



CHAPTER 4

Our System of Federalism

CHAPTER OBJECTIVES

To learn about and understand . . .

- ★ The three basic types of governmental systems
- ★ The division of governmental powers in the American federal system
- ★ The relations among the states and what the national government must do for the states
- ★ The supremacy of the national government in the American federal system
- ★ How American federalism has changed over the years



★ *Keynote* ★

“The object of government . . . is not the glory of rulers or of races, but the happiness of the common man.”

Lord William Beveridge

(1879–1963)

British Economist

INTRODUCTION

As pointed out by William Beveridge in the above quotation, any governing situation requires that the rulers worry about the common person—or the people being governed. For example, the principal governs your school with the interests of students and parents in mind. A principal who is only interested in personal “glory” may not last. The school board may remove that person. We might expect that the closer a government is to the people, the more sensitive that government will be to the people’s needs. The founders of our nation conceived of a government that had several levels, each one closer to the people than the one above it.

Today, the American federal system of government consists of over 85,000 separate governmental units, as Figure 4–1 on page 88 illustrates. Those governments are run by over half a million elected and appointed government officials.

◀ States and the national government work together to fund and maintain our interstate highway system.

Three Basic Types of Governmental Systems

Preview Questions:

- ★ What are the three basic types of governmental systems?
- ★ How do these systems differ from one another?
- ★ What is the nature of federalism?

Key Terms:

unitary system, confederal system, federal system

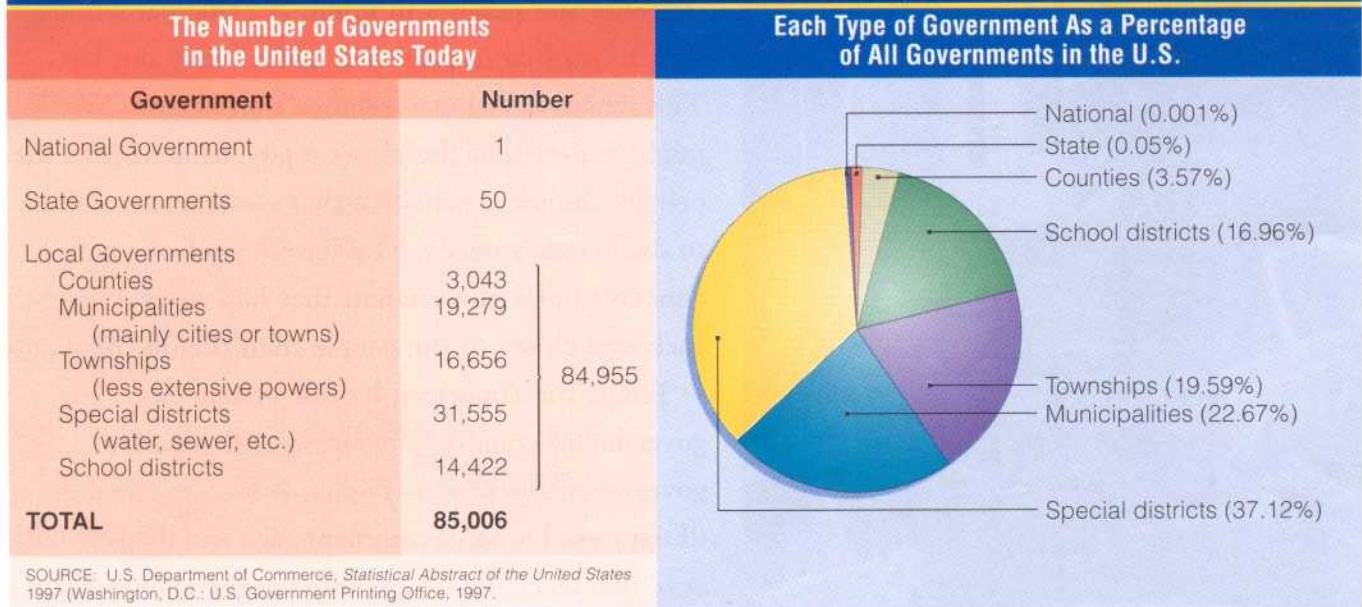
The United States started with a *confederal* system under the Articles of Confederation. Today, we have a *federal* system. In most other countries, neither of these systems is used. Most countries have a *unitary* system of government. These three systems of government are discussed in this section and shown graphically in Figure 4-2 on page 89.

Unitary System

A **unitary system** is a centralized system in which state and local governments exercise only those powers given to them by the central, or national, government, which holds ultimate authority. Japan is a nation that uses a unitary system. The Japanese national government, for example, makes the most important decisions for all schools within the nation and even decides the subjects that must be taught nationwide.

France today uses a modified form of the unitary system. Within France, there are regional political units, called departments, as well as municipalities, or local governments. Each of these regional and local governing units has its own elected and appointed officials. But decisions made by those officials can, for the most part, be overruled by the national government. Also, the national government in Paris can cut off the funding of many departmental and municipal government

FIGURE 4-1 Governmental Units in the United States Today There are 85,006 existing governmental units. What percentage of this total do townships form?



SOURCE: U.S. Department of Commerce, *Statistical Abstract of the United States* 1997 (Washington, D.C.: U.S. Government Printing Office, 1997).

activities. Finally, all policies related to police, land use, welfare, and education are determined by the national government, although they are carried out by the departmental and municipal entities.

Confederal System

A **confederal system**, or confederation, is a league of independent states. The central government handles only those matters of common concern expressly delegated to it by the member states. It cannot pass laws that directly apply to individuals unless the member states explicitly support such laws. Switzerland is a nation that currently uses a confederal system of government. Certain international organizations, such as the United Nations and the North Atlantic Treaty Organization (NATO), also follow a confederal model.

Federal System

The **federal system** is a compromise between the confederal and unitary forms of government. Authority

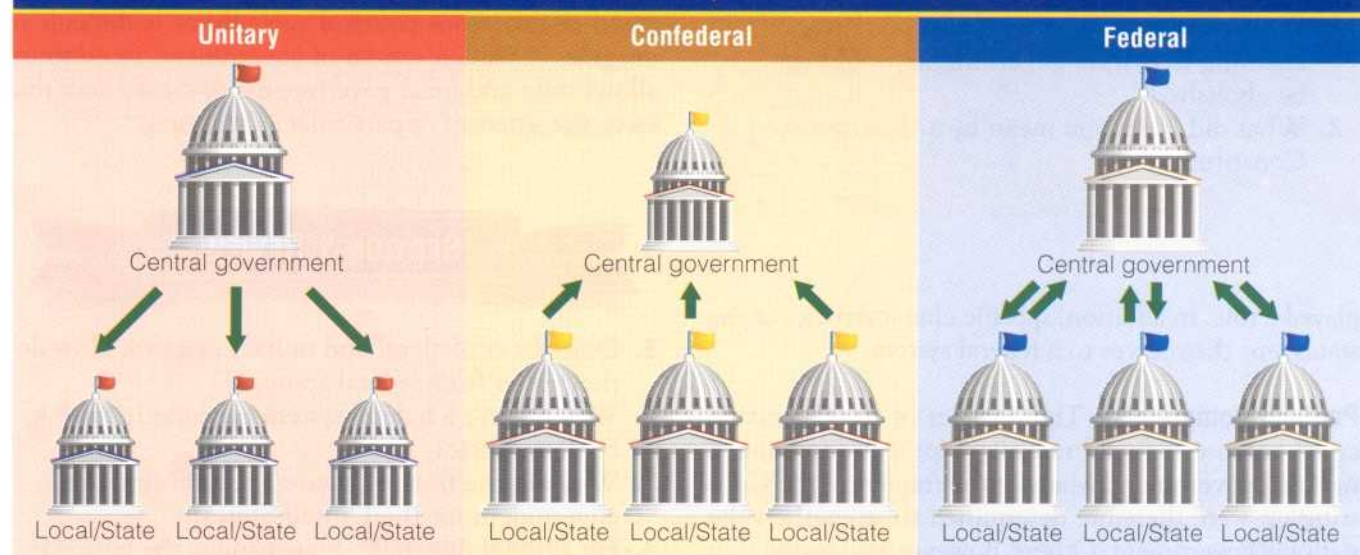
is usually divided between national and state or other regional governments by a written constitution, as in the United States. All levels of government—national, state, and local—have the power to pass laws that directly influence the people. The national government's laws are supreme, but it cannot overrule state and local laws unless they conflict with national laws. This is what makes a federal system different from a unitary system.

Keep in mind that *federalism* and *democracy* do not mean the same thing. Federalism is a system of government in which powers are divided between national and regional governments, such as state governments. Democracy is a system in which the people are involved, either directly or indirectly, in the governing process.

