

What is Federalism?

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From Oxford English Dictionary:

Federalism

The federal principle or system of political organization.

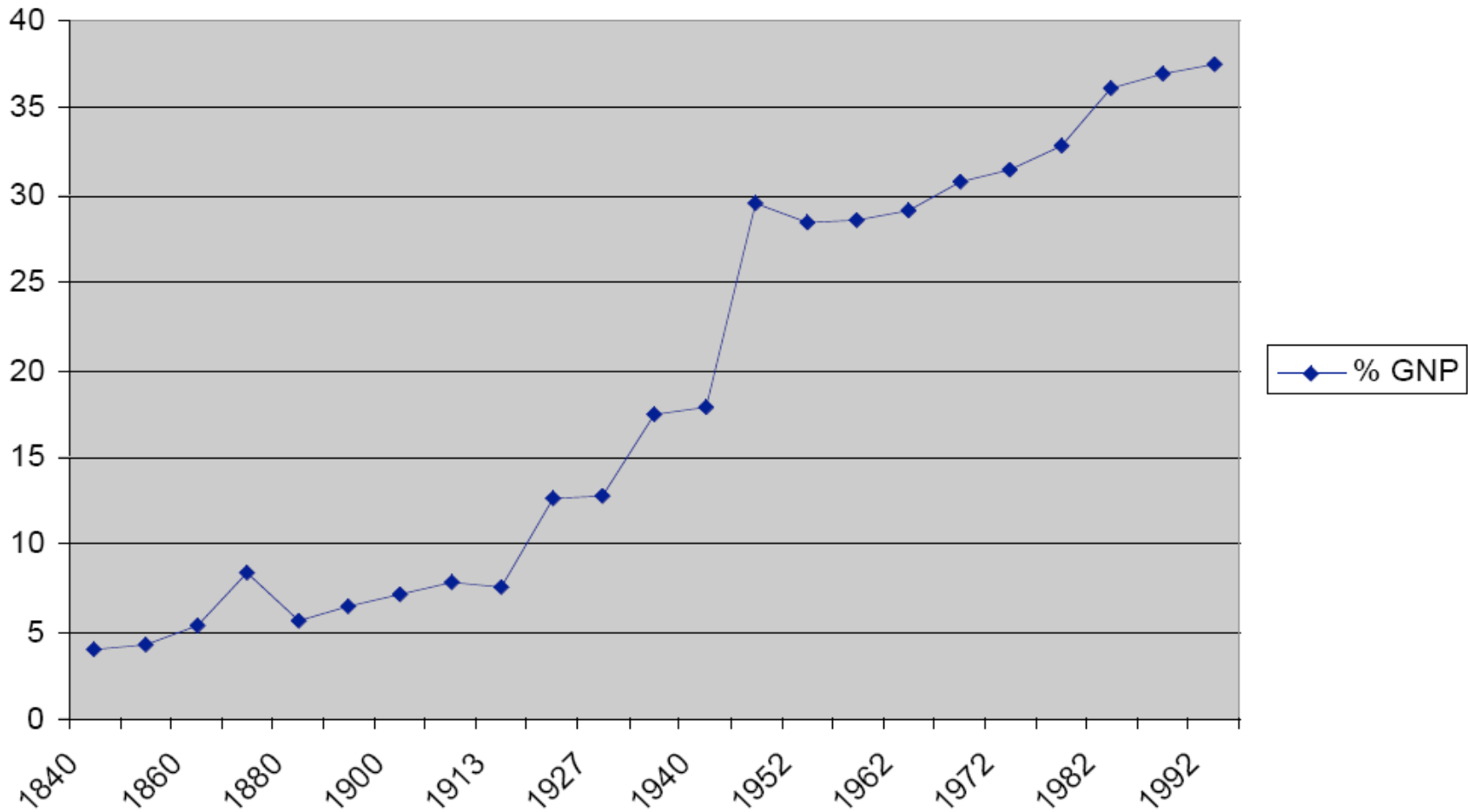
Federal

1. Of or pertaining to, or of the nature of, that form of government in which two or more states constitute a political unity while remaining more or less independent with regard to their internal affairs.
2. Of or pertaining to the political unity so constituted, as distinguished from the separate states composing it.

From Harry N. Scheiber, "Federalism and the American Economic Order, 1789-1910," Law and Society Review 10 (1975): 57-118 (quote on 67).

