

## CHAPTER 2—Texas in the Federal System

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### MULTIPLE CHOICE

1. All but which of the following is one of the primary types of governmental systems?
- a. Federal
  - b. Unitary
  - c. Socialist
  - d. Confederal
  - e. All of the above are primary types of governmental systems

ANS: C

REF: 25

NOT: Factual

2. Most nations in the world are governed by \_\_\_\_\_ systems.
- a. federal
  - b. unitary
  - c. socialist
  - d. confederal
  - e. None of the above is true.

ANS: B

REF: 25

NOT: Factual

3. All American states have \_\_\_\_\_ governmental systems.
- a. unitary
  - b. socialist
  - c. federal
  - d. confederal
  - e. authoritarian

ANS: A

REF: 25

NOT: Factual

4. A government in which governing authority is held solely by the national government is
- a. unitary.
  - b. monarchic.
  - c. confederal.
  - d. federal.
  - e. totalitarian.

ANS: A

REF: 25

NOT: Factual

5. A government in which ultimate governing authority is held solely by state or regional governments is
- a. unitary.
  - b. monarchic.
  - c. confederal.
  - d. federal.
  - e. totalitarian.

ANS: C

REF: 25

NOT: Factual

6. The fact that Great Britain had a \_\_\_\_\_ government was an important contributor to the adoption of the Articles of Confederation in the aftermath of the American Revolution.
- a. unitary
  - b. monarchic
  - c. confederal

- d. federal
- e. totalitarian

ANS: A                      REF: 25                      NOT: Applied

7. A government in which power is shared between a national government and state governments is
- a. unitary.
  - b. monarchic.
  - c. confederal.
  - d. federal.
  - e. totalitarian.

ANS: D                      REF: 26                      NOT: Factual

8. An important reason the Framers of the Constitution adopted a federal system was
- a. they decided that the government under Britain was desirable after all.
  - b. they believed the central government under the Articles of Confederation was too powerful.
  - c. government under the Articles of Confederation was too centralized.
  - d. they thought the states should be more powerful than they had been under the Articles of Confederation.
  - e. they wanted to give more power to the central government.

ANS: E                      REF: 26                      NOT: Applied

9. Powers of the central government explicitly listed in the U.S. Constitution are
- a. expressed.
  - b. reserved.
  - c. implied.
  - d. concurrent.
  - e. inherent.

ANS: A                      REF: 26                      NOT: Conceptual

10. \_\_\_\_\_ are those that are assumed to exist so that the government can perform functions that are expressly delegated.
- a. Expressed powers
  - b. Reserved powers
  - c. Implied powers
  - d. Concurrent powers
  - e. Inherent powers

ANS: C                      REF: 26                      NOT: Conceptual

11. Powers of the central government that are not necessarily listed in the constitution but are required to maintain the integrity of the nation are
- a. expressed.
  - b. reserved.
  - c. implied.
  - d. concurrent.
  - e. inherent.

ANS: E                      REF: 26                      NOT: Conceptual

12. In establishing the system of federalism, the framers of the Constitution wanted to achieve
- a. a government chiefly dominated by a powerful central government.

- b. a government chiefly dominated by strong state governments.
- c. a government that would resemble the British parliamentary system, on the theory of “better the problems you know than problems you don’t know.”
- d. a balance between parochial interests and broader national concerns.
- e. a minor revision of the Articles of Confederation.

ANS: D                      REF: 26                      NOT: Conceptual

13. Over the course of the nation’s history, power has tended to
- a. remain concentrated in the central government.
  - b. remain concentrated in state governments.
  - c. migrate from the states to the national government.
  - d. migrate from the national government to the states.
  - e. be exercised largely by a coalition of large state governors.

ANS: C                      REF: 26                      NOT: Conceptual

14. Government powers shared by the national government and the states are
- a. expressed.
  - b. reserved.
  - c. implied.
  - d. concurrent.
  - e. inherent.

ANS: D                      REF: 27                      NOT: Conceptual

15. Governing powers held by the states, as confirmed by the Tenth Amendment, are
- a. expressed.
  - b. reserved.
  - c. implied.
  - d. concurrent.
  - e. inherent.

ANS: B                      REF: 27                      NOT: Conceptual

16. Delegated powers held by the national government include all of the following *except* the power to
- a. coin money.
  - b. regulate interstate commerce.
  - c. conduct elections.
  - d. declare war.
  - e. enter into treaties.

ANS: C                      REF: 27                      NOT: Conceptual

17. Reserved powers include all of the following *except* the power to
- a. enter into treaties.
  - b. establish and provide for local governments.
  - c. ratify constitutional amendments.
  - d. provide for public health and safety.
  - e. conduct elections.

