

Federalism: supreme court of the united states assignment



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Of a branch Of the Second Bank Of the United States by imposing a tax on all notes of banks not chartered in Maryland. Though the law, by its language, was generally applicable to all banks not chartered in Maryland, the Second Bank of the United States was the only out-of-state bank then existing in Maryland. This case established two important principles in constitutional law. Marshall first argued that historical practice established Congress' power to create the bank. Marshall invoked the first bank of the United States story as authority for the constitutionality of the second bank.

Second, Chief Justice Marshall refuted the argument that states retain ultimate sovereignty because they ratified the constitution. Chief Justice Marshall also determined that Maryland may not tax the bank without violating the Constitution. This still pertains today because lawmakers use the necessary and proper clause to justify many federal actions. All states would have attempted to tax the federal agencies years ago if Marshall allowed Maryland to do so, which would just put us in debt. Second, the Civil War changed the nature of federalism.

The lower southern states tried to create a confederacy, which later led to the Thirteenth, Fourteenth, and Fifteenth Amendments in the Constitution. These all dealt with the abolishment of slavery. This changes federalism drastically because the abolishment primarily focuses on the states, not the national government. As seen in Graph Figure 8. 3, this issue deals with many of the topics listed. Of the issues listed, the main one that stands out is justice. The Northern states fought long and hard on what they thought was right.

Although they limited state powers and added more national involvement after the Civil War, it was safe to say our country was indivisible. We are all unified and that has continued to be a strong statement as of today. Third, Franklin D. Roosevelt wanted to involve all levels of government to cooperate together. He wished to stabilize the economy and personal suffering, but the Supreme Court and the people feared that these changes would tamper with the programs of the court and the government. The Supreme Court thought that the New Deal went beyond Congress's power.

It was viewed as unconstitutional and a "state" power. The court then changed the meaning of the whole Deal to adjust the great change it would have made. Overall, FDR's New Deal changed the way national and state government cooperated. For example, Graph Figure 8. 2 shows the locations of all the federal agencies across the countries. It shows that the national government is trying to increase efficiency of the government of both the national and states. Today, the national government helps regulate the issues faced in the states which a change, in a positive way.

Fourth, President Ronald Reagan led a revolution of enforcing a new movement called "New Federalism", which was an attempt to return power to the states. This altered the relationship of the national and state government. As a result, Reagan pushed for block grants because the national government declined to aid the states. He was accused of weakening the states with debts because the states then had to pay for their responsibilities, which was an opposite effect of his intentions. Today the issue of the proper balance between national and state powers is as viable as it was in 1789.

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States' rights have remained a controversial topic for more than 200 years. Americans are divided between which laws should be national and which should be reserved to the states. Fifth and lastly, the Tenth Amendment was the cause of the states' powers to be described in depth due to the fact the states held all powers in the Constitution. ' The powers not delegated to the States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people".

The powers stated in the sentence above lie at the foundation of a states' right to legislate for the public health and welfare of all citizens, which are called " reserved powers". Today, these reserved powers are the basis against criminal laws, such as the death penalty and abortion. Plays an extremely important role in our country and it is how our country runs. It is crucial to understand the facts and knowledge behind all of it because it is the reason our country is strong. It has shaped the way our government plays everything out and displays how complex it all is.