

CONSTITUTIONAL RESTRICTIONS ON FEDERAL POWER

-THE RIGHTFUL POWER OF THE PEOPLE

Unfortunately, many of today's voting-age Americans have never even read the U.S. Constitution. Apparently, most civics classes in public schools today dwell on other things. So, far too many people have no clue how far their government has overreached and taken away their liberty.

But here's the truth: The Constitution gives the three branches of government certain enumerated powers. Those not enumerated are reserved to the States, and to the People.

The 10th Amendment describes it: **"The powers not delegated to the United States by the Constitution, or prohibited by it to the States, are reserved to the States respectively, or to the people."**

Yet despite that, the U.S. government has grown increasingly more powerful.

During reconstruction after the War of Northern Aggression, the Republican Party centralized the government, subsidized railroads, raised taxes on Southern property and businesses – then confiscated the property when taxes couldn't be paid – and established an education system that taught a revisionist history of the run-up to and causes of the war (and the government-run education system continues this today).

In 1917, Congress established the Federal Reserve, a non-Constitutional entity with the power to control the U.S. money supply.

In the 1930s, in response to The Great Depression, President Franklin Roosevelt pushed through New Deal provisions that further empowered the Federal Government while enriching certain constituencies.

In response to the 2008 global financial crisis, first President George W. Bush then President Barack Obama pushed through extra-constitutional spending bills.

In 2020, the Trump administration has compounded the "helicopter" money problems by spending more than Bush and Obama ever dreamed

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of. His administration has put millions more on the Federal unemployment dole than Obama ever did, and pushed out stimulus checks only a "compassionate conservative" could love – with another on the way! This reinforces the notion that all money, power, authority and commerce should run through the government.

Next will be a "COVID card" that proves you don't have the Wuhan virus so that you can move around freely – or not – and a cashless society that controls all your spending and punishes you for – heaven forbid – trying to buy something you don't want anyone else to know about. Of course, this won't include a gun, since the gradual, step-by-step, law-by-law, little-by-little, incremental restrictions put in place by people telling you it's "reasonable" to ban this, restrict that, disallow this, "background check" that, and "waiting period" the other have made it so that soon there will be no such thing as a lawful gun owner.

Despite all of this federal power grabbing, it does seem from the mood of many in our country we may have reached a tipping point as a result of these latest actions. Radio talk shows are alive with voices proposing – demanding even – that America return to the Constitutional roots. Tea Party activists would have been denouncing the growing government – but the Republicans absorbed them and spit them out long ago.

Unfortunately, because of a lack of knowledgeable voices, many in America don't understand what all the hubbub is about. So, to help them understand, here are nine talking points from the 10th Amendment Center:

1. The People created the federal government to be their agent for certain enumerated purposes only. The Constitutional ratifying structure was created so it would be clear that it was the People, and not the States, that were doing the ratifying.
2. The Tenth Amendment defines the total scope of federal power as being that which has been delegated by the people to the federal

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government, and also that which is absolutely necessary to advancing those powers specifically enumerated in the Constitution of the United States. The rest is to be handled by the state governments, or locally, by the people themselves.

3. The Constitution does not include a congressional power to override state laws. It does not give the judicial branch unlimited jurisdiction over all matters. It does not provide Congress with the power to legislate over everything. This is verified by the simple fact that attempts to make these principles part of the Constitution were soundly rejected by its signers.
4. If the Congress had been intended to carry out anything they claim would promote the "general welfare" — i.e., "save lives" with public health decrees and so forth — what would be the point of listing its specific powers in Article I, Section 8, since these would've already been covered?
5. James Madison, during the Constitutional ratification process, drafted the "Virginia Plan" to give Congress general legislative authority and to empower the national judiciary to hear any case that might cause friction among the states, to give the congress a veto over state laws, to empower the national government to use the military against the states and to eliminate the states' accustomed role in selecting members of Congress. Each one of these proposals was soundly defeated. In fact, Madison made many more attempts to authorize a national veto over state laws, and these were repeatedly defeated as well.
6. The Tenth Amendment was adopted after the Constitutional ratification process to emphasize the fact that the states remained individual and unique sovereignties; that they were empowered in areas that the Constitution did not delegate to the federal government. With this in mind, any federal attempt to legislate beyond the Constitutional limits of Congress' authority is a(n) usurpation of state sovereignty — and unconstitutional.

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7. Governments and political leaders are best held accountable to the will of the people when the government is local. Second, the people of a state know what is best for them; they do not need bureaucrats, potentially thousands of miles away, governing their lives. Think about it. If Hitler had ruled just Berlin and Stalin had ruled just Moscow, the whole world might be a different place today.
8. A constitution that does not provide strict limits is just the thing any government would be thrilled to have, for, as Lord Acton once said, "Power tends to corrupt, and absolute power corrupts absolutely."
9. We agree with historian Kevin Gutzman, who has said that those who would give us a "living" Constitution are actually giving us a dead one since such a thing is completely unable to protect us against the encroachments of government power.

If you want to first halt then reverse the tide of government overreach, pass these points around to your friends and send them to your state and U.S. representatives.

Tragically, the Tenth Amendment has become almost a nullity at this point in our history, but there are a great many reasons to bring it to the forefront. Most importantly, though, we must keep in mind that the Founders envisioned a loose confederation of states – not a one-size-fits-all solution for everything that could arise. Why? The simple answer lies in the fact that they had just escaped the tyranny of a king who thought he knew best how to govern everything – including local colonies from across an ocean.

Those in Washington are not "leaders." They are not there to rule us and tell us what to do. They are there to carry out our wishes – to be led by us, the people.

Yours for the truth,