ANS: A                      REF: 27                      NOT: Conceptual

18. Concurrent powers include all of the following *except* the power to
- a. levy taxes.
  - b. establish courts.

- c. borrow money.
- d. raise armies.
- e. establish banks.

ANS: D                      REF: 27                      NOT: Conceptual

19. Provisions of the constitution that specifically address the relationship of central government powers to state government powers include all of the following *except*
- a. the Tenth Amendment.
  - b. the Fifth Amendment.
  - c. the supremacy clause.
  - d. the Fourteenth Amendment.
  - e. All of the above specifically address the relationship between national and state power.

ANS: B                      REF: 28                      NOT: Applied

20. Perhaps the most important concept to consider when discussing extent of powers of the central government under federalism is
- a. police power.
  - b. categorical grants.
  - c. devolution.
  - d. block grants.
  - e. the necessary and proper clause.

ANS: E                      REF: 28                      NOT: Conceptual

21. The commerce clause empowers the federal government to
- a. engage in commerce with the states.
  - b. regulate interstate commerce.
  - c. adjudicate the appropriateness of contracts that states negotiate with contractors within their state borders.
  - d. regulate all forms of commerce of whatever variety in the United States.
  - e. regulate only commerce between states and foreign governments.

ANS: B                      REF: 28                      NOT: Applied

22. In *McCulloch v. Maryland*, the Supreme Court ruled that if Maryland adopted a tax on the Bank of the United States
- a. Maryland would gain an unconstitutionally large revenue stream.
  - b. they could destroy the national bank.
  - c. they would have to tax other banks in Maryland at the same rate.
  - d. the national bank would have to pay it.
  - e. under federalism that would be an act not subject to review by the courts.

ANS: B                      REF: 28                      NOT: Applied

23. The Tenth Amendment provides the constitutional basis for the understanding that
- a. whenever federal law conflicts with state law, the federal law prevails.
  - b. the national government regulates economic activity of the state governments.
  - c. the national government may exercise any power that is necessary and proper to carry out its responsibilities.
  - d. “the power to tax is the power to destroy.”
  - e. state governments retain important power in our federal system.

ANS: E                      REF: 29                      NOT: Applied

24. All of the following *except* which one are powers conferred by Article I, Section 8 of the constitution?
- Establishing post offices
  - Declaring war
  - Collecting taxes
  - Punishing murderers
  - Promoting the progress of science and useful arts

ANS: D                      REF: 29                      NOT: Factual

25. Under Corwin's analysis of dual federalism, the power relationship between the national government and state governments can be described as
- the national government is much more powerful.
  - the national government is slightly more powerful.
  - the national government and state governments are sovereign and equal.
  - state governments are slightly more powerful.
  - state governments are much more powerful.

ANS: C                      REF: 29                      NOT: Applied

26. Which of the following is not among the features identified by Edward Corwin as characterizing dual federalism?
- The "elastic clause" was important in establishing dual federalism.
  - The relationship between the national government and state governments is one of tension rather than collaboration.
  - The national government is empowered to promote only a few purposes.
  - Within their spheres of influence, national and state governments are sovereign and equal.
  - The national government only possesses powers specifically enumerated in the constitution.

ANS: A                      REF: 29                      NOT: Applied

27. A strong reading of which constitutional provision formed the basis of dual federalism?
- The Fourteenth Amendment
  - The Tenth Amendment
  - The "elastic clause"
  - The commerce clause
  - The police power

ANS: B                      REF: 29                      NOT: Conceptual

28. Increased pressure on the government from, for example, two world wars, the Great Depression, the Civil Rights movement, and the Cold War seemed to justify
- an increase in state power relative to the national government.
  - dual federalism.
  - increased centralization of power in the national government.
  - cooperative federalism.
  - Chief Justice Roger Taney's interpretation of the constitution.

ANS: C                      REF: 30                      NOT: Applied

29. Federal aid to state or local governments for specific purposes, granted under restrictive conditions and often requiring matching funds from the receiving government are called
- block grants.
  - cooperative grants.
  - sovereign grants.

- d. categorical grants.
- e. reinvestment grants.

ANS: D                      REF: 30                      NOT: Conceptual

30. Of the following, which represents the largest source of revenue for the State of Texas?
- a. Interest and Investment income
  - b. Land income
  - c. Lottery income
  - d. Federal grant income
  - e. Tax income

ANS: E                      REF: 31                      NOT: Factual

31. The bulk of federal funds received by Texas under the American Recovery and Reinvestment Act of 2009, a financial stimulus bill passed by Congress in response to the “Great Recession,” were spent to fund
- a. the Texas militia.
  - b. education programs.
  - c. the border fence, to impede illegal immigration.
  - d. unemployment benefits.
  - e. Texas Governor Rick Perry refused to accept federal funds, as this violated his view of states’ rights.

