**Social Contract**: Community agrees to obey ruler; ruler agrees to protect the community and individual rights

**Natural Law**: Guarantees the basic rights of life, liberty, and property

**Enlightenment Ideas**: Application of reason to question superstition, tradition, and authority

**Baron de Montesquieu**

**Magna Carta** (1215): King grants trial by jury and agrees not to impose new taxes without consent of the barons

**Mayflower Compact** (1620): Pilgrim colonists agree to form and obey their own government

**English Bill of Rights** (1689): Parliament asserts its supremacy over the King and guarantees particular individual rights

**English Heritage and Historic Documents**

**Thomas Paine**, *Common Sense* (1776): Paine argues that the colonies should govern themselves

**Legislative**: makes laws
**Executive**: enforces laws
**Judicial**: interprets laws

**The Origins of American Government**

**Separation of Powers**
**American Revolution**

**Causes of the American Revolution**
- French and Indian War
- British tax colonists without their consent
- Tea Duty

**American Revolution begins**

**Americans Declare Their Independence**

**Declaration of Independence**
- Stamp Act
- Townshend Duties
- Boston Tea Party
- Intolerable Acts

**Main Ideas**
- People have unalienable rights (life, liberty and pursuit of happiness)
- Governments are created to protect these rights
- Governments that destroy rights can be overturned
- List of colonial grievances
- Colonists therefore declare their independence

**French and Indian War**

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Each state had one vote in the **Confederation Congress**
- Confederation Congress had to ask states for revenue and soldiers
- Could direct an army and maintain a navy
- Conducted the nation's foreign relations and could declare war

**Articles of Confederation**
- No power to tax
- No power to raise troops
- No national executive or judiciary
- No power to regulate interstate trade

**Weaknesses of the Articles of Confederation**
- States taxed one another's goods
- **Shays' Rebellion** posed threat
- Call to revise the Articles of Confederation

**Constitutional Convention (1787)**
- Delegates agreed to scrap Articles of Confederation
- Delegates agreed on the need for national executive and judiciary
- Large vs. Small States led to "Great Compromise":
  - **Senate**: States represented equally
  - **House of Representatives**: Number of members based on state's population
- **Electoral College** chooses the President

**Problems under the Articles of Confederation**
- States taxed one another's goods
- **Shays’ Rebellion** posed threat
- Call to revise the Articles of Confederation
Quick Tour of the U.S. Constitution

**Structure**

**Article I**
- Congress
  - House of Representatives
  - Senate

**Article II**
- Presidency
  - Executive power
  - Commander-in-Chief
  - “State-of-the-Union” Address

**Article III**
- U.S. Supreme Court
- Congress empowered to create lower courts

**Article V–VII**
- Amendment Process
- Supremacy Clause
- Ratification

**Ratification Debate**
- Federalists
- Anti-Federalists demand a Bill of Rights

**Preamble**
- “We the People”
- Purposes of U.S. Government:
  - Establish justice
  - Domestic tranquility
  - Common defense
  - General welfare
  - Liberty

**Principles**
- Popular Sovereignty
- Limited Government
- Federalism
- Separation of Powers
- Checks and Balances

**Preamble**

We the People of the United States, in Order to form a more perfect Union, establish Justice, ensure domestic Tranquility, provide for the Common Defense, promote the General Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

**Article I**

Congress shall have the Power to legislate, communicate to the States for the征募 and appointment of all civil Officers under this Constitution.

**Article II**

The executive Power shall be vested in a President of the United States of America.

**Article III**

The judicial Power of the United States shall be vested in one Supreme Court and in such inferior Courts as Congress may from time to time ordain and establish.

**Article V**

The Constitution of the United States shall be amended, when, in two sessions of Congress, during the same calendar year, two thirds of both houses shall pass all such amendments.

**Article VI**

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any thing in the Constitution or Laws of any State to the contrary notwithstanding.

**Article VII**

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the same.

