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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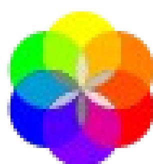

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Preamble

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 euphemism for the difficulty in self-governing a free society. We actually live in a semi-coordinated system of social experiments forming a commerce union of what are supposed to be different states of cultures that are all using the same flawed government model, and subsequently, imperfect charters leading to an imperfect government and subsequent society. In general, the output of the complex experiment has been favorable, and the accomplishments of American society have been tremendously beneficial to the modern world. However, the perpetual and increasingly vitriolic partisan discourse and persistent social disorderliness that we are enduring should be the noticeable symptoms of the over-run of the malfunctioning inaccurate experiment.

The Preamble to the United States Constitution is not just a beautifully composed introduction, it is a definitive list of aspects for evaluating the operating systems of the American Experiment. Contrary to the popular legal rhetoric, preambles are necessary to contest legal arguments in sovereignty and administration law, and are very important. 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 exposed for their dishonesty or reach enlightenment, cease opposition to progress, and then all will be good, are delusions derived from the accurate aspects of the Experiment, but nullified by the unidentified adverse aspects. It is a complex mess, and ultimately, 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 works as imagined.

The American deployment of the Three-part Separation Theory, obviously, yields a contest for control of the three branches, and political parties are the contesting teams in the game to populate and properly

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guard the system of checks and balances. But how can that be the correct expectation of the system, if the whole idea of separate branches is to yield a contest between the branches?

Obviously, the three-branch government only prevents any one person from ascending to a dictatorship, it does not prevent oligarchy.

It is not true that the American Founders did not expect political parties to form. The Founders did the best that they could with what little information they had. Partisanship is probably inevitable, because of the incomprehensible types of variables that have to be coordinated to process legislation from idea to law, and political parties simplify some of that complexity. The Founders experienced aspects of partisanship in their colonial legislatures, the patriots versus the loyalists; and the legends of the Electoral College and the infamous Three-fifths Clause explain the effort to compromise the obvious state 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 serving as a dogmatic justification for not understanding what the solution would be.

The American deployment of the legislatures is not the sophisticated deliberation system that our modern expectations lead us to believe it should be. As we all know, the Constitution is not perfect, and the rules for legislative order is probably the most overlooked, obvious, inadequacy. It is understandable that the Founders did not know how much information concerning the rules of order there might be, but it is truly mystifying that political scientists are not searching for a solution.

A reliable governing system cannot allow the legislative assemblies to make their own rules as is directed in Article I, Section 5.

To compensate for the inadequacy the legislative system has things like majority rules, earmarks, tabs, and pork barrel spending bills, to work within the realm of independent and complex variables that have to be coordinated between the dominant political parties to maintain the appearance of the government doing what it is supposed to be doing.

For at least one of the Founders, James Madison, the complex experiment with the angelical "make-your-own-rules," two-level, bicameral legislative system was doing what it is we are anticipating to happen; political parties were being (formed and) abandoned in the early stages of the federal government. Seemingly, the system of state and federal legislatures was filtering out the flawed alliances, and therefore, seemingly approaching whatever it is a good political system is supposed to be. As we know, that cannot be what happened, because we have been endowed with a two-year cycle of new and improved dirty tricks, congressional investigations, and October surprises, in the fight to change Washington, drain the swamp, and secure domestic tranquility for we, the all-grateful and humble people.

The hundred and fifty years of increased and improved security for the Leader of the Free World should not be considered the correct recovery path to domestic tranquility. The path to domestic tranquility should probably have an orderly, pleasant approach with an enlightening effect and hints of harmony. But some political scientists are warning that we are approaching another civil war.

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The ominous warning is 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. The analysis of the precursors indicates that the American Experiment is probably approaching its final failure event.

The partisan strategies for control of the three branches can be misconstrued and manipulated in various ways, and the information chaos causes some to fear for their sense of trust in the government; thereby, fulfilling a precursor from the CIA's Watch 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 utilities, commerce, and cultural events; or by the execution of horrendous violence. Fulfilling the CIA's other major precursor. The prediction of the final failure event is probably still marginalized in years, but the increased incidents of social disorderliness probably accelerate the more focused rebellion.

An oligarchy contest for control of the government, perpetual social disorderliness and cellular rebellion is what we are enduring, and it should not be regarded as social growing pains, or something. It is an obvious educated guess that the underlying problem, that the CIA report cannot explain, is that the flawed formulations of government are ultimately the primary cause of the civil wars, because a perfectly organized government should not have such a problem.

The euphemism, "the Constitution is not perfect, but better than any other," is no longer a satisfactory excuse for not recognizing its adverse effects on the state and national discussions, and trickle-down economics. The American three-part model was a decent start-up, but it is not good enough for the unfurled system of four thousand cyclic oligarchy appointments for the two-hundred-some security agencies, nor is the representation system adequate for the diversity of naive, addicted, and hysterical 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 guardians are either holding back their brilliant ideas for reconstruction, or they are beguiled by Constitutional dogma and seduced by the commercial rewards for dreaming up ways to blame the other party for the disorderliness.

The separation of government is supposed to be demarcated by certain sections of 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 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 respective governing partition.

Each partition will have its three processes for a specific section of the law and formulated subsections; a legislative assembly, security department, and judicial supervision. The formulation of each partition with its own security department provides for a direct law enforcement check on the other partitions of the government, compared to the subsisting dubious and disappointing need for bipartisan committees, and independent investigations.

The request for independent investigations obviously indicates that there is a problem with the separation of government powers, and

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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 tends to be vulnerable to the oligarchy contest for control of the three parts.