ANS: B                      REF: 31                      NOT: Factual

32. During the Reconstruction Era, the U.S. Congress was controlled by
- a. Texans.
  - b. Democrats.
  - c. radical Republicans.
  - d. African Americans.
  - e. military occupation forces.

ANS: C                      REF: 32                      NOT: Conceptual

33. The incorporation doctrine holds that
- a. businesses in Texas must demonstrate racial balance when they become incorporated.
  - b. there must be a balance in Texas corporations between minority-owned businesses and majority-owned businesses.
  - c. after the Civil War, each Southern state was required to renounce slavery before it could be re-incorporated into the Union.
  - d. state governments are required to uphold rights contained in the U.S. Constitution’s Bill of Rights.
  - e. requiring states to recognize federal law is a violation of the incorporation rights of states.

ANS: D                      REF: 33                      NOT: Conceptual

34. The Incorporation doctrine grew out of
- a. radical Republican politics.
  - b. the Fourteenth Amendment.
  - c. separate but equal.
  - d. States’ Rights Doctrine.
  - e. the First Amendment.

ANS: B                      REF: 33 | 34                      NOT: Conceptual

35. The U.S. Constitution empowers the \_\_\_\_\_ to determine who is and who is not a citizen of the United States.
- a. state legislatures
  - b. president of the United States
  - c. U.S. Supreme Court
  - d. state governors
  - e. U.S. Congress

ANS: E                      REF: 34                      NOT: Factual

36. The separate-but-equal doctrine was established by the Supreme Court's decision in
- a. *Sweatt v. Painter*.
  - b. *Aguilar v. Texas*.
  - c. *Plessy v. Ferguson*.
  - d. *Pointer v. Texas*.
  - e. *Brown v. Board of Education*.

ANS: C                      REF: 34                      NOT: Factual

37. Jim Crow laws
- a. required racial segregation in almost every aspect of life in states where they were adopted.
  - b. were passed by the federal government to protect the rights of African Americans.
  - c. were invalidated by states during Reconstruction.
  - d. were adopted by the Texas legislature to force the federal government to enforce civil rights laws.
  - e. were prevalent in most Southern states, but fortunately never had much impact in Texas.

ANS: A                      REF: 35                      NOT: Conceptual

38. The precedent established in *Plessy v. Ferguson* was finally overturned in the Supreme Court's decision in
- a. *Clarkson v. U.S.*
  - b. *Pointer v. Texas*.
  - c. *Sweatt v. Painter*.
  - d. *Brown v. Board of Education*.
  - e. *Aguilar v. Texas*.

ANS: D                      REF: 35                      NOT: Factual

39. The Texas case that set the stage for the *Brown v. Board of Education* decision was
- a. *Brown v. Board of Education*.
  - b. *Sweatt v. Painter*.
  - c. *Pointer v. Texas*.
  - d. *Aguilar v. Texas*.
  - e. *Clarkson v. U.S.*

ANS: B                      REF: 35                      NOT: Factual

40. To many people, the phrase "states' rights" is a "code word" for
- a. promotion of citizenship for undocumented immigrants.
  - b. unjustified criticism of states' popular "Jim Crow" laws.
  - c. states' usurpation of legitimate federal authority.
  - d. excessive deference to exaggerated claims of mistreatment of minorities.
  - e. promotion of racism.

ANS: E

REF: 35

NOT: Applied

41. The basis of the Supreme Court's *Sweatt v. Painter* decision was
- Texas has a high percentage African American population.
  - the University of Texas provided a substandard legal education.
  - Texas did not provide separate accommodations under the separate-but-equal doctrine.
  - the court followed the precedent of the *Brown v. Board of Education* decision.
  - Jim Crow laws made the separate-but-equal doctrine unnecessary.

ANS: C

REF: 35

NOT: Applied

42. A new form of federalism, foreshadowed by civil rights laws passed in the 1960s, in which the national government directs policies that the states must adopt, has been called
- cooperative federalism.
  - dual federalism.
  - state federalism.
  - coercive federalism.
  - national federalism.

ANS: D

REF: 36

NOT: Conceptual

43. Which of the following is NOT a program viewed by Texas Governor Rick Perry as an example of the federal government placing undue burden on Texas government?
- The Select Committee on State Sovereignty
  - Environmental Protection Agency regulations
  - Health-care reform legislation
  - Attempts to limit carbon dioxide emissions
  - All of the above are programs viewed as placing undue burden on Texas government

ANS: A

REF: 36

NOT: Conceptual

44. Obligations that the federal government imposes on state governments without providing adequate funding to support programs are called
- coercive federalism.
  - states' rights.
  - preemptions.
  - cooperative rule-making.
  - unfunded mandates.

