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# INTA 1200 AMERICAN GOVERNMENT IN COMPARATIVE PERSPECTIVE

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LECTURE NOTES



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# 0 The Study of Political Science and American Government

#Knowledge

## Political Science

### Politics

The process of resolving conflicts and deciding "who gets what".

- "Limited Resources"
- Power underlies politics;
  - Power dynamics (*Manipulate, Changing*)
  - Layered modification of behavior.

## Study of Political Science

- Pattern of events
  - Why? How to change / lengthen / shorten specific events?
  - Three goals of political science
    - **Description** 描述
    - **Prediction** 预测
    - **Prescription** 解决方法
  - Research & Methodology  
Look to support the theories.
    - Logic
    - Observation
    - Quantitative Methods

## Is political science a science?

### Standards of Science

According to *John Lewis Gaddis*, Science is **Imagination Versus Replication**.

There are usually five key standards:

- **Parsimony** 简洁  
Laws that human behavior follows. *Not exactly strong.*

- **Variables** 变量
  - *Types of Variables:*
    - **Nominal Variables:** Yes / No.
    - **Ordinal Variables:** In scale / order.
    - **Continuous Variables:** Explain change between one another.
  - *How much of the variables could you explain?*
- **Accounting for change** 解释变化
  - Ex. War patterns.
  - Something continuing to occur since a long time ago.
  - *POLS is bad at this.*
- **Commensurability** 可通约性

The definitions are *common* in circumstances.
- **Objectivity** 客观性
  - Orientations are often *subjective*.
  - Only results are objective.
  - *POLS is almost, but not 100%.*

| **POLS and all other sciences DOES NOT perfectly fit the standards.**

## The real value of Political Science

| **To Predict and Prepare.**

Political Science provides **Structural / Systematic** understandings.

| It is considered *not essentially science* since it is still at an *early stage of development*.

# 1 Government Types and Culture

#Knowledge

## American Government and Process

### US government and American political process

- Does not work efficiently;
- Should not work efficiently.

### Founders of US Government

- Feared **Tyranny**; 惧怕独裁
- Distrust of power (Especially **concentrated** power). 不信任权力

So they:

- **Divided** power; 分权
- Make different parts of government **competitive**; 权力间竞争
- Check and **balances** between parts of government; 平衡权力
- Establish *Federalism*. 联邦制

Government is *Slow, Piecemeal, and Balanced*.

政府是缓慢，逐渐且平衡的。

## Types of Government

Government is the **formal** structure that **rules** people.

### Classification 政府的分类标准

- Who Governs? 谁统治?
- How much government control is permitted? 政府被容许的控制程度有多少?

### Government Types

- **Autocracy** 独裁统治: One individual in control
- **Oligarchy** 寡头政治: Limited number of individual in charge. *Elites*
- **Democracy** 民主政治: Ultimately power resting with the people.

*Elites*: How does it take to become an elite?

# Government Control

## Authoritarian 威权主义

Legitimate power rest in **1 person / group**.

- **Individuality** does NOT matter; 民众的个人意愿不重要
- Individual power are **suborned**; 个人权力被收买
- **Force** used to maintain legitimacy. 武力用于维持合法性

## Totalitarian 极权主义

Transformational authority 威权主义的转型

- **Control** all aspects of life / all portions of society; 控制民众及社会的各个方面
- Can only be **ONE institution: The State**; 只允许一个政治制度
  - Use force to dissolve all other structures (which could run counter to the government's direction). 使用武力消除其他所有政治制度
- Often see the **most violence**. 武力滥用最为明显

## Constitutional 宪政主义

Power is determined ahead of time.

- Document could be used as **Institution**;
- **Informal institutions** could exist;
- Require **multiple parties** to negotiate;
- Places **limitations** on behaviors of government.

U.S Government is Constitutional Democracy.

美国政府是宪政民主制的。

## Political Culture 政治文化

The **values, beliefs** and **attitudes** the society has on governments and politics.

社会对政府和政治的价值观，信仰和态度。

- Political systems are the **products** of the **political culture** they serve. 政治系统是政治文化的结果

- The more **reflective**, the better for **long term** viability. 政治系统越能反映政治文化，其长期稳定性越强
  - Political systems *may* change political culture.
- Everyone does not need to be the same, but do need common connections (for National Governments).
- Needs to be ***Organic***.

## Three Political Cultures 三种不同的政治文化

### Individualistic 个人主义

“Function”, “Service”, “Private Sector”

- Does no more / less than it should.
- No *moral* good / bad of it.

### Moralistic 道德主义

- Search a ***good*** society.
  - *Good*: Depending on the people it serves.
- Directing policy for ***good society belief***
- Doing for ***well-being***
- Can be *liberal* / *conservative*.
  - Intervene when needed.

### Traditionalistic 传统主义

**Conservative** 保守主义

Government act as an actor **maintaining** a social order or **returning** to a previous social order.

- Importance of **class** and **elites**.
  - Elites: Limited access of entering.

## Common American Political Culture 美国共通的政治文化

### Liberty 自由

**Civil liberty** and **Political liberty**.

- **Civil liberty** 公民自由
  - Freedom of action that are **not detrimental** to others.

- "Can have it until it goes too far".
- **Political liberty 政治自由**
  - Ability to **vote, participate and hold office.**

## Political Equality 政治平等

**One person, One vote.** 一人一选票

One person's vote is equal to another person's vote.

Not entirely represented in America.

Gender / Race / Educational Experiences / Income / Religion may affect the actual political equality.

## Democracy 民主

The ability to gain information nowadays reduces the impact of democracy.

- People now monitor government in multiple ways rather than solely through voting.

## Pluralism 多元主义

**More people contribute, more reflective the policy will be.**

参与的人更多，政策的代表性更强。

Condition or system where two or more states, groups, or authorities coexists.

- **Essential for democracy considered by the Founding Fathers.**

## 2 The Constitution I

#Knowledge

### "Living Constitution"

The **Constitution** is often referred as **Living**.

- **Board Principles** were set up.
  - Ex. Freedom of Speech / Religion
- **Open Interpretations** are allowed.
  - Living through time.
  - Making it *Long-lasting* and *non-changing*.
  - **Extent of Interpretation** is different and need to be considered.

*Necessity of Interpretations:*

- Technological changes.
- Issues inconceivable by the founders.

### Myths of HS Social Studies and American Politics

#### Colonies were NEVER a United Group

- Colonies only share **Economical Interests**;
- Highly **competitive** between each other / North and South;
- Separated communities.

#### Independence of 1776

Year 1776 is NOT the Founding for the Country

- Completely different setup compared to today's. *Have the building, but changed the form of work.*

#### Resolution of Independence 独立决议

The *Actual Vote* that was sent to the King.

- Has **Legal Significance**.
  - **Natural Rights**: *Life, Freedom and the Pursuit of Happiness.*

- **Social Contracts:**
  - **Voluntary** agreement to be ruled.
  - **Right** to negotiate.
  - **Renegotiation** of social contracts.
- Lead to **Creation of Articles of Confederation 邦联条例**

## Confederation 邦联

- A loose collection of **sub-national actors** holding majority of power.
- **Primary Purpose** Defeat the British.

## Article of Confederation (AoC) 邦联条例

- **Problems**
  1. Lack a **Central Authority**
  2. **Six Key Powers** of it was missing
    - **No Unified Treaty 无外交和条约权**  
Couldn't do foreign policies and treaties; Couldn't end war; Only individual states are empowered to sign.
    - **No power to Compel Soldiers 无征兵权**  
Couldn't draft soldiers to show up.
    - **No power to Collect Taxes 无征税权**  
Underfunded mandate.
    - **No power for States to Compel themselves in Internal Businesses 无强制州内执行权**  
Could not compel the states to pay for anything.
    - **No power to regulate interstate / intrastate commerce 无跨州和州内贸易管制权**  
Ex. Virginia and New England did not get along, but central government could do nothing.
    - **No power over the Monetary System 无统一货币制度权**  
No central authority of money. Different Currency exists in the same country.
- **Results**
  - The existence of AoC did NOT accomplish defeating the British
  - But: No AoC, No Constitution

# 3 The Constitution and Ratification

#Knowledge

The Constitution was Approved on **September 17, 1787**.

## Ratification of Constitution

- **Problems**
  - Public is **unaware** about the content of the Constitution
    - Due to *low literacy*, newspaper system didn't work well.
  - Conflict between **Federalists** and **Republican (Anti-Federalists)**
  - Potential violation of AoC.

## Federalist Papers

- Written by **Alexander Hamilton, John Jay, and James Madison**;
- Include 85 short essays.
- **Purpose**
  - Convince **Republicans** the necessity of having a strong central government.

