

OHIO BALLOT PROPOSAL 2014

SUPPORT ISRAEL VS PALESTINIANS?



**Ballot Access
Initiative for Ohio
2014**
*By Don Shrader
Chairman*

Part One

First and foremost, it is incumbent on the voters in Ohio that they understand how Ohio currently determines party membership and the constraints that this places on voters as well as candidates for political office. Without this understanding, there will be no motivation for change.

First of all, unlike some other states, one does not register in Ohio with the Board of Elections or the Secretary of State as a member of a political party. When one registers to vote in Ohio there is no place to register for party membership or affiliation. I have no problem with this, especially as it relates later to my recommendation for an initiative to change the ballot access procedures in Ohio.

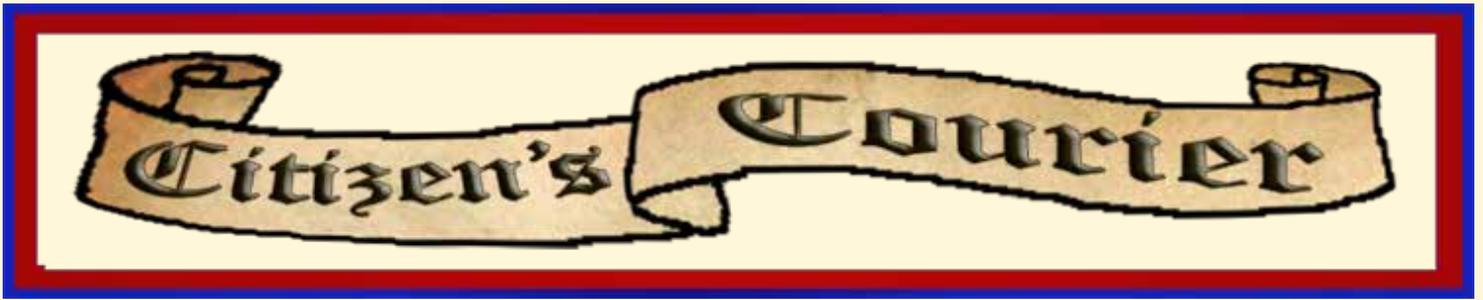
While a person can affiliate with any political party based upon that party's bylaws for membership, joining or affiliating with a party does not

currently make one a recognized member of that party by the state. The only way a voter becomes a formal member of a political party in Ohio is by voting in that party's primary elections. When a person goes to the polls to do his or her civic duty (as we older persons were taught in school) and vote in the primary elections, the person states to the election officials in which party primary he or she is voting. That registers that person as a member of that party for at least the next two years. (Note the radio advertisements broadcast in Ohio during the primary election season trying to make everyone feel guilty about NOT voting in the primaries and trying to convince people [falsely in my estimation] that to not vote negates "your freedom of choice." Read on to learn how voting in the primaries is what negates your right to choose.)

Different political parties in Ohio, particularly minor parties, have different procedures for formally aligning with that party, but those procedures are up to the party. However, while filling out a

membership application, for instance, may make your interest known to that party's leadership, NOTE that it DOES NOT make you an official member of that party with the Ohio Secretary of State's Office. That can only be done only by "pulling" a ballot for that party during the Ohio State primary elections. IF the party has no candidates running in the elections in that particular voting precinct or on a statewide ballot, then one cannot pull a primary ballot for that party and thus is unable to switch parties.

Currently, if a person votes in a political party's primary, as noted, they are then considered by the Secretary of State's Office to be a member of that party. As such, for two-years following that vote, the voter cannot sign a petition of someone running as a candidate in a different party. Thus, if a political party candidate is running for office, it requires that he or she obtain the required number of VALID signatures of registered voters who did NOT vote in another party's primary within the past two years. (Too often, other than teenagers who recently turned 18 and who were not



eligible to vote during the previous primary election, the voters who are eligible to sign that candidate's petition because they did not vote in previous primaries are those who are generally politically unmotivated and disinterested in participating in the political process at any level.)

