this by saying “they have been cheated by the U.S. government” or don’t like how the government spends “their money.”

Estimates vary widely, but some put the underground economy between 6.4% and 12% of U.S. gross domestic product (GDP). In the second quarter of 2023, U.S. GDP was estimated at \$27.06 trillion, which puts the underground economy somewhere between \$1.7 trillion and \$3.2 trillion.

The number and percent of Americans with criminal arrests has risen sharply over the past decades, to the point that about one-third of the adult working age population has a criminal record.

A recent Gallup poll found 54% of U.S. adults rate moral values in the country as “poor,” just 11”% rating our moral value as “good” or “excellent.”

Source: Pew Research, Public Trust in Government: 1958-2023

Public trust in the federal government, which has been low for decades, has returned to near record lows following a modest uptick in 2020 and 2021. Currently, fewer than two-in-ten Americans say they trust the government in Washington to do what is right “just about always” (1%) or “most of the time” (15%). This is among the lowest trust measures in nearly seven decades of polling.

When the National Election Study began asking about trust in government in 1958, about three-quarters of Americans trusted the federal government to do the right thing almost always or most of the time.

According to a 2023 Pew Research poll, “only 4% of Americans now say the political system is working extremely or very well, with nearly three-quarters saying it isn’t. A majority (63%) say they have little or no confidence in the future of the U.S. political system.” 72% of Americans have an unfavorable view of Congress, 54% have an unfavorable view of the Supreme Court, 63% are not satisfied about the people running for president in 2024.

Bryan Metzger and Oma Seddiq, “More than 60% of Americans say the Supreme Court is motivated by politics, while just 32% believe they rule based on law: poll,” Business Insider, Nov 19, 2021

Stephanie Kramer, “U.S. has world’s highest rate of children living in single-parent households,” Pew Research, Dec 12, 2019, <https://www.pewresearch.org/short-reads/2019/12/12/u-s-children-more-likely-than-children-in-other-countries-to-live-with-just-one-parent/>

For decades, the share of U.S. children living with a single parent has been rising, accompanied by a decline in marriage rates and a rise in births outside of marriage. A Pew Research Center study of 130 countries and territories shows that the U.S. has the world’s highest rate of children living in single-parent households. Almost a quarter of U.S. children under the age of 18 live with one parent and no other adults (23%), more than three times the share of children around the world who do so (7%).

²⁰⁹ Sources for exhibit “America Before and After Natural and Constitutional Rights Erased, Perverted Triangle Takeover”: Multiple Gallop and Pew Research Center polls, <https://www.dailymail.co.uk/news/article-7572251/Americans-happiest-1920s-lowest-ebb-WW2-Vietnam-War.html>, https://www.ilsdc.org/assets/sourcebook/fr-cfr_research-guide.pdf, https://uploads.federalregister.gov/uploads/2024/01/03140627/2023_All_Category_Pages.pdf, Wilcox and Wang, The Marriage Divide, American Enterprise Institute, 2017, <https://www.statista.com/statistics/257340/number-of-lobbyists-in-the-us/>, <https://www.statista.com/statistics/257337/total-lobbying-spending-in-the-us/>, A47, Willis Krumholz, “Family Breakdown and America’s Welfare System,” Institute for Family Studies, Oct 7, 2019; <https://ifstudies.org/blog/family-breakdown-and-americas-welfare-system>, Institute for Legal Reform, US Chamber of Commerce, “International Comparisons of Litigation Costs, Canada, Europe, Japan, and the United States,” June 2013, <https://www.tbdmarketing.co.uk/which-country-has-the-most-lawyers-per-head/>, Patrick A. Langan et al., “Historical Statistics on Prisoners in State and Federal Institutions, Yearend 1925–1986,” May 1988, in Historical Statistics on Prisoners in State and Federal Institutions, Yearend 1925–1986: [United States], by Interuniversity Consortium for Political and Social Research (Ann Arbor, 1989), appendix C, pp. 10–21, <https://www.statista.com/statistics/262962/countries-with-the-most-prisoners-per-100-000-inhabitants>, Economist Thomas D. Hopkins of the Rochester Institute of Technology, cited in Yesim Yilmaz, “Private Regulation, A Real Alternative for Regulatory Reform,” Cato Institute, Cato Policy Analysis No. 303 April 20, 1998, p. 7 <https://ojdp.ojp.gov/statistical-briefing-book/crime/faqs/qa05101>

