



Liberty Tree

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What Is Doing The Same Thing Expecting Different Results?

By John Baptist Kotmair, Jr.

Conservatives are celebrating the 2014 mid-term election results, because starting in January 2015 we will have a Republican-controlled House of Representatives and Senate, as well as Republican advances in many Blue States. In the Socialist Republic of Maryland, for example, there is now a Republican Governor-elect, and Republican Party gains in the State Legislature. But the questions that must be answered are: IS IT REALLY A VICTORY?; and if so, FOR WHOM? the AMERICAN CITIZENS? or merely the REPUBLICAN PARTY?

“Those who don’t know history are doomed to repeat it.” Edmund Burke

My baptism into politics was the 1964 Maryland Democratic Presidential primary, wherein Alabama Governor George Wallace was opposed by Daniel Brewster, U.S. Senator for Maryland. Since that first race, I have been personally involved in many other campaigns — for Democrats and Republicans, as well as for ‘third-party’ candidates from the American and Constitution Parties. Along the way, I learned how to distinguish between a politician and a statesman, and that you should never fully trust a politician. This fact is verified just by looking back from the beginning of the Constitutional Republic to the present. The government that the 39 signers of the United States Constitution gave us still exists in name and theory, but no longer in practice. So, in this issue I will endeavor to address this

quandary by answering two questions:

- HOW DID WE GET TO THIS STATE OF AFFAIRS?
- WHAT ARE CONSERVATIVES CONSERVING?

From the beginning of the Constitutional Republic in 1789, there have been two prevailing views of the U.S. Constitution. I have discussed this many times in past issues of the Liberty Tree, but it cannot be told too often, for it is the very root of the governmental – and subsequent social – problems we face today.

George Washington was the only U.S. President that did not belong to a political party. But out of the discord within his administration, between Thomas Jefferson as Secretary of State and Alexander Hamilton as Secretary of the Treasury, grew two political parties that have prevailed over the years, with only slight changes in their names, but not in their purpose.

Jefferson, true to his beliefs and principles, along with James Madison, started the Democratic-Republican Party, which advocated strict adherence to the Constitution as written, thereby protecting the Rights of States and citizens. Hamilton started the Federalist Party, which advocated centralizing governmental powers beyond the confines of those enumerated in the Constitution.

Hamilton’s selection of the name “Federalist” had the obvious devious purpose of disguising the Federalist Party’s true political purpose. The federal government had only recently been

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Edmund Burke (1729 - 1797), member of the British House of Commons, supported the colonies during the Revolution.

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drastically changed from a compact between 13 subscribing States, known as the Confederacy, which had some serious problems. The desire of citizens to be free, as much as feasible, from government control was still very strong. Many had just been sold on the concepts of the “federal” Constitution by published essays written by James Madison, John Jay and Alexander Hamilton, called the “Federalist Papers.” In these writings, all three men proclaimed that all the powers of the new federal government were written and enumerated. So after such public scrutiny and acceptance, Hamilton marshaled his political forces under the popular and accepted “Federalist” banner, which gave a false impression of the purpose of his party.

The Federalists were the first party to elect a President, John Adams. Adams did not believe in the federal government only having powers dealing with foreign affairs, and extremely limited powers within the States, as was written within the Constitution. In short, he was not a monarchist as Hamilton was, he just believed that the average man did not have the ability to govern – only an aristocracy did.

Jefferson was a political adversary, and personal friend, and when he was elected the third President, and before he was sworn in, Adams rushed to appoint Federalist Party members to government offices. One such appointment was John Marshall as Chief Justice of the U.S. Supreme Court. This is very significant, because John Marshall wrote the *Marbury v. Madison* decision in 1803, claiming that the courts interpret the law, and in so doing, created the practice of judicial activism. That decision is ridiculous, as it flies in the face of due process, as explained in the Vagueness Doctrine:

Vagueness doctrine. Under this principle, a law which does not fairly inform a person of what is commanded or prohibited is unconstitutional as violative of due process. *Black’s Law Dictionary 5th Edition.*

The United States Constitution is not written vaguely. It is written concisely and in clear understandable terms, and therefore does not need interpretation as Marshall wrongly declared. His act, and every such court decision since, are nothing more than seditious acts to empower the federal government beyond its enumerated powers as intended by Hamilton and his gang of seditious thugs. President Jefferson complained about Marshall’s actions, but the Federalist Party members in Congress prevented any corrective actions from being

taken.

