

Response to a Critic of *A Declaration and Constitution for a Free Society*

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Abstract

This article provides a response to Scott Douglas Gerber's review of my book *A Declaration and Constitution for a Free Society*, which was published in the fall 2021 issue of *American Political Thought*. This article addresses issues raised by Gerber regarding my argument for lowering the eligibility age of the president of the United States (U.S.) in the U.S. Constitution. It also addresses Gerber's claims about my proposal to eliminate the Commerce Clause in the U.S. Constitution. In addition, I discuss his review of my recommendation to change the tax system. Finally, I analyze his review of my changes to the U.S. Declaration of Independence. The response shows that Gerber's review was not a serious or honest attempt to review the book. The response will help the reader not only better understand the contents of the book, but it will also help the reader understand the nature of individual rights and freedom.

Keywords: *United States Constitution; United States Declaration of Independence; freedom; individual rights*



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INTRODUCTION

Scott Douglas Gerber reviewed my book *A Declaration and Constitution for a Free Society* in the fall 2021 issue of *American Political Thought*. (Gerber, 2021) While he makes a few serious comments about the book, including providing a brief summary of the book that is based on a summary in the introduction of the book, he commits many fallacies in his review and does not accurately portray the ideas put forward in the book. As a result, the review is not a serious or honest attempt to review the book. This response will help to expose some of Gerber's errors and provide an accurate portrayal of the book. It will, therefore, help readers better understand the ideas in the book and help them better understand the nature of individual rights and freedom, which are fundamental to the book's purpose of revising the United States (U.S.) Declaration of Independence and U.S. Constitution.

Before addressing the comments made in the review of the book, it will be helpful to readers if I provide a summary of the book. The book modifies the U.S. Declaration of Independence and U.S. Constitution to make them fully consistent with the protection of individual rights and freedom. Before modifying these documents, I first discuss in chapter one of the book what freedom and individual rights are, why it is important to protect them, what must be done to protect them, and what the effects will be of protecting them. My discussion of rights and freedom is based on Objectivist philosophy—the philosophy of the novelist and philosopher Ayn Rand. As a part of my discussion of rights and freedom, I show the metaphysical, epistemological, ethical, political, and economic basis for why rights and freedom need to be protected. I show, in essence, that rights and freedom are fundamental requirements of human life and that it is crucial to protect them to enable

human beings to use their basic tool of survival—their individual minds—to further their lives and well-being. This enables individuals to not only survive but to flourish—to live the best possible lives they are capable of living. This is true no matter what part of the world or what country a person lives in.

Briefly expanding on the ideas above will help one better understand why it is so important to protect rights. This importance stems from the fact that our reasoning mind is our basic tool of survival. We need it to think at the conceptual level, observe and understand facts, analyze situations based on a logical analysis of the facts, act on our rational judgment, and produce the values our lives require. This includes producing everything from food, clothing, and shelter to cellular phones, automobiles, factories, art, and lifesaving medicines and medical devices. The production of everything we need to further our lives and well-being depends on our use of reason.

Take the production of shelter. We don't just live in the first cave we happen upon in nature. We produce lumber to build houses. We mine iron ore and produce steel to help us build condominium buildings. We develop indoor plumbing, heating systems, air conditioning systems, and electricity to enormously enhance the quality and comfort of our housing. All of these products also require the development of other industries (such as industries for construction equipment, mining equipment, computers, etc.) to be able to produce them. We must be guided by facts and logic (i.e., by reason) in our thinking to be able to produce all of these goods.

But being able to go by facts and logic—to go wherever the evidence leads—requires freedom. Freedom refers to the absence of the initiation of physical force—the absence of compulsion and coercion. This implies the freedom to figure out how to produce shelter in better ways, to grow trees to harvest for lumber, and to keep and use the shelter we produce without being forcibly prevented from going against our better judgment by the government or having the shelter we produce destroyed by criminal gangs or taken from us by the government.

