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PSC 401D-1001 State Politics

May 14, 2020

Federalism in the Wake of the Coronavirus

The United States' founders initially established a system that granted all authority to the states and none to the federal government, in an attempt to protect against tyrannical executives; when this system of government failed, more authority was granted to the federal level of government, with the caveat of the 10th amendment, which is commonly known as the "states' rights" amendment. It must have been inconceivable at the time to imagine five different types of federalism would emerge from the founders' decision to divide power in the United States the way they did.

The five types of federalism are dual federalism, cooperative federalism, centralized federalism, new federalism, and ad hoc federalism (Greenblatt and Smith). Dual federalism lasted from 1789 to 1933. It was the variety of federalism that distinctly separated responsibilities and jurisdictions, with federal and state authority in clear layers, like chocoflan. Cooperative federalism was the backlash against dual federalism, occurring once it became clear the federal and state levels of government would always end up overlapping and muddled, never following the clear layers dual federalists advocated for. It lasted from 1933 to 1964. The Great Depression was one of cooperative federalism's biggest developers as well, as local and state governments relied heavily on the federal government's money and programs to support their people, granting more authority to the federal government in exchange. Centralized federalism

was the next version of federalism to take place, occurring from 1964 to 1980; this was a shift of power to the federal government, where grants limited the restrictions placed on states, but the amount of money the federal government gave states as well. New federalism occurred as republicans attempted to limit federal authority and return power to the states, from 1980 to 2002. The last and most recent phase of federalism began after in 2002 and is ongoing at the moment; this is ad hoc federalism. Ad hoc federalism is when the federal government either supports federal authority or states' rights theory depending on which party is involved.

The United States under Covid-19 is still in ad hoc federalism. The governor of Nevada instituted a mandatory stay at home order at the end of March, and like other governors, did not sway at the prodding of a president who only desired for the economy to open up without any concern about citizens' lives. Economic growth is typically touted by both parties, but when it's combined with a lack of concern over others' well-being, it is a desire of the Republican Party. An obvious example of the U.S. still being in ad hoc federalism has been the president at first claiming that governors should be the ones in charge of the pandemic response, until he wanted to open the economy, then started talking about how the president was the most significant person in the country (Borger). Trump was obviously bouncing between federal and state responsibilities based off of what policy suited him and his party, which can also be seen in his preferential treatment of Republican states asking for supplies and resisting assisting blue states (Geltzer). Responses from the federal government, like the \$1200 stimulus checks, were largely passed through bi-partisan efforts in Congress and had very little to do with Trump. Clearly, this is one executive who doesn't know how to handle a pandemic, not that anyone should be surprised. States are lucky enough to have governors smart enough to collaborate to purchase

supplies together and not let the president divide them, however, states having to take most of the action has led to a highly uneven response to the pandemic that could only occur under federalism. While it is good to imitate states that have flattened the curve early on like Washington, more unitary governments like South Korea have handled the crisis so quickly, it's become clear there are advantages to centralized power during times of emergency.

Work Cited

Borger, Gloria. "Trump Wanted States to Take the Lead on Coronavirus. Until He Didn't." CNN, Cable News Network, 13 Apr. 2020,

www.cnn.com/2020/04/13/politics/borger-analysis-federalism-trump/index.html.

Cook, Nancy, and Dan Diamond. "A Darwinian Approach to Federalism': States Confront New Reality under Trump." POLITICO,

www.politico.com/news/2020/03/31/governors-trump-coronavirus-156875.

Diamond, Martin. "The Federalist on Federalism: 'Neither a National Nor a Federal Constitution, But a Composition of Both.'" *The Yale Law Journal* , vol. 86, no. 1273, 1977.

Geltzer, Joshua A. "Perspective | Trump's 'Corona-Federalism' Pits States against Each Other. It's a Disaster." *The Washington Post*, WP Company, 8 Apr. 2020,

www.washingtonpost.com/outlook/2020/04/08/trump-corona-federalism/.

Glick, Noah, et al. "Novel Coronavirus In Nevada: April 8-14." KUNR,

www.kunr.org/post/novel-coronavirus-nevada-april-8-14#stream/0.

Greenblatt, Alan. "Federal-State Relations." *CQ Researcher*, vol. 28, no. 16, 27 Apr. 2018.

Haffajee, Rebecca L., et al. "Thinking Globally, Acting Locally - The U.S. Response to Covid-19: NEJM." *New England Journal of Medicine*, 7 May 2020,

www.nejm.org/doi/full/10.1056/NEJMp2006740.

Law, John. "How Can We Define Federalism." *Perspectives on Federalism*, vol. 5, no. 3, 2013.

Smith, Kevin B., and Alan Greenblatt. "Chapter 2 Federalism." *Governing States and Localities*, 7th ed., CQ Press, 2020, pp. 23–47.

Wilson, Chris. "Here's How Quickly Coronavirus Is Spreading in Your State." *Time*, Time, 13 May 2020, time.com/5814139/coronavirus-state-data-tracker/.