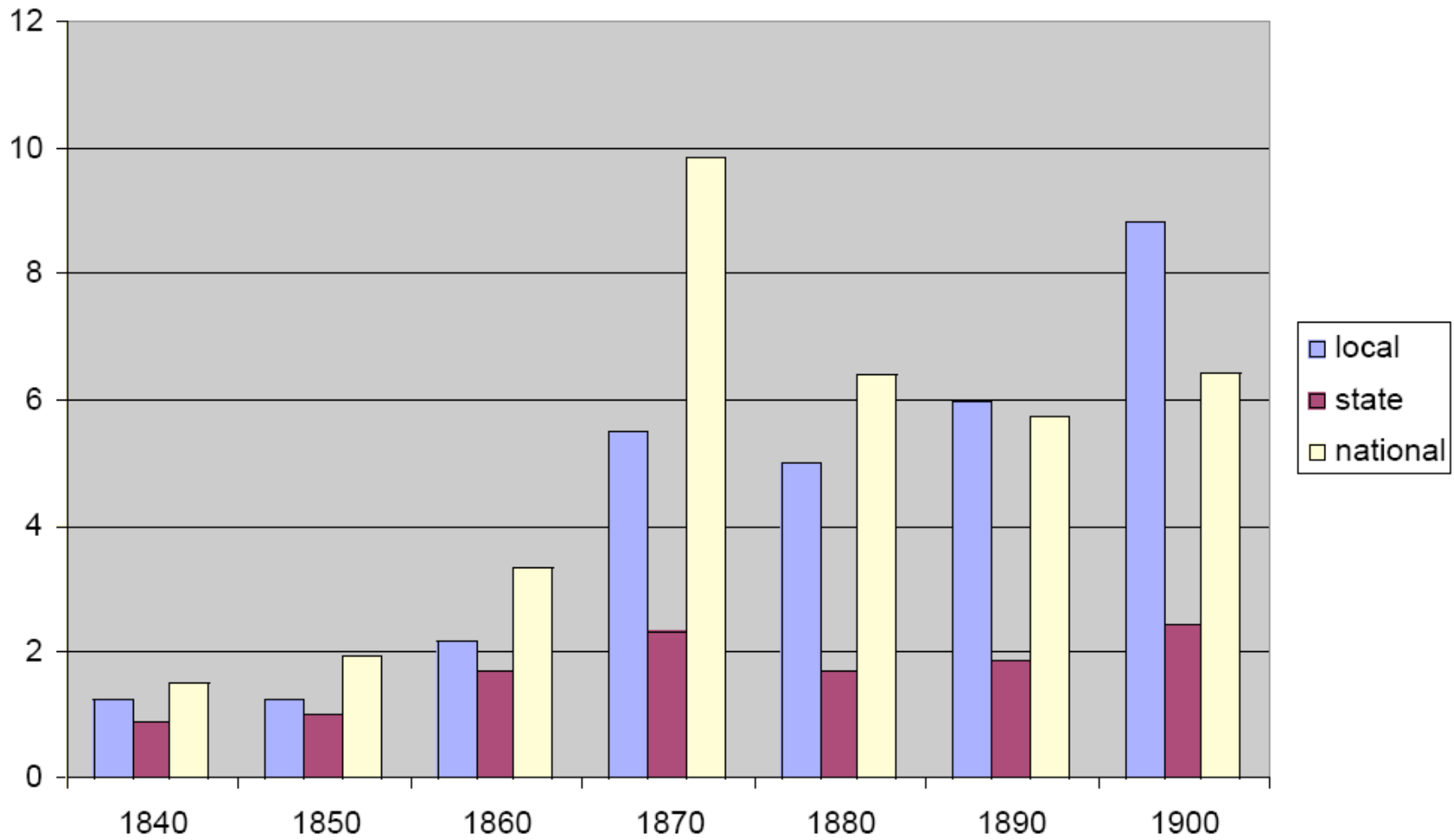
"The essential characteristic of a federal system of governmental organization is the legal or constitutional division of policy responsibilities and governmental powers between the national government and the constituent states."

