

4. Federalism

Breakout Sessions

POLS 1101

**12:40pm-1:30pm Park Hall 145
& 1:50pm-2:40pm Leconte Hall 135**

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Theories

- **Dual federalism:** The powers of the national government and the states are clearly distinguished.
 - *Delegated powers*
 - *Reserved powers*
- **Cooperative federalism:** Different levels of governments work together to serve people's needs.
- **Ideal types!** Reality is a mix-up of them.
- **Coercive federalism:** The national government imposes its policy preferences on the states.
 - *Mandate:* A requirement that a state undertake an activity or provide a service in keeping with **minimum** national standards.
 - *Restraint:* A requirement **prohibiting** a state or local government from exercising a certain power.
 - A relative to cooperative federalism?

How can actual federalism be influenced?

- Judicial interpretation
 - Recall: Actual lawmakers **vs.** Essential discretionary power
- Grants-in-Aid: Money, money, money!
 - **Categorical grants, Block grants**
 - Formula grants, Competitive grants
- National crises and demands
 - Inadequate state capacities
- Professionalization of state governments
 - Strong state capacities

How to define state capacities, is really a difficult question, which can impact the result of games between the national and state governments.

Ideas, Policymaking, and Federalism

- Recall: The major differences between liberals & conservatives lie in their views toward **the purpose of the government** (socio-economic description). – so do not put an ideological hat on others casually.
- In reality, conservatives do not always support the expansion of the state power, or liberals insistently for national power. **The key here is still what the national / state power is used for.**
 - **Can you provide some counterintuitive examples?**
- **Preemption:** the power of Congress to enact laws by which the national government assumes total or partial responsibility for a state government function.
 - Do you think there are some powers that must be retained in the states? If you do, what are these powers?
 - Should preemption allow states to **set higher standards**, rather than always replacing them? (the marijuana example)

The Division of Powers in the Federal System

NATIONAL POWERS

- Declare war
- Make treaties and conduct foreign relations
- Coin money
- Regulate interstate commerce and commerce with foreign nations
- Raise and support armies and navy
- Create courts inferior to the Supreme Court
- Make laws necessary and proper to carry out the above powers

