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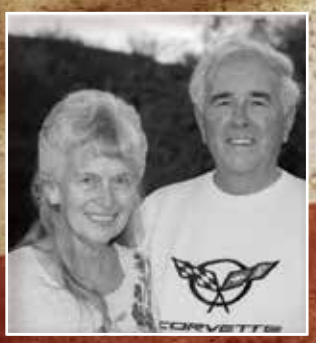

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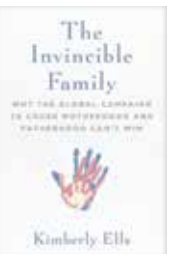

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The New American

Printed in the U.S.A. • ISSN 0885-6540
P.O. Box 8040 • Appleton, WI 54912
920-749-3784 • 920-749-5062 (fax)
www.thenewamerican.com
editorial@thenewamerican.com

Rates are $49 per year (Canada, add $9; foreign, add $27) Copyright ©2021 by American Opinion Publishing, Inc. Periodicals postage paid at Appleton, WI and additional mailing offices. Postmaster: Send any address changes to The New American, P.O. Box 8040, Appleton, WI 54912.

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The New American is published twice monthly by American Opinion Publishing Inc., a wholly owned subsidiary of The John Birch Society.

It's About Power

Marxism is popular because it is power — the power to destroy. Those who promote it in academia feel as though they already have a position in the new utopia. Every day their ears are tuned to hear that the revolution has arrived; they are anxious to take their places as head commissars dealing out revenge on the majority class, i.e., white Christian men.

By the power to destroy I mean the power to tear down societal structures and turn us into one hopeless mass dependent upon a savior that will deliver us from inequality — that is, to murder those who are unequal.

The socialists want capitalist gold to build their empire of iron; to feed the imaginations of their utopian civilization while secretly endeavoring to crush and destroy the masses to mold them into slaves, willing, fervent, mindless followers. Communists will stop at nothing to bring the world under their heel!

Luke Morell
Sent via e-mail

A Constitutional Issue

Anyone who wishes to uphold and defend the Constitution must take issue with Kamala Harris being permitted to hold the office of vice president, and, potentially, president. Her birth in California would make her a citizen according to the 14th Amendment only if one ignores that her father was a Jamaican, which by law made her subject to the jurisdiction of Jamaica at birth. But even if we grant her citizenship under the 14th Amendment, she is nothing close to being a "natural born citizen" as required by the Constitution for the office of the vice presidency or the presidency: "No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President."

The Naturalization Act of 1790 makes perfectly clear that "natural born" status has *nothing to do* with the location of your birth, and *everything to do* with who your parents are and are not. So long as both of your parents are American citizens at the time of your birth, you are a natural-born citizen no matter where you are born. Neither of Kamala's parents were ever American citizens. She is *not* a second-generation citizen. The 14th Amendment has nothing to say about natural-born citizenship, nor does it change the eligibility requirements for service to the country as POTUS.

Kamala is illegitimate. Every member of SCOTUS must explain how they failed to uphold their oath to the Constitution. All the current congressional officeholders must explain how they too were "misled."

This is actually a huge story that exposes how the Deep State knows that Kamala Harris is illegally in office, but will gaslight anyone and everyone who asks them to explain this oversight.

Jackson Barrett
Sent via e-mail

Disordered Democrats

The leaders of the Democratic Party are coming out of their closets and showing us who they really are, and those Americans concerned about the health and well-being of the United States need to start paying attention.

What kind of people deny reality and make-believe that obvious disorders such as transsexuality are not really disorders? What kind of people put the disordered feelings of transgenders *above* the feelings of decent, moral, normal females who don't want to share their restrooms and showers with biological males who believe they are females? What kind of people let disordered feelings trump science, logic, natural law, and morality?

What kind of people deny the obvious scientific fact that there are only two sexes: male and female? What kind of people want to normalize all sorts of sexual and gender disorders?

What kind of people want to let biological males compete against females in sports?

As an article in *Psychology Today* once noted, "people with mental disorders so easily rise to positions of power." It's time we faced the fact that the extremists and fanatics running the Democratic Party are very probably psychologically disordered people.

Wayne Lela
Sent via e-mail

Send your letters to: The New American, P.O. Box 8040, Appleton, WI 54912. Or e-mail: editorial@thenewamerican.com. Due to volume received, not all letters can be answered. Letters may be edited for space and clarity.

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Microsoft, Google, and Facebook See Record Earnings Amid Pandemic

Facebook and Google join Microsoft in reporting significant growth in revenue in the first quarter of 2021 as Americans' increased reliance on technology amid lockdowns has proven a fertile ground of business opportunity for these tech giants.

Facebook's stock climbed to record territory on April 28 thanks to a major spurt in ad revenue. The company said it earned $9.5 billion, or $3.30 per share, in the January-March period, up 94 percent from $4.9 billion, or $1.71 per share, a year before. Revenue, meanwhile, grew 48 percent to $26.17 billion from $17.44 billion.

The company had 2.85 billion monthly users on average in March. That's up 10 percent from a year earlier. The Facebook family of apps — Facebook, Instagram, and WhatsApp — had 3.45 billion monthly users in March. That figure represents the number of people who logged in to at least one of the apps during the month.

Google has also reaped the benefits of the "new normal" under COVID-19. The U.K. *Times* reported April on 28 that profits at Google-parent Alphabet more than doubled this year due to a major increase in advertising investment from companies attempting to reach customers working online while "social distancing."

As Breitbart noted April 28, "Sales within Alphabet's Google search business rose by 30 percent to $31.88 billion. YouTube's advertising revenues increased by 49 percent to $6.01 billion. Google's fast-growing cloud computing division saw a 46 percent jump in sales, hitting $4.05 billion."

According to a report released April 27, Microsoft's profit during the first three months of the year was $14.8 billion, up 38 percent from the same period last year.

The net income of $1.95 per share beat Wall Street expectations. Analysts had only expected Microsoft to earn $1.78 per share on revenue of $41 billion for the first quarter.

Google, Facebook, and Microsoft have been earning handsome profits while nearly 100,000 businesses have shuttered due to dislocations and closure mandates during the coronavirus outbreak.

Pornpak Khunatorn/istock/Getty Images Plus

Biden and Corporate America Join Forces on Climate Change

skynesher/istock/Getty Images Plus

Executives at some of the country's biggest corporations are eager to work with Joe Biden to tackle what they believe to be a coming man-made climate crisis. Companies such as Microsoft Corp., General Motors, Danone S.A., and Gap Inc. are spending millions of dollars on renewable energy.

An April 27 article at *Politico* relates that many of these executives were disappointed in President Trump when he pulled the United States out of the Paris Climate Agreement in 2017.

"Now, those business leaders have aligned with President Joe Biden, a Democrat, to push Congress to do its part. Executives who stepped into the vacuum left by government four years ago say they need standardized corporate risk disclosure, a modernized grid, carbon pricing, and money for technology," *Politico* writes, going on to quote HP CEO Enrique Lores as saying, "We can't do it alone. There is a limit to how far private industry can take this."

These companies believe that if 80 percent of the biggest corporate emitters meet their emission-reduction targets, they could reduce global emissions by more than eight billion metric tons, or by about 25 percent.

Even the Chamber of Commerce looks to be on board with the green agenda. In 2019, the powerful lobbying group ceded to pressure from members to go along with the climate-change program.

"We welcome President Biden's focus on returning the U.S. to international leadership on climate change," the Chamber said in an April 22 statement. "U.S. businesses are leading the world in pursuit of climate change solutions, and we see great opportunities to develop and export technologies that will help address a truly global challenge."

The GOP has traditionally been considered to be the party of Big Business, but this dynamic has changed, as Republican voters feel ever more disenchanted with companies using their power to assault conservative principles.

Even *Politico* noted April 5 that Republicans are souring on the corporate community, asking in an article whether we are seeing the "beginnings of a seismic shift."

U.S. Must "Dramatically Reduce" Meat Intake to Meet Climate Goals

The climate-alarmist war against meat continues. Although Joe Biden hasn't yet come out and said it, climate hysterics are pushing the narrative that, in order to meet the president's ambitious emissions-reduction goals, Americans will have to radically change their meat-based diets, and quickly.

Brent Kim, a program officer for the Center for a Livable Future's Food Production and Public Health Program at Johns Hopkins University, told the *Daily Mail* on April 27 that Americans will need to "dramatically reduce" their meat and dairy intake in order to avoid the worst climate-change scenarios.

"To avoid the most catastrophic climate change scenarios, the evidence is clear that citizens in high meat consuming countries — such as the United States — need to dramatically reduce their meat and dairy intake," Kim said.

While Biden has yet to say anything concrete involving meat and dairy production and consumption in the United States, Kim for one believes that the federal government should have some say in the dietary habits of Americans.

"I'm not talking about banning certain foods or force feeding anyone broccoli," Kim said. "But our food choices don't occur within a vacuum. For better or worse, what Americans choose to eat is heavily influenced by the availability of certain foods in their community, how much they cost, and whether healthy plant-based options are offered in our schools and institutions."

Kim may not be talking about "banning" certain foods, but it sure sounds like he would like to make foods such as meat and dairy more difficult to obtain.

"These are all factors that are affected, directly or indirectly, by local, state and federal policy," Kim said. "So there is a strong case to be made that when our tax dollars are being used to fund meals at public institutions, for example, people should be given the option of choosing healthy, climate friendly, plant-based meals."

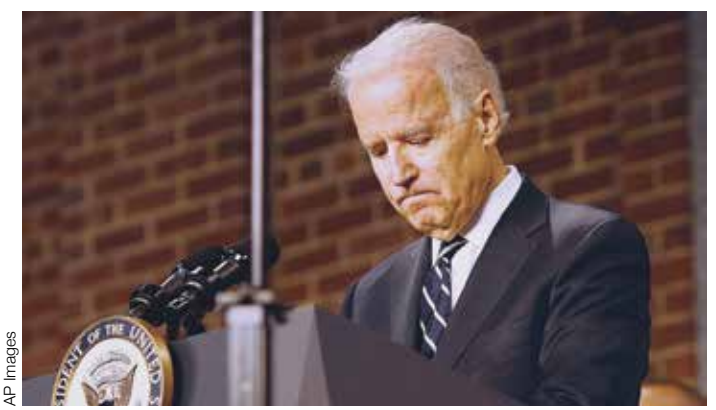
Will they truly be "given the option," or will they be shamed into choosing a "climate-friendly" food option instead of a hamburger?

beats3/iStock/Getty Images Plus

Biden's Low Approval Ratings Bode Well for Republicans in 2022

Despite efforts by major pollsters to make President Biden look good, raw numbers from RealClearPpolitics are dismal for Old Joe: As of the end of April, he was tracking a good 15 points below the average of the last 14 presidents at the end of their first 100 days in office.

During an interview with *Just the News a.m.* on April 28, pollster John McLaughlin said, "The fact he is only in the low 50s right now is a really bad sign for Joe Biden." According to ABC News, the average approval rating for the past 14 presidents polled at the end of their first 100 days is 66 percent.



AP Images

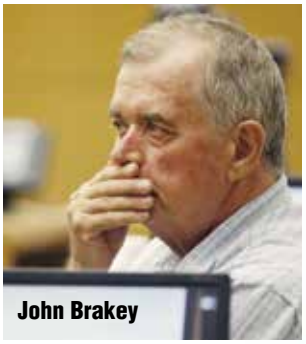
The major problem Biden has is his embrace of the radical "progressive" hard-left agenda. McLaughlin explained, "He's taken what should have been very popular issues — COVID relief, infrastructure — that Americans overwhelmingly support, and [he has] turned them into radical, left-wing pieces of legislation … that's not where the American people are right now."

A key change in the national mood toward Biden is reflected in the eroding support for the president among Independents. McLaughlin quoted data from the latest ABC News/*Washington Post* poll, which stated that 45 percent of Independents say Biden is too liberal, up from just 21 percent a year ago.

McLaughlin said these indicators bode well for a Republican takeover of the House in 2022, and it could be a rout, equivalent to what happened in the 2010 midterms when Republicans gained 63 seats in the House, seven seats in the Senate, and six governorships, and made huge gains in state legislatures as well.

If Biden continues to lose credibility, Republicans could enjoy results equal to or even exceeding the 2010 "Republican wave" election. He could possibly set new record lows for approval rating, lower than Harry Truman's (at 22 percent), Richard Nixon's (at 25 percent), Jimmy Carter's (at 28 percent), and George H.W. Bush's (at 29 percent). ■

Arizona Vote Count Expert Says State Officials Cheated in the 2020 Count


John Brakey

AP Images

"Leftist elites built a computer that they knew would cheat."

Audit USA co-founder and director **John Brakey** *is delighted to know that the Arizona State Senate has taken possession of 2.1 million Arizona ballots cast in the 2020 election, plus the machines that counted the votes and the computer hard drives that were employed. A Democrat and supporter of Senator Bernie Sanders (I-Vt.), Brakey is nevertheless pleased that his state's officials are examining the votes that led to declaring Joe Biden the winner of Arizona's 11 Electoral College votes.*

Liberal Supreme Court Justice Opposes Court-packing Schemes

"Structural alteration motivated by the perception of political influence can only feed that perception, further eroding that trust."

Strongly opposed to cries for court-packing issued by arch leftists Senator Chuck Schumer (D-N.Y.), Representative Alexandria Ocasio-Cortez (D-N.Y.), and others, Justice **Stephen Breyer** *outspokenly cautioned against any structural or institutional changes in the court's makeup. Breyer noted that recently deceased Justice Ruth Bader Ginsburg, one of the most liberal jurists to ever hold membership on the court, believed any form of court-packing was "a terrible idea."*


Nancy Mace

AP Images

First-term Congresswoman Explains Why She Sought Election in 2020

"I went from high school dropout and Waffle House waitress to become the first republican female member of Congress from South Carolina because our kids and our country are worth fighting for against Nancy Pelosi and her radical liberal allies."

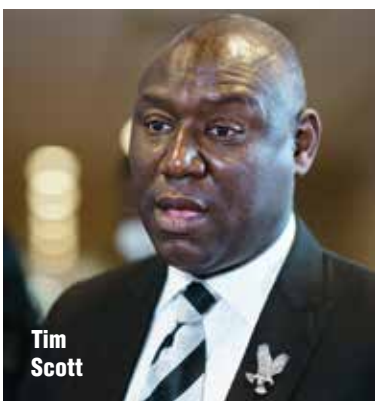
Representative **Nancy Mace** *(R-S.C.) wants the GOP to regain numerical control of the House of Representatives so a new GOP majority can terminate Nancy Pelosi's power as House speaker. The 435-member body is currently composed of 218 Democrats and 212 Republicans, with five vacancies.*

Secretary of State Approves Flying the Rainbow Flag at U.S. Embassies

"The chiefs of our nation's missions are authorized to determine that such a display is appropriate in light of local conditions."

U.S. Secretary of State **Antony J. Blinken** *reversed a ban issued by former President Trump on flying the pro-homosexual flag.*

GOP Senator Called "Uncle Tom" and Worse for Rebutting Biden


Tim Scott

AP Images

"Our best future won't come from Washington schemes or socialist dreams. It will come from you — the American people. Unfortunately, and predictably, as soon as I finished my response to the president's remarks, the 'woke' progressive crowd took to social media and started calling me Uncle Tom, Uncle Tim and the N-word. The so-called party of inclusivity was directly attacking me for being a proud Black Republican."

Senator **Tim Scott** *(R-S.C.) became a target of hate for daring to support America — which he noted is "not a racist country" —in the Republican rebuttal to President Joe Biden's address to a joint session of Congress.*

Retired Black Politician Laments Damage Done to Her Home City

"Portland was a beautiful city. Now you walk around and see all the graffiti and buildings being boarded up. I get sick to my stomach. And I get angry."

Now 85 years old and no longer holding any elected office, **Margaret Carter** *served as the first black candidate elected to the Oregon Legislative Assembly. She deeply resents the ongoing damage done to her home city.* ■

— Compiled by John F. McManus

Build the wall? Despite their opposition to President Trump's border wall to protect the nation from an illegal-immigrant invasion, Democrats quickly moved to build a heavy barbed-wire-topped fence around the Capitol grounds, complete with a strong National Guard presence.

AP Images

What The Founders FEARED

The U.S. National Guard has been ordered by the federal government to act as a long-term security force at the Capitol. This is against the will of the Founders.

by Major General
Donald A. McGregor, USAF (Ret.)

