

# Warm Up: 10/12

## WARM UP ACTIVITY

- What is federalism?
  - Contrast this system with a confederate system.
- In your opinion: What role should the national government play in influencing local and state governments?
- What factors make federalism more effective than a unitary or confederate system?

## LESSON ESSENTIAL QUESTIONS

1. What is federalism?
2. What Constitutional provisions divide power between the federal and state governments?
3. What are the powers of federal and state governments?
4. What court cases influence the balance of federal power and state power?

October 12-13<sup>th</sup>, 2016

# Introduction to the Federalist System

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## TODAY'S OBJECTIVE

- Political scientists will, verbally and in writing, ***evaluate*** the impact of the US federalist system on policy making in the United States.

## ESSENTIAL QUESTIONS

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# Federalism

- **Federal System**

- Political system powers belong to both the state/local governments and the national government
  - current US government

- **Unitary system**

- All power is granted to a central government
  - Great Britain

- **Confederate system**

- A majority of the power rests in the local governments
  - the states under the Articles of Confederation

# Warm Up: 10/13

## WARM UP ACTIVITY

- Explain the difference between enumerated, reserved and concurrent powers.
- What is the significance of the “necessary & proper” clause?
- In your opinion: When is it appropriate for the federal government to claim/take land from a local or state government?

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# Federal Powers

## ■ Enumerated powers

- Powers that belong to the national government listed in the Constitution.
- Also called “expressed powers” or “delegated powers”

## ■ Implied Powers

- Powers of the fed. Gov. that go beyond those enumerated
- Established by “necessary and proper” (elastic) clause
  - Congress has to power to make all laws necessary & proper for carrying into execution



# State Powers & Concurrent Powers



## ■ Reserved Powers

- Powers that belong to the state governments that the national government cannot take away
- Outlined in the **10<sup>th</sup> Amendment** of the Bill of Rights.
  - Also known as "denied powers"

## ■ Concurrent Powers

- Powers that belong to both the state and federal governments

# State v. National Government Powers

Categorize the following as powers that should belong to the state governments (reserved powers), the federal governments (delegated powers), or the state and federal governments (concurrent powers).

- Establish foreign policy
- Coin Money
- Provide for the general welfare
- Establish courts
- Declare War
- Create Banks
- Make regulations for marriage
- Punish criminals
- Borrow money
- Set up schools
- Regulate interstate trade
- Regulate intrastate trade
- Establish local governments
- Raise taxes
- Raise an army
- Establish postal offices



# Complete Your Double-Bubble Map

## Federalism

### Powers Delegated to the National Government

- declare war
- create and maintain armed forces
- establish foreign policy
- regulate interstate and foreign trade
  - make copyright and patent laws
  - establish postal offices
  - coin money

### Powers Reserved to States

- establish local governments
- establish and maintain schools
- regulate trade within states
- conduct elections
- provide for public safety

- raise taxes
- provide for the public welfare
- criminal justice
- borrow money
- charter banks
- build roads

# Supremacy Clause: Article VI

*"All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.*

*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, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.*

*The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States."*

# Cartoon Discussion



"In two words, yes and no."

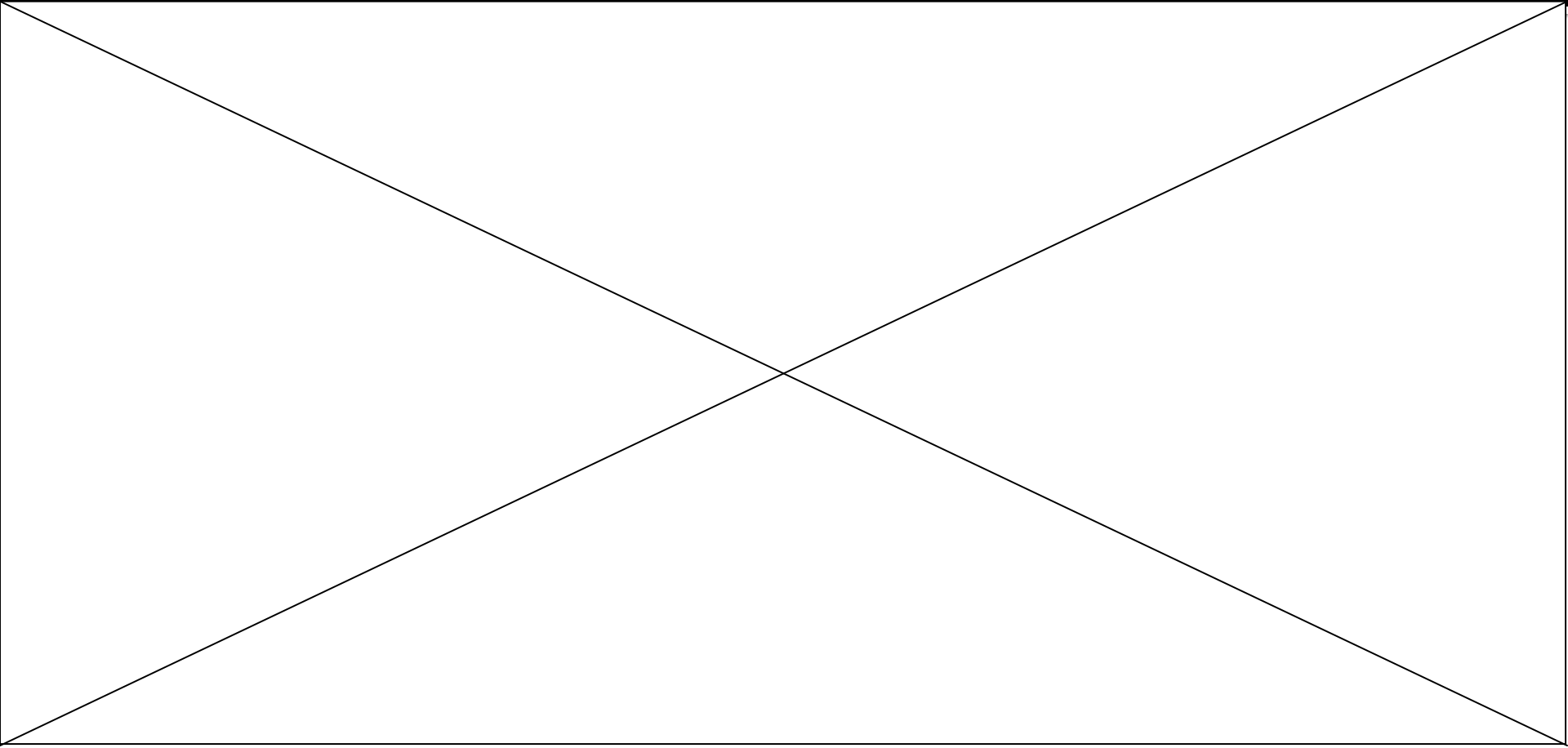
—A 1949 Herb Lubart Cartoon, © by The Herb Lubart Foundation



**Working with your team:** Considering the power dynamics of the American Federal system, argue how these two images are related.

- Come up with a collective thesis statement that answers this prompt.

# Oregon Standoff: Rejecting the Federal Government's Power?



[https://www.youtube.com/v/3NeHPgF\\_gEo](https://www.youtube.com/v/3NeHPgF_gEo)