

Power Sharing is Power Caring

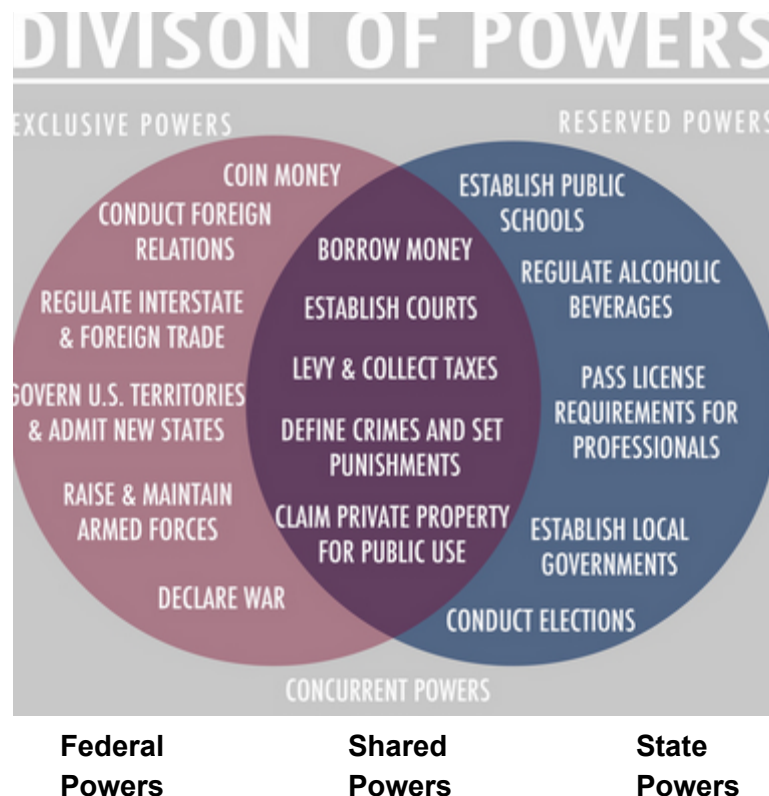
American Federalism Over Time

Big question

Our nation is a *dual sovereignty* with power divided between *federal* and *state* government. That's called FEDERALISM! Here's the question →

How should power be divided between federal and state governments?

Americans have been battling over state versus national power before we were even a country! Under the Articles of Confederation, states had a distinct power advantage over the federal government. Later, as we battled it out at the Constitutional Convention, Federalists wanted more power to go toward the powers exclusive of the federal (national) government, and Anti-federalists wanted more power to go toward powers reserved for the state governments. Finally, after lots of compromise, the Consti-freaking-tution laid out the ground rules of what powers states have, what powers the federal government has, and what powers are shared. They didn't have cool Venn Diagram graphics in the Constitution, but if they had, it might have look like this:



If we drafted a new Constitution today (good idea?) I think it's pretty likely that we'd write this one as a PowerPoint.

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Even after we ratified the Constitutional Convention, this debate didn't go away, and Americans continued to debate the balance of power between the states and the federal government. In 1819, the Supreme Court was faced with the question of the balance of power in the case of *McCulloch v. Maryland*. In that landmark court case, John Marshall ruled against Maryland (state) writing that, "The power to tax is the power to destroy," and because of the supremacy clause, widened the scope of federal (national) government! Would it surprise you if I told you Marshall was a Federalist? TRUE. How about, a lieutenant in the Continental Army? TRUE. And what if I told you he was a fantastic dancer? LIE.

The story goes on...Then there was this little thing called the Civil War - a battle of power between the states and the national government - about whether the states could enslave humans. Later, the civil rights movement pitted the national government (promoting equality) against state government (limiting equality). The battle continued in the 1980s with Ronald Reagan leading the Devolution Revolution to give states more power. And we're not done! This age old and ongoing battle about the balance of power between states and national government continued under Obama (among other things, health care, same-sex marriage, marijuana laws) and today Trump (immigration enforcement, reproductive rights, just to name a few). What will be next?