Reasons for Federalism in the United States

Why did the framers of the Constitution choose a federal system? You already know that political compromise

FIGURE 4-2 The Flow of Power in Three Systems of Government As you can see, in a unitary system, power flows from the central government to the local and state governments. In a confederal system, power flows in the opposite direction—from the state and local governments to the central government. Finally, in the federal system, power flows in both directions. Which of these systems is, in essence, a compromise between the other two?





ARCHITECTS

of Government

Alexander Hamilton
(1755–1804)

Alexander Hamilton was a colleague of George Washington and a delegate to the Constitutional Convention. He served as Washington's first secretary of the treasury from 1789 to 1795. Hamilton, the author of most of the *Federalist Papers*, advocated a strong national government.

HIS WORDS

"The proposed Constitution, so far from implying an abolition of the state governments, makes them constituent parts of the national sovereignty."

(Federalist Paper No. 9, 1787)

"The complete independence of the courts of justice is particularly essential to a Limited Constitution."

(Federalist Paper No. 78, 1788)

DEVELOPING CRITICAL THINKING SKILLS

1. In the first quotation, why was Hamilton stressing that state governments would not be abolished?
2. What did Hamilton mean by a "Limited Constitution"?

played a role. In addition, specific characteristics of the states lent themselves to a federal system.

Political Compromise The Articles of Confederation failed because they did not allow for a strong enough national government. Many of the framers of the Constitution were therefore determined to strengthen the national government. Others, however, still feared that

a strong national government would threaten individual rights. They favored small government close to the people. The natural outcome was a compromise—a federal system. The appeal of federalism was that it retained state traditions and local power while establishing a strong national government capable of handling common problems, such as national defense.

Size and Regional Isolation Even in the days when the United States was made up of only thirteen colonies, its geographic area was larger than that of France or England. Travel was slow, and communication was difficult. Many regions were isolated. The news of any particular political decision might take several weeks to reach everyone. Therefore, even if the framers of the Constitution had wanted a unitary system (and most of them did not), such a system would have been unworkable.

Differences in Political Cultures We have always been a nation of different subcultures. The Pilgrims who founded New England, the people who worked in the agricultural society of the South, and the people who populated the Middle Atlantic states differed greatly from one another. The groups that founded New England were religious in orientation, while the groups that populated the Middle Atlantic states were more business oriented. Those that populated the agricultural society of the South were more individualistic than the other groups; that is, they were less inclined to accept the authority of the national government.

A unitary system of government for a nation composed of numerous political subcultures is difficult to imagine. A federal system of government, in contrast, allows state and local governments to create laws that serve the interests of particular subcultures.

SECTION 1 REVIEW

1. Describe confederal and unitary systems. How do they differ from federal systems?
2. Why doesn't a federal system necessarily have to be democratic?
3. Why did the framers create a federal system of government for the United States?
4. **For Critical Analysis:** Increasingly, the national

government has attempted to influence the states to make uniform laws—laws that are the same in all states. For example, by threatening to withhold federal funding to help rebuild highways, the national government forced all of the states to

raise the minimum age for buying and consuming alcoholic beverages to twenty-one. Why do you think the national government is pushing toward more uniformity in state laws?

SECTION 2

The Division of Governmental Powers

Preview Questions:

- ★ What are the three types of powers delegated to the national government?
- ★ What powers are denied to the national government?
- ★ What powers are reserved for the states?
- ★ What powers are denied to the states?
- ★ What are the concurrent powers?

Key Terms:

division of powers, expressed powers, enumerated powers, implied powers, necessary and proper clause, elastic clause, inherent powers, reserved powers, concurrent powers

Although the United States has a federal system, the words *federal system* cannot be found in the U.S. Constitution. Nor can you find a systematic explanation of the **division of powers**—the way in which governmental powers are divided between the national government and state governments. Nonetheless, the original Constitution, along with the Tenth Amendment, tells what the national and state governments can do. The Tenth Amendment states:

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.

The key word here is *delegated*, which means “assigned” or “given.” Certain powers are delegated to the national government. Others are “reserved to” (retained by) state governments, or the people.

Powers Delegated to the National Government

Three types of powers are delegated to the national government by the Constitution: *expressed* (or *enumerated*) powers, *implied powers*, and *inherent powers*.

Expressed, or Enumerated, Powers Most of the powers explicitly delegated to the national government are enumerated—that is, specifically listed—in Article I, Section 8. These are called **expressed powers**, or **enumerated powers**.

Eighteen separate clauses enumerate twenty-seven different powers that are specifically given to Congress. These include:

- Coining money.
- Regulating interstate commerce.
- Levying and collecting taxes.
- Declaring war.
- Establishing post offices.

Some of the amendments to the Constitution give expressed powers, too. The Sixteenth Amendment, for example, gives Congress the power to impose a federal income tax.

Other parts of the Constitution grant expressed powers to the executive branch. Article II, Section 2, enumerates certain powers of the president, which include:

- Making treaties.
- Appointing certain federal officeholders.
- Granting pardons.

Just the Facts

From 1790 to 1800, the seat of the U.S. government was Philadelphia.

Political, or editorial, cartoons have appeared in the editorial sections of newspapers and magazines throughout our nation's history. They are usually funny, but they can also communicate serious messages. Their simplicity, directness, and humor can make them a powerful tool for influencing public opinion. Sometimes they present a positive point of view, but more often they are critical of a person, group, or issue. Cartoons are an effective way to express a point of view on often complex political issues.

Although they may present an issue in simple terms, the reader must understand the background of the issues to appreciate the cartoon.

Political cartoons often use two techniques: *symbolism* and *caricature*. Symbols are objects that stand for something else. Some common symbols in political cartoons are the donkey for Democrats, the elephant for

Republicans, and Uncle Sam for the government. Caricatures are distortions or exaggerations of the physical features of someone or something. For example, a cartoonist may take a slightly prominent feature, such as big teeth, and enlarge it to make it comical.

Labels are sometimes used to identify the important features in a cartoon. Captions are also

used, either to hint at the main idea of the cartoon or to represent the words of the character in the cartoon.

Here is what to do when you read a political cartoon:

1. Examine the entire cartoon to determine the general topic.
2. Identify the symbols or characters used and what they represent.
3. Read all of the labels and captions.
4. Determine the tone of the cartoonist. Are the figures represented in a positive or negative light?
5. Try to determine the quality of the humor. Is it harsh and angry, or is it gently mocking?
6. Determine whose viewpoint is being expressed. Remember that a political cartoon is an editorial in a picture form. The cartoonist is expressing only one point of view.



SOCIAL STUDIES SKILLS

Analyzing Political Cartoons

Implied Powers The national government has certain powers that are not expressly given to it in the Constitution but are *reasonably implied* (suggested or indicated) by the expressed powers. These powers are called **implied powers**. Their constitutional basis is found in Article I, Section 8, Clause 18. This clause states that Congress shall have the power

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

The key words in the clause are *necessary and proper*. For this reason, it is often called the **necessary and**

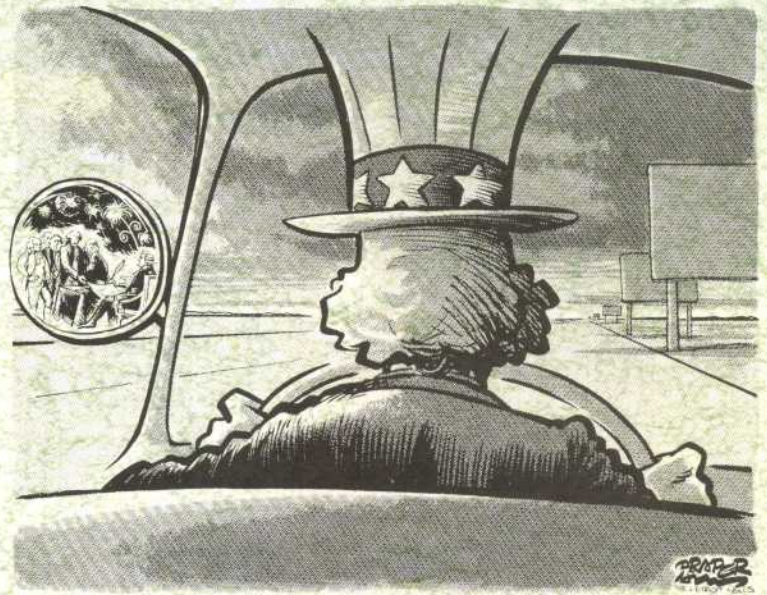
proper clause. It is also called the **elastic clause** because it adds elasticity to our constitutional system. The necessary and proper clause gives Congress all of those powers that can be reasonably inferred from the brief wording of the Constitution, even though they are not expressly stated. Through exercising the power vested in it by this clause, the national government has broadened the scope of its authority to meet many problems that the founders did not or could not anticipate.

