

Federalism Packet

Federalism is a system of government in which a written constitution divides power between a central government and regional or sub-divisional governments.

In the United States, the central government is Washington D.C. or the Executive, Legislative and Judicial Branches. The regional or sub-divisional governments in the United States are the individual states.

At the same time the thirteen original colonies drafted the Declaration of Independence to announce their intended separation from England, they also wrote the Articles of Confederation to define their relationship with each other as a joint entity. The Articles served to unify the colonies through the Revolution, but as the new states tried to recover from the war and move ahead as a nation, the Articles of Confederation proved too weak to be effective. As the Library of Congress article "To Form a More Perfect Union" explains, "With the passage of time, weaknesses in the Articles of Confederation became apparent; Congress commanded little respect and no support from state governments anxious to maintain their power. Congress could not raise funds, regulate trade, or conduct foreign policy without the voluntary agreement of the states. Recognizing the need to improve the government, Congress tried to strengthen the Articles, but problems persisted."

Essentially, the Congress could not raise money from the states, and thus there was no budget for the collective governing body. Thus, the Constitutional Convention of 1787 was convened. "To Form a More Perfect Union" summarizes the cause and result of this convention: "The Constitutional Convention of 1787 was called to revise the ailing Articles of Confederation. However, the Convention soon abandoned the Articles, drafting a new Constitution with a much stronger national government. Nine states had to approve the Constitution before it could go into effect. After a long and often bitter debate, eleven states ratified the Constitution, which instituted a new form of government for the United States."

The debate was lively and heated and largely centered around how much power the federal government should have. Two Founding Fathers who represented opposing sides were Alexander Hamilton, who argued for a strong national government with James Madison and John Jay in the seminal Federalist Papers, and Thomas Jefferson, who favored a weaker central government and more power resting with individual states. Behind their philosophies were their different perspectives on human nature: Jefferson was an idealist who believed in the inherent good of humanity, and Hamilton was a pragmatist who was more cynical about trusting people to do the right thing. These men and others spent months deliberating about how much centralized government was the right amount for a functioning democracy. The issue was particularly salient because the states had just won independence from a government they considered too controlling, in which decisions were made about the colonists' lives and finances without involving those affected. Thus, there was a strong reaction against a government far removed from those being governed and their concerns, which differed significantly among the colonies. Nonetheless, a government that could not even raise enough money to support its own work could do little good for its people.

Eventually, the Constitution was developed through much deliberation, compromise, and commitment to democratic ideals. The Congress approved the Constitution in 1787, and it was ratified in 1788 by the ninth state (New Hampshire), the final approval needed to put it into effect. This document established the structure of our democratic government as it still stands today. The first ten amendments, known as the Bill of Rights, were proposed in 1789 and ratified in 1791.

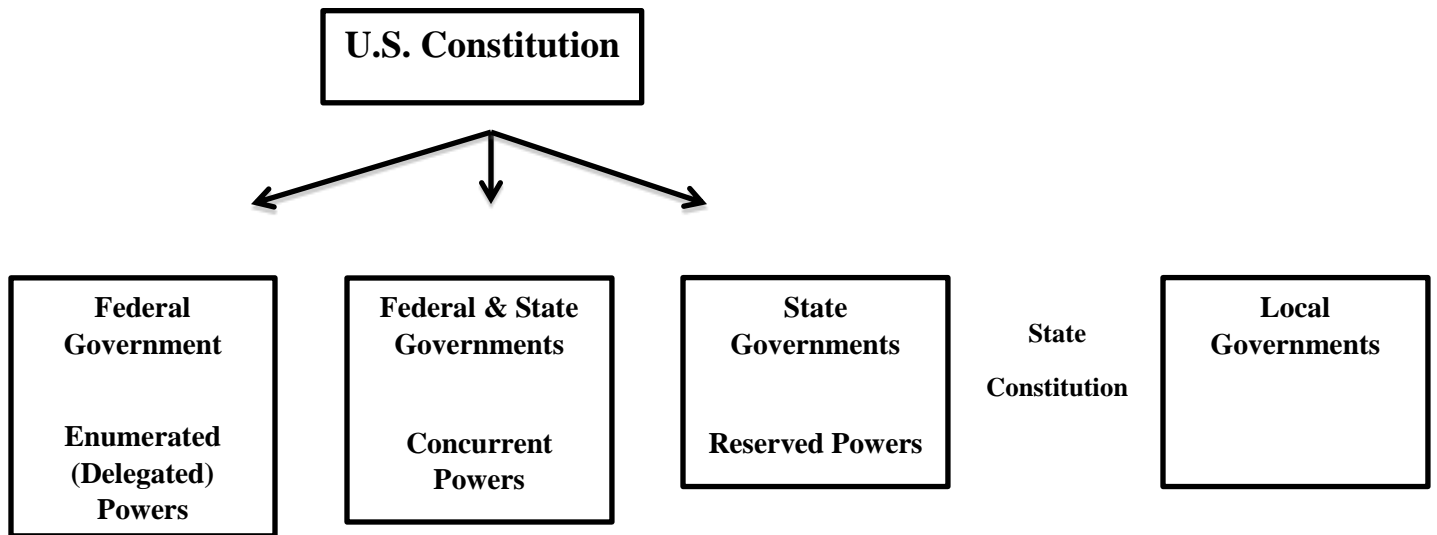
1. What was written by the original thirteen colonies at the same time that the Declaration of Independence was being drafted?
2. What purpose did the Articles serve?
3. List four problems with the Articles of Confederation.
4. Why was it necessary to have the Constitutional convention of 1787?
5. The debates in the Constitutional Convention of 1787 were mostly centered on what topic?
6. Alexander Hamilton represented which side of the debate?
7. Which side did James Madison and John Jay represent?
8. Explain in your own words, what the following passage is describing. Here's a hint, it's talking about state's rights.

