



**DK Analytics, Post #35: Can the truth exhuming alt media trigger a rule of law revival? 4/1/2018**  
 Trade weighted US\$: 85.83; US 10-yr: 2.74%; S&P 500: 2,643; Oil: \$64.94; Gold: \$1,325; Silver: \$16.37

<i>The Unconstitutionality Index</i>			
Public Laws vs. Agency Rulemakings			
Year	Final Rules	Public Laws	THE "INDEX"
2003	4148	198	21
2004	4101	299	14
2005	3975	161	25
2006	3718	321	12
2007	3595	188	19
2008	3830	285	13
2009	3503	125	28
2010	3573	217	16
2011	3807	81	47
2012	3708	127	29
2013	3659	72	51
2014	3554	224	16
2015	3410	115	30
2016	3853	211	18
2017	3281	117	28



Sources: <https://cei.org/blog/2018-unconstitutionality-index-28-federal-agency-rules-every-law-congress-passes>, <https://wordpress.org/about/logos>, [www.greased-lightning.com](http://www.greased-lightning.com)

### Alternative media contributions to holding power brokers' feet to the ebbing constitutional fire

Constitutionalist alt media sites/blogs, streaming radio talk shows, and YouTube channels -- if they aren't taken down by free speech or First Amendment shredding Silicon Valley lefties -- keep shining the cleansing light of truth into ever more dark, moldy, lawless places while the MSM "sleeps." Meanwhile, blogs depict linkage between the massive personal data collection, mining, and harvesting by Google and 4<sup>th</sup> Amendment gutting surveillance conducted by US intelligence services. Given what's been happening, that linkage is possible. The surveillance is indisputable.

Those same outfits also disclose lacking criminal charges brought against top finance executives while they bemoan a) "monetary wrist slaps" imposed on leading banks/investment banks accused of violating securities laws, b) taxpayer bailouts, c) cronyism, and d) bail-in legislation. Meanwhile, they fret over central banks manipulating markets beyond financial repression-based destruction of price discovery, itself a clear violation of Constitutional (sound) money, sound allocations underpinning productivity growth, and free market capitalism.

Buttressed by authors/publications in the "classical liberal" camp, the constitutional alt media cohort hurls probing lightning bolts at the very politicians, cabinet appointees, and judges that control the instrumentalities of power and took oaths to uphold the Constitution/the rule of law, but are not.

In so doing, the alt media seeks to inform Americans about corrupt officials and massive, unconstitutional misappropriations. This is because the alt media is not (yet) part of the highly concentrated media landscape where six, endlessly consolidating major companies need to remain in the statist bureaucracy's good graces ("Pravda press" concerns) in order to get acquisition clearance and avoid anti-trust issues.

For flavor, consider Hillary Clinton. The felonious former secretary of state Clinton destroyed evidence while gravely violating classified information security protocols with her private servers and thus threatened national security. Yet she was effectively exonerated by former FBI head Comey, who had the temerity to a) usurp judicial power and b), at the 14-minute mark of his self-righteous July 5<sup>th</sup>, 2016 tirade on this matter, warn that "everyday" Americans, in contrast, would be held accountable: "this is not to suggest that in similar circumstances, a person who engaged in this activity would face no consequences!"

Or consider the \$21trn in "MIA," non-appropriated, unconstitutional federal outlays, the military portion of which we have referenced in the past (slide 9), which perhaps say more than anything about how "off-the-rails" everything is:

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time. -- Article I, Section 9, Clause 7, US Constitution

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Internet-based media and streamed talk shows have also harped on the outrage that congressmen and other federal government employees have [shamelessly](#) and [lawlessly](#) exempted themselves from the cross of redistributionist Obamacare that most working Americans have been forced [to hang from](#) in terms of sustained double-digit premium increases, less coverage, and reduced availability. How so? By Congress claiming small business (less than 50 employees) status. Sadly, Trump has avoided using the bully pulpit to call out this rule of law mocking double standard, even though the administration's [new regulation](#) will allow Americans to again buy low-priced, tailored coverage.

