



Cato Institute chairman Bob Levy explains the Supreme Court to AFF-Atlanta

by [Richard Lorenc](#) | August 14, 2012

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On Monday, August 13, 2012, the Atlanta chapter of America's Future Foundation was joined by Robert A. Levy, chairman of the [Cato Institute](#) and author of the book [The Dirty Dozen: How Twelve Supreme Court Cases Radically Expanded Government and Eroded Freedom](#).

Dr. Levy began his presentation by contrasting conservative, liberal, and libertarian constitutional perspectives, each of which leads to very different conclusions as to the proper role of government. He then detailed the importance of viewing our political system through the prism of the 9th and 10th Amendments.

As Dr. Levy explained, "If you understand the concepts of the 9th and 10th Amendments then you grasp the whole structure of the federal constitution."

Dr. Levy then explored several modern Supreme Court cases that have expanded the power of the federal government and restrained the rights of individuals. During his discussion of [Helvering v. Davis](#) (1937)—a case centered on Congress's ability to tax in order to provide for the general welfare, Social Security specifically—Levy explained that the Supreme Court effectively granted the federal government general, rather than enumerated powers. This decision legitimized expansive federal welfare programs and was instrumental in the ruling to uphold President Obama's health care legislation on the grounds of Congress's taxing power.

While [Helvering v. Davis](#) ushered in a redistributive government, Dr. Levy maintained that it was [Wickard v. Filburn](#) (1942) that gave the government the power to regulate nearly anything under the rubric of the Commerce Clause, including activities that are neither interstate nor commerce.

Dr. Levy corrected a few common misrepresentations of [Citizens United v. Federal Election Commission](#) (2010) and explained how this decision rightly overturned two key restrictions to political speech from [McConnell v. Federal Election Commission](#) (2003).

Finally, Dr. Levy explored the case of [Kelo v. City of New London](#) (2005), which involved the use of eminent domain to transfer land from one private owner to another private owner if there was public benefit.

Although the Supreme Court cases shared by Dr. Levy on Monday are not well known to most Americans, they have all had a tremendous impact on our individual liberty. During his closing thoughts, Dr. Levy stressed the importance of vigilant courts willing to “bind the legislative and executive branches with the chains of the constitution” if we hope to preserve liberty.

[Click here to listen to audio from the event \(MP3\).](#)

- By Jason Riddle, Chairman, AFF-Atlanta