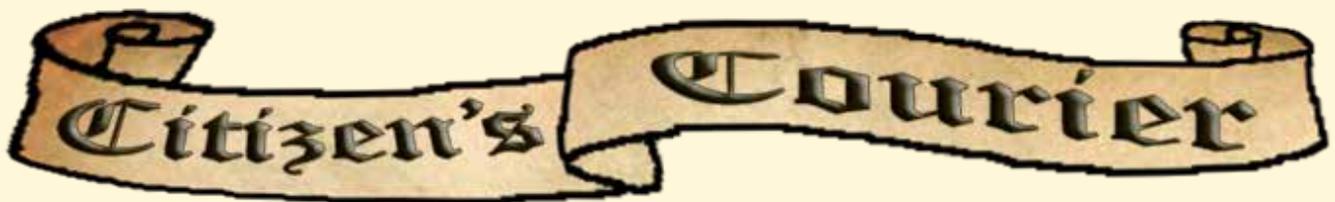
The Constitution, Libertarian, Green, and Socialist Parties are currently the only recognized minor parties in Ohio by the Secretary of State's Office although Senate Bill 193 (SB 193) will eventually kill all third parties if allowed by the courts to stand. (Currently the ACLU is contesting this legislation passed by the Republicans at the last minute last year in a vain attempt to negate all third parties from having ballot access beginning in 2014. Thanks to the ACLU, the courts issued an injunction against SB 193 for 2014, but it still remains up in the air whether or not it will stand for 2015 and beyond. Hopefully not, but... We thank the ACLU for their continuing efforts to fight this onerous legislation on behalf of all citizens in Ohio although they are currently officially acting on behalf of the Constitution and Green Parties.

Being a recognized minor party holds a tremendous advantage in that for most elective offices, minor party candidates need only 25 valid

signatures of registered voters who have not voted in another party's primary in the last two years (compared to 50 for a major party candidate); for many local and regional offices it is only 5 for a minor party candidate (compared to 10 for a major party candidate). Candidates affiliated with non-recognized parties (such as all minor parties will eventually become if SB 193 is allowed to stand including those currently recognized) must run as independent candidates unless his or her affiliated party is gathering the sufficient number of signatures to gain official recognition as a political party. Independent candidates must obtain the number of signatures equal to at least 1% of the vote in the political district for which office they are seeking, which for Congress, for instance, can be in the thousands of signatures (see more below).



However, for everyone that did their civic duty of voting in a primary election, either as conscientious citizens and/or to try to get the best Republican or Democratic candidate on the ballot, they are now unable to sign a nominating petition of another party's candidate for a period of two years and then only by NOT VOTING in any party's primary, or voting only in the primary of the political party they are certain to endorse in the future – **IF** there is a candidate running in that primary. A candidate for office can change his or her party affiliation by filing a valid election petition for another party and thereby run as a different party's candidate but the VOTER CANNOT change parties via any kind of notification to the Board of Elections or other state entity. (Constitution Party candidates running for office in 2014 who had run for the same office as a major party candidate in the past stated that it was much-much harder to obtain 25 signatures of voters who had not voted in another party's primary in the past two years than it was obtain the needed signatures as a major party candidate when so many of their friends were already affiliated with that party but were now unable to sign the nominating petition of the Constitution Party candidate even though they intrinsically supported the candidate.)



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In Ohio, if a person supports a minor political party that does not have any candidates on the primary ballot in that person's political subdivision, the only way the voter can sign a minor party candidate's nominating petition two years hence is by **NOT VOTING** in any other party's upcoming primary elections – major or minor. If there are issues for which one wishes to vote, the voter can obtain an “Issues Only” ballot but if one pulls a party ballot, even to vote for only one candidate, then that person is DENIED the ability to sign another party candidate's petition for the next two years.

