



Written by [Bruce Walker](#) on February 28, 2011

## Should Tucson Become a New State?

There is a movement in Pima County, Arizona to create a new state, "Baja Arizona," to reflect the political spirit of the southern part of the state. Advocates of this plan ? with the informal name of Save our State (SOS) ? point out that Pima County is larger than some New England states. The U.S. Constitution does not allow the borders of states to change without the consent of Congress and the state legislature. Article IV, Section 3 provides that:



[N]o new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

Some American states were directly carved out of the 13 original colonies. Maine, for example, was a district of Massachusetts, separated from the rest of that state by New Hampshire. Vermont was disputed territory: both New York and New Hampshire considered it part of their states, while some Vermonters felt theirs to be a separate state or even a separate nation. Kentucky, one of the first new states added to the Union, was originally part of Virginia. The surrender of its claims to western lands made Virginia much smaller than it might have been, but that was one of the early compromises after winning American independence.

West Virginia seceded from Virginia during the Civil War. Parts of other states contemplated withdrawing from the Confederacy. Northern Alabama, which opposed secession, thought about seceding from its mother state. Eastern Tennessee and northwestern Georgia had the same idea, though these Confederate states, like Alabama, stayed intact. The right of some Virginians, Alabamans, Tennesseans, or Georgians to secede from their own states might be constitutionally unclear the reading of Article IV, Section 3 would seem to preclude secession without the consent of the mother states legislature, but secession from the Union might be deemed an abrogation of constitutional constraints as well.

In at least one other case, however, the right to subdivide is explicitly granted. The Republic of Texas as a condition of its admission to the Union as a single state, while ceding its rights to certain parts of its territory reserved the right to divide into no more than six smaller states. Some parts of this huge state, such as the Texas Panhandle, have in the past considered asking for the right to become a separate state. This is a treaty right, and as a consequence has been recognized as having priority over the provisions of Article IV of the U.S. Constitution.

What Arizonans in Tucson (Pima County) are complaining about is being a political minority within their state, compelled to being governed by politicians and policies are out of synch with what Pima County



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residents want. Of course, it is axiomatic that within any polity there will be a political minority and a political majority. Arizona Democrats, for example, who are pushing the SOS initiative, live in a nation in which their political party has for decades enjoyed almost monolithic control of Congress. Should Arizona itself have been allowed to withdraw from the United States when Barack Obama and his party had total control of the federal government? Republicans lacked the power to even filibuster bills in the Senate. Should strongly Republican states such as Utah and Idaho have been allowed to secede from an Obama-run government which was markedly out of synch with the citizens of those states?

Perhaps the best advice is that given by the Founding Fathers in the opening lines of the Declaration of Independence:

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive to these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed.

What is envisioned by Baja Arizona proponents is the withdrawal from the sovereignty of the State of Arizona, to assume the status of the separate and equal station of another state. The Founding Fathers in the last sentence of the above quote warned that governments long established should not be changed for light and transient causes. The purpose of government is to preserve liberty, as the quote also reminds us. Are the advocates of the SOS initiative arguing that the government of their state is depriving them of liberty? Or are they instead arguing that the state is adopting policies which protect the its southern border, defend the rights of Arizonans to keep and bear arms, and protect Arizonans, through actions in federal court, from being compelled to obtain medical coverage against their will?

The Baja Arizona movement looks more like an attempt, through a backhanded sort of political blackmail, to turn duly-elected officials in Phoenix from pursuing those actions that are intended to preserve the rights of all Arizonans. It resembles, in some respects, the move by Vermonters to form an independent republic; however, in the historical case of Vermont, its citizens would not have continued to have representation in Congress or be protected by the United States had it become an independent republic. The Baja Arizona movement, which would give a minority of the old state two new U.S. senators, could just as easily lead to demands by, say, upstate New Yorkers to separate themselves from a massive metropolis that controls state politics, or downstate Illinoisans to have a Chicago-free state. California is huge, unmanageable, and dominated by collectivists in the coastal metropolitan areas. Perhaps the Baja Arizona movement would make farmers in the Imperial Valley and other rich agricultural areas feel they too have the right to form their own state.



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Before unhappy citizens in one section of a single state make the drastic move of asking for the right to secede, perhaps they should look carefully at the whole nation all 50 states and heed the prudent warning of the profoundly astute Founding Fathers.

*Photo: Pima County courthouse*



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