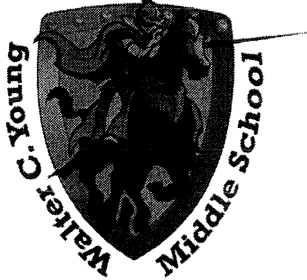


Walter C. Young Middle School

7th Grade

Civics EOC Review

KNIGHTS

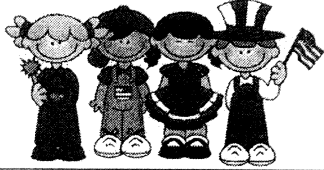


*Do not write on the contents of these pages. This packet will be returned to your Civics teacher upon completion of the exam. Feel free to make your own copy.

Quarter 1 CIVICS: What You Will Need to Know!

WHAT is CIVICS?

Civics – the study of rights and duties of a citizen.
Citizenship (SS.7.C.2.1) – is the rights and duties of citizens, beginning in ancient Greece and Rome. In the 1700s, it became to mean “belonging to a nation.” People started to believe that governments got their power from the people, an idea that became known as “consent of the governed.”



The Growth of American Citizenship

1776 – Only white men who own property are allowed to vote.
 1868 – African American men become citizens through the 14th Amendment.
 1920 – Women gain the right to vote through the 19th Amendment.
 1924 – All Native Americans vote through the 19th Amendment.

Duties (*things we are required to do*) of responsible citizens (SS.7.C.2.2) *Citizens who choose not to fulfill these civic duties face legal consequences*

- Obey laws
- Pay taxes
- Defend the nation - serve in the armed forces if called
- Serve on a jury or as a witness in court if called
- Attend School



Responsibilities (*obligations that we meet of our own free will – should do*) of citizens (SS.7.C.2.2) *Civic responsibilities are fulfilled by choice; they are voluntary*

- Register and vote
- Hold elective office
- Participate in government and your community
- Serve in voluntary, appointed positions
- Influence government by communicating with government
- Keep informed regarding current issues
- Respect different opinions and ways of life
 - Respect the property and rights of others

Personal traits of good citizens

- Trustworthiness and honesty
- Courtesy and respect for the rights of others
- Responsibility, accountability, and self-reliance
- Respect for the law
- Patriotism



Ways for citizens to participate in community service (SS.7.C.2.3)

- Volunteer to support democratic institutions (e.g., League of Women Voters).
- Express concern about the welfare of the community as a whole (e.g., environment, public health and safety, education). Help make community good place to work and live (becoming involved with public service organizations, tutoring, volunteering in nursing homes).

How to become a citizen (SS.7.C.2.1)

- 14th Amendment defines citizenship: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the state wherein they reside.”
- Immigration and naturalization, particularly in the 20th century, have led to an increasingly diverse society.

Requirement for immigrants who want to become citizens:

1. be at least 18 years old,
2. have been a legal permanent resident for five years,
3. be able to read, write, and speak English,
4. be of good moral character, and
5. show that they understand U.S. civics.

Steps in the Naturalization Process (*a legal process to become a citizen*):

1. Fill out an application with the U.S. Citizenship and Immigration Service (USCIS).
2. Talk with a USCIS official.
3. Take a citizenship exam.
4. Attend a citizenship ceremony.

Other Important terms to Know:

Immigrant – a person who moves permanently to a new country. **Ethnic Group** – a group of people who have the same race, culture, or nationality. **Values** – the principles or beliefs people use to make judgments and decisions. **Institution** – an important practice, relationship, or organization. **Popular Sovereignty** – idea that government gets its power from the people. **Government** – the ruling authority for a group of people. **Citizen** – a person who is loyal to a government and its protected by that government. **Alien** – a person who lives in a country in which he or she was not born. **Refugee** – a person who flees his or her country to escape danger. **Tolerance** – respecting and accepting others. **Welfare** – health, wealth, and happiness. **Volunteerism** – giving one’s time and services to others without expecting payment.



Citizenship

Quarter 1 CIVICS: What You Will Need to Know!

What is CIVICS? AND Forms of Government

Principles of American Democracy

Rule of Law – All people, including those who govern, are bound by the law.

Limited Government – Government is not all-powerful. It may do only those things that the people have given it the power to do.

Consent of the Governed – American citizens are the source of all government power.

Individual Rights – In American democracy, individual rights are protected by government.

Representative Government – People elect government leaders to make the laws and govern on their behalf.

Free, Fair, and Competitive Elections – Every citizen's vote has equal value. They choose between candidates and parties. They vote by secret ballot free from government interference.

Majority Rule – A Majority of the members of a community has the power to make laws binding upon all the people.

Functions of Government

KEEP ORDER

Pass and enforce laws to deter crime.

Establish courts.

PROVIDE SECURITY

Establish armed forces.

Protect citizens from foreign attacks.

PROVIDE SERVICES

Protect public health.

Protect public safety.




Provide public welfare.

GUIDE THE COMMUNITY

Develop public policy.

Manage the Economy.

Conduct foreign relations.

|  (SS.7.C.3.1) | Selection of Leaders | Extent of Government Power | Means of Ensuring Obedience | Political Parties |
|---|--|---|---|-------------------------------------|
| DEMOCRACY Republic Constitutional Monarchy  | Leaders are chosen in free and fair elections. | The government is limited in power by the constitution and laws; citizens' rights and freedoms are protected. | The government relies on the rule of law. | Multiple parties compete for power. |
| AUTHORITARIANISM Absolute Monarchy Dictatorship Totalitarianism Oligarchy  | Rulers inherit their positions or take power by force. | Rulers have unlimited power; the government may impose an official ideology and control all aspects of political, economic, and civic life. | The government relies on state control of the media, propaganda, military, or police power, and terror. | Power lies with a single party. |

Systems of Government (SS.7.C.3.2)

Nations differ in their systems of government and how power is shared or not shared among various levels of government.

FEDERAL SYSTEM – Power is divided among a central, national government and smaller self-governing political units such as states. Example: United States under our current Constitution.

CONFEDERAL – consists of member of states that have agreed to join together voluntarily. The states or nations create a common body to carry out certain functions, but they retain their powers. Example: United States under the Articles of Confederation.

UNITARY – the central government is supreme. The central government may create smaller administrative units to carry out some of its function but the smaller units are not protected by a constitution. Example: France, Japan, and Great Britain.

Other Important terms to Know:

Public Policy – decisions and actions a government takes to solve problems in the community. **Representative Democracy** – a government in which citizens choose a smaller group to govern on their behalf. **Constitutional Monarchy** – monarchy in which the power of the hereditary ruler is limited by the country's constitution and laws. **Majority Rule** – political principle providing that a majority of the members of a community has the power to make laws binding upon all the people. **Regime** – a government that is in power. **Authoritarian Regime** – a government in which one leader or group of people holds absolute power. **Totalitarian** – describes a system in which government control extends to almost all aspects of people's lives. **Ideology** – a body of ideas about life and society. **Rule of Law** – the principle that the law applies to everyone, even those who govern. **Oligarchy** – a government ruled by a small group in their own interests. **Autocracy** - system of government by one person with absolute power.



Monarchy

Oligarchy

Aristocracy

Democracy

Tyranny

Quarter 1 CIVICS: What You Will Need to Know!

Roots of Democracy

Influence of earlier documents and Enlightenment Thinkers on the Declaration of Independence and the Constitution of the United States of America (SS.7.C.1.2 & SS.7.C.1.1)

Magna Carta: A document that King John was forced to sign in 1215, limiting the king's power. It forbade him from placing certain taxes on the nobles without their consent. Important Principle-limited government.

English Bill of Rights: 1688 - A set of rules by Parliament that gave English citizens' rights that no king could violate. This document is important because it lists specific rights and freedoms to the freemen for the first time. Important Principle- limited government.

Enlightenment Thinkers (SS.7.C.1.1)

Thomas Hobbes – People agree to be ruled because their ruler pledges to protect their rights. An agreement called a social contract.

John Locke – People have natural rights – the right to life, liberty, and property that the government must protect for their common good. Also believed in a social contract but believed that if the ruler failed to protect the rights of the people, the SC was broken and the people can then choose new leaders.

Baron de Montesquieu – Separation of Powers: separate the parts of government so no one part can become too powerful.

Mayflower Compact: The pilgrims in 1620 created a social contract. Even though this was a form of direct democracy, it was one of the first written compacts created in the colonies. We still hold town hall meetings today for people to voice their opinions.

House of Burgesses: an assembly of leaders representing Jamestown. Marked the beginning of self-government and representative democracy in colonial America.

