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## Kentucky Lawmaker Files Constitutional Sovereignty Bill

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A Kentucky state lawmaker is proposing a bill prohibiting state government agencies and judges from applying other nations' laws in government actions and judicial decisions if those laws conflict with U.S. constitutional protections.

In September 2016, state Rep. Kim King (R-Harrodsburg) prefiled Bill Request 149 (BR 149). It will be considered by lawmakers when their upcoming legislative session begins in January 2017.

### Law of the Land

Mike Mahaney, national communications director for the Tenth Amendment Center, a nonpartisan think tank dedicated to educating individuals about the U.S. Constitution, says BR 149 would protect the U.S. Constitution's place as the supreme law of the land in Kentucky.

"Americans are only legitimately subject to laws in pursuance of the Constitution and duly passed by Congress," Mahaney said. "This Kentucky bill would take a step toward making international laws unenforceable in the state and protect Kentuckians from the ultimate in big government overreach."

### Pushback Against 'Global Laws'

Mahaney says administering and enforcing other countries' laws violates people's rights.

"There is the increasing likelihood that the international community will push global laws and regulations through the United Nations and via treaties," Mahaney said. "These types of international mandates violate U.S. sovereignty and the American constitutional system. The last thing we need is international government. This bill provides a check against that kind of sweeping overreach."

### Threat Not Imaginary

Cato Institute Senior Fellow Walter Olson says there is a real threat of incorporation of foreign law in the United States.

“Some judges and law professors have argued that international law, especially so-called ‘human rights standards,’ should influence American courts,” Olson said.

Olson says most U.S. government agencies and judges currently reject the concept of foreign law administration.

“Already, by tradition, American courts treat the federal Constitution as the supreme law of the land,” Olson said. “They also refuse to enforce otherwise applicable foreign law—say, family law or contract law—when it would lead to results repugnant to our own public policy. For example, American courts would not enforce a foreign contract providing that the penalty for breach of contract was 30 lashes, so I’m having trouble thinking of cases where courts would currently breach a right guaranteed by the U.S. Constitution because some foreign law said to.”