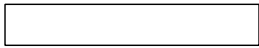




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The Clue In The Two Letter Word

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[by Elias Alias](#) , [January 17, 2015](#)

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The purest Sovereignty is the Sovereignty of the Creator

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The Clue In The Two Letter Word

A Brief Introduction To Sovereignty

by Elias Alias, editor



In speaking with people about sovereignty I often refer to a very small word which is found in the Tenth Amendment to the Constitution for the united States of America. It is the tiny word “or”.

The document reads:

Amendment X

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.

The Constitutionalist View On That Word

Looking at the last phrase in that Amendment we note that it says "...or to the people." It could have been worded: "...and to the people" instead of being worded: "...or to the people". Some people in America today think that it should have been "and". I generally refer to such people as "statists". We will look at their view of that Amendment, below, but first let us look at the Constitutionalist's view.

To many Americans today there would be no apparent reason for choosing one word over the other, because on the surface of contemporary American life our consensus perception of the word "or" vs the word "and" would not seem to matter. The difference in the use of either of those words in that particular place in the Tenth Amendment's wording is not readily apparent until one peers more deeply into the nature of the Constitution and the General government which that Constitution created. (That to which we today refer as the "Federal" government was in the Founders' day called the "General" government.)

While not being very apparent, the choice of the word "or" as the proper word for that place in the wording of the Amendment is hugely indicative of the ultimate source of sovereignty. On this earth, the truest source of sovereignty would be, of course, "We The People". Regarding the religious concept of "Heaven", that is of course not here on this earth at present time, hence We The People, being by virtue of our presence in this three-dimensional world as created beings and therefore being the closest to the Creator, are the next-highest source of sovereignty under, as the Founders put it, "Nature's God".

That means that, on Earth, the individual is the *source* of all sovereignty, and he was granted that sovereignty by Nature or by Nature's God. The Constitution is built around that fact, and supports that fact. In truth, as we learn by studying the writings of Dr. Edwin Vieira, Jr., the Constitution in its entirety is designed specifically to protect that fact in the application of governance as willed and written by the People.

The hierarchy of sovereignty in our American experience would list in proper order:

1. The individual self; and,
2. The State in which that self lives and to which that self extends a portion of its original sovereignty; and,
3. The **Union** of the several States with its delegated and granted powers, duties and disabilities, which function, as we commonly term the infrastructure, as the "Three Branches" of federal government.

The individual is properly placed above the respective State governments, and the State governments are properly placed above certain spheres of the General government in WDC. There are, as Justice Scalia noted in the majority opinion on *Mack/Printz v USA* (1997), areas within the States into which the General government may not properly intrude or incur, and there are areas in the General government into which the States may not intrude or incur. Here is a portion of Scalia's statement:

It is incontestable that the Constitution established a system of "dual sovereignty".... Although the States surrendered many of their powers to the new Federal Government, they retained "a residuary and inviolable sovereignty".... Residual state sovereignty was also implicit, of course, in the Constitution's conferral upon Congress of not all governmental powers, but only discrete, enumerated ones. Article 1, Section 8, which implication was rendered express by the Tenth Amendment's assertion that "[t]he 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". The Framers' experience under the Articles of Confederation had persuaded them that using the States as the

instruments of federal governance was both ineffectual and provocative of federal state conflict. The Framers rejected the concept of a central government that would act upon and through the States, and instead designed a system in which the state and federal governments would exercise concurrent authority over the people. The great innovation of this design was that our citizens would have two political capacities, one state and one federal, each protected from incursion by the other” – “a legal system unprecedented in form and design, establishing two orders of government, each with its own direct relationship, its own privity, its own set of mutual rights and obligations to the people who sustain it and are governed by it.” ... The Constitution thus contemplates that a State’s government will represent and remain accountable to its own citizens. As Madison expressed it: “[T]he local or municipal authorities form distinct and independent portions of the supremacy, no more subject, within their respective spheres, to the general authority than the general authority is subject to them, within its own sphere.”This separation of the two spheres is one of the Constitution’s structural protections of liberty.”

It is highly recommended that all readers go to Sheriff Mack’s website and get your copy of the little pamphlet in which Scalia’s majority opinion comes out in favor of Sheriff Mack’s suit against the Federal government’s “Brady Bill”. This pamphlet shows clearly that Federal powers are limited and enumerated and all other powers are retained by the States or by the People. Here is that link:

<http://cspoa.org/product/the-victory-for-state-sovereignty-mackprintz-v-usa/>

We may take a closer inspection of the concept Justice Scalia was denoting in that passage by looking next at a brief passage from:

SUPREME COURT OF THE UNITED STATES

Syllabus

BOND v. UNITED STATES

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 09–1227. Argued February 22, 2011—Decided June 16, 2011

[excerpt]

(b) Amicus, appointed to defend the judgment, contends that for Bond to argue the National Government has interfered with state sovereignty in violation of the Tenth Amendment is to assert only a State’s legal rights and interests. But in arguing that the Government has acted in excess of the authority that federalism defines, Bond seeks to vindicate her own constitutional interests. Pp. 8–14.

