

Civics: Chapter 4 Test Review

Federalism

Section 1: Dividing Government Power

Main Idea: the framers of the Constitution established a federal system that divides powers and responsibility between the national & state governments

(1) Why Federalism:

- new nation struggled to function as confederation
- without power to raise funds, national government not strong enough to deliver stability or economic unity
- Unitary Rule—all power held by strong central authority—out of the question
- founders suspicious of powerful central government, like British monarchy
- framers sought to forge republic
- relied on philosophers who advocated self-rule & limited government
- dividing power best way to defend people's freedom from too powerful government
- framers faced difficult balancing act
- preserve states' rights
- ensure republican government

(1) Why Federalism?

-Why did the framers choose federalism?

Analyze: Why is a federal system a better form of government for the US than a confederation?

Elaborate: How did the ideas of European political philosophers lead to a uniquely American form of government?

(2) National Powers:

***Implied Powers:**

- not specifically listed but logical extensions of expressed powers

- Article 1, Sec 8: necessary & proper clause
- also referred to as elastic clause; used to stretch powers of Congress
- building highways, regulating food, mechanism for collecting taxes

***Inherent Powers:**

- historically recognized as naturally belonging to all governments that conduct business of sovereign nation
- US government has inherent powers simply because it is a national government
- power not specifically granted by Constitution: power to acquire new territory, conduct foreign affairs

(2) National Powers:

-What powers does the national government have?

Identify: What are expressed powers?

Explain: What is another name for the necessary and proper clause?

Elaborate: What is the connection between expressed powers and implied powers

(3) State Powers:

-What powers do state governments have?

Recall: What kinds of powers are reserved to the states?

(4) Shared Powers:

-In addition to their reserved powers, states may also share powers with the national government. If the Constitution does not specifically state that a power belongs exclusively to the national government, then the states may exercise that power, too

-power to collect taxes is a concurrent power: power held by national government, state governments at same time

-both levels of government can establish courts, make & enforce laws, build roads, provide education, borrow & spend money

-citizens subject to two levels of authority; must follow state & national laws

-framers considered situation where national, state laws come into conflict

-Article VI supremacy clause: national laws & treaties form the "supreme law of the land"

-Judges have to obey Constitution even if it contradicts state laws

(4) Shared Powers:

-What powers are shared by both the national government and the state governments?

Explain: What are concurrent powers?

Elaborate: How do concurrent powers affect citizens?

(5) The Limits of Power:

-How does the Constitution limit the powers of the national and state governments?

Identify: What is one limit on the national government?

Explain: Why did the framers place detailed limits on both levels of government?

(6) Nation & State Relations:

-How does the Constitution guide the relationships between the nation and the 50 states?

Recall: Why will the national government only recognize state governments that are representative democracies?

Describe: What power did the national government use to make treaties with Native American nations?

Evaluate: Why do you think the Constitution prohibits the national government from spitting up states or changing their boundaries?

Section 1 Comprehension:

1. Use the graphic organizer below to list 7 powers of the national government and the powers of the state governments. Which level of government do you think most affects your daily life.

National Government	State Government

Section 2: American Federalism: Conflict & Change:

Main Idea: over the past 200 years, conflicts over the balance of power between the national & state governments have led to changes in American federalism

(1) Role of the Supreme Court:

-What role does the Supreme Court play in American federalism?

Explain: What happens when state and national laws contradict one another?

Recall: Which part of the Constitution grants the judicial branch the power to hear cases involving the Constitution?

Predict: Do you think the Supreme Court will continue to favor states rather than the national government?

(2) Dual Federalism:

-The first era of American federalism, dual federalism, lasted from about 1789 to the 1930s. Both state & national government were equal authorities operating within their own spheres of influence, as defined by a strict reading of the Constitution

***The Great Debate**

-nationalists: advocates of strong , centralized national government

-proponents of states' rights held national government should not unduly intrude in state affairs

-Secretary of Treasury Hamilton asked Congress to create national bank, argued government had constitutional power to regulate currency, therefore implied power to create bank

-Congress refused to renew charter when it expired 20 years later

(2) Dual Federalism:

-How was government power divided in dual federalism?

Recall: What was the significance of the case of McCulloch v. Maryland?

Make Inferences: Why did two political parties emerge in the early years of the US?

Elaborate: What is the relationship between the doctrine of nullification & secession?

(3) Expanding National Power:

Recall: What led to the changes in the ways Americans lived and worked in the early 1900s?

Summarize: How did the national government institute reforms in the late 1800s and early 1900s?

Section 3: Federalism Today:

Main Idea: today the balance of power between the states & the national government is characterized by a system of grants & mandates, as well as by a number of key policy areas

(1) Fiscal Federalism:

-What is fiscal federalism?

Identify Cause & Effect: How did the September 11 terrorist attacks affect American federalism?

Evaluate: Do you think the federal government should use individual income tax money to influence state & community policies?

(2) Grants & Mandates:

-How does the national government use grants & mandates to influence state policies?

Explain: How are national funds distributed to the states?

Describe: How do federal mandates work?

Evaluate: Why does the federal government issue mandates without providing funds to implement them?