



Revised History

The Roots of Nullification

By Al Benson April 21, 2021

Nullification does not seem to be a popular subject with many who write about the Constitution. In preparation for this article, I checked out several books in my library written by those who had dealt with the Constitution and with the early days of this country. In most cases I found that the term “nullification” was not even included in the index of the book, which means the author did not bother to deal with it.

The one book I did find that dealt with it in a meaningful way was one written by my friend, Dr. Archie P. Jones and published by **American Vision** <http://www.AmericanVision.org> This book is *The Gateway to Liberty—The Constitutional Power of The Tenth Amendment* and this book was published back in 2010. This is an informative book, and I would recommend it to those who have an interest in the Tenth Amendment. You will learn from what Archie has to say.

He deals with nullification on pages 65-68 and deals with the Bill of Rights and the need for it on pages 108-110. I will give readers some of his commentary here in the hope that you may be interested in getting the book.

Archie writes: “The principle of nullification is essential to federalism, for without it, the state governments are largely defenseless against power-hungry, unscrupulous central government encroachments and usurpations. Nullification laws are laws enacted by a state legislature declaring unconstitutional ‘federal’ (central government) laws to be without authority in the state and rendering such laws inoperative in that state. Without the right of nullification, a state has only the influence it can exert through its elected representatives in the central government to restrain and oppose central government usurpation of the state’s power and authority.” And let’s be honest here—how many of our elected representatives in Sodom on the Potomac are really concerned with protecting the rights of the folks back home? Not nearly enough! Oh, there is a handful that are, but it *is* only a handful. The rest are busily trying to sell us out to the New World Order because that is where their true allegiance lies—not to the folks that elected them.

Archie continues: “Nullification is a form of interposition; it is a means by which the state’s civil government officials can protect the lives, persons, property and liberty of the people of their state against unconstitutional laws and actions emanating from the ‘federal’ or central government. By extension, if other states are persuaded to join in enacting and enforcing similar legislation, nullification protects the liberty and wellbeing of the people of the whole United States against unjust and unconstitutional laws promulgated by the central government. As a form of interposition, nullification is more than a right of a state’s civil government: it is a moral duty of a state’s civil government and its officials to protect the moral and constitutional liberty of that state’s people against injustice and illegality emanating from the central government...The most important institution of civil government for protecting our liberty in the complex system of civil government bequeathed to us in our Constitution is the government of each state...Obviously they intended the civil government which most affected the lives of Americans to be the state government, not the national government.”

Unfortunately, it has not worked out that way. Too often the federal government has enacted all manner of laws and executive decrees that do not pass constitutional muster, and no one has objected to them—least of all our elected representatives!

Nullification, if enacted by the states will begin to shut down this process of our being forced to follow decrees and mandates that are clearly unconstitutional.

I have to note here also that the Kennedy Brothers, Ron and Donnie, have been advocating nullification in their recent books *Dixie Rising—Rules for Rebels*, and *Be Ye Separate—Bible Belt Revival or Marxist Revolution*.

The fact that several states are now seeking to enact nullification laws in response to federal tyranny shows that this is an idea whose time has come, and the states had better start enacting nullification laws to protect their residents lest we end up becoming just another Communist dictatorship, ruled by a group with an unquenchable lust for power.