

Daily Lecture Notes



Did you know?

Early in American history, South Carolina refused to comply with the tariff of 1828. It "nullified," or rejected, this law, which hurt agricultural exports. However, President Andrew Jackson declared that a federal law is supreme. South Carolina was forced to accept a new, lower tariff law passed by Congress soon afterward.

Outline

I. The Division of Powers (page 95)

- A. The federal system divides government powers between national and state governments.
- B. U.S. federalism has continued to change since its inception in 1787.

Discussion Question

States' rights supporters argue that the national government has too much control over state and local governments. Do you agree? Explain. (Answers will vary. Students should support their opinions with examples.)

II. National Powers (pages 95–96)

- A. The national government's expressed powers allow it to levy taxes, to coin money, to make war, to raise an army and navy, and to regulate interstate commerce.
- B. The implied powers, in the elastic clause of the Constitution, are powers the national government requires to carry out the expressed powers.
- C. The inherent powers of the national government are powers it exercises simply because it is a government.

Discussion Question

How do Implied and Inherent powers affect the national government? (Implied and inherent powers have strengthened the national government.)



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III. The States and the Nation (pages 96–98)

- A. The reserved powers belong strictly to the states, which may exercise any power not delegated to the national government, reserved to the people, or denied them by the Constitution.
- B. The supremacy clause makes U.S. acts and treaties supreme.
- C. National and state governments exercise concurrent powers independently.
- D. The Constitution lists powers denied to both national and state governments.

Discussion Question

What are some of the concurrent powers? (The power to tax, to maintain courts and define crimes, and to appropriate private property for public use.)

IV. Guarantees to the States (pages 98–99)

- A. States are guaranteed a republican form of government.
- B. States are guaranteed protection from invasion and domestic violence.
- C. States are guaranteed respect for their territorial integrity.

Discussion Question

How does the national government react to natural disasters that affect states?
(The government's definition of domestic violence includes natural disasters, so they often order troops to aid disaster victims and provide low-cost loans to help repair damages.)

V. Admission of New States (pages 99–101)

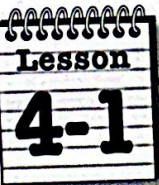
- A. Congress has the power to admit new states to the Union.
- B. Congress or the president may set conditions for admitting a state.
- C. Each state admitted is equal to every other state.

Discussion Question

Should the existing states, not Congress or the president, have the power to impose certain conditions before a new state can be admitted to the Union? Explain your reasons. (No. The Constitution spells out the conditions for admission of states.)

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VI. The National Governor's Association (pages 101–102)

- A. The NGA helps the states' governors solve common problems.
- B. By joining together, governors become more active in national policy making.
- C. The Constitution obligates states to conduct and pay for all elections of federal officials and to consider the ratification of constitutional amendments.

Discussion Question

Should state governors have a larger role in determining national domestic policy?
Explain. (Governors have no constitutional role in determining national policy. They may, however, lobby on issues.)

VII. The Courts as Umpire (page 102)

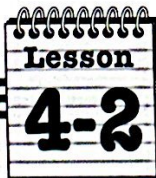
- A. The Supreme Court and the federal courts settle disputes between the states and the national government.
- B. The Court has held that the national government is supreme.

Discussion Question

What role does the Supreme Court play in our federal system? (The Supreme Court makes final judgments on constitutional issues, resolves differences among the states, and reviews the actions of state and local governments.)

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Did you know?

The last two states to join the Union were admitted in the same year—1959. Hawaii and Alaska also have something else in common that distinguishes them from all other states. They do not have a common border with any other state.

Outline

I. Interstate Relations (pages 103–105)

- A.** The Constitution requires each state to recognize the laws and legal proceedings of all other states in civil, not criminal, matters.
- B.** Each state must treat citizens of other states equally with its own citizens and not discriminate against them, though nonresidents may not enjoy all the rights of state citizens.
- C.** Criminals fleeing to other states may be returned to their home state by extradition—the legal process through which one state government surrenders an accused criminal to another state government.
- D.** States use interstate compacts, or agreements among themselves, to settle border or jurisdiction conflicts and to deal with common problems, such as toxic waste disposal, but these compacts must be approved by Congress.
- E.** Lawsuits brought by a state against another state are tried in the Supreme Court.

