



A Stark Contrast Between Liberty and Tyranny

Does the U.S. Constitution limit the federal government to a few, specifically enumerated powers, with all other powers retained by the states or the people? Or is it a blank check for tyranny? These questions have been at the center of America's national debate since the Constitution was submitted to the states for ratification in 1787.



At a July 24 town hall meeting Rep. Fortney "Pete" Stark (D-Calif.) offered up the quintessential political elitist's answer to the question of whether or not the Constitution limits the federal government in any meaningful way. Said Stark: "The federal government ... can do most anything in this country."

On the one hand, Stark was correct that the federal government has arrogated to itself the power to do whatever it wants and therefore is able to do so. On the other hand, based on his other remarks in response to the questioner, it is clear that Stark actually believes that the Constitution presents no real challenge to the notion of unlimited federal power, which explains why he scored a whopping 13 percent on *The New American's* latest [Freedom Index](#).

The woman who interrogated Stark possessed an excellent grasp of property rights and of the intent of the Constitution.

She began: "Mr. Stark, I heard you say this morning that healthcare is now a right rather than a privilege because of legislation that passed earlier this year. But such a right is actually beyond the power of the federal government to confer, and this is because ... it necessarily infringes the inalienable rights of other people."

How does legislating a "right" to healthcare infringe on others' rights? The woman continued: "In order [for one person] to get healthcare services, those services have to be rendered by somebody else, using their time, their energy, their knowledge, and their labor. And this means that if any of us want healthcare and we have a right to it ... then we necessarily have the right to compel others ... to provide for those services or to pay for them for us." This, she declared, is "slavery," which is expressly prohibited by the Thirteenth Amendment.

Then she hit Stark with her two questions: (1) "How can legislation such as this be constitutional when it seems to be in direct conflict with the Thirteenth Amendment, which abolished slavery?" (2) "If this legislation is constitutional, what limitations are there on the federal government's ability to tell us how to run our private lives?"

After a long pause, the congressman responded, "I think that there are very few constitutional limits that would prevent the federal government from rules that could affect your private life. Now the basis



Written by [Michael Tennant](#) on August 4, 2010

for that would be, how does it affect other people?”

His interlocutor interrupted, saying, “Well, sir, the Constitution specifically enumerates certain powers to the federal government and leaves ... all other authority to the states.... And it specifically prohibits slavery. And when you tell somebody, ‘You have a right to get a service from another,’ that’s essentially saying you get to make that person do something for you, and, sir, that is a form of slavery. So my question is, how can this law be constitutional? But more importantly than that, if they can do this, what can’t they?”

The audience erupted in applause.

After the applause died down, Stark offered up his now semi-famous retort: “The federal government, yes, can do most anything in this country.”

The booing that followed was even louder than the prior applause.

The woman who had questioned Stark shouted, “You, sir, and people that think like you are destroying this nation,” and the applause began anew.

Stark, secure in his place in Congress (he’s in his 19th term), shot back, “Well, I’m sure glad you’re here to save it.” Then he added, under his breath, “That makes me very uncomfortable.”

As well it should. Informed, freedom-loving voters like the woman at the meeting are a threat to the power elite. Likewise, when one of them (Ron Paul, for example) manages to get elected, he can make life rather uncomfortable for those who prefer power and pelf just by his own example. Worse yet, from the elites’ perspective, if he actually steers policy in the direction of more freedom, Stark and his ilk find themselves with less control over Americans’ lives and thus less influence to sell to the highest bidder.

May more voters make Stark — and every other Constitution-defying politician — squirm.

Thumbnail photo: Rep. Fortney “Pete” Stark



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