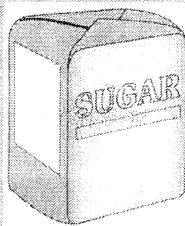
Common Sense: Author Thomas Paine published a pamphlet in 1776, using the ideas of Locke, arguing that "common sense" called for the colonists to rebel against the king's "violent abuse of power." As much as 500,000 copies were sold in the colonies which had an impact on the Second Continental Congress to vote for declaring independence from Britain and the King.

Social and Political Changes in the Colonies (SS.7.C.1.3)

The Great Awakening (religious movement) and the Enlightenment leaders urged people to question accepted political authority. The colonies were ignored for many years, however, eventually the King and Parliament began to take more interest in its colonies. Many of the policies passed favored British interests over the colonist' needs.

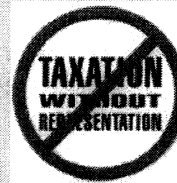
British Action

French and Indian War – as the colonies grew, colonists began moving west. The Native Americans and French (who made claim to this land) fought a war against the colonists and the British. After the British won, they passed a **proclamation** that forbade the colonists from settling in the lands won from France to keep peace with the Native Americans.



Colonist's Response

The king's actions enraged the colonies. Some believed that he was punishing them for moving west and others believed he was trying to limit the economic growth they might achieve through expansion onto new lands.



Taxing the Colonies – taxes were a main source of tension between the two. The British believed the colonies should help repay for the debt of the French and Indian War. A series of acts/taxes were passed between 1764 – 1776: Sugar Act, Stamp Act, Declaratory Act, Townshend Acts, Tea Act, Coercive Acts (Intolerable Acts).

Colonial leaders called on colonists to boycott, or refuse to buy British goods. They also did many different actions, such as protests, publishing pamphlets, gathering support against the king, and creating groups like the Sons of Liberty, which were responsible for the Boston Tea Party.

Steps Toward Independence

The First Continental Congress – A group of delegates, or representatives from 12 colonies met in Philadelphia in September 1774 to discuss what to do with the king and Parliament.

The Second Continental Congress - Congress chose a group of individuals, consisting of John Adams, Benjamin Franklin, Robert Livingston, Roger Sherman and most importantly – Thomas Jefferson (the main writer) to create a Declaration of Independence.

Quarter 1 CIVICS: What You Will Need to Know!
Roots of Democracy

DECLARATION OF INDEPENDENCE

In Congress, July 4, 1776. The unanimous Declaration of the thirteen United States of America.



The Four Main Parts (SS.7.C.1.4)

Enlightenment Ideas found within the D of I
 (SS.7.C.1.4) (SS.7.C.1.1)

1st Part - Preamble – It explains why the Continental Congress drew up the Declaration.

When in Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitled them, a decent respect to the opinions of mankind requires that they should declare the causes which impel (force) them to the separation.

2nd Part - Declaration of Natural Rights – The second part, lists the right of citizens. It goes on to explain that, in a republic, people from a government to protect their rights.

We hold these truths to be self-evident, that all men are created equal, that they are endowed (provided) by their Creator with certain unalienable Rights, that among these are Life Liberty and the pursuit of Happiness...That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed...That whenever any Form of Government becomes destructive...it is the Right of the people to alter or to abolish it, and to institute a new Government...

3rd Part – List of Grievances – Lists the colonists' complaints against the British government. Notice that King George III is singled out for blame.

...The history of the present King of Great Britain is a history of repeated injuries and usurpations (unjust uses of power)...He has refused his Assent to Laws, the most wholesome and necessary for the public good...He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers...He has combined with others to subject us to...for cutting off our Trade with all parts of the world...For imposing taxes on us without our Consent...

4th Part – Resolution of Independence by the United States – Declares that the colonies are “Free and Independent States” with full power to make war, to form alliances, and to trade with other countries.

And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.




John Locke – passage in the second paragraph clearly was inspired by Locke's ideas about natural rights in *Two Treatises of Government*. **“We hold these truths to be self-evident, that all 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”** Also, Jefferson drew on Locke's views about the social contract, **“To secure these rights, Governments are instituted among Men, deriving (getting) their just powers from the consent of the governed, That whenever any form of government becomes destructive of these ends, it is the Right of the People to alter or abolish it, and to institute (create) new Government.”** Later Jefferson offered proof that the contract had been broken with the grievances listed against the king.”

Jean-Jacques Rousseau wrote that if a government did not protect its people's freedom, it should not exist.

Voltaire – believed that people had a right to liberty.

Quarter 1 CIVICS: What You Will Need to Know!

The Making of the Constitution

| The Articles of Confederation | Accomplishments | Weaknesses (SS.7.C.1.5) |
|--|--|---|
| <p>Second Continental Congress planned for a confederation of states. A <u>confederation</u> is a group of individual state governments that unite for a common purpose. These plans were written by Congress in 1777, called the <u>Articles of Confederation</u>. The A of C became the <u>first constitution</u> of the United States of America. It set up a "league of friendship" and created a one-house legislature in which each state had one (equal) vote. The legislature was known as the Confederation Congress.</p> | <p>Two laws were passed that helped the nation expand westward. Ordinance of 1785- set up a plan for surveying western lands. Northwest Ordinance- set up a government for the lands surveyed. Each area would become a territory and eventually a state.</p>  | <p>Lack of Power and Money- No power to collect taxes, regulate trade, and to enforce its laws. Lack of Central Power- no single leader or group directed government policy and no national court system existed. Rules Too Rigid – Congress could not pass laws without the approval 9 states and Articles could not be changed without the agreement of all 13 states. Shay's Rebellion – showed that Congress lacked the power to stop protests and worse – Rebellions.</p> |

The Constitutional Convention

(SS.7.C.1.1) (SS.7.C.1.5)

| The Virginia Plan | The New Jersey Plan | The Great Compromise |
|---|--|--|
| <p>Introduced a plan that large states favored. President, Court System and a Bicameral Legislature – two house legislature based on population, allowing larger states to have more votes than smaller states.</p> | <p>Based on the Articles of Confederation, with some changes. Each state would have one vote, but Congress could set taxes and regulate, or control, trade. Instead of a strong president, a less powerful committee named by Congress would carry out laws.</p> | <p>A compromise between the larger and small states. A committee headed by Roger Sherman decided that Congress would have two houses – a Senate based on 2 per state and a House of Representatives based on the state's population.</p> |

| The Three-Fifths Compromise | Other Compromises |
|--|--|
| <p>A compromise between the Northern and Southern states. The South (much higher population of slaves) wanted to count their slave population for the House of Representatives for voting. An agreement was worked for every five enslaved persons would equal three free persons. This would be for representation and for assessing taxes on the states.</p> | <p>A compromise between the Northern and Southern states. The Northern states wanted to regulate foreign trade and trade between the states. The South were afraid that Congress would tax exports, hurting the Southern economy. They also worried that Congress might stop traders from bringing enslaved people into the nation. The Southern delegates agreed that Congress could regulate trade between the states, as well as with other countries. In return, the North agreed that Congress could not tax exports and could not ban the slave trade before 1908.</p> |

| Federalists (SS.7.C.1.8) | Anti-Federalists |
|---|---|
| <p>Supported the ratification of the Constitution. The main leaders of the Federalists were Alexander Hamilton, James Madison, and John Jay. Together, they wrote a series of essays called the Federalist Papers to convince Americans to support the Constitution.</p> | <p>Opposed the Constitution. They argued that the new Constitution would destroy the liberties won in the American Revolution. They believed it would create a national government so powerful that it would ignore the rights of the states. It also lacked a bill of rights.</p> |

Quarter 1 CIVICS: What You Will Need to Know!

The Constitution

The Preamble (SS.7.C.1.6)



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

The Seven Articles (SS.7.C.3.3)

Article I - The Legislative Branch

Law Making Congress
Senate and House of Representatives
Rules and powers given to Congress

Article II - The Executive Branch

Enforces laws
President is head of the government
Rules and powers given to the President

Article III - The Judicial Branch

Interprets the laws
Makes sure laws are applied fairly
Supreme Court is the highest court in the land

Article IV - Federalism

Explains the relationship between the states and the national government

Article V - Amending the Constitution

Explains how and when it can be changed

Article VI - Supreme Law of the Land

Constitution is the highest law in the land

Article VII - Ratification of the Constitution

It will go into effect after 9 of the 13 states ratify it

(SS.7.C.3.5) An amendment is any change that is made to the Constitution. There are a total of 27 Amendments. The first 10 are called the **Bill of Rights**!

