

# Unit 1 - American Government



## Objective 1

Describe the foundation of law, government, and citizenship in American society.

## Objective 2

Examine founding documents and identify major influences on views about how government should work.

# Functions of Government

*Why is government necessary?*

- **Keeping order**
  - Makes and enforces laws to protect property, safety
- **Providing security**
  - Military defense from foreign threats
- **Providing public services**
  - Schools, roads, utilities, mail, parks
- **Guiding the community**
  - Public policy: economic, foreign



# Levels of Government

- **National** = makes, enforces, and interprets federal constitution and laws that affect the whole country
- **State** = same for state constitution and laws that affect the a whole state (but cannot go against federal law)
- **Local** = counties, cities, and towns are defined by the state

*Which level affects your life most?*

# Types of Government

- Authoritarian = power held by a small group of leaders
  - **Totalitarian/Dictatorship:** single ruler controls everything by military and police force
  - **Oligarchy:** small group of wealthy elite
  - **Absolute monarchy:** king or queen inherits ultimate power
  - **Theocracy:** control by religious leaders
  - *Examples?*
- Constitutional = power shared by leaders and citizens held accountable to written law
  - **Constitutional monarchy:** monarchy is limited, shares power with a legislature
  - **Democracy...definition?**

# Principles of Democracy

- *Government of the people...*
  - Popular sovereignty = consent of the people
  - Free, fair, and competitive elections
  - Majority rules, minority respected
- *by the people...*
  - Holding office: elected or appointment
  - Merit-based civil service
  - Voting, petition/assembly, contributing \$
- *for the people...*
  - Different levels to represent varied interests
  - Branches to prevent abuse of power
  - Individual freedoms protected



# Types of Democracies

- **Direct democracy**
  - Citizens vote on the issues
  - Ex. Athens, Plymouth
- **Representative democracy**
  - Citizens vote for representatives to decide on the issues on their behalf
  - Ex. Rome, U.S.
  - *Why is this so much more common than direct?*

# English Traditions

- **Magna Carta:** First time monarch limited by Parliament
  - Citizens guaranteed justice: ex. trial by jury, same laws for all social classes
- **Parliament:** Legislature slowly took over all powers from the monarchy
  - Glorious Revolution, English Bill of Rights (ex. no cruel and unusual punishment)
- **Common Law:** system of law based on custom and precedents
  - Precedent: a ruling in a case that is used as a basis for similar cases

