



The Solari Report

May 10, 2018

Enforce the Constitution: The Militias with Dr. Edwin Vieira



Catherine Austin Fitts



Edwin Vieira, Jr, PhD



Enforce the Constitution: The Militias with Dr. Edwin Vieira

May 10, 2018

Catherine Austin Fitts: Ladies and gentlemen, it's my privilege to welcome back to The Solari Report Dr. Edwin Vieira. Dr. Vieira, for those who listened to our wonderful interview last year about Constitutional Conventions being a very bad idea, has been introduced. He also joined us in 2012 when *The Sword and Sovereignty*, his book that we are going to be talking about, was first published.

I consider Dr. Vieira to be the go-to person when I have questions about US law, particularly the Constitution. He's been practicing for more than three decades. He has – and I forgive him for this – four degrees from Harvard University, and has argued and briefed cases leading to landmark decisions before the US Supreme Court.

He is the author of a book I consider a must-have for anybody serious about monetary history. It's the monetary legal history of the US, *Pieces of Eight*, and it's quite an extraordinary volume. If you really want to understand US monetary history, it's a must-have and I strongly recommend it to you.

After publishing *Pieces of Eight* he published *Sword and Sovereignty*, which is a complete and very thorough review on the history and legal issues of militias in the United States – something that I think is important for all of us to know about.



Dr. Vieira, thank you again for joining us on 'The Solari Report.

Dr. Edwin Vieira: Thank you for giving me the opportunity to do so.

Fitts: Let's start by having you explain why you wrote *Sword and Sovereignty*, and what it is and also mention how we can get it.

Vieira: The impetus for it came well before 2012. It came about the time of the 9/11 event. I assumed after that happened that there would be some upsurge in interest in general preparedness in the United States, and there wasn't. The 'usual suspects' – the people who I would have expected to begin talking about that problem – were remarkably silent.

So I looked at it from a Constitutional perspective. Of course, from a Constitutional perspective, the institutions that are required for that purpose are the 'Militia of the several States'. That is their title in the Constitution. There was very little that had been done about that – certainly recently.

There are publications that you can find, going all the way back into the 1900s, but the question was: Why weren't those institutions up and running today?

I began delving into the history of it, and it became apparent to me that the first thing that had to be laid out was the Constitutional framework and the Constitutional principles of the institutions. Of course, they are mentioned in the Constitution, but the Constitution not being a dictionary or an encyclopedia doesn't really define what they are or point you in the particular direction.



It was a historical question, so I went back reviewed all the Colonial and state statutes, acts, ordinances, and whatever they called them from the beginning of the country – back to the 1600s – on through the period of ratification of the Constitution. It is from that you can draw a pretty accurate picture of what these things are, at least in terms of principle.

Then I put the history of two of them – Virginia and Rhode Island – into this book, *Sword and Sovereignty*. The reason I picked those two was that first of all, I had to limit the amount of information that was going to go in the book. That book is over 2,000 pages long in just dealing with those two. So you can imagine how long it would have been if I had done all 13.

They were basically the same in terms of the principles of the militia structures, and that was true of all the 13 colonies and independent states, but Rhode Island and Virginia were interesting because they were on the opposite ends of a number of spectra. Rhode Island was considered to be a very ‘democratical’ – to use the word they used – colony. It was almost anarchic in comparison to the others. Virginia was an aristocratic colony.

Rhode Island was very small; Virginia was one of the largest, if it wasn’t the largest, of all the colonies.

Rhode Island operated mostly on the basis of coastal trade and international trade and sea-faring people. Virginia was mainly an agricultural colony. Virginia had an economy that was very much based upon slave plantation systems. Rhode Island had quite a number of slaves, too.



All the colonies did because slavery, of course, was legal during the 1600s and 1700s, but it was not primarily an agricultural colony based on that type of production.

So there were all these differences. Of course, even their religious differences, Virginia was based on the Anglican denomination and Rhode Island, of course, had been founded by two heretics who were thrown out of Massachusetts Bay – Anne Hutchinson and Roger Williams – and they were both Baptists. So there were quite a few differences.

You might say, “Given those differences, there should have been some differences that showed up in their militia structures, in principle,” but the answer was, “No.”

They were line for line – regarding the principles at least – exactly the same. I thought that was interesting because, of course, I read the statutes of all these colonies and independent states. I found that if you removed the titles, because they would often give away which colony it was in the title, and you rescinded some of the language – because the language was a bit different, depending on where you were in the colonies – you couldn’t tell one from the other.

So, this book goes through all that material and comes up with the principles, and then applies those principles today and asks, “What would those institutions look like if we had them today? What would they be capable of doing? Who would be involved in them? What kind of organization, training, equipment, and so forth would you have?”



The short answer is that if we had them, we would have a highly prepared country to deal with any emergency situation that you could imagine from a natural disaster on the one end to a foreign invasion on the other. I found something else very interesting after I wrote the book. They had this problem in World War II at the beginning of the war, or maybe even in the late 1930s. People began looking at the problem of home defense. What was the United States going to do if we were involved in international wars with the Germans and the Japanese, as it turns out, concerning the home front?

Of course, there was no structure to deal with that. So, they put together a committee primarily made up of two of the bright bulbs in the Franklin Delano Roosevelt era: Fiorello La Guardia of New York and Eleanor Roosevelt, of all people. They were the originators of the committee on, what we would today, Homeland Security.

It was fascinating because they came up with all sorts of ideas. They recognized what the basic problem was: There was no organization, there was no training, there was no equipment, and on and on. There was just nothing there. They flopped around like fish out of water trying to come up with a way to deal with this. It always struck me as interesting.

Of course, what they didn't do – which was so typical of the Roosevelt era – was first look into the Constitution. If you look into the Constitution, you would see that there are all these organizations, and there are 50 of them now – one Militia of Several States for each state –



and they are given the authority and responsibility to execute the laws of the union, suppress insurrections, and repel invasions. So, Congress can call them for those reasons, and the states are not limited in any way; they can call forth their militia to deal with whatever problems they may have.

So if you thought about just those three, you would say, “My gosh! That is the nucleus of what anyone would consider to be a thorough happening Homeland Security structure, and certainly a home defense structure in the course of dealing with possible dangers rising out of international warfare.”

But La Guardia and Roosevelt and another man by the name of Landis, who came afterwards, were unable to figure this out. There were many books written on this subject, and it’s fascinating to see that they don’t talk about what we’re talking about here, and they haven’t talked about it ever since.

Fitts: The reference to the militia is in the Second Amendment, correct?

Vieira: Yes, it’s referenced in the Second Amendment, but it’s referenced in the Constitution also, in Article I, Section 8, Clauses 15 and 16. Article II, Section 2, Clause 1 makes the President the Commander in Chief of the militia. So, Congress is given certain authorities with the militia, and the President is made Commander in Chief of the militia, but the militias are recognized as these state institutions. The ‘Militia of the Several States’ all existed.



The Second Amendment talks about a ‘well-regulated militia’ being necessary to the security of a Free State, and the Second Amendment – just as with every provision of the Bill of Rights – is really a reaffirmation of the proposition that certain powers are not given to the general government in the original Constitution.

What the Bill of Rights is doing is saying, “Look, you’re supposed to read this original Constitution a certain way and apply it a certain way. You’re not supposed to misconstrue it, and you’re not supposed to abuse it in the wrong manner.”

To make sure of that, we’re telling you the following, and it’s the First Amendment and Second Amendment and Third Amendment and so on. It isn’t as though these powers were granted in the original Constitution and there was an Amendment saying, “We’re taking these away.”

