



Written by [Charles Scaliger](#) on November 30, 2017
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Can We Keep Our Constitution Under NAFTA?

That NAFTA is a “bad deal” for trade is a point President Trump never tires of emphasizing. But that it is also a “bad deal” for the U.S. Constitution is too seldom mentioned. Yet NAFTA — like many other international trade and defense agreements to which the United States is a party — is in fact very deleterious to constitutional government. This is precisely what its creators intended; the same sort of globalists who gave us the UN, the WTO, and the European Union, also gave us NAFTA, and all of them regard the U.S. Constitution as an unacceptable barrier to globalization. After all, strict adherence to the Constitution would preclude U.S. membership in the UN, the WTO, and NAFTA.



This is why NAFTA is designed to be a powerful end run around one of the most important powers granted to Congress under the Constitution, the authority to “regulate commerce with foreign nations” enumerated in the third clause of Article I, Section 8. Through diminishing the power of Congress to regulate trade, NAFTA essentially erases parts of the Constitution and rewrites them.

The power to regulate interstate commerce was almost nonexistent under the Articles of Confederation, and was one of the major reasons for instability in the early United States. Without the power to regulate interstate commerce, Madison argued, states could not get relief from trade-inhibiting taxes levied on them by other states: “A very material object of this power was the relief of the States which import and export through other States, from the improper contributions levied on them by the latter.” In the first years after America’s founding, the country was unstable because it lacked the ability to control trade; now NAFTA threatens to control our country like a puppet by assuming most powers over trade (and other sectors of the economy), control from which Americans will not be able to get relief.

Trade agreements have been the stuff of international treaties since the beginning of time. But NAFTA is not a trade agreement in any sense that the Founding Fathers would have recognized because it not only spells out terms for trade among its three signatories (the United States, Canada, and Mexico), it also creates supranational governing authorities with the power to adjudicate trade disputes and modify national laws, not only on trade per se, but also on environmental laws, tariffs, and other matters that have traditionally been reserved to sovereign states. For example, the passage of NAFTA has forced the United States to modify its intellectual-property laws. It also led to the formation of the Commission for Environmental Cooperation, an international body tasked with monitoring environmental laws and regulations in each of the three NAFTA member countries, and with pressuring their respective governments to comply with environmental standards contemplated by NAFTA.



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In other words, NAFTA is not merely a trade agreement but also a regime, a proto-international government designed to override those portions of U.S. and state law that are deemed hostile to the goals of the organization.

And NAFTA is but one of a number of “trade agreements” created within the globalist World Trade Organization (WTO), a bona fide instrument of international government. The WTO has become a literal global trade ministry, with the power to compel member countries, including the United States, to defer to its authority in trade disputes, including foreign objections to U.S. laws that allegedly handicap foreign competitors seeking access to U.S. markets or confer other competitive advantages on U.S. firms. The WTO is perhaps the most successful and most powerful entity within the UN international system, a fully formed arm of international government. Its goal, and the goal of all trade agreements subordinate to it, such as NAFTA, is to render obsolete national sovereignty over trade policy, to bring trade into an exclusively international jurisdiction.

Under NAFTA, we will get to keep those portions of our Constitution not deemed in conflict with either NAFTA or the WTO. The jurisdictions of these two organizations will severely compromise our sovereignty, and the supremacy of our Constitution, on a great many fronts.

Like other aspects of the globalists’ world government project, the threat NAFTA poses to our Constitution is both gradual and long-term. Current efforts to renegotiate, rather than scrap, NAFTA may end up hastening NAFTA’s ascendancy over our sovereign, constitutional government.

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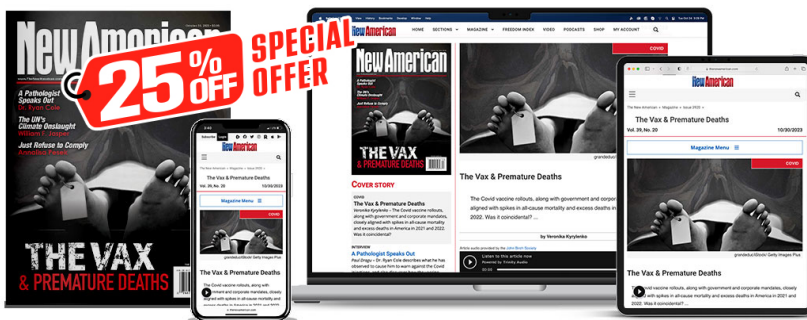
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