Fox News published an article on March 11 entitled "Defense Secretary Austin overruled National Guard chief on keeping troops at Capitol: memo." To the average reader, this may appear to be a sensationalized story throwing fuel on the embers of an already-charred issue in our Capitol. But the story captures the growing and troubling divide between the secretary of defense and the chief of the National Guard Bureau over the appropriate use of the National Guard, and reveals a much larger and more concerning dilemma — something our Founding Fathers feared most.

Defining the Problem

The Fox article references a defense memo — in military terms a "coordination sheet" — normally used to "concur or non-concur" on issues within the Department of Defense. In this particular instance, a memo from Defense Secretary Lloyd Austin requested an "Extension of NG [National Guard] support to U.S. Capitol Police" with an additional 2,280 guardsmen to support the U.S. Capitol Police security detail beyond March 12.

From my experience in the Pentagon, this type of appeal is not easily granted. It usually requires a stringent justifying rationale and reason that explains the request's urgency. Each submission is officially petitioned through a formal request for assistance and sent to the Defense Department's executive secretary, where it is staffed for coordination — an arduous process involving rigorous approval criteria that can take weeks. This is where the problem begins.

The latest Capitol Police request to extend the National Guard support was not only hastily coordinated (it was done in two days), but also failed to give a convincing case for approval. Laying out its rationale to the Defense Department, the Capitol Police referenced the Department of Homeland Security's National Terrorism Advisory System, particularly a January 27 threat bulletin, as the chief reason for the augmented security support.

The bulletin summary describes a "heightened threat environment" — using words such as "believes" or "suggests" — in which "ideologically-motivated violent extremists [domestic violent extremists (DVE)] … could continue to mobilize to incite or commit violence." The bulletin goes on to link, without evidence, the El Paso, Texas, DVE attacks in 2019 to the January 6 Capitol riots, saying, "Some DVEs may be emboldened by the January 6, 2021 breach of the U.S. Capitol Building" — a dubious threat association that has no place in the Capitol Police request. But the problems don't stop there.

Federal statutes and defense directives come into play when the military is used in direct support of law enforcement, which is the case here. Posse Comitatus and section 275 of Title 10 USC are federal laws limiting the power of the federal government in using service members to "execute the laws" including "search, seizure, arrest, or other similar activity."

What's more, the Defense Support of Civil Authorities directive provides ruling guidance for any military support of law enforcement. The defense regulation has six approval criteria to "examine" and "assess" the need for support. If we use the regulation's six criteria (legality, lethality, risk, cost, appropriateness, and readiness), a legitimate argument can be made that any one of them would disqualify the Capitol Police application — a troubling Defense Department miscue. Yet, as disturbing as this is, it is not the main concern.

What the Founders Feared Most

The National Guard chief's non-concur (dissent) to the Capitol Police demand gave two reasons: (1) the Guard is already maxed out with supporting COVID relief, natural disasters, civil-disturbance operations, and ongoing overseas deployments; and (2) to involuntarily activate the Guard for any Defense Department mission, the defense secretary must have the governors' consent. Yet, as the memo mentioned, "numerous Adjutants-General and Governors have expressed their unwillingness to order the involuntary mobilization of Guard personnel to man the mission." This leads us to the grander dilemma.

The aforementioned Fox News article links to a related story claiming that the Defense Department is reportedly considering issuing involuntary activation orders to keep the National Guard troops stationed at the U.S. Capitol. The problem with this is that the defense secretary possesses no legal authority to involuntarily

AP Images

Police presence: While the National Guard can be called to put down a genuine insurrection (which the January 6 protest was not), the Constitution does not authorize its use as a long-term police force to "protect" the federal government from the citizenry. The Capitol Police should be doing that.

Major General Donald A. McGregor, USAF (Ret.), a fighter pilot and career Air Force officer, was the National Guard's Director of Strategy, Policy, Plans, and International Affairs, as well as lead advisor to the chief of the National Guard Bureau, who is a member of the Joint Chiefs of Staff.

Mostly peaceful protest: The overwhelming majority of the protesters at the Capitol on January 6 were peaceful. Only a tiny percentage of the crowd that day broke into the building and caused any real damage. The same can't be said about the violent BLM- and Antifa-led riots across the nation that took place all summer long, which were called "mostly peaceful protests" by Democrats and the media. Why the massive National Guard presence for one, and not the others?

AP Images

activate the Guard in a Title 32 status. Any attempt would be unlawful and create a constitutional crisis.

In accordance with Title 32 law, the secretary can *request* that state governors send Guard members to perform "other duty" in "support of [Defense Department] operations or missions." But the secretary cannot *order* Guard members to perform "other duty" in "support of [Defense Department] operations or missions." Only a state governor can order a non-federalized National Guard member to perform duty. To avoid the need for governors' consent and Posse Comitatus restrictions would require an Insurrection Act declaration — a rare presidential decree allowing federal troops to quell rebellion and enforce laws, but only in dire situations. Based on current threat assessments, this action would be unwarranted.

POLICE, MILITARY: Different Roles, Different Goals

In his essay above, Major General McGregor notes, "Using the military to police the citizenry was anathema to our Founders," and further reminds us that this misuse of military power is "one of history's tragic paths to tyranny and oppression."

One of history's most famous examples of this path to tyranny is Julius Caesar's crossing of the Rubicon River at the head of his legion. In bringing his army into Rome, he knowingly violated the explicit orders of the Roman Senate as well as the sacred tradition of the Roman Republic. It was an act of treason and a declaration of war against the republic. Civil war soon followed. So began the reign of the Caesars and the transition from republic to empire.

Our Founding Fathers were mindful of this example and many others from history's dustbin of lost freedoms. They recognized that military force is necessary to protect the nation both from invasion from without and insurrection from within. However, they also struggled with the perennial conundrum of how to prevent politicians and generals from using the military to establish dictatorship. The checks and balances they established in our constitutional system strictly limit the federal government's use of the military, with the unorganized militias (the armed citizenry) and the organized state militias serving as counterposing forces to the national military.

The Founders also recognized the fundamental distinction between a military force and a police force. Members of the military are "warriors"; it is their job to fight our wars. Members of police and sheriff's departments are "peace officers"; it is their job "to protect and to serve," to keep the peace and enforce the laws. The mission of the military is to repel, kill, or capture the enemy; destroy enemy capabilities; and capture and occupy enemy territory. The military services — by nature of their mission, training, and national command structure — cannot appropriately serve the function of local law enforcement. They would be an occupying army, as foreign to our nature as would be an invading foreign army, and unaccountable to local control.

The National Guard are often called up by governors for emergencies — such as hurricanes, tornadoes, earthquakes, floods, blizzards, and riots — but their service is temporary, and not a replacement for local law enforcement. That is why the Biden administration's push to nationalize Guard units is particularly alarming.

Recognizing the perennial danger of usurpation, the Founders wisely reserved police powers to "the States … or to the people." Although the federal government, over the past several decades, has been usurping more and more control over local police, we are still blessed to have in these United States a system of local control over our police and sheriffs. If and when genuine cases of police brutality or excessive force do occur, legitimate means already exist at the state and local levels for corrective action. These include the police commander, police chief, police commissioner, internal affairs office, city council, mayor, county supervisors, city attorney, district attorney, grand jury, and state attorney general. And if laws need to be changed in this regard, local officials and state legislators — not politicians in Washington, D.C. — are the appropriate authorities to address the matter. ■

— William F. Jasper

If attempted, the defense secretary's indiscriminate act would constitute an illegal end-run around Posse Comitatus and congressional legislative powers. The secretary would have to ignore Congress' constitutional authority under Article I of the U.S. Constitution to "make all laws," including Posse Comitatus, section 275 of Title 10, and the exception to these laws, the Insurrection Act. Furthermore, the defense secretary's action would encroach on Congress' constitutional power of the purse by spending money on unlawful purposes, a "purpose of obligation" or fiscal offense under the Purpose Statute and Anti-Deficiency Act. So, what conditions or threats justify creating a constitutional quandary?

Are the circumstances in D.C. serious enough to push a defense secretary to breach the law or a president to invoke a rarely used insurrection law? Is there a legitimate threat assessment with evidence of groups mobilizing to incite or commit violence — not merely to "suggest" or "believe" in such sedition? Have there been any violent or anarchist actions since January 6 to justify the extreme need for involuntarily activating our guardsmen? An obvious lack of evidence would tell us no; so, where does this bring us?

The questionable involuntary activation of the Guard under Title 32 without state governors' consent or invoking the Insurrection Act sets a worrying precedent that undermines U.S. law and, more importantly, is what our Founding Fathers feared most, i.e., the use of the military to control the people. It appears that the defense secretary has not only ignored this legal misstep, but has disregarded the National Guard chief's readiness concerns and pleas to end the Guard's support for the D.C. mission.

In a recent memo, the National Guard chief commented, "the continued indefinite nature of this requirement [the D.C. security mission] may also impede our ability to man future missions as both adjutants general and guardsmen alike may be skeptical about committing to similar [policing] endeavors." It would be more preferable, he said, if D.C. pursued other "law enforcement" options. This is another subtle and important warning to Defense Secretary Austin.

What the Founders Intended

The unconstitutionality of these acts threatens the long-term stability of the Republic. Using the military to police the citizenry was anathema to our Founders. It is, for example, the reason Article I of the Constitution grants Congress the power to "raise an army," but not to maintain it. The Founders knew that without these critical separations of authority, at some point the military might be turned on the people. A homogenized military force under the control of an unchecked federal government or a corrupt Congress would be the end of our constitutional protections.

The Founding Fathers designed the system to keep the standing military relatively small, distributing a substantial portion of the armed forces across the states (and later the territories and districts) in the form of state-controlled, organized militias. The diffusion of military power among the sovereign states helps prevent the federal government from using the military to control the domestic population.

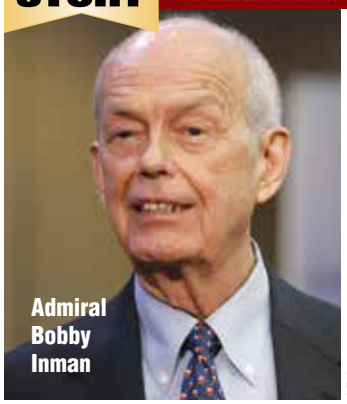
When state governors are complicit in the coopting of their sovereign militias by the federal government, to be used as an illegal domestic police force (as is the case here), it distorts the balance of power between state and federal governments. Further, it abdicates the states' responsibility, granted by the Constitution, to protect the liberties and freedoms of their citizens.

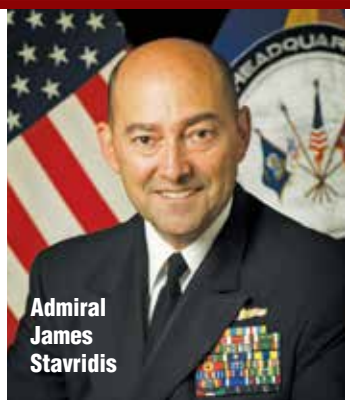
The defense secretary is ignoring the law, circumventing regulations, and potentially spawning an unnecessary constitutional crisis — a decision that should strike fear into the hearts of freedom-loving Americans. What our Founding Fathers feared most was a president or military chief coalescing military forces against citizens — just one of history's tragic paths to tyranny and oppression. ■

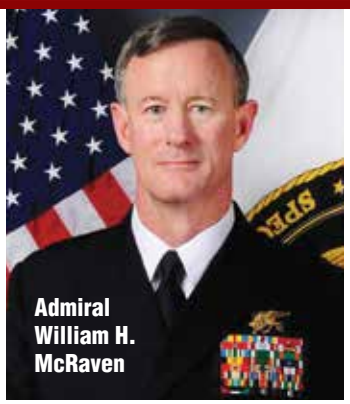
When state governors are complicit in the coopting of their sovereign militias by the federal government, to be used as an illegal domestic police force (as is the case here), it distorts the balance of power between state and federal governments.

AP Images

Guarding tyranny? The Founders warned against a standing army because it could be used against the citizenry by a tyrannical government. The federal government assuming authority over the National Guard, which was meant to be a form of state militia, should raise alarm bells among patriotic Americans.


Admiral Bobby Inman
AP Images


Admiral James Stavridis
United States Department of Defense


Admiral William H. McRaven
United States Navy


General Anthony C. Zinni
United States Marine Corps

TOP BRASS
NOT ABOVE THE LAW

Politicized generals who maligned President Trump in their efforts to undermine his policies and force him out of office can and should be held accountable under the Uniform Code of Military Justice (UCMJ).

by Brigadier General Albert E. Brewster, USMC (Ret.)

When does a law become *not* a law? When the lawbreaker has reached such a high level in our society, or government, that his friends in government decide simply to ignore that law, as if nothing has happened.

Brigadier General Albert E. Brewster, USMC (Ret.) was commissioned as a second lieutenant in the U.S. Marine Corps in 1952 and served as a platoon leader in the Korean War. He served for two years as the Marine Corps briefing officer at the Headquarters Marine Corps and the Pentagon before going to Vietnam, where he flew 108 combat missions. He served as legislative assistant to the commandant of the Marine Corps before retiring in 1980.

Can this happen in our American Republic, or is it limited to those third-world countries where the rule of law is not always followed?

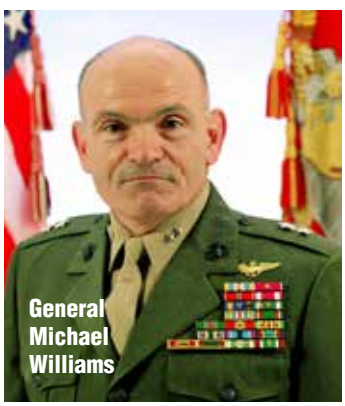
Up until September 2020, I would have said, "Ranking U.S. military leaders would not flagrantly disregard the law; that cannot happen in America." But all that has now changed, since, clearly, if you are or were in a position of power, you may be above the law.

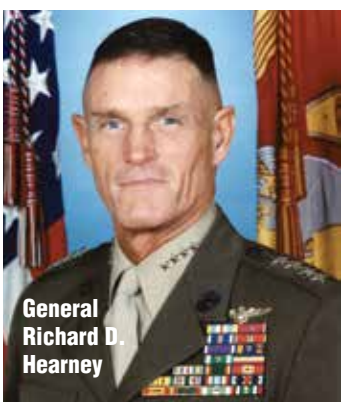
Unfortunately, in America today, active-duty and retired military officers are violating the law and appear to be getting away with it. After bringing this to the attention of the appropriate governmental authorities to no avail, I am convinced that public pressure might be the only hope to get Congress to act to remedy this problem.

The law in question is extremely clear, and there is no doubt that it is being violated. Career members of the U.S. military, like all who have taken the oath in our Armed Forces, are subject to the jurisdiction of the Uniform Code of Military Justice (UCMJ), and that jurisdiction and certain duties continue, even once they retire and draw pay. As to who is subject to the Code, Article 2 of that Code specifically states that it includes "retired members of a regular component of the armed forces who are entitled to pay." This places them under all laws in that Code for as long as they live.

As early as 1880, in the case of *United States v. Tyler*, the Supreme Court held that officers on the retired list still remained in the service. This situation has


General Merrill A. McPeak
United States Air Force

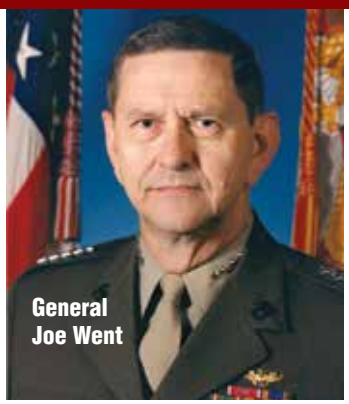

General Michael Williams
United States Department of Defense


General Richard D. Hearney
United States Marine Corps


General Stanley McChrystal
U. S. Department of Defense


General James N. Mattis

United States Department of Defense


General Joe Went

United States Department of Defense


General John P. Jumper

United States Air Force


General John R. Allen

United States Marine Corps

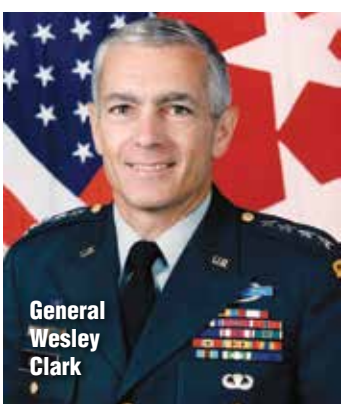
been before the Supreme Court a number of times, and in *Parker v. Levy* (1974) the court made its position crystal clear with this statement: "While the members of the military are not excluded from the protection granted by the First Amendment, the different character of the military community and of the military mission requires a different application of those protections. *The fundamental necessity for obedience, and the consequent necessity for imposition of discipline, may render permissible within the military that which would be constitutionally impermissible outside it.*" (Emphasis added.) And the court then "nailed it to the wall" in 1992 in *Barker v. Kansas* when it said, "Military retirees unquestionably remain in the service and are subject to restrictions and recall — *as well as ongoing punishment by military court-martial*." (Emphasis added.)

