

1st Samuel 12:19 And all the people said unto Samuel, Pray for thy servants unto the LORD thy God, that we die not: for we have added unto all our sins *this* evil, to ask us a king.

Article II - Section 1 - The executive Power shall be vested in a President of the United States of America . . . Section 3 . . . he shall take Care that the Laws be faithfully executed, . . .

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God's Word on Government
A Primer on Politics
A Believers Understanding of the Bull

to defend the constitution against all enemies
foreign and domestic

Episode Nine – Executive Order

The problem is that the devil would use government to attack God's people. He would drag believers into the turmoil and confusion of his world, try to make them afraid and force them to move either physically or mentally. The devil would use government to impede the believers from believing God for meeting their physical need. And the devil would use government to keep the believers from living God's Word and sharing the great importance it is that all in any nation have God by Christ as their ruler and sufficiency.

The first solution to this problem is that we make supplication, prayer, intercession and giving of thanks as instructed in 1st Timothy chapter 2. We do this for all men and those who control the foundation and balance of power in our society, and for those that, because of their positions must make decisions that affect all living in that society. Part of that prayer is that these do their jobs and can not be used by evil men and women to attack the believers.

The second part of the solution is to know and keep the elements of the constitutional government of the United States of America. These elements are a constitutional, federal, republic of declared and restricted, vested, elected representative, powers. Added to these are no religion favored and all adds, deletions and changes made by amendment.

There are three of documents that give us the original intent of those who purposed and ratified the constitution. One set are the ratification letter, thirteen letters, made at the request of the congress and then sent to the congress. These letter were prepared by the elected representatives of the people, elected at the county level in each state. They represent the will of we the people concerning the purposed constitution. These letters include certain additions which we the people demanded be made as amendments to the purposed constitution. The second set of documents are James Madison's, *Notes on the Debates of the Constitutional Convention*. Madison kept almost daily notes on the debates from June to September of 1787. These tell us in brief what James Madison said the statements of those who purposed the constitution were concerning who should have power, how to divide the power, and to control the power. The third document is the introduction to the Bill of Rights which gives us the purpose of the first ten amendments and one purpose of the purposed constitution. And the method of achieving those purposes.

In the constitution we have specific vested powers which are vested to the congress, the president and the courts. The president has sixteen powers, seventeen if you count the fact that he or she may be impeached. We should note that “executive order is not a constitutional power of the president of the United States of America.

The president is to:

take an oath to defend the constitution

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States."

The president is to receive a compensation

The president is commander in chief **when the military is called into service**

The president can require the opinions of the principle officers

Every Bill before it become a Law, will be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated . . . Article I section 7

The president may grant pardons – except in the case of impeachment

with the advice of the senate the president can make treaties - need 2/3 of senate to concur

The president may nominate - with the advice of the senate
ambassadors, public ministers, counselors, judges of the supreme court, all officers of the United States.

Those nominations all must be approved by senate

The president may fill vacancies during the recess of the senate

The President shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient

on extraordinary occasions The president may convene both houses or either

in case of a disagreement between them in respect of the time of adjournment The president may adjourn them to a time he thinks proper.

The president may receive ambassadors and other public ministers

The president shall take care that all laws are faithfully executed

The president shall commission all of the officers of the United States

The president can be removed from office upon impeachment for the conviction of treason, bribery and other high crimes and misdemeanors

If you find I have missed any constitutional vested powers of the president please let me know.
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These are all the powers vested to the president by we the people. The president is restricted to these and to do nothing more or less. If there is any question as to whether it is the presidents job, then we know it is **not** his job. There is no executive order in his list.

In definitions of "executive order" we find that some say: the president may make decisions that have *the force of law, inferred powers and broad authority*. We do remember what was written in the ratification letters defining the tenth amendment and concerning inferred, unclear and broad

authority, these cannot exist under our constitution.

