

## Federalism

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Modern federalism is the division of governmental powers between a central national government and provincial or state governments within the country. Powers granted exclusively to the central government are supreme. Federalism differs from the unitary system of government, which has only one center of authority that prevails throughout the territory of the country. In a unitary system, subdivisions within the country are entirely subordinate to the national government and exist merely to administer or carry out its commands.

The idea of modern federalism was invented by the framers of the United States Constitution. It was their way to bring together 13 separate and sovereign American states into one federal union, the United States of America. It was also one constitutional means, among others, to limit the powers of government to prevent tyranny against the people.

In a modern-era federal republic, there are two levels of government—one national and general in scope and the other local. Each level of government, supreme in its own sphere, can separately exercise powers directly upon the people under its authority.

In traditional forms of federated government, known today as confederations, the states, provinces, or other units of government within the union retained full sovereignty over their internal affairs. The general governments of such confederations only had a few powers pertaining to the need for common foreign policies and defense against external enemies. The Articles of Confederation, by which the United States was formed initially, established a federation of the traditional type, noting more than a league of sovereign states joined together primarily for purposes of common defense and international disasters.

By contrast, the constitution of 1787, which superseded the Articles of Confederation, included a “supremacy clause” in Article 6. This clause declares that the constitutional powers delegated to the federal or general government take precedence over the powers of the state governments, and that these powers prevail throughout the nation, the United States of America.

In the American federal system, the national (federal) government has certain powers that the Constitution grants to it alone. For example, only the federal government may coin money or declare war. Conversely, the Constitution reserves to the state governments all the other powers that the federal government is not granted. According to the U.S. Constitution’s 10<sup>th</sup> 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.” Only the state governments may establish public schools and conduct elections within the state. Some powers, such as levying taxes and borrowing money, are shared by both the federal and state governments, and some powers, such as granting titles of nobility, are denied to both the federal and state governments.

The core idea of American federalism is that two levels of government, national and state, exercise certain powers directly and separately on the people at the same time.

This is known as a system of dual sovereignty. So, in the federal system of the United States, the state government of Ohio has authority over its residents, but so does the federal government based in Washington D.C. Residents of Ohio must obey the laws of their state government and their federal government.

In the 45<sup>th</sup> paper of *The Federalist*, James Madison gave his vision of how federalism would work in the United States of America.

*The powers delegated by the Constitution to the federal government are few and defined. Those which are to remain in state government are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce... The powers reserved to the several states will extend to all objects which, in*

*the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the states.*

The balance of power within the American federal system has changed continuously since Madison's time to favor the national government. Through constitutional amendments, Supreme Court decisions, federal statutes, and executive actions, the powers of the federal government have greatly expanded to overshadow those of the states.

In addition to the United States, some other democracies that have federal systems of government include Argentina, Australia, Belgium, Brazil, Canada, Germany, India, Mexico, and Switzerland. In some nations, such as Belgium, India, and Switzerland, a federal system was adopted to reconcile tensions between national unity and the separatist tendencies of diverse ethnic groups with different languages and traditions. For example, the Swiss Federation was designed primarily to protect and preserve the ethnic and linguistic diversity of the three constituent ethnic groups-French, German, and Italian-within the unity of the one nation-state, Switzerland.

In contrast to the multicultural federations of Switzerland, India, and Belgium, the protection of separate ethnic groups' interests was not the reason for federalism in the United States. Rather, it was to forge national unity among 13 separate states, the national motto E Pluribus Unum (From Many, One) reflects the use of federalism to resolve the potentially destructive tensions between the particular interests of a federal or national government.

**Answer the following questions on a separate piece of paper:**

- 1. Define the following terms: Federalism, unitary, "supremacy clause", dual sovereignty.**
- 2. Compare Federal and Unitary forms of government.**
- 3. What was the reason for the United States adopting a federal system of government?**
- 4. What are the benefits for a federal form of government.**