So, if you look at the Second Amendment, it begins with, “A well-regulated militia...” What were they talking about? They were talking about these things in the original Constitution with the fourteen states at the time (because Vermont had come in). These fourteen structures were in each of the states under the Constitution, and they make the statement, “This is necessary to the security of a Free State,” which, of course, is an obvious concept because, as the next fourteen words tell you, “the right of the people to keep and bear arms shall not be infringed.” For what reason? So they can participate in the well-regulated militia for the purpose of generating security for a Free State.



That is the structure. So, they're just laying it out again. In the Second Amendment, the proposition is given in the original Constitution with respect to Congress's power to 'call forth the militia and execute the laws of the Union, suppress insurrections, and repel invasion' is a very good outline of a homeland security thesis if we wanted to lay it out in those terms. So why don't we have it?

Well, they had it at the time of the Constitution's ratification. There were 13 of them. Then immediately, there were 14 when the Second Amendment was ratified. They were all there. Anyone who was an adult at that time would have known what these terms 'well-regulated militia' and 'militia of the Several States' meant. Certainly if he was a man, he would have served or was at that time serving in those institutions.

Fitts: So every able-bodied man was required to serve?

Vieira: Yes, that was the first proposition. It was nearly compulsory. You had to be able-bodied from 16 on, and they had age limits as you got into the late 40's, 50's, or 60 years of age, which are really predicated on ability. These were, to a large extent, power military organizations. You see the concept in most people's minds that they were there at Lexington and were there at Concord fighting the British, and were fighting the French and the Indians much earlier in the French and Indian War.

So, we have a power of military organization. By the time you got to be 45, 50, or 60 years of age, you had arthritis, you had heart condition, and many of these medical conditions that couldn't be cured.



So you were simply incapable of performing those functions. Of course, it would have been unreasonable for any legislature to impose on you that type of duty.

So, every able-bodied free man – because they had slaves, and the slaves weren't allowed to be in the militia because the second principle of the militia was that everyone had to be armed unless you were a conscientious objector, and you obviously didn't arm the slaves – had to be armed. How were they armed? He had to 'provide for himself'. That is usually the term that the statutes used. Every member of the militia had to 'provide' and they gave a list of the various arms that he had to have. There might be a musket, a long arm pistol if you were in the cavalry, and a hatchet and a sword, and so on. You had to go into the free market and purchase those.

So, the militia system was predicated on the existence of a rather extensive free market in arms. This wasn't something where the government handed out an arsenal.

If you were too poor, they would find some way in the statute to make sure that you were armed. The town might pay for your arms with taxes, or the militia might pay for your arms with the fines that the militia collected, or they might arrange for you to get a job. In any event, they made sure that everyone was armed. Then there was a specific set of training requirements, and they would come out four times or six times a year, or in the course of situations that were crisis-laden, eighteen times a year, depending on how much training they needed.



That was a regular operation that you had to conform to, and there was discipline that was tied into that obviously, and one element of that discipline was that people were fined if they didn't perform these various functions.

For instance, if you didn't have your complete table of organization and equipment filled out, there was a fine of so many shillings. Or if you didn't have your guns it was a fine of so many shillings, or if you didn't have the power and shot that you were required, and so forth down that list.

So, you had total organization, and the commitment that was involved – and this is what is interesting – these were paramilitary organizations. They were designed to function alone or in conjunction with the British Army – their imperial army because the colonies, of course, were part of the British Empire. If you went off with the militiamen with the British Army to fight the French and the Indians, you might be killed or maimed or crippled for life or whatever. So this was not a commitment just to show up and march around a parade route; it was a commitment that might have terminal consequences. That's because the ethos of the day was – and should be in any kind of republic situation – that every citizen had a duty to perform some protective function for his community.

It goes back to the concept of the ancient Greeks and the ancient Romans – the republic, the sovereignty of the people. The sovereignty of the people includes not only rights, but duties as well to the community. That was the situation.



Fitts: I think it's fair to say that during this period, even after the Constitution, if you saw how many people on payroll to state and local government whose business is enforcement or safety, you didn't begin to have that infrastructure of governmental employees providing those functions.

Vieira: They weren't governmental employees, but the militiamen were exercising governmental authority. So, you look at a modern-day police force, which is a very small percentage of the community, and it's professional, and it considers itself somehow detached from the community. It's the 'us/them' mentality.

There's an entire thought that goes, "When seconds count, the police are only minutes away."

If you had a militia structure, all of those police entities that we now think of would become (and return to) subsets of the militia, and there would be many more people involved in them – not to mention the fact that you would have a number of people 'off-duty' who would have had the appropriate training to deal with certain police-type situations like street violence of one kind or another.

The school shooting in Parkland, Florida just happened. Well, all those teachers, and all those administrators, and probably a number of those students, the students of age 16 years and up, would have all been members of the militia unless they qualified for some exemption because they were physically disabled or whatever. They would have been members of the militia, and they would have had a very high level of training, and you wouldn't even be talking about whether it would be appropriate to arm the teachers; of course, they would have been armed.



Maybe not all of them would be armed, but you would have had some rotational duty to make sure that you had armed and trained people within the school, not outside – as it turned out – or hiding behind the guards while the shooting was going on.

So, there is a classic example from just a few weeks ago of the difference between the level of preparedness now and the level of preparedness that the Constitution requires, and that actually existed at one time in the past.

This thing was deluded at first, and then somewhat poured down the drain in 1903. In 1903 Congress passed a statute called the Dick Act because Representative Dick was the original sponsor. This purported to be a reorganization of the militia in the United States. It created two categories: The organized militia, and the unorganized militia. They first called it the ‘reserve militia’ and then later the statute called it the ‘unorganized militia’.

That is what we have today. If you look at any state code that deals with ‘military matters’ or militia, you will find these two categories: The organized militia and the unorganized militia. The organized militia is the National Guard and the Naval Militia, which is the naval component.

So, you have the Army National Guard, and the Air National Guard, and the Naval Militia, and that is the organized militia. Everybody else falls into the category of the unorganized militia. Well, we know that the National Guard is highly organized, and equipped, and trained, and so forth, and the unorganized militia is not. It’s the exact opposite.



You're in this empty set, as it were, in the sense that there is no training, no organization, and no specific duties that are required. Most of the statutes give the governors some kind of emergency power in a laundry list of terrible events to call forth people from the unorganized militia, but in Virginia, for instance, the question was: How the heck would he do this? Does he call on the phone? Does he send somebody around with a bullhorn and a truck? What does he do?

The statute is empty pertaining to that. What training do I have? None. What equipment do I have? None. There is nothing.

So, we're in a situation where, with 300 million people in the country, dealing with all the potential crisis events that could occur from natural disasters to industrial accidents – and you can run down the list – we are dependent either on the National Guard, the training of which is specifically military, or some kind of bureaucratic emergency management agency. That is, at the present time, FEMA (Federal Emergency Management Agency) in the Department of Homeland Security. I think that in every state, or at least in most of the states, there is a state FEMA.

Virginia has an emergency management statute. It's interesting that emergency management statute was tacked onto the end of the military laws of Virginia where the unorganized militia is.

Whoever wrote that statute had a vague idea of what it was connected to or what it was supposed to do. That is why they put it there. But what it amounts to is a plan that comes out of the capital of Virginia-Richmond- which is predicated on a plan coming out of Washington.



Richmond has delegated to all of the subsidiary local governments – whether it’s a city government or a town government or a county government – the authority and the duty to come up with their own plan that is in conformity with this state plan, and then to work out whatever they need to do at their particular local level.

