

Cooperative/Competitive Federalism (1937-Present)

Model in which various levels of government work together to solve policy problems, often with the federal government providing some portion of the funding which is spend by states of localities

*Both levels of government cooperate on governmental issues

- National Government Dominance
- Existed after New Deal
- Marble Cake federalism
- States were playing an important role in the federal system
- Preemption (Principle that allows the national government to override states of local actions in certain policy areas)

New Federalism (1970s')

President Nixon's push for block grants as a part of New Federalism

- Block grants
- Devolution (Policy to remove a program from one level of government by delegating it or passing it down to lower level of government)
- Devolve many policies back to the states
- Consolidated programs in the areas of job training, community development, and social services
- General Revenue Sharing (Process by which one unit of government yields a portion of its tax income to another unit of government)
- Wanted to reduce the national government's control

*Congress created 12 new block grants between 1981-1990

Government Systems

Unitary System- Central government makes the important decision, and lower levels of government have little independent power. Lower levels of government primarily implement decisions made by the central government. (France, Japan, Britain)

It was not until long into the 1937 New Deal that the federal government gained the expansive powers it exercises today

Commerce Clause- in favor of national power over the economy

Cases:

1819- McCulloch v. Maryland involved the question whether Congress had the power to charter a national bank such an explicit grant of power was nowhere to be found in Article 1 Section 8

1824- Gibbons v. Ogden reinforced this nationalistic interpretation of the Constitution and it established the supremacy of the national government in all matters affecting what later came to be called interstate commerce

Article 1 Section 8 was a source of power for the national government as long as Congress sought to facilitate commerce through subsidies, services, and land grants

States' Rights- Principle that the states should oppose the increasing authority of the national government (most popular during the period prior to the Civil War)

Southern Manifesto- Declaration that the Supreme Court did not constitutionally bind southern states

Judicial Review- The power of the courts to review and if necessary declare actions of the legislative and executive branches invalid or unconstitutional (Marbury v. Madison)

Obamacare- Affordable Care Act is a united states federal statute enacted by Obama on March 23, 2010; hospitals and primary care physicians must transform practice for better health outcome, lower costs, and improvement of methods and distribution and accessibility

Chapter 4

Civil Liberties and Civil Rights

Civil Liberties (Freedom) – Protections from improper government actions

Substantive- Limits on what the government can or cannot do

Procedural- Rules regarding how the government must act

*Allow people to live according to their preferences

Civil Rights (Equality)- Protections of citizen equality provided by the government

Bill of Rights (1791)