Career members of the U.S. military, like all who have taken the oath in our Armed Forces, are subject to the jurisdiction of the Uniform Code of Military Justice (UCMJ), and that jurisdiction and certain duties continue, even once they retire and draw pay.

As recently as February 2021, the Supreme Court refused to review, for the second time in two years, a case based on this principle — thereby reaffirming their earlier decisions! Some may not like that situation — and there are additional cases working their way through lower civil courts attempting to have this "retired recall for trial" issue reversed. There is no way to predict that outcome. But, unless and until this article of the UCMJ is reversed or revised, it remains the existing law of the land and must be enforced. Simply put, retired members of the U.S. military must comply with all laws included in the UCMJ, or face recall to duty and trial by court martial.

Because he understood the importance of obedience down the chain of command, George Washington ensured that the original "Articles of War" included a law and punishment for any "ill words" spoken publicly about both military or civil government leaders. This has been retained in all versions of U.S. military law since that time, and in 1947, when Congress wrote the original version of the current UCMJ, it was included as Article 88, "Contempt toward officials." It remains as such in the latest (December 20, 2019) UCMJ revision. Article 88 states, "*Any commissioned officer who uses contemptuous words against the President*, the Vice President, Congress, the Secretary of Defense, the Secretary of a military department, the Secretary of Homeland Security, or the Governor or legislature of any State, Commonwealth, or possession in which he is on duty or present *shall be punished as a court-martial may direct*." (Emphasis added.)

Congress has always considered this a very serious crime, providing punishment up to "Dismissal, forfeiture of all pay and allowances, and confinement for 1 year." For instance, a four-star general, retired on 40 years of service, would lose over $250,000 per year; and in 1958, a retired flag officer, Admiral Selden Hooper, USN,


General Wesley Clark

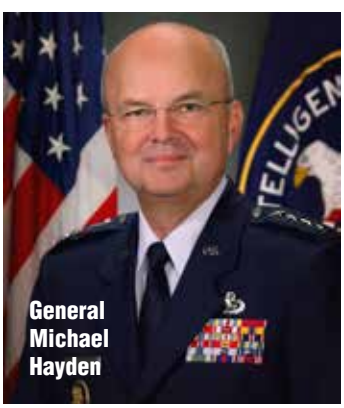
United States Department of Defense


Admiral Michael G. Mullen

United States Department of Defense


General Chuck Boyd

United States Air Force


General Michael Hayden

Central Intelligence Agency

Other generals, in a group of 28 that I have identified, have either signed the above-mentioned document or have written or spoken "contemptuous words" against the then-sitting president.

was recalled and tried and convicted by a general court-martial with that maximum penalty. More than 150 service members have been tried and convicted since the Articles of War first carried these penalties.

The UCMJ also requires, under Article 137, "Articles to be explained: (c) TRAINING FOR CERTAIN OFFICERS. — Under regulations prescribed by the Secretary concerned, *officers with the authority to convene courts-martial or to impose non-judicial punishment shall receive periodic training regarding the purposes and administration of this chapter."* (Emphasis added.) All senior officers have been deeply involved in carrying out the UCMJ during the later years of their service, and cannot claim "no knowledge of the law."

One would think that such clear wording in the UCMJ would prevent senior officers from disparaging our nation's leaders. In the past, this certainly was the case. Things have changed, apparently. In 2006, four senior retired officers "tested the waters" by making some damning public comments regarding then-Secretary of Defense Donald Rumsfeld. Unfortunately, they were not charged, and escaped courtmartial.

Some high-ranking military officers seem to uphold the UCMJ, only to violate it when it suits them. Consider the case of General James Mattis, USMC (Ret.). On June 13, 2018, while serving as secretary of defense under President Trump, Mattis wrote a "Memorandum for Secretaries of the Military Departments, Chiefs of the Military Services and Commanders of the Combatant Commands," in which he emphasized, "It is incumbent on our leaders to ensure that American Forces are always the most disciplined on the battlefield." "Enforcing standards is a critical component of making our force more lethal," the Mattis memo noted. "Leaders must uphold proven standards. They should know the difference between a mistake and a lack of discipline." Mattis insisted, "We must not tolerate or ignore lapses in discipline." "The military justice system is a powerful tool that preserves good order and discipline while protecting the civil rights of Service members," the Mattis memo continued. "It is a commander's duty to use it." Mattis went on to admonish commanders against the trend to forgo the UCMJ for easier administrative procedures. "Leaders must be willing to choose the harder right over the easier wrong," he stated. "Administrative actions should not be the default method to address illicit conduct simply because it is less burdensome than the military justice system." Finally, Mattis declared, "let *nothing* prevent us from becoming the most disciplined force this world has ever known." (Emphasis in original.)

AP Images

He should have taken his own advice: General James Mattis, known as the "Warrior Monk" because of his intellectualism and religious life, as well as his bachelorhood, disparaged President Trump in the media over his handling of the George Floyd riots. This was totally out of character for Mattis, as someone who has traditionally followed the rules and stayed out of politics, and commanded his men to do the same.

However, after resigning from his position as secretary of defense, General Mattis then ignored his own emphatic directive, and on June 3, 2020, issued an extraordinary criticism of President Trump's leadership in a statement in *The Atlantic* magazine. "Donald Trump," wrote Mattis, "is the first president in my lifetime who does not try to unite the American people — does not even pretend to try. Instead he tries to divide us. We are witnessing the consequences of three years of this deliberate effort. We are witnessing the consequences of three years without mature leadership." The Mattis attack was published one day after a similarly contemptuous article in the *Atlantic* by Admiral Mike Mullen, former chairman of the Joint Chiefs of Staff, as part of a well-coordinated political attack.

Should current leaders follow General Mattis' earlier advice and charge him with violating Article 88 of the UCMJ?

Another example: In June 1993, Air

Force Chief of Staff General Merrill Anthony "Tony" McPeak moved swiftly to protect his friend, Major General H. N. Campbell, who called President Bill Clinton a "dope smoking," "skirt chasing," "draft dodging" commander-in-chief. Instead of receiving a court martial, the 53-year-old General Campbell was ordered to pay a fine of $7,000, take an immediate retirement, and have an official letter of reprimand placed in his file. "This is not a trivial matter," General McPeak said at a Pentagon news conference. "There should be no doubt about the lesson learned. The chain of command has to be almost pollution-free. It runs from the President all the way down to the corporal who pulls the trigger."

It may come as a surprise that the now-retired General McPeak, along with a significant number of other high-ranking retired military officers, affixed his signature to "An Open Letter to America" that spoke contemptuously of then-President Donald Trump during the 2020 presidential campaign. This letter, written by a group of 489 individuals calling themselves "National Security Leaders for Biden," received favorable coverage in most of the major media. It declared that President Trump "has demonstrated he is not equal to the enormous responsibilities of his office; he cannot rise to meet challenges large or small. Thanks to his disdainful attitude and his failures, our allies no longer trust or respect us, and our enemies no longer fear us. Climate change continues unabated, as does North Korea's nuclear program. The president has ceded influence to a Russian adversary who puts bounties on the heads of American military personnel, and his trade war against China has only harmed America's farmers and manufacturers." Had General McPeak totally forgotten about Article 88 of the UCMJ?

One might ask, "Do such statements have any impact on the outcome of elections?" I believe they do*, especially in a close election!* According to polls, the military as a profession has historically been highly respected by some 80 percent of the U.S. population, although recent polls have shown that number gradually sliding down to around 60 percent. When a number of high-ranking retired officers speak out in a partisan manner — not just as citizens, but using their military rank as part of their title — it certainly will have an impact on the members of the military, both active and retired, who perhaps knew, or served under, the officer making the damning statements. A few votes can swing an election one way or the other.


AP Images

Playing politics: General Merrill "Tony" McPeak was one of 489 "National Security Leaders for Biden" who blatantly entered the political arena and spoke contemptuously against President Donald Trump and for Joe Biden in the 2020 election. This was a clear violation of the UCMJ.

Other generals, in a group of 28 that I have identified, have either signed the above-mentioned document or have written or spoken "contemptuous words" against the then-sitting president. While there had been a few such incidents during the 2016 election, the dam broke in 2020, and frankly it appeared to me that the Department of Defense (DoD) would surely move to stop such open disregard for the law, which could destroy the highly cherished military discipline. After all, if high-ranking officers can ignore the law, how can a commanding officer possibly discipline an enlisted man who speaks openly against his leaders?

When the DoD did not take action, I wrote on September 18, 2020 what I thought was to be a one-time letter asking the secretary of defense and the chairman of the Joint Chiefs of Staff to "restore discipline to the forces." Much to my amazement, I got absolutely no response until November 13, when an Army lieutenant colonel JAG officer indicated that I needed to affix my signature to the charges before an "active duty" officer serving as a witness. On December 11, a deputy general counsel at DoD advised me that "such charges were more appropriately forwarded to the separate Services."

During this time frame, I had begun a major letter-writing campaign, trying to get someone to take legal action against the four-star generals whom I had identified as violating Article 88 of the UCMJ. Between my September 18, 2020 letter to Defense Secretary Mark Esper and the end of 2020, I had sent a total of 29 letters to such principals as the service secretaries and their chiefs of service, including the Coast Guard, which had two retired admirals on the list; then-Attorney General William Barr and FBI Director Christopher Wray, asking that an agent be assigned to follow each service's process, as other charges might result if they failed to take action; Senator James Inhofe (R-Okla.), chairman of the Senate Armed Services Committee; Senator Lindsey Graham (R-S.C.), chairman of the Senate Judiciary Committee; my two Texas Republican senators, John Cornyn and Ted

Cruz; Acting Secretary of Defense Christopher Miller; and Acting Attorney General Jeffrey Rosen.

In all of my letters to these officials, I extensively quoted from the UCMJ on specific issues, while acknowledging the magnitude of the problem, suggesting that to restore order and discipline to the Armed Services, an appropriate approach could be to try by court martial all four-star generals identified as speaking out against the sitting president. I suggested that perhaps Administrative Letters of Reprimand should be sent to all those below a four-star rank who had followed their superiors' lead and violated the Code. Incredibly, *none* of the Republican officials to whom I sent letters chose to do *anything* in response to these serious UCMJ violations. The scant replies I received were non-specific, and mostly thanked me for my service.

As 2021 began, I realized that the outgoing Trump administration was unlikely to take any action, so I waited until February 8 and sent a detailed, eight-page letter (with 10 complete copies of previous letters for reference) to new Secretary of Defense Lloyd Austin and Representative Adam Smith (D-Wash.), the chairman of the House Armed Services Committee. As of early May, I have had no acknowledgment from either, not even an acknowledgement of receipt!

BRASS POLITICS

28 Four-star Generals and Admirals Who Violated the UCMJ:

General Peter W. Chiarelli, USA (Ret.)
General Johnnie E. Wilson, USA (Ret.)
General David M. Maddox, USA (Ret.)
General Robert W. Sennewald, USA (Ret.)
General Wesley Clark, USA (Ret.)
Admiral William H. McRaven, USN (Ret.)
Admiral James Stavridis USN (Ret.)
Admiral Steve Abbot, USN (Ret.)
Admiral Samuel J. Locklear, USN (Ret.)
Admiral John Nathman, USN (Ret.)
Admiral Hank Chiles, USN (Ret.)
Admiral Bobby Inman, USN (Ret.)
Admiral Henry G. Ulrich, III, USN (Ret)
General James Mattis USMC (Ret)
General John R. Allen USMC (Ret)
General Richard D. Hearney, USMC (Ret.)
General Michael Williams, USMC (Ret.)
General Joe Went, USMC (Ret.)
General Anthony C. Zinni, USMC (Ret.)
General John P. Jumper USAF (Ret)
General Chuck Boyd, USAF (Ret)
General Merrill A. McPeak, USAF (Ret)
General Paul J. Selva, USAF (Ret.)
General Lloyd Newton, USAF (Ret.)
General Michael Hayden, USAF (Ret.)
General Stanley McChrystal, USA (Ret.)
Admiral Paul Zukunft, USCG (Ret.)
Admiral James Loy, USCG (Ret.)

Select Quotes

Admiral Michael G. Mullen, U.S. Navy (Ret.), wrote for *The Atlantic*: "It sickened me yesterday to see security personnel — including members of the National Guard — forcibly and violently clear a path through Lafayette Square to accommodate the president's visit outside St. John's Church." "I have to date been reticent to speak out on issues surrounding President Trump's leadership…. I remain confident in the professionalism of our men and women in uniform.… But I am less confident in the soundness of the orders they will be given by this commander in chief." "This is not the time for stunts. This is the time for leadership."

General Wesley Clark, U.S. Army (Ret.); Admiral Paul Zukunft, U.S. Coast Guard (Ret.); Admiral Harry Ulrich, U.S. Navy (Ret.); Admiral Samuel Locklear U.S. Navy (Ret.); Admiral Steve Abbot, U.S. Navy (Ret.); General Paul J. Selva, U.S. Air Force (Ret.); and, as reported in the press, 22 additional four-star military officers signed the "National Security Leaders for Biden" letter, which included contemptuous words against the president in violation of the UCMJ. For example: "The current President has demonstrated he is not equal to the enormous responsibilities of his office; he cannot rise to meet challenges large or small. Thanks to his disdainful attitude and his failures, our allies no longer trust or respect us, and our enemies no longer fear us."

General Michael Hayden, U.S. Air Force (Ret.), former director of the CIA and NSA, retweeted a tweet calling the president a "thoroughly despicable human being."

General Chuck Boyd, U.S. Air Force (Ret.), said in a video released to the public, "I fervently believe that military officers should not be involved in presidential politics, even when retired. But this year is different. Donald Trump's assault on the rule of law that makes a democracy possible has been so egregious I've decided to speak out.… We need to vote for Joe Biden this year. I'm going to vote for him. I hope you do, too." ■


Admiral Michael G. Mullen

United States Department of Defense


General Michael Hayden

Central Intelligence Agency


General Chuck Boyd

United States Air Force

Realizing that the Biden administration was probably not going to pursue disciplinary action against people who might have helped defeat Donald Trump, on March 13 I sent a letter to 10 Texas Republican members on the House Armed Services Committee, as well as related committees, such as Appropriations and Judiciary. I provided them the background, a copy of my letters to Defense Secretary Austin and Representative Smith, a list of the officers I had identified, plus examples of some of the comments these officers had made about President Trump. I also provided them with a short bio of my military service, so they would understand that I was an authoritative voice on the subject. I asked them to take immediate action, since I felt that we were running out of time with this. As of early May, I have received no response, nor have I observed any news regarding this issue. Consequently, I have decided to take it to the public to generate the support needed to get action.

I have no idea what the persons to whom I have addressed my letters think they are doing by not addressing this matter openly and promptly, since I have brought it *officially* to their attention. Perhaps they are hoping it will just fade away, or that perhaps the law will be changed to allow retired military personnel to disparage government officials. This is not likely. In fact, a major case over whether a retired military officer may be court-martialed, *Larrabee v. United States*, made its way through the courts and was scheduled to be considered by the Supreme Court in February of 2021. Not surprisingly, the court elected not to take the case, thereby maintaining its firm position, held since 1880, that *retirees on pay are members of the force and subject to recall and trying under the UCMJ if they violate an article therein.*

The UCMJ is very specific in that anyone may report a suspected crime under the Code, to any military authority, who must then pass it to the officer having "court convening authority" over the suspect. I reported the crimes directly to the convening authority for the retired officers. The Code also specifies that on receipt of a complaint, the convening authority must *immediately* consider if the crime warrants a general court martial-level trial (the sentence for Article 88 demands such), and if so, must immediately commence an Article 32 investigation, with a number of specific requirements. As a part of the investigation, the convening authority may consider and decide upon a variety of courses of action, including dismissal of all charges. Such dismissal must, however, meet certain requirements and considerations by the convening authority: "In determining the appropriate type of court martial, a convening authority should consider: a. The advice of a judge advocate; b. The interests of justice and good order and discipline"; and a number of other issues, including "the views of the victim [former President Trump in this case] concerning an alternative disposition of the case." The UCMJ holds that the disposition determination "must not be influenced by" a number of things, including "Political pressure to take or not to take specific actions in the case."

