



FEDERALISM

1. When the Framers wrote the U.S. Constitution, they knew that they wanted the national government to be stronger than it had been under the Articles of Confederation.
2. So in this video, we are going to explore how the Constitution improved on the Articles of Confederation through the system of federalism.
3. In this video, students will be able to:
 - ◆ Describe the system of federalism as established by the U.S. Constitution.
 - ◆ Analyze how federalism limits government power.
 - ◆ Compare concurrent powers, enumerated powers, reserved powers and delegated powers as they relate to state and national governments.So let's begin.
4. So let's begin by defining our terms, and of course the most important term is federalism. Federalism is the idea that power is shared between the national government and state governments to keep either the national or state governments from getting too powerful.
5. To define the powers between the national and state governments, the Constitution includes three types of powers. We have enumerated, or delegated, powers, concurrent powers, and reserved powers.
6. So enumerate, or delegated, powers are powers granted to the national government. Let's take a look at some examples of these. For example, the U.S. government can raise and support an army or a navy, it can declare war, and it can make treaties, all granted under the U.S. Constitution.
7. So what about those powers that are reserved, or set aside, only for the states by the Tenth Amendment of the US Constitution? You might be familiar with a couple of these powers. For example, only the states can run elections, and only the states can set up and run schools.
8. Finally, we have concurrent powers, which are powers shared between the states and the national government. According to the Constitution, both the states and the national government can tax the people and borrow money.
9. We've learned a lot so far, so let's check in and see what we know- Try to answer each of the following questions in your own words.
10. How does federalism divide the power of government?
→ ANSWER TO QUESTION
11. What is the difference between reserved and enumerated powers?
→ ANSWER TO QUESTION

12. Remember with federalism it's all about limits. Power is shared between the national government and the states in order to limit the power under our Constitution.
13. For example, only the national government can make treaties, which is an enumerated power, but remember, in this system of federalism, states have powers too. For example, only states get to decide whether citizens have to be registered to vote before election day.
14. According to the Constitution though, both the states and the national government also have some powers in common. For example, both have the power to tax citizens. These are called concurrent powers because they have the power at the same time and both can use that power.
15. Well, we've learned a lot so far throughout this video, so let's do a quick check in. See if you can answer the following question.
16. Give an example of an enumerated power and a reserved power.
→ ANSWER TO QUESTION.
17. But aren't there times when Congress might use powers that are not specifically listed, or enumerated, in the U.S. Constitution? Oh definitely. For example, one of Congress' enumerated powers is to raise and support an army.
18. To help with this during times of war, Congress has sometimes passed a law that requires people to join the military, called a draft. The creation of a draft is NOT an enumerated power of Congress, but it does fall under what is called the 'necessary and proper clause' of the U.S. Constitution.
19. The "necessary and proper clause" says that, "The Congress shall have 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..."
20. So, let's see if we can break down that complicated text from the Constitution into some simpler terms. The necessary and proper clause basically means that Congress might need other powers so it can exercise the powers it has been given. These are called implied powers, because the Constitution implies that the Congress has that ability.
21. Remember too, the state's powers as well under the Tenth Amendment. The Tenth Amendment states that, "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."
22. For example, under the Tenth Amendment, public education is a state power, so only states can create public schools.
23. Remember that under federalism, each state does have its own laws and its own constitution, but ultimately the U.S. Constitution is the 'Supreme Law of the Land.' This is found in the Constitution under the Supremacy Clause. So let's talk about the Supremacy Clause.
24. So the Supremacy Clause states that, "This Constitution, and the laws of the United States, which shall be made in Pursuance thereof...shall be the supreme Law of the Land; and the

Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”

Hmm. That’s pretty complicated. So what’s this mean?

25. To put it simply, the Supremacy Clause means that no state can pass laws or do anything that violates the U.S. Constitution, because the U.S. Constitution is supreme over state constitutions and laws. And that is at the heart of federalism.
26. Let’s recap and see what we learned- Try to answer each of the following questions in your own words.
27. How does federalism limit the power of the national government in the United States?
→ ANSWER TO QUESTION
Let’s try another.
28. How does the Supremacy Clause of the U.S. Constitution limit the power of state governments?
→ ANSWER TO QUESTION
29. Ultimately, federalism is a system that is intended to make sure that power is shared between the national and the state governments to best serve the people. It balances control between the national government and the states, and creates a stronger and better system of government for us all.
30. That’s all the time we have for now. Keep building your civics knowledge by exploring some of our other topic areas on Civics360!