

Frank Bryan:

The Case for Vermont's Secession

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Letter to Gideon Granger, 1800

Over the course of the twentieth century the United *States* were replaced by a confederation of special interests. Indeed, at the center America resembles a League of Interests more than it does a nation. Loyalty, resources, policy, passion and even principle—the elements that comprise the public weal—are now magnetized and drawn not to the commonwealth but to the iron pegs of special interests that have been driven deep into the heart of the republic.

Consequently, the American national government is imploding. In many respects this is a worldwide phenomenon. The age of nation-states is ending. In my recent book *Real Democracy* I put it this way:

With nationalist structures on the wane, new smaller unions (often bio-regional) are emerging. The work of nation-states will shift toward their roles as part of larger, transnational structures, and their attention will be siphoned away from the micromanagement of their own societies. In this vacuum lies the future of democracy.

The intellectual infrastructure for this dynamic is not prevailing. But it is ascendant. Some of the most respected political scientists in America, like Robert Dahl (as early as 1973), Daniel Bell, and Alan Ehrenhalt, are among those credited with its advancement. The idea is that the work of government should be spread out and thus become more democratic. We must decentralize, deregulate, and reimpower, not under the assumption that this will mean less government, but under the knowledge that it will spawn a more participatory politics and a thicker, stronger, more democratic governance. This vision is touted, for instance, by Harvard's Robert Putnam.

To achieve this vision, the world desperately needs a nation with the democratic infrastructure and requisite resources to lead a peaceful transition *away* from the quest for empire and toward a global union on the principles of peace, justice, and equality—not a global government but a federation satisfied with insuring that within its protective cocoon a seething beehive of diversity, ingenuity, and (especially) a *fundamental* variety of governance structures and public policies will prevail.

At its best America could and should be that nation. But America is not now at its best and it hasn't been for some time. The problem we face is much deeper than George Bush and the war in Iraq; if our passion and commitment is fired only by that furnace, we are doomed. America's problem is as much a fault of the liberals as it is the

conservatives. It is as much a fault of the Democrats as it is the Republicans. The problem is that we have systematically undermined the natural homelands where citizens are born, raised, and trained in the art of governance, and with them has gone our democracy. The current buzzword for this lost capacity is *social capital*, but whatever you call it the result is the same: a continental monolith uncontrolled by its own citizens.

Thus it is the imperialism of Washington inward against its own nation that must be stopped before America can be restored as the planet's best hope for a just and peaceful world. The problem is not that we don't know how to lead the world toward democracy; the problem is that we don't know how to lead ourselves. We don't even trust ourselves to let ourselves lead ourselves. We have destroyed our own democracy. By what logic can we now argue that we are intellectually and morally equipped to "export" democracy to other regions of the world? Export *what* democracy?

Fifteen years ago, John McClaughry and I addressed the problem in *The Vermont Papers: Recreating Democracy on a Human Scale*:

This then is the great American challenge of the twenty-first century: saving the center by shoring up its parts, preserving union by emphasizing disunion, making cosmopolitanism possible by making parochialism necessary, restoring the representative republic by rebuilding direct democracy, strengthening the national character through a rebirth of local citizenship.

Since then the problem has grown worse. Now there is about as much real democracy left in America as there is oil.

And that is where Vermont comes in. For in Vermont one finds a national reservoir of social capital and real democracy. It is time for us to act. Waiting for incremental reform is too dangerous. The political establishment shows no inclination to see the handwriting on the wall. This is bipartisan myopia. When George Bush and Ted Kennedy join forces to wrest control of our education system from us and place it in the hands of that intellectual wasteland we call Congress, it is time for something different.

What we need must be radical. It must be dramatic.

We should seriously consider the case for Vermont's secession from the Union.

My principal concern with such a proposal is that, if successful, a Vermont secession might be followed by other states. We don't want to destroy America. I, for one, still love it. And I believe that, despite its flaws, America remains our best hope for a peaceful transition from a world of warring nation-states to one of truly united nations. Without stability, democracy is impossible, and until a UN-like institution becomes a keeper of that stability, no other nation on the planet is better suited to bear this responsibility.

