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The Cannon Report

The Powhatan Troop, SCV Camp 1382



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Commander's Comments

Compatriots

First let me wish all members a Happy Thanksgiving. We will be holding our regular meeting at the Italian Delight, lunch at 1:00 and meeting at 2:00 on Sunday, November 25-this weekend. Our guest speaker will be Mr. Pete Burruss. We will be marching in the Christmas parade this year on Dec 8. it would be nice to have a large turnout for the parade. We will also be discussing our annual Christmas party.

Kenneth Phibbs, Commander

Cannon Report

I hope everyone weathered the storm; as for me, it was the first time in many storms that I did not lose any trees. Unfortunately, it did cost us the Muster Day Program.

In this month's *Cannon Report*, I want to discuss the current movement of secession. The White House has now received secession petitions from all 50 states by citizens requesting that the administration "peacefully grant" them the opportunity to form their own sovereign government. What began as a small group of citizens voicing their disappointment with Obama's reelection, has turned into a plea from hundreds of thousands of citizens to have their states granted independence from the federal government. For a petition to be granted a response from the White House, it must receive at least 25,000 signatures. Currently, to my knowledge, six secession petitions have reached that threshold – from Louisiana, Alabama, Florida, Tennessee, Georgia and Texas. The petition from Texas has more than 112,000 + signatures. Let's be clear, I am not discussing this as politics, for we are a "non political organization;" however, we are a historical organization and in this respect I wish to mention this as it has everything to do with the War for Southern Independence. During my research sometime back I came across an excellent article written by Gene H Kizer Jr.; therefore, rather than spending hours composing, I will use quotes/extracts from his article.

**DEO
VINDICE**

The Right of Secession

by Gene H. Kizer, Jr.

There is no evidence that secession was illegal or prohibited by the Constitution, and in fact there is almost overwhelming evidence to the contrary, that secession was a legal, constitutionally sanctioned act. Historian Kenneth M. Stampp, in his book *The Imperiled Union*, maintains that it is impossible to say that secession was illegal because of the ambiguity of the original Constitution as to state sovereignty and the right of secession. He points out that "the case for state sovereignty and the constitutional right of secession had flourished for forty years before a comparable case for a perpetual Union had been devised," and even then its logic was "far from perfect because the Constitution and the debates over ratification were fraught with ambiguity."¹ It appears that the original intent of an unquestioned right of secession was established by the Founders, took root and "flourished for forty years," then later a "perpetual Union" counter-argument developed out of political necessity when **Northern states began realizing their wealth and power was dependent on the Union and its exploitation of the South.**

There had to be a specific constitutional prohibition on secession for it to be illegal. Conversely, there did not have to be a specific constitutional affirmation of the right of secession for it to be legal. Why? Because the 10th Amendment to the United States Constitution states: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States" respectively, or to the people. There was no constitution prohibition on secession, nor was there a constitutional sanctioning of any kind of federal coercion to force a state to obey a federal law because to do so was to perpetrate an act of war on the offending state by the other states, for whom the federal government was their agent.

The arguments for the right of secession are unequivocal. There is the constitutional right based on the Compact Theory, and the revolutionary right based on the idea that a free people have the right to change their government anytime they see fit. The Compact Theory views the Constitution as a legal agreement between the states - a compact - and if any one state violates the compact, then the entire agreement becomes null and void. Northern states unquestionably violated the Constitution on a number of grounds including unconstitutional Personal Liberty Laws on their books, as well as by deliberately harboring fugitives from justice by protecting the sons of John Brown who were wanted by Virginia for murder at Harpers Ferry. Northern states also made a mockery of the Constitution's Preamble, which states clearly that the Constitution was established to "insure domestic Tranquility" and "promote the general Welfare." Certain prominent Northern leaders with the acquiescence of states like Massachusetts were utterly at war with the South and doing everything they could to destroy the domestic tranquility of Southern states by encouraging slaves to murder white people, poison wells, destroy property and commit other acts of rapine.

The revolutionary right of secession is based on the *Declaration of Independence* and the philosophy of Thomas Jefferson and John Locke, that whenever any form of government becomes destructive of the ends for which it was established, it is the right of the people to alter or abolish it, and to institute new government, . . . These words come directly from the *Declaration of Independence*. This passage was also used, verbatim, in *South Carolina's Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union*. A similar sentiment was expressed by Abraham Lincoln in 1847 on the floor of the United States House of Representatives: "Any people, anywhere, being inclined and having the power, have the right to rise up and shake off the existing government, and form a new one that suits them better. This is a most valuable, a most sacred right, a right which we hope and believe is to liberate the world." Horace Greeley's *New York Daily Tribune* published a long, emotional editorial on December 17, 1860, the day South Carolina's Secession Convention began, strongly supporting the right of secession on the revolutionary basis. The *Tribune* used the exact same passage used in South Carolina's *Declaration of Immediate Causes*, which comes from the *Declaration of Independence*, reiterating that the "just powers" of government come from the "consent of the governed" and "whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and institute a new government,' &c., &c."...

Mr. Gene H. Kizer, Jr. entire article can be read at:

bonniebluepublishing.com/The%20Right%20of%20Secession-FULL%20PAGE%20FORMAT-USE.htm

It will be interesting to observe what type of answers the White House will respond with or will it once again choose to ignore the laws set forth by our Founding Fathers in the Constitution?

*Paul M. Houser
Cannon Report Editor*