**Introducing Government in America (chapter 1)**

**Government, Politics, and the Policymaking System**
The formal institutions, processes, and procedures within which public policies are made are government (how things work) and politics (who gets what, when, and how). In the United States the institutions are Congress, the president, the courts, and the federal bureaucracy, and the process by which these leaders and selected and policies are pursued in politics. This policymaking system brings together the interests and the concerns of the people, the linkage institutions (Parties, media, interest groups, elections, etc.) and the policymaking institutions to create and monitor public policy.

A democracy is a form of government in which policymaking reflects the will of the people. The United States is not a direct democracy, however. Instead, the American system is based on representation—citizens elect representatives to make political decisions for them. The authors of the Constitution were hesitant to vest too much power in the majority of uneducated Americans would remove politics from direct public control. Over time, the American Political system has evolved into its own form of democracy that draws upon some of the elements of a traditional democracy.

Identify and explain three Contemporary Theories of American Democracy.
- **Pluralist Theory:** Groups compete and policies are a result of compromise.
- **Elite and Class Theory:** Money and class = power and determines the policy agenda. (Policy gridlock)
- **Hyperpluralist Theory:** So many groups compete that we never reach a consensus and nothing gets done.

**The Constitution (chapter 2)**

The foundation of the American political system rests on the Constitution, a document originally consisting of just seven articles that laid out the basic structure of the government. It established the United States as a federal republic composed of three branches: the legislative, executive, and judicial. Over time, the Constitution has been amended to account for the growth of the nation and changes to the political system.

The origins of the Constitution
- **Declaration of Independence** (Articulated America's governing principles)
- **The philosophy of John Locke**
  - Natural rights (Life, Liberty, Property)
  - Consent of the governed (Social Contract Theory)
  - Limited government (The Constitution contains powers and limitations of the federal government)

Understand the intent, weaknesses, and consequences of the Articles of Confederation. It gave MOST of the power to the states.

Major developments at the Philadelphia (Constitutional) Convention
- Philosophical differences among the 55 founders (Originally called to revise the Articles of Confederation)
- The equality issue (representation)
  - Virginia Plan (large states wanted proportional representation)
  - New Jersey Plan (small states wanted equal representation)
  - Connecticut (Great) Compromise (Bicameral system: House – proportional, Senate – equal)
  - Three-Fifths Compromise (3/5 of slave population counted for congressional representation)
- Strengthening the economy (Greatly strengthened the commerce power of the federal government)
- Individual Rights Issues
  - Writ of Habeas Corpus cannot be suspended
  - Prohibits Bills of attainder (punishment without trial)
  - Prohibition of Ex post facto laws (laws made after the fact)
  - No religious qualifications for public office
  - Trial by jury
  - Strict rules for conviction of treason
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The Madisonian Model

- The dangers of factions (Madison argued in Federalist No. 10 that factions were caused by the unequal distribution of property)
- Electoral College – our system of electing the president. (No popular vote until 1824 – originally the only body to be directly elected by the people was the House of Representatives)
- Three branches of government (executive, legislative, judicial)
- Checks and balances (Veto/veto override, make treaties/approve treatise, impeachment, etc.)
- Federal system (separation of powers)

The guarantee of a republican (representative) form of government at ALL levels

Ratifying the Constitution (9 of 13 states had to vote for it.)

- Federalists (Hamilton et. Al. wanted a stronger central government) vs. Anti-Federalists (Jefferson led the “common man” argument against a stronger central government).
- The Federalist Papers (A series of 85 articles written by Hamilton, Madison and John Jay published in favor of ratification of the Constitution)
- The Bill of Rights (The 1st 10 Amendments added to the Constitution in order to obtain ratification)

Amending the Constitution (There are 27 amendments)

- Most common method = 2/3 vote in each house & ¾ of all states
- Can also be proposed by “state conventions” in 2/3 of states (21st Amendment = only time used)

Marbury v. Madison 1803) est. the Supreme Court’s power of Judicial (interpretation) Review of the laws.

**Federalism (chapter 3)**

In a federal system, government is divided between the national and sub-national levels. In the U.S., the state governments are the most important level. Local governments are units of the states. Each level of government has its own powers and responsibilities, but often their spheres overlap. This multi-level form of government, while not unique to the United States, is not the most common form of government in the world. Federalism provided the basis of compromise at the Philadelphia Convention between supporters of a strong national government and those delegates who favored retaining state traditions and local power.

Under Federalism people are governed by more than one entity (Fed., state, city, etc.) whereas unitary governments centralize all power into one national government.

Federalism decentralizes government and allows states and municipalities (cities) to determine many of their own laws.

### TABLE 3.2

<table>
<thead>
<tr>
<th>The Constitution’s Distribution of Powers</th>
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<tbody>
<tr>
<td>TO THE NATIONAL GOVERNMENT</td>
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<tr>
<td>-----------------------------</td>
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<tr>
<td><strong>SOME POWERS GRANTED BY THE CONSTITUTION</strong></td>
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<tr>
<td>Coin money</td>
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<tr>
<td>Conduct foreign relations</td>
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<tr>
<td>Ratify treaties with foreign nations and among states</td>
</tr>
<tr>
<td>Provide an army and a navy</td>
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<tr>
<td>Declare war</td>
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<tr>
<td>Establish courts inferior to the Supreme Court</td>
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<tr>
<td>Establish post offices</td>
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<tr>
<td>Make laws necessary and proper to carry out the foregoing powers</td>
</tr>
</tbody>
</table>
Define and differentiate between these intergovernmental relations:

- **Dual federalism** – like a layer cake (a system of government in which both the states and the national government remain supreme within their own spheres, each responsible for some policies)
- **Cooperative federalism** – like a marble cake (a system of government in which powers and policy assignments are shared between states and the national government)
- **Fiscal Federalism** (the pattern of spending, taxing, and providing grants in the federal system)
  - Categorical grants (project) – based on merit - roads etc. & formula - social security etc.)
  - Block grants (given more or less automatically to support broad programs – with basic guidelines)
- **Mandates** (direct states or local governments to comply with federal rules under threat of penalties or as a condition of receipt of a federal grant.)
- **Devolution** (The shifting of power and responsibility from the federal govt. to the states.)

