

★ THE CASE FOR ★
STATES' RIGHTS

ADAM FREEDMAN

AUTHOR OF *The Naked Constitution*

A Less Perfect Union The Case For States Rights

Robert Allen McGuire



A Less Perfect Union The Case For States Rights:

Prohibition, the Constitution, and States' Rights Sean Beienburg, 2019-06-20 Colorado's legalization of marijuana spurred intense debate about the extent to which the Constitution preempts state enacted laws and statutes Colorado's legal cannabis program generated a strange scenario in which many politicians including many who freely invoke the Tenth Amendment seemed to be attacking the progressive state for asserting states rights Unusual as this may seem this has happened before in the early part of the twentieth century as America concluded a decades long struggle over the suppression of alcohol during Prohibition Sean Beienburg recovers a largely forgotten constitutional debate revealing how Prohibition became a battlefield on which skirmishes of American political development including the debate over federalism and states rights were fought Beienburg focuses on the massive extension of federal authority involved in Prohibition and the passage of the Eighteenth Amendment describing the roles and reactions of not just Congress the presidents and the Supreme Court but political actors throughout the states who jockeyed with one another to claim fidelity to the Tenth Amendment while reviling nationalism and nullification alike The most comprehensive treatment of the constitutional debate over Prohibition to date the book concludes with a discussion of the parallels and differences between Prohibition in the 1920s and debates about the legalization of marijuana today States' Rights and the Role of the Federal Government

Marcia Amidon Lusted, 2018-07-15 The balance of power between states and the federal government has long been a point of contention In an era when one political party controls the three branches of the federal government the possibility to employ states rights to resist objectionable federal policy has made it a highly contemporary issue With states rights at the center of issues like sanctuary cities abortion gun control and LGBTQ rights understanding the distribution of power between state and federal government is key to grasping the current political climate and the future of American politics **A Less**

Perfect Union Adam Freedman, 2015-06-30 One of America's leading conservative commentators on constitutional law provides an illuminating history of states rights and the vital importance of reviving them today Liberals believe that the argument for states rights is a smokescreen for racist repression But historically the doctrine of states rights has been an honorable tradition a necessary component of constitutional government and a protector of American freedoms Our Constitution is largely devoted to restraining the federal government and protecting state sovereignty Yet for decades Adam Freedman contends the federal government has usurped rights that belong to the states in a veritable coup In *A Less Perfect Union* Freedman provides a detailed and lively history of the development and creation of states rights from the constitutional convention through the Civil War and the New Deal to today Surveying the latest developments in Congress and the state capitals he finds a growing sympathy for states rights on both sides of the aisle Freedman makes the case for a return to states rights as the only way to protect America to serve as a check against the tyranny of federal overreach take power out of the hands of the special interests and crony capitalists in Washington and realize the Founders vision of

libertarian freedom a nation in which states are free to address the health safety and economic well being of their citizens without federal coercion and crippling bureaucratic red tape *To Form a More Perfect Union* Robert Allen McGuire,2003