The Constitution provides two ways for proposing amendments and two ways for ratifying amendments.

| Step 1 | Step 2 |
|---|---|
| Amendment proposed by: A two-thirds (2/3s) vote of both houses of Congress | Amendment ratified by: Three-fourths (3/4s) of the state legislatures |
| Or | Or |
| A constitutional convention called by Congress on petition of two-thirds (2/3s) of the 50 states | Three - fourths (3/4s) of special constitutional conventions called by the 50 states |

Interpreting the Constitution

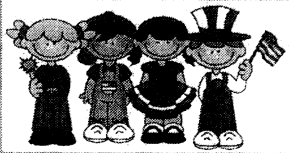
The writers knew that the world would change in ways that they could not predict. They intentionally kept the document as general as possible. Article I lists the powers of Congress. It gives Congress power to **"make all Laws which shall be necessary and proper"** to carry out its duties, allowing Congress to use powers not directly listed in the Constitution. Also known as **"Implied Powers."** Not all people agree on which laws are **"necessary and proper."** Those that think Congress should be allowed to make any laws the Constitution does not forbid and that fit its purpose. These people believe in a **"loose interpretation"** of the Constitution. Others think Congress should make only the kinds of laws mentioned in the Constitution. These people believe in a **"strict interpretation"** of the Constitution.

Quarter 1 CIVICS: What You Will Need to Know!

The Constitution

The Five Principles of the Constitution

Popular Sovereignty

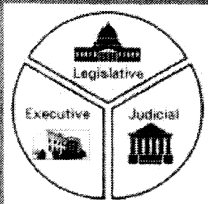


(SS.7.C.1.1) The idea that the power of government lies with the people. It means **“the people’s right to rule.”** The Declaration of Independence is a statement of this. It says that the governments should draw their powers “from the consent of the governed.” In the Constitution, it begins with **“We the People”** phrase. It also includes several parts that protect and ensure, or guarantee, the sovereignty of the people. **Under the Constitution, the will of the people is stated most strongly through elections.** By a majority vote, citizens decide who will represent them in Congress. Through the Electoral College, voters also choose the president and vice president.

Limited Government and the Rule of Law

(SS.7.C.1.9) The Framers included limited government, so that the government can do only what the people allow it to do. **The Constitution limits the power of both the federal and state governments. Under the Constitution, the U.S. government is also limited by the rule of law, meaning that the law applies to everyone even those who govern.** No one is above the law. Both limited government and rule of law may prevent tyranny by the government and protect the liberty of the people.

Separation of Powers



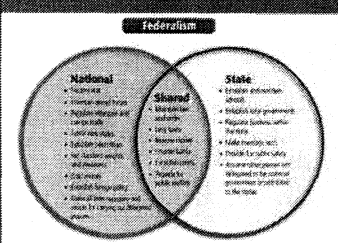
(SS.7.C.1.7) **To keep any one person or group from gaining too much power, the framers divided the federal government into three branches,** influenced by Enlightenment thinker, **Baron de Montesquieu.** Each branch would have different tasks. The framers believed that the separation of powers would limit the ability of any one branch from gaining too much power in another way.

Checks and Balances



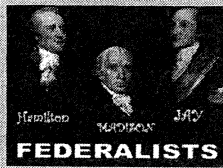
(SS.7.C.1.7) Separation of powers was set up to check unlimited authority. The Framers feared that one branch of government could still gain control of the other two. Its goal was to keep any one of the three branches from becoming too powerful. **Each branch of government is able to check, or limit, the power of the other two branches in a number of ways.** Example:
Executive Branch – the president can veto a law passed by the legislature.
Legislative Branch – the Senate and House can override a presidential veto with a 2/3s vote.
Judicial Branch – the Supreme Court can declare acts of legislature and presidential actions unconstitutional.

(SS.7.C.3.4) The Framers set up this system of government, again to put limits on government. **It is divided by the national, the federal, and the states.** Each level of government – national and state – has independent authority over people at the same time. There are three types of power. **Enumerated** **_____**, or spelled out, are also called expressed powers. These are powers given to the national government. **Reserved powers**, are powers that were set aside, or reserved, for the states only. Powers that both the national government and the state’s share are called **concurrent powers**.



Quarter 2 CIVICS: What You Will Need to Know!

SS.7.C.1.8 Explain the viewpoints of the Federalists and the Anti-Federalists regarding the ratification of the Constitution and inclusion of a bill of rights.



Federalists

Supported the ratification of the Constitution. The main leaders of the Federalists were Alexander Hamilton, James Madison, and John Jay. Together, they wrote a series of essays called the Federalist Papers to convince Americans to support the Constitution.

For Federalists, the Constitution was necessary in order to protect the liberty and independence that was gained from the American Revolution. They believed that the three branches of the national government separated the powers and protected the rights of the people. They also believed that a listing of rights can be a dangerous thing.

Anti-Federalists

Opposed the Constitution. They argued that the new Constitution would destroy the liberties won in the American Revolution. They believed it would create a national government so powerful that it would ignore the rights of the states. It also lacked a bill of rights.

They were concerned that the Constitution gave too much power to the national government at the expense of the state governments. They were also concerned that, within the national government, the legislative and executive branches were too powerful. Anti-Federalists were also concerned that the Constitution lacked a specific listing of rights.

Federalists Papers

The main arguments in favor of ratifying the Constitution were stated in a series of essays written by James Madison, Alexander Hamilton, and John Jay called the Federalist Papers which were published in newspapers.

Anti-Federalists Papers

To communicate their concerns, Anti-Federalists such as Patrick Henry wrote essays and newspaper articles to spread their point of view and these writings became known as the Anti-Federalist Papers.

SS.7.C.2.4

Evaluate rights contained in the Bill of Rights and other amendments to the Constitution.



Bill of Rights Amendments 1-10

The "Bill of Rights" is the first ten amendments of the U.S. Constitution; the Bill of Rights was ratified in 1791. It was intended to protect the people from the federal government abusing its power, specifically as to the rights of political and religious expression, the rights and protections accorded individuals accused of crimes, private property protection, and the rights of the people as they relate to federal and state laws.

First Amendment



1. Freedom of Religion

- Congress cannot establish or set up an official religion as the faith of the U.S. (Establishment Clause).
- Protects the way people express their faith. People have the right to practice their faith any way they want.
- Many people who first settled here did so because they did not have religious freedom.

2. Freedom of Speech

- We can state our opinions, in public or private, without fear of being punished by the government.
- This includes what we say, what we see on radio/televisions, internet messages, art, music, and even clothing.

3. Freedom of the Press

- The government cannot censor news reports and cannot prevent information from being published or broadcast.
- Originally referred to printed materials, but today it includes many other media sources, such as, radio, television, and the Internet.

4. Freedom of Assembly

- Right to gather in groups for any reason, as long as the groups are peaceful. This includes meetings, rallies, clubs, political parties, labor unions, celebrations, and parades.
 - The government does have power to make rules about when and where these activities are held.

5. Freedom to Petition

- Gives us the right to express ourselves to the government if we are unhappy about something and want it changed. It can be a simple e-mail or letter.

Second Amendment

Right to bear arms for a well regulated militia



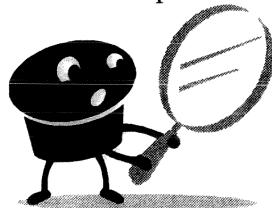
Third Amendment

Freedom from quartering (housing) soldiers



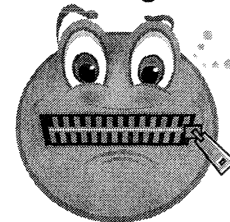
Fourth Amendment

Freedom from unreasonable searches and seizures. Warrants must only be issued upon probable cause, and shall be specific.



Fifth Amendment

Criminal indictments must be by grand jury. Freedom from double jeopardy. Freedom from testifying against oneself. Right to face accusers. Right to due process. Right of just compensation for takings.



Sixth Amendment

Right to speedy trial. Right to impartial jury. Right to be informed of the charges upon which the accused is held. Right to face accusers. Right to produce witnesses for the accused. Right to legal counsel.



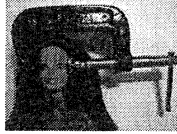
Seventh Amendment

Right to jury trial in civil cases. Facts found by a jury cannot be reexamined by another court.



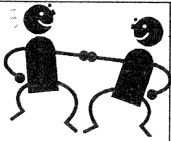
Eighth Amendment

Freedom from excessive bail or fines. Freedom from cruel or unusual punishment.



Ninth Amendment

Individuals have rights in addition to the rights listed in the other amendments and Constitution. The right to privacy is among those identified by the U.S. Supreme Court as being a 9th Amendment right.



