**Name:**

**Date:**

**School:**

**Facilitator:**

3.02 Notes Guide

 **“The Federal Government and the States”**

Answer the 3.02 Notes Guide as you review the lesson.

Introduction:

Analyze the image. Who is fighting?

In one or two words summarize the reason for the fighting.

What connections can you make between the Civil War and federalism?

The Federal Government and the States

Although we have learned that the Constitution divides power between national and state governments, Article VI, also known as the      , in the Constitution makes it clear that when state laws and federal laws conflict, the federal law prevails. In other words, the Constitution of the United States rules supreme over state laws.

Article IV of the Constitution

The Constitution not only divides the power of government as we learned in the last lesson, it also outlines the responsibilities that the national government and the states have for each other.       of the Constitution makes some specific provisions about the relationship between the national government and the states. It requires the national government to do three things for the states: guarantee each state a republican form of government, protect states from invasion and domestic violence, and respect the territorial integrity of each state.

Admitting New States

Article IV also provides the groundwork for admitting new states to the United States.       has the authority to admit new states with only two restrictions: no state may be formed by       from other states without the consent of Congress and the states involved and acts of admission are subject to a veto by the President.

Interstate Relations

Article IV, Section 1 of the Constitution is referred to as the      . It states, “Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.” In other words, a state should respect and honor the state laws and court orders of other states even when their own laws are different.

The History of the Federal System

Arguments over the division of powers in the federal system have continued throughout American history. It was a primary argument in the Civil War. It dominated the arguments that occurred over the New Deal and is a basis for arguments over such issues as the Affordable Health Care Act and rights of spouses involved in same sex marriage today. Whether national or state government holds power over an issue is still debated in the United States today as the nation struggles to determine the most effective way to shape and implement public policy. The struggle has often been decided in the Supreme Court with      starting with the Marshall Court.

Federal Systems

The federal system created by the Framers was a compromise between the       the colonists had experienced while under English rule and the       created after the United States gained independence. The collective years the founding fathers served as leaders in their states, leaders in the confederation government, and leaders in the revolution against England allowed them to draw on a wealth of experience in writing a new government. The federal system they created was designed to eliminate the problems of the unitary and confederation governments. Despite its increased size and complexity, it still functions well today.

Four Stages of Federalism

Over time the nature of the relationship between the national and state governments has changed as the country has grown.

Changes in federalism are broken down into four stages or periods:

* Dual Federalism
* Cooperative Federalism
* Creative Federalism
* New Competitive Federalism

“Layer Cake” Federalism

National and state governments were equal authorities with their own areas of influence during the first stage of federalism,      . Also known as “layer cake” federalism, it lasted from 1789 to 1930 and included two sides, the       who favored a strong national government and the supporters of       who believed the national government should not overly interfere in state affairs.

“Marble Cake” Federalism

The second stage,      , occurred between 1930 and 1960. Also known as “Marble cake” federalism, it involved the national and state governments working collaboratively or together on major priorities like the crisis of the Great Depression. FDR’s      programs brought about an expansion of the national government’s authority.

“Picket fence” Federalism

The third stage,      , occurred between 1960 and 1980. Also known as “picket fence” federalism, it involved overloaded cooperation and regulations such as releasing national funds or grants to state and local governments to solve problems and achieve goals. Creative federalism was centered in Lyndon Johnson’s      .

“On Your Own” Federalism

In the early 1970s, President Richard Nixon attempted to slow the growth of national government. However, it was President Ronald Reagan’s goal to cut the size of government that started the final stage of federalism,      . Also known as “on your own” federalism, its leaders sought to return more authority to the state governments and end the trend of expanding national government.

Federalism Today

The Republican majority in Congress led by Speaker of the House Newt Gingrich continued the effort to return more power to the states in 1994 by implementing the      . This idea of reducing the authority and size of the federal government became known as “     ”.