

Two Levels, Guarded Rights

How federalism divides power and protects liberty.

CE.3.d “explaining the relationship between state governments and the national government in the federal system, referencing Federalist No.10 and Federalist No. 51; and”

NAME _____

DATE _____

1 READ AND MARK _____ Read it twice

YOUR JOB Underline three details that show how power is divided or shared between the state and national governments. Circle one idea from each Federalist paper that explains why this system can protect liberty.

Federalism and Limited Power

- ① The United States uses federalism, a system that divides power between the national government and state governments. The national government handles powers given to it by the Constitution, such as making treaties, coining money, and regulating trade among states. States keep many powers not given to the national government, including running public schools, holding elections, and setting rules for local governments. Both levels may collect taxes, make laws, and enforce laws. These shared powers are called concurrent powers.
- ② Federalist No. 10, written by James Madison, explains why a large republic can limit the danger of factions. A faction is a group united by a shared interest or passion that may harm other people's rights or the public good. Madison argued that many different groups across a large nation make it harder for one faction to control the whole government. National representation can therefore help manage conflicts that arise beyond one state's borders alone.
- ③ Federalist No. 51 also connects federalism to liberty. Madison wrote that power should be arranged so that it checks power. At the national level, the legislative, executive, and judicial branches have separate jobs and can limit one another. Federalism adds another protection because state and national governments have their own areas of authority. Madison called this a “double security” for people's rights. When valid national and state laws conflict, the Constitution's Supremacy Clause makes national law control.

2 ANSWER WITH EVIDENCE _____ Use the passage

1 Name one power of the national government and one power kept by state governments.

2 What are concurrent powers? Give one concurrent power named in the passage.

3 According to Federalist No. 10, why is it harder for one faction to control a large republic?

4 How does Federalist No. 51 say federalism protects rights, and what happens if a valid national law conflicts with a state law?

3 YOUR TURN _____ Your own words

A state creates a vehicle-emissions rule. Congress later passes a valid national rule that requires a different standard. Write exactly three sentences explaining which rule controls the conflict, how the state still has a role in federalism, and how one idea from Federalist No. 10 or Federalist No. 51 supports limited government.

PART 1 • READ AND MARK

Underline three details that show how power is divided or shared between the state and national governments. Circle one idea from each Federalist paper that explains why this system can protect liberty. Accept any marking that follows this job and points at the right text.

PART 2 • ANSWERS

#	QUESTION	ANSWER
1	Name one power of the national government and one power kept by state governments.	National government: making treaties, coining money, or regulating trade among states. States: running public schools, holding elections, or setting rules for local governments.
2	What are concurrent powers? Give one concurrent power named in the passage.	Concurrent powers are powers shared by both levels of government. One example is collecting taxes, making laws, or enforcing laws.
3	According to Federalist No. 10, why is it harder for one faction to control a large republic?	A large republic has many different groups across a large area, so it is harder for one faction to control the whole government.
4	How does Federalist No. 51 say federalism protects rights, and what happens if a valid national law conflicts with a state law?	State and national governments have separate areas of authority, creating "double security" for rights. A valid national law controls because of the Supremacy Clause.

PART 3 • YOUR TURN (SAMPLE ANSWER)

Congress's valid national vehicle rule controls when it conflicts with the state rule under the Supremacy Clause. Federalism still gives the state power to make rules in areas that do not conflict with national law, such as local school policies. Federalist No. 51 supports this arrangement because divided power creates a double security for people's rights.

Accept equivalent examples and explanations that accurately distinguish national, state, and concurrent powers. For the open response, require exactly three sentences, national law controlling a valid conflict, a continuing state role outside the conflict, and an accurate connection to either Federalist paper.