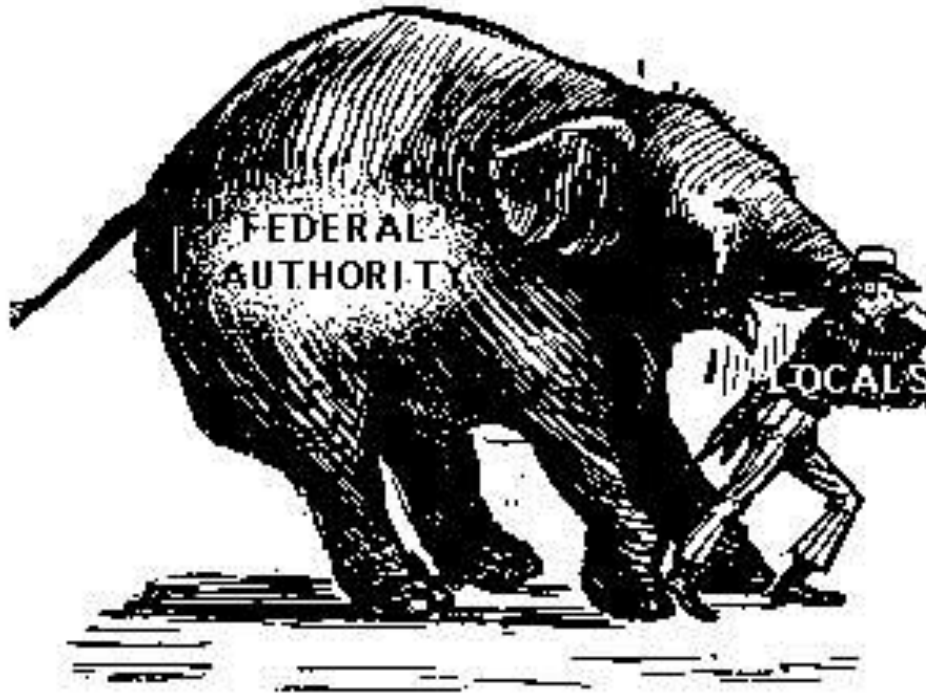


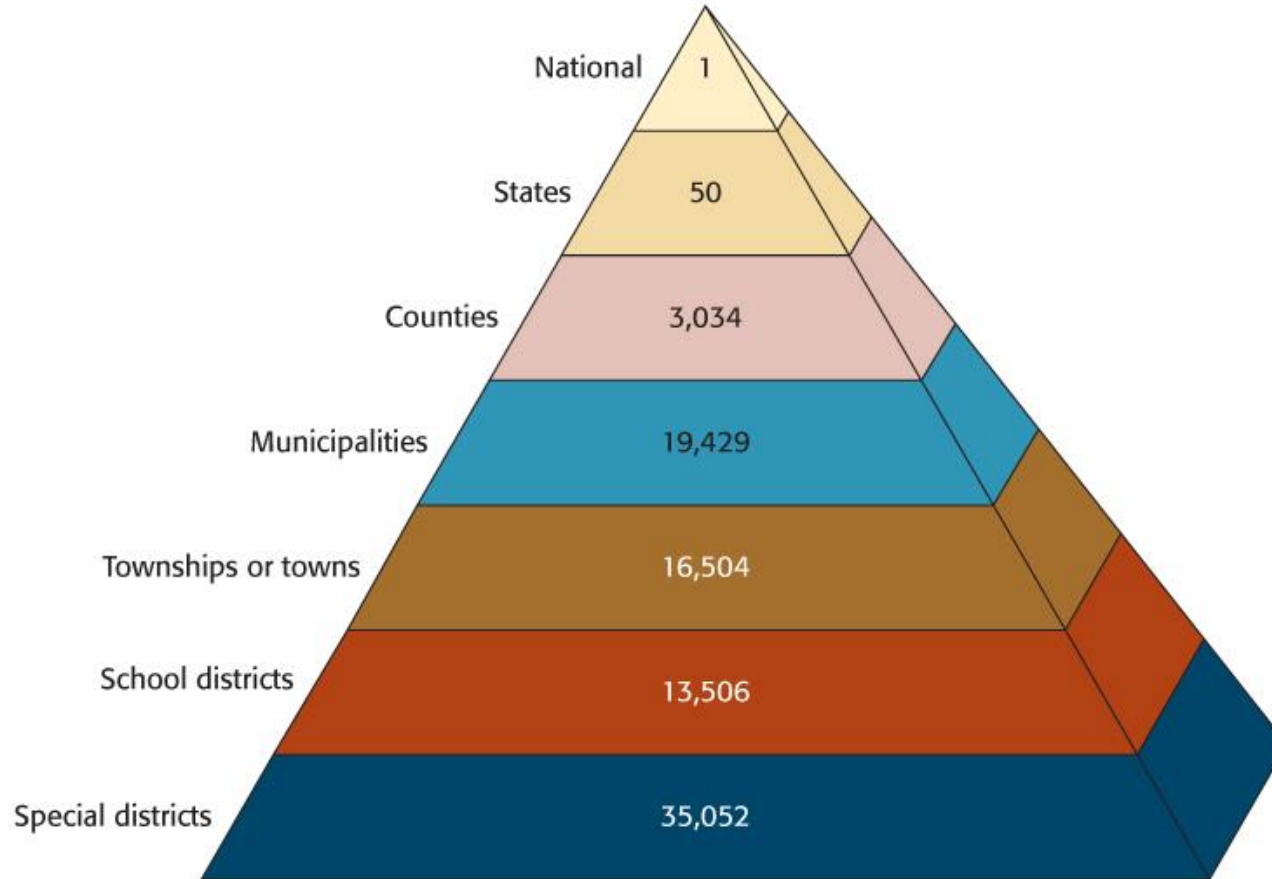
Federalism: The Power Puzzle



Who Has What Power at Your House?

- List 3 decisions you believe should be made by your parents.
 - List 3 decisions you believe should be made together.
 - List 3 decisions you believe should be made by you alone.
-