### **The rule of law; can it come out of hiding & displace a [spreading B.R.](#) with burgeoning debt in time?**

Let us jump right in. As a requisite start, we would argue that US Attorney General Jeff Sessions needs to come out of hiding at the Department of Justice (DOJ) on the seemingly forever expanding Mueller investigation ([witch hunt](#)). How? Sessions must dismiss Robert Muller's investigation should it extend to any "[non-campaign issues](#)." This would be standing tall for the Constitution and thus the rule of law:

Sessions formally notifying Mueller that he does not have authority to act outside of campaign-related cases and cases related to obstruction of Mueller's investigation would be doing what the [Constitution compels: enforcing the Appointments Clause](#) of the Constitution. Additionally, Sessions notifying Mueller that he does not have authority to act outside of campaign-related cases would be exercising Sessions' court-recognized Constitutional obligation to "direct and supervise litigation" conducted by the Department of Justice. Furthermore, Sessions notifying Mueller that he does not have authority to act outside of campaign-related cases protects against the inappropriate use of the federal grand jury that defendant Manafort now rightly complains about.

Second, the Constitution's Appointment Clause requires the democratic process control the appointment of all but "inferior" officers. This means there can be no principal executive branch officer except those the President personally appoints and the Senate advises and consents to. There is probably no greater domestic power of the executive branch than the power to access a grand jury to indict someone, the power to access a grand jury to subpoena someone's testimony and records, the power to access the tax records of any individual in the country, the power to request warrants to spy on someone's activity or search it and seize it, or the power to simply threaten any of the above to an individual American. That is why that power must be limited to principal, democratically-appointed officers.

Sticking with the DOJ, the "[mobster](#)" [tactics](#) (please see below) of the former DOI (the Department of Injustice) under President Obama's Holder and Lynch need to be fully examined and prosecutions against criminal actors need to be sought in order to show citizens that no one is above the law, which is ground zero for the rule of law:

In the memoir [Cardiac Arrest: Five Heart-Stopping Years as a CEO on the Feds' Hit List](#) (written with Stephen Saltarelli), Howard Root tells the story of his experience as chief executive officer of Vascular Solutions caught in the crosshairs of the federal government when prosecutors sought to put his company out of business and to send him to the big house.

[I wish my story was a lightning strike](#) in the perfect storm – a few unscrupulous prosecutors conned by desperate whistleblowers, *but prosecutions like mine are exploding across the United States. (Italics author's.)*

When prosecutors can use false criminal charges to destroy everyone except the few wealthy and unbroken defendants like me, then virtually everyone is in danger – even if you've done nothing wrong.

This isn't my case anymore, it is my cause, and I hope you will join me in this call to reform the American criminal justice system.

(Potentially boding ill on the "return to a DOJ from a DOI" front, Attorney General Jeff Sessions, who appointed Rod Rosenstein as deputy AG, who in turn [appointed Mueller](#) to serve as special counsel to investigate Russian interference in the 2016 election, revealed in a letter to lawmakers on Thursday, March 29<sup>th</sup>, 2018 that he (Sessions) had declined to name a second special counsel to investigate [allegations of surveillance abuse within the DOJ/the FBI](#). Sessions: "[special counsels are only appointed in extraordinary circumstances](#)." Yet Sessions fired the central player in the [surveillance abuse](#) investigation, former deputy director of the FBI, Andrew McCabe, a day prior to his retirement! If this isn't an extraordinary circumstance, then what is? And what about the [Obama-appointed DOJ inspector general Michael Horowitz](#) in charge of investigating the alleged surveillance abuses: Rod Rosenstein, redux?)

In a broader sense, if we really want to talk about restoring [the rule of law](#), it is not only about getting a DOJ with integrity back, it is about getting separation of powers back ([no more legislating from the executive branch](#) or from [the bench](#)), it is about getting [sound money back](#), it is about getting [federalism](#) back, and it is about restoring the Bill of Rights versus increasingly maligning and eviscerating them, especially the 1<sup>st</sup>, 2<sup>nd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>

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Amendments. In short, it is about getting the Constitution back, i.e., enforcing strictly limited/enumerated governmental powers so that individual liberty is maximized, federalism is returned, and the government can't print money with which to finance redistributionism and cronyism, which strip property and freedom from the majority.