There are thousands of examples of the national government's exercise of implied powers. The Constitution does not expressly state that the national government is responsible for the construction of an interstate highway system. Yet our government has paid money for precisely this purpose. Certainly the

7. Try to imagine what the other side of the issue would look like in cartoon form.

PRACTICING YOUR SKILLS

1. Study the cartoon on the right. What is the cartoonist's point of view? What is the tone of the cartoon? Does the cartoonist use symbols or caricatures? If so, try to identify them.
2. Find and clip out a political cartoon. Interpret the cartoon for the class by following the instructions listed above. Then design a cartoon of your own that expresses an alternative point of view.



▲ Published on July 4, 1976, this political cartoon shows Uncle Sam in the driver's seat, while his rearview mirror reflects the famous John Trumbull painting of the signing of the Declaration of Independence. (See painting on page 42.) Although political cartoons are usually biting and satirical, this one is a reminder of our democratic traditions and history. How might the publication date have affected the tone of the cartoon?

Constitution does not state that the national government should involve itself in disputes between workers and their managers. But the national government has involved itself in such disputes by establishing laws and regulations concerning worker safety, labor unions, and discrimination in the workplace. Nowhere does the Constitution state that Congress should pass laws prohibiting the manufacture, sale, and consumption of certain drugs. Nonetheless, Congress has done so.

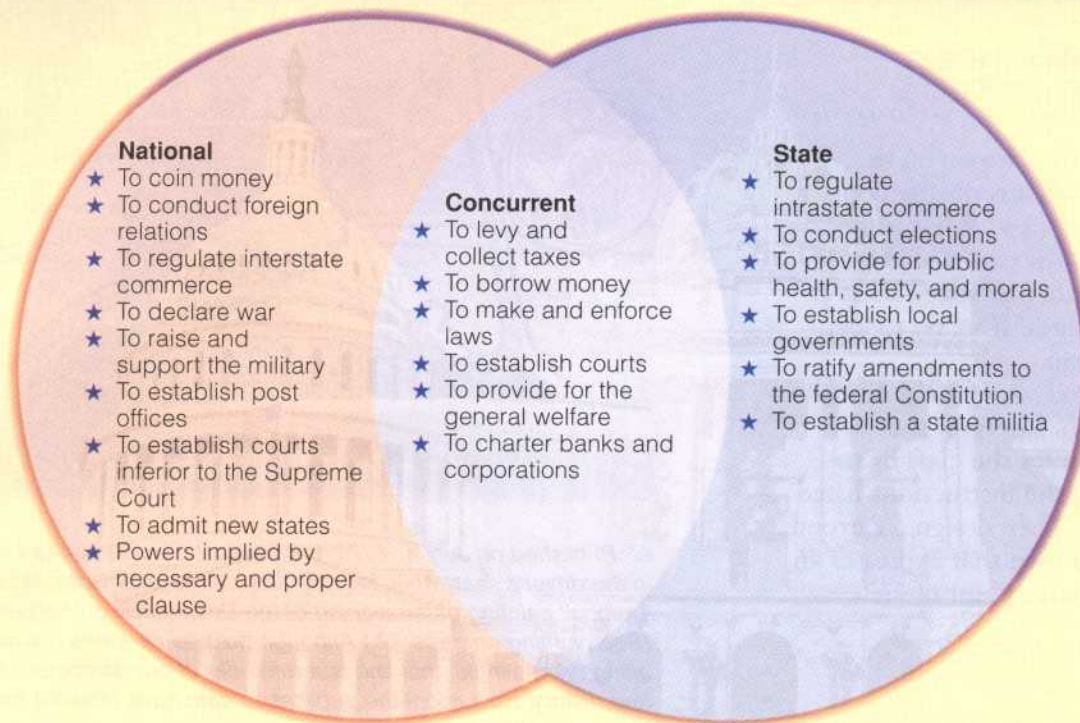
Inherent Powers The final category of powers, known as **inherent powers**, are powers that the national government has simply to ensure the nation's integrity and survival as a political unit.

The inherent powers are few but important. Each nation's government must clearly have the ability to act in its own interest within the community of nations. Therefore, each national government must have the ability to make treaties, to regulate immigration, to acquire territory, to wage war, and to declare peace. Figure 4-3 on page 94 lists the powers delegated to the national government by the Constitution.

Powers Denied to the National Government

The Constitution prohibits, or denies, a number of powers to the national government, as shown in Figure 4-4 on page 95. It does this in several ways.

FIGURE 4-3 Powers Granted by the Constitution The figure below outlines the powers granted by the Constitution to the national government, to the state governments, and to both the national and state governments concurrently. According to the Constitution, which level of government is entitled to create and administer courts?



Expressly Denied Powers Most of the powers expressly denied to the national government can be found in Article I, Section 9, and in the First through the Eighth Amendments. The national government cannot, for example, impose taxes on goods sold to other countries. Moreover, the national government cannot pass laws that significantly restrain our constitutional rights and liberties, such as freedom of religion, speech, press, or assembly. It cannot conduct illegal searches or seizures.

Powers Not Delegated Our national government has only those powers given to it by the Constitution. Any power not delegated to it, either expressly or implicitly, by the Constitution in one of the ways discussed above is prohibited to it. The Constitution does not, for example, give the national government the power to create a national public school system. As a result, the United States does not have one.

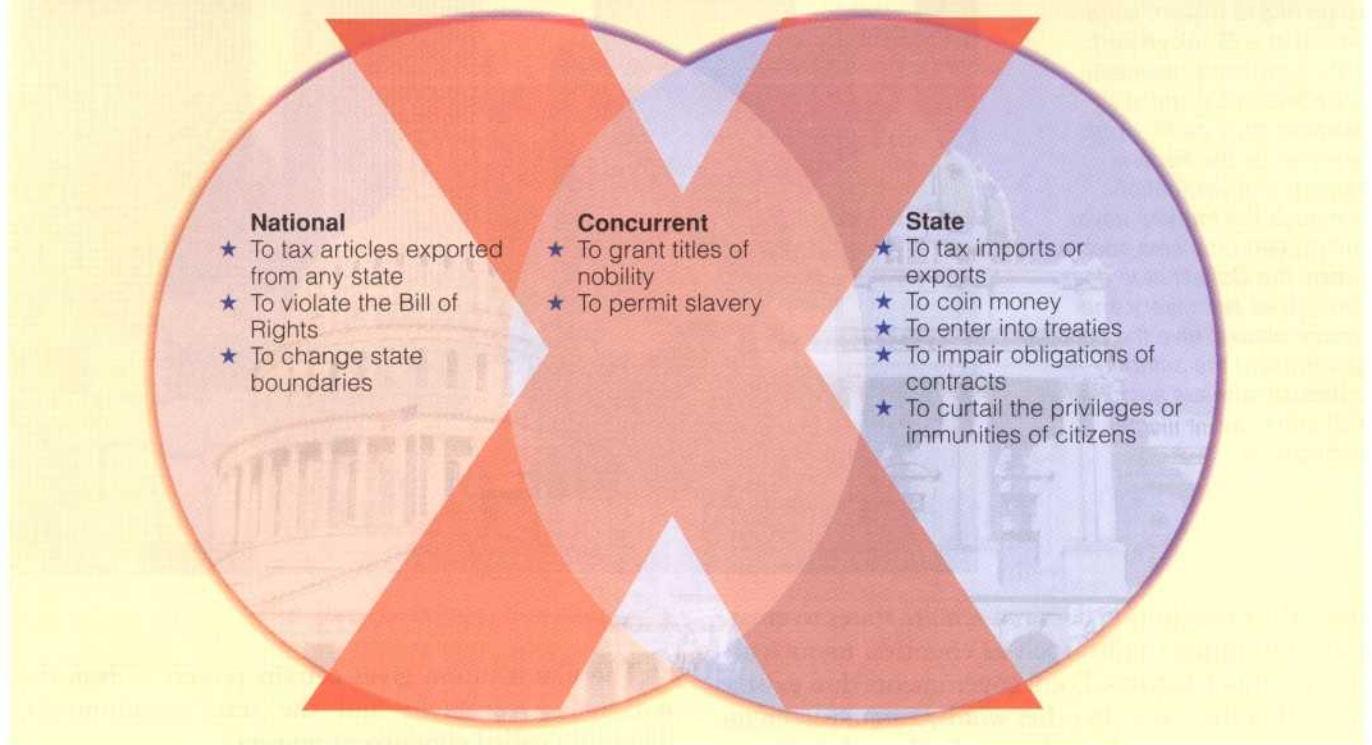
Powers Reserved to the States

Through the Tenth Amendment, the Constitution reserves certain powers to the states. These **reserved powers** include powers that are not given to the national government and that are not denied to the state governments. (See Figure 4-3.) The national government cannot take away these powers from the states.

One reserved power is each state's right to regulate commerce within its borders. Another is the right to provide for a state militia. In essence, states have the authority over all their internal affairs and over the health, safety, and welfare of their people.