# Enlightenment Influences

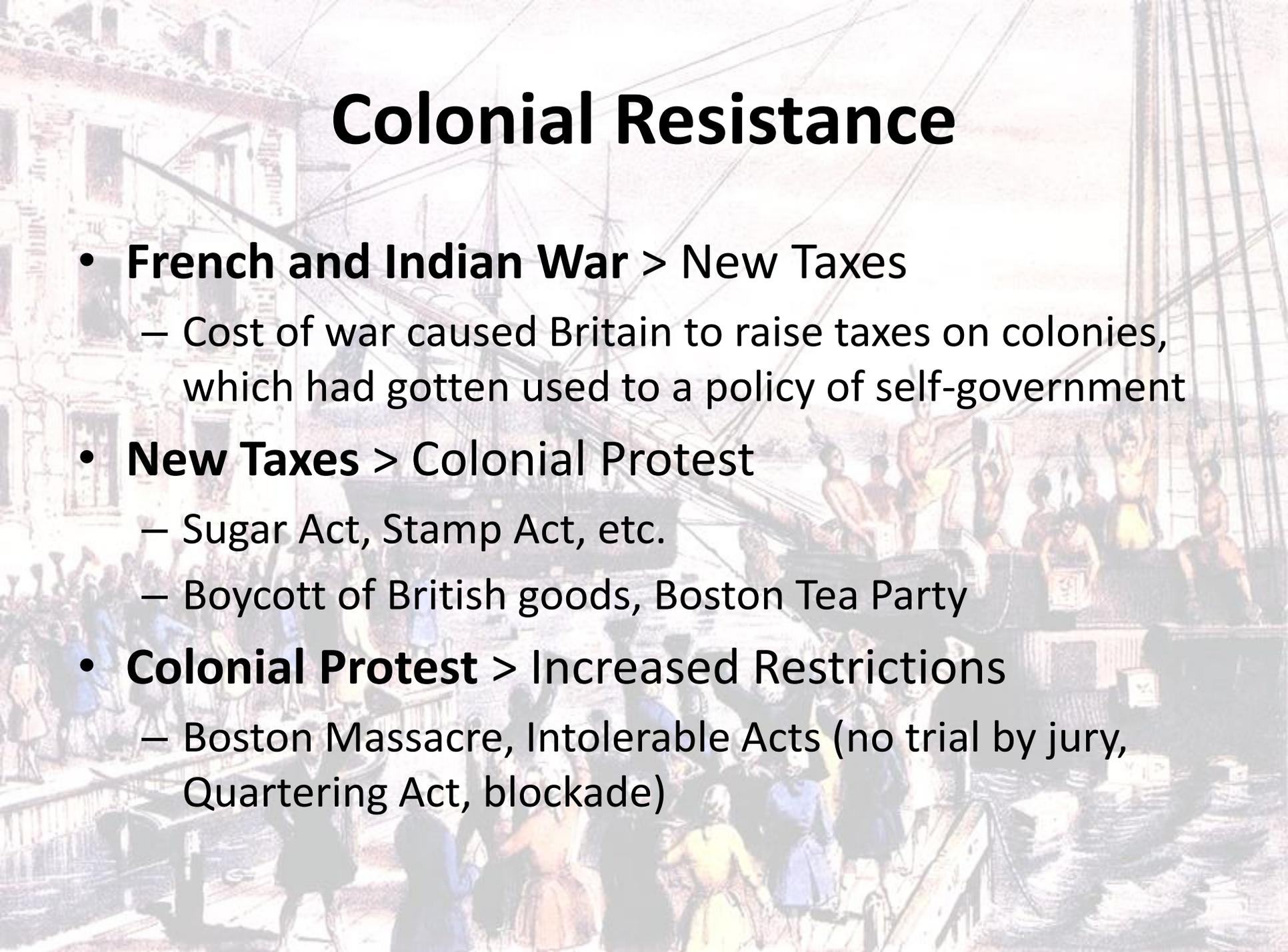
European philosophers of the 1700s were questioning traditional ideas about government and defining concepts that would be used and tested in the new American government, such as:

- All men created equal - Rousseau
- Separation of power - Montesquieu
  - Three branches: Legislative (makes law), Executive (enforces law), and Judicial (interprets law)



- John Locke had the most influence:
  - **Natural rights:** All citizens are born with the rights to life, liberty, and property
    - *Why did it get changed to “pursuit of happiness” later?*
  - **Social contract:** The people agree to give up some of their freedom in exchange for government protection of their natural rights
    - *What can happen if a citizen doesn't live up to their end of the contract?*
    - *If the government doesn't live up to its end?*

# Colonial Resistance



- **French and Indian War** > New Taxes
  - Cost of war caused Britain to raise taxes on colonies, which had gotten used to a policy of self-government
- **New Taxes** > Colonial Protest
  - Sugar Act, Stamp Act, etc.
  - Boycott of British goods, Boston Tea Party
- **Colonial Protest** > Increased Restrictions
  - Boston Massacre, Intolerable Acts (no trial by jury, Quartering Act, blockade)