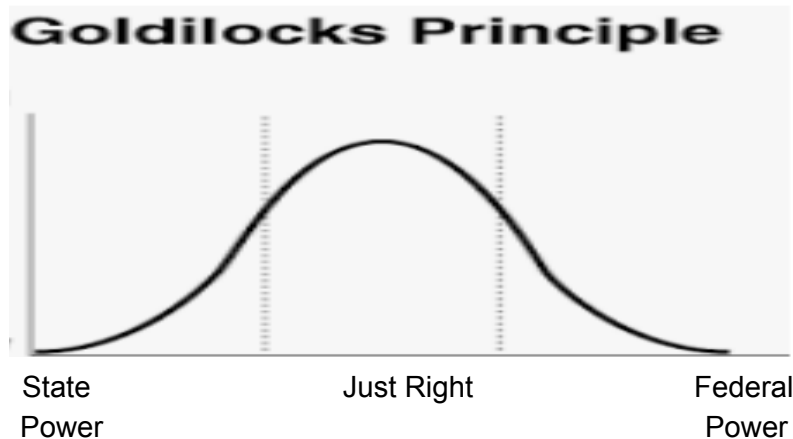
Now here's some questions for you, Chief Justice smarty-pants:

1. How do you think power should be shared in a dual sovereignty - that is, how should it be shared between the states and federal government?
2. Taxing is a concurrent power - held by both state and national governments. And since money is power, how should money be shared?
3. Should we even have a national income tax? Or state income taxes? Why not streamline it into one tax?????
4. And what would happen to state sovereignty (power, self-rule) if government had no ability to tax or spend?

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So there's been a divide, older than our nation, over whether the power should be concentrated at the national level or dispersed at the state levels.

Where is the Goldilocks sweet spot (just right) with federalism?



Think about the balance of power between state and federal government today. Echoing the debates at the Constitutional Convention, today some Americans think the federal government has too much power, while others think the states have too much power.

Make a claim. On the chart above, put an **X** where you **think** the balance between state and federal power exists today in the U.S. List 1 fact or reason to support the validity of your claim.

Make a claim. Put a **Y** where you'd **like** the balance between state & federal power to be in the ideal America today. List 1 fact or reason to support the validity of your claim.

Make a claim. List one issue where there is a current battle between the national government and state governments for power:

Make a claim. Explain which, the national or state government, will eventually win this battle. List 1 fact or reason to support the validity of your claim.

It's important for you to be able to backup your opinion with facts and reasons. Your opinion, after all, is only as strong as the facts beneath it. You know how we Americans always demand that politicians give facts and reasons to support their opinions? Oh, never mind. Just kidding.

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Magnificent Federalism Chart:

These are some terms that will help you understand the balance of power.

Complete the following magnificent chart:

Term	Definition	Example	Tilts power towards state or federal gov?
Grants			
Aid Programs			
Federal Revenue Sharing			
Mandates			
Categorical Grants			
Block Grants			

Then answer these cool questions using as many terms from the magnificent chart as possible:

1. October 27 is national unfunded mandates day a day I always dress up as my favorite unfunded mandate! What is your favorite [unfunded mandate](#)?
2. What is the difference between categorical grants and block grants?
3. If you were the president, explain whether you would favor using block grants or categorical grants.
4. What would be one advantage of not having state government and only having federal?
5. What would be one advantage of not having federal government and only having federal?

