

Freedom Matters

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Our mission is to restore, perfect and maintain our government as a constitutional republic that is dedicated to defending our unalienable rights as individuals to life, liberty and property.

Freedom Matters' Ninth Year of Publication Begins Here

By Bob Bowman and Michael Byrne

A new year has begun. It's a time for renewal. So, to begin volume 9 we have streamlined our masthead and focused our mission on defending our unalienable rights.

The 13 original states insisted that the U.S. constitution simply and forcefully include a Bill of Rights of the "self-evident" freedoms owned by all citizens. They tried to ensure that those freedoms could not be voted away by a simple majority of people incited by some popular fad in the future. At *Freedom Matters* we see that all our basic freedoms assured to us in our constitution are eroded when one of them, our property rights, is attacked.

After the carnage of the U.S. Civil War, popular sentiment demanded clarification of the original Bill of Rights so it is crystal clear in the Constitution that every single citizen has an equal right to life, liberty and personal property. Every citizen should commit to heart the 14th amendment's equal protection clause, which says: "... nor shall any state deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Property was so important that it was specifically cited! The founders knew that if this right were diminished in any way such as one citizen taking the property of another by using the condemnation power of local, state, or federal government, then **each person's right to personal property would be lost to tyranny.**

If we permit any attack on the equal protection clause of the Constitution, then we will not recognize this society as free in just one or two generations' time. Consider the following situation which is already in place in many localities across the country.

Suppose residential development is banned on slopes greater than a specific percentage (e.g., 12% as in some localities). Yet, some citizens who have decided this or have supported the politicians who decided this already actually own **existing** houses on slopes now prohibited. They live in a house that, by the law they helped create, has become "nonconforming." They cannot legally add any further development to it, and are even greatly limited in their right to repair it.

Foolishly, they have set up a situation which dooms their own property, because if it were damaged

significantly, a bureaucrat could tell them that it must be razed and the lot is no longer residential. Perhaps those who think this is appropriate have forgotten that other innocent citizens would not agree but **they, too, have lost that same property right as well.**

Consider the State of Wisconsin, where just such a scenario was spelled out at a 2003 meeting of a committee of Wisconsin's Department of Natural Resources. Our current governor signed the constitutional analysis presented to that meeting. Let it be a warning to the unwary that those agencies and elected governments were using the equal protection clause to see how rapidly and consistently they could get rid of homes made nonconforming by simple majority law.

On another front, new "rights" have been defined and legally elevated to prominence in the actions of government and promoted in the agendas of the elected officials of our day. Life, liberty, property, and the pursuit of happiness, e.g., are now joined by freedom from hunger and freedom from fear. The latter two result in property (money) being confiscated from ordinary citizens and redistributed to a class of people designated by government as "needy." That class of people have been told they are "entitled" to this money. It is only a few short legal steps from there to the grim consequences suffered by citizens in other nations, such as Venezuela, where the redistribution of wealth from its producers to its non-producers has bankrupted all the people.

Most ominous in this situation is that citizens can now vote for and elect officials who promise to help them in confiscating the resources of other citizens. **This is exactly what the founding fathers thought they had prohibited from the beginning.**

We suggest reading essays by Louis Carabini in *Inclined to Liberty* (2008). He describes this phenomenon too kindly, in saying that to confiscate the resources of your neighbor would be risky and costly if not done by using the power of the state by which to do it (p.31).

Not even government should be permitted to confiscate by the mere swipe of a pen. Frederic Bastiat in his 1850 classic book, *The Law*, calls it "legalized theft."

So here we are. We have made the State a commons on which we are all trying to graze. A commons typically becomes overgrazed and fails, and the system collapses. It happened to the Soviet Union. If unchecked, it will also happen to the United States.

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