While NOT voting in any party's primary election will allow one to sign a nominating petition, or gather signatures, for a candidate in another party after the two years from the last time that person voted in a party's primary (which should be up shortly after the primary election in which that voter did NOT vote, but not in time to sign or help gather signatures for another party's candidate petition for the current primary election), most people who have subsequently checked with the Board of Elections (BoE) after NOT voting in the last primary or last few primary elections have found that the BoE still considers them to be members of the party in whose primary they last voted. (It has

been reported that one way a person may be able to remove his name from any party affiliation at the BoE and that is to go to the BoE and have one's name removed as a registered voter. Later, return to the BoE and register anew as a voter which, as noted above, does not include registering an affiliation with any party.) (In addition, if I understand the law correctly, by NOT voting in any primary elections, the voter is free to sign multiple candidate petitions in different parties as long as he does not sign two or more times for the same office in the same year.)

So, what does it mean to you if Senate Bill 193 (SB 193) is allowed to stand for the 2016 elections? For many, it won't mean a thing because they will go through the motions of voting as they always have without any care or understanding as to how their rights and privileges in voting have been taken away from them. But for all who care and want to know, here is what SB 193 means to you:

1. All currently recognized minor parties will be declared null and void (with the possible exception of the Green Party who does have a candidate for Governor on the ballot and IF they receive 2% of the vote for Governor – a real possibility

given no other minor party currently has a candidate on the ballot for Governor / Lt. Gov. – then they will have ballot access for four years).

2. After the general election this fall, the only way a minor party will be able to regain recognition as a political party by the Secretary of State's Office will be by obtaining the valid signatures of qualified electors equal to at least one per cent (1%) of the votes cast in the 2014 gubernatorial race, or approximately 40,000 signatures, based upon past gubernatorial elections, beginning 12 months prior to the 2016 general election with the petitions submitted to the Secretary of State no later than 125 days before the general election, or around July 4th.
3. Also, as I understand it currently, nominating petition solicitors/signature gatherers for another party or political candidate must be in-state registered voters who did not vote in another party's primary within the last 2 years (i.e. the 2014 primary elections). Minor party

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candidates in Ohio, except for Presidential/ Vice Presidential candidates – if I am not mistaken, are prohibited from using non-Ohio residents as solicitors.

4. Finally, it should be noted that historically, petitioners need to collect a minimum of 30% more signatures than the required minimum because at least 25% of the signatures will typically be declared invalid for one reason or another. So, for 2016, to obtain 40,000 valid signatures will require that each minor party collect at least $40,000 \times 1.3 = 52,000$ signatures from those who are registered voters. Of course, a voter may sign only one party petition.

(Part Two in next Month's Newsletter.)

Read entire document here:

www.cpofohio.org/PDF/comments/Chair/Ballot%20Access%20Initiative%20for%20Ohio%20-%20Rev%201.pdf



By Don Shrader, Chairman

On the last CP of Ohio conference call, Jim Condit, Jr., our candidate against John Boehner for the Ohio 8th Congressional District, brought up the need to address current issues as part of his campaign; he was especially concerned about differences in the CP of Ohio over the current (and ever present in my view) dispute between Israel and the Hamas contingent of the Palestinian Government (if indeed there is a difference – again my view). Jim was rightfully concerned that his viewpoint could cause dissent and divisions within the State Party in that there seems to be some disparity over the support of Israel versus the Palestinians. If there are disagreements, it would be over how unfettered and unwavering our support of Israel should be versus some recognition that Israel is “not without sin” in this conflict and therefore is not deserving of unquestionable support. Some good discussion followed.

SHOULD WE SUPPORT ISRAEL AGAINST THE PALESTINIANS My Perspective

It is interesting that Darrell Castle just happened to write the following article the same week. Darrell is a lawyer and a possible contender for the 2016 CP Presidential nomination. Certainly he is one of our most knowledgeable members (if not the most knowledgeable) and well respected in the Party for his well-informed views. His article is reprinted below without the references he provided. To see his references, please read the article online on the national Constitution Party website.