The means by which we protect freedom is through individual rights. The rights to life, liberty, property, and the pursuit of happiness are the most fundamental rights, without the protection of which we are enslaved to those who violate these rights and thus our freedom. If we want to enjoy life, if we want to live our lives for our own benefit, if we want to pursue our hopes and dreams, if we want our children and grandchildren to be able to pursue their hopes and dreams, we need rights to be protected. This is why the protection of freedom and rights is a fundamental requirement of human life, no matter in what part of the world one lives. All of this is discussed in detail in chapter one of the book.

In chapter two of the book, I apply the material from chapter one to modify the U.S. Declaration of Independence. The Declaration is a heroic document that provides an inspiring and uncompromising case for individual rights and freedom. However, it can be improved. Some of the changes I make to the document include adding property rights to the list of inalienable rights and eliminating the religious references in support of rights, which latter, as I show in chapter one, do not provide a proper defense of rights. I also provide detailed explanations for the changes made to the Declaration.

In chapters three through seven of the book, I modify (or amend) the original U.S. Constitution and its amendments. Some of the more important changes I make to the Constitution include eliminating the ability to engage in confiscatory taxation, eliminating the ability of the government to regulate the economy by repealing the Commerce Clause, strengthening the freedom of thought and association through changes to the First Amendment, and strengthening the right to keep and bear arms through changes to the Second Amendment. I also strengthen property rights by, for instance, repealing the Takings Clause of the Fifth Amendment.

Furthermore, I explain the positive results of these changes, mainly by showing how these changes will improve standards of living for individuals. For instance, I show how preventing the government from regulating the economy will lead to greater safety in products produced. I also show how higher standards of living will be achieved through the lower costs that will be incurred by producers in the economy due to preventing the government from regulating. (Simpson, 2021, pp. 6-7, 10, 69-70, 73-75, 194, and 216-218) In addition, I show how strengthening the right to keep and bear arms will reduce crime. (Simpson, 2021, pp. 134-135)

In chapters eight and nine, I add amendments to the U.S. Constitution to better protect rights that focus on areas that cannot be addressed by modifying existing portions of the Constitution or its current amendments. These amendments, most importantly, protect the freedom of production and trade, provide stronger protection of property rights, and restrict the government to providing assistance to individuals, organizations, or other governments only if such assistance is directly related to protecting the rights of U.S. citizens. Again, I also show the positive economic results that will be achieved due to these amendments.

Lastly, in chapter ten I address other proposals that purportedly attempt to protect freedom but that do not, in fact, do so. In this chapter, I show how, for instance, sunset clauses in legislative bills, balanced-budget amendments, amendments that limit government spending, and banning the use of omnibus bills do not help to protect individual rights.

Turning to my response to the review below, I address comments in the review regarding my argument for lowering the eligibility age of the president of the United States in the U.S. Constitution. I also address the claim about my proposal to eliminate the Commerce Clause. In addition, I discuss the comments on my recommendation to change the tax system. Finally, I analyze the comments on my changes to the Declaration of Independence.

THE RESPONSE TO THE REVIEW

The Eligibility Age of the President

As mentioned in the introduction, Gerber's review is not a serious attempt to honestly review the book. The lack of seriousness and logical fallacies in which he engages are clearly on display in the following comment: "The first is his proposal to lower the eligibility age for president of the United States from 35 to 18. . . . Do we really want 18-year-old YouTube sensation JoJo Siwa to be eligible for the presidency? To ask the question is to answer it. (Sorry, JoJo.) Frankly, I think 35 is too young." (Gerber, 2021, pp. 672-673)

Gerber is attempting to make the reader think that lowering the eligibility age for the president is self-evidently foolish by creating the image that all 18-year-olds are like JoJo Siwa. But attempting to mock an idea is not an argument against that idea; it does not provide a refutation of the idea.

Gerber also ignores—and is hoping the readers of his review will ignore—that people 35 and over could be unqualified to be president. Just because someone is old, that does not make the person competent to be president and it does not mean the person could not be a danger to the U.S. By putting forth just a little thought and effort, numerous examples of people 35 and over that are incompetent or that would be an outright danger to the U.S. if they became president can be provided.