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Magnificent Federalism Chart Key

Term	Definition	Example	Tilts power towards state or federal gov? <i>This is subjective & answers will vary:</i>
Grants	In the United States, federal grants are economic aid issued by the United States government out of the general federal revenue. A federal grant is an award of financial assistance from a federal agency to a recipient to carry out a public purpose of support or stimulation authorized by a law of the United States.	See categorical grant and block grant examples below. In 2015, the federal government spent more than \$624 billion on grants to states.	Federal
Grants-in--Aid	Money given by the national government to the states. Grants in aid often come with conditions of aid - terms set by the national government that states must meet if they are to receive certain federal funds.	Medicaid	
Federal Revenue Sharing	Revenue sharing , a government unit's apportioning of part of its tax income to other units of government . For example, states may share revenue with local governments, or national governments may share revenue with states.	The federal government share a portion of its revenues every year with the states.	
Mandates	Terms set by the national government that states must meet whether or not they accept federal grants. A federal mandate is a requirement or an order from the central government that all state and local government must comply with. ... In effect, the government threatens the state or even possibly an individual by removing funds, thus the states are encouraged to cooperate.	Americans with Disabilities Act (1990) the nation's first comprehensive civil rights law addressing the needs of people with disabilities, prohibiting discrimination in employment, public services, public accommodations, and telecommunications. Mandates making "reasonable accommodations" for the disabled.	

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Categorical Grants	Federal grants for specific purposes. Categorical grants are the primary source of federal assistance to local and state governments, and other entities. These grants are issued for a specific purpose, and can only be used for that explicitly defined objective. The government may issue categorical grants on a per-project basis, or based on a formula of purpose and financial need. States are never required to accept a categorical grant, but if they do, they must adhere to the rules and regulations of that grant or it will be withdrawn. To explore this concept, consider the following <i>categorical grants</i> definition.	Anti-poverty programs, such as Medicaid and Head Start, are categorical grants. Likewise, the national drinking age is a result of a categorical grant. In order for states to receive federal highway funding money, all states have to make 21 years of age the official age to drink	
Block Grants	Block grants are large chunks of money given to state and local authorities by the federal government for general purposes, such as public enforcement, law enforcement, or community development. They usually have few strings attached to them and give a lot of discretion to the local and state governments in how to spend the money.	The CDBG program provided annual grants on a formula basis to 1209 general units of local government and states in 2018, according to HUD. "The CDBG program works to ensure decent affordable housing, to provide services to the most vulnerable in our communities, and to create jobs through the expansion and retention of businesses. CDBG is an important tool for helping local governments tackle serious challenges facing their communities. The CDBG program has made a difference in the lives of millions of people and their communities across the Nation," HUD stated. HUD said it determines the amount of each grant by using a formula comprised of several measures of community	

