

UNITED STATES FOURTH CONTINENTAL CONGRESS



All are Welcome to Participate in the
Deliberate, Orderly, and Peaceful,
Revolution of the United States

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Preamble

The United States Fourth Continental Congress is Commissioned to Identify a Reliable Government Model, and then Deliberate and Validate a Reliable Government Charter System for the Succeeding Trials of the American Experiment.

Article 000: Greeting

This greeting article is divided into six introductory sections:

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§ 000.1: General Problem with the Subsisting Charter System

“The American Experiment” is not just a rhetorical euphemism for the difficulty in self-governing a free society. We live in the generational experiment for evaluating the control systems for such a government. In general, the margin of error has been tolerable, and the subsequent production of the American society has been tremendously beneficial to the modern world; however, the increasingly cantankerous political discourse and persistent social disorderliness that we are enduring should be the noticeable reciprocating over-run of the systemic errors in the construction of the government. The generational experiment is practical, but it is very inefficient.

The Preamble to the United States Constitution is not just a well-composed introduction, it is a definitive list of aspects for evaluating the operating system of the American Experiment. Contrary to popular legal rhetoric, the Preamble is essential. The Preamble is necessary to contest arguments in sovereignty and administration law, which subsequently affects the parameters of civil law.

The argument to be contested is that the approach to domestic tranquility is skewed and that the other parameters for the American Experiment; justice, defense, general welfare, and liberty, are all at risk, as well. The belief that the political party that is causing all of the problems is going to be irrefutably proven to be dishonest, or reach political enlightenment, cease opposition to progress, and then all will be good, are two of the popular delusions derived from the accurate aspects of the government experiment model, but nullified by the unidentified adverse aspects.

The evolution of what has gone wrong is not as easy to follow as the legends of what has gone right, but ultimately, it is a very safe bet that none of the subsisting political parties are prepared to be the benevolent oligarchy to guide us to the American Dream and prove that the system designed over two hundred years ago, and then adjusted by amendments here and there, is finally going to work correctly because the smart people are finally going to be able to put the right people in the right places. We know that is a delusion because the path to tranquility is more often imagined to have an orderly approach with enlightening effects, lots of social pleasantries, and hints of harmony. Whereas, political scientists are describing the possibilities of civil war, political coups, and domestic terrorism. We are enduring hysterical protests, and increased social disorderliness, and there is nothing about

the civil activities of Americans that suggests that we are accurately guiding the approach to domestic tranquility.

Something is wrong with the governing system, and it is not just because of the people who are in it. The American Experiment somehow nurtures those nefarious people, as well as the honest and humble. The problem is complex and it is not going to solve itself.

The primary problem is that the three-branch government only prevents any one person from ascending to a dictatorship, it does not prevent oligarchy; which is a conspired leader of a crony corporate board and management team instead of a box of rocks military to enforce the civil laws. It is better than a dictatorship, but still not what we want, otherwise our civics lessons would describe the approach to oligarchy, and the scholars would not be describing the presidents to be dictators. Political scientists are uniquely aware of the approach to an oligarchy and the false characterizations in their fear-mongering. Either a dictatorship is not possible, or the government separation theory is not reliable. The belief that there is a bipartisan agreement to not enforce the Constitution is just another popular delusion.

It is not true that the American Founders did not expect political parties to form. They just did not know what effect it would have on the judicial and executive branches, because the colonial legislatures were in contest with the British governors and mixed judicial system, and the standing army was the law enforcement.

The Founders did the best that they could with what little information they had. Partisanship is inevitable, because of the incomprehensible variables that have to be coordinated to process legislation from idea to law in a legislative assembly, and political parties relieve some of that complexity. The Founders experienced aspects of partisanship in their colonial legislatures; the patriots versus the loyalists was probably the first national party system. The legends of the Electoral College and the infamous Three-fifths Clause explain the effort to compromise the obvious state population alliances – big states versus the small states, and slave states versus the free states. The problem is that political scientists still have not figured out what to do about the partisanship problem that remains, and that is why the legend of the Founders not expecting political parties remains in circulation.