www.constitutionparty.com

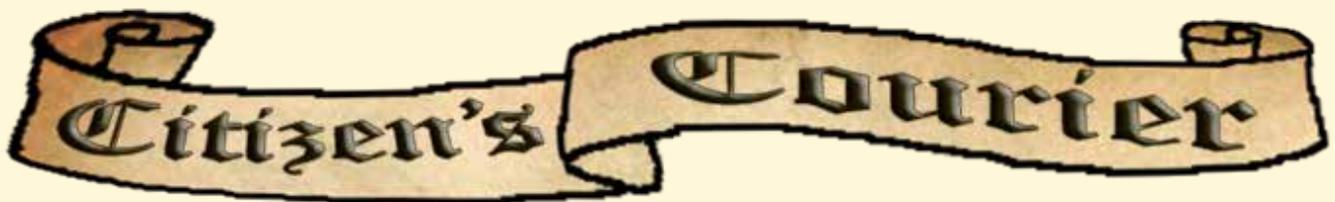
Please see my further comments following his article. Also note that the underlines in Darrell's article are mine, not Darrell's.

THE CONSTITUTION, ISRAEL, AND THE CONSTITUTION PARTY

18 August 2014 -

*by Darrell Castle, National Executive
Committee member and 2008 Vice-
Presidential candidate*

When Americans talk about the nation of Israel, the discussion generally centers on questions concerning its right to exist, or of its right to self-defense. If a nation exists, as Israel clearly does, and has since 1948, then it also has a natural right to self-defense. That should not be in question. What



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we should be asking is “What is the nature of the relationship between the United States of America and the nation of Israel?”

Clearly the U.S. has a relationship with Israel, but what of its origin and its nature? It seems to be a bit strained right now. In fact, it would be fair to say that the relationship between President Obama and Prime Minister Netanyahu is the worst ever between a U.S. President and an Israeli Prime Minister and after all, isn't that what it comes down to—the relationship between both leaders as representatives of their respective nations?

Harsh words between these two heads of state were common during Israel's recent war in Gaza and the U.S. effort to negotiate a cease fire. For example, the U.S. Department of State [condemned](#) Israel's strike on a United Nation's school in Gaza, calling it “appalling” and “disgraceful”. Netanyahu, in return, insulted Secretary of State John Kerry, and then publicly [admonished](#) the U.S. Ambassador to Israel saying, “Don't ever second guess me again”, when it comes to dealing with Hamas.

The German magazine *Der Spiegel* retorted that Israel [wire-tapped](#) Kerry's phone during the peace negotiations – but it would not be a surprise to find out that the NSA was doing its own

wire-tapping of Kerry's Israeli counterpart.

Immediately following that little exchange, President Obama [signed](#) a bill giving \$225 million dollars to Israel, to fund improvements in the Israeli Iron Dome anti-missile system. This money, in addition to the \$351 million dollars earmarked for Iron Dome in 2015, brought the total Iron Dome funding provided by the U.S. to about \$1 billion dollars. The Bill, House Joint Resolution 76, passed unanimously in the House – by voice vote in the Senate, with the combined bill passed 395 to 8 in the House.

Presidents and Prime Ministers conduct foreign policy, so they see the problems first hand and have to deal with these public spats with other countries. Both sides portray their differences in this dispute as a “family spat.” Netanyahu said it was “like a Jewish family dinner”, but the Americans have been great.

The point is that support for monetary and military aid to Israel is overwhelming in the U.S. Congress.

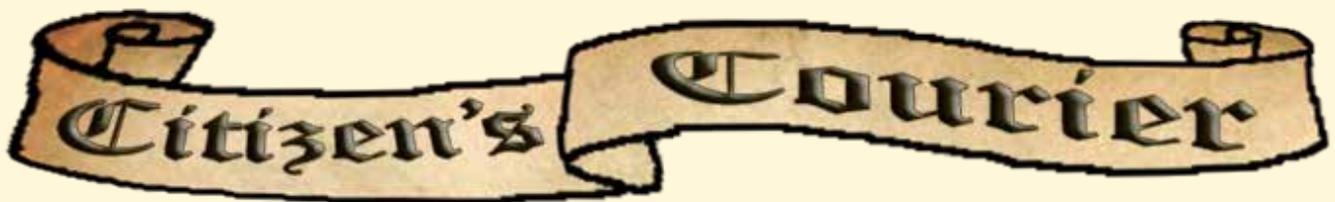
Whatever happens, U.S. aid keeps flowing, despite the fact of drastic military cutbacks in U.S. military spending, including the [dismissal](#) of 550 Majors currently serving in the U.S. Army.

