

## **Independent Long Island is easier to achieve as a country than as a state**

*While the Independent Long Island (ILI) project is now open to the prospect of ILI becoming a new country, or even a new state of the United States, this article shows that it is actually easier for ILI to become a new country.*

**By Most Rev. Dr. Cesidio Tallini**

**W**hile the Independent Long Island (ILI) project is now open to the prospect of ILI becoming a new country, or even a new state of the United States, it is actually easier for Independent Long Island to become a new country than it is for it to become a new US state.

I am not pulling anyone's leg. The legal hurdles alone that the boroughs and counties of Brooklyn, Queens, Nassau, and Suffolk would need to go through for Independent Long Island to secede from New York City and New York State are enough to make full secession much easier to achieve.

According to Article IV, Section III of the United States Constitution, "New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress." (Congressional Research Service, 1992a).

West Virginia is the only state in the Union to secede from another state — Virginia — in US history. However, West Virginia statehood leaders had to obtain permission from Virginia, as Article IV, Section III of the US Constitution requires. The creation of the Reorganized Government of Virginia allowed them to seek consent from this pro-Union body instead of the pro-Confederate Virginia government in Richmond.

On May 6, 1862, Governor Francis Pierpont convened the General Assembly of the Reorganized Government of Virginia. One week later, the General Assembly passed an act granting permission for creation of the new state. This passed the first hurdle towards West Virginia statehood.

On March 10, 1866, Congress passed a joint resolution recognizing the transfer. In 1870, the Supreme Court also decided in favor of West Virginia. This passed the second hurdle towards West Virginia statehood. The Reorganized Government of Virginia, which was the foundation of West Virginia later, continued to function as the Union government of Virginia until 1868 (State of Convenience, 2007; West Virginia, 2007).

It is clear that West Virginia could not have seceded from Virginia if it had depended on the government in Richmond, the Virginia General Assembly. It is also clear that Civil War conditions, and the pro-Union stance of the Reorganized Government of Virginia, contributed to the accomplishment of secession with relative ease.

In Independent Long Island's case, both Brooklyn and Queens would have to ask permission from New York City (Manhattan) to allow their transfer to Independent Long Island, something not very likely to succeed.

Then the new Independent Long Island political entity would have to ask permission from New York State to allow it to secede and form the state of Independent Long Island, something not very likely to succeed either.

Finally, both Houses of Congress would have to pass a joint resolution recognizing the transfer of boroughs and counties of Brooklyn, Queens, Nassau, and Suffolk to Independent Long Island, the state, and the Supreme Court, like the Pope, would have to give its imprimatur.

The probability of Independent Long Island statehood now seems next to impossible, while Independent Long Island, at least as an independent cybernation, is already alive and kicking like the healthiest newborn girl. Let us examine why this is the case.

According to Article 1 of the Montevideo Convention, a state as a person of international law should possess the following qualifications: a) a permanent population; b) a defined territory; c) government; and d) capacity to enter into relations with the other states. Independent Long Island, with a permanent population of 7.5 million, a well-defined territory of 1,377 square miles, a very basic government in the form of a Governor *pro tempore*, and a real capacity to enter into relations with the other states, possesses all these requirements (Montevideo Convention, 1933).

Furthermore, Article 3 of the convention states that, "The political existence of the state is independent of recognition by the other states. Even before recognition the state has the right to defend its integrity and independence, to provide for its conservation and prosperity, and consequently to organize itself as it sees fit, to legislate upon its interests, administer its services, and to define the jurisdiction and competence of its courts." (Montevideo Convention, 1933). This concept is known as the *declarative theory of statehood* (Montevideo Convention, 2007).

Independent Long Island has gone well beyond the requirements of the declarative theory of statehood. On August 20, 2007 — as reported in *Cyberterra News*, the *DBWF Provisional Post*, *Indymedia*, *Long Island FREE Press*, *OpenPR.com*, *PRBuzz.com*, *PRFree*, *Eworldwire*, *News Wire*, *NewsBlaze*, *PR.com*, *LI Biz Blog*, and the *New York Times* — the President and Founder of the Cesidian Root, an alternative and intercontinental Internet, announced that he had started the new country project of Independent Long Island. Clearly most governments, if not all, are now at least aware that Independent Long Island exists!

