

Dual Federalism II (1860-1930)

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Dual Federalism

After the Civil War, the national government of the United States decided that more control over laws was necessary in order to prevent another bloody war within the nation. Initially, the National and State bodies served as **equal, separate but cooperative** entities. However, power shifted over the period of 70 years to give **more strength to the national government**.

Amendments

Legislation

Executive Action

Societal Change

Major Court Cases

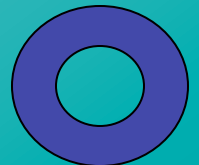
Works Cited



Video: Future Impact

Explanation of Cake

- Layers: Two, equal sizes signify the **equality and separation** between the state and national governments
- Icing: Demonstrates the associated, yet definite separate between the layers. The state and national governments had a **cooperative, but slightly wary relationship** so that one would not take over the other
- Chocolate Shavings: Represents the **people as having influence and power** in the government



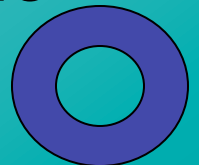
Legislation

- The **Morrill Act of 1862**: Provided land grants to states to fund the **building of colleges**; One of the first **welfare type programs** that the **National government** was involved in and opened opportunities for farmers and workers to receive a higher education
- The **Interstate Commerce Act of 1887**: Created to regulate and oversee the conduct of railroad industries and monopolies; **Congress' role in regulation of commerce and trade was strengthened**



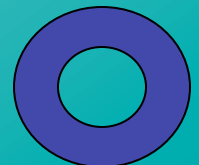
Legislation, *continued*

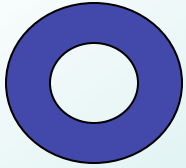
- The **Sherman Anti-Trust Act of 1890**: The first measure passed by Congress to stop trusts and limited monopolies as well as companies accused of wrongdoings; signaled a **larger role for the national government in regulating the economy**
- The **Keating Owen Act of 1916**: First federal statute against child labor practices and stated that goods manufactured by children could not be transported through interstate commerce; Later declared unconstitutional because it violated the 10th amendment (states have the power to regulate themselves)



Societal Changes

- The **Emancipation Proclamation** (January 1, 1863) and the **13th Amendment** (ratified December 6, 1865) legally freed all slaves in America. The last 40,000 slaves were held in the mid-Atlantic states and were freed with ratification of the 13th Amendment.
- **Convict leasing** was implemented in the 1880's to keep the African American population at the bottom level of the labor force. Private contractors were allowed to purchase the services of convicts from state or federal governments.
- **Illiteracy rates were highest among those who were recently freed.** Many religious organizations, former Union Army officers and soldiers, and wealthy donors created and funded educational efforts for African Americans





Believed that states had no right to secede from Union; Many believed that he was the “supreme nationalist”; Reconstruction plan: 10% of voters in 1860 election pledge allegiance to Union and uphold Emancipation Proclamation

“Do-nothing”; “This active inactivity... suits all those who have become convinced that government in this country has become dangerously complicated and top-heavy”

Coolidge’s Federalism

Lincoln’s Federalism

Andrew Johnson’s Federalism

For the Union, but not opposed to states rights; Lenient to former Confederates; Opposed secession & believed Limited Government would aid transition to Union

Executive Action

Roosevelt’s Federalism

Grant’s Federalism

Civil Service Commission: designed to eliminate spoils system; Sent federal troops to suppress racial violence in the South

Harrison’s Federalism

Cleveland’s Federalism

Wanted economic justice and favors to none; “Trust-buster”; Achievements in conservatism

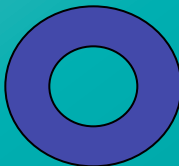
Supported many internal improvement projects such as Naval expansion and steam boats; Signed Sherman Anti-Trust Act (the first federal attempt to regulate trusts)

Disapproved of government aid to farmers in Texas – “Federal aid in such cases encourages the expectation of paternal care on the part of the government and weakens the sturdiness of our national character”; Signed Interstate Commerce Act

3 Key Amendments

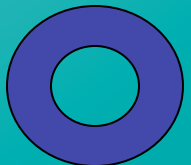
The 13th, 14th, and 15th amendments were created to give African Americans more rights. National government power increased in their ratification.

- 13th Amendment: Abolished slavery and involuntary servitude (except as punishment for a crime)
- 14th Amendment: Granted citizenship rights to emancipated slaves and equal protection for all citizens
- 15th Amendment: Required states to have voting rights for every citizen which cannot be withheld due to race



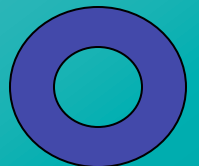
Major Supreme Court Cases

- *Wabash, St. Louis & Pacific Railway Co. v. Illinois (Wabash Case) (1886)*: Court overturned its *Munn v. Illinois (1879)* which ruled that states could regulate railroads and instead banned states from controlling rates of journeys that occurred within their boundaries **[More power to National Gov.]**
- *Gitlow v. New York (1922)*: Court ruled that the first amendment does apply to states, but that state could forbid speech or press in concern for the public **[More power to State Gov.]**



Video: Future Impact

- Martin Luther's "I Have a Dream Speech"
- <http://www.youtube.com/watch?v=v57lotnKGF8>



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