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Federalism

Term	Definition	Visual Representation
Federal Government	the organization through which political authority is exercised at the national level, government of the United States	
State Government	the organization through which political authority is exercised at the state level, government of a specific state	
Local Government	the governing body of a municipality or county	

Federalism is a system of government where power is divided and shared between the federal (national) government, the state governments and the local governments.



Federalism is found in the U.S. Constitution. In the Constitution, there are powers specifically listed for the federal government and an amendment about state government powers. Powers set aside specifically for the federal government are called enumerated or delegated powers. Powers for each branch of the federal government are located in Articles I, II, and III. Powers for state governments are called reserved powers and are listed in the Tenth Amendment. Some powers belong to both the federal and state governments. These powers are called concurrent powers. Local governments get their powers from state constitutions. The Florida Constitution outlines the organization and powers of county and city governments.

The powers of each level of government relates to the types of issues each level deals with. The federal government has the power to handle issues the entire nation is concerned about. The state governments have the power to handle issues that concern citizens of particular states. Similarly, local governments have the power to address issues that concern citizens in towns, cities and counties.

Before the U.S. Constitution, the United States had the Articles of Confederation and was organized with a confederal system. A confederal system is a system of government where power is held by independent states and there is little power in the federal (national) government. The U.S. Constitution was written because of concerns about the weaknesses of the Articles of Confederation. The federal government had very little power and the states acted as independent nations with too much power. Government power was unbalanced and there was no sense of national unity (togetherness).

To solve these problems, the U.S. Constitution was written and the United States moved from a confederal system to a system of federalism. The Founding Fathers had a big goal. They needed to limit state power because states had too much power under the Articles of Confederation. They also needed to create a federal government with limited power. As a solution, the Founding Fathers created a system of federalism. This means that power is shared between the federal, state, and local governments. The federal government has its own powers, shares some powers with the states, and gives states some of their own powers. By dividing power between different levels, this limits the power of each level of government and one level of government cannot become too powerful.

1. How does federalism limit government power? Highlight the relevant passages in the text that helped you answer this question.

Type of Power	Definition	Examples
Enumerated or Delegated Powers		
Reserved Powers		
Concurrent Powers		
Local Government Powers		

Definitions List:

- a. powers shared by the federal (national) and state governments
- b. powers that are given to the states by the Tenth Amendment to the U.S. Constitution
- c. powers specifically listed in the U.S. Constitution for the federal (national) government only
- d. powers given to towns, cities and counties by the Florida Constitution

Examples List:

Group A:

1. The power to create speed limits.
2. The power to protect citizens from crime.
3. The power to provide services related to garbage, sewage, fire protection, and traffic control.

Group B:

1. The power to run elections.
2. The power to set up and run schools.
3. The power to establish local governments
4. The power to regulate business in the state.

Group C:

1. The power to raise and support an army and navy.
2. The power to coin money.
3. The power to declare war.
4. The power to conduct foreign policy.
5. The power to regulate trade between states and internationally.

Group D:

1. The power to levy taxes (tax the people).
2. The power to establish courts.
3. The ability to borrow money.

Who Has the Power?

Directions: Work in small groups to decide which level or levels (federal, state, or local) of government has the power to deal with each of the questions on the list and what type of power they have to deal with the issue (enumerated/delegated, reserved, concurrent or local). Write the level or levels and their associated power in the blank space underneath the question. Be prepared to explain your answers to the class.

1. Who is going to keep people safe from speeding cars (speed limits)?

2. Who is going to protect us from foreign invasion or threats?

3. There is a pothole in the street outside my house. Who should I talk to?

4. A group of people want to establish a new city. Who should they talk to?

5. Who decides who might get married legally? _____

6. Who resolves conflicts between states? _____

7. My garbage hasn't been picked up in two weeks, who do I talk to about this issue?

8. Who makes sure that the country's economy is safe and stable?

9. My taxes keep going up! Who can I talk to about this?

10. Who is in charge of passing laws around here? _____