

## Comparing the Confederate and United States Constitutions: A Federalism Analysis

Section	Confederate Constitution	US Constitution	Significance of Difference
Preamble	We the people of the Confederate States, <i>each state acting in its sovereign and independent character</i>	We the people . . .	Reinforces state sovereignty
Art. I, § 1	all legislative powers herein <i>delegated</i>	all legislative powers herein <u>granted</u>	powers are <b>delegated</b> from superior to inferior authorities
Art. I, § 2, cl 5	<i>any judicial or other Federal officer, resident and acting solely within the limits of any State, may be impeached by a vote of 2/3 of both branches of the Legislature thereof</i>	N/A	reinforces State supremacy over federal gov't by giving States control over federal officers
Art. I, § 8, cl. 1	Congress has power to lay and collect taxes ... <i>for revenue necessary to pay the debts</i>	Congress has power to lay and collect taxes ... to pay the debts	Perhaps taxing power is limited to revenue raising and cannot be used for regulatory purposes.
"	. . . provide for the common defense, and <i>carry on the Government</i> of the Confederate States	provide for the common defense and <u>General Welfare of the United States</u>	Spending limited to defense and administration; cannot be used for regulatory purposes
Art. I, § 8, cl 3	[commerce power] <i>shall [n]ever be construed to delegate the power to Congress to appropriate money for any internal improvement intended to facilitate commerce</i>	N/A	Congress does not have power over internal commerce
Art. I, § 9, cl. 9	<i>Congress shall appropriate no money from the Treasury, except by a vote of 2/3 of both Houses...</i>	N/A	Reinforces limits on congressional power to spend
Art. VI, § 6	The powers not delegated to the Confederate States ... are reserved to the States, respectively, or to the people <i>thereof</i>	Tenth amendment is the same, except for last word	Doctrine of reserved powers unencumbered by ambiguous reference to "the people." People <b>of the</b> states means the States.