

# Federal authority vs. state authority

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It was 50 years ago this month that the Freedom Rides began. Civil rights activists set out to ride buses from Washington, D.C., to New Orleans to determine if federal law would, indeed, supersede the "Jim Crow" laws that mandated segregation of the races, mainly in the South. One bus was attacked and burned at Anniston, Ala., and a mob attacked the second bus in Birmingham, Ala. From there, the Freedom Rides snowballed and led to some of the ugliest confrontations of the civil rights movement before, ultimately, the Interstate Commerce Commission outlawed desegregation in the American transportation system.

Key elements of the Freedom Rides were to determine if the federal government would ensure the rights and safety of American travelers, regardless of race, and whether the federal government would enforce the U.S. Supreme Court's decisions declaring the "Jim Crow" laws unconstitutional. In essence, it was a test of federal authority vs. state authority.

Some people at that time, and even today, believed the federal government was overstepping its bounds, that it was treading in areas that were in the states' purview. Many states, again primarily in the South, disagreed with the federal government and saw it as an attempt to override their authority.

Flash forward from 1961 to today. A group of lawmakers in Congress is promoting what's been dubbed the "Repeal Amendment." It's a proposal that would allow states to override and reject federal laws with which they disagree.

On a two-thirds vote of state legislatures, a federal law could be repealed. It would be returned to Congress, which could override the repeal. However, proponents contend that wouldn't be likely if the lawmakers wanted to keep their jobs at the next election.

In today's political climate, this is a proposal that could gain traction. There's already an organized effort behind it, The Cato Institute has declared it would be "a new political check on the threat to American liberties posed by a runaway federal government."

Do we want to open the door for state governments to overrule the federal government on action we don't like? That's a question Americans may have to answer if the Repeal Amendment gains footing.

Socially and culturally, America's not likely to revert to the way things were just 50 years ago, when states did ignore the federal government. Politically, the question now may be do we want to enact a means for states to ignore or override the federal government? It's a tough question.

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- The Baxter Bulletin, Mountain Home, Ark.

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