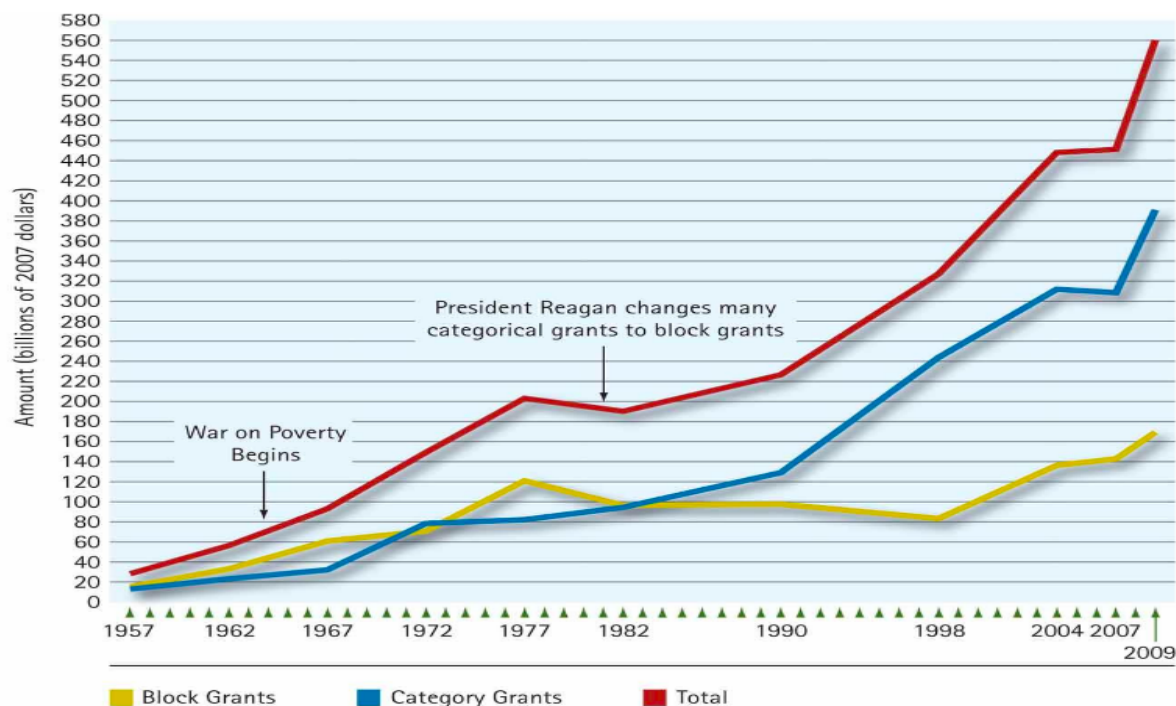
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		need, including the extent of poverty, population, housing overcrowding, age of housing, and population growth lag in relationship to other metropolitan areas. Another example of a well-known block grant in the United States is the Mental Health Block Grant. Established in 1981, the MHBG has disbursed millions of dollars to individual states to assist in the treatment of mental illnesses. The grant was amended in 1986 to require that states utilize State Mental Health Planning Councils, comprised primarily (at least 51%) of family members and non-treating professional citizens, who develop comprehensive service plans.	
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Cool, more charts!

CATEGORICAL GRANTS AND BLOCK GRANTS: SOME EXAMPLES		
Type of Grant	Restrictions on Use of Funds	Examples
Categorical grant	Significant	Food stamps (created 1971): Provide funds to states and localities to supply food to eligible low-income residents. Medicaid (created 1965): Provides health insurance to low-income and disadvantaged citizens.
Block grant	Minimal	Housing and Community Development Block Grant (created 1974): Provides funds to states and localities for general development purposes. Temporary Assistance to Needy Families (created 1996): Provides funds to states to design and implement their own welfare programs.



Cool, **assignment!**

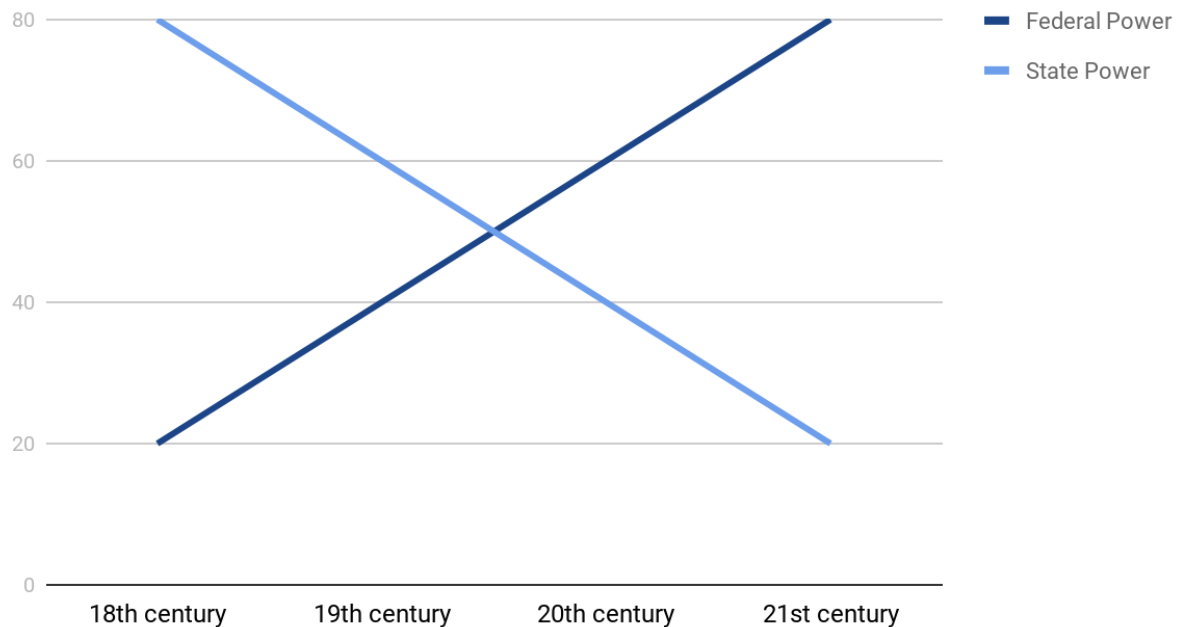
Read this [article on Federal Revenue sharing](#) and then write an obituary and/or tombstone epitaph for revenue sharing.