Warren County, Virginia, which is a semi-rural county, has a Board of Supervisors. There are others that have this ultimate authority, and they have delegated that to the fire chief. So, our Fire Chief is the head of fire personnel and the emergency response personnel. He comes up with a plan, which is basically the state plan, which is the FEMA national plan. We have a small group called the Community Emergency Response Team (CERT), which is the auxiliary for the fire department emergency response team. The CERT team is designed to mobilize potentially all of the capable adults in the community.

So, you can see that somebody has a vague idea that even if you have full-time professionals performing some of these emergency functions, you want to have people from the general population organize and train people working with this thin layer of professional EMT people.

In Warren County there are 34,000 people. Let’s say that half of the mature adults amounts to 16,000. How many people do we have on the CERT team? On the paper roster there are maybe 25 or so. On the number of people who show up to the meetings, there are six or eight or maybe ten, if we have some particular exercise that we are doing.



Let's say that we have all of them who are on the roster – 25 people out of 16,000 – that's not much organization. One of the reasons for that is because it's a voluntary organization; you don't have to be a member of the CERT team.

The FEMA guidelines certainly suggest it. If you go to the website of the Virginia Emergency Management personnel, they have a list of things that people should have in their homes for an emergency. It's almost similar to a Boy Scout level list, "Have three days of food and water. If you need specific medications, make sure that you have enough of those medications to last you for three days or a week..." and the list goes on and on.

At the end of the list, it says, "Have paper and pencils so that you can write down directives that come over your battery-powered radio from the emergency management people."

The thing it doesn't suggest – as it gets faster – is that you should have a firearm, or you should be trained for the possibility that in an extreme emergency all sorts of social services are going to break down, and you will be very much on your own.

That ethos is still there, and that was the idea back in 1903. They wanted to be able to use the label 'militia' in order to organize people formally into what has become the National Guard so that they would have this large reserve capacity for the regular armed forces.



That tells you something right away because the militia could be called forth for only three reasons by Congress: To execute the laws, suppress insurrections, or repel invasions.

Going to fight in France or in Guadalcanal in World War II doesn't fit into any of those three. And the National Guard, of course, was sent to fight in World War I, World War II, Korea, Vietnam, and now in Afghanistan and Iraq. The National Guard was sent overseas to engage in these real wars or these military adventures that we now have that they can't call wars because they don't qualify as Constitutional wars.

So what is the National Guard? It can't be the militia, and it isn't the regular Army.

There is a provision in the Constitution that covers this. It's Article I, Section 10, Clause 3: "No State shall keep troops or ships in time of war without the consent of Congress."

That is what has happened here. The National Guard actually falls into this peculiar category of the 'troops or ships of war' that the states may keep in times of peace with the consent of Congress. The consent of Congress is built into these statutes that began in 1903.

So, the people who thought this up accomplished that. They had this large reserve set up for the Army, and it was just in time because World War I came along.



You have a series of statutes from 1903 to 1916, the National Defense Act, and then the United States becomes involved the next year in World War I. So everything was set up exactly in order.

They put everyone else into the unorganized militia for the reason that they didn't want the vast majority of people meddling in government in any way. The militia, of course, are governmental institutions; they're not private groups. They are authorized by statute to do certain things pursuant to this Constitutional mandate.

Remember, that period of time was the beginning of, what we call today, the 'administrative state'. This was the idea that in a complex society you really needed to have bureaucracies staffed by expert administrators running things, and that Congress' role at the national level was to create these agencies and fund them. The people's role was to elect the type of Congressmen who would do that. That was the administrative state structure, and the arguments for it were published in the law journals and so on at the turn of the century. Then, of course, it was put into practice in World War I. You had a huge administrative structure that was set up for World War I, but that was essentially temporary.

Franklin Roosevelt came along, and under the guise of responding to the Depression, he made this a permanent structure. Of course, Roosevelt was one of Wilson's group during World War I. He was Assistant Secretary of the Navy, so that is where he learned his business – in the administrative state. So, that is what we have now.



It even goes down to the question of Homeland Security preparedness. The directives come from the experts in Washington, FEMA, and then filter down to the semi-experts and so forth through the state capitals, to the various local levels. Then people respond to these things in a robotic fashion. But they still have maintained this idea that the people really don't fit into this structure in a formal way. "We're not going to organize everyone; we're not going to have everyone realize that they have some sort of governmental authority they are exercising. We're certainly not going to make them aware that this structure is a reflection of the concept of a republican form of government where the people have sovereignty, not some little group of bureaucrats in Washington. We're not going to tell them that."

"We're going to tell them that they should have three days' worth of water and so on, and the few of them who bother to come out, we'll give them a little more training."

The last time I went to a CERT meeting, we did exercises in dealing with stoppage of blood flow – major incidents of trauma that result in people potentially bleeding to death, and how you deal with that. That's the kind of thing I would think, in a sense, everyone should know about.

Basically, you could run into that type of situation with an automobile accident and a number of other things. Emergency medical preparedness is what to do if there is some kind of a chemical crisis.



In this county, we have so many trains go through every day, but every one that I've seen has been a freight train, and they tend to always have some tank cars with hydrochloric acid or whatever –and these trains are just rolling through here. And then, of course, you have derailments all the time throughout the country, and once that happens, these types of chemicals are released.

Fitts: One of the funniest videos I've seen in the last six weeks, or this quarter, was an African-American state trooper in New Mexico. He became a pastor and left the state troopers after a very distinguished career. Then he decided to start a school.

When the mass school shootings began, he decided that he was going to train some of his teachers to carry, and be prepared, and have drills with the students. It shows the students and teachers going through the drills. Of course, some of these teachers are trained. Not only are they trained, but the training is ongoing; they have to be part of ongoing training, and he has all these people from enforcement helping him.

In comes someone from the State Teachers Association who is wild with anger that there are experts for this, and, “You cannot teach amateurs to deal with this. You need the experts.”

One person said, “Wait a minute. The experts can't get here for 45 minutes. What's your plan?”

“To wait for the experts.”



Vieira: I wonder who the State Teachers Union thought were the experts, because that's all a relative concept.

I'm a firearms instructor, and I have been for 25 years. There is no difficulty in teaching a reasonably intelligent and willing child at 12, 13, or 14 years old the basic rudiments of firearm safety, and teaching them to have some proficiency with some types of firearms – at least that he can physically manipulate.

So, I can't understand why it would be difficult to imagine that teachers couldn't be taught that, and administrators couldn't be taught that, especially when you consider that the militia structure would probably start before 16 years old. Sixteen years old is your second year in high school, so you're probably going back into the middle school because you're trying to train these students regarding, "Here is what is going to happen to you when you become 16 years old. You are now going to have formal duties in this structure that will continue for the rest of your life, assuming that you don't become physically disabled."

"So, now we're going to tell you at 12, 13, 14, or 15 years of age what that is all about, the type of duties that we foresee you having, and we can give you certain types of training to prepare you for that so when you go into the militia at 16, you're not going to be someone who is just a blank sheet of paper, but plenty of useful information is going to have been written in your minds, and in your bodies, because you'll have had some experience with these things."



One of those, of course, would be – at a minimum – firearms safety. It wouldn't necessarily be proficiency, because that comes later, but it would be safety. "Here is a firearm. We want you to not hurt yourself or someone else in manipulating this or dealing with this."

That would start very early on, and, of course, you would be told why you were going to do this. Then we would get into the complete concept of the republican form of government and constitutional law and so on. You think of the avenues that are open for educating these youths.

Then, by the time you're 16, you're in the field actually doing something. This is going on on a regular basis. The militia structure – Constitutionally speaking – is not based upon what you learn at the time that you are 16 years of age, and then that is it. Instead, you are constantly reviewing this material.