The moral underpinning of a secessionist movement is the hope that it will not, in the end, be needed. My hope is that America will give Vermont the opportunity to conduct what Langdon Winner calls "niche analysis." His hope for societal advancement is to allow certain systems broad latitude in sociopolitical experimentation. We contribute about one-tenth of one percent of the national tax base. Hence while New York or California could not secede without irreparably harming the Union, Vermont can.

In his book *Contrary Country*, historian Ralph Nading Hill recalls storyteller Walter Hard's memorable Vermont character, Grandma Wescott. Once curiosity got the better of her and she went to a revival meeting. After a long-winded sermon, the traveling preacher approached the audience, sweat oozing from his brow. When he reached Grandma Wescott's seat, he bent over and beamed encouragingly, "Sister, are you a Christian?"

"Not in this church, I ain't!" she snapped.

We Vermonters are good Americans. But somewhere along the way they've switched churches on us. The patriotic thing to do is to politely, yet firmly, excuse ourselves.

So.

What this country needs is a good swift slap alongside the head.

A loving slap, self-administered.

A slap that says, "Clean up your act or we're gone."

Vermont is just the state to give it.

As Vermonters we stand on the high ground. For two centuries we have worked to enhance the Union. We have been patient. We have carried more than our share of the load. But enough is enough. Every year the federal government applies every red cent Vermonters pay in income taxes to scandals and pork. At the time the first Vermont secession movement was getting underway in the early 1990s, I pointed out that what the government had recently lost in the FMHA, HUD, and S&L scandals would take every cent of Vermont's tax contribution from then until the year 2052 to pay back. Our contribution to the national government for the next half-century has already been spent. Better put, it has already been lost.

About the time seven of the seven Vermont communities given the opportunity to urge Vermont to secede from the union voted to do just that, I spoke at Blue Mountain High School in Wells River. The occasion: the burning of their mortgage for the new school building. They were debt free. These good people in their three little towns with their little school and burdened with big property taxes bellied up every year for twenty years and paid back what they owed, principal plus interest.

In Washington the interest on the debt threatens to take one-third of our tax money each year. To retire the debt would require a stack of thousand dollar bills more than two hundred miles high.

Leaving the Union will involve the breaking of no promises. Our contract with America made two hundred years ago has been repeatedly ignored by a national government with an unquenchable thirst for power. When we signed on, the American Constitution ensured us that "The powers not delegated to the U.S. by the Constitution nor prohibited by it to the states, are reserved to the states respectively, or to the people." Is there anyone left in America today over the age of six who does not understand that the reserved power clause has become a joke? The author of a leading college textbook puts it this way: "Actions by Congress and the Federal Courts have gradually undermined the 10th Amendment. It now bears little relevance to the configuration of American Federalism in the 1990s."

When the Supreme Court held in 1985 that Congress could control the way localities in the states deal with their own municipal employees, a dissenting judge said, "All that stands between the remaining essentials of state sovereignty and Congress is the latter's underdeveloped capacity for self-restraint." Several years ago, Vermont decided it was hopeless to pursue a case before the courts whereby we sought to retain our right to set a retirement age for our *own* judges. And when the feds want control over something so clearly a state's right that even the most centrist judge can't find a way to make it "constitutional," Congress takes the right away by threatening to withhold *our own money* from us. These are called "crossover sanctions." In the 1980s Ronald Reagan, in an act of mind-wrenching hypocrisy, convinced Congress to withhold highway repair funds from states like Vermont unless we raised our drinking age to twenty-one.

