



The Due Process Advocate

*“No Person shall be . . . deprived of life, liberty, or property without the due process of law”
- Fifth Amendment of the United States Constitution*

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ABOUT THIS PUBLICATION

Black’s Law Dictionary, 6th Edition defines due process rights as follows:

All rights that are of such fundamental importance as to require compliance with due process standards of fairness and justice. Procedural and substantive rights of citizens against governmental actions that threaten the denial of life, liberty, or property.

Currently, there is overwhelming evidence that due process rights are being compromised, suppressed, and/or just blatantly denied to serve a host of political and private agendas at the cost of justice in our courts.

It is the express purpose of this publication, therefore, to expose and stop the proliferation of “government endorsed” actions and policies designed to remove due process rights from the common person to serve private interests.

The immediate, public demand for the restoration of due process rights throughout this nation’s legal arena may be the real key to future prosperity in America. Without the return of the constitutionally-guaranteed due process rights that are the foundation of American justice, we risk economic and social chaos.

You be the judge as you read this edition, and future editions, of The Due Process Advocate - and please contact me if you have a personal experience that you’d like to share with our readers.

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Who would ever have imagined that the Democratic National Committee (“DNC”) would orchestrate the categorical denial of due process rights to Bernie Sanders supporters? Worse yet, who would have anticipated that Bernie Sanders would “sell out” his supporters to make their millions in contributions accrue, in the final analysis, to the benefit of the Democratic Party as it stands today?

THE 2016 DEMOCRATIC NATIONAL CONVENTION WAS A PRIME EXAMPLE OF THE CORRUPTION DESIGNED TO SERVE THE RICH AND POWERFUL ESTABLISHMENT THROUGH THE BLATANT DENIAL OF DUE-PROCESS TO BERNIE SANDERS SUPPORTERS AS ALLOWED BY BERNIE SANDERS HIMSELF

The purpose of this article is to, once again, help expose and stop the proliferation of "government endorsed" actions and policies designed to remove due process rights from the common person to serve private interests and political agendas. The purpose of this article is not to influence who you might vote for as president. The mission here is the restoration of due-process rights for the common person in America.

As stated in the last two editions of The Due Process Advocate, The United States Constitution is clear and unambiguous about the protections of “life, liberty and property” that are guaranteed to all legal residents and citizens of the United States. These Constitutional protections mandate that the universal, not arbitrary, application of due process by our government be extended to everyone in a non-discriminating manner. Due process rights are guaranteed by the 5th and 14th Amendments to the U.S. Constitution.

So let’s take a look at exactly what happened here:

First: There is no question that Bernie Sanders supporters expect “to be heard” in a “fair legal proceeding.” After all, the right to vote is one of the most revered rights and means of “being heard” in America; and the nomination of a presidential candidate, and that candidate’s acceptance of that nomination, happens by and through one of the most important “legal proceedings” that takes place in America; all of which being, in part, regulated by the applicable provisions of The Code of Federal Regulations.

Second: The message of Bernie Sanders supporters was clear and unambiguous. They sought to be the new progressive wing of the democratic party. Nothing less. They expected to take their message to a contested convention if necessary. The

last thing in the world they wanted was to pay millions of dollars to support the Clinton regime and establishment representing the rich and powerful.

Third: But that's exactly what happened! Under the guise of "unity," the self-serving Democratic Party leaders sent a loud and clear message that their political agenda and platform was worth far more than the constitutional, due-process rights of the Bernie Sanders supporters; making it clear that the Democratic National Convention was the vehicle to do the bidding for the Democratic National Committee. Period. No room for "the right to be heard in a fair legal proceeding" here!

Fourth: Then comes the final "death knell." Upon losing the nomination, Bernie Sanders himself declares that he is not the savior and he can't do it himself - that it takes a movement of millions to effect change. Millions? As of June, 2016, Bernie Sanders had collected contributions of over \$200 million. Reliable estimates show he had approximately 15 million supporters. Therefore, it would seem that, had Bernie Sanders made a decision to back his supporters with the contested convention he promised in early June, that the political revolution and progressive platform might be well underway in America as we speak.

More importantly, it may have been the turning point in American history where the restoration of due-process rights put the United States back on track to maintain its status as the greatest nation on earth. After all is said and done, democracy can not thrive without due process.