Tenth Amendment

The federal government has only those powers specifically granted by the Constitution, any power not listed is left to the states or the people.



SS.7.C.3.7 Analyze the impact of the 13th, 14th, 15th, 19th, 24th, and 26th amendments on participation of minority groups in the American political process.



VOTING RIGHTS AMENDMENTS

13th Amendment - an amendment to the U.S. Constitution that outlawed slavery in the United States

14th Amendment - an amendment to the U.S. Constitution that defines citizenship, grants citizenship to former slaves and defines voters as males at least 21 year of age

15th Amendment - an amendment to the U.S. says that you cannot deny a citizen the right to vote based on race.

19th Amendment - an amendment to the U.S. Constitution that grants women the right to vote

24th Amendment - an amendment to the U.S. Constitution that made poll taxes illegal as a condition for voting

26th Amendment - an amendment to the U.S. Constitution that lowers the minimum voting age to 18

Civil Rights Acts



Civil Rights Act of 1964 - a federal law that prohibits discrimination based on race, religion, sex, education in public places and the federal government can enforce this law.

Civil Rights Act of 1965 - a federal law that banned race discrimination in voting practices by federal, state, and local governments

Civil Rights Act of 1968 - a federal law that prohibits discrimination related to the sale, rental and financing of housing based on race, religion, national origin or sex

ERA

Equal Rights Amendment - a proposed amendment to the U.S. Constitution outlawing discrimination based on sex



Landmark Supreme Court Case



Marbury v. Madison



U.S. Supreme Court case that established judicial review

Plessy v. Ferguson

U.S. Supreme Court case that determined that "separate but equal" segregation was not discrimination

Brown v. Board of Education

U.S. Supreme Court case that determined that "separate but equal" segregation was not equal in public education

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| <p><i>Gideon v. Wainwright</i> Upheld that the 6th Amendment, the right to counsel (lawyer) must be provided to everyone who needs it.</p> | <p><i>Miranda v. Arizona</i> U.S. Supreme Court cases that upheld the Fifth Amendment protection from self-incrimination</p> | <p><i>In re Gault</i> U.S. Supreme Court case that determined that juvenile court must comply with the Fourteenth Amendment</p> |
| <p><i>Tinker v. Des Moines</i> U.S. Supreme Court case that upheld a student's First Amendment right to engage in symbolic speech in school</p>  | <p><i>U.S. v. Nixon</i> U.S. Supreme Court case that limited executive privilege</p> | <p><i>Hazelwood v. Kuhlmeier</i> U.S. Supreme Court case that determined that the First Amendment does not protect all types of student speech in school</p> |
| <p><i>Bush v. Gore</i> U.S. Supreme Court case that determined that states cannot violate the Equal Protection Clause under the Fourteenth Amendment when undertaking election recounts.</p> | <p><i>District of Columbia v. Heller</i> U.S. Supreme Court case that upheld that the Second Amendment protects an individual's right to possess a firearm</p> |  |

SS.7.C.2.8 Identify America's current political parties, and illustrate their ideas about government.

Political Parties

| | |
|--|---|
|  <h2>Democratic Party</h2> <p>The Democratic Party is concerned with equality, cooperation, and social progress. Supporters of this party are more likely to be concerned with civil rights issues, stronger government regulation in business, and social support networks for those in need of assistance. Democrats are more likely to believe that the federal government has a responsibility to be involved solving problems.</p> <p>Where Democrats stand on...</p> <p>Environment: The environment is important and it should be protected and kept clean</p> <p>Health Care: The government should help make health care available to people who can't afford it</p> <p>Energy: The U.S. should focus on renewable energy sources to achieve independence</p> <p>Education: The government should support teachers and public school funds to make existing public schools better</p> <p>Economy: During hard times, the government should help create jobs</p> |  <h2>Republican Party</h2> <p>The Republican Party and its supporters want the government to spend less money and have less of a say in business and society. Most Republicans believe people and businesses should have the liberty to do what they want without much government interference. This party also tends to believe the government should protect traditional social values.</p> <p>Where Republicans stand on...</p> <p>Defense: Keep peace by having a strong military</p> <p>Health Care: The government should not pay for peoples' health care</p> <p>Energy: The U.S. should rely on oil as well as renewable sources to be independent</p> <p>Education: Schools must have high standards, and students should be able to use public education funds to attend private schools if those schools are better than public schools</p> <p>Economy: Businesses will create jobs</p> |
|--|---|



Socialist Party

Social Democracy comprises humanity's boldest experiment —

an attempt to organize a society of collective justice and individual freedom where everyone gets food, shelter, health care, education, and the ability to actualize his or herself. In other words, achieve a truly civil society. Social Democracy is a true



Communist Party

A better and peaceful world is possible — a world where people and nature come before profits.
That's socialism. That's our vision. We are the Communist Party USA.



Libertarian Party

The politicians in Washington and our state capitals have led us away from the principles of individual liberty and personal responsibility which are the only sound foundation for a just, humane, and abundant society. Government at all levels is too large, too expensive, woefully inefficient, arrogant, intrusive, and downright dangerous. Democratic and Republican politicians have created the status quo and do not intend to change it.



Political Party Functions

SS.7.C.2.8 Identify America's current political parties, and illustrate their ideas about government.

Nominate Candidates

Political parties nominate candidates for public office. The candidates believe in the party platform.

Impact: By nominating candidates, political parties provide options of candidates to society. Society then determines which candidate they will elect and serve in government.

Influence Policy

Members of Congress are members of political parties and they work to pass laws that support their party's platform.

Impact: A political party's platform and ability to influence policy impacts the types of laws that are passed and the issues that receive attention by government.

Unite Government

A party can link its members at the federal, state and local levels of government to achieve big goals for the party.

Impact: This function provides a way for people that identify with a particular party to connect with each other and for the party to expand its influence at each level of government.

Create Balance

The two parties create balance in the government by working hard to protect the ideas in their party platform. The two parties keep each other in check.

Impact: This function impacts how laws are made in government.

Inform Citizens

Political parties run campaigns for candidates. They run ads, create pamphlets, post blogs, and help candidates give speeches.

Impact: This function impacts the way society views candidates for office.

SS.7.C.2.9 Evaluate candidates for political office by analyzing their qualifications, experience, issue-based platforms, debates, and political ads.

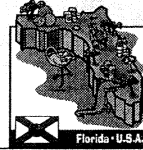
Qualifications for Office

Federal Government



State/Local Government

Florida



President

Must be at least 35 years old, natural – born citizen, and resident of the United States for 14 years.

The Constitution does not outline the qualifications for vice-president although the vice-president must possess the same qualifications as the president since the vice-president takes office upon the president's death, resignation or removal, or becomes acting president upon the president's incapacitation.

Governor

Must be at least 30 years old, natural – born citizen or naturalized citizen, and a resident in Florida for 7 years.



Senate

Must be at least 30 years old, natural – born citizen or naturalized citizen, and resident of the United States for 9 years.

States may decide how to replace Senators who leave office due to death, resignation or removal. Options include appointment or special election. Senators may be appointed until such time that a special election may be held. If there is less than two years left until the next election, the appointment may last until the end of the term. If that doesn't happen, then the appointment will take place until the next scheduled congressional election. For example, Tim Scott from South Carolina, who was appointed by Nikki Haley to replace Jim DeMint, will run in a special election in 2014 even though DeMint was last elected for a 6 year term in 2010.

State Senator

Must be at least 21 years old, natural-born or naturalized citizen, and a resident of Florida for at least 2 years and live in the district that he/she represents.



Bill Nelson

United States Senators



Mark Rubio

Congress

Must be at least 25 years old, natural – born citizen or naturalized citizen, and Resident of the United States for 7 years.

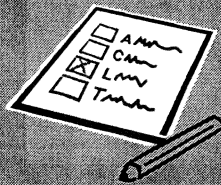
Members of the U.S. House of Representatives may only be replaced with special elections because the U.S. Constitution requires that "the People of the several States (spelling in original)" choose members of the House of Representatives (Article I, Section 2).

State Legislature

(House of Representatives)

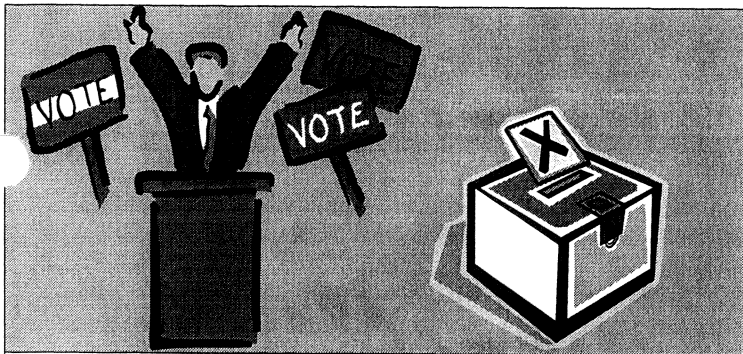
Must be at least 21 years old, natural-born or naturalized citizen, and a resident of Florida for at least 2 years and live in the district that he/she represents.

