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## Tenth amendment examples

The Tenth Amendment to the US Constitution was ratified on December 15, 1791, as part of the Bill of Rights. It emphasizes the principle of federalism, where the federal government and states share power through mutual agreement. The amendment declares that the federal government only has powers delegated by the Constitution and that all other powers not prohibited are reserved to each state or the people. The amendment was initially proposed in 1789 by the 1st US Congress, which saw it as a crucial condition for ratifying the Constitution. It aimed to reaffirm the principles of federalism and limit the Federal Government's powers. The Tenth Amendment, ratified after the American Revolution, was a crucial step in limiting the federal government's powers. In 1789, James Madison proposed an amendment that would have restricted the government to only those powers "expressly" delegated by the Constitution. However, this version of the amendment failed to pass. Instead, Connecticut Representative Roger Sherman drafted the Tenth Amendment in its current form, omitting the words "expressly." This amendment aimed to clarify that any powers not explicitly granted to the federal government belonged to the states. Madison argued that many states wanted to ratify this amendment, despite critics who thought it was unnecessary. The Tenth Amendment became law and provided a clear definition of the relationship between the federal government and the states. The Supreme Court has since recognized its validity, stating that it simply reiterates what had already been established by the Constitution. The Supreme Court has established that state immunity from federal regulation is based on whether the state activity is "traditional" or "integral" to the state government. The Court ruled in *Garcia* that this analysis is flawed and does not accurately reflect the intent of the Framers. However, subsequent cases such as *South Carolina v. Baker* and *New York v. United States* have clarified that exceptions exist when a state lacks participation in federal politics or is left powerless by a federal law. In these cases, Congress's power to regulate is limited. The Court has also ruled that Congress cannot directly compel states to enforce federal regulations, but can encourage compliance through other means such as funding or commerce power. The Commerce Clause played a significant role in Congress's power usage during the 20th century, with its interpretation crucial for determining the federal government's scope of authority. The Great Depression led to a reassessment by both Congress and the Supreme Court regarding the application of Commerce Clause powers in maintaining national economic stability. A landmark case, *Wickard v. Filburn* (1942), established that federal regulation of wheat production could be applied to wheat grown for personal consumption on farms, as it could have a substantial cumulative effect on interstate commerce. This ruling was later expanded upon in *Gonzales v. Raich* (2005), where the Supreme Court ruled that growing medical cannabis for personal use still affected the interstate market and could be regulated by the federal government under the Commerce Clause. In contrast, the case of *United States v. Lopez* (1995) marked a limitation on the government's power under the Commerce Clause, as it struck down a federal law mandating "gun-free zones" around public school campuses due to lack of constitutional authorization. Eisenhower deployed federal troops to escort them into school.[34] Six months later the board filed an appeal in US District Court Eastern Arkansas seeking a two-and-a-half-year delay implementing desegregation.[35] The court granted this relief but reversed their decision on August 18, 1958 and stayed its mandate pending appeal to Supreme Court.[35] By then it had become national issue; people were debating states' rights and the Tenth Amendment as well as racism and segregation. The court used Supremacy Clause of Article VI and *Marbury v Madison* saying states must obey their decision in *Brown*. [35] Many advocates for states' rights criticized ruling as attack on Tenth Amendment and claimed it was inconsistent with constitutional vision of the Framers.[36] They also argued that Cooper's decision went against their views on nullification. States' rights have been a contentious issue in the US, with some states passing declarations of interposition to oppose federal laws and courts upholding their authority. The Supreme Court has consistently ruled against nullification and interposition, stating they are impermissible methods of resisting federal law. Despite this, some states continue to enact laws that appear to circumvent federal decisions or resist federal authority, earning them the label of "laws of nullification". However, the federal system's limitations on state governments' powers mean Congress often employs cooperative federalism to encourage states to implement national programs in compliance with national standards. This approach has led to various examples, such as the nationwide state speed limit and drinking age being imposed through conditional funding allocations for states failing to comply. The Tenth Amendment to the US Constitution states that powers not delegated to the federal government are reserved for the states or the people. The amendment was added to the Bill of Rights in 1791 and has been interpreted in various ways over time. Some sources argue that the Ninth Amendment, which guarantees that individuals retain rights not explicitly listed in the Constitution, was added to prevent future courts from using a "maxim expressio unius est exclusio alterius" (the expression of one thing excludes others) principle. This principle suggests that if a power is given to the federal government, it takes away powers that could be exercised by states or individuals. However, not all scholars agree on the interpretation of the Tenth Amendment. Some argue that the amendment only applies to lists of governmental powers and does not limit the federal government's authority in other areas. Others contend that the amendment has been interpreted too narrowly over time. The Supreme Court has weighed in on various cases interpreting the Tenth Amendment, including *South Carolina v. Baker* (1968), which limited state power over local governments; *New York v. United States* (1992), which established a balance between federal and state powers; and *Printz v. United States* (1997), which reasserted the principle of federalism. Richard A. Epstein argues that the Tenth Amendment should be interpreted in a more classical liberal sense, allowing states to exercise significant autonomy over their affairs. In contrast, some scholars argue that the amendment has been stretched too far and that state powers should be limited by the Constitution's text. Overall, the interpretation of the Tenth Amendment remains a topic of debate among scholars and policymakers, with implications for federalism, state power, and individual rights. People have the power under the Tenth Amendment of the United States Constitution. The amendment was ratified on December 15, 1791 and is part of the Bill of Rights which includes the first 10 Amendments to the Constitution. The Tenth Amendment provides for states' rights by stating that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." The amendment is often interpreted as limiting the government's powers and ensuring that state's rights and power to the people is preserved. The issue at hand revolves around determining whether the Act properly informs states on what actions they can and cannot take with their funds. However, some argue that the Act does not necessarily impose specific obligations on the states in a legally binding manner. If it's established that the Act does not infringe upon states' rights, then any potential violation of the 10th Amendment is deemed non-existent.