When thinking of a functioning rule of law, we are really referring to *fidelity* to strictly limited and enumerated federal powers, to separation of powers, to sound money, to federalism, and to the Bill of Rights. The states and statesmen (America's Founders and Framers) that gave birth to a federal government featuring strictly limited and enumerated powers insisted on a "fidelity-assuring" [Bill of Rights](#). This was the last line of defense against a rogue federal government threatening the primacy of individual liberty and broadly anchored state rights; a governing doctrine in which people and the states kept any powers not given to the federal government.

Needless to say, you cannot have the rule of law if powerful people are [above the law](#) ([page 2](#)), whether it concerns lacking prosecutions for felonies, for treason, or for outright contempt and infidelity toward the US Constitution/the Bill of Rights by the very officials that took an oath to uphold it. A peerless Constitution was hammered out to prevent an oligarchical tyranny (what we have today). It was also to prevent tyranny of the masses, the dark side of democracy, also known as "mobocracy." In a democracy, inalienable or natural rights such as freedom of speech, the right to bear arms, the right to privacy, the right to due process, and property rights can, in a worst-case scenario, be swept away by a majority vote! Once again, [select channels](#) with huge competence help raise awareness while they educate.

The same freedom-loving alt media outfits and their "classical liberal" contemporaries in the press and elsewhere also attempt to bring some daylight into the [malfeasance](#) and [legislative](#) -- and even [judicial](#) -- usurpation propagated by [unelected bureaucrats](#) that run the administrative state (also called the deep state), which in effect runs the country and most Western "democracies." Meanwhile, at the other end of the spectrum, namely in our communities, the truth-seeking, rule of law cohort of the alt media attempts to call out societally destructive, safety and life-threatening demagoguery. Case in point: the very recent, staged, [Planned Parenthood supported, non-teenage](#) "March For Our Lives" demonstration on the heels of the tragic school shooting in Parkland, Florida. [Left-wing propaganda](#) overshadowed [local on-the-scene police officers](#) "in hiding" and the [FBI again](#) "dropping the ball" ([even the NYT couldn't skirt it](#)). It also failed to state the obvious: shooters seek out "gun-free"/"no defense" zones. Most tragically and ironically, [federally-funded Planned Parenthood](#) performed [321,384 abortions in 2016](#) (p. 31).

Eventually, if the light of truth is steadfast and powerful enough, the mold & mildew will begin to shrivel and accelerate its decline. And hopefully, collectively, at the political and financial level, the constitutional cohort of alt media can be the "Greased Lightning" that helps loosen the lawless elected officials and administrative state mold, so it can be washed or swiped away. Unfortunately, the redistributionist, [anti-constitutional](#) left and the crony right -- "[big government with a left or a right blinker](#)" -- both benefit from maintaining a destructive status quo. Specifically, a system wherein massive illegal alien immigration, Balkanization, and [citizen voting franchise dilution and property right transfers](#) are sought for [political reasons](#) and tactical financial gain over legal and skilled immigration (immigrants that strategically enrich the country and mainstream into the adopted culture); wherein [bureaucratization trumps legislative representation](#); and wherein fiat or printed money instead of [constitutional money](#) is legal tender.

Which brings us to another important observation: the constitutionally-oriented alt media (generally-speaking, Internet-enabled media/communication) is not only trying to shine the light on abuses in the halls of power, but it is going up against a very entrenched and powerful statist/Marxist "mainstream media," Hollywood, and educational establishment. Talk about a stacked deck. Yet as long as the Internet remains free -- a big if should the likes of "[net neutrality](#)" resurface -- there is a huge technological bulwark against throttling free speech or limiting people's ability to look for alternative news and op ed sources. The enormously positive significance of this cannot be overstated.