Why Voting Matters



It makes us equal. Each of us has one and only one vote. During elections, the act of voting is one of the few times when all adults in the U.S. have an equal say. No matter how much money you have or who your friends are, you only get one vote.

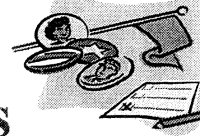
Each vote sends a message. Even if the person or issue you vote for loses, your vote matters because it lets winners and losers know who supports their points of view.



Politicians notice who is and isn't voting. In the U.S., the highest voter turnout is among seniors. So it's no surprise that politicians are going to spend a lot of time on issues that are important to older people, like Social Security and Medicare. Younger voters, 18-24 year-olds, haven't voted in high numbers recently, so it's easier for politicians to pay less attention to the issues that are important to young people.



HOW THE PROCESS WORKS



The Primaries and Caucuses: Narrowing Down the Pack

Only one candidate from each party can run in the final election. That's where primaries and caucuses come in. Between late January and early June during the year of a general election, a few states hold caucuses, but most states choose their candidate using primary elections. Caucuses are small groups of people getting together to decide whom they want to support as their party's candidate. Primaries are elections where everyone in the party who is interested votes for the party candidate. In Florida, you must be a registered member of a party in order to participate in the primary. If none of the candidates earn at least 50% of the vote, a runoff primary takes place.

The Conventions: Party-Time, Politicians Style During a presidential election, after the primaries and caucuses, the major parties hold conventions to officially nominate their candidate for president.

After the candidates are nominated, their names are officially submitted to each state's chief election official so that they will appear on the general election ballot.

The General Election

Now that each party has determined their candidates, the general election process begins. Candidates spend weeks campaigning in an attempt to win the support of voters. Even though a voter may belong to a particular party, he or she may vote for candidates from any party. Finally on Election Day, people exercise their right to vote.

In Florida, registered voters vote for candidates for local, state, and federal offices. They also vote on amendments, or changes, to the Florida Constitution. Voters also decide if justices of the Florida Supreme Court and judges of district courts can retain, or keep, their position on the court.

SS.7.C.2.10 Examine the impact of media, individuals, and interest groups on monitoring and influencing government.

The Constitutional Basis for Monitoring and Influencing Government

Public Agenda

The public agenda is a list of issues that much of society agrees are a priority.



The Media



The media is the source of our news and information about current events.

Public Policy

Public Policy is the stand a

The Impact of the Media on Government – The impact varies, however the media can bring to light issues within the government to inform the public. The media can also focus on stories, which can impact the issues the government chooses to focus on. They have a large impact on the government due to their watchdog role.

government takes on an issue.



Interest Groups

Interest Groups gather people and resources to support public policies that help their members.

Lobbying – Interest groups hire lobbyists to meet with members of the government and discuss the group’s issues and concerns.

Endorsing Candidates – Interest groups will officially support candidates during elections.

Raise money – Interest groups that want to raise money for candidates must form a political action committee.

The Impact of Interest Groups on Government – The impact varies, however interest groups are often successful in persuading government officials to take their issues into consideration. By attaching their organization’s name to a candidate in order to get the candidate elected, voters take notice of endorsements. They are able to raise a lot of money in order to support candidates. Laws have been passed to limit contributions due to the impact interest groups have had on campaigns where they have contributed money.

Individuals

Voting

Petitioning the Government

The Impact of Individuals on Government: The impact varies, however the most effective way for an individual to influence and impact government is to run (and be elected) for office. Serving in public office makes you part of the government. Ways to impact the government through communicating views to their representative can occur by attending civic meetings, signing a petition, contacting the representative through phone or mail and voting. To influence the government by supporting a campaign can be done in various ways with varying degrees of impact. The most direct way is to work/volunteer for the campaign and to vote.

PAC

Political Action Committees (PACs) are organizations associated with interest groups, individuals, labor groups and corporations that raise and spend money in order to impact election outcomes. PACs give money directly to candidates, and also spend money on candidates’ behalf such as sponsoring campaign commercials advocating how citizens should vote, or to shape opinions about candidates and political parties.

PACs are not wholly unregulated. Congress and the U.S. Supreme Court have regulated PACs. These regulations have impacted PAC influence.

SS.7.C.2.11 Analyze media and political communications (bias, symbolism, propaganda).

When reading the news, looking at candidate websites or viewing election information, it is important to consider how persuasion techniques might be used to influence the viewer. Bias, symbolism, and propaganda are common techniques used to persuade people to think or feel a certain way.



Impact on Public Opinion:

The use of propaganda will have an impact on public opinion because it is purposely used to convey a strong positive or negative message. People may be attracted (or not at all) to the message because of the emotion that is being conveyed.

BIAS

Bias is a preference, opinion or attitude that favors one way of thinking or feeling over another.

Examples:

The front pages of newspapers contain bias by what they choose to display on the page, the words and photographs chosen convey messages as well as what is left out or given less space.

Impact on Public Opinion:

Due to the fact that many people get their news from newspapers, the use of bias in a paper has a large influence because newspapers communicate to people what is

“newsworthy.”



SYMBOLISM

Symbolism is the technique of using images or pictures to convey a certain message.

Examples:

Campaign logos use symbolism to connect images of America (flags, stars, stripes, red, white, and blue) to the candidate.

Impact on Public Opinion:

Symbolism can impact the way the public feels about a candidate. The use of images can create positive or

negative feelings about the candidate.



PROPAGANDA

Propaganda is the method of spreading ideas, information or rumors for the purpose of helping or injuring an institution, a cause, or a person.

| | | | | | | |
|---|---|--|---|---|--|--|
| Bandwagon when an attempt is made to make the viewer feel like everyone is using a product or voting for a particular candidate, so they should too | Card Stacking the strategy of showing a product or person's best features and leaving out information about any negative features or potential problems | Glittering Generalities when an advertisement or political campaign uses short phrases or few words to appeal to particular emotions | Name Calling used to send a negative message about an opposing product or candidate | Plain Folks the strategy of communicating using ordinary language and clothes to convey to the audience that the spokesperson or candidate is just like everyone else | Testimonials a celebrity or well-known person speaks on behalf of a product or person as an endorsement; in a testimonial a celebrity's message is that if they believe in a candidate, everyone else should too | Transfer when symbols are used to convey a message |
|---|---|--|---|---|--|--|



Legislative Branch Study Guide

The Legislative branch test will include the following items: Chapter 7 textbook, SS.7.C.3.3, SS.7.C.3.8, and SS.7.C.3.4

SS.7.C.3.3 – Illustrate the structure and function of the (three branches of government established in Articles I, II, and III of the Constitution with corresponding powers) of the government.

SS.7.C.3.3 Vocabulary to study:

Legislative Branch – Article I
 Article, U.S. Congress, U.S. House of Representatives
 U.S. Senate, Delegated powers/Enumerated Powers
 Coining money, Declaration of war, Immigration
 Naturalization laws, Regulate/trade, Elastic
 clause/necessary and proper/implied powers
 Impeach, Concurrent powers



SS.7.C.3.8 – Analyze the structure, functions, and processes of the legislative, executive, and judicial branches.

SS.7.C.3.8 Vocabulary to Study:

Constituents, Bill, Veto, Act, Statute, Ordinance, Home rule, Bicameral, Committee selection, Conference committee, Special committee, Standing committee
 How a bill becomes a law, Majority leader, Speaker of the House, Majority party, Minority leader, Minority party
 Nominate, President pro tempore of the Senate
 Appointment confirmation, State legislature
 State representative, State senator, City commissioner or council member, County commissioner or council member
 School board

SS.7.C.3.4 – Identify the relationship and division of powers between the federal government and state governments.

SS.7.C.3.4 Vocabulary to study:

Federalism, Federal government (national government)
 State government, Local government, Reserved powers
 Supremacy Clause, Tenth Amendment

Chapter 7 Vocabulary

Gerrymander, writ of habeas corpus, bill of attainder, ex post facto law, franking privilege, lobbyist, casework, pork-barrel project, public works bills, earmarks, joint resolution, rider, filibuster, cloture, voice vote, standing vote, roll-call vote, and pocket veto

Article I of the Constitution – Makes laws

Bicameral – Congress is made up of two houses. The lower house, House of Representatives and the upper house, Senate.