This is an Abridged statement: a composite of statements concerning the tenth amendment from all thirteen ratification letters

That every and all powers, jurisdiction, and right not expressly, clearly, particularly, delegated and granted to the United States [the name of the federal government] and vested in the general government of the Union or to the departments of the Federal Government by the Constitution, nor prohibited by it to the States, remains to the people of the several states, or to their respective state governments, to whom they may have granted the same, - *abridged from the ratification letters sent by the states to congress*

The word express is used of an express train. That train goes from point to point directly and immediately. The engineer does not take side tours, add stops or change anything. His or her job is to get right to the point, directly. All in the government, including the president, are so restricted. His or her job concerning law is to do nothing more or less than faithfully enforce the laws made by the congress. All that the president is to do is found in Article 1 section 7, Article 2 entire article, 20th and 22nd amendments.

One definition of executive order is - a rule or order issued by an executive authority or regulatory agency of a government and having the force of law a rule or order issued by an executive authority or regulatory agency of a government and having the force of law¹ This could be true for governments other than ours

Another definition of executive order says this:

In the United States, an executive order is a directive issued by the President of the United States that manages operations of the federal government and has the force of law. The legal or constitutional basis for executive orders has multiple sources. Article Two of the United States Constitution gives the president broad executive and enforcement authority to use their discretion to determine how to enforce the law or to otherwise manage the resources and staff of the executive branch.

Enforcing the laws or managing resources is not the same as to making a law or anything that has the force of law, two entirely different things. But also whatever the president does falls within the express, particular, clearly stated powers he or she is vested - still there are no broad or discretionary. The president has and can give orders to his cabinet. Yet neither he nor the cabinet can do anything beyond what is clearly, particularly, expressly given in the constitution for him to do.

The definition goes on:

The ability to make such orders is also based on express or implied Acts of Congress that delegate to the President some degree of discretionary power².

First - There is no implied anything nor can their be. **Second - congress does not have the constitutional vested power to delegate to either the courts or the executive any powers** let alone "discretionary" powers. The people by way of their constitution have vested to the president powers. if the people want to vest more to him or her we do that will by way of an amendment. Congress does not give the courts or the executive powers nor is it congress's job to subcontract their vested power to anyone else.

1 <https://www.merriam-webster.com/dictionary/executive%20order>. Definition of *executive order* : regulation sense 2b - 2 b :

2 Here are some of the sources wiki pedia sites - "What is an Executive Order?". *Insights on Law and Society*. Vol.17 no.1. American Bar Association. Fall 2016. ISSN1531-2461. Retrieved January 1, 2018.

John Contrubis, *Executive Orders and Proclamations*, CRS Report for Congress #95-722A, March 9, 1999, Pp. 1-2

Rebecca M. Patton, MSN, RN, CNOR, FAAN; Margaret L. Zalon, PhD, RN, ACNS-BC, FAAN; Ruth Ludwick, PhD, RN-BC, CNS, FAAN (13 November 2014). *Nurses Making Policy: From Bedside to Boardroom*. Springer Publishing Company. p.94. ISBN978-0-8261-9892-1.

New York makes this statement in its ratification letter.

the powers of government may be reassumed by the people whensoever it shall become necessary to their happiness; . . . ; **and that those clauses in the said Constitution, which declare that Congress shall not have or exercise certain powers, do not imply that Congress is entitled to any powers not given by the said Constitution;** but such clauses are to be construed either as exceptions to certain specified powers, or as inserted merely for greater caution.

This definition goes on to state -
that the supreme court and congress agree the president can give such orders.

That, if true would make both the federal courts and the congress tyrants and in violation of the constitution.

The problem is that this definition seems to be the functional case – more and more it seem to be how we are operating. From what we see reported on the nightly news and taught in our schools and by what has happened since the end of WWII, this seems to be where we are at and where we are going. Such definition might be true for another country or other government, but under the constitution of the United States of America, no, it is not possible. Such a definition is contrary to what is in the constitution, the original intent of both those who purposed the constitution, and those who ratified our our constitutions.