²¹⁰ Pew Research, Public Trust in Government: 1958-2023

²¹¹ Reserved for future updates

²¹² Clint Bolick, Chapter 2, “Federalism: The Grand Design,” in Leviathan: The Growth of Local Government and the Erosion of Liberty, Hoover Institution Press, August 1, 2004, https://www.hoover.org/sites/default/files/uploads/documents/0817945520_25.pdf

²¹³ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2582082/>

²¹⁴ July 2023 Gallup poll of Americans: “Most Americans believe abortion should be legal to some degree, particularly in the first trimester. The majority also disagree with the Supreme Court overturning Roe v. Wade, thus returning discretion over the legality of abortion to the states. At the same time, majorities think second- and third-trimester abortions should generally not be legal.” <https://news.gallup.com/poll/321143/americans-stand-abortion.aspx>

²¹⁵ FOOTNOTE This book AND BRIEF EPLANATION>.....

²¹⁶ Joseph Pisani and Jennifer Calfas, “Survivor of 1921 Tulsa Massacre Filed Lawsuit Seeking Reparations,” Wall Street Journal, Oct 11, 2023, p. A3

²¹⁷ Reserved for future updates

²¹⁸ Charles Murray, By the People: Rebuilding Liberty Without Permission, Crown Publishing, 2016, p. 127

²¹⁹ Ranked choice voting systems, advocated by Forward Party, <https://www.forwardparty.com/>

²²⁰ Charles Murray, By the People: Rebuilding Liberty Without Permission, Crown Publishing, 2016, p. 259

²²¹ Reserved for future updates

²²² Burton Folsom, Jr., New Deal or Raw Deal? How FDR’s Economic Legacy Has Damaged America, Threshold Editions, 2008, pp. 81-89 covers a few examples

²²³ Peter Charalambous, ABC News, “At least 74 Illinois sheriff’s departments vow to defy state assault weapons ban,” January 13, 2023

²²⁴ <https://www.bradyunited.org/act/second-amendment-sanctuaries>

²²⁵ Ilya Somin, Cato Institute, “Three Constitutional Issues Libertarians Should Make Their Own,” Cato Policy Report, March/April 2023, p. 6

²²⁶ Pew Research, Public Trust in Government: 1958-2023

²²⁷ Walter Olson, Cato Institute, “Constitutional Amendments With Cross-Ideological Appeal?,” Feb 3, 2023

²²⁸ Pew Research Center

²²⁹ Some states due require full reading of bills, for example Nebraska: “Every bill and resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member. The bill and all amendments thereto shall be printed and presented before the vote is taken upon its final passage and shall be read at large unless three-fifths of all the members elected to the Legislature vote not to read the bill and all amendments at large. No vote upon the final passage of any bill shall be taken until five legislative days after its introduction nor until it has been on file for final reading and passage for at least one legislative day. No bill shall contain more than one subject, and the subject shall be clearly expressed in the title.”

²³⁰ Reserved for future updates

²³¹ Dr. David V. Mastran, *Privateer!*, 2012 David Mastran grew up in a military family and graduated from West Point—ranked 7th in his class. He served in the Vietnam War, and earned a Master’s Degree from Stanford, and a Doctorate from George Washington University. David worked in the Pentagon, first in the military, then in the Office of the Assistant Secretary of Defense for Systems Analysis. Disgusted with politics trumping good decisions, he left the DoD to serve as Director of R&D programs in the Social and Rehabilitation Service in the Department of Health, Education, and Welfare (now DHHS), overseeing major poverty programs. Working in government he saw how “Politics reigned supreme-- decisions based on economic principles were out. The facts didn’t matter.” David wanted to make improvements, but “government wasn’t the place where I could get any traction.” So he left to “try to change these programs from the outside, rather than from the inside.” He founded MAXIMUS, a company offering Government IT services, and experts in social welfare entitlement programs, with a goal of reforming government. His new firm won a small contract in New Hampshire to calculate and implement statistical profiles of people defrauding Medicaid, and New Hampshire’s error rate went down.”

Bill Clinton had been elected with a popular pledge to “end welfare as we know it.” But as a leader in the Perverted Triangle, it was a big lie. Clinton did compromise to get GOP votes to pass “The Personal Responsibility and Work Opportunity Reconciliation Act” of 1996 requiring every state to have a welfare-to-work program. To get GOP votes, work was required and States were allowed, for the first time, to privatize eligibility determination and even operate programs. But from the start, Democratic politicians, government unions controlled by the Democratic Party, government employees, and lawyers devoted to the Perverted Triangle waged war against private companies daring to take “their jobs.”

