

ADVANTAGES AND DISADVANTAGES OF FEDERALISM

SWKT: The distribution of powers among three federal branches and between national and state governments impacts policy making.

In 1787, federalism was a compromise between centrists, who supported a strong national government, and those who favored decentralization. Confederation had proved unsuccessful. A unitary system was out of the question because most people were too deeply attached to their state governments to permit subordination to central rule. Many scholars think that federalism is ideally suited to the needs of a diverse people spread throughout a large continent, suspicious of concentrated power, and desiring unity but not uniformity. Yet, even though federalism offers a number of advantages over other forms of government, no system is perfect. Federalism offered, and still offers, both advantages and disadvantages.

Advantages of Federalism

FEDERALISM CHECKS THE GROWTH OF TYRANNY

Federalism has not always prevented tyranny, even in the United States, when Southern states seceded from the Union rather than end slavery. Today, however, U.S. citizens tend to associate federalism with freedom. When one political party loses control of the national government, it is still likely to hold office in a number of states and can continue to challenge the party in power at the national level. To the Framers, who feared that a single interest group might capture the national government and suppress the interests of others, this diffusion of power was an advantage. There are now nearly 90,000 governments in the United States, including one national government, 50 state governments, and thousands of county, city, and town governments, as well as school boards and special districts that provide specific functions from managing hospitals or parks to mosquito control.

FEDERALISM ALLOWS UNITY WITHOUT UNIFORMITY

National politicians and parties do not have to iron out every difference on every issue that divides us, whether the issue is abortion, same-sex marriage, gun control, capital punishment, welfare financing, or assisted suicide. Instead, these issues are debated in state legislatures, county courthouses, and city halls. Information about state action spreads quickly from government to government, especially during periods when the national government is relatively slow to respond to pressing issues.

FEDERALISM ENCOURAGES EXPERIMENTATION

As Justice Louis Brandeis once argued, states can be laboratories of democracy. If they adopt programs that fail, the negative effects are limited; if programs succeed, they can be adopted by other states and by the national government. Georgia, for example, was the first state to permit 18-year-olds to vote; Wisconsin was a leader in requiring welfare recipients to work; California moved early on global warming; and Massachusetts created one of the first state programs to provide health insurance to all its citizens.

FEDERALISM PROVIDES TRAINING AND CREATES OPPORTUNITIES FOR FUTURE NATIONAL LEADERS

Federalism provides a training ground for state and local politicians to gain experience before moving to the national stage. Presidents Jimmy Carter, Ronald Reagan, Bill Clinton, and George W. Bush previously served as governor of the respective states of Georgia, California, Arkansas, and Texas. All totaled, 20 of the nation's 44 presidents served as governor at some points before winning the presidency. In addition, three former governors (Jon Huntsman, Rick Perry, and Mitt Romney) ran for the Republican Party nomination for president in 2012, and several were heavily recruited for the campaign but declined.

FEDERALISM KEEPS GOVERNMENT CLOSER TO THE PEOPLE

By providing numerous arenas for decision making, federalism provides many opportunities for Americans to participate in the process of government and helps keep government closer to the people. Every day, thousands of U.S. adults serve on city councils, school boards, neighborhood associations, and planning commissions. Federalism also builds on the public's greater trust in government at the state and local levels. The closer the specific level of government is to the people, the more citizens trust the government.

Disadvantages of Federalism

DIVIDING POWER MAKES IT MUCH MORE DIFFICULT FOR GOVERNMENT TO RESPOND QUICKLY TO NATIONAL PROBLEMS

There was a great demand for stronger and more effective homeland security after the September 11, 2001, terrorist attacks, and the national government created a new Department of Homeland Security in response. However, the department quickly discovered that there would be great difficulty coordinating its efforts with 50 state governments and thousands of local governments already providing fire, police, transportation, immigration, and other governmental services.

THE DIVISION OF POWER MAKES IT DIFFICULT FOR VOTERS TO HOLD ELECTED OFFICIALS ACCOUNTABLE

When something goes well, who should voters reward? When something goes wrong, who should they punish? When Hurricane Katrina hit New Orleans and the surrounding areas in late August 2005 (and Rita less than a month later near Houston), many thousands of people lost their homes and billions of dollars in damage was done. Who was responsible? Did the national government and agencies like the Federal Emergency Management Agency (FEMA) drop the ball on relief efforts, or was it the state or local government's responsibility? Did the mayor and/or governor fail to plan adequately for such a crisis, or should the national government have had more supplies on hand in advance?

THE LACK OF UNIFORMITY CAN LEAD TO CONFLICT

States often disagree on issues such as health care, school reform, and crime control. In January 2008, for example, California joined 15 other states in suing the national government over a ruling issued by the national Environmental Protection Agency (EPA). For decades, the EPA had allowed California to enact tougher air quality restrictions through higher mileage standards than required by the national Clean Air Act (first enacted in 1970). The Bush administration rejected a similar request for permission to raise mileage standards in 2008, only to be reversed by the Obama administration in 2009.

VARIATION IN POLICIES CREATES REDUNDANCIES, INEFFICIENCIES, AND INEQUALITIES

Labor laws, teacher certification rules, gun ownership laws, and even the licensing requirements for optometrists vary throughout the 50 states, and this is on top of many national regulations. Companies seeking to do business across state lines must learn and abide by many different sets of laws, while individuals in licensed professions must consider whether they face recertification if they choose to relocate to another state. Where national laws do not exist, it is tempting for each state to try to undercut others' regulations to get a competitive advantage in such areas as attracting new industry, regulating environmental concerns, or setting basic eligibility standards for welfare or health benefits.