

The Founders and Federalism

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Alexander Hamilton (right), James Madison (left) and George Washington (center) were advocates of the federal system. Photos via Wikimedia Commons

The United States uses a federalist system. It splits power between states and the central government.

The Founders hoped federalism would balance order with liberty.

They had several reasons for creating it:

- To avoid tyranny.
- To allow more participation in politics.
- To use the states as "laboratories." They can test new ideas and programs.

James Madison imagined a problem. What if a power-hungry leader came along? What if they tried to take over many states?

National leaders can stop that leader's power from spreading. That state leader cannot take over the federal government, too.

Founders believed citizens should be able to elect both state and national officials. This increases the voice of citizens. They can decide the direction of government.

Imagine a state creates a new policy. It turns out to be a failure. If so, at least it would not be a disaster for the whole country. On the other hand, say the state's new programs work well. If so, other states can use those ideas. States may fit them to their own needs.

Different Kinds Of Power

The Constitution gives three kinds of power to the national government:

Delegated powers are specifically granted to the federal government. They appear in Article I, Section 8 of the Constitution. Such powers include the power to coin money. The federal government can also make rules on business. It can declare war. It also has power to create a military. In all, the Constitution delegates 27 powers specifically to the federal government.

Implied powers are ones not specifically stated in the Constitution. However, they seem to be granted in the elastic clause. It is in Article I, Section 8. This section gives Congress the right "to make all laws which shall be necessary and proper" to carry out powers granted to government. However, these powers are not stated clearly. Often, the courts decide what counts as an implied power.

Inherent powers are not specifically listed in the Constitution. However, since the national government exists, these powers exist too. For example, the United States has the power to conquer territory. Why? Most governments in general claim that right. So, the U.S. has it too.

The Constitution also identifies reserved powers. These are set aside for the states. They are also not listed specifically. Still, they are granted by the Tenth Amendment. One such power would be making rules for trade within a state. Another would be carrying out elections.

Some powers of federal and state governments overlap. For example, both of them can borrow money. Both can charge taxes to citizens. Both can make laws. These powers are not granted only to the national government.

Prohibited powers are denied to the national government. They also may be denied to state governments (Article I, Section 9). The national government cannot exercise its powers in some ways. It may not block a state from performing its responsibilities. Meanwhile, states cannot create their own money, either.

States also have responsibilities to one another. This is explained in Article IV of the Constitution. Each state must give "full faith and credit" to the public acts of every other state. They also must recognize another state's records and civil court proceedings. Business contracts are recognized by all states. Marriages are recognized, too.

Citizen Participation

The founders carefully divided powers for good reason. They were responding to the colonists. These settlers were angry with the tyranny of King George III of Britain. The founders also realized the Articles of Confederation had failed. This governing document came before the Constitution.

Dividing powers guarded against tyranny. It also allowed citizens to participate in government. It provided a way for putting new plans into practice.