THE OAK INITIATIVE®

Oak Alert #13

The Blind Leading the Blind

A Call to Action and a case for National Sovereignty and National Law

by Bill NeSmith

Many of us may have seen an email or two being passed around since 2013 that conveys the results and concerns stemming from our U.S. Senate and a vote regarding America's involvement, even embracing, of U.N. Security Council Resolution 2117[1]—more commonly referred to as the UN Small Arms Treaty.

As ***The Hill*** reported[2], "*Sen. James Inhofe (R-Okla.) introduced an amendment that would prevent the United States from entering into the United Nations Arms Trade Treaty in order to uphold the Second Amendment. His amendment passed on a 53-46 vote.*"

The effort to keep America out of the Treaty was impacted primarily by Republicans who knew the danger and Democrats who did not. Of the forty-six Senators who voted against the Resolution, forty-four were Democrats and two were Independent.

Of those forty-six Senators who voted "Nay," ***twenty are up for re-election in 2018***, seven in 2020, and seven in 2022. Twelve no longer hold office.

Where they have displayed their ignorance (no disrespect intended) on matters of our Constitution and Bill of Rights as well as the UN Charter that clearly defines boundaries of National Sovereignty and National Law, they must be made aware of these truths. They should become more aware of these documents to more surely steward our nation or they must be removed from office at the soonest possible time through the ballot box. We must also set our eyes on the 2020 and 2022 elections and do the same to educate or remove the other fourteen so that we are no longer put so close to similar jeopardy as a nation. (No matter what country you currently live in, you should work to educate or

[1] http://unscr.com/en/resolutions/2117

[2] http://thehill.com/blogs/floor-action/senate/290001-senate-votes-to-stop-us-from-joining-un-arms-treaty

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replace all who do not properly and faithfully protect your national sovereignty and work to defend your laws.)

The Senators who voted to keep us aligned with this Treaty and against our 2nd Amendment Rights, who are up for reelection next year in 2018, are as follows:

> Baldwin (D-WI); Brown (D-OH); Cantwell (D-WA); Cardin (D-MD); Carper (D-DE); Casey (D-PA); Feinstein (D-CA); Franken (D-MN); Gillibrand (D-NY); Hirono (D-HI); Kaine (D-VA); King (I-ME); Klobuchar (D-MN); McCaskill (D-MO); Menendez (D-NJ); Murphy (D-CT); Nelson (D-FL); Stabenow (D-MI); Warren (D-MA); Whitehouse (D-RI)

Senators who voted against an amendment that would prevent the United States from entering into the UN Arms Trade Treaty

NAYs ---46

Baldwin (D-WI) 2018	~~Harkin (D-IA)~~	Reed (D-RI) 2020
~~Baucus (D-MT)~~	Hirono (D-HI) 2018	~~Reid (D-NV)~~
Bennet (D-CO) 2022	~~Johnson (D-SD)~~	~~Rockefeller (D-WV)~~
Blumenthal (D-CT) 2022	Kaine (D-VA) 2018	~~Sanders (I-VT)~~
~~Boxer (D-CA)~~	King (I-ME) 2018	Schatz (D-HI) 2022
Brown (D-OH) 2018	Klobuchar (D-MN) 2018	Schumer (D-NY) 2022
Cantwell (D-WA) 2018	~~Landrieu (D-LA)~~	Shaheen (D-NH) 2020
Cardin (D-MD) 2018	Leahy (D-VT) 2022	Stabenow (D-MI) 2018
Carper (D-DE) 2018	~~Levin (D-MI)~~	~~Udall (D-CO)~~
Casey (D-PA) 2018	McCaskill (D-MO) 2018	Udall (D-NM) 2020
Coons (D-DE) 2020	Menendez (D-NJ) 2018	Warner (D-VA) 2020
~~Cowan (D-MA)~~	Merkley (D-OR) 2020	Warren (D-MA) 2018
Durbin (D-IL) 2020	~~Mikulski (D-MD)~~	Whitehouse (D-RI) 2018
Feinstein (D-CA) 2018	Murphy (D-CT) 2018	Wyden (D-OR) 2022
Franken (D-MN) 2018	Murray (D-WA) 2022	
Gillibrand (D-NY) 2018	Nelson (D-FL) 2018	

The intent of this article is not to simply defend gun rights, but also to explain and remind all why we have and need them within a sensible framework of law. I will also present steps for action that each reader can engage in and make a difference right where they live—no matter the country or sense of isolation or insignificance. Individual effectiveness is possible because knowledge is power and that force of power can be used for positive change when it is acted upon. We have legislators who take advantage of crisis, and we have governing world bodies that attempt to do the same. This can be altered with knowledge.

