

David M. Zuniga Resource Review

Resource reviewed by Patriot Penny

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David Zuniga — Our First Right, Second Edition

1. Overall position

Zuniga presents Article the First as a right to substantially more representative government that Congress improperly withheld from the American people.

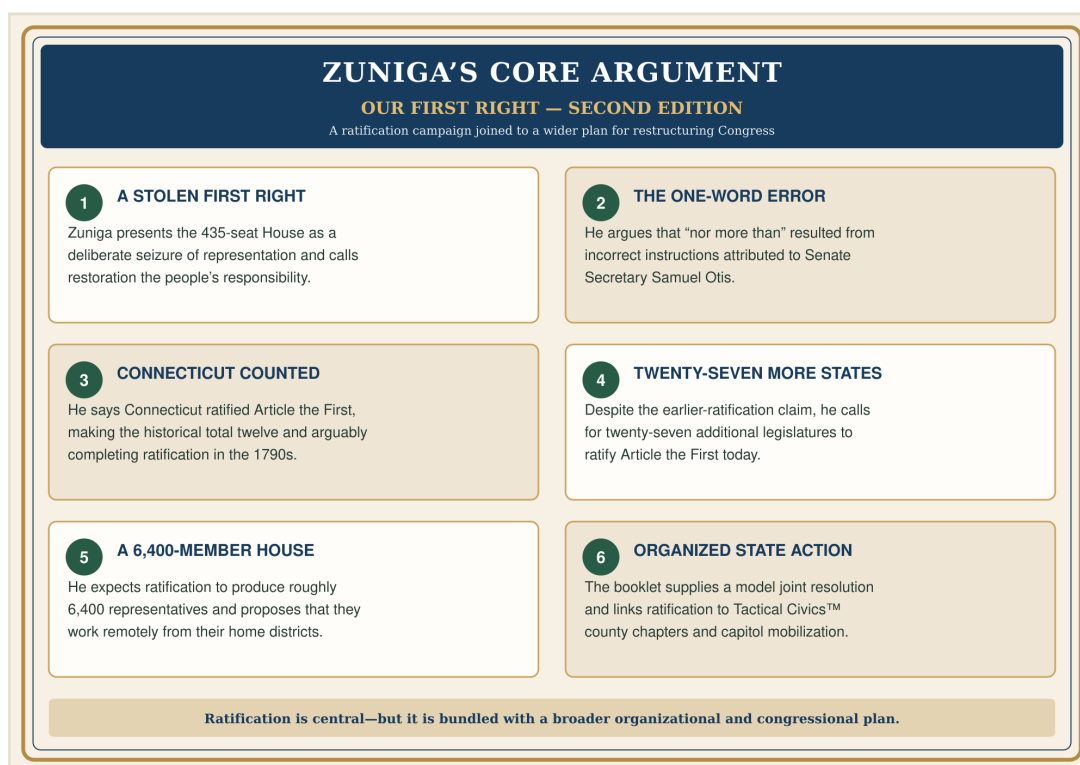
His principal points are:

- The present 435-member House represents a deliberate loss or “theft” of proportional representation.
- The wording “nor more than” resulted from erroneous instructions associated with Senate Secretary Samuel Otis; Zuniga argues the intended wording was “nor less than.”
- Connecticut should be counted as having ratified Article the First, allegedly bringing the historical total to twelve states.
- Despite that historical-ratification argument, he advocates securing ratification from 27 additional state legislatures today.
- He interprets Article the First as producing approximately 6,400 representatives—roughly one representative per 50,000 people.
- Those representatives would work primarily from their home districts rather than maintaining

conventional Washington offices.

- Ratification is incorporated into a broader Tactical Civics™ organizing program involving county chapters and coordinated action at state capitols.
- The book supplies practical materials, including a proposed state joint resolution and advocacy talking points.

2. Core-argument chart



3. Alignment with ATFI

Zuniga's work substantially aligns with ATFI in several important areas:

- Article the First is treated as a matter of continuing constitutional importance.
- The amendment is understood as having no

ratification deadline.

- State legislatures are identified as the institutions capable of completing ratification.
- Twenty-seven additional states are presented as the practical ratification objective.
- Public education and organized citizen involvement must precede legislative action.
- The 27th Amendment is used as evidence that an amendment proposed in 1789 can still be ratified.
- The existing 435-member House is considered inadequate for meaningful representation.
- The "less" versus "more" wording question deserves serious historical investigation.
- Practical state-level materials are needed, not merely historical discussion.
- Smaller congressional districts would bring representatives closer to their constituents.

***Zuniga is in the category of resources that actively support Article the First's present-day relevance and renewed state action.**

4. Central difference from ATFI

The central difference is not the general ratification destination. It is the scope and framework surrounding it. Zuniga combines Article the First with:

- Tactical Civics™ membership and county-level organization;

- the claim that Connecticut already ratified the amendment;
- the theory of a one-word clerical or transcription error;
- a prescribed 6,400-member House;
- remote congressional service;
- term limits, staff reductions, salary changes and benefit reforms;
- the proposed Bring Congress Home Act; and
- strongly accusatory descriptions of Congress and American political history.

ATFI maintains a narrower and more independent focus:

- education about Article the First;
- examination of congressional and state records;
- collaborative historical research;
- public access to original documentation;
- respectful comparison of competing interpretations; and
- a practical state-by-state ratification pathway.

ATFI does not need to accept the Connecticut theory, prove misconduct, endorse a particular organization, or settle every question about congressional implementation before supporting further study and ratification.

5. Verification findings

These findings should be presented as areas requiring qualification—not as a condemnation of Zuniga’s

contribution.