## Federalist #15 by Hamilton

Argument for **The Need of a Strong Central Government**, and why:

- **Enforcement Power**  
AoC Failed: Thirteen States are thinking about themselves only.
- **Concerns of the Collective Good**  
Force of Collective Good. Forming a nation as a whole.

## Federalist #51 by Madison

Need for a **Strong but Fragmented** central government.

- **Ambitions must be made to counter-act ambitions.**
  - **Double Security**
    1. **Separation of power into Institutes**  
Watching other institutes' power.
    2. **Federalism**

- Compete between states (Interstate power);
- Regulation toward the central (National power).
- **Protection of the Minority**

## Commonalities of Founding Fathers

Proposed by **Michael Kammen**

Both sides (Federalists / Republicans) need to work together.

Proposed 6 commonalities:

- **Republican with People Representing.** 由人民代表的共和政体
- **Protection of Personal Liberty.** 保护个人自由
- **Belief in Science of Politics of finding truth (best government)** 相信政治科学
- **Interest should play a role** 利益应当发挥作用
- **Public opinion is a powerful force** that is becoming more important. 舆论具有强大力量
- **Desire for Happiness.** 对幸福的追求

## Bill of Rights

June 1788, nine states ratified the New Constitution.

The ratification of New Constitution with **Compromise: Bill of Rights**

- Originally only applied to **National Government**;
- 10 of 12 are ratified
  - **Congressional pay rise** became the *27th Amendment*;
  - **House Representation Ratio** was never ratified.

## Altering the Constitution

There are **Two** ways to propose an Amendment, **Two** ways to ratify.

### Proposition

- A **2/3** vote in each chamber of the Congress.
- **National convention.** (Never used: As representing the give-away of power from Congress)

### Ratification

- A **3/4** positive vote of the **State Legislative Institute**
- **Special Convention.** (Used once: repeal of prohibition) (Easier and quicker method)

Usually a time frame of **1 to 2 years** is required.

The difficulty of Amendment **prevented crazy Amendments**

| The most recent Amendment is **27th Amendment** in year **1992**.

# 4 American Federalism

#Knowledge

## Government under the Constitution

Various forms of Government could have been chosen.

- **Confederal System 邦联制**

Power is concentrated in lower government.

- **Unitary System 单一制**

National government give states (sub-national entities) power.

- **Federal System 联邦制**

National government CANNOT give / take power.

### Why Federal System work well in US?

- **Common Problems 共同问题**

Each state has common problems. Argument for *National Government*.

- **Geographical Size 地理尺寸**

National government couldn't be everywhere. Argument for *State Governors* to play a role.

- **Sectionalism 地方主义**

Different view across the country making applying the *same policy* impossible.

## American Federalism

Consists of **National, States, and Other** powers.

### National

- **Enumerated Powers 列出的权力**

- Coinage of money, declaring war...

- **Implied Power 隐含的权力**

- *Necessary and proper clause*
  - *Elastic clause*

- **Inherent Powers 固有权力**

- Treaties, waging war, expanding territory...

### States

- **Reserved Power** 保留权力
  - As quoted in the *10th Amendment*

## Other powers

- **Concurrent Powers** 共同权力
  - Both National and States gets them.
  - Ex. Taxes, Legal System...
- **Prohibited Powers** 禁用权力
  - State may not raise army.
  - Nations and states cannot place tariffs on outgoing goods.

## Article 6

For conflicts between National and State governments, it states that the **National Government** reigns *supreme*.

- Make sure the **Vertical checks and balance**.
  - Competition between the National Government and the State Government.
- All states are created *equal*.
  - System of **Horizontal** federalism.

## Article 4

Potential problems between states.

- **Full faith and Credit Clause** 完全诚信条款
  - One state need to recognize the other states' action as legitimate.
  - Ex. Drivers License
- **Privileges and Immunities** 特权和豁免
  - When somebody moves to a new state, they own the same privilege as anyone from that state.
- **Interstate Extradition** 洲际引渡
  - Commit crime and be caught in a different state, the criminal oversees the jurisdiction of the state where the criminal *committed the crime*.
- **Interstate Compacts** 洲际协议
  - Contract between states must be approved by the congress.
  - Ex. **Port management** of New York is in charge of NY, NJ and CT. It needs approvement of the Congress.

# Two General Stages since the Civil War

## Dual Federalism 双重联邦制

- Year 1829 to 1937;
- Defined by **commerce**;
- Interstate and Intrastate has clear boundary.
- *A Defined Cake*

## Cooperative Federalism 合作联邦制

- Year 1937 to 1968
- Expanded role of **National Government**. *Get people back to work*
- FDR and social welfare.
- **Federal funding** but **State administered**.
- *Marble cake with mixed boundary*

## Federalism Unclear 联邦制不明

- Around Year 1970
- Failure of federalism.
- **Late 70s**, *President Reagan* led campaign of **Getting National Government out of Individual's Life**.

## Shift power back to the States

- Creation of **Block Grants** 总体拨款 (*President Reagan*)
  - National government gives money to State government to accomplish *social welfare*.
  - Social defense leads to the expansion of National Government.
  - **Rehnquist Court** (*William H. Rehnquist*) reinforce the **10th Amendment**. **Narrowed** the interpretation of **Commerce Clause** 商务条款.

## Future of Federalism

- **Terrorisms** leads returning to *Dual Federalism*
  - **FBI** and **Counter-terrorism**
- **Devolution** 权力下放
  - The shift in power from the *national government* to the *states government*.
  - Ex. FBI focuses on National Government, while states focus on local crime.
- **Claims of Clarence Thomas** (In favor of State-centered)

- Protects private activity and individual freedom.
- 
- In *five* ways:
  1. Bring people **closer** to decision makers.
  2. State controls the policies that **directly impact** people's daily life.
  3. State **tailor** federal policies to **meet the need** of local environments.
  4. States are **protecting** the people's rights.
  5. If people do not like the state with more power, the people can **move their feet** to other countries easily.
- *Conservative viewpoint*
  1. Reducing the size of national government into states.
  2. Create market place for personal liberty. *Effective*
    - **Competition provides best supplier.**

## Is Federalism System the Best?

- **Federalism**
  - Allow for State Representation
  - More flexibility, particularly when it comes to individual rights and businesses.
  - Greater cultural diversity.
- **Unitary**
  - Can set uniform policies, same laws and regulations.
  - Normally a more regulated business environment, particularly for large corporations and industries.
  - Less cultural divides, often a more unitary society.
  - Slower to react on changes.

| **It DEPENDS.** On how much *efficiency* and *sameness* you want.

**Federal = Less ; Unitary = More.**

# 5 Congress I

## Legislatures and Legislative Branches 立法机关和立法部门

### Legislature 立法机关

A body created with the authority to work on behalf of the nation-state to make laws.

### Legislative Branches 立法部门

### How is executive determined? 执行官如何确定

**Parliamentary** versus **Presidential** 议会制 / 总统制

- **Parliamentary** 议会制
  - The executive is drawn from the *parliament*.
  - The executive is *connected* to the legislative system.
  - Executive is allegiant to the *majority party* in the parliament.
  - *Low independence* between executives and legislatives.
- **Presidential** 总统制
  - People *directly* elect the president.
  - The president is *separated* to the legislative.
  - President is allegiant to the *national electorate*.
  - *High independence* between executives and legislatives.

### How many chambers are there? 有多少个议院

**Bicameral** versus **Unicameral** 两院制 / 一院制

- **Speed of Action**
  - **Bicameral** is *slower*.
  - **Unicameral** is *faster*.
- **Clarity or Confusion of Responsibility**
  - **Bicameral** has:
    - *More access for interest groups.*
    - *More pluralism and more reflective.*
  - **Unicameral** has:

- More clarity of responsibility.
- **Level of Representation**
  - **Bicameral**
    - It depends.
    - *More broad*, harder to determine which legislative is representative.
    - Representation is held by the group.
  - **Unicameral**
    - *More specific*.
- **Amount of Public Opinion Allowed**  
Amount of public opinion / Degree of influence.
  - **Bicameral**
    - More opinion, but less influential.
  - **Unicameral**
    - Less public opinion, but far more impactful on policies.
- **Cost**
  - **Bicameral**
    - Inefficient, take up a lot of money / time.
  - **Unicameral**
    - Less costly.
- **Full time / Part time**  
**Part time** is most common in state level .
  - Enhance representation.
  - Lower cost.
  - Better connection to the general public.

## What about Congress?

*The legislative authority necessarily predominates. -Madison Fed#51*

立法权必然占主导地位。

Legislative Branch is the Most Powerful Branch.

- Enumerated Powers.
- Implied Powers.

Founders are largely influenced by the time.

- **Senate** are Selected by State Legislatures
  - Traditionalists: Privileged Elites.
  - Utilitarian: Just do enough govern.

