

## American Government Study Guide

1. **Unitary** - gives all the power to the central government; central government may delegate (or transfer) some duties to smaller political units like cities but it retains final authority over all decisions. Unitary central governments are stronger than federal central governments. Sets uniform policies and laws that direct the entire nation; disregards local differences.

2. **Confederal** -(confederate or confederation) - a loose alliance of countries or other political units like states. Each unit has final control of its own laws and citizens; central government makes decisions only on issues that affect the entire confederation. Confederations can be unstable because members often want to do things their own way. Gives local/regional governments almost complete control; sets no significant uniform national policies.

3. **Federal** - divide power between the central government and the government of smaller political units like states. Most federal systems give a lot of power to the lower governments to handle local affairs. The central government handles issues that concern the entire country, like maintaining armed forces and negotiating treaties with foreign countries. Gives local governments more power; sacrifices national uniformity on some issues.

4. **Oligarchic** - control rests with a small group of people with wealth or power. In most cases, citizen participation is restricted to the ruling group.

5. **Autocratic** - one leader holds complete power. An autocracy is the opposite of a democracy. Citizens have no participation in government when living under an autocratic system.

6. **Democratic** - people hold supreme power. Usually, they exercise their power by electing officials to represent them. All citizens have equal rights to participate in government regardless of their position or wealth.

7. **Presidential Democracy** - citizens elect the legislators and executive separately. No one can be both a legislator and the executive at the same time.

8. **Parliamentary Democracy** - citizens elect officials to act as legislators. The legislature then elects the executive (frequently called the *prime minister*) from its members.

9. **Magna Carta** - charter of English political and civil liberties granted by King John at Runnymede, UK in June 1215; document or piece of legislation that serves as a guarantee of basic rights; a document constituting a fundamental guarantee of rights and privileges.

10. **Petition of Rights** - (1628) petition sent by the English Parliament to King Charles I complaining of a series of breaches of law. The petition sought recognition of four principles: no taxation without the consent of Parliament, no imprisonment without cause, no quartering of soldiers on subjects, and no martial in peacetime. To continue receiving subsidies for his policies, Charles was compelled to accept the petition, but he later ignored its principles.

11. **English Bill of Rights** - The 1689 English Bill of Rights was a British Law, passed by the Parliament of Great Britain in 1689 that declared the rights and liberties of the people and settling the succession in William III and Mary II following the Glorious Revolution of 1688 when James II was kicked to the curb.

- A frequently summoned Parliament and free elections
- Members should have freedom of speech in Parliament
- No armies should be raised in peacetime
- No taxes could be levied, without the authority of parliament
- Laws should not be dispensed with, or suspended, without the consent of parliament
- No excessive fines should imposed, nor cruel and unusual punishments inflicted
- Established a constitutional monarchy in the United Kingdom

12. **Constitutional monarchy** - form of government in which a king or queen acts as Head of State. The ability to make and pass legislation resides with an elected Parliament, not with the Monarch.

13. **Social Contract Theory** - an actual or hypothetical compact, or agreement, between the ruled and their rulers, defining the rights and duties of each; people gave the government its power to rule, in return the government had to protect and respect the people's rights.

14. **Thomas Hobbes, *Leviathan*** – Life without government is “nasty, brutish, and short.” Agreement by which people give up some individual freedom in exchange for peace and order. Favored absolute government (monarchy).

16. **John Locke, *Two Treatises on Government*** – expanded on Social Contract Theory; government must protect natural rights (life, liberty, and property), if rights are not protected, the government can be changed. Favored limited, representative government (democracy, republic). Locke’s work influenced Thomas Jefferson when he wrote the Declaration of Independence.

17. **Charles Montesquieu (1689 - 1755)** – Developed the theory of separation of powers in his book, *Spirit of Laws*; divided power among three branches– Legislative, Executive, and Judicial Branches.

18. ***The Spirit of Laws*** - book detailing how power in government should be divided among three branches– Legislative, Executive, and Judicial.

19. ***The U.S. Declaration of Independence*** - Written primarily by Thomas Jefferson, declaring the independence of the American colonies from Great Britain in 1776, thus creating the United States of America.