The **Supremacy Clause** says that the U. S. Constitution, and the laws and treaties of the U. S. govt. are supreme, yet the **Tenth Amendment** says that the federal govt. cannot usurp state powers and is limited to enumerated powers.

**McCulloch v. Maryland, 1819** strengthened the implied powers of the federal government through the “necessary and proper clause,” (aka the “elastic clause”).

**States’ Obligations to Each Other**

- **Full Faith and Credit**: Each state must recognize official documents and judgments rendered by other states.
- **Privileges and Immunities**: Citizens of each state have privileges of citizens of other states when visiting.
- **Extradition**: States must return a person charged with a crime in another state to that state for punishment.

**Civil Liberties and Public Policy (chapter 4)**

Civil liberties are the enumerated individual freedoms guaranteed in the Bill of Rights. They are primarily concerned with protecting citizens from too much government control. While these freedoms are specifically addressed in the first ten amendments, they are not always clearly defined, especially in light of today’s social, political, and technological circumstances. Because civil liberties are rarely absolute and often conflict with each other and with other societal values, the courts must continually define and interpret the meaning and practice of these freedoms.

**Barron v. Baltimore 1833** – The court said the Bill of Rights did NOT apply to the states.

Incorporation Doctrine established in **Gitlow v. New York 1925** – The court began incorporating the Bill of Rights to the states through the 14th Amendment.

Religion and government—the **Establishment Clause** and the **Free Exercise Clause**—may sometimes conflict.

- **Lemon** (v. Kurtzman) **Test** – Secular purpose, neither advance nor inhibit religion, no “excessive entanglement.”
- **Engle v. Vitale 1962** – banned school sponsored prayer

1st Amendment freedoms: (religion, speech, press, petition, assembly)

Prior restraint (forbidding publication of certain material) usually forbidden but often allowed during war.

**Miller** (v. California) **Test** – Obsenity – Patently offensive, lacks serious artistic value, prurient interest in sex.

**District of Columbia v. Heller 2007** may or may not incorporate the **Second Amendment** (right to bare arms.)

Symbolic speech and freedom of expression first protected in **West Virginia v. Barnett** (pledge of allegiance – do not have to stand) and also in **Texas v. Johnson 1989** (can burn a flag in protest).

Free speech can be limited to maintain public order. **Schenk v. U. S. 1919** upheld WWI Sedition Act.

**Libel**: the publication of false or malicious statements that damage someone’s reputation

**Slander**: the same thing, only spoken instead of printed

**Commercial Speech** regulated by the FTC (advertising) and FCC (broadcasting) must be narrowly tailored.
Due Process Clause of the 14th Amendment led to the incorporation of several liberties pertaining to the accused.

- 4th Amendment bans unreasonable Searches and seizures. Court est. Exclusionary Rule in Mapp v. Ohio
- Miranda v. Arizona 1966 – the court set the requirement that accused criminals be read their rights upon arrest.
- Gideon v. Wainwright 1963 – the court determined that everyone must be afforded an attorney.

The 5th Amendment protects against self-incrimination and double jeopardy (can’t be tried twice for same crime.)

The 8th Amendment protects against Cruel and unusual punishment. Death Penalty = NOT (Gregg v. Georgia)

In Griswold v. Connecticut, 1965, the Supreme Court determined that a right to privacy is implied through the “penumbra” (shadow) cast by the 9th Amendment.

Roe v. Wade (1973) – Established a woman’s right to have an abortion and set up the trimester conditions. Planned Parenthood v. Casey (1992) – ruled that states cannot place an “undue burden” on a woman’s choice.

Civil Rights and Public Policy (chapter 5)

The Constitution secures equal treatment under the law for all citizens, most commonly through the equal protection clause of the 14th Amendment. Civil rights, while implied, guarantee that government does not discriminate against people on account of their race, religion, gender, or age. Such rights were not inherent in the Constitution, however. Many legal and political battles have been fought to extend civil rights to all groups of people in the United States. American interpretations of equality, suggest that there is a guarantee of equal opportunity but not outcome.

Supreme Court’s Standards for Classifications Under the Equal Protection Clause of the 14th Amendment

<table>
<thead>
<tr>
<th>Classification</th>
<th>Standard of Review</th>
<th>Applying the Test</th>
</tr>
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<tbody>
<tr>
<td>Race</td>
<td>Inherently suspect</td>
<td>Is the classification necessary to accomplish a compelling governmental purpose and the least restrictive way to reach the goal?</td>
</tr>
<tr>
<td></td>
<td>(difficult to meet)</td>
<td></td>
</tr>
<tr>
<td>Gender</td>
<td>Intermediate standard</td>
<td>Does the classification bear a substantial relationship to an important governmental goal?</td>
</tr>
<tr>
<td></td>
<td>(mod. difficult to meet)</td>
<td></td>
</tr>
<tr>
<td>Other (age, wealth, etc.)</td>
<td>Reasonableness</td>
<td>Does the classification have a rational relationship to a legitimate governmental goal?</td>
</tr>
<tr>
<td></td>
<td>(easy to meet)</td>
<td></td>
</tr>
</tbody>
</table>


2 types of segregation: de jure (by law), de facto (in reality)

Civil Rights Act of 1964
- Made racial discrimination illegal in hotels, restaurants, and other public accommodation
- Forbade employment discrimination based on race
- Created Equal Employment Opportunity Commission (EEOC)
- Strengthened voting right legislation

Getting and Using the Right to Vote (Suffrage: the legal right to vote)
- Fifteenth Amendment: extended suffrage to African Americans
- Poll Taxes: small taxes levied on the right to vote (eliminated by 24th Amendment for federal elections)
- White Primary: Only whites were allowed to vote in the party primaries. Ended by Smith v. Allwright 1944

Voting Rights Act of 1965: helped end formal and informal barriers to voting.