House of Representative

Qualification

must be 25 years of age, citizen for 7 years, and live in the state they represent.

Powers & Functions of the House

Power of impeachment and Bills start in the House involving taxes.

Senate

Qualification

must be 30 years of age, citizen for 9 years, and live in the state they represent.

Powers & Functions of the Senate

- Impeachment trial
- decides whether or not to remove from office
- confirms high level nominations to the executive and judiciary branches

Powers & Functions of Both Houses

- Have the power to change laws in order to protect voters
- Oversees, investigates, and makes the rules for the government and its officers
- Each house can judge elections, create their own rules to manage themselves
- Must have a majority present in order to conduct business
- Keep a journal of their activities
- Determine naturalization laws
- Congress has the power to coin money, print money, create the postal service, to raise and support armed forces, and lower federal courts, declare war, and regulate commerce.

Limit on Power – Article I, Section 9

Forbids Congress from passing laws that would hurt the legal rights of the United States citizens.

- Writ of **habeas corpus** – Congress cannot block it except in times of rebellion or invasion. It is a court order that brings the prisoner before the court to be told what they are being held for.
- Congress cannot pass a **Bill of Attainder** – laws that punish a person without a trial.

- Cannot pass **ex post facto laws** – laws declaring that an act is a crime after the act has been committed.

Legislative Branch on the differing levels of government

| National (Federal) | State | Local |
|---|--|--|
| <p>How Many</p> <ul style="list-style-type: none"> • H of R 435 members (state's population) 2 year terms • Senate 100 members (2 per state) 6 year terms • Census is given every 10 years to adjust H of R as needed • Legislation must be passed by a majority for each house • Process of how a bill becomes a law – (Acts) <p>Two Political Parties – Democrats and Republicans</p> <ul style="list-style-type: none"> • For each house – Majority Party and Minority Party. • Majority leader - House - Speaker of the House – only office chosen by representatives and is in the Constitution. Senate – Pro Tempore – serves in absence of the VP as President of the Senate. • Majority Party members chair all standing and select committees based on Seniority. • Majority holds leadership, chairs all policy committees, and holds the majority of each committee. <p>Types of Committees – see last page</p> | <p>Article IV guarantees to every state a republican (representative) form of government.</p> <ul style="list-style-type: none"> • Florida - Bicameral – House 120 members and Senate 40 members. <p>Term limits for each house – 8 years. Total for both – 16.</p> <ul style="list-style-type: none"> • House – 2 year terms and Senate – 4 year terms. <p>Part Time Legislature - meets for 60 days beginning in early March to early May.</p> <ul style="list-style-type: none"> • Majority of each house to ratify laws (statutes). • Use committee system and party leadership system in each house. <div data-bbox="576 955 998 1396" data-label="Image"> </div> | <p>Counties</p> <ul style="list-style-type: none"> • 67 counties – carry out constitutional services established by the state. • County services carried out are law enforcement, jail administration, tax collector, property appraisal, state court administration, and election supervision • Oversees road maintenance, public health, and solid waste disposal. • County commission selects the county chair – oversees commission meetings. <p>Special Districts</p> <ul style="list-style-type: none"> • Independent – create by the legislature for specific purpose – water management districts, fire services, and inland navigation. • Dependent Special Districts – created by cities and counties – governed by the city or county with elected commission. 600 Independent and 300 Dependent <p>Cities</p> <ul style="list-style-type: none"> • Home Rules – may enact their own laws (ordinances) and self-govern. Ordinances cannot conflict with state laws. • City Councils – city legislatures • City Mayor – runs the city |

Federalism

A system of government in which power is divided and shared between the national, state, and local governments. This division of powers extends exclusive powers to the national government only (enumerated, or delegated), the state governments only (reserved), or to both (concurrent). It is found throughout the U.S. Constitution.

The Tenth Amendment

The powers are not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. It does not identify any powers, instead, it extends to the states and by extension, the people, powers that are not specifically granted to Congress or denied to the states.

Federal and State Powers in the U.S. Constitution

| Article and Section in the U.S. Constitution | Explanation of Power | Example of Power | Type of Power |
|--|--|---|---|
| Article I, Section 4 (The Legislative Branch; elections) | States organize elections although the federal government may set up national standards. | The national government sets the date for presidential and congressional elections; the states may determine the date for scheduling primaries. | Concurrent |
| Article I, Section 8 (The Legislative Branch; powers of Congress) | Congress, as the national legislature, enjoys specific powers. | Core powers of Congress include: <ul style="list-style-type: none"> • Laying and collecting taxes • Providing for the common defense • Borrowing money on the credit of the U.S. • Regulating commerce • Establishing a uniform rule of naturalization • Coining money • Declaring war • Raising and supporting armies and navies | Enumerated or delegated |
| Article I, Section 10 (The Legislative Branch; restrictions on state power) | The states are forbidden from engaging in certain activities. | State may not (partial list): <ul style="list-style-type: none"> • Enter into treaties • Coin money • Keep troops during peacetime | N/A; Article I, Section 10 restricts power, it does not extend it |
| Article II, Section I (Executive Branch: Electoral College) | State legislatures determine the rules for appointing members of the Electoral College (the Electoral College elects the president). | State legislatures give to each political party the power to select Electors from that party; all electors are assigned to the party of the presidential candidate earning the most votes in that state (except in Maine and Nebraska) | Reserved |
| Article III, Section I (Judicial Branch; creation of courts) | Congress establishes courts inferior to the U.S. Supreme Court | Congress created the federal appellate court system. | Enumerated or delegated |

| | | | |
|----------------------------------|---|---|-----|
| Article VI (Supremacy Clause) | State law may not conflict with federal law | Federal law mandates that no state may require residency exceeding 30 days for purposes of voter registration.. | N/A |
|----------------------------------|---|---|-----|

| Division of Powers | | |
|--|---|--|
| National Government (Enumerated Powers) Expressed Powers | National and State Governments (Concurrent Powers) Shared Powers | State Governments (Reserved Powers) |
| <ul style="list-style-type: none"> • Regulate trade • Coin money • Provide army and navy • Declare war • Set up a federal court system • Conduct foreign relations | <ul style="list-style-type: none"> • Collect taxes • Borrow money • Spend for the general welfare • Set up court systems • Pass and enforce laws | <ul style="list-style-type: none"> • Regulate trade between states • Set up local governments • Conduct elections • Establish Public Education • Protect public health, welfare, and morals |

National Legislative Committees


| Committee Type | Committee Purpose | Committee Membership |
|-----------------------|--|--|
| Standing | Permanent legislative panels that consider bills and issues | Members of one house, and both parties |
| Select | Temporary committee that addresses a specific issue; once that committee's business is complete, the committee dissolves | Members of one house, and both parties |
| Special | Performs a special function beyond the authority or capacity of a standing committee | Members of one house, and one party |
| Joint | Policy exploration with a narrow jurisdiction | Members of the House of Representatives and the Senate |
| Conference | Temporary committee formed to reconcile differences in legislation passed by both chambers. | Members of the House of Representatives and the Senate |

Executive Branch Content Review

The Executive Branch test will include the following items: Chapter 8 textbook,

SS.7.C.3.3 – Illustrate the structure and function of the (three branches of government established in Articles I, II, and III of the Constitution with corresponding powers) of the government. SS.7.C.3.8 – Analyze the structure, functions, and processes of the legislative, executive, and judicial branches. SS.7.C.4.1: Differentiate concepts related to U.S. domestic and foreign policy. SS.7.C.4.2 – Recognize government and citizen participation in international organizations. SS.7.C.4.3 – Describe examples of how the United States has dealt with international conflicts.

Vocabulary to Know:

| | | | | |
|---|---|---|--|--|
| <p>SS.7.C.3.3/3.8 armed forces Cabinet executive branch executive order foreign relations impeach mayor pardon presidential appointment veto</p> | <p>SS.7.C.4.1 Domestic and Foreign Policy alliance allies ambassador diplomacy diplomat embassy foreign policy treaty</p> | <p>Chapter 8 Elector Electoral College Reprieve Amnesty Executive agreement Trade sanctions Embargo Federal bureaucracy Executive agency Government corporation Regulatory commission Political appointee</p> <div style="text-align: center;">  </div> | <p>SS.7.C.4.2 International Organizations: Intergovernmental organization International organization International Red Cross Non-governmental organization (NGO) North American Free Trade Agreement (NAFTA) North Atlantic Treaty Organization (NATO) United Nations (UN) United Nations International Children’s Emergency Fund (UNICEF) World Trade Organization (WTO)</p> | <p>SS.7.C.4.3 Conflict and Cooperation: Bay of Pigs Cuban Missile Crisis Gulf War I Gulf War II Iran Hostage Crisis Korean War Terrorism Vietnam War World War I World War II</p> |
|---|---|---|--|--|

Article II – Enforces and Implements Laws

Identifies the holders of executive power (the president and vice-president)

Terms of Office – The president can serve maximum of 2 (4 year) terms. 22nd Amendment was passed in 1951 to limit a president to two elected terms of office.