David Mastran’s MAXIMUS was the first company in the U.S. to win a private contract to operate a social welfare program, in 1988 in Los Angeles County, California. His company was a huge success, offering not just lower, cost, far more efficient and compassionate services, but benefiting former government workers they hired who had far greater job satisfaction for staff providing better services without all the government rules. As Mastran explained, “government doesn’t need help because its people aren’t smart or dedicated. The government needs help because of the constraints under which these people operate. . . . Most of us came from government. Because we had far fewer constraints, we could do a better job serving the public.”

But government unions couldn’t care less about the welfare of former government employees, the people they served, or taxpayers. Backed by Democratic politicians and lawyers, government unions attacked MAXIMUS with websites full of false and fabricated stories, false claims that they put profits ahead of the interests of program recipients, and the company faced “a continual barrage of lawsuits.” Despite running the program successfully for 5 years, when their contract was up for renewal the Los Angeles Board of Supervisors had changed from three Republicans, two Democrats, to two Republicans and three Democrats. The Department of Public Social Services recommended the Board of Supervisors renew the MAXIMUS contract, with the department financial analysts showing MAXIMUS was far more cost-effective. But the Perverted Triangle prevailed and they voted to terminate the contract and give the jobs to the unions, the loyal servants of the Democratic Party and the Perverted Triangle.

²³² From Investopedia, “An externality is a cost or benefit caused by a producer that is not financially incurred or received by that producer. An externality can be both positive or negative and can stem from either the production or consumption of a good or service.” For example, pollution you generate that harms someone else is a negative externality.

²³³ If you think “millions” is an exaggeration, look at the numbers. There are 3 million federal government employees. This does not count the almost 2 million federal military personnel, including reservists. Now, add 20 million state and local government employees to the count!!! This does not include the millions of people working for defense contractors or companies serving government. The Perverted Triangle exists and grows to serve itself, and the more government jobs they add, the stronger they are. Their goal is to reach a point where they have a majority of Americans either working directly in the Perverted Triangle, or dependent on them for jobs or welfare programs. At that point there is no way to ever control or limit them.

²³⁴ Unfortunately, there is a board of directors “governance model” called the “Carver model” that is horrible, but marketed by a company, and loved by some CEO’s who want a passive, rubber stamp board of directors. I served on a board that foolishly followed it and can testify that it is a horrible practice, worse than not having a board of directors at all. *The Many Failings of the Carver Board Governance Model* By Tom Coyne, “The Many Failings of the Carver Board Governance Model,” chrome-

extension://efaidnbmnnnibpccajpcgiclfndmkaj/http://www.k12accountability.org/resources/Accountability-Committees/Carver_Governance_Model_Failings.pdf

²³⁵ Reserved for future updates

²³⁶ Yesim Yilmaz, “Private Regulation: A Real Alternative for Regulatory Reform, Cato Institute, Cato Policy Analysis No. April 20, 1998, p. 8

²³⁷ Yesim Yilmaz, “Private Regulation: A Real Alternative for Regulatory Reform, Cato Institute, Cato Policy Analysis No. April 20, 1998

²³⁸ Yesim Yilmaz, “Private Regulation: A Real Alternative for Regulatory Reform, Cato Institute, Cato Policy Analysis No. April 20, 1998

²³⁹ John Tierney, “The Perverse Panic over Plastic,” City Journal, Winter 2020

²⁴⁰ Nassim Taleb, *The Black Swan : the Impact of the Highly Improbable*, Random House, 2007

²⁴¹ Quotation widely attributed to George Washington and oft cited, but not found in any of Washington’s papers.