The altruistic argument that the Constitution is not perfect, but that it is better than any other is no longer a satisfactory excuse for not recognizing its inadequacies and subsequent adverse effects on the political process and society.

Article I, Section 5; the rules for legislative order is probably the most overlooked inadequacy. Understandably, the Founders did not know how much more information concerning the rules of order was needed to design a reliable legislature, but it is truly mystifying that political scientists do not focus on the peculiarity with an insistence that it needs to be deliberated for all possible options in pursuit of correcting the often described, “broken Congress.”

To compensate for the lack of reliable rules Capitol Hill has things like the bipartisan Problem Solvers Caucus, majority rules, earmarks, tabs, and “pork barrel spending bills,” to work within the realm of the unidentified variables that still have to be coordinated between the dominant political parties to process legislation into law.

For at least one of the Founders, James Madison, the American Experiment with the angelical make-your-own rules and the two-level bicameral legislative system was doing what we are anticipating to happen; political parties were being

(formed and) abandoned in the early stages of the government. Seemingly, the system of state and federal legislatures was filtering out the flawed alliances, and therefore, apparently approaching whatever it is a good political system is supposed to be. As we know, that cannot be what happened, because here we are endowed with a cycling of new and improved dirty tricks, congressional investigations, and October surprises, and now, in the aftermath of the healthcare reform era, we are electing incapacitated candidates in the never-ending battle to change Washington, drain the swamp, and secure the blessings of liberty for we, the all-grateful and enchanted.

Some political scientists are warning that we are approaching another civil war. The ominous warning is legitimately derived from a declassified report of a list of precursors compiled by the Central Intelligence Agency from their observations of the fall of foreign democracies. A casual comparison of recent events to the list of precursors suggests that the American Experiment is probably approaching its final failure event. The partisan strategies to control the three branches of government are being construed in various ways, and the information chaos causes some to lose trust in the government which leads to peaceful protests, and that fulfills a precursor from the CIA's top-secret list. The political frustration leads some to believe that they can be heroic by shocking the public to fix the system through their disruption of events, commerce, and utilities, or by the execution of horrendous violence; fulfilling the CIA's major precursor to civil war.

The prediction of the final failure event is probably estimated in decades, but the deceptive and vulgar political campaigns, perpetual social disorderliness, and cellular rebellion that we are enduring should not be regarded as social growing pains or anything benign. The underlying problem that the redacted CIA report and brilliant political scientists cannot comprehend is that the imperfect formulations of government ultimately lead to civil war because a perfectly organized government will never encounter such an eventuality.

The American three-part model was a decent start-up, but it is not good enough for the unfurled system of thousands of partisan appointments (oligarchy) for the hundred-and-some security agencies, nor is the representation system adequate for the diversity of naive, addicted, deviant, and scholarly people that the society has evolved to.

In any event, the American Experiment is being allowed to over-run its errors and detrimental effects on society, because the political scientists are beguiled by Constitutional dogma like everyone else, and seduced by the commercial rewards for dreaming up ways to blame the other party for inflation, crime, poverty, and the lousy weather.

The separation of government is supposed to be demarcated by certain sections of the law, and then those partitions are subdivided into the familiar three branches, or more accurately, the three general processes of law. Although there are a lot of sections of the law, there are just a handful of sections that are significant to the balance of government powers, and all of the other sections fall under those in an orderly formulation to fulfill the mission of the governing partition.

Each partition will have its three processes for governing the coordinated sections of the law; a legislative assembly, a security department, and judicial supervision. The formulation of each partition with its security department provides for a direct law enforcement check on the other partitions of the government; compared to the dubious and always disappointing bipartisan committees and independent investigations that have to be commissioned for a specific situation.

The requests for independent investigations indicate that there is a problem with the separation of government, and that is because the three parts of government are not inherently in a contest with each other. They are cooperative processes, and the checks on power had to be assigned to the entities, and that is what is vulnerable to the contest for control of the three branches.

