AP (Advance Placement) U.S. Government and Politics
Course Description & Curriculum Guide

Revised & Updated 2018-19
(To align with changes implemented by College Board)
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</thead>
<tbody>
<tr>
<td><strong>Curriculum Requirement 1</strong></td>
<td>The course includes the Foundations of American Democracy Unit and addresses all related big ideas (BIs) and enduring understandings (EUs). The syllabus must include instruction in the following: • Balance of government power and individual rights • Debate and ratification of the U.S. Constitution • Checks and balances and competitive policy-making process • Federalism</td>
<td>• Ch. 1 - The Study of American Government pgs. 53 to 60 • Ch. 20 – American Democracy (Then &amp; Now) pgs. 61 to 63 • Ch. 2 – U.S. Constitution pgs. 73 to 81 • Ch. 3 – Federalism pgs. 82 to 86 • Ch. 18 – Economic Policy pgs. 87 to 95 • Ch. 11 – Interest Groups pgs. 139 to 146</td>
</tr>
<tr>
<td><strong>Curriculum Requirement 2</strong></td>
<td>The course includes the Interactions Among Branches of Government Unit and addresses all related big ideas (BIs) and enduring understandings (EUs). The syllabus must include instruction in the powers and the interactions among the following: • Congress • The presidency • Judicial branch and judicial review • Federal bureaucracy</td>
<td>• Ch. 14 – The Presidency pgs. 161 to 173 • Ch. 15 – The Bureaucracy pgs. 185 to 197 • Ch. 13 – Congress pgs. 201 to 216 • Ch. 16 – The Judiciary pgs. 237 to 252</td>
</tr>
<tr>
<td><strong>Curriculum Requirement 3</strong></td>
<td>The course includes the Civil Liberties and Civil Rights Unit and addresses all related big ideas (BIs) and enduring understandings (EUs) The syllabus must include instruction in the following: • Interpretation of the Bill of Rights • 14th Amendment due process and selective incorporation • 14th Amendment equal protection and advancement of equality • Influence of citizen-state interactions and constitutional interpretation on public policy • Supreme Court’s protection and restriction of minority rights over time</td>
<td>• Ch. 5 – Civil Liberties pgs. 253 to 278 • Ch. 6 – Civil Rights pgs. 279 to 283 • Ch. 17 – Domestic Policy / Social Welfare Policy / Environment Policy pgs. 217 to 234</td>
</tr>
<tr>
<td><strong>Curriculum Requirement 4</strong></td>
<td>This course includes the American Political Ideologies and Beliefs Unit and addresses all related big ideas (BIs) and enduring understandings (EUs) The syllabus must include instruction in the following: • Development of political beliefs • Measurement and political influence of public opinion • How ideology shapes policy outcomes</td>
<td>• Ch. 4 – American Political Culture pgs. 64 to 69 • Ch. 8 – Political Participation pgs. 97 to 105 • Ch. 7 – Public Opinion pgs. 129 to 138</td>
</tr>
</tbody>
</table>
| Curriculum Requirement 5 | The course includes the Political Participation Unit and addresses all related big ideas (BIs) and enduring understandings (EUs)  
The syllabus must include instruction in the following:  
• Protections, barriers, demographics, and other political participation factors  
• Political parties, interest groups, and social movements  
• Federal policies on campaigning and electoral rules  
• Media’s influence on political participation | • Ch. 8 - Political Participation pgs. 97 to 105  
• Ch. 9 – Political Parties pgs. 106 to 114  
• Ch. 10 – Elections & Campaigns pgs. 115 to 126  
• Ch. 7 – Public Opinion 129 to 138  
• Ch. 11 – Interest Groups pgs. 139 to 146  
• Ch. 12 – The Media pgs. 147 to 157 |
| --- | --- |
| Curriculum Requirement 6 | The course integrates public policy within each unit  
The syllabus must provide a brief description of an assignment or activity designed to apply public policy to an enduring understanding within at least one unit. | • Ch. 17 – Domestic Policy / Social Welfare Policy / Environment Policy pgs. 217 to 234 |
| Curriculum Requirement 7 | The course address the big ideas by connecting enduring understandings across one or more units  
The syllabus must provide a brief description of an assignment or activity designed to connect enduring understandings across one or more units | • Ch. 1 – The Study of American Government pgs. 53 to 60  
• Ch. 20 – American Democracy: Then & Now pgs. 61 to 63  
• Ch. 4 – American Political Culture pgs. 64 to 69  
• Ch. 2 – U.S. Constitution pgs. 73 to 81  
• Ch. 3 – Federalism pgs. 82 to 86  
• Ch. 18 – Economic Policy pgs. 87 to 95  
• Ch. 8 – Political Participation pgs. 97 to 105  
• Ch. 9 – Political Parties pgs. 106 to 114  
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• Ch. 14 – The Presidency pgs. 161 to 173  
• Ch. 19 – Foreign & Military Policy pgs. 174 to 185  
• Ch. 15 – The Bureaucracy pgs. 185 to 197  
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• Ch. 16 – The Judiciary pgs. 237 to 252  
• Ch. 5 – Civil Liberties pgs. 253 to 278  
• Ch. 6 – Civil Rights pgs. 279 to 283 |
| Curriculum Requirement 8 | The course provides opportunities to analyze and compare political concepts  
The syllabus describes one assignment or activity in which students analyze political concepts by comparing political principles, institutions, processes, behaviors, or Supreme Court decisions | • Ch. 1 – The Study of American Government pgs. 53 to 60  
• Ch. 20 – American Democracy: Then & Now pgs. 61 to 63  
• Ch. 4 – American Political Culture pgs. 64 to 69  
• Ch. 2 – U.S. Constitution pgs. 73 to 81  
• Ch. 3 – Federalism pgs. 82 to 86  
• Ch. 18 – Economic Policy pgs. 87 to 95  
• Ch. 8 – Political Participation pgs. 97 to 105  
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• Ch. 14 – The Presidency pgs. 161 to 173  
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• Ch. 16 – The Judiciary pgs. 237 to 252  
• Ch. 5 – Civil Liberties pgs. 253 to 278  
• Ch. 6 – Civil Rights pgs. 279 to 283 |

| Curriculum Requirement 9 | This course provides opportunities to analyze and interpret quantitative data to explain what the data implies or illustrates about political principles, institutions, processes, and behaviors  
The syllabus must describe at least one assignment or activity in which students analyze quantitative data to explain what the data implies or illustrates about political principles, institutions, processes, or behaviors (Quantitative data: e.g., tables, graphs, charts, data maps)  
The syllabus must cite the source used for the assignment or activity | • Ch. 1 – The Study of American Government pgs. 53 to 60  
• Ch. 20 – American Democracy: Then & Now pgs. 61 to 63  
• Ch. 4 – American Political Culture pgs. 64 to 69  
• Ch. 2 – U.S. Constitution pgs. 73 to 81  
• Ch. 3 – Federalism pgs. 82 to 86  
• Ch. 18 – Economic Policy pgs. 87 to 95  
• Ch. 8 – Political Participation pgs. 97 to 105  
• Ch. 9 – Political Parties pgs. 106 to 114  
• Ch. 10 – Elections & Campaigns pgs. 115 to 126  
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• Ch. 12 – The Media pgs. 147 to 157  
• Ch. 14 – The Presidency pgs. 161 to 173  
• Ch. 19 – Foreign & Military Policy pgs. 174 to 185  
• Ch. 15 – The Bureaucracy pgs. 185 to 197 |
### Curriculum Requirement 10

The course provides opportunities to analyze and interpret qualitative sources (primary and secondary sources including the nine required foundational documents) to explain how they related to political concepts.

The syllabus must describe at least one assignment or activity, and cite the source used, in which students analyze information form a primary or secondary source document to explain how it relates to political principles, institutions, processes, or behaviors.

The syllabus must indicate that the nine required foundational documents are incorporate in the course, even when readers are used.

### Curriculum Requirement 11

The course provides opportunities to analyze and interpret visual information to explain how the elements of the visual illustrate or relate to political principles, institutions, processes, and behaviors.

The syllabus must describe at least one assignment or activity in which students analyze visual information to explain how it relates to political principles, institutions, processes, or behaviors (Visual information: e.g., information graphics, political cartoons, maps, illustrations).

The syllabus must cite the type of source used for the assignment or activity.

<table>
<thead>
<tr>
<th>Text</th>
<th>Ch. 1 – The Study of American Government pgs. 53 to 60</th>
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<tbody>
<tr>
<td></td>
<td>Ch. 10 – Elections &amp; Campaigns pgs. 115 to 126</td>
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<tr>
<td></td>
<td>Ch. 7 – Public Opinion pgs. 129 to 138</td>
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<tr>
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<td>Ch. 11 – Interest Groups pgs. 139 to 146</td>
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<td>Ch. 15 – The Bureaucracy pgs. 185 to 197</td>
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<td>Ch. 13 – The Congress pgs. 201 to 216</td>
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<td></td>
<td>Ch. 17 – Domestic Policy (Policy Making, Social Welfare, Business Regulation and Environmental Policy pgs. 217 to 234)</td>
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<td>Ch. 16 – The Judiciary pgs. 237 to 252</td>
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<td>Ch. 5 – Civil Liberties pgs. 253 to 278</td>
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<td>Ch. 6 – Civil Rights pgs. 279 to 283</td>
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<tr>
<td>Curriculum Requirement</td>
<td>Activity</td>
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</table>
| 12                     | The course provides opportunities to apply course concepts and Supreme Court decisions in real-world contexts or scenarios. | Ch. 10 – Elections & Campaigns pgs. 115 to 126  
                         |                                                                          | Ch. 7 – Public Opinion pgs. 129 to 138  
                         |                                                                          | Ch. 11 – Interest Groups pgs. 139 to 146  
                         |                                                                          | Ch. 12 – The Media pgs. 147 to 157  
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                         |                                                                          | Ch. 16 – The Judiciary pgs. 237 to 252  
                         |                                                                          | Ch. 5 – Civil Liberties pgs. 253 to 278  
                         |                                                                          | Ch. 6 – Civil Rights pgs. 279 to 283  
                         | 13                     | The course provides opportunities to develop an argument in the form of an essay, supported by relevant evidence, about a concept described in the AP U.S. Government and Politics Curriculum Framework. | Ch. 1 – The Study of American Government pgs. 53 to 60  
                         |                                                                          | Ch. 20 – American Democracy: Then & Now pgs. 61 to 63  
                         |                                                                          | Ch. 4 – American Political Culture pgs. 64 to 69  
                         |                                                                          | Ch. 2 – U.S. Constitution pgs. 73 to 81  
                         |                                                                          | Ch. 3 – Federalism pgs. 82 to 86  
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                         |                                                                          | Ch. 17 – Domestic Policy (Policy Making, Social Welfare, Business Regulation and Environmental Policy pgs. 217 to 234  
                         |                                                                          | Ch. 16 – The Judiciary pgs. 237 to 252  
                         |                                                                          | Ch. 5 – Civil Liberties pgs. 253 to 278  
                         |                                                                          | Ch. 6 – Civil Rights pgs. 279 to 283  
                         |
The syllabus must describe at least one assignment in which students focus on developing a written argument support by evidence and a political concept.

Curriculum Requirement 14

<table>
<thead>
<tr>
<th>Students are provided with an opportunity to engage in a political science research or applied civics project tied to the AP U.S. Government and Politics Curriculum Framework that culminates in a presentation of findings</th>
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</thead>
</table>

Curriculum Requirement 15

<table>
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<tr>
<th>Students are provided opportunities to analyze the 15 required Supreme Court cases as described in the AP U.S. Government and Politics Curriculum Framework and connect them to other non-required landmark cases</th>
</tr>
</thead>
</table>

The syllabus must indicate that the 15 required Supreme Court cases are incorporated in the course, even if readers are used.
The following Supreme Court cases are incorporated within the course:

1. McCulloch v. Maryland (1819)
4. Wisconsin v. Yoder (1972)
7. Schenck v. United States (1919)
15. Marbury v. Madison (1803)

Curriculum Requirement 16

Students and teachers have access to a college-level U.S. government and politics textbook

The syllabus must cite a college-level U.S. government and politics textbook

Textbook, pg. 47:

Supplemental Readers, pg. 47
(Partial List – May be supplemented / updated as year progresses and new resources become available or are adopted)

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AP United States Government and Politics Class Curriculum & Syllabus

What is Government?

To some, government is a complex, sometimes baffling, array maze of bureaucrats, agencies, and contradictory rules and regulations. To others, it is an administrative organization set up
to identify, define, and resolve problems for the whole of society. Some citizens vocally complain government is a burdensome source of excessive regulation and inefficiency while others tout it as a major source of public good entrusted with safeguarding the public welfare. What ever view you may hold, it is important to know what American government is, how and why it functions the way it does, its historical origins, how government policies impact everyday citizens’ lives, and how a citizen can become empowered to challenge or change public leadership and governmental institutions.

Introduction

Welcome to AP U.S. Government and Politics. AP U.S. Government and Politics provides a college-level, nonpartisan introduction to key political concepts, ideas, institutions, policies, interactions, roles, and behaviors that characterized the constitutional system and political culture of the United States. Students will study U.S. foundational documents, Supreme Court decisions, and other texts and visuals to gain an understanding of the relationship and interactions among political institutions, processes, and behaviors. “All nine required foundational documents are incorporated into the course. Students will also read additional foundational documents based on state and local requirements and/or impact on U.S. constitutional democracy” (College Board – AP U.S. Government). Participants will also engage in disciplinary practices that required them to read and interpret data, make comparisons and applications, and develop evidence-based arguments. In addition, students will complete a political science research or applied civics project. This course is designed as a college level entry elective survey in a typical post-secondary political science setting. Coursework, requirements, and expectations will be the same as those typically found in a post-secondary entry-level political science class. Finally, this course of study helps to prepare students for advanced political science coursework and also become active, informed participants in our constitutional democracy.

Course Overview

Classes are 49 minutes in length and meet five times per week over the course of two semesters (9 months)
The primary goal of this course is to help students gain and demonstrate an understanding of American politics and the processes of government that shape public policy. AP U.S. Government students are expected to develop a more sophisticated and insightful understanding of majority rule democracy, constitutionalism, civil liberties, and other distinguishing characteristics of the American political system well beyond the foundational knowledge they first acquired in 11th grade Civics and Government class. Throughout the course we will examine and evaluate the institutions of government, those who run those institutions, the public polices made by these institutions, and the influences of the electorate and elections on policies. In addition, this course will:
• Enable students to read and interpret data, develop evidence-based arguments, and engage in an applied civics or politics research-based project.
• Provide students will practice in analyzing and interpreting foundational documents, Supreme Court decisions, data, charts, graphs, and other information relevant to U.S. government and politics.
• Analyze key supplemental academic articles and documents (to include primary source material and contemporary news articles) that strengthen and broaden student understanding of the curriculum’s underpinnings.
• Require students to demonstrate their critical thinking / writing skills by answering analytical and interpretive free-response questions on a frequent basis.
• Enhance and expand the student’s fluency of Political Science terminology (vocabulary, meanings, significance)

A college level political science course cannot provide either easy or comfortable answers to many political, economic, or societal issues. Some ideological or political positions covered and discussed may upset some students and challenge their personally held worldview. A political science course can, and perhaps should, provide a set of objective civic values to take into life. It can help students distinguish the essential from the incidental, encourage them to understand and evaluate competing ideological arguments, and require them to formulate and express well-informed opinions on political and policymaking processes. In essence, it should enable a student to carry on an intelligent discussion about political, economic, and social issues without feeling threatened by opposing points of view on a given topic. As the Greek philosopher Aristotle noted, “It is the mark of an educated mind to be able to entertain a thought without accepting it.”

AP U.S. Government and Politics is a demanding, highly structured college-level course. Students are not only expected to thoroughly read the college-level textbook American Government by James Q. Wilson, but also to augment this material through independent research and the reading of all supplemental text and required primary source material / documents. Students will critically apply their newly gained insights and knowledge by analyzing and dissecting historic and current governmental policies, evaluating the historical and contemporary ramifications of these policies, and demonstrate the ability to intelligently articulate a point of view or argument based upon content knowledge.

The primary objective of this course is to help students be prepare for the material covered on the AP U.S. Government and Politics College Board Exam. More importantly, my personal goal as an instructor is to help you become better thinkers and more insightful citizens. Thus it is imperative that a serious academic environment exist and that each student is dedicated to allocating the necessary time to prepare for this class, is highly motivated to master the content, and is willing to accept the rigors that comes from this type of course.
The College Board: Five Key Principles Regarding AP U.S. Government and Politics Instruction

1) Command of the Constitution lies at the center of this course, the touchstone for informed citizenship and scholarship.

2) Students are not spectators but analysts; they must analyze the documents and debates that formed our republic and animate public life today.

3) Knowledge matters; we define a focused body of shared knowledge while leaving room for the variety of state standards and the imaginations of individual teachers.

4) We can't avoid difficult topics but we can insist on a principled attention to the best arguments on both sides as students read and write.

5) Civic knowledge is every student's right and responsibility; we therefore have the obligation to make the best learning resources, such as the Interactive Constitution, freely available for all. (National Constitutional Center - https://constitutioncenter.org/interactive-constitution).

The AP College Board Exam (Overview)

Students are not required to take the A.P. Exam but are strongly encouraged to consider it. Students must pay their own fee to take the AP Exam, but financial assistance is available from the state for those with demonstrated need (please see Guidance for details). The AP United States Government and Politics examination is 3 hours long. Each examination consists of a multiple-choice section (55 questions) and a free-response section consisting of four mandatory questions. The faculty consultants' judgments on the essay and problem-solving questions are combined with the results of the computer-scored multiple-choice questions. The total raw scores are converted to AP's 5-point scale.

<table>
<thead>
<tr>
<th>AP Test Score</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Extremely Well Qualified</td>
</tr>
<tr>
<td>4</td>
<td>Well Qualified</td>
</tr>
<tr>
<td>3</td>
<td>Qualified</td>
</tr>
<tr>
<td>2</td>
<td>Possibly Qualified</td>
</tr>
<tr>
<td>1</td>
<td>No Recommendation</td>
</tr>
</tbody>
</table>

In general, the AP composite score points are set so that the lowest raw score needed to earn an AP score of 5 is equivalent to the average score among college students earning grades of A in the college course. Similarly, AP Exam scores of 4 are equivalent to college grades of A-, B+, and B. AP Exam scores of 3 are equivalent to college grades of B-, C+, and C.
The college or university you are planning on attending, not the College Board, or the AP Program, awards advanced placement and/or credit. The best source of specific and up-to-date information about an individual's institution's policy is its catalog or website.

The AP U.S. Government and Politics Exam is three hours long, divided into two sections as show in the table below:

<table>
<thead>
<tr>
<th>Section</th>
<th>Number of Questions</th>
<th>Timing</th>
<th>Percentage of Total Exam</th>
</tr>
</thead>
<tbody>
<tr>
<td>I: Multiple Choice</td>
<td>55 questions</td>
<td>1 hour and 20 minutes</td>
<td>50%</td>
</tr>
<tr>
<td>II: Free Response</td>
<td>4 questions</td>
<td>1 hour and 40 minutes</td>
<td>50%</td>
</tr>
<tr>
<td>• Concept Application</td>
<td></td>
<td>20 minutes (suggested)</td>
<td>12.5%</td>
</tr>
<tr>
<td>• Quantitative Analysis</td>
<td></td>
<td>20 minutes (suggested)</td>
<td>12.5%</td>
</tr>
<tr>
<td>• SCOTUS (Supreme Court of the United States) Comparison</td>
<td></td>
<td>20 minutes (suggested)</td>
<td>12.5%</td>
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<tr>
<td>• Argument Essay</td>
<td></td>
<td>40 minutes (suggested)</td>
<td>12.5%</td>
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Course Objectives:

• Identify the origins of government and evolution of democratic institutions.
• Articulate the ideological underpinnings and real world successes and shortcomings of Constitutional government (i.e. Constitutionalism).
• Trace the evolution of Federalism throughout the course of American history.
• Explain the interrelationship between American government and economics.
• Define the rights, duties, and responsibilities, of citizenship at the local, state, and national level of government.
• Analyze the role of government in relation to the concept of individual liberty.
• Identify political culture trends resulting from shifts in demographics, voting patterns, and changing socio-economic status.
• Utilize learned structures and strategies in relation to content area to include thematic studies, documentary reading, and inquiry method of learning.
• Develop organized and effective writing techniques (specifically for the AP Exam).
• Demonstrate the ability to analyze and interpret data and other information relevant to U.S. government and politics.
• Interpret and analyze governmental data, charts, graphs, and political cartoons.
Teaching Methodology / Instructional Strategies / Learning Styles (College Board - 2018)

Instruction will include a mixture of lecture / presentations, group activities and discussions (topic assignments and discussion leaders will be identified for specific dates), debates, and independent research. In each class, time will be spent discussing / analyzing / interpreting both historical and current political and governmental concepts / issues and primary source material.

Classroom discussion and collaborative learning activities will help students develop the reasoning processes and disciplinary practices and their ability to apply content knowledge.

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Definition</th>
<th>Purpose</th>
<th>Activity or Assignment</th>
</tr>
</thead>
</table>
| Critique Reasoning | Through collaborative discussion, students critique the arguments of others, questioning the author’s perspective, evidence presented, and reasoning behind the argument. | Helps students learn from others as they make connections between concepts and learn to support their arguments with evidence and reasoning that make sense to peers. | • Supplemental Reading Group Discussion  
• Classroom group discussion (big ideas, discussion prompts) |
| Socratic Seminar | A focused discussion tied to a topic, essential question, or selected text in which students asks questions of one another. The question initiates a conversation that continues with a series of responses and additional questions. | Helps students arrive at a new understanding by asking questions that clarify; challenge assumption; probing perspective and point of view; questioning facts, reasons, and evidence; or examining implications and outcomes. | • Supplemental Reading Group Discussion  
• Classroom group discussion (big ideas, discussion prompts) |
| Debate        | The presentation of an informal or formal argumentation that defends a claim with reasons, while others defend different claims about the same topic or issue. The goal is to debate ideas without attacking the people who defend those ideas. | Gives students an opportunity to collect and orally present evidence supporting the affirmative and negative arguments of a proposition or issue. | • Supplemental Reading Group Discussion  
• Classroom group discussion (big ideas, discussion prompts)  
• Controversial Research Project, presentation, and classroom debate |
| Look for a Pattern | Students evaluate data or create visual representation to find a trend. | Helps to identify patterns that may be used to draw conclusions. | • PowerPoint Presentation / Lecture  
• Classroom discussion / Dialog |
<table>
<thead>
<tr>
<th>Activity</th>
<th>Description</th>
<th>Benefits</th>
<th>Additional Resources</th>
</tr>
</thead>
</table>
| Discussion Group        | Students engage in a interactive, small group discussion.                    | Helps students gain information and understanding about a concept, idea, or problem. | - Supplemental Reading Group Discussion  
- Classroom group discussion (big ideas, discussion prompts) |
| Debriefing               | A facilitated discussion that leads to consensus understanding.              | Helps students solidify and deepen understanding of content.              | - PowerPoint Presentation / Lecture  
- Classroom discussion / Dialog  
- Supplemental Reading Group Discussion  
- Classroom group discussion (big ideas, discussion prompts) |
| Quickwrite               | Students write for a short, specific amount of time about a designated topic. | Helps generate ideas in a short time.                                    | - Classroom writing prompts (free response question)  
- Chapter Tests  
- Unit Test |
| Think-Pair-Share         | Students think through a question or issue alone, pair with a partner to share ideas, and then share results with the class. | Enables the development of initial ideas that are then tested with a partner in preparation for revising ideas and sharing them with a larger group. | - Weekly 4 Cs Political Cartoon Analysis Form |
| Self / Peer Revision     | Working alone or with a partner to examine a piece of writing for accuracy and clarity. | Provides students an opportunity for editing a written text to ensure correctness of identify components. | - Supplemental Reading Writing Prompts  
- Controversial Research Project (written component)  
- Practice argumentative essays |
| Graphic Organizer        | Representing ideas and information visually                                  | Provides students a visual system for organizing multiple ideas, details and/or textual support to be included in a piece of writing. | - Supplemental Reading Group Discussion Leader Graphic Organizer |
The table of reasoning processes describes the cognitive operations students will draw upon and apply when doing the disciplinary practices. The column headings in the reasoning process table relate back to the verbs in the disciplinary practice table.

This table presents the disciplinary practices and reasoning processes that the students will develop during this AP U.S. Government and Politics course. The table describes what the students will be able to do with each disciplinary practice or reasoning process in applying those skills to the course content.

*Every question on the AP Exam will assess one or more of these practices and reasoning practices*

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td><em>When demonstrating their knowledge of course concepts, students should:</em></td>
<td><em>When explaining political processes, students should:</em></td>
<td><em>When explaining causes and effects of political principles, institutions, processes, policies, and behaviors, students should:</em></td>
<td><em>When explain similarities and differences among political principles, institutions, process, policies, and behaviors, students should:</em></td>
</tr>
<tr>
<td>a. Describe characteristics, attributes, traits, and elements in defining terms and concepts</td>
<td>a. Identify steps and/or stages in a process</td>
<td>a. Identify causes and/or effects</td>
<td>a. Identify relevant categories of comparison</td>
</tr>
<tr>
<td>b. Classify concepts</td>
<td>b. Explain how the steps or stages in a process relate to each other</td>
<td>b. Explain the reasons for causes and/or effects</td>
<td>b. Identify similarities and/or differences</td>
</tr>
<tr>
<td>c. Describe structures and functions</td>
<td>c. Explain challenges with processes and/or interactions</td>
<td>c. Explain change over time</td>
<td>c. Explain the reasons for similarities and/or differences</td>
</tr>
<tr>
<td>d. Describe patterns and/or trends</td>
<td>d. Explain the relevance or significance of processes and/or interactions</td>
<td>d. Explain the significance of causes and/or effects</td>
<td>d. Explain the relevance, implications, and/or significance of similarities and differences</td>
</tr>
<tr>
<td>e. Describe the perspective of a source or authors</td>
<td>e. Explain the implications of change over time</td>
<td>e. Explain the implications of change over time</td>
<td></td>
</tr>
<tr>
<td>Practice 1</td>
<td>Practice 2</td>
<td>Practice 3</td>
<td>Practice 4</td>
</tr>
<tr>
<td>------------</td>
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<td>------------</td>
<td>------------</td>
</tr>
<tr>
<td>Apply political concepts and processes to scenarios in context</td>
<td>Apply Supreme Court decisions</td>
<td>Analyze and interpret quantitative data represented in tables, charts, graphs, maps, and infographics</td>
<td>Read, analyze, and interpret foundational documents and others text-based and visual sources</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Concept Application</th>
<th>SCOTUS Application</th>
<th>Data Analysis</th>
<th>Source Analysis</th>
<th>Argumentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.a. Describe political principles, institutions, processes, policies, and behaviors</td>
<td>2.a. Describe the facts, reasoning, decision, and opinion(s) of required Supreme Court cases</td>
<td>3.a. Describe the data presented</td>
<td>4.a. Describe the author’s claim(s), perspective, evidence, and reasoning</td>
<td>5.a. Articulate a defensible claim/thesis</td>
</tr>
<tr>
<td>1.b. Explain political principles, institutions, processes, policies, and behaviors</td>
<td>2.b Explain how a required Supreme Court case relates to a foundational document or to other primary or secondary sources</td>
<td>3.b. Describe patterns and trends in data</td>
<td>4.b. Explain how the author’s argument or perspective relates to political principles, institutions, processes, policies, and behaviors</td>
<td>5.b. Support the argument using relevant evidence</td>
</tr>
<tr>
<td>1.c Compare political principles, institutions, processes, policies, and behaviors</td>
<td>2.c. Compare the reasoning, decisions, and opinion(s) of a required Supreme Court case to a non-required Supreme Court case</td>
<td>3.c. Explain patterns and trends in data to draw conclusions</td>
<td>4.c. Explain how the implications of the author’s argument or perspective may affect political principles, institutions, processes, policies, and behaviors</td>
<td>5.c. Use reasoning to organize and analyze evidence, explaining its significance to justify the claim or thesis</td>
</tr>
<tr>
<td>1.d. Describe political principles, institutions, processes, policies, and behaviors illustrated in different scenarios in context</td>
<td>2.d. Explain how required Supreme Court cases apply to scenarios in context</td>
<td>3.d. Explain what the data imply or illustrate about political principles, institutions, processes, policies, and behaviors</td>
<td>4.d. Explain how the visual elements of a cartoon, map, or infographic illustrate or relate to political principles, institutions, processes, policies, and behaviors</td>
<td>5.d. Use refutation, concession, or rebuttal in responding to opposing or alternative perspectives</td>
</tr>
<tr>
<td>1.e Explain how political principles, institutions, processes, policies, and behaviors apply to different scenarios in context</td>
<td>3.e. Explain possible limitations of the data provided</td>
<td>3.f. Explain possible limitations of the visual representation of the data provided</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Grading Policy / Scoring Components

Students are to be prepared daily by volunteering information / insights, asking knowledgeable questions, and actively participating/engaging in class discussion and group work. You will be graded in a variety of ways during the semester. Summative assignments (quizzes, chapter tests, unit tests, classwork, participation, and projects) will count for 85% of your overall grade. Homework assignments (Political Cartoon Analysis Forms, Current Event Report Forms, and responses for supplemental reading writing prompts) will count for 15% of your overall grade. Please note: our school district has mandated that homework assignment cannot count for more than 15% of your overall grade.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Typical Point Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter Quizzes</td>
<td>5 points (Summative Assessment)</td>
</tr>
<tr>
<td>• 5 questions based on the text</td>
<td></td>
</tr>
<tr>
<td>Chapter Tests</td>
<td>40 to 50 points (Summative Assessment)</td>
</tr>
<tr>
<td>• 30 to 40 multiple-choice questions (four choices per question)</td>
<td></td>
</tr>
<tr>
<td>• 1 free response essay question</td>
<td></td>
</tr>
<tr>
<td>Unit Tests (Modeled on the College Board Exam)</td>
<td>100 points (Summative Assessment)</td>
</tr>
<tr>
<td>• 55 multiple choice questions (Day 1)</td>
<td></td>
</tr>
<tr>
<td>• 2 in-class essay prompts (Day 2)</td>
<td></td>
</tr>
<tr>
<td>• 2 take-home essay prompts</td>
<td></td>
</tr>
<tr>
<td>Weekly Current Event Reports</td>
<td>10 points (Homework)</td>
</tr>
<tr>
<td>Weekly Political Cartoon Analysis Forms</td>
<td>10 points (Homework)</td>
</tr>
<tr>
<td>Supplemental Reading Writing Prompt Responses (Each Chapter) (Argumentative Essay Response)</td>
<td>5 points per writing prompt response (Homework)</td>
</tr>
<tr>
<td>Supplemental Reading Discussion Leader</td>
<td>15 points (Summative Assessment)</td>
</tr>
<tr>
<td>Research Projects / Presentations</td>
<td>Varies in value by assignment</td>
</tr>
<tr>
<td>Worksheets</td>
<td>Varies in value by assignment</td>
</tr>
<tr>
<td>Group Activities</td>
<td>Varies in value by assignment</td>
</tr>
<tr>
<td>Participation</td>
<td>1 point per class during supplemental reading presentations (Summative Assessment)</td>
</tr>
</tbody>
</table>
Summative Assessments (Typical Assignments)
(85% of your overall grade)

Chapter Quizzes (5 points)
- A brief quiz of 5 questions will be administered for each assigned textbook chapter to ensure students have kept up with their independent reading assignments.

Chapter Tests (40-50 points)
- At the completion of each chapter a 40 to 50 point test will be administered to check your mastery of the chapter content. Chapter test normally consist of 30 to 40 multiple-choice questions (four possible answer per question) and one to two free response essay questions based upon the key concepts, data, infographics, and classroom lecture.

Unit Tests (100 points)
- Unit test will take place at the end of multiple chapters (usually 3 to 5). The unit test will be 55 multiple choice questions along with four free response essays (two take home essays, two in-class essays) The tests format will mirror the College Board’s AP Government test in order to prepare you for the College Board exam.

Mid-Term and Final Exams (20% of your overall grade (10% each))
- The Mid-Term will cover material covered during the first semester; the final exam will cover material from the second semester. Each test will count for 10% of your overall grade for the year. Even if you take the AP College Board Exam in May you will be expected to take my final exam in June.

Homework Assessments (Typical Assignments)
(15% of your overall grade)

Weekly Current Event Report Form (10 points) – due each Tuesday
- Select a story of three to five pages in length that covers some aspect of governmental involvement or politics at the local, state, national or international levels of government. See the specific guidelines for Current Event Reports.

Weekly Political Cartoon Analysis Form (10 points) – due each Thursday
- Select a political cartoon that covers some aspect of governmental involvement or politics at the local, state, national or international levels of government. Identify the illustrator’s purpose, persuasion technique, and overall impact of the cartoon.

Chapter Supplemental Reading Writing Prompts (1 to 2 prompts per assigned readings)
- After reading the required text, respond to the free response question that accompanies the reading.
Current Event Report Form Guidelines (*downloadable from teacher website*)

- Students are responsible weekly to complete a current events article review form.
- This activity is worth 10 points and will be collected every Thursday throughout the term unless otherwise announced.
- Students must use the required format; the current event form must be typed. A downloadable form is on my Teacherweb site.
- Current events reports must focus on governmental / policy issues at the national or international level and should tie in course content to the reported event. Examples may include issues concerning elections, the economy, foreign affairs, or the workings of a government agency.
- Do not email me your work. You need to produce a hard copy of it for grading / evaluation.
- It is strongly recommended that students always back up their work on a flash drive / data key / thumb drive for every assignment.
- You are required to use one of the sources listed below for your story. The story you select must be of substantial length (three to five pages minimum). The story must be printed out (or photocopied), key facts and insights highlighted, and attached to the back of your current event report form.
- Acceptable source material:
  - *The Economist* – www.economist.com
  - *Politico* – www.politico.com

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**AP U.S. Government & Politics Current Events Form (10 Points)**

*(All data entered must be typed.)*

**YOUR FULL NAME:**

**FULL DATE:**

**PERIOD:**

1) SOURCE OF INFORMATION (2 pts.)
MLA FORMATTED CITATION
*(Please use http://www.easybib.com and cut and past the proper citation below):*

2) STATE THE OVERALL THEME OR SUBJECT OF THE ARTICLE (1 pt.):

3) LIST AT LEAST THREE IMPORTANT FACTS HIGHLIGHTED IN THE STORY (3 pts.) (This may include data, specific events, statements, etc.):
   A)  
   B)  
   C)  

4) IDENTIFY AND INCLUDE SPECIFIC EXAMPLES OF BIAS THAT YOU FOUND IN THE ARTICLE (Was the article written to favor a particular point of view – pro-Democratic, pro-Republican, liberal, conservative or was it written in an un-bias manner?) (1 pt.):

5) EVALUATE THE POTENTIAL IMPACT OF THIS STORY ON SOCIETY. WHAT IS YOUR OPINION ON THE ISSUE BEING REPORTED? (2 pts.)

6) IDENTIFY ANY UNIQUE TERMS / CONCEPTS THAT WERE MENTIONED IN THE ARTICLE AND WRITE A SHORT DEFINITION/EXPLANATION (EXAMPLE – NAFTA (NORTH AMERICA FREE TRADE AGREEMENT – A free trade agreement between Canada, the U.S. and Mexico. If you do not come across any new terms simply write N/A.) (1 pt.):

   AP students must submit the entire article (including highlighting) with this report.
**Political Cartoon Analysis Form (downloadable from instructor website)**

**front**

<table>
<thead>
<tr>
<th>YOUR FULL NAME:</th>
<th>FULL DATE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>PERIOD:</td>
<td></td>
</tr>
</tbody>
</table>

Political Cartoon Analysis Form & the 4Cs (10 Pts.)
A copy of the cartoon must be attached to this sheet
All responses must be in complete sentences in order to earn full credit

1. **SOURCE OF INFORMATION** (1 PT)

<table>
<thead>
<tr>
<th>Illustrator’s Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of the publication or website</td>
</tr>
<tr>
<td>Date of publication</td>
</tr>
<tr>
<td>Title of the Cartoon (if provided)</td>
</tr>
</tbody>
</table>

2. **(4Cs – Critical Thinking)** – Relate the cartoonist’s message to a political principle, institution, process, or behavior. What is the cartoonists saying about this issue? (2 pts.)

3. **(4Cs – Creativity)** - Give this cartoon a title that relates to its message (1 PT)

4. **(4Cs – Critical Thinking)** - What persuasive technique did the illustrator employ to sway the viewer? Was it effective or not? Explain. (2 pts.)

5. **(4Cs – Critical Thinking)** Does this cartoon exhibit political bias (is it liberal, conservative, etc.)? Explain why it represents this point of view? (2 pts.)

6. **(4Cs – Collaboration & Communication)** / Think Pair - Share your opinion of the cartoon with a peer; do you agree or disagree with their interpretation? Did their viewpoint challenge the way you perceived the issue - why? Explain/elaborate. (5 pts.)

**back**

Political Cartoon Websites (Do not use politicalcartoons.com)

- https://www.usnews.com/cartoons
- https://www.usatoday.com/opinion/cartoons/
- https://minate.com/gae/crsc.cfm

**From the Library of Congress**

| Political Cartoons: Pictures with a Point - A political cartoon is a cartoon that makes a point about a political issue or event. You can find them in any daily newspaper, but they won’t be in the comics section. Instead, look on the editorial pages – they’re right next to the editorial columns, and across from the opinion essays. You can also find them in news magazines and on political Web sites. Political cartoons can be very funny, especially if you understand the issue that they’re commenting on. Their main purpose, though, is not to amuse you but to persuade you. A good political cartoon makes you think about current events, but it also tries to sway your opinion toward the cartoonist’s point of view. The best political cartoonist can change your mind on an issue without you even realizing how he or she did it. |

**Cartoonists’ Persuasive Techniques** - Cartoonists use several methods, or techniques, to get their point across. Not every cartoon includes all of these techniques, but most political cartoons include at least a few. Some of the techniques cartoonists use the most are symbolism, exaggeration, labeling, analogy, and irony. Once you learn to spot these techniques, you’ll be able to see the cartoonist’s point more clearly. You should also be aware of any political slant, or bias, that he or she might have. When you know where the cartoonist is coming from, it’s easier to make up your own mind.

**Cartoon’s Persuasive Techniques**

<table>
<thead>
<tr>
<th>Symbolism</th>
<th>Cartoonists use simple objects, or symbols, to stand for larger concepts or ideas. After you identify the symbols in a cartoon, think about what the cartoonist means each symbol to stand for.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exaggeration</td>
<td>Sometimes cartoonists overdo, or exaggerate, the physical characteristics of people or things in order to make a point. Why do you study a cartoon, look for any characteristics that seem overdone or overblown. Try to decide what point the cartoonist was trying to make by exaggerating them.</td>
</tr>
<tr>
<td>Labeling</td>
<td>Cartoonists often label objects or people to make it clear exactly what they stand for. Watch out for the different labels that appear in a cartoon, and ask yourself why the cartoonist chose to label that particular person or object. Does the label make the meaning of the object more clear?</td>
</tr>
<tr>
<td>Analogy</td>
<td>A comparison between two unlike things. By comparing a complex issue or situation with a more familiar one, cartoonists can help their readers see it in a different light. Decide what the cartoon’s main analogy is. What two situations does the cartoon compare? Once you understand the main analogy, decide if this comparison makes the cartoonist’s point more clearly to you.</td>
</tr>
<tr>
<td>Irony</td>
<td>The difference between the way things are and the way things should be, or the way things are expected to be. Cartoonists often use irony to express their opinion on an issue. When you look at a cartoon, see if you can find any irony in the situation that cartoon depicts. If you can, think about what point the irony might be intended to emphasize. Does the irony help the cartoonist express his or her opinion more effectively?</td>
</tr>
</tbody>
</table>

http://www.loc.gov/teachers/classroommaterials
Analyzing and Interpreting Qualitative Sources (Text-Based Sources) / Supplemental Reading Text (College Board 2018)

The AP U.S. Government and Politics course requires students to analyze text in terms of perspective, conclusions, and supporting evidence and understand how they illustrate principles and processes of U.S. government. The primary function of using sources in this course is to help students understand the principles and processes of U.S. government. In these texts, the founders, political scientists, and historians develop their ideas and arguments.

To understand the argument, the reasoning and the implications of these texts, students should:
- Identify the author, the author’s background, and how that influenced the author’s perspective
- Put the author’s thesis in their own words
- Identify the reasoning the author uses to justify the claim
- Explain the evidence used to support the argument and the reasoning
- Identify evidence that supports alternative perspectives
- Explain how the alternative perspectives refute or rebut the author’s argument
- Critique the author’s argument, pointing out its strengths and weaknesses
- Explain the implications of the author’s argument
- Explain how the author’s argument relates to other political principles and processes

Disciplinary Practice 4: Read, analyze, and interpret foundational documents and other text-based and visual sources

<table>
<thead>
<tr>
<th>Disciplinary Practice</th>
<th>Key Questions</th>
<th>Instructional Strategies</th>
</tr>
</thead>
</table>
| 4.a. Describe the author’s claim(s), perspective, evidence or reasoning | • Who is the author?  
• What is the author’s perspective?  
• What is the author’s argument?  
• What evidence does the author use to support the argument?  
• What reasoning does the author use to justify the argument? | • Critique Reasoning  
• Discussion Groups |
| 4.b. Explain how the author's argument or perspective relates to political principles, institutions, processes, policies, and behaviors | • Connect the source to a political principle, institution, process, or behavior.  
• How are they related? | • Socratic Seminar  
• Discussion Groups |
| 4.c. Explain how the implications of the author’s argument or perspective may affect political principles, institutions, processes, policies, and behaviors | • How does the author’s position affect an American political principle, process, institution, or behavior? | • Socratic Seminar  
• Discussion Groups |
Supplemental Reading Free Response Questions / Group Discussion Leader Assignments

(Review Course Chronology for Assigned Readings and Questions)

• Students will be assigned a number of supplemental reading passages for each chapter in addition to the regular readings from the text. Students are required to respond to the supplemental readings choices offered per chapter. Students are expected to review all supplemental readings even if they do not choose a particular supplement for their response questions.

• A critical thinking question will be asked for each reading. The response should include the question, normally run the length of a half to full page, and be typed (double spaced, one-inch margins). These responses are worth five points each and must be submitted on the required due date.

• Follow the formatting guidelines for your responses.

• Each student will be assigned as a "group discussion leader" for a specific supplemental reading. When assigned as a group discussion leader you must prepare a brief PowerPoint presentation to contain the following information:
  a) A brief bibliography of the author (accomplishments, expertise, photo of the individual. This will require some minor research on your part. Don't forget to cite your source in your PowerPoint)
  b) Identify the author's primary thesis and/or the major themes or concepts discussed.
  c) Prepare three to five questions related to the reading to initiate discussion.
  d) The discussion leader is a facilitator for the issues to be discussed; he/she should not dominate the discussion.
  e) The purpose of a discussion is an exchange of ideas and points of views.
  f) Grading - As discussion leader you will be assessed using Group Discussion Leader Grading Rubric

• This PowerPoint presentation must be emailed to the instructor or shared via Google docs prior to the date of your presentation.

• Supplemental readings have been selected for each Chapter/Unit of study and are identified throughout the course of study. A comprehensive list of those readings and the accompanying questions are included at the end of this curriculum.
Supplemental Reading Organizational Chart / Group Discussion Leader Graphic Organizer

The AP U.S. Government and Politics courses require students to analyze texts in terms of perspective, conclusions and supporting evidence and understand how these texts illustrate principles and processes of U.S. government. The primary function of these supplemental texts is to help students understand the principles and processes of U.S. government. In these texts, the Founders, political scientists, and historians develop their ideas and arguments.

To understand the argument, the reasoning and the implications of these texts, respond to the following prompts:

<table>
<thead>
<tr>
<th>Prompt / Disciplinary Practices (4.a,4.b, &amp; 4.c)</th>
<th>Your Response (You may either type or write your response)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify the author, the author’s background, and how that influenced the author’s perspective</td>
<td></td>
</tr>
</tbody>
</table>
  • Who is the author?  |
  • What is his or her perspective? |
| Put the author’s thesis in your own words  |
  • What is the author’s argument?  |
| Identify the reasoning the author uses to justify their claim  |
| Explain the evidence used to support the argument and the reasoning  |
| Identify any evidence that may support an alternative perspective(s) from the author’s  |
| Explain how the alternative perspectives / different viewpoints refute or rebut the author’s argument  |
| Critique the author’s argument, pointing out its strengths and weaknesses  |
| Explain the implications of the authors argument  |
  • How does the author’s position affect an American political principle, process, institution, or behavior?  |
| Explain how the author’s argument relates to other political principles and processes  |
  • Connect the source to a political principle, institution, process, or behavior. How are they related?  |

Come up with three to five well thought out discussion questions based upon the text

1)
2)
3)
4)
5)
<table>
<thead>
<tr>
<th></th>
<th>Excellent (3)</th>
<th>Above Average (2)</th>
<th>Basic (1)</th>
<th>Needs Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Command of subject matter</strong></td>
<td>Author’s credentials are clearly stated. Article information is related in a clear and concise manner. Presenter highlights all major themes of the article.</td>
<td>Author’s credentials are mostly reviewed. One oversight is permitted. Article information is related in a clear manner. Presenter highlights most of the major themes of the article.</td>
<td>Author’s credentials are adequately presented. Two oversights are permitted. Article information is related but the major themes or thesis of the article is stated in only a minimal fashion.</td>
<td>Author’s credentials are stated in a limited fashion or are omitted. The information is presented without context. Major theme or the author’s thesis is misidentified or misrepresented.</td>
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<td></td>
<td><strong>Delivery</strong></td>
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<td></td>
<td>1. Projection</td>
<td>Presenter delivered presentation in an engaging manner using appropriate voice volume, not too loud or too soft. Maintained eye contact with the class and used hand gestures throughout the presentation. Presenter did not rock on his/her heels or lean on the podium.</td>
<td>Presenter delivered presentation that was adequately engaging. Student had to be prompted to speak up or talk in a quieter voice two or more times. Speaker remembered eye contact and hand gestures from time to time but not employed consistently. Student fidgeted somewhat during a point in the presentation.</td>
<td>Presenter delivered a presentation that was dull and uninspired. Student mumbled and did not clearly articulate during the presentation. Failed to maintain any form of eye contact and employ hand gestures. Posture included rocking on heels throughout, hunched shoulders, gripping / leaning on the podium.</td>
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<td></td>
<td>2. Clarity</td>
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<td>3. Eye Contact</td>
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<td>4. Hand Gestures</td>
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<td>5. Posture</td>
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<td></td>
<td><strong>Visual</strong></td>
<td>PowerPoint was presented in an engaging manner. All text fonts were easy to read (plain and large enough). The material tied in exactly with the article’s content. Presenter’s use of color, effects, and images added to the overall learning experience of the class.</td>
<td>PowerPoint was presented in a mostly engaging manner. Most text fonts were easy to read (plain and large enough). Most of the material tied in directly with the article’s content. Only one instance in which presenter rocked on heels or leaned on the podium for support.</td>
<td>PowerPoint was inadequate. Fewer than half of the text fonts were easily readable by the audience. Less than half of the material was relevant to the article’s content. The overall appearance of the PowerPoint was unprofessional and demonstrated a lack of adequate preparation by the presenter.</td>
</tr>
<tr>
<td></td>
<td>1. Easy to read</td>
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<td>2. Relevant to topic</td>
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<td>3. Appropriate visuals (images, graphs, maps)</td>
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<td>4. Spatial balance.</td>
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<td>5. Appealing ascetics (color choices, themes)</td>
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<td></td>
<td><strong>Questions</strong></td>
<td>Presenter had five well thought out questions prepared. These questions were specifically linked with the reading. The quality of the questions demonstrates a mastery of the article’s themes and author’s premises.</td>
<td>Presenter delivered five questions that were mostly linked with the reading. The quality of the questions demonstrates a good understanding of the article’s themes.</td>
<td>Presenter delivered less than five questions. The questions presented were irrelevant to the topics covered and demonstrates a lack of understanding / preparation. Questions were generally generic and failed to address the themes outlined in the article.</td>
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<td>1. Minimum number (3 to 5)</td>
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<td>2. Relevant to topic</td>
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<td></td>
<td>3. Thought provoking / demonstrates deep analysis of subject matter</td>
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<td><strong>Graphic Organizer</strong></td>
<td>Article fully outlined, major themes address, questions prepared</td>
<td>Organizer mostly complete, most themes address, questions prepared</td>
<td>Organizer somewhat complete with general highlights, few specifics, three questions</td>
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</table>

**AP U.S. Government Supplemental Reading Discussion Leader PowerPoint Presentations Grading / Evaluation Rubric**

28 AP U.S. Government & Politics Curriculum / Syllabus
Homework / Written Work Guidelines

• Do not wait till the very last minute to complete an assignment and rush to complete it. Traditionally students who procrastinate receive poor grades compared to students who take their time and carefully prepare their work.