Other landmark cases based on race:
Hernandez v. Texas (1954) – First and only case to recognize equal protection rights for Mexican Americans
Korematsu v. United States (1944) – Upheld the constitutionality of internment of Japanese Americans during WWII
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Major public policy milestones in the movement toward gender equality.
- **19th Amendment (1920)** - gave women the right to vote (suffrage)
- **Reed v. Reed (1971)** - “Arbitrary” gender discrimination violated 14th Amendment’s Equal Protection Clause
- **Craig v. Boren (1976)** - “Medium scrutiny” standard established for gender discrimination
- **Civil Rights Act of 1964** banned gender discrimination in employment and sexual harassment in the workplace
- **Lilly Ledbetter Act (2009)** - strengthened women’s right to sue under the Equal Pay Act
- **Title IX (1972)** – prohibited gender discrimination in education programs receiving federal grants
- However, the **Equal Rights Amendment** failed ratification by states (1982)

**Americans with disabilities (1990)** - Requires employers and public facilities to make “reasonable accommodations” for those with disabilities and prohibits employment discrimination against the disabled.

**Gay and Lesbian Rights**
- **Lawrence v. Texas 2003** – protected the private sex acts of consenting adults (overturned anti-sodomy laws)
- **Obergefell v. Hodges 2015** – fundamental right for same sex couples to marry (equal protection & due process)

**Key affirmative action cases**
- **Adarand Constructors v. Pena (1995)** To be constitutional, affirmative action must be “narrowly tailored” to meet a “compelling governmental interest.”
- **Regents of the University of California v. Bakke (1978)** Banned racial quotas for college admissions but allowed race to continue to be used as a determining factor.
- **Gratz v. Bollinger (2003)** ruled that “bonus points” for race was unconstitutional for college admissions but allowed race to continue to be used as a determining factor.

**Public Opinion and Political Action (chapter 6)**

More than two centuries of immigration to the United States has created an incredibly diverse population of Americans. Numerous social and economic factors therefore contribute to a varied form of public opinion. However, despite their differences, American overall share a common political culture based on democracy and federalism. Today, public opinion can be a powerful tool, especially during elections. Increasingly, politicians, pundits, and even voters are paying close attention to what polls tell them is the public’s opinion.

**Key Terms:**
- **Demography** is the study of population changes
- The **Census** is conducted every 10 years and is our most valuable demographic tool
- **Melting Pot**: the mixing of cultures, ideas, and peoples that has changed the American nation
- **Minority Majority**: the emergence of a non-Caucasian majority (est. to occur in 2045)
- **Political culture** is an overall set of values widely shared within a society.

**Key Demographic Trends:**
- **Hispanics** are the largest and fastest growing minority group especially in the west
  - The population continues to shift to the west
  - Immigration is thusly becoming a more contentious political issue with the coming Minority Majority.

**Redistricting** of congressional districts is conducted every ten years following the census. Reapportionment of the 435 House seats is also done to ensure equal representation. Unfortunately, gerrymandering (the intentional drawing of district lines to favor one’s political party) often occurs during redistricting – sometimes in a bipartisan effort.

**Political Socialization**: - the process through which an individual acquires [their] particular political orientation. Orientation grows firmer with age. Factors include: family, media, school, age, wealth, religion, friends, employment, etc

**Public opinion polling** both measures AND influences our policy agenda. The key to accurate polling is random sampling. Recently, the increase use of cell phones as made accurate polling more difficult.

**Exit Polls**, conducted as people leave election polls, give us important demographic data to analyze voter behavior.
**Elections and Voting Behavior (chapter 10)**

Elections are the process through which power in government changes hands. Such a change is possible because elections bestow legitimacy both on the process and on the incoming officials who have been chosen to lead a majority of the people. According to the theory of democracy, elections give voters a voice in policymaking because they allow people to choose the candidate who is most likely to act in their interests or according to their political beliefs. For this to work in practice, however, candidates must represent distinct stands on the issues.

3 types of elections: Select party nominees (primaries/caucuses), Select officeholders (general elections), and Select options on specific policies

- **Referendum**: state-level method of direct legislation that gives voters a chance to approve proposed legislation or constitutional amendment
- **Initiative petition**: process permitted in some states whereby voters may put proposed changes in the state constitution to a vote, given a sufficient number of signatures

**Suffrage: gaining the right to vote**

- Extended to African Americans by the Fifteenth Amendment
- Extended to Women by the Nineteenth Amendment
- Extended to people over 18 years of age by the Twenty-Sixth Amendment

**Registering To Vote** – Registration procedures differ by state.

- **Voter Registration**: a system adopted by the states that requires voters to register well in advance of the election.
- **Motor Voter Act** (1993), requires states to permit voter registration when people apply for their driver's license

**Who Votes?**

- **Education**: More education = more likely to vote. *Most important factor*
- **Age**: Older = more likely to vote
- **Race**: Caucasian = more likely to vote. BUT, other ethnicities are higher with comparable education
- **Gender**: Female = more likely to vote
- **Marital Status**: Married = more likely to vote
- **Union Membership**: Union member = more likely to vote

**Mandate Theory of Elections** – The idea that the winning candidate has a mandate from the people to carry out his or her platforms and politics. Politicians like the theory better than political scientists do.

**Policy Voting**: Basing your vote choice on issue preferences and where the candidates stand on policy issues.

**Party identification**: There has been a recent decline of party affiliation. 40% now identify as independent.

**Straight ticket voting**: Voting for only one party for every race on the ballot.

**Single Issue voters**: Feel so strongly about an issue they base their vote solely on a candidate's position on it.
Retrospective voting: voters cast a vote based on what a candidate has done for them lately

Electoral College: how we actually elect the president – national popular vote has no bearing.
- Each state has as many votes as it does Representatives and Senators.
- Winner of popular vote typically gets all the Electoral College votes for that state
- Electors meet in December, votes are reported by the vice president in January
- If no candidate gets a majority (270 votes of 538), the House of Representatives votes for president, with each state casting one vote.

The Mass Media and the Political Agenda (chapter 7)

The mass media, including newspapers, radio, television and the Internet, have had a profound impact on politics as they serve as a linkage institution. In today’s media-savvy world, politicians are highly visible to the public. This has both positive and negative consequences for policymakers, campaigns, and the public’s trust in which the media can shape the political agenda and the behavior of policy makers.

