

## Review Guide: AP Government

### *Unit 1: Foundations Of American Democracy*

#### **Coming from the Preamble:**

The purpose of the government was to establish justice, ensure domestic tranquility (peace), provide for the common defense, promote the general welfare, and secure liberty.

#### **Democratic Ideals in Declaration of Independence**

The Declaration of Independence has many core ideals of what America is. It is one of the most important documents in U.S History. Below are quotes which establish several different core ideals of our government.

*“Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness”* **(Natural Rights)**

The founding fathers wanted to protect the people’s natural rights or rights that everyone is born with by defining the natural rights very similar to how John Locke defines it as “Life, Liberty, and Property”.

*“Governments are instituted among Men...”* **(Popular Sovereignty/Republicanism)**

This may refer to how the present representative form of democracy where elected officials represent the view of the people.

*“-deriving their just Powers from the Consent of the Governed”* **(Popular Sovereignty)**

This exemplifies the idea of popular Sovereignty by stating that the people are the source of the government’s power.

*“...whenever any form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it...”* **(Social Contract)**

This line exemplifies the social contract where the founding fathers are stating that the agreement between the people and government can be reversed if the government begins to infringe on the people’s rights.

*“...laying its Foundation on such Principles, and organizing its Powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”* **(Limited Government)**

This exemplifies the idea of a limited government. The founding fathers wanted a system such as the 3 branches to prevent the national government gets too much power.

#### **Democratic Ideals**

##### *Limited Government*

According to the Constitution, governmental power is restricted by law.

##### *Natural Rights*

Fundamental rights of all human, not rights received from a government.

### *Popular Sovereignty*

People are the source of the governmental power and authority.

### *Republicanism*

An representative form of government.

**Note:** It is not a direct democracy.

### *Social Contract*

People create a government to protect rights of the people.

### *Rule of Law*

All people are subject to the law.

**Note:** “A government of law, not of men”

## **Articles of Confederation**

The Articles of Confederation was a document that wanted to preserve the sovereignty, freedom, and independence of each state. Due to it being written during a time of war, it was more effective during war. After the Revolutionary War, the Articles did not function well during the times of peace. There were many weaknesses found within the Articles.

For example:

- It took nine states in order for legislature to be passed and thirteen states in order for the Articles to be amended.
- Congress was not allowed to tax the people directly.
- The national government could not raise or maintain an army.
- There was no national court system or national currency.
- The Congress encouraged but could not regulate commerce among the states.

There was a Confederation Congress held but it was rendered ineffective because of the Articles. Some of them leaders of the country realized that the Articles could not be amended and instead they would have to be replaced. This is what would lead to the Constitutional Convention.

<b>Congress Could:</b>	<b>Congress Could Not:</b>	<b>States Could:</b>
*Declare war and make treaties *Raise an army *Coin money *Borrow money	*Tax the states of the people *Regulate interstate commerce (trade between states)	*Impose tariffs on other states *Create their own currencies *Refuse to recognize foreign treaties

## Constitutional Compromises

Virginia Plan	New Jersey Plan	The Great Compromise: Connecticut Plan
<ul style="list-style-type: none"><li>*Wanted three branches of government (Separation of Power)</li><li>*Wanted a bicameral legislature</li><li>*Favored large states</li><li>*Stronger national government</li><li>*Favored the Constitution</li><li>*Wanted to get rid of the Article of Confederation</li><li>*National government would be superior to state government</li></ul>	<ul style="list-style-type: none"><li>*Wanted unicameral legislature</li><li>*Favored small states</li><li>*Wanted to amend the Articles</li><li>*Did not approve of the Constitution</li><li>*States would retain sovereignty</li></ul>	<ul style="list-style-type: none"><li>*established a bicameral legislature (House of Representatives and the Senate)</li><li>*House: Population (Virginia Plan, large states)</li><li>*Senate: Equal, 2 per state (New Jersey Plan, small states)</li></ul>

## The Electoral College

The Electoral College is a compromise between those who wanted Congress to vote for the president and those who wanted citizens to directly elect the president. The compromise is that the people would vote for who they wanted to be elected. The Electors would take the popular vote for the state they represent and that will be the candidate for whom they cast their ballot. The framers made it this way so that the more informed elitists could make a well-educated decision on who would be the president. Each state has the same number of electors as it has representatives in Congress. The only stipulation is that the elector cannot be a U.S. Senator or Representative.

## Three-Fifths Compromise

The Three-Fifths Compromise was apart of the Great Compromise. It came about because large states, like Virginia, had a lot of slaves who they wanted to be counted toward their population to get more seats in the House. Other states, like New Jersey, did not want slaves to be counted because they had very few. In the end it was decided that only three of every five slaves would be counted toward Representation in the House of Representatives.

## The Constitution

<https://www.warrenhills.org/cms/lib/NJ01001092/Centricity/Domain/240/Const.Art.Key.doc>

## **The Bill of Rights**

### *First Amendment*

Freedom of speech, press, assemble, protest, and religion.

### *Second Amendment*

Protest the rights to keep and bear arms.

### *Third Amendment*

Prevents government from forcing homeowners to allow soldiers to use their homes.

### *Fourth Amendment*

Unreasonable search and seizure of any individual is prohibited.

### *Fifth Amendment*

Provides several protections for people accused of crimes.

### *Sixth Amendment*

The right to a speedy and public trial in criminal cases.

### *Seventh Amendment*

The right to a jury trial in Federal civil cases.

### *Eighth Amendment*

Prohibits excessive bail and fines and cruel and unusual punishment.

### *Ninth Amendment*

The government can not violate certain rights not mentioned in the Constitution.

