

Welcome to the September edition of the NAFSL Newsletter! In this edition, we will be discussing the importance of National Constitution Week as a reminder of the fundamental tenets of balanced federalism, state sovereignty, and representative governance that our nation's Constitution so wisely installed into our government. In addition, we will explore an initiative sprouting from a state legislature that aims to turn the tide in the battle for augmented State Sovereignty.

On September 17th, Americans will be celebrating the 234th anniversary of the signing of our United States Constitution. At that time in 1787, after a long hot summer of dissension, deliberation, and intense debate, our Founders finally reached consensus on a document for the ages.

Although they acknowledged the potential shortcomings of their efforts, as men always bring with them "their prejudices, their passions, their errors of opinion, their local interests, and their selfish views", those great and focused minds gathered together, toiled, and drafted a constitution that they acknowledged, if not the best, could not have been much better - a document that, they said, "will astonish our enemies".

When leaving the Constitutional Convention on the last day, Dr. Benjamin Franklin was confronted by one Mrs. Powell, who accusatorily inquired: "What have you given us sir, another monarchy"? Due to the strife that Americans had undergone whilst subject to British rule, there was reasonable suspicion and wariness over a new national government. Franklin replied, "No ma'am, a republic, if you can keep it."

The "keeping" of the representative form of governance that was bequeathed to us requires the due diligence of both citizens and elected state representatives to comprehend and embrace the core principles of the American tradition; namely a clearly defined balance of federalism that establishes and safeguards the sovereignty of the states.

*American federalism means "a proper respect for state functions, a recognition of the fact that the entire country is made up of a Union of separate State governments, and a continuance of the belief that the National Government will fare best if the States and their institutions are left free to perform their separate functions in their separate ways."*

U.S. Supreme Court Justice Hugo L. Black

Evidently, the usurpation of state powers by the national government and the absence of unified resistance from the States has cast the balance of federalism awry and in desperate need of re-orientation. At times it may seem that the situation has become inextricably corrupted, but the good news is that state governments still possess the tools necessary to return the balance to its proper position.

Efforts led by State Legislatures, such as Tennessee Senator Frank Niceley's bill that would have state legislators nominating prospective candidates for the U.S. Senate to be placed on the general election ballot ([SB0692.pdf \(tn.gov\)](#)), intended to remedy the effects of the 17<sup>th</sup> Amendment, not only serve as cease and desist notices in reply to the national government's tendency to encroach on state powers, but can also inspire other state representatives and citizens to join the rallying cry in support of returning balanced federalism to its constitutional standard.

Thus, on this occasion, let's dedicate the NAFSL to reminding our state leaders of the oath they took to defend and uphold the U.S. Constitution, as well as the consented sacred trust to represent the interests of their constituents and their state.

A handwritten signature in black ink, appearing to read "James Kallinger". The signature is fluid and cursive, with a large initial "J" and "K".

James Kallinger, President  
National Association of Former State Legislators

We hope you enjoyed the newest edition of the NAFSL Newsletter!

Finally, the NAFSL is proud to announce that we will be publishing a series of issue briefs written by Joshua Charles starting next month on our website. Joshua is a former White House speechwriter, a No. 1 New York Times best-selling author, historian, columnist, writer/ghostwriter, and public speaker. You can follow him on Twitter [@JoshuaTCharles](#) or see [JoshuaTCharles.com](#).

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