



WE THE PEOPLE
STATES RIGHTS

On the 2nd in 1790, the Supreme Court convenes for the first session in the Royal Exchange Building of New York City. Originally the first day was to be Feb 1st, however **only 3 Supreme Court justices showed up on the 1st**, not allowing for a quorum requiring the start to be delayed by a day to February 2nd. Initially the Supreme Court justices had the task of also taking responsibilities for a riding circuit, where they heard cases in various regions of the country. The “Riding Circuit” alone had the simple result of wearing out the justices physically. The conditions were simply tough.

The size of the Court was initially set at six, (seven in 1807, nine in 1837, ten in 1863) reduced to nine in 1869. As for their term of service, the Constitution states that they should remain in office per “**good behavior**”. *This has been taken to mean, lifetime appointments.*

On the 3rd in 1870 the **15th Amendment** is Ratified, granting the right “to vote, regardless of race, color, or previous condition of servitude”, which “Congress shall have the power to enforce ...by appropriate legislation.” However, **history records that Black citizens continued to be discriminated against in their right to vote**. Not until the passage of the **Voting Rights Act of 1965**, were the legal barriers removed that prevented African Americans from voting at the local and state elections.

A beautiful concept, States Rights. How so. Simply, this is the closest avenue in which government has of behaving like a **Capital Free Market**. In a truly free market, the laws and forces of supply and demand are free from any government intervention or other authority... Recently we have seen a desire by some to have the Federal Government and even State governments to implement Mandates, under the premise of public health and safety. Mandates have been encouraged to take on the form of forced firings if one does not comply. Expulsion from schools if one does not comply. The impact by some is a complete loss of income and a creation of economic hardship. Physically the mandate can be as simple as a requirement to facemask for extended periods to injecting foreign substances into one’s body that may or may not be scientifically proven to be safe. Choice becomes, not an option.

Does the Constitution allow for the Federal Government to implement mandates of this type, well the Supreme Court is taking this under review? Some would argue that the Federal Government should be focused on those powers that relate to protecting our borders, and engaging with foreign governments. Powers that have been Enumerated and limited by the Constitution, dealing with issues external to this country.

The States are best served dealing with issues of social welfare, commerce and the general welfare of its citizens. In this way States are like start-up companies, being nimble and quick to test what might be best for its citizens, realizing that the **different parts of the country behave differently**. What works in **Florida**, may not work in Washington. Yet Washington might have ideas **that can benefit Florida**. **In the end, Free Markets, have a greater tendency to allow for questions to be asked, and solutions created. Are we better off having 50 States looking for answers, or rely on an expectation that a single government bureaucracy has an answer?**