It would change over time because from 16 to the late 20's you're more or less physically capable of performing all sorts of police and paramilitary functions. As you start getting into the 30's and the 40's, your ability to do that attenuates. There are other things that you can do at that time. You can sit in front of a computer. There are an infinite number of things that you can do as you age, not to mention the fact that, supposedly as you are aging, you are learning more and more. So now you are capable of taking on higher levels of responsibility in the organization.



So, some teacher who had been there – who were recently hired, for instance – would probably already have spent seven or eight years in the militia before that person was even hired to be a secondary school teacher. An administrator would typically have more years of training than the teacher. They might have been in for ten or fifteen years in the militia.

So, the idea that a militia structure would look to any particular form of ‘experts’ outside of itself is simply a misunderstanding of what that structure is.

All these things that we have that are separate now – police departments, sheriff’s departments, fire departments, emergency management people – would all be subsets of the militia in the same way that the minutemen and the rangers were in the early days. The subsets that they had were less because of the particular problems they were dealing with, so they were paramilitary-type subsets, but it was the same type of structure.

The reason for this is that you don’t want the police to think of themselves as separate and independent and maybe antagonistic to the general population. You don’t want a mindset in those people of ‘us versus them’ and ‘the police versus the civilians’, as it were.

The only way to stop that is to make them part of the same structure that everybody else is in. Yes, they have different duties, and yes, they may have a different patch on their uniform or whatever, and they are getting paid for this on a regular basis, whereas most militiamen would not be paid simply to come to the training, _____



but that is because they are performing this special militia function. They have a responsibility to the militia as an organization.

So, there is no dichotomy between the police on the one hand and the civilians on the other; they are all part of the same structure. So that problem would end.

Fitts: To connect the dots to what you have written about monetary policy, if you look at the enormous infrastructure of Homeland Security that we've created or police and sheriff enforcement throughout the country, I daresay that we could have never printed that much paper unless we've been the reserve currency. That brings up the question: As the dollar market share declines, are we going back to a world where the economics will dictate that we have to do something like this because we can't afford the edifice that we've built?

Vieira: We can't afford the edifice for two reasons: The first is the one that you just mentioned, and the other one is that it doesn't work.

The militia structure would require a great deal of participation by people, not as volunteers, because it's compulsory, but being unpaid.

To make the analogy of the CERT teams again, we would go once or twice a month to these meetings. We're not paid now. Certain people are volunteers, and none are paid. Does it really make a difference that we would be in a militia and not paid for doing that? Because we're not paid now, but everyone would have to do it.



The reason for having everyone do it is because you don't know who would be the person on the scene when a particular crisis occurs. Who would be the first responder? The first responder is always the victim, in a sense. If the victim can respond, then the victim is the first responder. Then secondarily, it's whoever happens to be there is potentially the first responder.

Our problem today is that whoever happens to be there doesn't know 'up from down' with respect to the types of problems that you would face in whatever crisis you could imagine, and they have to call for assistance to 911 or whatever organized structures are out there.

In Warren County, we have a very small number of people in the fire and emergency rescue units. Events occur, and one occurred last year, in which every person was on the street dealing with someone. If one more emergency event occurred –one more heart attack or one elderly person fell down the stairs – they would have had to wait because the EMT people, the emergency management people who we had, were all out on calls. They would have had to wait, or they would have had to hope that maybe a call could have been put through to one of their neighboring counties and some 911 people could have come and dealt with that, whereas if you had everyone organized, certainly at a minimum level of understanding of these types of problems, there would have been some people just down the street who could have handled that type of situation. That is a failure.



Fitts: If you look at who the equivalent of the militia is, if we were going to create a militia in Hickory Valley, Tennessee, the first thing that we would do is call in all the fire department volunteers and try to convert them.

Vieira: I think that you start with them and the police that you already have.

Fitts: There is a point that I want to make here.

We have a retired fire chief who moved to Hickory Valley, and he's been organizing these people for a long time. He's doing a great job, and it's an outstanding group of people. But what is happening is the Federal government is steadily changing the regulations and rules about how much training they have to do. If you read and study what is occurring, my interpretation is that they are trying to drive as many people out of this as possible. They are trying to make it impossible to be a volunteer because you literally can't raise a family, hold down a job, and carry that much training responsibility every year. That is just one example.

Everywhere you look, it appears they are trying to train the general population to be the opposite – completely passive and not trained.

Vieira: I think that's right – for two reasons at least. One is just a general mindset of the bureaucracy. It's top-down control. It's the all-seeing eye on the top of the apex or the pyramid. "We know what is best. You don't. Shut up and do what we tell you."



That's bad enough, but the other aspect of that is they don't want people to realize that if you were organized at the bottom of the pyramid, so to speak, then you would really be in control.

They don't want a government, "Of the people, by the people, for the people." It's as simple as that. Once people become sufficiently organized, they realize, "Wait a minute. We don't need these directives from Washington because we can handle these situations ourselves."

Maybe if there is a nuclear war or something, we might want to have some help from outside, but most of these situations we can handle. We don't need those people.

Immediately, that complete concept of 'top-down control' from a political point of view dissolves. "We don't need you, so why are we going to put up with these constant guidelines and directives and all these other forms of interference that you're sending down here? Go away."

Nancy Reagan said, "Just say no. We don't need you."

That is the other side of the coin. Many of these training programs that the CERT people have to take are available at FEMA online courses. Much of it is useful, but it could be taught without the other half, which is all about bureaucratic structures and organizational diagrams and so on. Apparently the most important thing on the bottom line is, "Document all your expenses so that you can charge these back on the state or Federal level."



The entire thing is bureaucracy. I've spent time with the Navy, so I know bureaucracy. I spent time with the naval laboratory and even scientists were subject to this kind of bureaucracy.

You're right. What it does is drives people away. That is number one, but it's not that they couldn't do it. Most of the courses for certifications that you acquire are the result of something that you can do online. You can do that in the evenings, and over a period of time. It doesn't have to be done in one afternoon. Then you'll get the certification and will have the 'whatever' level of training that was in that particular program. So, it's something that people can do, but it's a pain in the neck to do it.

I have notebooks full of this. Much of it you would never think to use again. What they don't give you, unfortunately, is a lot of hands-on training without the bureaucracies attached to it. "Let's get some people out in the field every other Saturday or every other Sunday afternoon, and we're going to go through this particular kind of exercise. Here is a mass casualty situation. How do we do triage? How do we set up this? How do we set up that?"

The equipment is there, and then you go through all this. It becomes second nature to be able to do it and not looking in some three-ring notebook six months later to see what FEMA told you what ought to be done.



That kind of operation could obviously be set up with local people. You don't need people at the state level, and you certainly don't need people from the Federal level to do that. And you would have large numbers of people who were adept at doing these things, which ultimately is the only way that it is ever going to work. It has to be second nature to you; you can't be sitting around thinking about how to apply a tourniquet, or how to apply a dressing to somebody, or how to give them mouth-to-mouth resuscitation, or whatever it would be in a medical emergency. You can't be thinking about how you're supposed to deal with a fire. You can't be thinking about how you're going to deal with any of these situations. Certain people go through and get some reasonable training and that is the difficulty there.

It goes back to this mindset of the administrative state or the bureaucratic state. The people are there to be told what to do and to follow directives and not to take any situation into their own charge. As an administrative state, you don't want the base of the pyramid to somehow feel that it is independent of the upper levels. It has to be dependent on that.

Fitts: Let me ask you a jurisdictional question. It seems that if you were going to revive the militia structure, you need the state government to do it. Do you need the state government to be part of organizing and calling for a militia?

Vieira: That's right because the Constitution correctly defines these things as 'the militia of the several states'. It incorporates that structure. The Federal system is not only Washington DC; it's Washington DC and all the states and these particular entities.