Key terms:
- Media Events: events purposely staged for the media that nonetheless look spontaneous.
- Press Conferences: meetings of public officials with reporters. Franklin Roosevelt held over 1,000
- Investigative Journalism: the use of in-depth reporting to unearth scandals, scams & schemes
- Narrowcasting: media programming focused on one topic and aimed at a particular audience, e.g., C-SPAN
- Chains: massive media conglomerates that account for over four-fifths of the nation’s daily newspaper circulation. Also control broadcast media (Disney, Comcast, Viacom, News corp)
- Beats: specific locations from which news frequently emanates, such as Congress or the White House
- Trial Balloons: an intentional news leak for the purpose of assessing the political reaction
- Sound Bites: short video clips of approximately 10 seconds
- Policy Entrepreneurs: People who invest their political “capital” in an issue to get it placed high on governmental agenda. –Use media to raise awareness of issue

The Federal Communications Commission (FCC) regulates the use of airwaves in three ways:
- Prevent near monopoly control of market
- Reviews performance of stations
- Issues fair treatment rules for politicians

The Media and the Scope of Government
- Media as “watchdogs” restrict politicians and hold them accountable
- New proposals are met with skepticism which restricts scope of government - what it can do
- If media identifies a problem, it forces government to address it, which expands the scope of government

Individualism and the Media
- Candidates run on their own by appealing to people on television
- Easier to focus on one person like the president, than groups, e.g., Congress or the courts

Democracy and the Media
- “Information is the fuel of democracy.”
- But news provides more entertainment than information; it is superficial.
- News is a business, giving people what they want

Political Parties (chapter 8)

Political parties are the main vehicles for nominating candidates and running campaigns. They serve as linkage institutions that help bring the concerns of the electorate to the political arena through elections. Political parties also unite groups of politicians and the electorate by offering an ideological framework with which people can choose to identify themselves. The United States has for the most part always had a two-party system. Party competition is the battle between the Democrats and Republicans for the control of public offices.
Tasks of political parties (5 ways they serve as *linkage institutions*)

- Parties Pick Candidates
- Parties Run Campaigns
- Parties Give Cues to Voters
- Parties Articulate Policies
- Parties Coordinate Policymaking

Key Terms

- **Rational-choice theory** – Assumes that individuals act in their own best interest, weighing the costs and benefits of possible alternatives
- **critical election** – An electoral “earthquake” where new issues and new coalitions emerge. (2010 Tea Party)
- **party realignment** – The displacement of the majority party by the minority party, usually during a critical election
- **party dealignment** – Disengagement of people from parties as evidenced by shrinking party identification
- **divided government** - one party controls Congress and the other controls White House (can lead to gridlock)

The party in the electorate

- **Party image** – A voter’s perception of what Republicans or Democrats stand for
- **Party identification** – A citizen’s self-proclaimed preference for one party or the other
- **Ticket splitting** – Voting with one party for one office and with another party for other offices. Independents are most likely to split tickets. No state or race is completely safe due to split tickets.

The party as an organization

- **National chairperson** – responsible for day-to-day activities of the party
- **National committee** – one of the institutions that keeps the party operating between conventions
- **National convention** – the meeting of party delegates every four years to choose a presidential ticket and the party’s platform
- **State parties** – are better organized in terms of headquarters and budgets than they used to be.
- **Party machines** - a type of political party organization that relies heavily on material inducements to win votes and to govern

<table>
<thead>
<tr>
<th>Closed primaries</th>
<th>Open primaries</th>
<th>Blanket primaries</th>
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<tbody>
<tr>
<td>Must be registered with party</td>
<td>Choose on election day which party to participate in.</td>
<td>ALL candidates from ALL parties on same ballot. Usually “top 2” move on</td>
</tr>
</tbody>
</table>

The party in government

Party members actually elected to government. Parties and politicians generally act on their campaign promises.

Party Eras

- 1796-1824: The first party system
- 1828-1856: Jackson and the Democrats vs. the Whigs
- 1860-1928: The Two Republican Eras
- 1932-1964: The New Deal Coalition
- 1968-present: Southern Realignment and the Era of Divided Government

Third parties offer alternatives and often force major parties to consider their positions but have a difficult time establishing themselves because of systems like winner-take-all elections.

Advocates of the **responsible party model** believe that: Parties have distinct comprehensive programs. Candidates are committed to the program. The majority party must carry out its program. The majority party must accept responsibility.

**Nominations and Campaigns (chapter 9)**

To run for a political office, a person must first receive a party's official nomination. Then, with the party's endorsement and assistance, the candidate must campaign to win the support of voters. These two processes require a great deal of money and media exposure. Presidential campaigning has become a major part of the political process in the United States. **Campaign strategy** is the plan of candidates to win the election. The nomination and campaign process is so taxing that many qualified individuals make a decision not to run.
Nomination: The official endorsement of a candidate for office by a political party

Campaign Strategy: The master game plan candidates lay out to guide their electoral campaign

Competing for Delegates
Caucus: meetings of state party leaders for selecting delegates to the national convention
  • Organized like a pyramid from local precincts to the state's convention
  • A handful of states use a caucus—open to all voters who are registered with a party
  • Iowa caucus is first and most important.
Primary: elections in which voters in a state vote for a nominee (or delegates pledged to the nominee)
  • Began at turn of 20th century by progressive reformers
  • McGovern-Fraser Commission (1972) led to selection of delegates through primary elections
  • Most delegates are chosen through primaries. New Hampshire is first.
  • Superdelegates: democratic party leaders who automatically get a delegate slot and can vote as they choose

Criticisms of the system
  • Frontloading is the tendency of states to hold primaries early to capitalize on media attention.
  • Disproportionate attention to early primaries and caucuses.
  • Prominent politicians do not run due to time and scrutiny.
  • Money plays too big a role.
  • Participation in primaries and caucuses is low and unrepresentative; only 20 percent vote in primaries.
  • The system gives too much power to the media.

