



## Urge STATES to Use Nullification to Enforce the Constitution

**URGENT:** State legislatures have convened this year for their regular sessions. This is a great opportunity to promote enforcing the U.S. Constitution by nullifying unconstitutional federal laws, regulations, and court rulings. **Contact your state legislators, show them the [model bills](#) below along with our [educational resources](#), and urge them to protect and enforce the U.S. Constitution by nullifying every unconstitutional federal edict.**

The federal government — including the legislative, executive, and judicial branches — has for decades implemented and enforced unconstitutional and increasingly-socialist policies. **It is imperative that state (and local) governments enforce the Constitution by nullifying these lawless federal actions.**

**Nullification** is firmly grounded in the text of the U.S. Constitution, specifically [Article VI](#). It states: “This Constitution, and the Laws of the United States *which shall be made in Pursuance thereof* ... shall be the supreme Law of the Land.” (Emphasis added.) This clearly implies that laws not in accordance with the Constitution are null and void.

Additionally, the Constitution delegates only specific, enumerated powers to the federal government. The states, by contrast, retain the vast majority of powers, something James Madison affirms in [The Federalist, No. 45](#). This is further cemented by the [10th Amendment](#), which makes clear that all powers not granted by the Constitution to the federal government are reserved to the states and to the people.

Accordingly, any federal action that violates or contradicts the Constitution cannot be “made in Pursuance thereof” and, thus, is not “the supreme Law of the Land” — and [state officials are duty-bound](#) to follow their oath “to support this Constitution” by nullifying those lawless actions.

In addition to being constitutionally sound, nullification is “the rightful remedy,” as Thomas Jefferson put it, for countering federal-government overreach. It has been successfully used [multiple times](#) throughout U.S. history

# The John Birch Society

Author: [Peter Rykowski](#)

Date: June 29, 2023



— [and today](#) — to push back against federal overreach. [As The John Birch Society notes](#), at least 80% of the federal government is unconstitutional. Additionally, nullification would have an immediate effect and is not dependent upon approval by the federal judiciary. Thus, unlike false “solutions” such as an Article V convention, nullification can immediately and effectively counter federal overreach.

Nullification-related legislation that state legislators must be introducing and enacting include:

- **Comprehensive nullification**, to create a formal process for systematically reviewing all federal actions and nullifying them if found unconstitutional. *Model legislation can be found [here](#), [here](#), and [here](#).*
- **Nullify federal gun control**, to prohibit enforcement of all federal actions that violate the [Second Amendment's](#) prohibitions on gun control. *Model legislation can be found [here](#), [here](#), and [here](#).*
- **Nullify the federalization of local law enforcement**, to preserve local control and prevent the gradual movement toward a nationalized police force. *Model legislation can be found [here](#) and [here](#).*
- **“Defend the Guard” legislation**, to prohibit foreign deployments of state National Guard units if it violates [Article I, Section 8, Clauses 11 and 15](#). *Model legislation can be found [here](#) and [here](#).*
- **Stop unconstitutional federal spending**, and protect against federal financial retaliation, by passing a [State Sovereignty and Federal Tax Funds Act](#), which would require that all federal taxes are first sent to the state. A panel of legislators would then assess the percentage of the budget that is constitutional and send the federal government only that percentage of funds. *Model legislation can be found [here](#) and [here](#).*
- **Nullify the unconstitutional and unaccountable Federal Reserve**. [Multiple](#) methods [exist](#) to do this, including enforcing the Constitution’s Gold and Silver Clause ([Article I, Section 10](#)), [ending taxes](#) on gold and silver, and [creating](#) a state gold depository. *Model legislation can be found [here](#), [here](#), and [here](#).*
- **Nullify the World Health Organization**. Any treaty inconsistent with the U.S. Constitution is null and void and ought to be treated as such by state legislatures — and this includes (but is not limited to) the World Health Organization. *Model legislation can be found [here](#) and [here](#).*
- **Nullify federal vaccine mandates**. States have a duty to nullify federal vaccine mandates, including any potential future mandates. *Model legislation can be found [here](#) and [here](#).*
- **Nullify federal election interference**. Under the U.S. Constitution (including Article I, Section 4 and Article I, Section 8), the federal government has no authority over state and local elections. *Model legislation can be found [here](#) and [here](#).*
- **Nullify federal agricultural regulations**. States can take action to stop the global war on farmers while also nullifying unconstitutional federal overreach. *Model legislation can be found [here](#).*
- **Nullify the federal so-called “Respect for Marriage Act.”** The federal government has no authority to redefine marriage. *Model legislation can be found [here](#).*
- **Nullify unconstitutional federal-court rulings**. This applies for any ruling, whether at the Supreme Court or a lower court. (Prior to its overturning, states had the ability and duty to nullify *Roe v. Wade* and thus protect the right to life; *model legislation can be found [here](#).*)
- **Nullify unconstitutional presidential executive orders**. *Model legislation can be found [here](#) and [here](#).*

Nullification is not limited to the above topics. State legislatures can, and should, pass legislation to counter any federal government policy that violates the Constitution.

**When opposing unconstitutional usurpations, state and local officials must be bold and courageous.** Any state or locality acting to enforce the Constitution and prevent the implementation of unconstitutional edicts will likely face significant opposition from the federal government, judiciary, media, big business, and others. Following one’s oath to uphold the Constitution will not come without a fight. However, **if our leaders are bold and courageous, they can immediately and effectively enforce the Constitution and push back against unconstitutional usurpations.**

It is imperative that state legislators ensure the legislation they pass is effective, practical, and enforceable.

**Make sure your legislators do not water down nullification legislation. Also, begin calling and**

# The John Birch Society

Author: [Peter Rykowski](#)

Date: June 29, 2023



---

***meeting with them now — don't wait for the next legislative session to inform them about how they can enforce the Constitution.***

**Urge your state legislators to enforce the Constitution, as originally intended, and to push back against all unconstitutional laws at every level of government by introducing and passing strong nullification legislation.**