• **All assignments must be typed on plain white paper unless otherwise instructed to do so.**

• Always format your work using the proper MLA formatting guidelines.

• When responding to a question, always include the question in the answer. This should take place in the introductory sentence. Always clearly articulate your thesis statement in the opening paragraph.

• Always carefully read what the question is asking and respond to all questions being asked.

• Always use facts and specific vocabulary and examples in your statements. Avoid generalizations and vague words such as **stuff, kind of, you know, etc.**

• Check your spelling and grammar. People will judge you by the vocabulary you use and your mastery of the English language. It is essential that you elevate your writing to that expected in a university setting.

• The minimum required response is just that, the minimum. You may need to go beyond the limit in order to fully answer a question. If you simply stop at the minimum requirement and do not fully answer the question you may be penalized for not fully addressing the question. Be clear, concise, and to the point - you are graded on the quality of what you write - not on the quantity.

• You need to hand in every assignment that is required. AP Government is a college level course. Do not blow off your assignments!

• **Deadlines** – minor assignments – 24 hours late – ½ off. After that 24-hour grace period – no credit will be awarded. For major assignments – **late assignments will not be accepted.**

The quality of your work is a direct reflection of you as a person. This is true for either college bound students or students planning on entering the work force. Your professors and supervisors will not accept poor quality work from you; neither will I. You need to take pride in what you do and produce work that is expected of an advanced placement student.
Chapter 2 Supplemental Reading Question

**Explain why the Founding Fathers chose to create a Federal Republic at the Constitutional Convention.**

By 1787 it had become evident that the national government created under the Articles of Confederation was failing to achieve political and economic stability. State governments were also dysfunctional entities incapable of governing effectively with the best example being Shay’s Rebellion in Massachusetts. Animosity, and in some cases open conflict, between the states continue to grow as a weak national government was unable to compel local governments to compromise with each other. The nation, in essence, was tittering on anarchy as the public’s confidence in the national and state governments waned.

The Founders, most notable James Madison, realized that a more powerful national government was essential to provide leadership and a degree of governing uniformity for all states that was not permissible under the Articles of Confederation. So with that realization by the leading political figures of the day why didn’t the Founders adopt an efficient unitary structure of government along the lines of the British parliament? Under this system, a strong, unified national government would replace the role of state governments and establish uniformed law and order throughout the nation. All power would flow from the top down.

The Founders were fully aware of the geographic vastness of the new nation along with distinct regional economies and diverse populations. For a single central government to operate all governmental functions was both impractical and unacceptable. Individual states had a long history of independence and self-determination and were not willing to surrender all of their power to a centralized government structure.

Instead of adopting the unitary model of government, the Founders embraced a federal system of governing that would permit the sharing of power between the various levels of government while at the same time empowering the national government to create and enforce rules essential in the governing of the nation. Under the U.S. Constitution the national government would be the supreme governing body but would also permit states to create governments and laws best suited to their individual wants and needs. In essence both a national and state government would have sovereignty to govern but their areas of concern would be different. The national government would concentrate on issues that affected the nation as a whole such as national defense, foreign relations, interstate trade, and treaties. State governments would concern themselves with state issues such as the establishment of schools, marriage licenses, and road construction and maintenance.

Under this arrangement the national government would have power and jurisdiction over the states but would leave issues of a primarily local concern to state and local government. This was the essential agreement reached in Philadelphia in 1787 with the adoption of the “Great Compromise” as the framework of the U.S. government.
Research Project & Presentation:
Controversial Topics (Debates and Discussion) / Develop an Argumentative Essay / Formative Assessment

Applying Reasoning
In order to develop an argument, political scientists formulate a claim, or thesis, that is based on logical reasoning. A meaningful claim must be based in evidence, defensible, and evaluative; it must take a stance on an issue that could plausibly be argued differently; and it must go beyond simply listing causes or factors, qualifying its assertions by looking at an issue from multiple perspectives or lenses. The reasoning used in the thesis often sets up the structure of the argument in the essay that follows. This involves:

- Explaining political processes, relationship among or between processes, and/or issues or implications surrounding these processes
- Identify areas of similarity or difference between issues, policies, ideologies, or institutions in order to consider possible underlying reasons for similarity or difference
- Considering both the immediate causes or effects of an event as well as long-term causes or effects, and assigning a relative significance to each

Disciplinary Practice 5: Develop an Argument in Essay Format

<table>
<thead>
<tr>
<th>Disciplinary Practice</th>
<th>Key Questions</th>
</tr>
</thead>
</table>
| 5.a. Articulate a defensible claim / thesis | • What possible positions could you take based on the question and the evidence?  
• What position do you want to take? What claim will you make?  
• What is your purpose (to define, show causality, compare, or explain a process)?  
• What reasons justify your claim and achieve your purpose?  
• What evidence support your claim and reasoning?  
• Write a defensible claim or thesis statement that reflects your reasoning and evidence |
| 5.b. Support the argument using relevant evidence | • What evidence supports your claim?  
• How does the evidence support your claim? |
| 5.c. Use reasoning to organize and analyze evidence, explaining its significance to justify the claim or thesis | • Explain why your evidence supports your claim, using a transition such as because or therefore  
• Question your reasoning. Does it make sense? Have you provided a solid explanation of your reasoning? |
| 5.d. Use refutation, concession, or rebuttal in responding to opposing or alternative perspectives | • What evidence goes against your claim?  
• What could someone with an opposing view say about your claim, based on the evidence?  
• Taking the rebuttal evidence into account, why is your claim still the best? |
Your Task:
• Two students will select one of the controversial topics provided by the instructor.
• One student will conduct research supporting one point of view; the other student will conduct research supporting the other point of view.
• Each student will independently complete the various components of this project for individual assessments

Political Science Skills and Practices / Skill 5: Develop an argument about political principles, processes, behaviors, and outcomes
• (Practice 5.A – AP U.S. Government and Politics Curriculum Framework) Develop an argument in the form of an essay / research paper that analyzes political principles, processes, behaviors, and outcomes
• Articulate a defensible claim or thesis
• Support the argument using relevant evidence
• Logically organize and analyze evidence, explaining its significance to justify the claim or thesis
• Use refutation, concession, and rebuttal in responding to opposing or alternative perspectives
• (Practice 5.B – Create an appropriate visual (e.g., graph, diagram, map, photo, art work, information graphic that summarizes a relationship or supports a conclusion about a political science concept.

Requirements:
• Two students will select one of the categories of controversial issues. One student will research and present a “pro” point of view to the class. The other student will research and present a “con” point of view to the class.
• The focus of your presentation / arguments is the appropriate role of the government / politics in the controversy.
• Research Forms (5 pts. each) Conduct research on your topic and submit a series of research forms documenting your collected evidence (There will be a minimum of five research forms collected for this project). These forms will be submitted at the end of each research session for evaluation. You are to use either government, educational, or organizational websites when researching your topic. You are not permitted to use Wikipedia or Social Media as a source.
• Argumentative / Persuasive Research Paper (86 pts.) Each student will write a five page argumentative / persuasive research paper. The paper must be formatted according to MLA guidelines (plain white paper, 1-inch margins, 12pt. sized font, and Times New Roman font). The paper will have an introduction, a series of three to four distinct evidence driven arguments, and a concluding or summarizing paragraph. Parenthetical citations (in-text) are required for this paper. Students will also have a MLA formatted Works Cited page at the end of the essay.
• Oral Presentation (40 pts.) - Students will give an oral presentation before the class on the merits of their position. The oral argument must be at least three to five minutes in length. Students must be prepared to respond to questions from the class about their topics.
• Multi-Media Presentation (30 pts.) - Students are required to create a PowerPoint that will be used in conjunction with their oral presentation. The PowerPoint must contain:
  ➢ A Title Slide (You name, topic/position, date, subject)
Ø Topic Overview Slide (Bullet summary of the issue and the government’s role in the controversy).
Ø A minimum of three to four argumentative slides that contain the title of the argument, objective facts,
illustrations, quotes, data, graphics, etc. to support a particular side of an argument
Ø Summary slide (recap of points / closing arguments)
Ø Works Citied Slide - MLA formatted.

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AP U.S. Government & Politics Curriculum / Syllabus


<table>
<thead>
<tr>
<th>Number</th>
<th>Controversial Topic Research List</th>
<th>VS.</th>
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<tbody>
<tr>
<td>1</td>
<td>Should the death penalty be allowed? Proponents of the death penalty say it is an important tool for preserving law and order, deters crime, and costs less than life imprisonment. They argue that retribution or &quot;an eye for an eye&quot; honors the victim, helps console-grieving families, and ensures that the perpetrators of heinous crimes never have an opportunity to cause future tragedy.</td>
<td>Opponents of capital punishment say it has no deterrent effect on crime, wrongly gives governments the power to take human life, and perpetuates social injustices by disproportionately targeting people of color (racist) and people who cannot afford good attorneys. They say lifetime jail sentences are a more severe and less expensive punishment than death.</td>
</tr>
<tr>
<td>2</td>
<td>Should abortion be legal? Proponents, identifying themselves as pro-choice, contend that abortion is a right that should not be limited by governmental or religious authority, and which outweighs any right claimed for an embryo or fetus. They argue that pregnant women will resort to unsafe illegal abortions if there is no legal option.</td>
<td>Opponents, identifying themselves as pro-life, assert that personhood begins at conception, and therefore abortion is the immoral killing of an innocent human being. They say abortion inflicts suffering on the unborn child, and that it is unfair to allow abortion when couples that cannot biologically conceive are waiting to adopt.</td>
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<td>3</td>
<td>The Federal Communications Commission (FCC) should be empowered to censor or ban material on the radio and TV that is considered offensive.</td>
<td>The government should not have the power of censorship regarding TV and radio broadcasts. Individuals should decide for themselves what is appropriate and what is not.</td>
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<tr>
<td>4</td>
<td>The PATRIOT ACT has made the United States more secure during the war on terrorism by allowing the government to have greater powers of surveillance on potential suspects.</td>
<td>The PATRIOT ACT has undermined basic civil liberties and civil rights in the United States and has not made the nation safer.</td>
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<tr>
<td>5</td>
<td>Should Social Security be privatized? Supporters of private accounts contend that retirees would have the freedom to invest their retirement money in the stock market as they wish, theoretically earning higher returns than with government-invested funds.</td>
<td>Critics of privatizing Social Security argue that investing retirement money is complicated and risky because individuals can lose their retirement safety net through bad decisions.</td>
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<tr>
<td>6</td>
<td>The government needs to stiffen environmental rules and regulations regarding the practice of “fracking” for natural gas, especially in Pennsylvania.</td>
<td>Excessive environmental regulation will hurt natural gas business and economic development. Less environmental regulation, more “fracking” is needed for Pennsylvania.</td>
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<td>7</td>
<td>All 50 US states and the District of Columbia exempt churches from paying property tax. Proponents argue that a tax exemption keeps the government out of church finances and thus upholds the separation of church and state. They say that churches deserve a tax break because they provide crucial social services, and that 200 years of church tax exemptions have not turned America into a theocracy.</td>
<td>Opponents argue that giving churches special tax exemptions violates the separation of church and state, and that tax exemptions are a privilege, not a constitutional right. They say that in tough economic times the government cannot afford what amounts to a subsidy worth billions of dollars every year. Churches and religious groups should be taxed like any other business.</td>
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<tr>
<td>8</td>
<td>The government should have the right to seize property using Eminent Domain in order to promote the general welfare of society.</td>
<td>The use of Eminent Domain is little more than legalized stealing of private property. The government should not be allowed to take someone’s property under any circumstance.</td>
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<tr>
<td>Question</td>
<td>Proponents</td>
<td>Opponents</td>
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<tr>
<td>9. Should euthanasia or physician-assisted suicide be legal?</td>
<td>Proponents contend that terminally ill people should have the right to end their suffering with a quick, dignified, and compassionate death. They argue that the right to die is protected by the same constitutional safeguards that guarantee such rights as marriage, procreation, and the refusal or termination of life-saving medical treatment.</td>
<td>Opponents of euthanasia and physician-assisted suicide contend that doctors have a moral responsibility to keep their patients alive as reflected by the Hippocratic Oath. They argue there may be a &quot;slippery slope&quot; from euthanasia to murder, and that legalizing euthanasia will unfairly target the poor and disabled and create incentives for insurance companies to terminate lives in order to save money.</td>
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<tr>
<td>10. What are the solutions to illegal immigration in America?</td>
<td>Proponents say that illegal immigration benefits the US economy through additional tax revenue, expansion of the low-cost labor pool, and increased money in circulation. They contend that immigrants bring good values, have motivations consistent with the American dream, perform jobs that Americans won’t take, and that opposition to immigration stems from racism.</td>
<td>Opponents of illegal immigration say that aliens who break the law by crossing the US border without proper documentation or by overstaying their visas should be deported and not rewarded with a path to citizenship and access to social services. They argue that illegal aliens are criminals and social and economic burdens to law-abiding, tax-paying Americans.</td>
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<td>11. Should adults have the right to carry a concealed handgun?</td>
<td>Proponents of concealed carry say that criminals are less likely to attack someone they believe to be armed. They cite the 2nd Amendment’s &quot;right of the people to keep and bear arms,&quot; and argue that most adults who legally carry a concealed gun are law-abiding and do not misuse their firearms.</td>
<td>Opponents of concealed carry argue that increased gun ownership leads to more gun crime and unintended gun injuries. They contend that concealed handguns increase the chances of arguments becoming lethal, and that society would be safer with fewer guns on the street not more.</td>
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<td>12. The government should end all affirmative action programs in the United States since race is no longer a factor in this country.</td>
<td>The government needs to maintain affirmative action programs since racism is still a problem in the United States.</td>
<td>The government ban against the teaching of Intelligent Design or Creationism in public school science classes should be maintained since it is religion, not science.</td>
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<tr>
<td>13. The government should allow Intelligent Design or Creationism be taught in science classes in public schools.</td>
<td>Opponents of medical marijuana argue that it is too dangerous to use, lacks FDA-approval, and that various legal drugs make marijuana use unnecessary. They say marijuana is addictive, leads to harder drug use, interferes with fertility, impairs driving ability, and injures the lungs, immune system, and brain. They say that medical marijuana is a front for drug legalization and recreational use.</td>
<td>Opponents of medical marijuana argue that it is too dangerous to use, lacks FDA-approval, and that various legal drugs make marijuana use unnecessary. They say marijuana is addictive, leads to harder drug use, interferes with fertility, impairs driving ability, and injures the lungs, immune system, and brain. They say that medical marijuana is a front for drug legalization and recreational use.</td>
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<tr>
<td>14. Should marijuana be a medical option? Proponents of medical marijuana argue that it can be a safe and effective treatment for the symptoms of cancer, AIDS, multiple sclerosis, pain, glaucoma, epilepsy, and other conditions. They cite dozens of peer-reviewed studies, prominent medical organizations, major government reports, and the use of marijuana as medicine throughout world history.</td>
<td>The government should continue to fund stem cell research as it offers the best chances for new medical breakthroughs.</td>
<td>The practice of torture of terrorist suspects should be completely banned and not permitted under any circumstances.</td>
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<tr>
<td>15. The government should continue to fund stem cell research as it offers the best chances for new medical breakthroughs.</td>
<td>The practice of torture of terrorist suspects should be completely banned and not permitted under any circumstances.</td>
<td>The government should continue to fund stem cell research as it offers the best chances for new medical breakthroughs.</td>
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<td>16. The government should be permitted to torture terrorist suspects in order to gain intelligence that may prevent future terrorism.</td>
<td>The practice of torture of terrorist suspects should be completely banned and not permitted under any circumstances.</td>
<td>The government should continue to fund stem cell research as it offers the best chances for new medical breakthroughs.</td>
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<td>Should all Americans have the right (be entitled) to health care? Proponents of the right to health care argue that it would stop medical bankruptcies, improve public health, and reduce overall health care spending. They say that no one in the richest nation on earth should go without health care.</td>
<td>VS.</td>
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<tr>
<td>18</td>
<td>Should the words &quot;under God&quot; be in the US Pledge of Allegiance? Proponents of including &quot;under God&quot; in the Pledge argue that the US is a Christian nation, at least 80% of Americans support the phrase, the language reflects America's civic culture and is not a religious statement, and federal law, state constitutions, currency, and the presidential oath already contain references to God.</td>
<td>VS.</td>
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<tr>
<td>19</td>
<td>Students should be allowed to wear clothing to school that promotes unpopular opinions or expressions since they have rights under the First Amendment.</td>
<td>VS.</td>
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<tr>
<td>AP U.S. Government and Politics</td>
<td>Research Paper Rubric</td>
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<td></td>
<td>Good</td>
<td>Needs Work</td>
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<td>2 points</td>
<td>1 point</td>
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### Introduction (8 points)

1. Attention getting opening statement.
2. Clearly defines what the conflict / controversy is.
3. Provides adequate background context of the controversy and the **government's** role in the conflict.
4. Thesis statement – Clearly states position to be argued in the last sentence.

### Argument #1 (10 points)

5. Uses a transition between ideas / arguments.
6. States / articulates first point / argument.
7. Supports first point with research data that is properly cited.
8. Incorporates a quote from an expert with established credentials on the subject matter.
9. Ends with a clincher.

### Argument #2 (10 points)

10. Uses a transition between ideas / arguments.
11. States / articulates second point / argument.
12. Supports second point with research data that is properly cited.
13. Incorporates a quote from an expert with established credentials on the subject matter.
14. Ends with a clincher.

### Argument #3 (10 points)

15. Uses a transition between ideas / arguments.
16. States / articulates third point / argument.
17. Supports second point with research data that is properly cited.
18. Incorporates a quote from an expert with established credentials on the subject matter.
19. Ends with a clincher.
<table>
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<th>Conclusion (8 points)</th>
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<tr>
<td>20) Uses a transition between ideas / arguments.</td>
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<td>21) Restates the thesis as the first sentence.</td>
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<td>22) Summarizing the three main points / arguments.</td>
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<td>23) Helps the reader think / link these points to the introduction.</td>
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<tr>
<th>Purpose of the Essay (6 points)</th>
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<tbody>
<tr>
<td>24) Three main points / arguments supported the thesis.</td>
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<tr>
<td>25) Thesis statement is articulated in a concise, understandable way.</td>
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<tr>
<td>26) Points / arguments are organized in a logical, sequential/progressive manner.</td>
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<tr>
<th>Quality of Research Material Utilized (4 points)</th>
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<tbody>
<tr>
<td>27) Research used is factually correct and presented with an appropriate context of the thesis.</td>
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<tr>
<td>28) Research / quotes used are timely (not outdated information or obsolete sources) and add to the overall effectiveness of the arguments.</td>
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<th>Mechanics (10 points)</th>
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<tr>
<td>29) Writer uses only third person pronouns.</td>
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<tr>
<td>30) Writer uses correct sentence structure.</td>
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<td>31) Writer uses correct punctuation.</td>
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<td>32) All words are spelled correctly.</td>
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<tr>
<th>Style (8 points)</th>
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<tbody>
<tr>
<td>34) Writer uses an intriguing, creative title for the essay.</td>
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<tr>
<td>35) Elevated word choice.</td>
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<tr>
<td>36) Varied sentence complexity.</td>
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<tr>
<td>37) Good tempo / pacing / lively and engaging.</td>
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<thead>
<tr>
<th>MLA Formatting, Citations, and Works Cited (12 points)</th>
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<tbody>
<tr>
<td>38) Paper is correctly formatted according to MLA guidelines (1-inch margins, double spaced, plain white paper, black ink, Times New Roman Font).</td>
</tr>
<tr>
<td>39) Paper has correct MLA heading format in upper left hand corner along with paper’s title centered at the top.</td>
</tr>
</tbody>
</table>
40) Research correctly cited using in-text citations.

41) Quotes correctly cited using parenthesis and citations.

42) Works Cited page is properly titled, double spaced, properly indented, and arranged in alphabetical order.

43) Minimum number of sources have been consulted and utilized in the essay.

**Final Score**

<table>
<thead>
<tr>
<th><strong>AP U.S. Government and Politics</strong></th>
<th><strong>Oral Presentation / PowerPoint</strong></th>
<th><strong>Evaluation Rubric</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Oral Presentation</strong></td>
<td><strong>Excellent</strong></td>
<td><strong>Very Good</strong></td>
</tr>
<tr>
<td></td>
<td>5 points</td>
<td>4 points</td>
</tr>
<tr>
<td><strong>PowerPoint / Visual</strong></td>
<td><strong>Title Slide (Name, Title, Date, Period, Subject)</strong></td>
<td><strong>Easy to See and Read Text / Large Font</strong></td>
</tr>
</tbody>
</table>
Classroom Rules & Expectations

• Class begins when the bell rings. Students must be seated and silent when the bell rings. Do not hang out in the hallway until the bell rings or you may be assigned a tardy.

• Students are expected to come to class prepared each day with their notebook and writing utensil. Students are responsible for submitting any due homework assignments on time. Students are responsible for daily note taking and are expected to actively participate in classroom discussion, activities, and group work. You will be evaluated based upon your class participation. You need to participate!

• All information accessed by students in the completion of paper and research assignments must be properly cited using the M.L.A. documentation guidelines. I would suggest that you utilize easybib.com for help in writing a proper citation. Plagiarism will be treated as a serious offense, voiding grades and initiating administrative punishment as outlined in the school district’s guidelines.

• Students are required to type all submitted work unless otherwise directed by the instructor. The use of pencil is not permitted (with the except of Scantron test). All assignment must be properly documented in the upper right hand corner with you full name, period, and course title. Specific headings requirements will be given for research papers.

Late Work and Missed Classes
All assignments are due at the beginning of class on the assigned due date. As an enrolled member of this AP Government class I expect a commitment to attend class regularly and avoid excessive field trips throughout the course of the year. Class activities that were missed due to an excused absence will fall under the school district late work policy. Remember, if you are missing work it is your responsibility to see the instructor to get the missing work. Homework assignments have a 24-hour grace period. They may be submitted the next school day for ½ credit. After the grace period the grade will be recorded as a zero. This grace period does not extend to major projects.

Snow Day / School Closing Policy
If school is closed due to a snow emergency or some other unexpected event, all scheduled assignments, reports, quizzes, or tests will be due the next scheduled school day. If an assignment is scheduled for Friday and school is cancelled, the assignment will be due on Monday. Early dismissals and delays will be handled in the same manner. If class is scheduled to meet on a delay day you will be required to complete/have completed the assignment. If class does not meet due to an early dismissal or delay, all work will be due the following school day.
AP U.S. Government Course Development Resources

Textbook:

Supplemental Readings:
(Partial List – May be supplemented / updated as year progresses and new resources become available or are adopted)


Workbooks / Additional Resources:


The big ideas described below are intended to illustrate distinctive features and processes in U.S. government and politics as well as how political scientists study political behavior.

<table>
<thead>
<tr>
<th>ID</th>
<th>Big Idea</th>
<th>Definition</th>
</tr>
</thead>
</table>
| CON| Constitutionalism                                  | • The U.S. Constitution establishes a system of checks and balances of government and allocates power between federal (national) and state governments.  
  • This system is based on the rule of law and the balance of majority rule and minority rights |
| LOR| Liberty and Order                                  | • Governmental laws and policies balancing order and liberty are based on the U.S. Constitution and have been interpreted differently over time.     |
| PRD| Civic Participation in a Representative Democracy  | • Popular sovereignty, individualism, and republicanism are important considerations of U.S. laws and policy-making and assume citizens will engage and participate. |
| PMI| Competing Policy-Making Interest                   | • Multiple actors and institutions interact to produce and implement possible policies.                                                   |
| MPA| Methods of Political Analysis                      | • Using various types of analyses, political scientists measure how U.S. political behavior, attitudes, ideologies, and institutions are shaped by a number of factors over time. |
**Constitutionalism (CON)**

The U.S. Constitution establishes a system of checks and balances among branches of government and allocates power between federal and state governments. This system is based on the rule of law and the balance of majority rule and minority rights.

<table>
<thead>
<tr>
<th>CON-1</th>
<th>The Constitution emerged from the debate about the weaknesses of the Articles of Confederation as a blueprint for limited government.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(Tie in with Unit 1 Enduring Understanding: Foundation of American Government – College Board)</td>
</tr>
<tr>
<td>CON-2</td>
<td>Federalism reflects the dynamic distribution of power between national and state governments.</td>
</tr>
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<td></td>
<td>(Tie in with Unit 1 Enduring Understanding: Foundation of American Government – College Board)</td>
</tr>
<tr>
<td>CON-3</td>
<td>The republican ideal in the U.S. is manifested in the structure and operation of the legislative branch.</td>
</tr>
<tr>
<td></td>
<td>(Tie in with Unit 2 Enduring Understanding: Interactions Among Branches of Government – College Board)</td>
</tr>
<tr>
<td>CON-4</td>
<td>The presidency has been enhanced beyond its expressed constitutional powers.</td>
</tr>
<tr>
<td></td>
<td>(Tie in with Unit 2 Enduring Understanding: Interactions Among Branches of Government – College Board)</td>
</tr>
<tr>
<td>CON-5</td>
<td>The design of the judicial branch protects the Supreme Court’s independence as a branch of government, and the emergence and use of judicial review remains a powerful judicial practice.</td>
</tr>
<tr>
<td></td>
<td>(Tie in with Unit 2 Enduring Understanding: Interactions Among Branches of Government – College Board)</td>
</tr>
<tr>
<td>CON-6</td>
<td>The Supreme Court’s interpretation of the U.S. Constitution is influenced by the composition of the Court and citizen-state interactions. At times, it has restricted minority rights and, at others, protected them.</td>
</tr>
<tr>
<td></td>
<td>(Tie in with Unit 3 Enduring Understanding: Civil Liberties and Civil Rights – College Board)</td>
</tr>
</tbody>
</table>

**Liberty and Order (LOR)**

Governmental laws and policies balancing order and liberty are based on the U.S. Constitution and have been interpreted differently over time.

<table>
<thead>
<tr>
<th>LOR-1</th>
<th>A balance between governmental power and individual rights has been a hallmark of American political development.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(Tie in with Unit 1 Enduring Understanding: Foundations of American Democracy – College Board)</td>
</tr>
<tr>
<td>LOR-2</td>
<td>Provisions of the U.S. Constitution’s Bill of Rights are continually being interpreted to balance the power of government and the civil liberties of individuals.</td>
</tr>
<tr>
<td></td>
<td>(Tie in with Unit 3 Enduring Understanding: Civil Liberties and Civil Rights – College Board)</td>
</tr>
<tr>
<td>LOR-3</td>
<td>Protections of the Bill of Rights have been selectively incorporated by way of the Fourteenth Amendment’s due process clause to prevent state infringement of basic liberties.</td>
</tr>
<tr>
<td></td>
<td>(Tie in with Unit 3 Enduring Understanding: Civil Liberties and Civil Rights – College Board)</td>
</tr>
</tbody>
</table>
### Civic Participation in a Representative Democracy (PRD)

Popular sovereignty, individualism, and republicanism are important considerations of U.S. laws and policy-making and assume citizens will engage and participate.

| PDR-1                      | The Fourteenth Amendment’s equal protection clause, as well as other constitutional provisions, has often been used to support the advancement of equality.  
<table>
<thead>
<tr>
<th></th>
<th>• (Tie in with Unit 3 Enduring Understanding: Civil Liberties and Civil Rights – College Board)</th>
</tr>
</thead>
</table>
| PDR-2                      | The impact of federal policies on campaigning and electoral rules continues to be contested by both sides of the political spectrum.  
  |                           | • (Tie in with Unit 5 Enduring Understanding: Political Participation – College Board) |
| PDR-3                      | The various forms of media provide citizens with political information and influence the ways in which they participate politically.  
  |                           | • (Tie in with Unit 5 Enduring Understanding: Political Participation – College Board) |

### Competing Policy-Making Interests (PMI)

Multiple actors and institutions interact to produce and implement possible policies.

| PMI-1                      | The Constitution created a competitive policy-making process to ensure the people’s will is represented and that freedom is preserved.  
<table>
<thead>
<tr>
<th></th>
<th>• (Tie in with Unit 1 Enduring Understanding: Foundation of American Government – College Board)</th>
</tr>
</thead>
</table>
| PMI-2                      | The federal bureaucracy is a powerful institution implementing federal policies with sometimes questionable accountability.  
  |                           | • (Tie in with Unit 2 Enduring Understanding: Interactions Among Branches of Government – College Board) |
| PMI-3                      | Public policy promoting civil rights is influenced by citizen-state interactions and constitutional interpretations over time.  
  |                           | • (Tie in with Unit 3 Enduring Understanding: Civil Liberties and Civil Rights – College Board) |
| PMI-4                      | Widely held political ideologies shape policy debates and choices in American policies.  
  |                           | • (Tie in with Unit 4 Enduring Understanding: American Political Ideologies and Beliefs – College Board) |
| PMI-5                      | Political parties, interest groups, and social movements provide opportunities for participation and influence how people related to government and policy-makers.  
  |                           | • (Tie in with Unit 5 Enduring Understanding: Political Participation – College Board) |
**Methods of Analysis (MPA)**

Using various types of analyses, political scientists measure how U.S. political behavior, attitudes, ideologies, and institutions are shaped by a number of factors over time.

[NOTE: Methods of political analysis applies across the course of all enduring understandings by virtue of its relationship to the disciplinary practices.]

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
</table>
| **MPA-1** | Citizen beliefs about government are shaped by the intersection of demographics, political culture, and dynamic social change.  
(Tie in with Unit 4 Enduring Understanding: American Political Ideologies and Beliefs – College Board) |
| **MPA-2** | Public opinion is measured through scientific polling, and the results of public opinion polls influence public policies and institutions.  
(Tie in with Unit 4 Enduring Understanding: American Political Ideologies and Beliefs – College Board) |
| **MPA-3** | Factors associated with political ideology, efficacy, structural barriers, and demographics influence the nature and degree of political participation.  
(Tie in with Unit 5 Enduring Understanding: Political Participation – College Board) |
### Curriculum Terminology: As outlined by the College Board / WHS KUD (Know, Understand, Do)

<table>
<thead>
<tr>
<th>Enduring Understanding (EUs)</th>
<th>“Understand”</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Core concept that the students should retain</td>
</tr>
<tr>
<td></td>
<td>• Focus on a particular aspect of a big idea, highlighting long-term takeaways and key concepts</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Learning Objectives (LOs)</th>
<th>“Do”</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• What the students must be able to do</td>
</tr>
<tr>
<td></td>
<td>• Identify what students must be able to demonstrate using essential knowledge.</td>
</tr>
<tr>
<td></td>
<td>• Learning objectives should be demonstrated in the context of the enduring understanding</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Essential Knowledge (EK)</th>
<th>“Know”</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• What students need to know</td>
</tr>
<tr>
<td></td>
<td>• Statements represent specific content students must know to demonstrate the learning objectives in the course</td>
</tr>
<tr>
<td>Skill 1: Political Science Skills and Practices</td>
<td>Practice 1.A: Describe and explain the structure and function of political institutions.</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Describe and explain constitutional and political institutions, principles, processes, models, and beliefs.</td>
<td>Practice 1.B: Describe and explain constitutional principles and processes.</td>
</tr>
<tr>
<td>Practice 2.A: Compare political institutions, beliefs, and cultural factors.</td>
<td></td>
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<tr>
<td>Explain similarities and differences among political beliefs, ideologies, principles, and models</td>
<td></td>
</tr>
<tr>
<td>Explain how political behavior, policies, institutions, and constitutional interpretations change over time</td>
<td></td>
</tr>
<tr>
<td>Practice 2.B: Explain how political institutions, beliefs, and cultural factors affect political behavior, public policy, &amp; policymaking.</td>
<td></td>
</tr>
<tr>
<td>Explain how political institutions, beliefs, and cultural factors influence political behavior</td>
<td></td>
</tr>
<tr>
<td>Explain how political institutions, beliefs, and cultural factors interact to affect public policy and policymaking</td>
<td></td>
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<tr>
<td>Practice 3.A: Analyze and interpret quantitative information presented visually, specifically tables, charts, graphs, and information graphics</td>
<td></td>
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<tr>
<td>Describe the data presented</td>
<td></td>
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<tr>
<td>Describe patterns and trends in data</td>
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<tr>
<td>Compare patterns and trends in data to draw conclusions</td>
<td></td>
</tr>
<tr>
<td>Explain possible limitations of the data provided</td>
<td></td>
</tr>
<tr>
<td>Explain what the data implies or illustrates about political principles, processes, behaviors, and outcomes</td>
<td></td>
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<tr>
<td>Practice 3.B: Analyze and interpret visual information from primary and secondary sources (i.e., information graphics, political cartoons, maps &amp; illustrations).</td>
<td></td>
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<tr>
<td>Identify the topic and perspective conveyed</td>
<td></td>
</tr>
<tr>
<td>Compare the perspective or argument in multiple visuals</td>
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<tr>
<td>Explain how the visual illustrates or relates to political processes and behavior</td>
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<tr>
<td>Practice 4.A: Analyze and interpret text-based qualitative sources</td>
<td></td>
</tr>
<tr>
<td>Primary and Secondary Sources</td>
<td></td>
</tr>
<tr>
<td>Describe the author’s perspective, assumptions, claim(s), and reasoning</td>
<td></td>
</tr>
<tr>
<td>Identify the implications of the author’s argument</td>
<td></td>
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<tr>
<td>Explain how the implications of the author’s argument may affect political principles, processes, behaviors, and outcomes</td>
<td></td>
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<tr>
<td>Explain how the source relates to political principles, processes, behavior, and outcomes</td>
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<tr>
<td>Supreme Court Decisions</td>
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<tr>
<td>Identify a Supreme Court decision &amp; explain that reasoning for that decision</td>
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<tr>
<td>Explain the reasoning of concurring &amp; dissenting Supreme Court opinions</td>
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<tr>
<td>Explain similarities and differences among related Supreme Court decisions and opinions</td>
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<tr>
<td>Explain how the documents relates to political processes and behavior</td>
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<tr>
<td>Practice 4.B: Analyze and interpret visual information from primary and secondary sources (i.e., information graphics, political cartoons, maps &amp; illustrations).</td>
<td></td>
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<tr>
<td>Identify the topic and perspective conveyed</td>
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<tr>
<td>Explain how the elements of visual convey the perspective or argument</td>
<td></td>
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<tr>
<td>Compare the perspective or argument in multiple visuals</td>
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<tr>
<td>Explain how the visual illustrates or relates to political processes and behavior</td>
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<tr>
<td>Practice 5.A: Develop an argument in the form of an essay that analyzes political principles, processes, behavior, and outcomes.</td>
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<tr>
<td>Articulate a defensible claim or thesis</td>
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<tr>
<td>Support the argument using relevant evidence</td>
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<tr>
<td>Logically organize and analyze evidence, explaining its significance to justify the claim or thesis</td>
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</tr>
<tr>
<td>Use refutation, concession, and rebuttal in responding to opposing or alternative perspectives</td>
<td></td>
</tr>
<tr>
<td>Practice 5.B: Create an appropriate visual (e.g., graph, diagram, map, photo, artwork, information graphic) that summarizes a relationship or supports a conclusion about a political science concept.</td>
<td></td>
</tr>
</tbody>
</table>
### AP U.S. Government & Politics Instructional Timeline

<table>
<thead>
<tr>
<th>Month</th>
<th>Su</th>
<th>Mo</th>
<th>Tu</th>
<th>We</th>
<th>Th</th>
<th>Fr</th>
<th>Sa</th>
<th>Term</th>
<th>Week</th>
<th>Holidays &amp; Breaks / Chapters &amp; Activities Covered</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>September 2018</strong></td>
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<td>Labor Day (3rd) - (No School) – September 5th (First day of school)</td>
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<td>Chapter 1 – The Study of American Government</td>
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<td>Chapter 20 – American Democracy: Then and Now</td>
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<td>16</td>
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<td>Chapter 4 – American Political Culture</td>
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<td>4</td>
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<td>Chapter 1 – Public Opinion</td>
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<tr>
<td>30</td>
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<td>4</td>
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<td><strong>Unit 1 Test (Chapters 1, 20, and 4)</strong></td>
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<tr>
<td><strong>October 2018</strong></td>
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<td>Columbus Day (No School) - Chapter 2 – The U.S. Constitution</td>
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<td></td>
<td>Chapter 3 – Federalism</td>
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<td>7</td>
<td>Chapter 18 – Economic Policy</td>
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<td>Chapter 19 – Economic Policy</td>
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<td>28</td>
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<td>31</td>
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<td>9</td>
<td><strong>Unit 2 Test (Chapters 2, 3, 18)</strong></td>
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<tr>
<td><strong>November 2018</strong></td>
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<td>Chapter 11 – Interest Groups</td>
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<td>Chapter 9 – Political Parties</td>
</tr>
<tr>
<td>11</td>
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<td>17</td>
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<td>11</td>
<td></td>
<td><strong>Veterans Day (observed)</strong> Chapter 9 – Political Parties</td>
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<td>18</td>
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<td>22</td>
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<td>24</td>
<td>2</td>
<td>12</td>
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<td><strong>In-service Days (20th &amp; 21st) / Thanksgiving Break (No School)</strong></td>
</tr>
<tr>
<td>25</td>
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<td>27</td>
<td>28</td>
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<td>12</td>
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<td>Chapter 10 – Elections and Campaigns</td>
</tr>
<tr>
<td><strong>December 2018</strong></td>
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<td>New Year’s Day (No School) – Chapter 12 – The Media</td>
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<td>7</td>
<td>8</td>
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<td>Unit 3 Test (Chapters 8, 9, 10)</td>
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<td>Chapter 7 – Public Opinion</td>
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<td>X</td>
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<td><strong>Christmas Break (No School)</strong></td>
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<td>30</td>
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<td>3</td>
<td>4</td>
<td>5</td>
<td>2</td>
<td>16</td>
<td></td>
<td><strong>New Year’s Day (No School)</strong> Chapter 12 – The Media</td>
</tr>
<tr>
<td><strong>January 2019</strong></td>
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<td></td>
<td>MLK Day / Chapter 14 – The Presidency / January 25th (End of 2nd 9 Weeks)</td>
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<td>7</td>
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<td>10</td>
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<td>17</td>
<td></td>
<td>Chapter 14 – The Presidency</td>
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<td>14</td>
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**Special Note: Course Chronology, PowerPoint Presentations/Notes, and Supplemental Reading Assignments**

- Due our post Labor Day start of the school year, along unforeseen weather events / emergencies, it may be necessary to change or modify the sequence of material that we will be covering in this course. You will be notified well in advance of any necessary changes prior to it actually occurring.
- The composition / sequence of PowerPoint presentations may be changed, altered, or augmented throughout the course of study as new information and resources become available. Remember, AP U.S. Government and Politics reflects the dynamics of government and shifting policy preferences. As such, court rulings, new public policy initiatives, and unexpected political or global events may require changes to the course.
- Supplemental readings may be modified or augmented as new material becomes available. As with any other change, you will be notified well in advance. Thank you for your flexibility.
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Unit 1
Chapters 1, 20, and 4
### Curriculum Requirements (CRs) addressed:

| Curriculum Requirements 1 through 16 | CR 1, 4, 5, 7, 8, 9, 10, 11, 12, 16 |

### Reasoning Processes (RPs) addressed:

| Reasoning Process 1: Definition / Classification | RP 1.a, b, c, d, e, f |
| Reasoning Process 2: Process | RP 2.a, b, c, d |
| Reasoning Process 3: Causation | RP 3.a, b, c, d, e |
| Reasoning Process 4: Comparison | RP 4.a, b, c, d |

### Disciplinary Practices (DPs) addressed:

| Disciplinary Practice 1: Apply political concepts and processes to scenarios in context | DP 1.a, b, c, d, e |
| Disciplinary Practice 2: Apply Supreme Court decisions | N/A |
| Disciplinary Practice 3: Analyze and interpret quantitative data represented in tables, charts, graphs, maps, and infographics | DP 3.a, b, c, d, e, f |
| Disciplinary Practice 4: Read, analyze, and interpret foundational documents and others text-based and visuals sources | DP 4.a, b, c, d |
| Disciplinary Practice 5: Develop an argument in essay format | DP 5.a, b, c, d |
Big Ideas (BIs) addressed:

<table>
<thead>
<tr>
<th>CON</th>
<th>Constitutionalism</th>
<th>N/A</th>
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<tr>
<td>LOR</td>
<td>Liberty and Order</td>
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<td>PDR</td>
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<td>PMI</td>
<td>Competing Policy Making Interest</td>
<td>BI-PMI 1, 3, 5</td>
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<td>MPA</td>
<td>Methods of Political Analysis</td>
<td>BI-MPA 1, 3</td>
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</table>

Political Skills and Practices (PS&P) addressed:

| Skill 1: Describe and explain constitutional and political institutions, principles, processes, models, and beliefs | N/A |
| Skill 2: Explain connections among political behavior, political institutions, belief, and cultural factors | PS&P 2.A, B |
| Skill 3: Read, analyze, and interpret quantitative data to draw conclusions about political principles, processes, behavior and outcomes | PS&P 3.A |
| Skill 4: Read, analyze, and interpret qualitative sources | PS&P 4.A, B |
| Skill 5: Read, analyze, and interpret qualitative resources | PS&P 5.A, B |
Know

- A paradigm serves as a “super model” to allow political scientists to view events, actions, and circumstances within a commonly accepted context.
- A paradigm shift may be either a gradual or abrupt change in the way political scientists view the context of events or actions (i.e. – Post-1945 development of atomic weapons or the end of the Cold War).
- The terms “watershed event” or “sea change” are often associated with a dynamic shift in a paradigm.
- A political cleavage occurs when crossing from one paradigm to another (i.e. – Post-9/11 Doctrine of Preemption)
- There are two major questions about government: Who governs? To what ends?
- Democratic theory recognizes that the answer to the question "Who governs?" is more complicated than “the people.”
- Power is the ability of one person to cause another person to act in accordance with the first person’s intentions.
- Authority is the right to use power. Legitimacy is the use of power that is based on a law or constitution as a source of that power.
- The evolution of political power originated a state of nation. People agreed to a social contact that established rules for society and increased the likelihood of society’s survival. This eventually led to the creation of constitutions and politics.
- The masses of society today are often referred to as majoritarians. These individuals are not overly engaged in politics or the workings of government.
- Political Elites are individuals who hold a disproportionate amount of knowledge, privilege, political power, or skill in a society.
- The Power Elite is made up of a relatively small group of individuals who have amassed power, influence, and wealth.
- The Political Agenda consists of issues that people believe require government action. The four key variables of the Political Agenda include share political values amongst the people, the weight of custom and tradition, the importance of events, and the terms of the debate.
- The Political Agenda may be influenced or impacted by groups, the mass media, government institutions, or state governments.
- Participatory democracy or direct democracy occurs when the citizenry participates directly in governmental decision-making; has only been a reality in a limited number of cases.
- Representative democracy is a form of government in which leaders make decision by winning a competitive struggle for the popular vote; representative democracy has given rise to an elite.
- Pluralist democracy is a political system where there is more than one center of power within society.
- The Framers of the U.S. Constitution believed that government should mediate, not mirror, the opinions and demands of society.
- A cost is any burden that people believe they must bear is a policy is adopted. A benefit is any satisfaction that people believe they will enjoy if a policy is adopted.
- Elite theorists have provided at least five answers (or theories) to the question "who governs?"
- Marxists/Classists believe those who own the means of production, controlling the economic system, will control the government.
- Power Elitist theorists believe a few top leaders, drawn from the major sectors of the United States polity, will make all-important decisions.
- Bureaucratic theorists believe appointed civil servants control the government, without consulting the public.
- Pluralists believe competition among affected interest shapes public policy decision-making.
- The Creedal Passion Theorist believe that leaders are less motivated by economic self-interest but instead want to bring government institutions into line with democratic ideals (i.e. - idealists)
• In order to choose among these theories or to devise new one, one must examine the kinds of issues that do (and do not) get taken up by the political system and consider how they are resolved by the system.
• It is not enough to merely describe governmental institutions and processes.
• Distinguishing between different types of democracies is key in understanding where power lies.
• The Framers of the U.S. Constitution intended that the United States be a representative democracy in which power to make decisions would be determined by a free and competitive struggle for the citizens’ vote.

Understand

• Paradigms are useful as “super model” allowing others to understand events, actions, and circumstances within a commonly accepted context.
• A gradual or abrupt paradigm shift occurs when political scientists change the way they perceive the context of events or actions.
• To understand why government works and how it is organized it is essential to ask “who governs” and "to what ends" does governmental power exist.
• A rapid or dramatic shift in a paradigm may be referred to as a “watershed event” or a “sea change”.
• A political cleavage occurs when crossing from one paradigm to another. In other words, a change in the perspective of the viewer.
• Citizens (people) are one component in trying to determine who governs. One needs to broaden the question to include additional variables.
• Power is evident whenever one person can cause another person to act in accordance with the first person’s intentions.
• The right to use power is known as authority. Legitimacy is the use of power that is based upon a law or constitution.
• The evolution of man into a political animal began in the state of nature. Early man left the state of nature and entered into a social contract in which rules were established to enhance the chances of a group’s survival. In time, constitutions and politics emerged.
• Society is broken down into three basic categories: Majoritarians (the masses of society), Political Elites (a small group of people who hold a disproportionate amount of knowledge, privilege, political power, or skill in a society) and the Power Elite (a relatively small group of individuals who have amassed power and wealth).
• The Political Agenda (the issues that people believe the government should focus on) is impacted by the shared political values amongst the people, the weight of custom and tradition, the importance of events, and the terms of the debate.
• Many factors may influence the nation’s Political Agenda including groups, the mass media, government institutions, or even state governments.
• There does not exist one all encompassing theory about who governs. Various political scientists have developed differing theories to explain the rise of political elites.
• Citizen participation in government has rarely occurred in history. Those instances when it did occur did not always have a success ending.
• Direct or participatory democracy occurs when most, or all, of the citizenry participate in governmental decision making directly.
• The common man (majoritarians) may find the workings of government too complex and too time consuming to fully understand or appreciate. Because of that elites have risen to the forefront of government.
• Competitive struggles for the popular vote are the basis of representative democracy.
• Pluralist democracy is based upon the diffusion of power throughout society.
• The Framers of the U.S. Constitution believed that government should mediate, not mirror, the popular opinions of society.
• Many citizens enjoy the benefits of government (the satisfaction that believe they will enjoy if a policy is adopted) but often are resentful of the cost (the burden they must bear to support the adopted policy).
• The debate about costs and benefits can be classified into four categories: Majoritarian, Interest Group, Client, and Entrepreneurial.
• There are five theories about who governs in society: Marxist/Class Theory, Power Elite Theory, Bureaucratic Theory, Pluralist Theory, and Creedal Passion Theory.
• Marxists believe that control is determined by economics. Whoever controls the means of production controls the government.
• Power Elite Theorist speculates that most governing decisions are made by a small group of individuals: prominent elected leaders, big business owners, and key high-ranking military officers.
• Bureaucratic theorist speculate that while politicians may come and go, it is the bureaucrat (the permanent government worker), who is key in maintaining the machinery and operation of government.
• Pluralist acknowledge the possibilities offered by other theories but contend that if they do exist they, in fact, help to check and balance the influence and control each group may have on the government. Various factions are competing for control thus; no one group can come to the forefront and dominate all aspects of government.
• Creedal Passion Theorists believe leaders are less motivated by economic self-interests but would rather want to bring government institutions into line with democratic ideals (idealists)
• Examining key issues, policies, and agendas may provide insights into who is actually controlling or influencing the government.
• There are two basic forms of democracies: direct democracy, in-direct (elite or participatory) democracy. Understanding how each is set up is essential to understanding where power lies.
• The United States is not a true democracy. The United States is a federal republic with representative democracy. The Framers did not trust democracy and believed it would most certainly fail if elites did not filter the passions of the common man.
### AP U.S. Government & Politics
#### Course Chronology & Mandatory Reading Assignments

<table>
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<th>WEEK</th>
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<th>UNIT OBJECTIVES</th>
<th>UNIT ACTIVITIES</th>
<th>POWERPOINT NOTES / TOPICS</th>
<th>READING ASSIGNMENTS / HOMEWORK</th>
<th>SUPPLEMENTAL READING ESSAY RESPONSE QUESTIONS</th>
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| Unit 1 | Week 2 | Textbook: Chapter 1 – The Study of American Government (Pages 2 - 20) | • Define what American Exceptionalism and explain why it is sometimes considered controversial.  
• Appraise the theory of American Exceptionalism – what are its shortcomings and strengths in explaining America’s political success.  
• Compare and contrast both sets of arguments made by the authors of the two articles.  
• Review the set of 14 “American Values” and rank them in importance as an individual and as a group. What does this say about you as a person, the class as a whole, and society in general?  
• Demonstrate current mastery of knowledge about the government – complete the first part of a practice College Board AP Government exam. | • Students copy down the essential questions / reviewed by teacher.  
• Upcoming homework assignments and due dates are reviewed.  
• Review of current topics in the news (war, politics, economics, etc.) / general discussion about those topics and student insights.  
• Brainstorming - American Exceptionalism. (KWL – Chart) – students complete followed by discussion of the topic.  
• PowerPoint Presentation – American Exceptionalism (overview) – no notes taken.  
• Read two articles in class – American Exceptionalism & We the Problem (discussion to follow)  
• Ranking U.S. values (group work & discussion)  
• Practice AP Government Test (55 questions) – students will not work on the essay questions. | N/A | N/A | *All reading assignments are subject to change or modification; substitution or updating may occur throughout the year as new material / resources become available or time constraints compel the class to consolidate units/readings* |

**Unit 1 Vocabulary List:**
- Government
- The Study of American Chapter 1 Textbook:
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**TOPICS COVERED**
- Democracy
- Participation

**UNIT OBJECTIVES**
- Chapter 1 Overview Themes, Group Work, and Writing:
- a) Students will read and discuss the following handouts in small groups  
- b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.  
- **Theme A: The Nature of Political Power and Authority**  
  - Compare the institutions that have power over you with the institutions that have  
  - Paradigms and Paradigm Shifts  
  - The Blind Men and the Elephant (an analogy)  
  - What is a Paradigm?  
  - Factors in forming a paradigm  
  - Paradigm Shifts / Sea Changes / Watershed Events  
  - Historical Events that caused paradigm shifts  
  - Political Cleavages  
  - The Political Spectrum of Government  

**POWERPOINT NOTES / TOPICS**
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**READING ASSIGNMENTS / HOMEWORK**
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**SUPPLEMENTAL READING ESSAY RESPONSE QUESTIONS**
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58  AP U.S. Government & Politics Curriculum / Syllabus
### Major Theories on the Social Contract

- **Power Elite**
- **Power**
- **Political Elites**
- **Political Cleavages**
- **Democracy**
- **Pluralism**
- **Natural Marxist View**
- **Legitimacy**
- **Politics**
- **Entrepreneurial Democracy**

### Differences between the Two Forms of Democracy

- Differentiate between majoritarian politics and elitist politics, explaining the four major theories on the latter.
- Explain how political change tends to make political scientists cautious in stating what values dominate or how politics works or what values dominate it.

