

LIBERTY PARK INN®

A Syndicated Column

Name: *Secession Fever*

By: David Henry © 2012

“Hi, Julie! What do you think about the petition drive to secede from the union,” I asked? “Do you think that might actually happen?”

“Nope,” Julie replied without any hesitation. “There isn’t the slightest chance that any state will secede from the union because of these petitions. However, the number petitions and the number of people who have signed them do highlight the frustration the American people are feeling about the way our government is routinely violating our constitutional rights.”

“I agree,” I replied. “And a lot of people have signed these petitions. Just this morning I was on a website that shows the progress of these petitions and there are nearly a million signatures so far. Every state has at least one of them and at least seven of the states have exceeded the number required to elicit a response from the president’s staff.”

“That’s what I mean, David,” Julie replied. “People want the government to stop treating the constitution like it doesn’t matter. But most people have no idea what we can do to actually make our government obey the law, so they just sign a petition.”

“Well, at least it’s making a statement about their unhappiness with the current situation,” I replied.

“That’s true,” Julie acknowledged. “But no state is actually going to secede from the union. Even Texas, which has an economy larger than many of the countries in the world, won’t secede from the union. Governor Rick Perry has made it clear he is not in favor of secession.”

“What do you think about the counter-petition that is suggesting that citizenship be taken away from the people who have signed the petitions to secede from the union,” I asked?

“That would be an illegal request,” Julie replied. “As ineffective as the secession petitions are, they are at least legal. We do have the constitutional

right to secede. But to suggest taking away a person’s citizenship for exercising his right to free speech is an unconstitutional concept.”

“That’s true,” I replied.

Julie continued, “Our founding fathers were clear about limiting our government’s powers. They understood that centralized power is dangerous. James Madison explained that the powers delegated to the federal government were ‘few and defined’ while the powers left to the states and the people were ‘numerous and indefinite.’ And regarding secession, although Thomas Jefferson considered secession an ‘evil’ thing, he considered ‘submission to a government without limitation of powers’ to be far worse.”

“Well then, what do you think about Justice Scalia’s comment that the civil war proved that states have no right to secede,” I asked?

“I respect Justice Scalia,” Julie replied. “But on this issue I have to disagree with him. The fact that the South lost the war did not change the constitution. It just means their attempt to secede was unsuccessful.”

“Well then,” I asked, “how are we supposed to reign in our out of control government?”

“The easiest and most effective option we have available is the one that was given to us in our federal constitution - Nullification. Our founding fathers made it clear, that in specific cases, juries were to have the right to nullify laws they believed were wrong. And state and local governments were to have the right to ignore or to pass laws to nullify the laws that are unconstitutional.”

“Ok,” I replied.

Julie continued, “My observation over the years is that both liberals and conservatives are concerned about the loss of our constitutional freedoms. This is an area where liberals and conservative agree and even work together. And I understand that organizations such as The Tenth Amendment Center are experiencing a bi-partisan surge in membership.”

“That’s interesting,” I replied. “But how does nullification play out in the

real world?”

“Well, for example,” Julie answered, “many people are concerned about NDAA, the National Defense Authorization Act. In sections 1021 and 1022 the federal government is given the right to ‘indefinite detention of persons apprehended within the United States without charge or trial.’ Amazingly, the administration is defending this provision vigorously in court. But it’s clearly unconstitutional to arrest and detain a person with no charges being filed against them. So Texas is working on legislation right now that would make it illegal to cooperate with this unconstitutional law in their state. And any federal government worker who attempts to enforce this illegal provision in that state could be fined \$10,000 and go to jail for a year. Another law that was stopped is the Real ID Act of 2005. Although it remains on the books, it has been effectively nullified because over two dozen states have refused to implement it. And states are taking stands in other areas as well. So there is something we can do about it when the government violates the constitution. We just have to do it properly.”

“That makes sense,” I replied.

Julie continued, “The bottom line is that the American people want our government to return to the principles this nation was founded on. And we need to do everything in our power to make that happen.”

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Freedom: Freedom is a cherished right in this country, but our government is slowly and steadily taking our freedoms away from us. We need to put our foot down and demand that they stop. The secession petitions will not work. But this week’s column suggests what we can do to stop this illegal and unconstitutional activity.

Liberty Park Inn® is a syndicated column about issues and current events featuring conversations in an imaginary hotel. You may contact the author through his website at www.libertyparkinn.com.