

WRITTEN QUESTIONS FOR RUTH BADER GINSBURG
FROM SENATOR STROM THURMOND

I want to ask you a few questions about the 10th Amendment to the United States Constitution.

As we all know, and as discussed here, the Constitution was submitted to the states by resolution of the Constitutional Convention on September 17, 1787. South Carolina was the eighth state to ratify on May 23, 1788.

The Bill of Rights, the first ten amendments to the Constitution, was proposed by Congress on September 25, 1789, and declared ratified on December 15, 1791.

After the Constitution was submitted and before it was ratified, assurances were made to Legislatures of the several states that the 10th Amendment as part of the Bill of Rights would become a part of the United States Constitution. These assurances assured the ratification of the Constitution.

What is your view of two levels of sovereignty guaranteed by the Constitution--State sovereignty and federal sovereignty?

What is your view of the separation of powers doctrine as enunciated by the founding fathers and guaranteed by the 10th Amendment?

What weight will you give to the 10th Amendment when considering laws enacted by Congress that pre-empt state authority and sovereignty?

In your judgment, does the 10th Amendment have meaning and worth today and in the future?