- **Who Governors? To What Ends?**
- **Defining Power, Authority, and Legitimacy**
- **The Evolution of Political Power (State of Nature, the Social Contract)**
- **Defining Majoritarians, Political Elites, and the Power Elite (The Political Spectrum of Government)**
- **The Political Agenda: Four Key Variables**
  - Groups and Players Impacting the Political Agenda (Groups, Mass Media, Government Institutions, State Governments)
  - Kinds of Democracy (Direct & Representative)
- **The Five Theories of Who Governs Society:**
  - Marxist, Power Elite, Bureaucratic, Pluralistic, Creedal Passion Theory
- **C. Wright Mills and the Power Elite**
- **Robert Dahl: American Pluralism**

### Supplemental Reading Presentations (Group Leaders)

- **Homework:**
  - Tuesday: Political Cartoon Analysis Form
  - Thursday: Current Event Report Form
  - Complete MindTap Review and Practice Test (Cengage Learning – textbook website)

### Engagement, Imagination, Persuasion, Openness – (that) can be accomplished only through the process of interaction between the self and others. What are the benefits and challenges, of a common civics education in which different views are given an opportunity to be expressed in a structured setting? While discussing politics in a structured setting may be educational and informative, can the exchange of ideas translate into real-world compromises? Why or why not?

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**#4 C. Wright Mills - The Power Elite (Pages 21 to 28)**

C. Wright Mills believed that the Power Elite, rather than setting up explicit organizations who membership is strictly limited to its own members, would rather use existing organizations or institution to further their agenda and to minimize attracting unwanted scrutiny. Do you think this is still the case today? Provide examples/evidence to support your conclusion.

**#5 Richard Zwenengaht & G. William Domhoff - Diversity in the Power Elite (Pages 29 to 38)**

According to Richard Zwenengaht and G. William Domhoff, the Power Elite's new outward diversity (i.e., the inclusion of minorities and women) is really a façade. While newer members of the Power Elite may be diverse, they still retain the mindset and attitudes of the older, white males that have supplanted. In essence, outwardly they look different but their attitudes and outlooks are nearly identical to the elites of old. Do you believe that Zwenengaht and Domhoff's thesis is an accurate assessment? Why or why not?

**#6 Robert Dahl - Who Governors? And a Preface to Democratic Theory (Pages 39 to 45)**
Robert Dalih contends that public policy is made by a “steady appeasement of relatively small groups.” Does his assessment help to explain what is commonly considered hyper-pluralism or gridlock in governmental action and policy formation? Provide examples to illustrate the real world consequences of trying to make every faction “happy” while trying to formulate public policy for a nation over 300 million people.

Do you agree or disagree with the following statement? “In a healthy society the private and public are not mutually exclusive, not in competition with each other. They are, instead, two halves of a whole, two poles of a paradox. They work together dialectically, helping to create and nurture one another.” What was Bellah trying to get at in regards to individualism and the nature of civil society?
Know

- There is no single answer to the question, "Who governs? To what ends?"
- The teachings / philosophy of Niccolo Machiavelli continues to play a prominent role in politics and government
- Machiavelli’s pragmatic view of the relationship between ethics and politics has been sometimes misinterpreted.
- Machiavellian has become a pejorative used to describe a politician who manipulates others in an opportunistic and deceptive way.
- For the first 150 of US system the government operated on what was considered the "Old System" which entailed a small national government with limited responsibilities.
- The "New System" was first introduced in the 1930s by FDR’s New Deal and later expanded upon by LBJ’s Great Society programs. The scope and scale of the federal government rapidly grew as people came to accept the role of a more activist national government.
- Everything depends on what policy is being proposed and on the opportunities that proponents and opponents have to mobilize.
- As the responsibilities and activities of government have expanded, the structure and the ideals of governance have confronted new challenges.
- Proposals for improving the government are sometimes sweeping, as when a parliamentary system is recommended in place of the current congressional system.
- Whatever their scope, however, the reforms will only effect so much change in governmental efficiency.
- The people of the United States are, first and foremost, concerned that their rights be protected.
- As a result, they will insist that their government is accountable and responsive.
- These qualities inevitably limit the speed and coherence of political decision-making processes.

Understand

- It is difficult, if not sometimes to impossible to answer the question, "who governs?" and to "what ends?"
- The teachings / philosophy of Niccolo Machiavelli may help the student of political science better understand the motives and actions of modern politicians and government officials.
- The Old System is a term to describe the U.S. federal government for the nation’s first 150 years. The scope of federal power and responsible was viewed as limited by both the courts and the citizens of the nation.
- The New System arrived in the 1930s and continued to grow through the 1970s. Unlike the Old System, the New System ushered in the era of activist government in which federal responsibilities and mandates continue to grow, often at the expense of state sovereignty.
- The amount of time and resources that proponents and opponents can muster often impact which policies will be adopted and implemented.
- As citizens continue to expect or demand that government take on a larger role in various aspects of society the structure and ideals of governance have changed and expanded.
- Because of that expansion of responsibilities there has been a greater emphasis on centralization and bureaucratization to address these problems in some sort of uniformed, coherent manner.
- Some people that a parliamentary form of government (with a unified executive and legislative branch) would allow swifter governmental action compared to the current congressional system that diffuses power, responsibilities, and control.
- Reform is often slow and incremental (at best). In the end there is only so much that can be done to streamline government decision-making and improve overall efficiency.
• The American people, more so than nearly any other group on the planet, are preoccupied with their individual rights.
• The demand that rights be protected has helped to make the government more accountable and responsive.
• Since the branches of government check and balance each other to ensure the protection of rights, this has often limited the speed and coherence of political decision-making processes.
## Unit 1 Week 3

**Topics Covered:**
- Chapter 20 – American Democracy: Then and Now (Pages 511 – 524)
- Vocabulary
  - The Old System
  - The New System
  - Activist Government
  - Bureaucratization
  - Decentralization
  - Parliamentary System
  - Red Tape

**Unit Objectives:**
- List the purposes and goals of government in the United States.
- Identify political patterns of change throughout the twentieth century.
- Identify the key factors associated with the growth of government.
- Describe the restraints on the growth of government.
- Discuss the consequences of activist government.
- Assess the influence of the political structure and ideas on the process of serving some goals rather than others.

**Unit Activities:**
- Chapter 20 Overview Themes, Group Work, and Writing:
  a) Students will read and discuss the following handouts in small groups
  b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.

**Theme B: Theories of Democracy**
- Identify the consequences of activist government.
- Assess the influence of the political structure and ideas on the process of serving some goals rather than others.

**Unit Notes / Topics:**
- Niccolo Machiavelli: Statesman and Philosopher
- Background on Niccolo Machiavelli
- Famous Machiavellian quotes
- Machiavelli Today
- The Nature of American Democracy: The Old System versus the New System
- The Growth of Government (First 150 years)
- Expanding Federal Action (Incorporation Doctrine)
- Distribution of Political Resources
- The Old System (Pre-1930s)
- Built-in Restraints of the Old System (Separation of Powers, Federalism)
- The New System (The New Deal & Great Society)
- Chart: Old System vs. New System (Congress, Interest Groups, the Presidency, Political Parties, Political Agenda, Key Questions, Key Issues)
- The Influence of Structure and Government Action
- How Would a Parliamentary System Impact the United States?
- Consequences of an Activist Government
- The Influence of Ideas (Negatives and Positives): Red Tape, Pluralism

**Reading (Textbook)**
- Wilson: Chapter 20 A Primer of Politics
- #1 – The Teachings of Niccolo Machiavelli
- #4 – The Value and Vice of Power
- #28 – The Pragmatics and Demons of Power: What Good and Evil Can Government Do

**Homework:**
- Tuesday: Political Cartoon Analysis Form
- Thursday: Current Event Report Form
- Test: Chapter 1 and 20 (30 multiple choice questions, 1 essay)
- Complete MindTap Review and Practice Test (Cengage Learning – textbook website)

**Assignment Questions: A Primer of Politics (photocopied packet of readings)**
- #1 – The Teachings of Niccolo Machiavelli
  In order to achieve a desired goal, a politician/leader/government may have to be unethical, untruthful, or even commit an illegal act. Machiavelli believed that this was a form of pragmatism; do you agree or disagree? Do the ends justify the means? Use historical/political examples as the context for your reply.
- #4 – The Value and Vice of Power
  What aspect of power, either coercion or persuasion, could best be used to get the masses to support the actions of the government? Reference / research the debate about Obama’s health care program or Trump’s tax code revision to examine how both these approaches were used to achieve passage of the health care bill.
- #28 – The Pragmatics and Demons of Power: What Good and Evil Can Government Do
  Would Machiavelli understand/support the role of Joseph Stalin within the accomplishments he made in the U.S.S.R.? In essence either refute or support the statement “the ends justify the means.”

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AP U.S. Government & Politics Curriculum / Syllabus
**Unit 1 / Textbook Chapter 4 – American Political Culture**

**Enduring Understandings (EUs)**

**Know**

- Alexis de Tocqueville observed that democracy was able to take root in America for a number of key reasons: the lack of feudal aristocracy, minimal taxes, few legal restraints, and vast territorial opportunities in the west.
- Alexis de Tocqueville’s observations serve as one of the earliest records of American moral and intellectual characteristics (today called political culture).
- Political Culture is a distinctive and patterned way of thinking about how political and economic life ought to be carried out.
- Politically speaking, there are at least three major differences among and between countries: constitutional, demographic, and cultural attributes.
- Political Ideology deals with what a government should do; it serves as a more or less coherent way of thinking about politics.
- Political Culture is the shared norms and beliefs about politics that are shared and transmitted to others.
- Americans generally believe more strongly in political than in economic equality.
- Liberty, equality, democracy, civic duty, and individual responsibility are all key elements of the American view of their political system.
- Commonly held American political values include individualism/individual responsibility, free enterprise, the rule of law, and limited government.
- Before public opinion polls, beliefs were inferred from books, speeches, and political choices.
- Not all nations hold the same shared beliefs as American citizens.
- The most consistent evidence of a common political culture is the use of the term "Americanism" and "un-American."
- Americans support free enterprise, but see limits on marketplace freedom.
- Americans believe in equality of opportunity in the economy, but not equality of result.
- Americans have a widely shared commitment to economic individualism.
- Cultural differences affect a nation's political and economic systems.
- Sweden has a well-developed democracy, but its political culture is more deferential than participatory.
- Swedish citizens tend to believe in "what is best" more than "what people want" (a.k.a. - Socialism).
- Japanese political culture values good relationship with colleagues, group decision-making, and social harmony.
- Americans tend to assert rights, emphasize individualism, competition, equality of opportunity, following rules, and treating others fairly but impersonally.
- When compared to other nations, Americans tend to exhibit a stronger sense of civic duty, confidence in public & private institutions, and patriotism.
- Civic duty is a belief that one has an obligation to participate in civic and political affairs.
- Civic competence is a belief that one can affect government policies.
- Political socialization is the process through which an individual acquires a particular political orientations; it is the learning process by which people acquire their political beliefs and values.
- There are many agents of political socialization including the family (most important), schools, peers, opinion leaders, the media, generational events (i.e. – Great Depression or 9/11), religion, race, socio-economic status, regionalism, gender, and age.
- Globalization and the rise of Social Media are playing an ever increasingly important role in American political socialization.
- Ideology is a set of basic beliefs and values a person has regarding culture, politics, economics, government, and society.
- While most Americans would consider themselves to be moderates (either center left or center right) other common ideologies found in the United States include liberals, conservatives, libertarians, populist, and communitarians.
- Americans tend to lag behind other nations in voting rates but excel in other forms of participation (“a nation of joiners”).
- Americans tend to favor economic freedom over economic equality (a.k.a. - Capitalism) with a special emphasis on economic individualism.
Americans are highly religious compared to their secular European counterparts.

In the United States, religious beliefs have played an important role in American politics and throughout American history.

The American Revolution was essentially over liberty and asserting rights.

The animating spirit of the U.S. Constitution was the effort to reconcile personal liberty with social control.

Americans concern with asserting and maintaining their rights has resulted in an adversarial culture.

The U.S. Constitution permitted widespread (but not universal) citizen participation.

The absence of an established national religion made religious diversity inevitable in the United States.

Sociologist Max Weber described what he called a “Protestant Work Ethic” that permeated American culture: work, save money, obey secular laws, and do good works.

The family instills the ways we think about the world and politics.

The United States lacks a high degree of class-consciousness that is found in places like Great Britain.

Most Americans, despite their socioeconomic status, consider themselves to be "middle class."

The stories of Horatio Alger reinforced the American belief that by hard work, grit, and determination, one can rise above their station in life and be successful.

In the United States, the culture war is a battle over the values of the nation.

Unlike other conflicts, the culture war is unique because money is not at stake, compromises are impossible, and conflict is profound.

In simplified terms, the United States can be viewed as divided into two "cultural camps" - Orthodox/Conservative (morality is as, or more, important than self-expression; morality derives from fixed rules from God) and Progressive/Liberal (Personal freedom is as, or more, important than tradition; rules change based on circumstances of modern life and individual preferences.

The United States has had a long distrust or skepticism of government; public confidence in government likely to ebb and flow with circumstances.

Political efficacy is a citizen's capacity to understand and influence political events.

Internal efficacy is confidence in one's ability to understand and influence events.

External efficacy is the belief that the political system will respond to citizens.

Efficacy is much higher among Americans than among Europeans.

Political tolerance is the minimal level of tolerance crucial to democratic politics.

Most Americans assent in abstract but would deny rights to others they disagree with in concrete cases.

Most people do not act on their beliefs; officer holders and activists are more tolerant than the general public.

Courts are sufficiently insulated from public opinion to enforce constitutional protections.

A civil society is the collection of private, voluntary groups that, independent of the government and commercial market, make human cooperation easier and provide ways of holding the government accountable for its actions.

Understand

Understand the key reasons democracy took root in the United States: the lack of feudal aristocracy, minimal taxes, few legal restraints, and vast territorial opportunities in the west.

Alexis de Tocqueville's observations are the earliest recognition of a distinct American political culture.

Political Culture a way of understanding how a people believe their political and economic life ought to be carried out.

A nation's constitutional form of government, its demographic make-up, and its cultural heritage all are key factors in understanding its political culture.

We can use elements from political culture to explain the strength of an ideology.
Americans generally favor equality of opportunity over equality of results.

Liberty, equality, democracy, civic duty, and individual responsibility are quintessential American values.

Americans traditionally value individualism, free enterprise, the rule of law, and limited government as core cultural beliefs.

The terms "Americanism" and "un-American" help to highlight the distinct way Americans view themselves.

Political socialization is the transmission of a political culture to new generations of citizens of a given society.

Family, schools, peers, opinion leaders, the media, generational events, religion, race, socio-economic status, regionalism, gender, or age may serve as agents of political socialization.

Both Globalization and the rise of Social Media are having an ever-increasing influence in American political socialization.

Ideology is a set of beliefs and values a person has regarding culture, politics, economics, government, and society.

Most Americans' ideological beliefs would place them in a "mushy middle" of center left or center right beliefs. Other common ideologies found in the United States include liberals, conservatives, libertarians, populists, and communitarians.

Despite their belief in Capitalism and Free Markets, Americans believe that pure capitalism must be reigned in and regulated.

A nation's political culture has a direct affect a nation's economic system.

Unlike Americans, Swedes generally do not challenge government decision and support the concept of the well being of the whole society rather than the enrichment of the individual.

Japanese political culture emphasizes social harmony and group decision-making.

Americans are obsessed with individual rights, sometimes at the expense of the whole of society.

Understand that civil duty requires participation in the political process.

When compared to other nations, Americans tend to exhibit a stronger sense of civic duty, greater confidence in both public and private institution, and patriotism.

While not having great voter turnout rates, Americans have instead relied on other forms of participation.

Religion tends to play a much larger role in American society and politics compared to most European nations.

The U.S. Constitution is a document that limits the power of the national government to ensure the liberty of its citizens.

The Framers did not believe in universal suffrage; this change in the view of the franchise evolved over the course of American history.

Most Americans believe that hard work, following the rules, and determination will allow any person to become a success in the United States.

The most important agent of socialization is the family.

Most Americans consider themselves to be "middle class" regardless of their economic status.

Horatio Alger's stories and books help to exemplify the cherished American believe that anyone can go from "rags to riches" by hard work.

The culture war is a battle over the values of the nation in the United States.

Compromise is almost impossible when dealing with culture war issues (abortion, gun control, gay marriage, etc.).

Most Americans are moderates in their views. However, the control can also be divided into broad camps: liberals/progressives and conservatives/orthodox.

Most Americans tend to be skeptical of government and government actions.

One of the key traits of citizenship is political efficacy.

Internal and external efficacy varies considerably amongst the general population of the United States.

Americans, unlike Europeans, believe that their opinions can change and influence government.

Tolerance is essential to have a thriving, democratic society.

In the abstract, most Americans support the right of people to believe what they want and act as they see fit. In concrete cases, such as with the Westboro Baptist Church, the American people are much less tolerant of certain displays of expression.

On reason unpopular ideas and groups are able to exist is that their rights are protected by political elites and the judicial system.

Civil society helps teach people how to cooperate, develop community service skills, and increase social capital (human interaction).
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<th>SUPPLEMENTAL READING ESSAY RESPONSE QUESTIONS</th>
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| Unit 1 | Week 4 | Chapter 4 – American Political Culture (Pages 76 to 94) | • Define what scholars mean by political culture, and list some of the dominant aspects of political culture in the United States.  
• Discuss how American citizens compare with those of other countries in their political attitudes.  
• List the contributions to United States political culture made by the Revolution, by the nation’s religious heritages, and by the family. Explain the apparent absence of class-consciousness in the U.S.  
• Evaluate how conflicts in American political culture affect public confidence in government and tolerance of different political views.  
• Define internal and external political efficacy, and explain how the level of each of these has varied over the past generations. | Chapter 4 Overview Themes, Group Work, and Writing:  
(a) Students will read and discuss the following handouts in small groups  
(b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.  

Theme A: What is American Political Culture?  
• Since de Tocqueville, the United States has experienced waves of immigration from cultures contrasting with the ethnic identities present at the country’s founding. How have these groups changed the political culture of the nation?  
• What kinds of political, social, legal and economic problems are unique to (or more prominent in) the U.S. than they are in other places? What role does American political culture play in creating and/or exacerbating these problems? What potential solutions to these problems are also not viable because of the constraints of political culture?  
• As communications systems and the economy become increasingly global, what changes might be predicted in the political culture of the United States? Or, as some predict, will the political culture of the United States impose itself on other nations? Consider the influence of American pop culture—movies and entertainment, fast food, and so forth—in answering this question.  

Theme B: Divisions in American Political Culture  
• States and regions typically have their own distinctive political cultures. What are some of the cultural contrasts you have experienced if you have moved or traveled from one state (or region) to another? How significant are these cultural differences?  
• Shouldn’t both Vietnam and Watergate have increased the sense of political efficacy in the United States, since the system did respond? What about the Benghazi and Trump/Russia investigations?  
• What policies could public officials adopt to increase political efficacy among citizens? | What is American Political Culture?  
• Foreign Exchange Students (Culture Shock in America) – YouTube Clips  
• Alexis de Tocqueville’s Democracy in America  
• Defining Political Culture  
• Culture & Politics (Constitutions, Demographics, and Culture)  
• Political Ideology vs. Political Culture  
• American Political Values: Liberty, Equality, Democracy, Civic Duty, Individualism, Free Enterprise, Rule of Law, Limited Government  
• Political Equality vs. Social/Economic Equality  
• Americanism and Un-American Terminology  
• Chart: Attitudes in the United States and Other Democracies (Pew)  
• Comparative Analysis: Swedish Political Culture  
• Comparative Analysis: Japanese Political Culture  
• Comparative Analysis: American Political Culture  
• Table: Attitudes Towards Economic Equality in America and Europe  
• Civic Duty and Civic Competence  
• The role of economic beliefs in political culture (economic individualism)  
• Political Ideologies & the Market Place – Fiscal & Monetary Policy: (Liberal / Keynesian) (Conservative / Supply Side)  
• Political Socialization  
• Agents of Political Socialization (Family, Schools, Peers, Opinion | Reading (Textbook)  
Wilson: Chapter 4  
The Lanahan Readings in the American Polity, 6th Ed (2016)  
#1 Alexis de Tocqueville - Democracy in America (Pages 3 to 6)  
Since it’s colonization, Americans have been blessed with vast expanses of easily obtainable land. This social and economic reality was radically different from most of the nations of the Old World (Europe) in which feudalism limited ownership of land to a particular class of people. Speculate why the physical abundance of natural resources in North America enabled the ideals of equality and democracy to take root and flourish first in the colonies and later in the independent United States. Also consider if American political culture would have been different if North America had not been as bountiful for its early settlers and immigrants. Would democracy still have flourished?  
#3 James Davison Hunter – The Enduring Culture War (Pages 14 to 20)  
Local and national elites often “frame issues in stark terms, take uncompromising positions, and delegitimize their opponent.” This clash of elites and “cultural warriors” often reduces the influence of the majority of Americans who would prefer greater reason, compromise, and harmony. 1) Speculate how new technology (Internet, Blogs, Social Media) are contributing to the growth of factionalism / hyper-pluralism. 2) Speculate how this polarized discourse is impacting American democracy for better or worse in the 21st century. | The Lanahan Readings in the American Polity, 6th Ed (2016)  
#1 Alexis de Tocqueville - Democracy in America (Pages 3 to 6)  
#7 Cornel West - Race Matters (Pages 46 to 53)  
#8 Michael Kamen - People of Paradox (Pages 54 to 58)  
Homework:  
• Tuesday: Political Cartoon Analysis Form  
• Thursday: Current Event Report Form  
• Test: Chapter 4 Test (30 multiple-choice questions, 1 essay)  
• Complete Mindtap Review and Practice Test (Cengage Learning – textbook website) |
Cite some possible examples.

- What issues are most divisive in America at this time? How do citizens’ responses to these issues reflect regional differences in American political culture? What other cultural differences might these divisions reflect?

Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)

Optional Activity (Time Permitting)

Group Activity – Ranking American Values

- Brainstorm – What Values Do You Associate With Being An American?
- Distribute worksheet
- Each student ranks the fourteen listed values.
- Students next move into small groups and must reach a consensus on how to rank the values.
- Lastly – as a class, the class must reach consensus on how to rank the list.

Optional Activity (Time Permitting)

- Political Compass / Online Ideology Test

Leaders, The Media, Generational Events, Religion, Race, Income, Region, Gender, Age)

- Political Socialization in an ever increasing "small world" of the 21st Century
- What is Globalization?
- New Influences: Technology & Social Media
- Ideology: An Overview
- Chart: World ideologies (Communism, Socialism, Liberalism, Moderates, Conservatives, Reactionaries, Fascism)
- Comparative Analysis: European ideologies
- Chart: U.S. Political Spectrum (Liberal, Populist, Conservative, Libertarian, Communitarian)
- Religion, Politics, and the U.S.
- The Civic Role of Religion in the U.S.
- Religion an Politics in the United States
- Pie Chart: Religious Beliefs in the United States
- Pie Chart: Breakdown of U.S. Religious Faiths
- Bar Chart: Age Distribution by Religious Groups (Pew)
- Bar Chart: Educational distribution by Religious Group (Pew)
- Bar Chart: Income Distribution by Religious Group
- Bar Chart: Party Affiliation by Religious Group (Pew)
- Bar Chart: Political Ideology by Religious Group
- Bar Chart: Views About Size of Government by Religious Group (Pew)
- Map: Regional Religious Beliefs in the U.S.
- Map: Religiosity in the U.S. (GALLUP)
- Chart: Four Levels of Religious Diversity (Comparative Analysis of

#7 Cornel West - Race Matters (Pages 46 to 53)
America has a long and painful history when it comes to issues of race. While some hailed the election of Barack Obama as an indicator that America had moved beyond race as a societal divider, others pointed to the election of Donald Trump that the racial divide was as large as ever. Which perspective is the most accurate in light of recent history? Using examples highlighted in the news or in current events, postulate about the state of race relations in the United States in the 21st century.

#8 Michael Kammen - People of Paradox (Pages 54 to 58)
In your opinion, how does the rest of the world view the United States with the context of the many contradictions, ambiguities, and dualistic nature of American culture? In particular, consider how more traditional cultures view the role/impact of American culture on the world stage and why it may be perceived as an existential threat to their own culture.
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<td>• 55 Multiple-Choice Questions</td>
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Unit 2
Chapters 2, 3, and 18
## College Board: AP U.S. Government and Politics (Curriculum Standards / Requirements Addressed)

### Unit 2  (Chapters 2, 3, 18)

**Chapter 2 – The U.S. Constitution**  
**Chapter 3 – Federalism**  
**Chapter 18 – Economic Policy**

### Curriculum Requirement (CRs) addressed:

| Curriculum Requirements 1 through 16 | CR 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16 |

### Reasoning Processes (RPs) addressed:

| Reasoning Process 1: Definition / Classification | RP 1.a, b, c, d, e, f |
| Reasoning Process 2: Process | RP 2.a, b, c, d |
| Reasoning Process 3: Causation | RP 3.a, b, c, d, e |
| Reasoning Process 4: Comparison | RP 4.a, b, c, d |

### Disciplinary Practices (DPs) addressed:

| Disciplinary Practice 1: Apply political concepts and processes to scenarios in contest | DP 1.a, b, c, d, e |
| Disciplinary Practice 2: Apply Supreme Court decisions | DP 2.a, b, c, d |
| Disciplinary Practice 3: Analyze and interpret quantitative data represented in tables, charts, graphs, maps, and infographics | DP 3.a, b, c, d, e, f |
| Disciplinary Practice 4: Read, analyze, and interpret foundational documents and others text-based and visuals sources | DP 4.a, b, c, d |
| Disciplinary Practice 5: Develop an argument in essay format | DP 5.a, b, c, d |
### Big Ideas (BIs) addressed:

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<td>PDR</td>
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<td>PMI</td>
<td>Competing Policy Making Interest</td>
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### Political Skills and Practices (PS&P) addressed:

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<th>Describe and explain constitutional and political institutions, principles, processes, models, and beliefs</th>
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<td>Skill 5:</td>
<td>Read, analyze, and interpret qualitative resources</td>
<td>PS&amp;P 5.A, B</td>
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Know

- One of the primary catalysts in the drive towards American independence was the colonists concern about the eroding of traditional liberties under British rule. Colonists were focused on traditional liberties as outlined in Magna Carta and the English Bill of Rights.
- Nature rights (John Locke’s life, liberty, and property) came to the forefront of discussion as the colonies debated independence.
- The Declaration of Independence, in addition to laying out an argument based upon natural rights, cited specific complaints against George III for violating the colonists’ inalienable rights as English citizens.
- The document crafted by Jefferson espoused the founding principles of the new national and later became viewed as a pivotal document in human history for its elevation of the enlightenment ideals of human liberty.
- The “real” revolution was the radical change in belief about what made authority legitimate and liberties secure.
- Government exists by consent of the governed, not by royal prerogative.
- Political power is exercised by a direct grant of power in a written constitution.
- Human liberty existed prior to government; government must respect liberty.
- The Articles of Confederation (a.k.a. – The League of Friendship) was a fundamentally flawed document that failed to provide an adequate framework of government that would have permitted effective governance.
- Some of the few powers of the Articles included could borrow money from the people, settle disputes between states on state petition, enter into treaties and alliances, declare war, make peace, create a postal system, regulate Indian affairs and set standards for weights and measures.
- Some of the weaknesses of the Articles of Confederation include the inability of the national government to levy taxes or regulate commerce, sovereignty and independence was retained by the states, there was neither an executive or judicial branch of government, and unanimous consent was required for any amendment to adopted.
- Prior to the American Revolution the individual colonies (and later - states) had amassed a wealth of experience in self-governance. This experience would be essential during the framing of the U.S. Constitution in 1787 and the establishment of new state governments.
- Some state constitutions, such as Massachusetts, required both voters and elected officials to be property owners, while others, like Pennsylvania, were too democratic in nature leading to fear of mob rule and democratic tyranny.
- Shay's Rebellion brought fear that states were about to collapse from internal dissension; many Founders (especially Hamilton, Madison, and Washington) feared the nation was heading towards anarchy and mob rule.
- The Framers to the Philadelphia Convention, held in 1787, included Continental army veterans, state and local officials, and members of the Congress of the Confederation. Fifty-five delegates attended but only around 30 regularly participated.
- Key attendees included James Madison, Alexander Hamilton, George Washington James Wilson, and Ben Franklin.
- The original mandate of the Philadelphia Convention was to amend, not replace, the Articles of Confederation.
- The writings of John Locke and concern over natural rights had a large influence on the delegates to the Convention.
- “The delicate problem” - how could government be strong enough to preserve order but not threaten liberty?
- The Virginia Plan for government was formulated by James Madison and presented by Virginia Governor Edmund Rudolph.
- Key elements of the Virginia Plan included a strong national government, three branches of government, a bicameral legislature, and a national legislature with supreme powers.
• New Jersey Governor William Patterson formulated the New Jersey Plan for government; it sought to amend, rather than replace, the Articles of Confederation.
• Key elements of the New Jersey Plan include: one vote per state - Congress would be the creature of state governments (thus protecting small state interest), a plural executive chosen by the legislature, a national judiciary chosen by the executive, and limited power of the national government to regulate commerce and taxation.
• Roger Sherman of Connecticut proposed the Great Compromise (or Connecticut Compromise) as a means of breaking the deadlock.
• Key elements of the Great Compromise include: the House of Representatives based upon population and directly elected by the people, the Senate composed of two members per state and elected by state legislatures, and an independently elected chief executive and independent judiciary (Supreme Court).
• The Framers did not intend to create a direct democracy; they mistrusted popular passions and were concerned about "factions" trampling minority rights. Government should mediate, not mirror, popular views and opinions.
• The United State is a federal republic, not a democracy. The U.S. Constitution serves as a social contract between the citizens and the government.
• The two key principles of representative government in the United States include the Separation of Powers (between branches of the national government) and Federalism (power divided between national and state governments).
• There are three categories of governmental powers: Enumerate Powers (given to the national government exclusively), Reserved Powers (given to the state governments exclusively), and Concurrent Powers (Powers shared by both the state and national governments).
• The U.S. Constitution has three parts: the Preamble, the Seven Articles, and the Amendments
• Article I deals with the legislative branch of government and list the Enumerated Powers of Congress.
• Article II deals with the executive branch of government including the duties of the president (Chief Executive, Command-in-Chief), the requirement to use the Electoral College, the minimum qualifications to serve as president, the required State of the Union address, and how the president may be impeached.
• Article III creates the U.S. Supreme Court and defines treason
• Article IV explains the relationship between the national government and the states, describes the process for admitting new states to the Union, and includes the Guarantee Clause that all states are to be run as representative democracies.
• Article V explains how the U.S. Constitution may be amended.
• Article VI outlines public debts, the supremacy of national law (Supremacy Clause), and that no public official be required to pledge allegiance to any particular religion.
• Article VII explains the ratification process for allowing the U.S. Constitution to take effect.
• The Bill of Rights was not originally part of the Constitution. It was demanded by the Anti-Federalists in exchange for support to ratify the Constitution.
• The Federalists argued that the new federal government was limited and that most states already had their own bill of rights.
• There are many things not in the original U.S. Constitution including political parties, the president's cabinet, executive privilege, the words "democracy" and "slavery", judicial review, the right to vote, and the separation of church and state.
• Slavery was addressed in three provisions in the U.S. Constitution: 3/5ths Compromise for the apportionment of the House of Representatives, Congress could not prohibit the slave trade before 1808, and a fugitive slave clause.
• The debate about whether or not the new constitution should be ratified was argued in a series of essays that in time would become known as The Federalist and Anti-Federalist Papers.
• The primary authors of the Federalist Papers included James Madison, Thomas Jefferson, and John Jay.
• Some prominent Anti-Federalist included Thomas Jefferson, Patrick Henry, and James Monroe.
• The Federalist favored giving more power to a central government, dividing power among different branches of government, proposed a single-person executive branch, and did not believe a Bill of Rights was necessary for the new constitution.

• Anti-Federalists believed that liberty could only be secured in a small republic in which the rulers where physically close to the ruled. A strong national government would be too distant (and removed) for the wants and needs of the people thus threatening their liberty.

• The Anti-Federalist wanted important political powers to remain with the states, wanted a more powerful legislative branch, feared a strong executive might become a tyrant, and wanted a Bill of Rights added to the Constitution.

• In Anti-Federalist #1 Brutus argued that in large republics the threat of abuse of governmental power is greater and in smaller states.

• The Framers believed that people would seek their own advantage (man is self-serving), both in and out of government.

• The Aristotelian view of government: government should improve human nature by cultivating virtue.

• The Madisonian view of government: Cultivation of virtue would require a government too strong, too dangerous; self-interest should be freely pursued within limits.

• In Federalist #10 and #51, Madison argued that factionalism could be harnessed to provide a source of unity and guarantee liberty. James Madison articulated the danger of factions and the benefits of large republics in Federalist #10 and #51 since they would require moderate coalitions of diverse interest coming together to have any chance of winning elections and controlling the government. In addition, minority rights would also be protected from democracy by the use of checks and balances.

• Anti-federalists believed that liberty could only be secure in small republics (the essence of states' rights).

• Economist Charles Beard believed that the Framers crafted the new constitution because they expected to benefit economically from it.

• A number of modern proposals have been suggested to improve the U.S. Constitution: Reducing the separation of powers to enhance national leadership (curtail gridlock) and making the system less democratic (cut back on government activism).

Understand

• The colonists were concerned with the loss of rights under British rule and were willing to take action to restore their "natural rights."

• Natural rights, according to English philosopher John Locke, include key principles such as life, liberty and property.

• Thomas Jefferson, at the Second Continental Congress in Philadelphia, wrote the Declaration of Independence mirroring many of the enlightened ideals articulate by Locke. It was formally adopted on July 4, 1776.

• In addition to listing fundamental rights of all people, the Declaration of Independence also listed specific complaints against King George III for his transgressions against the colonists.

• The Declaration of Independence has come to be viewed as a pivotal document in human history for its embrace of the Enlightenment ideals of human freedom and liberty.

• Government exists because the people consent to be governed; not by royal decree of divine right.

• A written constitution helps to safeguard fundamental liberties since it spells out what a government may or may not do.

• In order for government to be just and accepted it must respect liberty.

• The first government of the United States under the Articles of Confederation was a failure; the Founders simply did not provide the central government with enough power to be effective.

• The very few powers permitted the national government in nature included making treaties, declaring war, regulating Indian affairs, and setting up a postal service.

• One of the biggest shortcomings of the Article of Confederation was the inability of the central government to collect tax revenue or compel states to follow national law.

• The long history of self-government in the colonies helped to prepare the new states, and its leaders, to take up the reins of the new government.
• Shortcomings of state governments like those found in Massachusetts and Pennsylvania, illustrated the point that many new state government were struggling with their new found self-governing. Many wondered if the best answer to these troubles rested in creating a more power federal government to better bind the nation together.
• Shay's Rebellion fundamentally changed the way people felt about the national government under the Article of Confederation.
• The delegates to the Philadelphia Convention represented some of the brightest minds of the age. Many were veterans of the Continental army or members of the Confederate Congress. While 55 delegates attended only around 30 regularly participated.
• The primary mandate of the Philadelphia Convention was to revise and amend the Articles of Confederation - not create a new constitution!
• The Virginia Plan (authored by James Madison) favored large states and big populations.
• The New Jersey Plan (authored by William Patterson) favored retaining power in state government.
• The Great or Connecticut Compromise was a hybrid plan that combined elements of both the Virginia and New Jersey Plan into one.
• The Framers believed that government should mediate, not mirror, popular views and opinions. The Framers did not intend on creating a direct democracy that they believed was a threat to liberty.
• The Great Compromise became the primary blueprint for the organization of the national government.
• The Framers did not have much faith in the common man; they feared he was governed by passion - not logic.
• Other key principles incorporated into the new constitution included limiting popular rule only in the House of Representatives, having a separation of powers between the legislative, executive, and judicial branches (with checks and balances), and having a federal structure of power that would share power between the national and state governments.
• Three types of governmental powers were established with the new constitution: Enumerate, Reserved, and Concurrent.
• The Preamble to the U.S. Constitution serves as a proclamation to the world of the hopes and goals of the new nation as it set upon the great experiment in representative democracy / federalism.
• The seven articles of the U.S. Constitution outline various the duties and responsibilities of the various branches of government.
• In order to limit the passions of man and the dangers of factions, the Framers sought to create a large republic where compromise and coalitions would result in moderation.
• The debate over ratification of the new constitution raged between the Federalists and Anti-Federalist. The Federalists supported the idea of a powerful national government, a single executive, a division of power between branches, and were opposed to adding a Bill of Rights to the Constitution. The Anti-Federalist wanted to have states remain the primary source of political power, a weak executive branch, and demanded the inclusion of a Bill of Rights.
• The primary authors of the Federalist Papers include James Madison, Alexander Hamilton, and John Jay.
• James Madison articulated the danger of factions and the benefits of large republics in Federalist #10 and #51 since they would require moderate coalitions of diverse interest coming together to have any chance of winning elections and controlling the government.
• The delegates at the Constitutional Convention did not believe that a national Bill of Rights was needed since the Constitution limited government power and that each state had their own bill of rights.
• A national bill of rights was agreed upon as a condition for states to ratify the U.S. Constitution.
• Slavery was address in the U.S. Constitution in three instants. The failure to fully grasp the social and economic ramifications of slavery would lead to a bloody Civil War.
• Some economists have argued that the Framers were motivated by economic self-interest rather than in the general welfare of the nation as a whole when drafting the U.S. Constitution.
• Today, scholars, academics, and politicians debate on the best way to adapt or modify the U.S. Constitution to address the changing world we live in.
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| Unit 2 | Week 6 | Chapter 2 – The U.S. Constitution (Pages 21 to 48) | Vocabulary  
- Alexander Hamilton  
- Amendment  
- Annapolis Convention  
- Anti-Federalist  
- Articles of Confederation  
- Bill of Attainder  
- Bill of Rights  
- Checks and Balances  
- Brutus #1  
- Coalition  
- Concurrent Powers  
- Connecticut Compromise  
- Constitutional Convention  
- Declaration of Independence  
- Enumerated Powers  
- Ex Post Facto Law  
- Factions  
- Federalism  
- Federalists  
- Federalist Papers  
- Federalist #10  
- Federalist #51  
- George Washington  
- Great Compromise  
- Habeas Corpus  
- Inalienable  
- James Madison  
- John Jay  
- John Locke  
- Judicial Review  
- Limited Government  
- Line-Item Veto  | - Identify one of the primary catalysts in the drive towards American independence.  
- Discuss the role of Nature rights (life, liberty, and property) in the debated about independence from the United Kingdom.  
- List some of the specific complaints against George III for violating inalienable rights.  
- Explain why the “real” revolution was the radical change in belief about what made authority legitimate and liberties secure.  
- Argue, “Government exists by consent of the governed, not by royal prerogative”.  
- Explain why the colonists felt that a written constitution was a better safeguard than an unwritten one.  
- Describe some ways in which he Articles of Confederation was a fundamentally flawed document.  
- Explain how colonial history and experimentation with self-government helped prepare the colonies to transitions into states.  
- Evaluate the impact of Shay’s Rebellion on the American political scene.  
- Describe some of the traits or characteristics | Chapter 2 Overview Themes: Group Work, and Writing:  
- a) Students will read and discuss the following handouts in small groups  
- b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.  
- Theme A: The Political Philosophy of the Founders  
  Why, if one is concerned with protecting human liberty, would one want to make the legislative branch of government dominant (rather than the executive or judicial)? Are there good reasons why someone concerned with liberty would distrust a strong executive? A powerful judiciary? Is liberty most often threatened by (a) powerful political elites who escape public control or (b) a majority intent on imposing its will on a minority? Which of these cases would lead one to favor a strong legislative branch?  
  What features of the Constitution make it difficult for government to do or achieve anything? Why were they included? Suppose you wanted to make government more capable of acting to solve the pressing problems of the country. The following changes are discussed in the textbook and each has its supporters. Which would you favor?  
  A) Allow individuals to be appointed to the president’s cabinet while still serving in Congress.  
  B) Allow the president to dissolve Congress and call for a special election.  
  C) Allow Congress to call for a special election of the president.  
  D) Require the presidential and congressional candidates to run as a team in each district, putting an end to split ticket voting.  
  E) Institute a single six-year term for the president.  
  F) Lengthen the terms for the House of Representatives to four years, so that members would stand for re-election with the president.  
  G) In what ways does the Constitution contradict the Declaration of Independence? In what ways is the | Theme A: The Political Philosophy of the Founders  
- The American Revolution: The Underlying Causes  
- The Colonial Mind (Natural Rights: Life, Liberty, and Property)  
- The Second Continental Congress  
- The Declaration of Independence  
- The Real Revolution: The debate about what made authority legitimate  
- Congressional Powers Under the Articles of Confederation  
- Weaknesses of the Articles of Confederation  
- The Road to Philadelphia: The Constitutional Convention  
- Hamilton & Washington: Proponents for a Stronger Central Government (Annapolis Convention)  
- The Lessons of Experience: Struggles and Shortcomings of Self-Governing  
- The Pennsylvania Constitution (Empowering the Masses)  
- The Massachusetts Constitution (Less Democratic …)  
- The Breaching Point: Shay’s Rebellion / A Prelude to Anarchy?  
- The Constitutional Convention at Philadelphia (1787)  
- Key Attendees / Notable Absences  
- Plans and Compromises: Virginia Plan, New Jersey  | Reading (Textbook)  
- Wilson: Chapter 2  
- #11 – Richard Hofstadter - The American Political Tradition (Pages 79 to 84)  
  How did the Framers of the U.S. Constitution reconcile the type of government they created with their perceived nature of man? In essence, explain how the fear of democracy lent to the crafting of the U.S. Constitution.  
- #13 – David Brian Robertson – The Constitution and America’s Destiny (Pages 90 to 98)  
  According to David Brian Robertson, “the delegates who made the Constitution were first and foremost politicians, not philosophers, political scientists, or plundering speculators.” Was the skill set of the politician more critical in the crafting of the U.S. Constitution than the wisdom and insights of political philosophers and historians? Why or why not.  
- # 10 – James Madison - The Federalist 10 and 51 (Pages 67 to 78)  
  Homework:  
  - Tuesday: Political Cartoon Analysis Form  
  - Thursday: Current Event Report Form  
  - Complete Mindtap Review and Practice Test (Cengage Learning – textbook website)  
  - Reading / Analysis – The Declaration of Independence  
  - Packet / Worksheet – Federalist Papers  
  - A) Controlling the “mortal disease of popular government” (Federalist No. 9 – Alexander Hamilton, Federalist No. 10 – James Madison).  
  - B) The benefits of “a large over a small republic” (Federalist No. 10 – James Madison)  
- #11 – Richard Hofstadter - The American Political Tradition (Pages 79 to 84)  
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- # 10 – James Madison - The Federalist 10 and 51 (Pages 67 to 78)  
  One of the greatest concerns that Madison had in drafting the new constitution was the dangerous and divisive nature of factions. Madison realized that factions could not be removed – only their effects could be limited. What did he mean with this assessment? How does a federal republic limit the impact of factions and help to preserve unity throughout the nation despite its many differences? Provide specific examples to support
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<td>• Reserved Powers</td>
<td>• The Structure of the U.S. Constitution: Preamble, the Articles, and the Amendments</td>
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<td>• Roger Sherman</td>
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<td>• Virginia Plan</td>
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- **Government & Human Nature (Aristotelian and Thomistic Views)**
- **Anti-Federalist Papers**
- **Federalist Papers**
- **Federalist #10**
- **Federalist #51**
- **Brutus #1**
- **Brutus #10**
- **Brutus No. 1**
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- **Brutus No. 1**
- **Great Compromise, Importation of Slaves, Fugitive Slave Clause**
- **Debating Ratification: The Federalists vs. the Anti-Federalists (Two Ideological Camps)**
- **Government & Human Nature (Aristotelian and Madisonian Views)**
- **Who Were the Anti-Federalists?**
- **Anti-Federalist Concerns**
- **Declaration of Independence**
- **Articles of Confederation**
- **U.S. Constitution**
- **Federalist #10**
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- **Constitutional Powers: Enumerated, Reserved, and Concurrent**
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- **Article One (Legislative Branch, Enumerated Powers)**
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- **Bill of Rights**
- **Things Not in the Constitution**
- **The Delicate Issue of Slavery**
- **The Constitution and Slavery (3/5th Compromise, Importation of Slaves, Fugitive Slave Clause)**
- **Debating Ratification: The Federalists vs. the Anti-Federalists (Two Ideological Camps)**
- **Government & Human Nature (Aristotelian and Madisonian Views)**
- **Who Were the Anti-Federalists?**
- **Anti-Federalist Concerns**

**Supplemental Reading Presentations** (group leaders and classroom discussion (see pages 26 to 28 for specific requirements):)

**Group Reading – The Declaration of Independence**
- This will be done in a round robin fashion with each student reading one of the grievances listed against the British king/government.

