

Mcculloch V Maryland Worksheet Answers

McCulloch v. Maryland (1819)
Classifying Arguments

| Name: | Period: | Date: |
|--|--|-------|
| For McCulloch: Daniel Webster argued that although the power to charter a national bank is not specifically stated in the Constitution, it is one of the implied powers that the "necessary and proper" clause grants Congress. According to Webster, the bank was a "necessary and proper" way for Congress to conduct the financial affairs of the country. On the issue of whether or not Maryland could tax the bank, Webster argued that if Maryland were allowed to tax the bank, the state could destroy the bank by taxing it out of existence. | For Maryland: Maryland's Attorney General, Luther Martin, represented the state. He challenged Webster's assertion that the authority to establish a national bank is an implied power, saying that because creating a bank was not specifically stated in the Constitution, Congress did not have the authority to do so. Rather, it is a power that is reserved for the states. He went on to argue that because states are sovereign, they have the authority to tax institutions and businesses within their borders. | |

*Directions: If the argument supports the petitioner, McCulloch, write **MC** on the line next to the argument. If the argument supports the respondent, Maryland, write **MD** on the line next to the argument.

Arguments

- ____ 1. The power to lay and collect taxes requires the government to have a bank.
- ____ 2. Many of the powers and privileges a federal bank have are not necessary.
- ____ 3. "The incorporation of a bank, and other powers, have not, in my opinion, been delegated to the U.S. by the Constitution. They are not among the powers specially enumerated." (Thomas Jefferson)
- ____ 4. The "necessary and proper" clause in the Constitution allows the government important freedom.
- ____ 5. The federal government has too much power—if it is important for states to be able to control their own situation.
- ____ 6. The reserved powers are a key part of the Bill of Rights.
- ____ 7. The government established by the Constitution has "an indefinite supremacy over all persons and things." (James Madison)
- ____ 8. "It is not denied that there are implied as well as expressed powers, and that the former are as effectually delegated as the latter." (Alexander Hamilton)
- ____ 9. Any new government institutions that do not go against the spirit of the Constitution are constitutional.

Mcculloch v Maryland worksheet answers serve as an important educational resource for students studying this landmark Supreme Court case, which has shaped the understanding of federalism in the United States. By exploring the intricacies of the case and the subsequent court ruling, students can gain insights into the relationship between state and federal powers and the implications of the Necessary and Proper Clause as well as the Supremacy Clause. This article delves into the background, key issues, and outcomes of the case, providing a comprehensive overview that can aid in understanding and filling out worksheets related to this significant legal decision.

Background of McCullough v. Maryland

The case of McCullough v. Maryland arose in the early 19th century during a time of significant economic and political change in the United States. Understanding the context in which this case was decided is crucial for grasping its implications.

Historical Context

1. The establishment of the Second Bank of the United States: In 1816, Congress chartered the Second Bank of the United States to help stabilize the economy after the War of 1812. The bank was intended to manage the country's finances, regulate currency, and provide loans to the government and private

individuals.

2. State vs. Federal Power: The creation of the bank reignited the debate over the balance of power between state and federal governments. Opponents of the bank argued that it was unconstitutional and infringed upon state rights.

Key Figures

- James McCullough: The cashier of the Baltimore branch of the Second Bank of the United States, McCullough was charged with failing to pay Maryland's tax on the bank.
- Maryland State Government: The state sought to impose a tax on the bank as a way to exert its authority over a federally-chartered institution.

Key Issues in the Case

The case presented several significant constitutional questions that would ultimately be addressed by the Supreme Court.

Constitutionality of the Bank

- Necessary and Proper Clause: The federal government argued that the establishment of the bank was necessary for executing its enumerated powers, as stated in Article I, Section 8 of the Constitution.
- State Taxation: Maryland contended that it had the right to tax all businesses within its borders, including the federal bank.

