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Federalism in the Times of Coronavirus

Today's smallest and most basic tenets of federalism as well as the different forms that it may take have the largest and most impactful implications for a system of government under stress. Moreover, due to the extenuating circumstances brought about by the COVID-19 Pandemic, the costs of unstable federalist infrastructures are alarmingly high. Such shortcomings of federalism during the COVID-19 Pandemic have created an alarming outlook that is only filled with uncertainty.

Before one can understand any implications and consequences of failing federalist systems of government, one must first fundamentally understand what federalism is. There are two ways in which to interpret and define federalism both as a term and broadly as a concept. Federalism, defined literally, is a political system in which a strong centralized government and smaller regional governments are independent of each other (Greenblatt). Federalism, defined broadly, is a system of government in which powers are divided between the national government and regional governments. To break it down even further, federalism systems provide some sort of distinction between the federal government and states' government (Greenblatt and Smith). Though the federal government is given the supreme law of the land, significant power is relegated to the states. This is reinforced by the 10th amendment that specifically preserves federal and state governments, limits federal government power to what is

explicitly written in the constitution, and gives the power of anything not listed or prohibited to states (Lawson and Schapiro). This clearly draws a line that distinguishes the powers of federal and state governments. In federalist systems, both federal and state governments are forced to work together to make sure that one is not overtaking the other. How they work together varies, especially based on the leadership of both and often can result in either good or bad outcomes. Understanding the purpose of federalism allows for clear distinctions between the advantages and disadvantages of federalism to be drawn.

There are several advantages of federalism. Federalism prevents the abuse of power through the separation of powers. Federalism allows states to be more independent. This allows policies to reflect the varying needs and desires of different states. This means that citizens can be represented more accurately. These things allow federalist systems of government to create opportunities for state autonomy, which is powerful and useful.

There are also many disadvantages of federalism. The most divisive is the supremacy clause which maintains that national law is superior. This is not always the best for states who feel that they can better perform when compared to the federal government. Another disadvantage is that federalism can bring inequity as resources aren't always distributed evenly, resulting in different quality of services in key areas such as education, welfare, and in this case public health response. This breeds an overall lack of uniformity which makes things inconsistent, which is dangerously bad during a pandemic.

Knowing the advantages and disadvantages of federalism makes it easy to understand the most important and existing stages of federalism seen in the United States government. "As we watch President Trump tell the states they have to do more to find their own personal protective

equipment for their health-care workers, governors lash back with demands for a national leader who will unlock the emergency powers of the federal government” (Duff-Brown). There are several ways to examine and interpret federalism, though two stand out amongst the rest.

These two forms are dual and cooperative forms of federalism. In a dual federalism system, both the federal and state governments work in separate spheres to achieve a goal. Further, dual federalism is a system in which the federal and state governments work and function independently of each other and even have separate jurisdictions. In a cooperative federalism system, federal and state governments work one sphere together to achieve a goal. Moreover, cooperative federalism is a system in which the federal and state governments work and function together and work with one another in joint jurisdictions.

Federalism has changed several times throughout its history and shifted its focus and emphasis back and forth from federal to state power. Sometimes it is viewed more as a perpetual conflict (Selin). Federalism has evolved based on the collective needs and demands of the people. In some states, federal regulation is unwanted and unuseful yet in other states the need for federal involvement and regulation is essential. This prompts policies, initiatives, and mandates that shape culture and political activity as a direct result of federal involvement. On the other hand, this allows some states to function better without federal involvement. These states have grown into their sovereignty and can govern their people how they see fit within their borders with minimal to no government regulation. The COVID-19 Pandemic exposes the disparity between varying levels of federalism and reveals its implications as “the federal response has been alarmingly slow to develop, fostering confusion about the nature of the virus and necessary steps to address it” (Haffajee). Further, such disparity has “has left governors battling the

president and citizens battling one another over how and when everyone should emerge from their bunkers and begin to engage in something resembling normal life” (White).

Understanding the disparity between varying levels of federalism helps reveal the state we are currently in which is a dual federalism system of governance. According to President Trump, "you are on your own" when it comes to your state's response to the COVID-19 Pandemic, as he explained during one of his press conferences (Cook and Diamond 20). Such sentiments and realities warrant that we are in a dual federalism form of government.

“The Trump White House is doubling down on a strategy to govern the coronavirus pandemic: pushing authority and responsibility for the response onto the states” (Cook and Diamond). The federal and state governments are separating their resources and making this pandemic which has left states fighting with one another as “governors have complained openly that they’re stuck competing against each other”(Cook and Diamond). Doing so creates a toxic culture where states view each other as rivals (Bulman-Pozen and Gerken). Currently operating in a dual federalist system is not working that well and has perpetuated a divisive response amongst different states based on political culture and party (Gawthrop 20). Such lack of uniformity and division has perpetuated a devastating cycle that has major repercussions for the future and irreversibly changed the lives of everyone.

From these analyses, the circumstances of the present reality created by the COVID-19 Pandemic reveal the weakest points of federalist infrastructure. The pandemic has had a devastating all across the board in several situations and scenarios. But what does this pandemic look like from an observer's perspective?

There are many implications and devastating realities this pandemic has brought about. Gas is cheap, really cheap. Bills have been extended, in some cases for a very long time prompting even moratoriums on evictions. Places where one would go to get haircuts, work out, or go out, are closed because they are “non-essential” businesses.

This has prompted panic buying: the shortage of masks, gloves, ventilators, and toilet paper. Some businesses have tried to step up to the plate to alleviate the pressures caused by this pandemic. Manufactures, distilleries, and other businesses offer assistance and relief by switching their lines to help make visors, masks, and hand sanitizer.

No matter where you look it is impossible to catch a break, literally. Borders are closed to anyone not traveling for essential needs and tourism is down as a result. Lockdowns and shutdowns have closed not just businesses but also the doors to normal life. Some lockdowns are especially devastating especially in Las Vegas and particularly for Mayor Goodman.

Such realities, social impacts, and implications have shifted civic culture as a result. Physical distancing feels much more like social distancing. No going to the park with family, friends, or pets. No going out to social pastimes like weekend brunch or birthday dinners because hugs and handshakes are the difference between life and death for many people.

Personally, this pandemic has manifested in the form of not just a fight for survival for a fight to live after suffering from a severe case that I have still yet to fully recover from. The isolation, uncertainty, and disruption of normal life are detrimental to a dedicated student, established leader, and emerging professional just like for the rest of the world. It may have even felt like rock bottom. Though rock bottom is not the end, it is the foundation upon which better times are built.

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