

**Terms to Remember:****powers**

enumerated/written  
delegated/to federal  
reserved/to states  
concurrent/shared  
police  
emergency  
inherent/implicit  
prohibited

**functions**

unite consent/union  
justice system  
defense  
safety  
welfare  
protect liberty

**structures**

unitary  
confederacy  
federal

**clauses**

supremacy  
necessary & proper/elastic

**types of federalism**

dual  
cooperative  
fiscal

block grant  
categorical grant  
project grant  
formula grant  
unfunded mandate

**cases**

*McCulloch v. Maryland*  
*Gibbons v. Ogden*

**other terms**

full faith & credit  
privileges & immunities

**Questions:**

1. How would you describe the structure of the US government?
2. What is the difference between dual and cooperative federalism?
3. How would you define full faith & credit? Can you provide an example?
4. Why are ex post facto laws prohibited?
5. Why study the McCulloch and Ogden cases?
6. Can you list the six basic functions of government and where is this list written for all citizens of the US to read?
7. How is power in a federal system both centralized and decentralized at the same time?
8. What is the purpose of the necessary and proper or elastic clause in the U. S. *Constitution*?
9. What is the difference between a block and categorical grant?

- Answers:
1. federal structure with branches and levels of government dual means separate roles and cooperative means levels of government share power and cooperate to achieve basic functions of government
  3. states accept licenses, court judgments, etc. from other states (custody papers, marriage and divorce records)
  4. they remove the element of consent and make people vulnerable to governmental whims
  5. McCulloch was one of the first tests of the necessary and proper clause from Article I of the *Constitution*; state action should not interfere with national action under authority of the *Constitution*; Ogden is about federal/national law having precedence over state law
  6. the basic functions of government arise from the preamble to the Constitution—form a union, establish justice, provide for the common defense, ensure domestic tranquility, provide for the general welfare, protect liberty; essential to good government according to the authors of the Constitution and the delegates to the Constitutional Convention
  7. a combination of power sharing over items such as taxation and infrastructure as well as separate spheres of power between state and federal levels of government regarding such issues as printing money and regulating voting requirements indicate the coexistence of centralized and decentralized powers
  8. there was recognition that the document would require potentially constant change if the government relied solely on written or enumerated powers; a bit of elasticity was inserted through this clause making the document flexible to changes in the country socially, geographically, politically, economically, etc.
  9. grants are used for policy activities that advance national objectives; block grants give more flexibility in spending the money while categorical grants limit use of funds to specific criteria