Discussion Question

Do you think interstate compacts are a good way to deal with issues such as air and water pollution and the disposal of hazardous waste? Why or why not? (Answers will vary. Students should support their opinions with examples.)

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Did you know?

The balance of power between the states and the national government shifted in the mid-1990s. The Welfare Reform Act of 1996 transferred spending for welfare benefits from federal to state governments. The states received block grants of funds appropriated by Congress, making the states responsible for administering the new welfare program for its residents.

Outline

I. States' Rights Versus Nationalists (pages 106–107)

- A.** The states' rights position is that the national government is an agent of the states and its powers should be narrowly defined.
- B.** The nationalist position is that the people, not the states, created the national government and that its power should be expanded to carry out the people's will.

Discussion Question

What arguments are made by supporters of the nationalist position? (Nationalists believe that the people, not the states, created the national government.)

II. Growing National Government (pages 107–109)

- A.** The flexibility of the Constitution has allowed the Supreme Court, Congress, and the president to stretch the power of the national government to meet the nation's growing needs.
- B.** The power to wage war has expanded the national government's power.
- C.** Supreme Court decisions have stretched Congress's power to regulate commerce to cover many different areas of public activities.
- D.** Congress has used its taxing power to increase the authority of the national government.


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Discussion Question

How has Congress used its power to regulate commerce to achieve changes in U.S. society? (For an example of the broad use of commerce power see text page 108.)

III. Federal Aid to the States (pages 109–110)

- A. Federal aid to the states has greatly increased since the 1950s; the main way the national government provides money to the states is through federal grants.
- B. Preemption laws limit the authority of state and local governments to make their own policies.

Discussion Question

Explain why federal aid to the states has increased the authority of the national government. (Most federal programs have conditions attached that control state governments' use of aid.)

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Did you know?

Education is one of the most important government services in the United States. Under the federal system, state and local governments share responsibility for public schools. School districts in cities and towns operate the schools. In each school district, voters elect the board of education to supervise the schools, and most pay property taxes to fund them.

Outline

I. Federalism and Public Policy (pages 112–113)

- A. Federalism affects how new public policies are made and imposes limits on making public policy.
- B. Policy may originate at the national, state, or local level of government.

Discussion Question

Why did the Framers of the Constitution establish a federal system of government?
(They wanted to preserve some state power but increase the power of the national government.)

II. Federalism and Political Parties (page 113)

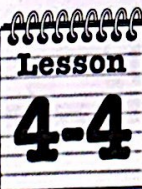
- A. The two major political parties have competed for control in national, state, and local elections.
- B. Control of government at all levels has shifted between these political parties.

Discussion Question

How has the federal system affected the development of political parties?
(Federalism lessens the risk of one party gaining a monopoly on political powers.)

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III. Political Participation (page 114)

- A. Our federal system gives citizens many points of access to government and many opportunities to influence public policy.
- B. Citizens can vote for state and local officials and work together to influence policies at all levels of government.

Discussion Question

How does federalism enable individuals to take part in government? (Federalism provides easier access to political office and opportunities to influence public policy.)

IV. Federalism's Professional Politicians (page 115)

- A. The growth of federal programs has created a large bureaucracy with specialized knowledge to implement those programs.
- B. These increased federal programs have changed the political relationship between state and federal government officials.

Discussion Question

Do you believe the Framers would approve the important role that professional bureaucrats now have in government? Explain. (Answers will vary. Students should support their opinions with examples.)

V. Differences Among the States (page 115)

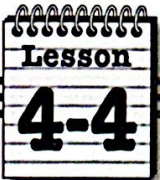
- A. Federalism has contributed to important economic and political differences among the states.
- B. Political and economic differences among states give U.S. citizens wider opportunities for choosing the conditions under which they will live.

Discussion Question

How might your life change if you and your family moved to another state? (Answers will vary. Students should cite the differences in state laws and differences in social and political environments.)



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VI. The Direction of Federalism (pages 115–116)

- A.** The balance of power between the national government and the states is constantly evolving in response to new issues.
- B.** In recent decades, Democrats have generally favored a nationalist position while Republicans have favored a states' rights view.

Discussion Question

Why has recent legislation reflected both nationalist and states' rights positions?
(because there has been a relatively even distribution of seats between Democrats and Republicans in recent Congresses)