5.4 US Federalism: The Changing Relationship Between Federal and State Government: 30-minute Pack

EDEXCEL 9PL0 · about 30 minutes

Total Marks

Name: _____ Date: ____ / ____ / _____

Answer ALL questions.

1 Evaluate the view that federal government power has grown at the expense of the states in the US federal system.

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(Total for Question 1 is 30 marks)

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Mark scheme · 5.4 US Federalism: The Changing Relationship Between Federal and State Government: 30-minute Pack

Question 1

Level 0 No relevant content.	**0**
Level 1 Basic knowledge of federalism with limited analysis. May list developments such as the Commerce Clause or New Deal without linking them to an argument that federal power has grown.	**1-7**
Level 2 Clear, accurate knowledge of multiple developments (e.g. New Deal expansion, Commerce Clause cases, federal grants) and some analysis of how these increased federal power. Evaluation present but could be one-sided or limited in depth.	**8-15**
Level 3 Detailed, accurate knowledge and sustained analysis: explains mechanisms of federal growth (constitutional interpretation, grants, conditional funding, national crises), examines countervailing trends (judicial restraint, New Federalism, block grants, state innovation), and begins to weigh their relative importance.	**16-23**
Level 4 Sophisticated, well-evidenced evaluation that balances historical and contemporary evidence. Thorough AO1 knowledge of landmark cases and policy developments, strong AO2 analysis of causal mechanisms, and AO3 judgement on the extent of federal growth versus enduring state power. Reaches a clear, supported conclusion.	**24-30**

Indicative content:

- Evidence for growth of federal power: New Deal era expansion through federal programmes and regulatory agencies established broad national roles in welfare, labor and economic regulation; the Commerce Clause was interpreted expansively in many 20th-century cases, enabling federal regulation of previously local matters.
- Federal fiscal tools: categorical grants, conditional funding and intertwined federal-state programmes such as Medicaid give the federal government leverage to set national policy by tying funds to conditions, diminishing pure state autonomy.
- National crises and events: wars, economic depressions and national emergencies often expand federal authority and institutional capacity, shifting long-term balances in favour of the national government.
- Judicial support and limits: while early 20th-century jurisprudence often allowed federal expansion, later Supreme Court decisions such as United States v. Lopez (1995) and United States v. Morrison (2000) signalled judicial constraints on Commerce Clause reach, highlighting limits to federal growth.
- Evidence of enduring or resurging state power: the New Federalism movement, block grants (e.g. TANF), and state-level policy innovation on healthcare, cannabis, and environmental regulation show states reclaiming policy space and tailoring programmes to local preferences.
- Practical constraints on federal power: political costs, administrative capacity and prosecutorial discretion can limit federal enforcement even where legal authority exists, as in federal responses to state cannabis legalisation.
- Complex interaction: federal growth is not uniform across all policy areas; some domains such as national defence and monetary policy are clearly national, while others like criminal law, education and public health show continuing state significance and frequent tension.
- Judgement: a high-quality answer weighs the scale and persistence of federal growth against clear countervailing evidence of state resilience and occasional retrenchment, concluding that federal power has grown significantly in many areas, but that states retain substantial autonomy and capacity to shape policy, so the growth is significant but not absolute.

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