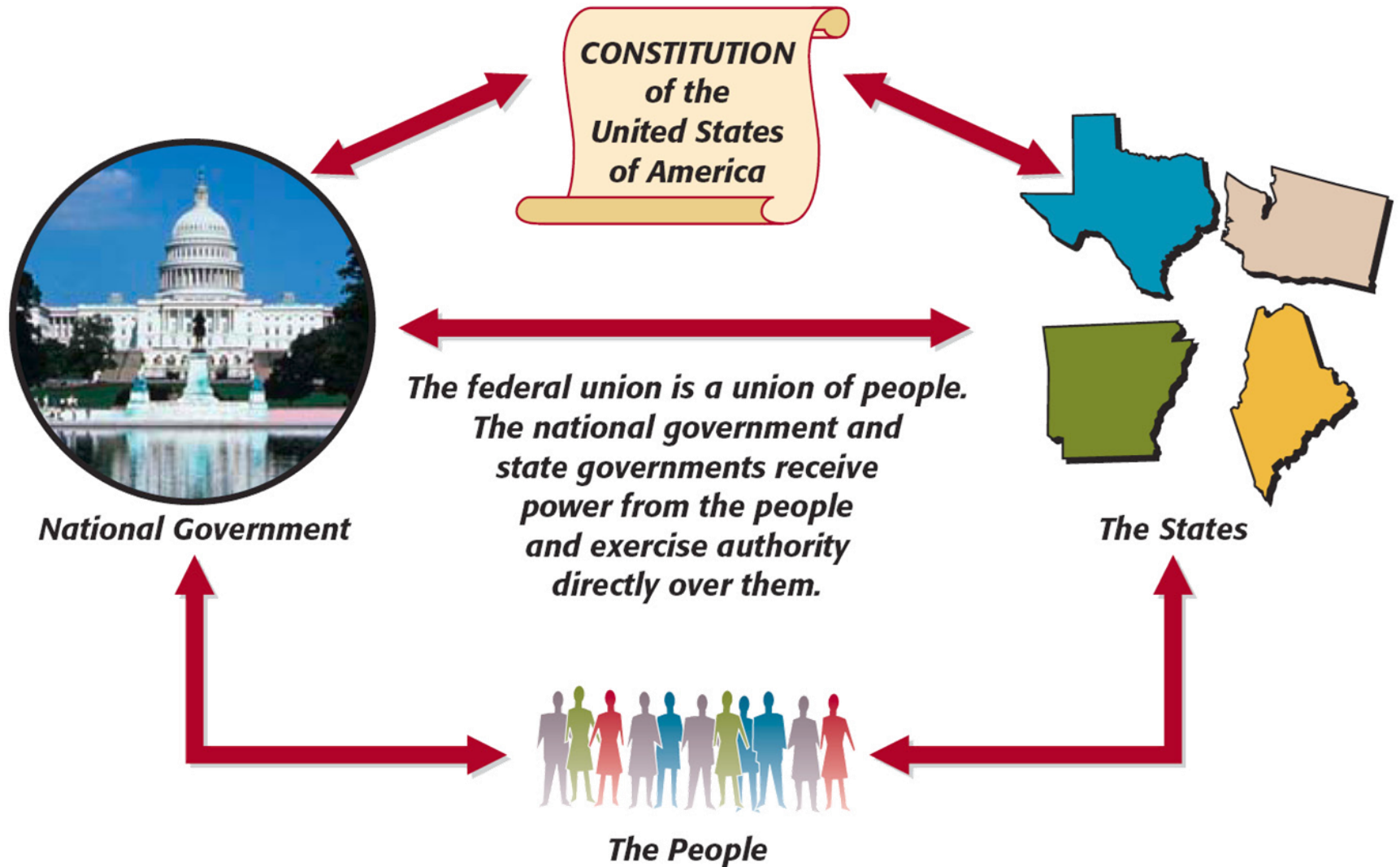
Understanding Federalism



Federalism defined

- **A constitutional division of the powers of government between national and state governments.**

Government Under the U.S. Constitution (Federation) Since 1789



What is Federalism???

- Alabama State Laws
- It is illegal for a driver to be blindfolded while operating a vehicle
- It is illegal to wear a fake mustache that causes laughter in church
- Louisiana State Law
- It is illegal to rob a bank and then shoot at the bank teller with a water pistol

What is Federalism???

- Texas State Laws
 - It is illegal to milk another person's cow
 - It is illegal for one to shoot a buffalo from the second story of a hotel.
 - It is illegal to carry wire cutters in your pocket (Austin)
 - It is against the law to throw confetti, rubber balls, feather dusters, whips or quirts (riding crop), and explosive firecrackers of any kind. (Borger)

Some basics about Federalism

- People must obey laws of both national and state governments
 - Typical issues national government deals with: equality, economy, environment
 - Typical issues state governments deal with: social, family, moral **these sometimes become national issues if interest groups get involved.
Ex. Candy Lightner and MADD
-

Establishing National Supremacy

■ Article VI- The Supremacy Clause-

“This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.”

- The Constitution
- Laws of the national government
- Treaties



Let's Review!

- Who is the “supreme” in the United States?
- What is an example of an expressed power?
- Example of implied power?
- Inherent power?
- Denied power?

Powers of the National Gov't.

- Powers can be given, denied by silence, or outright denied to the national government
 - Expressed/delegated/enumerated powers- powers given specifically to the federal government (in wording of Constitution)
 - Implied powers-powers given through the wording of the elastic clause or “necessary and proper” clause (Article 1, Section 8, Clause 18)
 - Inherent powers- powers belonging to all sovereign nations

Powers Denied to the National Govt



- **No tax on exports from any state**
- **No suspension of writ of habeas corpus (legality of detention)**
- **No bills of attainder (punishment w/o trial)**
- **No titles of nobility**
- **No ex post facto laws**

Among those Powers Denied to States...