²⁴² <https://www.americanrhetoric.com/speeches/fdrsocialecurityact.htm>

²⁴³ My source for this is a case study or report I had in the Masters Degree in Public Policy Program at the Kennedy School of Government, Harvard University, 1980-1982. I remember this clearly, but have no written copy of the case study or report this came from (or it was from a professor’s lecture). Internet searches I have do not find this (and this was before the Internet age, so may have never been scanned and placed on the www). If anyone does find a source for this, please contact us at *****

²⁴⁴ Milton Freidman, quoted in Thomas J. DiLorenzo, *A Constitutionalist Approach To Social Security Reform*, Cato Journal, 1983, <https://www.cato.org/sites/cato.org/files/serials/files/cato-journal/1983/11/cj3n2-6.pdf>

²⁴⁵ Paul Fanlund, “Opinion | Why Donald Trump’s supporters tolerate his lies,” *Cap Times*, Jul 7, 2023, https://captimes.com/opinion/paul-fanlund/opinion-why-donald-trump-s-supporters-tolerate-his-lies/article_018d1de1-ae0b-5f06-8922-852b83142a1e.html

²⁴⁶ Jessica Walrack, Barri Segal, Tanza Loudenback, CFP, “Why You Shouldn’t Count on Social Security,” *US News & World Report*, Sept. 29, 2023

²⁴⁷ Martin Feldstein, “Privatizing Social Security: The \$10 Trillion Opportunity,” *Cato Institute Social Security Choice Paper No. 7*, January 31, 1997, <https://www.cato.org/sites/cato.org/files/pubs/pdf/ssp7.pdf> “Unlike private pensions and individual retirement accounts, the Social Security system does not invest the money that it collects in stocks and bonds but pays those funds out as benefits in the same year that they are collected. The combination of the income tax and the payroll tax distorts not only the number of hours that individuals work but also other dimensions of labor supply like occupational choice, location, and effort. Current and future generations lose by being forced to participate in a low-yielding, unfunded program, by being forced to accept a pay-as-you-go implicit return of 2.6 percent when the real marginal product of capital is 9.3 percent. A number of research studies have been done on the extent to which Social Security wealth depresses saving and replaces real wealth. . . . these studies do imply that the Social Security program causes each generation to reduce its savings substantially and thereby to incur a substantial loss of real investment income. Even a conservative estimate that each dollar of Social Security wealth displaces only 50 cents of private wealth accumulation implies that the annual loss of national income would exceed 4 percent of GDP. . . . Shifting to a privatized system of individual mandatory accounts that can be invested in a mix of stocks and bonds would permit individuals to obtain the full real pretax rate of return on capital. This would mean a larger capital stock and a higher national income. In addition, eliminating the payroll tax would reduce the distortions in work effort and form of compensation that currently depress the productivity of the economy and the real standard of living. Conservative assumptions imply that Social Security privatization would increase the economic well-being of future generations by an amount equal to 5 percent of GDP each year as long as the system lasts.”

²⁴⁸ Reserved for future updates

²⁴⁹ Dr. Kevin Roberts, Heritage Foundation, *Mandate for Leadership, The Conservative Promise, Project 2025*, 2023

²⁵⁰ <https://www.termimits.com/>

²⁵¹ <https://www.termimits.com/>

²⁵² Reserved for future updates

²⁵³ The Perverted Triangle is a term invented by Dr. Drew Miller, based on the political science term “Iron Triangle” the bad alliance of government bureaucrats, elected officials, and special interest group lobbyists working together to promote their profits and interests. The “Perverted Triangle” is government bureaucrats, elected officials, and lawyers. The later two are often the same person—attorneys in legislatures that pass laws and regulations that generate more

business and income for fellow lawyers, more jobs for government bureaucrats, more campaign donations for the politicians.

²⁵⁴ Reserved for future updates

²⁵⁵ Reform groups that will be invited to join The Constitutional Alliance include: Alliance for Responsible Citizenship, American Civil Liberties Union, American Conservative Union, American Council of Trustees and Alumni, American Enterprise Institute, American Family Association, American Farm Bureau, American Freedom Alliance, Americans for Prosperity, Anti-Defamation League, Article III Project, Boy Scouts of America, Campaign for Common Good, Cato Institute, Center for Security Policy, Christian Coalition of America, Citizens Against Government Waste, Citizens for Responsibility & Ethics in Washington, Citizens United, Committee for a Responsible Federal Budget, Competitive Enterprise Institute, Consumer Reports, Convention of States, Council on Criminal Justice, Council on Foreign Relations, Eagle Forum, Ethics & Public Policy Center, Family Research Council, Federalist Society, Federation of American Scientists, Freedom Works, Goldwater Institute, the Grange, GreenPath Financial Wellness, Greenpeace, Habitat for Humanity, Heritage Foundation, High Meadows Institute, Hoover Institution, Hudson Institute, Independence Institute, Individual Rights Foundation, Institute for Justice, Institute for Legal Reform of US Chamber of Commerce, Institute for the Study of War, Islamic Society of North America, Linux Foundation, Lutheran Services in America, Manhattan Institute, McCain Institute, Mercatus Center, Mises Institute, National Conference of State Legislatures, National Defense Industrial Association, National Federation of Independent Business, National Future Farmers of America, National Security Space Association, National Sheriff's Association, Niskanen Center, Open Secrets, OpenTheBooks.com, Our Country Our Choice, Pacific Legal Foundation, Pew Research Center, ProPublica, Quinicy Institute for Responsible Statecraft, Reason Foundation, Robert Dole Institute of Politics, The Buckeye Institute, The Center for Public Integrity, The Church of Jesus Christ of Latter-Day Saints, The Concord Coalition, The Foundation for American Christian Education, The Leadership Conference on Civil and Human Rights, The Nature Conservancy, Reason Foundation, Red Cross, Rutherford Institute, Salvation Army, Tenth Amendment Center, Texas Public Policy Foundation, United Way, USA Term Limits, Truth in Accounting, YMCA

