



McCulloch v Maryland (1819): Lesson Plan

Topic	
<p>In <i>McCulloch v Maryland</i> (1819), the Court established that the federal government had the power to establish a national bank and the states did not have the power to tax that bank. This decision expanded the power of the federal government over the states and relied on a broad reading of the Necessary and Proper Clause.</p>	
Possible subjects/classes	Time needed
<ul style="list-style-type: none"> • Civics • History • Social Studies 	30-45 minutes
Video link:	
https://academy4sc.org/video/mcculloch-v-maryland-1819/	
Objective: <i>What will students know/be able to do at the end of class?</i>	
<p>By the end of this lesson, students will be able to:</p> <ul style="list-style-type: none"> • Define the Reasonableness Rule • Explain how Marshall viewed the states taxing the federal government • Explain the unanimous decision upholding the constitutionality of a national bank 	
Key Concepts & Vocabulary	
Alexander Hamilton, War of 1812, Jeffersonians	
Materials Needed	
Internet access for the Before you watch activity and Activity Ideas	
Before you watch	
Research	
Assign students to research either the differences between Jeffersonians and Hamiltonians or the War of 1812. Share findings with the class.	

While you watch

Complete the worksheet.

After you watch/discussion questions

1. How do you think America would be different today had this case been decided differently? Give specific examples of laws or institutions that you believe would not exist without the *McCulloch* decision.
2. Do you agree with Marshall that "The power to tax involves the power to destroy?"
3. Do you view the Constitution as an outline as Marshall does? Why or why not?

Activity Ideas

- Research times *McCulloch v Maryland* (1819) has been cited in other cases. What have those cases established?
- Since the decision was unanimous, write what you think would be a dissenting opinion to *McCulloch v Maryland* (1819).

Sources/places to learn more

1. Gillman, Howard. American Constitutionalism, Second Edition. Volume I Structures of Government. [Virtual Source Bookshelf].
2. "McCulloch v. Maryland." Oyez, www.oyez.org/cases/1789-1850/17us316.
3. Neal, Jeff. "McCulloch v. Maryland: Two centuries later," *Harvard Law Today* (September 23, 2019)
<https://today.law.harvard.edu/mcculloch-v-maryland-two-centuries-later/>