A Call to Action #1: Educate or Replace

It's not just about our elected representatives voting, perhaps ignorantly, against this amendment, and it should not be taken lightly that this amendment was approved back in 2013. *The Senators who voted against its passage still hold public office today.*

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It is important to understand why this is not simply a disagreement of tactic or a difference in perspective. This vote was not only against our own 2nd Amendment Rights, but UNSCR 2117 is in complete violation of the original UN Charter ratified in 1945—a charter with good intention only now coming under attack by those who would tear down national boundaries for the sake of centralized control. The UN Charter clearly states the intent of protecting national identity. To add such a Treaty, though stating it recognizes the Charter, only serves to water down the Charter's original intent in much the same way that modern laws water down the original intent of the Constitution or its Amendments. The original documents need little to clarify them, only a willingness to embrace them.

It could be said that the introductory paragraphs of UN Resolution 2117 work to alleviate any concerns or misgivings about the document's purpose and scope, but the Charter itself is clear on matters that are made cloudy by this resolution (to which we will present in this article further on).

A Call to Action #2: Defend Freedom and National Identity

It is not to say that it was the intent of these forty-six Senators to undermine our Constitutional Law, but nonetheless this is surely the result of careless and ill-informed representation by those who took an oath when taking office. The citizens of this great nation or any other must not overlook such carelessness when similar actions have taken place in other nations.

Common Phrase

A common phrase in this UN Security Council Resolution is "illicit transfer, destabilizing accumulation and misuse of small arms and light weapons."

> **Who defines "illicit transfer, destabilizing accumulation", or the meaning of "misuse" with regard to small arms and light weapons?**

Along with this common language peppered throughout this resolution, there are three sections, presented below, that bring specific concern when it comes to the *definition of key phrases* and the distinction of *entities that will enforce and be enforced upon*. Admittedly, in a widely war-torn world, this sounds reasonable when radicals are at odds with the civilized world, but ultimately who defines and controls the identity of the aggressor or the enforcer of such '*global and regional instruments"*? What would happen if the UN deemed it necessary to identify American citizen's private ownership of weapons as a "destabilizing accumulation" or in violation of their *'counsel approved mandates"*? Three troubling sections of the Treaty are quoted as follows.

> *5. Reiterates that such peacekeeping operations and relevant Council mandated entities may, if deemed necessary by the Council, assist in capacity building for host governments, as requested, to implement*

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commitments under existing global and regional instruments and to address the illicit trafficking of small arms and light weapons, including inter alia through ***weapons collection, disarmament, demobilization, and reintegration programmes, enhancing physical security and stockpile management practices, record keeping and tracing capacities,*** *development of national export and import control systems, enhancement of border security, and strengthening judicial institutions and law enforcement capacity;*

9. Reaffirms its decision that States shall eliminate the supply of weapons, including small arms and light weapons, to terrorists, as well as its calls for States to find ways of intensifying and accelerating the exchange of operational information regarding traffic in arms, and to enhance coordination of efforts on national, subregional, regional and international levels;

11. Calls for Member States to ***support weapons collection, disarmament, demobilization and reintegration of ex-combatants, as well as physical security and stockpile management*** *programmes by United Nations peacekeeping operations where so mandated;*

On good days and in a rational world, these all sound understandable. However, as mentioned above, this document sounds like a framework for global arms collection if and when a nefarious entity so deems necessary and uses this document as a club to rule rather than a tool of measure for justice. As mentioned earlier, this Treaty presses against the original intent of the UN Charter when it comes to two key factors.

Two Key Factors

In recent years, gun rights have come under attack, not as a process of legislative review or due course, but rather by those who believe, in the words of the current Mayor of Chicago, "*You never let a serious crisis go to waste. And what I mean by that it's an opportunity to do things you think you could not do before.*"[3] Though spoken during a speech at the Wall Street Journal Conference in 2008, Rahm Emanuel's comments convey the mindset of all who would take a crisis and use it as an opportunity to turn *emotion into motivation* and *pain into gain*. This has clearly been seen in such cases where riots resulted in social legislation, statues being brought down without public referendum, and laws being passed in the heat, or fear, of public opinion rather than rational discourse and due process of the legislative branch. These are the ways of the Marxist and not a Democratic Republic.