Consider a few examples of how states exercise their reserved powers. If you eat out, the restaurant you go to has to meet certain standards of cleanliness. These standards are set by your state government. If you attend a public school, that school is part of a school system created by your state government. The state decides at what age you must attend school and how many hours

FIGURE 4-4 Powers Denied by the Constitution The chart below lists some of the powers denied to the national government, to state governments, and to both levels of government. According to this chart, can either the national government or a state government grant titles of nobility?



you must spend at school. If you are required to take an American government class, that requirement may have been set by your state government. Your state determines at what age you can get married without permission from your parents. The state establishes the requirements for obtaining and for keeping a valid driver's license. Your state government also creates traffic laws that people driving within your state must obey.

Powers Denied to the States

Just as the Constitution denies certain powers to the national government, so it denies some powers to the state governments. Powers that are expressly denied to the states are found in Article I, Section 10, which has three clauses: Treaties and Coinage, Duties and Imposts, and War. Additionally, the Thirteenth, Fourteenth, Fifteenth, Nineteenth, Twenty-fourth, and Twenty-sixth Amendments specifically deny certain powers to the states.

One power expressly denied to the states is the power to tax imports and exports to and from other states or foreign countries. Another denied power concerns treaties. No state is allowed to enter into a treaty on its own with another country.

Because the Constitution lays out a federal system, no state is allowed to endanger that system. Therefore, states are not allowed to tax activities and agencies of the federal government.

What about Local Governments?

As you know by now, the federal system involves a federal government and fifty state governments. But what about the over eighty thousand local government units? How are they governed? We will examine this question in more detail in Chapter 25 of this book. For now, you should understand that the Constitution does not specifically refer to the powers of local government.

▶ Framed by the Manhattan skyline, U.S. Customs agents load bales of marijuana onto a truck after eight tons of the drug, with an estimated street value of \$19 million, were seized at a Brooklyn port. Nine individuals, allegedly members of Colombia's Medellin drug cartel, were arrested by the Federal Bureau of Investigation. Although the framers never anticipated problems such as these, the Constitution does, through its necessary and proper clause, give the national government the authority to establish bureaus such as the FBI and to seize illegal substances.



Also, the Constitution does not require states to create local government units, such as counties, municipalities, or school districts. Local governments thus exist at the will of the states. In other words, a state can create local governments when the need arises. A state can also disband local governments.

When local governmental units act, they are acting by the power of the state government. That means local governments cannot constitutionally do anything that state governments cannot constitutionally do.

Concurrent Powers

The Constitution gives certain powers to *both* the national government and the state governments. These are called **concurrent powers**.

For example, both state and national governments have the power to tax. The types of taxation, however, are divided between the levels of government. States may not levy taxes on imported goods, but the national government may. In addition, neither level of government may tax the facilities of the other. For example, Texas cannot tax the national government on the fees the national government charges people to use federal court buildings located in Texas.

Certain concurrent powers are implied rather than stated expressly. They include the power to borrow money, the power to establish courts, and the power to charter banks. The national government and state governments share these powers.



◀ Federal, state, and local government programs depend on taxes collected from citizens. Based on the cartoon shown here, how does the average taxpayer feel about the “tax bite” each April 15?

SECTION 2 REVIEW

1. What is meant by the phrase “division of powers”?
2. What are the three types of powers delegated to the national government? Explain and give examples of each one.
3. What is the significance of the necessary and proper clause?
4. What are the two ways in which the Constitution denies powers to the national government?
5. What are some powers that the Constitution reserves to the states?
6. Where do local governments fit into the federal system?
7. What are the concurrent powers?
8. **For Critical Analysis:** The Tenth Amendment reserves to the states all of those powers not delegated to the national government nor prohibited to the state governments. The constitution does not expressly delegate to the national government the power to build an interstate highway system. How, then, can you explain the fact that the national government has built such a system?

SECTION 3

Relations among the States

Preview Questions:

- What is horizontal federalism?
- What does the Constitution say about relations among the states?
- What duties does the national government owe to the states under the Constitution?

Key Terms:

horizontal federalism, privileges and immunities clause, alien, full faith and credit clause, extradition, *Dennison* rule, republican form of government

We have been discussing the relationship between the national government and the state governments. Federalism also involves interaction among state governments, or **horizontal federalism**. The states have social, commercial, and other dealings among themselves. For example, the citizens of one state travel to other states and buy various items from sellers in other states.

The rules of horizontal federalism laid out in the U.S. Constitution prevent any one state from setting itself apart from the others. The Constitution has three

important provisions that relate to horizontal federalism. Each was taken almost directly from the Articles of Confederation.

Privileges and Immunities

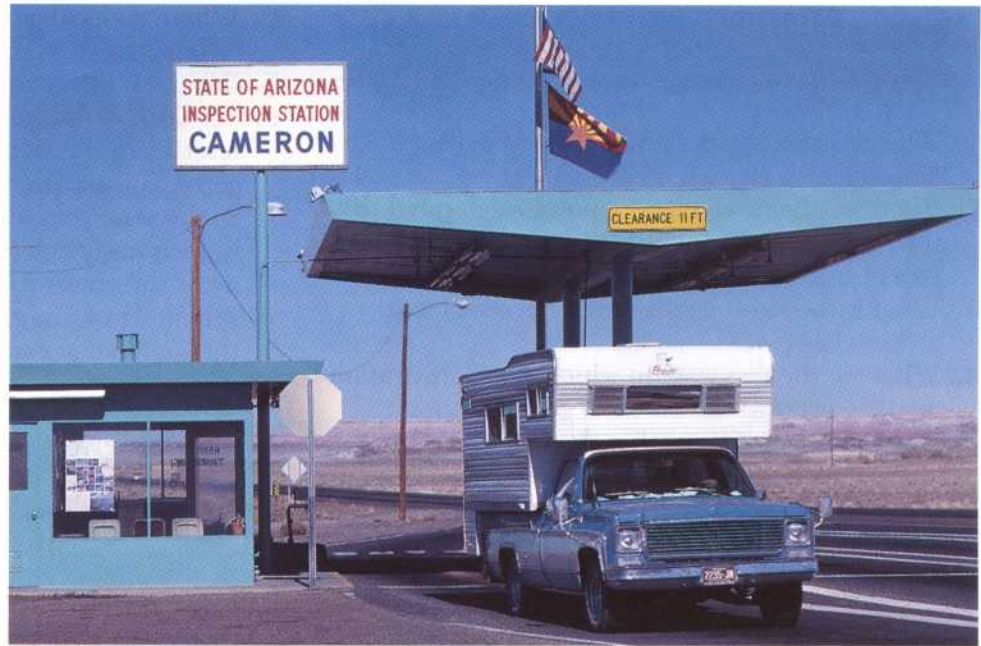
Article IV, Section 2, declares the following:

The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

The **privileges and immunities clause** prevents states from discriminating against citizens of other states. A resident of one state cannot be treated as an **alien**—a foreigner—in another state. Each state is required to extend to any U.S. citizen from any other state the protection of that state’s laws, the right to work, access to the courts, and any other privileges that it may grant its own citizens. A resident of Texas thus cannot be treated as an alien in New York. She or he must have access to New York courts, the right to travel, and the right to own property.

In certain instances, however, states are allowed to “discriminate” against (treat differently) out-of-state

► Though the Constitution prevents states from discriminating against citizens of other states, there are certain situations in which citizens from other states may legally be treated differently. Travelers entering Arizona, for example, must stop at border stations like this so inspectors can verify that certain agricultural products are not brought into the state. Why would a state want to inspect certain agricultural products?



residents. For example, at most state universities, out-of-state residents have to pay higher fees than do in-state residents. Some states require people to be residents for a certain amount of time before they can receive public-assistance benefits, such as welfare.

The Full Faith and Credit Clause

Article IV, Section 1, reads as follows:

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State.

The **full faith and credit clause** requires states to recognize one another's laws and court decisions. That means that rights established in one state will be honored in other states. For example, if you own property in Florida, your ownership rights are valid in Texas. This is important if you wish to sell the property to a Texas resident. As another example, if you are legally married in the state of Missouri, that marriage will be honored in Montana.

The full faith and credit clause was originally included in the Articles of Confederation to promote mutual friendship among the people of the different

colonies. As part of the U.S. Constitution, this clause has contributed to the unity of American citizens because it allows Americans to move from state to state without worrying about losing any rights.

Interstate Extradition

A person who is charged with committing a crime in one state may flee to another state. This person is a fugitive. **Extradition** occurs when the fugitive is caught and returned to the state from which he or she fled. Article IV, Section 2, of the Constitution states the following:

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction [authority] of the Crime.

