

# Texas Secede!

For an independent Texas Republic



## Texas Secession Facts

**Q: Doesn't the Texas Constitution reserve the right of Texas to secede?**

**A:** No such provision is found in the current Texas Constitution<sup>[1]</sup>(adopted in 1876) or the terms of annexation.<sup>[2]</sup> However, it does state (in Article 1, Section 1) that *"Texas is a free and independent State, subject only to the Constitution of the United States..."* (note that it does not state "...subject to the President of the United States..." or "...subject to the Congress of the United States..." or "...subject to the collective will of one or more of the other States...")

Neither the Texas Constitution, nor the Constitution of the united States, explicitly or implicitly disallows the secession of Texas (or any other "free and independent State") from the United States. Joining the "Union" was ever and always voluntary, rendering voluntary withdrawal an equally lawful and viable option (regardless of what any self-appointed academic, media, or government "experts"—including Abraham Lincoln himself—may have ever said).

Both the original (1836) and the current (1876) Texas Constitutions also state that *"All political power is inherent in the people ... they have at all times the inalienable right to alter their government in such manner as they might think proper."*

Likewise, each of the united States is "united" with the others explicitly on the principle that *"governments derive their just powers from the consent of the governed"* and *"whenever any form of government becomes destructive to these ends [i.e., protecting life, liberty, and property], it is the right of the people to alter or to abolish it, and to institute new government"* and *"when a long train of abuses and usurpations...evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security."*<sup>[3]</sup>

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**Q: Didn't the outcome of the "Civil War" prove that secession is not an option for any State?**

**A:** No. It only proved that, when allowed to act outside his lawfully limited authority, a U.S. president is capable of unleashing horrendous violence against the lives, liberty, and property of those whom he pretends to serve. The Confederate States

(including Texas) withdrew from the Union lawfully, civilly, and peacefully, after enduring several decades of excessive and inequitable federal tariffs (taxes) heavily prejudiced against Southern commerce.<sup>[4]</sup> Refusing to recognize the Confederate secession, Lincoln called it a "rebellion" and a "threat" to "the government" (without ever explaining exactly how "the government" was "threatened" by a lawful, civil, and peaceful secession) and acted outside the lawfully defined scope of either the office of president or the U.S. government in general, to coerce the South back into subjugation to Northern control.<sup>[5]</sup>

The South's rejoining the Union at the point of a bayonet in the late 1860s didn't prove secession is "not an option" or unlawful. It only affirmed that violent coercion can be used—even by governments (if unrestrained)—to rob men of their very lives, liberty, and property.<sup>[6]</sup>

It bears repeating that the united States are "united" explicitly on the principle that "*governments derive their just powers from the consent of the governed*" and "*whenever any form of government becomes destructive to these ends [i.e., protecting life, liberty, and property], it is the right of the people to alter or to abolish it, and to institute new government*" and "*when a long train of abuses and usurpations...evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.*"<sup>[7]</sup>

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**Q: Didn't the U.S. Supreme Court decision in *Texas v. White* prove that secession is unconstitutional?**

**A: No.** For space considerations, here are the relevant portions of the Supreme Court's decision in *Texas v. White*:

"When Texas became one of the United States, she entered into an indissoluble relation. The union between Texas and the other States was as complete, as perpetual, and as indissoluble as the union between the original States. There was no place for reconsideration or revocation, except through revolution or through consent of the States.

"...The obligations of the State, as a member of the Union ...remained perfect and unimpaired. ...the State did not cease to be a State, nor her citizens to be citizens of the Union.

"...Our conclusion therefore is, that Texas continued to be a State, and a State of the Union."

— *Texas v. White*, 74 U.S. 700, 703 (1868)

It is noteworthy that two years after that decision, President Grant signed an act entitling Texas to U.S. Congressional representation, readmitting Texas to the Union.

What's wrong with this picture? Either the Supreme Court was wrong in claiming

Texas never actually left the Union (they were — see below), or the Executive (President Grant) was wrong in "readmitting" a state that, according to the Supreme Court, had never left. Both can't be logically or legally true.

To be clear: Within a two year period, two branches of the same government took action with regard to Texas on the basis of two mutually exclusive positions — one, a judicially contrived "interpretation" of the US Constitution, argued essentially from silence, and the other a practical attempt to remedy the historical fact that Texas had indeed left the Union, the very evidence for which was that Texas had recently met the demands imposed by the same federal government as prerequisite conditions for readmission. If the Supreme Court was right, then the very notion of prerequisites for readmission would have been moot — a state cannot logically be readmitted if it never left in the first place.

This gross logical and legal inconsistency remains unanswered and unresolved to this day.

Now to the Supreme Court decision in itself...

The Court, led by Chief Justice Salmon Chase (a Lincoln cabinet member and leading Union figure during the war against the South) pretended to be analyzing the case through the lens of the Constitution, yet not a single element of their logic or line of reasoning came directly from the Constitution — precisely because the Constitution is wholly silent on whether the voluntary association of a plurality of states into a union may be altered by the similarly voluntary withdrawal of one or more states.

It's no secret that more than once there had been previous rumblings about secession among many U.S. states (and not just in the South), long before the South seceded. These rumblings met with no preemptive quashing of the notion from a "constitutional" argument, precisely because there was (and is) no constitutional basis for either allowing or prohibiting secession.

An objective reading of the relevant portions of the White decision reveals that it is largely arbitrary, contrived, and crafted to suit the agenda which it served: presumably (but unconstitutionally) to award to the U.S. federal government, under color of law, sovereignty over the states, essentially nullifying their right to self-determination and self-rule, as recognized in the Declaration of Independence, as well as the current Texas Constitution (which stands unchallenged by the federal government).

