Are federal systems superior to unitary systems? Practically speaking, the question is probably moot as the Constitution guarantees a federal form of government and no state would be willing to surrender almost complete authority to a centralized government. The adoption of federalism was largely a response to ensure greater security for the states against external and internal threats, not merely a carefully considered experiment in governmental design. Taking the comparative perspective, however, it makes sense to ask what are the advantages or disadvantages of a federal system?

Advantages of Federalism

Advocates of federalism argue that it prevents the concentration of power by dispersing it. Fear of a tyrannical national government was a motivating factor behind federalism, separation of powers, and the Bill of Rights. By reserving certain powers to the states, the framers believed
oppressive government would be less likely to occur. Maintaining autonomous state governments also provides a training ground for national leadership and assures that when a political party loses elections at the national level it will retain bases of operation at the state level. Federalism is also argued to increase citizen participation and government responsiveness by keeping government closer to the people. State governments are in a better position to handle many policy concerns because elected officials at the state level are more likely to be familiar with regional issues and local conditions than federal officials.

Federalism also promotes policy innovation. The Supreme Court Justice Louis Brandeis described the fifty states as "laboratories of democracy." States, as well as the national government, can learn from each other's successes and failures. Contrasting policies implicating such diverse issues as taxation, same-sex marriage, medical use of marijuana, environmental quality, and physician-assisted suicide reflect an intensity of experimentation that is much less likely to happen in a unitary system. This diversity of programs and practices highlights an additional advantage of federalism: it allows citizens and businesses to vote with their feet. If an individual doesn’t care for the policies of a particular state he or she is always free to move to another state. Freedom of choice guarantees that state governments will be more responsive to the wishes of their citizens than might otherwise be the case.

Disadvantages of Federalism

Critics of federalism observe that it results
Hurricane Katrina is now an iconic case of how multiple levels of government and overlapping jurisdiction can result in catastrophic failure. Federalism also permits state policies that may undermine the interests of nearby states. Consider the case of a state where gambling is legal situated next to a state that prohibits it. The latter state’s attempt at regulating public morality and criminality may be undermined as its citizens and criminal elements flock to the state that has legalized gambling. Federalism is also criticized for creating a political environment that can result in a race-to-the-bottom in terms of goods and services provided by state governments. As states compete for business and investment, businesses can forum shop for states with the lowest taxes, fewest regulations and best business climate. This puts states in competition with each other and can exert downward pressure on taxes (which may contribute to a greater quality of life for citizens through better schools and hospitals) and regulations (which may result in healthier environment and safer products). Finally, to those who extol federalism’s virtue in bringing democracy closer to its citizens through greater local control, critics point to cases where federalism has actually reinforced injustice and undemocratic practices. The perseverance of racial segregation in the southern states for almost one hundred years after the end of the Civil War is a glaring example.

The Advantages and Disadvantages of Federalism
Such issues as same-sex marriage, the medical use of marijuana, and response to natural disasters illustrate how a federal system of government impacts our ability to address issues facing our country. This activity examines the advantages and disadvantages of federalism.

Virtual Roundtable

Most democracies of the world have a unitary system of government, in which power flows from the national government. In the United States, power is shared between the national and state governments in a system defined as federalism. What are the advantages and disadvantages of federalism?

Additional Resources

Websites

The Federalist Society
An organization for conservatives and libertarians seeking reform of the current American legal system in accordance with a textualist or originalist interpretation of the US Constitution. Emphasizes judicial restraint, separation of powers, and the legality of states' rights.

**The American Constitutional Society**

A liberal progressive legal organization which has as its mission the promotion of "the vitality of the US Constitution and the fundamental values it expresses: individual rights and liberties, genuine equality, access to justice, democracy and the rule of law."

**Note Taking**

Evernote is an app for creating, organizing and saving class notes. Learn more about Evernote and how it could support your studies at [evernote.com](http://evernote.com).