



“Restoring the Republic” Event in Wisconsin Addresses Nullification

“Wisconsin, States’ Rights & the Power of Nullification” was the theme of the [Restoring the Republic](#) conference held September 21 in Pewaukee, Wisconsin. Presented by the Wisconsin chapter of the [Tenth Amendment Center](#), the three main featured speakers were Michael Maharrey, the communications director for the Tenth Amendment Center and the author of [Our Last Hope: Rediscovering the Lost Path to Liberty](#); former Oklahoma State Senator Randy Brogdon, who successfully sponsored legislation nullifying REAL ID in the state of Oklahoma; and keynote speaker Dr. Tom Woods, the nationally acclaimed author of [Nullification: How to Resist Tyranny in the 21st Century](#).



In addition to the [Wisconsin chapter of the Tenth Amendment Center](#), the event was also sponsored by the [Wisconsin chapter of Campaign for Liberty](#), [Wisconsin Liberty Movement](#), [Wisconsin Federation of Republican Women](#), [UW-Madison chapter of Young Americans for Liberty](#), [The Wisconsin 9/12 Project](#), [FVCF \(Fox Valley Conservative Forum\)](#), [Prairie Patriots](#), and [Wisconsin United for Nullification](#).

Kirsten Lombard of The Wisconsin 9/12 Project opened with remarks before giving the floor to Michael Maharrey of the Tenth Amendment Center. Maharrey’s speech focused on the history of nullification. Early in his remarks, Maharrey addressed Mark Levin’s new book, *The Liberty Amendments*, and its proposal for an Article V Constitutional Convention. “If they [Congress, the president, and the Supreme Court] won’t obey the Constitution we have now what makes you think they will [obey] any new amendments to it?” Maharrey asked, before succinctly concluding, “That won’t work.” The only viable solution rooted deep and throughout American history and legal precedent is that of nullification, Maharrey explained.

Maharrey defined nullification as, “those of us with the authority to say no” executing that authority. The individual states as political society,” Maharrey explained, “pre-existed the federal government.” He continued, “The states created the federal government and enumerated power to it.” He cited James Madison’s famous [Federalist, No. 45](#) to emphasize the limits of such power enumerated by the states to the federal government. “The powers delegated by the proposed Constitution to the federal government are few and defined,” Madison wrote, referring to Article I, Section 8 of the U.S. Constitution, which specifically states what few items Congress is actually allowed and authorized to do.

Maharrey explained that outside of those few and defined powers, everything else, all other power, is reserved and resides in the sovereignty of the individual people and in the states, in accordance to the Ninth and 10th Amendments of the Constitution.



Written by [Christian Gomez](#) on September 25, 2013

The second half of Maharrey's speech was devoted to the story of how the Wisconsin courts nullified the Fugitive Slave Act of 1850 in order to allow Joshua Glover, a runaway slave who was living as a free and working man in Wisconsin, to not have to return to bondage as a slave, in accordance to the federal law. Nullification freed a slave and successfully resisted the tyranny imposed by Washington that forced men, women, and children who had escaped bondage to return to the shackles of oppression and servitude. This is a perfect example of both the success of the nullification process and the dispelling of any notions that nullification is a "racist" concept, as is propagated by its detractors.

For more about this historic incident, known as the *Ableman v. Booth* case, refer to Thomas R. Eddlem's *The New American* article entitled, "Ableman v. Booth: How State Nullification Can Defy Tyrannical Government," also [available online](#).

With regard to the unconstitutional tyranny coming from Washington today in the form of ObamaCare, the NDAA (National Defense Authorization Act), federal gun control, and counterproductive drug laws relating to marijuana usage, Maharrey said, "It is time for us to daggonit say no."

Maharrey's speech was enjoyable, educational, and well received by the crowd, who applauded throughout his speech.

Following his speech, he took part in a panel discussion (shown) about fighting the challenges to nullification. The panel was moderated by David Stertz from the Fox Valley Conservative Forum, which meets regularly on Tuesday afternoons at the Machine Shed Restaurant in Appleton, Wisconsin.