The struggle between the constitutionalists and the seditionists went on for another 58 years, with the constitutionalists prevailing against the total de facto centralization of government in Washington, D.C. Around 1825, the Democratic-Republican Party split into two new parties: the Democratic Party, which continued to adhere to Jefferson’s principles; and the National Republican Party (soon to become the Whigs), which began to take up more and more of Hamilton’s philosophy, as well as former Federalists after that party withered away. By 1860, the Whigs evolved into the Republican Party, and with the election of the Hamiltonian-Whig Abraham Lincoln, candidate of the new Republican Party, the contest between the two antagonistic political philosophies erupted into armed hostilities instigated by Lincoln himself.



Presidential cousins Teddy (l) and Franklin (r) Roosevelt

With the lawful secession from the United States of the southern States — predominately aligned with the Democratic Party, Lincoln and the Republican Party had a virtual free hand for the unlawful de facto extension of the powers of the federal government, of which we have never recovered. The administrative accomplishments of Lincoln — such as the initial introduc-

tion of the Office of the Commissioner of Internal Revenue for the collection of a permanent internal federal tax, and the unlawful issuance of paper money — prepared the way for the Federal Reserve Act and the institution of the federal income tax (both enacted in 1913), thereby giving the globalists the tools they needed to take over the control of these States united. Just sixteen years later, the globalists’ agents on Wall Street, in conjunction with the Federal Reserve bankers, created the financial conditions that brought about the 1929 depression. This gave the “New Deal” campaign of Franklin Delano Roosevelt the appearance of financial salvation for Americans, sweeping him into the White House in 1932.

Theodore (Teddy) Roosevelt, FDR’s cousin and a predecessor in the White House, belonged to Lincoln’s Republican Party. As President, he advanced the prosecution of monopolies under the Sherman Antitrust Act, and the federal government’s regulation of industry. (Teddy was never elected to the Presidency; he gained the office by being Vice President at the time of the assassination of President McKinley.) Dissatisfied with his successor, William Howard Taft, who lacked his expansive view of expansive federal power, Teddy bolted

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from Lincoln's Republican Party, and started the "Progressive Party." As its candidate in 1912, he made an unsuccessful run for the presidency against Taft and Democratic victor Woodrow Wilson. Teddy's advancement of Hamiltonian federal centralization was called the "New Nationalism," and promoted an ambitious program of economic, social, and political reform that posed profound challenges to constitutional government. However, he was outdone by the administration of his cousin Franklin and his "New Deal," which put the finishing touches to the revenue act of 1913, and set the stage for the take-over by Federal Reserve bankers.

FDR's method of "saving" America consisted of advancing federal spending and consequent debt to the Federal Reserve bankers. His "Lend-Lease" program, and President Truman's post-war "Marshall Plan," (the rebuilding of war-torn Europe and Asia), started the flow of American citizens' tax money to the benefit of foreign countries that has not stopped since.

FDR belonged to the Democratic Party, the party of Jefferson, which had survived annihilation from the Republican Party's imposition of "Reconstruction" occupation after the War Between the States, and still held to its Jeffersonian Principles of "States' Rights." However, FDR was a true-to-form politician. Listening to his speeches while Governor of New York, you would have thought that he was one of the Founding Fathers. This façade made it possible for Roosevelt to advance within the Democratic Party. But the 1929 depression allowed him to change political horses in mid-stream, and his 1932 "New Deal" campaign swept him and a host of progressive democrats into office, starting the Democratic Party on its move away from the "States' Rights" principles of Jefferson, even within the southern States.

The progressive Democratic Party members gained total domination within the Party when President Johnson's "Great Society" ploy defeated Senator Barry Goldwater in the 1964 presidential election. Up to this point, the southern members of Congress, with the help of a few northern members, were able to keep their finger in the hole in the dam, but Johnson's "Great Society" broke open the dam, flooding the Congress with the centralist conspiracy set in motion by Hamilton.