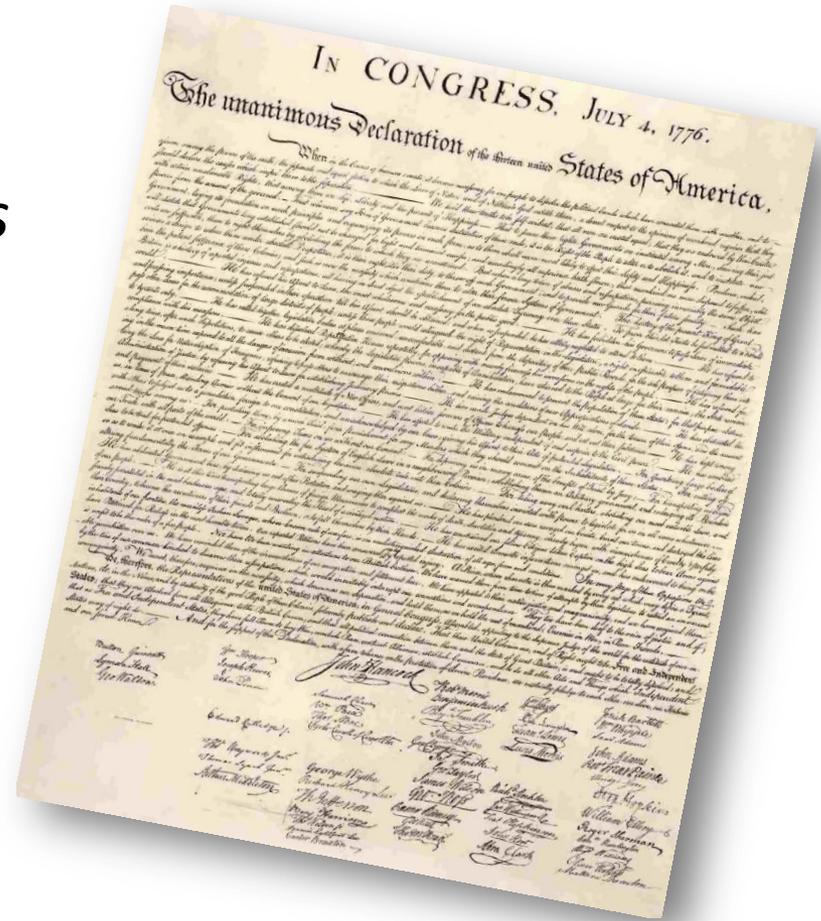
# Declaring Independence

- **First Continental Congress**
  - Petitioned King to repeal Intolerable Acts
  - Lexington and Concord: British troops defeat colonial militia > Olive Branch Petition
    - *What if the British had offered the colonies representation in Parliament at this point?*
- **Second Continental Congress**
  - Thomas Paine's *Common Sense* helped persuade the rest of the group to declare independence
  - Thomas Jefferson enlisted to write

# Declaration of Independence

Signed July 4, 1776

1. Which Enlightenment ideas are at the center of Jefferson's argument?
2. What main grievances do the colonies have against the King and Parliament?
3. What would the result of this have been if the colonies had lost the war?



# Articles of Confederation

- As soon as the Declaration was signed, states wrote their own constitutions
- After the war, it was decided they needed a limited national gov't to create a military alliance against potential foreign threat
- Opposition to strong federal gov't was so strong:
  - Only one branch existed, Congress
  - No power to tax or enforce laws: So states had to raise taxes to pay off war debt, causing rebellions that the federal gov't could not protect against
    - **Shay's Rebellion** > Constitutional Convention

# Constitutional Convention

- Another problem with the Articles was that it was almost impossible to amend them, so they decide to throw them out and start over
- George Washington was asked to preside over the secret proceedings
- James Madison is considered the “Father of the Constitution” because he proposed the basic structure of the gov’t
- It almost fell apart because of major disagreements over representation and size of government...

