

Washington, D.C., think-tank director discusses Constitution in Naples

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The chairman of a libertarian think tank didn't hold back when addressing a Naples group Friday.

Robert "Bob" Levy, chairman of the board of directors at the Cato Institute in Washington, D.C., told a Forum Club of Southwest Florida luncheon that the U.S. Constitution should be interpreted the way it was intended.

"I believe that the structure of our federal system and indeed the structure of the U.S. Constitution can best be understood by looking at the final supervisions in the Bill of Rights, the Ninth Amendment and the 10th Amendment," Levy said.

"Notice that the presumptions of the Ninth and 10th Amendment are exactly opposite one another. And if you grasp that, I think you grasp the entire structure of the U.S. government and indeed of the federal Constitution. The 10th Amendment says if the power isn't there, (then) the government doesn't have it. The Ninth Amendment says (that) merely because the right isn't there doesn't mean we don't have it."

The 10th Amendment asserts that the powers not delegated to the national government by the Constitution, nor prohibited to the states by the Constitution, are reserved to the states or the people. The Ninth Amendment states that just because certain rights of the people are not listed in the Constitution, that does not mean that those unmentioned rights should be denied or disparaged.

"I thought it was very stimulating and very thought-provoking," said Dick How, who attended the Forum Club lecture as a guest.

"I can't imagine getting up there and being able to speak about the Constitution. The way he can quote the Constitution and the (U.S. Supreme Court) cases off the top of his head" impressed me.

Natanya Spies, a Barron Collier High School seniorg, said she was impressed by Levy's knowledge of the Constitution.

"When he told us his opinions, he always had support to back it up," Spies said.

The Forum Club of Southwest Florida, which originated in 1984, is a nonpartisan

political and public affairs organization that invites prominent guests such as Levy to speak at their luncheons, which take place at the Naples Beach Hotel and Golf Club every year from November to April.

In June 2008, Levy — a Washington, D.C., native who said he doesn't own a gun — was a mover and a shaker behind the U.S. Supreme Court's decision to abolish the district's 32-year-old gun ban. The decision settled a question about the U.S. Constitution that had been a hot button issue for 217 years. He believed that the district's strict gun laws violated the Second Amendment of the Constitution.

Levy provided about five examples of U.S. Supreme Court cases that he feels have done a great deal to damage, such as *Helvering v. Davis*, a 1937 case in which the constitutionality of the Social Security system was debated.

"That opened the flood gates through which we redistribute today ... taking money from some people and giving it to other people without any constitutional constraints whatsoever," Levy said.

Carter Mack, a Barron Collier High School senior who attended, thought Levy's lecture was eye-opening and enjoyed Levy's discussion of *Helvering v. Davis*.

Mack said he found it interesting when "he talked about how the Congress took the general welfare clause and made it so that they could turn it into absolutely anything they wanted to.

Mack plans to attend Florida State University this fall.

"It gave the immunity for almost every case they ever answered," Mack said.



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