CHAPTER 3

Political Identity and American Federalism

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1 Introduction

In a famous passage in his ‘Notes on the State of Virginia’, composed a decade after he penned the Declaration of Independence that gave birth to the United States, Thomas Jefferson referred to Virginia as “his country.” Independence had been won and the Articles of Confederation created, yet Jefferson’s political identity still remained resolutely state-centred. And Jefferson was hardly alone. Several delegates at the Philadelphia Constitutional Convention in 1787 threatened that their states would pursue their political future alone if their interests were not adequately protected by the new Constitution being

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1 This terminology occurs throughout the ‘Notes on Virginia’. See, for example, Query XII and Query XVII, available at: http://etext.virginia.edu/etcbin/toccer-new2?id=JefVirg.sgm&images=images/modeng&data=/texts/english/modeng/parsed&tag=public&part=1&division=dv1 (accessed 14 October 2013). Some scholars cite the creation of the Articles of Confederation as evidence that "the [American] people's sense of collective political identity was on the rise" even during the eighteenth century. See M. Feeley and E. Rubin, Federalism: Political Identity and Tragic Compromise (Ann Arbor: University of Michigan Press, 2008) 101. But the Articles were no more than a mechanism for cooperation for limited purposes and hardly excited loyalty or enthusiasm. See D.C. Hendrickson, Peace Pact: The Lost World of the American Founding (Lawrence: University Press of Kansas, 2003).
drafted. Federalism, then, was never really a choice for the convention dele-
gates; it was a necessary recognition of existing political allegiances.

Fast forward two centuries or so, and these proclamations of state allegiance
sound quaint, if not altogether incomprehensible. Political loyalties and iden-
tities in the United States are overwhelmingly national—indeed, when in 2009
Governor Rick Perry of Texas expressed sympathy for a group that was advoc-
cating Texas secession, his comments were greeted with scorn; and when an
extremist group started collecting signatures on a secession petition following
the 2012 elections, Perry felt obliged to repudiate the movement.

Yet if almost all Americans today view the United States as their primary
loyalty, what has produced this shift in political identity? And what has been
the effect of this shift for American federalism? The importance of these ques-
tions is underscored by the sharp contrast between the United States and other
federal or quasi-federal systems—for example, Belgium, Canada, and Spain—
where subnational identities and loyalties remain strong and where dissolu-
tion of the federation remains a live option. If the United States remains
federal, what ensures this, and how durable is this basis? Answering these
questions is the aim of this paper. I first identify various factors that have
been identified as those creating political identity, then look at the operation
(or non-operation) of those factors in the United States, and conclude with an
assessment of the underpinnings of contemporary American federalism.

2 Bases of Political Identity

Perhaps the primary rationale for federalism today is that it helps accommo-
date multiple political identities. Dimitrios Karmis and Wayne Norman char-
acterize this as ‘federal identity’, that is, “a dual or plural identity that both
generates and reflects the duality or plurality of political levels characteristic
of federal systems.” Yet if citizens are attached to multiple governing

\[ \text{This was not perceived as an empty threat—see The Federalist Papers Nos. 6–8.} \]
\[ \text{D. Karmis and W. Norman, “The Revival of Federalism in Normative Political Theory”, in D. Karmis and W. Norman (eds.), Theories of Federalism: A Reader (New York: Palgrave Macmillan, 2005) 9. As Malcolm Feeley and Edward Rubin have observed: “Federalism becomes useful when people's political identities conflict but their political lives are intertwined as members of a single polity or as members of different polities that want to join together.” See M. Feeley and E. Rubin, Federalism, supra, 151.} \]