

# Dual Federalism

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Founding of the United States to 1860

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Oh yeah and Dylan too

# Dual Federalism

Dual federalism is federalism in which both the state and national governments are equal and sovereign. In the United States during the first period of dual federalism the national government held only powers explicitly listed within the Constitution. All other powers belong to the states and/or the people.

# Federalism in the United States

- 1777-1781: The United States, wary of tyrannical governments after many years of being colonies to the British crown, create and ratify the Articles of Confederation. This constitution sets up a system of government in which the central government is very small and holds virtually no power while the state governments hold essentially all power.
- 1786 and 1787: Shays' Rebellion breaks out. Citizens angered by the financial crisis try to take over an armory and many ended up dead. This event served to raise support for a more central government which would quell uprisings such as these and also regulate the economy to prevent future conflicts.

# Federalism in the United States

- 1789: The United States Constitution goes into effect. This new foundation of government creates a more equal distribution of power between state and national government without infringing entirely on states' rights.
- 1791: The 10th amendment to the United States Constitution allows for powers not given to the national government by the Constitution belong to the states/ people.
- 1794: The 11th amendment to the United States Constitution prevents federal courts from hearing any cases by the people against individual states. This amendment was brought on after *Chisholm v. Georgia* in which the court decided federal courts did in fact have the authority to preside over cases of law and equity between private citizens and state governments.

# Federalism in the United States

- 1803: The 12th amendment sets up the creation of the electoral college. The electoral college functions to make sure the president and vice president work together rather than for their own agendas, and makes sure that states vote for the ideal candidate rather than the one from their home state since at least one vote from each elector in the electoral college must be for a candidate not from their own state.
- 1803: *Marbury v. Madison* was a landmark court decision in which Supreme Court Justice John Marshall confirms that “judicial review” was a power of the judicial branch that had the ability to limit Congressional power by declaring legislation unconstitutional.

# Federalism in the United States

- 1819: *McCulloch v. Maryland* was a landmark court decision in which the supreme court decided that the power to regulate commerce was reserved to Congress by the Commerce Clause of the United States Constitution.
- 1824: *Gibbons v. Ogden* was yet another landmark decision by the Supreme Court of the United States. In this decision Congress was given authority in the regulation of interstate commerce via the Commerce Clause in the first article of the Constitution.

**NOW LET  
THEM EAT  
CAKE!**

## Works Cited

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