**Worksheet Packet – Federalist Papers (Federalist #10 and #51)**

**Worksheet Packet – Anti-Federalist Papers (Brutus 1)**

**Package / Worksheet – Anti-Federalist Papers**
- A) The "consolidated republic" over a vast extent of territory (The Federal Farmer No. 1 by Richard Henry Lee, and Brutus No. 1.)
- B) Dangers of the Extend Republic (Centinel No. 1, Brutus No. 1, Brutus No. 4).
- C) Disadvantages of the "remote states" (The Federal Farmer No. 2).
- D) Representation and the Diversity of Interests (Brutus No. 1)

**Test: Chapter 2 Test** (30 multiple-choice questions, 1 essay)
| • Speculate why the Framers believed that people would seek their own advantage (man is self-serving), both in and out of government. |
| • Describe the Aristotelian view of government. |
| • Describe the Madisonian view of government. |
| • Summarize the key issues presented by the Federalists and Anti-Federalists in ratification debates for the Constitution. |
| • Evaluate the impact of Federalist #10 and #51 in persuading the states to adopt the new U.S. Constitution. |
| • Explain why are coalitions more likely to adopt moderate positions in a large republic. |
| • Speculate why a bill of rights was omitted from the original drafting of the U.S. Constitution. |
| • Articulate why the First U.S. Congress added a Bill of Rights to the U.S. Constitution. |
| • Identify how slavery was address in the U.S. Constitution. |
| • Speculate why economist Charles Beard believed the economic considerations were chiefly behind the crafting of the U.S. Constitution. |
| • List and identify a number of proposals to improve the U.S. Constitution. |
| • Discuss continuing debates about democracy and the Constitution. |

**& Arguments**

- Brutus #1 (Key Points)
- Federalists Papers (James Madison, Alexander Hamilton, John Jay)
- Federalist Papers #10 and #51
- Overview: Federalist #10
- The Danger of Factions
- Why are factions to be feared?
- The Dilemma of Pure Democracy
- How Republics Protect From the Danger of Factions (Madison’s Republican Remedy)
- Republic vs. Pure Democracy
- Federalist #51 (Overview)
- Concerns for Minority Rights
- The Founders Pessimistic View of Human Nature
- The Aim of the New Constitution
- The Solution: Separation of Powers & Federalism (Double Security)
- Video Clip – Constitutional Scholar Carol Berkin on the Federalist and Anti-Federalists
- Chart – State Ratification of the U.S. Constitution
- Why the Federalist Prevailed
- Why was there no Bill of Rights in the Constitution
- Charles A. Beard: The Economic Motives of the Framers
- Challenges to Beard’s Assertions
- Suggestions for Constitution Reform
Know

- Federalism is a political system where regional/state government units, as well as a national government, that can make final decisions regarding some governmental activities and whose existence is protected.
- Some of the Enumerated Powers (powers of the national government) include coining money, maintaining armed forces, regulating interstate commerce and foreign trade.
- Some of the Reserved Powers (powers of the state governments) include regulating intrastate commerce, protecting the public welfare/safety, conducting elections, and establishing local governments.
- Concurrent Powers (shared between the national and state governments) include collecting taxes, establishing courts, enforcing laws, borrowing money, and providing for the general welfare.
- Under federalism, only the sovereignty of state governments is guaranteed. States may choose to create, combine, or abolish local governmental units as they see fit (i.e. – Dillon’s Rule).
- The United States, Canada, India, Germany, Switzerland, and Australia use a federal government structure.
- Most nations in the world use a unitary structure of government such as Great Britain.
- Under a unitary system all local governments are subservient to the national government, local government can be altered or abolished by the national government, and local governments do not have the final authority over any significant government activities.
- Examples of unitary governments include France, Britain, Italy, and Sweden.
- In a Confederacy, powerful local units of government (states) exist with a weak national government serving to unify the nation.
- Federalism is the sharing of duties and responsibilities between a national government and lesser units of government (states).
- Federalism offers special protection of state governments due to the (1) the nation’s constitution, (2) the habits, preferences, and dispositions of citizens, and (3) the distribution of power in society (a.k.a. - pluralism).
- Under federalism, the national government does not govern citizens directly but gets states to do so in keeping with national policy. This usually takes the form of mandates and grants.
- Political scientists have argued whether federalism is the best structure of government to operate under.
- Those opposed to federalism believe state governments block progress and protect powerful local interest to the detriment of the nation as a whole. A good example of that would be the segregationist practices in the American South.
- British political scientist Harold Laski argues that states are "parasitic and poisonous."
- American political scientist William Riker believes federalism "facilitated the perpetuation of racism."
- Other political scientists, like American Daniel Elazar, believe federalism contributes to governmental strength, political flexibility, and fosters individual. The states are viewed as "laboratories of democracy" to allow and encourage the implementation of new ideas on a small-scale best suit to the people of a given area.
- James Madison's Federalist #10 argues in favor of federalism. Small political units are more likely to be dominated by a single political faction that allows all relevant interest to be heard, somewhere.
- The most obvious effect of federalism is that it facilitates political mobilization by creating more points of access to government.
- States may experiment with their democratic institutions including allowing citizen initiatives, referendums, and recall elections.
- The Framers believed that neither national nor state government would have authority over the other since power comes from the people, who shift their support to keep the two in balance.
• The Elastic Clause (Article I, Section 8) (a.k.a. - the "necessary and proper clause") permits government to "stretch" it authority and create new powers for itself beyond what is listed in the Enumerate Powers. This is sometimes referred to as Implied Powers.
• The 10th Amendment was added to the Bill of Rights to clarify the limits of national power and to ensure that those powers know listed in the Constitution were reserved to the states.
• Alexander Hamilton believed in national supremacy since the U.S. Constitution was the supreme law of the land.
• Thomas Jefferson believed in states’ rights with the people as the ultimate sovereign; the national government was likely to be the principal threat to individual liberties.
• McCulloch v. Maryland was the landmark Supreme Court ruling that established national powers were supreme and therefore immune to state challenge. In addition, the national government could give itself new powers while fulfilling its constitutional mandates under the Necessary and Proper Clause.
• Gibbons v. Ogden was the landmark Supreme Court decision that determined that the interstate Commerce Clause of the U.S. Constitution meant that the federal government-licensing jurisdiction superseded that of state governments.
• Fletcher v. Peck was the first case in which the U.S. Supreme Court ruled a state law unconstitutional since Georgia violated the contract clause of the U.S. Constitution by voiding contracts.
• Nullification is the belief that states had the right to declare a federal law or action null and void if they believe it violated the U.S. Constitution.
• The American Civil War settled the debate about the legitimacy of the nullification doctrine; the federal union was indissoluble and states cannot nullify federal law.
• In Wickard v. Filburn the Supreme Court dramatically increased the ability of the Federal government to regulate nearly any economic activity under the Interstate Commerce Clause of the U.S. Constitution.
• In 2012 the U.S. Supreme Court upheld key provision of the Affordable Care Act (ACA) (i.e. – Obamacare) in National Federation of Independent Business (NFIB) v. Sebelius as an appropriate exercise of Congress’s taxing power.
• In United States v. Lopez, the Supreme Court ruled that Congress could not use the Commerce Clause to make possession of a gun in a school zone.
• Dual federalism (a.k.a. – Layered-Cake Federalism) occurs when both national and state governments are supreme in their own spheres and should be kept separate. For the first 150 of U.S. history the relationship between the national and government governments operated under dual federalism.
• Cooperative Federalism (a.k.a. – Marble-Cake Federalism) has existed since FDR’s New Deal. Since the 1930s the federal government has taken a much more activist role in the everyday life of Americans. It is difficult to make a distinction between federal and state spheres of power and authority as many responsibilities overlap.
• The 1960s saw the growth of Creative Federalism (a.k.a. – Picket Fence Federalism) under LBJ’s Great Society as state governments became more reliant of federal programs and funding. There was greater sharing of the costs to operate many social welfare programs as the federal government established the guidelines and the states were task with carrying them out.
• New Federalism and Competitive Federalism attempted to reverse marble cake federalism by giving more responsibilities to the states to come up with solutions to problems while the federal government took a step back and simply issued broad policy goals.
• States can do what is not prohibited by the U.S. Constitution or preempted by federal policy, and that is consistent with its own constitution (10th Amendment).
• The U.S. Constitution provides many protections to ensure state sovereignty: no state can be divided without its consent, two Senators for every state, every state is assured of a republican form of government (Guarantee Clause), and powers not granted to a Congress are reserved to the states.
• Dillon’s Rule states that cities and towns exist at the pleasure of the state and are not entitled to special constitutional protections
• Supreme Court rulings in the 1990s and 2000s (U.S. v. Lopes, U.S. v. Morrison, Printz v. U.S.) seem to indicate that the Court is willing to push back against federal encroachment on state power.
• What Washington legally may do is not the same as what politics may require.
• Federal money given to the states is often described in terms of “a carrot and a stick”. The federal government would prefer if states would do their bidding by providing them some type of resource (usually monetary). If the “carrot” doesn’t work, it may be necessary to use “the stick” (i.e. – mandate or condition of aid) to force the states to comply.
• Fiscal federalism is a term used to describe how the federal government allocates money to state governments to carry out federal policies. The three program areas are categorical grants, block grant, and revenue sharing.
• Grants (the transfer of federal money to the states for a defined purpose) allow the national government to exercise indirect control over the states by control the revenue stream to the states.
• Grants / Grants in Aid often appear as "free money" to states.
• Grants require broad congressional coalitions with wide dispersion of funds; this ensures that every state has an incentive to seek grant money (example - post 9/11 security funding for anti-terrorism activities).
• In the 1960s, the grants-in-aid shifted from what states demanded to what federal officials considered important as national needs (i.e. – Head Start and Special Education).
• Categorical grants are for specific purposes defined by federal law; often require state or local matching funds.
• Block grants are devoted to general purposes with few restrictions; most states prefer block grants to categorical grants.
• Revenue sharing requires no matching funds and can be spent on almost any governmental purpose.
• Grants and revenue sharing did not achieve the goal of giving states wider discretion about how the money could be spent; the number of strings attached to these grants and programs and continued to increase.
• Federal officials, liberal interest groups, and organized labor tend to distrust state government; categorical grants give the national government more power.
• No single interest group has a vital stake in multiple purpose block grants or revenue sharing.
• Categorical grants are matters of life and death for various state agencies.
• Conditions of Aid - tell state governments what they must do if they wish to receive grant money.
• Mandates (both funded and unfunded) tell state governments what they must do.
• Mandates are federal rules that states or localities must obey (examples - Civil Rights or Environmental Protection).
• Controversial mandates may result from court decisions (school desegregation, reduction of prison populations, etc.)
• Devolution initiative returned program management to the states, with some federal guidelines, but no guarantee of federal support (example - Welfare in the 1990s).
• Devolution proponents harbor a deep-seated ideological mistrust of the federal government and believe that state governments were more responsive to the people.
• Politics remains local. Members of Congress represent conflicting constituencies - won't always agree with governors and mayors.

Understand

• Federalism is a structure of government that empowers national and state governments to share power and make decisions.
• The powers of the national government are known as Enumerated or Expressed Powers.
• The powers of the state governments are known as Reserved Powers
• Powers shared by both the national and state governments are known as Concurrent Powers.
• Federalism ensures the sovereignty of the national and state governments; it does not grant special protection to local units of governments.
• A handful of national around the global have adopted federalism as their structure of government. These nations include the United States, Canada, India, Germany, Switzerland, and Australia.
• Because of small geographic size and homogenous populations, many nations around the Earth have chosen to use the unitary structure of government.
• Under a unitary system of government, all power is concentrated in the hands of the central government.
• Nations that have chosen to use the unitary system of government include France, Britain, Italy, and Sweden.
• Not all political scientists believe that federalism is the best governmental structure to use. Both Laski and Riker contend that states have held up needed reform and have perpetuated injustices in the name of States’ Rights.
• Proponents of federalism, like Daniel Elazar, believe federalism allows greater political flexibility and responsiveness to citizens’ needs.
• States are often called "Laboratories of Democracy" since they allow policy experimentation and inventive ways to tackle problems on a smaller scale.
• Initiatives, Referendums, and Recalls are all examples of how states may experiment with their democratic institutions.
• Federalists No. 10 and No. 51 serve as the prime historical documents that advocate the advantages of federalism by reducing the impact of divisive factions.
• The Elastic Clause (Article I, Section 8) allows the national government to expand its power and responsibilities in fulfilling their obligations to govern effectively.
• The 10th Amendment to the U.S. Constitution was intended to clarify that powers not specifically given to the national government were reserved to the states.
• Alexander Hamilton and Thomas Jefferson differed on where power rested under the new constitution. Hamilton believed in national supremacy while Jefferson advocated states’ rights with the people as the ultimate sovereign.
• McCulloch v. Maryland was the landmark Supreme Court decision that established federal supremacy over the states within the context of the Elastic Clause.
• Gibbons v. Ogden affirmed the right of the federal government to regulate interstate commerce.
• The U.S. Supreme Court affirmed in Fletcher v. Peck that state governments were not permitted to void contracts since it violated the contracts clause of the U.S. Constitution.
• State Rights’ proponents in many state disputes with the national government advocated nullification or Nullification Doctrine. One of the strongest proponents of this doctrine was John C. Calhoun. The most notably historical example of the nullification / federal authority debate centered on the issue of slavery.
• The American Civil War settled the issue of nullification once and for all (we hope).
• Wickard v Filburn dramatically increased the power the federal government to regulate any economic activity under the Commerce Clause of the U.S. Constitution.
• In United States v. Lopez, the U.S. Supreme Court limited the power of the federal government under the Commerce Clause to make possession of a gun in a school zone a federal crime.
• For most of American history the nation has followed the practice of dual federalism (separate spheres of duties and responsibilities for the national and state government). Today, cooperative federalism (the sharing of duties and responsibilities between the national and state governments) is a more common feature of American federalism.
• The 1960s saw the continuous overlapping and meshing of federal and state powers/authority with the implementation of many of the social welfare programs of LBJ’s Great Society.
• New Federalism hoped to devolve power from the federal government back to the individual states to allow innovation and problem solving without federal micro-management of policies.
• Recent decisions by the U.S. Supreme Court in U.S. v. Lopes, U.S. v. Morrison, Printz v. U.S., seem to indicate a willingness of the federal bench to push back against federal encroachment on state power.
• States have a wide deal of discretion about what type of laws and regulations they enact (provided that they are not in violation of the U.S. Constitution).
• The U.S. Constitution provides fundamental protections for states to exist (Guarantee Clause and the 10th Amendment).
• Dillon’s Rule states that towns and cities exist at the pleasure of the state and do not have any special constitutional protections.
• The federal government will routine use “the carrot and the stick” to cajole state to adopt a federal program or policy or comply with a mandate.
• Fiscal federalism is a term used to describe how the federal government distributes funding to the states in terms of categorical grants, block grants, and revenue sharing.
• Both block and categorical grants are used today by the national government to get states to comply with what the national government wants them to do.
• States and local governments have become dependent upon federal grants in providing basic services and fulfilling legal obligations to their citizens.
• States generally prefer block grants to categorical grants since there is more flexibility in how the money is allocated.
• Many groups prefer categorical grants since it compels the state and local governments to spend revenue on programs and activities they favor.
• Many mandates are unfunded and burdensome which generates resentment in the states against the national government.
• Devolution was the idea of shrinking the duties and responsibilities of the national government and turning them over to state governments to operate (“more effectively”).
• Politics remain local in the United States despite the massive geographic area and population size of the nation.
Know

- Most Americans do not think it is a good idea for the federal government to spend more money than it takes in.
- Deficits occur when yearly expenditure exceeds collected revenues.
- The National Debt is the total amount of deficits the government has incurred since the nation's inception.
- The federal government can deal with deficits by increasing taxes, cutting services and programs, borrowing money (with interest), or selling bonds (with interests).
- Bonds are always repaid; interest on bonds is paid every year.
- Interest payments are the third largest item in the yearly national budget.
- Gross Domestic Product (GDP) is the total of all goods and services produced in a country in a given year.
- The National Debt can be reduced if spending is cut or taxes are raised.
- When the nation is in recession, tax revenues decrease and spending on social programs normally increases leading to additional debt borrowing.
- Disputes about economic well being tend to produce majoritarian politics.
- Voters see connections between the nation as a whole and their own situations.
- Voting behavior and economic conditions are not always correlated at the national and individual levels. People do not always vote their pocketbooks; people generally understand what government can and cannot be held accountable for. People usually view economic conditions as having an indirect effect on their well being.
- Elected officials are tempted to take a short-term view of the economy and satisfy the self-regarding voter.
- Elected officials will not always do whatever is economically necessary to win an election.
- Government does not know how to produce all desirable outcomes.
- Generally - Democrats tend to want to reduce unemployment; Republicans want to reduce inflation.
- Majoritarian politics yields conflicting recommendation: lower taxes, less debt, new programs - all wanted by the average citizen.
- Meaningful tax cuts are politically difficult; new programs tend to be more popular with citizens and supported by politicians.
- There are five economic theories that address government spending: Monetarism, Keynesianism, Planning, Supply-side tax cuts, and Reaganomics.
- Monetarism (created by Milton Friedman) - Asserts that inflation occurs when there is too much money chasing too few goods. Advocates increasing the money supply at a rate about equal to economic growth and then letting the free market operate.
- Keynesianism (created by John Maynard Keynes) - Argues that government should create the right level of demand. When demand is too low, government should pump money into the economy by spending more money than it collects in taxes. When demand is too high, government should take money out of the economy by increasing taxes or cutting expenditures.
- Planning (created by John Kenneth Galbraith) - Asserts that the free market is too undependable to ensure economic activity. Government should plan parts of a country's economic activity (wage-price controls, industrial policy).
- Supply-Side Tax Cuts (created by Arthur Laffer & Paul Craig Roberts) - Asserts there is a need for less government interference in the market and lower taxes. Lower taxes would create incentives for investment. Greater economic productivity will then produce more tax revenue.
- Reaganomics - A combination of monetarism, supply-side tax cuts, and domestic budget cutting. The goal of Reaganomics is the reduction in the size of the federal government, stimulate economic growth, and increase military strength. The results of Reaganomics included stimulated economic growth, large budget deficits incurred, and a dramatically increasing size of the National Debt.
- Economic ideologies have clear political consequences; people embrace an economic theory partly because of their political beliefs.
• The machinery of economic policy-making is fragmented and not under the president's full control.
• Within the executive branch, numerous organizations influence economic policy: Council of Economic Advisers (CEA), Office of Management and Budget (OMB), Secretary of the Treasury, and the Federal Reserve Board (The Fed).
• Fiscal policy deals with taxing and spending. The primary players of fiscal policy include Congress (most import), the President, and Interest Groups.
• The CEA, OMB, and Secretary of the Treasury are sometimes referred to as the president’s “troika.”
• The Council of Economic Advisers is a group of professional economists sympathetic to the president's view of economics. They forecast economic trends and analyze economic issues.
• The Office of Management and Budget (OMB) is responsible to prepare estimates of amounts to be spent by the federal government and helping the President prepare the annual budget proposal to Congress.
• The Secretary of Treasury reflects the point of financial community and provides estimates of the government's revenues.
• Monetary Policy is the process by which the Federal Reserve Bank (The Fed) controls the supply of money and targets a rate of interest for the purpose of promoting economic growth and stability.
• The Federal Reserve Board (The Fed) is independent of both the executive and legislative branches of the federal government. The Fed is in charge of monetary policy (managing and controlling the supply of money and interest rates).
• Congress is the most important part of the economic policy-making machine.
• The Congress must approve all taxes and almost all expenditures (a.k.a. – fiscal policy).
• The Budget is a document that announces how much money the federal government will collect in taxes had how revenues / expenditures will be allocated among the various programs.
• The Fiscal Year (FY) is a time period covered by the budget, running from October 1 to September 30 of the following year.
• There was no federal budget before 1921; Congressional committees continued to respond independently to request for funding as needed.
• The Congressional Budget Act of 1974 established procedures to reform past practices.
• The Congressional Budget Office (CBO) analyzes the President's proposed budget and reports their conclusions to the Congress and the American people.
• Two-thirds of federal government spending is on entitlements.
• There have been numerous attempts to reduce the budget deficits and the overall National Debt. None of these reforms have achieved long-term success.
• In 1985, the Gramm-Rudman Balanced Budget Act placed the first cap on spending. The law called for automatic, across the board cuts in spending (sequester), if Congress and the President could not agree on budget cuts. Despite the Act, both Congress and the President found ways to increase spending.
• In 1990, the Budget Enforcement Act capped non-entitlement (discretionary) funding. If entitlement spending increased, there had to be cuts in discretionary spending or taxes had to be raised. Because of the economic boom of the mid-1990s, the provisions of this Act were allowed to expire.
• American citizens often debate what would be considered to be a “fair tax.” Some citizens support the continuation of the current progressive income tax; others believe a flat tax would be the best remedy to the complexity of America’s tax code.
• The United States government began to collect personal income tax with the passage of the Sixteenth Amendment in 1913.
• U.S. tax policy is a blend of majoritarian and client politics. Majoritarians favor a low tax burden with everyone paying something. Client politics favor loopholes / tax exemptions in the tax code that protect their special interest.
Understand

- Most Americans believe the annual budget deficits and the growth of the National Debt are not in best long-term interest of the nation.
- Deficit spending occurs when the federal government allocates more funds than they collect in revenue thus resulting in more borrowing.
- The National Debt is the sum total of all the budget deficits the federal government has occurred since the nation’s founding.
- In addition to raising taxes to generate additional revenue, the federal government can also issue interest bearing bonds and certificates.
- Regardless of the economic strength of the federal government, interest payments on bonds and certificates are guaranteed.
- Interest payments are the third largest item in the yearly national budget just behind entitlements and national defense.
- Gross Domestic Product (GDP) is the total of all goods and services produced in a country in a given year.
- GDP is an indicator of a nation’s economic strength and well-being.
- There are two primary methods that could be used to reduce the National Debt – raising taxes or cutting spending. Both are incredibly unpopular with the American people and are not likely to happen.
- During times of economic recession, tax revenues decrease and spending on social programs increases.
- Majoritarians (average citizens) tend to be concern with economic matters that impact the nation as a whole.
- Voters often make a correlation between their own economic well-being and that of the nation as a whole.
- People do not always vote their pocketbooks; in times of economic prosperity other social issues tend to come to the forefront of pressing problems.
- Elected officials often feel the need to try to deal with any economic downturn with a short-term gimmick (i.e. - tax holidays, tax rebates) to appear to be addressing the problem at hand.
- Despite times of economic uncertainty, politicians will not always do “the politically popular” thing to address an economic problem.
- Government does not always have a solution to address a time of economic uncertainty or high unemployment.
- Generally - Democrats tend to want to reduce unemployment; Republicans want to reduce inflation.
- The average citizen demands the following: lower taxes, less debt, new programs – which often leads to conflicting priorities and mixed messages for politicians to try to decipher.
- Meaningful spending reform measures are nearly politically impossible to achieve; government programs tend to be more popular with citizens and elected officials are reluctant to make fundamental changes to these programs (especially entitlements).
- There are five economic theories that address government spending: Monetarism, Keynesianism, Planning, Supply-side tax cuts, and Reaganomics.
- Monetarism (created by Milton Friedman) - Asserts that inflation occurs when there is too money chasing too few goods. Advocates increasing the money supply at a rate about equal to economic growth and then letting the free market operate.
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- Reaganomics - A combination of monetarism, supply-side tax cuts, and domestic budget cutting. Goal - reduction in the size of the federal government, stimulates economic growth, and increase military strength. Results - Large deficits incurred, dramatically increasing the size of the National Debt.
- Citizens tend to embrace an economic theory because of their political beliefs.
• Fiscal policy deals with taxing and spending and is controlled by the Congress and the President. Interest groups exert a tremendous amount of influence in the arena of fiscal policy.
• The machinery of economic policy-making is fragmented and not under the president's full control.
• Within the executive branch, numerous organizations influence economic policy: Council of Economic Advisers (CEA), Office of Management and Budget (OMB), Secretary of the Treasury, and the Federal Reserve Board (The Fed).
• The CEA, OMB, and Secretary of the Treasury are sometimes referred to as the president's "troika."
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• Congress is the most important part of the economic policy-making machine.
• The Congressional Budget Act of 1974 established procedures to reform past practices.
• The Congressional Budget Office (CBO) analyzes the President's proposed budget and reports their conclusions to the Congress and the American people.
• Two-thirds of federal government spending is on entitlements (mandated government spending on social welfare programs).
• Despite public concern over the growth of the annual deficit and the overall National Debt, there has been an absence of political will to enact meaningful long-term reform.
• In 1985, the Gramm-Rudman Balanced Budget Act placed the first cap on spending. The law called for automatic, across the board cuts in spending (sequester), if Congress and the President could not agree on budget cuts. Despite the Act, both Congress and the President found ways to increase spending.
• In 1990, the Budget Enforcement Act capped non-entitlement (discretionary) funding. If entitlement spending increased, there had to be cuts in discretionary spending or taxes had to be raised. Because of the economic boom of the mid-1990s, the provisions of this Act were allowed to expire.
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• The United States government began to collect personal income tax with the passage of the Sixteenth Amendment in 1913.
• U.S. tax policy is a blend of majoritarian and client politics.
• Majoritarians favor a low tax burden with everyone paying something.
• Client politics favor loopholes / tax exemptions in the tax code that protect their special interest.
Chapter 3 (Federalism)  
• Explain the differences between federal and centralized (unitary) systems of government and give examples of each (United States & Great Britain).  
• Show how competing political interests at the Constitutional Convention led to the adoption of the federal system in which the role of power is not clearly defined.  
• Outline the ways in which the courts throughout American history have interpreted national and state powers.  
• State the reasons why federal grants-in-aid to the states have been politically popular, and cite what have proven to be their pitfalls. Distinguish between categorical grants and block grants.  
• Distinguish between mandates and conditions of aid with respect to federal grant programs to states and localities. Discuss whether or to what extent federal grants to the states have created uniform national policies comparable to those of centralized governments.  
• Evaluate the effect of devolution on relationships between the national and state governments. Assess its implications for citizens as taxpayers.

Chapter 3 (Federalism) Overview Themes, Group Work, and Writing:  
a) Students will read and discuss the following handouts in small groups  
b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.

Chapter 3 (Federalism)  
• Historically, power has flowed to the central government. What reasons exist for the states to continue exercising independent power? Given the Supreme Court’s decision in McCulloch, what prevents the central government from assuming legal authority over any area of public policy?  
• Why doesn’t the federal government always intervene when states defy its authority?  
• Certain areas in Nevada permit prostitution; nine states have legalized the use of marijuana for “medical purposes”; Massachusetts has legalized same-sex marriage. Could the federal government legally intervene to forbid such practices in these states? Explain why or why not.  
• It would be possible to write a constitution that specified national, state, and even local spheres of governing much more clearly than the U.S. Constitution does. What might such a document look like? What would be its advantages? What would be its disadvantages?

Theme B: who governs now? The contemporary Politics of Federalism  
• Does the system of grants-in-aid upset the balance of federalism? Do grant programs enable Congress to do what it pleases by bribing states into compliance? Or do these programs merely increase the likelihood of national policy uniformity? What would be the consequence if a state refused federal grant money?  
• To what extent have interest groups produced grants-in-aid, and to what extent have grants-in-aid produced interest groups? Who constitutes the

Chapter 3 (Federalism)  
• Chapter Learning Objectives (An Overview)  
• Who Governs? To What Ends?  
• Illustration: Pyramid Structure of Federalism  
• Venn Diagram: Enumerate Powers, Reserved Powers, Concurrent Powers  
• PBS Crash Course: Federalism (YouTube)  
• Theme A: Who Governs What? Federalism & Constitutional Law  
• Governmental Structures (Federalism, Unitary, Confederation)  
• Figure 3.1 – Lines of Powers in Three Systems of Government  
• Special Protections of State Governments in a Federal System (Constitution, Political Culture, Pluralism, Grants)  
• Positive and Negative Views of Federalism (Harold Laslky, William Riker, and Daniel Elazar)  
• The Most Obvious Effect of Federalism (Facilitates Political Mobilization)  
• Political Cartoon: State Government – The Laboratories of Democracy  
• Initiative, Referendum, and Recall  
• Federalism: A hybrid governmental structure  
• Historical Tensions: 10th Amendment vs. Necessary & Proper Clause  
• Historical Tensions: Hamilton (Federalist) vs. Jefferson (Anti-Federalist)  
• The Impact of McCulloch v. Maryland, Gibbons v.

Chapter 3 & 18 Overview Themes, Group Work, and Writing:  
• Students will read and discuss the following handouts in small groups  
• As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.

Chapter 3 (Federalism)  
• Chapter Learning Objectives (An Overview)  
• Who Governs? To What Ends?  
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• Historical Tensions: Hamilton (Federalist) vs. Jefferson (Anti-Federalist)  
• The Impact of McCulloch v. Maryland, Gibbons v.
| and as clients of government.  
| • State where sovereignty is located in the American system.  
| • List the competing values that are at stake in federalism.  
| • Judge who should decide what matters ought to be governed mainly or solely by national laws.  
| **Chapter 18 (Economic Policy)**  
| • Show how voters have contradictory attitudes regarding their own and others' economic circumstances.  
| • Discuss the origin of the national deficit, its magnitude, and the various approaches to solving deficit spending.  
| • Compare and contrast the budget deficit to the National Debt.  
| • Define what G.D.P. (Gross Domestic Product) stands for and how it is calculated.  
| • Explain why the government owes not know how to produce all desirable outcomes.  
| • List and briefly explain four competing economic theories (Monetarism, Keynesianism, Planning, and Supply-Side).  
| • Assess the nature and impact of Reaganiomics.  
| • List the four major executive branch agencies involved in setting economic policy and explain the role of each (Council of Economic Advisers, Office of Management and Budget, Secretary of the Treasury, and intergovernmental lobby).  
| • How and why do conservatives and liberals differ over giving aid to the states without conditions?  
| • Why can't federal agencies attack complex problems by producing and implementing a coherent systematic policy? Why don't (can't) federal bureaucracies issue orders where necessary?  
| • Does the recent push toward devolution give the states too much power?  
| **Chapter 18 (Economic Policy)**  
| Theme A: Politics and Economics  
| • Why is the president held accountable for the economy? Remember that Congress plays an important role in setting fiscal policy and that the Federal Reserve Board is largely independent in setting monetary policy.  
| • Each of the four theories defined above has played a dominant role in United States economic policy, though each has dominated in a distinct historical period. Under what circumstances would you recommend implementing which theory? What are the particular strengths of each theory? The particular weaknesses?  
| • Which of the four theories of economic management is guiding the current presidential administration? How well is the theory performing, in regards to predicting economic developments and aiding in the development of strong economic policies?  
| • Why is political ideology so influential in economic policy? Why are politics and economics so interwoven?  
| Theme B: The Budget Process  
| • Does the president have the necessary tools to manage the economy? Is there any justification for such a decentralized system?  
| • Why are the majority of federal expenditures considered uncontrollable? Are there any that Congress really could not cut if it wanted to? In the 1990s, Congress began to control this spending. Why did Congress take this action?  
| • Why is the government not a neutral, efficient instrument for controlling the economy? Which of the following is the chief problem? (a) The incompetence, rigidity, or lack of coordination of the federal bureaucracy, (b) Lack of knowledge or ability on the part of the president or Congress, (c) The activities of interest groups, (d) The attitudes and opinions of the American public  
| • How do politicians manipulate monetary policy?  
| **Opden, Fletcher v. Peck**  
| • Nullification Doctrine  
| • Wickard v. Filburn (1942)  
| • National Federation of Independent Business (NFIB) v. Sebelius (2012) (Affordable Care Act)  
| • United States v. Lopez (1995)  
| • Federalism Timeline  
| • Dual Federalism (Layered Cake) vs. Cooperative Federalism (Marble Cake)  
| • Creative Federalism (Picket Fence Federalism): LBJ's Great Society  
| • New Federalism: Nixon, Reagan, Bush  
| • Tensions Between the Federal and State Governments  
| • 10th Amendment / State Rights / Guarantee Clause  
| • Dillon’s Rule  
| • Theme B – Who Governs Now? The Contemporary Politics of Federalism  
| • Federal Money: The Carrot and the Stick  
| • Fiscal Federalism (Categorical Grants, Block Grants, and Revenue Sharing)  
| • Grants in Aid  
| • Chart: Federal Grants to State and Local Governments (2014)  
| • Pie Chart: The Changing Purpose of Federal Grants to State and Local Governments  
| • Example: Post 9/11 Fair Share Security Funding Formulas  
| • 1960s: Shift in Grants-in-Aid  
| • Chart: Post 1960s Explosion of Federal Grants to State and Local Government by Function (1960-2011)  
| **Foundational Documents**  
| • McCulloch v. Maryland (1819)  
| • United States v. Filburn (1942)  
| • 10th Amendment  
| • 14th Amendment  
| #16 – Eric Ryan – Federalism and the Tug of War Within (Pages 122 to 132)  
| Federalism allows political flexibility and local preferences when it comes to policy choices and state sponsored legislation and regulations. However, environmental issues, especially those surrounding air or water quality, often have a national / international impact well beyond the political boundaries on an individual state. Is the challenge of environmental protection as we know it simply too big of a problem to have a piecemeal, state-level approach to the problem? Why or why not. Explain.  
| #18 – Lori Riverstone-Newell – Cities, Public Policy, and the Dilemmas of Federalism (Pages 133 to 138)  
| While federalism permits the states the authority to experiment with policy and legislation to suit their individual needs, this same degree of sovereignty is not usually extended to local governments (cities, counties, towns, etc.). What are the benefits and pitfalls of cities choosing to adopt policies contrary to state and national law (i.e. – sanctuary cities for illegal immigrants, decriminalization of marijuana, etc.). Why haven’t state and the national government been more forceful when dealing with this local defiance? Are these actions a symbol of a robust form of federalism thriving in America or a manifestation of hyper-pluralism and parochialism run amuck?  

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**April 15th (Tax Deadline)**  
**Article One, Section 8 (U.S. Constitution)**  
**Balanced Budget**  
**Balanced Budget Amendment**  
**Board of Governors (Fed)**  
**Bond**  
**Borrowing**  
**Budget Deficits**  
**Congressional Budget Office (CBO)**  
**Consumption (Economics)**  
**Corporate Income Tax**  
**Council of Economic Advisors (CEA)**  
**Customs Duties**  
**Deductions**  
**Deficit**  
**Dependents (taxes)**  
**Depression**  
**Discount Rate (Fed)**  
**Discretionary Spending**  
**Distribution (Economics)**  
**Economy (Fed)**  
**Economic bubble, Entitlements**  
**Exemptions**  
**Excise Taxes, Expenditures**  
**Fed**  
**Federal Budget**  
**Federal Reserve System (Fed)**  
**Fiscal Policy**  
**Fiscal Year (FY), Freedman (Million)**  
**Galbraith (John Kenneth)**  
**Government Securities**  
**Gramm-Rudman-Hollings Act (1985)**  
**Grants**  
**Gross Domestic Product (GDP)**  
**House Budget Committee**  
**Import Duties**  
**Import Duties**  

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**AP U.S. Government & Politics Curriculum / Syllabus**
<table>
<thead>
<tr>
<th>Theme A: Politics and Economics</th>
<th>Chapter 18 (Economic Policy)</th>
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<tr>
<td>What Ends?</td>
<td>#75 – Milton Friedman – Free to Choose (Pages 607 to 612)</td>
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<tr>
<td>Who Governors? To What Ends?</td>
<td>According to Friedman’s assessment, government, like power, in itself is not the problem. Rather, in the hands of men, government is often viewed as a tool to solve every problem and address every need regarding the cost of individual freedom. In the end, this massive entity becomes a juggernaut destroying personal freedom under the guise of the “common good”. Friedman advocates a return to restraint, to smaller, limited government rather than creating a giant social-welfare safety net for society. However, in the 21st century would it really be possible to return to limited government in which American citizens would tolerate a “hands off” government? Make a pro or con argument about the feasibility of adopting Friedman’s views in today’s society.</td>
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<td>Theme A Continued</td>
<td>#76 – David Wessel – Red Ink (Pages 613 to 620)</td>
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<td>The focus of this study is to examine the proposed overall budget for that department or agency for the next fiscal year.</td>
<td>David Wessel outlines the scope and depth of America’s fiscal problems with special emphasis place on the growing national debt. Gauging the enormity of the problem, Wessel does not offer the reader a formula to solve these huge national problems. After reading the article, propose some steps that could be taken to address this dire social, political, and economic situation. Next, assess the likelihood of any of your recommendations being adopted by the government. Finally, predict what the economic future may hold for the United States in light of our national debt.</td>
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Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)

DVD Presentations:
- I.O.U.S.A.: One Nation, Under Stress, In Debt (PBS – Approx. running time 85 minutes.)
- Ten Trillion and Counting (PBS / Frontline – Approx. running time 60 minutes.)

Optional Activity (Time Permitting)

Federal Budget Cutting Activity
- Students will pair up and pick a federal department or agency to study.
  - The focus of this study is to examine the proposed overall budget for that department or agency for the next fiscal year.
  - Each group is required to find 5% in savings by trimming their particular budget. Additional details on the requirements and expectations can be found in the packet.

- Figure 3.2 – The Changing Purpose of Federal Grants to State and Local Governments
- Conditions of Aid
- Political Cartoon – Federal Mandates
- Federal Aid and Federal Control
- Devolution / Block grants fund Entitlements
- The Devolution Revolution / Contract with America
- Example – AFDC (Aid to Families with Dependent Children)
- Congress & Federalism
- Video Clip: Arizona Immigration Law: Supreme Court Decision

Federal Budget (Fed). Analyze federal fiscal policy in terms of the text’s four categories of policy-making politics.
- Trace the history of federal government budgeting practices.
- List the three powers of the purse under the control of the U.S. Congress (Tax, Borrow, and Spend).
- Trace the progression of the proposal, modification, and adoption of a federal budget under the Congressional Budget Act of 1974.

Federal Mandates
- National Mandates
- Federal Mandates
- How to raise money
- Political Cartoon – Federal Mandates
- Federal Aid and Federal Control
- Devolution / Block grants fund Entitlements
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#76 – David Wessel – Red Ink (Pages 613 to 620) David Wessel outlines the scope and depth of America’s fiscal problems with special emphasis place on the growing national debt. Gauging the enormity of the problem, Wessel does not offer the reader a formula to solve these huge national problems. After reading the article, propose some steps that could be taken to address this dire social, political, and economic situation. Next, assess the likelihood of any of your recommendations being adopted by the government. Finally, predict what the economic future may hold for the United States in light of our national debt.
| Chart – National Debt with Reach 231% of GDP by 2050 |
| Chart – Social Security & Medicare Cost as % of GDP |
| GDP and the National Debt |
| The Politics of Prosperity |
| Politicians and the Economy |
| Ideology and the Economy |
| The Politics of Taxing and Spending |
| Political Cartoon: Trump Economic Plan / Tax Cuts |
| Comparative Government (Chart) Income Tax Rates: How the U.S. Stacks Up |
| Monetarism (Milton Friedman) |
| Keynesianism (John Maynard Keynes) |
| Planning (John Kenneth Galbraith) |
| Supply-Side (Arthur Laffer) |
| Reaganomics |
| The President and Economic Policy Making |
| Fiscal Policy |
| Presidential Policy Making Team (The Troika) – CEA, OMB, Secretary of the Treasury |
| Monetary Policy |
| The Federal Reserve Board |
| The Budget Process / Fiscal Year (FY) |
| Congressional Budget Act of 1974 / Congressional Budget Office (CBO) |
| Gramm-Rudman-Hollings Balanced Budget Act (1985) |
| Budget Enforcement Act |
| Levying Taxes / 16th Amendment |
| U.S. Tax Policy |
| Chart: Tax Brackets |
| Unit 2 Test | Week 9 |  |  |  | N/A | Review Textbook Company's Website: MindTap (Online self-check and practice test) | N/A |
| --- | --- |  |  |  |  |  |  |
| • Chapter 2: The Constitution (Pages 21-48) |  | • Comprehension & Mastery Check Prepare Students for the College Board Exam |  | • Chapter 3: Federalism (Pages 49-75) |  |  |  |
| • Chapter 18: Economic Policy (Pages 461-480) |  |  |  |  |  |  |  |
|  |  | Unit 2 Test |  | • 55 Multiple-Choice Questions |  |  |  |
|  |  |  |  | • 4 Free Response Questions: (2 Take Home Essay Questions, 2 In-Class Essay Questions) |  |  |  |
Unit 3
Chapters 8, 9, and 10
College Board: AP U.S. Government and Politics (Curriculum Standards / Requirements Addressed)
Unit 3  (Chapters 8, 9, 10)

Chapter 8 – Political Participation
Chapter 9 – Political Parties
Chapter 10 – Elections and Campaigns

Curriculum Requirement (CRs) addressed:

| Curriculum Requirements 1 through 16 | CR 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16 |

Reasoning Processes (RPs) addressed:

| Reasoning Process 1: Definition / Classification | RP 1.a, b, c, d, e, f |
| Reasoning Process 2: Process | RP 2.a, b, c, d |
| Reasoning Process 3: Causation | RP 3.a, b, c, d, e |
| Reasoning Process 4: Comparison | RP 4.a, b, c, d |

Disciplinary Practices (DPs) addressed:

| Disciplinary Practice 1: Apply political concepts and processes to scenarios in contest | DP 1.a, b, c, d, e |
| Disciplinary Practice 2: Apply Supreme Court decisions | DP 2.a, b, c, d |
| Disciplinary Practice 3: Analyze and interpret quantitative data represented in tables, charts, graphs, maps, and infographics | DP 3.a, b, c, d, e, f |
| Disciplinary Practice 4: Read, analyze, and interpret foundational documents and others text-based and visuals sources | DP 4.a, b, c, d |
| Disciplinary Practice 5: Develop an argument in essay format | DP 5.a, b, c, d |
### Big Ideas (BIs) addressed:

<table>
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<tr>
<th>CON</th>
<th>Constitutionalism</th>
<th>BI-CON 2, 6</th>
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<tr>
<td>LOR</td>
<td>Liberty and Order</td>
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<td>PDR</td>
<td>Civics Participation in a Representative Democracy</td>
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<td>PMI</td>
<td>Competing Policy Making Interest</td>
<td>BI-PMI 1, 3, 4, 5</td>
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<tr>
<td>MPA</td>
<td>Methods of Political Analysis</td>
<td>BI-MPA 1, 2, 3</td>
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### Political Skills and Practices (PS&P) addressed:

| Skill 1: Describe and explain constitutional and political institutions, principles, processes, models, and beliefs | PS&P 1.B |
| Skill 2: Explain connections among political behavior, political institutions, belief, and cultural factors | PS&P 2.A, B |
| Skill 3: Read, analyze, and interpret quantitative data to draw conclusions about political principles, processes, behavior and outcomes | PS&P 3.A |
| Skill 4: Read, analyze, and interpret qualitative sources | PS&P 4.A |
| Skill 5: Read, analyze, and interpret qualitative resources | PS&P 5.A, B |
Americans are often portrayed as not participating in the political system due to low voter turnout rates. This data tends to be misleading. When turnout of registered voters is examined, the problem is not so severe. Apathy is not the only cause of non-registration. Unlike many nations in the world, the United States requires citizens to register to vote on their own. In many nations this registration process is automatic.

Although voting rates are lower than many European nations, Americans tend to participate in many more political activities than do Europeans. Part of the reason for this is federalism that grants / encourages greater access to all levels of government.

Initially, states would decide who could vote and for what offices; the federal government was not part of this process. This led to wide variations in of who voted in federal elections.

Methods to restrict voting rights in the United States have included literacy tests, poll taxes, and the grandfather clause. Congress has since reduced state prerogatives through new laws and changes to the U.S. Constitution (15th Amendment, 19th Amendment, 23rd Amendment, the Voting Rights Act of 1965, and the 26th Amendment).

Two other constitutional amendments, 17th (the election of federal senators by a popular vote) and the 24th (a ban of any type of poll tax) also expending voting opportunities in the United States.

National standards today govern most aspects of voter eligibility. When comparing American to European voter turnout the statistical data may be somewhat misleading. Registration in most European nations is automatic while in the United States the burden falls to the individual voter.

Voting-Age Population (VAP) is used to describe all U.S. residents age 18 or older. Voting-Eligible Population (VEP) excludes U.S. residents not legally permitted to cast a ballot.

There are a number of theories about why the percentages of eligible voters are choosing not to vote. First, there is a real decline due to a lessening popular interest and the inability of political parties to mobilize large segments of the population. Second, the supposed decline may be somewhat misleading; today there are more honest ballot counts that were not present in the past. Finally, the way voter turnout is calculated (VAP vs. VEP) may skew the results. When examining VEP the variance between European & American voting turnout is not as great.

Registered non-voters gave three major reasons why they did not vote: (1) too busy or had a scheduling conflict, (2) family chores or obligations, and (3) believed their vote would not make a difference.

The Australian ballot (a standard, government printed ballot that is cast in secret) was adopted throughout the United States in 1910.

Scholars believe that the decline of voting by the American people can be attributed to several causes: (1) Some states have made registration more difficult (photo ID requirements, purging voting rolls, longer residency requirements, etc.), (2) a absence of a uniformed national voting system throughout the nation, (3) the rapid population increase of minority groups (low registration and voter turnout).

Voting is the most common form of political participation but eight to ten percent of US citizens tend to tell pollsters that they have voted when, in fact, they have not.

Sidney Verba (American Social Scientist at Stanford University) and Norman H. Nie (American political scientist at Harvard University) have created a schematic that identifies the six forms of political participation in the United States. (1) Inactives – Rarely vote, contribute to political organization, or discuss politics. Characteristics of this group include little education, low-income, young, and minority groups. (2) Voting Specialists – Vote but do little else, little education, lower income status, older, (3) Campaigners – Vote and get involved in campaign activities; tend to be better educated, interested in politics, identify with a party, and take strong positions, (4) Communalists – Non-partisan community activist with a local focus, (5) Parochial Participants – Don’t vote or participate in campaigns or political organizations, but contact politicians about specific problems (6) Activists – Participate in all forms of politics (highly educated, higher income earners, middle age citizens).
• One cannot make a broad generalization about the causes or meaning of participation. There are many factors having nothing to do with apathy that shape our participation rates—age, race, party organization, the barriers to registration, and popular views about the significance of elections.
• While fewer Americans may be voting, more Americans are participating (i.e. – civic activities).
• There are a number of key factors influencing voter choice. These include: (1) party identification and ideological orientation, (2) candidate characteristics, (3) contemporary political issues (motivational), (4) religious belief / affiliation, gender race / ethnicity, and (5) demographic characteristics (urban v. rural).
• There are a number of factors that tend to indicate if a citizen is more or less inclined to vote. Those with schooling or political awareness are more likely to vote. Churchgoers tend to vote. Men and women tend to vote about the same rates. Minority participation is somewhat lower than whites.
• There are a number of factors that may decrease turnout. These include youth, race, the inability of parties of effectively mobilize voters and any remaining impediments to voter registration.
• Studies show no correlation between distrust of political leaders and not voting.
• Several small factors decrease voter turn out: more youth and minority voters are eligible to vote but choose not to, parties are less effective in mobilizing voters, voting is compulsory in other nations, structural barriers (fewer polling places, inadequate number of voting machines (long lines) voting rolls purged, and picture ID requirements), less interest in mid-term elections, and general apathy.
• Democrats and Republicans fight over the best way to increase voting rates and political participation.
• Generally, higher voter turnout rates tend to favor the Democratic Party.
• There are four models of typical voting behavior. These include: (1) rational choice (voting based on what is perceived to be in the citizen's individual interest), (2) prospective voting (voting based on predictions of how a party or candidate will perform in the future), (3) retrospective voting (voting to decide whether the party or candidate in power should be re-elected based on the recent past / time in office), and (4) party-line / straight party ticket voting (supporting a party by voting for the candidate from one party for all public offices at the same level of government).
• Americans choose to vote less often than citizens of other nations but tend to participate more.
• Americans elect more officials and have more elections than most other nations.
• U.S. turnout rates are heavily skewed to higher status citizens.