20. **Influence of Social Contract Theory on the U.S. Declaration of Independence** -

- Jefferson’s use of Locke’s theory of natural rights – “life, liberty, and the pursuit of happiness”
- Jefferson’s use of Locke’s theory of “consent of the governed” and the people’s right to change a government that does not protect natural rights

21. **U.S. Declaration of Independence as a persuasive document:**

- Introduction – states purpose of document and general rights
- Body – lists specific complaints against King George III
- Resolution!
- Conclusion – determination to separate from Great Britain

22. **The U.S. Constitution** -

- The document that created the plan and structure of the U.S. government after the American Revolution
- The second plan of government for the United States (after the Articles of Confederation)
- James Madison is known as the “father of the Constitution.”

23. **Federalists** – those who supported ratification, in favor of stronger national government. Argued that stronger national government was needed to protect citizens and their rights.

24. **Anti-Federalists** – those who opposed ratification, in favor of stronger state governments. Argued that since no Bill of Rights was included in the document, the stronger national government would infringe on the rights of the people. Also argued that the Constitutional Convention was not given the power to create a new form of government.

25. **Debate over Ratification of the United States Constitution** -

- Only nine states were needed to ratify the Constitution, but without the support of New York and Virginia, the new government would not last.
- Alexander Hamilton, James Madison, and John Jay wrote *The Federalist*, a collection of essays published in New York, to convince voters to support ratification.
- The Constitution was ratified when Federalists promised to add a Bill of Rights. Eventually all 13 states ratified the document.

26. **There are 6 major principles of the Constitution:**

- **Popular Sovereignty** - rule by the people
- **Federalism** - power is divided between national and state governments
- **Separation of Powers** – national government power is divided among the legislative, executive, and judicial branches
- **Checks and Balances** - each branch of government exercises some powers over the others, guarantees that no branch of government will become too powerful.
- **Judicial Review** - the power of the courts to overturn laws and actions of national, state, and local governments, ensures that laws made by Congress and the states do not violate individual rights. Established by the *Marbury v. Madison* case (1803).
- **Limited Government (Rule of Law)** - the Constitution limits government actions by specifying its powers and listing powers it does not have.

27. **Structure of Legislative Branch:**

- Congress is a bicameral (two house) legislature
- House of Representatives, 435 members, representation based on population, members elected to 2-year terms
- Senate, 100 members, 2 from each state, members elected to 6-year terms, 1/3 of Senate elected every 2 years

## 28. Powers of the Legislative Branch:

- Primary power and duty is to make laws
- In order to become law, a bill must be approved by the majority of both houses.
- Congress has 18 expressed (enumerated) powers. These powers are written in the U.S. Constitution
- Congress can make laws in the following areas:
  - Economic Powers:
    - Levy taxes
    - Borrow money
    - Regulate Commerce
    - Coin Money
    - Punish Counterfeiting
  - Defense Powers:
    - Punish piracies
    - Declare war
    - Raise, support, and regulate the armed forces
    - Provide a navy
    - Call and organize a militia
  - Other Powers:
    - Naturalize citizens
    - Establish Post Offices
    - Secure Patents and Copyrights
    - Establish Courts
    - Govern the District of Columbia
- Congress also has powers not specifically written in the Constitution. These implied powers are required for the government to carry out the expressed powers. Example: Establishing immigration laws is an expressed power. Limiting the number of immigrants is an implied power.

## 29. House of Representatives -

- 435 Representatives
- Based on state's Population
- 2-year terms
- Entire House elected every 2 years
- At least 25 years old
- U.S. citizen for at least 7 years
- Resident of the state where elected

## 30. Senate -

- 100 Senators
- 2 from each state
- 6-year terms
- 1/3 of Senate elected every 2 years
- At least 30 years old
- U.S. citizen for at least 9 years
- Resident of the state where elected