Actually, they are the only state entities that are specifically mentioned, other than the legislatures of the states and the judicial offices of the states. But they are the only entities in the states that are specifically mentioned as part of the Constitutional structure, and that goes back to what the Second Amendment says. “Being necessary to the security of a Free State,” and you have to have these things.

So, yes, they are the state’s institutions, and the states have the first responsibility with respect to them.

Fitts: Right, but the President of the United States can assert authority over them, even if the states have organized.

Vieira: There is a statute that calls the President forth. Congress has the power to provide for calling forth the militia for three purposes: To execute the laws of the union (not the laws of the state), suppress, insurrect, and to repel invasions, and, when it calls forth the militia or part of the militia for one or more of those purposes, the militia is, “Employed in the service of the United States,” recognizing that they are something outside of the United States government. They are part of the state.

The President is given the authority as Commander in Chief of the militia of the several states when called into the actual service of the United States. That is the Constitutional language.



So, the President has the authority under those circumstances, and only when those circumstances ‘actually obtain’. That word ‘actual’ appears only there with respect to the militia. The reason for that was they were worried about any kind of centralized authority over military or quazi-military institutions, and certainly didn’t want the President of the United States, who is also the Commander in Chief of the regular Army and Navy-to the extent that Congress created those things-to be able to exercise some control over the militia that didn’t have limitations because then the President would have his own hands over all of the military and paramilitary power in the entire country.

So, the President could do this when the militia are called forth, and that depends upon a statute from Congress, and it has to be the actual service. The President can’t only be bluffing.

The militia could say, “No, this isn’t the actual service. You’re calling us up to fight in France. We’re not going.”

Fitts: Right, but is there a theoretical issue here where the militia could be looked at to overrule the sheriff in terms of Federal versus local jurisdiction? If the sheriff or the state government says, “No, the Feds can’t do that here,” can the militia – in theory – be used to overrule?

Vieira: Then you would run into exactly this conflict problem that always arises in federalism. If the ‘superior body’ attempts to assert powers that don’t exist or is usurping powers with respect to the inferior body – if Congress or the President or both are attempting to usurp powers with respect to the states – then you have the doctrine of interposition.



The states are supposed to say, “No, you don’t have that Constitutional authority. And by the way, Mr. President, we have 7,295,000 in our state militia who are going to go along with this, so we have a problem.”

That is exactly the point and it’s a pushback. The system is like a bunch of elastic bands all connected at various points, and if you pull on one too much, the others are going to pull in the opposite direction. That is what is supposed to happen. There is supposed to be this kind of tension, but the tension depends upon the existence of these other institutions that can function in that way.

If you don’t have state militia under the structure that we have now, and you don’t because it’s a paper thing, then there is no pushback. The Federal government can say, “This is what you’re going to do, Sheriff, and you have two deputies. We’ll send down 25 FBI agents to require you to do this.”

Fitts: It’s not only the organization, though; it’s the culture.

Vieira: It’s a recognition by people at the base of the pyramid that the strength of any pyramid is in the bases, not in the apex. We’ve been taught the opposite, “All the strength and wisdom and so forth is up there in the all-seeing eye at the top of the pyramid, and that filters down through the states, eventually down to Ma and Pa Kettle at the local level – the people who Hillary Clinton calls the ‘deplorables.’”

They teach us that we’re not as smart, we’re not as energetic, we don’t have the experience, or whatever the heck it is that defines being ‘deplorable’ – we’re it.



Fitts: Did you hear the latest? “The reason I voted for Trump is because the men around me told me to do it.”

Vieira: That’s right. They come up with every single excuse.

Fitts: I don’t know my own mind!

Vieira: Whatever words she wants to apply to us, that is a direct contradiction. It’s the antithesis of the concept of a republican form of government. A republican form of government is based on sovereignty of the people, not sovereignty of some group of elitists from New York City or Los Angeles or wherever, who are going to tell everybody else what to do.

Now that requires institutional structures, and we have them in the Constitution, except for the reality that the ultimate power in any state is the power of force. Washington said, “Government is not eloquence; government is force.”

If you’re incapable of exercising force, you really don’t have any type of sovereign authority in that particular area. So here we have these structures that the Constitution itself and the Second Amendment on security of the Free State, and they are moribund.

So, it’s not surprising that we don’t have a Free State anymore in any one of the 50 states because these basic structures in which people would participate, realizing they were doing this for a particular purpose –



not just because they wanted to go out on a warm Saturday afternoon and play soldier on the green or whatever training they would be doing that afternoon. They were functioning in this organization in order to exercise the actual sovereignty that they are supposed to exercise in a republican form of government, and therefore, to maintain that form of government.

As you said, it's a cultural problem. People were weaned off this concept. How? By taking them out of the operation. If you don't go to these meetings, and the militia structure requires a certain number of training sessions, pretty soon you lose any kind of intellectual contact with it.

They say, "It's a historical thing. All of that was going on in the 1800's, but it's not relevant to us today." Why, because I don't participate in it? Nobody is telling me to do this.

Fitts: Let me ask you one question: If a state decided to call for militia or to organize their militia, is there anything in the law that would prevent them from having it coeducational?

Vieira: No. The militia structure in the Colonial period was based upon men only. It was for able-bodied, adult, free men only because the position of women was culturally and legally such that people, including the women, didn't want to participate in it. It was a paramilitary organization. It was going out to fight the French and the Indians and that was their primary function. So the women didn't participate in it directly.



The women participated in it indirectly in the sense that every able-bodied male had to have a firearm. So what would happen if you were a minor? From ages 16-21 you could be in the militia and could be living at home. You had no income, for instance, or maybe you were an apprentice or a servant of some kind where, whatever age you were, you would probably have no direct income. You were getting room and board and training.

What happened in those situations was that the family – the father or the master – of the apprentice had to pay. It was his responsibility to pay for the minor child or the apprentice. Well, what happens if it was a widow who was in charge of this situation? What if it was a widow with several male children? She was financially responsible, and had to pay. So the women had responsibility in that.

Obviously, the legal status of women has changed. They are no longer legally subject to their fathers or their husbands, and there are plenty of things that they could do in a proper militia structure. I personally would not like to see them integrated in the front line of the 20 or 25-year-old people who are getting basic Army and Marine Corps training. I can't see a civilized society that does that, except in a last-ditch effort.

If you're invaded, and this is our last hope, then I could see it, but they wouldn't have the training. Normally, they would not be called for that particular duty; they would be called to do something else.

My point with this is that everyone in the society would fit in in some way. You wouldn't all necessarily do the same things, but you would all be trained to do a potpourri of basic things.



Fitts: Almost everybody can participate in a variety of different ways.

Vieira: You had people in specialized training, depending on what their interests were. Our situation is so much better than the Colonial situation. They had a limited number of people and a large number of problems. We have an unlimited amount of people relative to the problems.

Fitts: If we should lose reserve currency status tomorrow, the problems are going to skyrocket.

Vieira: Let me give you an example. Let's say that you were facing that problem, "The monetary system is going to break down, so we need to begin thinking about an alternative currency."

If you had a militia structure, you could do what the state of Texas has done. They have a gold and silver depository. I understand that they set it up in such a way that it can be used as a gold and silver bank, and people can actually hold their gold and silver there and make transactions through the depository.

You might say, "That's a fine idea," and I would say, "We need to add something to that." We need that depository to be under the control of the militia because we don't want a 1933-type event occurring again where the Federal people decide that they wanted to confiscate all the gold, and attempted to confiscate it.

The second thing is that you want people in the state to be able to use that, not just to hear about it. So, you would tell all the people in the militia, "Here is part of your militia duty." The security of the Free State includes the economic security of the Free State.



