



Written by [Joe Wolverton, II, J.D.](#) on November 15, 2012

GOP Governors Distance Themselves From Secession Movement

Ron Paul “[feels the same now](#)” about the right of secession as he did when he addressed the issue in a video message posted to YouTube in 2009. That’s the comment made by Rachel Mills, a spokeswoman for the retiring congressman as quoted in *U.S. News*.

The number of petitions for secession uploaded to the White House’s “[We, the People](#)” website continues to increase, as do the signatures on those already posted.



The “We, the People” program includes a “create a petition” tab on the White House website. The explanation of the site claims that “if a petition gets enough support,” — more than 25,000 signatures within 30 days — the “White House staff will review it, ensure it’s sent to the appropriate policy experts, and issue an official response.”

[As we reported earlier in the week](#), citizens of dozens of states submitted petitions to leave the United States, citing the “long train of abuses” committed by the federal government and the right to “dissolve the political bands that have connected” them to the union as set out in the Declaration of Independence.

At the time of publication of this article, a petition on behalf of each of the 50 states has been added to the website, several of which have exceeded the 25,000 threshold that the White House claims will trigger an official response.

The White House has not commented on the petitions.

Although he argued that such was a possibility in 2009, Texas Governor Rick Perry has since renounced secession, announcing through a spokeswoman that he favors keeping the union intact.

In [a statement released to the Dallas Morning News](#), spokeswoman Catherine Frazier wrote:

Gov. Perry believes in the greatness of our Union and nothing should be done to change it. But he also shares the frustrations many Americans have with our federal government. Now more than ever our country needs strong leadership from states like Texas, that are making tough decisions to live within their means, keep taxes low and provide opportunities to job creators so their citizens can provide for their families and prosper. We cannot allow Washington’s tax and spend, one-size-fits-all mindset to jeopardize our children’s future, undermine our personal liberties and drive our nation down a dangerous path to greater dependence of government.

Other Republican governors have followed Perry’s anti-secessionist suit. Louisiana Governor Bobby Jindal called the petition filed by citizens of the Bayou State “silly.”

As reported by BayouBuzz, Jindal dismissed the petition, telling NOLA.com, “We are proud to be part of the greatest country in the history of the world. Whatever our political differences, we are American first.”



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Tennessee Governor Bill Haslam, also a Republican, commented Tuesday about the secession petition submitted by Tennesseans, saying, “I don’t think that’s a valid option for Tennessee. I don’t think we’ll be seceding.”

Then, fresh off an announcement that his state would not be participating in the state healthcare exchanges required by ObamaCare, Alabama [Governor Robert Bentley came out on Tuesday](#) and said through a spokesman, “Governor Bentley believes in one nation under God. While there is frustration with the federal government, Governor Bentley believes that states can be great laboratories of change.”

Finally, [the online Huffington Post quotes Nikki Haley](#), the Republican Governor of South Carolina saying, “Didn’t we try that once before? I love this country. I’m going to fight for this country. I’m going to do everything I can for this country, and this country is going to be great.”

South Carolina did try seceding once before. On Christmas Eve, 1860, the people and the legislature of the Palmetto State [adopted a resolution](#) filed eight years earlier approving the state’s separation from the union.

In that document, South Carolina pointed to the “frequent violations of the Constitution of the United States, by the Federal Government, and its encroachments upon the reserved rights of the States” as justification for its departure. Then, citing the Declaration of Independence (as do the recent petitions), the document declares, “Whenever any ‘form of government becomes destructive of the ends for which it was established, it is the right of the people to alter or abolish it, and to institute a new government.’”

The declaration then goes on to rehearse the history of the formation of the union in 1787, arguing that South Carolina retained her sovereign right of self-defense should the federal government ever violate the compact entered into in Philadelphia in 1787. It argued:

In [1787, Deputies were appointed by the States to revise the Articles of Confederation](#), and on 17th September, 1787, these Deputies recommended for the adoption of the States, the Articles of Union, known as the [Constitution of the United States](#).

The parties to whom this [Constitution](#) was submitted, were the several sovereign States; they were to agree or disagree, and when nine of them agreed the compact was to take effect among those concurring; and the General Government, as the common agent, was then invested with their authority.

If only nine of the thirteen States had concurred, the other four would have remained as they then were— separate, sovereign States, independent of any of the provisions of the [Constitution](#). In fact, two of the States did not accede to the [Constitution](#) until long after it had gone into operation among the other eleven; and during that interval, they each exercised the functions of an independent nation.

By this [Constitution](#), certain duties were imposed upon the several States, and the exercise of certain of their powers was restrained, which necessarily implied their continued existence as sovereign States. But to remove all doubt, an [amendment](#) was added, which declared that 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. On the 23d May , 1788, South Carolina, by a Convention of her People, passed an Ordinance assenting to this Constitution, and afterwards altered her own Constitution, to conform herself to the obligations she had undertaken.



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Thus was established, by compact between the States, a Government with definite objects and powers, limited to the express words of the grant. This limitation left the whole remaining mass of power subject to the clause reserving it to the States or to the people, and rendered unnecessary any specification of reserved rights.

Constitutionally speaking, secession is an allowable response to federal overreaching. There is, however, a simpler, less drastic remedy. Nullification.

Simply stated, nullification is a concept of legal statutory construction that endows each state with the right to nullify, or invalidate, any federal measure that a state deems unconstitutional. Nullification is founded on the assertion that the sovereign states formed the union, and as creators of the compact, they hold ultimate authority as to the limits of the power of the central government to enact laws that are applicable to the states and the citizens thereof.

If the people will not allow deviance from the terms of the compact, then legislators at last will be disabused of their commonly perceived illusion that the people can be easily lulled into a lethargic stupor rendering them unwilling and eventually unable to withstand the steady herding of our nation into the corrals of despotism.

Finally, of all the legal verities and moral virtues of nullification, there is one that sits at the pinnacle of them all. Nullification, as defined by Jefferson and Madison and as being proposed and practiced by contemporary Americans, is a fail-safe protection of popular sovereignty and limited government. This is so because the keys to these restraints are held by the people.

A growing number of concerned citizens of this Republic are no longer willing to recur to Congress to repeal unconstitutional laws or to file legal complaints in the hope that the courts will strike down offensive measures. They understand that while perhaps commendable, these tactics are futile and offer no guarantee of the restoration of constitutionally ensured freedom. They refuse to wait on this or that president, this or that congressman, or this or that political party to acknowledge their pleas for relief from federal oppression. Instead, they unashamedly will assume their right and their duty to derail the “long train of abuses and usurpations” and “provide new Guards for their future security” — the states and themselves.

Photo of reenactment of Louisiana secession: AP Images

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