(1) Federalism has more than one dynamic. In allocating powers between the States and National Government, federalism “ ‘secures to citizens the liberties that derive from the diffusion of sovereign power,’ ” New York v. United States, 505 U. S. 144, 181. It enables States to enact positive law in response to the initiative of those who seek a voice in shaping the destiny of their own times, and it protects the liberty of all persons within a State by ensuring that law enacted in excess of delegated governmental power cannot direct or control their actions. See Gregory v. Ashcroft, 501 U. S. 452, 458. Federalism’s limitations are not therefore a matter of rights belonging only to the States. In a proper case, a litigant may challenge a law as enacted in contravention of federalism, just as injured individuals may challenge actions that transgress, e.g., separation-of-powers limitations, see, e.g., INS v. Chadha, 462 U. S. 919. The claim need not depend on the vicarious assertion of a State’s constitutional interests, even if those interests are also implicated. Pp. 8–12.

Cite as: 564 U. S. ____ (2011)

(end excerpt)

Note the phrase, “...the diffusion of sovereign power”

The political climate in contemporary America silently and falsely, but strongly, implies that the opposite of the proper Constitutional hierarchy of sovereignty is the true status of things. The Federal government acts today as if it is the supreme source of sovereignty and that therefore the States must bow to its statutory edicts or executive orders, or to the treacheries of Congress or the debauchery of statist courts. Did anyone truly believe that the Supreme Court had any standing to hear a case on the Second Amendment’s protection of the Militia of the several States, indirectly, and the right to keep and bear arms, individually, directly? The Amendment is what it says, and no court has standing to “interpret” it.

Only the People have that right, and that right is implied by, and remembered in, that little two-letter word “or”.

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The Statist View On The Word

The hierarchy which the typical “progressive” statist embraces runs then thusly:

- 1: First sovereignty is the Federal government;
- 2: Second sovereignty is that of the State(s) in compact; and
- 3: The third sovereignty is the individual human within the geo-boundaries of the States and the National Union.

Had that philosophical hierarchy of sovereignty prevailed in the writing of the Tenth Amendment, it would have read:

Powers not delegated to the General government, nor prohibited by it to the States, are reserved to the States **and to the People.**

The use of the word “and” at that place in the phraseology of the Amendment would consciously equate the States’ sovereignty with the sovereignty of the People. It would also create a concept for “legal” purposes, which would infer that the Peoples’ station is subservient to a higher sovereignty (one’s respective State) than that with which all individuals are born. Put another way, those “unalienable rights” which our Constitution protects above all else are present at birth and were not granted by any man-made government. Those unalienable rights come from a higher source of sovereignty than any earthly sovereign can bestow. In Jefferson’s view, they come from Nature, or Nature’s God.

Sovereignty is intertwined within the totality of the rights which are unalienable. The right to defend oneself, for example, would be no right at all if one were not a *self*. The self is the vessel into which Nature or Nature’s God pours the divine spirit of life itself, which is at the core of everyone’s being. The very nature of “being” is an individual experience, an exercise of an autonomous soul, and the conscious awareness of “being” is prerequisite to being an awake person.

The fact of the existence of “the person”, the individual human being as a *self* who is possessed of a *soul*, is what is protected in the Bill of Rights, including the Tenth Amendment. It is protected because the

Founders saw the freedom and liberty of the individual self as irreplaceable and important in creation's grand pattern of things; realized that the human self is the epitome of Nature's God's creation, or of Nature's creation, a truth which shines healing light equally upon everyone who *thinks of oneself*, and this the statist cannot refute.

Sovereignty was extended by the People, each and each by offering up a small portion of his own natural sovereignty into the pool of individuals comprising their respective States, to not only create the States in a furious Revolution but to also ultimately Federalize a union of those new States, which would in turn, in legal and lawful and orderly compact, create for the People a national/central government to operate on behalf of the States or on behalf of the People.

The Constitution, as written, is as "American" as one can get. Standing up for the Constitution at times when it is under direct threat, is the patriot's duty and honor, as has always been this country's tradition. Helping one's neighbor, (doing RT&I with someone on the police force or in the military or down at the firehall), to see the beauty in the protections of the Constitution against official violation of everyone's guaranteed unalienable rights, is the American way.

As a friend puts it, "*help them remember who they are*". Knowledge of one's sovereignty renders a value to oneself which is healthy for a strong and prosperous society of free individuals. President John Adams in 1798 noted that in America an Oath is a sacred obligation sworn or affirmed by the individual citizen in service to his country. That Oath is sworn to the Constitution, and provides the General government its only authority, which are delegated, enumerated, and limited, in writing, on paper which has not changed in two and a quarter centuries. By remembering that We The People are the sovereign, and that our States have sovereign rights as well, can finally contain the unchecked centralization of power which today threatens our heritage, culture, and society.

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