

<https://www.oathkeepers.org/edwin-vieira-the-armed-forces-and-the-militia/> Oath Keepers Tue, 23 Feb 2016 19:05:27 +0000 hourly 1 <http://wordpress.org/?v=4.3.3> <https://www.oathkeepers.org/edwin-vieira-the-armed-forces-and-the-militia/#comment-18171> Wed, 27 May 2015 03:03:31 +0000 <https://www.oathkeepers.org/?p=6514#comment-18171> “For, although the Militia are governmental institutions of the States, and permanent components of the federal system”

This is the one area that I disagree with Dr. Vieira, the Militia is NOT a governmental institution of the states. They are the Militia of the several states because the people of that state make up the Militia, not because they are state governed entities.

The “boss” of the Militia is the US Constitution and each state Constitution under our Constitutional Republic. The Militia, much like the Grand Jury, is the peoples tool that is “loaned” when needed to both the state and general (federal) governments who were/are forbidden to create “standing” military and governmental professional law enforcement agencies. The Constitution of the United States of America REQUIRES that the people of each state belong to the Militia and to also train, arm themselves.

John Adams, A Defense of the Constitutions of the United States 475: “To suppose arms in the hands of citizens, to be used at individual discretion, except in private self-defense, or by partial orders of towns, countries or districts of a state, is to demolish every constitution, and lay the laws prostrate, so that liberty can be enjoyed by no man; it is a dissolution of the government. THE FUNDAMENTAL LAW OF THE MILITIA IS, THAT IT BE CREATED, DIRECTED AND COMMANDED BY THE LAWS, AND EVER FOR THE SUPPORT OF THE LAWS.”

Alexander Hamilton, Federalist Papers 28: “THE MILITIA IS A VOLUNTARY FORCE NOT ASSOCIATED OR UNDER THE CONTROL OF THE STATES EXCEPT when called out; [when called into actual service] a permanent or long standing force would be entirely different in make-up and call.” (Plus to choose the officers, and to be trained as the congress has declared the US Military to be trained.)

Roger Sherman, Debates on 1790 Militia Act; Debates in the House of Representatives: “Conceived it to be the privilege of every citizen, and one of his most essential rights, to bear arms, and to resist every attack upon his liberty or property, by whomsoever made. The particular States, like private citizens, have a right to be armed, and to defend by force of arms, their rights, when invaded.”

Mark Twain: “The government is merely a servant, merely a temporary servant; it cannot be its prerogative to determine what is right and what is wrong, and decide who is a patriot and who isn’t. Its function is to obey orders, not originate them.”

Saint George Tucker was a colonel in the Virginia militia, then wounded in the Revolutionary War; after that he became law professor at William and Mary, then went on to become a justice on the Virginia Supreme Court from 1804 to 1811: “The congress of the United States possesses no power to regulate, or interfere with the domestic concerns, or police of any state: it belongs not to them to establish any rules respecting the rights of property; nor will the constitution permit any prohibition of arms to the people;...”

The Militia is a governmental institution in that it is REQUIRED by, and its activities must be in Pursuance thereof the US Constitution, and each state’s Constitution. It is a tool of the people.

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