Additionally, the Code requires that both the accused and the victim "be notified and allowed to participate" in this initial investigation. I doubt there is any record of an Article 32 investigation in any of the five service branches, and that is precisely the reason I notified the FBI of the matter. If there is no such record, each service chief needs to be officially charged with Article 131b, Obstructing Justice: "Any person subject to this chapter who engages in conduct in the case of a certain person against whom the accused had reason to believe there were or would be criminal or disciplinary proceedings pend-

Incredibly, ***none*** of the Republican officials to whom I sent letters chose to do ***anything*** in response to these serious UCMJ violations. The scant replies I received were non-specific, and mostly thanked me for my service.

AP Images

Going to bat for Biden: Defense Secretary Lloyd Austin has refused to do anything about the blatant violation of the UCMJ by dozens of military officers, current and retired.

Will public awareness that these crimes may well have affected the outcome of the 2020 presidential election create the necessary pressure to demand that Congress hold those responsible to laws that have existed for centuries?

AP Images

Another anti-Trump globalist: Admiral James Stavridis, a member of the globalist Council on Foreign Relations, has been critical of President Trump, even after meeting with Trump early in his administration about a possible Cabinet post.

ing, with intent to influence, impede, or otherwise obstruct the due administration of justice shall be punished as a court-martial may direct." And, potentially, charged with Article 131f, Noncompliance with Procedural Rules: "Any person subject to this chapter who — (1) is responsible for unnecessary delay in the disposition of any case of a person accused of an offense under this chapter; or (2) knowingly and intentionally fails to enforce or comply with any provision of this chapter regulating the proceedings before, during, or after trial of an accused; shall be punished as a court-martial may direct."

Military crimes have been committed, and a large number of those have officially been brought, by me, to the proper authorities' attention. Since there have been no apparent charges resulting to date, the chiefs of all Services — General James C. McConville, U.S. Army; Admiral Michael M. Gilday, U.S. Navy; General David H. Berger, U.S. Marine Corps; General Charles Q. Brown, Jr., U.S. Air Force; and Admiral Karl L. Schultz, U.S. Coast Guard — should *all* be considered for charges under Articles 88, 131b, and 131f. If found guilty, they could face dishonorable discharge, forfeiture of all pay and allowances, and confinement for five years.

I hold no personal malice against any of these officers — actually, I was a close friend of one them — but I am disappointed that any officer allowed himself to get involved in politics to the point of disrespect to the president, or any other government official. At issue is this: Are all laws to be obeyed, or are some to be ignored when they concern the politically privileged?

So, while a thorough search may add additional names, I have currently called out some 28 retired four-star generals and officially reported them to their respective authorities, with clear evidence that they have violated Article 88 (and possibly Article 92, Failure to Obey Lawful Orders). There is no indication that the current service chiefs have taken the required actions. These officials have a duty and responsibility to enforce the existing laws under the UCMJ, when such crimes are officially brought to their attention. Therefore, the secretary of defense or the U.S. Congress needs to consider if the service chiefs are to be *officially* charged under Articles 131b, 131f, and 88.

Will public awareness that these crimes may well have affected the outcome of the 2020 presidential election create the necessary pressure to demand that Congress hold those responsible to laws that have existed for centuries? And does the news media have enough integrity, courage, and influence to bring this about during the Biden administration, when the violators certainly appear to have been supportive agents that may have brought in the winning ballots to that election?

If reading this article leaves you concerned that no actions have been taken against these officers (including the current chiefs of service), write to your members of Congress and ask why these officials are seemingly exempt from these long-standing laws. ■

Biden Has Ordered the Military to Recruit "Transgenders"

WHAT COULD GO WRONG?

Mentally disordered people who believe they are the opposite sex will now be encouraged to serve in our nation's military.

AP Images

Just like his old boss: Upon taking the office of the presidency, Joe Biden set about reversing many of outgoing President Trump's policies, essentially continuing the "transformation" of the country begun under President Obama. Here Biden signs his executive order reversing Trump's ban on "transgenders" serving in the military.

by R. Cort Kirkwood

When President Joe Biden lifted his predecessor's ban on "transgenders" — persons who mistakenly believe they are "trapped" in a body with the wrong "gender" — during his first week in office, Corporal Max Klinger of television's *M*A*S*H** stopped being a joke.

An hirsute man of Lebanese extraction, Klinger wanted to be home in Toledo watching his beloved Mud Hens, not serving in Korea. And so he dressed like a woman to get a Section 8 discharge, a separation for mental illness. The running gag was that he failed because he was faking it, everyone knew he was faking it, and he knew they knew he was faking it. He only *pretended* to be a woman, and wasn't crazy enough to believe he was one.

But now, men who really *do believe* they are women — a sign of mental illness — will be flitting around the Pentagon, as will women who mistakenly think they, too, were "misgendered" at birth. Pretenders such as Klinger will have their place, too, of course.

Biden's decision, followed by new policies that took effect on April 30, was not surprising. He promised he would upend just about any good President Donald Trump did for the country, from building a border wall to protecting the military from the latest experiment in sexual revolution. Thus, Biden is doing his level best to wreck other agencies beside the Pentagon.

He installed Richard Levine, who calls himself Rachel and wears long hair, dresses, and jewelry, for instance, as No. 2 at the Department of Health and Human Services. The decision means that a mentally disturbed man, who thinks pre-pubescent kids should get hormone shots to block puberty, will help supervise health policy for 340 million Americans.

But targeting the Pentagon elevated Biden's attack on the normal to a whole new level. Individuals as disturbed as Levine will serve in the fox hole and on submarines, and fly fighter jets and he-

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licopters. They could affect and might control everything from the military's recruitment and training to multi-million-dollar weapons systems and nuclear launch codes.

Nor was Biden's order to recruit and promote the mentally ill a sneak attack. Anyone could have predicted it based on the social experimentation that had already taken place, beginning in the 1990s with the push to put women in combat.

Such has been the success of that dangerous idea, even conservative Republicans, in keeping with their disposition to defend the last leftist revolution, no longer oppose it. They won't even discuss it. But that truth is immaterial to how the radical Left transmogrified the military from a war-fighting machine into a siege engine for their culture war on Americans.

Women in Combat

The subversion began 30 years ago with the push by the Defense Advisory Committee for Women in the Services, a feminist beachhead inside the Pentagon, to put women in combat. Military women were not requesting such assignments, but that didn't matter to the feminists who would never suffer what will someday be the result of their batty idea: *mandatory* combat assignments, and then the draft.

In 1992, the Presidential Commission on the Assignment of Women in the Armed Forces, for which this writer served as media liaison, studied the idea. Commissioners heard testimony that showed the strongest woman is only as strong as the weakest man. They heard about the problems of pregnancy and hygiene in the field. They heard that men would have to be trained to ignore the abuse of women if women received combat assignments. They heard from combat veterans such as Marine Corps hero Colonel John Ripley, a Navy Cross recipient, who testified that assigning women to combat was unthinkable — and un-American. They heard that a survey of retired flag officers found that a vast majority opposed the idea.

The sum total of the argument against women in combat was this, as one commissioner said: Men are not big women, and women are not little men.

Nonetheless, egalitarian superstition prevailed over science and good sense. And so the commission published a wishy-washy report that recommended women for limited combat assignments. Ground combat and fighter jets, though, were out. Conservative commission members produced a minority addendum, *The Case Against Women in Combat*, which conclusively demonstrated that assigning women to combat units was not only militarily and culturally dangerous, but also a galactically foolish proposal that would harm the military *and* women, particularly military women, the vast majority of whom were not seeking combat assignments. But again, few if any of the feminist promoters of the idea would see combat.

Still, in 1994, the military banned women from combat units, a decision that President Barack Hussein Obama shamefully reversed under pressure from angry feminists who argued that women can do anything men can do, only better.

As this writer wrote for The New American in 2013, Marine Corps Captain Katie Petronio unsparingly attacked that egalitarian hooey. "Get Over It!" shouted the headline over her piece for the *Marine Corps Gazette* in 2012. "We Are Not All Created Equal."

Petronio, a top-flight college hockey player, scored 292 of 300 on her Marine Corps fitness test. Yet "five years later," she wrote at the time, "I am physically not the woman I once was and my views have greatly changed on the possibility

The sum total of the argument against women in combat was this, as one commissioner said: Men are not big women, and women are not little men.

AP Images

Not fooling anyone: President Biden appointed Rachel (formerly Richard) Levine to be assistant secretary of health and human services. Levine is quite obviously a man posing as a woman. Is it really a good idea for people like Levine to be serving in the nation's military?

of women having successful long careers while serving in the infantry."

Long, grueling deployments to Iraq and Afghanistan compromised her health, she wrote:

> By the fifth month into [Afghanistan] deployment, I had muscle atrophy in my thighs that was causing me to constantly trip and my legs to buckle with the slightest grade change. My agility during firefights and mobility on and off vehicles and perimeter walls was seriously hindering my response time and overall capability. It was evident that stress and muscular deterioration was affecting everyone regardless of gender; however, the rate of my deterioration was noticeably faster than that of male Marines and further compounded by gender-specific medical conditions.

Though Petronio called her combat tours a success, she lost 17 pounds and her fertility. "There is no way I could endure the physical demands of the infantrymen whom I worked beside," she concluded, worried that her career would end not with retirement but medical separation.

Other military women would suffer similarly, which is not surprising given what members of the presidential commission learned: Women are injured more easily than men and endure the same grueling physical punishment that combat entails. The vast majority of women routinely fail sex-neutral physical-fitness tests; that is, they cannot meet the same standards as men.

None of that mattered, though, because "diversity is a strategic imperative," a Navy admiral said. Women had to have "equal opportunity." Most military women and women in general didn't want the equal opportunity to get killed, but the feminists certainly wouldn't listen to that simple truth.

At about the same time, homosexuals, banned with good reason from the service since the 18th century, began agitating to plant the Rainbow Pride flag in the Pentagon. In 1993, Congress passed and President Bill Clinton signed the "don't-ask, don't-tell" policy that permitted homosexuals to serve if they kept quiet about their "lifestyle." In 2010, a federal judge ruled that law was unconstitutional because it was "discriminatory," which scared Congress into repealing it. Congress then scrapped the military's law against homosexual sodomy.

Morale, good order, discipline, and unit cohesion were tossed out the window. Normal military men and women would have to sleep with one eye open.

Indeed, the data on homosexual sex assault in the military are staggering. In 2014, the Rand Corporation reported that 12,000 military men reported a sexual assault. In 2015, the American Psychological Association stated that the number of sex assaults on men in the military was 15 times higher than reported. In 2016, the Defense Department found that men were 42 percent of sex-assault victims in the military. In 2018, 7,500 military men experienced penetrative homosexual rape.

Yet uniformed military personnel openly march in "gay pride" parades these days. The Lavender Legion had scaled its Gay Suribachi.

Biden's Order

But that was just the beginning of the war against discipline and good order — and common sense.

Having prevailed in the culture war to send women into a role for which nature did not prepare them, and homosexuals into a target-rich environment, the Left advanced on its next objective: permitting the sexually confused and mentally ill to serve. Biden obliged. So now the military, as the song goes, will be a cabaret, old chum.

"Gender identity should not be a bar to military service," Biden opined in the order he signed five days after taking office. "There is substantial evidence that allowing transgender individuals to serve in the military does not have any meaningful negative impact on the Armed Forces."

In other words, people who live in a disordered, dangerous fantasy world, such as the proverbial mental case who thinks he's Napoleon, will now fill the ranks.

And so the military's new policies on "transgenders" took effect, the most significant of which is that the Pentagon has *completely* surrendered to "transgender" ideology. It won't just permit "transgenders" to serve. It will go along with their charade, and purposely abuse and muti-

CNN.com screen grab

G.I. Jane no more: Marine Corps Captain Katie Petronio, who excelled at her Marine Corps fitness testing, was physically exhausted and suffered health problems after serving combat tours in Iraq and Afghanistan. In 2012, she came out against women serving in combat.

late service members with "medical care," meaning hormones and "gender reassignment" surgery.

"Service members with a diagnosis that gender transition is medically necessary will receive associated medical care and treatment from a medical provider," Pentagon policy says:

> Medical providers will provide advice to commanders in a manner consistent with processes used for other medical conditions that may limit the Service member's performance of official duties.
>
> Any medical care and treatment provided to an individual Service member in the process of gender transition will be provided in the same manner as other medical care and treatment.
>
> Nothing in this issuance will be construed to authorize a commander to deny medically necessary treatment to a Service member.

AP Images

Calling out the nonsense: Dr. Paul R. McHugh, former distinguished professor of psychiatry at Johns Hopkins University, has been one of the few voices in the medical community to speak up and say that "transgender" identity is nothing more than a mental disorder, and that it should be addressed as such.

In other words, the Pentagon is now in the business of amputating breasts and penises on physically healthy but mentally disturbed service members.

To justify this madness, Biden had to ignore what psychiatrists have always known about "transgenders" who wish to mutilate or have mutilated themselves. When the "tranny" craze began a few years ago, renowned psychiatrist Paul R. McHugh explained this at length.

"The idea that exchange of one's sex is possible ... is starkly, nakedly false," the retired Johns Hopkins psychiatry professor wrote. "Transgendered men do not become women, nor do transgendered women become men. All (including Bruce Jenner) become feminized men or masculinized women, counterfeits or impersonators of the sex with which they 'identify.' In that lies their problematic future."

That future is often suicide, McHugh explained. A study in Sweden of mutilated "transgenders" found they had condemned themselves to "lifelong mental unrest.… Ten to fifteen years after surgical reassignment, the suicide rate of those who had undergone sex-reassignment surgery rose to twenty times that of comparable peers."

That suggests that these poor, confused people desperately need a psychiatrist to help rid them of the fantasy that they are "trapped" in the "wrong body," as opposed to what "transgender activists" want: hormone treatment and surgery to put them in the "right" one.

Though many "transgender women" such as Caitlyn Jenner "come to their disordered assumption through being sexually aroused by the image of themselves as women," most teenagers — the real victims of what McHugh calls the "transgender meme" — "are utterly different from Jenner. They have no erotic interest driving their quest."

Instead, "they come with psychosocial issues — conflicts over the prospects, expectations, and roles that they sense are attached to their given sex — and presume that sex-reassignment will ease or resolve them," he wrote. McHugh continued:

> The grim fact is that most of these youngsters do not find therapists willing to assess and guide them in ways that permit them to work out their conflicts and correct their assumptions. Rather, they and their families find only "gender counselors" who encourage them in their sexual misassumptions....
>
> What is needed now is public clamor for coherent science — biological and therapeutic science — examining the real effects of these efforts to "support" transgendering. Although much is made of a rare "intersex" individual, no evidence supports the claim that people such as Bruce Jenner have a biological source for their transgender assumptions. Plenty of evidence demonstrates that with him and most others, transgendering is a psychological rather than a biological matter.

That's because so-called gender dysphoria, the feelings that one is "misgendered," meaning the opposite of one's real sex, "belongs in the family of similarly disordered assumptions about the body, such as anorexia nervosa and body dysmorphic disorder."

Continued McHugh:

> Its treatment should not be directed at the body as with surgery and hormones any more than one treats obesity-fearing anorexic patients with liposuction. The treatment should strive to correct the false, problematic nature of the assumption and to

resolve the psychosocial conflicts provoking it. With youngsters, this is best done in family therapy.

In other words, the military will do the exact opposite of what it should do. It will harm the very Americans it has recruited to defend the country by validating their "misgendering" fantasy. And when the harm is done to "transgenders" before they enlist or enter a service academy or officer training, the military will *recruit* them.

Indeed, the recruiting has begun. As one "transgender man" said when the new policies were announced, the Army, Marines, and Air Force contacted her almost immediately.

Ultimate Import

Let's sum up what the decision means: Biden will put weapons, from small arms to multi-million-dollar missile systems, into the hands of mentally-disturbed people who are prone to suicide. The suicidal are not unknown for trying to take someone with them.