- **House** are Meant to represent the People
  - Only branch in the Government representing people in *Very narrow way*.
- Reflection of **Class Culture**.
  - **Senates** are elected by the popular for Senators Vote. (*17th Amendment in 1913*)
    - Result: Lead to the conflict between *Broad and Specific*.
      - Shift from *Collective good* to *Individual good*.
      - Senates shift from *Adults in the Room* to *Same direction as the House*.
      - *Broad representatives* to *Specific Representatives*.
      - *Broad interest of the Country* to *Narrow interest of States and Individuals*. "Best for me."

## Difference of House and Senate

- **Length of Term and Constituencies**
  - House *Specific to Voters, More rules*
    - 435 Members, each from equally populated districts.
    - All of them reelect in 2 year term.
  - Senate *Prestige, More Important, Less rules*
    - 100 Members, 2 from each states.
    - Reelection in 6 year term.
    - 1/3 of them are up for reelection in 2 years.
- **Prestige levels**  
*Depend on the number of Individuals in the room.*
  - **House** More people, Less power, representation of specific votes.
  - **Senate** Less people, More power, representation of control and understandings.

## Functions of Congress

- **Lawmaking**
- **Constituent Service**
- **Representative**
- **Oversight**
- **Public Education**
- **Conflict Resolution**

## Lawmaking

- Determining **Broad National Policies and Budget**.
- The Intended purpose of Congress.

- Not all proposal immediately become laws. \
- Many bills come from other sources including:
  - **Interest Groups**
    - Provide money to *support* the members of the Congress.
    - Provide help as an expertise. *Information*
  - **Political Parties**
    - Legislative agendas. 立法议程
    - Getting members on board.
  - **Executive Branch**
    - President's office.
    - Portion of Bureaucracy.

## Constituent Service 选民服务

Also referred as *Casework*.

Activities that elected officials, like members of Congress or state legislators, do to **help individual constituents (voters) with problems or requests**.

## Representation

*Two roles at the same time.*

- Trustee. *Use their own judgement to make decisions.*
- Instructed Delegate. *Act according to the wishes of their constituents.* .

## Oversight

*Where there might be new policies.*

- Of the Executive and Enacted legislations.

## Public Education

- Agenda Setting

## Conflict Resolution

*Release Valve*

Releasing pressure between the different viewpoints.

- Accommodation at all times to conflict issues.

# Congressional Structure

## Formal Leadership

- **House**

- Speaker of the House 众议院议长
  - From the Majority party.
  - Most power person in the Congress.
  - Elected.
  - Complete control over the Congress.

- **Senate**

- President of Senate 参议院议长
  - The Head of Senate.
  - Cast the deciding vote in case of a tie.
  - Required to be at any Joint of Congress. 国会联席会议
- President Pro Tempore 参议院临时议长
  - Longest Serving consecutive member of Majority Party.

- **Both Chambers**

- Majority Leaders. 多数党领袖 & Minority Leaders. 少数党领袖
  - Most powerful member of the House.
- Majority Whips. 多数党党鞭 & Minority Whips. 少数党党鞭
  - Pull the Party in shape.

## Committee Structure

- **Standing Committees** 常设委员会

- Permanent
- Most Famous

- **Select Committees** 特别委员会

- Created to accomplish specific jobs.
- Dissolve when mission accomplished.

- **Joint Committees** 联席委员会

- Special type of Committees.
- Selected from both house and parties.

- **House Rules Committees** 规则委员会

- Only House.

- Standing that all pieces of legislation refer to.

# 6 Congress II

## How does a Bill become a Law?

### 1 House 众议院

#### 1.1 Introduction 提案

Introduction to the House of Representatives as a **resolution**.

- Bill **cannot** die at this stage (assuming everything have done right).

#### 1.2 Committee Stage 委员会

Bill is referred to the **appropriate** committee.

- Power of the **Speaker of the House**
  - **Assign** the Bill to specific committees.
  - May go to **multiple** standing committees. *Multiple Referral*
- The more people involved, the more **likely** the Bill could die.
- It is up to the committee how to handle the Bill.
  - A lot of different outcomes and paths.
- **Most legislation die at this stage**
  - **Never** called for.
  - **Loses** in a vote.

#### 1.3 Rules Committee 规则委员会

Set **rules** to the debate around the legislation.

- Rules include:
  - How **long** does each member get to speak?
  - **Who** is allowed to discuss?
  - What issues are relevant and *Germane*?
- Not all people get to speak.
  - It has to come out of the **Rules Committee**.
  - Involve of **Speaker of the House**.

#### 1.4 Floor Action 全院辩论

Bills and Amendments are debated. Each Separately.

- Where all the rules get into place.
- Limited time to resolve the issue.
- Scheduling matters.
  - Earlier: More discussion of the Bill.
  - Later: Less discussion of the Bill.
- May add amendments to the Bill during floor action.
  - Additional Fundings...
- Voting process
  - First: Vote on each amendment **separately**.
  - Then: Vote on the **whole** Bill. (which is different on the initial)
  - Can kill the Bill on this point.

## 2 Senates 参议院

*Adults in the Room*

### 2.1 Introduction 提案

Similar process with the House process.

### 2.2 Committee Stage 委员会

Similar process with the House process.

- Effectively refer to the discussion group.
  - Multiple referral (single person crossing between multiple groups) may occur.
- May amend or add subsections to the Bill.
  - Subsections: New things that are not directly related to the original Bill.
- Vote on the amended Bill.

### 2.3 Scheduling 日程安排

Scheduling is made by **Majority Leading in the Senate**. 参照多数党领袖安排。

- Speeding or Slowing the process of the Bill may alter the likelihood of success.

### 2.4 Floor Action 全院辩论阶段

- May add amendments to the Bill. (Could be Non-Germane)
  - Can have nothing to do with the Bill that's being discussed.

- Create a shortcut.
- No Time Limit.
  - Also may hold the Bill as long as they want.
- Vote of Closure. 终止辩论动议
  - 60% Vote to close the debate.
  - Goes to an immediate final vote.
    - Used to kill a Bill immediately.
    - Provide background dealing.

## 3 Conference Committee 协商委员会

Selected committees which acts as a **joint** when difference occurs in the House version and the Senate version. 协调众议院和参议院版本的不同。

- Attempt to find compromise.
  - No compromise, no law.
  - The Bill may die here.
- **Speaker of the House** appoint the members of Conference Committee from House.
- **Majority / Minority leaders** appoint members of Conference Committee from Senate.
  - House first, then Senate.
    - The Bill may die here.
- Vote on the final Bill
  - Nothing can be changed.

## 4 Presidential Action

President has various choice toward the final Bill.

1. Sign it.
  - Becomes a law.
2. Veto: Give reason why they're vetoing.
  - Signal to the Congress what to change.
  - Can be override by Both chamber of 2/3 vote.
3. No action: Doing nothing.
  - Have 10 business days to sign.
    - If Congress is still in session. *Let sit*
      - Become a law. *With political protest from the President*
    - If Congress come out of session. *Pocket Veto*
      - Dies. Cannot be returned.

- Doesn't signal the Congress what to amend.

# 7 The Budget

Begin 18 month prior to each fiscal year. (Oct. 1st - Sept 30th)

- Incoming president does **not** have control for their first year;
- Need to go through both chambers of Congress and signed by the President.

## Process of Budget

### Executive Budget 行政预算

*March*

A formal proposal provided by the Executive Branch.

- President giving the Congress a picture about what they're going to vote on.
- Attempt is conducted as an inform in March of what they're looking for from a budget coming from Congress.

### First Budget Resolution 第一次预算决议

*May*

Similar to a traditional Bill in the Congress.

- Get a picture about how the Budget would look like.
  - How much Deficits and Surpluses;
  - What programs are important to the Congress;
  - Snapshot of what we are actually going to look at.

### Second Budget Resolution 第二次预算决议

*Before Sept. 30th*

- Need 60 votes from the Senate to be locked-up.
- Goes into the **Continuing Resolutions** if not passed before Sept. 30th.

### Continuing Resolutions 临时拨款案 (CR)

A *short-term* funding mechanism to keep the government open in *1 to 2 weeks*.

- Getting to be more complex.

- Incorporate more than they're supposed to be. (Couple of years)
- What Federal Government is depending on since May.

## Recent Budget 最近的预算

- Trump 45
  - Year 2009: \$3.1 trillion (budget); \$3.9 trillion (actual)
  - Year 2021: \$6.82 trillion (budget).
    - Reaching \$2.77 trillion total deficit. (New record)
- Biden 46
  - Year 2024: \$6.9 trillion.
  - Year 2025: \$7.1 trillion.
    - CR is triggered and ends on Oct. 1st.
- Trump 47
  - Discretionary budget (可自由支配预算) proposed by Trump (*Not Executive Budget*) as of right now.
  - Just talking CRs and none yet.

