Clause 2 of Article VI of the Constitution has become known as the supremacy clause. The wording of this clause has been used to establish the supremacy of the federal government in the United States. This supremacy clause also provides the foundation of several fundamental doctrines in the nation’s system of government. Among these key doctrines are federalism, sovereignty, judicial review, and constitutional interpretation.

Federalism

Federalism defines the relationship between the national government and the states. The Articles of Confederation, the nation’s first constitution adopted in 1781, established the first system of government for the thirteen American states. But the Articles proved unworkable as a framework for government. Under them, the central government had sole powers in foreign affairs as well as over western lands and Indian affairs. State governments had no power in these matters. But the central government had no executive branch or judicial branch. Instead, Congress exercised the legislative powers, and committees of Congress carried out the laws as well. Even so, the central government was weak, because it lacked the power to tax or regulate citizens directly and had to depend on the state governments to do so.

In 1789, the Constitution of the United States was adopted, replacing the Articles of Confederation. The Constitution strengthened the power of the central government, dividing its power among three separate branches. Congress headed the legislative, or lawmaking, branch; the president was the head of the executive branch, which enforced the laws; and the Supreme Court and lower federal courts made up the judicial branch. The Constitution granted the national government important powers, but it also reserved many other powers to state governments.

The Constitution also provided for concurrent powers, or powers that both the national government and the state governments could exercise, such as legislation regulating the economy. As a result, states might pass laws on the same subject covered by laws enacted by Congress. In such cases, the question arose: Which law should citizens obey? The supremacy clause provided the answer. When state laws conflict with federal legislation, the federal law is supreme.