But why? That is the question.

Maybe Israel is economically helpless, could that be the reason? With an [economy](#) approximately the size of South Korea, a G-20 nation, Israel could hardly be described as “economically helpless”. So why can't Israel fund its own Iron Dome system? It should be pointed out here that the supplemental funding for Iron Dome is over and above the billions provided each year under an existing ten year agreement.

Perhaps it's because the United States has a Mutual Defense Treaty with Israel? No, that's not the answer either, as there is no Mutual Defense Treaty between the U.S. and Israel. Legally speaking, it is incorrect to refer to Israel as an ally without such a treaty. There is no formal agreement between the two countries, which requires either country to come to the defense of the other in time of war. Mutual Defense Treaties require clearly defined limits as to what each nation involved in the treaty can do or not do. Israel seems to like doing what it wants without much restraint.

What does seem to exist between the U.S. and Israel is a continuing series of Congressional Aid Bills, which continue despite any problems any American president may have with his Israeli counterpart. These are supplemented, from time to time, with unanimous voice vote “Emergency



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Aid” bills. Military aid is also increasing from \$2.4 billion to \$3.1 billion dollars annually.

So if you want to see both economic and military aid to Israel continue to flow from U.S. coffers, you’re in luck, because it will continue. Indeed it seems it cannot be stopped because support among the American public, and especially Congress, is overwhelming. Even Senate Majority Leader Harry Reid was quoted by the *New York Times* as saying that “Tel Aviv urgently needs more financial aid from the United States for its offensive against Palestinians in the Gaza Strip.” Senator Reid always seems concerned for the poor and weak, especially the Latin Americans on the Mexican border, but perhaps not so much for the Palestinians.

As of the writing of this article, Israel has accepted an Egyptian proposal for a new 72-hour [ceasefire](#) with Hamas. This ceasefire may hold, but then again, it may not. All the talk of peace is just that, words. Words spoken and forgotten like the moral dilemma of this war.

One is saddened by the loss of life, especially the innocent children of Gaza, but one also knows that Hamas planned it that way. Sacrificing its children by placing rockets and bomb supplies in close proximity to places where children will be, sacrificing

them to make the Israelis appear to be monsters in the Court of World Opinion.

In the meantime, the split between the United States and Israel is apparently very real. According to journalist Jeff Steinberg of Executive Intelligence Review the rift is growing even wider. “So, on the one hand, “he says, “there’s a growing [rift](#), and the personal rift between President Obama and Secretary of State John Kerry on the one side, and Prime Minister Netanyahu on the other, is growing deeper and more personal. However, at the same time the U.S. just last week delivered a significant amount of new weapons to Israel for free.”

This is the paradox – every President thinks the Israelis should obey him, or at least they should think like he does, but they do not and they will not. They spy on the U.S. and steal military secrets, but the U.S. continues to give them money and weapons for free.

