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*\* The 'debate facts' below are paired off against their respective debate counterparts...*

**Compact Theory:**

Constitution created a compact between states and federal govt. If the federal govt breaks it, the states don't have to obey it.

**Kentucky Resolution:**

States did not have to enforce a law that they felt was unconstitutional or outside the government's expressed powers.

**Doctrine of Nullification:**

States have the right to determine a law's constitutionality, and ignore it if it is ruled unconstitutional by the state legislature.

**Threats of secession:**

If necessary, states could withdraw from the Union.

**States'  
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Debate**

**Permanent Union:**

States voluntarily gave up their sovereignty when they entered the Union.

**Supremacy Clause:**

Federal laws are the law of the land, and state laws may not contradict federal law.

***Marbury v. Madison:***

The Supreme Court alone has the authority to determine constitutionality.

**Fears of anarchy:**

Nullification by states would lead to national chaos.

# States Rights Debate

**Alpheus Thomas Mason**



## States Rights Debate:

**The Fallacies of States' Rights** Sotirios A. Barber, 2013-01-14 Barber shows how arguments for states rights from John C Calhoun to the present offend common sense logic and bedrock constitutional principles The Constitution is a charter of positive benefits not a contract among separate sovereigns whose function is to protect people from the central government when there are greater dangers to confront

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The States Rights Debate: Antifederalism and the Constitution Alpheus Thomas Mason, 1972

*The Federalist* [Anti-Federalist Debate Over States] Rights Lea Ball, 2004-12-15 Looks at the debate which lasted over six months arguing the type of government which would best serve the new nation covering the historical background the people who were debating and the impact on the United States

*American Debate: Colonial, state, and national rights, 1761-1861* Marion Mills Miller, 1916

Great Debates in American History: Colonial rights; the revolution; the Constitution Marion Mills Miller, 1913

**Great Debates in American History: Civil rights, part 1; with an introduction by W. Wilson** Marion Mills Miller, 1918

... *Official Record of the Debates ...*, 1897

*Debates of the Maryland Constitutional Convention of 1867* Maryland. Constitutional Convention, 1923

**Parliamentary Debates** Australia. Parliament, 1908

**The World Book**, 1928

**The World Book** Michael Vincent O'Shea, Ellsworth D. Foster, George Herbert Locke, 1918

**Great Debates in American History: State rights (1798-1861); slavery (1858-1861)** Marion Mills Miller, 1913

*Official Record of the Debates ...* Australia. Constitutional Convention, 1897

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Great Debates in American History: Finance, part 2, and indexes Marion Mills Miller, 1913

**The Constitutional History of the United States** Francis Newton Thorpe, 1901

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**Debater's Manual**, 1919

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