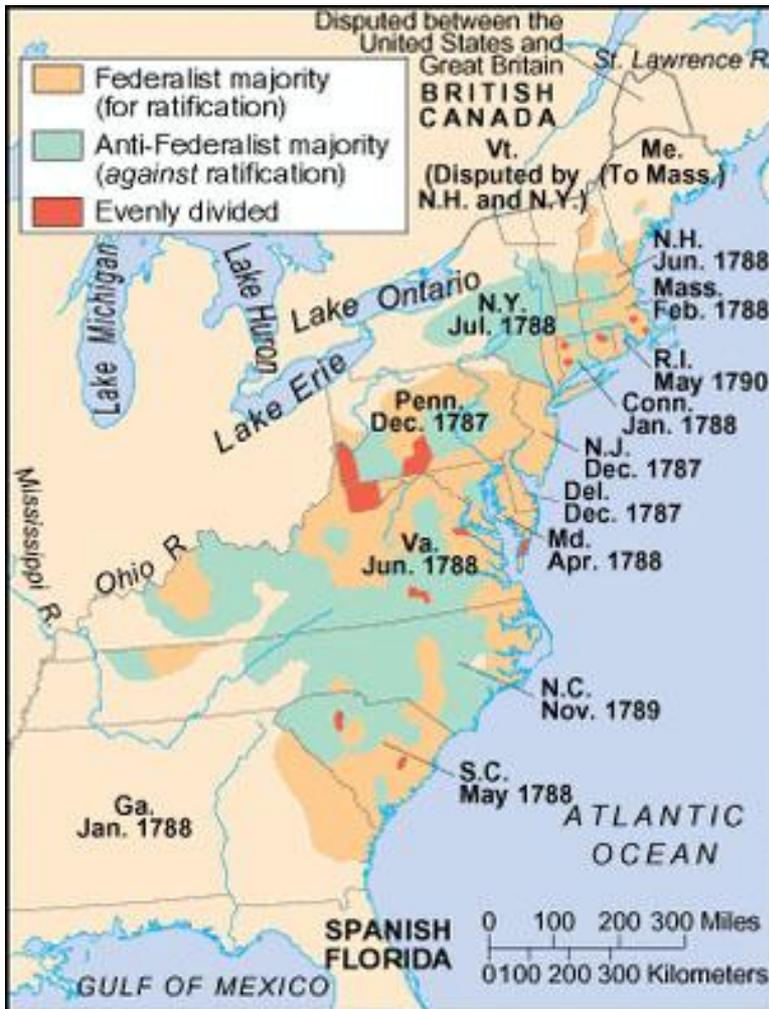
# Compromises

ISSUE	<i>Who would have supported each side?</i>	COMPROMISE
How will states be represented in Congress?	<ol style="list-style-type: none"> <li>1. VA Plan = by population</li> <li>2. NJ Plan = equal</li> </ol>	<p><b>Great Compromise:</b> bicameral legislature with equal rep in the Senate and rep by population in the House</p>
Should slaves count toward a state's representation in the House?	<ol style="list-style-type: none"> <li>1. They are property, don't need representation</li> <li>2. Owners should be entitled to representation on their behalf</li> </ol>	<p><b>Three-Fifths Compromise:</b> 3 out of every 5 slaves will count towards a state's population</p>
Should Congress have the power to regulate trade?	<ol style="list-style-type: none"> <li>1. International and interstate trade should be regulated</li> <li>2. Feared taxes on exports and restrictions on slave trade</li> </ol>	<p><b>Commerce/Trade Compromise:</b> Congress given power to regulate trade, but could not change slave trade laws for 20 years</p>
Should the people be trusted to elect the President?	<ol style="list-style-type: none"> <li>1. Citizens should be allowed to vote for president</li> <li>2. Citizens can't be trusted to do this – should be chosen by educated leaders</li> </ol>	<p><b>Electoral College Compromise:</b> Indirect system where the state legislatures (chosen by the people) decide which candidate gets the state's electoral votes</p>

# Ratification Debate

9 out of 13 states had to ratify (approve) the new constitution before it could take effect

- **Federalists:** Supported the new constitution
  - Believed it was important to strengthen the federal government
  - Wrote *Federalist Papers* in support of the principles and structure of the constitution
- **Anti-Federalists:** Opposed the constitution
  - Believed the new constitution gave the federal gov't too much power
  - Main argument was that it did not include any protections for individual freedoms - *Why not?*



- After a year of debate, the Federalists agree to add a **Bill of Rights** as soon as the Constitution is ratified
- Ratified July 1788
- North Carolina, not until Nov. 1789
  - *Why so late?*