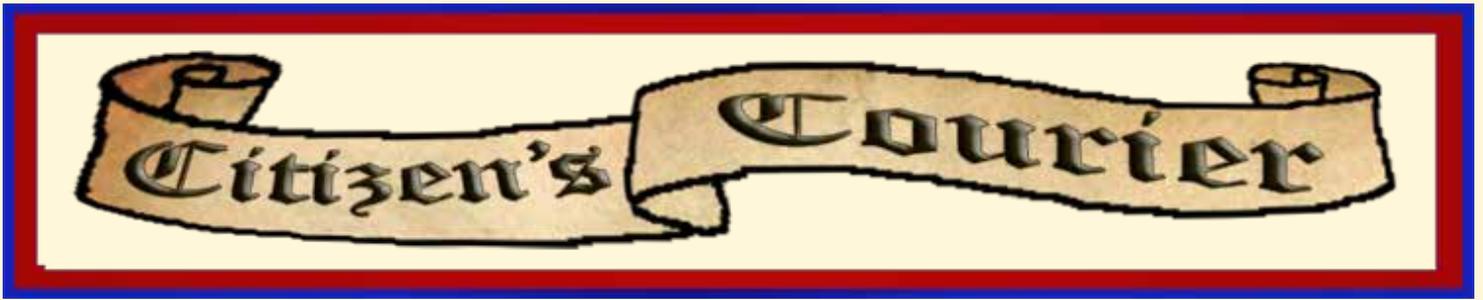
In any event, President Obama seems to have a new plan for Israel and Gaza in which Fatah, the Palestinian organization in the West Bank, would disarm Hamas and open the borders with Israel. Israel would then lift the blockade for the free flow of people and material into and out of Gaza. This plan infuriates the Israelis because they know in their hearts that Fatah and Hamas are united – one and the same.

All the President’s proposal does is embarrass them, while relieving a little of his own embarrassment.

U.S. Presidents seem to think that, because they pour free money and weapons into Israel, Prime Ministers should do their bidding. Prime Ministers seem to think that they should always be trusted and supported, no matter what. It really doesn’t matter. The Pro-Israel lobby seems to control Congress, and Israel gets their money anyway.

What do the Constitution and the Constitution Party platform say about this relationship? Neither specifically addresses the nation of Israel but both do address defense and foreign policy issues.

Under the heading of [Defense](#), in the Constitution Party platform, we read, “We condemn the Presidential assumption of authority to deploy American troops into combat without a Declaration of War by Congress, pursuant to [Article I, Section 8](#) of the U.S. Constitution.”^[9] In the same plank, the platform states that “we should be the Friend of Liberty everywhere, but the guarantor and provisioner of ours alone.” Later it makes another statement that defense expenditures should be carefully reviewed to eliminate foreign aid.



The [Foreign Policy](#) plank, under the sub-heading “National Sovereignty” says, “The U.S. is properly a free and sovereign Republic, which should strive to live in peace with all nations, without interfering in their internal affairs, and without permitting their inference in ours. We are, therefore, unalterably opposed to “entangling alliances” – via treaties or any other form of commitment—which compromises our national sovereignty or commit us to intervention in foreign wars.”

And finally, “we propose that the United States cease financing, or arming of belligerents in the world’s troubled areas;” and also, “no further funds be appropriated for any kind of foreign aid program.”

Well, that’s pretty clear, isn’t it?

Keep in mind that the Constitution Party platform has an avenue for change if you don’t like it. You can join your state party and become a delegate to the 2016 National Convention and represent your state as a member of the Platform Committee, where you can lobby the committee and the convention to insert the words “except for Israel” in each of these sections.

The Constitution Party has always felt that taking part in other people’s disputes is a bad idea. It leads to

conflict and makes enemies who may need to be fought, while unreasonably emboldening friends who assume the full weight of the United States is behind them. Perhaps it’s time to follow the counsel of Thomas Jefferson when he said that America should have “honest friendship with all nations, entangling alliances with none.”



While Darrell comes as close as anyone can regarding the “official” Constitution Party position in this matter, I must point out that this is one area in which I am possibly not in perfect alignment with the National Party. While I fear the majority view of the National Party tends to be “isolationist,” a fear I had and investigated before affiliating with the Party, it is not one with which I agree. The paragraph in Darrell’s treatise that I underlined is very important to this discussion and my position on the matter.