Part of your militia duty is that, “you have to get an account in our depository so that you are capable of using this alternative currency. Whether you use it or not at this stage is up to you. We’re not going to force you to use it, but we are going to require you to have an account in the same way that we could require you to have some type of credit card or deposit card or however it would work. You’re going to be required to do that. So, you are capable of using that system.”

“Then we are going to go to all of the businessmen because all of those people would also be members of the militia.” We’re going to say, “As part of your militia duty and your business, you are required to post an alternative set of prices. So if you’re selling particular products, here is a list of the prices in US dollars. We want an alternative list of prices in gold and silver. We’ll tie you in to whatever databases are necessary so that you can come up with these numbers. You’re doing it all by barcodes anyway, so we’ll give you the IT materials that you need. But you’re going to set this up so that you could – if you wanted to with your customers-make a gold or silver transaction. You could operate outside of the dollar nexus and make a gold or silver transaction.”

“Once again, we’re not going to require you to do this, but if you choose to do it with your customers, that is fine. We want you to be able to do that with your customers.”

Imagine if you could set that up with the click of your fingers. At that point, given that everyone in this society from 16 on up is part of the militia, you could walk away from the Federal Reserve System then and there.



Fitts: Exactly, which is why they don't want it happening.

Vieira: Yes, and it's not only the monetary system, but this is a modern example of the use of the militia that would directly impact us with respect to this looting problem.

Fitts: The reason I want to really communicate and encourage people to get *The Sword and Sovereignty* is to understand that money and force need to get tied at the hip. In other words, you have to have the ability to enforce if you want to deal with or re-engineer money. So, whether we're changing what is happening with the currency or we are going to require the Federal government to obey the law related to finances, you have to deal with the gun ownership issue, and I think it's one of the reasons the bankers are trying so hard to remove gun ownership from the population. They know that these changes are coming, and they want to make sure that the population does not have the ability to enforce the law when they come.

Vieira: And to enforce the law in the really broad sense, too, in terms of self-defense. People like the NRA say, "Gun ownership is important for self-defense." What they leave out of the equation is that self-defense is the foundational element of law. Self-defense is your exercising the law against an aggressor who is attacking you under circumstances in which nobody else is there – the police or the courts – to assist you. You are the executor of the law, at that point.

If you aren't justified, the law can come back and say, "You shouldn't have done that. You really were not imminently threatened," but assuming that the circumstances are correct, you are the law at that time.



That is the first responsibility of the militia – to execute the laws. So, everyone who is in that situation, being armed on the street or in their home to protect against an aggressor, is, in fact, preparing to or will be, under those circumstances, executing the law. You are the law. You are the government at that point in time.

If people will simply extrapolate from that and say, “That’s true there,” then what about all of these other areas that we can inject the militia into? Money is one example. I like to point out that with all of the protective functions that we now have – police, fire, emergency management, emergency response – is that you would never have a fraudulent election if you had a militia structure because everyone who would be eligible to vote from 18 years and up, where would he vote? People vote in their local precincts, which is the areas around which the militia would be structured. The militia would be structured around your local political structure.

Fitts: Although if you still have computer voting, of course, they could vote fraudulently.

Vieira: You get rid of that. You’d have so many people that you could go back to the paper ballot.

What I like to suggest to people is: You’d have these paper ballots, and they would have the carbons with multi-copies. So there would be three copies, and they would all have serial numbers. You would mark your ballot, and then you would drop it in the box. You would take the second one, and drop that in a separate box. Then you take the third one home. There would be two counts, and multiple counts of those two boxes.



Then they would report at your polling place a list of all the serial numbers of the ballots and what the vote was for that serial number. Was it for Jones? Was it for Smith? Was it for the referendum, or was it against?

So you could come in with your own ballot and look it up. “My ballot is #2792. Yeah, they got it right,” or, “They got it wrong.” If they got it wrong, then I think there would be a process by which you could correct it.

Then there would be the total of all the ballots, and it all would have been checked and double-checked by militia people who were brought in for that particular election on rotation. You wouldn’t have a standard group of poll-watchers or vote counters, so there would be no way to corrupt these people because you wouldn’t know who they were until a week or so before the election happened.

Election fraud would disappear overnight.

Fitts: I agree.

Vieira: The one that I like best is that exemptions were given in the Constitutional militia for certain people. The group that normally had the exemptions were people who held political office. You didn’t want to bring in the legislators; you didn’t want to bring in the judges; and the idea was that if they were performing a function that was so important to the community that we didn’t want to take them away from that function and make them come to all the training sessions. That probably didn’t mean much because in a real crisis, many of those people turned out to be officers in the militia, but leave that aside.



That was the reason we put them there; they were performing this important function, and therefore, could be exempted.

Contrary to that is: What if they fall down on that function? What if they turn out to be corrupt? What if they turn out to be part of the deep state or whatever, and this comes to the fore like Mr. McCabe? What happens at that point?

At that point, they've lost their right to be exempted, and could be pulled back into their normal militia duty. It would be appropriate for their normal militia unit to be capable of quizzing them every now and then as to the extent to which they are performing their function.

So, you would have these town hall sessions happening all the time, but they wouldn't simply be hot air passing back and forth from the elected official to the people who are in the audience. There would be an inquisition of this person as to what he had been doing and whether this was proper. If it wasn't, they would pull his exemption.

Now he would be subject to militia discipline. Oh, I love that particular picture because you would have real control and responsibility at the local level. These people could not simply go off to the county, or the state, or the national government, or whatever level and then thumb their nose at their constituent for the next two years, or four years, or six years, or whatever it was because they could be called in at time and asked, "What the hell have you been doing? We have this kind of information about you, and you have to justify what you've been doing to us in our local militia organization because the only reason you have an exemption from our local militia organization is that you're performing this political function properly."



“So, we always have the right to question you about this, and you have the requirement to answer us.” This is not true with the town hall.

Fitts: There are some things that I want to bring up before we close. I don't know if you saw this, but two weeks ago, General Neller of the Marine Corps was testifying before Congress and was asked about recruiting. He pointed out that one of their challenges was the population age that is being recruited from. That cohort in the population, only 30% were eligible for physical, moral, or emotional reasons to join the marines. Seventy percent were ineligible for physical, moral, or emotional reasons.

Vieira: Where does that go back to? The school system.

Fitts: I would say that it goes back to both food, health, and school.

Vieira: Initially, yes. If someone comes into school and has a health problem or a nutritional problem, that has to be corrected. So, there are other sources of it. But let's take a look at the schools. How much physical education do they get? How much information are they given as to proper nutrition? Are they even being prepared for this function?

Fitts: They're intentionally creating a population which is hopelessly dependent.

Vieira: That's right. Here is a classic example of the problem: I suppose nobody questions the existence of the regular armed forces, including the Marine Corps.



Nobody questions the idea that they should be able to draw people voluntarily from society who could function under their training regime.

Here is the reality: Seventy percent of them can't. Go back to this cultural problem that we have. I would think that even leaving aside the militia question, you would be training people in the schools and otherwise recognize, "Wait a minute. Some of you, at least, are going to want to go into the armed forces. Many of you are going to need to go into the armed forces, whether you really want it or not. We're going to encourage you to volunteer."

"If we had a real war, we would have to get you in there one way or the other to defend the country. You really have some kind of responsibility."

Teachers and administrators have some kind of responsibility in that respect. And, of course, if you look at the National Education Association as an example, what is their ethos about these matters? What are they proposing?

This is the last thing that they would ever be in favor of because of the teachers' unions. Public schools are bad enough without teachers' unions, but the vast majority of people who send their children to public schools have no conception of what the teachers' unions are doing.