Although the language of this section seems clear, for many years state governors were not required by law to extradite fugitives. An 1861 ruling by the U.S. Supreme Court, called the **Dennison rule**, upheld the right of the governor of Ohio to refuse an extradition request by the governor of Kentucky for a "free man of

► This poster presents three African American heroes of the Reconstruction period. They are (left to right) Senator Blanche K. Bruce, Frederick Douglass, and Senator Hiram Revels.



color.” The man had been charged in Kentucky with the crime of helping a slave escape to freedom.

The *Dennison* rule stood for 126 years. Then, in 1987, the U.S. Supreme Court reversed itself in a case involving an Iowan, Ron Calder, who was supposed to stand trial in Puerto Rico. The governor of Iowa refused to extradite Calder but was forced to do so after the Supreme Court ruled in favor of the extradition.

In many cases today, the question of extraditing fugitives has little meaning. Congress has made it a federal crime to flee across state lines to avoid prosecution for certain serious crimes. That means that agents of the national government will arrest fugitives regardless of what state they are in. Fugitives are usually turned over to the state from which they fled.

What the National Government Must Do for the States

The national government has certain duties to the fifty states. Most of them are listed in Article IV, Section 4:

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Guarantee of Republican Form of Government A republican form of government is one in which the people are governed by elected representatives. Our national government therefore has had to ensure that

each state government was formed according to the will of the majority of its citizens.

The only time that the republican guarantee became truly important was after the Civil War, when a number of southern states had not ratified the Thirteenth, Fourteenth, and Fifteenth Amendments. These amendments ended slavery, guaranteed due process of law and equal protection under the law

for all Americans, and granted citizenship status and voting rights to African Americans (see the Resource Center for the wording of each amendment). In effect, the southern states that had not ratified the amendments were depriving their citizens of a republican form of government. As a result, Congress refused to admit senators and representatives from those states until they had made the appropriate reforms.

Just the Facts

Susan B. Anthony and other advocates of voting rights for women were very dissatisfied with the Fourteenth Amendment because it guaranteed voting rights only for “male citizens.”

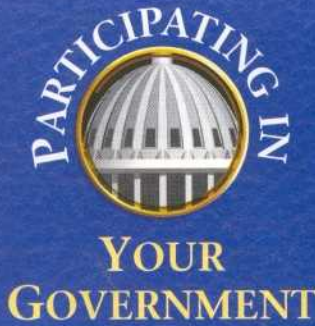
Protection against Foreign Invasion An attack launched against any one state is an attack against all fifty states. Everybody today takes that concept for granted. It was not so well accepted in the 1780s, though. At that time, the states were not sure whether they would stand together if one of them were attacked. Each state agreed, therefore, to give its war-making powers to the national government, but only if the government pledged in turn to protect each of the states.

Protection against Domestic Violence Each state is obliged to keep the peace within its own geographical boundaries. If for some reason a state cannot do so, the national government may provide help. On a number of occasions, presidents have had to send in federal troops, called the National Guard, to control

Hunger is one of the most heartbreaking and urgent problems facing the world today. Although it may be difficult to believe that every day many people are dying of starvation and malnutrition, hunger haunts us everywhere—in our own nation as well as in faraway countries.

Hunger is being fought on many fronts. Some involve short-term solutions, such as providing a hot meal to someone who doesn't know where to turn. Others involve long-term solutions, such as supporting new legislation to change policies of food distribution. If you would like to aid in these efforts, helping to feed the hungry in your own community is a good starting point.

While most of us would like to help, many of us are not aware of the opportunities available for helping those in need. Following is a list of some actions you might consider, and some organizations that would welcome volunteers.



Helping Hungry People

TAKING ACTION

1. Locate groups in your area that help fight hunger. Start by calling your church, your synagogue, or the mayor's office, or look in the Yellow Pages under "Social Service Agencies." If you don't have any luck, there are many national organizations that can help you locate a group.

A few of them are listed below:

National Student Campaign
against Hunger
11965 Venice Blvd.
Suite 408
Los Angeles, CA 90066
310-397-5270, Ext. 324

The Salvation Army
613 Slaters Lane
Alexandria, VA 22313
703-684-5500

Seed CDC
1127 Capital Ave., SW
Atlanta, GA 30315
404-523-6722

2. Offer to help out in the office of a local hunger project by answering phones, writing letters, or raising funds.
3. Donate food to a food bank. If you can't locate the food bank nearest you, contact:

Second Harvest
116 South Michigan Ave.,
Suite 4
Chicago, IL 60603
1-800-332-3663

upheavals within various states. For example, in 1967, President Lyndon Baines Johnson sent federal troops to Detroit at the request of Michigan's governor, George Romney. Local and state police personnel were unable to stop riots and looting in the inner city. Similarly, President Johnson sent federal troops to the cities of Chicago and Baltimore to help control violent outbreaks that followed the assassination of Dr. Martin Luther King, Jr., in April 1968.

In all three instances, the president sent the National Guard at the request of local and state officials. The president is not legally bound to wait for such a request, however. Whenever federal property is

endangered or a federal law is violated, the president can act. Indeed, in 1894, President Grover Cleveland sent federal troops to Illinois, in spite of the objections of Governor William Altgeld, to stop rioting in the Chicago rail yards. The rioters had threatened federal property and had slowed down the flow of mail and interstate commerce.

President Dwight D. Eisenhower sent federal troops to Little Rock, Arkansas, in 1957, and President John F. Kennedy sent troops to the University of Mississippi in 1962 and to the University of Alabama in 1963. In each of these instances, federal courts had ordered the desegregation of state-run schools. The orders were not



◀ Making a difference in their community, these teenage volunteers from the Community for Creative Non-Violence serve up Thanksgiving dinner to the homeless and needy of Washington, D.C.

4. Consider volunteering to work in a food bank warehouse sorting contributed food or assisting with pickups or deliveries.
5. Volunteer two or three hours a week in a soup kitchen that cooks and serves food for homeless people.

If you are interested in starting your own group to fight hunger, order a copy of Seed's *Hunger Action Handbook—What You Can Do and How to Do It*. It's available from Seed at the address given in item 1 above.

If your are interested in volunteering to work on a project

to end hunger around the world, order Seed's magazine *Volunteer Opportunities Guide*.

being followed—African American students were being refused admittance to the schools. The president in each case acted to enforce the federal court orders.

Territorial Integrity Under the Constitution, the national government must guarantee the territorial integrity of each state. That is, it must recognize each state's legal existence and physical boundaries. It must also guarantee the number of votes each state has in Congress. Article IV, Section 3, prevents the national government from geographically dividing a state to make a new state or from changing boundaries between states. If the national government wants to do either of

these things, the states involved and Congress must agree on the changes.

Some argue that the admission of West Virginia to the United States in 1863 violated this guarantee. West Virginia was formed from thirty-five counties in the predominantly nonslaveholding region of western Virginia. Representatives from these counties refused to follow the Virginia state legislature's decision to secede from the Union during the Civil War. Disregarding the wishes of the majority of Virginia legislators (who opposed the formation of West Virginia), Congress allowed the thirty-five counties to become a separate state.

► In 1962, President John F. Kennedy sent federal troops to the University of Mississippi to ensure the safety of James Meredith, the first African American student to enroll at that institution. Why do you think it was necessary to send federal troops to a state university?



SECTION 3 REVIEW

1. What are the constitutional provisions that relate to horizontal federalism?
2. What does the full faith and credit clause require?
3. Under the Constitution, what responsibilities does the federal government have toward the states?
4. **For Critical Analysis:** If the decision had been up to you, would you have allowed the thirty-five counties in western Virginia to form a state?

SECTION 4

Who Shall Reign Supreme?

Preview Questions:

- ★ What is the supremacy clause?
- ★ What decision did the Supreme Court make in *McCulloch v. Maryland*? Why was it important?
- ★ What was the issue before the Supreme Court in *Gibbons v. Ogden*?
- ★ What issue was at the heart of the controversy that led to the Civil War?

Key Terms:

supremacy clause, secession

The **supremacy clause**, which is contained in Article VI, Paragraph 2, of the Constitution, gives the national government supremacy over all state and local governments. The clause implies that states cannot use their reserved or concurrent powers to counter national



◀ Thurgood Marshall, then an attorney for the National Association for the Advancement of Colored People (NAACP), poses on the steps of the Supreme Court with the president of the Little Rock, Arkansas, NAACP and six of the students who integrated the previously all-white Central High in Little Rock. Governor Orval Faubus had used National Guard troops to prevent the court-ordered integration. What bearing did the supremacy clause have on his actions?

policies. Every time a state or local officer, such as a judge or sheriff, takes office, he or she becomes bound by an oath to support the U.S. Constitution.

Much of the legal history of the United States has involved conflicts between the supremacy of the national government and the desires of the states to remain independent. The most extreme example of this conflict was the Civil War. Through the years, because of the Civil War and several key Supreme Court decisions, the national government has increased its power.

