

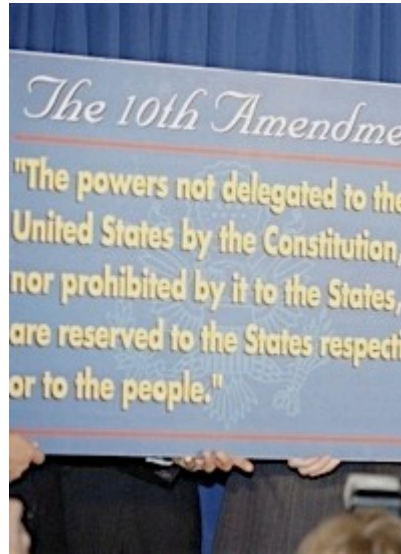


Written by on January 28, 2010

## The Upcoming Tenth Amendment Summit

For the first time in perhaps generations, the people of the states are demonstrating their disgust with the actions, policies, principles, and philosophies of the federal government. People who have attempted to change Washington, D.C., by playing by "their rules" have reached an end to that game of charades. To many, it has become all too clear that controlling the federal government through the three branches of the federal government alone is insufficient.

In *Federalist Paper 48*, James Madison warned:



Will it be sufficient to mark, with precision, the boundaries of these departments, in the constitution of the government, and to trust to these parchment barriers against the encroaching spirit of power?... The conclusion which I am warranted in drawing from these observations is, that a *mere demarcation on parchment of the constitutional limits of the several departments, is not a sufficient guard* against those encroachments which lead to a tyrannical concentration of all the powers of government in the same hands. (Emphasis added.)

What is a sufficient guard? The Founding Fathers actually incorporated myriad guards into the new federal system of government: They not only crafted a system of checks and balances among the three branches of the federal government — equipping each branch with means to check encroachments by another branch — they also preserved states rights, opting for a "compound republic" as opposed to a "single republic" as Madison explained in *Federalist Paper 51*:

In a single republic, all the power surrendered by the people is submitted to the administration of a single government; and the usurpations are guarded against by a division of the government into distinct and separate departments. In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself.

Many Americans who want to return the federal government to its constitutional moors are rediscovering the truth that the states are not provinces or political subdivisions of the federal government but are themselves republics and possess sovereignty as acknowledged and confirmed by the Tenth Amendment in the U.S. Constitution: "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." Put simply, the states can reassert their sovereignty to rein in a runaway federal government!

While many in the United States may have little understanding about what state sovereignty is, what it means, and how it relates to our form of government under the U.S. Constitution and individual state constitutions, the reality of its existence is all too clear and undeniable.



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In 2010, there are many candidates running for state positions whose campaigns stand on the platform of state sovereignty. In fact, some of them have signed a public petition, known as the "Ten-Four Pledge," sponsored by Michael Boldin on his website, [www.tenthamendmentcenter.com](http://www.tenthamendmentcenter.com). In this Pledge, these candidates promise to uphold and advance the principles of federalism and separation of state and federal powers. Essentially, federalism recognizes a state's sovereign power to resist encroachments upon its own retained powers in the tenth amendment, whether those encroachments come from foreign or domestic governments — even the federal government. To this end, these candidates are willing to take action.

One such candidate is Ray McBerry, who is a candidate running for governor in Georgia. McBerry recognizes that one of the purposes of a governor of a state is to protect the citizens of that state from unlawful and unconstitutional usurpations — yes, even the federal government's usurpations. McBerry's very first issue addressed on his website is this:

*Federal Attacks Upon our Liberties.* The constitutional Republic given us by our Founding Fathers is in great peril today at the hands of an out-of-control federal government; and our states are now the final guardians of our liberty. It is the privilege and duty of the governor to interpose himself between his people and the enemies of their liberty, even when that threat comes from a federal leviathan. As governor, I will take that stand for the people of Georgia and will invoke the doctrine of interposition on their behalf... Our day requires a governor who will dare to defy the federal bureaucrats and say plainly, "Get the hell out of our business; and leave my people alone." No other candidate for governor will take this stand... I will.

McBerry and some of those who share the views of federalism, which were once highly and overwhelmingly accepted in the United States, have headed up a summit in Atlanta, starting on February 25-26. It is called the Tenth Amendment Summit. The stated purpose of this summit is to "return to State Sovereignty." To the studied person, returning to State Sovereignty has numerous implications affecting the structure, power, and strength of the federal government. It is no wonder that the Tenth Amendment is becoming a vision of freedom-thinking people.