**Constitution Tour**

Gateway to American Government

Chapter 4 Concept Map
How a Bill Becomes a Law

- Bill introduced
- Bill sent to committee
- If reported favorably by committee, bill debated and voted by house
- Bill sent to other house
- Conference committee iron out differences
- Bill given to President for approval or veto
- Congress overrides veto with 2/3 vote in each house

Structure

- Both houses must agree to pass a law
- President must sign bills
- Judicial review can invalidate law

Checks on Congress

Enumerated Powers

- Tax
- Borrow
- Coin money
- Regulate interstate commerce
- Declare war
- Establish patents & copyrights
- Establish lower federal courts
- Raise & support armies
- Maintain navy
- Establish post offices

Implied Powers

- “Necessary & Proper” Clause (Elastic Clause)
The Presidency: Our Executive Branch

**Qualifications**
- Birthright citizenship
- 35 years of age
- U.S. resident at least 14 years

**Nomination Process**
- State primaries
- National conventions

**General Election**
- Campaign
- Advertise
- Debate
- Winner needs majority of electors

**Electoral College**
- Impeached/accused in House of Representatives
  - Trial in the Senate: 2/3 majority of Senate needed for removal

**Selection**
- Impeachment
- Foreign policy
- Military interventions
- Executive orders

**Expressed Powers**
- Executive power
  - Commander in Chief
  - Negotiate treaties
  - Appoint ambassadors
  - Appoint Supreme Court Justices

**Many Roles**
- Chief Executive
  - Head of State
  - Chief Legislator
  - Chief Economist
  - Chief Diplomat
  - Party Leader
  - Moral Leader

**Implied and Other Powers**
- Sign or veto bills passed by Congress
- Receive ambassadors
- Grant pardons

**Birthright citizenship**
- 35 years of age
- U.S. resident at least 14 years

**Birthright citizenship**
- 35 years of age
- U.S. resident at least 14 years
Original Jurisdiction
- All cases between U.S states, with states acting as parties
- All cases with foreign diplomats

Appellate Jurisdiction
- All other cases involving some federal issue

Judicial Review
- Power to declare a law unconstitutional
- Established in Marbury v. Madison (1803)

Procedures of the U.S. Supreme Court
- Grants “writs of certiorari” to few cases.
- Oral argument
- Majority and dissenting opinions

Jurisdiction of the U.S. Supreme Court
- Original Jurisdiction
- Appellate Jurisdiction

The Judicial Branch
- U.S. Supreme Court
- Lower Federal Courts
- 1 Chief Justice and 8 Associate Justices
- President nominates Justices and Senate confirms
- Federal judges have lifetime tenure
- But can be impeached for misconduct

Lower Federal Courts
- U.S. District Courts: federal trial courts; can have juries
- U.S. Circuit Courts of Appeal: federal appellate courts; divided into regional “circuits”
- **Law**: a government-enforced rule with a penalty for violation
- "**Rule of Law**: Everyone is subject to the same laws, even our rulers
- "**Due Process**" rights: Procedures for enforcing the law are also defined by law – individuals have the right to a hearing, to assistance of counsel, to see evidence, to confront accusers & witnesses, to have case decided by impartial decision-maker

**Rule of Law**

**Types of American Law**

- Code of Hammurabi
- Twelve Tables
- Code of Justinian
- Middle Ages: Roman law, Church law, King's laws, "Common law" — based on precedents (judge's decisions)

**Evolution of Law in Western Society**

**Florida’s Court System**

- Civil
- Criminal
- Constitutional
- Military
- Statutory
- Common
- State
- Federal

**Florida’s Court Structure**

- Florida Supreme Court
- Florida District Courts of Appeal
- Florida Circuit Courts
- Florida County Courts

**Courts in Action**

**A Civil Case**
- Complaint • Pretrial Discovery • Pretrial Motions • Attempts at Settlement • Jury Selection • Trial • Cross-Examination • Closing Statements • Jury Instructions • Verdict • Appeal

**A Criminal Case**
- Crime • Police Investigation • Warrant/Searches • Probable Cause/Arrest • Arraignment • Bail • Plea Bargaining • Trial • Verdict • Sentencing • Appeal

**The Role of Courts**

- **Judge**: interprets the law; applies its wording to specific circumstances
- **Jury**: determine facts and decide responsibilities
- **Appellate Court**: reviews if trial court applied the law correctly

**Law & Due Process**
1st Amendment: Freedom of religion, speech, press, petition, assembly
2nd Amendment: Right to bear arms
3rd Amendment: No quartering of soldiers
4th Amendment: No unreasonable searches and seizures
Proposal: usually 2/3 of each house of Congress
Ratification: usually 3/4 of state legislatures