Let's start with the issue of senility, which applies to the current president of the U.S. We can argue about how senile President Joe Biden is, but with all the memory lapses he has exhibited I don't think it's possible to deny that he has at least entered the early stages of dementia. (Craig, 2021)

Even though old people are well over 35, and presumably over Gerber's desired age requirement (since he thinks 35 is too young), being old does not guarantee one is competent to be president if one is senile. And this is one potential problem that does not apply to young people.

Perhaps even more dangerous than a senile president is the fact that a significant portion of the left in the U.S., including the mainstream media, Biden's cabinet, and leftists in the U.S. Congress, ignore or evade President Biden's senility. This helped him win the presidency and allows him to remain in office even though he probably should be removed from office based on Amendment XXV of the U.S. Constitution. At a minimum, his cognitive abilities should be tested to determine if he is fit for office.

Next, let's consider the previous president, Donald J. Trump, a narcissistic megalomaniac whose personality has more in common with dictators and authoritarians like Kim Jong-un and Vladimir Putin than any other president (and most people in general). As a result, he was a great threat to the U.S. The culmination of this threat manifested itself in the fact that he fomented the insurrection on the U.S. Capitol Building on January 6, 2021 and, in essence, fiddled while Rome burned as he watched his followers on television attack the Capitol Building. He did the latter instead of, as the head of the executive branch of the U.S. government and charged with enforcing the law, immediately taking all necessary action to protect the seat of the U.S. legislature. But, according to Gerber's comment, Trump is much older than 35 so he is qualified to be president.

What about Franklin Delano Roosevelt (FDR)? I consider him among the worst U.S. presidents because he radically expanded the regulatory and welfare state in the U.S., including through the implementation of minimum wages laws, the regulation of the monetary and banking system, pro-labor union legislation, subsidies to farmers, welfare for the unemployed, Social Security, and much, much more. He is therefore responsible for raising costs in the economy, reducing the incentive and ability to work, reducing the incentive and ability to save, and thus making it harder for people to obtain jobs, open businesses, expand their businesses, save for their retirement, and support themselves and their families. All of this undermines the productive capability, rate of economic progress, and thus lowers the standard of living for the average person in the economy from what it otherwise would have been. (Simpson, 2014a, pp. 211-218) The U.S. has experienced almost 90 years of the effects of FDR's policies (not to mention the expansion of the regulatory and welfare state in the U.S. since he was president). Hence, FDR is responsible for the standard of living of hundreds-of-millions of people in the U.S. being lower than it otherwise would be.

What about the idea of a potential President Bernie Sanders (a current U.S. Senator) or a President Alexandria Ocasio-Cortez (a current U.S. representative) when she turns 35 in a few years? Their socialist and environmentalist policies would head the U.S. a significant way down the road to a socialist or environmentalist-based authoritarian state. This would be a grave danger to the American republic and all the people who live in it.

What about a President Michael Jackson, a President Kim Kardashian, or Paris Hilton? All of these celebrities are all over 35 (Jackson was at the time of his death). Are we to assume they are more qualified than JoJo Siwa because they are much older? I don't know much about the politics or intelligence level of any of these people, but if I had to pick between them I can't say I would vote for any of these older individuals over JoJo Siwa. Most likely, I would not vote for any of them.

What about dictators such as Hitler, Stalin, Mao Tse-tung, and Pol Pot. They inflicted massive harm on the world, including the U.S., through the wars they created and the de facto enslavement of their people, as well as the misery, poverty, and outright mass murder for which they were responsible. (Rummel, 2017, pp. 79-122 and 159-208 and Simpson, 2005, pp. 21-23) These political leaders were all over 35 (and much older in some cases) when their dictatorial power was at a maximum.