## How to Cut Spending?

### Pork Barrel Politics

The politics, spending, amendments, etc. that are extensively **localized** benefits tacked onto larger, *must pass* bills.

带有强烈**地方性利益导向**的政治操作、开支或修正案等，通常被附加在更大、必须通过的法案之中。

- Targeted to Wasteful Spending
  - **Argument** It takes away from what is best for the national interests.
  - Citizens Against Government Waste (NAGA)
    - Year 2022: 5138 projects, \$18.9 billion.
    - Year 2006: \$29 billion.
    - Year 2005: 13997 projects.
  - Wasteful or Necessary Spending?

*Only covers 0.003% of total Federal Spending*

### DOGE

"*Savings*" = \$206 billion.

## Reality

- **Math is not really adding up.** Over 10k projects cut, but the real reduction in the \$35 billion range.
- **Cutting programs not always spending.** Spent budgets still count as saved budget.

## Realities

- All of the above would be 2.9% of total spending.
  - Not repeatable, means no more savings in future years.
  - Equivalent to \$10880 payment to a \$375183 credit balance.
- 50% is a yearly savings moving forward, takes us to 25 years.
  - New debt could be even more expensive.
- 12% of federal workforce.
  - \$336 billion total in 2025.
  - So \$40.32 billion.
  - About 0.57% maybe could be laid off.

*Permanent Large-Scale cut or Massive Increases in revenue is needed.*

## Massive increases in revenue

- Raise Tax: Not practical, Congress **cut** taxes.

## Cutting spending

- **Defense**
  - Calling for 13.4% increase of over 1 trillion. Cuts are not likely.
- **Social Welfare** (Medicaid / Medicare / Social Security)
  - Most Likely
    - Stereotype of what it covers.
    - Most people are not covered by.

## Why not cutting defense?

1. Requires Congress. People at the Congress are not willing to cut the budget.
  - Loss of local job.
  - Unwillingness of general public.
2. Some large bills coming due.
  - Shelf life for any technology.
  - Most money are spent on upkeep. (Replacement, maintenance)

### 3. Investment in Navy and Air Force

- Power projection is expensive. Navy / Air Force act as tools.
  - Shift from Control Territory to Influence Territory.
  - Stretch out farther to do more things.

## Reasons of cutting social welfare

- Medicaid
  - Stereotype of what it covers.
  - Most people won't be covered by.
- Medicare
  - Most people will be impacted.
- Social security.
  - Mostly are borrowed fund. Currently operating at huge deficit.
  - People are living longer.
  - "Exempt" "Not allowed" Jobs are not participating in Social Security.

***Tough road. Likely only taken when it is too late unfortunately.***

# **8 The President and Executive Branch**

## **Reality of Becoming a President**

### **How is the Executive determined?**

- Parliamentary versus Presidential. 议会制 / 总统制
- Determines Allegiances and Constituencies. 政治忠诚 / 选民基础

### **Starting Point**

- President is an innovation of Government.
- Power of the President has fluctuated.

### **Becoming President**

- Article II Section I
  - More than 35 years old.
  - Natural Born citizen of United States.
- Common Characteristics.

### **Roles of the President**

#### **Chief of the State**

- Symbol of the Country.

#### **Chief Execute**

##### *Primary Purpose*

- Head of Bureaucracy;
- Appointees;
- Budget;
- Enforcement.

#### **Commander-in-Chief**

- Increasingly important over time.
- Attempt to reign in power.

Military is the largest within the bureaucracy.

## Chief Diplomat

- Direct **foreign** policy.
- Symbol of the US. *Speak on behalf of the Country*
- Sign Treaties.
  - Require a 2/3 vote from Senate.
- Executive Agreements.
  - Not Permanent.
  - Ways of foreign policies.
  - More than 13 thousand issued.
  - Bypass Congress / Senate.
    - May counteract via legislative process.

*Commander-in-Chief* and *Chief Diplomat* have impacted presidential power over time the most.

## Chief Legislator

- Sets the **Agenda**. "Singular"
- State of the **Union**.

## Party Chief and Politician

*Occurs by Default*

- **Domestic** versus **Foreign Policy**
  - Dramatically different skillsets.
    - **Domestic** Work with the Congress;
    - **Foreign Policy** Convince with the public.
  - Congressional versus Public support.
- Chief **Campaigner** / Fundraiser (*Bring fund to Campaigns*)
  - "Go on the Stump"

## Other uses of Presidential Power

### Emergency Power

- National Crisis.
  - Has the right to define.

- Specific code of power using regulated by law.

## Executive Orders / Memorandum / Proclamation

- **Executive Orders**
  - Rules and regulations created by the President that has the same effect with *law*.
  - *Same power as law*
    - Has to be within the Congressional Area.
    - Constitutional defined.
  - Two Hundred to Three Hundred Executive orders per 8-year period.
  - Go down the same way as the Treaty.
- **Memorandum**
  - Not similar to *Executive Orders*:
    - Not printed into the *Federal Registry*.
    - Not have to be *Justified*.
    - Must be in previous legislative areas in *Constitution*.
    - ***Internal Issues***. Inside policy of the Government.
      - Ex. Remote working policy of the Government.
- **Proclamation**
  - Always deals with *private individual*.
  - Not the power with law.

**Executive Orders, Memorandum and Proclamation** are **Separate** and **Distinct** actions of the President.

### Ex. Memorandum Pausing Federal Funding

"*Must pause temporarily all activities related to obligation or disbursement of all Federal financial assistance.*"

The memorandum is related with *Executive orders* and *Proclamations*.

#### Is it legal?

- Constitutional Questions: All the funds are already approved, where Congress has control on.
- Impoundment Control Act: Use fund for greater good immediately.
- Definitional: Separation of *Executive Orders / Memorandum / Proclamation*.

The **Strategic use** of the powers ⇒ Expanding of Presidential Power.  
Reshaping the way that the Government works.

## Executive Privilege

Nixon refused to provide the recordings according to *Executive Privileges*.

Most clearly commitment of *Crime. (Caught on tape about the Crime)*

Not protected by **Executive Privilege**

- Each branch of United States are able to operate in their own *Confidentiality*.
- Cannot claim executive privilege related with *Crime*.
- Most of the time, it is around *National Security*.
- Members in the Congress are not brought to the same level of *Security Information*.

## Inherent Power

*Being leader of their States*

- **Diplomatic Immunity** Automatically get when becoming President.

## Impeachment

What happens when power strays too far?

- Documented in *Article I, Section 2 and 3* and *Article II, Section 4*.
- Happens when **Treason, Bribery or other high crimes and misdemeanors** occur.
  - Subjective definition of crime ⇒ Area for negotiation.
  - Does NOT mean automatic removal.
- Twenty-one (*Twenty-two*) in history. (*Trump twice*)
  - 8 were removed.
  - 3 resigned.
  - 8 acquitted.
  - 1 dismissed because of Jurisdiction.
  - 1 left office
- Most were judges, only *three presidents*.
  - Who were they?
    - Johnson
    - Trump
    - Clinton
  - Could Trump be impeached again?
    - Depend on midterm election ⇒ Can be impeached as many times as possible.

## Steps of removal

- **House** have the power of impeachment.
  - **Senate** conducts the trial.
1. *Lower banner* Impeachment conducted by House.
  2. *Higher banner* Removal trial conducted by Senate. (60% banner)

## Vice President

The Vice Presidency. *The Usual Suspect.*

### How are they chosen?

- Have *success* in their career.
- Accomplished. *In many aspects.*

### How they *balance* Presidency

- Balance the ticket.
- **Geographical Balance** Often from different area compared to President.
- **Ideological Balance** Often have different political personality with President.

### Function in the Government

- **Very little involvement** in the Executive Process.
- **Replacement** is the main purpose.
  - Documented in 25th Amendment. *Way and Who will be replaced as new President.*
  - Established line of succession.

### Neustadt - Power to Persuade

- Politicians need more than *Formal Powers*.
- Must win over the *Washingtonians*
  - **Washingtonians** Fund Raisers, Sponsors.
  - How to convince:
    - Directly persuade them.
    - Persuade the people.

### How to Persuade the People?

#### Rhetorical Skills

## *Speak Well*

- "Canned remarks"
- "Off-the-cuff remarks"

Presidents are usually good at only one of them.

## **Resources of the Office**

- High-end activity all the time.
- Home court advantage.

## **The Washington Bazaar**

- The **Media** is most powerful.
- **Evolution** with the policy.

## **Going forward**

- **Presidential Powers**
  - Unless drastic changes, it will only increase.
- Arthur Schlesinger **The Imperial President**
  - Did we already get there?
- Advantages of Presidency
  - **Energy** See them on the **focal point**, connect in some regard.
  - To tell the people **what to do**, **what's the right thing to do**.

## **Presidency versus Parliamentary**

What about the comparative side?