Vermont's patience with the federal government is more commendable still when one understands that there is no state in the Union as historically predisposed to secession as Vermont. Vermont was America's first frontier. It was born free, never a colony of the Crown, never a territory of some distant power. For fourteen years (1777–1791) it existed as an independent republic doing those things nations did in those days—coining money, raising armies, engaging in foreign relations. No state, including Texas, governed itself more thoroughly or longer before giving up its nationhood and joining the Union. In fact, Vermont and Texas are the only states to claim any experience at nationhood. (And we were smart enough not to put all our guys in one fort!) We joined the Union free and clear in 1791, the fourteenth state.

Sort of. Our independent spirit has survived.

We sat out the War of 1812, our beef cows feeding the British army in Canada—a move we can remind our northern neighbor of during secession. We also ignored the Fugitive Slave Act. Vermont Supreme Court Justice Theophilus Harrington demanded a "Bill of Sale from the Almighty" before he would return a runaway slave.

In 1867 Vermont provided a staging ground for the Irish Fenians, who attacked Canada from Franklin, Vermont. United States marshals had been sent to Vermont to halt the process. We ignored them.

In 1917, before America declared war on Germany, Vermont did so, by appropriating one million dollars (real money in those days) for war against Germany. The largest newspaper in the state editorialized that if Vermont insisted on fighting the Germans all by herself, we should raise taxes instead of issuing bonds to pay for it! Earlier, Vermont's governor had made the following public promise: "If America goes to war, Vermont will surely follow."

In 1927 the worst national disaster in the state's history struck. After the flood, the President of the United States, a Vermonter named Calvin Coolidge, offered federal help. Replied Vermont's Governor John Weeks, "Vermont will take care of its own."

A few years later the nation offered to bail Vermont out of the Depression with what would have been the biggest public works program in the history of the state—an asphalt highway down the top of Vermont's famed Green Mountains, every square inch of tar poured above the 2500 foot mark. Nope, said Vermont to an astonished America. We will not have our lofty peaks hitched together with pavement. In the most democratic expression of environmental consciousness in American history, Vermonters assembled in their town meetings in March of 1936 and voted to reject the proposal and all the federal loot that went with it. In the 1960s, Vermont's innovative and highly emulated land-use reforms protected this land from any development.

In September 1941 the Vermont legislature passed a law providing funds for Vermont soldiers to fight Japan two months before the bombs fell on Pearl Harbor. We declared war on Japan before Washington did.

No state, including Texas, can match Vermont's thirst for independence. Still, to think about secession conjures up the worst kind of imaginings. But they are false fears. Consider the most common arguments:

Vermont is too small to be a nation again.

Sitting in the United Nations today are the representatives of twenty nations with populations smaller than Vermont's. Each of these nations has voting rights in the General Assembly equal to those of the United States of America. More important, small nations have been asked to sit on the Security Council. Guido de Marco from Malta, representing a nation with two-thirds the population of Vermont, was elected president of the 45th General Assembly.

Vermont's tiny economy would be swallowed up by giant international trading systems.

In actuality, small nations have great advantages in the international marketplace. Gary S. Becker, a highly respected University of Chicago professor, writes, "Bigger isn't

necessarily better. . . . Smaller countries tend to be more nimble traders in international markets, offsetting their lack of economies of scale." Vermont products have always had a special mystique. They are prized outside Vermont as much for what we are as for what they are. Anyone who thinks Vermont ice cream or Vermont maple syrup or Vermont cheese would suffer if Vermont became the Switzerland of North America needs to read an introductory textbook on marketing.

A little state like Vermont is too dependent on the federal dole to go it alone.

Question: would you rather have \$10,000 to spend any way you want or \$11,500 that you have to spend as I say? Vermont's return on its tax dollar from the federal government is much smaller than most people believe. A fair estimate is that we get back about \$1.15 for every dollar we pay in. And even this small positive ratio is declining.

When one considers the hassle one must go through to get that extra 15 cents on a dollar (grant applications, dealings with the federal bureaucracy), the benefit of federal money may already be nil. Much of the money we get from Washington we spend on things we don't need in order to get funds for things we do need. And don't forget that every dime we get back over and above what we pay in is apt to be borrowed money (deficit money).

