

Stand up to bigotry of 'states' rights'

Written by Rev. Jesse Jackson, Sr., Rainbow PUSH Coalition
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In 1980, after receiving the nomination of his party, Ronald Reagan kicked off his presidential campaign in Philadelphia, Miss., at the Neshoba County Fair. Neshoba County is not someplace you just drop into; you have to want to go there. It's a small town remembered largely for being the site of the horrid 1964 murders of three young civil rights volunteers, Andrew Goodman, Michael Schwerner and James Chaney. Reagan went to Mississippi to give a speech that focused on states' rights and the dangers of big government. He went to send a message — and it was heard clearly across the South.

States are rightly hailed as laboratories of democracy, places that can experiment and try out programs and ideas that, if successful, spread across the country. But from the earliest days of the Republic, states' rights has always been the doctrine of reaction. It has been invoked to stop national reform and to protect local privilege.

States' rights was invoked by slave owners to protest abolition, even to the point of seceding from the union. States' rights was then used to defend segregation from national reform. Later, it was trotted out to oppose integration of schools, as demanded by the U.S. Supreme Court in *Brown v. Board of Education*. To this day, it is used to justify state restrictions on voting, often imposed to constrict the right of the minorities and the poor to vote.

America has one of the weakest systems of social support in the industrial world. And the right of states to make their own decisions — on food stamps, on Medicaid, on public schools, on welfare — contributes directly to how bad it is.

And now we're seeing the same doctrine — states' rights — used to undermine health care reform. Empowered by the same Supreme Court decision that upheld the Affordable Care Act as constitutional, Republican governors across the country have refused to participate in creating their own health care exchanges. They've even turned their backs on billions of federal dollars in Medicaid funding to keep lower income Americans from having access to affordable care. Their resistance has made an already complicated reform plan even more difficult, even as they call for its repeal.

State and local control is inherently attractive. The states have different populations and different conditions. Local governments are more attuned and responsive to local voters and local challenges. State administration can help make federal programs more manageable. But too often, particularly in the South, local control is less a way to serve people than to lock them out.

If health care reform had simply extended Medicare to all at the national level, it would have been a huge program. But it would have been far simpler to get up and running, and far simpler to administer. The combination of conservatives who invoke states rights to stop or weaken change, and so-called "progressives" who embrace state and public-private partnerships to

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make programs more "efficient" led to the complexity that's built into health care reform with its state level "exchanges" and its partnership with private insurance companies.

At the end of the day, real reform will come when the claims of states' rights are denied, and federal rights are enforced. That was true in school desegregation, in voting rights, in welfare, and with the minimum wage. Presidents Roosevelt, Kennedy and Johnson all had to assert federal authority to enforce the law against resisting states. That burden now rests on President Obama and Attorney General Eric Holder concerning the provision of affordable health care for all.

In this rich nation, every person should have access to comprehensive, affordable and high quality health care. And that won't get done until the federal government exercises its full weight on the side of the poorest Americans, the "least of these" that most need a hand up.