The panelists included Michael Maharrey; Tom Woods; Wisconsin liberty activist Michael S. Murphy, who discussed the challenges for law enforcement; and recent law-school graduate and attorney Jennifer Johnson, who discussed the legal and court challenges to nullification.

Michael Maharrey continued to dispel any notions that nullification is racist, again citing the case of Joshua Glover and Wisconsin's nullification of the Fugitive Slave Act. Dr. Woods discussed four case studies that demonstrate how the federal government is unable to compel local and state law enforcement to enforce federal mandates.

Michael Murphy explained how, in the efforts to resist the federal government's unconstitutional actions, it is important to remember that local police and state law-enforcement bodies are not the enemy, but rather are enticed by federal funds and new expensive equipment to follow along with the federal government's actions.

Instead, Murphy encouraged those in attendance to support their local police, letting them know that the people stand with them and encourage them to serve the local people and the Constitution rather than the Feds. Murphy proceeded to encourage everyone to learn more about how they too could support their local police by visiting the ["Support Your Local Police" webpage of The John Birch Society](#).

The next main speaker was former Oklahoma State Senator Randy Brogdon, who delivered an electrifying speech. "Government has become so prevalent in our lives that liberty has become almost nonexistent," Brogdon said.

Senator Brogdon discussed how, back in 2005, he sided with the people of Oklahoma to protect their individual liberty by introducing legislation that eventually and successfully nullified REAL ID in his state. Because of the many states that also opted out of the federal biometric identification card program, Homeland Security Secretary Janet Napolitano eventually conceded that REAL ID "is dead."



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This can be done and it should be done in the state of Wisconsin, and all throughout the United States, Brogdon said, referring to using nullification to stop the unconstitutional onslaught from Washington. Regardless of whether the issue is ObamaCare or federal gun control, nullification is the rightful prescription that the states can take to stop it, Brogdon explained toward the end of his remarks.

Like Maharrey's, Senator Brogdon's remarks were also very well received and popular with the crowd; his speech was both passionate and energetic. After he spoke, one lady looked over to her friend and said, "Oh, he should run for president. We need a president like him." Senator Brogdon, who came in second place in the 2010 Republican Oklahoma gubernatorial primary behind Mary Fallin, has not made any official plans about running for public office again, but neither did he rule out the possibility when asked.

Senator Brogdon also took part in a second panel with Tom Woods, Kirsten Lombard of The Wisconsin 9/12 Project. The panel was moderated by liberty activist Jeffrey Horn. "Education, education, education, and education," Kirsten Lombard emphasized, as she described it as key to turning the tide on the federal government's various unconstitutional overreaches. Unless people are aware and educated about these issues, it will all be for nothing, she explained. Citizen awareness followed by activism is essential to educating others, keeping our elected officials in Washington accountable, and restoring the Republic.

The final speaker of the day was Dr. Tom Woods, who further discussed the virtues of nullification as the only remedy to restrain Washington and restore liberty. In his talk he discussed the original intent and actual constitutional scope of the commerce clause, and how it has been wrongfully twisted to justify unconstitutional legislation passed by Congress, upheld by the Supreme Court, and signed by U.S. presidents of both parties. Like Brogdon and Maharrey who preceded him, Dr. Woods gave an appealing speech of substance, also receiving standing ovations from the crowd. Afterwards, Woods and Maharrey stayed to sign copies of their respective books and to talk a bit further with people.

As Washington continues to show no signs of retreating from its expansionist federal policies, encroachment in the lives of individuals, interference in healthcare, the free market, and violating the Constitution, the battle is not lost. Nor is it far from over, but it could be: "All it takes for evil to succeed is for a few good men to do nothing," Edmund Burke once said. In the case of the Restoring the Republic gathering in Pewaukee, Wisconsin, it is clear that more than just a few good men and women have no intention of doing nothing. So long as the people can be educated about nullification, then hope is not fleeting.

Photo of panel discussion during the Restoring the Republic event



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