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American Federalism
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<u>Federalism and the Covid-19 Response</u>

The United States of America is one distinct political community made up of a multitude of other smaller distinct political communities. This concept is known as Federalism. Comparatively to the rest of the world, this system of government is quite unique. Sovereignty is held at multiple layers of government. Federal, state, and local governments all possess the power to legislate, tax, and exercise authority with a degree of autonomy. According to the Constitution, the federal government is entitled to a variety of powers that are in theory, suited for governing wide national issues and arbitrating disputes and conflicts between states. States then are entitled to the powers needed to govern more precisely, and any power not specifically given to the federal government in the Constitution. This mix between centralized and local control, autonomy and subordination, has proven to be one of the most effective systems of moderating the views of different political communities. The federal government primarily manages affairs that a conglomerate of localities cannot logistically carry out, such as defense, trade, and international relations. Meanwhile, state and local governments can address the issues that they know best and experience first-hand on a day-to-day basis. However, there comes a time in which Federalism and the delicate balance between centralized and local power gets put to the test. The Covid-19 pandemic serves as a perfect example.

In the early months of 2020, the small outbreak of a novel coronavirus in China quickly evolved into a global pandemic that quite literally brought the world to a halt. Within six months the United States had reached over ten million cases and several hundred thousand deaths. The country was brought to a standstill. Hospitals were at capacity, businesses were closed, schools and universities were shut down. Panic and fear dominated society. As expected in a time of

crisis, the people of America turned to the government for answers and solutions. Afterall, the people are engaged in a social contract with the government in which safety and security are provided in turn for cooperation. Yet this new threat was extremely difficult to combat. The government had little information or relative capability to effectively fight Covid-19. This notion gets further complicated when you bring the concept of Federalism into the mix. The very idea of Federalism and its multiple levels of sovereignty can actually prove to be a significant barrier in times of national crisis like Covid-19. Emergencies often require centralized decision making that can be done quickly. This notion of expedient governing was amplified ten-fold with Covid-19 due to the fact that the virus spread at an exponential rate. Yet, Federalism does not offer an answer to the question of what element of Federalism is best suited for making these decisions. The virus is nation-wide, requires significant resources to fight, and has no regard for state borders. So maybe the federal government should be the one leading the Covid-19 response to ensure that the nation has a uniform policy across all fifty states. But the US is vast, and some states and localities have completely different experiences with Covid-19 than others. So maybe the states and local governments should take lead. This debate was furiously held amongst local, state, and federal officials leading to a mixed result of federal and state responses. Praise and or blame was often directed by each element of federalism against one another for either not responding correctly, doing too little, or doing too much.

Martha Derthick offers the reasoning to such a divided response in her work *How Many Communities*. She states that "The natural tendency of any political community, whether large or small, is to completeness, to the perfection of its autonomy". In a country made up of thousands upon thousands of individual communities, the path of this pursuit of completeness can differ from community to community, and from the wider political community as a whole. Derthick

describes it as "an arrangement pointed in two contrary directions". But under normal circumstances, these separate political communities can often be a powerful force for good when working together to achieve a shared goal. The amalgamation of these differences is one of the core characteristics of America. Yet, when an issue as critical and divisive as Covid-19 comes around, these political differences can introduce fractures in the wider political community as a whole.

A perfect example of the fractures that come about when contrary ends reveal themselves is the State of Florida's response to Covid-19. In comparison to the rest of the country, Florida has taken a unique approach to handling Covid-19. The state was widely considered to have taken a controversial and less-serious response to the pandemic. It was one of the first to reopen after an initial state-wide quarantine that was much shorter than many other parts of the country. While states like New York and California were running out of ICU beds, the rides at Disney World were operating at full capacity. This evidently led to much tension between Florida and other states, as well as Florida and the federal government. Travel bans and restrictive regulations involving Florida were put into place. Even now, President Biden is considering shutting down Florida's borders to prevent the spread of Covid-19. Florida's vast departure from some of the other seemingly conventional responses to the pandemic certainly introduced fractures amongst the greater union, and the jury is still out on their potential culpability in prolonging the pandemic. Yet, in their pursuit of completeness and autonomy, Florida judged, and had the jurisdictional right, to put their economic, political, and social wellbeing over a rise in cases and spread of infection. Whether this is right or wrong, is neither here nor there, but it does show some of the potential ramifications that come with our Federalist system of government.