Understand

• Despite having lower voter turnout rates compared to Europe, Americans tend to participate in politics and governmental actions more so than their European counterparts.
• Traditional barriers to larger voter turnouts (including additional registration requirements) may explain why fewer U.S. citizens participate in elections compare to citizens in other nations.
• Americans tend to participate in many more political activities than do Europeans. Part of the reason for this is federalism that grants many access points to all levels of government.
• Traditionally, states controlled who had access to the franchise and the means by which votes were cast. This led to wide variations in of who voted in federal elections.
• In the past, some states attempted to restrict voting through the use of literacy tests, poll taxes, and the grandfather clause.
• The passage of the 15th Amendment, 19th Amendment, 23rd Amendment, the Voting Rights Act of 1965, and the 26th Amendment greatly expanded voting rights in the United States to nearly every segment of the population.
• When comparing American to European voter turnout the statistical data may be often misleading.
• Registration in most European nations is automatic while in the United States the burden falls to the individual voter.
• Voting-Age Population (VAP) is used to describe all U.S. residents age 18 or older.
• Voting-Eligible Population (VEP) excludes U.S. residents not legally permitted to cast a ballot. VEP data offers a more accurate means of comparing U.S. and European voter turnout and voting rates.
• Common reasons why registered voters may choose not to vote include being too busy, having family obligations (no time), or a belief that their vote would not make a difference.
• The Australian ballot was adopted throughout the United States in 1910 to ensure the fair, non-partisan administration of elections.
• Scholars believe that the decline of voting by the American people can be attributed to several cause: (1) Some states have made registration more difficult (photo ID requirements, longer residency requirements, etc.), (2) a absence of a uniformed national voting system throughout the nation, (3) the rapid population increase of minority groups (low registration and voter turnout).
• Voting continues to be the most common form of political participation.
• Verba and Nie created a schematic that identifies the six forms of political participation in the United States: Inactives, Voting Specialists, Campaigners, Communalists, Parochial Participants, and Activists.
• It is difficult to make broad generalization about the causes or meaning of participation.
• Many factors influencing participation rates having nothing to do with apathy - age, race, party organization, the barriers to registration, and popular views about the significance of elections.
• While fewer Americans may be voting, more Americans are engaging in civic activities.
• A number of factors may influence voter choice. These include: (1) party identification and ideological orientation, (2) candidate characteristics, (3) contemporary political issues (motivational), (4) religious belied / affiliation, gender race / ethnicity, and (5) demographic characteristics (urban v. rural).
• Individuals with schooling or political awareness are more inclined to vote.
• Data reveals no clear correlation between distrust of political leaders and non-voting.
• Several factors decrease voter turn out: more youth and minority voters are eligible to vote but choose not to, parties are less effective in mobilizing voters, voting is compulsory in other nations, and apathy.
• Other factors that may decrease turnout include structural barriers (fewer polling places, fewer voting machines, long lines, voting timeframes, the purging of voter rolls, and voter ID requirements), and less interest in mid-term elections.
• Democrats and Republicans strongly disagree about proposals to improve political participation.
• Higher voter turnout rates generally tend to favor the Democratic Party.
• There are a number of models of voting behavior. These include rational choice (voting based on what is perceived to be in the citizen's individual interest), prospective voting (voting based on predictions of how a party or candidate will perform in the future), retrospective voting (voting to decide whether the party or candidate in power should be re-elected based on the recent past / time in office), and party-line / straight party ticket voting (supporting a party by voting for the candidate from one party for all public offices at the same level of government).
• Americans elect more officials and have more elections than most other nations.
• U.S. turnout rates are heavily skewed to people in the higher socio-economic bracket of American society.
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<td>Reading (Textbook) Wilson: Chapters 8</td>
<td>American Politics: Classic and Contemporary Readings #5.1 - Micah L. Sifry - &quot;Finding the Lost Voters.&quot; Sifry argues that voter turnout would increase if party candidates ran progressive and populist campaigns. Is it likely that parties in the future will take his advice? Do you have any additional suggestions that might help to increase voter participation?</td>
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<td>Chapter 8 Vocabulary</td>
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<td>Perspectives on American Politics</td>
<td>#5.2 - Michael Schudson - &quot;Voting Rites: Why We Need a New Concept of Citizenship.&quot;</td>
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<td>• Activists</td>
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<td>Homework:</td>
<td>#5.3 - Robert D. Putnam - &quot;Bowling Alone: America's Declining Social Capital.&quot;</td>
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<td>Tuesday: Political Cartoon Analysis Form</td>
<td>What does Schudson mean by &quot;the burden of Progressivism&quot;? Does the Progressive model of citizenship seem unrealistic when applied to today's voters? Have you personally experienced the &quot;burden of Progressivism&quot;?</td>
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<td>Thursday: Current Event Report Form</td>
<td>#5.5 - Robert D. Putnam - &quot;Bowling Alone: America's Declining Social Capital.&quot; What is &quot;social capital&quot; and how is it linked to politics? What indicators suggest that social capital is in decline in the United States?</td>
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<td>Complete Mindtap Review and Practice Tests (Chapter 8) (Cengage Learning – textbook website)</td>
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Chapter 8 Overview Themes, Group Work, and Writing:
- a) Students will read and discuss the following handouts in small groups
- b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.

Chapter 8 – Political Participation
Theme A: Popular Participation in Elections
- What have been the policy consequences of a broader electorate? Which extensions of the suffrage have changed policy outcomes, and which have mattered little?
- What could be done to increase voter turnout? Would a program of reforms to increase voting turnout need to focus on the cost of voting, the benefits, or both? Which do you think reform proposals do?
- Why not simply make voting compulsory? If you do not want to use coercion to induce voting, why not pay people to vote? If elections are a public good in which all citizens have a stake, why should we depend on unpaid voluntary action?
- Why is a large turnout a good thing? What is "social capital" and how is it linked to politics? What indicators suggest that social capital is in decline in the United States?
- Does this bias in participation suggest a democratic if people simply choose not to vote?

Theme B: Political Participation and Voting
- What sorts of people are overrepresented among those who participate a great deal?
- Does this bias in participation suggest a bias in the policies that the government will adopt? Is so, what sort?
- What types of political participation have become more common in recent years? Which are less common now? Why do you think this is the case?

Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)
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Enduring Understandings (EUs)

Know

- A party is a group that seeks to elect candidates to public office by supplying them with a label (party identification) by which they are known to the electorate.
- In the United States, parties have become weaker as labels, a set of leaders, and as organizations.
- The functions of political parties include recruiting candidates, nominating candidates (running conventions), and helping candidates win.
- Parties are organized around a set of values and agendas.
- Political parties serve as vital linkage institutions between the people and the government.
- A linkage institution is a structure within society that connects the people to the government or centralized authority.
- As a linkage institution, political parties help with issue identification, providing the means of gaining access to the government, and offering an avenue for people to influence public policy.
- Partisan affiliations of leaders and branches give a basis for cooperation in designing public policy.
- Political parties also serve as linkage institutions between the federal and state/local governments.
- Political parties exist in three arenas: as a label in the minds of voters, as an organization that recruits and campaigns for candidates, and as a set of leaders who organize and control the legislative and executive branches of government.
- Political parties also are essential in the mobilization/education of voters, developing party platforms/framing issues, and campaign management (fund raising & media strategy).
- Over the last few decades, political parties in the United States have become weaker and less important in the life of average citizens.
- Citizens today are increasing identifying as Independents (abandoning the Republican and Democratic parties) and are engaging in split ticket voting.
- American and European political parties are fundamentally different in a number of key areas.
- European parties are disciplined gatekeepers controlling access to who will represent the parties and what issues the party will champion; voters are very loyal.
- European political parties run national campaigns—not individual candidates. Party members are expected to vote and act together with members of his or her party.
- In the U.S., parties are relatively unimportant in daily life. Americans do not join or pay dues to political parties. Political parties also tend to be separate from other aspects of life (social, economic, class).
- In the United States, federalism decentralizes power making national parties little more than coalitions of local parties with bottom up power bases.
- American political parties have been weakened by state and federal regulations (end of patronage/Spoils System/decline of the political machines—especially in urban politics).
- American political candidates are elected by the electorate in primary elections—not by party leaders.
- In a parliamentary democracy (such as in Great Britain) there is no separation of powers between the legislative and executive branches of government. Whichever party wins controls on parliament has a mandate and the ability to party platform positions.
- In the United States, the president is elected separately from Congress and presidential appointments are drawn from many sources.
- In the United States, parties are relatively unimportant in everyday life. Unlike Europeans, Americans do not “join” or “pay dues” to a political party and do not consider their political party preferences as a means of social identification.
- There are four periods of development of the U.S. party system: Period 1 (The Founding to the 1820s), Period 2 (The Jacksonians to the Civil War), Period 3 (Sectionalism, Slavery, and the Civil War), and Period 4 (The Era of Progressive Reform).
• The Framers of the U.S. Constitution did not like the concept of political parties. Parties were viewed as dangerous factions that would seek to promote their own self-interest regardless of the impact to society as a whole.
• For parties to be accepted, citizens had to be able to distinguish between policy disputes and challenges to the legitimacy of government.
• The first American political parties (The Federalist and Anti-Federalist (later to be changed to the Democratic-Republicans)) emerged during the battle over the ratification of the new U.S. Constitution.
• Alexander Hamilton was a noted Federalist while Thomas Jefferson a Democratic-Republican.
• Early political parties were not viewed as a representation of homogeneous economic interest; parties were heterogeneous coalitions of diverse interests just as James Madison predicted they would be in Federalist #10.
  • The populist candidacy of Andrew Jackson and the birth of the modern Democratic Party in the 1830s transformed political participation into a mass phenomenon. Presidential electors were selected by popular vote in most states as the party abandoned the presidential caucus composed of Congressional members. The party was built from the bottom up (more emphasis on local control) and the first national party convention began.
• The modern Republican Party came to prominence over issues of slavery and sectionalism along with the decline of the Whig Party. Following the American Civil War, one political party dominated most states. The Republican Party broke into professional politicians (i.e. - Old Guard or Stalwarts) and progressives (i.e. - Mugwumps).
• The era of political party reform began around 1900 but did not come into its own until the New Deal of the 1930s.
• Progressives pushed numerous measure to curtail parties’ and influence: primary elections, strict voter registration requirements, civil service reform, the elimination of patronage (Pendleton Act), and the institution of citizen Initiatives, Referendums, and Recalls.
• The positive outcome of these reforms such a reduction of the worst form of political corruption. The negative outcome resulted in the weakening of all political parties.
• There has been a steady decline in citizens who identify themselves as either Republican or Democrat. Today an ever growing trend for citizens to self-identify as Independent.
• Critical or realigning period occurs when a sharp, last shift occurs in the popular coalition supporting one or both parties.
• There are two kinds of realignment: 1) A major party is defeated so badly that it disappears and a new party emerges (i.e. – the Whig Party being replaced by the Republicans) and 2) Two existing parties continue but voters shift their loyalty from one party to another (i.e. – FDR’s New Deal Coalition, Dixiecrats become Republicans).
• There have been five political party realignments so far: (1) 1800 (Jeffersonian Republicans defeated the Federalists), (2) 1828 (Jacksonian Democrats came to power), (3) 1860 (Whig Party collapsed; Republicans came to power), (4) 1896 (The Republicans defeated William Jennings Bryan), (5) Democrats came to office under FDR.
• Some political scientist claim that Nixon’s Southern Strategy produced another alignment when Dixiecrats left the Democratic Party and began identifying with Republicans due to Democratic support for the Civil Rights movement.
• Ronald Reagan’s 1980 electoral victory was not a true alignment in that many of the Democrats who voted for Reagan also voted for a Democratic legislature.
• The clearest examples of realignment occurred in 1860, 1896, and in 1932. 1860: Slavery issue fixed new loyalties in the popular mind. 1896: Economic issues shifted loyalties to East vs. West and city vs. rural. 1932: Economic depression triggered a new coalition for the Democrats.
• Evidence today suggests that parties are declining, not realigning. A larger portion of the electorate now splits their ticket when voting rather than voting for a single political party.
• Millennials tend to believe that there is little difference between the Republicans and the Democrats.
• Today, both the Democratic and Republican parties are similar on paper. The National Convention has the ultimate power; it meets every four years to nominate presidential candidates. The National Committee is composed of delegates from states; manages affairs between conventions. The Congressional campaign committees support the party’s congressional candidates. The National Chairman manages the daily work of the party.
• In the 1960s and early 1970s the RNC adopted a bureaucratic organizational structure; the DNC moved to a factionalized structure that redistributed power.
• The primary job of the national parties is to call the national party convention to nominate a candidate, represent the party in the media, and to raise money.
• The national convention meets every four years to nominate presidential candidates.
• The RNC and DNC spend most of their time managing affairs between national conventions.
• Each party’s Congressional Campaign Committee supports the party’s congressional candidates.
• The National Chairman manages the daily work of the party.
• Both parties employ the use of primaries and caucuses to select their candidates for office.
• Delegates to the party conventions are decidedly more partisan than the average voter.
• Delegates tend be issue-orientated activists. These delegates may select an extreme candidate who is unacceptable to a more moderate voters (i.e. – Barry Goldwater in 1964).
• Today the DNC and RNC send money to state parties to sidestep federal spending limits (soft money).
• Unlike the Republican Party, the Democratic Party has created a category of “super delegates” made up of party leaders and elected officials that automatically get a vote to select the party’s presidential nominee.
• Political Machine – a party organization that recruits members via tangible incentives (money, jobs, political favors). These machines maintained a high degree of leadership control over member activity; abuses and corruption were extensive. The most “machine” was NYC’s Tammany Hall. The Machines were both self-serving and public regarding.
• The Hatch Act of 1939 weakened the political parties by compelling government workers from absenting from political campaigns.
• Ideological parties are the extreme opposite of the Machine. Principle is more important than winning elections; these types of parties are contentious and factionalized.
• Members of solidarity groups are motivated by solidarity incentives (companionship).
• Sponsored parties are either created or sustained by another organization.
• Movements in the 1960s and 70s eventually replaced reform Parties, such as the Progressives.
• Personal followings require an appealing personality, an extensive network, name recognition, and money (i.e. – Bush, Clinton, Kennedy).
• Partisan identification provides underlying stability and a consistent worldview for the voter. A voter’s partisan identification shapes his or her attitudes and behaviors.
• The two-party system is a rarity among nations today. The parties are generally balanced nationally but not locally.
• The two-party system continues to endure for a reasons: (1) The Electoral system – winner-take-all and plurality system limit the number of parties, (2) The opinion of the voters – two broad coalitions generally work, (3) State laws make it very difficult for third parties to get on the ballot and (4) The inability of third parties to raise money to successfully compete.
• Citizens United v. FEC (2010) saw the birth of Super PACs that allow even greater sums of money to be spent on behalf of the two major parties.
• Today microtargeting and datamining allows political parties to narrowly focus on turning out their loyal base.
• Minor or Third Parties rarely have success in American politics. These parties can be broken down into numerous sub-categories: (1) Ideological Parties – comprehensive views (i.e. – Socialist, Communist, libertarian), (2) One Issue Parties – address one issue, avoid others (i.e. – Free Soil Party, Know-Nothing Party, Prohibition), (3) Economic Protest Parties – regional, protest economic conditions (i.e. – Populist), and Factional Parties – from splits in a major party (i.e. – Bull Moose).
• The impact of minor parties is hard to judge; issues are often co-opted by the two larger parties.
• There are two contrary forces when it comes to nominating a presidential candidate: (1) The party’s desire to win the presidency motivates it to seek an appealing candidate and (2) The desire to keep dissidents in the party happy forces a compromise with more extreme views (i.e. – Tea Party).
• Delegates to the national conventions tend to be more ideologically bias than the average voter.
• Normally only those citizens with a strong ideological biases are inclined to participate in primaries and caucus.
• Rank-and-file Democrats and Republicans differ on many political issues, but the differences are usually small.

Understand

• The goal of a political party is to elect candidates to public office. They do this by supplying them with a label (party identification) and by espousing a platform of issues / agenda items.
• Political parties have become weaker as labels, a set of leaders, and as organizations in the United States over the course of the last few decades.
• Political parties help to recruit candidates for office, nominate candidates, run political conventions, and support candidates as they try to win elections.
• Political parties exist in three arenas: as a form of identification in the minds of voters, as an organization that recruits and campaigns for candidates, and as a set of leaders who organize and control government.
• Political parties serve as a linkage institution between people and the government or centralized authority.
• Political parties help with issue identification, providing the means of gaining access to the government, and offering a way for people to influence public policy.
• Often partisan affiliations of leaders and branches of government give a basis for cooperation in formulating public policy.
• The working relationship between federal and state / local government officials is also facilitated by political parties.
• Political parties help to mobilize and educate voters, frame issues, create party platforms, manage campaigns for office, raise funds for election campaigns, and develop a media strategy to help educate voters and win elections.
• Modern American political parties become weaker and less important to the average voter
• Today more Americans begin to identify themselves as independent and engage in split ticket voting.
• American and European political parties are fundamentally different in a number of key areas.
• European parties are disciplined gatekeepers that cultivate candidates internally and foster strong bonds between party members. Party identification tends to be stronger in Europe than in the United States.
• In America, candidates normally run campaigns independently from the national party. In Europe, political parties run a national campaign that focuses on the party’s platform and agenda.
• In America, it is not uncommon for a candidate for office to distance themselves from the positions / agenda of the national party. In Europe, elected officials are expected to vote and act together with members of the party.
• Political parties in the United States are relatively unimportant in the daily lives of Americans. Party identify is usually separate from other aspects of life such as socio-economic status or occupation.
• Four distinct periods of development of the U.S. party system are noted in American history: Period 1 (The Founding to the 1820s), Period 2 (The Jacksonians to the Civil War), Period 3 (Sectionalism, Slavery, and the Civil War), and Period 4 (The Era of Progressive Reform).
• American federalism plays a large role in making national parties little more than coalitions of local parties.
• State and federal regulations have substantially weakened America’s political parties by ending the Spoils System and ending most forms of patronage.
• Because of primaries and caucuses, the American electorate picks political party candidates - not by party leadership.
• Parliamentary democracies, with a unified legislative and executive branch, allow winning parties to enact policies and agendas that are not usually often possible in the United States due the separation of powers and checks and balances.
• American political parties do not have a significant influence in the daily life of the American voter.
• The Framers believed that political parties were “factions” and would pursue self-serving ends at the expense of the nation.
• The first American political parties originated during the ratification battle over the U.S. Constitution. These first parties were known as the Federalists (supported a strong central government) and the Anti-Federalists (supported States’ Rights).

• For the most part, political parties have been heterogeneous coalitions of diverse interests just as was envisioned in James Madison’s Federalist #10.

• The populist candidacy of Andrew Jackson and the birth of the modern Democratic Party in the 1830s transformed political participation into a mass phenomenon with the abandonment of the presidential caucus composed of members of Congress.

• The modern Republican Party came to prominence over issues of slavery and sectionalism in pre-Civil War America as the Whig Party collapsed due to sectional infighting.

• The Republican Party was split between factions – the Old Guard or Stalwarts who were professional politicians, and the Mugwumps, or progressives.

• Progressive reform starting in the early 1900s pushed numerous measures to curtail parties’ and influence.

• Reforms had a two-fold effect: corruption was greatly reduced but so to the power of political parties.

• The Pendleton Act saw the end of most forms of patronage and the Spoils System.

• The decline of party identification is evident today with an ever-growing number of citizens identifying themselves as Independents instead of either Democrats or Republicans.

• Critical or realigning period occurs when a sharp, last shift occurs in the popular coalition supporting one or both parties.

• There are two basic types of realignments: 1) When a party disappears following a terrible defeat or 2) When the coalition of a party changes due to the party’s agenda.

• There have been five political party realignments so far: (1) 1800 (Jeffersonian Republicans defeated the Federalists), (2) 1828 (Jacksonian Democrats came to power), (3) 1860 (Whig Party collapsed; Republicans came to power), (4) 1896 (The Republicans defeated William Jennings Bryan), (5) Democrats came to office under FDR.

• Some political scientists claim that another realignment occurred when the Dixiecrats switch allegiance from the Democratic Party to the Republicans in the aftermath of the Civil Rights movement.

• Ronald Reagan’s 1980 victory was not a true realignment because the same Reagan-Democrats also voted in a Democratic congress.

• The clearest examples of realignment occurred in 1860, 1896, and in 1932. 1860: Slavery issue fixed new loyalties in the popular mind. 1896: Economic issues shifted loyalties to East vs. West and city vs. rural. 1932: Economic depression triggered a new coalition for the Democrats.

• Modern American political parties appear to be on the decline and are not simply realigning.

• More American voters are splitting their ticket than before.

• A growing number of Millennials see little difference between the Democratic and Republican parties.

• The primary jobs of both the national Democratic and Republican parties including calling the national party convention to nominate a candidate, represent the party in the media, and to raise money.

• The National Convention has the ultimate power; it meets every four years to nominate presidential candidates.

• The National Committee is composed of delegates from states; manages affairs between conventions.

• The Congressional campaign committees support the party’s congressional candidates.

• The National Chairman manages the daily work of the party.

• Both parties use the primary and caucus when it comes time to select a candidate for office.

• Delegates to the parties’ conventions are decidedly more ideological than that average voter.

• Most delegates are issue-orientated activist. These delegates may select a candidate who is unacceptable to a more moderate electorate (i.e. – Barry Goldwater in 1964).

• To avoid federal spending limits, both the DNC and RNC send “soft money” contributions to state parties.
Democratic “super delegates” made up of party leaders and elected officials that automatically get a vote to select the party’s presidential nominee. This category of delegate was created in the hopes of prevent a fringe or radical candidate from capturing the presidential nomination of the party.

A Political Machine is a party organization that recruits members via tangible incentives (money, jobs, political favors).

The Hatch Act of 1939 substantially weakened the political parties by compelling government employees to abstain from any active part of a political campaign.

For ideological parties, principle is more important than winning elections; these groups are often contentious and factionalized.

Members of solidary groups are often more motivated companionship than politics.

Sponsored parties are an outgrowth of another organization. Example: UAW (United Auto Workers and the Democratic Party of Michigan).

Reform based parties, such as the Progressives, were eventually replaced by movements in the 1960s and 70s.

Examples of personal followings include the Bush, Clinton, Kennedy families.

Partisan identification provides a consistent worldview for the voter that shapes his or her attitudes and behaviors.

The two-party system is a rarity among nations today.

The parties are generally balanced nationally but not locally.

The two-party system continues to endure because of the winner-take-all and plurality system, the two broad coalitions generally work, states make it nearly impossible for third parties to get on the ballot, and the inability of third parties to raise sufficient funds to compete against the Democrats and Republicans.

_Citizens United v. FEC_ and the birth of Super PACs dramatically increased the advantages in money the two major parties have over third party competition.

Both microtargeting and datamining allows political parties to narrowly focus on various subgroups that make up their base.

Minor or Third Parties rarely have success in American politics.

Ideological Parties tend to have radical / non-mainstream viewpoints (i.e. – Socialist, Communist, libertarian).

One Issue Parties address only one issue and avoid others (i.e. – Free Soil Party, Know-Nothing Party, Prohibition).

Economic Protest Parties are normally regional and focus exclusives on a set of economic conditions (i.e. – Populist).

Factional Parties split from a major party (i.e. – Bull Moose).

Issues and positions of minor parties are often co-opted by the two larger, umbrella parties.

Parties are often conflicted when trying to select a presidential candidate. The party’s desire to win the presidency motivates it to seek an appealing (and somewhat moderate) candidate. However, the desire to keep dissidents in the party happy sometimes forces a compromise with more extreme views (i.e. – Tea Party).

Delegates to the national conventions tend to be more ideologically bias than the average voter.

Normally only the most partisan of citizens participate in primaries and caucus.

Rank-and-file Democrats and Republicans differ on a variety issues, but the differences are usually small.
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| Unit 3 | Week 11 | Chapter 9 – Political Parties (Pages 189 to 212) | • Define the term “political party” and contrast the structures of the European and American parties, paying particular attention to the federal structure of the U.S. system and the concept of party identification • Identify the three arenas in which a political party exists • Explain why political parties are weak coalitions of local forums and identify those forums. • Trace the development of the United States party system through its four periods. • Explain why parties have been in decline since the New Deal. • Describe the structure of a major party. • Distinguish major from minor parties. • Describe why it is so difficult for third/minor parties to make any headway in gaining political power. • Indicate whether there are major differences between the parties. • Describe some of the issue differences between delegates at the Democratic and Republican conventions, and compare these differences with those of the party rank and file. | Chapter 9 Overview Themes, Group Work, and Writing:  
(a) Students will read and discuss the following handouts in small groups  
(b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion. | • Chapter Learning Objectives  
Who Governs? To What Ends?  
PBS’s Crash Course Government: Political Parties (YouTube Clip)  
Theme A1: Overview of U.S. Political Parties  
Political Parties defined  
The Functions of Political Parties  
Political Parties as Linkage Institutions  
Political Parties & Government  
Political Parties: Political Arenas of Existence  
Political Parties: Impact on the electorate & government  
Parties in the U.S. and in Europe  
The Four Periods of the Development of U.S. Political Parties (Period 1 – The Founding to the late 1820s, Period 2 – The Jacksonians to the Civil War, Period 3 – Sectionalism, Slavery, and the Civil War, and Period 4 – The Rea of Progressive Reform)  
The Results of Reform  
PBS’s Crash Course – Party System (YouTube clip)  
Chart – Decline in Party Identification 1988 to 2010 (Gallup)  
Party Realignment  
Five Historical Realignments (1800, 1828, 1860, 1896, and 1932)  
1932 Party Realignment / New Deal Coalition  
From Dixiecrats to the Bastion of the Republican  |

### Objectives

- **Unit 3 - Theme A: The Party Structure**
  - Students will read and discuss the articles comparing the party rank and file differences with those of citizens. They will compare these differences with the party's potential for electoral success.
  - Students will analyze the structure of a major party and distinguish major from minor parties.
  - Students will describe the political power and identify any major differences between the parties.
  - Students will evaluate the issue differences between delegates at the Democratic and Republican conventions and compare these differences with those of the party rank and file.

### Assignments

- **Reading (Textbook)**
  - Chapter 9 Overview Themes, Group Work, and Writing.
  - Students will read and discuss the following handouts in small groups.
  - As students read and discuss the articles, they should make a list of pros and cons they perceive from both the reading and the discussion.

### Additional Resources

- **Supplemental Reading**
  - The Lanahan Readings in the American Polity, 6th Ed (2016)
  - The Latino “wave” is upon the political landscape of America as Latinos are expected to become the majority race sometime by the mid-21st century. The authors contend the Democratic Party has failed to fully harness this untapped power to maximize their electoral advantage. For Republicans, failure to attract enough non-whites to their party may hinder them from having success in the future. Speculate what will Trump’s legacy be in regards to the pivotal role Latino-Americans will play in the future of American elections? Speculate/predict the future of both parties with the rise of Latino-America.

### Additional Assignments

- **Essay Response Questions**
  - The central obstacle to more effective action against our most pressing problems is an unwavering polarization of America's political parties. That polarization has divided Washington, and the nation, into hostile, even irreconcilable camps. Has partisan rivalry and ideological entrenchment undermined any chance of compromise in Washington, D.C. on a whole host of public policy issues? What will be the long-term ramifications of hyper partisanship on the two major parties?
majority coalition to win. In the United States the coalition is formed before an election, in the makeup of political parties. In European multiparty systems the coalition is formed after the election, when a political leader bargain for the support of other parties to form a voting coalition of a majority of seats in parliament. What difference might it make whether the coalition is together before or after the election? Which system allows the most meaningful elections? Which allows citizens to express their attitudes best in the polling booth? Which most effectively allows citizens to hold politicians account for what they do?

- Why do some voters believe that it is illogical to vote for a party other than one of the two major ones? What would a voter who found the Democrats insufficiently liberal have gained by voting for a presidential candidate such as Democrat Eugene McCarthy, who ran as an independent in 1976? Would this reasoning apply to the presidential elections of 1992, 1996, 2000, 2004, 2008, 2012, and 2016?

Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)

Optional Activity (Time Permitting)
Political Party Research Project
- The class will be broken down into pairs of students.
- Each group will select an American political party to research.
- Students will have to research the partisan preferences of four broad categories of policy: foreign, economic, domestic, social.
- Each of the four categories will be broken down into four sub-categories (16 total).
- Students will conduct research to discover the views / positions of their parties.
- The discovered information will be used to create a PowerPoint presentation that will be used as part of a presentation to the class.

Party (Solid South)
- Party Decline / Split Ticket
- Bar Chart – Fewer Millennials See Big Difference Between Parties (Pew)
- Political Cartoon – Divided Government and Voter Preferences
- Theme A2: Party Structure Today
- Party Structure Today (RNC – bureaucratized, DNC – factionalized)
- Primary Job of the National Parties
- Components of the National Party Structure (National Convention, National Committee, Congressional Campaign Committee, National Chair)
- Nominating a Presidential Candidate (Primary & Caucus)
- Table – How Party Delegates and Party Voters Differ in Liberal Ideology (Los Angeles Times)
- Profiling Delegates (liberal & conservatives)
- National Conventions / Supreme Conventions
- Theme B: U.S. Political Parties as Broad Coalitions
- State Level Structure of U.S. Political Parties
- Hatch Act of 1939
- Kinds of Parties (Political Machine, Ideological Party, Solidarity Groups, Sponsored Parties, Personal Following, Reform)
- Parties in the Electorate: Partisanship
- Reasons for the Two Party System (Winner Takes All System, Plurality System, Opinions of the Voters)
- How the Two-Party System Perpetuates Itself
- Money and Politics
- Funding a Campaign
- Citizens United v. FEC
- Campaign Finance in the

#69 – Bill Bishop – The Big Sort (Pages 558 to 565)
Bill Bishop lays out a compelling argument that the United States has sorted itself into like-minded niches, or tribes, that hold common values and worldviews and avoid interacting with those who share an opposing perspective. It seems that the Madisonian fear of factionalism is now a reality in the new age of tribalism. What may be the long-term ramifications of this for the future of the United States? Have we become too diverse, too different in our worldviews and attitudes that we choose to self-segregate to be around affirming like-minded individuals rather than interacting with those who may be ideologically different?

#70 – William Frey – Diversity Explosion (Pages 566 to 574)
William Frey’s prediction of future Democratic wins due to shifting demographics was recently called into question. Frey failed to predict the rise of Donald Trump or the reemergence of the angry, disgruntled working class long overlooked by Democratic elites. Does political earthquake serve as a cautionary tale about making assumptions about which political party may benefit from shifting demographics? Speculate why Frey may have miscalculated the success of the Democratic Party to date.

#71 – Robert Putnam & David Campbell – American Grace (Pages 575 to 582)
How can religious pluralism coexist with religious polarization? Does the “God Gap” between Democrats and Republicans mean greater polarization on issues such as abortion and gay marriage? Does religion in itself cause polarization or has it more to do with individuals using religion as a justification for the
United States (Hard Money v. Soft Money)
• Changes in Technology: The Age of Microtargeting
• Minor Parties and the Two-Party System
• Minority Parties (Ideological, One-Issue, Economic Protest, Factional)
• The Impact of Minor Parties
• Nominating a Presidential Candidate

actions they take or positions they advocate?

#72 – Linda Killian – The Swing Vote (Pages 583 to 592)
According to Linda Killian, a large segment of the American electorate would be in the so-called mushy middle, sharing a mix of conservative economic and socially liberal viewpoints. Despite the moderate predisposition of this demographic, both political parties seem unwilling to embrace moderate candidates to attract these voters consistently. Instead, the pathway to the nomination is often playing to the extremes of the ideological spectrum. Why is that the case? Speculate what role the presidential primary / caucus systems has had on this neglect of the moderate voter.
Know

- There are four basic categories of American elections. These include direct primaries, general elections, special election, and ballot issues.
- Political parties and state governments choose to use primary elections to determine who will represent the party in the general election.
- A closed primary limits participation to registered party members of a given state. This is the most common form of primary.
- An open primary is open to all registered voters regardless of their party affiliation.
- In some states, if no candidate receives a majority of the vote than a second primary is held between the two top voter getters. This is known as a run-off primary.
- Not all states use primary elections to select their candidates or follow the exact same rules. Other states choose to use a caucus or a convention of party members.
- The first (and most famous) caucus in the presidential race takes place in Iowa once every four years.
- The winners of the parties primary system than compete against each other in the general elections.
- General elections (bi-annual federal elections) are regularly scheduled election at all levels of government to determine control of the government. These elections are held on the first Tuesday of November on even number years.
- Presidential elections tend to have bigger turnout and more interest. The presidency, one-third of the Senate, and all house seats are up for election.
- The mid-term or off year election usually generates less interest and less turn out (except for the party base). One-third of the Senate and all members of the House are up for election. The president’s party usually loses seats during off-year elections.
- In partisan elections, candidates represent a specific political party (Democrats, Republicans, Green, etc.); in non-partisan elections (sometimes held at the local level of government), candidates are not identified by their political affiliation.
- A special election is called before a regularly scheduled election to an unexpected office vacancy usually caused by death, removal from office, or resignation.
- Ballot issues are issues that appear on the ballot for voter approval or rejection. There are three basic types of ballot issues: initiatives, referendums, and recalls.
- Initiatives allow new laws to be proposed by citizen petitions (i.e. – California’s Prop)
- Referendums allow voters to approve or reject legislation proposed by state or local government.
- Recalls allow voters to demand a new election for a public office before the term of office of the current occupant is up (i.e. – Gray Davies of California, Scott Walker of Wisconsin).
- Voters tend to learn about candidates through campaign communication (TV ads, mailers, pop-up Internet ads, direct mail, etc.), and campaign events.
- There is more voter participation in presidential campaigns; candidates must work harder than congressional candidates since they are national campaigns and usually more competitive than congressional races.
- Presidential coattails have diminished; congressional elections are substantially independent of the presidential election.
- When comparing and contrasting presidential and congressional campaigns there are several key differences: (1) Presidential elections tend to produce a significantly higher turnout than congressional races, (2) Motivated and partisan voters (the “base”) tend to play a critical role in determining the winners in congressional (off-year) elections (3) Members of Congress can do things for their constituents that the president cannot (“bringing home the bacon” & constituent services), (4) Members of Congress can run as individuals, distancing themselves from “the mess in Washington”; the president cannot, and (5) Congressional elections are now substantially independent of the presidential election (“all politics / elections are local”).
• Before officially running for a nomination as a candidate, an individual may spend many years prior laying the necessary groundwork for the run.
• Potential candidates may drop hints to reporters “off the record” that they are considering a run. They may travel to key primary and caucus states to make speeches. A governor or a member of Congress may try to have their name identify with a major piece of legislation to gain name recognition.
• In addition to the large commitment of time required to run for office, individuals are also faced with the daunting challenge of raising sufficient funds in order to be competitive.
• Political campaigns are essential in activating latent partisanship and giving the electorate to just a candidate’s character under stress and scrutiny.
• Media consultants, polling firms and political technology firms, perform many campaign tasks today. Media consultants and ads tend to be the largest campaign expense for candidates.
• In Congressional elections, all the money for campaigns comes from private sources.
• As of 2018, the maximum amount a citizen may contribute to a candidate directly is $2700.00. Most donations, however, are usually in the $100 to $200 dollar range.
• Citizens may contribute to candidates via PACs (Political Action Committees) and by direct contributions.
• Candidates must raise $5000 in twenty states in individual contributions of $250 or less to qualify for federal matching grants to pay for primary campaigns.
• Serious candidates require a large, professional (paid) staff.
• Common strategies and themes emerge from presidential campaigns: Incumbents defend their record; challengers attack incumbents, setting a tone for a race (positive or negative), developing a theme (i.e. – trust, confidence, experience), judging the timing (early momentum vs. reserving resources for a long primary season), and targeting a voter (the audience).
• Congressional races provide incumbents with extraordinary advantages compared to incumbent presidents. Some of these advantages is delivering constituent services, "bringing home the bacon" (getting federal funds into the district), name recognition, and amassing a “war chest” of funds for reelection (since all money is private; no public funds exist for congressional races).
• District boundaries are redrawn by state legislatures following the U.S. Census. They are routinely drawn to protect incumbents (i.e. – Gerrymandering) and make the seat “safe” from challenges.
• Two enduring problems have characterized congressional electoral politics: Malapportionment (districts have very different populations, so the votes in the less populated district “weigh more” than do those in the more-populated district) and Gerrymandering (boundaries are drawn to favor one party rather than another, resulting in odd-shaped districts).
• There are many problems or shortcomings associated with elections to the U.S. House of Representatives: (1) The size of the House is set at 435. Today a typical congressman may represent 500,000 to 1.5 million people. In contrast, the British parliament has 650 members but only a fraction of the total population of the United States, (2) House seat are reapportioned every ten years to reflect population shifts. Since every state is constitutionally guaranteed at least one House seat regardless of population, small, rural states are overrepresented compared to their actual population, (3) Since House members serve short terms (two-years) there is a constant pressure to raise funds and deliver services instead legislating national concerns, (4) Incumbents almost always win: most House races are non-competitive, (5) Personalized campaigns offer members independence from the party in Congress. Party loyalty is not nearly as strong since candidates essentially run their own races with primarily their own funds.
• In order to win a congressional primary, a candidate needs to have a successful ground game in place in order to gather enough voter signatures to appear on the primary election ballot.
• Parties have only limited influence of determining who will win primaries (i.e. – Establishment Republicans vs. Tea Party Republicans).
• How members get elected has two important consequences: legislators are closely tied to local concerns (tunnel vision / parochial interest dominate), party leaders have little influence in Congress, and members gear his/her office to help individual constituents while committees secure pork for the district.
• Members must decide how much to be delegates (doing what their district wants) versus trustees (use their independent judgment).
• What works in a primary election may not work in a general election and vice versa (different voters, workers, and level of media attention).
• Must be able to win the base, which are more ideologically stringent, while at the same time appealing to more moderate and swing voters.
• There are two kinds of campaign issues: (1) Policy issues in which candidates have opposing views and (2) Valence issues in which the public is united on a given topic; parties adopt similar positions but by varying degrees (i.e. – War on Terrorism).
• The gap between running a campaign and running the government has been growing: consultants work for different people in different elections – no participation in governing (hired guns).
• Money plays a huge role in the success or failure of congressional and presidential races.
• Traditionally presidential races were a mix of private and public money. Today, candidates can generally raise amounts far in excess of what public matching funds would legally permit. As a result, once the primary is won the Republican and Democrat candidates forego public funding of their campaigns.
• Congressional races are funded almost entirely by private money (individuals, PACs (political action committees), and political parties).
• Campaign finance rules were reformed in 1972 following Watergate and illegal donations from corporations, unions, and individuals.
• In 1974 the Federal Election Commission (FEC) was created. Other reforms included setting a limit on individual donations and reaffirmed ban on corporate and union donations (but allowed PACs).
• In 1976, the Supreme Court in Buckley v. Valeo ruled that campaign spending is protected speech under the First Amendment; the Court, however, did uphold the notion that donation limitations to political campaigns by individuals could be limited.
• For minor party candidates, a party needs to win at least 5% in the previous election to qualify for partial funding of presidential general campaigns.
• Two problems with the reform: (1) Independent expenditures – an organization or PAC can spend as much as it wishes on advertising, so long as it is not coordinated with a candidate’s campaign (527s – can spend their money on politics so long as they do not coordinate with a candidate or lobby directly for that person). (2) Soft money – unlimited amounts of money may be given to a political party, so long as a candidate is not named; this money can then be spent to help candidates with voting drives.
• The Bipartisan Campaign Finance Reform Act (McCain-Feingold) banned soft money contributions to national parties from corporations and unions, raised the amount on individual donations per candidate per election, and sharply restricted independent expenditures.
• In 2010, the U.S. Supreme Court in Citizens United v. FEC struck down campaign contributions bans / limits from corporations and big unions.
• Money alone does not always guarantee the success of a candidate.
• 527 Organizations are a source of money under the Bipartisan Campaign Reform Act. Money may be spent by third parties on issue advocacy / education so long as the creator of the ads does not coordinate their efforts with a candidate or campaign.
• During peacetime, presidential elections are usually decided upon the basis of three factors: political party affiliation, the state of the economy, and personal character of the candidate.
• Other factors about who or what influences presidential campaigns are usually overstated: vice presidential nominee, political reporting, religion of the candidate, a single issue (abortion, gun control, immigration, etc.).
• What decides elections?: (1) Party – More voters are registered as Democrats but Democrats are much less wedded to their party compared to Republicans, (2) Issues / Economy – V.O. Key: most voters who switch parties do so in their own interest. Few voters use prospective voting; voters know the issues and vote accordingly. Retrospective voting is practiced by most voters; judge the incumbent’s performance and vote accordingly, (3) Campaigns – Reawakens voters’ partisan loyalties. It allows the voters see how candidates handle and apply pressure; judge the candidates’ character, organizational skills, and core values. Campaigns tend to emphasize themes over details, and (4) Finding a Winning Coalition – The party-base plus enough independent, swing voters.
• The current Democratic coalition is large and very diverse but not overly loyal. The Republican coalition is shrinking; the party continues to move towards appeasing the conservative base (i.e. – exclusionary).
• Elections are usually decided by a number of factors: popularity or anger towards a particular party or candidate, issues (Prospective vs. Retrospective voting), the themes and timing of the campaign (positive vs. negative / peaking too early / late push), and finding a winning coalition.
• There are a number of benefits and drawbacks of modern campaigns. These include: (1) A growing dependency on professional consultants, (2) the duration of the election cycle (i.e. – the race is never over / voter burnout), (3) Rising campaign costs and the need for intensive fundraising efforts, and (4) The growing impact of and reliance on social media for campaign communication and fundraising.

• Public policy remains more or less the same no matter which official or party is in office; parties have a limited ability to build coalitions of officer holders. Winning coalitions may change from policy to policy.

• The American constitutional system generally moderates the pace of change.

• In comparison, Great Britain, with a parliamentary system and strong parties, often sees marked changes.

• Diffused power created by federalism makes sweeping policy changes highly unlikely. Some American elections do make differences in policy, though the constitutional system of the United States moderates the pace of change.

• Most elections are retrospective judgments about the incumbent president and existing congressional majority.

• The United States uses the Electoral College System to select the President of the United States.

• Under the Electoral College, citizens do not directly vote for a candidate. This was the intention of the Framers of the U.S. Constitution.

• Each state gets a minimum of three votes in this system regardless of their population. The remaining votes are apportioned based upon the population of the states.

• There are a total of 538 votes in the Electoral College (the composition of Congress +3 votes for the District of Columbia).

• Citizens in U.S. territories are denied the right to vote in presidential elections.

• Votes in the Electoral College are reapportioned every ten years following the U.S. Census.

• Critics point out there are many shortcomings of the Electoral College: (1) Smaller states have a disproportional say in presidential election based on the constitutional requirement that every state is entitled to three votes despite its population, (2) Individual votes in solid “red” or “blue” states probably will not sway the outcome of an election under the winner takes all system, and (3) a candidate can win the popular vote and still lose the Electoral College vote.

• 48 out of the 50 states use the winner takes all system if a candidate receives a plurality of votes. Maine and Nebraska award electoral votes based upon who wins their congressional districts.

• In order to win, a candidate must get a total of 270 electoral votes; it is possible to have a tie using this system 269 to 269. In case of a tie, the winner of the presidential contest will be determined by the House of Representatives in which every states receives one vote regardless of its population. The Senate would determine the vice presidency in the same manner. It is possible to have a president from one party and a vice president from another.

• There have been five occasions in which the winner of the Electoral College has lost the popular vote: 1824, 1876, 1888, 2000, and 2016.

• Pundits use the term “red” and “blue” to identify states that tend to lean Republican or Democrat.

• Swing states (states that could go for either party) are sometimes called “purple” states.

• A number of proposals have been offered to reform the Electoral College system including going to a national popular vote or doing away with the winner takes all system. Despite the criticism of the system, it continues to endure today.

Understand

• Direct primaries, general elections, special elections, and ballot issues are all common electoral systems used in the United States.

• The primary is a type of election in which rank and file party members can select candidates to represent their political party in the general election.

• Most states use a closed primary system in which voters must be registered party members.

• Other states employ an open primary system in which any registered voter may participate in whichever party’s primary they wish.

• A few states require a run-off primary of the top two voter getters if no candidate achieves a 50% +1 margin of victory.
• Under federalism, states can choose whichever system they wish to use to select candidates. Some states have opted to use a caucus or convention instead of a primary election to select candidates.
• The state of Iowa holds the first presidential caucus every four years.
• Following primary season, winning candidates next compete against each other in the general election.
• General elections are held on a bi-annual basis in the United States. The elections take place on the first Tuesday of November in even numbered years.
• Presidential elections tend to see higher levels of participation and interest amongst the American electorate. Off-year elections tend to have lower rates of turnout and less interest. It is common for sitting presidents to suffer the loss of seat of their party in the legislature.
• In a partisan election, candidates are identified by their party affiliation. In non-partisan elections, the affiliation of the candidate is left off the ballot.
• In cases of death, removal from office, or resignation a special election may be called to fill the vacancy.
• Ballot issues allow the electorate to have a direct say / impact of governmental proposals, pending legislation, or the retention of public offices. The three most common forms of ballot issues in the United States include initiatives, referendums, and recalls.
• Initiatives allow new laws to be proposed by citizen petitions (i.e. – California’s Prop)
• Referendums allow voters to approve or reject legislation proposed by state or local government.
• Recalls allow voters to demand a new election for a public office before the term of office of the current occupant is up (i.e. – Gray Davies, Scott Walker).
• Most voters learn about candidates and the positions they take by watching TV ads, receiving mailings, viewing Internet pop up ads, or hearing ad messages on the radio. Some voters may also attend campaign events to hear candidates address the public and pitch their candidacy to the electorate.
• Presidential campaigns tend to produce the more voter interest and participation; candidates must work harder than congressional candidates due to the campaign being held on a national stage with a much broader constituency.
• There has been a noted decline in Presidential coattails in recent elections. Today, most congressional elections are substantially independent of the presidential election due to the diminished impact of national party identification.
• Presidential elections tend to produce a significantly higher turnout than congressional races. Motivated, partisan voters (the “base”) tend to play a critical role in determining the winners in congressional (off-year) elections, which in turn may result in more ideologically partisan elected officials.
• Unlike the U.S. President, members of Congress can do things for their constituents such as providing constituent services and bringing home pork barrel projects.
• An incumbent President cannot run “the mess in Washington”; members of Congress can run as individuals, distancing themselves the problems of the federal government.
• All politics / elections tend to be local for Congressional races.
• It is necessary for candidates to spend a great deal of time cultivating the political environment for support before making a final decision to run for a party’s nomination.
• In addition to the large commitment of time required to run for office, individuals are also faced with the daunting challenge of raising sufficient funds in order to be competitive.
• Political campaigns help to active latent partisanship and give voters an opportunity to gauge the performance of the candidate under stress and scrutiny.
• Media consultants, polling firms, and political technology firms perform many features of the modern political campaign. Media consultants and ads tend to be huge expenses for the candidate in their quest for public office.
• Candidates running for Congress must raise all funding for their campaign through private money. The maximum individual contribution to a candidate is $2700.00 (2018) although most contributions fall in the $100 to $200 range.
• PACs (Political Action Committees) contributions and individual donations are an essential form of support for a candidacy to be successful.
In order to be perceived as a serious candidate, a large, professionally run and paid staff is essential in order to garner support from state and local party officials.

Common strategies and themes emerge from presidential campaigns rather than focusing on specific details of policy preferences.

Congressional incumbents are able to maximize their advantage of the office they hold to make them nearly unbeatable.

District boundaries are required to be redrawn by state legislatures following the U.S. Census to reflect shifts in population.

District lines are routinely drawn to protect incumbents and make the seat "safe" from challenges.

Malapportionment (districts have very different populations) and Gerrymandering (boundaries are drawn to favor one party rather than another) have contributed to the not competitive nature of many Congressional races.

Since every state is constitutionally guaranteed at least one House seat regardless of population, small, rural states are overrepresented compared to their population of the nation as a whole.

Short House terms (two-years) demand members pay constant attention to fund raising and delivering constituent services rather than focusing on legislating national concerns. This, in turn, weakens the party unity and leaves leadership with little control over their caucus.

Incumbents almost always win; most House races are non-competitive which often allows sitting members the luxury of re-election with much effort or expense.

Party loyalty is not nearly as strong since candidates essentially run their own races with primarily their own funds.

A successful ground game is essential to ensure a candidate can gather in enough voter signatures to appear on the primary election ballot of each state.

The way members of the U.S. Congress get elected has two important consequences: legislators are closely tied to local concerns (tunnel vision / parochial interest dominate), party leaders have little influence in Congress, and members gear his/her office to help individual constituents while committees secure pork for the district.

Members of Congress view themselves as delegates routinely vote the their district regardless of their own personal opinions. Members who view their role as trustees tend to use their independent judgment regardless of the opinion of their constituents.

Themes, strategies, and issues that dominated in primary elections may not resonate with general election voters (different voters, workers, and level of media attention).

For a candidate to be successful they must be first able to win the party base and then pivot to the center to appeal to more moderate and swing voters.

Two kinds of campaign issues tend to surface during races: Policy issues in which candidates have opposing views and Valence issues in which the public is united on a given topic; parties adopt similar positions but by varying degrees.

