

# Federalism

## SECTION 1

## FEDERALISM: THE DIVISION OF POWER

### TEXT SUMMARY

**Federalism** is the system of government in which a written constitution divides the powers of government. The U.S. Constitution provides for the **division of powers** between two levels—the National Government and the States.

The National Government possesses **delegated powers**—powers specifically given by the Constitution. Most of these are **exclusive powers**, or powers that belong only to the National Government.

There are three kinds of delegated powers. **Expressed powers** are those listed in the Constitution. **Implied powers** are not listed but are suggested. **Inherent powers** are those that national govern-

ments have historically possessed, such as the regulation of immigration. Some powers delegated to the National Government are **concurrent powers**. It shares these powers with the State governments.

The States' powers are called **reserved powers**. They are powers not already given to the National Government and not listed as powers the States may not have. For example, the States may decide how old people must be to get drivers' licenses.

Since some of the powers of the National and State governments overlap, the Supreme Court plays the key role of resolving disputes. As part of this job, it applies the Constitution's Supremacy Clause, which states that the Constitution is the "supreme Law of the Land."

### THE BIG IDEA

**Federalism divides the powers of the United States government between the National Government and the States.**

### GRAPHIC SUMMARY: *The Division of Powers*

National Powers	Concurrent Powers	State Powers
<ul style="list-style-type: none"> <li>• Coin money</li> <li>• Regulate interstate and foreign trade</li> <li>• Raise and maintain armed forces</li> <li>• Declare war</li> <li>• Govern U.S. territories and admit new States</li> <li>• Conduct foreign relations</li> </ul>	<ul style="list-style-type: none"> <li>• Levy and collect taxes</li> <li>• Borrow money</li> <li>• Establish courts</li> <li>• Define crimes and set punishments</li> <li>• Claim private property for public use</li> </ul>	<ul style="list-style-type: none"> <li>• Regulate trade and business within the State</li> <li>• Establish public schools</li> <li>• Pass license requirements for professionals</li> <li>• Regulate alcoholic beverages</li> <li>• Conduct elections</li> <li>• Establish local governments</li> </ul>

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

### REVIEW QUESTIONS

1. What is the difference between exclusive powers and concurrent powers?

2. **Diagram Skills** Which level of government establishes schools?