THE DENIAL OF DUE PROCESS RIGHTS GOES HAND-IN-HAND WITH THE ELIMINATION OF THE INDIVIDUAL SOVEREIGNTY OF AMERICANS

America became great because its founding forefathers recognized the supreme nature of "individual sovereignty" - as so perfectly explained by Judge Andrew Napolitano in his January, 2013 article, "INDIVIDUALS ARE SOVEREIGN - NOT THE GOVERNMENT."

Judge Napolitano began his article with the following statement:

"The right of the people to keep and bear arms is an extension of the natural right to self-defense and a hallmark of personal sovereignty. It is specifically insulated from governmental interference by the Constitution and has historically been the linchpin of resistance to tyranny."

Then, recognizing Thomas Jefferson's declaration in the Declaration of Independence that we are "endowed by our Creator with certain unalienable rights," Judge Napolitano discusses "power permitting liberty" and compares it to "liberty permitting power" as he writes:

"The essence of humanity is freedom. Government - whether voted in peacefully or thrust upon us by force - is essentially the negation of freedom. Throughout the history of the world, people have achieved freedom when those in power have begrudgingly given it up. From the

assassination of Julius Caesar to King John's forced signing of the Magna Carta, from the English Civil War to the triumph of the allies at the end of World War II, from the fall of communism to the Arab Spring, governments have permitted so-called nobles and everyday folk to exercise more personal freedom as a result of their demands for it and their fighting for it. This constitutes **power permitting liberty.**"

"The American experience was the opposite. Here, each human being is sovereign, as the colonists were after the Revolution. Here, the delegation to the government of some sovereignty - the personal dominion over self - by each American permitted the government to have limited power in order to safeguard the liberties we retained. Stated differently, Americans gave up some limited personal freedom to the new government so it could have the authority and resources to protect the freedoms we retained. Individuals are sovereign in America, not the government. This constitutes **liberty permitting power.**"

Judge Napolitano concludes his article with several profound observations and a question:

"Today, the limitations on the power and precision of the guns we can lawfully own not only violate our natural right to self-defense and our personal sovereignties; they assure that a tyrant can more easily disarm and overcome us."

"The historical reality of the Second Amendment's protection of the right to keep and bear arms is not that it protects the right to shoot deer. It protects the right to shoot tyrants, and it protects the right to shoot at them effectively, thus, with the same instruments they would use upon us."

"Most people in government reject natural rights and personal sovereignty. Most people in government believe that the exercise of everyone's rights is subject to the will of those in the government. Most people in government believe that they can write any law and regulate any behavior, not subject to the natural law, not subject to the sovereignty of individuals, not cognizant of history's tyrants, but subject only to what they can get away with."

"Did you empower the government to impair the freedom of us all because of the mania and terror of a few?"

For many, the idea of an armed citizenry is against public policy. For many others, however, the idea of losing one's individual sovereignty is more so.

Once big government is successful in its relentless campaign to substantially remove each and every person's due process rights (in order that they may more easily, and arbitrarily take a person's income, savings, property, education, health care, quiet enjoyment of life, freedom, and even their children), individual sovereignty will be forever lost. This will be an absolute tragedy and result in the demise of a great nation; since the individual sovereignty of its people was at the heart, and very core, of America's rise to become the greatest nation on earth.

However, when our big, out-of-control government is finally successful in having its courts rule that America's people are not "endowed by our Creator with certain unalienable rights" but, rather, America's people are endowed only with the privilege of subservience to government authority; then the so-called American Dream will vanish.

Then what, another American Revolution?

Experienced Consultants Wanted

The Due Process Advocate seeks affiliate relationships with independent advocates to provide liaison services to a growing network of subscribers and clients. Above average verbal and written communication skills with the ability to "teach" due-process basics on a one-to-one basis is critical. The advocacy of due process rights can be a unique, independent, service-business opportunity with very low start-up costs and immediate income with unlimited growth.

Qualified parties may forward a resume or letter of interest to Edward H. Smith, Publisher, The Due Process Advocate, 497 Hooksett Road, #395, Manchester, NH 03104 (or email to thedueprocessadvocate@gmail.com)

All replies are received as strictly confidential and will receive an immediate response in order to mutually assess a working relationship.