Independent Long Island has even procured a top-level domain (TLD) name, the .ILI TLD, and in fact Independent Long Island has its own intercontinental Internet, not just a working .ILI top-level domain name!

The government of Independent Long Island has also expanded since its beginnings, as has already begun to poll Internet navigators on which city should become the capital of Independent Long Island, and which of the following options should the ILI project pursue: a) Full secession (triple secession); b) ILI statehood (double secession); or c) NYC-ILI statehood (single secession). A few people seemed to desire more options for a capital city than the initial four

proposed, and now we have twelve cities as options! Moreover, a few people also expressed their support, verbally and via email, for the idea of ILI statehood, and despite the fact that that is not ideal, as this article will demonstrate, the Governor of ILI has listened!

However, Independent Long Island is also becoming a country, because it is already behaving like a real country.

A poll issued by the Thicket based on the post, “Can You Pass the Citizenship Test?” was up for almost two months, and drew 178 responses. According to the author(s) the quiz question, “Who has the power to declare war?” showed that Thicket readers know their Constitution. Eighty-three percent of those who responded to the quiz question got it right by answering that the Congress was the entity that had the power to declare war. Fourteen percent said that the President has this power, and two percent each thought that the Secretary of Defense or the Joint Chiefs of Staff could declare war (Poll Results, 2007).

This is the correct view even according to WikiAnswers. It is a common mistake to think that the US President can declare war. According to the US Constitution, only Congress has the power to declare war on another sovereign nation, according to Article I, Section 8, Clauses 11-14: “[The Congress shall have power...] To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water. To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years. To provide and maintain a Navy. To make Rules for the Government and Regulation of the land and naval Forces.” (Congressional Research Service, 1992b). The US President has only the power to wage war (Layton, 2007).

Thomas Jefferson has stated of the office of the President, “As the executive cannot decide the question of war on the affirmative side, neither ought it to do so on the negative side, by preventing the competent body from deliberating on the question.” James Madison confirmed this view when he said, “The executive has no right, in any case, to decide the question, whether there is or is not cause for declaring war.” (Undeclared War, 2007).

While only Congress has the power to declare war on another sovereign nation in the US, Independent Long Island has also done the same, behaving in effect like an independent country.

On October 7, 2007 — as reported in *Cyberterra News*, *Indymedia*, *Free-Press-Release.com*, *PRLog.com*, *SANEPR.com*, *OpenPR.com*, and *I-Newswire.com* — the Governor *pro tempore* of Independent Long Island, in his admittedly rather limited recognition and sovereign power, declared war on the illegitimate and tyrannical government of Myanmar.

After the discovery of the disappearance of the .MM (Myanmar) TLD from the global DNS, the Governor re-baptized the country of Myanmar with the new name of Burma (actually, it is the old name of the country before the current military junta took power). He then registered the Burma Internet Liberation Organisation and the Burmese Network Information Centre organizations with the Micronational Professional Registry (MPR). Finally, he even created a new .BU (Burma) TLD on the Cesidian Root, to restore Burma’s Internet and Freedom of Speech! This is probably a historic first, the first time in history that a country or organization has intervened to restore the Internet of another, albeit through an alternative Internet.

It is clear then that Independent Long Island is already a country according to Article 1 of the Montevideo Convention, and Article 3 of the same convention states that it is a country even before it is formally recognized by other countries.

It is clear that Independent Long Island has also declared its independence to the world, and the declaration was published by several important Internet and non-Internet media sources. Governments of the world are fully aware of the existence of Independent Long Island, and while this does not imply recognition, it is an important first step in that direction.

It is clear that Independent Long Island has procured a top-level domain (TLD) name, the .ILI TLD, and in fact Independent Long Island has its own intercontinental Internet, a sign that even independently of the US and US corporations, ILI still has significant technological power.

It is clear that Independent Long Island has behaved like a country in one instance, since it declared war on another sovereign power (something only the US Congress normally does), and its Governor is still waging this just war of liberation (something only the US President normally does).

What is missing from the equation for Independent Long Island to be a full country? Well, several things, but the most important are: 1) The support of a significant percentage of Independent Long Islanders; and 2) The recognition of other states, which would fulfill the requirements of the *constitutive theory of statehood* (Constitutive theory of statehood, 2007).

While these last two things are difficult to achieve, the requirements are far easier to meet than the multiple requirements for Independent Long Island statehood.

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