



Written by [Joe Wolverton, II, J.D.](#) on August 22, 2011

Federalism: The Cure for Our Constitutional Crisis

While the debate over the raising, lowering, or demolishing the debt ceiling is new(ish), the fact that the federal government's financial house is in disorder is a situation that has existed for over a century. The last few Presidents (of both parties), in collusion with an all too compliant Congress (regardless of which party was in the majority), have spent money on a scheme of government expansion that would drive any nation into the abyss of fiscal desolation in which America now finds itself.



For example, Democrats, whether in the White House or on Capitol Hill, zealously protect their core bloc of voters by throwing themselves in front of any legislative attack on any of the myriad entitlement programs that assure their electoral success and support.

Republicans, on the other hand, are equally vigilant in their watch over the corporate welfare that lines the pockets of their big oil, big bank, military industrial complex-connected cronies. Some of this money, they rightly assume, will find its way into their own campaign coffer, thus perpetuating the cycle of deceit and destruction.

In a constitutional analysis of the misplaced loyalties of the two major political parties and the eviscerating effect they have on the economic stability of our country and the long-term existence of the Constitution upon which it is built, we find that there is more than profligacy at the heart of our current dire situation.

While the dedication on both sides of the aisle to careering headlong into the unforgiving brick wall of bankruptcy is reckless and deplorable, it isn't the spending that is the disease eating away the very nerves and fibers of this nation.

Fortunately for us and our posterity, within the four corners of our founding charter are found both the cause and the cure of the malady threatening the body politic.

Our Founding Fathers spoke often of the sovereignty of the several states and of the restraint on unchecked growth that they were meant to be on the federal authority. Witness this statement from Alexander Hamilton in *Federalist* [Number 28](#):

It may safely be received as an axiom in our political system that the State governments will, in all possible contingencies, afford complete security against invasions of the public liberty by the national authority.

And this from James Madison from the same set of [letters](#):

But ambitious encroachments of the federal government on the authority of the State



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governments would not excite the opposition of a single State, or a few states only. They would be signals of general alarm.

By another name this ingenious structure is known as federalism. This uniquely American experiment was declared by the "Father of the Constitution" to be the only form of government "reconcilable with the genius of the people of America."

Given the sine qua non of this vital aspect of our governing structure, it should be alarming to all the citizens of this republic that our elected representatives have ignored this fundamental principle (often purposefully); worked year after year, decade after decade to demolish the walls that protect the sovereign states from unlawful and unconstitutional attacks by the federal government; and have passed one bill after another that increases the size of the behemoth on the Potomac and makes resistance to its usurpations nearly futile.

This assault on federalism is not limited to those presently occupying offices in Washington, oval or otherwise. Potential presidential candidates espouse a variety of causes that betray their ignorance on the importance of the perpetuation of our federal structure.

State sovereignty, of course, is one of the two legs upon which federalism stands. The other is a federal government endowed with a very specifically limited enumeration of powers.

It is often difficult for self-proclaimed advocates of the Tenth Amendment to accept the full panoply of possibilities present in that one little sentence of constitutional and republican genius.

For example, there is no constitutional grant of authority to the federal government to establish rules for marriage, immigration, health care, or education, yet with the exception of Ron Paul, the entire slate of Republican candidates for President supports one or more of the preceding initiatives.

Why would these soi-disant proponents of small government reach so deeply into their pockets to surfeit big business's appetite for tax breaks, grants, sweetheart loans, and bailouts? Regardless of the rhetoric, these "Republicans understand they can't cut as deep as necessary and with a few notable exceptions, don't really want that," [writes Bill Flax in Forbes](#). "They spend too, just on different constituents."

On the other side, the *Forbes* piece notes, "Democrats realize it's much easier to spew class warfare than devise meaningful plans. Besides, increased dependency trends well for their statist tendencies. [Treasury Secretary Timothy] Geithner we're up to [80 million](#) checks a month."

Everyone is familiar with the dance. And, although the dancers occasionally rotate, the beat remains the same. That is likely due less to the fact that Americans aren't bothered, than by the fact that the same coterie of DJs has been spinning the records for at least 80 years.

How does that familiar tune go? Republicans brand Democrats as "tax and spend liberals" who are closet socialists. Democrats slam Republicans for being mean to seniors, children, the poor, and minorities. Neither side is ready to make any admissions against their own interests and rededicate themselves to timeless and proven principles of federalism.

A brief restatement of the situation was provided by the [Forbes](#) piece quoted above:

If Boehner doesn't budge on taxes, Obama threatens to deny social security. Like a local school board who loses a levy and stops busing, politicians relish punishing recalcitrant taxpayers. Obama would rather slam seniors so he can blame Republicans than lead. Washington underwrote a study measuring the impact penis size has on the sex lives of gay individuals. There is plenty to



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cut before curtailing payments to retirees.

Another understood, though unspoken, truth is that if something doesn't change quickly and drastically, then the brilliantly illuminated fabric of our republic will continue unraveling until all that remains is a tattered cloth suitable only for inspection by historians and archeologists. For example, during the debt ceiling pantomime, Republicans, specifically Paul Ryan, offered a "Cut, Cap and Balance" proposal that, despite its name, called for increases in spending and the national debt (the "cuts" were only cuts in future projected increases; they were not cuts in the absolute sense).

The *Forbes* piece described the flaw in the plan: "Both plans maintain the fatal flaw of social spending: federal involvement."

And what of the much-touted block grants, beloved by "conservatives" and neo-conservatives alike.

Block grants would likely improve efficiency, but why even involve federal agencies? Why funnel money to Washington and back just so Congress can attach strings? These programs ought to revert entirely back to states. Such would honor the Founders' intent and put decisions closer to taxpayers keeping them engaged. State governments, sans printing presses, might even better maintain fiscal discipline.

Again, the cure for all the nonsensical and nefarious half-measures (many if not most of which are created, designed, and promoted by the same shadowy cabal of globalists) is a rapid return to the safe harbor of federalism.

A reinvigoration of the sovereignty and manly spirit of resistance among the states is the remedy for most of what ails the country. Constitutionals know that less talk of "cutting spending" or "reducing the size of government" and more undiluted talk of holding our elected representatives accountable for every vote cast that permits the federal government to exceed the boundaries of the narrow, specifically defined sphere of authority that was originally granted it by the states and the people.

Photo: Statue of George Washington in front of Federal Hall National Memorial in New York.



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