The Demarcation of Law configuration will not eliminate political parties, but it will guide the factions' doctrines because the legislators will be commissioned to specific sections of the law to guard, which is what is missing in the deployment of the subsisting legislatures. The ambition of the partition is supposed to prevail over the flawed alliances with members from the other partitions, as was described by Mr. Madison in the political scientists' favorite essay, Federalist 51.

The subsisting bicameral legislative assemblies are not commissioned correctly, and the evolution of that inadequacy, and then the addition of the Seventeenth Amendment, captured the All-American duopoly of political parties. Duopolies are probably inevitable in legislative assemblies; however, the mission of the assembly is the primary control of the principles of its factions.

Because of the ideological and electoral generalized commissioning of the Senate and House, and the inevitable oligarchy contest to populate the branches, the primary doctrine of the shared duopoly evolved into doing whatever it takes to win public elections, rather than guarding principles; which is what people should expect from representation.

We know this is true because the designations of the parties have no derivative relation to the principles of organization that the parties campaign. The Republican Party is not based on the principle of improving representation in a republican government, and the Democratic Party is not based on the principle of advancing to a true democracy. Although the parties seem to guard their stances on social issues, there is no obligation to maintain any position on any issue. The brilliant and insightful political scientists describe this phenomenon every night about how the corrupt party used to be tolerable, moderate, and cooperative.

For those other than law scholars, this first encounter with the Demarcation of Law Theory and a brief description of its checks and balances, and why the faulty deployment of the erroneous Three-part Separation Theory is why we are where we are, will probably be incomprehensible, because of Constitutional dogma that prevents adherents from challenging the obvious inconsistencies that did not seem to matter, before. And then there is the technical problem that most people do not understand the law in its sections like lawyers do. Lawyers specialize in areas of law, like doctors specialize in areas of medicine, and engineers specialize in areas of technological advantages. Other-than-lawyers are going to need diagrams, animations, and interactive guides to understand how the separation of government based on the major sections of law works to fulfill the missions of our social compacts.

The Demarcation of Law Theory is not as difficult to deliberate now as it would have been in the past. The Founders were hurried with not much more than the new and untested Three-part Separation Theory. They had limited professional manpower and medieval publishing technology. Today, not only do we have a more sophisticated separation theory to consider, but we also have a list of security departments that are accurately commissioned by sections of the law that would have been very helpful to the Founders. We have the manpower to aptly fulfill the offices for a robust government, and there is no rush. We have plenty of time to imagine, compose, deliberate, rewrite, and publish, hyperlinked hierarchy listings of directive systems for ordering all of the possible options for organizing the legislative assemblies, executive administration offices, security departments, and

subsequent regulatory laws, into an aligned system that will have qualities consistent with scientific calibration and engineered reliability.

We need a better Constitution, because not perfect is not good enough, anymore. That is a fundamental heuristic for evaluating any technology. It is why we have improved tools and information. Nothing seems to get past the pursuit of perfection, except the almighty United States Constitution, and the primary reason for this is the absence of recognition that the American Experiment is an experiment with an inadequate separation model and unchallenged deployment configurations.

All law and political science scholars should recognize the plausibility of the proposed Demarcation of Law Theory and are advised to set aside all jealousies, disclose all ideological commitments and personal liabilities; and commence deliberations of all aspects of the proposal and its comparison to the American deployment of the Three-part Separation Theory. Scholars should then submit their analysis and opinions to their respective peer review associations for general public review.

§ 000.2: Justification for Reordering the Charter System

Amendments to the subsisting American charters cannot correctly adjust the separation of government. The separation of government is related to the separation of the articles of its charter. This is the untold dilemma that the Founders encountered that forced them to abandon their commissions to amend the Articles of Confederation. The Founders could not amend the Articles, because the order of its articles was not compatible with the order needed to deploy the Three-part Separation Theory. The Founders needed Articles One, Two, and Three, to demarcate the three branches of government; subsequently, formatting the charter.