Of course, these people had a zero percent chance of becoming president of the U.S. because they weren't born in the U.S. The chances of JoJo Siwa becoming president if the eligibility age was currently 18 (or her 18-year-old future equivalent if it is lowered in the future) is about the same. The point is that just because they were over 35 years of age, that does not mean they were good political leaders or that we would want them (or someone in the U.S. like them) as a U.S. president.

Don't get me wrong. I'm not trying to disparage life experience. I agree with Gerber when he says "life experience matters." (Gerber, 2021, p. 672) However, as I have stated, just because one is old that does not make one competent to be president or not a danger to the American republic if one would become president. One's competency depends on, among other factors, what one does with one's life. Does one actively think so he learns about the world based on what he experiences, or does one remain ignorant and learn little or nothing? Even worse, does one come to many wrong conclusions about the nature of the world through his life experiences and therefore become a potential threat to the U.S. should he ascend to the presidency?

I could also provide examples of young people that are intelligent and might make good presidents (or, at least, examples of people who were intelligent when they were younger and might have made good presidents at that time in their lives). A young Bill Gates or Mark Zuckerberg are two examples, both of whom in their early twenties were able to start and build what would become large and successful businesses. In fact, Gates started his first business at seventeen. Could one make the case with complete certainty that a young Gates or Zuckerberg wouldn't make a better president than some of the older individuals mentioned above who are (or were) eligible to be president? Certainly it wouldn't be hard to argue that both in their early twenties could have been a better president than Trump in his seventies (or his early twenties for that matter).

I'm not sure I would vote for a young Gates or Zuckerberg (or the equivalent person in the future if the age was ever lowered), but they certainly provide counter examples to the type of image Gerber is trying to create with his one sarcastic example of a young adult who is not the best representative of her age group. This one very unrepresentative example and the fact that Gerber does not consider the plethora of examples of incompetent and downright potentially dangerous older individuals provide evidence of his lack of seriousness and the logically unsound and dishonest way in which the book was reviewed.

It's important to note that I state in the book that I recognize that the acquisition of knowledge throughout life is important, but I also show that protecting individual rights is of fundamental importance to human life and lowering the age for political positions mentioned in the U.S. Constitution, including the president, makes the document consistent with the protection of individual rights. (Simpson, 2021, pp. 2, 6-7, 9-15, 51, 56, and 98) I also mention in the book that this is not a significant issue with regard to protecting rights. (Simpson, 2021, p. 245) None of this, of course, is mentioned by Gerber because he did not intend to provide an honest review of the book.

Gerber does, fortunately, make one point on this issue in which he actually makes an argument and refers to evidence to back up his claim when he says that he disagrees with my proposal to lower the eligibility age for the president to 18 because "Science shows that a young person's brain is not fully developed until 25 . . ." (Gerber, 2021, p. 672) He may have a point here, although some people may disagree with this claim. (Epstein, 2007) Nonetheless, as I mentioned and have shown with examples, being old does not guarantee that one can make sound decisions and that one won't be a threat to the U.S. This includes one threat that is not merely hypothetical because he actually was president and may become president again. I am, of course, referring to Trump.

If 18-year-olds are intelligent enough to own property and own and run businesses, they may be qualified to run for president (and may be more qualified than many older candidates). I'm not saying I would ever vote for an 18-year-old presidential candidate or that I don't think that many (if not most) young adults are too ignorant to run for president. But ignorance can also apply to older individuals. Gerber fails to consider this point in his review, and he fails to consider that the incompetency and danger to the U.S. of older individuals might actually be greater than that of younger individuals (at least in some cases). The solution, if one does not want an 18-year-old to be president (assuming the aged is lowered), as with a senile person, megalomaniac, etc., is to vote for someone else.

