

Outline how and why federalism has changed since the 1960s.

In the 1960s, the government had a creative federalist approach. The aim of Lyndon Johnson's Great Society programmes was to try to eliminate poverty within the US. This in turn meant large government grants were given to states, which was seen to increase the level of interference from the federal government. Johnson also provided categorical grants instead of block grants, which meant the states had much less control over their spending. He also supplied a lot of federal aid, increasing the dependence of states on the federal government. It wasn't just the executive increasing the role; the judiciary were also pushing the government this way, with cases such as *Gideon vs. Wainwright* and *Miranda vs. Arizona*.

Since the 1960's some have stated that New Federalism has been the main objective of the executive and judiciary due to the previous creative federalism. From the 1970s there was an ideological shift, with the rejection of liberal values from the 1960s. President Nixon started the development of the idea that the federal government was too powerful, and that the states needed to have more power of their local rights. He felt that the federal government should be small to promote self reliance and the American idea of 'rugged individualism'. As a reaction to creative federalism and the Great Society programme, he severely reduced aid to the states, and instead of issuing categorical grants, he would give states block grants.

Uncharacteristically, President Carter, a Democrat president carried on Nixon's ideas of New Federalism. From the 60's and before, it was clear that the Democrats supported the ideas of a large federal government; however he was a governor, thus he wanted to give the states more freedom to act. He carried on Nixon's plans of block grants, and reduced the size of the federal aid of the states to release the government of the large federal deficit.

Reagan developed Carter's idealisms by stating "Government is not a solution to our problem, government is the problem." He was a believer of the conservative view that federal support undermined hard work, creativity, determination and overall, managed to erode America's Federal system. Reagan had two main policies that would create the modern form of dual federalism: Reducing federal aid to the states (in his first 2 years in office he reduced it by \$18 billion), and to input the swap system in which states had to fund two poverty reducing measures whilst the federal government would supply the Medicare. Reducing federal aid created a severe problem for certain states; New York was effectively made bankrupt by the reductions in federal aid and increases in what they needed to supply, and the number of Americans living in poverty rose from 29 million to 35 million. His system of swaps also had many flaws; the states found the idea very attractive but it was clear that they would not be able to carry out these programmes without severely increasing taxes or cutting benefits, and thus the scheme was rejected. The limits on his policies also showed that Dual federalism was too impractical to actually implement.

During Bush Sr's presidency, there was a lot more emphasis on foreign policy which required the increase in size of the federal government. Also during his presidency, the Supreme Court started to make decisions that leaned towards state rights; the political layout of the courts took longer to change than the executive due to life tenure of the justices meaning a President could just swap them for more sympathetic judges.

The atmosphere mainly created by Reagan of dual federalism was accelerated through Clinton's presidency. Like President Carter and Bush Snr, Clinton was previously a governor, and believed that governors should have freedom to decide what was in the best interests of their states. Many Supreme Court decisions made in these years also started to give more rights to the states. For example in *New York vs. United States*, the court ruled that the federal government could not instruct a state what to do with radioactive material. Also in *Pritz vs. United States*, the court ruled that Congress could not instruct states to carry out background checks on people buying handguns, as it was a matter for the states to decide rather than for the federal government. Clinton was also lucky in that he was President during an economic boom which led to a dramatic increase in tax revenues for the states and less reliance on federal handouts.

Bush Jnr also an extremely conservative republican and former governor wanted more influence for the states and a lesser role for the federal government. He tried to implement this desired structure of new federalism, but circumstances stated otherwise. He took office as a fiscal conservative who believed that if taxes were cut, the national government would be forced to do less, and people would increasingly rely on personal resources and their local government. However two developments of the 'dot-com' bubble and the 'War on Terror' meant that he was not able to carry out this agenda. These events meant that the federal government had to act nationally in times of crisis. There were also acts which were deemed to have 'useless' strings attached; 'The bridge to nowhere' being a prime example where millions were spent on a bridge connecting a small town to its local airport in Alaska replacing a 7 minute ferry route. Also with the 'spending habit' of the federal government, there were many arguments that stated that the federal government were interfering too much with the education which is seen as the responsibility of the states. Bush's administration put forward the 'no child left behind act', where the federal government was forced to pay for its own suggestions in legislation. Hurricane Katrina also cost the federal government billions thus increasing the federal power.

Now with President Obama, many people still argue that there will be much more involvement of the federal government. He has passed many bills which interfere with the states rights, such as stem cell legislation and his efforts with abortion legislation. He is also giving a lot of aid in the financial crisis of 2008 and 2009 to many large corporations and also to the states. He may arguably further the concept of government intervention with policies similar to affirmative action, since he is a very left wing democrat, and also is being accused of being socialistic by some Americans in his approaches. The controversial issue of Medicare has also been another example of huge federal spending.

In conclusion, the United States seems to vary in its size of federal government. For many Americans the ideal solution may never be reached, as it was to close to the ideas of the articles of confederation and was proven to have not worked. In the view of these stated rights idealists, Washington DC's government has far too much power, and that their constitutional safe guards against the concentration of power in central government are inadequate. Furthermore, the evidence suggests that even committed states rights activists such as Ronald Reagan, can only slow down the process of centralisation of power in the modern era, rather than reverse it. However from the opposite view point the centralisation hasn't gone far enough, with the argument that there is too much disparity between the rights given in each state. The debate of the US federal system is an ongoing debate, and many compromises will have to be met, as there is no clear answer with a large variety of political viewpoints across the United States of America.