

Contact: Shane Fredrickson  
rekendymt@yahoo.com  
360-867-1405  
fax: 360-867-1405

# The Democratic Republican<sup>TM</sup>

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## TOP TWO PRIMARY UPHELD!

### RDP files to commence operations in the State of New York.

June 1st 2008

By Bob Ficalora

This may be a huge year for judicial decisions.

March 18, 2008 the matter of Washington State Grange v. Washington State Republican Party, et. al. regarding the "top two" primary was decided by the United States Supreme Court (552 U.S. 06-713 (2008)).

The Grange initiative will have a transformative effect on Washington State Government by ending the two party monopoly.

RDP is a states' rights party and its charter will bring focus, debate and action on important issues.

Candidates for office will emerge organically from the process, and it should be exciting for everyone involved.

The RDP will become a force in state government.

On May 15 the California Supreme Court filed its decision In re: Marriage Cases (S147999), declaring statutes prohibiting gay marriage to be unconstitutional.

The "gay marriage" decision continues the elimination of laws that deny the basic right of non-discrimination to a significant class of citizens because of their sexual preference.

The biggest case poised for a decision, however, is the matter of Town of Montauk, Inc. v. Pataki, et. al.

It is now at a point where we believe that the New York State Court of Appeals (high court) can

*The Democratic Republican* is being sent with *The Montauk Gazette* to two mailing lists: 1.) the 2005 mailing list of Montauk freeholders (property owners); and, 2.) a list of the signers of a 2003 petition for a Washington State Joint Memorial to the President to affirm the constitution regarding war powers (see [www.republicandemocracy.us](http://www.republicandemocracy.us)).

The issue before the high court of the State of New York in the matter of Town of Montauk, Inc. v. Hon. Pataki, et. al. and the Washington State Joint Memorial (which died in House and Senate committees) is the problem of how to restrain legislatures navigating in Constitutionally unchartered waters.

The intent of this attempt to (re)establish the Democratic-Republican Party is to provide a solution for the issues raised and to spread the foundational process of state and local government rooted in the people assembled in town meetings across the states of New York and Washington.

The central wrongdoer in the Town of Montauk case has been the state Assembly and an important option presented is that using the RDP we can take their seats.

There is no more powerful force under our constitutional frame of government than the deliberated resolve of the people assembled, and it is only united with a plan that we will prevail in re-establishing good government. The attached charter for the RDP/Democratic-Republican Party is the plan presented.

For good, for law, for liberty, I am



Robert A. Ficalora

take jurisdiction and hear our case (see: [www.montauk.com](http://www.montauk.com)).

If the high court gives us a hearing, we are confident that we will win. The town board of East Hampton is a legally fictitious entity so if we stand before the court with them the court will be compelled to enter judgment.

Montauk claims to be a constitutionally protected incorporated township with rights through a 1686 colonial patent/charter known as the Dongan Patent.

It established that Montauk's property owners (freeholders) are to elect twelve trustees, govern by town meeting and granted sovereign jurisdiction in the making, administering and enforcement of law. While Montauk relies on the New York state judiciary, its sovereignty is that no other constitutionally established body in America has jurisdiction over it.

The freeholders will make all laws, control all land use, assess all taxes, elect our police, and operate our justice court. These rights run with the land.

The RDP was developed synergistically with the litigation in re: Town of Montauk, Inc. but neither is dependant on the other.

The RDP is ready to go in the state of Washington and will begin operations in Suffolk County, New York as a foreign not-for-profit political party.

contact: bobfic@montauk.com

*This writing is dedicated to Naomi Wolf who sees the same threat and is also taking action to stop it.*

The RDP Charter uses the historically standard form of a preamble, binding covenants, principles, constitutional structure, process and rules. This summary is intended to describe each section and why it is important.

## Covenants

The covenants must be accepted by all members. They are to protect the lawful right of the membership to peaceably assemble with love and compassion in our hearts while protecting us from spies and provocateurs or who advocate violence.

The covenants are intended to build the type of organization we want to be a part of and provide recourse for defending its integrity. While a little paranoia can be a good thing, too much of it serves the purposes we oppose.

## Principles

The principles are future focused and taken from our political history as a nation. Much of the thinking and advocacy comes from the English republicans that were so influential to our founding fathers like Thomas Jefferson.

As we assemble in our caucuses and assemblies, the RDP principles are intended to guide us in our deliberations and keep us focused on the ends to which we aspire to accomplish. This has always been a nation of peace-loving people.

The RDP principles emanate from our country's foundation as a republic of Constitutions and Laws. Everything we have as a nation is predicated on the maintenance of that system, yet today it is ignored and we are faced with lawlessness and tyranny.