Personal Freedom

Amending the Constitution

Rights of the Accused

Proposal: usually 2/3 of each house of Congress
Ratification: usually 3/4 of state legislatures

Bill of Rights

Other Amendments

Expansion of Democracy

Other Rights

13th Amendment: Ended slavery
14th Amendment: Guaranteed the rights of citizenship
15th Amendment: Guaranteed voting regardless of race
19th Amendment: Voting for women
24th Amendment: No poll taxes
26th Amendment: Voting for 18-year olds

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11th Amendment: No trial by jury in state disputes
12th Amendment: Election of President by electoral college
13th Amendment: Ended slavery
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15th Amendment: Guaranteed voting regardless of race
19th Amendment: Voting for women
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10th Amendment: “reserved” powers

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Judicial Review

- Marbury v. Madison (1803): established power of judicial review

First Amendment Rights

- Tinker v. Des Moines (1969): students have free speech rights

Second Amendment Rights


U.S. Supreme Court Key Decisions

Presidential Power


Rights of the Accused

- Gideon v. Wainwright (1963): poor criminal defendant entitled to court-appointed attorney
- Miranda v. Arizona (1966): Suspect must be told of rights prior to interrogation
- In re Gault (1967): minors have many “due process” rights of adults

Racial Segregation

- Plessy v. Ferguson (1896): upheld racial segregation if “separate but equal”
Gateway to American Government

Chapter 11 Concept Map

Federalism
- Division of power between federal and state governments
- “Reserved” Powers (left to the states)
- “Concurrent” Powers (shared by federal and state)
- Supremacy Clause

Federalism and State and Local Governments

The U.S. Constitution vs. Florida Constitution

U.S. Constitution
- Preamble
- Government of 3 branches:
  - Congress
  - President and Vice President
    - Appointed Cabinet (not in Constitution)
  - Federal Courts: 3 levels

Florida Constitution
- Preamble
- Florida Declaration of Rights (like Bill of Rights)
- State Government of 3 branches:
  - Governor and Lt. Governor
  - Elected Cabinet
  - Florida State Legislature
    - Florida House of Representatives: up to 120 members
    - Florida Senate: up to 40 members
  - Florida Courts: 4 levels

Local Governments in Florida
- County Governments
- Municipal Governments:
  - Governed by mayor and a council or commission; sometimes has city manager
- Special Districts:
  - Meet special purposes

 Differences between Florida and U.S. Constitutions
- Elected Cabinet in Florida
- No state income tax in Florida
- English is the official language in Florida
- Florida Constitution is easier to amend
  - 5 ways to propose amendment
  - 60% of voters must approve for adoption
- Passing law in Florida similar to Congress/no “pocket veto” in Florida
The Obligations, Responsibilities, and Rights of Citizens

**Birthright Citizenship**

**Naturalization Process**

**U.S. Citizenship**

**Obligations of Citizenship** (the “musts” of citizenship)
- Obey laws
- Pay taxes
- Serve on jury if summoned
- Register with Selective Service

**Responsibilities of Citizenship** (the “shoulds” of citizenship)
- Be informed about public affairs
- Vote in elections
- Join a political party
- Run for political office
- Serve on local committees
- Attend public meetings
- Petition officials
- Volunteer for service projects

**Rights of Citizenship**
- No Bill of Attainder, peacetime suspension of writ of habeas corpus or ex post facto laws.
- Individual rights guaranteed in the U.S. Constitution and the Bill of Rights
- Amendments guaranteed the right to vote: 15th, 19th, 24th, 26th Amendments

**Exclusive Rights of U.S. Citizens**
- Right to vote in U.S. elections
- Right to carry U.S. passport
- Right to hold many government jobs

Someone not born a citizen can become one:
- at least 18 years old
- lawful permanent resident
- live in U.S. for 5 years
- of “good character”
- read & write English
- take test on U.S. history and government
- take oath of allegiance

Birthright Citizenship

Naturalization Process

U.S. Citizenship

Obligations of Citizenship (the “musts” of citizenship)

Responsibilities of Citizenship (the “shoulds” of citizenship)

