



Written by [Bruce Walker](#) on September 23, 2010

Evaluating the “Pledge to America”

Republicans have announced a new “Pledge to America,” a deliberate reference to the 1994 “Contract with America” which helped propel Republicans into control of the House of Representatives. The 1994 Contract did not bind the Republican Party, but only House Republicans who signed it. The Contract did not promise to pass legislation — the incoming Speaker of the House starting in January 1995, Newt Gingrich himself — pointed out before the election that Republicans in control of the House could not promise to pass legislation, even through the House. The Contract, instead, promised to bring measures up for a vote in the House, a relatively simple and straightforward pledge that was completely honored down to the letter of the Contract. The Contract also was short. It fit on one page. The new “Pledge to America” is very different.



The introductory remarks are right on the mark: America is an idea an idea that free people can govern themselves, that governments powers are derived from the consent of the governed, that each of us is endowed by their Creator with unalienable rights to life, liberty, and the pursuit of happiness. Then the Pledge delves into language which is right, in some ways, but appears to make assumptions contrary to the Constitution: An arrogant and out-of-touch government of self-appointed elites makes decisions, issues mandates, and enacts laws without accepting or requesting the input of the many.

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That is all true. But the core problem is not an out-of-touch government acting without the consent of the governed. The problem is a philosophy toward government which allows the unconstitutional usurpation of power from sovereign states and from individual citizens. Violations of constitutional government may often be very popular. We should hope, as Americans, that we have learned that government, particularly the federal government, has absolute limits on what it may do, regardless of the will of the majority, but the tyranny of the majority is just as wrong as the tyranny of the few.

Happily, the Pledge then moves back to that idea: We pledge to honor the Constitution as constructed by the framers and honor the original precepts that have been consistently ignored [Amen!] particularly the Tenth Amendment, which grants that all 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. That, really, is the crux of the burning issues of our time. The Pledge promises that every bill [will] contain a citation of Constitutional authority. If truly honored in spirit as well as in letter, this would be transformative. The danger a fairly obvious danger is that this citation of Constitutional authority may



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become a rubber stamp referencing the Interstate Commerce Clause or the General Welfare Clause of Article I.

Then the Pledge melts into Washingtonian policy wonk mindset. About the Stimulus, it asks Where are the jobs? That elides the proper question: Where was the authority to spend trillions on stimulating the economy? The unstated assumption is that if the Stimulus had actually created jobs built, say, an Autobahn across America then the Stimulus spending would have been proper. Lust for power in national governments does, inevitably, lead to failed policies (indeed, those in power have a vested interest in the failures of their policies.) But that is not the point. If Obama had sent every American a voucher for \$3,000 which could be spent on a new car, so that a family of four could buy a modestly priced new car, it might have caused car sales to skyrocket. So what? Even clever policies built on unconstitutional foundations ultimately fail and steal liberty.

The Pledge highlights through graphs the Byzantine nature of federal departments, which stretch out into webs of authority and accountability which insure, in practice, that no one is accountable for anything. Glib jots of facts about the amount of money that the federal government spends, which are included in the Pledge, are helpful reminders of the consequence of unbridled federal power. Repudiation of certain bad policies, like card check for big labor elections is wise and so is a vow to try to preserve the Bush tax cuts. Promises to push for enforcement of our borders are praiseworthy too. Perhaps an America that has been so separated from its foundational principles needs to be enticed back into limited government, particularly at the federal level. There is nothing wrong with advocating a halt to increases in discretionary spending, insisting that federal legislation have at least a nominal connection to constitutional authority, keeping current tax rates from rising, and the like. All those policies, however, once enacted will only move us a bit closer to the Constitution: marginal reform will not complete the necessary journey home for America.

Photo: House Minority Leader John Boehner of Ohio, center, holds up a copy of the GOP agenda, "A Pledge to America," Sept. 23, 2010, in Sterling, Va: AP Images



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