

# Federalism

## Section 1



### MAIN IDEA

The Framers of the Constitution established a federal system that divides powers and responsibility between the national and state governments.

## Key Terms

**expressed powers** powers granted to the national government by the Constitution

**implied powers** powers that are not specifically listed in the Constitution but are logical extensions of expressed powers

**inherent powers** powers that historically have been recognized as naturally belonging to all governments that conduct the business of a sovereign nation

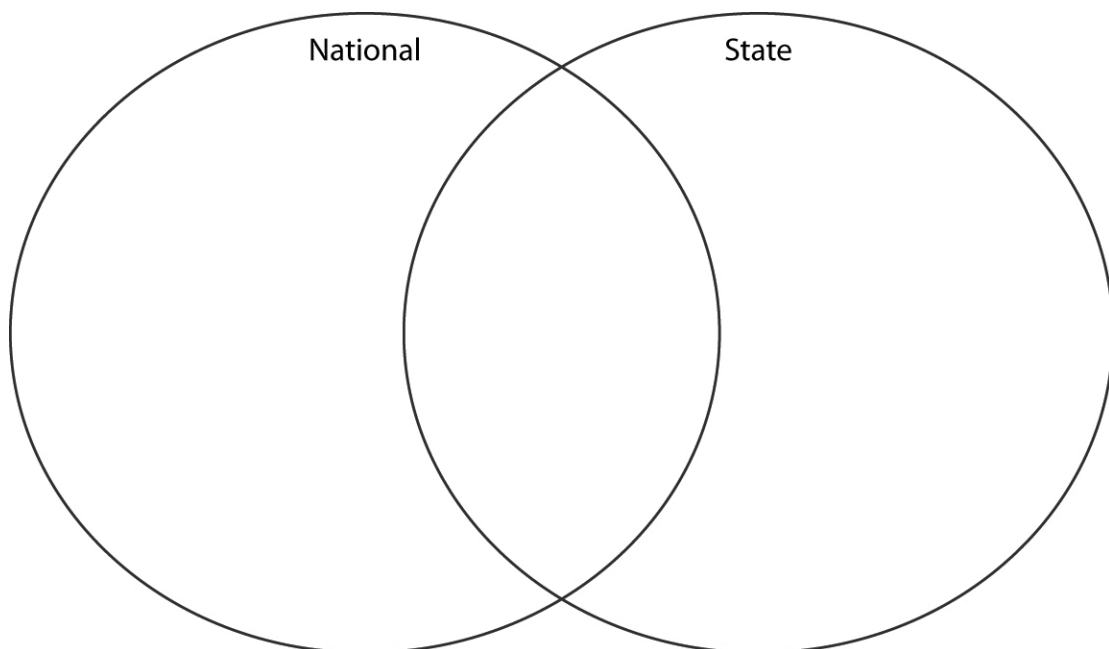
**reserved powers** powers that belong to the states because the Constitution neither delegates these powers to the national government nor prohibits them to the states

**concurrent powers** powers held by the national government and the state governments at the same time

**full faith and credit clause** Article IV of the Constitution, which requires that states give “full faith and credit” to the public acts, official records, and judicial proceedings of every other state

## Taking Notes

As you read, take notes on the powers of the national, state, and shared powers. Record your notes in the graphic organizer below.



## Section Summary

### WHY FEDERALISM?

When the Framers met at the Constitutional Convention, they knew they needed to design a stronger national government, yet avoid the dangers of a unitary system. The biggest challenge was to balance this powerful national government with states' rights and still ensure a republican government. The Framers met this challenge in the Constitution, which divides powers between two levels of government: state and national. In this federal-style government, the national government was granted all powers having to do with the states' best interests and the state governments were granted all other powers.

**How did the Framers decide which powers to give the states?**

---

---

### NATIONAL POWERS

The Constitution grants the national government and each of its branches specific powers, known as **expressed powers** or enumerated powers. The national government also has **implied powers**, or powers that are not specifically listed in the Constitution but are logical extensions of expressed powers. Finally, the national government possesses **inherent powers**—powers that historically have been recognized as naturally belonging to all governments that conduct the business of a sovereign nation.

**What is the difference between expressed powers and implied and inherent powers?**

---

---

---

### STATE POWERS

Per a clause in the Bill of Rights, states have **reserved powers**—powers that belong to the states because the Constitution neither delegates those powers to the national government nor denies them to the states. States use this authority to regulate health, public safety, and general welfare, from controlling public school systems to enforcing criminal laws.

### SHARED POWERS

Powers held by the national government and the state governments at the same time are called **concurrent powers**. Although Article VI of the Constitution—known as the supremacy clause—states that the Constitution and national laws and treaties are the supreme law of the land, states may also exercise any

Section 1 *continued*

---

power not given *exclusively* to the national government, such as the power to collect taxes.

**THE LIMITS OF POWER**

The Constitution denies certain powers to both the national and state governments. Among other limits on its power, the national government cannot tax exports between states, spend money unless authorized by Congress, exercise powers reserved to the states, or interfere with basic liberties. The states are also denied specific powers, including the power to coin money or enter into treaties. Both levels of government are denied some of the same powers, such as denying a citizen the right to a trial by jury or passing ex post facto laws.

**Give an example of one power denied to the national government. Then give one example of a power denied to the states.**

---

---

---

**NATION AND STATE RELATIONS**

The Constitution also sets guidelines for relationships between states and between states and the national government. The national government may only recognize representative or republican state governments, and is responsible for protecting the states from foreign invasions and domestic uprisings. Additionally, the national government must grant states equal representation in the Senate and levy taxes equally across states, and is prohibited from splitting up states or changing state boundaries.

The Constitution encourages cooperation among states, and although state laws vary, it requires states to extradite a person charged with a crime to the state in which the crime occurred for prosecution. To ease extradition and other processes, the **full faith and credit clause**, or Article IV, requires that states give “full faith and credit” to the public acts, official records, and judicial proceedings of every other state. Also, the privileges and immunity clause prevents most circumstances in which a person from one state may be discriminated against by another state.

The Constitution says nothing about local governments, and so those are created and reorganized by the state government. The only provision, which concerns Native American nations, simply authorizes the national government to make treaties with these nations.

**What does the privileges and immunity clause prohibit?**

---

---