Where the Constitution does speak to the issue of powers, they resolve in favor of the states unless expressly granted to the federal government or denied to the states. No power to prevent or reverse secession is granted to the federal government, and the power to secede is not specifically denied to the states; therefore that power is retained by the states, as guaranteed by the 10th Amendment.

The *Texas v. White* case is often trotted out to silence secessionist sentiment, but on

close and contextual examination, it actually exposes the unconstitutional, despotic, and tyrannical agenda that presumes to award the federal government, under color of law, sovereignty over the people and the states.

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**Q: Is Texas really ripe for a secession movement?**

**A:** Probably not (yet). Texans generally aren't the rugged, independent, liberty-conscious folks they once were. Like most Americans, they happily acquiesce to the U.S. government's steady theft of their rights and property via unlawful statutes, programs, and activities.

Unfamiliar with historical or legal details, being largely products of public (i.e., government) "education," today's Texans easily adopt the "politically correct" myths that litter the landscape of American popular opinion. Many don't even know what the word secede means, and believe that the United States is a "democracy" (hint: it's not)<sup>[8]</sup>.

But public opinion and ignorance won't stop us from suggesting that secession is still a good idea for people who value their rights and personal liberty more highly than the temporal affluence, comfort, and false security provided by the U.S. welfare/warfare state. By raising public awareness of even the concept of secession, we hope they might plant seeds that will some day yield a new resolve among Texans for liberty and self-government.

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**Q: How would Texas—and Texans—benefit from secession?**

**A:** In many ways. Over the past century-and-a-half the United States government has awarded itself ever more power (but not the lawful authority) to meddle with the lives, liberty, and property of the People of Texas (as well as those of the other States).

Sapping Texans' wealth into a myriad of bureaucratic, socialist schemes both in the U.S. and abroad, the bipartisan despots in Washington persists in expanding the federal debt and budget deficits every year. Texans would indeed gain much by reclaiming control of their State, their property, their liberty, and their very lives, by refusing to participate further in the fraud perpetrated by the Washington politicians and bureaucrats.

By restoring Texas to an independent republic, Texans would truly reclaim a treasure for themselves and their progeny.

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**Q: Are any organizations promoting a Texas secession?**

**A:** Yes. The following organized efforts exist for informing and unifying Texans around the causes of independence and liberty:

- **Texas Nationalist** ([www.TexasNationalist.com](http://www.TexasNationalist.com)) (formerly Republic of

Texas), (President, Daniel Miller), functional as of 2007

- **TexasSecession** ([www.TexasSecession.com](http://www.TexasSecession.com)) 817-453-5744
- **United Republic of Texas** ([www.texas.freecountries.org](http://www.texas.freecountries.org)) Yahoo Group: UtdRepTex, established 2005, functional as of 2007 (Combining the New Republic of Texas and Historical Republic of Texas) active as of 2008
- **Independent Nation of Texas** website features a FAQ page listing reasons why secession would be good for Texas, as well as links to multiple online resources pertaining to Texas secession, at <http://www.anus.com/etc/texas/>
- **Texas Constitution 2000** calls on Texans to ratify a new constitution liberating Texas from the economic and statutory slavery of the U.S. government. Their website is <http://www.tcrf.com>
- **Republic of Texas** ([www.texasrepublic.info](http://www.texasrepublic.info)) documents the annexation of Texas as a U.S. state as a having been fraud in the first place, and reclaims the republic's sovereignty. Contact: [trep777@dctexas.net](mailto:trep777@dctexas.net)

Outside of Texas, the **Registry of North American Separatist Organizations** lists a number of other states having active efforts towards secession.

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### Q: Why exactly are y'all selling this stuff?

**A:** Texas has a rich history of independent character. She was the first of only two US States ever recognized internationally as sovereign, independent republics (the other was Hawai'i), having won her independence from a heavy-handed despotic government (Mexico) that refused to honor its own constitution (sound familiar?).

We'd like to see Texans showing more public pride in Texas by displaying symbols of Texas' history and spirit of liberty—particularly various renditions of the Texas flag. That's the motivation behind TexasSecede.com, as well as our sister site, **TexasFlagMan.com**, which aims to be a source of affordable quality Texas flags, flag decals, and Secede decals, as a means of encouraging the public display of support for an independent Texas.

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### Notes

[1] See The Texas Constitution Online: <http://www.constitution.legis.state.tx.us/>

[2] See the Terms of Annexation Online: [http://avalon.law.yale.edu/19th\\_century/texan03.asp](http://avalon.law.yale.edu/19th_century/texan03.asp)

[3] See the Declaration of Independence Online: <http://www.democracyisnotfreedom.com/usdeclaration.asp>

[4], [5], [6] See *Battle Cry of Freedom: The Civil War Era* by James M. McPherson; *The Real Lincoln* by Thomas J. DiLorenzo; *A Constitutional History of Secession* by John R. Graham; *Emancipating Slaves, Enslaving Free Men* by Jeffrey R. Hummel; *When in the Course of Human Events* by Charles Adams; *Union And Liberty* by John C. Calhoun; *States' Rights and the Union* by Forrest McDonald

[7] See the Declaration of Independence Online: <http://www.democracyisnotfreedom.com/usdeclaration.asp>

[8] See DemocracyIsNotFreedom.com for details: <http://www.democracyisnotfreedom.com/>

