



## States Still Have a Role

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When asked what kind of government had been proposed at the Constitutional Convention in Philadelphia, Benjamin Franklin famously responded: “A republic, if you can keep it.”

But Old Ben did not clarify the *nature* of the republic.

It was to be a federal republic.

In the new Constitution — which was adopted by the states over the next few years — the States were *sovereign*, the general government given a concise and *limited* list of tasks to perform.

Since then, nationalism has won most of the big battles, but federalism remains vital as a principle, re-asserting itself in interesting ways.

Most recent? “Texas Attorney General Ken Paxton receives huge win with court ruling delivered on Tuesday deeming the \$1.7 trillion omnibus spending package passed in 2022 unconstitutional,” as *Leading Report* [explained](#) on Tuesday. “This victory marks a pivotal moment in Paxton’s challenge against the legislation, highlighting concerns over the bill’s approval process.”

At issue is Consolidated Appropriations Act of 2023, which President Biden signed in December 2022, with the U.S. District Court for the Northern District of Texas, Lubbock Division, concluding that “by including members [of U.S. Congress] who were indisputably absent in the quorum count, the Act at issue passed in violation of the Constitution’s Quorum Clause.”

As Paxton gleefully summarized, “Former Speaker Nancy Pelosi abused proxy voting under the pretext of COVID-19 to pass this law, then Biden signed it, knowing they violated the Constitution.”

The story, as *Leading Report* argues, “showcases the role of state attorneys general in upholding constitutional principles and ensuring adherence to legal frameworks within the realm of federal governance.”

The States have some say. Still.

This is Common Sense. I’m Paul Jacob.