Supremacy Clause

- The Supremacy Clause, found in Article VI of the Constitution, establishes that federal law takes precedence over state law. This principle was central to the arguments presented in the case, as the state of Maryland's tax could be seen as an infringement on federal authority.

The Supreme Court's Decision

The Supreme Court, led by Chief Justice John Marshall, delivered its ruling on March 6, 1819, which would have far-reaching implications for the interpretation of federal power.

Ruling Overview

1. Federal Authority Affirmed: The Court ruled in favor of McCullough, stating that the federal government had the power to create the bank under the Necessary and Proper Clause.
2. State Taxation Invalidated: The Court also determined that Maryland's tax on the bank was unconstitutional. Marshall famously stated, "the power to tax involves the power to destroy," emphasizing that allowing states to tax federal institutions would undermine federal authority.

Key Quotes from the Ruling

- "Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the constitution, are constitutional."
- "The Constitution, and the laws made in pursuance thereof, are supreme; and the laws made by the states must yield to it."

Implications of the Ruling

The ruling in McCullough v. Maryland has had lasting effects on the interpretation of federalism in the United States.

Expansion of Federal Power

- The decision set a precedent for a broad interpretation of federal powers. It established that the federal government could take actions not explicitly outlined in the Constitution as long as they were deemed necessary to fulfill its responsibilities.
- This broad interpretation has allowed for the expansion of federal authority in various areas, including economic regulation and civil rights.

Impact on State Sovereignty

- The ruling also clarified the limitations of state power in relation to federal authority. While states retain certain rights, they cannot interfere with or tax federal entities.
- This balance has led to ongoing debates about states' rights and the proper

scope of federal intervention.

Significance in American Legal Education

Understanding *McCullough v. Maryland* is essential for students of American government and constitutional law. It serves as a foundational case that illustrates the ongoing tension between state and federal powers.

Educational Applications

- **Worksheets and Study Guides:** Many educators create worksheets that outline the details of the case, including its background, key players, constitutional issues, and the Court's decision. These worksheets often include questions that encourage critical thinking about the implications of the ruling.
- **Class Discussions:** The case often serves as a springboard for discussions about federalism, the interpretation of the Constitution, and the role of the Supreme Court in American government.

Critical Thinking Questions for Worksheets

1. What were the main arguments presented by both sides in the case?
2. How does the Necessary and Proper Clause support the federal government's position?
3. In what ways does this case impact our understanding of the relationship between state and federal governments today?
4. What are some modern examples of federalism that reflect the principles established by this case?

Conclusion

McCulloch v. Maryland worksheet answers provide a valuable tool for students to engage with one of the most important Supreme Court cases in American history. By examining the background, key issues, and implications of the case, students can better understand the foundational principles of federalism and constitutional law. This case continues to be relevant today, serving as a critical reference point in discussions about the balance of power between state and federal governments, and the ongoing evolution of American jurisprudence. By utilizing worksheets and engaging with the material, students can enhance their comprehension and analytical skills, preparing them for further studies in law and government.

Frequently Asked Questions

What was the main issue in the McCulloch v. Maryland case?

The main issue was whether the state of Maryland had the power to tax a federal bank and whether the federal government had the authority to create a bank.

What was the Supreme Court's ruling in McCulloch v. Maryland?

The Supreme Court ruled that Maryland could not tax the bank, affirming the supremacy of federal law over state law and the implied powers of the federal government.

What constitutional principles were established by McCulloch v. Maryland?

The case established the principles of federalism, the supremacy clause, and the interpretation of implied powers under the Necessary and Proper Clause.

How did McCulloch v. Maryland impact the balance of power between state and federal governments?

The case reinforced the power of the federal government relative to the states, confirming that federal laws take precedence over conflicting state laws.

What role did Chief Justice John Marshall play in McCulloch v. Maryland?

Chief Justice John Marshall wrote the opinion for the Court, which articulated the rationale for federal supremacy and the broad interpretation of federal powers.

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