McCulloch v. Maryland

The case of *McCulloch v. Maryland* was decided by the Supreme Court in 1819. It was one of the most significant decisions ever made by the Court. At issue were both the necessary and proper clause and the supremacy clause.

The case began when the state of Maryland imposed a tax on the Baltimore branch of the Second Bank of the United States. This bank had been chartered, or created, by the U.S. Congress. The branch's chief cashier, James McCulloch, decided not to pay the tax. A state court ruled that McCulloch had to pay. The national government appealed to the U.S. Supreme Court.



▲ If you were to travel back in time to the early years of our nation, you would be surprised at how weak the federal government was in comparison to the strong and independent states. In his decision in the case *McCulloch v. Maryland* (1819), Supreme Court Chief Justice John Marshall opened the door for the creation of the large and powerful central government we have today.



Who Shall Control the Land?

In 1996, President Bill Clinton declared 1.7 million federal acres of Utah desert and rock canyon a national monument. The result? No future development of those areas will be allowed. These lands hold large coal reserves, which will never be mined unless the law is changed. The value of the coal reserves has been estimated to be as high as \$1 trillion.

Many Americans do not agree with the national government over land-control issues. The federal government owns nearly 30 percent of the lands in the United States. In the western states, this figure is much higher, as you can see in the chart, *Federally Owned Lands in the Western States* on page 105. Traditionally, the U.S. government has allowed state residents to use federal lands for cattle grazing and other purposes. Recently, however, in the interests of environmental protection, the federal government has tightened the reins on local use of federal land and water resources.

As a result, in many areas of the West, there is growing hostility toward the federal government—and particularly toward the people who enforce federal land-use policies. During the last few years, a number of rebels in the increasingly “wild” West have been defying federal government orders and using federal lands without permits.

Some people suggest that federal lands should be returned to the states. The states could then decide how the lands should be used. Supporters

of the movement for state ownership of federal lands argue that state and local governments are in a better position to make environmental decisions affecting their regions. Opponents of state ownership of federal lands point out that among the biggest supporters of state ownership are special-interest groups, such as the mining and timber industries, that would like to put the lands to commercial use. These groups could pressure state governments into allowing mining and logging activities that would damage the environment. Thus, opponents of state control over federal lands claim that the public interest would be better served by national regulation of the environment.

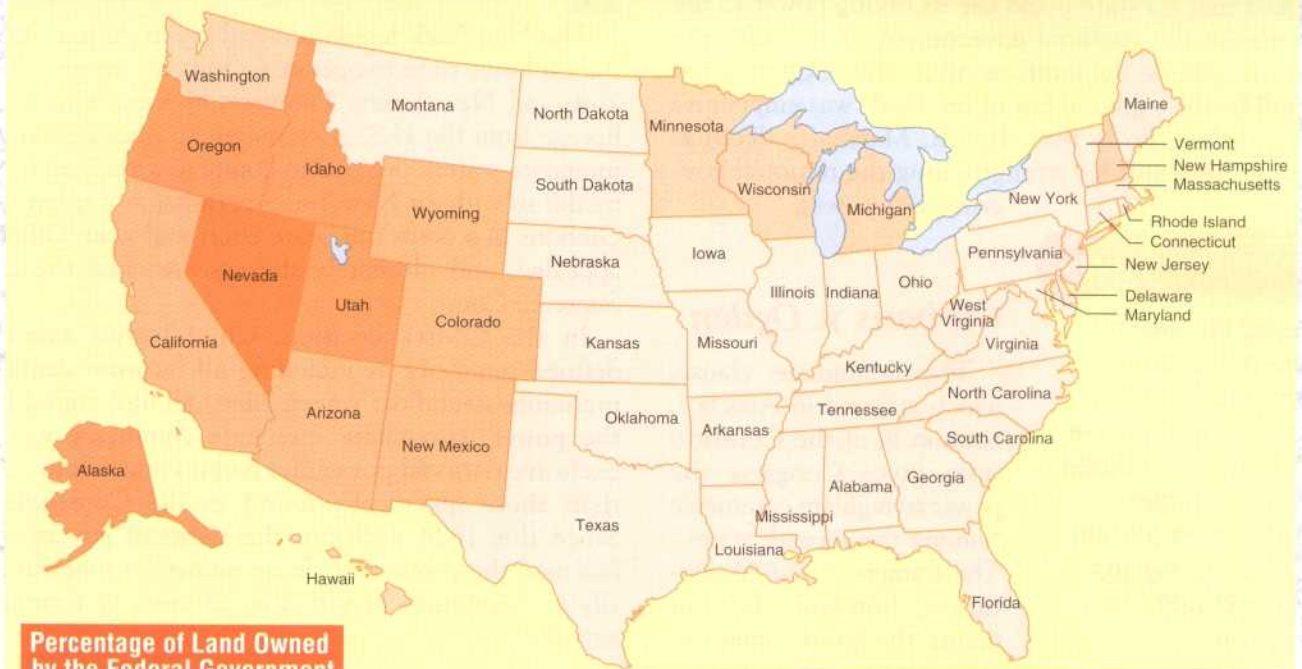
THINK ABOUT IT

1. To what extent do you think the states, particularly in the West, have the right to claim ownership over lands currently owned by the federal government?
2. What role should the federal government play in land management in this country? What role should the state governments play?
3. Should the federal government turn federal lands over to private individuals, such as cattle ranchers and oil drillers? Why or why not?
4. What does the conflict over land use tell us about the problems that are a part of our system of federalism today?

One issue before the Court had to do with whether Congress had the implied power, based on the necessary and proper clause, to create a national bank, such as the Second Bank of the United States. A second constitutional issue was also involved. If Congress's

creation of the bank was constitutional, could a state tax the bank? In other words, was a state action that conflicted with a national government action invalid under the supremacy clause? The decision would have far-reaching consequences.

Federal Ownership of Land in the United States



Percentage of Land Owned by the Federal Government

- Less than 10%
- 10% to 30%
- 31% to 50%
- 51% to 70%
- Over 70%

Federally Owned Lands in the Western States

State	Percentage of Land Federally Owned
Alaska	67.9%
Arizona	47.2
California	45.1
Colorado	36.2
Idaho	61.6
Nevada	83.0
New Mexico	33.8
Oregon	52.4
Utah	62.2
Washington	28.3
Wyoming	48.9

SOURCE: *Statistical Abstract of the United States*, 1996, p.228.

Chief Justice John Marshall announced the decision of the Court. Marshall pointed out that no provision in the Constitution expressly granted the national government the power to form a national bank. Nonetheless, if establishing such a bank helped the national

government exercise its expressed powers, then the authority to do so could be implied. Marshall also said that the necessary and proper clause included "all means which are appropriate" to carry out "the legitimate ends" of the Constitution.

Having established this doctrine of implied powers, Marshall then answered the other important constitutional question before the Court and established the doctrine of national supremacy. Marshall argued that no state could use its taxing power to tax an arm of the national government. If it could, the Constitution's declaration that the Constitution "shall be the supreme law of the land" was empty and meaningless. From that day on, Marshall's decision became the basis for strengthening the national government's power.

Just the Facts

During the lengthy case of Gibbons v. Ogden, Ogden, Gibbons visited Ogden's home and challenged Ogden to a duel. Ogden instead sued Gibbons for trespassing and won a \$5,000 judgment.

Gibbons v. Ogden

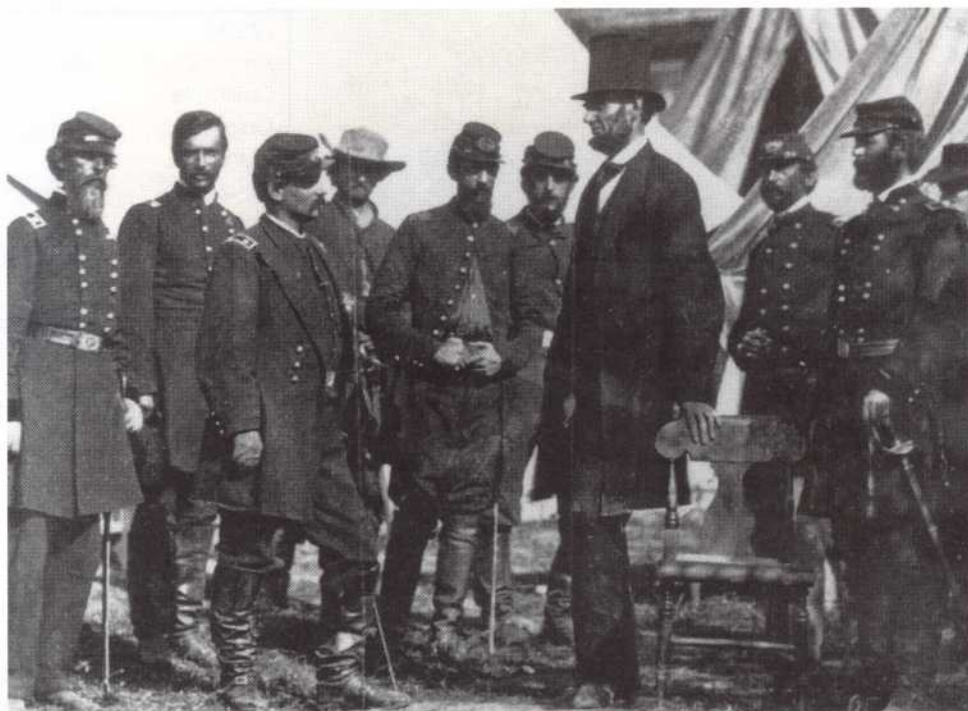
The commerce clause, which is found in Article I, Section 8, of the Constitution, gives Congress the power to regulate commerce "among the several States." The framers of the Constitution, however, did not define the word *commerce*.

