

Argumentative essay on the relationship between the federal government and states...

[Law](#), [Constitution](#)



The government of the U. S. has been on constant change. Since the independence of the United States till present, a lot has changed . The United States Central and the states government has undergone a lot of transition to the current date where their relationship as well was not left unaffected. The United States constitution provides for a link between the congress and the state government.

Articles of confederation

The articles of confederation are thirteen and they served as the initial constitution of the independent U. S. They stipulated how the central government was to operate and relate with the states.

The provisions of the Articles

These articles created an integration of and a perpetual union of the independent states thus limiting the powers of the National government. In the central government was the House of congress in which each of the states had a one vote. The articles in addition empowered the congress to borrow coin or even appropriate funds besides being able to declare war and order, sign alliances and treaties with other nations. The congress also had power upon budgeting the costs of the government to request the states to make donations so as to meet the government budgets. As such the government was financed by the States of which the donations were not equal in all states (Barbara).

The articles did not provide for autonomous executive arm of the government as well it did not allow any veto on law making. The judiciary

was respected by all the states. A constitutional amendment to the articles was supposed to be approved by all the states.

Virginia and New Jersey plans

The Virginia plan had a proposal of a central government that could not only legislate the laws but also enforce them. The central government was also empowered to levy taxes. According to these plans, America would have two governments: the central and the state governments. This is what is referred to as a federal government is. Besides dealing with representation in the Parliament, it also addresses other issues. It specified that, the central government should be divided into three arms. That is, Parliament, Executive and the judiciary. The Virginia plans are said to have favored the populated states as both the two houses were to have proportional legislation. Smaller states were scared over these plans and they claimed that these plans were not democratic as they suppressed them (John). Eventually after the hot debate was over, the smaller states came up with their own plans the New Jersey plans. It is also referred to as Paterson Plan This plans provided for a legislature with one house and also equal representation. This plan was seen as a part of the articles of confederation.

Federalist papers

They were printed in 1787 to request voters in New York to ratify the proposed draft constitution. The series of 85 essays which are a major source in interpreting the constitution of U. S. These papers give an outline of a lucid version of the motivation of the system of government that was

proposed. The federalists sought to persuade the vote in support of ratification.

United States Constitution

This is the supreme law of the U. S. A. It stipulates the organization of the government of the United States and it also provide for the relationship that exists between the central government and its states, and the people of the United States (Barbara).

It creates three arms of the U. S government. This includes the Parliament, The executive and the Judiciary. Besides, it creates the duties and powers of each and every arm of the government. It also reserves the powers of the states.

The constitution of America creates a government that is federal. This means that power is shared between the central or National government and the local governments (states). Despite the fact that each of the state has its own constitution, no section of these constitutions should contravene the U. S constitution. For instance, a state constitution has no power to deny the accused the right to trial. This is assured in the United States constitutional amendment no. 6. Some of the powers that are provided for by the constitution for the central government include: Declaration of war and order, minting money, signing treaties with other powers, legislating statutes that are vital for enforcing the constitution. On the other hand the powers that are reserved for the state governments include conducting elections, establishing local governments, ratifying the amendment that are

proposed, establishing local governments, the provision of safety and public health besides other powers that are shared by both the national and local government. They include: collecting taxes, borrowing money, making laws, general developments of infrastructure, setting up courts among others (Gregory).

There has been a conflict of power allocation between the two types of government in U. S. In a convention in 1787 delegates observed that, the constitution lacked a clear explanation of the locus of independence. This left people to deduce that, the constitution created two centers of power. However the central government is more powerful than the local governments.

A powerful and consolidated central government will run a roughshod in the States. In the old days, rights in the States were protected. An early debate was concerned whether the states were falling in the jurisdiction of the federal government and the Supreme Court'. The case CHISHOLM V. GEORGIA, the court ruled that, the state was subject to the judicial review. This saw the push for the eleventh amendment (U. S. Congress).

Two federalists, James Madison and T. Jefferson, made the proposal that, the VIRGINIA AND KENTUCKY RESOLVES to make the role of states in maintaining checks and balances in the powers of the central government clear. This led to the passage of ALIEN ENEMIES AND SEDITION ACTS in 1798. This limited number of liberties.

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