

INTRODUCTION AND THE FOUNDING

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Spring 2016

THIS CLASS

- GOV 310L
- MWF 11 - 11:50
- Unique #: 37685
- Satisfies the first half of the legislative requirement

Goals for students of the course:

1. Demonstrate a basic understanding of U.S. politics
2. Participate knowledgeably in the American political process
3. Critically examine key concepts from political science

- Most materials will be available on the course's website
- <http://jabranham.com/GOV310L>
- I'll use Canvas:
 - For posting grades
 - For online quizzes

- NO MAKING UP MISSED ASSIGNMENTS, INCLUDING EXAMS
- Exam 1: March 11th
- Exam 2: May 6th
 - not cumulative

- Participation (25%)
- Quizzes (25%)
- Exams (2) (50%)

- In class
- Slack
- Online exercises
- Civic events
- Academic events
- Critical essays

INTRODUCTION TO POLITICS

WHAT IS GOVERNMENT?

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- The institutions and procedures through which a land and its people are ruled
- These can be simple or complex

- We're all farmers and one of us proposes to build an irrigation system. How do we decide what happens? Does it get built? Who pays for it? Who maintains it?
- Tragedy of the commons

- Maintain order
- Protect property
- Provide public goods

Coercion!

Autocracy rule by a single individual

Oligarchy rule by a small class of people (landowners, military officers, etc)

Democracy system that allows citizens to play a significant role in the governmental process, usually through selection of officials

HOW DO THEY GOVERN?

Constitutional Formal and effective limits placed on government

Authoritarian No formal limits, but may be checked by other social forces (the church, for example)

Totalitarian No formal limits and the state seeks to expand to basically all areas of life

WHAT IS POLITICS?

- Conflict and struggles over the leadership, structure, and policies of government

THE FOUNDING

WHY BREAK FROM BRITAIN?

- Britain left the colonies alone for a while
- But then needed help to pay for a costly war
- Raised taxes on colonies, as they defended the colonies during the war
- This did not go over well

THE DECLARATION OF INDEPENDENCE

- For the time (1776), a somewhat radical document
- "Unalienable rights"
 - Life
 - Liberty
 - The pursuit of happiness
- Is it just to revolt against your government?

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- For the time (1776), a somewhat radical document
- "Unalienable rights"
 - Life
 - Liberty
 - The pursuit of happiness
- Is it just to revolt against your government?
- Yes, when said government does not respect these rights
- Laundry list of complaints

THE DECLARATION OF INDEPENDENCE

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these united Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved;

and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

- British military forces vastly outnumbered the colonists
- British economy much greater than the colonies
- Royalists in the colonies weren't in favor of independence
- Ultimately, the war was too expensive for Britain
- Independence granted in the Treaty of Paris (1783)

- First pass at a governing document
- Ultimately failed because the central government was too weak
 - Examples:
 - No ability to tax
 - No executive
 - No standing army

CONSTITUTIONAL CONVENTION (1787)

- Called to amend the Articles of Confederation
- Every state (except Rhode Island) sent delegates
- Quickly became apparent that the Articles needed to be scrapped and rewritten

CONSTITUTIONAL CONVENTION (1787)

- Major issues:
 - National power vs state power
 - Representation by population or by state
 - Slavery
- Some solutions
 - Great compromise
 - Three-fifths compromise

Articles of Confederation one vote per state

Virginia Plan representation based on population

New Jersey plan one vote per state

Connecticut compromise bicameral, House based on population and Senate representation equal by state

CONSTITUTIONAL CONVENTION (1787)

- Other ideas **not** adopted:
 - New constitution every 19 years
 - Three presidents
 - Appointed president
 - Life-term for president
 - Federal government ability to veto state legislation

THE CONSTITUTION

- Article I: The legislative branch
 - Bicameral
 - Powers of government
 - "Necessary and proper"
- Article II: The executive branch
 - Independent, stronger than the Articles
 - Commander in chief
 - Nomination of executive and judicial officials
 - Electoral college

- Article III: The judicial branch
 - Supreme court and other federal courts that Congress makes
 - Lifetime terms, nominated by president, confirmed by Senate
- Article IV: States' conduct
 - States must respect other states' laws ("full faith and credit")
 - Several other agreements between states (extradition of fugitives, for example)

- Proposing amendments:
 - 2/3 of both houses of Congress OR
 - 2/3 of state legislatures call for Constitutional Convention (never used)
- Ratification of amendments:
 - 3/4 of state legislatures OR
 - Conventions in 3/4 of the states (used only once)

- Article VI: Federal powers
 - The constitution and federal laws trump state laws & constitutions ("supremacy clause")
- Article VII: Ratification

THE AMENDMENTS

- Madison proposed 39 amendments to the Constitution, 11 of which were eventually ratified¹
- The first 10 are the first 10 amendments and are referred to as the Bill of Rights
- These are designed to limit the power of the federal government

¹One was ratified 202 years later as the 27th amendment

THE BILL OF RIGHTS

- 1st Protects free religion, freedom of speech, freedom of the press, right to peaceful assembly, and prohibits Congress from making laws respecting the establishment of religion
- 2nd Right to keep and bear arms
- 4th Protects against unreasonable searches and seizures
- 5th Protects against self-incrimination
- 6th Gives defendants rights in criminal trials
- 8th No cruel and unusual punishments
- 9th Bill of rights isn't exhaustive
- 10th "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"

- Expansion of the electorate** (citizenship - XIV, **racess** - XV, **women**, XIX, DC - XXIII, no poll tax - XXIV, 18 years old to vote - XXVI)
- Changing elections** (fix ballot - XII, revoke 3/5ths - XIV, **direct election of senators** - XVII, eliminate lame duck Congress - XX, **limited president to 2 terms** - XXII, presidential succession - XXV)
- Changing the power of government** (limits federal courts' jurisdiction - XI, **eliminates slavery** - XIII, due process to the states - XIV, **income tax** - XVI, prohibit Congress from raising its own salary - XXVII)
Prohibition (XVIII, XXI)