The High-Tech Media Campaign
  • Direct mail used to generate support and money for the candidate
  • Get media attention through ad budget and “free” coverage
  • Emphasis on “marketing” a candidate
  • News stories focus more on the “horse race” (who’s winning) than substantive policy issues

Organizing the Campaign
  • Get a campaign manager
  • Get a fund-raiser and campaign counsel
  • Hire media and campaign consultants
  • Assemble staff and plan logistics
  • Get research staff, policy advisors, and pollsters
  • Get a good press secretary
  • Establish a website

Campaign Finance Reforms
Federal Election Campaign Act (1974)
  • Created the Federal Election Commission (FEC) to administer campaign finance laws for federal elections
  • Created the Presidential Election Campaign Fund
  • Provided partial public financing for presidential primaries
    • Matching funds: Contributions of up to $250 are matched for candidates who meet conditions, such as limiting spending.
  • Provided full public financing for major party candidates in the general election
  • Required full disclosure and limited contributions

Soft Money: political contributions (not subject to contribution limits) earmarked for party-building expenses or generic party advertising

The McCain-Feingold Act (2002) banned soft money, increased amount of individual contributions, and limited “issue ads.” Ban on soft money was later ruled unconstitutional.

527s: independent groups that seek to influence political process but are not subject to contribution restricts because they do not directly run particular candidates.

Political Action Committees (PACs): created by law in 1974 to allow corporations, labor unions and other interest groups to donate money to campaigns; PACs are registered with and monitored by the FEC.
**Interest Groups (chapter 11)**

One of the most pronounced political trends in the last few decades is the rise of *interest groups*. Today there are more than 20,000 of these private organizations in Washington D.C. and in the state capitals. Interest groups represent bodies of people with shared interests who lobby legislators on their behalf. In this sense, they are a natural part of a democracy. However, Americans tend to view them with skepticism because, most often, the language of influence is money.

*Theories of Interest Group Politics*

**Pluralist Theory** – Politics is mainly a competition among groups, each one pressing for its own preferred policies.

**Elite Theory** – Societies are divided along class lines and an upper-class elite rules, regardless of the formal niceties of governmental organization.

**Hyperpluralist Theory** – Groups are so strong that government is weakened because compromise cannot be reached.

**Subgovernments** – Also known as Iron Triangles

- Networks of groups that exercise a great deal of control over specific policy areas.
- Consist of *interest groups, government agency, and congressional committees* that handle particular policies.

**Potential group:** all the people who might be interest group members because they share a common interest.

**Actual group:** the part of the potential group consisting of members who actually join.

**Collective good:** something of value that cannot be withheld from a group member.

**Free-Rider Problem:** Some people don’t join interest groups because they benefit from the group’s activities without officially joining. Bigger the group, larger the problem – Large groups are difficult to organize.

**Small groups are better organized and more focused on the group’s goals.**

- **Multinational corporations** are successful because there are few of them and, therefore, have an easier time organizing for political action.
- **Consumer groups** have a difficult time getting significant policy gains because the benefits are spread over the entire population.
- **Public interest lobbies** seek “a collective good, the achievement of which will not selectively and materially benefit the membership activities of the organization.”

**Ways Groups Try to Shape Policy**

**Lobbying** – “communication by someone other than a citizen acting on his own behalf, directed to a governmental decisionmaker with the hope of influencing his decision”

- Two basic types of lobbyists: • Regular, paid employees of a group • Temporary hires

**Electioneering** – Direct group involvement in the election process

- Groups can help fund campaigns, provide testimony, and get members to work for candidates; some form PACs.
- **Political Action Committee (PAC)**: Political funding vehicles created by 1974 campaign finance reforms, PACs are used by interest groups to donate money to candidates.
  - PACs help pay the bill for increasing campaign costs.
  - Most PAC money goes to incumbents.

**Litigation** – If an interest group fails in one arena, the courts may be able to provide a remedy.

- Interest groups can file *amicus curiae* briefs to influence a court’s decision.
  - *amicus curiae*: briefs submitted by a “friend of the court” to raise additional points of view and present information not contained in the briefs of the formal parties.

- **Class Action lawsuits** permit a small number of people to sue on behalf of all other people similar situated.

**Going Public** – Because public opinion makes its way to policymakers, groups try to:

- cultivate a good public image to build a reservoir of goodwill with the public
- use marketing strategies to influence public opinion of the group and its issues
- advertise to motivate and inform the public about an issue

*Types of Interest Groups* *(examples)*

**Economic Interests** – Labor *(Teacher’s Union)* – Agriculture *(Apple Growers)* – Business *(Chamber of Commerce)*

**Environmental Interests** - *Sierra Club*

**Equality Interests** - *NAACP*

**Consumer and Public Interest Lobbies** – *Better Business Bureau*
Congress (chapter 12)

The federal government is divided into a number of institutions of government, each with its own political and responsibilities. The legislative branch is composed of two houses (House of Representatives and Senate). The executive branch is comprised of the president and the bureaucracy. The judicial branch is comprised of a three-tiered court system, with the Supreme Court acting as the highest court of appeals. At least one third of the questions on the multiple choice part of the AP U.S. Government and Politics Exam will address the duties of these institutions and how they function and carry out these duties.

**Advantages of Incumbents** (someone who holds an elected office)
- **Incumbency factor** – They win reelection over 90% of the time
- **Advertising:** The goal is to be visible to your constituents - Frequent trips home, use of newsletter, and technology
- **Credit Claiming:** Service to constituents through:
  - **Casework:** specifically helping constituents get what they think they have a right to
  - **Pork Barrel (earmarks):** push for fed. projects, grants, etc. for their congressional district or state
- **Position Taking:** Portrait themselves as hard working, dedicated, occasionally take a partisan stand on an issue.
- **Weak Opponents:** Inexperienced in politics, unorganized, and underfunded
- **Campaign Spending:** Challengers need to raise large sums to defeat an incumbent. PACs give most of their money to incumbents
- Seats only likely to change parties when an incumbent leaves or there is a scandal.

**Bicameral system:** (2 houses)
- **House of Representatives** (435) – 2 year terms, “control the purse,” **Rules Committee, limited debate**, led by the Speaker of the House who has a major role in committee assignments and legislation
- **Senate** (100) – 6 year terms, **approve all treaties and presidential appointments, filibuster (unlimited debate)**, formally led by the V. P. but really the Majority Leader who must work with minority due to filibuster.

