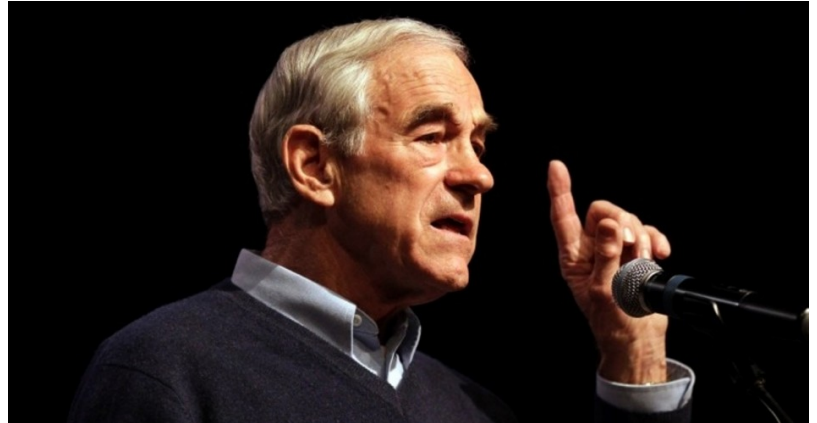




Written by [Joe Wolverton, II, J.D.](#) on November 21, 2012

Ron Paul: Free People Have the Right to Secede

Are states free to secede from the union? While for many years this question was thought to be settled by the victory of the federal army over the Confederacy in the Civil War, the [“long train of abuses”](#) of the federal government (ObamaCare, NDAA, effective abolition of the Fourth, Fifth, and Sixth Amendments, denial of due process to those accused of being “militants,” keeping of kill lists, etc.) has made it relevant 147 years after the end of that bloodiest of conflicts.



As *The New American* [has reported since](#) its inception, there is a grass-roots movement growing in all 50 states to separate from the union as evidenced by the petitions submitted to the “We, the People” page of the White House website.

In fact, every day, thousands of citizens of all 50 states add their names to these unofficial (mostly symbolic) petitions.

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.”

Although many self-appointed conservative spokesmen have [derided the petitioners as “silly”](#) and the [submitting of them “treasonous,”](#) one leading light of the liberty movement is observing the secession issue through a less hysterical and more historical lens.

In [a statement posted on his House of Representatives website](#), Congressman Ron Paul (R-Texas) spoke out in support of the secessionists, saying that their actions “raise a lot of worthwhile questions about the nature of our union.”

Continued Paul:

Secession is a deeply American principle. This country was born through secession. Some felt it was treasonous to secede from England, but those “traitors” became our country’s greatest patriots.

There is nothing treasonous or unpatriotic about wanting a federal government that is more responsive to the people it represents. That is what our Revolutionary War was all about and today our own federal government is vastly overstepping its constitutional bounds with no signs of reform. In fact, the recent election only further entrenched the status quo. If the possibility of secession is completely off the table there is nothing to stop the federal government from continuing to encroach on our liberties and no recourse for those who are sick and tired of it.

Speaking on the recent passage of laws in Colorado and Washington regarding the growth and use of marijuana, Paul makes particularly powerful points in relation to the federal government’s consolidation of all power and the concomitant reduction of states to mere suzerainties of the empire on the Potomac.



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“The people in those states have clearly indicated that they are ready to try something different where drug policy is concerned, yet they will still face a tremendous threat from the federal government. In California, the Feds have been arresting peaceful medical marijuana users and [raiding dispensaries](#) that state and local governments have sanctioned. This shouldn’t happen in a free country,” Paul says.

Moving on to ObamaCare, the former presidential candidate and popular mouthpiece of millions of constitutionalists says that he fears that just as it disregards state sovereignty in matters related to marijuana, the federal government will ignore attempts by various state legislators to halt healthcare mandates at the state borders.

“It remains to be seen what will happen in states that are refusing to comply with the deeply unpopular mandates of Obamacare by [not setting up healthcare exchanges](#). It appears the Federal government will not respect those decisions either,” Paul warns.

Although he sees secession as a legitimate expression of the collective will of the people as manifested through their state governments, Paul describes secession as a “last resort” in the fight to dismantle the ever-expanding federal despotism.

Last resort or not, [a story published Monday by The Hill](#) cites the results of a recent YouGov poll where 22 percent of respondents say they support secession. Although the piece in *The Hill* minimizes that number (“only 22 percent said they supported secession”), that is a statistically significant number of Americans who consider separating from the union a legitimate response to constant federal invasions of privacy, liberty, and state sovereignty. Certainly such a percentage of support of secession would have made headlines in any daily newspaper 20 years ago.

Furthermore, it is unlikely that everyone who participated in the YouGov poll was a signatory to one of the various secession petitions or that everyone who has signed one of the petitions was polled by YouGov. This mathematical assumption makes the [following report from the Christian Science Monitor](#) even more intriguing:

Neal Caron, an assistant professor of sociology at the [University of North Carolina](#), has, with the help of his students, analyzed the particulars of more than 900,000 of the signatures, and his [conclusion](#) is that they represent about 321,000 different people.

The *Christian Science Monitor* story highlights the slightness of that support, hinting that there is little significance to the fact that one-tenth of one percent of the citizens of this country have signed their names to the petitions.

While not wanting to diminish the legitimacy of secession as an act of popular sovereignty, there is, thankfully, an intermediate response to the crisis that is just as constitutionally, legally, and historically sound as secession: 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.

The history of the founding of the federal government supports this thesis.

The United States was organized as a confederation of independent republics (see [Article 4, Section 4 of the Constitution](#)) subject to the management of a central government empowered to act only for



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“certain defined national purposes.”

As a matter of fact, a national government was not created at all; a federal government was established. As William Patterson said at the Constitutional Convention on June 9, 1787, the government he and his colleagues were deliberating would be a federal one, “with sovereignty in the members composing it.”

During the state ratification conventions, the question of the nature of the government proposed by the Constitution was a major point of debate between friends and foes of the product of Philadelphia.

One of the letters written by the so-called “anti-federalist” calling himself Brutus described the arrangement that typified a “confederated government”:

The idea of a confederated government is that of a number of independent states entering into a compact, for the conducting certain general concerns, in which they have a common interest, leaving the management of their internal and local affairs to their separate governments.

Nathaniel Ames of Massachusetts shared Brutus’s understanding of federalism:

The state governments represent the wishes and feelings and local interests of the people. They are the safeguards and ornament of the Constitution — they will afford a shelter against the abuse of power, and will be the avengers of our violated rights.

In the Virginia Resolution of 1798, Madison reaffirms this fundamental principle of constitutional construction:

Encroachments springing from a government, whose organization cannot be maintained without the co-operation of the states, furnish the strongest excitements upon the state legislatures to watchfulness, and impose upon them the strongest obligation, to preserve unimpaired the line of partition.

And, finally, a clear, contemporary echo of Madison’s thoughts from Dr. Ron Paul:

In a free country, governments derive their power from the consent of the governed. When the people have very clearly withdrawn their consent for a law, the discussion should be over. If the Feds refuse to accept that and continue to run roughshod over the people, at what point do we acknowledge that that is not freedom anymore? At what point should the people dissolve the political bands which have connected them with an increasingly tyrannical and oppressive federal government? And if people or states are not free to leave the United States as a last resort, can they really think of themselves as free?

Photo of Ron Paul: AP Images

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