

## State of Sovereignty in Georgia

By: **Susanne Merchant**  
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extremely limited.

The Articles failed because Congress had no power to compel the states to do anything. The states and its individuals strayed into in political and economical disarray, mainly as a result of being bankrupt after the Revolution.

The Confederation Congress called for a meeting to take place in Philadelphia in May of 1787 for the purpose of revising the Articles of Confederation. But unknown to the people at the time, James Madison was preparing for the upcoming convention with a plan to form a central sovereign government that would be the ultimate authority, with the power to compel the states to act. And though that is what ultimately happened, the continued sovereignty of the states was always at the forefront of the intent of those who wrote the Constitution.

The Constitution gave the federal Congress specific and limited powers, all listed in **Article I, Section 8**. The 10th Amendment declared that if a power given to the federal government was not on that list, the power was retained by each state individually.

The sovereignty of the state has substantially diminished since the Constitution was ratified in 1791. The federal government has asserted its authority over the states in myriad ways. One of the most familiar is through federal mandates. The government will issue an order and require all state and local governments to comply with its terms. If Congress determines that it might not have the Constitutional authority for a certain mandate, it will find a way to make states comply. This typically happens through economic coercion.

For example, back in the 1970's states began lowering the drinking age to 18. It became readily apparent what a bad idea this was when the death rate among teens dramatically escalated through drinking and driving accidents.

The federal government issued a mandate, known as The Federal Aid Highway Act, that states that did not raise the drinking age back to 21 would lose funding for its highways. South Dakota sued to challenge the law (South Dakota v. Dole), as being a violation, in part, of the 10th amendment. The Supreme Court found that Congress has very wide authority to state the conditions under which it will spend federal money. If that means that a state has to do certain things in order to qualify for the federal money, that is perfectly Constitutional.

In some cases, in a move that is very economically oppressive, Congress will issue unfunded or partially funded mandates. In those cases it is up to the states to come up with the money to do what the Federal Government wants. An example of this is **No Child Left Behind**. If a state does not comply with this law, the government withholds funding for education. In the crisis of today's economic climate, states are beginning to rebel.

On April 1, 2009, **the Georgia senate passed Resolution 632 (SR632)** affirming states rights based on Jeffersonian principles, and asserting its rights under the 10th amendment to the U.S. Constitution. So what might be the effect of Georgia claiming sovereignty under the 10th Amendment? Will it have any? Or is it an empty gesture, relevant to nothing.

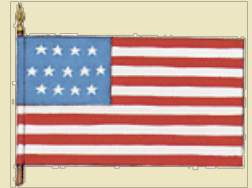
There is a rapidly growing movement among individual states to assert their right to self-government under the 10th Amendment to the United States Constitution. The 10th Amendment declares "powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." What does an assertion of sovereignty by an individual state accomplish?

When this country was founded, we had the 13 colonies, all sovereign states, each with its own government. This tradition of state sovereignty became deeply ingrained in the psyche of the American people, and this has never changed. "[Treaty of Paris \(1783\)](#)".

In 1781, **The Articles of Confederation** were ratified. The Articles legally established the union of the states, making them a confederation with a central government to oversee aspects of the confederation. The authority given to the centralized confederation government was

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First of all, it puts the federal government on notice that Georgia demands it cease and desist certain mandates. With a growing number of states doing the same thing, the demand becomes louder and more insistent.

Second, it provides a consensus among Georgia legislators to take further action towards more extensive autonomy. But in order to pursue further action, the people of the state of Georgia will have to acquire and maintain a steely resolve to give up some sources of federal funds, and then vote for the leadership that will responsibly follow through on best utilizing a change in economic resources.

With Georgia's resolve to assert its 10th amendment rights, there are actions the state can pursue. If Georgia determines a federal law or mandate is unconstitutional, Georgia can make such a finding, and further find that any broad, public policy goals of such laws would be met by the state and/or local governments.

Georgia could support a proposal for an amendment to the Constitution that would allow a percentage of the states, through respective state legislatures, to invalidate a federal law by declaring it to be unconstitutional. And then there is the option of Georgia just refusing to comply with a federal mandate.

All pursuits in support of reclaiming the sovereignty of Georgia will require its citizens to enthusiastically endorse the actions taken. It will ultimately require sacrifice in the form of potentially higher state taxes and/or reduced public benefits. But it will also allow the citizenry to be much closer to, and therefore be more effective, in asserting its will on state and local governments, the entities that will have acquired more control over how the tax dollars are spent.



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more...

## You Have a Right to Be Heard.

By: **Paul Scheib**  
November, 2009



I have been so tired. I am struggling in the face of unbelievable adversity that is life in America today. I am worried about my family's future and I am fearful of what my government is doing.

Like so many of you, I have written letters, made phone calls, sent emails, stood with my sign held high, and cheered when more than a million let their voices be heard in Washington DC.

As someone that receives a lot of emails on what is happening politically, socially, and culturally, I get a sense of the mood in our republic. It seems we have all needed a much deserved rest. Since the March On Washington September 9th, things have been pretty quiet.

Here is the bad news. That is what our professional politicians want. Representative Charles Rangel of New York has gone far enough to say that the concerned citizenry "will get tired and just give up." I am sure he is not alone in that sentiment.

In the last few weeks the chatter has risen telling me that the left is mobilizing again to ram their agenda through, (Think **Healthcare legislation** that just cleared the Senate Finance Committee.)

There is good news. Americans are waking up. **Eighty three percent** now say governmental ethics is our most pressing issue.

People are responding to the message that they have a right to be heard when they ask why. We must continue to press the fight, to get more active so that the left stays off balance.

**The Georgia 9-12 Project** is working to [connect people across the state](#). I believe strongly that we all must reconnect with our neighbors; because they will be the people that you will turn to if the need arises.

So if you have are organizing an event or want to form a group to get active let us know. We will post it on our [calendar](#) and work to spread the word to get you support.

I know I have to do my part so I have been carving out time to work on this news letter. I feel like this one small thing that I can do to carry on the fight. My question is 'what are you working on?'. [I would really like to know.](#)