Even some of the original dollar we get back for each dollar we put in probably comes back in bad (borrowed) money. In other words, Vermont's "great deal" looks like this: for every dollar Vermonters pay in federal taxes, we get most of it back in cash but the rest in the form of a loan the government has extracted from the American people, which includes us. If we kept our original buck we wouldn't have to make out applications to the federal government in order to spend it, and if we needed more we could decide whether or not to borrow it on our own terms. Best of all, we could spend the whole damn thing as we see fit.

It is true that Vermont benefits from something we might call "national infrastructure," the most obvious examples of which are the military and the interstate highways. But think of the 1.3 *billion* Vermont tax dollars that go toward U.S. defense-related expenditures each year. Vermont will need no army after secession. A couple of dozen more state troopers and a militia organized from local fire and rescue organizations, at no expense to the Republic, will be enough. Think we could come up with some other ways to spend that 1.3 billion?

If we tried to secede, the United States would invade.

American tanks rolling into Bennington? It'll never happen. All we have to do is simply assert our independence and leave. Our very act of secession will be our greatest strength. We have an open border to the north with a country that owes us for our benign neglect during the War of 1812 and to a province of that country with secessionist ideas of its own.

It takes big government to solve big issues.

My opponent in the 1991 secession debates, Vermont Supreme Court Justice John Dooley, stated that, "Acid rain won't be ended by cute little nations like a new Republic of Vermont." Wrong. The history of the last two decades has shown an increasing incapacity of the federal government to make progress where real conflicts among the states exist. Mediocrity is the best you can hope for when problems and benefits are diffused over large systems.

The federal government likes to "facilitate" cooperation and then take credit for natural impulses for consensus that are locally inspired. It is the states and localities that are "putting Washington to shame," as one publication put it, in the field of environmental protection. In Vermont we find again and again that Washington is a hindrance to attempts to protect the environment. It can be argued, for instance, that the federal government *caused* the acid rain problem because it was forced to compromise over smokestacks and scrubbers when it sought to protect Midwestern cities from their own pollution in the 1970s.

The fact of the matter is that Vermont's influence as an independent republic would be vastly greater than even the best efforts of our senators in Washington can produce. International cooperation rather than *intra-national* action is the emerging dynamic in environmental policy. The twenty-first century must develop a global perspective on the environment. Both Vermont and the world of nations would benefit from our active and equal participation in this.

What About the Bill of Rights?

Many of the people attending the secession debates seemed worried about giving up the protections guaranteed under the Bill of Rights in the Federal Constitution. One wonders why. Vermont's record on civil rights and liberties is far stronger than America's. It was our constitution that first outlawed slavery. It was our constitution that first provided universal voting rights for all freemen.

It was Vermont that provided much of the leadership in the anti-slavery movement. Lincoln fought the war to save the Union. Vermont fought the war to free the slaves.

It was from Vermont that the first anti-Christian book ever published on the North American continent was penned.

It was a Vermont Senator that led the fight to censor McCarthy. It was in Vermont that gays were first provided the opportunity to form civil unions. It is in Vermont that a citizen's Bill of Rights guarantee to keep and bear arms is strongly defended—not for hunting, not for personal protection against wayward citizens, but for what it was intended: to insure that free citizens always have a means to protect themselves against *governments*, a protection that takes on special meaning as our civil liberties come under attack from Washington, the center of our own nation, our beloved America.

Yes, our beloved America.

But America has gone astray. It needs to be brought home. And what better place to come home to than Vermont, about which the great historian Bernard DeVoto wrote, "There is no more Yankee than Polynesian in me, but when I go to Vermont I feel like I am traveling toward my own place."

We say to America: We love you, but we love our democracy more. Come back when you are ready to let us practice that democracy in the way you promised us you would when we first agreed to this joint enterprise in 1791. In the meantime, we hereby politely and peacefully excuse ourselves.

I, for one, hope America heeds our call and, like the Bible's prodigal child, soon comes back to us.