**Citation:**

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**Other Sources:**

<http://ssrn.com/abstract=2044094>

**Abstract:**

As we wrote last year, the U.S. Supreme Court has shown considerable interest during the past decade in reconsidering many constitutional doctrines regarding federalism and congressional power. In a series of important decisions, always decided with the same five justices in the majority, the Court has begun to redefine the federal-state relationship and the scope of federal authority. The past term generally continued that trend, with one important commerce power decision, one significant Eleventh Amendment/Fourteenth Amendment decision, and a number of decisions that involve or affect federalism and the scope of federal power, although the Court sometimes relied on statutory interpretation to avoid serious constitutional issues. Part I of this article describes the most recent decisions.