Many modern professional political consultants do not transition into appointed government officials following a successful campaign.

The amount of money a candidate has on hand to spend may play a huge role in the success or failure of a race.

Modern party nominees for presedent can generally raise campaign contributions far an excess of what public matching funds would legally permit.

Congressional races are funded almost entirely by private money; this has tended to weaken party loyalty over time.

In 1974 the Federal Election Commission (FEC) was created to ensure compliance with campaign election laws.

In 1976, the Supreme Court in Buckley v. Valeo ruled that campaign spending is protected speech under the First Amendment; the Court, however, did uphold the legality of limitation placed on individual campaign donations to candidates.

American third parties needs to win at least 5% in the previous election to qualify for partial funding of presidential general campaigns.

Independent expenditures allow an organization or PAC can spend as much as it wishes on advertising, so long as it is not coordinated with a candidate’s campaign.

Soft money is unlimited amounts of money that can be given to a political party, so long as a candidate is not named; this money can then be spent to help candidates with voting drives.
The Bipartisan Campaign Finance Reform Act (McCain-Feingold) banned soft money contributions to national parties from corporations and unions, raised the amount on individual donations per candidate per election, and sharply restricted independent expenditures.

527 Organizations are legal entities by which outside groups may “educate the electorate” on “promote issue advocacy” in an attempt to influence the electorate without coordination from a campaign or candidate.

Citizens United v. FEC fundamentally altered the way campaigns can now be financed by allow corporations and big unions to supply a steady stream of revenue to the political process.

The amount of money a candidate or campaign has does not always guarantee the success.

Political party affiliation, the state of the economy, and personal character often play a vital role in American elections, especially in peacetime.

Who is chosen as the vice presidential nominee, partisan political reporting, a candidates religion, or a singe issue (abortion, gun control, immigration, etc.) rarely sways the outcome of a presidential election.

More voters are registered as Democrats but Democrats are much less wedded to their party compared to Republicans. In turn, Republicans tend to do better in off year elections while Democrats can normally produce a larger turnout for presidential contests.

American political scientist V.O. Key believed that most voters who switch parties do so in their own interest.

Few voters use prospective voting (voters know the issues and vote according). Today, most voters practice retrospective voting (judge the incumbent's performance and vote accordingly).

Campaigns help to reawaken voters' partisan loyalties.

Campaigns serve a vital function. They allow the voters see how candidates handle and apply pressure; judge the candidates’ character, organizational skills, and core values.

Campaigns tend to emphasize broad themes over specific details.

In order for a candidate to be successful it is essential that they find a winning coalition (the party base plus enough independent, swing voters).

The current Democratic coalition is large and very diverse but not overly loyal.

The Republican coalition is shrinking; the party continues to move towards appeasing the conservative base at the expense of alienating moderate voters.

Elections are often decided by a myriad of factors: the popularity or anger with a particular party or candidate, predicting or judging a candidate’s performance in office (Prospective vs. Retrospective voting), the timing a campaign, issues that resonate with the electorate, and putting together a winning coalition of voters.

Modern election face many challenges in the 21st Century. These include: (1) A growing dependency on professional consultants, (2) the duration of the election cycle (i.e. – the race is never over / voter burnout), (3) Rising campaign costs and the need for intensive fundraising efforts, and (4) The growing impact of and reliance on social media for campaign communication and fundraising.

Public policy remains more or less the same no matter which official or party is in office.

Winning coalitions may change from policy to policy.

In comparison, Great Britain, with a parliamentary system and strong parties, often sees marked changes following election cycles.

American elections do make differences in policy, though the constitutional system of the United States moderates the pace of change.

Citizens indirectly express their preference for the presidency by using the Electoral College system.

Under the Electoral College, each state gets a minimum of three votes regardless of their population. Remaining votes are apportioned based upon the population of the states.

There are a total of 538 votes up for grabs in the Electoral College (the composition of Congress +3 votes for the District of Columbia).

U.S. citizens living in U.S. territories are denied the right to vote in presidential elections. U.S. citizens living aboard or armed forces personnel stationed abroad have the right to participate in the presidential election.

Votes in the Electoral College are reapportioned every ten years after the U.S. Census.
• Some argue that there are many shortcomings of the Electoral College: (1) Smaller states have a disproportional say in presidential election based on the constitutional requirement that every state is entitled to three votes despite its population, (2) Individual votes in solid “red” or “blue” states probably will not sway the outcome of an election under the winner takes all system, and (3) a candidate can win the popular vote and still lose the Electoral College vote.

• 48 out of the 50 states use the winner takes all system if a candidate receives a plurality of votes. This means that all of the electoral votes assigned to a state are giving to the winning candidate regardless of their margin of victory. The states of Maine and Nebraska award electoral votes based upon who wins their congressional districts.

• In order to win the Electoral College, a candidate must get a total of 270 electoral votes.

• It is possible to have a tie using this system (i.e. - 269 to 269).

• In case of a tie, the winner of the presidential contest will be determined by the House of Representatives in which every states receives one vote regardless of its population. The Senate would determine the vice presidency in the same manner. It is possible to have a president from one party and a vice president from another.

• Five times in American history the winner of the popular vote has lost the Electoral College: 1824, 1876, 1888, 2000, and 2016.

• The term red state and blue state are used to label states that tend to lean Democratic or Republican.

• Swing states (states that could go for either party) are sometimes called “purple” states.

• A number of proposals have been offered to reform the Electoral College system including going to a national popular vote or doing away with the winner takes all system. Despite the criticism of the system, it continues to endure today.
### Unit 3

#### Week 12

**Topics Covered**
- Chapter 10 – Elections and Campaigns (Pages 213 to 243)

**Chapter 10 Vocabulary**
- Assertion (Propaganda Technique)
- Ballot Issues
- Bandwagon (Propaganda Technique)
- Blanket Primary
- Blue America, Buckley v. Valeo
- Bundling
- Campaign Manager
- Caucus (electoral)
- Citizens United v. FEC (Federal Election Commission)
- Closed Primary
- Coattail
- Electoral College
- Endorsement (Propaganda Technique)
- Federal Election Act
- Federal Election Commission (FEC)
- 5th Amendment
- General Elections
- Gerrymandering
- Glittering Generalities (Propaganda Technique)
- Hard Money
- Initiative (Ballot Issue)
- Incumbent
- Independent Expenditures
- Iowa Straw Poll
- Issue Advocacy
- Just Plain Folks (Propaganda Technique)
- Lesser of the Two

**Unit Objectives**
- List the reasons / causes of the decay of political party influence.
- List the problems faced by candidates in attempting to win elections.
- Discuss how important campaign funding is to election outcomes, what the major sources of such funding are under current laws and how successful reform legislation has been in removing improper monetary influences from United States elections.
- Outline the processes for selecting candidates and for electing members of Congress, and discuss how the major differences between the two types of contests shape who runs and how it affects their campaign strategy.
- Identify what are the two kinds of campaign issues.
- Compare and contrast prospective and retrospective voting.
- Describe what the Democrats and Republicans each must do to put together a successful national coalition to win an election.

**Unit Activities**

- Chapter 10 Overview Themes, Group Work, and Writing:
  - a) Students will read and discuss the following handouts in small groups
  - b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.

- Theme A – How Campaigns Are Conducted
  - In the 1960 presidential debate between Kennedy and Nixon, television viewers overwhelmingly considered Kennedy the victor while radio listeners considered Nixon a narrow victor. What does this evidence suggest about the impact of issues on elections? Are today’s voters more critical consumers of the media? How should a candidate devise an electoral strategy to balance personality and issues?
  - Why would a candidate rarely wish to run a campaign focused solely on issues with his or her stands on those issues clearly explained? Be careful to distinguish between primary and general elections.
  - Should voters be prevented from splitting their ticket? This could be accomplished by issuing a party-specific ballot, as is done in open and closed primaries. Are there any benefits to split ticket voting, for the voter or for the officeholders? Would one party’s control of both the Congress and the presidency necessarily yield strong, coherent policy? Why or why not?

- Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements).

- Optional Activity (Time Permitting):
  - Campaign Manager Activity (Objectives)
    - Develop a pamphlet and poster that promotes a respected individual for public office.
    - Utilize various propaganda techniques that highlight the strengths of your candidate.
    - Develop an effective marketing strategy that packages and promotes your candidate to the widest possible audience.

**PowerPoint Notes / Topics**
- Chapter Learning Objectives
- Who governs? To What Ends?
  - Theme A1: Election Basics (A Brief Review)
  - American Elections (four basic categories)
  - Direct’” Primary Election
  - What is a Primary?: An Overview
  - Closed Primaries
  - Open Primaries
  - Run-Off Primaries
  - Non-Partisan Blanket Primary (The Jungle Primary)
  - Do All States Hold Primaries?
  - Presidential Caucus / Iowa
  - Do All States Follow the Same Election Procedures?
  - General Election
  - Presidential Elections / Mid-Term or Off-Year Elections
  - Should voters be prevented from splitting their ticket?
  - What are the two kinds of campaign issues?
  - Compare and contrast prospective and retrospective voting.
  - Describe what the Democrats and Republicans each must do to put together a successful national coalition to win an election.

**Reading Assignments**
- Reading (Textbook)
  - Wilson: Chapters 10
  - The Lanahan Readings in the American Polity, 6th Ed (2016)
  - #33 – Samuel Popkin – The Candidate (Pages 246 to 252)

- #33 – Samuel Popkin – The Candidate (Pages 246 to 252)
- A presidential campaign can sometimes go wrong when it must go right. To win, a candidate must create a strong supporting team to facilitate any chance of success. The team will help a presidential hopeful to be agile, to balance conflicting demands, and have the endurance to handle the setback when things don’t go as planned. If successful, some of these “team members” will accompany the new president to the White House. However, many do not. Speculate why some individuals may be ideally suited for a campaign run yet cannot transition effectively into helping a new administration govern. You may want to research some of the following individuals to provide you some context for your response – James Carville, (Clinton), Sean Spicer (Trump), and Steve Bannon (Trump).

- #60 – Dan Scala - Stormy Weather (Pages 471 to 477)
  - The long and grueling primary calendar quickly reduces the competing field of candidates from a dozen or more individuals to maybe the top two or three candidates for each party’s nomination. In order for a candidate to have any chance of success they often need a bounce coming out of the Iowa caucus, and especially New Hampshire primary. How could the party primary system be made “fairer” and allow a candidate to be selected from a larger cross section of society that represents the broad spectrum of values and beliefs that are held by the American people rather than utilizing the current system?
Evil (Propaganda Technique)
- Malapportionment
- Name Calling (Propaganda Technique)
- 19th Amendment
- Nonpartisan Election
- Open Primary
- Partisan Elections
- Party Convention
- Pennsylvania “T”
- Pinpointing the Enemy (Propaganda Technique)
- Plurality
- Political Action Committee (PAC)
- Position Issue
- Primary Election
- Propaganda
- Prospective Voting
- Public Funding
- Purple States
- Recall (Ballot Issue)
- Red America
- Referendum (Ballot Issue)
- Retrospective Voting
- Runoff Primary
- Self-Nomination
- Soft Money
- Special Elections
- Stacked Cards (Propaganda Technique)
- Straight-Party Ticket
- Super Delegates
- Swiftboating
- Transfer (Propaganda Technique)
- 26th Amendment
- Two-Party System
- Winner Takes All
- Valence Issues

section of the electorate. (Tasks)
- Select an individual that you believe would be an ideal candidate to run or either the U.S. Congress or the U.S. Presidency. This person should be somewhat knowledgeable about current events, government, and governmental policy.
- Interview this person and found out what their positions are on eight areas of policy.
- Create a foldable 8X11 pamphlet that could be copied and distributed to potential voters along with a campaign poster of your candidate.

- The Reality About Modern Party Conventions
- How Does the Campaign Matter?
- Running for Congress: The Realities of a Success Campaign
- Incumbent Advantages
- Chart: Changes in State Representation in the U.S. House of Representatives (U.S. Census Bureau)
- Campaigns Today / Media Consultants
- Chart: The 2014 Mid-Term Elections: Money Raised and Spent (Federal Election Commission)
- Campaigns Today
- Theme B: Money in Electoral Campaigns
- Funding for Congressional Elections
- Bar Chart: Total receipts of Political Action Committees (PAC) in the United States from 1969 to 2012 (statista)
- Bar Chart: PAC Spending in Millions (1978 to 2012) (The Atlantic)
- Bar Chart: Most Popular Congressional Investments (Opensecrets.org)
- Pie Chart: 2012 Campaign Spending (FEC)
- Congressional Elections / Incumbents
- Chart: Congressional approval rating in election years / Percentage of House and Senate incumbents reelected (1974 to 2014) (Gallup)
- Bar Chart: 2010 PAC Contributions: Who Got What (Opensecrets.org)
- Drawing District Boundaries (Malapportionment & Gerrymandering)
- PBS’s Crash Course Government: Congressional Elections (YouTube)
- 1974 Campaign Finance Reform / Federal Election Commission (FEC)

#61 – Robert Boatright – Getting Primaried (pages 478 to 486)
According to Robert Boatright, “getting primaried” – or just the threat of getting primaried – only adds to the further polarization of party politics in the U.S. Is the quest by outside groups and party bases to weed out the non-ideological pure candidates a major factor in gridlock today? Explain.

#62 – Dennis Johnson - No Place for Amateurs (Pages 487 to 496)
Has the rise of political hired guns to run campaigns and formulate policy either elevated or diminished the democratic nature of our political system? Does this new reality encourage or discourage greater political participation from average citizens? Explain / elaborate.

#63 – David Mark – Going Dirty (Pages 497 to 505)
The issues and themes of negative campaigning will vary by decade and era, but not the use of those tactics by ambitious politicians. According to David Mark, voters should be given as many facts about potential office holders as possible so they can make up their own minds about what is, and what is not important. Do you agree? What if the information being presented is distorted, misleading, or not even relevant? How is the voting public to know what to believe and how are they to discern what is important and what is trivial?

#64 – Sasha Issenberg – The Victory Lab (Pages 506 to 517)
The author refers to the letters that were sent to thousands of Coloradans as a useful weapon in the “politics of shame.” Rather than broad appeals to turn out voters, the campaign of Bennet instead
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A few dozen rich donors might now have the influence that the parties’ nominees will be and what platforms they could embrace. What impact will the big money donors have on America’s party system in the future, especially after the *Citizen United* decision? Is there a danger that a single individual or small group could fundamentally alter a party’s platform or choice of candidates based upon their own agenda? Is this a danger to democracy or simply a by-product of if? 

used micro-targeting to guilt tripped reluctant voters by reminding them to consider the potential consequence of their electoral inaction. Surprisingly, the ploy worked! Do you think this style of micro-targeting could again be effective or be applied at the national level? Why or why not. Why are people more responsive to passive aggressive “simplicity” rather than Madison Avenue advertising that tries to inspire?
| Unit 3 Test | Week 13 |  | Among All Eligible Voters  
Suggestions to Fix the Problems with the Electoral College |
| --- | --- | --- | --- |
|  |  | • Chapter 8 – Political Participation  
(Pages 171 to 188)  
• Chapter 9 – Political Parties  
(Pages 189 to 212)  
• Chapter 10 – Elections and Campaigns  
(Pages 213 to 243) | • Comprehension & Mastery Check  
• Prepare Students for the College Board Exam | |
|  |  | Unit 3 Test  
• 55 Multiple-Choice Questions  
• 4 Free Response Questions:  
(2 Take Home Essay Questions, 2 In-Class Essay Questions) | N/A |
|  |  |  | Review Textbook Company's Website:  
MindTap (Online self-check and practice tests) |
|  |  |  | N/A |
Unit 4
Chapters 7, 11, and 12
### Curriculum Requirement (CRs) addressed:

| Curriculum Requirements 1 through 16 | CR 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16 |

### Reasoning Processes (RPs) addressed:

| Reasoning Process 1: Definition / Classification | RP 1.a, b, c, d, e, f |
| Reasoning Process 2: Process | RP 2.a, b, c, d |
| Reasoning Process 3: Causation | RP 3.a, b, c, d, e |
| Reasoning Process 4: Comparison | RP 4.a, b, c, d |

### Disciplinary Practices (DPs) addressed:

| Disciplinary Practice 1: Apply political concepts and processes to scenarios in contest | DP 1.a, b, c, d, e |
| Disciplinary Practice 2: Apply Supreme Court decisions | DP 2.a, b, c, d |
| Disciplinary Practice 3: Analyze and interpret quantitative data represented in tables, charts, graphs, maps, and infographics | DP 3.a, b, c, d, e, f |
| Disciplinary Practice 4: Read, analyze, and interpret foundational documents and others text-based and visuals sources | DP 4.a, b, c, d |
| Disciplinary Practice 5: Develop an argument in essay format | DP 5.a, b, c, d |
Big Ideas (BIs) addressed:

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Political Skills and Practices (PS&P) addressed:

| Skill 1: Describe and explain constitutional and political institutions, principles, processes, models, and beliefs | PS&P 1.A, B |
| Skill 2: Explain connections among political behavior, political institutions, belief, and cultural factors | PS&P 2.A, B |
| Skill 3: Read, analyze, and interpret quantitative data to draw conclusions about political principles, processes, behavior and outcomes | PS&P 3.A |
| Skill 4: Read, analyze, and interpret qualitative sources | PS&P 4.A, B |
| Skill 5: Read, analyze, and interpret qualitative resources | PS&P 5.A, B |
Know

- The Framers of the U.S. Constitution did not try to create a government that would do on a day-to-day basis, what the people wanted.
- Public opinion is how people think or feel about particular things.
- Most people do not spend a great deal of time thinking about politics; Americans suffer high levels of public ignorance.
- It is difficult to identify “one” public opinion since there are so many publics.
- Opinions tend to be uninformed, unstable, and sensitive to different ways of asking poll questions.
- Americans are divided by their political ideologies but not along a single liberal-conservative dimension.
- Three factors characterize the nature of public opinion: diversity (public opinion is varied and is unlikely to be uniformed), communication (attitudes and ideas must be expressed to communicate to public officials), and significant numbers (enough people must hold a particular opinion to make government officials listen to them).
- Americans express their opinions at the ballot box; between elections, public officials want to know what the public is thinking.
- There are many non-scientific ways to gauge public opinion. Some of these may include the actions / attitudes of political parties and organization, the activities and mission of interest groups, stories appearing in the mass media, letter writing and Email campaigns, straw polls, and social media activity (websites and blogs).
- Scientific polling is any polling that makes use of statistical information during the process of selecting participants. Before pollsters developed scientific polling, they typically surveyed members of the public at random or focused on specific types of poll participants to intentionally skew results.
- Citizens are good as using cues (limited information) to figure out what candidates / positions reflect their values or interests.
- In order for public opinion polls to work the questions need to be reasonable and worded fairly. Pollsters have to ask people about thing for which they have some basis to form an opinion.
- Scientific polling has three basic steps: (1) randomly selection a sample of the group to be questioned, (2) presenting carefully worded questions to individuals in the sample, and (3) Interpreting the results.
- A universe is a group of people that is to be studied (i.e. – senior citizens, veterans, college students, etc.)
- A representative sample is a small group of people who are typical of the universe. This is used since it is impossible to poll all the people in a typical universe. Most pollsters use samples of 1200 to 1500 adults to accurately measure the opinions of all adults.
- A random sample allows accuracy of a representative sample. It is a technique used that ensures everyone in a given universe has an equal chance of being selected. Random sampling is necessary to ensure a reasonably accurate measure of how the population thinks or feels.
- A sampling error is a measurement of how much the sample results might differ from the sample universe. Sampling errors decrease as the sample size becomes larger.
- A sampling error reflects the difference between the results of two surveys or samples. When interpreting a poll, it is vital to know what the sampling error is.
- Polling question must be worded carefully to ensure they are free from bias and not leading a response.
- Most public opinion polls have a sampling error of only +/-3%.
- Polling is never completely accurate; pollsters can never be sure that the people they are interviewing are being honest.
- A benchmark or tracking poll in when continuous surveys are taken to allow a campaign or the media to chart a party or candidates daily rise and fall in the polls.
- Tracking polls are sometimes criticized as turning a political contest into a horse race rather than providing a deeper analysis or examination of the issues.
• Entrance or exit polls are interviews with randomly selected voters conducted at polling places on Election Day.
• Deliberative polls attempt to measure what the public would think if they thoughtfully considered an issue. A relatively large sample of voter is selected for intensive briefings, discussions, and presentations.
• Focus groups are demographically diverse group of people assembled to participate in a guided discussion about a particular set of issues. One of the shortcomings of focus groups is the influence of group leaders on the group, group dynamics, and influence of the moderators.
• Push polling is a form of negative campaigning under the guise of polling. Push polling is a marketing technique in which an individual or organization attempts to manipulate or alter prospective voters’ views / beliefs under the guides of conducting an opinion poll. In all such polls, the pollster asks leading questions or suggestive questions that “push” the interviewee towards adopting an unfavorable response towards the political candidate or issue in question.
• Opinion saliency means that some people care more about certain issues than most other people do (i.e. – gun control, abortion, gay marriage, etc.).
• Opinion stability is the steadiness or volatility of opinion on an issue.
• Opinion-policy congruence is the level of correspondence between government action and majority sentiment on an issue.
• Political socialization is the process by which personal and other background traits influence one’s views about politics and government.
• Children tend to share parents’ political orientations and party identification.
• Opinion seems to vary in ways associated with class, race, religion, gender, and other characteristics.
• (Political) Elites know more about politics and government than do Majoritarians; Elites tend to hold a consistent set of opinions about the policies the government ought to pursue.
• Families form and transmit political beliefs through their religious tradition.
• Religious influences on public opinion are most pronounced with respect to social issues (i.e. - abortions, gay marriage, etc.)
• The gender gap refers to how men and women tend to view issues differently due to their genders.
• Education plays a pivotal role in the process of socialization.
• College education tends to have a liberalizing effect due to exposure to a variety of diverse viewpoints that may have not previously been part of one’s educational experience.
• Young people tend to be more liberal, progressive, and tolerant than older citizens.
• Increased schooling has not been associated with increased political participation.
• Social class is ill defined in the United States; everyone claims to be part of the middle class regardless of their actual income.
• Social class is less important in the U.S. than in Europe; class voting has sharply declined in the United States and other western democracies since the 1940s.
• Many non-economic issues now define the terms liberal and conservative (i.e. – gun control, abortion, etc.).
• African-Americans tend to most strongly align their voting preferences with the Democratic Party.
• Latinos tend to identify as Democrats, although not as strongly as African-Americans.
• It is impossible to lump all Latinos into one ethnic group – Mexicans, Puerto Ricans, Cubans, South Americans, etc.
• During the last few election cycles the Democratic Party has continued to attract Asian Americans.
• White Southerners tend to be more conservative socially and politically than other regions of the United States.
• Historically, the South has been more accommodating to business interest and less accommodating to organized labor than the North.
• The remaining bastions of the Republican Party are now primarily concentrated in the American South. While the upper South (Virginia and North Carolina) is in political flux the lower South (Mississippi, Alabama) are strongly associated with the Republican Party.
• Ideology is a more or less consistent set of beliefs about what policies government ought to pursue.
• The great majority of American citizens do not think ideologically (i.e. – mushy middle / political moderates / center left or right).
• The terms "liberal" and “conservative” have a complex history. In the early 1800s, liberals supported personal, economic liberty; conservatives wanted to restore the power of the state, church, and aristocracy.
• FDR and the New Deal changed the historical definition of liberal. Liberalism began to mean support for an activist government.
• The conservative reaction to activism (led by Barry Goldwater) favored free market, states’ rights, individual choice in economics, and strong moral controls.
• There are various categories of public opinion: Economic Policy, Civil Rights, and Public and Political Conduct.
• People mix liberal and conservative positions on these categories.
• Pure liberals are liberal on both economic and personal conduct issues.
• Pure conservatives are conservative on both economic and personal conduct issues.
• Libertarians are conservative on economic issues, liberal on personal conduct issues.
• Populists are liberal on economic issues, conservative on personal conduct issues.
• Political Elites are citizens who have a disproportionate amount of some valued resource.
• Elites (usually known as activists) display greater ideological consistency than Majoritarians.
• Elites tend to have more information and more interest in politics than most people; view relationships between issues more easily.
• Elites influence public opinion in two ways: raise and frame political issues and state norms by which to settle issues and define policy options.
• Elites do not define economic, crime, and other problems that are rooted in personal experiences.
• Elites contradict and disagree with one another, limiting their influence.

Understand

• When drafting the Constitution, the Framers did not want a government that would easily swayed by uninformed public opinion.
• Public opinion reflects how people feel about a given topic. It allows government and elected leaders to gauge levels of support while spotlighting areas of public concerns.
• Americans suffer high levels of public ignorance; because of this knowledge gap, many citizens become frustrated and disappointed with the actions and inactions of government and elected officials.
• Because of the great deal of diversity found in the United States (race, region, socio-economic status, etc.) it is difficult to say that there is one common opinion of the public. There is not a single liberal-conservative dimension to public opinion.
• Three factors that tend to characterize the nature of public opinion include diversity within society, how attitudes or opinions are communicated to public officials, and if enough people hold a particular opinion to force the government to listen to them.
• Many times the way a poll question is asked can influence the type of response that is elicited.
• Despite a lack of knowledge and understanding regarding a candidate’s agenda, citizens can generally form an opinion based upon cues offered by how well the candidate handles stress and pressure.
• Public opinion polling is most effective when the questions being asked are reasonable and worded in the least bias manner.
• Between elections, public officials want to know what the American public is thinking and what are their concerns.
• Politicians rely on both non-scientific and scientific methods in an attempt to gauge public opinion.
• Some common non-scientific methods of measuring public opinion may include the activities of political parties and organizations, the actions of interest groups, stories being covered in the mass media, constituent letters / Emails, informal straw polling, and stories or issues being featured on website or on blogs.
• It is essential that pollsters pose reasonable question that are fairly worded to ensure people have a basis to form an opinion on a given topic.
• There are three basic steps to conduct a scientific poll: (1) selecting a sample of a group to be questioned, (2) presenting carefully worded questions to the sample, and (3) interpreting the results.
• A universe is a group of people that is to be studied. This may include senior citizens, veterans, college students, schoolteachers, etc.
• A representative sample is drawn from the universe since it is impossible to interview all of the individuals that may be part of that group. Pollsters aim to sample 1200 to 1500 adults to get a fairly accurate measurement of opinion in the United States.
• Random sampling when conducting an opinion poll ensures the poll is as objective as possible and reflects the greatest cross-section of the American people.
• All polls contain a sampling error to take into account variations in polling data.
• Entrance or Exit polls provide an instant snapshot of how voters were feeling about candidates and issues at the time they were voting.
• Most public opinion polls have a sampling error of only +/-3%.
• Polling is never completely accurate and should be taken with a grain of salt (i.e. – Dewey defeats Truman, Clinton is unable against Trump)
• Opinion saliency reflects how different groups of people respond and care about different issues that become part of the public agenda (i.e. – gun control, abortion, gay marriage, etc.).
• A benchmark or tracking poll provides continuous updates of a campaigns success (daily ups and downs in public opinion). Critics contend that this type of frequent polling diminishes the meaningful debate of policy and ideology in favor of “horse race” type coverage.
• A deliberate poll involves selecting a large sample of voters for intensive briefing, discussions, and presentations. Deliberate polling attempts to measure what the public would think if they thoughtfully considered an issue or topic.
• Focus groups are demographically diverse groups of people assembled participate in a guided discussion about a given topic. Group leaders, group dynamics, and the influence of the moderators can influence focus groups.
• Push polling is a marketing technique that operates under the guise of polling. In it, a campaign attempts to manipulate or alter voters’ views or beliefs by pushing a certain viewpoint in the form of biased questions meant to elicit a particular response.
• Opinion stability helps candidates and elected leaders gain an understanding of what issues continue to come to the forefront of public concern.
• Opinion-policy congruence demonstrates majority sentiment on an issue based upon a government’s actions or inactions on a given policy.
• Political socialization is the process by which a person gains their political views based on their interaction with numerous agents (family, school, religion, etc.).
• Children tend to initially share parents’ political orientations and party identification; this may or may not change as the individual is exposed to different agents of socialization.
• Social / economic class, race, religion, gender, and numerous other characteristics all influence public opinion.
• Elites tend to hold a consistent set of opinions about the policies the government ought to pursue compare to Majoritarians.
• Religious practices and traditions often serve as a conduit of political beliefs and ideological perspectives.
• Men and women tend to view events and government policy differently. Political scientists refer to this as “the gender gap.”
• Education plays a pivotal role in the process of political socialization.
• College education tends to have a liberalizing effect on ones ideology and worldview.
• Age is often another factor in influencing public opinion. Young people tend to be more liberal and tolerant while older citizens tend to be more conservative and resistant to change.
• Social class tends to be less important in the U.S. than in most European democracies.
• Many non-economic, social issues help to define the liberal / conservative spectrum in the United States (i.e. – abortion, guns, etc.)
• Socio-economic class voting has sharply declined in the United States and other western democracies since the 1940s.
• Today the terms liberal and conservative go beyond simply identifying economic preferences.
• African-Americans generally favor the Democratic Party.
• Latinos continue to identify themselves as Democrats; many social conservative Latinos align politically with the Republican Party.
• The Latinos ethnicity is very diverse (Mexicans, Puerto Ricans, Cubans, South Americans) and cannot be simply lumped into one monolithic group.
• White Southerners tend to be more conservative socially and politically than the rest of the United States.
• The South has traditionally favored business and has been somewhat hostile to organized labor.
• The Republican Party continues to dominate politics in the American South.
• One’s ideology is framed by a set of beliefs about the role of the government in society.
• Most Americans do not identify with the far ideological wings of America’s political parties. Most Americans would be considered moderate (center left or center right).
• The Great Depression, New Deal, and FDR fundamentally transformed the term liberalism to activist government.
• Economic policy, civil rights, and public / political conduct tend to generate a wide variety of divergent public opinion.
• Depending on the issue, people often have hybrid liberal and conservative points of view.
• Pure liberals are liberal on both economic and personal conduct issues.
• Pure conservatives are conservative on both economic and personal conduct issues.
• Libertarians are conservative on economic issues, liberal on personal conduct issues.
• Populists are liberal on economic issues, conservative on personal conduct issues.
• Political Elites have a disproportionate amount of some valued resource (knowledge, power, etc.).
• Elites tend be more ideological consistency than Majoritarians due to their level of political awareness concerning a variety of issues.
• Elites influence public opinion in two ways: raise and frame political issues and state norms by which to settle issues and define policy options.
• The power of elites is somewhat reduced due to contradictory ideological perspectives of various elites.
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<td>Week 14</td>
<td>Chapter 7 – Public Opinion (Pages 152 to 170)</td>
<td>• Define what public opinion is.</td>
<td>Chapter 7 Overview Themes, Group Work, and Writing:</td>
<td>a) Students will read and discuss the following handouts in small groups</td>
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<td>Chapter 7 Vocabulary</td>
<td>• Speculate why most Americans do not spend a great deal of time thinking about</td>
<td>• Who Governs? To What Ends?</td>
<td>b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.</td>
<td>• #49 – V.O. Key – Public Opinion and American Democracy (Pages 389 to 394)</td>
<td>The Lanahan Readings in the American Polity, 6th Ed (2016). #49 – V.O. Key – Public Opinion and American Democracy (Pages 389 to 394)</td>
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<td>• Benchmark Poll</td>
<td>• Discuss the long-term consequence of Americans suffering from a high level of</td>
<td>• Quote – Abraham Lincoln on public opinion</td>
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<td>According to V.O. Key, why do politicians (i.e. – political elites) still value and try to gauge public opinion even if they tend not to trust it? Is there a danger of ignoring the masses (i.e. – majoritarians)? Could this help explain what happened with the rise of Donald Trump in 2016? Why is competition essential amongst the various political elites in order for democracy to flourish?</td>
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<td>• Cleavages in Public Opinion</td>
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<td>#50 – Thomas Cronin - Direct Democracy (Pages 395 to 402)</td>
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<td>• Cluster Sample</td>
<td>• Explain how citizens use cues to figure out what candidates’ positions might be.</td>
<td>• Public Opinion and Democracy: A Historical Perspective</td>
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<td>#52 – Cass Sunstein – Republic.com 2.0 (Pages 411 to 417)</td>
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<td>• Deliberative Poll</td>
<td>• Explain the necessity for public opinion polls to be reasonable and worded fairly.</td>
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<td>• Elite</td>
<td>• Summarize the importance of random sampling.</td>
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<td>• Elite Opinion</td>
<td>• Define what a sampling error is.</td>
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<td>Thursday: Current Event Report Form</td>
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<td>• Three Factors: Characterize the Nature of Public Opinion (Diversity, Communication, Significant Numbers)</td>
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<td>• Entrance Poll</td>
<td>• Describe what a sampling error is and how it may factor into the overall reliability of a poll.</td>
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<td>• Exit Polls</td>
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<td>• Focus Group</td>
<td>• Identify an example of opinion-policy congruence.</td>
<td>• Scientific Polling</td>
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<td>• Gallup Poll</td>
<td>• Identify and evaluate various agents of political socialization.</td>
<td>• How Scientific Polling Works</td>
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<td>• Gender Gap</td>
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<td>• Political Elites</td>
<td>• Compare and contrast Elites and Majoritarians in terms of their levels</td>
<td>• Sampling Procedures (Cluster Sample, Polling Questions, Mail Polls, Telephone Polls)</td>
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<td>• Political Ideology</td>
<td>• How is religion related to political attitudes?</td>
<td>• Interpreting Results from Polls</td>
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<td>• Political Socialization</td>
<td>• The text contends that public opinion in the United States is split by many cleavages. Yet historian Louis Hartz argues that Americans embrace the same fundamental values. Alexis de Tocqueville concurs; he found that “Americans were agreed upon the most essential points.” Does the text exaggerate the degree of cleavage in public opinion? What major disagreements exist in the United States today?</td>
<td>• The Gallup Poll</td>
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<td>• Populists</td>
<td>• What is a political elite? Do we have one unified elite, or are there different elites with radically different views on policy? How have the political attitudes of well-off</td>
<td>• Benchmark or Tracking Poll</td>
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<td>• Public</td>
<td>• Chapter Learning Objectives</td>
<td>• Chart: 2016 General Election Vote Preference (Tracking Poll)</td>
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<td>• Pure Conservatives</td>
<td>• Who Governs? To What Ends?</td>
<td>• Entrance or Exit Polls</td>
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<td>• Pure Liberals</td>
<td>• Quote – Abraham Lincoln on public opinion</td>
<td>• Deliberative Poll</td>
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<td>• Push Poll</td>
<td>• Theme A: Public Opinion Polling</td>
<td>• Focus Groups</td>
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<td>• Sampled Error</td>
<td>• Public Opinion and Democracy: A Historical Perspective</td>
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<td>• Scientific Polling</td>
<td>• What is Public Opinion?</td>
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<td>• Social Class</td>
<td>• Overview: Public Opinion</td>
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<td>• Tracking Poll</td>
<td>• Political Cartoon – Public Opinion</td>
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<td>• Universe</td>
<td>• Three Factors: Characterize the Nature of Public Opinion (Diversity, Communication, Significant Numbers)</td>
<td>• Measuring Public Opinion</td>
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of political awareness.  
• Discuss the role religious traditions play in forming political beliefs.  
• Speculate why religious influences on public opinion are most pronounced with respect to social issues.  
• Define and discuss the gender gap.  
• Restate the role of education plays process of socialization.  
• Speculate why college education tends to have a liberalizing on those students who attend.  
• Investigate why increased schooling has not been associated with increased political participation.  
• Debate why the economic categories associated with social class are ill defined in the United States.  
• Compare and contrast the role of Social class in the United States and in Europe.  
• List some non-economic issues now define the terms liberal and conservative.  
• Speculate why African-Americans tend to most strongly align their voting preferences with the Democratic Party.  
• Articulate the problem with trying to lump all Latinos into one ethnic group / ideological preference.  
• Identify and examine the underlying reasons for Asian Americans to support on of the two major political parties in the United States.  
• Evaluate the impact of historical events that helped create the current political environment in the American South.  
• Contemplate the Americans changed in recent years?  
• How is race related to political attitudes?  
• To what extent are the distinctive political beliefs of Blacks explained by the socioeconomic position of individual Blacks? Can they be explained by the historical experience of Blacks as a group?  
• New issues always have the possibility to create new cleavages, though it may take some time before pollsters and political scientists note the existence of these cleavages. For example, there may be a substantial difference in opinion about gay marriage between homosexuals and heterosexuals. Would we as a nation be better off to know about these emerging cleavages, or should we continue to focus only on the opinions of broad demographic categories of people, ignoring these differences among them?  

Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)  

Optional Activity (Time Permitting)  
Creating a Push Poll  
• The class will again into the same groups that were set up for the political party research project.  
• Students will create a list of twenty objective questions that will address the various social, political, and economic questions facing the nation.  
• Next, students will create a matching set of questions but this time the wording of the questions will reflect their particular party’s ideological bend or preference. The purpose of the question is to elicit a specific type of response that would appear to favor a party’s particular viewpoint (i.e. – gun control, immigration, abortion, etc.).  
• Students will collectively select which questions will be placed in both polls.  
• If feasible, these polls will be administered to other classes. Results would be tabulated and studied by the class.  

• Chart: 2012 Presidential Exit Poll Results  
• Push Polling  
• Political Cartoon – Polling Citizens  
• Graph – Fox New Poll – Pres. Obama didn’t send troop to help Americans in Benghazi – should he have? (Example of a Push Poll)  
• How Opinions Differ (Opinion Saliency, Opinion Stability, Opinion-policy Congruence)  
• PBS’s Crash Course Government: Public Opinion (YouTube Clip)  
• Political Socialization (Family, Religion, Gender, Education, Age)  
• Table – The Gender Gap: Differences in Political Views of Men and Women  
• Graphic – Generational Gaps on the Issues  
• Graphic – Opinion Gaps Between Young Adults and Senior Citizens  
• PBS’s Crash Course Government: Shaping Public Opinion (YouTube)  
• Theme B: Group Cleavages, Political Attitudes, and Political Ideology  
• Social Class  
• Race & Ethnicity  
• Table: African American and White Opinion  
• Regional Difference  
• Graphic / Map – South Solid / Bible Belt  
• Political Ideology  
• Graphic – Ideological Self-Identification (Gallup)  
• Liberals & Conservatives (Economic policy, civil rights, public & political conduct)  
• Table: How Liberals and Conservatives Differ (on issues)  
• Four Board Categories: Pure Liberals, Pure Conservatives, Libertarians, Populists  

 era of broadcast news, the Internet encourages the personalized world of information in which individuals may limit self-exposure to a few favorite topics and a few points of views. This, in turn, has diminished the impact of news as an agent of socialization that provides a “shared experience” for a diverse society. Is Sunstein correct in concluding that the Internet may be damaging democracy by encouraging polarization and narrowcasting to partisan preferences that are tailored to the viewers’ preferences?
| Political reality of the American South being more accommodating to business interest and less accommodating to organized labor than the North.  
- Predict the consequences of the Republican Party now being primarily concentrated in the American South.  
- Define what ideology is.  
- Speculate the impact of the vast majority of Americans being politically liberal.  
- Trace the history of the terms "liberal" and "conservative". Explain how those terms and morphed into different meanings over the course of history.  
- Evaluate the impact of FDR and the New Deal on changing the historical definition of liberal.  
- Explain why Americans tend to mix liberal and conservative positions regarding economic policy, civil Rights, and public conduct.  
- Define what is a pure liberal, pure conservative, Libertarian, and Populist.  
- Define what Political Elites are evaluate their impact on American politics.  
- List two ways that elites influence public opinion.  
- Explain how the influence of Elites is mitigated. | Mass Ideologies: A Typology  
- Typology of Partisanship (Pew Research Center)  
- The Divided Rights (Enterprisers, Moralists, Libertarians)  
- The Detached Center (New Economy Independent, Bystanders, The Embittered)  
- The "Not So" Left (Seculars, New Democrats, New Dealers, Partisan Poor)  
- Table: Policy Preference of American Voters  
- Political Elites |
An interest group is any organization that seeks to influence public policy.

Interest groups are common in the United States because there are many cleavages (differences of opinions / perceptions) among the diverse American population.

Interest groups may represent a very specific or general interest. They can, and often do, educate voters and office holders. Many draft legislation and propose policy changes. Finally, interest groups can mobilize membership to work with and pressure legislators and government agencies.

The U.S. Constitution and Federalism have created numerous access points to government. These access points, in turn, encourage citizen input on a variety of topics and issues.

Since political parties have become increasing weak, interest groups have filled this void of issue advocacy by pressing their concerns directly on government.

Large, powerful interest groups are today based in Washington D.C. (primarily on K Street) to have easy access to elected officials and government bureaucrats.

Throughout the course of American history, interest groups have played a pivotal role in evoking change: 1770 (independence groups), 1830s-40s (abolition movement), 1860s (trade unions, fraternal organizations), 1880s-90s (business associations), 1900-20s (business/professional associations, charities), and the 1960s (civil rights, environment, consumer, political reform organizations).

A number of factors explain the rise of interest groups: broad economic development in the United States (cash crops, mass production, organized labor), the evolution of government policy (veterans’ groups, support of agribusiness), and the emergence of strong leaders from social movements (religious revival of 1830s & 40s lead to the anti-slavery movement, between 1890-20 the number of college-educated middle class citizens increased, and the 1960s witness the doubling of the number of students enrolled in college which fueled the civil rights, anti-war, and environmental movements).

An interest group is any organization that seeks to influence public policy; interest can be broken down into two broad categories – institutional and membership interest.

There are a number of factors that may influence the goals, tactics, and actions of interest groups. These include: (1) member interest, (2) the size of the group, (3) the incentives the group uses to attract supporters, and (4) the role of the interest group’s professional staff.

Institutional interest groups are individuals or organizations representing other organizations (i.e. – business firms, trade or governmental associations). These groups are primarily concerned with bread-and-butter (economic) issues related to their clients.

Membership interest may explain the rise of some interest groups. Americans join groups / organizations more frequently than citizens of any other nations. Examples include social, business, professional, veterans, charitable, religious, political, etc. It may be argued that Americans have a greater sense of political efficacy than citizens of other nations; civic duty seems to explain the tendency for Americans to join civil groups.

Often, citizens will join a particular interest group based upon the incentives associated with membership in that group.

Some solidarity incentives may include pleasure and companionship. These types of groups are normally structured as coalitions of small local units. Examples include the League of Women Voters, the Rotary, and the American Legion.

Material incentives, such as money or services, may drive the agenda of a given interest group. These organizations may attempt to influence how laws are administered to bring benefits to members. Examples include American Farm Bureau and the AARP (American Association of Retired Persons).

Purposive incentives are the emotional and psychological benefits members receive knowing they have contributed to a cause they feel is worthwhile (i.e. – participating in an election).
• Organizations that attract members by appealing to their interest in sometimes-controversial principles are known as ideological interest groups. Examples include the National Organization for Women (NOW), the National Taxpayers Unions, and the Christian Coalition.
• The actions and issues championed by public interest groups principally benefits non-members (i.e., Ralph Nader’s Public Citizen). These groups engage in research and bring lawsuits (i.e., ACLU). Publicity is important because purposive groups are influenced by the mood of the times; they may prosper when the government is hostile to their agenda.
• Some interest groups are faced with the free rider problem. This occurs when people do not officially join the group but benefit from the groups’ activities. Generally, the bigger the group, the more serious the problem.
• The staff or management of an interest may influence the group’s policy agenda is solidarity or material benefits are more important to members. In some cases, staff opinions may be quite different from the general membership.
• A social movement is a widely shared demand for change in the social or political order (may be liberal or conservative).
• The effects of a social movement are to increase the value some people attach to purposive incentives.
• The American environmental movement came into being over the course of three era: 1890s (founding of the Sierra Club), 1930s (Wilderness Society and National Wildlife Federation founded), and in the 1960s-70s (Environmental Defense Fund).
• The environmental movement highlights general lessons about social movements: movements may spawn many organizations, more extreme organizations will be smaller and more activist, and more moderate organizations will be larger and less activist.
• The feminist movement can be viewed within the context of three distinct types of organizations: solidary, purposive, and material.
• Examples of solidary groups for women include the League of Women Voters and the Business and Professional Women’s Federation. Most members are middle class, educated women. These groups avoid controversial issues that might divide leadership or limit networks.
• Examples of purposive groups for women include the National Organization for Women (NOW) and National Abortion Rights Action League (NARAL).
• Examples of material incentive groups include the Women’s Equity Action League (WEAL), National Women’s Political Caucus (NWPC), and the National Federation of Republican Women. These groups address specific issues of material benefit and are not worried about trying to satisfy the needs of large rank and file membership.
• Unions continued the activism after their social movement died, but sustaining membership continues to be difficult.
• Interest groups raise sustaining funds in a number of ways. These may include foundation grants, federal grants and contracts to provide social services and fund community projects, and direct solicitation of the public.
• Direct mail allowed interest groups to target specific individuals or audiences.
• Technology has quickly replaced direct mailings as the primary source of fund raising. Today, email, Twitter, and the Internet can solicit funds and encourage instant financial support through the use of credit and debit cards.
• Some political scientist point out that interest group may represent an upper-class bias; those who are more affluent are more likely to join and be active.
• Others argue there are limits on elite influence. Elites have input in the political system but do not control who eventually wins or loses on a particular issue.
• Supplying credible information is the single most important tactic of interest groups; detailed, current information is at a premium and can build or destroy a legislator-lobbyist relationship.
• Information supplied by lobbyists to legislators and government officials is most effective when it focuses on narrow, technical issues.
• The Insider Strategy (or Inside Game) was previously the most common type of lobbying (face to face contact between a lobbyist and a member of the Hill staff).
• The Outsider Strategy (or Outside Game) is increasingly becoming more common. This includes grassroots mobilization and confrontational tactics.
• Astroturf (a.k.a. – artificial grassroots) occurs when interest groups orchestrate a public campaign that has the appearance of public outrage. This is often done by orchestrating letter writing / Email campaigns by public relations firms.
Almost any interest group or organization can create a Political Action Committee. A Political Action Committee is a committee set up to raise and spend money on campaigns and candidates. 

*Citizens United v. FEC (2010)* saw the birth of Super PACs that dramatically increased the flow of money into politics. A Super PAC may raise unlimited sums of money from corporations, unions, associations, and individuals then spend unlimited sums to overtly advocate for or against political candidates. *Citizens United vs. FEC* substantially redefined the way that special interest money could influence elections in the United States.

Incumbent get the most PAC money; both political parties are dependent upon PAC money. An Iron Triangle comprises the policy-making relationship / alliance among the congressional committees, the bureaucracy (government agencies), and interest groups.

Issue Networks are a network of people in Washington, D.C. (based on interest groups, congressional staffs, in universities / think tanks, and in the mass media who regularly discuss and advocate public policies. Issue Networks are groups that are connected through a policy issue (i.e. – gun control, abortion, health care, immigration, etc.). They tend to have a broader reach than the Iron Triangle and have more participation in bureaucratic policymaking. According to James Q. Wilson, “there is not systematic evidence that PAC money influences votes in Congress.”

Most actions of interest groups are protected under the First Amendment (Freedom of Speech). Some significant restraints on interest groups and lobbyist include the tax code (nonprofits may lose tax-exempt status if a “substantial part” of its activities involving lobbying) and campaign-finance laws that limit donations by PACs.