It really goes back to the average person. The average person has been thoroughly dumbed down and intellectually removed from any connection to the concepts that inform our Constitutional type of government.



If you asked the average person what a republican form of government is, he would say, “I don’t like that because I’m a Democrat.”

Fitts: Let me ask you one other question. One of the most interesting books I ever read about American politics was a book called *Harvest of Rage*. I don’t know if you’ve read it or not, but it’s by a man named Joel Dyer. I would describe it as a book about how the bankers set up a huge number of farmers in the late 1970’s and early 1980’s.

Essentially, what they did is encouraged them to take on a large amount of debt through the farmer’s home. Then Volcker ran the interest rates up enormously, and pulled the subsidies and, of course, many of them defaulted. Then they brought the IRS in and announced that they had to pay taxes for forgiveness of indebtedness. The next thing, all these farmers got together and organized groups they call militias, which aren’t the militias under the Constitution, but they used the name.

Then they sent in the FBI to do an enormous amount of COINTELPRO types of activities. One of the things they tried to do was absolutely destroy the word ‘militia’ in the minds of the American people. Was that a plan, because the one thing that they never wanted to see was the militia concept rejuvenated?

Vieira: Going back to 1903, they created this false label. I’m not against the National Guard, but it’s operating under a false label. It’s not a militia. There is no question that the National Guard is not a militia. But they said, “The National Guard is a militia, and everybody else is in this other thing called the unorganized militia,” which by hypothesis didn’t do anything.



There was nothing for it to do because the statute didn't come up with a list of things to do, as opposed to the National Guard, of course, which is highly organized and has all sorts of statutory structure and responsibilities.

That was the first step. So now we can tell people, "Sure we have a militia. It's over here. It's called the National Guard. It has a special name. The rest of you don't have to worry about that. You're in the unorganized militia. If something really turns up, we can always call on you."

Fitts: Here is the most important question: The bankers seem to have enough money to buy all the best lawyers except for you. What happened to you?

Vieira: They didn't make me an offer. The theory is that they make you an offer you can't refuse.

Considering a musical point of view, our society is based on two notes only: do, do, do, and me, me, me. If there's no way for me to get dough, I'm not interested in it. That's a theory of the way people operate, so they buy people off.

Fitts: Not everybody.

Vieira: Not everybody, but in my case I guess, they figured that I was talking about things that were so esoteric with respect to the average person that no one would really pay attention, and it wasn't worth trying to buy me off. "Save the money. He's not going to get anywhere with this."



They've been successful – certainly with the militia concept and the money concept. Who questions Federal Reserve notes? That's the money. Gold and silver are something different – something that you wear on your finger or around your neck, but that's not money.

With the militia concept, they had to demonize it. They were very effective, and the National Rifle Association is a classic example of this. In their bylaws, the National Rifle Association says, “We are in business, and one of the purposes is to train the people so they can perform their militia functions.” That is in the NRA bylaws. The NRA, of course, was set up to train people on the use of arms after the Civil War by some Union generals, because their experience was that many Northern citizens came into the Union by force, and they didn't know which end of the rifle to point at the Confederate Army. So they created the NRA. That was the NRA's purpose then, and it still is the NRA's purpose.

When the NRA became really involved in opposing gun control in the early 1970's, they finally set up a lobbying group, the Institute for Legislative Action (ILA), specifically for the purpose of opposing gun control.

They were very careful not to talk about militia, and they still are. They focused on the concept of the individual right to have a gun so that, ultimately, you could protect yourself. In the background, there was always the subtext, if you will, of, “It's all to protect our society against tyranny,” because of Lexington and Concord and that complete historical picture that people would have.



The thing that I've always asked people in the NRA was, "Do you really believe that an individual by himself, in his cellar, even if he has an AR-15 rifle and 1,000 rounds of ammunition, is able to defend himself against an organized tyranny made up of hundreds and hundreds of kill-crazy SWAT members or whatever that will come looking for him?"

Of course, the answer is, "No, that's an impossibility." You have to have an organized structure to oppose tyranny because all tyrants come at you with an organized structure or they're not worthy of the name 'tyrant'.

So, the NRA has become very careful not to become involved with the militia concept. I think that was because, even during the Kennedy Administration, – and I remember this because I was old enough at the time to be paying attention – a number of people said that the Kennedy Administration basically had subversives in the high level. They had many people who were in favor of socialism and so forth. The Kennedy Administration was loaded with these people.

A group started out in the West calling themselves The Minutemen. They claimed to be some type of militia, and got themselves into various types of trouble because they were truly an 'extremist' group, if I can use that term.

So, the concept of militia was getting a pretty bad name in the media at that time. This was the early 1960s. Then by the time the NRA became active in the 1970s, of course, that concept had been thoroughly demonized.



Subsequently, it's been even more demonized. Southern Poverty Law Center is a classic example of one of the centers of this demonization. Anyone who talks about militia, they say about them, "Oh, he's an extremist." He's this, that, or whatever. They have all sorts of names for you.

Of course, they don't talk about the Constitutional aspect of this. It's fascinating because if that is true, if to be a proponent of the militia is somehow out of bounds, then the whole structure of the Constitution is out of bounds.

I didn't invent this. You didn't invent this. It's in the Constitution, and it's a requirement in the Constitution because the militia of the several States is not optional. It's no more optional than Congress is optional, or the President is optional, or the states themselves are optional. You're supposed to have this, and that is why the Second Amendment talks about it being necessary for the security of the Free State. It's reiterating, in a slightly different language, the structure that is already given in the original Constitution.

You would think that anyone that looks at the Constitution who has a modicum understanding of the English language would say, "We have a problem here."

Then you can assert who is responsible for this problem, and could go back to 1903 or whenever you want. But we have a problem, and this problem is a very serious one because the militia structures were intended to be there to deal with a whole host of other problems.



Fitts: Our current form of government requires significant participation by the general population, which is not happening.

Vieira: That's right. Article IV, Section 4: The United States shall guarantee to every state in this Union a republican form of government.

What is a republican form of government? It's a government in which, not simply the people vote for representatives, – as opposed to a direct democracy – but it's a government in which the people exercise sovereignty themselves. They don't have somebody exercising sovereignty over them.

Mao Tse Tung, as much as he was a butcher and a madman, does crystalize the idea in a single aphorism that political power grows out of the barrel of a gun. That is the reality of government. Government is force in the final analysis.

Then you reflect and ask: If the sovereign is the entity that holds this political power that grows out of the barrel of a gun in his hands, the people of a sovereignty control the guns, ultimately. If some bureaucrat in Washington is the sovereign, then he or his little group controls it. That's the essential difference in government throughout history.

Is it some little group that, one way or another, is going to tyrannize? Or is it more or less the people in society who are going to have control?



Fitts: Can I ask you a wild card question that may or may not relate to this?

Vieira: Sure.

Fitts: President Trump in late December issued an executive order, and then on March 1st a Presidential action. The December executive order was on persons involved in human trafficking and on various rights to seize and do other things in effect with stopping this. Then the Presidential action related to the conduct of military tribunals envisioned under the 1st Amendment. Do you have any opinion on what exactly that procedure is and what it's for?

Vieira: No, but I can't imagine how he thinks that he can do this through military tribunals. Take international drug trafficking or international trafficking of children, which is worse. These are criminal entities and criminal organizations that are doing it. As far as I know, they're not state actors. There isn't some division in the Chinese government that is involved with human trafficking. These are international private criminal organizations.

