

We the citizens of this proud American nation are blessed that our forebears were honorable men gifted in law. In this moment of crisis we are called to revisit their works and to defend the Constitution of the United States.

Upon declaring independence from the monarchy and parliament of England, the founders determined to establish a republic, which John Adams defined for us as "an empire of laws and not of men". In this new scheme of government, Constitutions replaced royalty and became "higher law" inviolable by the authorities they created.

History has repeatedly shown, and our founders were fully aware, that republican governments require the careful crafting of checks and balances to protect against devolution into despotism and tyranny. The resolves drafted by James Madison and Thomas Jefferson, adopted by the Commonwealths of Virginia and Kentucky in 1798 and 1799, establish very clear precedent that when the government established by the Constitution of the United States operates in violation of it, it is the sovereign right and duty of the states to act to stop such violations.

The attached "*Joint Memorial Petitioning the President to reaffirm our nation's commitments to the Constitution*" relies upon the legislative precedent of the Virginia and Kentucky resolves. Although different in form, the legislature will be effectively declaring the act entitled "*Joint Resolution authorizing use of force against Iraq*" to be unconstitutional because it purports to allow the President to make war against a sovereign state in violation of the Constitution and of our international obligations.

The Memorial petitions the President to reaffirm his commitments to the Constitution and makes an affirmative declaration that war may not be made by the President in the name of the People of the State of Washington, or of the United States, in violation of the Constitution or other appertaining law.

The Joint Memorial answers a petition delivered to Governor Gary Locke and Washington state legislators during the week of January 24th, 2003. As a strictly Constitution-based Memorial, we are asserting that it is a nonpartisan document. All legislators swear an oath of office to uphold the Constitution. We are respectfully approaching the Legislature for their support.

We are also approaching members of Washington's peace and justice organizations asking that they form "Freedom Riders" groups for canvassing legislative districts across the state. The materials provided for the *Riders'* use in this effort are attached and can also be found at [www.montauk.com/snow.cfm](http://www.montauk.com/snow.cfm).

Time is of the essence, and we pray that our legislators will seize the opportunity to place our national flag firmly on state soil. We believe that the Joint Memorials will force an injunctive pause in hostilities by President Bush, affirm the sovereignty of the states, and be a watershed moment in the cause of upholding the Constitution.

For peace and liberty, we are the

***Constitution Defense Committee***

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