



Restore the Constitution Act

The Restore the Constitution Act (RCA) is model legislation, ready to be introduced, that enables states and local governments to use their existing powers to oppose the authoritarian takeover and restore constitutional governance.

Authoritarian consolidation depends on routine compliance and expectations of impunity. The RCA disrupts those assumptions across legal, institutional, and professional fronts, making federal lawlessness harder to execute, riskier to coordinate, and more costly to sustain.

States, and many localities, control essential aspects of public health, business regulation, professional licensing, public services, judicial process, and law enforcement, among other areas of governance. The RCA creates a statutory framework for applying these powers to champion constitutional democracy. It includes a private right of action empowering state courts to play a crucial role in curbing federal lawlessness, and it is designed to incorporate additional measures from a growing Catalog of Legislative Actions to respond to further threats and escalate pressure within a consistent, strategic framework.

The RCA defends against authoritarian consolidation through:

- **Confrontation:** wielding state power directly against lawless federal activity and treating as non-binding any decision issued by any state or federal court that declines to give effect to the Act.
- **Incentives:** raising the personal and institutional costs of carrying out illegal federal directives or aiding the authoritarian takeover.
- **Coordination:** enabling democracy-supporting states and localities to act in mutual reinforcement.
- **Escalation:** preparing for additional measures to be added within a consistent statutory framework.

Examples of illegal federal actions the RCA is designed to protect against:

- **Dangerous public-health directives:** through state-level consequences for federal enforcement or promotion of policies issued without the required science-based process.
- **Illegal immigration enforcement:** through accountability for ordering or conducting unlawful arrests or use of force inside the state.
- **Retaliation against judges and officials:** through punishment or loss of licensure for those who pursue or enable punitive federal investigations or prosecutions targeting lawful state action.
- **Coercive funding threats or harassment:** through penalties for unlawful federal funding threats, investigations, or other coercive pressure campaigns.

For more information, including the text of the model Restore the Constitution Act, the Catalog of Legislative Actions, and how to get involved, see democratism.org/STAT.