The Commerce Clause

Next, let us analyze Gerber's comments on my elimination of the Commerce Clause. He states that he thinks the U.S. Congress's power to regulate interstate commerce through the Commerce Clause is needed to avoid market failure. He goes on to say, "... I must respectfully disagree with Simpson's drastic proposal [to eliminate the Commerce Clause]. Personally, I think the revision to the Commerce Clause proposed by the libertarian committee of the National Constitution Center's Constitutional Drafting Project has it right. The libertarian committee's proposal reads in pertinent part that Congress shall have power 'to regulate commerce ... among the several states, ... provided that this provision shall not authorize regulation or prohibition of any non-commercial activity, or of any commercial activity that is confined within a single state regardless of its effects outside the state.' The reason the libertarian committee's proposal is preferable to Simpson's is that it permits Congress to regulate only activities that are actually commerce and that actually cross state lines, but it does not strip Congress of the power to prevent the national economy from collapsing." (Gerber, 2021, p. 673)

Are you serious? Will the entire U.S. economy really collapse without regulation? If that is the case, why didn't the U.S. economy collapse in the late nineteenth century? The U.S. had essentially no regulation then, which of course is far less than what exists in the U.S. today. Why were rates of economic progress more rapid in the late nineteenth century in the U.S. than they are in the modern era if the U.S. economy could not function without regulation? (Locke, 2000, p. 2)

Such a comment is not only an arbitrary assertion—an assertion without evidence—it's an assertion that flies in the face of the evidence. The evidence shows that markets work better, rates of economic progress are higher, and standards of living are higher when there is less regulation. (Simpson, 2021, p. 18) I've written a whole book that explicitly focuses on this topic and that shows why markets don't fail. In fact, the title of the book is *Markets Don't Fail!* (Simpson, 2005) It provides an abundance of evidence to show that when people are left free (i.e., markets are unregulated), the price system and profit motive—along with the protection of property rights and the right to engage in contractual relationships on which they depend—provide all the coordination and incentive people need to produce and trade to further their lives and well-being. It also shows that when the government regulates, it causes problems in the market and thus makes it harder for people to produce, trade and raise their standard of living. The government causes these problems by, among other means, raising costs of production and thus decreasing the productive capability and rate of economic progress.

In addition, *Markets Don't Fail!* contains a whole chapter on the regulation of safety and quality and shows how the regulation of the safety and quality of products and working conditions leads to less safety and quality. It demonstrates how it is the free, unregulated market that enables the production of products required to achieve greater safety and quality in products and working

conditions, such as the ventilation systems, heating systems, air condition systems, and indoor plumbing necessary for safe and comfortable workplaces. I reference *Markets Don't Fail!* in a number of places in *A Declaration and Constitution for a Free Society* and explicitly discuss some ideas related to regulation in the latter book, so these ideas should not have been unknown to Gerber. (Simpson, 2021, pp. 10, 30, 68, and 74-75)

I have also written a two-volume book that focuses on how government regulation of the monetary and banking system leads to recessions, depressions, and the business cycle in general. This book addresses the claim that markets allegedly fail because they create recessions and depressions. I show that this is not true. This book is titled *Money, Banking, and the Business Cycle*. (Simpson, 2014a and 2014b) The arguments in this book are referred to as well in *A Declaration and Constitution for a Free Society*, so a careful reader of the latter book should have been aware of some of the essential features of these arguments. (Simpson, 2021, pp. 69-71, 75, 77-78, and 208)

Stating that the U.S. economy would collapse without regulation also implicitly assumes that people are too stupid to run their own lives. It assumes they are too stupid to produce and trade goods (i.e., engage in market activity) unless a government regulator tells them what they can and cannot do. In addition, it implicitly embraces the contradictory idea that somehow, even though people are too stupid to run their own lives, when people become government regulators they not only become intelligent enough to run their own lives but they become intelligent enough to run everyone else's life as well. Not only is this contradictory, it shows a lack of knowledge of economics and the nature of human beings.

Note that when I refer to regulations, as I discuss in the book (Simpson, 2021, pp. 73-74), I am referring to the government initiating physical force and violating individual rights to control the economy in various ways, such as through minimum wage laws and the Food and Drug Administration (the latter of which regulates the production of pharmaceutical medicines in the U.S.). These are the kinds of actions that hamper the market and thus hamper people's ability to plan and live their lives. When I refer to regulation, I am not referring to the protection of individual rights by the government. Both the federal and state governments in the U.S. are fully authorized in my revised U.S. Constitution to protect rights. This is what the government must do to enable markets—and individuals—to flourish. My revised Constitution will also help to prevent governments at all levels in the U.S. from imposing regulations on the economy.

