

# THE RISLEY NEWSLETTER

## RECENT DEVELOPMENTS

### *TRUTH IN POLITICS*

#### *TRUTH IS AT THE HEART OF DEMOCRACY AND CIVILIZATION.*

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Truth is simple and powerful. A lie is simple, but destructive. Truth is based on fact; it is genuine, honest; it is not fraudulent. Objective truth lies outside of us and it is reached by testimony of facts and events, by history and by description. Objective truth is based in part on faith. Subjective truth lies within. It is reached through the conscience. In science, truth is established by replication. In science, a lie is an asserted fact, not a hypothesis, which cannot be proven or replicated.

Opinions are different. It's important to recognize the difference when applied to political offices. Although opinion is used in several different ways, the Merriam-Webster dictionary defines the general use of opinion as "a view, judgment, or appraisal formed in the mind about a particular matter." In law, the rules of evidence do not ordinarily permit witnesses to testify as to opinions and conclusions. In journalism opinions are found on the editorial section of the newspaper. Factual reporting of the news is on the first page of the newspaper. In electronic journalism, news and opinion are often blurred. In social media, the difference between news/facts and opinion are non-existent. Everyone, including U.S. office holders and candidates, is free to state their opinions which is protected by the First Amendment of the United States Constitution.

On January 6, 2020, we saw the destructive power of lies. Lies led to several deaths, the ransacking of the U.S. Capitol, the attempt to kill U.S. Senators

and members of Congress, and the plan to capture and hang the Republican Vice President of the United States. All were the products of repeated lies. The lie was simple: "The Biden presidency was stolen, by fraud and deception." The insurrectionists were sure that the judges in 60 court cases, including justices on the U.S. Supreme Court, were wrong. So the insurrectionists, believing in the lies, took the law into their own hands.

In her poem, the 22-year old national poet laureate, Amanda Gorman, helps us find our way in these troubled times.

*When day comes we ask ourselves  
Where can we find light in this never-ending  
shade?*

\* \* \*

*When day comes we step out of the shade,  
Aflame and unafraid.  
The new dawn blooms as we free it.  
For there is always light if only we're brave  
enough to see it,  
If only we're brave enough to be it.*

When the judiciary and the legislature are under attack, lawyers are called upon to see the light and be it. This newsletter is a response to that call and the light. It is also a solicitation for help.

We Americans are entitled to the truth from politicians, both administrative and legislative. Citizens, when called as witnesses in court or in other solemn proceedings, are sworn to tell the truth. All of those who serve our country, as legislators, administrators or arbitrators should swear to tell the truth. An oath will not guarantee consistent truthful statements. Witnesses sometimes

lie even after taking an oath to the contrary. Nevertheless, the oath has a beneficial effect. Were this not so we would not continue to administer it.

The oath with which we are all familiar is only 18 words:

*I promised to tell the truth, the whole truth and nothing but the truth so help me God.*

These words should be added to the Presidential, Senatorial, and Congressional Oaths. If so, the Presidential oath would read as follows:

I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States, *and that I will tell the truth, the whole truth, and nothing but the truth so help me God.*

The Senatorial and Congressional oath would read as follows:

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true and faithful allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and *that I will tell the truth, the whole truth, and nothing but the truth, so help me God.*

I wrote to President Elect Biden, to my U.S. Senator, and my Congresspersons 10 days before the inauguration but after the January 6, 2021 insurrection. I asked the President Elect to ask the U.S. Office of Government Ethics to make a clear statement that all elected government officials strive to tell the truth and to amend the oath of office as indicated above. I indirectly asked that the Senate Select Committee on Ethics, and the House of Representatives Committee on Ethics do the same. Copies of these letters are attached to this newsletter. I urge the reader to do the same. If you

would like to use these letters as a template or format, please advise and I will be pleased to send them to you via email in Word format.

Certainly, you may not agree or you may see this as a purely quixotic effort, a mere chase after the impossible.

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Contact Our Office to Discuss Preparation of  
Wills, Trusts, and Estate Planning.  
Avoid Unnecessary Probate Litigation.

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**Robert L. Risley, Esq.**

Litigation • Wills • Trusts • Estate Planning  
Probate & Conservatorships • Employment Law  
Real Estate • Business & Corporations  
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January 12, 2021

President Biden  
P.O. Box 438  
Wilmington, DE 19899

Re: Truth in Politics  
Ethical Principles and Revised Oaths  
of Presidential and Congressional  
Office

Dear President Biden:

There is little that is more important than truth. Truth is the heart of democracy, indeed all civilization. It should be enshrined in a clear ethical statement, and in the presidential and congressional oaths of office.