- **enter into treaties**
- **coin money**
- **keep troops or navies, make war**
- **levy import or export taxes**

The 10th Amendment-THE FEDERALISM AMENDMENT

- *“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.”*
- Reserved powers- held by the states
- **STATES LOVE THIS AMENDMENT!!**



10th Amendment



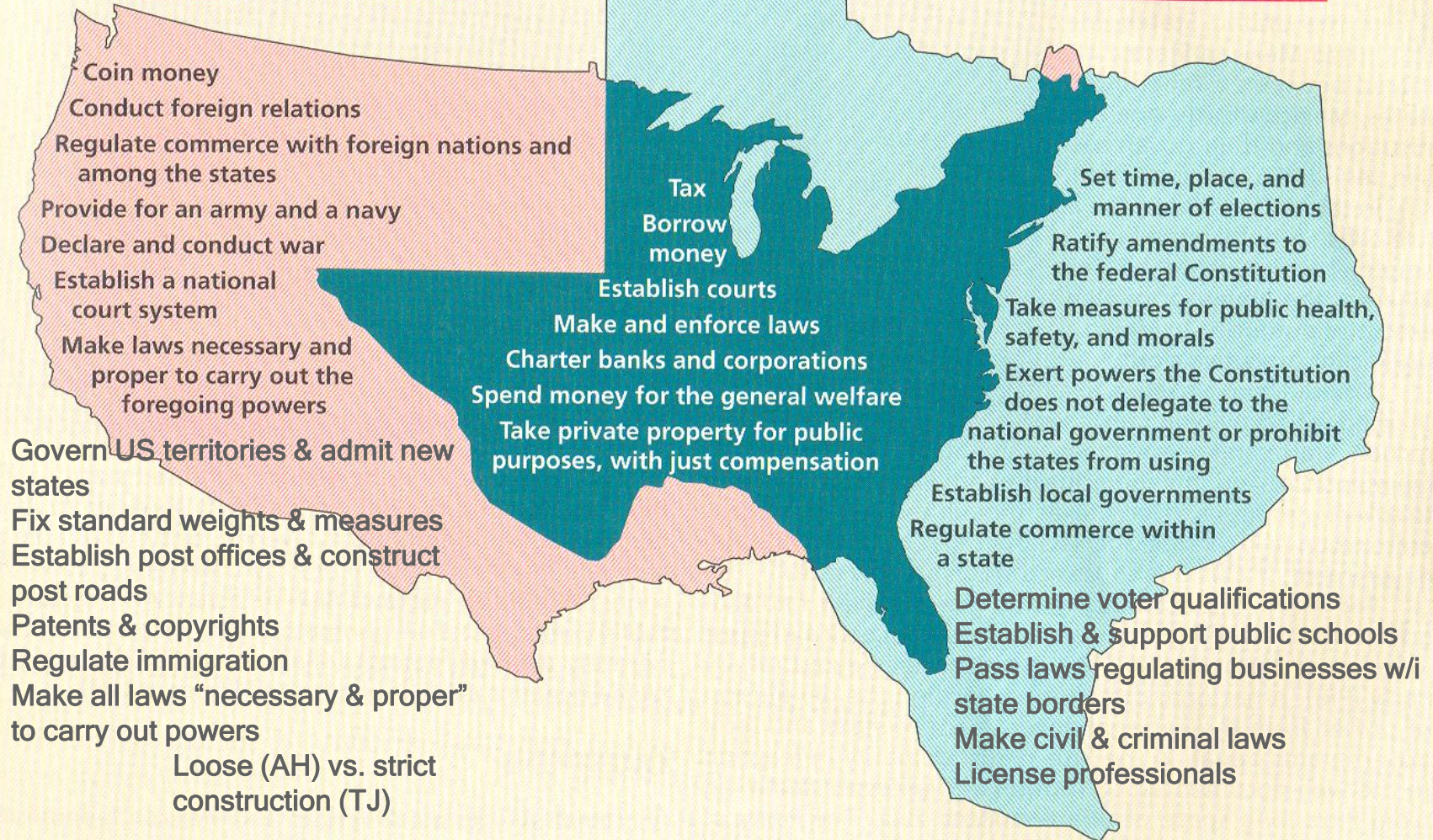
- **Concurrent powers- powers exercised by both levels of government**