### *Tenth Amendment*

The Federal Government only has those powers delegated in the Constitution. If it is not listed, it belongs to the states or the people.

## **Checks and Balances**

This idea was first discussed by the founders in the document *Federalist 51*. The ability of the three branches of govt. to block or influence the actions of the other branches. It is essentially a limiter, making sure no one branch is stronger than another.

An example is the President can veto a bill proposed by Congress. The president also votes in judges for the Supreme Court, which has a lasting effect even after their term. They also get to choose their own cabinet members and head of agencies.

If Congress gets a two-thirds supermajority vote in each house, they can override a veto from the President. The House of Representatives has the sole power of impeachment, an accusation of wrongdoing by the President. The Senate must then vote and get a two thirds majority to find an official label of guilty or not guilty. The Senate also approve any appointments the President makes. Agencies enforce the bills Congress creates, and interprets how they want it to be done.

The Courts have the ability of judicial review. Allowing to interpret a law as unconstitutional.

## **Separation of Powers**

This idea was also first discussed in the document *Federalist 51*. The framers intended for each branch to have unique powers from each other to dilute power among the three. As such each branch has its purpose, the executive enforces the law, legislative makes the law, and judicial interprets the law. The powers of Congress are separated further into two chambers to dilute their power even more, the Senate and the House of Representatives. Both chambers require the consent of the other to pass a bill into law. The president is then the final step to make a bill a law. To sum it up, each branch has its own function in government.

## **Federalist 51**

Federalist 51 was a document written by James Madison to discuss why the nation needed a new Constitution. It discusses ideas of how government is necessary due to the nature of man and that it needs to be limited as the men running it are not pure either. As well as topics such as checks and balances as well as separation of powers. He also discusses the idea of giving branches the power to counter each other with their abilities. The legislature is also discussed to be the strongest branch of all so it should be split into two parts. Below are three quotes from Madison where he created the ideas.

“Necessary partition of power- several constituent parts may- be the means of keeping each other in their proper places” (**check and balances**)

“Compound republic of America - divided between two distinct governments, and then - subdivided - a double security arises to the rights of the people.”(**federalism and separation of powers**)

“The legislative authority necessarily predominates.- divide the legislature into different branches.”(**bicameral legislature**)

## **Brutus 1**

Brutus 1 was the first publication that began the series of essays known as the Federalist and Anti Federalist papers. Brutus 1's main arguments were that the national government had too

much power, a standing army could diminish liberty, and representatives do not represent the people.

## Federalist 10

In Federalist 10, James Madison argued that having a large republic is the best way to control factions. Madison also explains that citizens should delegate their authority to elected officials and that we need to disperse power between the states and the national government.

### Three Types of Representative Democracy

<u>Participatory</u>	<u>Pluralist</u>	<u>Elite</u>
<ul style="list-style-type: none"> <li>Emphasizes broad participation in government and politics.</li> <li>Direct Democracy</li> <li>Citizens are actively involved</li> <li>Citizens have strong influence over policy making</li> <li><u>Weakness</u>- works best only on a small demographic, no way to prevent a majority overpowering the minorities,</li> <li><u>Supported by Brutus 1</u>- States will limit federal power, so the federal will naturally destroy state power as a result</li> <li><u>Argued against by Federalist 10</u> – Direct democracy can't control factions, therefore majorities will oppress minorities</li> <li><u>Today's example</u>- Me too movement</li> </ul>	<ul style="list-style-type: none"> <li>Emphasizes the need for different organized groups to compete against each other in order to influence policy</li> <li>Competition between groups prevents any single group from dominating the government</li> <li>Protects minority rights</li> <li><u>Weakness</u>- A particularly large group may have greater influence than a smaller group</li> <li><u>Supported by Federalist 10</u>- Faction group of citizens with a common political purpose (parties, interest groups, unions, etc.)</li> <li><u>Argued against by Brutus 1</u>- A republic should be made up of similar people with similar interests, not diverse</li> <li><u>Today's example</u>- Special Interest Groups</li> </ul>	<ul style="list-style-type: none"> <li>Emphasizes limited participation in politics and civil society</li> <li>A small number of citizens-often the wealthy and powerful influence government action</li> <li><u>Weakness</u>- government may become dominated by the wealthy and those with high status in business, military and politics</li> <li><u>Supported by Federalist 10</u>- A large republic is the best way to control factions and prevent majorities from oppressing minorities</li> <li><u>Today's example</u>- The Electoral College</li> </ul>

## Amendment Process

<u>Proposal</u>	<u>Ratification</u>
<u>Method 1</u>  2/3 vote in both house and senate	<u>Method 1</u>  Approve by legislature in 3/4 of the states
<u>Method 2</u>  Constitutional convention called by 2/3 of states	<u>Method 2</u>  3/4 of state constitutional conventions

## No Child Left Behind

No Child Left Behind was a federal mandate that set certain education standards in hopes of improving the education system. NCLB created a conflict between the jurisdiction of the state and federal government. The 10th amendment states that all powers not delegated to the federal government are the powers of the states. Because education is not mentioned in the constitution, critics argue that NCLB infringes on the power of the states.

## The Patriot Act

The Patriot Act was a legislation passed by Congress, in response to the 9/11 terrorist attacks. The Patriot Act covered intelligence gathering and sharing by executive branch agencies, points of criminal procedure and border protection. This bill gave law enforcement the ability to use surveillance against crime of terror. It also allowed government agencies to share information about suspects, and it expanded the authority on tapping suspects' phone. The Patriot Act was criticized for the law's constitutionality and that the bill was a threat to civil liberties, especially the people's "right to privacy" in the 4th Amendment.