How *commerce* should be defined was one issue in the case of *Gibbons v. Ogden*, decided in 1824. Another was whether the national government had the exclusive power to regulate commerce involving more than one state.

The New York legislature had given Aaron Ogden the exclusive right to operate steamboats between New York and New Jersey. Thomas Gibbons, who had a license from the U.S. government to operate boats in interstate waters, decided to compete with Ogden, but he did so without New York's permission. Ogden sued Gibbons in a New York state court and won. Gibbons appealed, and ultimately the case reached the U.S. Supreme Court.

In the Court's decision, Chief Justice Marshall defined *commerce* as including all business dealings, including steamboat travel. Marshall also stated that the power to regulate interstate commerce was an exclusive national power and had no limitations other than those specifically found in the Constitution. Since this 1824 decision, the national government has used the commerce clause numerous times to justify its regulation of virtually all areas of economic activity.

► *President Abraham Lincoln meets with Union army officers following the Battle of Antietam in 1862. The Civil War was fought not only over slavery, but also over other issues, including the rights of individual states versus the supremacy of the national government. Did the end of the Civil War result in increased states' rights or increased power for the national government?*



The Battleground of the Civil War

It is easy to think of the Civil War as a fight to free the slaves. The war, however, can also be viewed as a power struggle between the states and the national government. At the heart of the controversy that led to the Civil War was the issue of national versus state supremacy. That debate was brought to a bloody climax between 1860 and 1865.

In 1824, 1828, and 1832 the national government had passed tariff acts, which imposed higher taxes on goods imported into the United States. The southern states believed that such taxes were against their best interests. One southern state, South Carolina, attempted to *nullify* the tariffs, or make them void. It claimed that in cases of conflict between state and national governments, the state should have the ultimate authority to determine the welfare of its citizens.

Supporters of this idea used it to justify the **secession**—withdrawal—of the southern states from the Union. When the South was defeated in the war, however, the idea that a state can successfully claim its right to secede was defeated as well. Although the Civil War occurred because of the South's desire for

increased states' rights, the result was just the opposite—an increase in the political power of the national government.

SECTION 4 REVIEW

1. If a state law conflicts with a national law, which side must yield?
2. How did the Supreme Court's decision in *McCulloch v. Maryland* expand the power of the national government?
3. Why was the Supreme Court's decision in *Gibbons v. Ogden* significant?
4. How was the controversy that led to the Civil War related to the concept of federalism?
5. **For Critical Analysis:** The milestone events discussed in this section—*McCulloch v. Maryland*, *Gibbons v. Ogden*, and the Civil War—form part of a trend toward the complete supremacy of the national government. What evidence, if any, do you see today that the trend is changing?

SECTION 5

The Changing Face of American Federalism

Preview Questions:

- 1. What is dual federalism?
- 2. Why has U.S. federalism in the era since 1937 been labeled cooperative federalism?
- 3. What does the phrase *new federalism* mean?

Key Terms:

dual federalism, cooperative federalism, New Deal, new federalism, devolution

Scholars have devised various models, or theories, to describe the relationship between the states and the national government at different times in U.S. history. These models are useful in describing the evolution of federalism.

Dual Federalism

The model of **dual federalism** assumes that the states and the national government are more or less equal, with each level of government having separate and distinct functions and responsibilities. The states exercise sovereign power over certain matters, and the national government exercises sovereign power over others.

For much of this nation's history, this model of federalism prevailed. Some scholars maintain that dual federalism characterized relations between the national government and the states from 1789 to the early 1930s. Others date the beginning of dual federalism to the 1830s or 1840s. In any event, during the era following the Civil War, the courts tended to support

each state's right to exercise its powers in regard to the regulation of activities within that state. For example, in 1918, the Supreme Court ruled that a 1916 federal law banning child labor was unconstitutional because it attempted to regulate a local problem. The era of dual federalism came to an end in the 1930s, when the United States was in the depths of the greatest economic depression it had ever experienced.

Cooperative Federalism

The model of **cooperative federalism**, as the term implies, involves cooperation among all levels of government. This model views the national and state govern-

ments as complementary parts of a single governmental mechanism. The purpose of this mechanism is to solve problems facing the entire United States. For example, federal law enforcement agencies, such as the Federal Bureau of Investigation (FBI), lend technical help to solve local crimes, and local officials cooperate with federal agencies to help solve serious crimes in their areas.

Just the Facts

Franklin Roosevelt's favorite author was Mark Twain, and Roosevelt is reputed to have taken the term "New Deal" from Mark Twain's A Connecticut Yankee in King Authur's Court.

Cooperative federalism grew out of the need to solve the tremendous national problems caused by the Great Depression, which began in 1929. In 1933, President Franklin D. Roosevelt launched his New Deal. This program involved many government spending and public-assistance measures aimed at helping to bring the United States out of the Depression. The New Deal legislation of Franklin D. Roosevelt ushered in an era of cooperative federalism, which has continued to some extent until the present day. The New Deal leg-



▲ Although most law enforcement is local, this fingerprint specialist works for the Federal Bureau of Investigation, a federal crime-fighting agency. This is cooperative federalism at work today. What are the benefits of a national clearinghouse for fingerprints?

islation also marked the real beginning of an era of national supremacy.

Some scholars argue that even if the Great Depression had not occurred, the power of the national government probably would have expanded because of changes the nation was experiencing. Its population was growing, and it was becoming more industrial. Its interdependence with other countries was increasing. Indeed, it was becoming a world power. Because of these changes, problems and situations that

once were treated locally began to have a profound impact on Americans hundreds or even thousands of miles away. Environmental pollution does not respect state borders, for example. Neither do poverty, crime, and violence. National defense, space exploration, and an increasingly global economy also call for action on the national—not state—level. So the growth of national-level powers in the twentieth century had a very logical and very real set of causes.



▲ Designed to give economically deprived young children a "Head Start," this federally sponsored program was begun in the 1960s when it was found that many children were entering kindergarten without the skills they needed to learn. How does Head Start differ from other preschool programs?



How Federalism Has Changed

What federalism means in this country today is different from what it meant during the “New Deal” federalism begun by Franklin D. Roosevelt in the 1930s. Some of the changes are listed below.

THEN (1930s–1970s)	NOW
A positive attitude existed toward national government regulation of the economic affairs of most businesses.	National government overregulation is viewed by many as a problem.
Government was seen as having the solutions to most of the social and economic problems facing the nation.	Government is seen as part of the problem, not a solution, and solutions may be impossible.
Most regulation of business was done by state governments, and state policies varied.	Most regulation of business is done by national government.
National government assumed more responsibilities.	State and local governments are assuming more responsibilities.

The 1960s and 1970s saw an even greater expansion of the national government’s role. The “Great Society” programs of Lyndon Johnson’s administration (1963–1969) included Medicaid, Medicare, the Job Corps, Operation Head Start, and other programs. The Civil Rights Act of 1964 prohibited discrimination in public accommodations, employment, and other areas on the basis of race, color, national origin, religion, or gender. The economy was regulated further in the 1970s by national laws protecting consumers, employees, and the environment. Today, few activities are beyond the reach of the national government.

The New Federalism—More Power to State Governments

During the 1970s and 1980s, several presidents attempted to revitalize dual federalism, which they

renamed the “new federalism.” This movement was launched in the early 1970s by President Richard M. Nixon and, to varying degrees, has continued to the present. The **new federalism** involves returning to the states certain powers that have been exercised by the national government since the 1930s. Thus, it involves a shift from *nation-centered* federalism to *state-centered* federalism. An example of the new federalism is the welfare reform legislation of 1996 (discussed in Chapter 22), which gave the states more authority over welfare programs. The term **devolution**—transfer of powers to political subunits—is often used to describe the goals of the new federalism.

Just the Facts

Richard Nixon was the first president in American history who managed to visit every state while in office.

Who Should Control Drug Policy?