**Committees and Subcommittees**
- **Standing committees:** subject matter committees that handle bills in different policy areas (education, etc.)
- **Joint committees:** a few subject-matter areas—membership drawn from House and Senate to pass quickly
- **Conference committees:** (aka: reconciliation) resolve differences in House and Senate bills on same issue
- **Select committees:** created for a specific purpose, such as the Watergate investigation or Benghazi

**The Committees at Work: Legislation and Oversight**
- **Legislation** - Committees work on the 11,000 bills every session - Some hold hearings and “mark up” meetings
- **Legislative oversight** - Monitoring of the bureaucracy and its administration of policy through committee hearings. As publicity value of receiving credit for controlling spending has increase, so too has oversight grown. Oversight usually takes place after a catastrophe
- **Committee chair:** the most important influencer of congressional agenda. Dominant role in scheduling hearings, hiring staff, appointing subcommittees, and managing committee bills when they are brought before the full house. Most chairs selected according to seniority system.
- **Caucuses:** (The Informal Organization of Congress): a group of members of Congress, often **bipartisan** (from both parties) sharing some common interest. There are about 300 caucuses. They pressure for committee meetings & hearings and for votes on bills. Can be more effective than lobbyists because they bring votes.
- **“Logrolling”**: “You help pass my bill (push my log), and I'll help you pass (push) yours.”

**Congressional Staff**
- **Personal staff:** They work for the member, mainly providing constituent service, but help with legislation too.
- **Committee staff:** organize hearings, research and write legislation, target of lobbyists
- **Staff Agencies:** Congressional Research Service (CRS), General Accounting Office (GAO), Congressional Budget Office (CBO) provide specific, requested information to Congress

**Legislation:** Bill: a proposed law. – Anyone can draft a bill, but only members of Congress can introduce them. – More rules in the House than in the Senate – Party leaders play a vital role in steering bills through both houses, but less in the Senate. – **Must pass through:** subcommittee -> full committee -> (Rules Comm. In House) -> Full House or Senate -> other house -> president’s desk. The president and lobbyists often try to influence legislation.
**The Presidency (chapter 13)**

The president of the United States is the most powerful individual in all of American politics. The presidency as a government institution has changed dramatically since the writing of the Constitution. At that time, the president had few powers and, because he was chosen directly by the Electoral College without a popular vote, was far removed from the populace. Today the president is elected by the people—via electors—afer a long and expensive campaign. Presidential powers have increased in the last few decades as, thanks to television, the president has become a more public figure. Questions on the AP U.S. Government & Politics Exam will test your knowledge of the powers of the president and the relationship between the president and other government institutions.

**Formal Requirements:** •Must be 35 years old •Must be a natural-born citizen •Must have resided in U.S. for 14 years •Serves a four year term. The 22nd Amendment limited the number of terms to two (max. 10 years). •The vice president succeeds if the president leaves office due to death, resignation, or removal. •Under the 25th Amendment, the vice president becomes acting president if the vice president and president's cabinet determine that the president is disabled.

**Impeachment:** an accusation of wrongdoing, requiring a majority vote in the House.
- Charges may be brought for “Treason, Bribery, or other high Crimes and Misdemeanors.”
- If impeached, the president is tried by the Senate with the Chief Justice presiding.
- Only two presidents have been impeached—Andrew Johnson and Bill Clinton—and neither was convicted.

The Constitution grants limited presidential power in 4 areas: National Security, Legislative, Administrative, Judicial

As **Chief Executive**, the president presides over the administration of government. –Constitution: “take care that the laws be faithfully executed” –Today, federal bureaucracy spends $3.6 trillion a year and numbers more than 4 million employees. –Presidents appoint 500 high-level positions and 2,500 lesser jobs.

**Executive Orders** are issued with some degree of discretion to help agencies carry out their administrative powers.

**The Vice President** basically just “waits” for things to do. –Power has grown over time, as recent presidents have given their VPs important jobs such as a seat on the National Security Council.

**The Cabinet:** Presidential advisors, not in Constitution –Made up of 14 cabinet secretaries and one Attorney General, confirmed by the Senate all have their own budgets, powers, and responsibilities granted by Congress.

**The Executive Office**
• National Security Council (NSC) - Created to coordinate the president's foreign and military policy advisers. Members: president, V. P., secretary of state and defense, managed by the president's national security adviser.
• Council of Economic Advisers (CEA) 3-member body appointed by the president to advise on economic policy
• Office of Management and Budget (OMB) Performs both managerial and budgetary functions, including legislative review and budgetary assessments of proposals

**Chief Legislator**
• **Veto:** The president can send a bill back to Congress with his reasons for rejecting it. It may be overridden with 2/3 support of both Houses.
• **Pocket Veto:** A president can let a bill die by not signing it when Congress adjourns within 10 days of submitting a bill.
• **Line Item Veto:** ability to veto parts of a bill--some state governors have it, but not the president

“Coattails”: Belief (little proof) that a president's popularity can lead to the election of other people in his/her party. **Midterm election** trends: The incumbent president usually sees his/her party lose seats – sometimes a “tidal wave.” **Election mandates:** The belief that the people want the president to fulfill all campaign promises. Not necessarily . . .

**Legislative Skills:** Bargaining: concessions for votes, occurs infrequently. Presidents increase chances for success by exploiting “honeymoon period” at beginning of term Presidents may “go public” to set priorities to influence Congress' agenda. Example: State of the Union Address.
Chief Diplomat
- Negotiates treaties with other countries. Treaties must be ratified by 2/3 vote in the Senate
- Use executive agreements to take care of routine matters with other countries (ex. Trade Agreements)
- May negotiate for peace between other countries
- Lead U.S. allies in defense and economic issues

Commander-in-Chief: Writers of the Constitution wanted civilian control of the military. Presidents often make important military decisions. Presidents command a standing military and nuclear arsenal—unthinkable 200 years ago.

