

THE KEY TO YOUR OWN POLITICAL CHOICE OF LAW

The Fourteenth Amendment guarantees individuals against invasions by the States of fundamental rights, [Palko v. Connecticut, 302 U. S. 319](#), and under more recent decisions of this Court some of the specifics of the Bill of Rights as well. See, *e. g.*, in the context of this case, [Malloy v. Hogan, 378 U. S. 1](#); [Griffin v. California, 380 U. S. 609](#). It thus serves as a limitation on the actions of the States, and lodges in this Court the same power over state "laws, rules, and remedies" as the Court has always had over the "laws, rules, and remedies" created by Congress. This power was classically described by Chief Justice Marshall in [Marbury v. Madison, 1 Cranch 137, 178](#):

"So if a law be in opposition to the constitution; if both the law and the constitution apply to a particular case, so that the court must either decide that case conformably to the law, disregarding the constitution; or conformably to the constitution, disregarding the law; the court must determine which of these conflicting rules governs the case. . . ."

Cited from *CHAPMAN ET AL. v. CALIFORNIA*, 386 U.S. 18 (1967).

Key Concept and Conclusion:

If the law be in opposition to the constitution, and both the law and the constitution apply to a particular case, to try the case by law, the court must disregard the constitution. Similarly, if the district be in opposition to the court's original jurisdiction, and both the district and the original jurisdiction apply to a particular case, to try a case *inside the district*, the court must disregard the constitution and its original jurisdiction. Therefore, my **political Choice of Law** is the primary contract in its original jurisdiction.