

# Understanding Federalism

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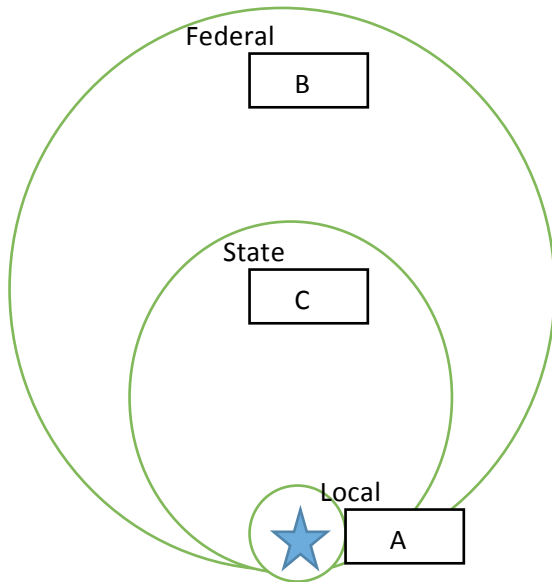
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## Worksheet 1: Answer Key

<b>Term</b>	<b>Definition</b>	<b>Visual Representation</b>	<b>Name of Where I Live</b>
<b>Federal Government</b>	the organization through which political authority is exercised at the national level, government of the United States	<i>(Hierarchy with Federal above States)</i>	<i>United States</i>
<b>State Government</b>	the organization through which political authority is exercised at the state level, government of a specific state	<i>(Hierarchy with State above Counties)</i>	<i>Florida</i>
<b>Local Government</b>	the governing body of a municipality or county	<i>(Appropriate local hierarchical structure with, perhaps County above community)</i>	<i>Local town</i>

# Understanding Federalism

## Worksheet 2



*This diagram shows three levels of government with the citizen represented by a star. Each example on the right presents a situation that might affect:*

- *people in one town or county*
- *people in one state, such as Florida or Texas*
- *people from all 50 states and the territories of the United States*

### Directions:

1. Identify the level of government relevant to each example and write the letter of your choice in the appropriate space in the diagram to the left.
  - a. The many small children who live on your neighborhood street love to play outdoors. Unfortunately, the traffic on your street moves too fast, creating a safety hazard. You would like to have a sign installed warning drivers to slow down and watch for children at play. Which level of government would you contact?  
*Local*
  - b. You served in the U.S. Army for eight years and are planning to attend college on the G.I. Bill (a college scholarship provided by the government to military veterans). Which level of government would you contact to make sure you receive your G.I. Bill benefits?  
*Federal*
  - c. You have just moved from Casper, Wyoming to Tallahassee, Florida, and you need a driver's license. Which level of government would you contact?  
*State*
2. Write a one-sentence explanation of federalism based on these three examples. *Answers may vary, but a successful answer would describe a system of overlapping federal, state and local governments.*

# Understanding Federalism

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## Worksheet 3: Answer Key

Federalism has not had one set definition throughout history, because the idea of the appropriate balance of authority among the local, state, and Federal governments has changed over time. Federalism is not specifically defined in the Constitution, but it is suggested in how the national government is described. This worksheet contrasts the first Constitution for the United States, written just after the colonies had declared their independence from Great Britain, with the one adopted by the Founders in 1787.

**Directions:** Read each preamble and answer the questions below.

### Preamble of Articles of Confederation (1777)

To all to whom these Presents shall come, we, the undersigned Delegates of the States affixed to our Names send greeting. Whereas the Delegates of the United States of America in Congress assembled did on the fifteenth day of November in the year of our Lord One Thousand Seven Hundred and Seventy Seven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the States of New Hampshire, Massachusetts-bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia in the Words following, viz. "Articles of Confederation and perpetual Union between the States of New Hampshire, Massachusetts-bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

(Source: <http://www.ourdocuments.gov/doc.php?flash=true&doc=3&page=transcript>)

1. Create a diagram illustrating the government described in this preamble.  
*The diagram should show the states all on one level – in a circle - with the Federal government in the center of them. The key fact to be depicted is that the relationship between the Federal government and the states is not hierarchical but the Federal government acts as the agent of the states with all its action subject to the approval of all the states.*
2. What is the name of the government created in this preamble?  
*The United States of America*
3. Who were the partners creating this union?  
*The listed states*
4. What relationship of the states to the Federal government is suggested in this preamble?  
*The relationship between the Federal government and the states is not hierarchical but the Federal government acts as the agent of the states with all its action subject to the approval of all the states.*

# Understanding Federalism

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## Worksheet 3: Answer Key

Preamble of Constitution of the United States (1787)

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

(Source: <http://www.ourdocuments.gov/doc.php?doc=9&page=transcript>)

5. Create a diagram illustrating the government described in this preamble.  
*The key fact to be depicted in this diagram is that the people, in general not as citizens of various states, have formed the United States of America. The states are not mentioned.*
6. What is the name of the government created in this preamble?  
*The United States of America*
7. Who were the partners creating this union?  
*The People*
8. What relationship of the states to the Federal government is suggested in this preamble?  
*The states are not mentioned, indicating that the People have formed a union over and above their citizenship within states.*

**Summary Directions:** Examine the dates of the two excerpts and write a one-sentence response to each of the following questions:

1. How is the role of the states different in the two preambles?  
*Under the Articles of Confederation the states were the partners to the union and had power over the action of the federal government. The relationship of the states to the Federal government was not mentioned in the Preamble of the Constitution*
2. Does the difference in the role of the states suggest a change in the meaning of federalism? Explain.  
*Federalism under the Articles of Confederation meant that all states had to agree to each action of the Federal government in order for the Federal government to act. The role of the states and their relationship is not spelled out in the Preamble of the Constitution.*

# Understanding Federalism

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## Worksheet 4: Answer Key

The list of powers granted to and denied to the Congress in Article I, and the powers reserved by the 10th Amendment of the U.S. Constitution serve as an outline of Federalism.