But suicide aside, other consequences abound.

"Transgender men" — women who wrongly believe they are men — will serve in combat units and weaken them, hormone shots regardless. "Transgender women" — men who wrongly believe they are women — will share quarters with real women and threaten them, hormone shots regardless.

Given Petronio's testimony, one must ask how hormone treatment and "gender reassignment" surgery will affect the combat performance of a man who is "transitioning." Will a once-capable combat soldier become weaker and less effective? Can a woman who wants to become a man ever become as strong and physically fit as the men with whom she will serve?

The answers are obvious, but the real import of what Biden has done is this: In a few short years, the military has moved from accepting patently crazy *ideas*, such as women in combat and homosexuals in the squad bay, to recruiting crazy *people.*

If President Joe Biden gets his way, someday the secretary of defense might be a man who thinks he is a woman, prancing around the Pentagon in Manolo Blahnik heels with a Louis Vuitton purse dangling from his arm. Maybe he'll wear a feather boa, too. The chairman of the Joint Chiefs of Staff could well be a woman who pretends she is a man, but is so confused and depressed after "gender reassignment" that her decisions get service members killed.

This latest lurch to the cultural left won't end well for the confused, mentally ill men and women whom the Pentagon either recruits or mutilates and permanently disables, if not drives to suicide, with the taxpayers' money. Nor will it bode well for those who must serve with them. But worse still, it won't end well for the country. The radical Left has finally prevailed in its battle to change the military's principal purpose — fighting this nation's wars and defeating its enemies. Its mission now is fighting for egalitarian ideology.

Corporal Klinger is no longer a joke. What could possibly go wrong? ■

CHAUVIN VERDICT: THE FIX WAS IN

The evidence notwithstanding, Derek Chauvin was convicted of "murdering" George Floyd. Now, all cops are on trial in any such encounter. Will they continue to protect and serve?

by R. Cort Kirkwood

Evidence didn't convict former cop Derek Chauvin of two counts of "murder" in the death of lifetime criminal and drug addict George Floyd. Nor did evidence show that the hated cop committed manslaughter with a "depraved mind."

What did convict him were fear, trial by social media, and a biased jury. Chauvin never stood a chance of receiving a fair trial; he was doomed the second Floyd's heart stopped beating on May 25 last year. Very likely, the three fellow cops involved in Floyd's death, Thomas Lane, J.A. Kueng, and Tou Thao, are doomed as well.

The guilty verdict — something like jury nullification in reverse — sends a message to cops everywhere: When a black criminal resists arrest, you best let him go. If he is harmed or dies, you too will risk the wrath of the mob and trial by social media.

If cops believe a jury trial is superfluous, a thin patina that glazes a corrupt criminal justice system biased against cops, they'll either let criminals run free or quit the profession altogether. That won't bode well for the black communities that suffer the most from criminals such as George Floyd.

AP Images

Did this lead to a biased jury? There's little doubt that the months-long protests that took place across the country, which often turned into violent and destructive riots, over the death of George Floyd influenced the jurors in the trial of Derek Chauvin.

Corruption of Justice

The jury convicted Chauvin on two counts of murder and one count of manslaughter because Floyd died while Chauvin restrained him on the ground with a knee to the back of his neck, shoulder, and upper back for about nine minutes. The unfortunate turn of events occasioned the usual moral panic and hysteria about "systemic racism" and, more importantly, triggered weeks of rioting by Antifa and Black Lives Matter terrorists that left cities across the country in flames. Neither judge nor juror was unaffected by those scenes, nor the prospect of similar terror should Floyd not get "justice" with a guilty verdict for Chauvin.

Thus, perhaps the most significant contributor to Chauvin's conviction wasn't what happened inside the courtroom with either the jury or the judge, or Chauvin's attorney or the army of prosecutors.

Rather, as leftist legal celebrity Alan Dershowitz said, what happened outside the courtroom settled Chauvin's fate. Three days before the verdict, leftist agitator Representative Maxine Waters of California showed up in Brooklyn Center, Minnesota, to protest the shooting death, by a white police officer, of a black man, Daunte Wright. The cop mistakenly shot Wright with her service pistol, instead of a taser, when he tried to escape police who were trying to arrest him. The warrant for Wright stemmed from an incident in which he attempted, with an accomplice, to rob a woman at gunpoint.

Waters angrily warned the judge and jury in Chauvin's trial about the result

she and her mob expected. "We're looking for a guilty verdict," she said. "I hope that we're going to get a verdict [that says] guilty, guilty, guilty, and if we don't, we cannot go away."

And if the jury didn't deliver a verdict of "guilty, guilty, guilty?"

"Stay on the street," she told protesters. "We've got to get more confrontational."

Chauvin's attorney asked for a mistrial. "There is a high probability that members of this jury have seen these comments, are familiar with these comments, and things that have happened throughout the course of this trial," Eric Nelson told the judge:

> I was advised of two television shows during the course of the past few days that specifically involve references to this particular case and the reactions of the characters in these stories to this particular case. This jury, despite all best efforts, has been bombarded with information relevant to this case. It is impossible to stay away from it unless you literally shut off your phone or you shut off your TV, you shut off your computer. And no such instructions have been given during the course of this trial.

Judge Peter Cahill denied that motion, and said he had instructed the jury, very clearly, "don't watch the news, pure and simple." Yet Waters might have given Chauvin grounds for a successful appeal, Cahill admitted. "I'll give you that Congresswoman Waters may have given you something on appeal that may result in this whole trial being overturned," he said.

Dershowitz agreed, and said Cahill gravely erred. "I think [the convictions] should be reversed on appeal," the Harvard law professor emeritus said. The jurors voted to convict, he said, because they were terrified.

The "threats and intimidation" from the radicals — "the sword of Damocles over the jury" — had a message, Dershowitz said:

> If you don't convict on the murder charge, on all the charges, the cities will burn, the country will be destroyed, seeped into the jury room because the judge made a terrible mistake by not sequestering the jury....
>
> Every juror in that room knew about those threats. And when they sit and deliberate, they have to be saying to themselves, consciously or unconsciously, if I were to render a verdict other than a murder verdict, what the consequences will be for me, and my family, my friends, my business. That should never, ever, be allowed to seep into a jury room. So, I have no real confidence that this verdict — which may be correct in some ways — but I have no confidence that this verdict was produced by due process and the rule of law, rather than the influence of the crowd.

An alternate juror later said she thought Chauvin was guilty, but also feared the explosive mob to which Waters was ready to put gasoline and a match. "I did not want to go through rioting and destruction again," the juror confessed, "and I was concerned about people coming to my house if they were not happy with the verdict."

AP Images

Guilty, guilty, guilty! Representative Maxine Waters (D-Calif.) essentially called for mob violence in the event Derek Chauvin was acquitted. Her actions almost certainly intimidated jurors, and could be grounds for an appeal.

Biased Jurors

However terrified the jury was, it was also biased against Chauvin. Though the *Nation* fretted that the "the acquittal of Derek Chauvin has already begun" because the jury selection favored the cop, Chauvin was not acquitted, and the jury was packed with BLM backers.

As a headline in *The Atlantic* reported, Chauvin's "guilty verdict resulted not just from the strength of the evidence, but from a jury-selection process that departed from American norms." The Chauvin jury was unique, averred *Atlantic* writer Sonali Chakravarti.

"What I saw was a jury-selection process that substantially departed from the country's norms, resulting in a racially mixed jury, a number of whose members criticized American law enforcement for systematically discriminating against Black people," she wrote:

> All the jurors interviewed during *voir dire* were familiar with the case, and some had seen the video of George Floyd's death. To varying degrees, they all understood the weight of the

case and the intense media scrutiny it would undoubtedly receive, yet many were eager to serve. When interviewed by the defense counsel, Juror 27, who identifies as Black and an immigrant and who ultimately ended up on the jury, said that he had spoken with his wife about the killing shortly after it happened. "We talked about how it could have been me," he said. Juror 91 put it simply when she said, "I'm Black and my life matters." That these people held these views and still served on the jury shows a path toward greater democratic representation in America's courtrooms….

But stating views sympathetic to Black Lives Matter did not result in jurors getting removed from the jury pool. During *voir dire*, a majority of the 12 seated jurors said they "somewhat agreed" or "strongly agreed" with the statement on the questionnaire that "Blacks and whites don't receive equal justice in this country," implying that they believe that racial discrimination in the legal system goes beyond isolated incidents and a few bad actors. The same majority also had favorable opinions of Black Lives Matter and disagreed with a statement that the media exaggerate claims of racial discrimination.

Noting that potential jurors who supported BLM rioters have been excluded in cases elsewhere, Chakravarti reported that pro-BLM sentiments in this case mattered not:

> The attorneys and the judge did not treat critiques of racial bias in the legal system as something that would inherently bias a juror. This was clear once *voir dire* began. In one instance, a potential juror — a Black man — spoke about the sadness and outrage he felt at seeing the cellphone video that had circulated around the world: "It's another Black man being murdered at police hands," he said. Judge Cahill said that he believed this was an "honest opinion," "widely held," and not necessarily an obstacle to being an impartial juror. This may seem like a small thing, but to say that jurors can hold systemic critiques and still be fair inverts the old paradigm, which saw an absence of such critiques as a harbinger of neutrality — which of course is its own kind of bias.
>
> Additionally, during *voir dire*, several jurors spoke about their own experiences with police violence, and those accounts were not disqualifying, as they almost certainly would have been in other trials.

A key reason jurors were biased and likely had their minds made up was social media, which published video of the Chauvin-Floyd encounter within hours, if not minutes, of its deadly end.

AP Images

Talking sense: Liberal lawyer Alan Dershowitz, who has nearly 60 years of legal experience, including many high-profile cases, harshly condemned how media and outside forces influenced the jury in the Chauvin trial. He believes the verdict could be overturned on appeal.

Beyond those sympathies, jurors knew the city had settled a lawsuit with Floyd's family for $27 million, a prejudicial fact that suggests an admission of fault — i.e., the city believed Chauvin wrongly killed Floyd. Indeed, the judge dismissed two jurors because they confessed they could not be impartial knowing about the settlement.

Though a juror's sympathy for BLM or Floyd or knowledge of the settlement might not have rendered him incapable of impartial judgment, it might have meant he was more likely to render a judgment based on emotion and not facts, such as the perception that police everywhere are racists, or that imaginary "systemic racism" is the defining feature of the criminal-justice system.

Statements from jurors suggested as much, as Chakravarti's and other reports noted. Most significant was the disturbing truth that surfaced about juror 52, Brandon Mitchell. Mitchell, who is black, lied about attending a pro-Floyd "Get Your Knee Off Our Necks" rally in Washington, D.C. A photo of Mitchell wearing a T-shirt with the same message appeared in reports about the lie. Mitchell told an

Will cops risk their lives in crime-ridden black communities if they, not the criminals, will be put on trial after any such future encounters?

AP Images

Jury duty for social change? Brandon Mitchell, juror 52 in the Chauvin trial, claimed he knew very little about the case and did not participate in any pro-Floyd protests. He lied. He believes people should attempt to get on juries to effect social change. Is this really good for America?

interviewer that people need to serve on juries to advance social "change." He also thought the jury deliberated too long, and that it should have rendered its three guilty verdicts in just 20 minutes.

Fear Plus Social Media

A key reason jurors were biased — aside from the false narrative that racist cops mistreat innocent blacks — and likely had their minds made up was social media, which published video of the Chauvin-Floyd encounter within hours, if not minutes, of its deadly end. Hysterical cries of "murder" from anti-cop leftists, BLM sympathizers, and even some conservatives — always eager to prove their "anti-racist" bona fides and throw a white cop to the wolves — filled Twitter, Facebook, and, of course, the leftist mainstream media.

The narrative was established immediately. Another white cop had killed another black man for no reason. "I can't breathe," which Floyd repeatedly uttered as Chauvin restrained him, was the new "Hands Up, Don't Shoot" meme at protests and on social media. The leftist mainstream media, of course, convicted Chauvin, too.

In chastising Cahill for not sequestering the jurors to isolate them from media coverage and social-media posts about the threatened violence, Dershowitz recalled the case of Sam Sheppard, who was convicted of murdering his wife, Marilyn, in 1954 after a 24-7 media campaign demanded a conviction. The case became the basis of the television series and feature film *The Fugitive*. In 1966, the U.S. Supreme Court voted 8-1 to overturn his conviction because the trial judge did not "protect Sheppard sufficiently from the massive, pervasive and prejudicial publicity that attended his prosecution."

Cahill "did not do a good enough job in insulating the jury from outside pressures," said Dershowitz, and instead simply instructed jurors to ignore the media. That wasn't enough given modern technology, and Dershowitz worries the judge will sentence Chauvin too harshly, meaning out of line with the sentence he would normally pass in such a case, to prevent rioting.

That aside, the established facts belied the established narrative — a white cop killed another "gentle giant" for no reason. Chauvin didn't "murder" Floyd, a truth found in the criminal complaint against Chauvin, which says Floyd had trouble breathing *before* the officer pinned him to the ground.

> The officers made several attempts to get Mr. Floyd in the backseat of [Lane and Kueng's squad car] from the driver's side. Mr. Floyd did not voluntarily get in the car and struggled with the officers by intentionally falling down, saying he was not going in the car, and refusing to stand still. Mr. Floyd is over six feet tall and weighs more than 200 pounds.
>
> While standing outside the car, Mr. Floyd began saying and repeating that he could not breathe. The defendant [Chauvin] went to the passenger side and tried to get Mr. Floyd into the car from that side and Lane and Kueng assisted.
>
> The defendant pulled Mr. Floyd out of the passenger side of the squad car at 8:19:38 p.m. and Mr. Floyd went to the ground face down and still handcuffed. Kueng held Mr. Floyd's back and Lane held his legs. The defendant placed his left knee in the area of Mr. Floyd's head and neck. Mr. Floyd said, "I can't breathe" multiple times and repeatedly said, "Mama" and

"please," as well. The defendant and the other two officers stayed in their positions.

The autopsy revealed no physical findings that support a diagnosis of traumatic asphyxia or strangulation. Mr. Floyd had underlying health conditions including coronary artery disease and hypertensive heart disease. The combined effects of Mr. Floyd being restrained by the police, his underlying health conditions and any potential intoxicants in his system likely contributed to his death.

The video is also clear. Floyd would not surrender; he would not calm down.

The final autopsy found that Floyd had coronary artery disease, high blood pressure, hypertensive heart disease, and cardiomegaly. A nasal swab taken the day after Floyd died divulged that he had contracted COVID-19.

Most importantly, Floyd had taken dangerous narcotics. The autopsy found fentanyl and methamphetamine in his bloodstream. Fentanyl is a synthetic opioid pain reliever that is "50 to 100 times more potent than morphine," the Centers for Disease Control says. Opioids are respiratory depressants, and explain why Floyd complained that he couldn't breathe *before* Chauvin restrained him. Floyd popped two pills just before police arrested him; investigators found pills in his SUV.

Beyond the findings of serious heart disease and opioid use are those directly related to his fatal encounter with Chauvin. Floyd suffered multiple "blunt force" wounds, but "no life-threatening injuries [were] identified," the autopsy report says.

Importantly, a key note in an assistant prosecutor's memorandum, written after a conversation with the Hennepin County Medical Examiner, explained the level of fentanyl in Floyd's bloodstream this way: "This level of fentanyl can cause pulmonary edema. Mr. Floyd's lungs were 2-3x their normal weight at autopsy. That is a fatal level of fentanyl under normal circumstances."

And "if Mr. Floyd had been found dead in his home (or anywhere else) and there were no other contributing factors he would conclude that it was an overdose death," the assistant prosecutor wrote.

AP Images

Stone-cold killer? Derek Chauvin, shown here being led away in handcuffs after his murder conviction, is seen by many as just another racist white cop who murdered a black man. The facts of the case don't support that view. His conviction might be overturned on appeal.

Floyd's History

Another possible blow to the defense, but not likely a fatal one, was the judge's ruling that blocked the defense from presenting a full account of a previous arrest almost identical to the one in which Floyd died. That one, too, involved an overdose.

It occurred on May 6, 2019. "George Floyd was engaged in the sale and possession of large quantities of controlled substances," a defense motion from Chauvin said. "When approached by police he placed drugs in his mouth in an attempt to avoid arrest, and swallowed them."