Rights of Citizenship

Exclusive Rights of U.S. Citizens

U.S. Citizenship

Obligations of Citizenship

Responsibilities of Citizenship

Rights of Citizenship

Exclusive Rights of U.S. Citizens
Political Parties in Florida

Major Parties

Democratic Party: favors more government support for programs, such as health care and public education

Republican Party: favors less government, lower taxes, and more freedom

Other Parties

Impact of Political Parties

Positive Effects

Encourage citizens to participate in the political process

Help government leaders to organize support

Act as watchdogs over the opposing party

Negative Effects

Divide Americans

Place pressure on legislators

Factors in Evaluating Candidates

Education

Experience, especially in public office

Their views on issues

How capable they appear in debating

How truthful their political advertisements are

Nomination Process

Voters show their preferences for candidates in primary elections

Parties hold state and national conventions

Campaign for General Election

Nominees raise funds from campaign contributions, PACs, and personal savings

Political advertising, canvas voters, hold rallies, and debate on television

Voters go to polls to vote on Election Day

Voting

Regulated by state governments

Voters must register before voting

Elections

Voters show their preferences for candidates in primary elections

Parties hold state and national conventions

Voters go to polls to vote on Election Day

Democratic Party: favors more government support for programs, such as health care and public education

Republican Party: favors less government, lower taxes, and more freedom

Libertarian Party: wish to maximize human freedom and to reduce government and taxation

Green Party: wants to reduce exploitation of the natural environment

Socialist Party: favors more public services, public ownership of utilities and some industries

Communist Party: believes capitalists exploit workers; revolution needed to achieve change
Can influence government through civic action:
- Run for office
- Petition government officials
- Speak at meetings
- Send letters
- Contribute to campaign

Interest Groups and the Media

The Media
- Newspapers, magazines, radio, the Internet
- People get their knowledge of public affairs from the media
- The media act as “Watchdogs” exposing corruption, wrongdoing or error

Analyzing Political Communication/Advertising
- Bias = one-sided
- Propaganda = appeals to emotions
- Symbolism = represents something
- Look for: bias, exaggeration, being one-sided, half-truths, glittering generalities

Where Americans Get Their News

Fact or Opinion?
A fact is a statement that can be verified by checking with other sources. It is either true or false. An opinion is an expression of belief. There are different kinds of opinions. Some opinions are mere expressions of taste: "I like the taste of a fresh, crisp apple." No one can dispute that the speaker likes apples. Other opinions are statements of belief about the future or about factual matters where the facts remain unknown. "I think people will watch less television in the future" or "I believe Al Gore actually had more votes in Florida than George W. Bush in the 2000 election."
What is Public Policy?
- Actions taken by governments to solve problems and achieve goals.

Citizens Influence Public Policy
- Write letters
- Send petitions
- Work with political parties, interest groups, and the media

Public Issues
- A topic or problem on which citizens disagree
- Multiple perspectives can bring insight into how to solve the problem

Steps in Public Policy Process
- Identify a problem
- Identify level of government and agency to address it
- Develop policy alternatives
- Evaluate pros and cons of each alternative
- Consider multiple perspectives
- Choose the best alternative
- Implement the decision
- Evaluate effectiveness
American Foreign Policy

History of American Foreign Policy
- Spanish-American War
- World War I
- World War II
- Cold War
  - Korean War
  - Vietnam War
  - End of Cold War
- Iran Hostage Crisis
- Gulf Wars I & II
- September 11, 2001: attacks and response

U.S. Membership in International Organizations
- UN
- World Court
- NATO
- NAFTA
- WTO
- International Red Cross/Red Crescent
- UNICEF

Types of Policies

Who Makes Foreign Policy?

Goals of U.S. Foreign Policy:
The Pursuit of U.S. National Interests
- Security
- Protect U.S. citizens, property, and investments abroad
- Promote trade with United States
- Encourage democracy, free enterprise, peace
- Humanitarian goals
- Prevent conflict/genocides

Tools of U.S. Foreign Policy
- Military Resources
  - Intervention/War
  - Deterrence
  - Coercive Diplomacy (Threats)
- Economic Resources
  - Sanctions
  - Assistance
- Other Resources
  - Negotiations (Diplomacy)
  - Treaties
  - Alliances
  - International organizations
  - Diplomatic negotiation
  - Media and public opinion
  - Cultural exchanges