**Directions:** Read the following excerpt from the Constitution. Label each power **E** if it represents an enumerated power (granted to the Federal government); **D** if it is a denied power; or **R** if it is a reserved powers.

### ARTICLE I, SECTION 8

*Each power listed in this section is an enumerated power.*

### ARTICLE I, SECTION 9

*Each power listed in this section is a denied power.*

### TENTH AMENDMENT

*The Tenth Amendment does not list any specific powers. Instead, it broadly says that all powers not given to the national government are reserved for the states and the people. This leaves the meaning of reserved powers open to interpretation in the states.*

*Examples of powers that belong to the states:*

- 1. The power to run elections*
- 2. The power to set up and run schools*

### **Check Your Understanding:**

- A. Which clause of Article I, Section 8 do you think has the greatest influence on the discussion of Federalism?

*The answers can vary, but the most solid case might be made for Article I, Section 18 "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."*

- B. In what ways might the Tenth Amendment influence the interpretation of the Enumerated Powers?

*The Tenth Amendment suggests that the states have undefined powers reserved to them. Determining the extent of the authority reserved to the states by this amendment has been a long-running debate in U.S. history.*

# Understanding Federalism

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## Worksheet 5: Answer Key

This worksheet draws on two famous pieces of legislation that shifted the balance of authority between the Federal government and the states during the 20th century. Each example reflects an interpretation of the relationship between state and Federal governments at one time. Balancing Federal and state powers is a complex process, and the balance of power has shifted at different times in American history.

### **The Social Security Bill (1935) (excerpt)**

The committee on Ways and Means, to whom was referred the bill... to provide for the general welfare by establishing a system of Federal old-age benefits, and by enabling the several States to make more adequate provision for aged persons...

This bill provides for various grants-in-aid to the States; establishes a Federal old-age benefit system and a Social Security board; and imposes certain taxes...

Title I: Grants-in-aid are to be made to the States for old-age pensions to persons who have reached the age of 65. In making these grants the Federal government will match what the States put up, within certain limits.

Title II: A system of Federal old-age benefits, payable to people who have reached the age of 65 will begin in 1942..."

1. Briefly summarize this legislation.  
*It established a federal system of old-age benefits funded through grants to states and taxes.*
2. What constitutional duty of government is cited to justify a Federal old-age pension program?  
*To provide for the general welfare*
3. Which level(s) of government will fund the programs?  
*Federal*
4. What relationship of state and Federal authority is reflected in this legislation?  
*The Federal government provides grants to states but also bypasses state authority by providing pensions to individuals.*
5. *The X in the diagram should be located on the Federal side of the balance because the Federal government was assuming a new role in providing pensions to individuals.*

# Understanding Federalism

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## Voting Rights Act (1965) (excerpts)

“An Act to Enforce the Fifteenth Amendment to the Constitution of the United States”

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that this Act shall be known as the ‘Voting Rights Act of 1965.’

...

SEC. 4. (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State...”

\* Amendment XV.

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude—

Section 2. The Congress shall have the power to enforce this article by appropriate legislation.

6. Briefly summarize this legislation.

*The act guaranteed that voting rights not be denied on account of race.*

1. What Constitutional Amendment does the legislation enforce?

*The 15th Amendment*

2. What relationship of state and Federal authority is reflected in this legislation?

*The Federal government would be exercising new authority over the states by guaranteeing voting rights in states where they had been previously been denied.*

3. *The X in the diagram should be located on the Federal side of the balance because the federal government was assuming a new role in protecting voting rights guaranteed by the 15th Amendment in states found to have practiced racial discrimination in elections.*

# Understanding Federalism

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## Worksheet 6: Answer Key

**Directions:** The following narrative contains 15 underlined instances of local, state, and Federal government. Label on the paper: **L for local, S for state, F for Federal**. If you believe that a power is concurrently held (shared between several levels of government), code that activity with a **C for concurrent**. Be prepared to explain your choices.

The best part of getting your state driver's license<sup>S</sup> is the day you finally get to drive to school.<sup>L</sup> I grabbed the car key from a basket by the front door and walked nervously out to the driveway. "Hold it," called my dad. "I had to renew the state vehicle registration.<sup>S</sup> Please put it in the car for me." Driving down my neighborhood street<sup>L</sup>, I felt free. This was much better than riding a bike or waiting for the school bus.<sup>L</sup>

Several traffic lights<sup>L</sup> down the county highway,<sup>L</sup> I got stuck behind a stopped commuter bus. I had what seemed like an eternity to read all the messages painted on the back of the bus. It was a state department of transportation<sup>S</sup> bus with a U.S. DOT<sup>F</sup> registration number. I finally got on the interstate<sup>S/F</sup> (*the interstate system is run under a combination of state and federal authority*) and thought, "I can make it to school on time if there are no more stops."

Right before my exit, though, I came upon a fender bender that had snarled traffic in all the lanes but one. It was not serious. A pickup had run into a U.S. mail<sup>F</sup> truck. Everyone seemed okay, although the pickup's air bag had inflated.<sup>F</sup> An ambulance and a fire truck<sup>L</sup> were on the scene, and a state police officer<sup>S</sup> directed traffic.

I finally got to school and found the very last spot in the student parking lot. I grabbed my laptop and ran for my homeroom. I ran as fast as I could and didn't even slow down and look when I got to the crosswalk.<sup>L</sup> I made it with 30 seconds to spare. This was going to be a great day.