Truth has been seriously challenged these past four years, but the recent attacks on truth have focused the entire nation on extreme, repeated, patent lies which led to the January 6 rampage of the Capitol.

Americans are entitled to have a president and their representatives to be truthful. Congress and the new administration must develop ethical principles for elected representatives to be truthful. The presidential and congressional oaths of office should be revised to include a promise to "tell the truth, the whole truth and nothing but the truth, so help me God." In nearly every other facet of society, Americans honor truth and are expected to be truthful. Citizens called to serve as witnesses in court swear an oath to *tell the truth, the whole truth and nothing but the truth so help them God*. In every academic discipline, truth is at the heart of research and learning. In business, law, medicine, journalism truth is required. But neither the presidential oath nor the senatorial or congressional oaths require the president or senators or members of congress to be truthful in their statements to the public or their colleagues. They should.

Mr. President, finding truth is not easy, it is hard. Pope Francis, gives us some guidance in his new book, *Let Us Dream*. He believes that there is objective truths and solid principles. "I see truth lying outside of us, always beyond us, but beckoning us through our consciences. It is like a kind light we reach, not normally through reason, but through the imagination, by means of

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January 12, 2021  
Page 2

direct impressions, by the testimony of facts and events, by history and by description.” A less philosophical or theological definition is found in *Blacks Law Dictionary - Fifth Edition*, **True**: “Conformable to fact; correct; exact; actual; genuine; honest, not fraudulent.

Mr. President, please ask the *U.S. Office of Government Ethics* to make a simple clear statement that all U.S. elected government officials must strive to tell the truth. They might suggest that the U.S. Presidential Oath of Office be revised slightly to read as follows:

I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States, *and that I will tell the truth, the whole truth, and nothing but the truth so help me God.*

I am sending a similar letter to Congresswoman Judy Chu and Congressman Adam Schiff and asking them to contact the *House of Representatives Committee on Ethics* to address this issue and to consider revising the congressional oath of office to read as follows:

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true and faithful allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will tell the truth, the whole truth, and nothing but the truth, so help me God.

I am also sending a similar letter to Senator Dianne Feinstein and asking her to contact the United States *Senate Select Committee on Ethics* to consider revising the senatorial oath of office to read as follows:

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true and faithful allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; *and that I will tell the truth, the whole truth, and nothing but the truth, so help me God.*

Unfortunately, it is true that neither presidents nor elected representatives will always refrain from lying. But an ethical principle and related oath of office will at least affirmatively assert a moral obligation for truth telling.

President Biden  
Re: Truth in Politics  
January 12, 2021  
Page 3

In 2014, the cover of *Time* magazine stated GOD IS DEAD. Soon after Mr. Trump was elected in 2016, the cover of *Time* magazine stated TRUTH IS DEAD. In my belief system, and probably in yours neither statement is true.

Mr. Trump's lies, both before and after taking office, were the reason for the *Time* magazine 2016 cover page TRUTH IS DEAD. His lies have challenged our beliefs. The damage that Mr. Trump's lying has done to our country is immeasurable. Let's take some steps in the hope that such damage doesn't occur again.

Unfortunately, it is the patent, repeated, insidious lies which are at the heart of Mr. Trump's attack on democracy. To be sure, we will not eliminate lies by establishing a moral and ethical principle and changing oaths of office to enshrine the concept, but we need to stand up and honor and praise the value of TRUTH.

These are the worst and best of times. The worst because of the attacks on Congress, the Capitol and democracy. But they are the best of times because the attacks provide an opportunity for real change. Charles Dickens' statement of 150 years ago certainly applies today.

Very truly yours,

ROBERT L. RISLEY  
Citizen of the United States of America

RLR/vmr

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527 S. Lake Ave., Suite 250  
Pasadena, CA 91101

2423 Rayburn HOB  
Washington, DC 20515

Re: Truth in Politics  
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of Presidential and Congressional  
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Dear Congresswoman Chu:

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Ms. Chu, please ask the *House of Representatives Committee on Ethics* to make a simple clear statement that all U.S. elected government officials must strive to tell the truth. They might suggest that the U.S. congressional oath of office be revised slightly to read as follows:

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Page 3

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