Total Government Revenues 1840-1992 (percent of GNP)



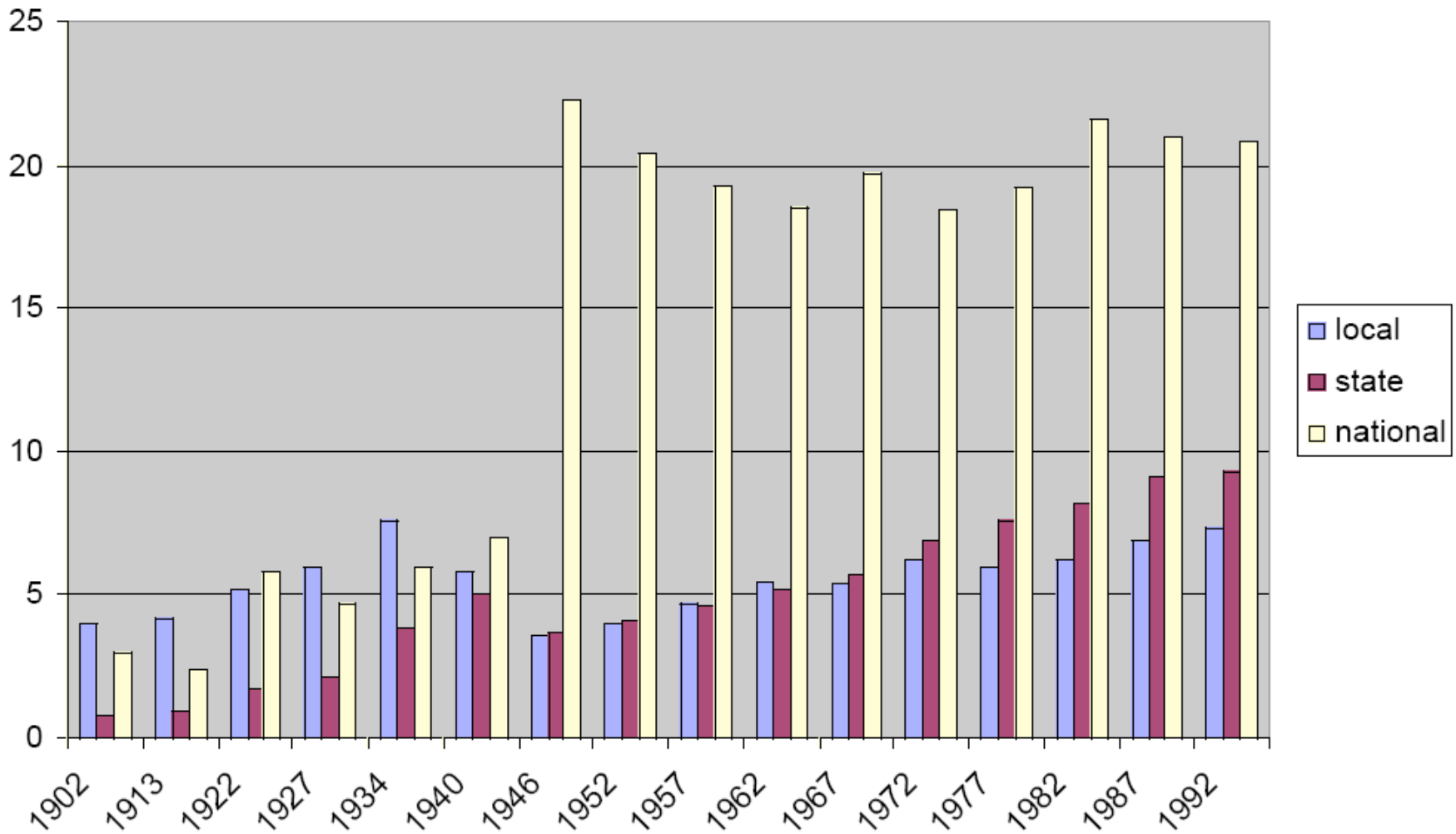
Source: John Wallis, "American Government Finance in the Long Run, 1790-1990," Journal of Economic Perspectives 14 (2000), 61-82 (p. 65).

Government Revenues 1840-1900 (dollars per capita)



