
The significance of federalism in the USA

Federalism is a system that is embedded into the politics of the USA; federalism involves the sharing of powers between the different levels of government: the State governments and the Federal government. Federalism is a significant factor in the USA, but it does not even exist in some countries; for example, the United Kingdom has a unitary system where all power centers around Parliament; what they give, they can take away.

Federalism is significant in the USA because of the fact that the Founding Fathers embedded it into the US Constitution. When the Founding Fathers wrote the original constitution during the Philadelphia Convention, they wrote it in such a way that it gave the States certain enumerated rights and the Federal government certain delegated rights. This established a period of dual federalism. However, it was the 10th Amendment, that was included within the Bill of Rights, that really introduced federalism. The Bill of Rights 'sweetened the constitutional pill' and this allowed the expansion of the USA. The 10th Amendment declared that any powers that are not granted to the central institutions are assumed to remain at the level of the state. This is significant to remember as otherwise the smaller states would not have signed up to join the United States. Federalism, and the fact that the States maintain certain powers, allowed more States to sign up to join the United States and the US to expand westward.

Federalism is a significant feature of the USA because it allows the states to maintain their own customs and heritage. Federalism allows the states to keep their enumerated rights; crime and punishment, and education are all enumerated rights that the states can make their own decisions about. For example, federalism has allowed states like California and Nevada the right to legalize the recreational use of marijuana. Furthermore, states can have different laws about how they can punish criminals. For example, Alabama uses the death penalty, whereas New York does not. Whilst the 8th Amendment to the Constitution denies the use of 'cruel and unusual punishment', some states still allow the death penalty as they have interpreted the Constitution in a certain way. The states enjoy the fact that they can set their own laws because it allows them to maintain their cultural identity.

The United States is geographically so diverse and hyphenated that it means that beliefs between states differ. Federalism is significant because it allows the states to have this right. Each state has its own Constitution, legislature and judiciary. Delegated powers are the rights that the national government have. Defence is an example of a right that the national government has that is outlined within the constitution. This means that it is only the President, with the backing of Congress, who can take the US into a war. Occasionally, the state government and the federal government believe that the other one is doing one of their jobs;

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whenever there is a dispute over the powers between the states and the central government, the Supreme Court become the final arbiter in determining the outcome; the Supreme Court interpret the Constitution and so the meaning of the Constitution can be interpreted differently over time. When all of the above are considered, it is clear that federalism is a significant factor in the US political system because it allows the States to maintain their own freedoms and identity, whilst still belonging to a federal government that is more powerful.

However, when assessing the significance of federalism, it should be considered that the idea of federalism has changed over time. The relationship between the central and state governments has shifted. In the 1930s, Franklin D. Roosevelt changed the idea federalism from dual-federalism to cooperative federalism, changing the relationship between the different levels of government. Roosevelt believed that an economic plan, that centered around Washington, was the only viable way to heal America. Roosevelt strengthened the hand of the federal government, changing the dynamic between the States and the office of the President. Additionally, during the Cold War, it was the Office of the President who made the major decisions on behalf of the rest of America. This shows that at times, federalism is not too significant as the President or Congress can change their relationship with the States at times of emergencies.

Furthermore, federalism is incredibly difficult to define. Over time, it has been difficult to clarify which powers the constitution gives to what aspect of government. Federalism has been subject to much discussion, particularly in relation to the cases of the Necessary and Proper Clause that is found within the first Article of the Constitution. Defenders of states' right would argue that the clause that would normally give Congress power to revoke such states rights is given as being enumerated. Therefore, because of the confusion that federalism creates and the many loopholes that it establishes between the state legislature and Congress, it can be concluded that federalism is insignificant because it cannot be determined in practise.

Recent Presidents have attempted to leave their mark on history by changing their own concept of federalism. President Obama's 'Obamacare' healthcare initiative created much controversy in 2012 when his opponents felt as though he was ignoring the Constitution by seeking to nationalise his version of a healthcare insurance plan. It was not the President's delegated right to introduce such plans and so he did not gain the political backing from Congress. Richard Nixon and Ronald Reagan are the Presidents who are closely associated with new-federalism, the current type of federalism that exists in the USA. They both attempted to give more power back to the State governments as they wanted to reverse the growth of the national government that occurred under the Democrat Presidents.

This shows that federalism is still significant to some Republican members but perhaps not to Democrat members. Federalism itself has been reintroduced as a significant part of the US

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political system, however, it could be argued that the significance of federalism varies between Presidents. Ultimately, federalism is a significant factor in US politics because of the fact that it is embedded into the US Constitution, which is an entrenched and codified document, which is difficult to change. It would need the support of the smaller states in order to be changed, which is extremely unlikely. Furthermore, federalism is a significant factor because it is considered to be the part of the US Constitution that enabled more states to sign up; one political commentator said that it 'sugared the constitutional pill' by limiting the power of national government. However, federalism, in practise, has changed over time as the national government has had to coordinate major national emergencies, such as the collapse of Wall Street and thus respond to the Great Depression. This means that federalism in practise has changed. Although recently, Republican politicians have continued to emphasise the States' rights.

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