

# Federalism

One of the ways that power is divided is Vertically or between the Federal Government and the States

# Comparative Federalism

- Other Federal systems include; Canada, India, Australia and Germany
- There are also unitary, non-federal states that include; France, Japan, Sweden and Italy
- Then there are confederated systems – loose collections of largely independent states – The European Union
  - This is like the original United States

# Federalism

- Federalism is one of the three “great silences” in the Constitution
  - The Tenth Amendment says, *“The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.”*
  - But Article VI of the Constitution also says, *“This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.”*
  - Article I, Section 3; The U.S. Constitution allocates two Senators for every state, regardless of population. That means that small states are overrepresented in American Government.
    - And that carries over into the Electoral college too