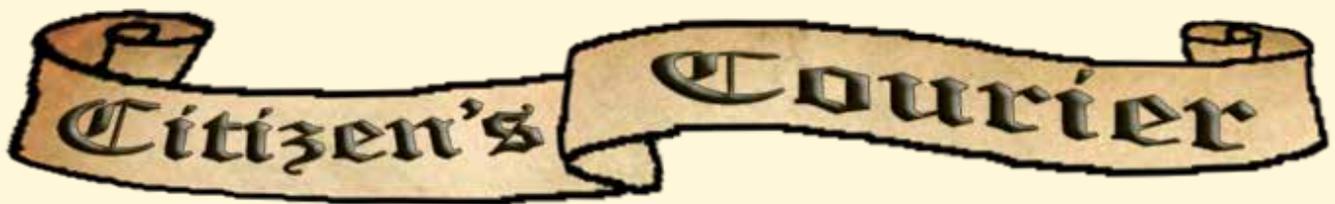
First, it is important to note that I fully support the Platform of the

Constitution Party of Ohio including the section entitled, “Conscription,” wherein we state:

The Constitution Party of Ohio is concerned regarding the use of troops via the draft, or forced conscription, even in the service of the United States with respect to defending our nation against our enemies, foreign and domestic. It is particularly anathema for the draft to be used to force young men to be engaged in unconstitutional wars and police actions, those conducted without a proper Congressional declaration of war, or at the whim or other decision and/or direction of the President or other military authority.

Under the section entitled, “Defense” we further state:

The very purpose of Government, as defined in the 2nd paragraph of the Declaration of Independence, is “to secure these [unalienable] rights, Governments are instituted among Men”, “that among these are Life, Liberty and the pursuit of Happiness.” To fulfill this obligation, the Preamble of the Constitution states one of the duties specifically delegated to the Federal Government is to “Provide for the common defense”. US Constitution, Article 1, Section 8, Clauses 11 - 16 give Congress further



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direction and authority in this area, including the power "To raise and support Armies" and "To provide and maintain a Navy". It is therefore a primary obligation of the federal government to provide for the common defense, and to be vigilant regarding potential threats, prospective capabilities, and perceived intentions of potential enemies.

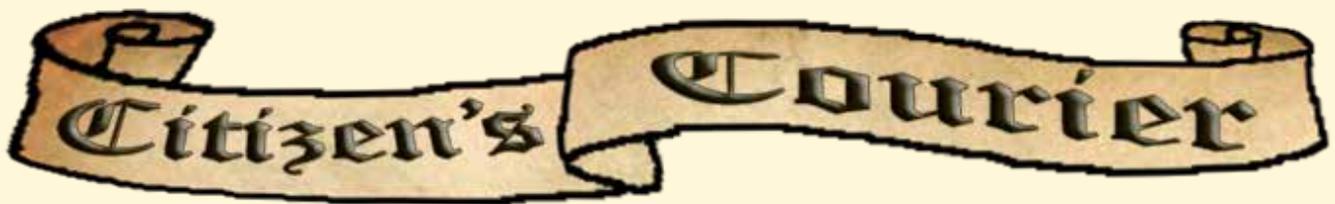
The Constitution Party of Ohio opposes unilateral disarmament and dismemberment of America's defense infrastructure. That which is hastily torn down will not be easily rebuilt. Thus, we call for the maintenance of a strong, state-of-the-art military on land, sea, in the air, and in space. We urge the executive and legislative branches of the U.S. Government to continue to provide for the modernization of our armed forces, in keeping with advancing technologies and a constantly changing world situation.

We condemn the presidential assumption of authority to deploy American troops into combat without a declaration of war by Congress, pursuant to Article I, Section 8 of the U.S. Constitution. Further, we call upon the Governor of Ohio to vigorously oppose and deny the use of the Ohio National Guard or Ohio militia at any level to support

unconstitutional wars, international police actions, or other foreign insurrections. As such, except in time of declared war, for the purposes of state security, the Governor must disallow the use of Ohio troops or militia to support or conduct operations in foreign theatres. The Governor of Ohio must also unequivocally oppose the use of Ohio troops or militia to serve under any foreign flag or command. We are unilaterally opposed to any New World Order, and we reject U.S. participation in or a relinquishing of command to any foreign authority.