## Constitution

*(NOTE: Washington state uses "legislative districts" and New York state uses "assembly districts". They will simply be referred to as districts in this writing.)*

The constitution is the organizational structure of the RDP and is intended to be as open and democratic as possible. All funds are to be accounted for at the district level by elected officers.

## Process

The RDP process establishes how the quarterly caucuses and district Assemblies will take place.

Set forth is the manner in which resolutions will be submitted and moved for voting and approval by the membership. The RDP process does, in its intended effect, establish an ongoing people's legislature that is

certain to be highly influential in all levels of our government.

## Rules

The rules are simple. We must have an orderly manner of easily removing *spies* and *agents provocateurs* from our caucuses and assemblies.

This is not a trivial or unimportant requirement. The police/intelligence agency "sleepers" in our communities are well funded and highly trained and closely managed. The former Soviet Union lost its county through the micro-management of such agents.

*Review by certiorari* means that the court will only look to see if the caucus vote and appeal were properly had in order to remove a participant or director from participation in the RDP.

All that is required to participate in the RDP caucuses is to adhere to the RDP Covenants. In other words, people can be Democratic Republicans (RDP members) and can support Democrat or Republican party candidates as well. State laws may apply, the State of Washington has no political party registration requirement.

## The Bottom Line

There are many among us who believe that our country is currently threatened by a rogue outlaw government. It is the intent of the RDP to bring citizens together to rediscover their rights and their country in order to protect the liberties that we all still enjoy.

The newly Amended Charter (v46) of the RDP/Democratic-Republican Party™ is a living document that can lead us without leaders. Please use the attached two-sided document by becoming your precinct officer by inserting your name and phone number and using it to get the process going in your precinct today.

Although it should be easiest to establish the RDP/Democratic-Republican Party in a caucus state with a top two primary like Washington, it is perhaps even more needed to establish it in the state of New York.

In his powerful February 7th, 2007 address to the New York State legislature in Joint Legislative Session, Assemblyman Greg Ball referred to it as "the most dysfunctional legislature in the United States of America." The importance of establishing the RDP, therefore, cannot be understated because we can change that.

The RDP is intended to be charter driven organization that brings you and your friends and neighbors into a regular process of assembling in your neighborhood precinct and district.

With the RDP Charter in hand, YOU, and each of us individually, will make this happen.

# The Republican Democracy Party

## Amended Charter v.46

**W**e the People of the United States of America, being the heirs and successor governors of these lands under God to the original Indian nations and to the Protestant kings and queens of England, are endowed with the inalienable rights of a free and sovereign nation. With affinity for the purposes and accomplishments of the Honorable George Clinton, Thomas Jefferson and John Taylor of Caroline, this Corporation does assume the mantle of, and will also be known as, The Democratic-Republican Party™.

### I. COVENANTS

*All members swear to:*

- Hold these covenants as higher law and an inviolable contract, accepting membership according to their terms;
- Respect the lawful right of other members to dignity, privacy and to peaceable assembly without spying or alienation, and to quietly surrender membership upon a vote of exclusion for breach thereof as more fully set forth in Section V (below).
- Fulfill all duties and responsibilities undertaken.
- Stand for the rule of law, justice, peace and ecological restoration.
- Speak only truth while giving love indifferently and opposing contempt for the rights, liberties and Commonwealth of all people or peoples now or ever cognizable under our system of English law.
- Practice and espouse active participation and non-violence.

### II. PRINCIPLES

- The RDP/Democratic-Republican Party holds that:*
- Republican government is by the People according to constitutions and laws, and not by banks, corporations, posers or monarchy;
  - Democratic government is of the People with government closest to the People being best;
  - The RDP/Democratic-Republican Party shall establish strength in state government to assert state sovereignty as a balance to federal power;
  - All sovereign or prerogative powers not granted to the federal union by the original thirteen independent and sovereign states are reserved to the states or to the People;
  - Federal currency and taxation must be lawful;
  - The Bill of Rights amending the Constitution of the United States having been expressly ratified to restrain unintended federal power, all amendments made after the Civil War must be reviewed for possible repeal;
  - The most fundamental liberty to make our own laws shall not be impinged or surrendered;
  - Idolatry of religious or political figures is dangerous to our liberties and a threat to the republic;