## **Independence**

- **Presidency** President is an *Independent Branch*
  - Independent check on power to *both* side. (Congress President)
- **Parliamentary** Prime Minister is responsible to *Legislative Branch*
  - Direct reflection of majority in the Congress.
  - Not independent.
  - Increased *oversight* and enhanced *reflection* of the majority and public.

## **Responsibility**

- **Presidency** President only responsible to the *People*.
  - Not responsible to the Legislative Branch.
  - *People* have different degree of reflection.
    - Best: Electoral public.
    - Worst: Political Party.
  - Usually the *Small Majority* of the population.
- **Parliamentary** Prime Minister is responsible to the *Legislative Branch* and their *Party*.
  - *Proportional Representation*.
    - The proportion of society voted for them.
  - Usually the *Large Majority* of the public.

## Power

- **Presidency** Power is divided and diffused.
  - Slowing down the process.
  - Work are based on compromise.
- **Parliamentary** Power is concentrated to the majority party.
  - In timely, making it more timely and efficient.

| Doesn't mean it always work this way. ⇒ Totality of Presidency / Parliamentary.

## Tenure

- **Presidency** Tenure is *fixed*.
  - Society may change dramatically, but they only have *one-chance* for the election.
  - *Re-election* is required for the change in presidency.
- **Parliamentary** Tenure is not *fixed*. (mostly)
  - No limitation to the time in office.
  - Reflection of the party ⇒ Can call removal by the party ⇒ Can have a new election to replace the Prime Minister.
  - Prime Minister *may resign*.
    - Believing the mission of the Party but not the right person to do the job.
  - Reflection of a larger society.

| To Wrap up:

**Presidency is**

- Way more slower.
- Bigger check on power.
- Not see the oppression of minority opinions.

**Parliamentary is**

- Country may move dramatically on one direction.
- Society may pull back if went too far. *Proportional Representation*

*Proportional Representation* Get corresponding seat amount.

Presidency	Parties	Parliamentary
1 seat		60 seats
No seat		25 seats
No seat		15 seats

# 9 The National Security Policy Making in Real Time

## Departments in Federal Government

- **Defense** First Largest.
- **Veteran Affairs** Second Largest.
- **Homeland Security** Third Largest.

## National Security Council (NSC)

Principal forum for consideration and integration of national security policy issues requiring presidential determination.

### Members

- **Statutory President**, Vice President, Secretary of State, Secretary of War.
  - **法定成员** 总统，副总统，国务卿，国防部长，能源部长。
- **PPD-1** Treasury Attorney General, Homeland Security, US Representative in UN, President's Chief of Staff, National Security Advisor, Secretary of Energy.
  - **总统政策指令规定的常驻成员** 财政部长，司法部长，国土安全部长，美国驻联合国代表，白宫幕僚长，国家安全顾问。
- **Statutory Advisors** CJCS, DNI.
  - **法定顾问** 参谋长联席会议主席（军事顾问），国家情报总监（情报顾问）。
  - Statutory Advisors are *Not involved in the voting process*.

Also called the *Star Chamber*

## National Security Policy-Making Process

Two Strategies: *Top-down* and *Bottom-up*

- **Principals Committee (PC)**
  - Senior interagency forum for national security policy issues.
- **Deputies Committee (DC)**
  - Recommends actions to the PC and reviews work of Department and Agency.
- **Interagency Policy Committees**
  - Main day-to-day of a for interagency coordination of national security policy.
- **Sub-IPCs**

Since 2025, the *Trump 47 National Security Council* imposed policies with *Top-down* process only.

## How US develop National Security Policies

1. **Decide and Act** President / PC level.
2. **Guidance and Intent** NSC / DC level.
3. **Authority and Capability** Department / Agency level.
4. **Orders / Policies / Law** Sub-IPCs / Staff level.

## Limiting factors during decision making

### Pre-Trump Administration

- Rules of Engagement.
- Fiscal Authorities.
- Non-Kinetic Activities
- Exquisite Capabilities.

### Trump Administration

- Lower Court Challenges
- Supreme Court
- Public Opinion

## US Guiding Principles

### *America First*

- Affecting various policies in different branches.
  - Transactional strategies.
  - Multilateral / Bilateral Strategies.

# 10 The Bureaucracy

## Nature of Bureaucracy

Bureaucracy: A large organization that is structured hierarchically to *efficiently* carry out specific functions. (Ideally)

- Government is a *Service Industry* (Massive)
  - Three million<sup>+</sup> employees (almost double 2nd place (Walmart) in US)

## Differences between Public and Private Bureaucracy

**Public Bureaucracy** The Government.

**Private Bureaucracy** All others.

## Bad Leadership bring down the organization

- **Private Hierarchy** Leadership is *Earned*.
  - Based on Knowledge and Experience ⇒ Expertise.
- **Public Hierarchy** Anyone could be appointed.
  - Expertise is *not* required to become leaders in the Government.

## Motivation and Incentives for Performance

- **Private Hierarchy** For profit, bonus and structure.
  - Motivation is based on performance.
  - Profitability get people to do things.
- **Public Hierarchy** Not based on performance.
  - May reduce the quality of service.
  - *Perfect storm for failure*.

## Three models of Bureaucracy

### Weberian Model

Typical in Private Hierarchy.

- Hierarchically with formal *rules* and *regulations*. (Ideally)
  - Top-down model.

- Technical in nature.
- Rational and Neutral.
- **Government** tend to work differently. ⇒ No competitions.

## Acquisitive Model

- Protecting the *turf*, self-serving motivations.
  - *Limited resources available, divided entities.*
  - Each individual do more in *protection of the turf, self-serving.*
  - Think more of *themselves* instead of the people.
- Government tend to work this way.

## Monopolistic Model

- Model of most *Inefficiency*.
- **Government** is the *only* one to provide specific services.
  - Monopoly ⇒ No incentive to improve.
  - Tend to be very *inefficient*.
- They will *always* keep their job.

## Organizations of the Federal Bureaucracy

- **Cabinet level Service Organizations**
  - 60% of civilian workers.
- **Independent Executive Agencies**
  - Not direct report to *Department of <certain area>*.
  - Ex. NASA
- **Government Corporations**
  - Organized like Private Firms. *USPS*
- **Independent Regulatory Agencies**
  - Implementing and Making *Rules* to protect the public.
  - *Nuclear Regulatory Commission, Federal Communication Commission*

### Where does regulation begin and where it ends?

- *Overregulation*
- 41000 regulation to make a single burger.
- Most service a purpose.
- Regulations are not Cheap!
- 8 to 11 cents added to each burger.

- Some may be a little extreme.
- Some of the guidelines could be scary.

## Modern Attempts of Bureaucratic Reform

### Sunshine Laws

Require Government Agencies to *conduct sessions in public*.

- *People don't know what's going on inside*
- Shed ***light*** on the darkness.

### Sunset Laws

Congress review existing program and determine if they are effective / under the law.

- If not, the program ***go dark***.

### Privatization

Built in greater efficiency in specific fields.

- Private sector could do *better* or *only* private sector can do so.
- ***Contracts*** are created at get ***bid*** on.
  - Private sectors came up proposals related with the contracts.
  - Government chooses the ***best*** bid.
    - ***Lowest-price*** bid may not always win:
      - Related to specific contracts.
      - Some could be too time-costly.
  - ***Money*** have to be spent on the job.
    - Getting paid no matter how much is ***actually*** cost.
    - Contractors know that money will be towed into the industry.
  - Ex. Ashtrays on Submarines. Develop *Mini Monopolies* on these items / industries.

### Performance and Results Act

How do we know a bid is a *good bid*?

#### ***Effectiveness***

- Allow each Agency to create the standards by which they will be judging on.
  - Create the rules to let the Congress judge themselves.

- The **Bar** may change.
  - Bar is set for *sunset*.
  - The *floor* and the *ceiling* of the performance are both limited by the bar.

## Internet

Allow the consumers to *connect* to the Government.

- Before the Internet. *IRS, Tax form by hand, thick booklets.*
- Better response to the need of the people.

## Whistle-Blower's Protection Act

Prevention of Waste and Fraud within the Government.

- Blower remain protected and anonymous.
- Actually diminished within last 10 years. Blowers are no longer protected.

## How do we staff the Bureaucracy?

### Two main categories

- Political Appointees
  - President Nominates.
  - Senate approves the individual. (Required)
  - Importance of the Political Party. (Overwhelmingly Ideology)
  - *Political Plums* Certain jobs that are the best.
    - People in these positions for reason.
    - Managing Crisis Situations.
- Civil Servants
  - Established by the Pendleton Act.
    - Replacing Government to own party cannot be based on political leaning.
    - *Can do it, don't say it.*
  - Based on Merit but not political party.
  - Hatch Act
    - Civil Servants cannot be actively involved in a campaign.
    - Political Freedom limited for the *Greater Good*.

