

Sovereignty in the Union States and the United States of America

By William Taylor Reil

The general definition of “Sovereignty” is - the supreme authority within a territory.

Also - a: supreme power, b: freedom from external control, and c: controlling influence

Synonyms: autonomy, independence, independency, liberty, self-determination, self-governance, self-government, freedom

The people/the Citizens, individually and collectively, have the ultimate power and authority because the people, under the Creator, are the sovereigns in America.

Yes, the people are the sovereigns in each State of the Union and in the United States of America. This is confirmed, at a minimum, by the Declaration of Independence, the Constitution of Pennsylvania, various historical documents and by many United States Supreme Court decisions. For example, consider the following:

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. **That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.**”

[Declaration of Independence]

“All power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety and happiness. For the advancement of these ends they have at all times an inalienable and indefeasible right to alter, reform or abolish their government in such manner as they may think proper.”

[Article I, Section 2, in the Constitution of Pennsylvania]

“To guard against transgressions of the high powers which we have delegated, we declare that everything in this article is excepted out of the general powers of government and shall forever remain inviolate.”

[Article I, Section 25, in the Constitution of Pennsylvania]

“In the United States, sovereignty resides in the people, who act through the organs established by the Constitution. Chisholm v. Georgia, 2 Dall. 419, 471; Penhallow v. Doane’s Administrators, 3 Dall, 54, 93; McCulloch v. Maryland, 4 Wheat. 316, 404,405; Yick Wo v. Hopkins, 118 U.S. 356, 370.

The Congress, as the instrumentality of sovereignty, is endowed with certain powers to be exerted on behalf of the people in the manner and with the effect the Constitution ordains. The Congress can not invoke the sovereign power of the people to override their will as thus declared.”

[PERRY v. UNITED STATES, 294 US 331, 353, (1934)]

“A state constitution declares general principles or policies and establishes a foundation for the law and the government, and is the direct and basic expression of the sovereign will. It is the mandate of a sovereign people to its servants and representatives, and no one of them has a right to ignore or disregard its mandates; the legislature, the executive officers, and the judiciary cannot lawfully act beyond its limitations. Thus, it is also the absolute rule of action and decision for all departments and officers of government with respect to all matters covered by it, and must control as it is written until it is changed by the authority which established it.”

[16 Am. Jur., 2d Section 58]

“In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself.”
[James Madison – Federalist Paper #51]

In our constitutional republics, an individual natural person, as a sovereign Citizen, has at all times the right (with the corresponding responsibility) to do anything he or she wishes to do as long as he or she does not hurt someone else, damage someone else’s property, or violate someone else’s rights. These are very broad natural limitations to the exercise of our rights. We delegate our inherent and inalienable authority to those in government to act on our behalf as trustees with very specific, documented constitutional fiduciary duties and responsibilities.

“There is no position which depends on clearer principles, than that every act of a delegated authority, contrary to the tenor of the commission under which it is exercised, is void. No legislative act, therefore, contrary to the Constitution, can be valid. To deny this, would be to affirm, that the deputy is greater than his principal; that the servant is above his master; that the representatives of the people are superior to the people themselves; that men acting by virtue of powers, may do not only what their powers do not authorize, but what they forbid.”
[Alexander Hamilton – Federalist Paper #78]

Contrary to the general misunderstanding today, neither the States nor the United States of America are sovereign. Only the people are sovereign. The people delegate our authority to those in government at all levels to act on our behalf as our representatives/ public servants. This “compound republic” is America’s very unique form of government.

“We held in *New York* that Congress cannot compel the States to enact or enforce a federal regulatory program. Today we hold that Congress cannot circumvent that prohibition by conscripting the State’s officers directly. The Federal Government may neither issue directives requiring the States to address particular problems, nor command the States’ officers, or those of their political subdivisions, to administer or enforce a federal regulatory program. It matters not whether policy making is involved, and no case by case weighing of the burdens or benefits is necessary; such commands are fundamentally incompatible with our constitutional system of dual sovereignty.”

[Holding - *Mack/Printz v. United States*, 521 U.S. 898 (1997)]

To recap: “All power is in the people”. All those in government can only act with the “consent of the governed”. The people are the sovereigns, individually and collectively, in the States of the Union and the United States of America because we have dual citizenship in our “compound republic”, first State citizenship and then federal citizenship. We the Citizens, while not giving it away, empower those in government, at each level, to use our sovereign authority as trustees to lawfully act on our behalf according to the very specific provisions in the State Constitution, and where lawfully applicable, the Constitution for the United States of America.

All those in our governments must strictly follow their “**oath of office**”, according to the original intent of the founding documents, at all times and all places while acting in their official capacity.

We the sovereign people of Pennsylvania again respectfully instruct all those in our State government to enforce the constitutional checks and balances, and the other well documented remedies to keep the actions of those in the central government in Washington, D.C. within its lawful limits. For example: Do not implement any part of “Obamacare” in Pennsylvania!

Nullification is a required “rightful remedy” for unconstitutional “laws”.