War Powers
- Shared War Powers in Constitution
  - Congress has the power to declare war.
  - President, as Commander-in-Chief, can commit troops and equipment in conflicts
- War Powers Resolution (1973)
  - Intended to limit the president’s use of the military
  - Requires president to consult with Congress prior to using military force and withdraw forces after 60 days unless Congress declares war or grants and extension
  - Presidents see the Resolution as unconstitutional and continue to test the constitutional limits of using the military in foreign conflicts.

Crisis Manager: The role the president plays can help or hurt the presidential image. With current technology, the president can act much faster than Congress to resolve a crisis. Bush’s legacy was hurt by his handling of hurricane Katrina.

MOST presidents experience an overall decline in their public opinion approval ratings. Perhaps because the public has unrealistic expectations and lack of understanding that the president’s power is mostly that of persuasion.

**Congress, the President, & the Budget: The Politics of Taxing & Spending (ch. 14)**

The president and Congress are responsible each year for creating the federal budget. In a balanced budget, revenues are equal to expenditures. Balancing the budget is extremely difficult, however, especially when Americans favor more federal programs but disapprove of increasing taxes. Spending more money than the government takes in results in a budget deficit, which is difficult to avoid given the demands on a large government

**Fiscal Year:** Budget year – October 1 – September 30

**Budget:** A policy document allocating burdens (taxes) and benefits (expenditures)

**Deficit:** federal expenditures exceed federal revenues in a fiscal year. **Surplus:** revenues exceed expenditures

**Federal Debt:** all money borrowed over the years and still outstanding (over $19 trillion)

**Expenditures:** What the government spends money on.

**Revenues:** Sources of money for the government
- **Income Tax** (Individual and Corporate)
  - The 16th Amendment permitted Congress to levy an income tax.
  - **Individual taxes are the largest single revenue source for the government.**
  - Income tax is progressive: Those with more income pay higher rates of tax on their income.
- **Social Insurance (PAYROLL) Taxes:** for specific funds: Social Security and Medicare
- **Borrowing**
  - **The Treasury Department sells bonds**—this is how the government borrows money.
  - The federal debt is the sum of all the borrowed money that is still outstanding.
  - The government competes with other lenders.

**Tax Loopholes:** Written into the tax code, ways to avoid paying certain taxes. (ex. Putting profits into investments)

**Tax Expenditures:** revenue losses that result from special exemptions, exclusions, or deductions (ex. Child Credit)

**Tax Reduction:** the general call to lower taxes

**Tax Reform:** rewriting the taxes to change the rates and who pays them.
The Rise and Decline of the National Security State (military industrial complex)
- In the 1950s and 1960s the Department of Defense received more than half the federal budget.
- Defense now constitutes about one-sixth of all federal expenditures. –One reason for growth of government

The biggest part of federal spending is now for income security programs. aka: ENTITLEMENTS
- Social Security is largest program –it has been expanded since 1935 to include disability benefits and Medicare.
- These benefit programs face financial problems with more recipients living longer.
- “Uncontrollable” Expenditures –Spending determined by the number of recipients, not a fixed dollar figure. Mainly entitlement programs where the government pays known benefits to an unknown number of recipients, e.g., Social Security. The only way to control the expenditures is to change the rules.

Incrementalism: –The idea that last year’s budget is the best predictor of this year’s budget, plus some. –Agencies can safely assume they will get at least what they got last year. Another possible cause of the rising debt.

The Budgetary Process
- The President’s Budget (submitted to Congress by 1st Monday in Feb.) –Presidents originally played a limited role in the budget, Now budget requests are directed through the Office of Management and Budget (OMB) and president before going to Congress. –The OMB, the president, and the agencies negotiate budget requests.
- Congress and the Budget: The Congressional Budget and Impoundment Control Act of 1974: an act designed to reform the congressional budgetary process. It established the following:
  - Fixed budget calendar
  - A budget committee in each House
  - The Congressional Budget Office (CBO), which advises Congress on the probable consequences of its decisions, forecasts revenues, and is counterweight to OMB
  - Budget to be considered as a whole. A budget resolution binds Congress to a bottom line for the budget before Congress considers appropriations. (By April 15)
  - Current budget is then reconciled -program authorizations are revised to achieve required savings
  - The new budget is authorized and appropriated.
    - Authorization bill: establishes a discretionary government program; set goals and maximum expenditures
    - Appropriations bill: funds programs within limits established by authorization bills
  - Omnibus bills are packed and often contain "pork" legislation that cannot pass on its own.
  - Congress misses most of its own deadlines requiring the passage of continuing resolutions (spending at current rates) to keep the government going until it passes a budget.

The Federal Bureaucracy (chapter 15)

The federal bureaucracy is composed of all the agencies, departments, offices, and bureaus in the executive branch. These bodies are primarily responsible for implementing and enforcing laws. Federal agencies check, verify, and inspect many of the products and services we take for granted. Despite rhetoric, the size of the federal bureaucracy has remained about the same for the last 50 years. Bureaucrats, aka: Civil Servants, are the most demographically representative part of government. Their diversity of jobs mirrors the private sector.

How They Got There –Civil Service: From Patronage to Protection
- Patronage: job given for political reasons
- Civil Service: system of hiring and promotion based on merit and nonpartisanship, created by the Pendleton Civil Service Act (1883)
- Merit Principle: entrance exams and promotion ratings to find people with talent and skill
- Hatch Act: prohibits government employees prohibited from active participation in partisan politics
- Office of Personnel Management: the federal office in charge of most of the government’s hiring
- General Schedule (GS) rating: a schedule for federal employees ranging from GS 1 to 18, by which salaries can be keyed to rating and experience
- Senior Executive Service: an elite cadre of about 9,000 federal government managers mostly career officials
- The Plum Book. - Lists the very top jobs available for Presidential appointment. Presidents work to find capable people to fill the positions. Some plum jobs (ambassadorships) are patronage. Their most important trait is transience.
The Cabinet Departments:—Thirteen Cabinet departments headed by a secretary (plus Justice – Attorney Gen.)—Each has its own budget, staff, and policy areas. Status as a cabinet department can be controversial—Republicans have tried to disband Departments of Education, Energy, and Commerce. Departments include: State, Treasury, Defense, Justice, Interior, Agriculture, Commerce, Labor, Transportation, Housing and Urban Development, Health and Human Services, Energy, Education, Veterans Affairs, Homeland Security.

