Federalism From Its Beginning To The Present Essay, Research Paper

From its early beginning in the minds of the Framers of the Constitution to its state today. The United States system of federalism has changed greatly through landmark court decisions, congressional decisions, and strong presidential influence. In the next few paragraphs I will take you through the history of federalism in the United States.

The Federal System began when the Framers wrote the Constitution. The Constitution set up the basic outline of the federal system. This system divided the powers between the national government and the state governments. Also, it bound the individual states together under one national government. There were two very important court cases in early federalism. One was McCulloch v. Maryland in 1819. This case upheld the powers of the federal government. It also denied the states the right to tax the bank. This allowed later cases to uphold the expansive powers of the federal government. The other case was Gibbons v. Ogden in 1824, this ruling upheld broad congressional power over interstate commerce.

Soon after we moved into the era of dual federalism. Dual federalism is the belief that having separate and equally powerful levels of government is the best arrangement. One major leader during this era was Roger B. Tanney, who was the head of the Supreme Court. During this era, there was heated political debate on the issue of slavery. The Dred Scott v. Sanford decision in 1857, this was the first decision to take powers away from the national government. During this era, the Civil War occurred. Dual federalism lasted until the 1930s.

After dual federalism came the era of cooperative federalism. Much of this came to be because of the Great Depression. The New Deal, proposed by Franklin Delano Roosevelt, in 1933, proposed a variety of new programs. The New Deal made up a period from 1933 to 1939 and was characterized by intense government activity on the national level. Through the New Deal, FDR, started the Federal Housing Association, the Civilian Conservation Corps, the Agricultural Adjustment Administration, and the National Recovery Administration. During this period much of the power went back to the national government. In the mid-1930s, the Supreme Court decided that parts of the New Deal went beyond the authority of Congress to regulate commerce. Another

part of the era of Cooperative Federalism was Marble Cake Federalism. Marble Cake Federalism was when the states and the national government began to share more powers. Federal grants also made up a lot of this era big changes.

In the early 1960s, began the era of Creative Federalism. In 1964, President Lyndon B. Johnson launched his renowned “Great Society” program. This program included what LBJ, called the War on Poverty. Even though this was a national program, it actually channeled a lot of the power back to the state and local governments.

Starting in 1976, with Jimmy Carter’s outsider presidential campaign began the era of New Federalism. Carter was opposed to big government. It was Ronald Reagan that really advanced New Federalism. During Reagan’s administration federal aid to the state and local governments decline. He changed categorical grants to block grants allowing the states to have more power in deciding how to use this money. Ironically, the policies of Reagan and Bush actually weakened the states’ power.

Starting in 1994, with Newt Gingrich’s Contract with America began Newtonian Federalism. Preemption, the ability to override a state or local action. This took a lot of power from the states and gave it back to the national government. Also, mandates pulled more power away from the states.

As you can see, the United States system of federalism has changed greatly in the past two centuries. Throughout these two hundred years powers have constantly shifted between the state governments and the national government. This all happened because of court cases, Congressional decisions, and presidential influence.