By hypothesis, they can't be touched by the United States military. I suppose you could have the Coast Guard investigate. My son is in the Coast Guard, and he did a tour in the Caribbean, going all the way to Venezuela looking for potential drug traffickers on the high seas. So there are some aspects of that. But assume that his ship caught one of those people, they would have to be turned over to the civil authorities in whatever jurisdiction they were closest to.



It's not something that is going to be sent to military tribunals. This is a crazy idea that came out of 9/11, and the authorization for force actions and the National Defense Act, that somehow or other we can categorize people as 'enemy combatants' and therefore, they can be subject to martial law. That is complete nonsense.

So I don't know what he is doing there. What he could do is use the entities that have the authority to execute the laws of the union, and what are they? It's not the Army. It's not the Navy or the Marines or the Air Force. It's the militia.

If he wanted to deal with trafficking within the United States, there is the entity that can handle it. Of course, they're not there because we don't have that structure, but that is the entity that could handle it. It would be appropriate, too, because where does the trafficking begin? Usually they are kidnapping someone, or stealing someone, or luring someone into child prostitution, or child pornography, or whatever it is, which happens at the local level. All these things happen at the local level to begin with, and that is where you are initially going to look into it.

If he were doing that, I would say, "Okay. You're using the right entities," and the militia would not be the ones doing the trying of these people; they would do the investigation and the apprehending, and then turn them over to the civil courts. But they would be executing the laws in the same way that the President could execute the laws – by investigation, apprehension, and indictment, and then the courts would handle it. And Congress has actually passed a couple of statutes that would probably allow the President to do this. I think that Title X of the United States Code, Section 252 was probably a good one.



It gives him the authority to call forth the militia when there are conspiracies, combinations, and so forth that the normal judicial process can't handle, which is what we have here in those areas. We have exactly that.

Certainly, the normal police process can't handle it either because we don't have enough police to do it. So, if we had a properly organized militia structure, we would have many, many more people who would be trained to deal with that. The more eyes on the street at the local level, the less that traffic is going to be able to succeed. It all comes down to that.

As I said before, the first responder is who? It's the victim or the person standing next to the victim. It's the person who is right there. It's not somebody coming in after the fact. So, these trafficking networks, whether they are dealing with people or are dealing with drugs, they are all happening, ultimately, at the very local level. That is where the eyes have to be focused.

Fitts: I live in a county that has a fabulous sheriff, but it's still five to 45 minutes before the sheriff can get to us. So we are all trained. We are all trained that, for at least 45 minutes, we are on our own and it's our job to take care of 'it' – whatever 'it' is.

Vieira: There you have it. That is the reality for everybody. Maybe it isn't 45 minutes, but it's some unfortunately long length of time.



Fitts: I think that is one of the things that I want to impress on everybody listening to this. That first 45 minutes belongs to you and your neighbors and your community. That is the question for you: What are you going to do, and how are you going to deal with it?

Could you please explain to people how they can get a copy of the book?

Vieira: As with almost all dealings with books these days, you can go to Amazon.com. *The Sword and Sovereignty* is actually a CD. It was too long and too expensive to produce in a book. But that is good on the other side because it is searchable. It's a PDF format, so if you want to find some particular aspect of it, you can search it very easily.

There are a number of shorter books. *The Sword and Sovereignty* is over 2,000 pages long. I have a book called *Thirteen Words*, which focuses on the first clause in the Second Amendment and why that is the important one. I have one called *Three Rights*, which ties the Declaration of Independence into the Constitution with specific emphasis on the Second Amendment and the militia clauses.

Then I have one that may be very timely called *By Tyranny Out of Necessity: The Bastardy of Martial Law*, which goes into great detail on, what I call, the 'anti-concept' of martial law. Martial law is not something that is allowed by the Constitution of the United States, and we've seen more and more of the martial law concept being insinuated into the statutory laws, at least, since the 9/11 event, especially with the National Defense Act, military tribunals, and people who are declared to be 'enemy combatants' and Guantanamo, torture, and all of that nonsense that has been occurring.



That is a really dangerous concept because, as my book points out, once you get into martial law, you realize that martial law is something that is extra-Constitutional. There are really no Constitutional restraints once you allow it and accept that concept. There are no Constitutional constraints on what can be done under martial law. So, the very fact that you have people in Washington DC who have been capable of insinuating this thing into various statutes, tells us that we are further down the road to the worst kind of tyranny.

Fitts: The thing that helps us get down that road is when you have a population that is completely dependent.

Vieira: That's right. They are dependent in every way, especially intellectually independent.

When I started writing this, I realized this isn't something that is inaccessible to even the average person. You might not find it at your local library, but you can ask the librarian to get you an interlibrary loan of the necessary books that you had to read. And you don't have to go to Harvard Law School, which I did, to understand this. It is not that arcane really, but people are not taught anything about this.

I went to high schools and listened to their social science classes, but I would imagine that if the word 'militia' came up in the context of secondary education in this country, it is discussed only to be demonized. I can't imagine a secondary school where the teacher would say, "Now we are going to discuss the militia. Let's start off with militia statutes in the states. Let's go through all of this," as I do in my books. I can't imagine them doing that.



Somebody would say, “Militia – that’s a bunch of extremists. Those are crazy people running around with camouflage outfits and guns in the woods. You don’t want to be protected by those people. They have guns!”

That would be the line. So, at what I would call the most primitive level from the point of view of political science, given the Second Amendment’s connection of a well-regulated militia as necessary to the security of a Free State, we are in big trouble.

Fitts: One of my favorite moments during the last year was when Stephen Willeford, former NRA rifle instructor, went out, got his assault rifle, stopped a church shooting, and then proceeded to refuse to talk to the corporate media and would only talk to the independent media.

In fact, the honest story came out and I said, “We’re getting smarter.”

My last question is this: Could you tell everybody how to find your website and how they could get in contact with you?

Vieira: My website is: www.EdwinVieira.com. That is what I would call a ‘storage site’ for the various things I’ve written over the years that are on the internet. I have posted most of that on a website called www.NewsWithViews.com. It goes back to 2005 or sometime when I started putting things up.



The www.EdwinVieira.com site is pretty much a mirror site of what is on News With Views. I have a few things that were too long or were too complicated to put up on News With Views, so they are separate on my own website.

They can contact me at EdwinVieira@gmail.com. That's simple enough.

Fitts: Dr. Edwin Vieira, I think that you are a national treasure.

Vieira: I'm a hidden treasure like the Ark of the Covenant. I'm in the box there, somewhere in storage.

Fitts: You're about to get less hidden. I think that these issues are coming to the fore and my prediction is that you are about to be less hidden.

I think that all the work that you have done makes it much easier for someone like me and someone like the people listening to this to acquire the information. Your work has made it much more accessible much faster, and the time is coming when we need it. We need it now, but it's definitely coming to the point when we're going to unquestionably need it.

Dr. Vieira, on behalf of all of us, thank you so much for everything that you've been doing, and that you are doing, and what you will be doing.

Vieira: Thank you for giving me the opportunity.



Fitts: You are the only person with four degrees from Harvard that I've ever said nice things about.

Vieira: I hope that has more to do with me than with Harvard.

Fitts: It definitely has very much to do with you. Thank you again for joining us on The Solari Report.

Vieira: Thank you, Catherine, and take care.

MODIFICATION

Transcripts are not always verbatim. Modifications are sometimes made to improve clarity, usefulness and readability, while staying true to the original intent.

DISCLAIMER

Nothing on The Solari Report should be taken as individual investment advice. Anyone seeking investment advice for his or her personal financial situation is advised to seek out a qualified advisor or advisors and provide as much information as possible to the advisor in order that such advisor can take into account all relevant circumstances, objectives, and risks before rendering an opinion as to the appropriate investment strategy.