

Why Federalism?

The Framers were dedicated to the concept of limited government. They were convinced

- (1) that governmental power poses a threat to individual liberty,
- (2) that therefore the exercise of governmental power must be restrained, and
- (3) that to divide governmental power, as federalism does, is to curb it and so prevent its abuse.



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Federalism Defined

The Constitution provides for a **division of powers**, assigning certain powers to the National Government and certain powers to the States.



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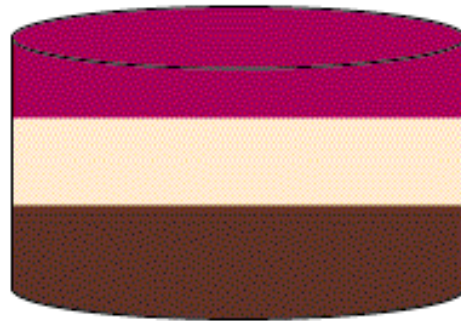
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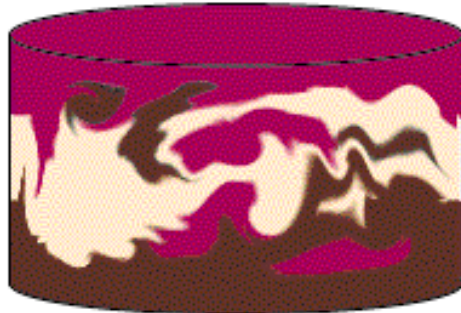
Two Views of Federalism

Layer-cake Federalism



-  Local
-  State
-  National

Marble-cake Federalism



-  Local
-  State
-  National

Powers of Government

delegated powers- powers held only by the Federal government

reserved powers – powers reserved for the states

concurrent powers – powers that both the Federal government AND the states can exercise



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Powers of Government

delegated powers- Article I, Section I (and other places)
and NOT in Article 1 Section 9

expressed – physically written in Constitution

implied - powers needed to carry out expressed
powers (“necessary & proper clause)

inherent - powers it is assumed all governments need

reserved powers – Amendment 10

concurrent powers – delegated AND not denied to
states in Article I Section 10



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The Division of Powers

The federal system determines the way that powers are divided and shared between the National and State governments.