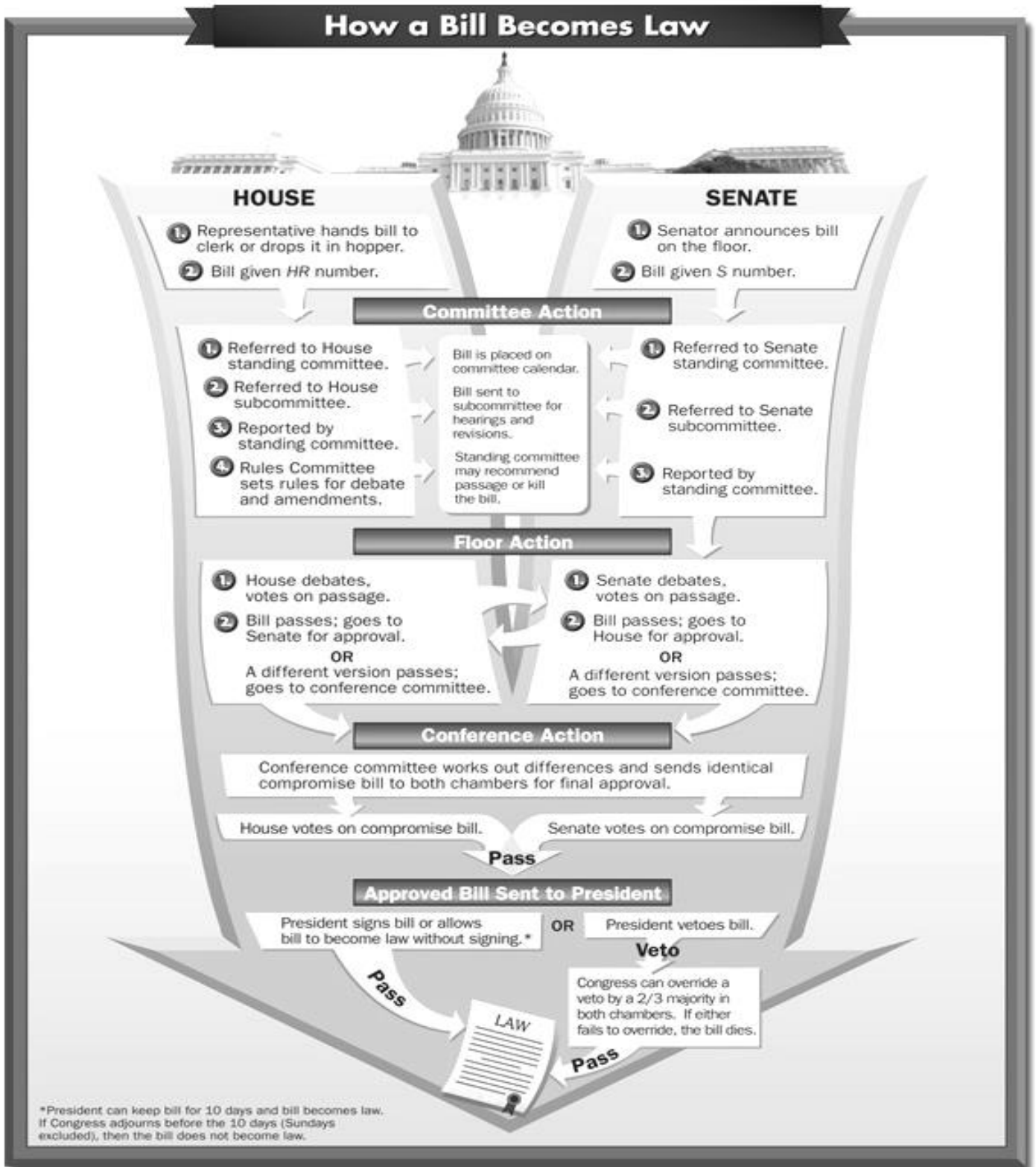
## 31. Leadership in the House of Representatives:

- **Speaker of the House** - acts as the leader of the U.S. House of Representatives.
- **Majority Leader** - second-in-command to the Speaker of the House.
- **Minority Leader** - serves as the floor leader of the "loyal opposition," and minority counterpart to the Speaker of the House.
- **Majority Whip** - responsible for assisting the **majority's party** leadership in bringing the party's bills to the House floor, maintaining communication between the leadership of the party and its members, counting votes on key legislation, and persuading Members to vote for the party position.
- **Minority Whip** - responsible for assisting the **minority's party** leadership in bringing the party's bills to the House floor, maintaining communication between the leadership of the party and its members, counting votes on key legislation, and persuading Members to vote for the party position.

## 32. Leadership in the Senate:

- **President of the Senate (Vice President of U.S.)** - presides over the Senate as its President. The Vice President cannot vote except to break a tie.
- **President Pro-Tempore** - in the absence of the Vice President, the President pro tempore acts as President. The Senate has the right to choose the President pro tempore and is usually the most senior member of the majority party. This person becomes third in line of succession for the presidency, after the Vice President and the Speaker of the House.
- **Majority Leader** - The Senate Majority Leader (also called Senate Floor Leader), who is a Senator elected by his or her party to serve as their primary spokesperson and to manage the legislative sessions.
- **Minority Leader** - the party member who directs the activities of the minority party on the floor of a legislative body, as of the U.S. Congress.
- **Majority Whip** - responsible for assisting the **majority's party** leadership in bringing the party's bills to the Senate floor, maintaining communication between the leadership of the party and its members, counting votes on key legislation, and persuading Members to vote for the party position.
- **Minority Whip** - responsible for assisting the **minority's party** leadership in bringing the party's bills to the Senate floor, maintaining

communication between the leadership of the party and its members, counting votes on key legislation, and persuading Members to vote for the party position.