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Grand Finale Creative Chart/Timeline Time

Below is an example of a timeline showing the US beginning with a very strong state governments, transitioning over time to very strong federal governments. This example is just one person's opinion.

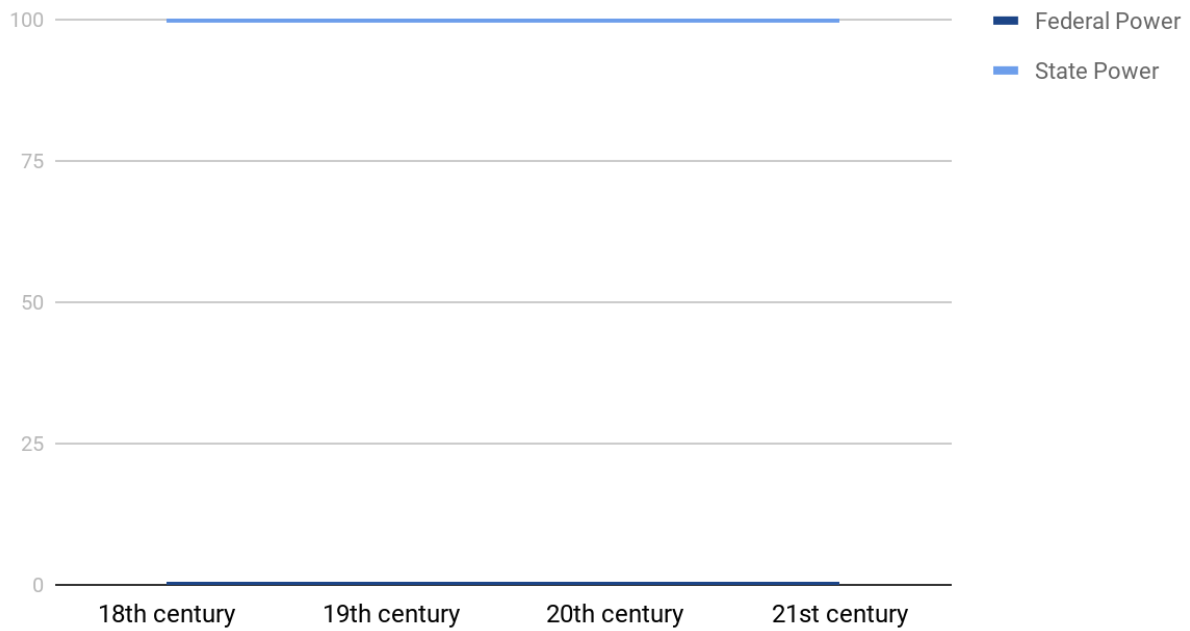
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Make your own timeline (the one above is merely an example, and yours might be very different) and explain what happened to power sharing over the life of the US. Use my timeline as a template of be creative and make your own representation of power shifts in US history.

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You go!