**Understand**

- An Interest Group is any organization, big or small, that seeks to influence public policy.
- The numerous cleavages present in American society have contributed to the growth of interest groups throughout the course of American history.
- Interest groups can represent a very specific or general interest. Many work to educate both voters and elected officials.
- Some interest groups help to draft legislation and propose policy changes. To achieve their goals interest groups work to mobilize their members to put pressure on elected officials and government agencies.
- Federalism and the diffusion of power and responsibilities to state and local governments foster an environment that encourages political participation and an enhanced sense of political efficacy.
- Due to the weakening of political parties in the United States, interest groups now advocate their concerns and interests directly to the government. 
- *K Street* in Washington, D.C. now serves as the primary headquarters of interest group lobbying efforts.
- Numerous interest groups have push for social, economic, and political reform throughout the course of American history: 1770 (independence groups), 1830s-40s (abolition movement), 1860s (trade unions, fraternal organizations), 1880s-90s (business associations), 1900-20s (business/professional associations, charities), and the 1960s (civil rights, environment, consumer, political reform organizations).
- Broad economic developments in the United States, the evolution of government policy, and the emergence of strong leaders from social movements have all served to energize the formation of interest groups.
- A variety of factors may influence the goals and tactics of an interest group. This could include the interest of the group’s membership, the size of the group, they type of incentives the group employed to attract members, and the role of the group’s professional staff.
• Institutional interest groups are individuals or groups that represent other organizations (i.e. – General Motors, government, foundations, or universities).
• Institutional interest groups are primarily concerned with economic issues benefiting their clients.
• Compared to citizens in other nations, Americans are more inclined to join a group or organization. Examples include social, business, professional, veterans, charitable, religious, political, etc. America has been sometimes called a “nation of joiners”.
• Americans appear to have a greater sense of political efficacy than citizens of other nations; civic duty seems to explain the tendency for Americans to join civil groups.
• Citizens may join a particular interest group based upon the incentives associated with membership in that group.
• Interest groups that offer solidarity incentives are normally structured as coalitions of small local units. Examples include the League of Women Voters, the Rotary, and the American Legion.
• Material incentives, such as money or services, may drive the agenda of a given interest group.
• Interest groups that promote material incentives may attempt to influence how laws are administered to bring benefits to members. Examples include American Farm Bureau and the AARP (American Association of Retired Persons).
• Purposive incentives are the emotional and psychological benefits members receive knowing they have contributed to a cause they feel is worthwhile (i.e. – participating in an election).
• Some groups suffer from what is known as the “free rider problem.” This occurs when individuals benefit from the activity of a group but do not join it (i.e. – paying dues or subscriptions).
• Ideological interest groups appeal to individuals because of their unwavering commitment to a particular (sometimes controversial) principal.
• Unlike other interest groups, public interest groups primarily are interested in enacting change that impacts society as a whole for the betterment of everyone.
• Some times the staff or management of a particular interest may influence the group’s agenda; in some cases, staff opinions may be quite different from the general membership.
• Social movements occur when a widely shared demand for change in the social or political order captivates the public imagination that in turn spurs citizen action.
• The environmental movement highlights general lessons about social movements: movements may spawn many organizations, more extreme organizations will be smaller and more activist (i.e. – Greenpeace), and more moderate organizations will be larger and less activist (i.e. – WWF World Wildlife Fund).
• Examples of solidarity groups for women include the League of Women Voters and the Business and Professional Women’s Federation. Most members are middle class, educated women. These groups avoid controversial issues that might divide leadership or limit networks.
• Examples of purposive groups for women include the National Organization for Women (NOW) and National Abortion Rights Action League (NARAL).
• Examples of material incentive groups include the Women’s Equity Action League (WEAL), National Women’s Political Caucus (NWPC), and the National Federation of Republican Women. These groups address specific issues of material benefit and are not worried about trying to satisfy the needs of large rank and file membership.
• Despite setbacks in maintaining high rates of union membership, unions continue to engage in social, political, and economic activism.
• Interest groups raise funds through foundation grants, federal grants and contracts to provide social services and fund community projects, and direct solicitation of the public.
• Direct mail at one time allowed interest groups to target specific individuals or audiences. Today, technology and modern forms of communication (cell phones, blog, Twitter, Email, and the Internet) have quickly replaced direct mailings as the primary source of fund raising.
• Interest group may represent an upper-class bias since affluent citizens are more inclined to join and be active.
• It is unlikely that elites have entire control over the political system. They may have input but cannot guarantee who will win and lose on particular issues.
• Supplying accurate and reliable information is the most effective tool of interest groups; accurate information can build or destroy a legislator-lobbyist relationship.
• Some interest groups using a rating system or score card to allow its members to know how legislators voted on issues deemed most important by the interest group.
• Focusing on narrow, technical issues along with specific, limited goals enables lobbyist to be successful.
• Historically, Inside Game or Insider Strategy has been the most common type of lobbying (face to face contact between a lobbyist and a member of Congress or a government bureaucrat).
• The Outside Game includes grassroots mobilization and confrontational tactics in order to pressure a member of Congress or the government bureaucracy to act on an issue of concern by the interest group.
• Political Action Committees (PACs) are set up by nearly all interest groups to “financially support” a particular candidacy of an individual running for office who shares their concerns or priorities.
• Some groups have employed artificial grassroots activism (i.e. – Astroturf) to present the appearance of public support on a given issue without actually having the public’s support.
• A PAC is a committee set up to raise and spend money on candidates and their campaigns for public office.
• Incumbents normally receive the most PAC money since their election is routinely certain during most election cycles.
• Super PACs arrived on the scene following the Citizens United v. FEC decision of 2010. Unlike regular PACs, Super PACs are not constrained from spending money on issue advocacy or voter education provided they do not coordinate their efforts with a candidate or campaign.
• Both political parties are dependent upon PAC money since all funding for Congressional races must be private money.
• Interest groups provide campaign donation to gain access to candidate / public officials, influence decisions, and to amplify their message.
• Interest groups also play a large in the development of Iron Triangles.
• An Iron Triangle is the policy-making relationship or alliance between congressional committees, bureaucratic agencies, and interest groups.
• An example of an Iron Triangle would be the Department of Veterans Affairs. It is comprised of the Department of Veterans Affairs, various interest groups supporting U.S. veterans, and the House/Senate Veteran’s Affairs Committee.
• Today Issue Networks are replacing Iron Triangles in Washington, D.C. These groups tend to be connected through a policy issue and generally have a broader reach in bureaucratic policymaking.
• The “revolving door ” of former elected offices and public servants leaving the public sector for more lucrative private careers raises troubling questions about how these former officials may influence government actions when working on behalf of private groups.
• The First Amendment protects nearly all actions of interest groups.
• The tax code and campaign-finance laws place legal restrictions and limitation on the actions of PACs.
• Citizens United vs. FEC substantially redefined the way that special interest money could influence elections in the United States.
Chapter 11 Overview Themes, Group Work, and Writing:

a) Students will read and discuss the following handouts in small groups

b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.

Theme A – History and Interest Group Formation
Why have interest groups grown stronger as the parties have grown weaker? Could this inverse relationship be changed, with both interest groups and parties growing more powerful? Or are there incentives for these organizations to compete? Could interest groups and political parties both grow progressively weaker?

Which have been more important in the formation of interest groups; changes in the economic structure of society or changes in people’s ideas and beliefs? What evidence does the text give on this point? Can you think of other examples?

The text contends that governmental policy encourages the growth and activity of interest groups; programs create constituencies. What about the reverse—do interest groups create governmental programs? Could interest-group activity be responsible for the expansion of government itself? In The End of Liberalism, Theodore Lowi presented the theory that public policy is formulated by government bureaucrats working cooperatively (and even exclusively) with particular congressional committees and interest groups. Has the complexity of contemporary society shifted the advantage to interest groups?

Theme B – Bias in the Group Process and Kinds of Organizations
Which incentive—material, purposive, solitary—is routinely most important in your decisions to join an interest group? Why?

Does this lead you to pay greater attention to the group’s external political strategy or to its internal recruitment strategy?

Explore the reasons why an interest group’s external political strategy and internal recruitment strategy may appear...
of interest groups who are interested in material incentives.
• Explain how purposive incentives may benefit a political candidate running for office.
• Compare and contrast ideological interest groups with other types of interest groups.
• Identify which segment of society benefits from the actions of public interest groups.
• Debate the role of the organizational staff in determining or shaping the agenda of an interest group.
• Describe what a social movement is.
• Evaluate the impact of social movements in the United States.
• List the three eras of heightened environmental awareness and explain how that translated into the growth of interest groups.
• Explore the general lessons about social movements that can be learned by studying the U.S. environmental movement.
• Compare and contrast solidarity, purposive, and material benefits in regards to the U.S. women’s rights movement.
• List examples of feminist solidarity groups.
• List examples of feminist purposive groups.
• Explore the challenges of unions face in regards to declining number and political influence.
• Identify various ways interest groups raise funds.
• Speculate how technology has and will continue to impact fund

contradictory. Can an interest group confronting these circumstances be successful? Why? What leadership skills are required to direct an interest group experiencing these tensions?
• Do you belong to any groups for purely purposive reasons? Are you a free rider in relation to any interest groups? Weigh the costs and benefits associated with group membership. What ethical obligations should each citizen confront as a potential participant in public-interest groups?
• Information is the primary tactic employed by interest groups. Interest groups write a substantial proportion of the legislation introduced into Congress either entirely or in part. Why would members of Congress introduce such legislation? Is the public vulnerable to exploitation by powerful groups due to their monopoly over information?
• PACs have been called collection agencies for interest groups. They were created to evade laws that forbid corporations and labor unions from giving money “directly” to federal candidates. Why does Congress permit the law to be trampled by allowing the existence of PACs? Do PACs threaten the constitutional order?

Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)

• Interest Groups and Social Movements
• Social Movements (definition)
• Social Movement Example: The Environmental Movement
• Social Movement Example: Feminist/Women’s Rights
• Social Movement Example: The Labor Movement
• Funds for Interest Groups (Foundation Grants, Federal Grants and Contracts, Direct Mail)
• The Problem of Interest Group Upper Class Bias
• Limits on Elite Influence
• Theme C: Interest Groups in Action
• Activities of Interest Groups (Supplying credible information, rating system)
• Public Support: The Rise of New Politics (Insider Strategy, Outsider Strategy (Grassroots vs. Astroturf))
• Money and Politics
• Political Action Committees (PACs)
• Citizens United v. FEC (2010)
• Super PACs
• Reasons for Donating to a Candidate or Campaign: Access, Influence, Amplifies Message
• Political Cartoon – Super PACs and the voters
• Chart: Super PACs
• Closing the Gap (U.S. News & World Report 2012)
• Bar Chart – PAC Spending in Millions (The Atlantic 2013)
• Iron Triangles – Image / Illustration
• Iron Triangles – defined
• Illustration: The Veterans Affairs “Triangle”
• Issue Networks
• Illustration: Health Care Issue Network
• Money and Influence
• The Revolving Door
• Video Clip – Eric Cantor Lands $3.4 Million

and should not be afforded the same First Amendment protection as an actual citizen. Did the Court, in your opinion, make the correct decision? Why or why not? Explain. 

#59 – Mark Leibovich – This Town (Pages 461 to 467) According to the disgraced lobbyist Jack Abramoff, “the best way for lobbyists to influence people on Capitol Hill was to casually suggest they join their firm after they completed their public service. The moment I said that to them, or any of our staff said that to them, we owned them.” Based upon this quote, has the pervasive nature of lobbying with its undue influence corrupted America’s democracy? Why or why not? What would be the counterclaim against this assertion? Explain.
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<th>Activity</th>
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<td>raising by interest groups.</td>
<td>• Debate whether or not interest groups tend to suffer from an upper-class bias due to their membership.</td>
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<td>• Identify what is the single most important tactic of interest groups.</td>
<td>• Compare and contrast the Inside and Outside Game. Evaluate the effectiveness of both.</td>
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<td>• Define the purpose of a Political Action Committee (PAC).</td>
<td>• Infer why incumbent generally end up with the most PAC money contributions.</td>
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<td>• Define what a “revolving door” is and how it viewed as a problem.</td>
<td>• The First Amendment protections apply to interest groups.</td>
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<td>• Evaluate the impact of the tax code and campaign-finance laws on PACs.</td>
<td>• Articulate the impact of Citizens United vs. FEC on an interest groups ability to influence and election.</td>
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<tr>
<td>• Articulate the impact of Citizens United vs. FEC on an interest groups ability to influence and election.</td>
<td>Investment Banking Job (YouTube) • Regulating Interest Groups (First Amendment, Federal Regulation of Lobbying Act (1946))</td>
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Know

- The United States has one of the most varied and expansive news media industries in the world.
- Critics argue that the rise of the 24-hour news cycle has replaced quality programming with soft news stories.
- Because the vast majority of Americans rely on the news media for information the industry wields significant power; it is a significant facet of government and politics in its role as a linkage institution.
- Media decides what is "news worthy"; today there is a troubling blurring of information and entertainment.
- Critics contend media bias has overtaken objectivity of reporting.
- A linkage institution is a structure within a society that connects the people to the government or centralized authority.
- Most people’s knowledge of politics comes from the media. Media educates and raises awareness of citizens and politicians about issues.
- Politicians, candidates, and interest groups use media to communicate a message integral to political success.
- The media includes all forms of communication (newspapers, television, radio, the Internet, etc.)
- The U.S. Constitution and Bill of Rights guarantee the media more freedom than any other country in the world (i.e. – no Prior Restraint and the Freedom of Information Act).
- Old Media consists of newspapers and magazines; New Media consists of television and the Internet. When it comes to politics, the New Media is getting strong and the Old Media weaker.
- There are five key differences between Old and New Media. These include (1) They measure success differently, (2) New Media companies place more emphasis on community building, (3) Celebrities aren’t just in the news – now they’re creating it too, (4) New media sites have new revenue channels that did not exist for Old Media, and (5) Old and New Media view mobile-friendliness differently.
- There are many differences between media in the United States and in Europe. In Great Britain, laws governing libel are stricter and public can sue media outlets for libel and slander. In Italy, public officials are allowed to own media companies. French newspapers can be punished or fined for being too critical of the French president.
- Throughout the course of U.S. history the American media has been privately owned and profit driven.
- Given the power of the Press the government is concerned about who own media outlets; owners can influence the message their media operation presents to the public.
- The Telecommunication Act of 1996 hoped to increase competition in the media industry by removing any national limits on radio state ownership along with removing limitation on TV station ownership. The Act also allowed cross ownership of cable and broadcast stations.
- The result of the Telecommunication Act was a greater concentration of media ownership in the hands of a few powerful industry giants. The greatest concentration of ownership consolidation took place in radio.
- Today a handful of companies control better than 90% of all media in the United States. These companies include Comcast, Newscorp, Disney, Viacom, Time-Warner, and CBS.
- Net Neutrality is the principle that Internet service providers should enable access to all content and applications regardless of the source, and without favoring or blocking particular products or websites.
- While restrictions on the printed media are nearly non-existent, broadcast media (such as radio and television stations) are required to have a license from the FCC (Federal Communication Commission). Since it must operate under the constraints imposed by the FCC broadcasting license, broadcast media does not share the same level of freedom as printed media.
Media bias occurs when reporters and editors tend to present only one side of a story. MSNBC tends to advocate a liberal take on the news while Fox News tends to promote a conservative perspective of events and issues.

Some of the first newspapers in the United States were subsidized and created by political parties (Party Press).

Changes in society and technology made possible self-supporting, mass readership daily newspapers (Popular Press).

A number of factors contributed to the rise of the popular press: improvement in the method and speed of printing technology, the telegraph allows stories to be shared quickly over vast distances, urban populations centers supported mass publication of daily news, and the Associated Press (AP) was founded in 1848 with the mandate of objective reporting and the systematic distribution of information.

Partisanship continued in mass-readership newspapers normally reflecting the views of the publishers and the editors; these convictions blended political beliefs with economic interest.

William Randolph Hearst used sensationalism (i.e. – Yellow Journalism) to attract large readership and catalyzing the Spanish-American War.

Starting in the 1850s and 60s the American middle class began to favor new, progressive periodicals such as Nation, Atlantic Monthly, and Harpers.

Individual writers gained national followings through investigative reporting (i.e. – Upton Sinclair, The Jungle).

Today, national magazines focus little, if any attention, on politics.

Electronic journalism fundamentally altered the way Americans received news. (Radio – 1920s, Television – 1940s, Internet – 1990s).

A benefit of electronic journalism was allowing politicians to be able to address voters directly. A downside of electronic media is the ability of people to easily ignore it.

Today’s electronic media has more raw information and less of an editorial news filter than ever before. This has sometimes resulted in reporting without context resulting in misinformation or unfounded assumptions.

Blogs, both conservative and liberal, have become an important form of political advertising.

This new form of media could cover fewer politicians than newspapers; the President became the focal point of reporting – others were only covered if they were controversial, had a national reputation, or could buy time.

Short sound bites make it difficult for candidates and officer holders to convey their message.

The explosive growth of cable news now provides nearly limitless opportunities for politicians to take to the airwaves.

The Internet continues to fundamentally change the way Americans receive their information. Today 80 to 85% of Americans have access to the Internet. The Internet has created a free market in political news that can be reported instantly without any reflection or editorial discretion.

The number of daily newspapers in the United States continues to decline. Today, many traditional media outlets plan to go completely digital in the near future.

The number of daily newspapers has declined significantly. Today newspapers are orientated towards the local market in order to survive.

National reporters and editors are distinctive from the local press. They are better paid, routinely attended more prestigious universities, trend liberal, and do investigative or interpretive stories more often than local reporters.

There are many components of the national media. These include the (1) Wire Services (i.e. – AP, UPI), National Magazines (i.e. - Time, Newsweek), Network Evening News (i.e. - ABC, NBC, CBS), Cable News (i.e. - CNN, Fox News, MSNBC), and newspapers with national readership (i.e. – New York Times, Wall Street Journal). The national press is significant since it is closely followed by political elites and local stations tend to take cues on what news is important.

The national press play three distinctive roles: (1) Gatekeeper (influences what subjects become national political issues and for how long), (2) Scorekeeper (tracks political reputations and candidacies / “horse race” coverage), and (3) Watchdog (investigates personalities and expose scandals).

Generally speaking, the national press is tends to be liberal and tends to focus on investigative or interpretive stories.

The relationship between the mass media and the government is complex. Often it is an adversarial relationship (i.e. – Trump vs. Fake News”). Politicians use the mass media to achieve their goals but despise the scrutiny that comes along with press coverage.

Newspapers are almost entirely free from government regulation; the U.S. Constitution does not permit prior restraint.
• Only after publication is published can a suit to be brought for libel, obscenity, incitement to illegal act; the courts have defined each of these conditions narrowly making it very difficult to challenge these publications with civil litigation.
• Many state have Shield Laws that allow reporters to keep the confidentiality of their sources. There are no national Shield Laws protecting reporters. The U.S. Supreme Courts allows the government to compel reporters to divulge information in court if it bears on a crime.
• The Press has gone to court numerous times to fight for the right to access government information. Generally, the courts have rejected the notion that the media has special right of access.
• In Zemel v. Rusk (1965) the U.S. Supreme Court held “the right to speak and publish does not carry with it the unrestricted right to gather information.”
• In Branzburg v. Hayes (1972) the U.S Supreme Court decided that the First Amendment did not guarantee the press a constitutional right of special access to information not available to the public generally.
• The Federal Communication Commission (FCC) is a federal government agency with the authority to regulate interstate and international communications by radio, television, telephone, telegraph, cable, and satellite. A board of five commissioners appointed by the president governs the agency. The board has the power to make rules that require stations to operate in the public interest.
• The most important power of the FCC is licensing broadcasters.
• FCC (Federal Communication Commission) requires renewal of broadcast license for radio stations every seven years and television stations every five years. Stations are required to serve “community needs” are can be restricted in terms of content broadcast.
• The FCC cannot censor broadcasters. It can, however, influence the content of broadcast by fining stations that violate rules and by threatening not to renew a station’s license.
• The Equal Time Rule is an FCC regulation that if a broadcaster sells time to one candidate, it must sell equal time to other candidates. Rates charged to candidates/campaigns must be no higher than the cheapest commercial rate.
• The Right-of-Replay Rule is an FCC regulation permitting a person the right to respond if attacked on a broadcast other than a regular news program.
• The Political-Editorializing Rule is an FCC providing a candidate with the right to respond if a broadcaster endorses the opposing candidate.
• The Fairness Doctrine (now defunct), required broadcasters to allocate time for all political points of view in programming. It was abolished in 1987 during the Reagan administration. This led to the rise of conservative talk radio shows such as Rush Limbaugh, Glenn Beck, and Sean Hannity.
• The Mass Media plays an important role as a linkage institution and in the formation of public opinion.
• The media sets the public agenda (focusing on what they think is important) and by framing a particular issue (i.e. – placing it within a specific context).
• The Echo Chamber effect is the idea that people pay attention to media that conforms to their ideological view to the exclusion of media that offer alternative perspectives. This effect is normally characterized by sensationalism, negativity, and the interjection of opinion.
• The League of Women voters used to sponsor nearly all of the presidential debates. These debates required that all candidates had to included.
• In 1987, the Commission for Presidential Debates (CPD) was established (by the Democratic and Republican parties) to run presidential debates. In 2000, the CPD established a rule that only parties that garnered 15% of support across five national polls would be allowed to participate. This controversial ruling has eliminated the opportunity for third party candidates to participate.
• Critics contend that the national media has been bias in reporting politics and continues to be so with the growth of cable television.
• Those that work in media tend to be more liberal and secular than the average American.
• Talk radio is predominately conservative; many conservative listeners do not think “mainstream” media reflects their views.
• Traditional journalistic philosophy was based on the principle that they news should be neutral and objective with the exception of editorials and talk radio.
• Narrowcasting is when broadcasters tailor news stories and coverage on what viewers want to watch and ignore what stories/news that is contrary to their worldview. As a result, citizens are less knowledgeable, more suspicious of politicians, unaware of everyday political activity/processes, and more easily frustrated by the government.

• News stories differ in their opportunity for bias. Routine stories cover major events and involve relatively simple matters. These stories are generally free of bias. Feature stories are stories that are not routinely covered. The reporter has to find the story and persuade an editor to publish it. These stories more easily reflect a reporter’s opinion. Insider stories cover things that are often secret. The source of a government leak may influence a reporter’s views.

• Feature and insider stories became more important to newspapers with the rise of radio and television.

• Most Americans suffer from “selective attention” and remember or believe only what they want to.

• Newspapers that endorsed incumbents gave them more positive coverage, and voters had more positive feelings about endorsed incumbents than one that were not endorsed.

• Press coverage affects policy issues that people think are important (i.e. – the public agenda).

• Trust in the news media has been declining over the last few decades.

• The news media routinely focuses on the U.S. President as the “face” of government.

• Theodore Roosevelt systematically cultivated the press for support and publicity. Franklin Roosevelt’s Press Secretary cultivated, managed, and informed the press. The press, in turn, respected FDR’s privacy concerning his infirmities.

• The modern Press Secretary has a large staff and focuses on the White House Press Corps.

• News coverage of Congress is never equal to that of the President.

• In 1979, C-SPAN began “gavel-to-gavel” coverage of congressional proceedings.

• A leak is an unauthorized release of information to the public.

• Leaks exist for many reasons: (1) Power is decentralized and the various branches of government use press coverage as a weapon against the other branches, (2) It is not illegal to print most secrets, (3) The press has been adversarial with government since Vietnam and Watergate, (4) Cynicism created an era of attack journalism.

• As whistleblower is an individual who exposes corruption to the public usually through the media.

• The adversarial press has dominated news reporting since the Vietnam War and the Watergate scandal.

• Attack journalism is the seizing upon any bit of information or rumor that might call into question the qualifications or character of a public official. Most people do not like this kind of news; they believe the news media oversteps their constitutional protections.

• Sensationalism in the media continues to grow; there is a blending of news, entertainment, and opinion without any effort made to try to distinguish between each category. Sensationalism draws an audience and is cheaper than investigative reporting. Reporters may not check their sources as carefully as they once did in the rush to “break the story” first.

• Reporters must strike a balance between two competing factors: expressing critical views (which may alienate sources) and retaining source (and risk becoming their mouthpiece).

• The abundance of congressional staffers makes it easy to find sources.

• Sometimes government officials will leak a story to the press to see how the public will react to content. This is known as a trial balloon.

• Fake news websites deliberately publish hoaxes, propaganda, and disinformation purporting to be real news – often using social media to drive web traffic and amplify their effect.

• Unlike news satire, fake news websites seek to mislead, rather than entertain (i.e. – The Onion), readers for financial, political, or other gain.

• There are a limited tools that allows the government to constrain the media. Some of these tools include numerous press officers to counter reporter claims and narratives, press releases, leaking their own version of story, bypassing the national press in favor of local media markets, and the growing us of social media (i.e. – Twitter) to speak to citizens directly.
Understand

- America’s media market is both expansive and diverse. Critics, however, worry that the modern 24-hour news cycle has meant the decline in the quality of reporting and the shifting focus to trivial stories that are more about entertaining the viewer.
- The majority of Americans get their news about events, government policy, and politics through the mass media. It is a vital linkage institution between the citizenry and the government.
- The news media has a major impact on the public agenda by deciding what is news worthy and what is not.
- The term mass media includes all forms of communication (newspapers, television, radio, the Internet, etc.).
- The First Amendment guarantees in the Bill of Rights ensure freedom of the press for America’s various media sources.
- The absence of governmental prior restraint and the Freedom of Information Act are also important components of the substantial freedom grant to the media in the United States.
- The American media has been privately owned (and profit driven) throughout the course of U.S. history.
- In the 21st Century we are witnessing the shift away from Old Media (i.e. – newspapers & magazines) to New Media (Television, Internet, Social Media) as the primary source of where Americans get their information.
- Old Media delivered content to a passive reader/viewer usually at a fix time and place (i.e. – evening news); New Media allows the viewer to interact news by expressing their opinions and getting a much boarder variety of opinions on a given topic at any time and at any location (i.e. – social media/mobile phones).
- Compared to nations like Great Britain, France, and Italy, there is much less governmental control over American media.
- Starting in the 1990s, there has been a push for greater media consolidation. Today only a handful of companies control up to 90% of the entire media market.
- The Telecommunication Act of 1996, which many hoped would help increase competition in the media market place, actually resulted in the acceleration of media consolidation with the removal of limitation on media outlet ownership.
- Arguments about equal access to the Internet come up when individuals debate Net Neutrality. Proponents of Net Neutrality believe the Internet Service Providers (ISPs) should enable access to all content and applications regardless of the source. Opponents content that access to the Internet is just like any other commodity and private industry should be able to adjust access or data speeds based upon the ability of the consumer to pay for the service.
- Unlike the printed media, broadcast media exists under a set of legal constraints dealing with the broadcast of content. Broadcast media must adhere to these constraints as part of licensing agreement with the Federal Communication Commission (FCC).
- Media bias exists when reporters and editors tend to present only one side of a story.
- Political parties subsidized most of the newspapers that existed in the early days of the United States. These publications were known as the party press.
- Later, mass readership daily newspapers (a.k.a. - Popular Press) came to the forefront of news reporting.
- Publisher William Randolph Hearst used sensationalism to attract large readership and was accused of using his media empire to agitate for military action against Spain in the 1890s.
- In the 1850s and 60s, America’s middle class began to favor new, progressive periodicals such as Nation, Atlantic Monthly, and Harpers.
- Individual writers became national known through investigative reporting (i.e. – Upton Sinclair’s The Jungle)
- Most modern national magazines focus little, if any attention, on politics.
- Electronic journalism fundamentally altered the way Americans received news as more Americans gained access to the Internet. At the same time, traditional media outlets (i.e. – broadcast TV – ABC, CBS, NBC) continued a steep decline in relevancy.
- The Internet has created a free market in political news that can be reported instantly without any reflection, context analysis, or editorial discretion.
- Today viewers are often exposed to “raw information” without context that may skew how stories or events are perceived.
• Electronic journalism is somewhat a double edge sword. It allows politicians and elected officials a greater opportunity to reach the American people. However, it is also much easier to ignore the message of these same politicians since there are so many distractions able for the viewer.
• Blogs, both conservative and liberal, have become an important form of political advertising.
• Newspaper readership is in a steep decline in the United States due to the rise of New Media. Today’s papers tend to orient their reporting to local coverage in the hope of maintaining their subscription base.
• There are a number of key players that make up the national media. This includes the wire services (i.e. – AP, UPI), national magazines (i.e. - Time, Newsweek), network evening news (i.e. – ABC, NBC, CBS), cable news (i.e. -CNN, MSNBC, Fox News), and newspapers with national readership bases (i.e. – New York Times, Wall Street Journal).
• Unlike local reporters, members of the national media tend to be better paid, have credential from more prestigious universities, are inclined to be more liberal than the average American, and concentrate most of their energies on investigative or interpretive stories.
• The media views their role in society in three distinctive ways: as gatekeepers (influences what subjects become national political issues and for how long), as scorekeepers (tracks political reputations and candidacies / provides “horse race” coverage), and as watchdogs (investigates personalities and expose scandals).
• There is often an adversarial relationship (i.e. – love/hate) between candidates/elected officials and members of the media. Politicians use the mass media to promote their goals/agendas but despise media scrutiny.
• In the United States, newspapers are almost entirely free of governmental regulation or restraint.
• The U.S. courts have validated the notion of freedom of the press by ruling narrowly on issues such as libel and obscenity.
• In both Zemel v. Rusk (1965) and Branzburg v. Hayes (1972) the courts have ruled the Press is not entitled to special access to information that would otherwise be restricted from the general public.
• Shield Laws allow reporters to keep the confidentiality of their sources. However, there are no national Shield Laws protecting reporters.
• The U.S. Supreme Courts allows the government to compel reporters to divulge information in court if it pertains to a criminal act.
• The Federal Communication Commission (FEC) is a government agency that is responsible for regulating interstate and international communication by radio, television, telephone, telegraph, cable, and satellite.
• The five-member FCC board of commissioners is appointed by the president and has the power to make rules and require broadcasting stations to operate in the public interest.
• The FCC (Federal Communication Commission) requires renewal of broadcast license for radio and television stations on a regular basis. The most important power of the FCC is licensing.
• The FCC does not have the power to censor broadcasters but can assess fines or threaten to renew a station’s license for broadcasting content that may be obscene (i.e. – profanity, nudity, etc.).
• The Equal Time Rule prevents a broadcaster from selling airtime to one candidate / campaign but not to the other candidate / campaign.
• The Right-of-Rebuttal allows a person the right to respond if attacked on a broadcast other than a regular news program.
• The Political-Editorializing Rule provides a candidate with the right to respond if a broadcaster endorses the opposing candidate.
• The Fairness Doctrine required that broadcasters allocate programming to account for all political points. This requirement was abolished in 1987 that, in turn, gave rise of conservative talk radio shows.
• During elections, the equal-time rule applies for all candidates; advertising rates must be no higher than the cheapest commercial rate.
• In 1987, the Commission for Presidential Debates (CPD) was established (by the Democratic and Republican parties) to run presidential debates.
• In 2000, the CPD established a rule that only parties who garnered 15% of support across five national polls would be allowed to participate in CPD sponsored debates. This controversial ruling has eliminated the opportunity for third party candidates to participate.
• Today’s media plays a vital role in the formation of public opinion by setting the public agenda (i.e. – focusing on stories they believe are important or newsworthy) and framing a particular issue by placing it within a specific context (i.e. – school shootings, climate change, etc.).
• Some critics argue that the national media has not been equally critical of both major political parties.
The rise of cable and social media has contributed to an echo chamber effect in news reporting. Rather than original reporting, broadcasters are recycling sometimes-questionable sources of information and rebroadcasting them without extensive editorial review. This has resulted in sensationalism, negativity, and the interjection of opinion instead of objectivity.

Traditional journalistic philosophy regarding the publication of news was that reporting should be neutral and objective. Media employees tend to be more liberal and secular than the average American. This is especially true of the national media. Talk radio is predominately conservative; NPR (National Public Radio) tends to focus on left leaning/liberal stories and news. Many conservative listeners do not think “mainstream” media reflects their views. The term “fake news” is a common refrain of conservative pundits who readily criticize what they perceive as a liberal bias in the mainstream media.

Most Americans agree that journalists should be neutral and objective when reporting the news. However, a growing number of Americans are becoming niche viewers in terms of their ideological preferences. Conservatives tend to watch Fox News exclusively while liberals watch MSNBC or CNN.

Narrowcasting is a term to describe when viewers select what information they want and do not want and would prefer to be entertained rather then viewing “hard news”. This has resulted in citizens being less knowledgeable, more suspicious of politicians/public officials, unaware of everyday political activity or processes, and more easily frustrated by government.

The type and nature of a given news story may determine whether bias can be interjected or not. Routine stories cover major events and involve reporting facts. These stories are generally free of bias. Feature stories are stories that are not routinely covered. The reporter has to find the story and persuade an editor to publish it. These stories more easily reflect a reporter’s opinion. Insider stories cover things that are often secret. The source of a government leak may influence a reporter’s views.

With the rise of radio and television news programming, newspapers began to focus on feature and insider stories to attract subscribers.

Most Americans are not very attuned to the political news cycle. Endorsements made by newspapers often give incumbents a boost. The publication, in turn, tends to focus on more positive aspect of the endorsed candidate and their platform.

News coverage can influence policy issues and help to focus the attention of the American people on a given topic. The President of the United States has been at the forefront of electronic journalism reporting. Both Theodore and Franklin D. Roosevelt cultivated and managed the press effectively. The modern Press Secretary works closely with the White House Press Corps to accurately depict the president’s policy positions.

Since 1979, C-SPAN has continuously covered the proceedings of the U.S. Congress.

A leak is an unauthorized release of information to the public. Some leaks may be illegal (such as information pertaining to national security).

Leaks exist for many reasons: (1) Power is decentralized and the various branches of government use press coverage as a weapon against the other branches, (2) It is not illegal to print most secrets, (3) The press has been adversarial with government since Vietnam and Watergate, (4) Cynicism created an era of attack journalism.

Attack journalism focuses on tearing down candidates and public officials (i.e. – Chris Matthews (MSNBC), Sean Hannity (Fox News)).

Today a blending of news, entertainment, and opinion without any effort made to try to distinguish between each category continues to “blur the line” between objective reporting and subjective sensationalism.

Today “fake news” is a growing concern as disinformation campaigns attempt to sway public perceptions with little to no fact-based reporting. Fake news websites deliberately publish hoaxes, propaganda, and disinformation purporting to be real news. Social media has been instrumental in driving up fake news web traffic and amplifying its effect. (i.e. – 1996 fake CNN report – “Obama Signs Executive Order Banning The National Anthem At All Sporting Events Nation Wide”)
Chapter 12
Score Keeper

UNIT:
WEEK:
TOPICS COVERED:
Chapter 12 – The Media (Pages 268 to 293)

Chapter 12 Vocabulary
• Adversarial Press
• Attack Journalism
• Background Story
• Bias
• Blog
• Branzburg v. Hayes (1972)
• C-SPAN
• Content Regulations (FCC)
• Echo Chamber
• Electronic Journalism
• Equal Time Rule
• Fake News
• Fairness Doctrine
• First Amendment
• Feature Stories
• Federal Communications Commission (FCC)
• Freedom of Information Act
• Gatekeeper (National Press)
• Insider Stories
• Investigative Journalism
• Leaks
• Linkage Institution
• Loaded Language
• Media Bias
• Narrowcasting
• Net Neutrality
• New Media
• Official Secrets Act (Great Britain)
• Old Media
• Party Press
• Popular Press
• Prior Restraint
• Public Agenda
• Right of Rebuttal
• Routine Stories
• Score Keeper

UNIT OBJECTIVES:
• Evaluate how the media influences people’s opinions about politics and government.
• Identify the various components of mass media.
• Explain how and why the U.S. Constitution and the U.S. Bill of Rights protects the media (Freedom of the Press)
• Speculate how private ownership of the media would compare to government ownership of the media in terms of bias and story selection.
• Argue for or against – should the FCC having the power to punish / fine broadcasters for the content that they broadcast.
• Explain what media bias is and why it may be a problem.
• Compare and contrast the party press and the public press. How are they similar, how are they different.
• Identify who William Randolph Hearst was and his contribution to public media.
• Explain how periodicals such as Nation, Atlantic Monthly, and Harpers transformed the way citizens’ interpreted news.
• Speculate why national magazines focus little attention on politics.
• Provide examples of how electronic journalism fundamentally altered the way Americans received news.
• List a benefit and

UNIT ACTIVITIES:
Chapter 12 Overview Themes, Group Work, and Writing:
a) Students will read and discuss the following handouts in small groups
b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.
Theme A – The History and Structure of the News Media in the United States
• In the United States, the party press has a negative connotation because it imputes bias to a newspaper. Yet many major newspapers in Western Europe are subsidized by political parties and retain a reputation of quality. Consider some of the benefits of a party press. Does the desire of newspapers in the United States to be “objective” prevent hard questions from being asked? Is political debate in the United States less informed for this reason?
• Does a popular press panders to the lowest common denominator of interest and taste?
• Explain how the localism and decentralized qualities of the United States news media contribute to the promotion of democracy.
Theme B – Media Selection and Bias in the News
• If most reporters hold liberal views, why hasn’t the American public become more liberal over the years? Could reporters alter public opinion if they tried?
• What are some recent examples of the media’s role as watchdog? Is the watchdog function ever exercised in a biased way?
• How?
• Studies show that the issues the public considers important are substantially the same issues featured by the media. Does this prove that the media set the agenda? What other interpretation of this piece of information is possible?
• On what sorts of issues would we expect the media to have the most impact—whether in setting the agenda, shaping attitudes, or determining how politics is conducted? Would we expect the media to have greater influence on: (a) Domestic issues or foreign-policy issues?, (b) Issues where the parties have traditional positions, or issues that cut

POWERPOINT NOTES / TOPICS
• Chapter Learning Objectives
• Who Governs? To What Ends?
• An Overview: The Media in America
• Theme A: The History and Structure of the News Media in the United States
• The Media as a Linkage Institution
• Why is Media a Linkage Institution?
• The Mass Media (First Amendment / No Prior Restraint, Freedom of Information Act)
• Old Media and New Media
• Graphic: Old and New Media
• Pie Chart: New Media vs. Old Media in terms of market value (2012)
• 5 Key Differences Between Old and New Media
• Comparative Government: Legal Constraints on European Media (Great Britain, Italy, and France)
• Private Ownership of the U.S. Media
• Ownership/ Consolidation of the Media
• The Telecommunications Act of 1996
• Political Cartoon – The FCC’s New Deregulation Scheme
• Chart: Number of corporations that control a majority of U.S. media (1983 to 2004)
• Chart: Big Five Media Conglomerates (Viacom, AOL/Time-Warner, News Corp, Clear Channel, Disney)
• Quote – “Net neutrality is the First Amendment issue of our time.” – Senator Al Franken
• Net Neutrality: An

READING ASSIGNMENTS:
Reading (Textbook)
Wilson: Chapters 12

SUPPLEMENTAL READING
• #51 – Larry Sabato - Feeding Frenzy (Pages 403 to 410)
Why has the press become the proverbial “pit bull” when reporting the human failings or personal missteps of candidates seeking public office? How does the author define the concept of “feeding frenzy”? What are the long-term implications for those who are seeking public office or those who already holding elected office?

• #53 – Diana Mutz – How the Mass Media Divides Us (Pages 418 to 423)
Diana Mutz laments the growth of uncivil political discourse (especially on TV and the radio). Political debates, in her opinion, have become too extreme, too confrontational, and too coarse which in turn has added to the nation’s polarization and unwillingness to consider the positions of the opposition in a rational manner. Mutz admits that calm discussion of politics (ex. – C-SPAN) is inherently uninteresting to most Americans. The networks create these political “Shout Shows” (i.e. – Hardball, Hannity) to boost viewership and to generate profits. Do you think these types of shows are especially damaging when it comes to majoritarian viewership? Why or why not?

Do you believe political elites, who view these shows, are more immune to their impact? Why or why not.
shortcoming of electronic journalism in regards to candidates and campaigns.
• Explain why in the age of electronic media the U.S. President became the focal point of reporting.
• Judge the impact of news sound bites on candidates and campaigns.
• Explain how the growth of cable news expanded the opportunity for politicians to “be heard and be seen”.
• Give examples of how the Internet continues to fundamentally change the way Americans receive information.
• Speculate why the number of daily newspapers in the United States continues to decline.
• Explain how the Telecommunication Act of 1996 fundamentally altered media ownership rules in the United States.
• Detail ways in which national reporters and editors are distinctive from the local press.
• List and identify the three distinctive roles of the media: (1) Gatekeeper, (2) Scorekeeper, and (3) Watchdog.
• Explain how a constitutional ban on prior restraint provides newspapers greater freedom compared to broadcast media.
• Explain why it is so difficult to sue a publication for libel.
• Identify what is a Shield Law and why a national Shield Law does not exist.
• Restate the mission / responsibilities of the FCC (Federal

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<td>Selective Attention (The Public)</td>
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Overview
• Chart: The Internet with and without Net Neutrality
• Political Cartoon: Net Neutrality
• Political Cartoon: The FCC’s Net Fatality
• The Party Press vs. Popular Press
• The Party Press: An Overview
• The Popular Press / Associated Press (AP) – 1848
• Parties and the Press / Yellow Journalism / William Randolph Hearst
• Magazines of Opinion / Investigative Journalism
• Upton Sinclair’s – The Jungle
• Where Do Americans Get Their News?
• Chart – Americans’ Main Source of News – 2013 (Pew)
• Electronic Journalism
• Table – Decline in Viewership of the Television Networks (1990-2010) – Pew
• Table – Network Evening News Audience (2008-2013) – Pew
• Chart – Broadcast Network Evening News Viewership by Season (Nielsen Media Research)
• Journalism in American Political History
• Internet & Blogs
• The Structure of the Media
• Newspapers
• Who is Part of the National Media? (Wire Services, National Magazines, Network Evening News, Cable News, Newspapers)
• Theme B: Media Selection and Bias in the News
• The Role of the National Press (Gatekeeper, Scorekeeper, Watchdog)
• National Press versus Local Press
• PBS Crash Course – Media Institutions (YouTube)
• Theme C: Government Influence on the Media

Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)
Communication Commission).
• Define what the Equal Time Rule is.
• Define what the Right-of-Replay Rule is.
• Define what the Political-Editorializing Rule is.
• Explain how the abolition of the Fairness Doctrine fundamentally changed radio.
• Judge the importance of having the equal-time rule during an election cycle.
• Evaluate criticism against the Commission for Presidential Debates (CPD) for unfairly favoring the two major American parties and excluding third parties.
• Speculate why those that work in media tend to be more liberal and secular than the average American.
• Judge the worth of talk radio in adding or subtracting from the political discourse in the United States.
• Defend the ideal that journalistic philosophy should be neutral and objective.
• Explain how and why news stories differ in their opportunity for bias.
• Deduce why feature and insider stories became more important to newspapers with the rise of radio and television.
• Evaluate the cost of Americans suffering from “selective attention” and remembering or believing only what they want to.
• Judge the impact of newspapers that endorsed incumbents.
• Explain how press coverage affects policy.