### 33. Functions of Leadership Positions in Congress:

- **Speaker of the House:**
  - Presides over the House of Representatives
  - Elected by the House, member of majority party
  - Refers bills to standing committees
  - Rules on points of order
  - Puts questions to a vote
  - Assigns members to committees
- **President of the Senate:**
  - Serves as Vice President of the United States
  - Presides over the Senate
  - Votes only in the case of a tie
- **President Pro-Tempore of the Senate:**
  - Presides over the Senate in absence of the President
- **Committee Chair Persons:**
  - Lead the Standing (Permanent) Committees in each house
  - Chosen from the majority party
  - Decide when committee will meet
  - Choose what bills to discuss, whether to hold public hearings, and what witnesses to call
  - Steer bills from committee to final passage

34. **Impeachment** - a formal accusation of misconduct against a public official by the House of Representatives.

### 35. The Impeachment Process -

- Congress has the power to remove officials of the executive or judicial branches from office by the process of impeachment.
- Majority of House of Representatives must vote to impeach
- Senate conducts the trial
- Agreement of 2/3 of the Senate is required to convict and remove from office
- Chief Justice presides over the Senate if the President is being tried.
- Two examples: Presidents Andrew Johnson and William J. Clinton – both were impeached, but not convicted

### 36. Structure of the Executive Branch -

- The Executive Branch includes the President, the Vice President, the Cabinet and their departments, and government agencies
- Presidential elections are held every four years. The President may serve a maximum of two four-year terms, as established by the 22<sup>nd</sup> Amendment.

- If the President dies in office or becomes disabled, the Vice President assumes the duties of the Presidency, permanently or temporarily.

### 37. Powers of the Executive Branch:

- Acts as Commander in chief of armed forces
- Appoints heads of the cabinet (Senate approval)
- May pardon people convicted of a federal crime.
- Make treaties with foreign governments (Senate approval).
- Appoints ambassadors, federal judges (Senate approval)
- Delivers a State of the Union Message
- Calls Congress into special session
- Meets with heads of state of foreign countries
- Commissions all military officers
- Ensures that the laws of the Constitution are “faithfully executed.”

### 38. Roles of the President where powers are exercised:

- Commander in chief
- Chief Executive
- Chief Agenda Setter
- Representative of the Nation
- Chief of State
- Foreign Policy Leader
- National Party Leader

### 39. Functions of the Cabinet -

- Cabinet: heads of the 15 executive departments, the Vice President, and other top officials that help the President make decisions and policy
- Influence the president’s decisions on matters related to their departments’ areas of interest.

40. **Secretary of State** - the president’s advisor and representative for everything that has to do with foreign affairs. (State Department)

41. **Secretary of Defense** - the president’s advisor and representative for everything that has to do with military issues. (Defense Department)

42. **Secretary of Treasury** - the president’s advisor and representative for everything that has to do with money and economic issues. (Treasury Department)

43. **Secretary of Homeland Security** - the president’s advisor and representative for everything that has to do with our country’s security and safety. Created after the 9/11 terrorists attacks.

44. **Attorney General** (Head of the Department of Justice) - the president's advisor and representative on everything that has to do with legal questions and legal issues.

45. **Structure of the Judicial Branch -**

- Supreme Court and "lower courts," which include federal District Courts and federal Courts of Appeals, among others
- Supreme Court has final authority in all matters of jurisprudence (any law-related issue)

46. **Powers of the Judicial Branch -**

- Federal Courts have jurisdiction (authority to rule on cases) in all of the following cases:
- Cases involving United States laws, treaties with foreign nations, or interpreting the Constitution.
- Cases involving law at sea
- Cases involving bankruptcy
- Cases involving disputes between states

47. **Powers of the Supreme Court -**

- **Judicial Review** – power to declare laws and actions of local, state, and national governments unconstitutional
- Rules on appeals from state supreme courts

48. **State Courts** - have jurisdiction in all cases involving state laws. Most cases are handled at the state level.

49. **Establishment of Judicial Review -**

- Established by *Marbury v. Madison*
- Chief Justice John Marshall ruled that the Supreme Court had the power to review acts of Congress - **Judicial Review**.
- The Supreme Court ruled that a Congressional law was unconstitutional, and thus expanded the power of the Court.

