



Legislative Background for Joint Resolution 18-

Adopting a Joint Statement of Intent to affirm New California's commitment to the intent of the founders of the United States of America as a Republican form of government, limit the expansion of the scope, size and coercion power of state authority and restrict and limit the infringement upon private property by the state except with the consent of the people.

DRAFT

**NEW CALIFORNIA STATE
JOINT RESOLUTION NO. 18-___**

A Joint Resolution of the House and Senate of New California State_____

WHEREAS, Frederic Bastiat wrote that “Life, liberty and property do not exist because men have made laws. On the contrary, it was the fact that life, liberty and property existed beforehand that cause men to make laws in the first place.”

WHEREAS, In 1787, John Adams wrote in ‘A Defence of the Constitution of the Government of the United States of America,’ “ The moment the idea is admitted into society that property is not as sacred as the laws of God, and that there is not a force of law and public justice to protect it, anarchy and tyranny commence. If ‘Thou shalt not covet,’ and ‘Thou shalt not steal,’ were not commandments of Heaven, they must be made inviolable precepts or every society, before it can be civilized or made free.”

WHEREAS, in 1792, James Madison wrote in ‘An Essay on Property,’ “Government is instituted to protect property of every sort; as well that which lies in the various rights of individuals, as that which the term particularly expresses. This being the end of government, that alone is a just government which impartially secures to every man whatever is his own.”

WHEREAS, in 1801, Thomas Jefferson stated in his first Inaugural Address, “A wise and frugal government, which shall leave men free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned – this is the sum of good government.”

WHEREAS, as the influence of Marxism, communism, socialism and progressivism in all of their various reform movements through the centuries, as well thru the tyrannical coercion of egalitarianism in all its reinterpretations and purveyors, has become the excuse and the means of the growth of the state and has become a continuous assault upon the place and role of private property as a founding principal of our country. Private property rights have always been the antidote to the invasive power of the utopian dreamers of these various “isms”. As observed by Mark Levin in his book ‘Rediscovering Americanism,’ “In a word, as a man is said to have a right to his property, he may be equally said to have property in his rights. Where an excess of power prevails, property of no sort is duly respected. No man is safe in his opinions, his person, his faculties, or his possessions.”

WHEREAS, Welfare programs become the tool of choice for the expansion of the state, for the expansion of the power of the administrators of the state, which requires evermore overreach into private property through taxation, thereby becoming a growing mechanism for the redistribution of private property and assets under the guise of social justice and social equality.

WHEREAS, the growth and maintenance of these egalitarian programs is nothing more than a form of “eminent domain” without just compensation.

WHEREAS, these philosophical currents have diminished the role of personal responsibility and accountability by placing the role and purpose of the state as a replacement for a moral compass and individual conscience in addressing unsocial and destructive behavior.

WHEREAS, the reinterpretation and revisionist history by the promoters and implementers of social justice and social equality, especially through judicial activism via the academies and the courts, has been designed to destroy the foundational principals under which our government was established, as acknowledged by major voice of that movement, “One of the most important developments in the United States during the past decade has been the emergence of government as a major source of wealth. Government is a gigantic syphon. It draws in revenue and power, and pours forth wealth: money, benefits, services, contracts, franchises and licenses. Government has always had this function. But while in early times it was minor, today’s function of largess is on a vast, imperial scale.... The wealth of more and more Americans depends on a relationship to government. Increasingly, Americans live on government largess – allocated by government on its own terms, and held by recipients subject to conditions which express ‘the public interest.’ The growth of government largess, accompanied by a distinctive system of law, is having profound consequences. It affects the underpinnings of individualism and independence. It influences the workings of the Bill of Rights.” – Charles A. Reich in Yale Law Journal 73, No. 5 (April 1964), 733.

WHEREAS, as succinctly summarized by Dr. Richard Pipes in his book, “Property and Freedom”, Alfred A. Knopf, 1999, “Thus the modern government not only ‘redistributes’ the possessions of its citizens, it also regulates their use. It invokes environmental laws to limit the use of land and housing. It interferes with the freedom of contract by legislating minimum wages and enforcing ‘affirmative action’ hiring practices, It imposes rent controls. It interferes with virtually every aspect of business, punishing any action that looks like price-fixing, setting rates for public utilities, preventing the formation of trusts, regulating communications and transport, pressuring banks to lend to designated neighborhoods, and so on.... As a result, private property today scarcely resembles what it was in the past several hundred years and increasingly approximates conditional tenure. These measures are enforced by a regulatory bureaucracy which operates largely outside public control, arrogating to itself powers that the framers of the Constitution meant to keep separate.”

WHEREAS, the people of California are suffering under a tyrannical communist state government, which fails to provide a republican form of governance, and who are enduring an act of war upon their private property to support the unrestrained growth of a utopian egalitarian vision supported by a form of eminent domain without due compensation. As a result, the state of California chooses to continue its assault upon private property to sustain this ideology and demonstrates no desire or intent now, or in the future, to return to the founding principals of the United States of America.

BE IT RESOLVED,

By this joint resolution of its Assembly and Senate members of New California, shall hereby move to promote and protect private property as a foundation of all other unalienable rights, and to declare their loyalty to the United States of America and its Constitution, and to remain a free state within this Union.

NOW THEREFORE, BE IT RESOLVED

ADOPTED this ____ day of _____, 2018.

AYES: _____ (number of votes)

NOES: 0

ABSTAIN: 0

New California State Assembly

New California State Senate

Speaker of the Assembly

Scott Bennett, Contra Costa County
President Pro Tem

NEW CALIFORNIA STATE
JOINT RESOLUTION 18-_____