Qualification

Must be 35 years of age, natural born citizen, and live in the United States for at least 14 years.

Electoral College

Both the president and vice-president are elected through an electoral college – each state and the District of Columbia have a certain number of electors. The number of electoral votes is equal to the total number of senators and representatives a state has. A vote for a candidate is really a vote for the elector. Winner-takes-all, the candidate who wins the most popular votes in the state gets all of its electoral votes. Winner must have at least 270 electoral votes to win the general election. If no candidate gets enough electoral votes then the House of Representatives chooses the president.

State of the Union Address - Article II, Section 3

President must deliver an address to Congress on the State of the Union “from time to time”. Traditionally, it is given once a year.

Removal from Office – Article II, Section 4

Defines the circumstances under which the president can be removed from office.

The Presidential Succession Act, 1947 – Lists the line of succession after the vice president. A line of succession is the order in which officials are expected to succeed, or come next, to an office.

1. Vice President
 2. Speaker of the House
 3. President pro tempore of the Senate
 4. Secretary of State
 5. Secretary of the Treasury
 6. Secretary of Defense
 7. Attorney General
- and more see chart p. 230.




25th Amendment – 1967




Makes it clear that if the president dies or leaves office, the vice president becomes president. It says that the new president should choose a new vice president with the help of Congress. It also gives the vice president a role in deciding whether a president is disabled and cannot do the job. If that occurs, the vice president serves as acting president until the president is able to go back to work.

Basic Functions of the Executive Office

- | | |
|---|--|
| <ul style="list-style-type: none"> • Preserves, protects and defends the Constitution • Faithfully executes the laws of the United States • Executes the instructions of Congress • Veto, or reject, bills passed in Congress • Nominates high level members of the executive and judiciary branches • Executes the spending authorized by Congress | <ul style="list-style-type: none"> • Highest civilian officer of the armed forces • Appoints judges with the advice and consent of the Senate • Can call or convene Congress in special circumstances. • Negotiates treaties • Vice-President is president of the Senate and votes in order to break a tie. |
|---|--|

The Presidential Roles and Powers

| Presidential Role/Power | Congressional Check |
|--|---|
| <p style="text-align: center;">Chief Executive</p> <ul style="list-style-type: none"> • Carry out the nations laws. To do this he is in charge of 15 cabinet departments and many agencies. • He/she is in charge of the executive departments and offices. • <u>Power to Nominate persons</u> for high office such as Cabinet, secretaries, ambassadors, Supreme Court justices, and other offices. • Executive Order – a rule or command the president gives out that has the same power and force as a law. • Name people to serve as justices of the Supreme court and judges of other federal courts. • <u>Grant pardons</u> – declares forgiveness and freedom from punishment. May also issue a <u>reprieve</u>, order delaying the punishment of a person until a higher court can hear the case. <u>Grant amnesty</u> – pardon for a large group of people. <div style="text-align: right; margin-right: 50px;">  </div> <ul style="list-style-type: none"> • Vetoes Congressional Bills | <p>Congress enacted laws</p> <p>Senate confirms nominations; nominees who are confirmed are then appointed to their positions.</p> <p>Congress may override a president's veto with a 2/3 vote of each house of Congress.</p> |
| <p style="text-align: center;">Commander-in-Chief of the Armed Forces</p> <ul style="list-style-type: none"> • serves as Commander-in-Chief of the armed forces • allows the president to back up foreign policy decisions with force when they need to. • President and Congress share the power to make war – While Congress has the power to declare war, the president can order troops into battle. Congress has declared war 5 times. The president has sent troops into action more than 150 times. | <p>Congress declares war.</p> <p>Congress raises and supports armies and navies.</p> |
| <p style="text-align: center;">Chief Diplomat</p> <ul style="list-style-type: none"> • Leads the foreign policy of the U.S. He decides how the U.S. acts toward other countries. • Negotiates treaties with foreign nations. • Names people to serve as ambassadors, who represent the U.S. government in other nations. | <div style="text-align: center;">  </div> <p>Senate approves treaties for ratification.</p> |
| <p style="text-align: center;">Head of State</p> <ul style="list-style-type: none"> • Living symbol of the nation. He builds goodwill with other countries by greeting their leaders when visiting the U.S. • Represents all Americans in important ceremonies. <p>Awards medals to the country's heroes.</p> | <div style="text-align: center;">  </div> |

| | | |
|---|--|---|
| Legislative Leader | |  |
| <ul style="list-style-type: none"> Helps propose new laws for Congress to pass. He makes speeches to build support for these goals. | | |
| Economic Leader | |  |
| <ul style="list-style-type: none"> Voters expect the president to deal with such problems as lack of jobs, raising prices, and high taxes. Plans the federal budget each year and works with Congress to decide what programs to support and what programs to cut back. | | |
| Party Leader | |  |
| <ul style="list-style-type: none"> Looked at as leader of his or her political party Gives speeches in support of fellow party members running for office as members of Congress, governors, and mayors. Helps party to raise money | | |

The President's Cabinet

Each executive department head is titled "Secretary" with the exception of the Department of Justice, which is headed by the Attorney General. Department Secretaries must be confirmed by a majority vote in the Senate. Cabinet secretaries have no set terms of office although they normally resign should the president who nominated them leave office. Below is a list of current Cabinet departments in the order that they were created.

| Department Name | Year Created | Notes |
|---|--------------|--|
| Department of State | 1789 | Plans and carries out the nation's foreign policy |
| Department of the Treasury | 1789 | Collects, borrows, spends, and prints money |
| Department of Defense | 1789 | Manages the armed forces |
| Department of Justice Office of Attorney General | 1870 | Responsible for all aspects of law enforcement |
| Department of Interior | 1849 | Manages and protects nation's public lands and natural resources |
| Department of Agriculture | 1889 | Assists farmers and consumers of farm products |
| Department Commerce | 1903 | Supervises trade, promotes U.S. business, tourism |
| Department of Labor | 1913 | Deals with working conditions, wages of U.S. workers |
| Department Education | 1979 | Provides advice and funding for schools |
| Department of Housing and Urban Development | 1965 | Deals with the special needs and problems of cities |
| Department of Transportation | 1966 | Manages nation's highways, railroads, airlines, and sea traffic |
| Department of Energy | 1977 | Directs overall energy plan for the nation |
| Department of Veteran's Affairs | 1989 | First formed as the Veterans Administration in 1930 and elevated to Cabinet-level status in 1988 |
| Department of Homeland Security | 2002 | Created in response to the Sept. 2001 terrorist attacks on the United States |
| Department of Health and Human Services | 1953 | Works for the well-being and health of all Americans |

The Executive Office of the President assists the president in both domestic and foreign matters.

They are: Council of Economic Advisors, Council on Environment Quality, **National Security Council (NSC – advises the president on matters of national security)**, Office of Administration, **Office of Management and Budget (OMB – prepares the federal budget and oversees spending in the executive branch)**, Office of National Drug Control Policy, Office of Science and Technology Policy, and Office of the Vice President.

The Federal Bureaucracy

Hundreds of agencies that help run the executive branch are called the federal bureaucracy. The workers help make government policy. Agencies write rules that put laws passed by Congress into practice. The agencies turn laws from general guidelines into specific rules, so that people and businesses can know what to do to follow the law.

