



Distrusting Government

Recent opinion polls demonstrate a deepening distrust of the federal government. That's not an altogether bad thing. Our nation's founders recognized that most human abuses are the result of government. As Thomas Paine said, "government, even in its best state, is but a necessary evil." Because of their fear of abuse, the Constitution's framers sought to keep the federal government limited in its power. Their distrust of Congress is seen in the governing rules and language used throughout our Constitution. The Bill of Rights is explicit in that distrust, using language such as Congress shall not abridge, shall not infringe and shall not deny and other shall-nots, such as disparage, violate and deny. If the framers did not believe that Congress would abuse our God-given, or natural, rights, they would not have provided those protections. I've always suggested that if we see anything like the Bill of Rights at our next destination after we die, we'll know that we're in hell. A perceived need for such protection in heaven would be an affront to God. It would be the same as saying we can't trust him.



Other framer protections from government are found in the Constitution's separation of powers, checks and balances, and several anti-majoritarian provisions, such as the Electoral College, the two-thirds vote to override a veto and that two-thirds of state legislatures can call for reconvening the constitutional convention, with the requirement that three-quarters of state legislatures ratify changes to the Constitution.

The heartening news for us is that state legislatures are beginning to awaken to their duty to protect their citizens from unconstitutional acts by the Congress, the White House and a derelict Supreme Court. According to an Associated Press story, about four-fifths of the states now have local laws that reject or ignore federal laws on marijuana use, gun control, health insurance requirements and identification standards for driver's licenses. Kansas Gov. Sam Brownback recently signed a measure threatening felony charges against federal agents who enforce certain firearms laws in his state.

Missouri legislators recently enacted the Second Amendment Preservation Act, which in part reads that not only is it the right of the state Legislature to check federal overreaching but that "the Missouri general assembly is duty-bound to watch over and oppose every infraction of those principles which constitute the basis of the Union of the States, because only a faithful observance of those principles



Written by [Walter E. Williams](#) on July 3, 2013

can secure the nation's existence and the public happiness." The bill further declares that the Missouri General Assembly is "firmly resolved to support and defend the United States Constitution against every aggression, either foreign or domestic." The legislation awaits Gov. Jay Nixon's signature or veto.

Both lower houses of the South Carolina and Oklahoma legislatures enacted measures nullifying Obamacare on the grounds that it is an unconstitutional intrusion and violation of the 10th Amendment. You might say, "Williams, the U.S. Supreme Court has ruled Obamacare constitutional, and that settles it. Federal law is supreme." It's worth heeding this warning from Thomas Jefferson: "To consider the judges as the ultimate arbiters of all constitutional questions (is) a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy." Jefferson and James Madison, in 1798 and 1799 in the Kentucky and Virginia Resolutions, said, "Resolved, That the several States composing, the United States of America, are not united on the principle of unlimited submission to their general government ... and whensoever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force." In other words, heed the 10th Amendment to our Constitution, which reads, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." That's the message state legislatures should send to Washington during this year's celebration of our Declaration of Independence.

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