²⁵⁶ Most of these groups have not yet been contacted, have not seen or approved of this proposal, but will be invited.

²⁵⁷ If you're group supports TCA plans and wants to join this movement, contact us at manager@constall.org

²⁵⁸ Reserved for future updates

²⁵⁹ Reserved for future updates

²⁶⁰ Roger Pilon, Cato Institute, The Purpose and Limits of Government, Cato's Letter #13, Dec 1998, <https://www.cato.org/books/catos-letter-no-13-purpose-limits-government>

²⁶¹ Charles Murray, *By the People: Rebuilding Liberty Without Permission*, Crown Publishing, 2016, p. 264

²⁶² Hopefully these quoted words from The Declaration of Independence are well known

²⁶³ Martin Luther King, in his "'Letter from Birmingham Jail," 16 Apr 1963

²⁶⁴ Charles Murray, *By the People: Rebuilding Liberty Without Permission*, Crown Publishing, 2016, p. 127

²⁶⁵ Mercy Otis Warren, *History of the Rise, Progress, and Termination of the American Revolution* vol. 1

²⁶⁶ Ray Dalio, <https://www.dailymail.co.uk/news/article-10267619/Billionaire-Ray-Dalio-predicts-30-chance-Civil-War-10-years.html> Ray Dalio, "The Coming Great Conflict," Time Magazine, June 25, 2024

²⁶⁷ Charles Murray, *By the People: Rebuilding Liberty Without Permission*, 2015

²⁶⁸ Reserved for future updates

²⁶⁹ Clark Neily, Walter Olson and Ilya Somin, The National Constitution Center, "Restoring The Guardrails Of Democracy Project, Report By Team Libertarian," pp. 19-20

²⁷⁰ Jim Carlton, "San Francisco Fights Disorder—and Goes After a Little Library," Wall Street Journal, March 27, 2023, p. A1

²⁷¹ Reserved for future updates

²⁷² A short, very well documented guide to Nullification (with arguments that largely apply to Secession as well) is provided by Michael Maharrey, Tenth Amendment Center, *The Power of 'No!': The Historical and Constitutional Basis for State Nullification to Limit Federal Power and Its Practical Application*

²⁷³ James Madison, *Federalist #46*, 1788; https://avalon.law.yale.edu/18th_century/fed46.asp

²⁷⁴ Utah Sheriff's Association, "The Constitution & Individuals' Right to Bear Arms," Press Release, June 1, 2021.

Excerpts: "Prompted by increasing public concern to safeguard constitutional rights, we, the elected Sheriffs of Utah, solemnly reaffirm our sworn oaths to "...support, obey, and defend the Constitution of the United States and the Constitution of the State of Utah.... We humbly serve as the chief law enforcement officers of the 29 counties of the great State of Utah. As such, we publicly reassert our individual and collective duty to defend all of the constitutional