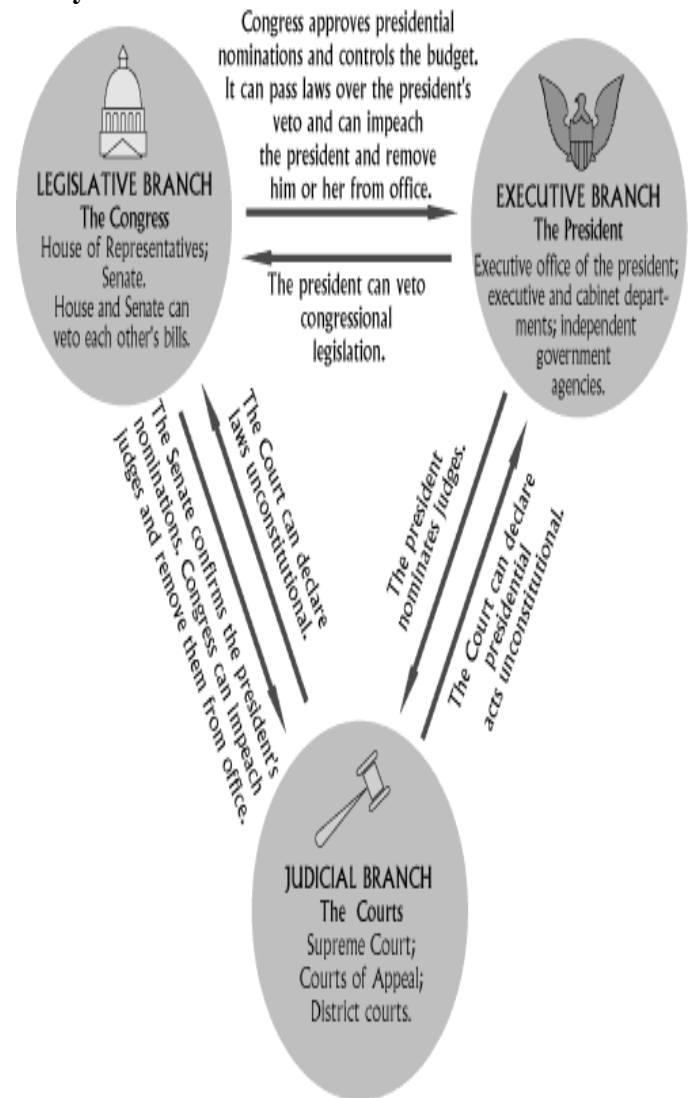
50. **The Supreme Court of the United States -**

- Highest Court in the United States
- Composed of 8 Associate Justices and 1 Chief Justice
- Appointed for life terms by the President, with Senate confirmation
- Has original jurisdiction (authority of a trial court to be first to hear a case) in the following types of cases:
- Disputes between states
- Disputes involving diplomats and foreign governments
- Has appellate jurisdiction (authority of a trial court to hear a case on appeal from a lower court) from lower federal courts and state supreme courts

51. **Supreme Court Decision Making Process-**

- Deciding which case to hear
- Deciding the case itself
- Determining the explanation for the decision (Opinion)