The Independent Regulatory Agencies:—responsible for some sector of the economy making rules and judging disputes to protect the public interest

- Federal Communications Commission (FCC): Regulates broadcast media
- Federal Trade Commission (FTC): Regulates commercial advertising
- Securities and Exchange Commission (SEC): Regulates the stock market
- Headed by a commission of 5-10 people
- Rule making is an important function watched by interest groups and citizens alike
- Concern over “capture” of the agencies
- Agencies act on behalf of the industry they are supposed to regulate, not the public interest

The Government Corporations—Business-like—provide services like private companies and typically charge for them
- Postal Service and Amtrak

Independent Executive Agencies—The agencies that don’t fit in anywhere else
- General Services Administration (GSA) – NASA

What Implementation Means:—Translating the goals and objectives of a policy into an operating, ongoing program
- Implementation includes:
  - Creating and assigning an agency the policy
  - Translating policy into rules, regulations and forms
  - Coordinating resources to achieve the goals
- Stage of policymaking that takes place between establishment and consequences of a policy

Why the Best-Laid Plans Sometimes Flunk the Implementation Test

- Program Design
- Lack of Clarity:—Congressional laws are ambiguous and imprecise. Sometimes the laws conflict with each other.
- Lack of Resources:—Agencies may be big, but may not have staff to carry out policy goals. Many different types of resources are needed: personnel, training, supplies, and equipment. May also lack the authority to act
- Administrative Routine:—Standard Operating Procedures (SOPs) bring uniformity to complex organizations. It is often difficult to change the routines.
- Administrator’s Dispositions—Administrative discretion is the authority to select among various responses. Street-level bureaucrats have the most discretion. Discretion is greatest where SOPs are not prevalent.
- Fragmentation—Some policies are spread among several agencies. Some agencies have different rules for the same policy (SBAC)

Regulation: How It Grew, How It Works

All regulation contains these elements:
- A grant of power and set of directions from Congress
- A set of rules and guidelines by the regulatory agency itself
- Some means of enforcing compliance with congressional goals and agency regulations

- Command-and-Control Policy:—The government tells business how to reach certain goals, checks the progress, and punishes offenders. (ex. No Child Left Behind)
- Incentive System:—market-like strategies used to manage public policy (ex. Create charter schools, get grant $)

Deregulation:—the lifting of restrictions on business, industry, and professional activities. Those who favor say regulation raises prices, hurts U.S.’s competitive position abroad, does not always work well. But others argue regulation is needed to ensure safety and fairness.

Congress Tries to Control the Bureaucracy influence appointment of agency heads (Senate confirms presidential nominees), altering an agency’s budget, holding oversight hearings, & rewriting legislation or make it more detailed.
The Federal Courts (chapter 16)

In the American judicial system, courts apply the law to solve conflicts and disputes between two or more parties. The United States has a dual court system. Federal courts hear cases of federal law and cases involving two parties of different states. This only accounts for about two percent of all trials—most cases are heard in state and local courts. The sources of American law include the constitutions of the United States and the states, federal and state statutes and regulations, and case law (legal principles expressed in court decisions). Most of this law is based on the English system of common law which is judge-made law shaped by custom and applied to similar situations. Federal judges are appointed for life or until they step down.

Two types of cases:
- **Criminal Law**: The government charges an individual with violating one or more specific laws.
- **Civil Law**: The court resolves a dispute between two parties and defines the relationship between them.

Trial Courts (Original Jurisdiction): hear the case first & determine the facts. ONLY place evidence can be introduced

Courts of Appeal (Appellate Jurisdiction): reviews the legal issues in cases brought from lower courts –Hold no trials and hear no testimony

**Litigation**
- **Plaintiff**—the party bringing the charge  **Defendant**—the party being charged
- **Jury**—the people (normally 12) who often decide the outcome of a case
- **Standing to sue**: plaintiffs have a serious interest in the case; have sustained or likely to sustain a direct injury
- **Justiciable disputes**: a case must be capable of being settled as a matter of law.
- Groups use *Amicus Curiae* "friend of the court" briefs to raise additional points of view and information
  - Attorneys - One million lawyers in United States today yet access to quality lawyers is not equal.
- **Legal Services Corporation**: lawyers to assist the poor

**District Courts (91 federal courts)** –Original Jurisdiction –Deals with the following types of cases:
- Federal crimes
- Civil suits under federal law and across state lines
- Supervise bankruptcy and naturalization
- Review some federal agencies
- Admiralty and maritime law cases
- Supervision of naturalization of aliens

Courts of Appeal –Appellate Jurisdiction: –Focus on errors of procedure and law
- 12 circuit courts & U.S. Court of Appeals for the Federal Circuit – specialized cases

Presidents appoint members of the federal courts with “advice and consent” of the Senate.

**Senatorial Courtesy**: Unwritten tradition where a judge is not confirmed if a senator of the president’s party from the state where the nominee will serve opposes the nomination

**The Supreme Court** –Ensures uniformity in interpreting national laws, resolves conflicts among states and maintains national supremacy in law

- 9 justices – 1 Chief Justice, 8 Associate Justices
- Supreme Court decides which cases it will hear—controls its own agenda
- Some original jurisdiction, but mostly appellate jurisdiction • Most are civil cases • Most cases come from the federal courts

Accepting Cases: = “rule of four” (4 justices must agree to hear the case), then issues a *writ of certiorari* to call up the case –Supreme Court accepts few cases each year (less than 100)

Dissenting opinions are written by justices who oppose the majority.
Concurring opinions are written in support of the majority but stress a different legal basis.

**Stare decisis**: let previous decision stand unchanged  **Per Curiam**

**Precedent**: how similar past cases were decided - May be overruled

**Original Intent**: the idea that the Constitution should be viewed according to the original intent of the framers

**Judicial restraint**: judges should play a minimal policymaking role

**Judicial activism**: judges should make bold policy decisions and even chart new constitutional ground