- **Look at chart!**

**NATIONAL POWERS
(ENUMERATED POWERS)**

CONCURRENT POWERS

**STATE POWERS
(RESERVE POWERS)**

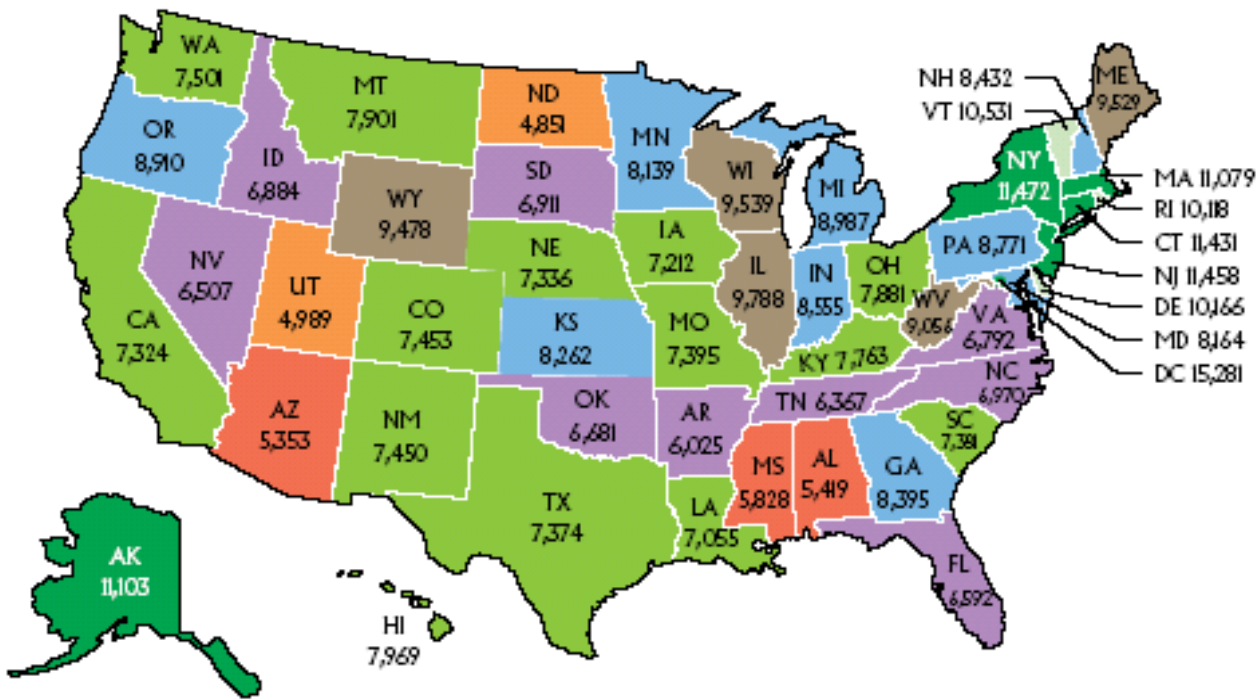


Interstate Relations (cooperation among the 50 states)

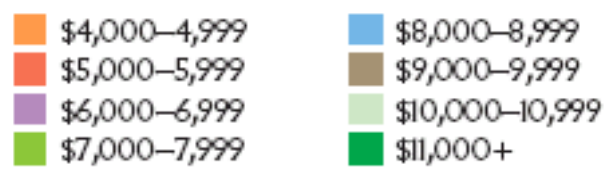
- **A. Interstate compacts-agreements among states**
 - **B. Full faith and credit-states have to honor one another's public acts, laws, and court actions (EXCEPTION?)**
 - **C. Extradition- return of a fugitive in one state to the state he/she fled**
-