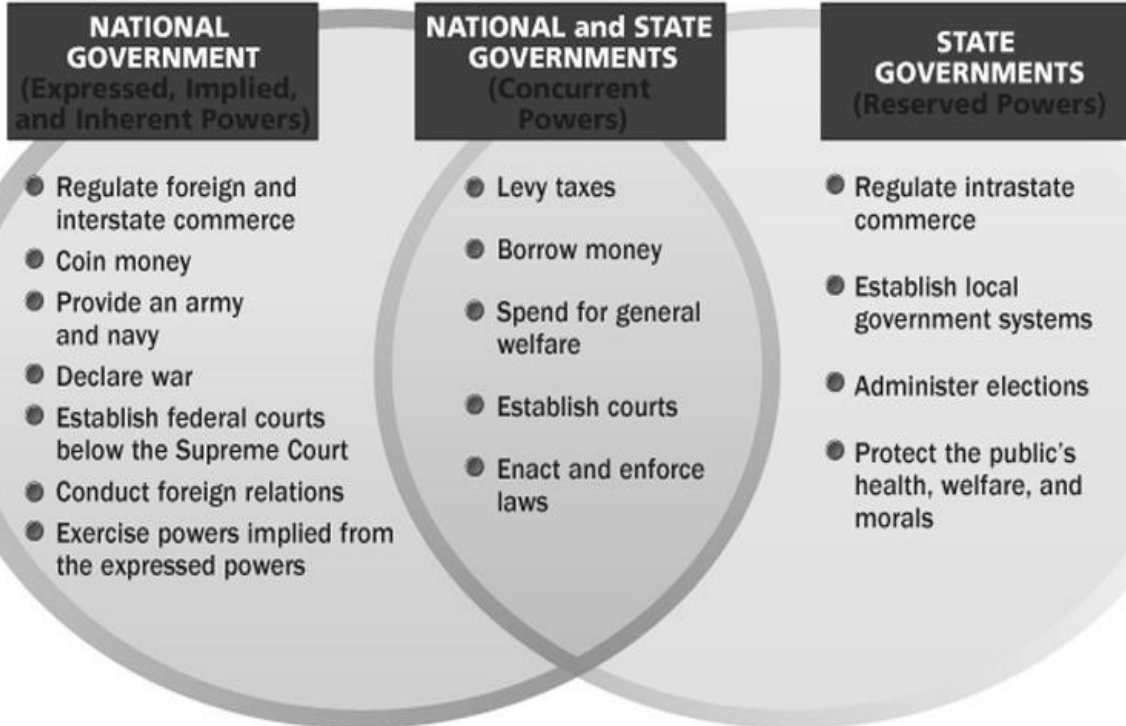
52. **System of Checks and Balances -**



53. **Federal system** – system of government which divides power between state and national governments

- The U.S. Constitution states that the national government has certain powers, while others are reserved to the states
- Article VI of the Constitution states that in cases of conflict, the national government is supreme. This is known as the "Supremacy Clause."
- The U.S. Constitution is the "Supreme Law of the Land."

## Division of Federal and State Powers



54. **Political Parties** – a group of people with broad common interests, who organize to win elections, control government, and influence government policies.

### 55. Political Party Organization and Roles -

- Organized at local, state, and national levels
- Recruit candidates for public office
- Educate public about issues
- Run and staff the government
- Reward party loyalists with favors
- Oversee the party in power
- Encourage compromise

### 56. The Nomination and Election Process -

- **Step One: Party Nomination**
  - Primary Election – elections held within each state or district to determine a party's candidate for the general election
  - Nominating Convention – official public meeting of a party to choose candidates for office; can be held at state or national level
- **Step Two: Campaigning and Promotion of Party Platform**

- **Step Three: General Election**

- Held at local, state, & national levels
- For national elections, General Election takes place on the Tuesday after the first Monday of November
- Registered voters cast ballots for candidates, winners take office

### 57. Presidential Elections -

- Follow same procedure as other elections, but with an added step provided for in the U.S. Constitution – the Electoral College – which ultimately decides the outcome of Presidential Elections
- Electors (members of the Electoral College) cast their votes based on the popular vote in each state. The candidate who receives the most votes from a state gets all of the electoral votes from that state.
- Each state has the same number of electors as it has senators and representatives.
- 538 electoral votes are available (3 for Washington, D.C.)
- A candidate needs 270 electoral votes to win the Presidency

**58. Amendments that Extended Suffrage (the right to vote) -**

- 15<sup>th</sup> Amendment – suffrage for all male citizens
- 19<sup>th</sup> Amendment – suffrage for women
- 23<sup>rd</sup> Amendment – suffrage for citizens of Washington, D.C. in Presidential elections
- 24<sup>th</sup> Amendment – abolition of the poll tax (pay to vote)
- 26<sup>th</sup> Amendment – suffrage for citizens 18 years old or older

**59. Duties and Responsibilities of a Citizen -**

- Obey the law
- Pay taxes
- Serve on juries
- Participate in the political process
- Perform public service
- Register for the draft
- Be informed about current issues
- Respect differing opinions

**60. Civil Liberties** - Fundamental individual rights, such as freedom of speech and religion, protected by law against unwarranted governmental or other interference.

**61. Civil Rights** - The rights belonging to an individual by virtue of citizenship, especially the fundamental freedoms and privileges guaranteed by the 13th and 14th Amendments to the U.S. Constitution and by subsequent acts of Congress, including civil liberties, due process, equal protection of the laws, and freedom from discrimination.

**62. The Bill of Rights** - the first ten amendments to the US Constitution, ratified in 1791 and guaranteeing such rights as the freedoms of speech, assembly, and worship.