One of the flaws with the libertarian constitution to which Gerber refers in a positive way on the issue of the Commerce Clause is that it allows the regulatory door to remain open. And as long as the regulatory door remains open—as long as regulation is accepted as valid *on principle*—it is only a matter of time and degree before broader and more onerous regulations are implemented. Once this happens, we head ourselves down the road toward greater government controls and thus a more and more hampered market, one where production, trade, economic progress, and the standard of living are compromised for the goals of politicians and regulators. My revised Constitution will help to prevent both the federal and state governments from violating rights and hampering trade, whether that trade is of the intra- or inter-state variety. (Simpson, 2021, pp. 75, 156-157, 176, 186, 208, and 214) This will lead to a flourishing of the market that hasn't been seen in over a century in the U.S.

The Tax System

Let's move to Gerber's review of my changes to the tax system. Gerber states, "Another of Simpson's revisions to the Constitution is the abolition of the Sixteenth Amendment—the amendment

authorizing Congress to tax income—because, under Simpson’s Objectivist account, ‘only voluntary taxation is consistent with the protection of individual rights’ (159). Sounds good to me, but so does a hot fudge sundae for breakfast.” (Gerber, 2021, p. 673)

First, he makes it sound as if the federal government in the U.S. has never been able to operate without the Sixteenth Amendment to the U.S. Constitution. The Sixteenth Amendment, of course, wasn’t ratified until 1913. He ignores the 137 years of U.S. history before the Sixteenth Amendment was ratified. If abolishing the Sixteenth Amendment is so impractical, how did the nation survive—and flourish—for so long without it?

More significantly, he ignores my analysis in connection with abolishing confiscatory taxation and moving to a system of voluntary taxation. He ignores where I discuss how the great majority of spending by governments in the U.S. today—at the federal, state, and local levels—is inappropriate, unnecessary, violates individual rights, and should therefore be eliminated. This includes mainly spending on welfare but also spending on regulatory bodies. My estimates show that 75 to 80 percent of government spending falls into these inappropriate categories. The leftover spending is for protecting rights, which requires spending for the police, military, and courts, as well as the legislative and executive branches of government. He also ignores my statements saying that the U.S. could never move to a system of voluntary taxation today. First, we need to get to the point where government spending has been pared back to appropriate levels. It would be much easier to voluntarily fund this radically reduced government. Furthermore, he ignores my discussion of the possible ways to finance the government in a voluntary manner. Some of the methods—such as fees to purchase the right to have contractual disputes adjudicated in a court of law and the resolutions enforced by the government, as well as fees on imports and immigration—may be able to cover all the necessary costs of the government. Moreover, he ignores my statements saying that, before we can pare back the government to an appropriate size, a massive philosophical change must take place in the culture from the mysticism, altruism, collectivism, and statism that exist today to a philosophical climate of reason, rational egoism, individualism, and laissez-faire capitalism. Finally, he ignores the fact that I mention that moving to a method of voluntary government financing is the *last* step to take in establishing the government of a laissez-faire capitalist nation. (Simpson, 2021, pp. 64-67, 72, and 243-246)

In addition, his analogy is not sound. Moving to a system of voluntary taxation is not like eating a sundae for breakfast. The government is too fat today because it taxes and spends too much and is too large. Eating sundaes for breakfast would only make the person who does so even more overweight. Cutting back the government is like putting the government on a diet.

Of course, we don’t want the government to diet too much, although at this point that should be the least of our concerns because the government is like a morbidly obese person who is so overweight he cannot even get out of bed. Nonetheless, we don’t want to starve the patient and turn him into someone who is nothing but skin and bones. That, of course, would be detrimental. But we do need a radical cure to the overeating problem, and my system of voluntary taxation is just such a cure.

