3.3

Federalism: Powers Divided



As a Young Political Scientist, I will be able to...

- Define federalism and explain why the Framers adopted a federal system instead of a unitary system.
- Categorize powers delegated to and denied to the National Government, and powers reserved for and denied to the States, and the difference between exclusive and concurrent powers.
- Summarize the obligations that the Constitution, as the 'the supreme Law of the Land,' places on the National Government with regard to the States.

Federalism

System of Government in which a written constitution divides the powers of government on a territorial basis

We have local, state, & national!

Division of Powers- Powers split between the national government & the states.

Each of the two basic levels of government can make certain decisions & do certain things the other level cannot.

What are Federalism's Strengths?

It allows local action in matters of local concern & national action in matters of wider concern.

It also allows for experimentation & innovation in solving public policy problems

It provides for the strength for union, such as national defense & foreign affairs.

HOWEVER...a disadvantage is that redundancy can occur to overlapping jurisdicitons

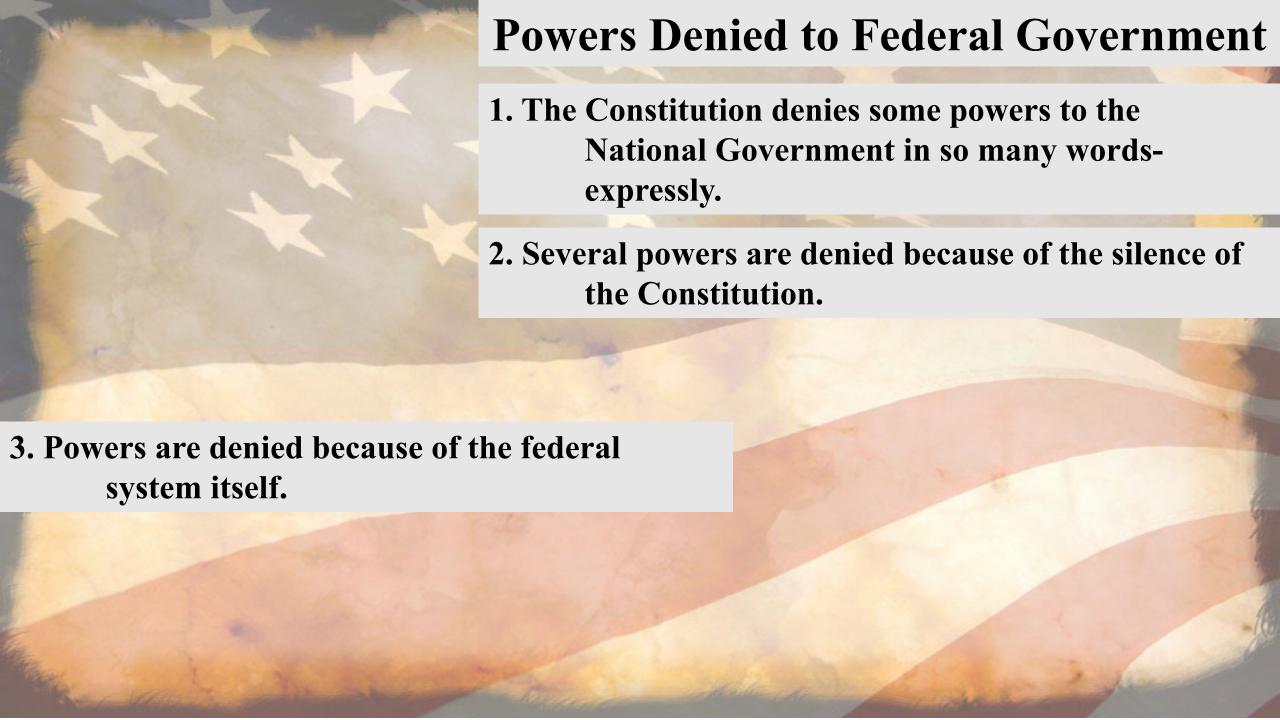
Delegated Powers

Powers granted to it in the constitution, & it has 3 types of Federal Powers

1. Expressed Powers- Powers spelled out in the constitution.

2. Implied Powers- Powers not spelled out, but reasonably suggested. "convenient & useful"

3. Inherent Powers- Powers that belong to the National Government.



Powers of the 50!

Reserved Powers- Powers that the constitution does not grant to National Government, but does not deny to the states

These are specific state laws such as marriage age, gambling, job licenses, etc.

MOST of what the government can do today is done by State & Local government rather than the National Government



Exclusive Powers

Powers that can be exercised ONLY by the National Government & not the States.

Power to regulate interstate commerce is an Example

Concurrent Powers

Powers that BOTH the State & National Government have. Such as taxes, & define crimes

Local Governments only have power because the State allows them too.



The Court & Cases

John Marshall- Supreme Court Justice who cemented the idea of the Supremacy Clause

McCulloch v Maryland- Reversed a bank decision that States could place a tax on notes. We have a Federal Bank System

Fletcher v. Peck- First state law to be unconstitutional, said that a grant of land purchase is protected by the Constitution