In the last decade, various efforts have been taken by legislators from all over America and around the world to convince independent nations to conform to a global agenda of central control either through communism, socialism, Marxism, or a mixture of some

[3] https://www.brainyquote.com/quotes/quotes/r/rahmemanue409199.html

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fashion such as Democratic Socialism as proposed by Senator Bernie Sanders or Accords based on questionable science. All of this is pitched from a position of global responsibility for individual empowerment and well-being.

Two key factors related to freedom have come to light. They have been placed in jeopardy through modern legislative action and by those who would take a crisis and seize it for unjust opportunity. These two factors are *National Sovereignty* and *National Law*.

National Sovereignty

America is a sovereign nation and it is acceptable that they remain a part of the United Nations *as long as the United Nations holds true to its original charter*.
The original UN Charter[4] of 1945 makes important statements regarding national sovereignty. Articles 1 #2 upholds the idea of the self-determination of people and nations.

> Ch1.Art1.No2***—To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples***.

This idea of self-determination refers to both personal (individual) and national direction and decision making within the limits of their own government, society, and common law. The second key statement of the charter speaks to the sovereign equality of all its nations.

> Ch1.Art2.No1—***The Organization is based on the principle of the* sovereign equality of all its Members*.***

This second statement is important as it also enforces the first part of self-determination. Just as every member state in the United Nations is obliged to adhere the Charter of the UN, so too every principality (state, city, town, and governing board) within every nation is subject to their nation's laws and principles until duly adjusted.

National Law

National Law is afforded global strength and validity because of National Sovereignty. A nation's laws are not subject to the laws of any other. For America, our laws are empowered foremost by our Constitution and the Amendments that have been rightfully added to it. This is affirmed by the UN Charter, as stated above regarding National Sovereignty and Self-Determination of Nations.

Duly appointed and elected officials and legislators at all levels of civil service would do well to remember these two facts as they set out to define any course of action in the execution of their responsibilities. Federal Senators and Members of Congress have

[4] http://www.un.org/en/sections/un-charter/chapter-i/index.html

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sworn an oath[5] to uphold the Constitution[6] and for Americans, that Constitution must be upheld against any other expression of sovereignty. Otherwise, those who vote or act contrary are in violation of their sworn oath and are either ignorant of their actions or committing treason.

Rightful Protection and the 2nd Amendment

Some would argue that the only ones who need weapons are a militia. A militia is established, not by the government, but by those who would oppose a government that has exceeded its bounds and God-given mandate to rule righteously and in line with the laws that constrain their operation.

In closing, no matter what you believe as a valid form of gun control, the decision must remain in the hands of the citizens and their properly educated elected officials and not by bureaucrats in a central council of leadership. Representatives who have in fact sworn to uphold the laws of the land and the Constitution and to defend our country against all enemies, foreign and domestic.

We must understand the UN's own Founding Charter that, for itself, defines National Sovereignty and National Law. As Americans, we must also continue to grow in the knowledge of our Constitution and the accompanying Bill of Rights. Every Christian, in every nation, must understand and engage in the government that should work to protect their freedom as defined by God's word.

America is a Republic and legal citizens are the sovereign. God is sovereign over mankind, and mankind is sovereign over governments. Therefore, We the People, We are the Sovereigns in the earth. This is God's mandate, not of any nation. As stated clearly by the original UN Charter, the laws of every nation come before the laws of the United Nations. Any governmental representative that forgets, ignores, or is ignorant of that is not to be tolerated and must be educated or removed through lawful ballot or a process defined by that nation's laws.

> **The heavens are the heavens of the LORD, but the earth He has given to the sons of men** (mankind) **(Psalm 115:16).**

And as a result of the Cross and Resurrection:

> **And Jesus came up and spoke to them, saying, "All authority has been given to Me in heaven and on earth. "Go therefore and make disciples of all the nations, baptizing them in the name of the Father and the Son and the Holy Spirit, teaching them to observe all that I commanded you; and lo, I am with you always, even to the end of the age" (Matthew 28:18-20).**

[5] https://www.senate.gov/reference/reference_index_subjects/Oath_vrd.htm
[6] https://www.law.cornell.edu/constitution/articlevi

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We have our work cut out for us. Have dominion, educate and enlighten, and bring change to the minds of those who represent us, or as sovereigns we must remove those who prefer bondage and elect those who will defend freedom. If you are not currently a Partner of The Oak Initiative, I ask that you consider joining us as your annual dues are used to support this mandate around the world.

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