

September 9, 2025

The Honorable Tim Kaine
Russell Senate Office Building 231
Washington, DC 20510

Dear Senator Kaine,

The following shocking (on so many levels) statement that you made at a September 3 Senate Foreign Relations Committee confirmation hearing is lighting up social media, and prompted us to write this open letter to you:

The notion that rights don't come from laws and don't come from the government, but come from the Creator — that's what the Iranian government believes. It's a theocratic regime that bases its rule on Shia law and targets Sunnis, Bahá'ís, Jews, Christians and other religious minorities. They do it because they believe that they understand what natural rights are from their Creator. So, the statement that our rights do not come from our laws or our governments is extremely troubling.

As two of your constituents, we enclose a copy of our 2011 booklet *The Law That Governs Government: Reclaiming the Constitution from Usurpers and Society's Biggest Lawbreaker* to supplement your education since your outlandish statement last Wednesday.

What is The Law That Governs Government? It is the U.S. Constitution, which of course is America's fundamental and paramount law establishing and governing our federal and republican form of government itself. Many Americans, and certainly conservatives, understand the direct correlation between the Declaration of Independence Preamble's statement about rights coming from our Creator to how the Constitution "secure[s] the Blessings of Liberty to ourselves and our Posterity," as stated in *its* Preamble.

George Washington University Constitutional Law Professor Jonathan Turley certainly understands the significance of that correlation. Writing at *The Hill* this

past Saturday he referred to your “surprising” statement of September 3 as “[Tim Kaine’s Constitutional blasphemy](#).” He laments that you are

the embodiment of a new crisis of faith in the foundations of our republic on the very eve of its 250th anniversary. This is a crisis of faith not just in our Constitution, but in each other as human beings “endowed by their Creator with certain unalienable Rights.”

Senator Kaine, even if you were to take the hour or so to read *The Law That Governs Government* you assuredly won’t like it because it describes how Democrats and the political class -- of which you are a prime example -- have violated the Constitution for decades in ways that diminish American exceptionalism, and have helped ensure government is *America’s biggest lawbreaker*. Our booklet also describes how constitutional conservatives seeking to enforce the Constitution’s protections of God-given rights have been called “extremists” by Leftists and statist. You even implied that outrageous slander just last week at the hearing by *foolishly equating us to the Iranian regime!*

The link between the Declaration’s affirmation of the great and self-evident notion “that all men are created equal, that they are endowed by their Creator with certain unalienable Rights,” and the Constitution’s purpose of securing those rights, is certain despite how that annoys or confuses many people of the Left. As we write in the chapter entitled “A law governing government for our posterity”:

We often hear -- even from the left -- that we are a nation of laws, not of men. However, when lawmakers, the president, judges and a vast unelected bureaucracy deem themselves to be law givers and enforcers unaccountable to some higher legal authority, then we have a form of tyranny, even if it is a tyranny of, and under, the law.

This legal tyranny is entirely inconsistent with the purposes of the Constitution to “secure the Blessings of Liberty to ourselves and our Posterity,” as stated in its Preamble.

In his authoritative 1833 Commentaries on the Constitution, Joseph Story (an Associate Justice of Chief Justice John Marshall) wrote about the importance of the Preamble in determining the nature of the Constitution as law:

We have already had occasion, in considering the nature of the constitution, to dwell upon the terms, in which the preamble is conceived, and the proper conclusion deducible from it. It is an act of the people, and not the states in their political capacities. It is an ordinance or establishment of government and not a compact, though originating in consent; and *it binds as a fundamental law* promulgated by the sovereign authority, and not as a compact or treaty We have the strongest assurances, that this preamble was not adopted as a mere formulary; but as a solemn promulgation of a fundamental fact, vital to the character and operations of the government. (Emphasis added.)

Your statement last Wednesday exposes just one of many serious flaws in the Left's governing philosophy that prompted our writing *The Law That Governs Government* back in 2011. As America approaches Constitution Day 2025 on September 17 and our 250th Anniversary next year, we are reminded that the Left has not progressed since 2011 -- and seems to have actually regressed -- in understanding and appreciating America's foundational documents and the reasons for its exceptionalism.

Equating America's foundational beliefs and paramount governing civil law to Iran is demeaning, insulting, and ignorant.

You help demonstrate that our 2011 booklet written during the Obama years and the then-burgeoning Tea Party constitutional conservative movement remains an instructive guide of principles, purposes, and proposals for constitutional conservatives even today.

Very truly yours,



Richard A. Viguerie
Chairman



Mark J. Fitzgibbons
Counsel

Enclosure

cc: Professor Jonathan Turley