Connecticut and historical ratification

Zuniga treats Connecticut as having ratified Article the First. That remains a disputed historical and legal claim. The National Archives' official account states that Article the First was not ratified by the required number of states.

[National Archives: Bill of Rights transcript](#)

Litigation concerning Connecticut did not produce a judicial ruling affirming that Article the First was ratified. The courts dismissed the claims principally on standing and political-question grounds. Therefore, dismissal should not be presented either as proof that Connecticut ratified or as a definitive rejection of all underlying historical evidence. [LaVergne district-court decision](#)
Internal ratification tension

The book contains an important tension:

- It argues that twelve states had already completed ratification historically.
- It also calls upon 27 additional states to ratify today.

If Article the First actually became part of the Constitution in the 1790s, the later admission of additional states would not ordinarily undo that completed ratification. The historical-ratification theory and the present 27-state campaign therefore need to be explained as alternative legal strategies rather than simultaneous conclusions.

"Less" versus "more"

Zuniga attributes the wording change to incorrect instructions associated with Samuel Otis. The theory is worth investigating, but the book does not conclusively

establish Otis's responsibility or motive.

The official enrolled text transmitted to the states contains "nor more than." ATFI should compare every available congressional draft, journal entry, enrolled copy and state transcription before reaching a conclusion. [Library of Congress image of the proposed amendments](#)

Mathematical paradox

Zuniga argues that the intended progression resolves objections to the wording. However, the book does not fully analyze the apparent mathematical contradiction created by the final clause. For comparison purposes, this should be recorded as addressed through asserted intent, rather than fully explained or resolved.

Incorrect constitutional citation

The book repeatedly identifies the apportionment provision as Article I, Section 2, Clause 4. The apportionment language is in Article I, Section 2, Clause 3. [Constitution Annotated](#)

Ratification chronology

The claim that twelve states had acted "by 1790" requires correction or clarification because the book's supporting list includes Vermont and Kentucky, whose relevant actions occurred after 1790.

Twenty-Seventh Amendment date

The book places the Twenty-Seventh Amendment's ratification or certification in 1993. It was ratified on May 7, 1992, and certified on May 18, 1992. [National Archives:](#)

Amendments 11–27, National Archives certification history.

State legislative procedure

The proposed joint resolution is a valuable practical contribution. Nevertheless, statements suggesting ratification can always occur in one day without committee consideration should be qualified. Governors generally do not participate in Article V ratification, but legislative procedures differ from state to state.

Retraction of ratification

The book treats the proposition that a state cannot rescind ratification as conclusively settled. Historical precedents exist, but the constitutional effect of a state's attempted rescission remains legally contested. ATFI should identify this as an unresolved question.

The 6,400-member House

The 6,400 figure is Zuniga's proposed interpretation based on approximately one representative per 50,000 people. It is not a result expressly stated in Article the First.

Similarly, remote service, reduced salaries, staff limits, term limits and projected financial savings are separate policy proposals. They should not be presented as automatic legal effects of ratification.

Tone and supporting claims

The book sometimes uses accusatory, conspiratorial or partisan-adjacent language unrelated to proving Article the First's status. Those passages may energize Zuniga's intended audience, but they make the work less suitable

as a neutral historical reference.

ATFI can acknowledge Zuniga’s advocacy, research questions and action materials while independently verifying his factual and legal conclusions.

6. ATFI comparison chart

HOW THE WORK COMPARES		
DAVID M. ZUNIGA • ARTICLE THE FIRST INITIATIVE™		
The same ratification destination—with important differences in evidence, tone and scope		
COMPARISON POINT	DAVID M. ZUNIGA <i>Our First Right</i>	ARTICLE THE FIRST INITIATIVE™
Primary focus	✓ Article the First joined to a wider Tactical Civics™ program	✓ Article the First exclusively
Ratification objective	✓ Calls for 27 additional states	✓ Education followed by ratification
Connecticut	• Counts Connecticut and argues the article was previously ratified	✓ Does not depend upon Connecticut; proceeds with 27 additional states
“Less” versus “more”	• Attributes “more” to incorrect instructions associated with Otis	✓ Investigates the congressional record without presuming motive
Mathematical paradox	• Dismisses the objection based on the intended progression	✓ Explains the contradiction and examines present-day significance
State ratification records	• Lists states and dates without showing each original state record	✓ Investigates original records state by state
Original documents	• Includes transcriptions and selected images rather than a full archive	✓ Builds a public archive of original congressional and state documents
Action materials	✓ Supplies a model state joint resolution and talking points	✓ Develops educational and practical state-by-state materials
Organizational relationship	• Ratification is a Tactical Civics™ project dependent on county chapters	✓ Independent collaborative initiative; not another membership organization
Post-ratification program	• Bundles ratification with 6,400 seats, remote Congress and term limits	✓ Keeps ratification central and studies implementation as a separate question
Public tone	• Uses accusatory and partisan-adjacent language throughout	✓ Evidence-centered and respectful of other contributors and resources
Continuing education	• Pamphlet, FAQs and organizational training materials	✓ Website, classes, presentations, book studies and publications
The central distinction		
Zuniga combines ratification with Connecticut, Tactical Civics™ organizing and the Bring Congress Home Act. ATFI keeps its concentrated focus on education, documentary research and state ratification.		
✓ Central feature • • Discussed or approached differently		

7. Final classification

A direct Article the First ratification campaign with unusually developed action materials, but one tied to a broader Tactical Civics program, a disputed Connecticut and clerical-error theory, and a prescribed 6,400-member remote-Congress plan.

Zuniga is included in the comparison because his work is clearly focused on Article the First and offers concrete state-action materials. The comparison should credit those contributions while distinguishing ATFI's independent, documentary, collaborative and deliberately focused approach.