The motion also disclosed that Floyd "engaged in diversionary behavior such as crying and acted irrationally" when police confronted him that day, and "an ambulance was called to transport Mr. Floyd to the hospital."

As well:

> The facts and circumstances of Mr. Floyd's May 6, 2019 medical intervention at Hennepin County Medical Center for "accidental drug ingestion." At which time Mr. Floyd disclosed that he "snorts oxycodone daily," was hypertensive and not taking medications, took street drugs prior to admission (PTA) and while under arrest was tearful — because he was accused of selling drugs by the police and has been abusing opiates for the last year and a half.

The jury did hear his girlfriend's lachrymose account of their "struggle" with drug addiction, but did not hear about Floyd's conviction for aggravated robbery with a deadly weapon.

On August 9, 2007 in Harris County, Texas, the drug addict disguised himself as a water department employee to enter a woman's home "to steal drugs and money," the defense motion said. "In the course of the robbery Mr. Floyd placed a gun on a woman's abdomen, allowed her to be pistol whipped by an accomplice and demanded drugs and money."

Prosecutors sought to introduce stories about eight other instances in which Chauvin restrained people who refused to comply with lawful orders; Cahill allowed two.

All that said, even hearing about Floyd's criminal past and history of drug addiction wouldn't likely have swayed the jury to acquit Chauvin. Nor did hearing about Chauvin's similar bad acts convict him.

The jurors were clearly biased against him, and they knew what would happen if they did not declare Chauvin "guilty, guilty, guilty": BLM would set the city ablaze and then attack their homes, and possibly murder the jurors and their families.

What Next?

Chauvin did not "murder" Floyd. Nor did Chauvin's attempt to arrest and restrain Floyd kill him. Floyd's strenuously *resisting* arrest with a serious cardiovascular disease and a "fatal level" of fentanyl coursing through his bloodstream did kill him. As columnist Ann Coulter observed, given Floyd's poor health and the overdose, what would have happened if Chauvin had tased him, as use-of-force rules permit?

Absent the "fatal" dose of an opiate and respiratory depressant, the struggle might not have killed Floyd. Absent the struggle, the overdose might not have killed him. Absent the struggle, police would likely have sent him to the hospital again. If Floyd, a very sick man, had quietly surrendered and sat in the back of the police car, he would be alive. Those are the facts.

Lane, Kueng, and Thao face trial in late August for aiding and abetting second-degree murder and manslaughter. One may assume Waters and her mob will once again threaten violence if a jury does not convict them, or if the judge renders a decision that displeases Waters and her storm troopers.

A former district attorney said the three had better plea bargain. "To find a jury in August, after all that's gone on, that could really be fair to these three defendants seems like a very tough task." So a former prosecutor admits that juries today will nullify in much the same way the jury in the O.J. Simpson case, in voting to acquit, nullified an obvious guilty verdict. Except juries will do so in reverse. Instead of voting not guilty if the evidence is exculpatory, they will vote to convict.

In other words, the conviction of Derek Chauvin raises the obvious concern of whether a white cop, or any other, for that matter, can get a fair trial in a growing number of jurisdictions if a black criminal dies in his custody, particularly now that the false narrative of irredeemably racist cops is firmly set in the public's mind, and BLM knows that threats of violence will scare a jury into convicting an innocent defendant. As Dershowitz said, "the whole judicial system has been corrupted by identity politics and by the weaponization of the criminal justice system toward particular agendas."

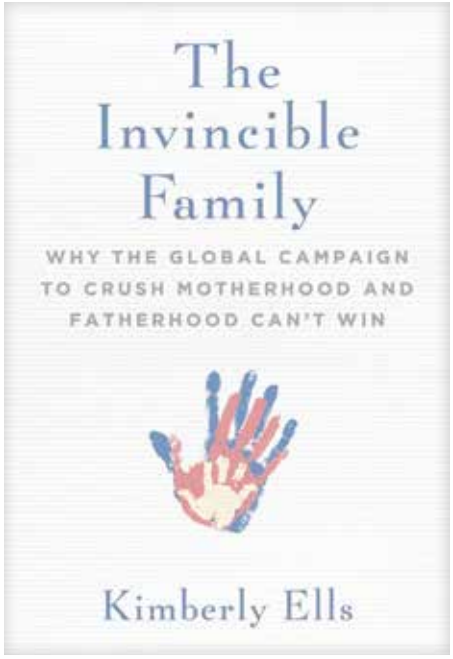
Chauvin's attorney, Eric Nelson, has filed a motion for a new trial on multiple grounds, including prosecutorial misconduct, the *Sheppard v. Maxwell* precedent, and the judge's misusing his discretion. A new trial, let alone an acquittal, would likely invite the riots that would have ensued had the first jury acquitted Chauvin.

Perhaps more importantly, the verdict, and likely conviction of the other three, raises this question, which neither Waters nor the Left wants to ask: Will cops risk their lives in crime-ridden black communities if they, not the criminals, will be put on trial after any such future encounters?

The leftists who wish to "defund police" won't care. The black victims of the anti-cop movement will. And soon. ■

The Invincible Family Offers Hope Against Tyranny

The family, the fundamental unit of civilization, is in the cross hairs of the enemies of God and mankind. But it will never be destroyed — never!



by Alex Newman

The Invincible Family: Why the Global Campaign to Crush Motherhood and Fatherhood Can't Win, by Kimberly Ells, Washington, D.C.: Regnery Gateway, 2020, 315 pages, paperback.

The forces waging an international war on the family are coming out of the closet, and the situation is not pretty. The ultimate goal is the destruction of the sacred institution, not just for its own sake, but also as a means of crushing liberty and so much more.

With the LGBT agenda marching forward at a furious pace while American families crumble at an unprecedented rate, it is easy to get depressed about the current situation and the outlook going forward. But in her book *The Invincible Family*, Kimberly Ells gives powerful reasons to be hopeful amid the gloom. She also offers important advice on how to fight back — and why it is so incredibly essential to do so, especially now.

In short, Ells makes a compelling case that if the United Nations and the forces seeking to eradicate the family as the primary cell of society are successful, it would bring about hell on Earth. Her insight into the importance of the family in shaping individuals and society — and making love possible — is truly remarkable. After reading the book, it would be impossible not to have a renewed appreciation for the importance of familial bonds, and of motherhood and fatherhood.

And yet, the forces arrayed against moms, dads, and the family are very powerful and incredibly well-funded. From Marxists and feminists to global corporations and even many post-Christian governments, it seems as if nearly every societal institution is currently waging unrestricted warfare against the family. The reason why is simple: The family stands as an immovable bulwark protecting humanity against tyranny, hatred, and the sinister agendas being pursued by wicked people.

This was recognized as far back as 1848, when Karl Marx and Friedrich Engels called for "abolition of the family." Since then, mass-murdering destroyers of civilization, liberty, and humanity such as Communist Party of China Chairman Mao Tse-tung and Soviet dictators Vladimir Lenin and Joseph Stalin have worked to destroy and supplant the family unit. Women, Marxists claim, must be "liberated" to do "socially productive" work, while children must be raised by the state.

Ells beautifully destroys the supposed rationale behind all these dangerous schemes and arguments. In their place, she demonstrates clearly the incalculable value families provide for each individual human being and for society at large. Love and belonging are key, she explains. And while it is true that women's contributions in the private sphere are often overlooked (or even denigrated by those seeking to abolish the family), they are quite literally essential to civilized life and human flourishing. Men's crucial role as fathers is also highlighted.

The book is packed with data making the case, too. For example, Ells quotes increasingly "mainstream" voices arguing that growing up in a traditional "nuclear family" is dangerous for children. The data, however, show that just the opposite is true: Children raised by their married, biological parents are better off than in any other arrangement. Ells also includes statistics on the importance of fathers being involved in the lives of their children and the dangers to children of a fatherless home.

Some of the most eye-opening and significant revelations in the book are the implications of the "transgender" movement. As Ells points out, "transgenderism" is fundamentally different from homosexuality. Pursuing their selfish desires, homosexuals seeking children claimed — wrongly, of course — that children did not really *need* both a mother and a father. That is nonsense, obviously, as shown by huge amounts of data and common sense.

The "transgender" movement, however,

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goes a step further, opening up a Pandora's box that threatens to unleash something even more diabolical. The "transgender" mania sweeping the Western world holds that "gender" itself is a social construct. As such, there can be no such thing as a mother or father in the first place. If there are no such things as mothers and fathers, it would be absurd to suggest that the nuclear family made up of a mother, a father, and children is worth protecting or honoring, says the "transgender" agenda.

If that sounds absurd, that is because it is. Yet it is happening. The significance of this insidious lie must not be underestimated. "The legal and social embrace of transgenderism encapsulates the rejection of the human body as inherently manifested in two distinct, complementary forms and can act as a precursor to the legal eradication of the family as the fundamental unit of society," Ells explains after giving a list of examples of the "transgender" madness sweeping across the United States and the world, often with assistance from the United Nations.


Kimberly Ells

Facebook / Kimberly Ells

Another key point in the book that is often overlooked or minimized is the incredible importance — and power — of women and, in particular, mothers. Ells points out that, as the members of the species with the power to create new life, and as those who are literally tethered to each new human being entering the world, women in some ways rule the world. Mothers who care for their children will truly have an impact that will reverberate down through the ages in a way that is generally far more significant than pursuing a career. And yet, the anti-family warriors seek to sweep the importance of motherhood under the rug.

The United Nations is at the center of this war against motherhood, fatherhood, and the family. And the book includes chapter after chapter exposing the UN's insidious role in virtually every facet of this war, from corrupting the "education" received by children and sexualizing young people worldwide to promoting the slaughter of the unborn (abortion) and Big Government programs that seek to force women out of the home and into the workplace.

The number of UN treaties, agreements, and agencies dedicated to the destruction of the family is simply staggering — especially when faced with the documents proving that is the agenda. At the top of the UN pyramid when it comes to sexualizing and indoctrinating children is UNESCO, the UN "education" agency that increasingly dominates policymaking on schools and sex-ed worldwide. The examples Ells provides are frightening. And of course, there is a method to the UN madness.

"Be assured that those who push these positions at the United Nations seek not only to dismantle the privately functioning man-woman-child family as the fundamental unit of society, but to dismantle it and replace it with something else," writes Ells. "That something else is global regulation. And if the family ceases to function as the self-regulating, autonomous, productive, private cell within societies, there will indeed be a gaping void in the world, and a global state will attempt to fill it."

Among the most grotesque and nauseating (albeit important) elements of the book is the extensive exposure it offers of the global agenda to sexualize children and groom them for perverse sexual acts at younger and younger ages. Indeed, after reading from multiple UN documents and publications, it becomes perfectly clear that the UN and its radical allies such as Planned Parenthood believe that children have a "right" to experience "sexual pleasure" at any age whatsoever. And the UN is working overtime to groom them for just such experiences, despite massive amounts of research on the devastating consequences. Global testing regimes ensuring conformity with UN-approved attitudes on these questions are already proliferating.

The book offers myriad examples of top UN leaders — especially those involved in "protection" of children — being child rapists and predators of the vilest sort. Peter Newell, a key "children's rights" campaigner for the UN Children's Fund (UNICEF), for instance, was convicted of sodomizing boys as young as 13. He was also one of two authors of a handbook for implementing the UN's highly controversial UN Convention on the Rights of the Child that globalists are constantly pestering the United States to ratify. Many similar horror stories are documented in the book.

While much of what Ells points out will be well known to regular readers of The New American, which is cited multiple times in the bibliography, her presentation of the subject matter is spectacular. The book is written in such a way that it can be understood and appreciated even by people unfamiliar with the issues. Even secular readers would not be turned off by the book or its arguments.

Despite containing so much disturbing information, the book closes on an incredibly hopeful note. Ells relates how in Communist Hungary, murderous government "authorities" worked ruthlessly to suppress the family and stop the transmission of culture and values from one generation to the next. And yet, hiding in cellars at night with their children outside the watchful eye of Big Brother, parents methodically taught their children the Bible, the history of their nation, and so much more. There are many tips and suggestions in the book for those who wish to get involved in the battle to save the family and, with it, all that is good.

Ells concludes that mothers and fathers will never give up the fight. Let's pray that she is correct. ■

Record-breaker

Eight-year-old Lilly Bumpus survived a rare type of cancer as an infant and has since made it her mission to help other children struggling with cancer, the *San Bernardino Sun* reported.

Every year, Lilly and her family spend holidays creating personalized care packages for children fighting cancer across the country. Lilly and her family also created the nonprofit Team Lilly Foundation, which pays bills, provides meals, and even covers funeral expenses for children with cancer.

But Lilly's latest endeavor is a generous donation to pediatric cancer research. A Brownie in the Girl Scouts, Lilly broke the record for most Girl Scout cookies sold in a single season — 32,484 to be exact — and has announced that most of the money she raised will go to fund childhood-cancer research and to a group that feeds the homeless on Skid Row in Los Angeles.

Incredibly, Lilly's sales did not come from big businesses or major sponsors, but from individuals buying multiple boxes.

"The biggest order placed was 100 boxes," Lilly's mother, Trish, said. "Lilly reached 32,000 boxes out of everyone seeing value in buying one box, two boxes, four boxes, and everybody working together to try to be a small piece of a really big puzzle. That, to me, is magical."

Astoundingly, Lilly sold the cookies not only to residents in all 50 states, but also to buyers in other countries, including Canada, the United Kingdom, Spain, France, and Egypt.

Lilly's tenacious efforts and extraordinary accomplishment set a wonderful example for her troop, which is comprised of mostly cancer survivors, girls currently dealing with cancer, and some who have lost a loved one to cancer.

"She showed our community and the world it's more than just buying cookies or buying a product," her mother proudly told the *San Bernardino Sun*. "It's supporting someone's dream. Whether it's a business owner or an 8-year-old girl slinging Girl Scout cookies, Lilly encouraged people to support a dream and a mission, not just a product."

Truck vs. Truck

A high-speed police pursuit of a murder suspect in Southern California on April 6 ended after a quick-thinking and brave semi-truck driver intervened.

The Riverside County Sheriff's Department had been looking for Michael Caleb Reed, who was suspected in the shooting death of a 40-year-old man in Oildale in March, according to the *Los Angeles Times*. When police found Reed and attempted to apprehend him, he attacked a deputy and took off in a pickup truck, leading police on a car chase on the 60 Freeway at speeds up to 90 miles per hour.

Ahmed Shabaan was in his big rig when the cars zipped past him.

"I saw them chasing him about five blocks before where I hit him," Shabaan recalled on Fox News' *Hannity*. "I was talking to my friend on the phone. I was telling him, 'Hey, there is a car being chased by like 40-50 cops,' and he was like, 'Yeah, that guy is a murderer.'"

Just 15 minutes later, Reed circled back and Shabaan took the opportunity to end the chase by blocking the intersection.

"I had to end it before he killed someone or hit a car or hit a kid," Shabaan told KCBS-TV.

Shabaan hoped to simply obstruct Reed's ability to get through the intersection, but the incident played out so quickly it ultimately resulted in Reed's pickup truck crashing into Shabaan's big rig.

Fortunately, Shabaan, Reed, and a passenger in Reed's car, later identified as "Roxy," were uninjured.

According to MSN News, Reed was driving erratically, throwing papers onto the freeway and taking his hands off the steering wheel, even as he drove at dangerously high speeds. At one point, his driving caused a head-on collision between a sedan and a box truck, though no injuries were reported.

Shabaan's intervention ended the nearly two-hour pursuit in Pomona, where Reed was finally apprehended by police.

Vacation Heroics

Thirteen-year-old Kaydence Henslee of Mayhill, New Mexico, became a hero while vacationing with her family in Orlando on March 27.

While swimming at her hotel's pool, Kaydence noticed that a little girl was drowning and quickly took action.

"I just saw her kind of floating," Kaydence told KRQE. "She wasn't technically on the bottom when I was there. When I pulled her out, her lip was purple."

According to a Facebook post by Kaydence's father, Matt, his daughter pulled the toddler, identified as three-year-old Haven Williams of Kansas City, Missouri, out of the water, and other hotel guests immediately began administering CPR until paramedics arrived. The child was initially unresponsive, but began to gain consciousness after several minutes of CPR.

Haven's mother, Ashley, had briefly left her in the care of her 14-year-old brother at the pool when the incident occurred.

"I just remember seeing another woman run across and yell into the bar area for someone to call 911 because a baby had just drowned," Ashley recalled. "I was like, 'oh my gosh.' I didn't think it was my baby."

