



## Key Events in the History of American Federalism

### I. Dual Federalism

**1801-1835 Nationalist Period.** The Marshall Court dramatically increased the power of the federal government in relation to the states. *McCulloch v. Maryland* (1819) landmark court case establishing Congress's establishment of a national bank using the "elastic clause."

**1835-1861 Dual Federalism and Nullification.** Strong emphasis on states' rights (Ex.: South Carolina's Doctrine of Nullification re: the tariff and slavery. The Supreme Court becomes increasingly uncomfortable with the issue of federalism and slavery (*Dred Scott Decision*, 1857).

**1861-65 American Civil War.** The North's victory determines that the federal government and constitution will reign supreme. However, the war *does not* resolve the conflict between federal and state authority. Battles will be fought over authority in voting eligibility, school desegregation, and caring for the nation's poor. *Morrill Act* (1863) - 1st federal grants for land grant universities (e.g. VA Tech)

**1876-1954 Jim Crow Laws.** According to the original Constitution, states could determine voting eligibility. Southern states denied blacks their voting rights for many years until the federal government enforced the 14th, 15th amendments with force. *Plessy v. Ferguson* (1896) legalizes segregation.

### II. Cooperative Federalism

**1933-1939 Introduces FDR the "New Deal."** In response to widespread poverty and unemployment, Roosevelt Administration responds through a series of sweeping national programs such as social security, public works programs, etc. The Supreme Court eventually confirmed FDR's right to actively intervene in areas traditionally left to states on the basis of the federal government's Constitutional Right to regulate interstate commerce (Article I, Section 8 - "elastic clause").

**1954 *Brown v. Topeka Board of Education.*** The Supreme Court mandated school integration. The southern states decry what they see as the federal government's intrusion on traditional states' rights.

**1957 Little Rock, Arkansas.** Arkansas Gov. Orval Faubus orders State National Guard to prevent black students from enrolling at all white Central High School. President Eisenhower responds by ordering federal troops to protect the black students and to enforce the Supreme Court's Brown decision.

**1964-1968 LBJ and the "Great Society."** Johnson administration introduces a far-reaching domestic program to fight poverty and civil rights violations. LBJ administration enacts Medicaid and other programs which involve Federal oversight of state governments.