WE MUST FIGHT TO ELIMINATE "ARBITRARY RULE" OR WITNESS THE DEMISE OF THE UNITED STATES OF AMERICA AS WE CURRENTLY KNOW IT

By Bob Tobiasz

Several months ago, I wrote an article for The Due Process Advocate entitled "Every American Should Understand What Due Process of Law Means for Us." In that article, I pointed out the following:

1. "due process of law means that we will be given notice of any legal proceedings, that we will be afforded the opportunity to present our case at such proceedings and that such proceedings will be fair before any government attempts to take away our life, liberty and/or property;" and
2. "inherent in our due process of law constitutional guarantee is that any law, to which we are subject, shall not be unreasonable, arbitrary and/or capricious."

This article will focus on the word(s) "arbitrary" (double underscored above) or "arbitrary rule." What do these words mean? In simplest terms, they mean that any laws and/or rules to which we are subject must not be random, subjective,

uninformed, illogical, haphazard, erratic, frivolous, inconsistent, irrational, irresponsible, unreasonable and/or unaccountable. Conversely, it means that any laws and/or rules to which we are subject must be consistent, dependable, logical, reasonable, rational, reasoned and/or supported.

When a decision is arbitrary, it means that the decision is not based on judgment or reason but instead on discretion without any regards to standards or rules. It implies a disregard of the evidence. In many circumstances, the term "arbitrary" implies an aspect of bad faith and it sometimes may be taken as despotic or tyrannical.

Why, as Americans, should we care about whether decisions by our federal and/or state courts and/or administrative agencies are "arbitrary?" Well, simply put, unless we care enough to dispute and fight to overturn "arbitrary decisions" by those courts and/or administrative agencies, we can expect the following to occur in the United States:

1. continued enrichment of the wealthy and politically well-connected individuals to the detriment of all others;
2. a complete elimination of the middle class way of life on which our country was built; and
3. an eventual complete loss of our "due process of law."

How do we, as Americans, fight to overturn "arbitrary" rules and/or decisions. I suggest that we consider the following steps:

1. In federal and/or state court proceedings, ask for "findings of fact" and "rulings of law." This is probably the best way to keep judges honest;
2. Also, in federal and/or state court and/or agency proceedings, make sure that, within financial reason, you appeal any decisions to higher courts and/or agencies. Learn the appeal process and use it to your advantage;
3. Since "arbitrary rule" flourishes well in environments which are void of practical checks and balances, you should support grass roots efforts to keep the system honest;
4. Do your homework! Support only those candidates at all levels of government who have demonstrated, by their actions, a true respect for "due process of law" for all people, not just the wealthy and/or politically well-connected.

At times, fighting to overcome "arbitrary rule" seems like an insurmountable obstacle. Nonetheless, the fight must continue if we want to maintain our way of life and, simultaneously, make the United States a positive example for the rest of the world.

Note: Bob Tobiasz is a graduate of both Boston College and the University of Chicago. He has an extensive background in business management and financial analysis; including several years as a high-level corporate executive, a real estate investor and manager, a venture capital consultant, and a private investor and entrepreneur. He is a life-long due process advocate.

The Due Process Advocate

(www.dueprocessadvocate.com)

We invite you to join forces in one of the most crucial, and fast-growing, social movements in the United States! Please help us restore your due process rights!

FACTS

Over 12 million arrests are made every year in the United States - well over 30,000 per day!.... an average of more than 112,000 speeding tickets are given out daily in the United States.... and who knows how many criminal and civil legal actions are filed in local, state, and federal courts and government agencies every single day (The Due Process Advocate believes the number to be considerably in excess of a mind-boggling 250,000 per day including arrests, citations of all kinds, administrative actions and proceedings, and other criminal and civil court cases). All in all, the local, state, and federal governments make mind-boggling amounts of money by and through the enforcement of laws and regulations - and making that money is much easier when due process rights of defendants are suppressed or removed!

*Don't allow your due process rights to be taken away when you need them the most!
Get involved in any of the following ways to get critical information about protecting your constitutional due process rights:*

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Please use my email address (below) for my free subscription to The Due Process Advocate. I understand that a confirmation will be sent to my email address and I will click on the link in the confirmation email to activate my subscription.

SPONSORSHIP

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INFORMATION

I am interested in available information and research related to the protection of my due process rights in the course of defending myself in a current legal matter. Please contact me.

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Thank you!