

Federalism Today

Through the course of U.S. history federalism has evolved considerably. Starting from a loose form responsibility between the federal and state governments to a strong federal government that resembles party politics more than state politics. This change took place over hundreds of years and reflected the change in the U.S. through the course of manifest destiny, world wars, and the rise of globalization. Today the U.S. could be on the brink of a new stage of federalism where new political parties are made up of region needs and culture instead of a national party. The covid pandemic could be the catalyst to change our current system of federalism, but until the election cycle it is too soon to tell for sure.

Federalism is a mode of political organization that unites separate states within an overarching political system in a way that each state has a way to keep its integrity and identity (Britannica). In the U.S. the overarching political system is the Constitution that spell out the responsibilities of the federal government and what states have the power to and not to do. Part of federalism requires that each state has some power on its own and that is done through the 10th Amendment in the U.S. The 10th states that any power not stated in the constitution is then delegated to the states to interoperate and use as they see fit (Smith, 32). This lets states still have some autonomy of their land while also abiding by the Constitution. When the nation was young and still experimenting with federalism the states and federal government were seen as separate but equal (Smith, 34). This was the first stage of federalism known as dual federalism. This stage is typically characterized as tension between states powers and federal power rather than them working together. The federal government, however, did have more power due to its role in the Constitution to regulate commerce (Smith, 34-35). This stage roughly lasted between the 1830's

to the 1930's, but things were about to change when the economy was about to take its biggest hit yet.

The stock market crash followed by the Great Depression galvanized the need for change in the U.S. federal system. With World War 2 around the corner, unemployment rates skyrocketing, and the value of the dollar dropping the U.S. public wanted change. They showed they wanted change with the election of Franklin D. Roosevelt. The election of FDR is known as the turning point of U.S. Federalism from dual federalism to cooperative federalism (Walker). The need for states and the federal government to work together to fix the Great Depression became apparent and that is what FDR did. FDR began his first term by showing the U.S. would take the lead in the economic recovery of the states with his New Deal programs. (Smith, 36). Using the federal government to identify priorities, set up outlines for solutions, and making money available to fund these solutions, and finally turning it over to the states to implement gave the outline of how cooperative federalism would work for decades to come (Goelzhauser). During this time FDR was slowly giving the federal government more and more power so that it could lead the way when dealing with the nation's problems. This stage lasted roughly until the 60's when who controlled the money became very apparent.

Federal grants really encapsulated the change to the peak of federal power over the states. As the nation grew and more and more development was needed for infrastructure and social programs states didn't have the monetary resources to keep up, so they relied on federal grants with various conditions attached to keep up with their growth (Walker). The start of the 60's was the turning point of cooperative federalism towards centralized federalism. Lyndon Johnson's presidency further increased the federal governments power in states affairs. With centralized federalism the federal government took over roles in Civil Rights and the War on Poverty

(Smith, 38). During this time the federal government set up policy specific agencies that set initiative and if they were followed money was given to the states to pursue them. When demand for grants began to outweigh the supply however, the need to curtail these programs was needed (Smith, 39). Nixon began the process, but when Reagan was elected president that the wheel of federalism began turning back to states.

Reagan ushered in the era of new federalism. Reagan saw that to keep up with demand of these new federal program's taxes had to increase. Reagan ran on a platform of "no new taxes" and a strict anti-communist saw him to win the presidency (Britannica). Reagan began to reduce the federal governments involvement in state affair but realized he couldn't cut states completely off of federal funds. He instead began to issue block grants that gave money to states for a general cause but left it to the states to figure out the specifics. This allowed the federal government to be less specific of what was required of the states and allowed them to give less money as well (Britannica). This was a mixed bag of success however because although states' rights activists praised Reagan business leaders preferred working with one big government compared to 50 smaller ones (Smith, 40). This continued with the Clinton administration where he championed the process of devolution. The process of giving federal powers back to the states (Smith, 40). Clinton would continue to give more and more power back to the states and this process followed until the Bush administration came in.

This was an awkward point for American Federalism. On one hand state's rights activist and conservative group loved that the federal government was giving states more power and being more fiscally responsible. On the other the need for federal intervention was still needed. This gave birth to ad hoc federalism (Smith, 41). Ad hoc federalism changes the idea of federalism from the difference between state and federal power to what political party is in

power (Goelzhauser). This change is partially due to the rise of national party politics, hardline national politics, and a need to compete on larger scales. A national political party will be better at collecting resources and information compared to a local party chapter making it more competitive in races. We see the partisan divide when the Obama administration took power and began tackling issues such as health care, immigration, and the environment the republican party ran on the basis that he was abusing federal power and states should be the ones to lead these issues. However, when the Trump administration took power their roles reversed and the republican party attempted to pass legislation and democrats stating it was abuse of power (Smith,41). This system as has lasted until today, but with the covid pandemic still causing issues for thousands of people the future of ad hoc federalism has been brought into question.

