



Commission on Unalienable Rights

29. October 2019

Unalienable Rights Commission and Constitutional Interpretation

Dear Sir/Madam.

As an organization dedicated to the rule of law, we commend the Trump administration for having established the Commission on Unalienable Rights.

Now, the purpose of this Commission is to review the most basic questions of rights-reasoning. It is to “work at the level of principle, not policy,” so that the Higher Law of the founders can be transmuted into policy. We are uniquely positioned to assist in this pursuit which threaten corrupt elements of government power, and so enclosed you will find *To Right a Wrong: A Transpersonal Framework for Constitutional Construction* (2016) and *Human Rising: The Prohibitionist Psychosis and its Constitutional Implications* (2019).

As you will see, these documents are key to your quest. If you want to hold your ground against critics, you must ensure the best possible foundation, and these manuscripts provide the basis needed to (1) understand the spirit that made America and (2) the reasons why we fall short to our ambition.

The first book completes the discipline of constitutional interpretation, adding psychology to the already accepted terrain (that of political theory). The first of its kind, it is a 101-guide to a more well-oiled social machinery, and to the extent that the general lay-out becomes known we can create a heaven on earth.

Certainly, for those without hidden agendas, principled reasoning is easy to understand. And while *To Right a Wrong* ensures a foundation for integrity building at the nation-level, one that critics cannot refute, *Human Rising* not only documents the parallels between the War on Drugs and former mass movements gone wrong; it shows how the morality of the prophets and the founders were one and the same, thus elaborating on the map to utopian societies.

These books have been embraced by professionals and have the potential to bring humanity one step further. The latter has been accepted by the Organization of American States, European Union, and the Council of Europe¹ as a report documenting large-scale and ongoing human rights violations—and they are taking it seriously.

¹ At the COE, officials at the Private Office of the Secretary General, the Parliamentary Assembly, and the Pompidou Group have thanked us for this contribution. There is a recognition that, whereas human rights obligations are becoming more pronounced, little is known on the extent to which human rights law invalidate the prohibition paradigm. In their reports, for example, the COE laments the lack of involvement from the ECtHR and encourages member states to subject the drug law to proper human rights analysis. Also, the Committee on Legal Affairs and Human Rights is in the process of developing a baseline-analysis on this matter. Our organization has been intimately involved in this quest, and as *Human Rising* already does what the committee sets out to do--provides a baseline study on the problem of human rights and drug laws—we expect that it will be of great value to the COE. At the very least, in the run-up to the 2019 CND session, the Ambassador to Iran (for Finland) referred to it as a “priceless volume”, and to those concerned about the rule of law, it really is.



As to the Trump administration, I believe a special treat will be the chapters on powerpolitics, as they expose illegal activities of the Deep State during the Iran Contra years. Among the individuals named are the Clintons, and as you can see the web of corruption runs deep.

Luckily, with the Trump administration, there is a window of opportunity for rooting out evils and making the systemic adjustments needed to truly make America great again. Without a foundation of principled law, however, this is impossible, and in part 3 of *To Right a Wrong*, you will find a case study which details how the US justice system has denied drug users constitutional guarantees. Professor Douglas Husak has noted that the Attorney General should be confronted with its contents, but as of yet this has not happened.

Nevertheless, you now have in your possession material revealing how drug prohibition is historically similar to other mass-movements gone wrong in that it is the result of scapegoating, humanity's tendency to blame politically weak groups for problems that are a collective responsibility. As humanity matures, we must do away with this great force of injustice. As shown in *Human Rising*, it is this mechanism that has kept us from fulfilling the founders' vision, and if the Commission shall complete its mandate accepting (or refuting) the implications of this work would be an effective way to begin.

While recent constitutional courts like Georgia, South Africa, and Mexico are a reminder that drug users have rights, and that the state has a duty to ensure to them an effective remedy, our organization has long been unique among NGOs in focusing on principled reasoning and the disconnect between human rights and the prohibition paradigm. We have been pushing for a solution to this problem for years and we are hopeful that your Commission will rise to the challenge.

Indeed, if your loyalty is to principle, not policy, this is another breaking point in the history of America. Building upon this framework, the Commission will not only have the tools needed to do away with the legal tradition that has created so much mischief, but to ensure that the final revolution—that of constructive social engineering—can begin.

Yours sincerely,

A handwritten signature in black ink that reads "Roar Mikalsen". The signature is fluid and cursive, with "Roar" on the first line and "Mikalsen" on the second line.

Roar Mikalsen
President of AROD
The Alliance for Rights-Oriented Drug Policies