Now I know that Gerber was using this analogy to make a different point. The main purpose of his analogy is to mock my argument without actually providing an argument against my claim or for his own position. This is a part of the intellectually corrupt nature of the review. But perhaps if he put a little more thought into his response, he would have seen the problem pertaining to the analogy that I refer to in the above paragraphs.

I also know that a system of voluntary taxation is just too radical for virtually all of the statist that exist in the U.S. today to comprehend, which, unfortunately, includes most of the population. It’s hard for people who don’t think in terms of philosophical fundamentals to step outside of their

political and economic beliefs to see the problems with their fundamental philosophical premises. I get that, and I'm not expecting most people to agree with my arguments. However, to completely ignore my analysis puts a lack of seriousness in analyzing the subject and outright intellectual dishonesty on display for anyone to see who gives a little thoughtful consideration to the subject.

God and the Declaration of Independence

The next issue I'll discuss is God. Gerber states, "His principal criticism of the Declaration as adopted by America's founders is the mysticism of its references to God, and he edits the document to 'eliminate all references to God' (36) because, as he proclaims in the preceding chapter about Objectivist philosophy, 'there is no God' (32). Obviously, readers who believe in God will reject Simpson's revisions to the Declaration." (Gerber, 2021, p. 672)

First, the changes to the Declaration in connection with God are not the most important changes I make. The most important change is adding property rights to the list of inalienable rights. This is the change that will best improve the protection of individual rights and freedom.

Furthermore, while it is true that readers who seriously embrace the existence of God will have a hard time accepting the modifications to the Declaration I make in connection with the references to God, Gerber does not mention my discussion of *why* I eliminate all references to God in the Declaration. (Simpson, 2021, p. 36) In addition, his statement makes it seem as if I merely "proclaim" without evidence that God does not exist. He doesn't mention in the chapter preceding the chapter on the Declaration that I present substantial arguments on *why* God does not exist. I show how the idea of God contradicts the evidence we have of what does exist. I discuss how the claim that God exists is an arbitrary assertion—an assertion without evidence. I also show how it contradicts valid fundamental philosophical ideas—ideas in the fields of metaphysics and epistemology. (Simpson, 2021, pp. 27-31)

If one disagrees with my claims regarding God, show me where I go wrong, present evidence for the existence of God, and I will take that under consideration. If the arguments are valid, I will be happy to acquiesce and embrace them. But if I can show that the arguments are not valid, to adhere to the requirements of logic and the facts of reality, mystics must abandon their viewpoint and acquiesce to mine.

Moreover, there is no mention of my discussion on how the claim that rights come from God does not provide a consistent argument for protecting rights (even apart from the fact that there is absolutely no [rational] evidence for God). (Simpson, 2021, pp. 29-31) Hence, claiming that rights come from God is not a valid argument for protecting rights and thus will not provide a sound defense of them.

Again, I understand that it will be extremely difficult for people who do not critically analyze their fundamental philosophical beliefs based on a logical analysis of the facts to embrace my arguments regarding God. Nonetheless, there is not even a hint of an attempt to present an honest and accurate analysis of the ideas put forward in the book regarding God.

CONCLUSION

I understand that Gerber was not given a lot of space and thus could not have provided a detailed review of the book. However, he used more than a page of a roughly four-page review discussing the libertarian constitution and other books on the Declaration of Independence. He could have

used the space given to him much more wisely and written an honest and serious review of the book.

Finally, even though the book focuses on the U.S. Declaration of Independence and U.S. Constitution, the ideas discussed in the book apply to all people and countries and all time periods. Protecting rights and freedom is a fundamental requirement of human life in all places and times. As a result, the book can serve as a guide to other countries in creating their own constitutions. It can also serve as a guide to judges and legislators in other countries in making judgments, passing legislation, and modifying their own constitutions to protect individual rights and freedom more consistently. In that way, the book can help to protect freedom and individual rights around the globe and lead to a level of prosperity and a flourishing of human life that the world has never seen.

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