## How does US Bureaucracy Compare?

*US has a Negativity to public sectors' job.*

- Hate Government more than any other country.

## France

Grand Corps. National School of Administration

- Common Training, common language, same goals.
- It is *Elitist*. Primarily upper class, 40% with family background involved in Government.
- *These Princes who govern us*. In some ways *Sovereign*.  
*Pretrained* Represent the Elitist part of the society.
- Higher Level - Financial Status - Education

## Germany

- Combination of a **Moral** sense and a **Legalistic** nature.
- Mostly lawyers, highly trained and professional.
- Like France, loyalty is to the State, not to the Agency / themselves.
- Hierarchy, ethical driven purpose.
- Reckoning of Germany ⇒ Greater moral purpose.
  - Protection of the People, done through legalistic.

## Japan

- Attracting Youth, very competitive.
- Graduation with honors is a must, helps if Tokyo University.
- Regimented schedule and criteria for promotion and advancement.
- Abnormally high level of political influence.
  - 90% of all legislation passed come from them.
  - 50% elected serve within the Government.

## Reality

**Although they may be more professional, Admired, They all have their problems, just like the US.**

- Original Homogenous population influenced by *Infuse of Immigration*
  - Designed as *Static Systems* is hard to face a wider cloth of society.
- **None of them will perfectly fit the Weberian Model.**

# 11 Public Opinion and Polling

## Importance of socializing factors

*Everyone is NOT unique.*

### Socializing Factors

- Family
  - Most important;
  - Influence at the most vulnerable time;
    - Religion
    - Values
    - Frameworks
  - Stay within you for a long time;
  - Set the boundary of beliefs.
  - *Exception: Trauma*
- Education
  - Elementary level: Patriotism;
  - Democratic behavior;
  - Define normal / abnormal behaviors.
- Peers
  - Reinforce your own ideas.
  - Not changing your own ideas.
  - Unless being *put* into some ideas.
- Leaders
  - Elected: Not so influential;
  - Informal: Coach, teacher ... much more influence.

### Psychological Consideration for Voting

*What type of decision-maker are you?*

1. Party identification.
  - Ideological Association (*There's other ways to hit ear properly.*)
2. Perception of the Candidate (Positive / Negative Policy)
  - Lose depth of thinking
  - Believe everything is Black / White.

### 3. Issue Preferences (*Most Rational Choice*)

- Care about particular issues.
- Rank the issue with how much it matters.

All of this can be measured with public opinion polling.

## Public Opinion

**The aggregate of individual attitudes or beliefs shared by some portions of adults.**

- Must be **expressed** to be part of the change.

## Measuring through polling

- **Straw polls** Unscientific, unrepresentative. (*Get quoted as if they're real*)
  - Literacy Digest (1916 - 1936)
  - Selection Bias.
- **Scientific polling** based on Probability.

## Why use polling?

**George Gallop** Polling enhances the democratic process.

1. Brings people back into the process (*Continue the job in between elections*)
2. Weakens the power of *Interest Groups*.
  - Represent a large group of people. (Resources / Voting)
3. Indicates broad preference, which in turn initiates policies.
4. Provides feedback on policy choices.

But can we put faith in the Results (*Four Pollsters*)?

1. Issues with Sample Constructions (Project / Historical)
  - Models versus Traditional
  - Self-report versus Voter History
2. Herding (Models get biased)
  - Created a poll that moves the needle the way you wanted to go.
  - Vote for electorate that doesn't exist.
    - *Biased*: By showing *what they're expecting to see*
3. Best to average polls and have it be rolling.
  - Polling returns shows trendlines. *Directional understanding*.

## US Public Opinions and the American Political Process

- US collectively has distinct opinions.

## 1. American Political Values

- Liberty, equality, and property.
- Justice.
- Support for religious freedom.
- Community service and Personal achievement.

## 2. Major Opinions of Americans

1. Lack of Confidence in Politicians.
2. Level of Factual Knowledge about politics low.

But we can also use polling to target specific demographics.

Such as you.

## Generational Conclusions / Finding Summarized

**Generation Z:** First generation to be socialized in similar ways globally (in industrialized, westernized democracies)

*Why is this case?*

1. Access to the Internet and Technology (Smartphones).
2. **Wealth** / Income was not as much of an **obstacle** to socialization patterns.
  - Schools, consumerism / consumption pattern, availability.
  - Anyone could be fed into it.
3. Let's blame parents, they make mistakes.
  - Overprotected the real world, Under-protected in the virtual ones.
  - Created cycle of dependency, but perhaps false sense of independence.
    - Juxtaposed say with Gen X for example: Every fan was outside but not inside.
  - High levels of Mental Health issues globally.
    - They have their own implications.
    - Impulse control, addiction, desensitization.

| Could have important implications for domestic politics and International Relationships.

## Generation Z (2001 - 2015): Best Descriptors

- High Capacity: Entrepreneurial and tech savvy.
- Fluid: Identity and preferences are dynamic.
- High Anxiety: Overwhelmed.

- Not as reliant on older generations: Information independence.
- Networked: Connected but lack deep social connections.
- Findings: More Autonomy, Anxiety, and Agency (Authority / Independence); Hardened opinions and views, demanding vs. personal (tech vs. people).

## Generation α (2016 - post)

- Polarized world (post Trump): Outrage and lack of civility.
- Pandemic: How will distance impact them? Mental Health problem?
- Shortest childhood ever? Tougher to remain isolated. How does this impact them long term?
- Technology (Sedentary, passive vs. active learning, social issues (above))
- Volatility in society, economy and culture (stressors, mental health, medication)

| Why should we care about the political opinion of different generations?

## Government is Responsible to Public Opinion

- Public opinion change = Policy change.
  - 2/3 of the time.
  - Most accurate the shifts are *large, stable and in a liberal direction*
    - **Large:** How many pure changes people favorable.
    - **Stable:** Are we seeing consistent large growth.
    - Avoid the Blips.
  - **Liberal:** A change to what is the status quo. (Progressive / Regressive)

## Why doesn't it always change?

1. Government represents *voting public*.  
*Those who are likely to remove them from power.*
2. Not only direction but intensity.  
*Might vote on it.*
3. Public opinion not the only influence.  
*Parties, interest groups, constituents.*
4. Democracy based on compromise.  
*Reflected needing change, negotiated in way.*
5. There's NOTHING sacred about Public Opinion.  
*They do not need to listen to public opinion all the time.*

## Important veto and that is why political scientists study it

- Not go directly against the public opinion.

- May lead to votes where counteracting them.
- Already-taken-place policies may be supported by public opinion before but experienced a change.

# 12 The Judiciary Branch

The least dangerous of the branches. (?)

## Introduction

- Supreme Court has the Highest Support of the American People.
  - Least visible of the Branches
    - Conduct their hearing behind closed doors.
  - Assumption that counts are non-political and objective.
- **COURTS ARE POLITICAL ACTORS!**

## Federalist #78

Hamilton: *Will always be the least dangerous to the political rights of the Constitution. No influence over the Sword or the Purse.*

- A Dependent Branch
  - Executive: For enforcement. (The Sword)
  - Legislative: For appropriates (money) and rules. (The Purse)
- Independent Judiciary as an Important Check
  - Separated and left to the side.
  - Make decisions where the society is going to the way supposed to go.
- But is it the *Least Dangerous*?
  - Buddied up with legislatures / executives for their needs.
  - Independencies: Remain slightly unchecked outside of the branches and the public check.

## American Law

Based on the English Legal System.

- Common Law: Judge-made law based initially on the prevailing custom and eventually precedent.
- State Decisis: Stand on decided cases.
- Efficiency and Stability: Evolve over time.
  - Using the Cases to form the law and how will it look like.

## Federal Court System

- Based on **Concurrent Powers** (Article III Section 1)
- Federal Courts Authority (Satisfy 1 of the issues)
  - Involves a federal question.
    - Legal Question: Based in whole or in part on
      1. The US Constitution.
      2. A Treaty.
      3. Federal law.
  - Diversity of Citizenship.
    - Different States Involved.
    - US Citizen suing citizen / government of another country.
      - Have legal standing → bring a sue.
- Standing to Sue: **Real** harm have been committed.
  - Not Occurrence of potential harm.

## Selection of Federal Judges

- One area where Presidents make lasting impact.
  - Ex. Byron White: Served under 8 different presidents.
  - Long-standing tradition of making influential impacts.
- US Senate Role
  - Lower Courts (Expeditious Process).
  - Supreme Courts (Highest court, stakes are high, attention).
- Political Party Consideration.
  - How do they ideologically align judicial issues.
- Importance of Ideology
  - Outcome of policy generations to come.