Ashley said she did not realize the child was her own daughter until she recognized Haven's swimsuit. "I just pushed through the crowd," Ashley said. "I felt that feeling of losing my child."

Haven was hospitalized overnight, but fortunately made a full recovery.

"Even the doctors are saying that whoever got her out of the water did it at a perfect time because if she would have been under the water a little longer, it would have been a different outcome," Ashley said.

Matt celebrated his daughter's heroics on his Facebook page.

"I simply can't express how proud I am of her," he wrote.

The two families stayed in touch after the incident and even FaceTimed to celebrate Haven's fourth birthday in April.

Haven's family is thankful for Kaydence, but Kaydence simply asserts, "It was the right thing to do."

Kaydence said the incident inspired her to get CPR training. ■

— Raven Clabough

Firewalls for Freedom

As the power of fire must be harnessed with care, so the might of government must be constrained by constitutional "firewalls" to prevent our freedom from going up in smoke.

Willard / iStock / Getty Images Plus

Limiting government: The Constitution created by the Founding Fathers gave us something extraordinary: a government of law rather than a government of men.

This article originally appeared in the November 20, 2000 issue of The New American. *The firewalls described herein are now far more threatened by the conflagration of Big Government than was the case two decades ago, yet those walls still exist and can still be manned by constitutional firefighters at all levels of government to extinguish the threat.*

by Gary Benoit

In today's "enlightened" times, the federal government is supposed to accomplish as much as it can for the American people by churning out as much legislation as possible, as quickly as possible. According to this dangerous view of government, the system is working well so long as the president and Congress can agree on a legislative agenda, and the Congress can expeditiously pass that agenda and submit it to the president for his signature. This is particularly the case when the legislation addresses whatever the most important issues of the day might be, as determined by public opinion polls: health care, education, campaign finance reform, etc. On the other hand, according to this view, the system is operating poorly when the legislation becomes bogged down in gridlock or is rejected outright.

But much of what is now called "gridlock" used to be known as "checks and balances." Granted, those checks and balances made government less efficient, but they also made it far more difficult for government to exceed its delegated powers. If efficiency in government were the ideal, the Founding Fathers would have established a dictatorship — the most efficient form of government of all. They limited the powers of government, divided those limited powers among various branches, and then provided each branch with means to check unconstitutional usurpations by other branches, because they were far more interested in preserving freedom than they were in making government efficient. They recognized that man has a sinful nature, and that without such safeguards government offi-

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drnadig / E+ / Getty Images Plus

Walls of separation: The Founding Fathers intended to create a government that could not easily encroach upon the liberties of the people. They therefore separated the limited powers of government into three branches: Congress, the Legislative Branch **(above)**; the Executive Branch **(page 38)**; and the Judiciary **(page 39)**. The powers the states did not cede through their adoption of the Constitution are "reserved to the states respectively, or to the people," further protecting against central government usurpation.

cials would eventually abuse and exceed the specified powers of their office.

"If men were angels, no government would be necessary," James Madison noted in *The Federalist*, No. 51. "If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself."

Because of the nature of man, freedom cannot exist without government, just as it cannot coexist with total government. Some government is necessary to protect basic rights; too much government results in the loss of all rights. George Washington is reputed to have compared the potentially destructive power of government to that of fire: "Government is not reason, it is not eloquence, it is force; like fire, a troublesome servant and a fearful master."* Although we've been unable to find this familiar quotation in Washington's actual writings, the statement, regardless of whether or not he actually said it, accurately reflects the prevailing sentiment of the Founding Fathers. Like fire, government is necessary. But like fire, government can be a detriment as well as a benefit to mankind. A fire that is intended to heat a home can end up burning down the home if adequate precautions are not taken to contain it within the fireplace. Throughout history, because of a lack of adequate precautions, government has all too often consumed the liberty it is supposed to protect. The Founding Fathers, recognizing this fact, built firewalls into the Constitution to contain the force of government and insure that it performs a useful service.

> Under the Constitution, the federal government may not impose any law it chooses. Demagogues may whine about the "will of the majority," but the Constitution created a government of law, not of men, a republic and not a democracy.

Enumerated Powers

One such firewall is the enumeration of the specific powers that the federal government may exercise. Those powers, as Madison noted in *The Federalist*, No. 45, "are few and defined" and "will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce." Federal jurisdiction, he explained in *The Federalist*, No. 14, "is limited to certain enumerated objects, which concern all the members of the republic [that is, the states], but which are not to be attained by the separate provisions of any." All other powers are to be retained by the states or the people. This principle was well understood and was reaffirmed by the 10th Amendment, which states: "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 another common version of this quote, the word "dangerous" appears in place of "troublesome."

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Under the Constitution, the federal government may not impose any law it chooses. Demagogues may whine about the "will of the majority," but the Constitution created a government of law, not of men, a republic and not a democracy.† Laws must be constitutional; they must be based on a specific enumerated power.

Separation of Powers

The Founding Fathers, though, did much more than create a government of law that specified and limited the powers of the federal government. They also divided those few specific powers among three branches: the Legislative; the Executive; and the Judiciary. And they further subdivided the Legislative branch (Congress) into two chambers: The House of Representatives and the Senate.

Madison believed so strongly in the necessity of these firewalls that he warned, in *The Federalist*, No. 47: "The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny." Moreover, the Founders fortified these firewalls by giving each branch special powers so that it would have a natural tendency to jealously guard against, as well as means to check, usurpations on the part of other branches. In *The Federalist*, No. 51, Madison expressed the intent thusly:

> The great security against a gradual concentration of the several powers in the same department consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. The provision for defense must in this, as in all other cases, be made commensurate to the danger of attack. Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place.

Madison continued: "It may be a reflection on human nature that such devices should be necessary to control the abuses of government. But what is government itself but the greatest of all reflections on human nature?"

Under our constitutional system, the Congress is the most powerful of the three branches of government, since it is vested with "all legislative Powers herein granted" (Article I, Section 1). Neither the president nor the Judiciary can make laws, except by usurpations tolerated by Congress.

The president is required to execute the laws passed by Congress. He does possess the power to veto legislation, but this check on congressional power can be overridden by a two-thirds majority vote of both houses. The president is also the commander-in-chief of the military forces, but this power is limited by the fact that only Congress can declare war and only Congress can raise armies.

In order for a bill to be sent to the president's desk for his signature, it must be passed by both houses of Congress. But each house possesses specialized powers the other does not have. All bills for raising revenues must originate in the House of Representatives. But only the Senate can approve treaties, Cabinet-level appointments, and appointments to the Supreme Court. The process associated with impeachment — a particularly powerful check on the abuse of power — entails two steps: Only the House can impeach federal officials, but only the Senate can try impeached federal officials and throw them out of office.

The Congress can levy taxes and borrow money, but whatever money it appropriates must be for constitutional purposes.

The Supreme Court has the power to try cases pertaining to U.S. laws and treaties. But that body possesses original jurisdiction only in cases "affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be party" (Article III, Section 2). In all other cases, the High Court possesses "appellate Jurisdiction … with such Exceptions, and under such Regulations as the Congress shall make." The Congress could nullify judicial usurpations such as the infamous 1973 *Roe v. Wade* (abortion) decision simply by exercising this enumerated power. The Congress could even go so far as to abolish all federal courts with the exemption of the Supreme

† For more information about the fundamental differences between a republic and a democracy, see "*A Republic, If You Can Keep It"* by John F. McManus. It is available online at thenewamerican.com/a-republic-if-you-can-keep-it/

Court, since it established those lower federal courts in the first place.

Federalism

The American system of government contains additional firewalls against encroachments on liberty by virtue of the fact that ours is not a single republic but a compound republic. Just as the federal government must abide by the U.S. Constitution, the state governments must abide by their respective state constitutions. This division of powers between the national and state governments is known as federalism.

In *The Federalist*, No. 51, Madison explained how this federalist approach provides "a double security … to the rights of the people":

> In a single republic, all the power surrendered by the people is submitted to the administration of a single government; and the usurpations are guarded against by a division of the government into distinct and separate departments. In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself.

"In questions of power then let no more be heard of confidence in man; but bind him down from mischief by the chains of the Constitution."

— Thomas Jefferson

The state governments, Alexander Hamilton explained in *The Federalist*, No. 32, "clearly retain all the rights of sovereignty which they before had, and which were not, by that act, *exclusively* delegated to the United States." How different this approach is from that of other countries where the "states" or provinces do not possess sovereignty at all but are nothing more than regional, administrative subdivisions of the central government.

As already indicated, the powers delegated to the federal government "are few and defined." Madison also stated in *The Federalist*, No. 45, that the powers retained by the state governments "are numerous and indefinite." The latter powers, he elaborated, "extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State." In *The Federalist*, No. 14, Madison wrote that the state governments "can extend their care to all those … objects which can be separately provided for." The Founders' intent was to retain at the state level whatever powers could realistically be executed at that level, and to delegate to the federal government only those powers that could not be adequately handled separately.

The American federal system of government not only keeps most governmental powers closer to home where the people can keep a more watchful eye on officials entrusted with the exercise of those powers, it also makes possible experimentation in varying amounts of government without endangering the liberties of the nation as a whole. Just because the federal government does not possess a particular power does not necessarily mean that a state government may not exercise that power. It depends, in a few cases, on the federal Constitution, and in all other cases on the state constitution.

Admittedly, state governments can misuse and exceed their broad powers just as the federal government can (and has) exceeded its limited powers. Yet, as Georgia Congressman Larry McDonald reasoned in his book *We Hold These Truths* (1976):

> Since the states were bound together in union by a Constitution which gave their citizens a common national citizenship, and which would

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not let states interfere with the liberty of citizens to travel and trade freely across state lines, there would be a restraining and corrective force on such misuse of power by the states.

If a state government went too far (or not far enough) in the use of its undefined powers, it would lose productive citizens and important businesses and other private organizations to other states. Experience and competition among the states would eventually force correction of the worst abuses and excesses by state governments.

Because the states were viewed as autonomous entities within their own spheres, they were given a significant voice in the federal government in the form of direct representation in the U.S. Senate. Each state has two senators, and prior to the adoption of the 17th Amendment in 1913 those senators were elected by the state legislature. This provided still another check on federal power since, as Madison explained in *The Federalist*, No. 62, "No law or resolution can now be passed without the concurrence, first, of a majority of the people [the House of Representatives], and then of a majority of the States [the Senate]." But this important firewall against the accumulation of governmental powers in Washington at the expense of the states has long since been eliminated. U.S. senators are now elected directly by the people, just as House members are.

State powers are many and undefined, but as former Congressman Larry McDonald (D-Ga.) pointed out, "If a state government went too far (or not far enough) in the use of its undefined powers, it would lose productive citizens and important businesses … to other states" because the federal government gives citizens a common national citizenship and does not let the states interfere in travel and trade across state lines. This is another important safeguard of liberty bequeathed to us by the Founding Fathers.

The Founders' Achievement

By defining the specific powers of the new federal government, the Founders were able to limit that body to its proper role of protecting God-given rights. By dividing governmental powers among various branches of government, and between the national and state governments, and by incorporating into the system important checks and balances, the Founders were able to deny the federal government means to overstep its intended purpose and become tyrannical.

The Constitution that the Founders so carefully crafted gave us something extraordinary: A government of law and not of men. The sovereign and immutable God-given rights of individuals may not be violated by such a government, no matter how compelling the reason to do so may seem. Neither may the majority do so, acting through their government for some supposed "greater good."

The Founders recognized that the people should have a direct voice in government, and for that reason they created a House of Representatives whose members are elected by the people and who are subject to frequent election (once every two years). But the Founders also recognized that total confidence in the people would be a mistake and so designed a government wherein even the popular branch of government — the House — would be restrained by the Constitution. Warning against such confidence, Thomas Jefferson wrote in the *Kentucky Resolutions*: "Confidence is everywhere the parent of despotism.... In questions of power then let no more be heard of confidence in man; but bind him down from mischief by the chains of the Constitution."

This the Founders did. And in so doing, they created the most nearly perfect form of government yet devised by man. The system is not perfect. But the Founders, recognizing this, incorporated amendment processes into the Constitution (Article V). On the other hand, they made those processes difficult so that the Constitution would not be altered based on the passions of the moment.

If the Founders were alive today, they would undoubtedly be horrified at the extent to which the Constitution is ignored, misinterpreted, and circumvented. But the problem is not the system itself, rather the perversion of the system. All that is necessary to restore good government is to abide by the Constitution — the very document that every member of Congress, every president, and every Supreme Court justice pledges to uphold. ■

Constitutional Carry in Iowa

This column recently reported on permitless-carry laws, which are popularly referred to as "constitutional carry," being enacted in Tennessee and Utah, and we can now report that Iowa has joined the fold. The *Washington Times* reported April 4 that Iowa governor Kim Reynolds signed a bill into law that, beginning July 1, will allow people to buy handguns without a permit or background check and also carry guns in public without a permit wherever it is lawful.

Anti-gun leftists immediately reacted to what they saw as a repeal of their favored gun-control laws. Erica Fletcher, a volunteer with the anti-gun group Iowa Moms Demand Action, decried the governor's new law: "By caving to the gun lobby and extremists in the legislature, Gov. Reynolds has failed her constituents and made clear that she stands with the gun lobby over public safety…. We've seen what happens when states weaken their gun laws, gun violence goes up and people die."

Fletcher must not have read the 2015 study by the Crime Prevention Research Center, which found that an increase in the number of gun owners who carry "is associated with a decrease in murder and total violent crime."

"Going Two-for-two" for the Second Amendment

The *Cumberland Times News* reported on April 9 about two pro-Second Amendment bills that were just signed by West Virginia Governor Jim Justice. The first bill, House Bill 2499, gives a tax credit to compensate for federal excise taxes from gun and ammunition purchases in the state, as well as providing property-tax relief for gun and ammunition manufacturers. In a virtual signing ceremony, Governor Justice explained, "It's a huge deal that will help our gun stores…. It will help our people and everything, in a state that really enjoys the recreation of shooting at ranges, and absolutely getting out and enjoying the great nature of this state and being in the field hunting."

House Bill 2793 enables out-of-state residents to get West Virginia concealed-carry permits. National Rifle Association state director Art Thomm applauded Delegate Gary Howell, the sponsor of both bills, and explained the benefits of the second bill. "It's a big day for Del. Howell. He's going two-for-two today," Thomm said during the virtual signing ceremony. Thomm also explained that West Virginia should be able to generate a lot of money off out-of-state residents applying for West Virginia concealed-carry permits. He said that Utah, a state with a similar law, generates $5.3 million a year from gun permits for out-of-state residents. "If we could just get 10% of that, that's a lot of money." Thomm explained.

Texas Governor Denounces Biden's Gun Control

President Joe Biden's plan to pass executive orders to unilaterally implement unconstitutional gun control has Republican politicians pounding the pulpit in opposition. Texas Republican Governor Greg Abbott made national news with a fiery denunciation of his own. His remarks were spot on regarding the Biden administration's dangerous threat to our God-given right to self-defense.

The Hill reported on April 11 that Governor Abbott, in an appearance on *Fox News Sunday*, slammed Biden for engaging in dangerous theatrics: "I think that there is no acceptable way that a president by executive order can infringe upon Second Amendment rights or alter Second Amendment rights.... If the president really wanted to do something substantively, what he really could do by executive order is to eliminate the backlog of complaints that have already been filed about gun crimes that have taken place."

When asked if he would support any new gun-control measures from the Biden administration, Abbott made it clear that he was not interested in doing anything that could infringe on the Second Amendment: "Texans and Americans know they need their Second Amendment rights to defend themselves at a time when the United States government and other governments are doing less to defend our fellow Americans, and that is exactly why we should not have any further limitations of our Second Amendment rights."

Fauci Considers Gun Violence a "Public Health Emergency"

While many have criticized so-called public health expert Dr. Anthony Fauci's outlandish statements over the past year, his pro-gun control remarks during an April 18 appearance on CNN's *State of the Union* might be his most ridiculous ones yet. Fauci was asked by CNN's Dana Bash whether "gun-violence" is a "public health issue."

Fauci replied, "Myself, as a public health person, I think you can't run away from that. When you see people getting killed, in this last month it's just been horrifying what's happened. How can you say that's not a public health issue?" Fauci's rhetoric on this was eerily similar to that of President Biden, who likewise denounced gun violence as a public health crisis.