The Demarcation of Law configuration will not eliminate political parties, but it will guide the political parties' doctrines, because the legislators will be commissioned to specific sections of law to guard, which is what is missing in the deployment of the subsisting legislatures. Ambition of the partition is supposed to prevail over the flawed alliances with members from the other partitions, as was prescribed by Mr. Madison in 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 on the principles of its factions. Because of the general commissioning of the Senate and House, and the inevitable contest to align the other branches, the primary doctrine of the shared duopoly evolved into doing whatever it takes to win public elections, rather than guarding systems of principles; which is what people should expect from partisan representation.

We know this is true, because the designations of the parties have no relation to the principles of organization that the parties campaign. The Republican Party is not based on the principle of improving representation in republican government, and the Democratic Party is not based on the principle of advancing to a true democracy. Although, the parties seem to dogmatically guard their stances on social issues, there is no obligation to maintain any position on any issue. 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 brief description of its checks and balances, and why the American deployment of the Three-part Separation Theory is why we are where we are, will probably be incomprehensible, because of constitutional dogma, and the average citizens do not think of law in its sections, as lawyers do. Lawyers think in their areas of law, like doctors think in their areas of medicine, like scientists think in their areas of physics, and engineers think in their areas of technological advantages. Other-than-lawyers are probably going to need some visual aids and further details as to how the more sophisticated system works compared to their misunderstandings of how the three-part government works.

The Demarcation of Law Theory is not as difficult to deliberate now, than what it would have been in the past. The American 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 law that would have been extremely 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, publish, and

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transmit, 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 scientific information. Nothing seems to get past the pursuit of perfection, except the almighty United States Constitution, and there are several reasons for this; most notably, the absence of understanding the American Experiment is an experiment with an incomplete and poorly identified control system.

All law and political science scholars should recognize the plausibility of the proposed Demarcation of Law Theory and are advised to set aside all intellectual jealousies, dissolve all commitments to political parties, 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 there are several big tech companies 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 inadequacy of the Three-part Separation Theory, the comparison of the branches to processes of law, the controls for balancing government, and several other inadequacies in our civics lessons about the American Experiment. And, that is what preserves Constitutional Dogma.

Contrary to 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

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than just a more perfect union of states; it is not difficult to recognize that the grander ambition is what the American Experiment is really all about.

Yes, because of the Constitution, the American society has been the most benevolent in world history, but there is at least one more super project that we need to fulfill, and it too can be attributed to the guidance of the Founders' Constitution: 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 to the original model. Very much like a jalopy automobile; it works, but it cannot be duplicated, because it has an obsolete chassis and customized parts to accommodate the unique evolution of the vehicle and the operator who is accustomed to the peculiarities of the parts and performance.

We need a reliable government charter system that can be 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 perfect 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 "consent of the governed," which was established as an American ideal in the Declaration of Independence.

As any advanced civics student knows, the primary author of the Declaration was Thomas Jefferson, and he suggested that charters be reconsidered by every generation. "The dead should not rule the living," is how he summarized 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. Other professionals; physicists, doctors, engineers, computer programmers, and skilled technicians, will probably be the next swath of the population to recognize the plausibility of the Demarcation of Law Theory. These professionals are experienced with experimentation and understand the necessity for identifying control variables, and will recognize that sections of law are an inevitable system missing from the experiment model; and their opinions will probably be the more noticeable calls for conventions to deliberate a new and improved government charter system

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

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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, it is possible that conventions may validate a charter that may alter such aspects. These and several stratification issues are very important and need to be graduated correctly through the local, state, and regional conventions. We need to figure out how to properly mediate the national discussion, and the United States Fourth Continental Congress will inevitably attempt to accommodate that ambition. It would be silly to not try.

Any vision of a national gathering of delegates commissioned by the subsisting state politicians is probably not going to happen. The state legislators do not know how to qualify delegates any better than anyone else. The state legislators only have an inclination to solicit partisan cronies to 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, skilled for the job to show up and do it because they want to do it. It is an absurdity to believe in the necessity of limiting delegate participation by any other means than a graduated contest of inclination, talent, and skill, for the job.

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

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legislative. The content of a modern scientifically 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. Our sophisticated sense of correct procedure suggests that things should be graduated through the local and state levels in an effort to find the most talented and skilled persons for participating in what would be the heralded national conventions. The primary talent is the ability to imagine the procedures for organizing government entities. The most likely talented for the job will be those who have government or corporate director experience. The most likely skilled for the job will probably be lobby and contract lawyers, because they have experience composing directive systems.

The final validation of a national charter candidate will probably be held in Philadelphia in respect of the Founders' validation convention. Then after a successful national ratification election, the decommissioning of the subsisting Constitution and the adoption of the succeeding charter will probably be held in New York City in respect to the commencement of the subsisting federal government 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 the convention leader, delegate sponsorship, established municipal ordinances, and convention security. Relatively few spectators will be permitted to attend the litigation sessions. All civil protests, and contests, must be registered with the municipal police services identifying all necessary aspects of the civil assembly or artistic demonstration. Marching routes will be scheduled by the permits issued from the police to accommodate emergency and motorcade routes.

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§ 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 recommission of the security agency and specific offices. Federal and state courts retain responsibility for civil order and safety during the transition. The 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 (bureaucracy systems), 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 subsequent legislation affecting the subsisting regulations.

§ 000.65: Prosecution of Interference

All evidence of interference, most notably, vandalism of documents necessary for the secure audit and 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 their acts 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 constituencies. Unlike the former governments, 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.

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