**63. 1<sup>st</sup> Amendment Freedoms -**

- Religion
- Assembly
- Press
- Petition
- Speech

**64. 5<sup>th</sup> Amendment Rights -**

- Rights of the accused to due process of law
- Right to an attorney
- Right to a formal charge
- Right not to be tried for the same crime twice (double jeopardy)
- Protection from self-incrimination
- Right to just compensation for private property taken for public use

**65. 14<sup>th</sup> Amendment Rights -**

- Citizenship rights for all persons “born or naturalized in the United States...”
- Extended citizenship and due process to former slaves
- All U.S. citizens are guaranteed equal protection under the law

**66. Tools Used to Carry Out Foreign Policy -**

- **Diplomacy** - The art or practice of conducting international relations, as in negotiating alliances, treaties, and agreements.
- **Aid** - economic, military, and humanitarian
- **Treaties** – formal agreements between or among nations
- **Sanctions** – measures of withholding economic aid to influence a foreign government’s activities
- Military intervention

**67. Lobbyist** - an activist who seeks to persuade members of the government (like members of Congress) to enact legislation that would benefit their group.

**68. Laws/Rules for Lobbyists** - all Lobbyists are required to follow the laws of the United States or else they can be arrested and thrown in jail. They will however, use any legal means necessary to persuade as many officials as possible to be on their side. No bribes, no large gifts.

**69. Special Interest Group** - created to get a policy enacted whether through the courts, the legislative branch, or the executive branch AND regardless of national or state; they are doing what their own members want.

**70. Types of Special Interest Groups**

- **Economic Groups** - primarily have an economic focus such as business and trade associations—e.g. National Association of Home Builders, AMA, ABA, General Motors
- **Social Policy or Ideologically Based Groups:** groups organized to support and promote a set of core ideological or political beliefs and ideals—e.g. ACLU
- **Single issue group** - narrowly focused on single issue—e.g. NRA (National Rifle Association)
- **Public Interest Groups** - exist for the express purpose of pursuing public interests that would not otherwise be pursued—e.g. Common Cause (campaign finance reform)
- **Labor Unions** - generally formed to provide laborers with power against the strength of businesses and corporations—e.g. AFL-CIO, International Brotherhood of Teamsters, UAW



72. **Political Action Group (PAC)** - committee formed by a special-interest group to raise money for their favorite political candidates.

73. **Grass Roots** - the bottom of a political movement; starts with the regular everyday people.

### United States Congress

	U.S. Senate	U.S. House of Representatives
Number of members	100 (2 per state)	435 (Based on States' populations)
Term Length	6 years (Direct Election)	2 years (Direct Election)
Passing Vote	$\frac{2}{3}$ Vote	Majority Vote
Debate limit	None	1 Hour per speaker