Many important questions regarding the creation and adoption of the United States Constitution remain unresolved Did slaveholdings or financial holdings significantly influence our Founding Fathers stance on particular clauses or rules contained in the Constitution Was there a division of support for the Constitution related to religious beliefs or ethnicity Were founders from less commercial areas more likely to oppose the Constitution To Form a More Perfect Union successfully answers these questions and offers an economic explanation for the behavior of our Founding Fathers during the nation s constitutional founding In 1913 American historian Charles A Beard controversially argued in his book *An Economic Interpretation of the Constitution of the United States* that the framers and ratifiers of the Constitution were less interested in furthering democratic principles than in advancing specific economic and financial interests Beard s thesis eventually emerged as the standard historical interpretation and remained so until the 1950s Since then many constitutional and historical scholars have questioned an economic interpretation of the Constitution as being too narrow or too calculating believing the great principles and political philosophies that motivated the Founding Fathers to be worthier subjects of study In this meticulously researched reexamination of the drafting and ratification of our nation s Constitution Robert McGuire argues that Alexander Hamilton James Madison George Mason and the other Founding Fathers did act as much for economic motives as for abstract ideals To Form a More Perfect Union offers compelling evidence showing that the economic financial and other interests of the founders can account for the specific design and adoption of our Constitution This is the first book to provide modern evidence that substantiates many of the overall conclusions found in Charles Beard s *An Economic Interpretation* while challenging and overturning other of Beard s specific findings To Form a More Perfect Union presents an entirely new approach to the study of the shaping of the U S Constitution Through the application of economic thinking and rigorous statistical techniques as well as the processing of vast amounts of data on the economic interests and personal characteristics of the Founding Fathers McGuire convincingly demonstrates that an economic interpretation of the Constitution is valid Radically challenging the prevailing views of most historians political scientists and legal scholars To Form a More Perfect Union provides a wealth of new findings about the Founding Fathers constitutional choices and sheds new light on the motivations behind the design and adoption of the United States Constitution *Zombie History* Peter Charles Hoffer,2020-01-02 Fake history is not a harmless mistake of fact or interpretation It is a mistake that conceals prejudice a mistake that discriminates against certain kinds of people a mistake held despite a preponderance of evidence a mistake that harms us Fake history is like the Zombies we see in mass media for the fake fact like the fictional Zombie lives by turning real events and people into monstrous perversions of fact and interpretation Its pervasiveness reveals that prejudice remains its chief appeal to those who believe it Its effect is insidious because we cannot or will not destroy those

mischievous lies Zombie history is almost impossible to kill Some Zombie history was and is political a genre of what Hannah Arendt called organizational lying about the past Its makers designed the Zombie to create a basis in the false past for particular discriminatory policies Other history Zombies are cultural They encapsulate and empower prejudice and stereotyping Still other popular history Zombies do not look disfigured but like Zombies walk among us without our realizing how devastating their impact can be Zombie History argues that whatever their purpose whatever the venue in which they appear history Zombies undermine the very foundations of disinterested study of the past

Defending Freedom of Contract: Constitutional Solutions to Resolve the Political Divide Patrick Bohan,2019-06-13 The progressive movement that began in the late nineteenth century was a nonviolent coup d tat changing the United States of America from a republic that promoted equal rights for all to a democracy where the majority rules As a result moral and social justice was and is used by the federal government to protect the rights of some while mitigating the rights of others Patrick Bohan who has studied constitutional law in depth examines the revolution in detail in this treatise demonstrating how freedom of contract can be applied to protect the fundamental rights of each citizen equally The author evaluates hundreds of laws cases and examples of justice gone wrong for issues such as slavery abortion rights elections welfare rights free speech freedom of religion civil rights property rights contract rights gay rights alien rights and other important topics that polarize Americans

The Fallacies of States' Rights Sotirios A. Barber,2013-01-14 Barber shows how arguments for states rights from John C Calhoun to the present offend common sense logic and bedrock constitutional principles The Constitution is a charter of positive benefits not a contract among separate sovereigns whose function is to protect people from the central government when there are greater dangers to confront

A More Perfect Union Joshua Livestro,2025-10-01 This book tells the history of the federal union a concept that may be traced from the early Renaissance to the establishment of the European Coal and Steel Community 1951 the predecessor of today s European Union It is a story of three federal canons of greater and lesser thinkers of utopian peace plans and of practical experiences with federal unions Together they shaped the concepts that created the ECSC This book unlocks the past of the EU a union that always thought it didn t have a past but was on the contrary sui generis without examples or predecessors Although there was nothing inevitable about the founding of the EU A More Perfect Union shows that it was plausible and perhaps even predictable that such a union would be formed at some point and that the aftermath of the Second World War was exactly the kind of founding moment about which federal theorists in previous centuries had speculated

