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Senate of Pennsylvania

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Lititz, Pennsylvania 17543-8833

Dear Mr. :

I am writing in response to your recent email to me asking about my views concerning the 10th Amendment to the Constitution of the United States (“Constitution”) and, more generally, my position on whether the Constitution is a “living document” subjecting it to interpretative changes.

Let me begin by thanking you for taking the time to contact me.

The Constitution is truly the greatest, most inspired document created by America’s founders to not just the people in the United States, but the world. Its brilliance in design and execution continues to offer the best hope for a representative democracy and it remains a beacon of light for all that seek to live under the banner of freedom.

The 10th Amendment to the Constitution was specifically included to set forth a strict, formalized relationship between the federal and state governments. Its mandate is clear: *The 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.*

You asked whether I believe that the Constitution – through the 10th Amendment and the Enumerated Powers¹ – define and limit the federal government. The answer is yes.

I believe that the majesty of our republic cannot endure if the centralized federal government fails to limit itself to those enumerated powers outlined in the Constitution. Like each provision of the Constitution, if it is not respected and strictly applied, the intended and delicate balance of power envisioned is eroded to the detriment of the People it is designed to serve.

¹ The powers of the federal government that are specifically described in the Constitution are sometimes called 'delegated' or 'expressed powers,' but most often they are known as 'enumerated powers,' and they describe how a central government with three distinct branches can operate effectively.

You also asked my views on whether the Constitution is a “living document.”

In considering that question, I believe that I would most accurately be described as a “strict constructionist” of the Constitution.

By that, I mean that I interpret the provisions of the Constitution fairly narrowly, choosing to focus on the actual or literal meaning of the words of the Constitution and the historical meaning associated with those words (essentially, the intent of the framers in writing the Constitution).

To me, the Constitution first and foremost belongs to the people.

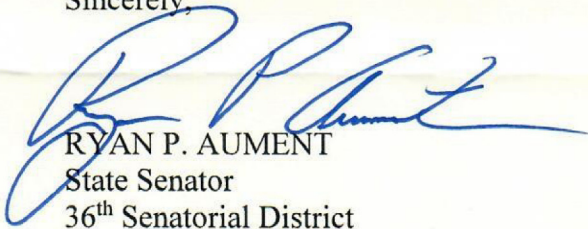
The words, powers, limitations, authority and protections they created in the Constitution should not be reinterpreted, reimagined, recreated or reinvented without their consent. In the event that a provision of the Constitution no longer meets the needs of the people, the Constitution provides an appropriate remedy for change, which should be strictly followed.

The overall point is that, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, we must protect against efforts to undermine the Constitution.

As an elected representative of the people, I have and continue to solemnly pledge to preserve, protect and defend the Constitution so that, God willing, the republic will endure through many more generations of faithful Americans who believe as I do, that the United States is and should remain a shining city on the hill for all of the world to see.

I trust that this is responsive to your inquiry.

Sincerely,



RYAN P. AUMENT
State Senator
36th Senatorial District

RPA/jgs