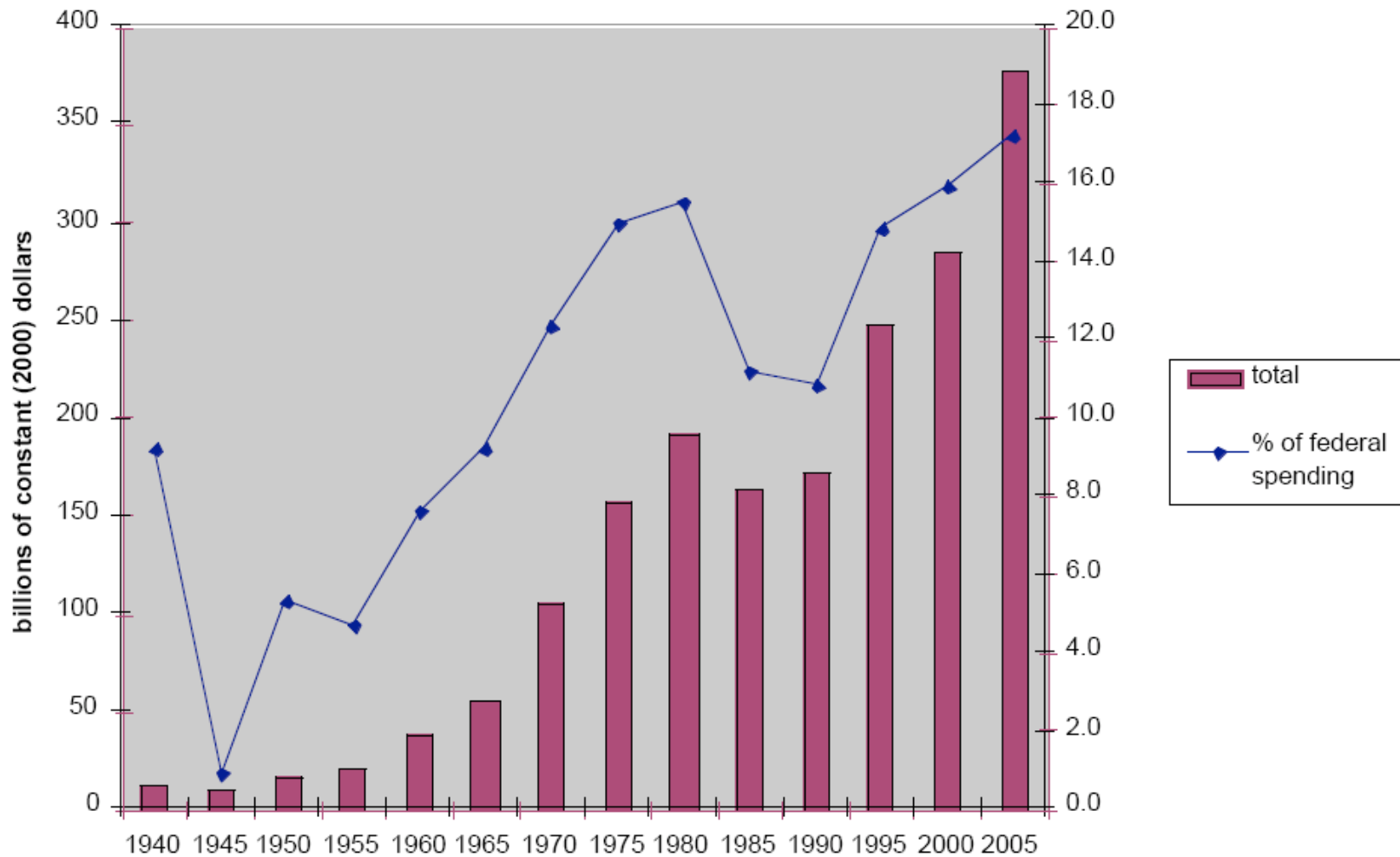
Source: Wallis, "American Government Finance," 65.

Government Revenues 1902-1992 (percent of GNP)



Source: Wallis, "American Government Finance," 65.

Federal Grants to State and Local Governments, 1940-2005



Source: Office of Management and Budget, Budget of the United States Government, FY 2006,
Historical Tables, table 12.1, <http://www.whitehouse.gov/omb/budget/fy2006/hist.html>.

Prigg v. Pennsylvania, 41 U.S. 539 (1842)

Justice Story:

It is scarcely conceivable that the slaveholding states would have been satisfied with. . . [allowing] each of the states to regulate the whole subject [of fugitive slaves] at its pleasure; and to dole out its own remedial justice, or withhold it at its pleasure and according to its own views of policy and expediency. . . .

Upon these grounds . . . the act of Pennsylvania upon which this indictment is founded, is unconstitutional and void. It purports to punish as a public offence against that state, the very act of seizing and removing a slave by his master, which the Constitution of the United States was designed to justify and uphold.

Fourteenth Amendment, 1868

section 1.

. . . No State shall make or enforce any law which shall abridge the ***privileges or immunities*** of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without ***due process of law***; nor deny to any person within its jurisdiction the ***equal protection of the laws***.