Admittedly, I am more of a "hawk" than many of the more "dovish" compatriots within the CP. (We may just have to agree to disagree on this particular point.) At the same time, I agree with the CP leadership that we should not be the world's policemen and in that light, our military footprint is well beyond anything reasonable even if it happened to be legal, which most of it I would contend is illegal from both a national and international perspective. It is illegal from a national perspective in that much of it has been done by accommodation not by declaration. When President Bush stated during the Gulf War that the goal from that point forward was "regime change," I blatantly professed

that was categorically wrong. Our nation and our military are not about regime change, we are about defending our nation from all our enemies, foreign and domestic. I totally disagreed with President Obama's illegal misuse of airpower in Libya to facilitate regime change. That was not our war and we had no business meddling in Libya's internal affairs no matter how much we as individuals or as a nation emotionally may have been hoping or not hoping for such change. How many times do we have to meddle in the internal affairs of other nations only to watch one despotic government be replaced by another that is often more onerous than the first? But you can't go back once the mistake is made! If we were about regime change, which we are unequivocally not, then there are plenty of foreign nations where regime change by our mindset would be appropriate or beneficial to the population in that nation. If we ever were to engage in producing regime change by military force or other tactics, it should only be because that is the most appropriate response to provide for the defense and security of our own nation. That would more likely occur in Mexico or Guatemala (which I am not proposing nor encouraging at this time) than in the Middle East where we continue to meddle in the affairs of foreign nations



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with no responsible or legal means for so doing.

That being said, I will also point out that Article II, Section 2 of the U.S. Constitution states that “(The President) shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur;...” I contend that our founding fathers included this in the Constitution because they saw the need from time to time for us to collaborate with other nations for our mutual benefit. The Constitution does not specify what that mutual benefit might be. It is my contention that Treaties should be cautiously entered considering that according to Article VI of the Constitution, “all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.” (No wonder the anti-gun liberals/progressives hope the Senate will formally ratify the UN Small Arms Treaty, to which Obama and Secretary of State John Kerry have already agreed, hoping that the Courts will ignore the fact that it violates the Constitution via the 2nd Amendment – which our governments constantly violate and trash.)

I believe one of the reasonable motives for entering a treaty with another nation is for our mutual defense. At times, given the resources and military might with which the U.S. is blessed, it might be more to the benefit of the other nations, particularly smaller nations such as Israel that we believe should receive aid in defending them from much larger, more powerful aggressors. Such treaties should not be entered into lightly, and they should be with countries with which we have similar moral social standards and the like. In addition, when such nation takes advantage of us via the treaty, or changes its government to embrace and/or practice unacceptable social norms and behavior, or develops or agrees to any such regulations or behavior that our nation deems anathema, we should be quick to dissolve our treaty alliance with that nation.

This then brings us to the point of that portion I underlined in Darrell Castle’s treatise. Darrell rightfully points out that “there is no Mutual Defense Treaty between the U.S. and Israel.” He rightfully further contends, “Legally speaking, it is incorrect to refer to Israel as an ally without such a treaty. There is no formal agreement between the two countries, which requires

either country to come to the defense of the other in time of war. Mutual Defense Treaties require clearly defined limits as to what each nation involved in the treaty can do or not do.” As such, I would contend that our tangible support of Israel from any official government perspective is wrong and illegal. If we wish to support Israel as an ally, then let the President, with the advice and consent of 2/3 of the Senators present, construct and pass a proper treaty. While each individual is free to determine his own particular viewpoint or bias with respect to Israel and the Palestinians, it would be hoped and expected that such viewpoints would be properly contested and vetted in constructing a mutually beneficial treaty with Israel, or any nation. If the President and Senate are unable to develop and ratify a proper treaty with Israel, then we as a nation have no business entering the fray in any official capacity. On the other hand, if we consider an alliance with Israel to be important to our national wellbeing, then let’s construct such alliance correctly via a proper treaty with them.

Read Document here:

www.cpofohio.org/PDF/comments/Chair/ShouldWeSupportIsraelAgainstPalestinians-08-14.pdf