In a 2019 statement before the Congressional Subcommittee on Labor, Health and Human Services, Education and Related Agencies, prolific author and noted academic John Lott poked holes in this ridiculous rhetoric, which is not supported by sound research. Lott criticized biased studies that inaccurately portray gun crimes as a public-health crisis because they fail to take into account the obvious benefits of gun ownership for public health. "The benefits of gun ownership have generally gone ignored in medical journals that have studied gun ownership, what is called the public health literature. There is no mention that widespread gun ownership deters criminals from breaking into homes, that gun ownership helps protect residents from harm in the event of a break-in, or that mass public shooters consistently attack gun-free zones where they don't have to worry about victims being able to defend themselves," Lott wrote. ■

— Patrick Krey

Media Portrays Knife-wielding Perpetrator as Victim

Item: *On April 20 — the very day 16-year-old Ma'Khia Bryant was shot and killed by a white Columbus, Ohio, police officer — the* New York Times *published an online article under the headline "Teenage Girl Is Fatally Shot by Police in Columbus, Officials Say." That article refers to Bryant as "the victim" and states, "The girl's death cast an immediate pall over public expressions that justice had been served in Mr. Floyd's case and touched off protests in Ohio's capital city."*

Item: *Two days later, the* Times *published another article and — tossing subtlety to the wind — ran it under the headline "Columbus Grapples With Police Shootings That Have Taken Black Lives." The article, published April 22, gives a short litany of black people in Columbus who have been shot and killed by police and implies that there is a pattern of officers targeting black people, with Ma'Khia Bryant as the most recent example.*

Item: *Two days after that, on April 24, the* Times *was back with more fuel for the anti-police fire. Under the headline "'More Than Just Tragic': Ma'Khia Bryant and the Burden of Black Girlhood," the* Times *asserted that "the timing of the shooting — on the same day that the former Minneapolis officer Derek Chauvin was found guilty of murdering George Floyd last May — underscored, for many, the incessant drumbeat of police brutality and systemic racism."*

The article is largely a transcription of a conversation between Dr. Jamilia Blake, co-author of a Georgetown Law Center on Poverty and Inequality report and a psychology professor at Texas A&M University, and Dr. Monique Morris, president and chief executive of Grantmakers for Girls of Color and author of the book Pushout: The Criminalization of Black Girls in School. *Blake is quoted as saying, "So when I did see the video, I saw someone who just reacted and didn't take a lay of the land in terms of what was happening, didn't ask questions, didn't try to interrupt the fight."*

And Morris is quoted as saying, "All the foster care professionals and others who work with girls who I've spoken to have said that they, as non-police officers, have been able to disarm girls with a knife engaged in a fight without shooting someone. And the issue here is also the fact that whenever we have moments of crisis in our society, we call upon individuals like this officer, who was an expert marksman, to come in and respond to something that did not require an expert marksman."

Item: *On April 20 — the day of the shooting — NPR published an online article under the headline "Columbus Police Shoot and Kill Black Teenage Girl." That article was updated the next day to include the point that "police say" Bryant was holding a knife at the time of the shooting. Describing the shooting, the article says, "Bryant can be seen pushing the girl to the ground. She then approaches a second girl and throws her against a car parked on the driveway. The officer shouts 'Get down!' three times, pulls out his gun and shoots in Bryant's direction at least four times and she falls to the ground. As the officer approaches her, a knife can be seen close to her."*

Item: *NPR tweeted their article on April 20. That tweet included a link to the article and said, "Ma'Khia Bryant, a Black teenage girl, was shot and killed by a white police officer in Columbus, Ohio, after she called 911 for help when a group of 'older kids' threatened her, according to her family."*

Correction: While the liberal mainstream media is well known for inserting its leftist bias into reporting, the treatment it has given to the shooting of knife-wielding Ma'Khia Bryant goes beyond even what many have come to ex-


The New York Times

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Columbus Grapples With Police Shootings That Have Taken Black Lives

With four killings in the past four months, many residents in Ohio's capital feel victimized by their Police Department, which has received a litany of misconduct complaints.

Screen shot of *New York Times* article

Fake news: The *New York Times* cast the shooting of knife-wielding Ma'Khia Bryant as an innocent black girl being gunned down by a racist white cop.

AP Images

A picture is worth a thousand words: Despite media lies to the contrary, it is clear that Ma'Khia Bryant was armed with a knife and was attempting to (perhaps fatally) stab the girl in pink. Even a civilian would have been legally justified, in many jurisdictions, in shooting Bryant.

pect as a matter of course. With the single exception of NPR blatantly omitting the fact that Bryant was actually *holding and attempting to use* a knife at the time she was shot by a police officer, the media seem quite comfortable *admitting* that fact while still somehow painting the shooting as evidence of "police brutality and systemic racism." There is so much misinformation in the above-mentioned articles that it seems overwhelming. That the *Times* refers to Bryant as "the victim" is simply beyond the pale. Consider this: The video shows — in frame-by-frame clarity — that Bryant was the aggressor, the perpetrator, and the would-be-murderer of another black teen. A young woman trying to stab someone to death is not "the victim." That is, unless she is black and she is shot by a white cop. Then, the media are forced to anoint her as the most recent "victim" of "police brutality and systemic racism."

What is clear, obvious, and undeniable from watching the video is that if Officer Nicholas Reardon had not squeezed his trigger *at the exact moment he did*, the girl in pink would have been stabbed. And while the mantra that "Black Lives Matter" is a constant drone in both the background and the foreground of our daily lives, it appears that the "black life" of the girl in pink does not matter, because Reardon — according to the very people who chant and shout that mantra — was apparently supposed to allow Bryant to stab the girl in pink.

The assertion by Doctors Blake and Morris quoted in the *Times* article that Reardon should have taken "a lay of the land" and tried "to interrupt the fight" — should have followed the lead of "foster care professionals and others" and tried to "disarm" Bryant as she was armed "with a knife engaged in a fight" — is ludicrous. Not only does it ignore the very real life-threatening nature of a person with a knife who is intent on stabbing someone, it assumes that knife fights are a regular occurrence — a rite of passage, so to speak. After all, aren't teenage girls *expected* to go after one another with knives? And aren't police officers *expected* to take that into account and calmly say, "Come now, put the knife down sweetie, you've made your point," and then gently remove the knife from the hand of the would-be-murderer *while she is in the act* of attempting to plunge the knife into her would-be-victim?

That the *Times* would even attempt to use this textbook example of a clean shooting by police as an example of systemic racism misses the point that Officer Reardon shot Bryant to *save* the life of a black person. We will not take the time or space to dispute the claim by the *Times* that its litany of shootings of black people in Columbus is evidence of racism except to point out that even in that very article, the *Times* admits that Columbus "saw 176 homicides in 2020, the most of any year on record," that so far "2021 is outpacing last year," and that "many of them have happened in neighborhoods like Ms. Bryant's, where residents say the spike in shootings has been met with aggression from police officers struggling to contain the violence."

As police officers of all racial backgrounds risk their safety and their lives to protect black people from violence perpetrated by other black people, the media twists facts beyond recognition to paint a picture supporting a false narrative that cops are racist murderers.

Beside that, though, is the simple fact that if the media had a valid argument to make about "police violence" against black people, they would not need to go so far beyond the boundaries of logic to include a shooting that was (first) necessary, and (second) saved a young black woman from being stabbed.

And since increasing numbers of low-information news consumers form their anemic opinions by simply reading headlines and tweets (without bothering to actually search for factual information about the events in question), the trend of media tweeting misleading garbage is a scourge on society. NPR's tweeted assertion that Bryant called the police for help and wound up dead for her civic trouble is a great case in point. First, it is not supported by the facts. Second, she was not shot for calling 911 while being black, she was shot while attempting to commit murder, as the readily available video from Officer Reardon's body cam makes clear. NPR's assertion that "a knife can be seen close to her" after she is shot is shown to be slanted "journalism" by the fact that a knife can be seen *in her hand* in the video — a knife she is attempting for all she is worth to plunge into the body of the girl in pink. ■

— C. Mitchell Shaw

BY ANNALISA PESEK

Beware of Waking a Sleeping Giant

On April 28, a day shy of 100 days into his presidency, Joe Biden delivered his first speech before a joint session of Congress. His message revolved around the major themes of "crisis and opportunity," both of which are very familiar to his administration. Mixed in were not-so-subtle provocations of Americans on the Right, albeit delivered amid the more unifying goals of "rebuilding a nation, revitalizing our democracy, and winning the future of America."

AP Images

Of course, rebuilding America, Biden-style, is really about reimagining her 244-year history as a constitutional republic (not a democracy) and tearing down her monumental achievements of freedom and justice for all. Biden's trillion-dollar "infrastructure plan," dubbed the American Jobs Plan, is really a complete reinvention of the U.S. economic system, placing the ruling class and political elite in positions of power and incredible wealth, while relegating the rest of Americans into abject poverty.

Just minutes into his speech, Biden had the audacity to frame the events of January 6 as the "worst attack on our democracy since the Civil War." "Attack," "siege," and "insurrection" are the labels the establishment media, in lockstep with the Democrats, have applied to the breach of the U.S. Capitol, though the majority of "heinous" crimes committed that day were trespassing and disorderly conduct. Nonetheless, the incident provided the Left with an opportune "crisis"!

The reality of January 6 tells another story entirely. And Biden's comparison of selfie-taking Trump supporters with a war that took half a million lives to preserve the Union is simply appalling.

Contrary to the false claims repeatedly reported by the mainstream media, only one person lost her life that day: Ten-year Air Force veteran Ashli Babbitt was unarmed when she was fatally shot by a Capitol Police officer. That officer still remains publicly unidentified and was cleared of all charges.

Currently, dozens of defenders of liberty, now known as "insurrectionists," are deteriorating in solitary confinement and denied due process, treated as terrorists yet convicted of no crime. Biden's comments insinuate that atrocities such as 9/11 and Pearl Harbor were akin to people milling around and taking selfies in the Capitol building. Notably, among the more than 400 arrested for their participation in the protests, none have been charged with sedition, though not for a lack of trying by the Department of Justice.

Biden's comments sparked outrage on Twitter, as lovers of America took to the social-media platform to respond to the propaganda-laden remarks. "January 6 was worse than 9/11? Or Pearl Harbor?" tweeted journalist Glenn Greenwald. Author and radio talk-show host Eric Metaxas posted: "FACT: The 'worst attack on our democracy since the Civil War' was when Democrats STOLE an ELECTION from #WeThePeople—and then dared to pretend WE were the threat to democracy. Shame on them. They will not get away with this. Many are praying. God sees."

Those who have lived through communism and fascism also see. Prophetic words profoundly reflecting Biden's intent to foment internal civil war with propaganda-laced rhetoric were perhaps first spoken to the American people decades ago by former KGB propagandist Yuri Bezmenov. In a recently re-released TV interview, the late Bezmenov described the Soviet tactic of "ideological subversion," or "active measure of psychological warfare [meant] to change the perception of reality of every American, so that despite their abundance of information no one is able to come to sensible conclusions."

"This brainwashing process," explained Bezmenov, "works slowly in four basic stages: demoralization, destabilization, crisis, and normalization." Such methods are all too familiar, as the Left has successfully demoralized an entire generation with Marxist-Leninist values, and over time destabilized the country by inserting these "corrupted" individuals into the highest positions of power in U.S. government, education, and mass media. "This is what will happen in the U.S. if you allow the schmucks to bring the country to crisis," warned Bezmenov. And then there was COVID-19, the perfect crisis.

While the Left continues to provoke the sleeping conservative giant, many are starting to awaken to the spirit of true patriotism, determined to defend their families, themselves, their communities, and their country. But Biden and the progressive Left, having accused Trump of incitement, insist the "cult of Trumpsters" could turn violent at the least provocation. The people may indeed rise up, and just as the socialist regimes of the Soviet Union, China, Cambodia, and Cuba asserted, leftists in the American government contend that they, too, could squash such a rebellion. It is what they are waiting for. But Biden and fellow globalists beware! Waking the sleeping giant may result in the failure of your schemes to destroy America. ■

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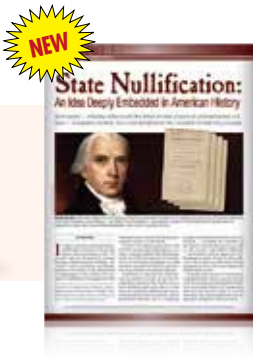

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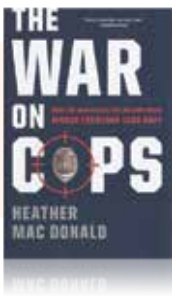

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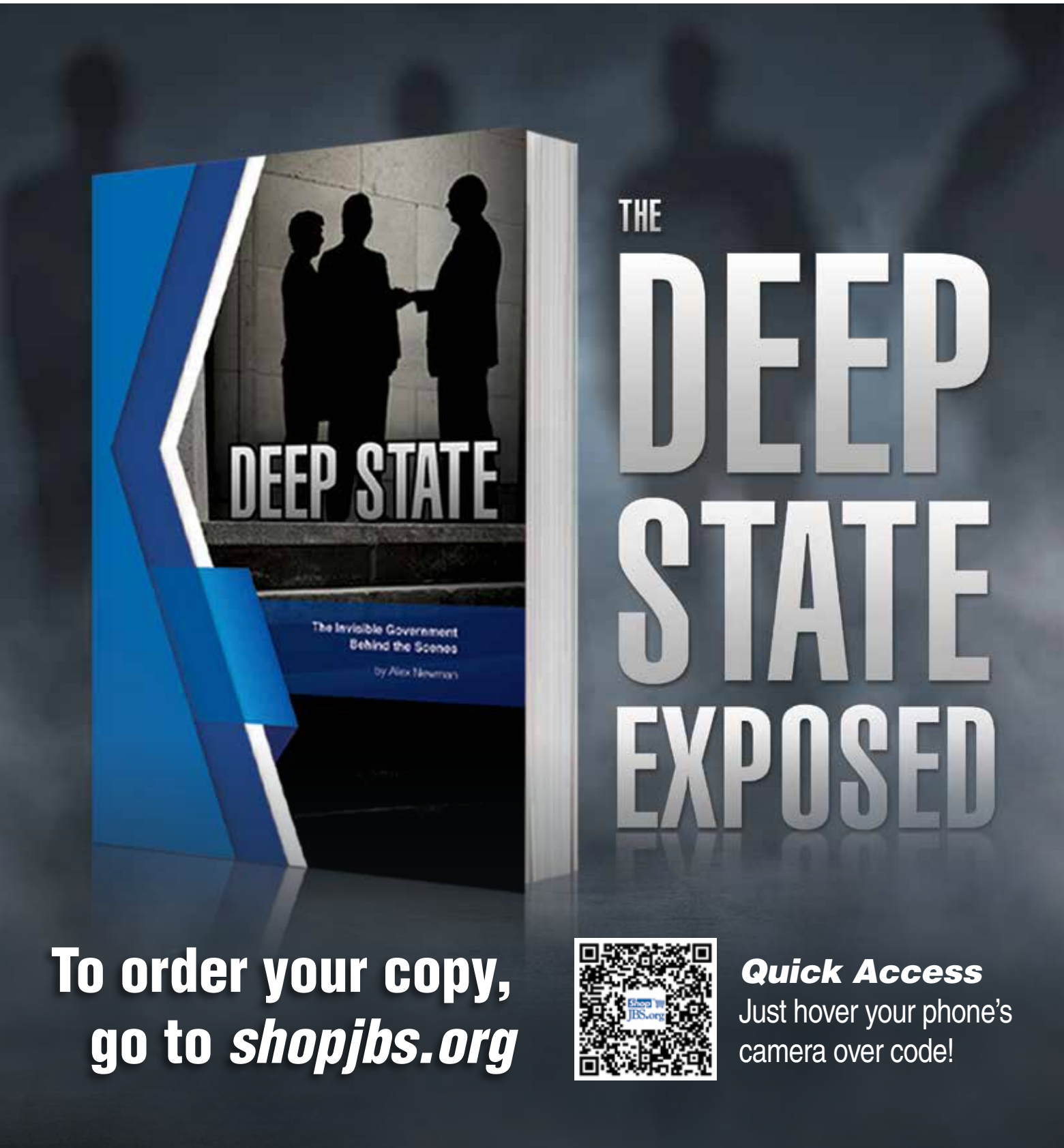
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