In a federal system, there is always conflict between the national government and the state governments. In general, the national government prevails in such conflicts. Nowhere is conflict greater than in the area of drug regulation. Do states have the right to regulate the sale and use of drugs, free from the control of the national government? The answer to this question is that they do, but only to the extent that state laws do not conflict with national drug policy. National drug policy is set forth in the Comprehensive Drug Abuse, Prevention, and Control Act of 1970 and its amendments.

Some Say That the States Should Control Drug Policy

Some Americans believe that drug policies should be formed by the states, cities, and neighborhoods in which people live, rather than by the national government. State and local governments could then tailor drug policies to reflect local views and interests. In this way, Americans could develop drug policies that conform to their wishes and the wishes of their families, friends, and neighbors, rather than having a single policy imposed on them by the national government.

Those who favor state control of drug policy also point out that states now control the use of alcohol—who can sell it, who can buy it, where it can be bought, and when. In addition, the states control the sale of prescription drugs. Why can't states control the sale of other drugs, too? Finally, proponents of state control believe that innovative solutions to the terrible problems of drugs can only be found by different states trying different means.

Others Say That Controlling Drug Policy Is the National Government's Role

Proponents of a strong national policy on drugs believe that the best interests of the country, not just the best interests of each state, should prevail. U.S. citizens, regardless of where they live, should be protected uniformly from the consequences of drug possession and the crimes that result from drug use and distribution. After all, illegal drug use and trafficking are nationwide problems. It is estimated that each year over 25 million Americans violate a drug law at least once.

Of course, some states are more negatively affected by these problems than others. These states—which include California, Florida, Texas, and New York—are the ports of entry for drugs for much of the country. If it were left up to the states to control and implement drug policies, these states would bear a far greater burden than others in terms of the cost of enforcement.

In any event, many state legislators and governors are reluctant to tackle the drug problem themselves. The resources of the national government must therefore be used in the fight against illegal drug manufacturing, importation, shipment, and use.

YOU DECIDE

1. What might happen if using certain drugs was legal in some states but not in others?
2. If the states had total control over drug policy, how could they handle the problem of interstate drug trafficking?

Ethics and the Debate over Federalism

In 1981, President Ronald Reagan made the following statement in an address to state legislators:

The Founding Fathers saw the federalist system as constructed something like a masonry wall. The States are the bricks, the national government is the mortar. . . . Unfortunately, over the years, many people have increasingly come to believe that Washington is the whole wall.

The devolutionary movement recognizes the importance of the “bricks” in the “wall” of government. Proponents of devolution feel that we need to achieve a new balance between national and state powers. But some Americans doubt that control over certain programs should be turned over to the states.

At the heart of the debate over federalism today is a question that clearly has ethical dimensions: Which government—national, state, or local—can best handle certain types of problems? Several pressing political issues today touch on this question. Examples include federal land use, drug policy, and educational standards.

As you have learned, the debate over federalism began even before the Constitution was ratified. It has continued throughout our history and certainly is at the forefront of political debate today. Ultimately, each generation of Americans decides anew on which level of government should exercise which powers to best meet the needs of the citizenry.

SECTION 5 REVIEW

1. What is the national government’s role under a dual federalism system?
2. How has the balance of political power between the states and the national government shifted over the years?
3. Briefly describe the doctrine of cooperative federalism.
4. What were some of the new national programs begun by the Lyndon Johnson administration?
5. **For Critical Analysis:** Explain what *devolution* means. Who might be in favor of devolution, and why? Who might be against it, and why?

★ ★ ★ ★ Chapter Summary ★ ★ ★ ★

Section 1: Three Basic Types of Governmental Systems

- In a unitary system, the national government has ultimate authority. In a confederal system, the states have ultimate authority. In a federal system, governmental powers are shared by a national government and political subunits, such as states.
- The framers of the Constitution chose a federal system because it represented a compromise between those who favored a strong national government and those who favored a small government.

Section 2: The Division of Governmental Powers

- The powers of the national government include expressed, implied, and inherent powers.
- Powers not delegated to the national government are reserved to (retained by) the states and the people.
- Concurrent powers can be exercised by both the national government and state governments.

Section 3: Relations among the States

- States may not discriminate against citizens of other states.
- States must recognize one another’s laws and court decisions, and states must agree to extradite persons accused of crimes in other states.

Section 4: Who Shall Reign Supreme?

- The supremacy clause states that the national government is the supreme governing body of the land.
- In 1819 the Supreme Court established the doctrine of implied powers and the supremacy of a national government action over a state action.

Section 5: The Changing Face of American Federalism

- Under dual federalism, the national government and the states are more or less equal.
- Under cooperative federalism, the national government and the states are complementary parts of a single government mechanism.
- New federalism involves returning to the states certain powers that have been exercised by the national government since the 1930s.

CHAPTER 4 Review

★ REVIEW QUESTIONS ★

1. Explain the differences among the three basic types of governmental systems, unitary systems, federal systems, and federal systems.
2. Explain how federalism creates a two-way system of government.
3. Why did the framers of the U.S. Constitution choose a federal framework?
4. What is the source of the national government's expressed powers? What is the source of its implied powers?
5. What is the necessary and proper clause? How has this clause enabled the national government to expand its powers?
6. How does the Constitution limit the powers of the national government?
7. Explain the concept of concurrent powers.
8. What does the privileges and immunities clause prevent?
9. Why is the concept of full faith and credit so important to interstate relationships?
10. What obligations does the Constitution impose on the national government with regard to the states?
11. What is the significance of the supremacy clause in our federal system?
12. Describe the situation that led to the 1819 Supreme Court case *McCulloch v. Maryland*. What was the outcome of this case?
13. Describe the situation that led to the 1824 Supreme Court case *Gibbons v. Ogden*. Why was this case important?
14. Describe how the balance of political power between the state and national governments has changed over the years.

★ CRITICAL THINKING ★

1. What do you think the U.S. government would be like if powers were not divided between the

national government and the states?

2. Should states have more power, less power, or the same amount of power that they currently have?
3. Why do you think the power to wage war and the power to conduct relations with foreign nations belong exclusively to the national government?
4. What factors do you think have been responsible for growth in the national government's power?

★ IMPROVING YOUR SKILLS ★

Communication Skills

Asking Effective Questions Asking questions is one of the most important ways to learn facts and share ideas. Asking pertinent questions in class about material you do not understand will help you become a better student. Asking effective questions will also help you become a better-informed and more responsible citizen. Effective questions are designed to obtain specific information.

To ask effective questions requires preparation. When we don't obtain the information we seek from questions we ask, it is usually because we are asking the wrong source, asking the wrong questions, or asking questions in the wrong way. Before you ask questions, do the following:

1. Determine the exact information you want to obtain.
2. Determine the best sources of that information.
3. Decide what questions will best draw out the information.
4. Decide how you should ask the questions. Remember that questions that can be answered with only a *yes* or a *no* will not give you much information. Word your questions carefully.

Writing Follow the four steps above to plan a class interview with a city or county official concerning a current issue in your community.

1. As a group, discuss the kinds of information you would like to obtain. Write down ideas as they are suggested. Then narrow your ideas to a few specific issues.
 2. Decide which city or county official would be the best source for the information you wish to obtain.
 3. Using the ideas you generated in Step 1, create a formal list of questions for the interview. Have your teacher approve your questions.
 4. Call the official's office, identify yourself, explain the reason for your call, and request an appointment with him or her. You might prefer to write a letter to the official and ask for a written response to your questions.
4. Do some research in your school library on federal land ownership. Prepare written answers for the following questions:
 - a. How did the national government acquire ownership of lands in the western states?
 - b. Does the national government have ownership rights over any lands in the original thirteen states?
 - c. What specific types of environmental regulations have made it difficult for those living in western states to use federally owned lands?
 - d. Should federal lands be made available to private concerns? If so, under what conditions? If not, why not?

Social Studies Skills

Map Reading Look at the map on page 105 (Federal Ownership of Land in the United States) and answer the following questions:

1. What do the colors in the map represent?
2. Do most states have federally owned land?
3. Do any states have no federally owned land?
4. In which states does the federal government own 50 percent or more of the land?

★ ACTIVITIES AND PROJECTS ★

1. Prepare for a class debate on the issue of whether the national government or state governments should control drug policies.
2. Call or write the district office of your local school district. Find out how and when the school district was created. Also find out who governs the school district and how school policies are established.
3. Hold a debate on the following issue:

RESOLVED: That the Constitution be amended to give two-thirds of the states the power to declare null and void an act of Congress.

What If . . .

The States Could Ignore National Laws?

The United States has a federal system of government in which the U.S. Constitution and national laws and regulations reign supreme. Before the Civil War, some states believed they had the power to nullify (declare void) any federal law that they felt conflicted with their rights as states. What might happen today if states could choose to accept only federal laws and regulations that they believed were appropriate?