ANS: E

REF: 37

NOT: Factual

45. The individual mandate requires
- every Texan age 16 or younger to attend school.
  - every employed Texan to pay income tax.
  - everyone who drives to have automobile liability insurance.
  - every individual who can afford health-care insurance but is uninsured, to purchase it.
  - individuals to participate in executing unfunded mandates.

ANS: D

REF: 40

NOT: Conceptual

46. Before passage of the Affordable Care Act (Obamacare), about \_\_\_\_\_ did not have health insurance.
- 150,000
  - 2.7 million
  - 6.2 million



- d. 10.1 million
- e. 15.5 million

ANS: C                      REF: 40                      NOT: Factual

47. The limits on what Congress can do— what powers it has— are stipulated in
- a. the Tenth Amendment.
  - b. Article I, Section 8.
  - c. the Fourteenth Amendment.
  - d. the Bill of Rights.
  - e. the First Amendment.

ANS: B                      REF: 41                      NOT: Factual

48. “Police power” is
- a. the power to prosecute murderers.
  - b. the power to engage in surveillance of citizens.
  - c. granted to the national government under Article I, Section 8.
  - d. listed specifically in the Tenth Amendment as being reserved to the states.
  - e. general power of the states to provide for public health and safety.

ANS: E                      REF: 41                      NOT: Conceptual

49. The Affordable Care Act was upheld (in most of its provisions) on the basis of
- a. the commerce clause.
  - b. Congress’s power to tax.
  - c. the police power.
  - d. the Fourteenth Amendment.
  - e. cooperative federalism.

ANS: B                      REF: 41                      NOT: Applied

50. The legal basis of states not recognizing same-sex marriages performed in other states is
- a. the Full Faith and Credit Clause.
  - b. the commerce clause.
  - c. Article I, Section 8 powers.
  - d. the Defense of Marriage Act.
  - e. the Bill of Rights.

ANS: D                      REF: 41                      NOT: Conceptual

51. Among other provisions, DOMA
- a. prevents the federal government from granting benefits based on marriage to same-sex couples.
  - b. requires individuals to purchase automobile liability insurance.
  - c. allows states to perform “federalized” same-sex marriages.
  - d. requires individuals to purchase health insurance.
  - e. outlaws discrimination in any form based on sexual orientation.

ANS: A                      REF: 41                      NOT: Conceptual

52. The full faith and credit clause requires
- a. state-chartered banks to honor provisions of loans made in any state.
  - b. the federal government to respect the religious beliefs of all citizens.
  - c. states to recognize “public acts, records and judicial proceedings” from every state.
  - d. the federal government to recognize “public acts, records and judicial proceedings” from

- every state.
- e. states to recognize legal authority of foreign governments over their citizens who are residing in the United States.

ANS: C

REF: 41

NOT: Conceptual

## ESSAY

1. Explain the characteristics of and differences among Federal, Confederal and Unitary government systems.

ANS:

Answers may vary.

2. Describe the progression that led to our federal system of government being adopted by the drafters of the Constitution. What were the historical influences and the challenges that led to federalism?

ANS:

Answers may vary.

3. Describe the different types of powers embodied in the Constitution, being sure to provide examples of each type of power.

ANS:

Answers may vary.

4. What provisions in the Constitution delineate the relationship between the national government and the state governments in our federalist system of government? Explain how these provisions both empower and limit power of the central government and the states.

ANS:

Answers may vary.

5. Explain the significance of *McCulloch v. Maryland*.

ANS:

Answers may vary.

6. Describe *dual federalism* and explain the interpretation of the various constitutional provisions that underlie it.

ANS:

Answers may vary.

7. Describe the principles of cooperative federalism and explain how it grew out of the era of dual federalism.

ANS:

Answers may vary.

8. Explain what the Incorporation Doctrine is, how it developed, and how it is significant in our federalist system.

ANS:

Answers may vary.

9. Describe the *separate but equal doctrine*. Explain how it was established, what its problems were, and how it was finally overturned.

ANS:

Answers may vary.

10. Explain *coercive federalism* and how Texas has responded to it.

ANS:

Answers may vary.

11. Explain the constitutional questions surrounding the Affordable Care Act and how the Supreme Court resolved those issues.

ANS:

Answers may vary.

12. Explain the controversy surrounding the concept of *States' Rights*.

ANS:

Answers may vary.