rights of our citizens. The Declaration of Independence acknowledges the existence of certain truths, including that all men are created equal. It further declares these truths to be “self-evident”, “unalienable”, and “endowed by the Creator”. Thus, Providence is the source of unalienable rights, and the Constitution and those sworn to uphold it are protectors of those rights. With our fellow Utahans, we recognize the Constitution not only as the founding document that establishes the structure of our government, but in regards to the Bill of Rights—the first Ten Amendments—it is the Guarantor of individual rights and the Limiter of federal government power. The Constitution is the Supreme law of the land and all legislation and government action must comply strictly with it. We recognize the Legislature as the body responsible for enacting laws and the Judiciary as the official interpreters of the law. As Sheriffs, it is our duty to enforce laws. Enforcing the law is a responsibility we seek to fulfill carefully, with respect and compassion for others and with unwavering protection of individual constitutional rights. We also acknowledge our obligation to safeguard the lives of our law enforcement and corrections officers as they serve and protect our communities. We appreciate the Legislature, our Governor and other Executive Officials, and the Judiciary for working to uphold the Constitution. We obviously have separate and distinct functions, but must be united in our respect for the role of the citizenry, the rule of law, and our enumerated responsibilities. One of the Sheriffs’ most critical statutory duties is preserving the public peace. In accomplishing this mission, we have many capable partners. On a regular basis, state, local and federal law enforcement officers assist one another in ensuring the safety of Utahans. All of these officers have taken oaths to uphold the Constitution, and in our experience, nearly all of them work to meticulously adhere to the requirements of the Constitution. We currently have a significant body of law to help maintain the balance between ensuring the safety of the community and protecting individual rights. We believe that as a State, we should be circumspect of new legislation, resolutions or executive orders, particularly those from the federal government, which may infringe upon individuals’ constitutional rights. As members of the human family, we value the sanctity of life. We live in a time when unlawful violence is commonplace, and along with the victims and survivors of violence, we recognize these tragedies to be irrational, callous and infuriating. Some individuals seek to use any means possible to injure or destroy life or property. While potential safety concerns continue to exist, we encourage citizens to refuse to give into fear tactics—those meant to confuse and cause chaos. Rather, we seek to be united as Americans and Utahans, to care for one another, and to ensure preparedness and safety in our places of worship and learning, in our homes and places of recreation and business. As your elected Sheriffs, we humbly report that we are working diligently to prevent and prepare for potential violence or disaster. In doing so, we feel strongly that the focus of these efforts must be on the perpetrator and properly leading through the potential incidents. It is not necessary or wise to focus on the inanimate weapon, instrument or tool of the crime. We ask for your support in ensuring these principles are discussed further and applied to any upcoming legislation. In addition, citizens are a vital part of preserving the importance of constitutional authority given we each shoulder a common obligation to ensure the constitutional legacy provided by our progenitors is passed intact to our children and grandchildren. Our resilient constitutional foundation has existed for 234 years, the oldest still in force today. Many countries with written constitutions have patterned theirs after ours. Our future generations need the constitutional foundation given to us in order to experience the same freedoms and happiness we have enjoyed. Importantly, the Second Amendment of our divinely inspired Constitution clearly states “...the right of the people to keep and bear Arms shall not be infringed.” We hereby recognize a significant principle underlying the Second Amendment: the right to keep and bear arms is indispensable to the existence of a free people. As your elected Sheriffs, we individually and collectively pledge to do everything within our power to steadfastly protect the Second Amendment and all other individual rights guaranteed by the Constitution. We understand the destructive influences currently existing in our country will only relent when women and men everywhere genuinely care for each other. We must rely on Providence and care deeply about preserving the Constitution and its freedoms in order to be a strong and prosperous people. We invite and encourage the citizens of our respective counties, as well as citizens across the State, to join us in following the respectful, peaceful and orderly processes established by the Constitution for protecting individual rights and ensuring a prosperous future for all Americans and Utahans. May God see fit to continue to bless the citizens of the United States of America and the great State of Utah. Faithfully yours,
The Utah Sheriffs <https://utahsheriffsassociation.com/2nd-amendment/>

²⁷⁵ <https://founders.archives.gov/documents/Jefferson/01-31-02-0145>

²⁷⁶ Daniel Farber, *Lincoln’s Constitution*, Univ of Chicago Press, 2003, p. 102

²⁷⁷ *Ibid*, p. 111.