In essence, government chartering is much more similar to computer programming than architectural drafting, but when the rhetorical analogy was devised nobody understood computer programming. As computer programming has become better known, it seems that not enough computer programmers understand government chartering to correct the analogy. But that will change very soon because several big-tech companies are seeking to establish townships for their corporate employees.

It is the fault of the political scientists for having not already detected and revealed the amendment exception, the computer programming analogy, the inherent oligarchy contest in the Three-part Separation Theory, and the subsequent unformulated legal code that the system produces.

Contrary to the popular rhetoric, the American Founders are not turning in their graves because of the misuse or abuse of the Constitution, but rather, because of the continued use of the “not perfect, but better than any other” Constitution. It would be a complete dishonor to the humble Founders to suggest that they did not have a grander ambition than just a perfect union and that that is what the American Experiment is all about.

Yes, because of the Constitution, American society has been the most benevolent in world history, but there is at least one more super project that we need to fulfill. We need a reliable government charter system for the developing world. The United States State Department cannot relieve the global problem that subsequently leads to the immigration problem that we endure. The State Department only knows the American system, which “works” uniquely, because it is a product of its evolution of adjustments. Very much like a jalopy automobile, it works; however, it cannot be duplicated, because it has an obsolete chassis and customized parts to accommodate the unique evolution of the original model and

the operator who is accustomed to the peculiarities of the parts and its performance.

We need a reliable government charter system that can be translated and replicated for all languages, formatted to properly integrate all levels of government, and convertible for three municipal population dimensions: small, standard, and large. We need a reliable chartering system, because not perfect is not good enough, anymore.

§ 000.3: Local Conventions

There are no laws regulating the research and development of government charters as this publication proves by its existence. Anybody, and any organization, including government employees, may work on and publish a charter candidate. There is no contradiction between defending the subsisting Constitution and participating in the processing of a succeeding charter. If that were not true, then there would not be any government reform committees. The only persistent law regulating government charters seems to be the “consent of the governed,” which was established as an American ideal in the Declaration of Independence. And as all political scientists and law scholars know, the primary composer of the Declaration was Thomas Jefferson and he later suggested that social charters be reconsidered by every generation, “the dead should not rule the living,” is how he described it.

The information presented thus far should be enough to compel the law and political science scholars into preliminary discussions concerning the separation of government. Professionals from the hard sciences; physicists, engineers, computer programmers, and the rest of the skilled technicians where accuracy matters, will probably be the overwhelming swath of the population that recognizes the plausibility of the Demarcation of Law Theory and the folly of the political scientists. Their peer-review associations will probably be considered the more reliable system of juries for reviewing the separation and balance of government powers.

Contemplation and discussions concerning the reordering of the government charters is a building block to the revolution. All persons are advised to maintain accurate records of their innovative ideas for further review, and billable hours for any successful contributions to the composition of any adopted charters.

A municipal convention is declared upon the public convening of delegates from one municipality with state or federal judiciary supervision to process a charter candidate.

§ 000.4: State Conventions

Although, no person, or organization, is forbidden from writing a government charter, adopting a charter at any level of government will have its measure. At the very least, validated charters will require a ratification referendum, and subsisting governments behold overwhelming control of the people’s trust for initiating such elections.

Further compelling the people’s trust and securing the orderliness of procedures will require the subsisting judiciary to supervise the conventions. The judiciary that supervises a convention should have the ability to persuade the remaining branches of government to approve the ratification election for the validated charter. If need be, the convention judiciary should be able to organize and secure the ratification election; and if need be, the federal government and sibling conventions may assist in mediating any contest and security for any rulings.

A state, regional, or interstate, convention is declared upon the public convening of delegates from at least two municipalities with state or federal judiciary supervision to process a charter candidate.

§ 000.5: National Conventions

Most Americans will be concerned about the fate of the Preamble to the United States Constitution and Bill of Rights upon the imminence of reordering the federal charter.