## Federal Court System

- Three-tiered Model
  - **US District Courts** (Entry point)
    - 94 District. (At least 1 in each state)
  - **US Court of Appeals**
    - 13 Courts
    - *Panel* of Judges
      - Deciding if mistakes were made.
      - Application procedure.
      - Normally all cases end.

- If involved US Government:
  - Must be appealed at the **13th District**.
  - Other Court of Appeals are Regional.
- **US Supreme Court**
  - Both Original and Appellate Cases.
  - 9 Justices: Lifetime appointments.
  - Cases are chosen in specific reasons.

## Supreme Court at Work

- Work schedule: From October to June
- Case Selection *They don't like to be told they're wrong.*
  - Supreme justices decides what they what to hear.
- Decisions made on Points of Law but not Facts.
- Majority Opinion (has to be).
  - The logic why it decided throughout the process.
- Dissenting Opinion (Interesting)
  - Basis of Reversal Argument.
  - Decide narrow/wide of reversal argument.
  - If one vote against and from chief justice:
    - Represent judicial ideology.

## Why a case was chosen for Examine?

- Lower court disagreement. (District ⇔ Appeals) *Breaks the tie.*
- Ruling conflicts. (Lower court against existing Supreme court doctrine) *Pretty strong one for hearing.*
- Broad Significance. (Case impact more than just involved).
  - The more significant, the more likely. (Freedom of speech / Estate laws)
- Substantial Federal Question. (Segregation of schools / Voting Power)
  - Article 6, Supremacy Clause: State court cannot step into federal law.
- Laws Invalidity (Federal)
  - State claim federal law does not available in the State.
    - *Federal law is wrong* here in the state.
  - State *holds up* a state law that is against a federal law.
    - Pointing to direct conflict.
    - Direct Violation of Federal Law.
- Acts of Congress

- Judicial Issue / Federal case: Require Standing to Sue, Harm have to be convicted.
- Solicitor General
  - Make sure there's worthy time to examine.
  - *Rule of Four*: Vote of more than four to make a case be heard.
    - Executive Branch: Partition the court directly to hear a case.
    - Skipped over the process, which supposed to be vote on.

## Policy Making and the Court

- Importance of *Judicial Review*
  - They could use and choose how to use.
- **Judicial Activism** Affecting political decision / Choice to move policy to position.
  - Uses power to direct policy toward a desired goal.
  - Broad view of the Constitution.
    - Does not provide direct insight of Judicial Activism.
- **Judicial Restraint** Before
  - Rarely uses power of Judicial Review.
  - Limits judicial action in the political process.
    - Since WWII, Supreme Court tends to be Active.

## O'Brien: The Court in American Life

- Is it a reflection of the political culture?
  - Political Cycles: Overall mood of the country. Conservative / Liberal
  - Public Opinion: Specific on a singular issue.
- Review of *Brown vs Board of Education*
  - Delayed Decision
  - Role of Deadlines.
    - Segregation needed to end, but delayed decision.
  - Deliberate pace, but achievable: 34 years later.
- Argues: *The Court is very aware of its legitimacy and the likelihood of compliance.*
  - Rarely the Supreme Court is surprising decisions.
    - It is very much a dependent branch: Especially enforcement.
    - Independent: What the people want?
      - Reflecting their desires not based on what they're thinking about as legal.
    - Certainly political Behavior.

## What checks our Courts?

Founders: Least Powerful Branch, but more than they thought.

- **Executive Checks** Slow
  - Judicial Implementation.
    - Enforce legal decision of the court, not likely to happen.
    - President Actually check judicial power.
  - Power of Appointment.
    - Justice appointment, provided a list from executive branch.
    - Lower court appointment is more influential, reflecting the thoughts bottom-up.
- **Legislative Checks** Could be quick.
  - New bills and amendments.
    - Defend jurisdiction.
    - Judicial inquiry.
- **Public Check** Best check on supreme court. Quickest.
  - Strongest.
  - Rarely deviate from what the people's thinking about.
    - Bias of Polls.
  - Requires the trait that public do not have.

# 13 Starting point for understanding Suffrage Rights in US

All men are created equal Really?

- Estimated in some states, only 10% of the population are eligible to vote.
- Property qualifications.
  - **Economic Stake = Political Stake**
    - Political Stake comes from Economic Stake.
    - Elections.
    - Who can vote?
  - Americans are tied up in property value.

## The Extension of Voting Rights

- **African Americans**
  - 1865-1870
    - *Civil War Amendments*
    - 14th ~ 16th Amendment.
  - During Reconstruction
    - 2 elected to Senate.
    - 14 to the House
    - Short lived:
      - Last Black American served in 1901.
      - Next to serve in 1972.
- **Government Sanctioned Exclusions**
  - Permission required from Employers.
  - 1965 Voting Right Act (After the Economic Stakes of others)
    - Took away the people already having right to vote.
    - Correction in Property Values.
- **Women**
  - Better off with property rights, after civil war continues.
  - Bills introduced: Only 4 states by 1910, women have the right to vote.
- **Powerful Interests Opposed**
  - Prohibition
    - Lose opportunity selling alcohol.

- Manufactory
  - Child-labor issue.
    - Pay less.
    - Better days workout.
    - Fixing Machines
  - Make real child-labor law.
- Catholic Church
  - Safety Issues
  - Not having children.
  - Women no longer becoming women.
- Impact of British women's movement
  - **Disruption in public sphere** OUT
    - Economic action ~ Political Influence
  - **Partition Government for people Voting Women Supports**
  - **Disrupt the economic sphere** INSIDE
    - Women, domestic work.
    - Affecting men votes domestically.
  - **World War II**
    - More women workers
  - **19th Amendment Passed**
- Gen Z
  - People have jobs vote more.
  - Does not automatically turnout for democracy,

## Turnout is the lifeblood

- Why is full suffrage important?
  - Turnout is a critical to the health of a democracy.
- So how healthy is the US?

Year	1996	2000	2004	2008	2012	2016	2020	2024
Percentage	51.7	54.3	60.1	61.6	58	59.2	65.3	63.9

- Year 2020: Consists of Strongly Polarized Thoughts.
- Year 2024: Structure not complete for voting.

**Second lowest average for industrialized democracies.**

- Switzerland is the 1st lowest.
  - Confederal structure.
  - National polling doesn't matter.

## To Vote or Not

### Socioeconomic Factors

- **Age**
  - Older individuals more likely to vote.
    - 18-22 age: around 31%
    - So much going on.
    - No vacancy for voting.
    - No economic stakes.
    - Pay equity (Economic stakes = Political stake)
- **Education**
  - Education increase voting.
    - Type of job economic stake.
    - Other factor in the society.
- **Minority Status**
  - What issues you vote for? (Target Group) instead of affecting the turnout rate.
- **Income**
  - More money make more likely vote.
  - Doesn't explain voter turnout. (Explain why voters NOT)

**Socioeconomic factors do not explain voter turnout.**

### Motivational Factors

- **Satisfaction**
  - Voter turnout go up when they're less satisfied.
  - *Vote to change things*. Exercise right to vote on that.
  - **Cannot find causal relations. Often go Opposite**
    - Dissatisfaction increases, but voter turnout decreases.
- **Modern Campaign Influence**
  - Provide measurable effects
- **Negative Campaigning**
  - Provide reasons not to vote: Not telling people why to vote for them, but telling the others are worse.
  - Turning out to opinions *I don't wanna vote that way*.

- Giving negative sign of voting.
- **Strategic / Sincere Voting**
  - Strategic voting: why against the other.
  - Sincere voting: We want more of the subject.
- **Social Rootedness**
  - Hard to measure.
  - *How connected are you to your community?*
    - More: High chance to vote.
  - How could you be socially connected to any community?
- **Cultural Factor**
  - Unclear reason to rely on.

## Institutional Factors

*The rules of the Game. The way things are structured.*

- **Tangible** part of the Game. (Black / White)
  - **Intangible** part of the Game. (Grey)
  - Both Contributes to the Game itself.
- 

- **Structure of Political Competition**
  - How districts are organized and representation is decided.
  - US = *Winner-takes-all* for a single member district.
    - Two types: Statewide / District
      - One person intended to represent all population in the group.
    - Resulted in *Voting Strategically*
      - Feel *Compelled*: Rational Choice.
      - Too Hungry farther away: Not wasting the time.
- **Electoral Proportionality**
  - How the number of votes received is transformed into the numbers of seats awarded.
  - The less *proportional*, the lower turnout.
  - *Proportional Response*
    - Same to *Election Outcome*
    - Party do not need to drive turnouts.
    - Would direct lead to *sincere voting*. (People vote for what they care about)
- **Number of Parties**
  - The result of *Party Competition*

- Real source of argument. (Two parties vs. Multiple parties)
  - For US optimal: 5-6 effective parties would result in the highest portion of sincere voting.
- **Unicameralism**
  - A second source of competition, outside of the electoral system.
  - *Making a Difference* Competition affects turnouts.
    - 2-3 % of affection to the voter turnout.
- **Registration Process**
  - Cost-altering mechanism
    - Do not create more benefits and the result is the same for voters.
  - US have got complicated process.
- **Mandatory Voting**
  - Have to vote, otherwise would result in penalties.
  - Neutralizes some of the Cost of Voting
    - *Most impactful method of voting. Define the Cost*
- **Electoral Format**
  - Plurality / Majoritarian versus Proportional.