With covid-19 sweeping across the nation and many people already calling for the country's economy to reopen the political divide is bigger than ever (Dyer). What is interesting in this case is that typically when national emergencies are being called across the country states would look to the federal government for guidance and support. This time however, when cases began to show up in Washington and New York the federal government was relatively quick about it (Owen). States needed the federal governments resources to help combat this virus, but they were left to fend for themselves. States began entering bidding wars with each other to secure needed supplies for the impending storm. By the time the federal government responded multiple states already issued states of emergency to try and combat the virus (Haffajee). Even when the federal government began to issue guidance the current administration would continuously contradicted what their own experts were stating (Kettle). The presidents need to tow the party line and not make them look incompetent took priority over getting good

information out to the public. This divide is even more prevalent when looking at low income and homeless populations.

When the virus began to show up in the valley there was no guidance from the federal government, so state and local governments were left to decide for themselves how to stop the spread of the virus among low income and homeless populations. In some cases, as in Vegas, cities had to figure out what to do for themselves as well. Las Vegas knew that people needed to stay at least six feet apart, have personal protective equipment, and test those with symptoms (Beckett). With the majority of the valley's homeless population living in the flood tunnels or in close proximity to each other on the strip the virus could run rampant. Las Vegas decided to take action and closed off the parking lot of Cashmen Center, made six-foot grids on the floor, and told any homeless person they could find to sleep there until the virus passes (Beckett). This was horrible for the valley's politicians because once images of homeless people sleeping in a parking lot while multiple empty hotels are in the background paints a grim picture of how Las Vegas really treats its residents. Since then the city of Las Vegas valley released photos and statements stating that this was only temporary and now there are locations with beds and tents for the homeless to stay in (Beckett). This is not solely to blame on the local government. This shows why states depend on federal funds to begin with. When the nation was first established states didn't have as many social or infrastructure programs as we do today, so there wasn't a need for the federal government to give money to help states. Today however, since we are so intertwined and money is needed to pursue the basic needs of what a state is to provide for its residents that federal money is needed.

Nevada isn't alone in this problem also. In New York to stop the spread of the virus they began to close the subways and tram stations to disinfect and began to make sure people weren't

loitering in these areas to attempt to stop any unnecessary contact (Bryan). The homeless community however depend on these stations for shelter and safety, and now they are being thrown to the streets. New York's mayor has said that they are sending social workers to communicate with the homeless there and let them know where they can find shelter or isolate, but many experts warn this is nowhere near enough (Bryant). It is estimated that there are roughly 30 social workers for around 2000 people that depend on the trains and stations for shelter (Bryant). This also shows that if states are told to attempt to fix a problem during a emergency without the federal governments guidance needless suffering will ensue.

By contrast other nations have tackled this same problem but have had much more success. In England, London saw that their homeless population would be devastated if the virus hit them (Kirby). They came up with a plan and submitted a request to their parliament for assistance in resources and help planning. Their plan was approved and established as the baseline for the entire country (Kirby). Parliament modified London's plan into two different programs, COVID – Care and COVID Protect. COVID Care is for infected individual, and COVID- Protect is for those who are at a higher risk of contraction (Kirby). COVID – Care would target the homeless, low income, and those already dealing with mental or physical medical conditions that make them more susceptible to the virus (Kirby). These two programs have already opened up multiple shelters across the country giving Individuals a room with a bed and a bathroom to themselves (Kirby). Granted England has a more centralized system than the U.S. but for a policy to be sent, approved, and supplies sent before the peak of the projected virus was projected to hit shows the capability of government wen local governments work with their larger counterparts.

Back to the U.S. the future of federalism is still unclear because from history changes in federalism tend to coincide with the change of administrations. Currently however, it seems that we are on the brink of a major shift. Not only are we even more embedded with party politics states are attempting to fill the vacuum left by the federal government on their own. Nevada recently joined the Western States Pack with California, Washington, Oregon, and Colorado (LeBlanc). This pact was established so similar states will follow the same procedures they develop together, share resources, and information to stop the spread of the virus (LeBlanc). This sort of pseudo federal government doesn't seem to have the same motivation as say a succession movement, but it could carry on into the next election cycle depending on how each member portrays this coalition to its public. The U.S. has always had a two-party system because it was the best way for likeminded individuals to compete with opposing individuals. When looking at an electoral map of states there are obvious stronghold of red and blue states. This pandemic, however, might bring in a new form of federalism based on region instead of politics. The south has its own culture, as does the north, midwest, and west. What are politics but competing cultural beliefs. Nevada alone doesn't have the power to tip the scales of a national election or vote in congress, but a coalition of all western states can tip the scales significantly in one way or another if they work together.

Federalism has changed considerably in our nation's history. From tense fights between the states and the federal government on who had power over different issues, to political parties choosing what power was needed for the federal government by convince of majority. Due to the effects of the covid pandemic we could rapidly be approaching a new stage of federalism. This stage could see political power shift from parties to coalitions of states made of similar cultures and geographic areas.

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