Understanding Federalism

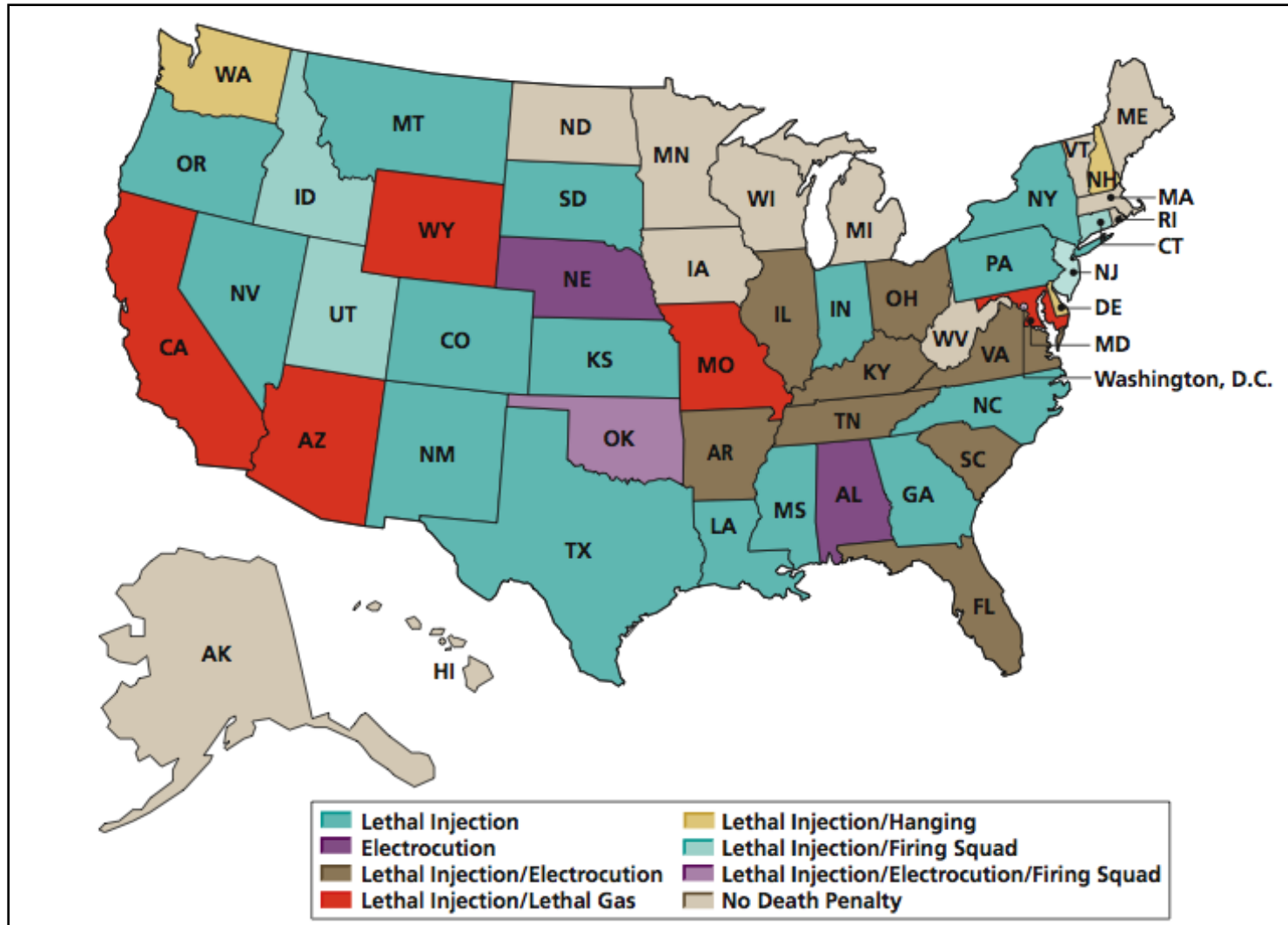
- Spending on Public Education (Figure 3.4)



Spending Per Pupil



Death Penalty across US



Advantages vs. Disadvantages

More opportunities for participation.	Confusion... who does what? Vast # of governments (87,500)
Laboratories of Democracy	Diversity among states creates inequality between citz of diff states (ex. welfare, education, death penalty)
Uniform laws often don't make sense (ex. Speed limits, drivers' license). Local problems solved locally	Motivated interest groups can block will of the majority for extended time (ex. Civil rights, ERA)
Helped to quiet fears of a strong, central government	