AMBERICAN COUNTER-REVOLUTION: A YET MORE-RADICAL RECONSTRUCTION

Successive accretions of federal sovereignty over time, contrary to original intent and strict construction, wrought an incremental fundamental shift...

- from Trinitarian shared state-federal sovereignty* in the Constitution, to Unitarian centralized federal sovereignty in practice.
- from pessimism to optimism on human nature*, thus denying the need for federalism, checks and balances, and separation of powers.
- from harmonizing public policy with the deity of Christ* and the Constitution's Puritan Whig ethos, to effectively negating both.

BACKED BY IDEOLOGICAL HALF-TRUTHS, SELECTIVE DISINFORMATION, & EDITORIAL MYTH-MAKING IN U.S. "HISTORY" TEXTBOOKS

Misrepresentation of Strict and Loose Construction

- Textbooks explain that implied powers exist, but often pretend that loose constructionists alone believe in them while strict constructionists think the federal government possesses only delegated powers.
- Jefferson insisted that strict constructionists also believe in implied powers, but that "necessary and proper" means ABSOLUTELY necessary, while loose constructionists say it means CONVENIENT, and not prohibited.
- This pro-loose construction textbook error re-enshrines the *expressio unius est exclusio alterius principle**, which the 9th and 10th Amendments reject, that the federal government can do whatever is not forbidden.

Misinterpretation of the Constitution's *Supremacy Clause*

- Textbooks usually claim this passage establishes "federal" or "national" supremacy, where federal law automatically trumps state law if they conflict.
- In fact that clause declares Constitutional supremacy, hence the need for judicial review. Unconstitutional federal laws are null and void.
- The people are the ultimate proper arbiters of constitutionality, even over the Supreme Court, through elections, impeachments, and amendments.

Blindness to the clash between lawful states' rights under the Constitution and unlawful state sovereignty over the Constitution

- Most textbooks wrongly equate these opposites. The former shares sovereignty. The latter does not.
- Madison stressed this clear distinction. He supported the former in 1798, but attacked the latter in 1832-33.
- This false notion is rife in textbooks. Jeffersonian-Jacksonian original intent and strict construction were still strong in 1865.
- This dysfunctional logical corollary of the first two misconceptions has crippled subsequent interpretation and wrought much mischief.
- In 1868 adoption, the original intent of the 14th Amendment was only to constitutionalize the 1866 Civil Rights Act, which the 1857 Dred Scott decision imperiled, not to override the U.S. Bill of Rights' original intent to restrain just the federal government, not the states.
- Most states as well as the federal government are...