Since the takeover by Lincoln's Hamiltonian federalists in 1861, and the defeat of the Jeffersonian constitutionalists in 1865, the progress of the federalists has been slow but sure, and with each centralist administration has gained momentum. The progressive growth of the Executive Branch outside of the Constitutional authority of Article 1, section 8 can be seen in the chart below.

- **Abraham Lincoln** — "Saving the Union": Office of the Commissioner of Internal Revenue, 1862; unlawful issuance of paper money, 1862
- **Benjamin Harrison**: Department of Agriculture, 1889
- **Theodore (Teddy) Roosevelt** — "New Nationalism": Department of labor, 1903; Food and Drug Administration, 1906; Federal Bureau of Investigation, 1908; Corporate Income Tax, 1909
- **Herbert Hoover**: Department of Veterans Affairs, 1930
- **Franklin Delano Roosevelt** — "New Deal": Social Security Administration, 1934; "Lend-Lease" program (unlawful spending of tax revenue in foreign countries), 1941
- **Harry Truman**: "Marshall Plan" (unlawful spending of tax revenue in foreign countries), 1948; "Cold War", 1945
- **Dwight D. Eisenhower**: Department of Health & Human Services, 1953
- **John F. Kennedy**: "New Frontier" ("civil and economic rights essential to the human dignity of all men," raising the minimum wage, guaranteeing equal pay for women, rebuilding the inner cities, increasing federal aid for education, initiating a Peace Corps, and developing a Medicare program to assist the elderly), 1960 - 1963
- **Lyndon B. Johnson** — "Great Society": Department of Housing & Urban Development, 1965; Department of Transportation, 1966
- **Richard Nixon** — "New Federalism": transfer of federal programs to the States for implementation, 1969; Occupational Safety & Health Administration, 1970; Environmental Protection Agency, 1970
- **Jimmy Carter**: Department of Energy, 1977
- **Ronald Reagan** — "New Federalism": expansion of the burden of the implementation of federal programs to States, 1981; "War on Drugs" and Office of National Drug policy, 1988
- **William Jefferson Clinton** — "Clinton Doctrine": Humanitarian intervention, unilaterally using American military as world police, 1997
- **George W. Bush**: "War on Terror," 2001; "Patriot Act," 2001
- **Barack Obama**: "Obamacare," 2010.

There are many more too numerous to mention, but this is enough to show the steady progress of Hamilton's Federalists' unlawful centralization of power in the fed-

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eral government, at the expense of the States and their citizens who created it. These secessionists are crushing the dream of government that was drafted in 1787 — the ONLY purpose of which is to secure our *unalienable Rights from the Creator* — and changing it into an oligarchic dictatorship.

So, what are these Conservative politicians conserving?

- The dream of Liberty, and the Pursuit of Happiness? — No!
- The securing of Unalienable Rights? — No!
- The United States Constitution? — No!
- The sovereignty of the States that united? — No?
- The unlawful federal socialists' programs? — Yes!
- The unlawful Federal Reserve Banking system? — Yes!
- The unlawful foreign wars that enrich these bankers? — Yes!
- The continuation of the unconstitutional operation of government? — Yes!
- The continuation of the ONE PARTY political domination? — Yes!

**YES, THE CONSERVATIVES WON
THE MIDTERM ELECTION —
DID YOU???**



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After high school, Michael enlisted in the U.S. Marine Corps in 1975. Following his military service, he studied psychology and politics at Elgin Community College, receiving his A.A. in 1985. Continuing his studies, Michael received his B.A. in political science from Northern Illinois University, and then on to Northern Illinois University College of Law, where he received his J.D. in 1989, while serving as class President. That same year, he opened The Law Offices of Michael D. Smigiel, Sr. P.A. in Elkton, Maryland.

Michael served in the Maryland House of Delegates from 2002 through 2014, and received the following awards, among others too numerous to mention here:

- 2014 “Defender of Freedom Award”
- An “A++” rating from Oath Keepers (The only A++ given and highest rating in the Legislature) for upholding his oath to the Constitution in 2014
- A 100% rating from the National Federation of Independent Businesses in 2014
- An “A+” rating from the NRA in 2014

A True Son of Liberty!!!