²⁷⁸ Reserved for future updates

²⁷⁹ Reserved for future updates

²⁸⁰ <https://tnm.me/textit/defense-national-security/what-will-happen-to-all-of-the-u-s-military-bases-after-textit/>

²⁸¹ <https://stacker.com/military/states-highest-rates-military-enlistment>

²⁸² Reserved for future updates

²⁸³ Reserved for future updates

²⁸⁴ Daniel Miller, *Textit: Why and How Texas will leave the Union*, Defiance Press, 2018

²⁸⁵ Reserved for future updates

²⁸⁶ Philip Howard, *Life Without Lawyers: Restoring Responsibility in America*, WW Norton & Co, 2010, pp. 164, 165, 177, 190

²⁸⁷ Reserved for future updates

²⁸⁸ Raffensperger is a lifelong conservative Republican, licensed Professional Engineer and Structural Engineer. Raffensperger successfully founded Tendon Systems, and grew the company to become the southeast's largest post-tensioning specialist contractor with approximately 150 employees and projects in over 40 states. Raffensperger was elected to the City Council in Johns Creek, Georgia. Three years later he was elected to the Georgia House of Representatives where he then served for two-terms, and in 2018 Georgia voters elected him Secretary of State.

²⁸⁹ Lauren Miller, Martha-Kinsella, "Fact Check: Trump's Georgia Call to Raffensperger," Brennan Center for Justice, July 27, 2023, <https://www.brennancenter.org/our-work/research-reports/fact-check-trumps-georgia-call-raffensperger> "During the January 2, 2021, call, Trump invoked several false claims of widespread voter fraud to pressure Raffensperger to reverse the state's election results, ranging from lies about out-of-state and dead voters to conspiracy theories about drop box stuffing and compromised election equipment.

Claims about voter impersonation and dead people voting in the 2020 Georgia election:

"I think the number is close to 5,000 people. And they went to obituaries. They went to all sorts of methods to come up with an accurate number and a minimum is close to about 5,000 voters."

"But you also have a substantial numbers [sic] of people, thousands and thousands who went to the voting place on November 3, were told they couldn't vote, were told they couldn't vote because a ballot had been put on their name."

The Trump campaign itself disproved these claims. A research report that it commissioned (but kept secret) identified only 23 "potential" episodes of people impersonating dead voters throughout the state. Georgia's official investigation found four.

Since the early 2000s, the Brennan Center has debunked false allegations of dead voter fraud and voter impersonation by demonstrating that such misconduct is extraordinarily rare. Many safeguards prevent someone from voting under another person's name. State and federal laws prohibit voter impersonation, including voting on behalf of a deceased voter. All states regularly update their voter rolls to remove deceased voters, and they base those removals on data obtained from state and federal agencies. And identification verification safeguards such as signature matching provide additional layers of protection against voter impersonation.

Claims about drop boxes:

"And you had drop boxes, which is very bad. You had drop boxes that were picked up. We have photographs and we have affidavits from many people."

"You have drop boxes where the box was picked up but not delivered for three days. So all sorts of things could have happened to that box, including, you know, putting in the votes that you wanted."

Drop boxes are a tested and common method of returning mail ballots. According to the 2016 Survey of the Performance of American Elections at Harvard University, 73 percent of voters in Colorado, 59 percent in Oregon, and 65 percent in Washington returned their ballots to a physical location such as a drop box. Numerous analyses have shown that voter fraud related to ballots sent by mail or placed in a drop box is so rare that it is more likely that someone will be struck by lightning than commit mail ballot fraud. And contrary to the unsubstantiated claim about "drop boxes that were picked up," states have developed many layers of security for drop boxes, including locks or tamper-evident seals, secure fastenings to an immovable object if at an unstaffed location, placement behind a counter or otherwise safeguarded if at a staffed location, and video surveillance or monitoring by bipartisan teams of election workers.

Claims that people can't vote without a permanent address:

"You had 904 who only voted where they had just a . . . post office box number . . . and that's not allowed."

Days after the phone call, Georgia election official Gabriel Sterling reported that the secretary of state's investigation had not uncovered any instances of people who registered to vote using only post office boxes.

Moreover, the implication that that people need a permanent residential address to register to vote is incorrect. Courts across the country have affirmed that people who do not have a permanent residential address are still eligible to vote

out of recognition that such a requirement would disqualify large swaths of eligible voters without traditional addresses, such as people experiencing homelessness and tribal communities without postal service. Claims that ballot counting by election workers Ruby Freeman and her daughter Wandrea “Shaye” Moss was “vote scamming”:

“We had at least 18,000 . . . voters having to do with [Freeman]. She’s a vote scammer, a professional vote scammer and hustler.”

“[The 18,000 ballots] weren’t in an official voter box, but they were in what looked to be suitcases or trunks, suitcases but they weren’t in voter boxes.”