Among those attending are Judge Andrew Napolitano, former Alabama Chief Justice Roy Moore — and of course Ray McBerry — with McBerry's Georgia First being the host of this event. On January 26 *The New American* interviewed Ray McBerry concerning the principles of freedom, our union, the Tenth Amendment, the U.S. Constitution, and his campaign for governor of Georgia. This is what McBerry had to say.

***The New American:*** What is the purpose of the Tenth Amendment relative to federal usurpations and encroachments upon our liberty?

**Ray McBerry:** The tenth amendment to the US Constitution acknowledges the individual sovereignty of the states and serves as a final peaceful check and balance in our federal system upon the usurpations of the federal government regarding powers they were not granted in the U.S. Constitution, especially when the three federal branches do not hold each other accountable to the true meaning of the Constitution.

**TNA:** What is the political philosophy behind the tenth amendment as it relates to resisting federal usurpations?

**McBerry:** Article 1, section 8 of the U.S. Constitution enumerates the entire scope of Congress and anything outside that sphere can rightly be nullified or resisted by one or more of the states. This is to



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say, any law contrary to the Constitution is null and void, without effect. States created the U.S. Constitution and the federal government through that ratification. The States maintained lines of sovereignty and concurrent power, which they never ceded to federal control. When these sovereign states determine that their powers and their citizens' liberties are being infringed by the federal government, they have the natural and constitutional right to defend their powers. One way for them to do this is through what is commonly known as Nullification. Nullification in fact has been utilized in every region of the United States since 1787 and is completely an American idea which has served to effectively check the federal government against encroachments upon state sovereignty and personal liberty. Today we see the crucial need for states to use their sovereignty in this manner.

**TNA:** What is the goal for Ray McBerry's campaign for governor of Georgia?

**McBerry:** To provide Georgia with a clear constitutional conservative choice for governor and to advocate and implement the principles of freedom in the republic of Georgia."

**TNA:** "What is the goal for the Tenth Amendment Summit?

**McBerry:** Numerous state and federal candidates throughout the United States who are running on the Tenth Amendment and state sovereignty platform asked us to host a State Sovereignty summit. We were at first disinclined to host one because of the time constraints upon us resulting from our campaign. But after having received so many requests and being looked at as the leader of this great State Sovereignty movement, we decided that we cannot afford not to host this event.

So we decided to host and provide this Tenth Amendment Summit from February 25-26, 2010 in Atlanta, GA. Our desire is that we will (1) obtain national awareness concerning the State Sovereignty movement; (2) provide a platform for these candidates who are running on tenth amendment platform; (3) join forces with those who understand the principles of true check and balance in our federal system and effectively attain those goals within our respective states.

McBerry, of course, is not the only one candidate running for governor who is highlighting the need for states to reclaim their sovereignty and push back federal forces. A couple of other candidates running for governor on this platform are Debra Medina in Texas and Randy Brogdon in Oklahoma. Medina's platform consists of the this:

*Restore Sovereignty:* The U.S. Constitution not only protects citizens' freedoms in the Bill of Rights, it also divides power between the federal and state governments and ultimately reserves final authority for the people themselves. Texas must stop the overreaching federal government and nullify federal mandates in agriculture, energy, education, healthcare, industry, and any other areas D.C. is not granted authority by the Constitution.

Similarly, Brogdon has strongly advocated for state sovereignty resolutions and laws. Brogdon has used his position as state senator in Oklahoma to declare to the people of the United States and to the federal government, "That the State of Oklahoma hereby claims sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States." (See: ["Oklahoma House Passes Sovereignty Bill,"](#) by Jerome R. Corsi, February 25, 2009.)

Brogdon has made it know that "the elimination of our freedom is alive and well in the United States, and [that his] goal as governor would be to stand against an over-reaching and tyrannical federal government that is reaching into the lives of Oklahomans right now." (See: ["Candidate Runs for Governor on Constitution,"](#) by Jerome R. Corsi, September 22, 2009.)



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The "freedom movement" is no longer confined to writing your Congressman or voting for a candidate for federal office. More and more people are also acting through their state government, recognizing that their state government can block and roll back the federal juggernaut. This Tenth Amendment movement is apparently just the beginning of what many consider to be restoring freedom in the states of America. Indeed, the circumstances of American politics seem ripe for the revived message of limited government, separation of powers, checks and balances, and meeting power with power; or simply put, drawing lines in the sand for freedom's sake.

*Photo: AP Images*

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