### Conclusion:

The elephant-sized question is, after over a century of heavy-handed statist intervention in schools and colleges, whether our population is now so [indoctrinated](#) (versus educated) that we collectively no longer appreciate, much less understand or strive to protect and *nurture*, real science over [P.C. "science,"](#) real history over [reversionism](#), faith in free markets to produce the best possible outcome for the most people over redistributionism/cronyism, [Judeo-Christian foundational values](#) over [Sharia intolerance](#), the US Constitution and the Bill of Rights over despotism -- in short, faith in our Western heritage and why it should be extrapolated, not eviscerated, for the benefit of our progeny. This

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is especially true when considering what socialism and communism has typically wrought: poverty and more than [100m people killed by communists in 100 years in Russia, China, and elsewhere](#). Collectively speaking, we are arguably appallingly unaware of this most tragic history, which we certainly shouldn't strive to "ape." But first we need to know about it. Education instead of indoctrination or "malignant neglect."

If the constitutional embankment against tyranny and respect for human life is tossed aside willingly by the population, and our inalienable rights are increasingly eroded, very much including our right to arm ourselves to protect against both criminals and a despotic government, then what is to protect us from oppression? From serfdom? Or from a dreadful "Gulag" version of iron-fisted tyranny?

Progressivism, or sustained increases in US federal government power hugely unleashed in "1913" ([creation of Fed, rollout of federal income tax, direct election of senators](#) versus via state legislatures, which helped kill federalism/republicanism) and long sought by [Republicans](#) is so much a part of our consciousness as a society. Therefore, even if we can rid ourselves of the bureaucratic, unrepresentative, criminal cancer we call the deep state or the administrative state; even if we manage to return to separation of powers and federalism; and even if we even find a way to return to sound money ([a growing number of states are moving to return gold and silver to their Article 1, Section 10 status](#) while dropping taxation of PM or money) and thus to property right protections and free market capitalism (the ultimate wealth of nations' elixir), the "\$64,000 question" remains.

Specifically, do we have the "body politic" left to comprehend, appreciate, embrace and re-assert the Enlightenment Age-inspired, liberty-drenched principles of the [Declaration of Independence](#) as manifested via the unparalleled US Constitution? Said differently, do we still have an ethical, virtuous civil society so necessary for self-governance, self-reliance, *and for spawning virtuous politicians*? This is a vast American and Western society question and challenge.

As the saying goes, you can lead a horse to water, but you can't make it drink. Even more appalling: people get the government they deserve. After over 100 years of indoctrination, statism, and constitutional usurpation (thanks, progressive Republicans, for getting the "Borg" airborne) financed by fake money and facilitated by growing constitutional infidelity, one could say "it ain't the people's fault." Well, we beg to differ: we've had our Constitution for nearly 231 years, libraries with profound books for longer still, the Internet and great Constitutional sites for over [a generation](#), and YouTube for [over 13 years](#).

If we, as mature and loving parents, with all the above means at our disposal, can't undo the indoctrination we were subject to and our children are exposed to at school "at the nightly dinner table" -- and by tuning our kids in to exciting alternative media wisdom and to digital Declarations and Constitutions -- then we need to look in the mirror for communication blame. For what, short of sex itself, is a sexier concept than political freedom? And we don't even need to convince a majority. A highly-motivated minority will sometimes do, as was the fortunate case in the [Revolutionary War](#) and most especially, and debilitatingly, during a 100-year plus "progressive march" to upend a federalist, representative, constitutional republic featuring codified liberty and requiring personal responsibility.

As the great Ronald Reagan (talk about a liberty/free market capitalism giant) famously said: "[Freedom is never more than one generation away from extinction](#). We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same."

So, what is our "insurance policy" for sunseting freedom/the loss of constitution fidelity? How about relentlessly spreading the word, thinking local, forging strong local networks with like-minded people with "real world" survival skills, improving agricultural skills, revisiting the Declaration for inspiration, and refusing to abide by unconstitutional diktats the feds impose on us (both Jefferson and Madison had a lot to say about this, as you surely know, in the [Kentucky and Virginia resolutions](#)). In terms of investable net worth, stacking PM (especially hugely underpriced to gold, silver) outside of the banking system for [purchasing power preservation & enhancement](#) (given [PM price suppression](#)) is the best insurance, i.e., until bonds and stocks again offer great strategic [ROI prospects](#).

Sincerely,  
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