Trump mischaracterized the legitimate election worker activity of Moss and Freeman as ballot tampering, falsely alleging that they pulled fake ballots from suitcases hidden under tables at a Georgia ballot-counting center. The House Select Committee to Investigate the January 6 Attack documented the flood of racist threats that both women received after Trump and his lawyer Rudy Giuliani publicly identified them.

After reviewing footage of the alleged incident, state and county officials determined that the women simply pulled ballot bins out from under the tables as part of the normal ballot counting process. The former U.S. attorney for the Northern District of Georgia testified before the January 6 committee that there was no evidence of fraud during this episode. And Giuliani himself has since conceded that his accusations against Moss and Freeman were false.

Recycled 2016 claims about out-of-state voters:

“You had out-of-state voters. They voted in Georgia but they were from out of state.”

“And then they came back in and they voted.”

The Brennan Center, public reporting, and a member of the Trump administration’s own voter fraud commission have all rebutted the various claims about out-of-state voting. With respect to Georgia in particular, a lawyer representing the secretary of state’s office clarified that “every one we’ve been through are people that lived in Georgia, moved to a different state but they moved back to Georgia legitimately.”

All states regularly update their voter rolls to remove voters who have moved out of state. The Election Registration Information Center, of which Georgia is a member, helps member states identify voters who have moved so they can update their rolls accordingly.

And in certain instances, people may vote while out of state. For example, it is legal to move out of state temporarily (e.g., as a college student or member of the military) and still vote in Georgia.

Claims that absentee ballots sent to vacant addresses were evidence of fraud:

“You had absentee ballots . . . sent to vacant addresses. They had nothing on them about addresses, that’s 2,326.”

During the phone call, Raffensperger explained to Trump that this “data” was “wrong.” Georgia and other states use a wide range of procedures to make sure that requests for mail ballots come only from currently registered voters and take steps to reduce errors when sending mail ballots, including routine maintenance of voter rolls.

Once they have sent out mail ballots, states use several safeguards to ensure that only intended recipients use them to cast their votes. These safeguards include individualized ballot envelopes that require voters to provide personal identifying information, as well as a signature or affidavit, witness, or notary requirement. When a mail ballot is returned, the signature or personal identifying information is compared against the information stored on the voter rolls. And during the scanning process, ballot scanning technology can detect counterfeit ballot forms.

Throughout this process, states keep track of the number of ballots issued and returned, as well as the names and addresses of those voters whose ballots have been received. In most states, if a voter contacts an election official to report that a requested mail ballot has not been received, it can be tracked through an individualized bar code that allows officials to identify and cancel a stolen or lost ballot and send a new one.

Claims about corrupt voting machines and ballot shredding:

“I mean, in other states, we think we found tremendous corruption with Dominion machines but we’ll have to see.”

“They are burning their ballots, that they are shredding, shredding ballots and removing equipment. They’re changing the equipment on the Dominion machines and, you know, that’s not legal.”

“And they supposedly shredded I think they said 300 pounds of, 3,000 pounds of ballots.”

Despite public statements to the contrary, both the Trump campaign and Fox News — which promoted the campaign’s claims — knew that the claims about Dominion held no merit. Election officials employ rigorous federal and state testing and certification practices both before and after elections to prevent fraud and machine errors.

The ballot shredding allegations also hold no basis in fact. The claims stem from social media posts that showed a shredding truck outside a government office in Cobb County, Georgia. Local officials explained that the posts captured a routine shredding of county tax documents and other materials unrelated to the election.

Claims that there were more votes than people in Michigan and Pennsylvania:

“In Detroit, we had, I think it was, 139 percent of the people voted. That’s not too good.”

“In Pennsylvania, they had well over 200,000 more votes than they had people voting.”

Official vote tallies for both states debunk Trump’s claims, which are consistent with his efforts to undermine the legitimacy of vote tallies in states with cities and counties with large populations of Black and Latino voters, including Michigan (Detroit) and Pennsylvania (Philadelphia). In Detroit, official results showed turnout at 51 percent. The “139 percent” appears to come from a debunked analysis by Texas businessman and vocal election denier Russell Ramsland Jr., who provided no explanation for how he arrived at that figure.

In Pennsylvania, the state’s official results showed turnout at 76.5 percent. The “200,000” figure appears to come from a statement released by Republican State Rep. Frank Ryan and others, but a Pennsylvania Department of State official called it “obvious misinformation” and explained that it was based on incomplete data.”

²⁹⁰ Reserved for future updates

²⁹¹ Reserved for future updates