Toward A More Perfect Union Neil L. York,1988-12-06 Toward a More Perfect Union is the last of a three volume series examining the Constitution as it was drafted and ratified and the uses made of it over the past two hundred years Each volume includes essays first presented at conferences on the Bicentennial of the Constitution held at Brigham Young University in 1985 1986 and 1987 and several additional essays written especially for these anthologies

New Perspectives on State Government Fiscal Challenges John Merrifield,Barry W. Poulson,2023-07-03

In this book on new fiscal approaches nineteen experts examine topics ranging from constitutional reform and debt fatigue to fiscal rules and zero based budgeting Together these contributions inform a multifaceted nuanced argument for the need to formalize spending restraint and redefine state debt to include unfunded liabilities Scholars will find the book useful as a reference tool explaining how rules based fiscal policy is used to address debt fatigue and unsustainable spending growth Legislators and practitioners will find the book useful as a reference source in designing and simulating second generation fiscal rules and educators will find the book helpful for its close analysis of policies in representative states such as Illinois New York New Jersey Nebraska and California Toward a More Perfect Union Ralph Wendell Conant, Daniel J. Myers, 2006

The Ethics of Rhetoric Richard M. Weaver, 1985 First Published in 1995 Routledge is an imprint of Taylor Francis an informa company " **... to Form a More Perfect Union ...**" United States. National Commission on the Observance of International Women's Year, 1976 **Toward a More Perfect Union** Herbert J. Storing, 1995 In this definitive collection the writings of Herbert J Storing have been assembled into six categories the Founding Fathers and their legacy race relations in America rights and the public interest bureaucracy and big government statesmanship and the presidency and liberal education With profound understanding and incisive prose Herbert J Storing elucidates the nature and enduring importance of America s deepest political principles His work is presented here with the thoughtful care and organization of one of his students Joseph M Bessette *Proposed Amendments to the American Indian Religious Freedom Act* United States. Congress. Senate. Select Committee on Indian Affairs, 1993 *The Saturday Review of Politics, Literature, Science and Art* , 1874 *Congressional Record* United States. Congress, 1977 The Congressional Record is the official record of the proceedings and debates of the United States Congress It is published daily when Congress is in session The Congressional Record began publication in 1873 Debates for sessions prior to 1873 are recorded in The Debates and Proceedings in the Congress of the United States 1789 1824 the Register of Debates in Congress 1824 1837 and the Congressional Globe 1833 1873 *The Political History of the United States of America* Edward McPherson, 1876 **The Political History of the United States of America, During the Great Rebellion, from November 6, 1860, to July 4, 1864** Edward McPherson, 1865 **Kentucky Government, Politics, and Public Policy** James C. Clinger, Michael W. Hail, 2013-10-08 The cornerstone of the American republic is an educated active and engaged citizenry however the multifaceted inner workings of government and the political forces that shape it are incredibly complex Kentucky Government Politics and Public Policy is the first book in nearly three decades to provide a comprehensive overview of the commonwealth s major governing and political institutions and the public policy issues that profoundly affect Kentuckians daily lives In this groundbreaking volume editors James C Clinger and Michael W Hail have assembled respected scholars from across the state to inform citizens about their governing institutions the consequences of their policy choices and the intricacies of the political process They provide clear and authoritative information on Kentucky s government and explain significant trends

and patterns exploring the legacy of the state's political history and illuminating the contributions of influential Kentucky politicians such as Henry Clay Abraham Lincoln and Jefferson Davis The contributors also address essential topics such as the structure and function of the three branches of government the constitution and federalism and intergovernmental relations as well as administration budgeting and finance They analyze key issues in education policy economic and community development and health care in great detail explaining persistently controversial topics such as campaign finance the cost of elections ethics and the oversight of regulatory agencies From the executive branch to the legislature from the court system to political parties there is no better primer on government in the commonwealth

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