-Thatrazycanadian <3

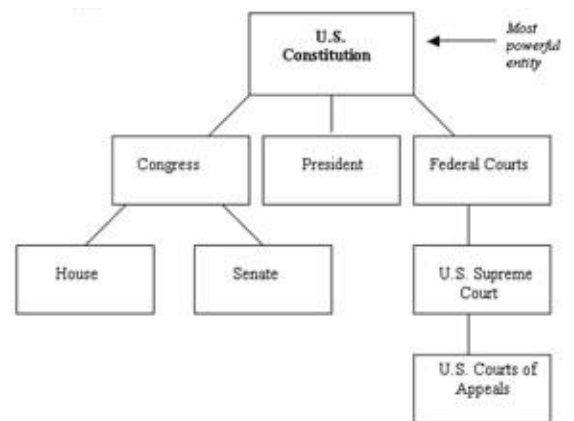
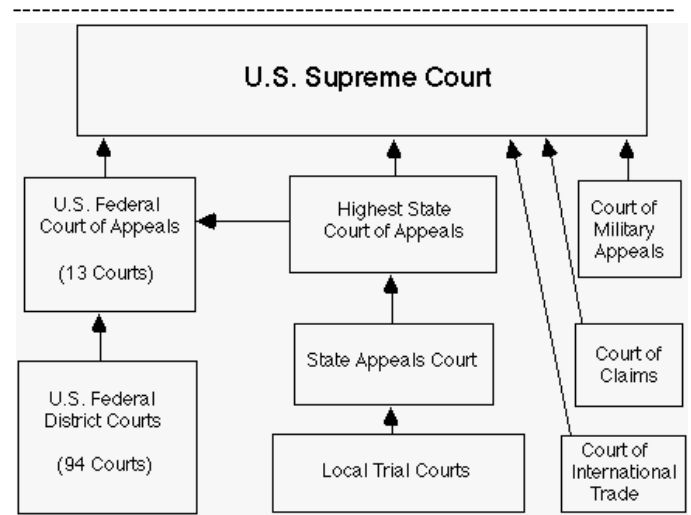
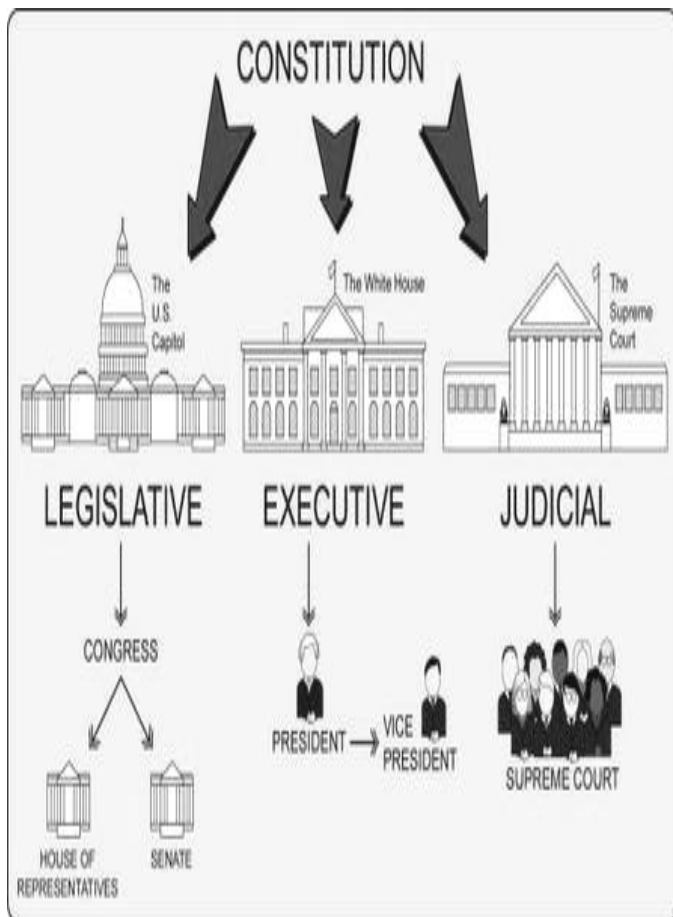
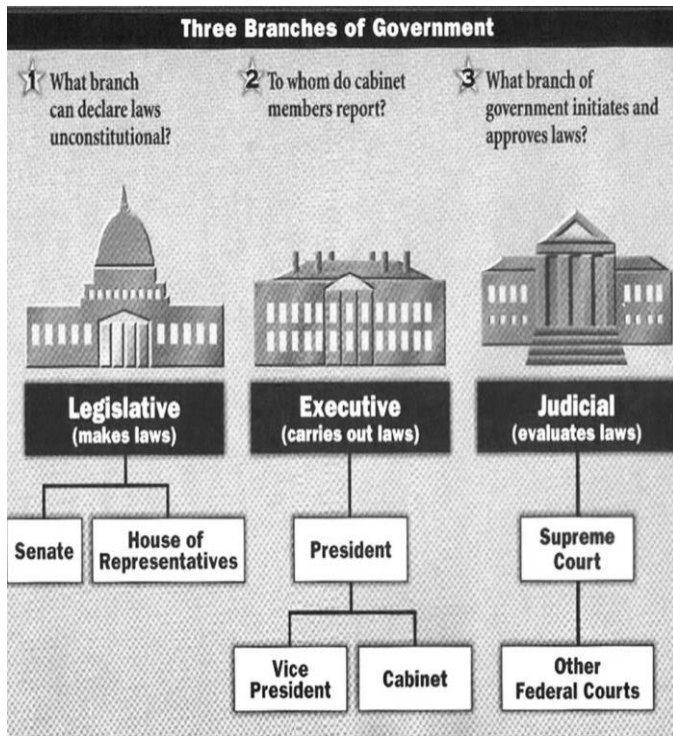


Figure 2. Organizational chart detailing the distributed powers of the U.S. Constitution.

*We the People* of the United States, in order to insure domestic Tranquility, provide for the common defence, promote the general Welfare, and our Posterity, do ordain and establish this Constitution for the United States of America.

Article I  
Section 1

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