The president has no constitutional power to do anything that has the force of law. He may not give away or spend the people's money. Contrary to what many sources will say Article II of the constitution does not give the president any broad or discretionary authorities, at all, let alone making law,

Constitutionally, because of the ninth and tenth amendments, there are not, nor can there be, any inferred or implied powers, ever, or at all, for any part of the federal government. Also this does not give any authority to decide how or to what degree any law is enforced, the president is directed to enforce the law, period;

Article II - Section 3 . . . “ take Care that the Laws be faithfully executed” . . .

Were the president to choose to enforce some laws passed by the congress and not enforce others they would not be doing their job in faithfully executing the office of the president. Such an action would be the acts of an egotistical tyrant and not the acts of a president of the United States. The only one to make a law is the congress,

Article I - Section 1 - All legislative Powers herein granted shall be vested in a Congress of the United States, . . .

And the president and the departments are to enforce them, with no inferred, implied, broad anything or discretion.

George Washington's first order, that could be called executive order, is a good example of what the president can do. The first executive order was issued by George Washington on June 8, 1789, addressed to the heads of the federal departments, instructing them

"to impress me with a full, precise, and distinct general idea of the affairs of the United States"

George Washington told his staff to go and get him information. That's great. If what the president tells his staff to do is called an executive order that is fine. The president can tell his cabinet what to do but

nothing he or they do is to or has the force of law³.

We the people can do whatever we the people want, but only by way of an amendment. The both State and Federal governments and we the people are subject to the declarations and restrictions of the constitution. So are all of the corporations and so are all of the foreign governments. Or they should be!

Note: During wars and now pandemics we the people grant the government extra powers to deal with the emergencies. Every time at the end of that emergence we never get all our powers back. This has happen over and over and since WWII has become chronic. A continuous emergency and continuous leaching and abuse of our power.

The United States of America is still the greatest country in the world with the greatest right to choose. Those who ratified our government made a really hard to break constitution **yet some have been and are working at breaking it 24-7-365**. Much of what has been taught and done lately is based on, a common, accepted, misconception of the facts. Like historic propaganda these lies has been told so long so many times that we the people believe the president has such power or should. This is not keeping the separate powers of the president and congress. In short, we are progressively making the president into a king or emperor⁴, with power to make a law, spend money, or direct that something at his or her discretion should be done. This is very dangerous. This all goes back to the devils goals to set up a totalitarian dictatorship and then control that dictator ship to attack God's people. The elements of our constitution are designed to prevent this type of misconstruction and abuse of powers.

We have looked , briefly, at some of the problems produced by not knowing and keeping the elements of our constitution. There are other problems that come from this. One of these problems is that we not keeping our constitution then we do not keep our written agreement. An other is not keeping our constitution we have replaced it. The government as it is functioning is a different government; not constitutional. These two problems are going to be very, very detrimental , they will cause us a lot of problems in the future.

Those who ratified our constitution knew how important it was that we keep the elements of the constitution, but we the people do not any longer understand this. The problems of unrestricted government are greater than the sum of all the problems we try to solve using government. The problems of unrestricted government are greater than the sum of all the problems we try to solve using government. As we move away from the constitution as ratified, then the president becomes more royal and imperial while the congress more leader and ruler and less representative. We move step by step towards a more totalitarian government. By this we are losing our right to choose and therefore our manifest liberty.

Those who ratified our constitution considered all the options carefully, saw the dangers of an unrestricted government, and the importance of restriction. The solution for us today is first supplication, prayer, intercession, and giving of thanks and then education concerning the elements of the constitution.

Thank you and God bless you

³ We will handle this later but no government agencies, has such power either. Nor is judicial review any part of the constitution.

⁴We can do what ever we the people want, but only by way of an amendment. The government and the people are subject to the declarations and restrictions of the constitution. When used declarations and restrictions are also a very effective tool against abuse by majority.