Independent Agencies

Not part of the cabinet, they are grouped into three types:

| Executive Agencies | Government Corporations | Regulatory Commissions |
|--|---|---|
| Independent agencies that deal with certain specific areas within the government. Examples: Central Intelligence Agency (CIA), Environmental Protection Agency (EPA) | Businesses that are owned by the government to provide goods or services and charge people to buy those goods and services. They are not supposed to make a profit. Example: The United States Postal Service | To help protect the public, make and enforce rules that an industry or group must follow. Example: Federal Communications Commission (FCC). |

Government Workers

| | | | |
|---|---|---|---|
| Political appointees – a person appointed to a federal position by the president | Civil service system – practice of hiring government workers on the basis of open, competitive examinations and merit – about 90% of those that work in the federal government are this. | Spoils system – rewarding people with government jobs on the basis of their political support. Because appointees were not always qualified, Congress passed the Civil Service reform Act of 1883 – created the civil service system. | Merit system – hiring people into government jobs on the basis of their qualifications |
|---|---|---|---|

The Florida Governor

Article IV of the Florida Constitution outlines the Governor's core duties as follows:

The supreme executive power shall be vested in a governor, who shall be commander-in-chief of all military forces of the state NOT in active service of the United States. The governor shall take care that the laws be faithfully executed, commission all officers of the state and counties, and transact all necessary business with the officers of government. The governor may require information in writing from all executive or administrative state, county or municipal officers upon any subject relating to the duties of their respective offices. The governor shall be the chief administrative officer of the state responsible for the planning and budgeting for the state.

The state lawmaking process is also similar to the federal process. There is a provision for an override of a governor's veto requiring a 2/3 vote in each house).

The governor serves with a cabinet comprised of three state-wide elected officers: Chief Financial Officer, Attorney General and Commissioner of Agriculture and Consumer Services.

Chapter 13 p. 369 – 373, Study the Roles of the Governor: Chief Executive (line-item veto), Commander in Chief of National Guard (state militia), Ceremonial Leader, Legislative Leader, Judicial Leader, and Party Leader

Judicial Branch - Citizens and the Law – Criminal & Civil Law

Content Review

Chapter 9, 15 & 16

SS.7.C.3.3 – Illustrate the structure and function of the (three branches of government established in Articles I, II, and III of the Constitution with corresponding powers) of the government. SS.7.C.3.8 – Analyze the structure, functions, and processes of the legislative, executive, and judicial branches. SS.7.C.3.11 – Diagram the levels, functions, and powers of courts at the state and federal levels. SS.7.C.1.9 – Define the rule of law and recognize its influence on the development of the American legal, political, and governmental systems. SS.7.C.3.10 – Identify sources and types (civil, criminal, constitutional, military) law.

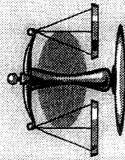
Vocabulary to Know:

| Chapter 9 | Chapter 15 | Chapter 16 | Judicial Branch – Article III of the Constitution |
|---|--|---|--|
| Judicial Branch Appellate jurisdiction Brief Caseload Concurrent jurisdiction Concurring opinion Constitutionality Dissenting opinion Docket Dual court system Exclusive jurisdiction Judicial review Jurisdiction Jurisdiction Litigant Nullify Opinion Original jurisdiction Precedent Ruling Stare decisis Subpoena Tenure Unanimous opinion Writ of certiorari | Chapter 15 Citizen and the law Administrative law Bail Bill of attainder Case law Common law Constitutional law Double jeopardy Due process Ex post facto law Exclusionary rule Lawsuit Miranda warning Search warrant Statute Writ of habeas corpus | Chapter 16 Civil and Criminal Law Adjudication hearing Complaint Contract Crime Cross-examination Custody Damages Defendant Delinquent offender Detention hearing Discovery Disposition hearing Felony Juvenile delinquent Misdemeanor Negligence Penal code Plaintiff Plea bargaining Prosecution Rehabilitate Sentence Status offender Summons Tort | Courts make up the judiciary branch of government. <ul style="list-style-type: none"> Two Main Jobs – it tries to ensure that the laws are fairly enforced and it interprets the laws. Courts hear two types of cases: criminal cases and civil cases. Created to solve the problem that each state has its own laws and its own courts and there was no way to guarantee that people would receive equal justice in all the states. Article III created a national Supreme Court and Congress the power to establish lower federal courts if Congress saw the need for them. Dual Court System – federal court system and 50 state court systems Goals – of this legal system is to treat every person the same. Each accused person is presumed, or assumed to be, innocent until proven guilty. Each person has the right to have their case reviewed if believed the law has not been applied fairly. |
| | | | What historical documents have influenced the United States and its laws? Code of Hammurabi - a written code of rules that guided an ancient society around 1772 B.C., 282 laws that dealt with everyday life, it was a code that most likely inspired other civilizations What is the connection between the Code of Hammurabi and the U.S. Constitution? What words or phrases did you hear that helped you answer this question? "The fact that a society can be governed by a written legal code has been very influential to our legal system." Out written laws have guided our society, just as the Code of Hammurabi guided the Babylonians. Law creates order and stability. Magna Carta "No freeman shall be taken, imprisoned, ... nor will We proceed against or prosecute him, except by the lawful judgment of his peers and by the law of the land." "... to no one will We deny or delay, right or justice." Justice will not be denied to anyone. Magna Carta was used as inspiration for some of the individual rights we have today. |



Sources of Laws

- * **Constitutional Law** - The Constitution is the supreme law of the land and states can only create laws that do not conflict with the Constitution. As a type of law, constitutional law deals with issues between the federal government and states, between two or more states, and between the government and citizens.
- * **Statutory Law** - The Constitution gives Congress permission to pass laws about a limited number of topics. These laws are called statutes. These statutes apply to the entire United States.
- * **Regulations** - The rules that an agency of the executive branch makes are called regulations.
- * **Case law** - law established by the outcome of former cases.
- * **Common law** - legal precedent based on customs and prior legal decisions; it is used in civil cases.



Types of Laws

- * **Civil laws** help settle disagreements between people. Civil laws deal with subjects such as: property, divorce, contracts, wills, personal injury, bankruptcy, employment, agriculture, and taxes.
- * **Criminal law** makes certain actions a crime and comes from all three levels of government. Criminal law falls into two categories: felonies (serious crimes) and misdemeanors (less serious crimes). When someone breaks a criminal law, they are charged with a crime. When someone is brought to trial for a crime, the government is on one side charging the person with the crime and the person accused of the crime is called the defendant.
- * **Juvenile law** is for people under the age of 18 who commit a crime. The juvenile system is usually more flexible than the adult system, so that juveniles have more chances for young people to learn from their mistakes. There are also laws about school attendance, curfews and child abuse.
- * **Military laws** are special laws for people in the U.S. military. Congress created the Uniform Code of Military Justice, which is a set of criminal laws that apply to people in the military. This code also includes procedures for a military trial and punishments. It also includes laws that are not needed for non-military laws.

The Federal and Florida State Court Systems

The Federal Court Systems

The U.S. Supreme Court

Highest Court
9 Justices

Appellate Court – hears appeals from U.S. Circuit Courts of Appeal and from state supreme courts.
Original Jurisdiction – over cases between two states, the president and Congress, or where a state is a party.
Receive about 10,000 appeals each year but only reviews around 75.

U.S. Circuit Courts of Appeal

12 circuit courts
Panels of three judges that hear cases
Appellate court – hears cases from the U.S. District Courts

U.S. District Courts

94 districts
Trial Courts – judge and jury
Civil and Criminal cases related to federal laws

The Florida State Court System

The Florida Supreme Court

Highest court – located in Tallahassee
8 justices

Appellate court – the power to hear appeals from the District Courts of Appeals as well as other cases as assigned from the FL Legislature

Florida District Courts of Appeal

12 Circuit courts in Florida – Panels of three judges hear the cases
Appellate courts – hears appeals from the Florida District Courts of Appeals

Florida Circuit Courts

20 circuit courts – Trial – judge and jury
Hear trials on cases not assigned to the county courts and appeals from county courts
Trial and Appellate courts

Florida County Courts

67 – with a judge – minor arguments between citizens and minor criminal offenses – trial courts

Rule of Law

| | |
|-------------------------------------|--|
| <p>Order and Security</p> | <ul style="list-style-type: none">• Citizens feel safe during daily activities.• Police have procedures for dealing with crime.• Criminals face consequences. |
| <p>Legitimacy</p> | <ul style="list-style-type: none">• Citizens see the law as worthy of following.• Citizens have input in the lawmaking process.• Citizens respect the law and see laws as fair. |
| <p>Checks and Balances</p> | <ul style="list-style-type: none">• Power is divided among branches of government.• All branches function effectively.• The Judicial system is independent from other branches.• Elected officials must answer to the people. |
| <p>Equal Application of the Law</p> | <ul style="list-style-type: none">• Nobody is above the law, not even elected officials.• The Judicial system treats everyone the same. |
| <p>Procedural Fairness</p> | <ul style="list-style-type: none">• The government has rules for legal proceedings.• The government follows those rules.• The rules for legal procedures are fair. |
| <p>Access to Justice</p> | <ul style="list-style-type: none">• Citizens have a way to enforce their rights.• Citizens have the knowledge they need to get justice.• The justice system is available for people to use. |