There is no reason the subsisting Preamble and Bill of Rights cannot be transferred intact of textural content to the succeeding federal charter. But yes, conventions may validate a charter that may alter such aspects. These, and several other social stratification issues, are very important and need to be properly graduated through the local, state, and regional conventions. We need to learn how to properly mediate the national discussion, and the United States Fourth Continental Congress will inevitably be assumed to attempt to accommodate that ambition.

Any vision of a national gathering of delegates commissioned by the subsisting state politicians is probably not going to happen. The state officeholders do not know how to qualify delegates any better than anyone else. The state legislators are only inclined to solicit dimwit crony political scientists from the state colleges for their “puppet show,” as is the subsisting standard procedure in state and municipal amendment conventions. The better ambition is to gather all of those who are inclined, talented, and skilled for the job to show up and do it because they want to do it and know how to do it.

As implied previously, there is a possibility that scholars from different states may contest charter formulations (Federalist 51 Project), but the official national gatherings will probably be more ceremonial than legislative. The content of a modern formatted national charter will probably be ninety-nine percent composed at the state and regional levels and agreed upon in the virtual environment of modern communications.

The final validation for a national charter candidate will probably be held in Philadelphia in commemoration of the Founders’ validation convention. Then after a successful state ratification tally, the decommissioning of the subsisting Constitution and the adoption of the succeeding charter will probably be held in New York City in commemoration of the Founders’ commencement in 1789.

Besides, where else would we start the largest parade the world has ever seen?

Welcome to the United States Fourth Continental Congress.

§ 000.6: Transition Security

Conventions and transition procedures will be deliberate, orderly, and peaceful.

§ 000.61: Honorary Invitations

United States Medal of Honor recipients, Nobel Laureates, and foreign leaders of state will be welcome to attend the conventions upon compliance with convention security.

§ 000.62: Commercial Reporter Access

Commercial reporters will be permitted perimeter and gallery accommodations regulated by the convention leader, established municipal ordinances, and convention security.

§ 000.63: Public Access

Public attendance will be regulated by delegate sponsorship, established municipal ordinances, and convention security. Relatively few spectators will be permitted to attend the litigation sessions. All protests and contests must be registered with the municipal police services identifying all aspects of the civil assembly or artistic demonstration. Marching routes will be scheduled by the permits issued by the police to accommodate emergency and motorcade routes.

§ 000.64: Persistence of Security Missions

All federal, state, and municipal security agencies are responsible for the continuation of their missions to protect the United States from foreign invasion and domestic disorderliness during the reconstitution process. All federal, state, and municipal appointments are responsible for their watches until properly relieved by the appointment process described in the succeeding charters. Officers are to be confident that their commissions will not be altered due to revelations from the convention courts. Any relative alterations will not be effective until the adoption of the succeeding charter and subsequent commissioning of the relative security agencies and specific offices. Federal and state courts retain responsibility for civil order and safety during the transition. The civil courts and legal codes will not incur any adverse disruption of service during the transition, because new charters are initiated to correct the inadequacies of the electoral, legislative, and statutory law; and not the regulatory, criminal, and common laws that are "already on the books." Any adjustments to such laws will not occur until after the adoption of the succeeding charter and promulgation of legislation affecting the subsisting regulations.

§ 000.65: Prosecution of Interference

All evidence of interference, most notably, vandalism of documents necessary for the accurate auditing and secure transition of the government will be investigated and prosecuted as appropriate with subsisting, and anticipated, state and federal laws. All officials, past and present, contemplating their liability for criminal transactions during the former government administrations are advised to seek legal counsel. Contempt for the reconstitution process by any government official will be considered suspicious and will be investigated for possible culpability of acts against the United States and its constituencies. Unlike the former governments, the prosecution of law will be correctly diversified from factional governing and will be able to process the workload unencumbered by any personal prejudice, political bias, or ethnic discrimination. The succeeding government will prosecute all crimes committed against the United States' orderly approach to Justice.

§ 000.66: Documentation

All records of petitioned and validated charters are to be properly archived by the states until secured by the succeeding federal government.