STATE POWERS

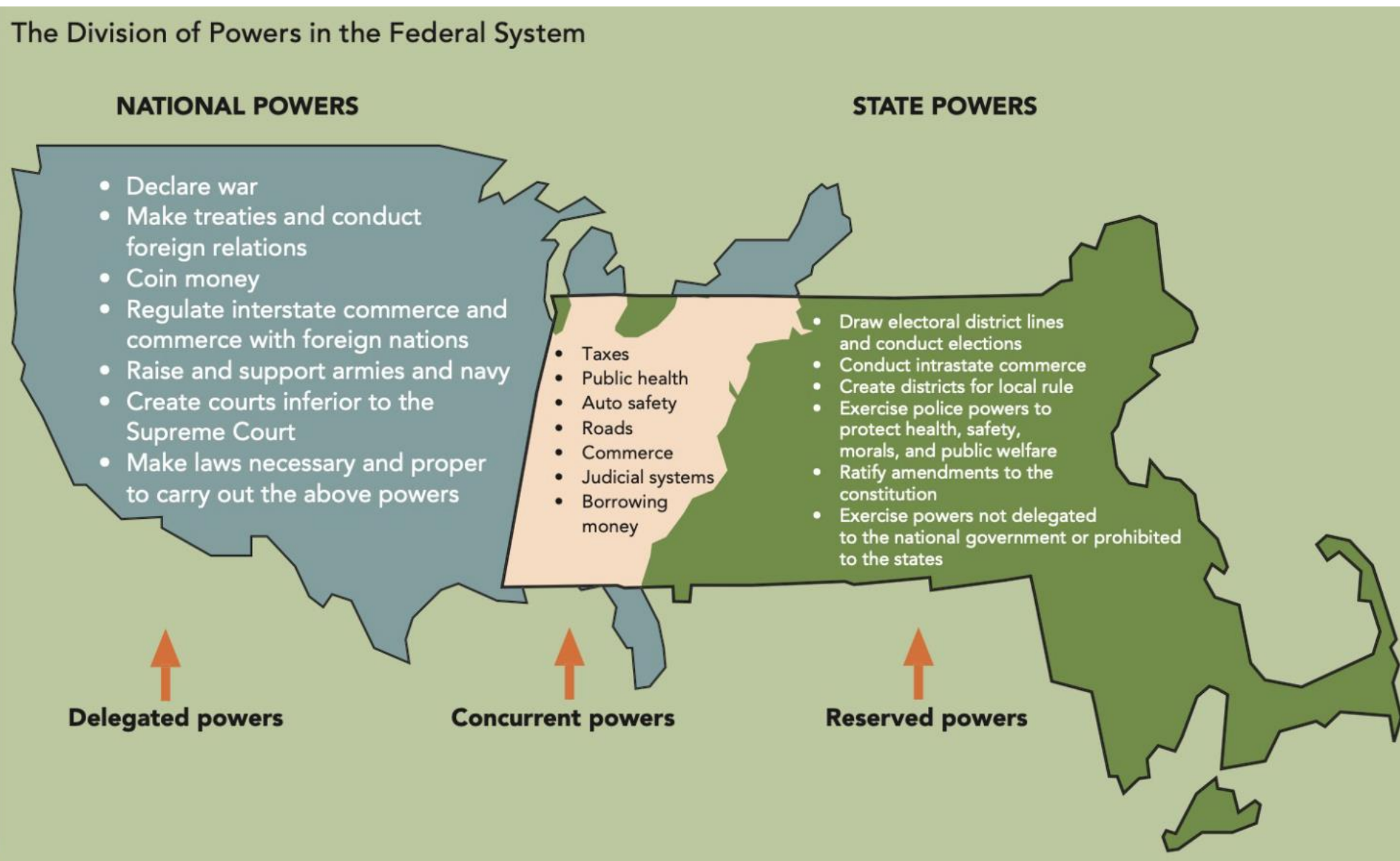
- Draw electoral district lines and conduct elections
- Conduct intrastate commerce
- Create districts for local rule
- Exercise police powers to protect health, safety, morals, and public welfare
- Ratify amendments to the constitution
- Exercise powers not delegated to the national government or prohibited to the states

- Taxes
- Public health
- Auto safety
- Roads
- Commerce
- Judicial systems
- Borrowing money

Delegated powers

Concurrent powers

Reserved powers



Advantages and Disadvantages of Federalism

- **One puzzle where so-called “common sense” failed**
 - Generally predicted, local government is closer to the people who can participate in the political process and directly influence policy, so they'll be passionate about voting in local elections, regardless of their ideologies, party identities, etc.
 - Actually, people are much less likely to vote in state and local elections. **–Why?**
 - **Remark: A great study starts from the deviation of a theory from reality!**
 - **Dispersed power** -> little publicity for local elections, nonpartisan local affairs -> less prominent races, less clearly recognizable identity labels -> **political apathy**
 - **Dispersed power** -> complicated government structure, higher requirement for political participation -> incomprehensible and unavailable for ordinary people -> **political apathy**
 - **Therefore, more participation opportunities do not lead to majoritarian demo, but to pluralist democracy** -> an possible explanation of the intension between the majority rule and the pluralist reality.
 - Anyway, federalism provides more **flexibility!**

Next week...

- Read materials on **Civil Liberties** before class, and that will be helpful to participate in peer discussions.
- Next class will be the last one before 1st exam, so we can go over some basic concepts together (actually we've been doing it! We'll pay more attention to slides.)
- Feel free to email me if you have any questions!
- ENJOY YOUR WEEKEND!