## Other Structuring Factors

- **Ballots**
  - Office-block Ballot: Grouping by electoral office.
  - Party Column Ballot: Candidates by party.
- **Voting by Mail**
  - Meant to increase participation.
  - Timing issues.
    - Extend over period of time.
    - Doesn't impact number that much.

## How candidates are chosen?

- **Primaries**
  - Go to booth → Vote → Leave
  - **Closed Primary**
    - Only vote for the party registered to.
    - Independents not voting.
    - 20-30% of the turnouts.
  - **Open Primary**

- Voter select the party they want to vote for.
- **Blanket Primary**
  - Vote in either primary or both.
  - Actually impact the election system.
  - Potential influenced the political freedom of speech.
- **Caucus method**
  - Tough to let people to do they want to do.
  - More personal as long as passing the threshold.
  - The ability to bring more sincere voters.
  - George W. Bush was chosen through this way.

## **But do you really know who you're voting for?**

- Campaigning used to be personal. *Knock on the door.*
- Change has created a *cyclical dependence upon contributions*.
  - Internet, podcast, all sorts of ads. → efficient way to ears.
- Cost of campaigns have increased. *More expertise involved.*
- The Rise of **Political Consultants**
  - Devises a campaign image.
  - Plans a campaign strategy.
- We need them to formulate the candidate's voice.

## **How voters decide?**

### **V.O Key - Why voters vote the way they do?**

- Victory is *Voice of the people is an echo*.
  - Reflect the echo: Win the election.
- *Voters are not fools*
  - Rationally and responsibly moved by concern about central and relevant questions.
- Thus, campaigning should be a reflection of what the people are concerning about.

### **Is V.O. Key Correct?**

Winner of election should reflect what the public is thinking about.

- *Core Topics related with daily life: Relatively Low care*
  - Healthcare
  - Taxes
  - Education

- Topics that are not impactful often have higher focus
  - Terrorism

## Populist Democratic Reform

- **Argument for Democratic Revitalization**

Emphasis on 1 person 1 vote. Three ways to accomplish.

- Redistricting, Incumbent unfriendly districts or larger district.
- Term limits, (wealth).
  - Campaigning / Expertise (Learning the job to be more productive)
- Direct Democracy, Popular vote, initiatives and referendum.
  - Madison: Majority against minority. Oppression could happen.
  - Manipulate the populist.

- **Argument against Democratic Revitalization**

- Masses have bad values. (Bad decisions → Regret after decision)
  - Need Elites to lead.
- Ordinary people are incompetent.
- Economic empowerment, Enlightenment and equality.
  - Give knowledge to people.
  - Avoid undermining policies.
    - Keep majority represent but not crush the minority.
  - Could get far worse, keeping the guardrails on.

# 14 Georgia Government and Politics

## The Importance of State and Local Governments

- US has more than **87000** units of Government.
  - Massive.
- **537** elected official at National Level.
- **500000+** State and Locally elected Officials.
  - Making decisions at National / Local level
  - Local officials have more impact.
    - Closer to home.
    - Impact daily life / school / tax / properties / water supply more than federal policies.

## Basic Georgia History

- Always has struggled with its relationship of **Rural to Urban** and **White to Black**.
  - Traditional Agricultural state.
  - Impacted by the development of railway lines. Industrialization.
  - Continued to have high rural impact.
- **Rule of the Rustics**
  - *Rural > Urban*
    - County unit system: Lump rural to represent state governance.
    - 30 urban votes = 1 rural votes: Privilege side of the society.
- Last state back in the Federal System:
  - *Difficulty ensuring political system representing all citizens.*
- Political disenfranchisement of African Americans at the polls.
  - State Governance not likely to support Black Voters.
- Most Biased society: Post-civil war.
- **1964 Juncture for Change**
  1. **1964 Civil Right Act Measure** in place: Provide punishment of disenfranchisement.
  2. **Election of Jimmy Carter**: Responsibility for less dividing race. *Everyone's about Georgia.*
  3. **1964 Supreme Court**: Claimed *Unconstitutional County System*
- *Are we still divided? The election results? Population?*
  - More business friendly state in 20 years.
  - **Demographic Change** result in election outcomes.

- More Republicans in the State House.

## Georgia's Constitution

- **Constitutionalism** (Same thing with National Government)
  - Fundamental powers of Government.
  - Institutions to exercise the powers.
  - Powers that are specifically excluded. (Same in National)
- **Amendment** involve **2/3** vote of the **legislature** and **public** approval.
  - Public actually involves in the voting process.
- Since 1777, GA has had **10** Constitutions.
  - Second-most of any state in the Country.

## Why there's so many Constitutions in GA?

- **Prevailing Doctrine:**
  - Unless the **State Constitution** *specifically* allows it, the **State Government** cannot do it.
- Therefore, more than **1000** amendments. (Compared to **27** for US Constitution)
  - **Special Amendments:** For specific places in the country.
    - No longer applicable.
- Most political scientists disagree:
  - **Details should be left to ordinary laws, not special amendments.**

## Current GA Constitution

- Went into effect on **July 1, 1983**
- Covers the **Fundamentals**
  - **Education, Taxation, and Branches of Government** (Including **Boards and Commissions**), **Amendment Process**.
  - **Special Amendments** are **prohibited** for local provisions.
  - **General Amendments** are allowed for Statewide provisions. (Only those applied everywhere)
  - More within the mainstream of other states.
    - Does mention *God and Family*.
      - *Interesting Organic:* Unique to Georgia's Constitution
      - Rural versus Urban still exists.
      - Family / Church surrounded communities.

## The Office of Governor

In theory and practice, the *most important* state official.

- Eligibility
  - **30** years old.
  - Citizen for **15** years.
  - State residency for **6** years.
- Current Governor: **Brian Kemp** (Encourage younger generation participation in Government)
- Roles
  - **Chief of State** (Minor)
  - **Commander in Chief** (Minor: May call national guard, but no *State Standing Army*)
  - **Chief Administrator / Chief Executive**
  - **Chief Legislator**

## Limited power of Chief Executive / Chief Administrator

- Weak **appointment** powers.
  - More officials are elected, not appointed.
  - Main executive department are chosen through **statewide elections**.
  - Governor can appoint **directors of agencies** and **members of commissions**.
- Governor's power over **fiscal** affairs are more powerful than appointment privilege.
  - Have complete **supervision** over **Office of Planning and Budget** (OPB) (Budget come from the governors office)
  - OPB shapes the **executive budget**.
    - Pure picture of how the budget will look like.
  - Budget planning begins **16 months** prior to fiscal year.
    - Unlike national budgets: rare for delay. *It's gonna pass.*
  - Budget submitted to **General Assembly** for passage.
    - Usually result in *minor changes*.

## Role as Chief Legislator

**Addresses** legislature from time to time.

- **Veto Power** (Require **2/3** vote in House and General Assembly to *override*)
  - Veto must be made in **6 days** is GA is in session.
  - Veto must be made in **40 days** is GA is NOT in session.
- If no taken action, **Bill becomes law automatically**. (No Pocket Veto)
- Have **Line-Item Veto**
  - Part of *fiscal* power.

- Could veto **portion** of the Bill.
- **Clean-up Bill for better *fiscal* stand point.**

## Georgia General Assembly

- **Bicameral** legislature.
- **Do a lot** while work.
- In session from **January** through **March** (40 days)
- **56** Senate seats and a **minimum of 180** House seats.
- **Democrats** controlled both chambers from **Reconstruction to 2002**.
- **Republican Party** controls both **Chambers** and **Governor**.

## Functions of General Assembly

- **Statutory Laws**
  - Average of **2000** introduced and **1000**.
- **Legislative oversight**
- **Senate confirmation No Real Issues**
- **Authorization and Appropriations**
  - Actual Actions.
  - Purse management: Budgetary *sticking point*.
  - Give or Take.
- **Appointment Powers**
- Propose **Constitutional Amendments**
- **Representation**
  - Constituent Services.
  - Close to local constituents.
  - Small districts usually not have a lot of votes. (Around 5000)

I would like to express my sincere gratitude to **Professor Jason Rich** for his insightful lectures and guidance throughout the course *INTA 1200: American Government in Comparative Perspective*. His engaging teaching style and emphasis on critical thinking have deepened my understanding of American political institutions and their comparative context.

Yes, we all love Dunkin Donuts.