- Constitutional democracy is a contract with all governmental assets of any type or nature being the Commonwealth of the People;
  - Social security being established by a Federal Insurance Corporation Act (FICA), its funds are non-discretionary to Congress and all funds taken for other purposes must be restored;
  - The National Guard being the states' militia, must be under the exclusive command of the Governors with foreign adventures only upon their public order;
  - Military pensions and veterans' benefits must be fully funded and non-political;
  - Non-citizen soldiers, standing armies, mercenary forces, military tribunals and unaccountable military industrial and intelligence complexes should be abolished;
  - The exploitation of labor, natural resources and technology being necessary for human sustenance, unions and a living wage, environmental restoration and protections of health and safety are essential;
  - Victimless crimes and pretexts of war for taking greater authority are to be resisted;
  - The sanctity of the obligations of contracts, the equal rights and treatment of all persons before the law, and the freedom of conscience in a secular state are essential to our liberty;
  - All voting in contested partisan elections should be open and published for public inspection with the option provided for privacy;
  - Acts made or actions taken by governmental bodies without or in excess of their Constitutionally delegated powers to reconstitute government or to extend powers into the states, or over the People, are opposed;
  - Should the general government of the United States of America continue to operate outside of the powers delegated to it by the federalist Constitution thereof, and the People are strong within their states, a constitutional convention of the states should be convened for the re-constituting of said government, with the Bill of Rights to be considered first and not in any way diminished.
- Amended by founder Robert A. Ficalora in Palm Beach, Florida January 1st, 2008, v46

# Constitution, Process and Rules

## III. CONSTITUTION

The RDP/Democratic-Republican Party (Party) is a chartered, active and participatory grass-roots membership organization. The intent is to use our 1st Amendment right to peaceably assemble for its intended purposes. First established under the laws of the State of Washington, this charter is to be used in all of the states of the Union.

The Party shall hold bi-annual County Conventions and use a modified New England-style representative town meeting process of quarterly caucuses followed by Legislative District Assemblies (LDAs) of caucus attendees.

County and LDA chairpersons shall be elected for each body for two year terms. State officers will be voted for a one year term at the subsequent precinct caucuses. The priority will be to grow the Party statewide using this Amended Charter.

caucuses in the legislative district at the subsequent caucuses.

The priority of LDA business 1.) two minute addresses by caucus participants voted to speak, 2.) tabulation of the caucus voting upon resolutions; 3.) the introduction and discussion of new resolutions approved by caucuses for a vote by the next caucuses in the Legislative District.

Resolutions adopted by a majority vote of a majority of caucuses in the legislative district may be directed to state representatives or to a city, county or state convention for a vote by all included precincts.

The caucus and LDA calendars shall be in a manner most effective in relation to state government.

The LDAs shall administer the required city and state conventions with Charters for state, county or

Next RDP CAUCUS/Convention - \_\_\_\_\_ 20\_\_\_\_\_

PRECINCT \_\_\_\_\_ COUNTY \_\_\_\_\_ LOCATION \_\_\_\_\_

PCO / INFO \_\_\_\_\_ TEL. \_\_\_\_\_

Info: WWW.REPUBLICANDEMOCRACY.US (Coming soon) or \_\_\_\_\_

A financial account shall be established for each legislative district using the RDP's EIN with the state and LDA treasurers as account co-signatories for reporting and accounting purposes. State and County accounts will be funded by either member contributions or by legislative district apportionment.

Precinct caucuses shall be hosted by an officer (PCO) who shall collect a \$3 admission, convene the caucus, and deliver all funds and voting to their LDA.

## IV. PROCESS

County conventions shall be held on the second weekend of January and July. Quarterly precinct caucuses shall be followed by an LDA that is restricted to caucus attendees.

Resolutions may be read and submitted at a caucus for a vote at the subsequent caucus if sponsored by two Party members. A voted resolution or one for a member to speak at the LDA shall be by majority vote whereas a resolution that is urgent or involving process may be approved by a unanimous vote for delivery at the LDA.

Caucus sign-in and voting shall be taken at the door, each vote being changeable until closing of discussion of the agenda item. The priority of caucus business shall be 1.) the deliberation and voting upon pending resolutions and 2.) the introduction of any proposed new resolutions. Resolutions approved by a caucus shall be voted by all

legislative district committees to be approved by a majority vote of the included caucuses.

## V. RULES

In order to protect the members' rights to peaceably assemble for political purposes, a vote may be had upon a motion, properly seconded, for exclusion of a caucus participant for covenant violations, with a written appeal reserved to the LDA or, failing in such an appeal, to the state courts for review by certiorari if brought within thirty (30) days.

RDP processes may be used to endorse candidates of any political party, with candidates standing for the RDP/Democratic Republican Party principles and voted by a majority vote of a caucus assembled to have preferential consideration.

This Amended Charter shall serve until next amended by resolution of the membership initiated at a caucus assembled and approved by a majority vote of a majority of caucuses represented in majority of Legislative District Assemblies assembled in State Convention.

This Charter is a 2-sided 8½ by 11 inch flier for organizing, reference and operational use.

- Amended by founder Robert A. Ficalora in Palm Beach, Florida January 1st, 2008, v46