

Dual Federalism II

1860-1930

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Dual Federalism

- The state and federal government are equal in the federal system.

The Civil War

1861-1865

Background Information

- The South seceded from the Union because of differences in opinions over slavery and how much power the states had verses the national government

Results

- After the Civil War, the federal government's power increased due to:
- the need to regulate businesses and industries that spanned state borders
- Attempts to secure civil rights
- The provision of social services

Important Trials

Plessy V. Ferguson (1896)

- It started when Plessy tried to sit in an all-white railroad car. After he refused to sit in the black railway carriage car, he was arrested for violating an 1890 Louisiana statute that provided for segregated “separate but equal” railroad accommodations. Required racial segregation in public facilities under the doctrine of “separate but equal”
- The states can constitutionally require people of different races to use “separate but equal” segregated facilities.

Important Acts

Interstate Commerce Act of 1887

- Said that the railroad industry was subject to federal regulation
- Railroads were privately owned during the Civil War
- The states originally tried to regulate railroads in 1871, starting with Illinois, but they had no power to regulate commerce



Sherman Anti-Trust Act of 1890

- Limited cartels and monopolies
- Generally only began to be enforced during Theodore Roosevelt's presidency



Keating Owen Act of 1916

- Banned sale of products from anywhere that employed children under 16 that worked at night or over 8 hours a day



Important Amendments

13th Amendment

- 1865
- Abolished slavery and involuntary servitude.

13th Amendment

Section 1: Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2: Congress shall have power to enforce this article by appropriate legislation.

14th Amendment

- 1868
- All people born in the United States are citizens of the United States.

14th Amendment

Section 1: No state may abridge the privileges and immunities of any of its citizens, or deny them due process of law or equal protection of the laws.

Section 2: When any state denies the right to vote at any election to any of its male citizens of voting age, its representation in elections for national offices will be reduced in the same proportion.

15th Amendment

- 1870
- Right of citizens of the United States to vote shall not be denied by the United States.

15th Amendment

Section 1: The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2: The Congress shall have power to enforce this article by appropriate legislation.

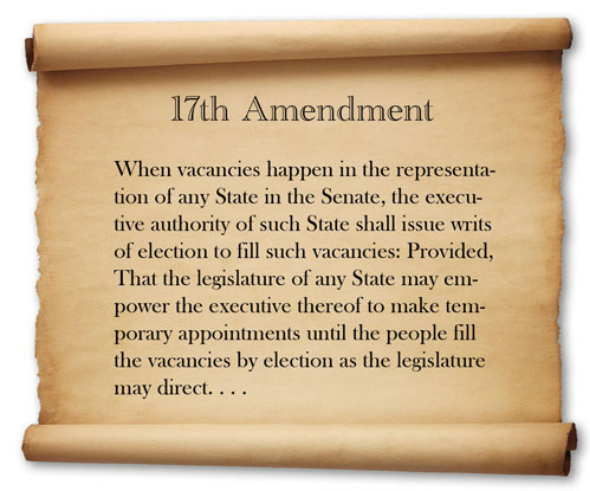
16th Amendment

- 1913
- Congress has power to lay and collect taxes on income.



17th Amendment

- 1912
- Direct election of U.S. Senators by popular vote



17th Amendment

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct. . . .

18th Amendment

- 1919
- Prohibition of alcoholic beverages



19th Amendment

- 1920
- The right of citizens of the United States to vote shall not be denied by the United States or by any state on account of sex.

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- The Dual Federalism era ended with the Great Depression which led to the national government having more power.

Works Cited

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