- Mass Media and the Government: An uneasy relationship
- Donald Trump & Fake News
- Rules Governing the Media / Shield Laws / FCC
- Right to Gather Information? (Zemel v. Rusk 1965 and Branzburg v. Hayes 1972)
- The Protection of Sources / No Federal Shield Laws for Reporters
- Regulating the Broadcast Media
- Federal Communication Commission / Board of Governors / Licensing / Content Regulation
- The Media and Campaigns
- Content Regulation (Fairness Doctrine, Equal Time Rule, Right of Rebuttal)
- PBS Crash Course – Media Regulation (YouTube)
- What Role Does the Mass Media Have in Forming Public Opinion? / Public Agenda / Echo Chamber
- Media Bias / Niche reporting
- Chart: Main Sources of News for the 2016 Election (Pew)
- Table – Journalist Opinion versus Public Opinion (Los Angeles Times)
- Narrowcasting
- Does Ideology Impact Reporting?
- News Stories Differ in Opportunity for Bias (Routine Stories, Feature Stories, Insider Stories)
- Influence on the Public / Selective Attention / Public Agenda
- Figure – Trust in the Mass Media by Party (2004-2013) (Gallup)
- Figure – Trust in the Mass Media by demographic group (2009) Gallup
- Coverage of Government /
issues that people think are important.
• Detail how Theodore Roosevelt and Franklin D. Roosevelt effectively used the media to promote their policies.
• Explain why news coverage of Congress is never equal to that of the President.
• Define what a leak is.
• List some reasons why leaks exist.
• Define what attack journalism is and why most people do not like it.
• Identify some of the reasons that sensationalism in the media continues to grow.
• Explain why reporters must strike a balance between expressing critical views and retaining a source of information.
• Explain why government officials will sometimes leak a story to the press.

| Unit 4 Test | Week 17 | Chapter 7 – Public Opinion (Pages 152 to 170) | Chapter 11 – Interest Groups (Pages 244 to 267) | Chapter 12 – The Media (Pages 268-293) | Comprehension & Mastery Check | Prepare Students for the College Board Exam | Unit 4 Test | 55 Multiple-Choice Questions | 4 Free Response Questions: (2 Take Home Essay Questions, 2 In-Class Essay Questions) | C-SPAN | Leaks / Whistleblower | Political Cartoon – Government Leaks | Political Cartoon – Trump’s Oval Office / Leaks | Political Cartoon – Edward Snowden | Why are there so many government leaks? | The Adversarial Press / Attack Journalism | Sensationalism | The Rise of Fake News | Chart: 3 Types of Misleading “News” Sites (from CNN) | Government Constraints on the Media | Review Textbook Company’s Website: MindTap (Online self-check and practice tests) | N/A | N/A
Unit 5
Chapters 14, 19, and 15
### Curriculum Requirements (CRs) addressed:

| Curriculum Requirements 1 through 16 | CR 1, 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 16 |

### Reasoning Processes (RPs) addressed:

| Reasoning Process 1: Definition / Classification | RP 1.a, b, c, d, e, f |
| Reasoning Process 2: Process | RP 2.a, b, c, d |
| Reasoning Process 3: Causation | RP 3.a, b, c, d, e |
| Reasoning Process 4: Comparison | RP 4.a, b, c, d |

### Disciplinary Practices (DPs) addressed:

| Disciplinary Practice 1: Apply political concepts and processes to scenarios in context | DP 1.a, b, c, d, e |
| Disciplinary Practice 2: Apply Supreme Court decisions | DP 2.a, b, c, d |
| Disciplinary Practice 3: Analyze and interpret quantitative data represented in tables, charts, graphs, maps, and infographics | DP 3.a, b, c, d, e, f |
| Disciplinary Practice 4: Read, analyze, and interpret foundational documents and others text-based and visuals sources | DP 4.a, b, c, d |
| Disciplinary Practice 5: Develop an argument in essay format | DP 5.a, b, c, d |
### Big Ideas (BIs) addressed:

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<td>Methods of Political Analysis</td>
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### Political Skills and Practices (PS&P) addressed:

| Skill 1: Describe and explain constitutional and political institutions, principles, processes, models, and beliefs | PS&P 1.A, B |
| Skill 2: Explain connections among political behavior, political institutions, belief, and cultural factors | PS&P 2.A, B |
| Skill 3: Read, analyze, and interpret quantitative data to draw conclusions about political principles, processes, behavior and outcomes | PS&P 3.A |
| Skill 4: Read, analyze, and interpret qualitative sources | PS&P 4.A, B |
| Skill 5: Read, analyze, and interpret qualitative resources | PS&P 5.A, B |
Know

- When trying to understand/gauge the powers of the presidency it is often helpful to compare the powers and duties of the U.S. President to those held by the British Prime Minister.
- The parliamentary system is much more common in the world than a directly elected president who serves as chief executive.
- In many parliamentary systems, the prime minister fulfills the role as chief executive while a president fulfills the role of “head of state”. In some nations, like Great Britain, the head of state is a member of a royal family (i.e. – a king or queen).
- Prime ministers choose their cabinet members from among the members of parliament. In addition to serving in the prime minister’s cabinet all cabinet members continue to serve as MPs (members of parliament) serving their legislative units or districts.
- A prime minister remains in power as long as his or her party or coalition maintains a majority in the legislature.
- A prime minister is always an insider chosen by members of the majority party in parliament.
- Presidents are often outsiders, and often must work with a majority opposition party legislature.
- Sitting members of the U.S. Congress are not permitted to simultaneously serve in a president’s cabinet (separation of powers).
- Presidents have no guaranteed majority in the legislature and often find themselves at odds with Congress; prime ministers always have a majority in the legislature along with support for their policy initiatives and agenda. If prime ministers lose that support they normally relinquish the leadership of the party; presidents do not.
- Presidents and the Congress often work at cross-purposes since they serve different constituencies (national vs. parochial).
- Divided government occurs when one party controls the White House and another controls one or both houses of Congress; this is a recurring phenomenon in American government.
- Historically, divided government was about as successful as a unified government in passing laws, conducting investigations, and ratifying treaties. However, this may no be true today.
- Both political parties have traditionally been “big tent” parties that accommodate diverse ideologies and regional interest. In the past, both the Democrats and Republicans were ideologically diverse coalitions allowing for compromise. In many instances, this is no longer the case as both parties have become more partisan and polarized.
- Unified government actually requires the same ideological wing of the party to control both branches of government (which is highly unlikely to happen).
- Everyone has an interest in some degree of gridlock (blocking polices they don’t like); this is a necessary consequence of representative democracy.
- The delegates to the Constitutional Convention feared both anarchy and monarchy; many delegates had serious reservations about empowering a single individual in the role of chief executive and how that might impact a balance of power with the legislature.
- In Federalist #70, Alexander Hamilton argued on behalf of creating single chief executive instead of having a plural presidency. Key to his thesis was (1) unity in the executive branch was the main ingredient for both energy and safety, (2) energy arises from the proceedings of a single person, characterized by decision, activity, secrecy, and dispatch, and (3) safety arises from the unitary executive’s unencumbered accountability by the people.
- The delegates created the Electoral College as the means for the nation to select the U.S. President. It was believed that the Electoral College could prevent extreme candidates from gaining power.
- The first presidents were men who had been active in the drive for independence and helping to found the new nation.
- George Washington set the precedent of a president serving two terms of office and then stepping down.
• Later the 22nd Amendment (1951) constitutionally barred anyone from serving more than two terms as president.
• The minimal activism of early governments contributed to lessening the fear of the presidency; relations with Congress were reserved – few vetoes.
• Andrew Jackson fundamentally reshaped the office of the presidency. Jackson believed in a strong and independent president who spoke on behalf of all of the American people. He made vigorous use of his veto power for constitutional and policy reasons, none of which were overridden. Jackson demonstrated what a popular / Populist president could do.
• Abraham Lincoln expanded presidential power and asserted “implied powers” and the express authorization of the Commander-in-Chief during the American Civil War. Lincoln justified his actions on the grounds of the emergency conditions created by the war between the North and the South.
• Congress continued to be the dominant branch of government with the exception of the presidencies of Theodore Roosevelt, Woodrow Wilson, and Franklin D. Roosevelt.
• Even today, the popular perception of the president as the center of government contradicts the reality – Congress is often the policy leader.
• The presidency has been enhanced beyond its express constitutional powers.
• The formal powers of the presidency are contained in Article II of the U.S. Constitution. The president can unilaterally exercise some powers, while others require formal legislative approval.
• Because of the ambiguous wording of various clauses in Article II, there is a potential for presidents to expand their power beyond is explicitly stated in the U.S. Constitution (i.e. – the powers of the Commander-in-Chief and the duty to “take care that laws be faithfully executed” (executive power)).
• The greatest source of presidential power lies in politics, public opinion and the expectation of presidential leadership from the public.
• To avoid the political risks of opposing a popular president, Congress will pass more of a popular president’s legislative proposal than an unpopular president’s proposals. Popularity is affected by factors beyond anyone’s control (i.e. – Pearl Harbor, 9/11, Hurricane Katrina).
• Popularity is highest immediately after an election (i.e. – the honeymoon period). By the mid-term election, the president’s party usually loses seats in Congress.
• The powers of the presidency have grown due to frequent congressional delegations of power, the increased importance of foreign affairs, and the public’s expectations.
• Presidential power can be exercised with the veto/pocket veto, claiming executive privilege, the impoundment of funds, and signing statements.
• The veto gives the U.S. President the power to reject proposed legislation and is a power tools in getting congress to compromise with the chief executive.
• It is very difficult for Congress to override a presidential veto.
• Unlike many state governors, the U.S. President does not have line-item veto power.
• In the case of United States v. Nixon, the Supreme Court, by a vote of 8 to 0, held that while there may be a sound basis for the claim of executive privilege, especially where sensitive military or diplomatic matters are involved, there is no “absolute unqualified Presidential privilege of immunity from judicial process under all circumstances.
• There is a downside of presidential power – presidents face higher expectations. Effectiveness depends not on formal sources of power; popularity depends on the nature of the issues to be confronted (informal sources of power). Both public opinion and congressional support are extremely important.
• One of the longest lasting influences is life-tenure federal judicial appointments.
• The powerful informal power of presidential persuasion and bargaining are key in presidents trying to transform their popularity into congressional support for their programs. This is especially challenging as presidential coattails (i.e. – the ability of the top of the ticket to help those below) has been declining for years.
• Time is not a friend to most presidential administrations. Public support is normally high at the beginning of a new administration (i.e. – honeymoon period). Popularity almost always wanes, as campaign promises are unfulfilled. It is vital for presidents to conserve time and energy for important issues rather than trying to tackle every one of their priorities.
• Presidential policy initiatives and executive orders promoted by the president often lead to conflict with the congressional agenda (i.e. – Trump’s border wall).
• The White House staff has grown enormously since the American Civil War; the president now has a large bureaucracy of assistants that he has difficulty controlling.
• The rule of propinquity is when the people who are in the room when a decision is made wield power (i.e. - influence the decision).
• The White House Office is made up of the president’s closest assistants.
• Three types of organizational structures are likely to be found in the White House: (1) Pyramid structure – Most assistants report through the hierarchy to the chief of staff who then reports to the president (i.e. – Eisenhower, Nixon, Reagan, Bush), (2) Circular structure – Cabinet secretaries and assistants report directly to the president (i.e. – Carter early in his administration), and (3) Ad hoc structure – Task forces, committees, and informal groups deal directly with the president (i.e. – Clinton early in his administration). It is common to see administration mix organizational methods.
• The Executive Office of the President (EOP) is composed on agencies that report directly to the president. Appointments must receive Senate confirmation, unlike the White House staff.
• The Office of Management and Budget (OMB) is generally considered the most important agency in the EOP. OMB assembles the federal budget proposal, develops reorganization plans, and reviews legislative proposals of agencies.
• The cabinet is composed of the secretaries of the executive branch departments. The cabinet is not explicitly mentioned in the Constitution; the first cabinet was established by George Washington and consisted of the Secretaries of State, War, and Treasury. Presidential control over departments remains uncertain – secretaries become advocates for their departments.
• Presidents have many more appointments to make than do prime ministers who have their cabinet pre-assembled in the form of the party leadership.
• Presidential control over departments remains uncertain; secretaries often become advocates for their departments.
• A number of factors go into selecting cabinet members. Do they have prior federal experience or no experience at all? Are they political insiders or outsiders? Do they have a political following? Do they have expertise and administrative experience?
• The president’s cabinet officers and their principal deputies usually have not served with the chief executive in the legislature. Instead they come from private business, universities, think tanks, foundations, law firms, labor unions, and former and present members of Congress as well as past state and local government officials.
• The power to persuade is one of the greatest sources of presidential power. Theodore Roosevelt coined the phrase “Bully Pulpit” to describe this source of potential power. The president can use the office’s national constituency and ceremonial duties to enlarge his or her powers. The Bully Pulpit has three key audiences: (1) fellow politicians and political leaders, party activists (the Party Base), and (3) various publics. Today there are fewer impromptu remarks from presidents (President Trump excluded) and many more canned speeches.
• As technology continues to evolve, so does the means by which presidents reach out to the American people (i.e. – FDR’s Fireside Chats, Trump and Twitter).
• Executive privilege is the claim made by presidents that confidential communications between the president and his / her advisers need not be disclosed. In 1973 the U.S. Supreme Court rejected the claim of absolute executive privilege in U.S. v. Nixon.
• Executive orders implied from the president’s vested “executive power” or from the power delegated by Congress. Executive orders allow the president to manage the federal government without waiting for Congress to pass a law (i.e. – DACA – Deferred Action for Childhood Arrivals – issued by Obama to address the issue of young people brought into the United States illegally as children).
• The impoundment of funds is when a president refuses to spend funds appropriated by Congress. In 1974 the Budget Reform Act limited the president’s ability to refuse to spend appropriated funds. The Supreme Court in Train v. City of New York ruled that the impoundment power could not be used to frustrate the will of Congress.
• Resources in developing a presidential program include interest groups, aides and campaign advisors, federal departments and agencies, and various specialists.
• There are normally a number of constraints regarding what programs the president can get enacted into law: public and congressional reactions, limited time and attention span of the president, unexpected crises, public opinion polls, and the reality that most programs can only be changed marginally because resources are already committed.
• A president’s approach to problem solving may be influenced by opinion polls. Presidents who view themselves as trustees will act for the public good regardless of popular opinion. Presidents who view themselves as delegates will act as their constituents wish them to act.
• It is the job of the President to ensure the Federal agencies and departments carry out their responsibilities in concert with the goals of the administration. Presidential ideology, authority, and influence affect these goals. In particular, compliance monitoring can pose a challenge to policy implementation (i.e. – the nature of bureaucracy).
• Every president since 1928 has proposed some degree of reorganization of government to make it more efficient. Reorganization outside of the White House staff must be congressionally approved (i.e. – The Department of Homeland Security).
• Only sixteen of forty-one presidents have served two full terms as of 2014.
• The office of the Vice President is often consider a rather “empty job.” The primary responsibility of the Vice President (other than stepping in for the President if a vacancy occurs) is to preside over the Senate and vote in case of a tie.
• The 25th Amendment (1967) establishes procedures to address a vacancy in the office of the presidency. It allows vice presidents to serve as acting president if the president is disabled. Illness is determined the president, vice president and cabinet, or by two-thirds of Congress. It requires a vice president who ascends to office on death or resignation of the president to name a vice president. The new vice president must be confirmed by majority votes of both houses.
• Judges, not presidents, are the most frequent subjects of impeachment. Indictment by the House (i.e. – articles of impeachment) followed by trial and conviction of the Senate. In order for a federal judge or executive to be found guilty it requires a two-thirds majority of the U.S. Senate.
• Both the President and Congress are more constrained today. The reasons for these constraints include the complexity of the issues, the scrutiny of the media, and the greater number and power of interest groups.
• Presidents respond to these constraints in a number of ways. They act early in their first terms to get a policy victory (i.e. – Obamacare), they establish few top priorities, and they give power to the White House staff and supervise them carefully.

Understand

• In many regards, a prime minister is routinely more effectively than a president. Prime ministers will always have a legislative majority and are not hindered by a system of checks and balances that are present in the American system of government.
• Prime Ministers are always insiders; presidents are often outsiders. British prime ministers are always the head of the ruling legislative party or party coalition. The president often has to work with a legislature that is controlled by the opposition party.
• The parliamentary system is much more common in the world than the federal democracy of the United States with separate, independent branches of government along with the system of checks and balances.
• In a parliamentary system, the prime minister serves as the chief executive, not as the Head of State. In the American system, the president serves as both Chief Executive and Head of State.
• Prime ministers choose their cabinet members from among sitting members of parliament (MPs); a sitting member of the U.S. Congress who wishes to serve in the president’s cabinet must first resign their legislative position.
• Prime ministers serve as long as they have a governing majority; U.S. presidents must adhere to term limits regardless of their popularity.
• A prime minister is always an insider chosen by members of the majority party in parliament; presidents are often outsiders who win the presidential primaries and may or may not have the unquestioned support of their party leadership.
• Presidents and the Congress often work at cross-purposes since they represent different constituencies with different concerns and priorities.
• Divided government occurs when one party controls the White House and another controls one or both houses of Congress; this is a recurring phenomenon in American government.
• America’s two major political parties have traditionally been “big tent” parties that accommodate diverse ideologies and regional interest. However, polarization and partisanship are much higher today than it has been in the past.
• A truly unified government is not likely to happen in the United States. A unified government requires the same ideological wing of the party to control both branches of government (which is highly unlikely to happen under the federal system and the weakness of America’s political parties).
• Despite complaints to the contrary, everyone benefits from some degree of gridlock (blocking polices they don’t like). This explains why the American voter continues to split their ticket which results in divided government.
• Many delegates at the Constitutional Convention had serious reservations about empowering a single individual in the role of chief executive. They struggled to determine what would be the most appropriate amount of power to bestow upon this position without empowering a potential tyrant.
• Alexander Hamilton in Federalist #70 argued for a robust single executive that would be characterized by energy and would be accountable to the people rather than the legislature.
• The delegates to the Philadelphia Convention created the Electoral College to elect a U.S. President. The Electoral College was conceived as a type of filter that would allow “respected” electors to filter the passions of the masses if they made an unwise choice in selecting a chief executive.
• The first presidents helped to alleviate public concerns of a powerful president by being minimal activists and exercising few vetoes.
• George Washington set the precedent of a president serving two terms of office and then stepping down.
• The 22nd Amendment (1951) barred any president from serving more than two terms. This was enacted following the extended presidency of Franklin D. Roosevelt.
• Andrew Jackson fundamentally reshaped the office of the presidency. Jackson believed in a strong and independent president who spoke on behalf of all of the American people. He made vigorous use of his veto power for constitutional and policy reasons, none of which were overridden. Jackson demonstrated what a popular president could do.
• Abraham Lincoln expanded presidential power and asserted “implied powers” and the express authorization of the Commander-in-Chief.
• Congress continued to be the dominant branch of federal government with the exception of the presidencies of Theodore Roosevelt (foreign policy), Woodrow Wilson (foreign policy), and Franklin D. Roosevelt (the New Deal & WWII).
• Despite the perceptions of the American people, Congress is often the policy leader—not the president.
• The formal powers of the presidency are contained in Article II of the U.S. Constitution. However, critics would argue that the modern presidency has enhanced powers well beyond anything envisioned by the Framers (i.e. – control of the Nuclear Football).
• The president can unilaterally exercise some powers, while others require formal legislative approval.
• Because of the ambiguous wording of various clauses in Article II, there is a potential for presidents to expand their power beyond is explicitly stated in the U.S. Constitution (i.e. – the powers of the Commander-in-Chief and the duty to “take care that laws be faithfully executed” (executive power)).
• While Article II provides the president with a list of powers, the greatest source of presidential power lies in politics, public opinion and the expectation of presidential leadership from the public.
• Presidential power has grown thanks to Congress delegating it powers/responsibilities, the increased importance of foreign affairs, and what the public expects the president to do.
• The White House staff has grown enormously since the American Civil War.
• The president now has a large professional staff (bureaucracy) that aids and assists him with his duties and responsibilities.
• The people who are in the room when a decision is made wield power (influence the decision). This is known as the rule of propinquity.
• The White House Office is made up of the president’s closest assistants. These individuals do not need to be confirmed by the U.S. Senate in order to hold their positions.
• There are three types of organizational structures likely to be found in the White House: (1) Pyramid structure – Most assistants report through the hierarchy to the chief of staff who then reports to the president, (2) Circular structure – Cabinet secretaries and assistants report directly to the
president, and (3) Ad hoc structure – Task forces, committees, and informal groups deal directly with the president. It is common to see administrations mix organizational methods depending upon presidential preferences.

• The Executive Office of the President (EOP) is composed on agencies that report directly to the president. Appointments must receive Senate confirmation, unlike the White House staff.

• The Office of Management and Budget (OMB) prepares the annual federal budget proposal, develops reorganization plans for government, and reviews legislative proposals of agencies. Many political scientists consider it the most important agency in the EOP.

• The presidential cabinet consists of the secretaries of the executive branch departments (i.e. – State, Defense, Treasury, etc.).

• The cabinet is not explicitly mentioned in the Constitution; George Washington established the first cabinet in order to help him manage the many responsibilities assigned to the presidency.

• Most cabinet members have not previously served with the president in some other capacity. Many come from private business, universities, think tanks, foundations, law firms, labor unions, and current or former members of Congress or current or former members of state and local governments.

• Presidential control over cabinet department heads remains uncertain – secretaries often become advocates for their departments – sometimes at odds with presidential policy goals.

• The power to persuade is one of the greatest sources of presidential power.

• Theodore Roosevelt coined the phrase “Bully Pulpit” to describe how he used the office of the presidency to gain public support to pressure the legislature to support his agenda.

• Technology continues to change the way the president speaks to the American people (i.e. – FDR’s Fireside Chats, Trump’s Tweets).

• The president can use the office’s national constituency and ceremonial duties to enlarge his or her powers.

• Presidential coattails (the popularity of a candidate or sitting president can help get other party candidates elected) continue to decline and have minimal (if any) influence in generating congressional support or loyalty.

• Congress is more inclined to pass more of a popular president’s legislative proposal than an unpopular president’s proposals.

• Presidential popularity is affected by many factors beyond anyone’s control (i.e. – Pearl Harbor, 9/11, Hurricane Katrina).

• Presidential popularity is highest immediately after an election (i.e. – the honeymoon period). By the mid-term election, the president’s party usually loses seats in congress as citizens are frustrated that most of the promised presidential agenda has failed to materialize.

• The presidential veto allows the Chief Executive to reject proposed legislation; it can be a powerful tool in getting congress to compromise.

• It is extremely difficult for Congress to override a presidential veto. They would need two-thirds support in both legislative chambers.

• The U.S. President does not have line-item veto power.

• Executive privilege allows presidents to keep confidential communications private (not disclosed).

• In 1973 the U.S. Supreme Court rejected the claim of absolute executive privilege in U.S. v. Nixon. The issue remains murky with the Supreme Court vacillating on the issue from case to case.

• Executive orders allow the president to manage the federal government without waiting for Congress to pass a law (i.e. – Obama and DACA).

• When a president refuses to spend money appropriated by Congress it is known as the Impoundment of Funds.

• In 1974 the Budget Reform Act limited the president’s ability to refuse to spend appropriated funds (impound funds).

• The Supreme Court in Train v. City of New York ruled that presidential impoundment power could not be used to frustrate the will of Congress.

• Interest groups, aides and campaign advisors, federal departments and agencies, and various specialists all participate in the development of presidential initiatives, programs, and agenda setting.

• Public and congressional reactions, limited time and attention span of the president, unexpected crises, public opinion polls, and the reality that most programs can only be changed marginally because resources are already committed often limit what programs and policies the president can and cannot get enacted into law.

• A president’s approach to problem solving may be influenced by opinion polls.
• Presidents who view themselves as trustees will act for the public good regardless of popular opinion.
• Presidents who view themselves as delegates will act as their constituents’ wishes them to act.
• Every president since 1928 has proposed some degree of reorganization of government to make it more efficient.
• Reorganization outside of the White House staff must be congressionally approved (i.e. – The Department of Homeland Security for the 9/11 attacks).
• The office of the Vice President is often consider a rather “empty job.” Vice presidents have very little power and very few official duties.
• The primary responsibility of the Vice President is to preside over the Senate and vote in case of a tie.
• The 25th Amendment (1967) establishes procedures to address a vacancy in the office of the presidency. It allows vice presidents to serve as acting president if the president is disabled. Illness is determined the president, vice president and cabinet, or by two-thirds of Congress. It requires a vice president who ascends to office on death or resignation of the president to name a vice president. The new vice president must be confirmed by majority votes of both houses.
• Judges, not presidents, are the most frequent subjects of impeachment.
• The procedures for impeachment of a federal official include indictment by the House followed by trial and conviction of the Senate.
• In order for a federal judge or the chief executive to be found guilty it requires a two-thirds majority of the U.S. Senate.
• Both the President and Congress are more constrained today in what they can accomplish. The reasons for these constraints include the complexity of the issues, the scrutiny of the media, and the greater number and power of interest groups.
• Presidents respond to these constraints in a number of ways. They act early in their first terms to get a policy victory (i.e. – Obamacare), they establish few top priorities, and they give power to the White House staff and supervise them carefully.
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<th>UNIT</th>
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<th>SUPPLEMENTAL READING ESSAY RESPONSE QUESTIONS</th>
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| Unit 5 | Week 18-19 | Chapter 14 – The Presidency (Pages 331 to 370) | • Compare and contrast the powers and duties of the U.S. President to those held by the British Prime Minister.  
• Speculate why the parliamentary system is much more common in the world than a directly elected president who serves as chief executive.  
• Identify who, in a parliamentary system, would fulfill the role of “head of state.”  
• Evaluate the potential impact of having a prime minister remain in power as long as his or her party or coalition maintains a majority in the legislature.  
• Explain what are the advantages and disadvantages of being an insider versus an outsider (politically speaking).  
• Discuss why sitting members of the U.S. Congress are not permitted to simultaneously serve in a president’s cabinet.  
• Specify why presidents and the congress often work at cross-purposes.  
• Define what divided government is.  
• Explore the causes why divided government is unable to accomplish as much as it has been able to in the past.  
• Identify when unified government actually occurs.  
• Explain why everyone has an interest in some degree of gridlock.  
• Explain why many | Chapter 14 Overview Themes, Group Work, and Writing:  
a) Students will read and discuss the following handouts in small groups  
b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.  
Theme A: The Power of the Presidency Versus Other Institutions  
• Given the resources and the constraints that confront presidents and prime ministers, which office would you prefer to hold if you were allowed such a choice? Which structure—presidential or parliamentary—would you prefer to be governed by, if such a choice could be made? Compare and contrast these assessments of power and legitimacy.  
• The text concludes that presidential authority began to increase as a result of national crises. Why didn’t presidential power increase after the nation’s first three wars (the War of 1812, the Mexican War, and the Spanish-American War)? Were the wars different or was the nation different?  
• If the expansion of presidential power has occurred because of political events and has been fostered by public opinion, under what circumstances might presidential power begin to be limited? Will the historical trend in favor of expanding presidential power be reversed? (Consider the 1994 election and the Contract with America; was this a trend or an anomaly? Also, you may wish to consider the changes imposed on the chief executive after the Watergate scandal, which are identified in this chapter of the text.  
Theme B – The Institutionalization of the Presidency  
• Why has the president’s staff grown? Many presidents enter office with a commitment to cutting the size of their staff. Why isn’t this goal achieved? Why do presidents rely more on the White House staff than on the various other offices in the Executive Office of the President? Why don’t presidents rely on their cabinets?  
• The text describes the connections between | \( \text{Reading (Textbook) Wilson: Chapter 14} \)  
#14 – Mark Rozell – Executive Privilege (Pages 99 to 110)  
Proponents and critics of executive privilege argue that the practice is either undemocratic or essential for effective executive leadership. That debate may never be resolved. The challenge for presidential leadership and decision making in the 21st century in the rise of social media and the loss of almost all personal privacy in the digital age. There may come a time, in the not too distant future, where every discussion and every debate in the White House is open for scrutiny by the media, the legislative branch, and the public. Speculate how this changing reality will transform the presidency and whether it will either enhance transparency or hinder candid discussion and debate in the White House.  
#27 – Richard Neustadt - Presidential Power and the Modern Presidents (Pages 195 to 210)  
Why is persuasive power an essential ingredient for successful presidential leadership? How does persuasive power help such presidents as FDR, Kennedy, Reagan, Clinton, and Obama? Does our current president have the necessary skill set to effectively persuade the American people to support a policy or agenda? Why or why not. | The Lanahan Readings in the American Polity, 6th Ed (2016).  
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#28 – Arthur Schlesinger - The Imperial Presidency (Pages 202 to 208)  
When the executive branch is perceived as having too much power, does that threaten democracy? Is it necessary for the president to have a powerful cabinet to be effective? Is an executive branch with little power to the president ineffective?  
#30 – Annette Gordon-Reed – The Supreme Court and the Election of 1800 (Pages 220 to 226)  
President John Adams and his Federalist Party faced a crisis in 1800 that would change the course of American history. The election of 1800 was one of the most polarizing in American history, and the choice of the U.S. President would have significant consequences for the future of the United States.  
#32 – Johnston – Why the Supreme Court Decides Cases (Pages 245 to 259)  
The Supreme Court is often portrayed as a high-powered institution that wields tremendous influence over American society. However, the Court’s role in shaping policy is often more limited than people realize.  
#33 – Arthur M. Schlesinger Jr. – The Power and the Glory (Pages 261 to 269)  
The presidency is the most powerful office in the United States, and it has been the subject of intense public attention throughout American history. The modern presidency has been characterized by the rise of the executive branch and the decline of Congress.  
#34 – Kenneth T. Jackson – The Struggle for the White House (Pages 271 to 287)  
Election processes in the United States have always been complex and dynamic, with major shifts occurring periodically.  
#35 – David M. Rubenstein – The Politics of the Presidency: Roosevelt and the New Deal (Pages 289 to 305)  
The presidency has been long regarded as the most powerful position in the American government. The executive branch has been able to wield considerable influence over the legislative branch, the courts, and the rest of society.  
#36 – Richard G. Niemi – The American Presidency (Pages 307 to 323)  
The presidency is a powerful office, but it is also a position that is limited by the Constitution and by public opinion.  
#37 – Andrew Bacevich – Why Presidents Fail (Pages 325 to 339)  
Presidential failures have been a frequent occurrence throughout American history, and they have often had significant consequences for the country.  
#38 – James MacGregor Burns – The Great Communicator: Ronald Reagan and the Art of Leadership (Pages 341 to 355)  
Ronald Reagan was the 40th President of the United States, and he is often regarded as one of the most influential presidents in American history.  
#39 – Robert E. Goodell – The Uninformed Voter (Pages 357 to 371)  
Voter turnout in American elections has been a contentious issue throughout history, with many people calling for changes to the voting system.  
#40 – Thomas Jefferson – The American Presidency: Hamilton and the Federalists (Pages 373 to 387)  
The presidency is a powerful position, but it is also one that is limited by the Constitution and by public opinion.  
#41 – Bill Clinton – The American Presidency: FDR and the New Deal (Pages 389 to 403)  
The presidency is a powerful office, but it is also one that is limited by the Constitution and by public opinion.  
#42 – George W. Bush – The American Presidency: Clinton and the New Millennium (Pages 405 to 421)  
The presidency is a powerful position, but it is also one that is limited by the Constitution and by public opinion.  
#43 – Barack Obama – The American Presidency: Reagan and the New Right (Pages 423 to 437)  
The presidency is a powerful office, but it is also one that is limited by the Constitution and by public opinion.  
The presidency is a powerful position, but it is also one that is limited by the Constitution and by public opinion.  
#45 – Richard Nixon – The American Presidency: Eisenhower and the New Deal (Pages 455 to 471)  
The presidency is a powerful office, but it is also one that is limited by the Constitution and by public opinion.  
#46 – Dwight D. Eisenhower – The American Presidency: The Cold War (Pages 473 to 489)  
The presidency is a powerful position, but it is also one that is limited by the Constitution and by public opinion.  
#47 – Gerald Ford – The American Presidency: Nixon and the Watergate Scandal (Pages 491 to 507)  
The presidency is a powerful office, but it is also one that is limited by the Constitution and by public opinion.  
#48 – Lyndon B. Johnson – The American Presidency: Johnson and the Vietnam War (Pages 509 to 525)  
The presidency is a powerful position, but it is also one that is limited by the Constitution and by public opinion.  
#49 – Richard Nixon – The American Presidency: The 1960s and the Vietnam War (Pages 527 to 543)  
The presidency is a powerful office, but it is also one that is limited by the Constitution and by public opinion.  
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170 AP U.S. Government & Politics Curriculum / Syllabus
Veto Message

U.S. v. Nixon
(Unitary Structure)

- Veto
- Veto Message
- Vice President

- Foundational Documents
  - Federalist #70

- Did the presidency of Richard Nixon reveal the dangers of presidential power or did it simply reaffirm the long held belief that the safeguards built into the Constitution to prevent the abuse of power actually work? Is the "Imperial Presidency" still possible today? Why or why not?

- #29 – Thomas Cronin & Michael Genovese - The Paradoxes of the American Presidency (Pages 209 to 219)
  Which of the nine paradoxes of the American presidency appears to have the most profound impact upon the executive office? Why? Elaborate.

- #30 – Craig Rimmerman - The Rise of the Plebiscitary Presidency (Pages 220 to 228)
  What are the characteristics of the plebiscitary presidency? What factors have lead to the development of the modern plebiscitary president? Is it realistic or wise to embrace the concept of the plebiscitary president within the context of today’s complex political world or changing global landscape?

- #31 – Jack Goldsmith – Power and Constraint (Pages 229 to 236)
  It seems when a newly elected presidential candidate transitions into the office of Presidency that a healthy measure of humility and pragmatism accompany that transition. The boastful promises of the campaign trail must now find footing in the reality of governing the nation. To ensure a boastful president tempers their promises and outlooks, a modern synopticon has developed to reign in sweeping presidential action. Is this synopticon working today as the author believes or is this “check and balance” breaking down? Elaborate upon your conclusion.
structures are likely to be found in the White House.
• Identify who makes up the Executive Office of the President (EOP).
• Explain why the Office of Management and Budget (OMB) is generally considered the most important agency in the EOP.
• Identify some factors that make presidential control over departments remains uncertain.
• Identify who coined the phrase “Bully Pulpit” and what can be gleaned from that phrase regarding presidential power.
• Identify example of how presidents may try to transform popularity into congressional support for their programs.
• Describe what presidential coattails and why they may no longer be as important as they once were.
• Explain why Congress is more inclined to enact the agenda and policy proposals of a popular president versus an unpopular president.
• Define what the "honeymoon" period is.
• Evaluate the power of the veto.
• Articulate why it is very difficult for Congress to override a presidential veto.
• Define what Executive privilege is and how the U.S. courts have interpreted its meaning.
• Define what the impoundment of funds is and why it is no longer consider a useful power of the presidency.
• List some of the potential constraints that may limit the

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<th>Optional Activity (Time Permitting)</th>
<th>the Presidency: From Radio to Twitter</th>
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<tr>
<td>Mini-project: Presidential Profiles</td>
<td>• Popularity and Influence / Honeymoon Period</td>
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<tr>
<td>• Students will select a president and create a profile of that individual.</td>
<td>• The President’s Program &amp; Opposing Forces (Public, Congress, Interest Groups, Time, Public Agenda, and Crises)</td>
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<td>• Data will be used to create a PowerPoint presentation that will be shared with the class.</td>
<td>• Do a Little vs. Do a Lot?</td>
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<td>• Presidential Priorities: Policy Goals and the Limitations of Enacting “Change”</td>
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<td>• Constraints on a President’s Program</td>
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<td>• Attempts to Reorganize Government</td>
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<td>• Theme C: Presidential Succession</td>
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<td>• Presidential Transition</td>
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<td>• The Vice President</td>
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<td>• The 25th Amendment (1967)</td>
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<td>• Impeachment</td>
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<td>• How Powerful Is the President: A Mixed Legacy</td>
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<td>#32 – Kenneth Mayer - With the Stroke of a Pen (Pages 237 to 245)</td>
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<td>Should the president have the ability to issue executive orders without some oversight or approval of the other two branches of government? What are the dangers of allowing the president to wield this type of power? Do critics overstate the concerns over executive orders? Use modern examples of how presidents used executive orders to move their policies preferences forward when Congress was unwilling to address the president’s concerns or agenda priorities. You may want to research the controversy surrounding President Obama at the DACA (Deferred Action on Child Arrivals) debate.</td>
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• Compare and contrast the U.S. President as a trustee and as a delegate.
• Explain why it is so difficult for presidents to reorganize/reform government during their term in office.
• Explain why the office of the Vice President is often considered a rather "empty job."
• Detail how the 25th Amendment established procedures to address a vacancy in the office of the presidency.
• Identify who are the most frequent subjects of impeachment.
• Explain how both the President and Congress are constrained from being more effective.
• Explain how presidents respond to these constraints.
Know

- Foreign policy can be viewed from many unique perspectives depending how one weighs the costs and benefits.
- For Majoritarians, foreign policy is perceived to confer widespread benefits and impose widespread costs. The president dominates; public opinion supports, but does not guide, the president. Examples include war, military alliances, or strategic arms limitation treaties. In majoritarian politics, the president dominates. Public opinion generally supports the president but does not usually guide his or her decision-making.
- In Interest Group politics identifiable groups are pitted against one another for costs and benefits. Congress tends to play a larger role than in Majoritarian politics. An example would include the imposition of tariffs on imported Japanese or Canadian steel in order to protect the American steel industry and American jobs.
- Client politics benefits an identifiable group without apparent costs to any distinct group. Examples include U.S. foreign policy towards Israel and aid to U.S. corporations doing business abroad.
- In Entrepreneurial politics, Congress is the central political arena.
- The U.S. Constitution creates an “invitation to struggle” for the President and Congress on war powers. Examples: the President is Commander-in-Chief but only Congress can declare war and appropriate the money for national defense, the President appoints ambassadors but the Senate must confirm them, and the President negotiates treaties but the Senate must ratify them by a two-thirds vote.
- The American people tend to believe that the U.S. President is in charge of foreign policy; history tends to validate that belief. The President is probably stronger in terms of his military and foreign policy powers than the Framers intended (i.e. – The Nuclear Football).
- When compared to other nations, presidents have been comparatively weak in foreign affairs by the standards of other nations.
- Presidents have been relatively strong and successful in foreign affairs while failing to achieve great successes in domestic affairs since these accomplishments require legislative support.
- Treaties signed by the U.S. President are little more than a promise to try to get the Senate to agree to the accord.
- There are numerous examples of president strength in the realm of foreign and military policy: (1) Lincoln blockaded Southern ports and declared martial law/suspended Habeas Corpus, (2) FDR’s destroyers for bases deal with Great Britain in the lead up to the U.S. entrance into WWII, (3) Truman & Korean War, (4) George H.W. Bush & the Persian Gulf War, (5) Bill Clinton’s involvement in Bosnia & Kosovo, (6) George W. Bush’s military action against Afghanistan & Iraq following 9/11, and (6) Barack Obama’s decision to topple the Libyan regime.
- There are also numerous example of presidential weakness in foreign and military policy: (1) Woodrow Wilson’s inability to get the United States to join the League of Nations, (2) FDR’s delayed entrance into WWII despite his growing concerns of Fascism in Europe, (3) Jimmy Carter’s inability to resolve the Iran hostage crisis, and (4) Ronald Reagan’s foreign policy scandal involving Iran-Contra.
- The U.S. Supreme Court has ruled that the federal government has foreign and military powers beyond those specifically mentioned in the U.S. Constitution. The Supreme Court is reluctant to intervene in disputes between the President and Congress regarding issues of war powers.
- Checks on presidential power are chiefly political rather than constitutional. Congress controls the purse strings and can also limit the president’s ability to give military or economic aid to other countries (i.e. – blocking arms sales).
- The War Powers Act of 1973 was enacted to place restrictions on the Commander-in-Chief to use U.S. armed forces in a combat situation without the approval / consent of the legislature. Provisions include notification of Congress within forty-eight hours of military action commencing and a sixty-day commitment window for the action to take place unless there is a declaration of war or a specific statutory authorization.
- Every president since the passage of the War Powers Act has sent troops abroad without congressional approval. Presidents deny that the War Powers act is constitutional. The U.S. Supreme Court has never dealt directly with the legality / constitutionality of the War Powers Act.
• Once military operations commence Congress is reluctant to cut off appropriations for these missions; it is very difficult politically for Congress to deny support to American troops during a time of war.
• According to law, the House and Senate Intelligence Committees are required to be fully informed of any military action; including covert (black-ops) operations. Congressional committees do not have any authority to disapprove covert action authorized by the Commander-in-Chief. For example, in the 1980s Congress passed the Boland Amendment to block military aid to the Contras.
• Sometimes the president can exercise extraordinary measures such as FDR’s Executive Order 9066. In an atmosphere of World War II hysteria, President Roosevelt, encouraged by officials at all levels of the federal government, authorized the internment of tens of thousands of American citizens of Japanese ancestry and resident aliens from Japan.
• Following World War II, the United States was burdened with the duties, responsibilities, and obligations of a global superpower (i.e. – nuclear weapons). The President became more involved in foreign affairs and more agencies began to shape foreign policy – not just the State Department.
• The job of running U.S. foreign policy is too big for one department or agency. Many agencies have foreign missions abroad (i.e. – Department of Defense (DOD), Central Intelligence Agency (CIA), Departments of Agriculture, Commerce, and Labor, the Federal Bureau of Investigations (FBI), Drug Enforcement Agency (DEA), and the Agency for International Development (AID)). Most of these agencies owe no political or bureaucratic loyalty to the Secretary of State.
• The National Security Council (NSC) was created to coordinate departments and agencies. The National Security Advisor (NSA) heads the staff. The NSC is chaired by the president and includes the vice president, secretaries of state and defense; usually includes the director of the CIA, chair of the Joint Chiefs of Staff, and the attorney general. The goal of the NSA is to present various perspectives, facilitate presidential decision-making, and implement presidential decisions. The NSA has grown in influence since its inception during the Kennedy administration.
• A consequence of having a multi-centered, policy-decision machine is that “it’s never over.” Numerous rivalries within and between the executive and legislative branches result in endless bickering and second questioning of any decision. Agency positions are influenced by agency self-interests.
• Foreign policy preferences are shaped by both public (Majoritarian) and elite opinion. Public opinion tends to be mushy and volatile.
• In times of crisis, the public tends to support the president (“rallying around the flag”) in foreign policy initiatives. It is common for a sitting president to see a boost in popularity immediately after a crisis (i.e. – George W. Bush following the 9/11 attacks).
• Military casualties often lead the public to support escalation so the fighting will end more quickly (“divisive victory through might”).
• Public support for protracted military engagements tends to diminish over time (i.e. – Vietnam, Iraq). The American people prefer military campaigns of short duration with decisive results.
• Initial military action often results in a boost for presidential approval/popularity (i.e. – Rally “Round the Flag) but often diminishes over time.
• Opposition against military action is generally highest among Democrats, African-Americans, and people with post-graduate degrees.
• Mass opinion is poorly informed about most foreign policy issues.
• Elite opinion is well information but opinions are likely to change. Most leaders are more liberal and internationalists than the general public. Cleavage (differences) between mass and elite opinion even wider if elite is restricted only to those involved in making foreign policy.
• Elite opinion is especially important in matter of foreign policy because mass opinion is permissive and mushy. Despite being more decisive, Elites are also very divided on most issues (i.e. - Hawks vs. Doves).
• The foreign policy elite consists of senior officials of the State Department, the Staff of the National Security Council, members and staff of the Senate Foreign Relations Committee and the House International Relations Committee, members of the Council of Foreign Relations, and the editors of the periodicals Foreign Affairs and Foreign Policy.
• A paradigm (or worldview) is a comprehensive mental picture of world issues facing the United States and appropriate or inappropriate ways of responding.
• There are five basic foreign policy paradigms or worldviews: Isolationism, Containment, Disengagement, Human Rights, and Pre-Emption.
• The Isolationism paradigm existed during the 1920s and 30s. Most citizens were opposed to getting involved in any wars following the aftermath of World War One. The attack on Pearl Harbor ended this paradigm also a growing strain of populist isolationism again emerged under President Trump (i.e. – questioning the value of NATO, the role of the U.S. in the Middle East and Asia).
• The Containment paradigm existed during from the 1940s, 50s, and 60s. This was a postwar policy to resist Soviet expansionism wherever it would be occurring on the Earth (i.e. – fear of the Domino Effect).
• The Disengagement paradigm began in the 1970s. It was a reaction to the military defeat and political disaster of Vietnam. Critics believed the containment worldview was wrong and wanted to return to a degree of isolationism.
• The Human Rights paradigm dominated the 1980s and 1990s as the United States emerged as the hegemony following the collapse of the Soviet Union. The goal of U.S. foreign policy was to prevent genocide. The policy was applied unevenly (Applied in Bosnia, not applied in Rwanda).
• The Pre-Emption paradigm emerged following the 9/11 attacks. As articulated by President George W. Bush, America will act against emerging threats before they are fully formed; will identify and destroy terrorist threat before it reaches our borders. The United States will not hesitate to act alone (i.e. – The Bush Doctrine).
• There are two views regarding the military. For Majoritarians, everyone is protected, every taxpayer pays, the president is Command-in-Chief, and Congress has a supportive role.
• In client politics, the beneficiaries are generals, defense contractors, and members of Congress. The military budget reflects the lobbying skills of the military-industrial complex.
• Prior to the Cold War, the United States maintained a small peacetime military. Increases in military spending reflected public opinion and general support for a large peacetime military.
• Money for the military is allocated to address a number of key assets: personnel, big-ticket items, small-ticket items, readiness, and bases.
• One of the largest military expenditures is paying for and supporting the all-volunteer force.
• Big-ticket items (Aircraft carriers, tanks, etc.) are often impacted by cost overruns (the difference between the actual cost and the estimated cost – i.e. – F-35 Joint Strike Fighter). There are many reasons for cost overruns: it is hard to know in advance what something that has never existed before will actually cost to build, contractors have an incentive to underestimate the cost to get the weapon approved, Pentagon officials want “the best” money can buy (“gold plating”) and sole sourcing (no competition to build a weapon means no incentive to control the costs).
• Small-ticket items may include all types of small equipment – helmets, coffee makers, etc.
• Readiness is the ability for troops to deploy quickly in case of a crisis. Client politics makes readiness a low priority (after building equipment and maintaining bases). Training and readiness have no specific client constituencies.
• The system of locating / maintaining military bases was purely client politics (members of Congress protecting jobs and ensuring the flow of pork into a district).
• The National Security Act of 1947 set up the organization of the Department of Defense.
• The Secretary of Defense is a civilian, as are the secretaries of the Army, Navy, and Air Force. The Joint Chiefs of Staff are military officers.
• There are two reasons for separate uniformed military services: (1) fear that a unified military would become too powerful and (2) the desire of each service to preserve their autonomy.
• The Joint Chiefs of Staff (JCS) are composed of the uniformed head of each service. The JCS chair and vice chair are appointed by the president and confirmed by the Senate. The JCS does not have command authority over troops, but plays a key role in defense planning. The JCS chair has been designated the principal military adviser to the president; JSC does not have combat command.
• The Joint Staff is composed of officers from each service assisting the JCS.
• The chain of command for control of the military runs from the President to the Secretary of Defense to the Unified and Specified Commands.
• Since 9/11 foreign policy has had to focus on terrorism and what to do with nations that have harbored terrorists.
• Superpower status has left the U.S. vulnerable both here and abroad to terrorist attacks.
• The world continues to shift from a unipolar world (U.S. as hegemon) to a multipolar world with numerous global players (Russia, China, EU, etc.).
• A number of important lessons were learned about rebuilding a nation after a war: (1) do not leave quick; rebuilding takes time, (2) organize your own agencies, (3) make certain civilian and military operatives are carefully coordinated, and (4) democracy and democratic values can not be imposed on people; they need to be learned and practiced over a reasonable period of time if a successful outcome is to achieved.

Understand

• For Majoritarians, foreign policy cost, as well as benefits, are shared the nation as a whole.
• For Majoritarians, the U.S. President is at the forefront of U.S. foreign policy; while public opinion does not dictate what he or she does, it does offer a guide pertaining to the level of support the President can expect for policy decisions. The most important issues when considering Majoritarian politics is the decision or not to go to war.
• Interest Group politics, in the realm of foreign policy, often pits one special interest group against another. An example of this would be the debate on whether the U.S. should impose tariffs on imported foreign steel (domestic steel producers & labor unions vs. the construction industry). The U.S. Congress normally takes a more active interest in promoting a particular policy or outcome when interest groups are involved.
• Client politics normally benefits one particular group (i.e. – U.S. aid to Israel, Egypt, or a U.S. corporation doing business abroad) while spreading the cost to all taxpayers.
• Due to the ambiguity of the U.S. Constitution, the President and Congress often struggle over war powers. (i.e. Commander-in-Chief vs. Congress’s right to declare war).
• American citizens believe that the U.S. President is in charge of foreign policy; history tends to validate that belief.
• The President is probably stronger in terms of his military and foreign policy powers than the Framers intended (i.e. – the Nuclear Football – the sole power to authorize the use of America’s nuclear arsenal).
• Presidents can often find success in foreign affairs while failing to achieve great successes in domestic affairs. The primary reason for this is that the President has a great deal of discretion in the arena of foreign policy while domestic policy requires a cooperative legislature.
• All treaties negotiated by the President are subject to Senate ratification (checks and balances).
• The U.S. Supreme Court has constitutionally condoned the growth of foreign and military powers beyond those specifically mentioned in the U.S. Constitution.
• The U.S. Supreme Court is reluctant to intervene in disputes between the President and Congress regarding issues of war powers.
• Checks on presidential war powers are chiefly political rather than constitutional.
• Congress must approve the budget allocations for all foreign and military expenditures thus checking some of the president’s power. (i.e. – Congress cut off funding of Nixon’s bombing campaign against Cambodia during the Vietnam War).
• The War Powers Act of 1973 was enacted to place restrictions on the Commander-in-Chief to use America’s armed forces for prolonged combat operations without Congressional consent.
• Under the War Powers Act Congress must be notified within forty-eight hours of military operations commencing.
• Follow congressional notification, the president has a sixty-day commitment window for the action to take place unless there is a declaration of war or a specific statutory authorization. If congress fails to approve the action at the end of the sixty-day time frame the president will have another thirty days to end combat operations and redeploy forces.
• Every president since the passage of the War Powers Act has sent troops abroad without congressional approval.
• Presidents contend that the War Powers act is unconstitutional since it violates the separation of powers. The U.S. Supreme Court has never dealt directly with the legality / constitutionality of the War Powers Act which leaves a great deal of ambiguity (i.e. – Obama’s decision to authorize the bombing of Libya without seeking congressional approval).
• Congress is reluctant to cut off funding for military operations once action has commenced; it is politically risky for Congress to deny support to American troops during a time of war.
• The House and Senate Intelligence Committees are required to be fully informed of any military action (including covert (black-ops) operations).
• Congressional committees do not have any authority to disapprove covert action authorized by the Commander-in-Chief but they must be fully briefed by the executive branch.
• There have been times in history when presidents have employed extraordinary measure in using their foreign or military powers (i.e. – FDR’s executive order forcing the relocation of Japanese-Americans during WWII).
• In the aftermath of World War II (i.e. – bi-polar, Cold War era), the United States was tasked with the duties, responsibilities, and obligations of a global (nuclear) superpower.
• During the Cold War, the President became much more involved in foreign affairs; numerous federal departments and agencies began to shape foreign policy – not just the State Department.
• A number of federal departments and agencies have foreign missions abroad (i.e. – Department of Defense (DOD), Central Intelligence Agency (CIA), Departments of Agriculture, Commerce, and Labor, the Federal Bureau of Investigations (FBI), Drug Enforcement Agency (DEA), and the Agency for International Development (AID)).
• These agencies owe no political or bureaucratic loyalty to the Secretary of State, which may complicate the way the United States interacts with the global community. It also created rivalries and competition between these various entities for influence and control (i.e. – State Department vs. Department of Defense)
• The National Security Council (NSC) was created to coordinate departments and agencies involved in foreign and military policy on behalf of the President Kennedy.
• The National Security Advisor (NSA) heads the NSC. The NSC is chaired by the president and includes the vice president, secretaries of State and Defense; usually includes the director of the CIA, chair of the Joint Chiefs of Staff, and the attorney general.
• The goal of the NSA is to present various perspectives, facilitate presidential decision-making, and implement presidential decisions.
• This multi-centered, policy-decision machine can greatly complicate the President’s ability to come to a decision. Rivalries within and between these agencies result in endless bickering and second questioning of any decision. Most agency positions are influenced by agency self interests.
• The nation’s foreign policy is shaped by both public and elite opinion although elite opinion tends to dominate. Public opinion tends to be mushy and volatile since most Americans do not take an active interest in foreign affairs.
• During episodes of military conflict or international crisis the public tends to support the president (“rallying around the flag). It is not uncommon for a president to see a boost in popularity immediately after a crisis (i.e. – George W. Bush following the 9/11 attacks).
• The public normally responds to increase military casualties with a call for escalation of force to end the conflict quickly.
• Public support for protracted military engagements tends to diminish over time (i.e. – Vietnam, Iraq, and Afghanistan).
• The American people prefer military campaigns of short duration, limited costs, with decisive results.
• Democrats, African-Americans, and people with post-graduate degrees routinely disagree with the use of force in foreign policy.
• Mass opinion is poorly informed about most foreign policy issues; Americans tend to look “inward” rather than “outward.”
• Elite opinion is well informed but opinions are likely to change depending upon the evolving context of a given situation or crisis.
• Most elites are more liberal and internationalists than the general public.
• Cleavage (differences) between mass and elite opinion is often very wide on issues of foreign policy.
• Despite being better informed than the average citizen, Elites are also very divided on many foreign policy issues (i.e. - Hawks vs. Doves).
• The U.S. foreign policy elite consists of senior officials of the State Department, the Staff of the National Security Council, members and staff of the Senate Foreign Relations Committee and the House International Relations Committee, members of the Council of Foreign Relations, and the editors of the periodicals Foreign Affairs and Foreign Policy.
• A paradigm (or worldview) is a comprehensive model of how to deal with global issues facing a nation.
• The five basic foreign policy paradigms or worldviews that have guided U.S. foreign policy over the course of the 20th and 21st century include Isolationism, Containment, Disengagement, Human Rights, and Pre-Emption.
• The Isolationism dominated U.S. foreign policy during the 1920s and 30s. Most citizens were opposed to getting involved in any wars following the catastrophic losses World War One. The Japanese attack on Pearl Harbor in 1941 heralded the end of this paradigm.

• The Containment paradigm prevailed during the height of the Cold War between the United States and Soviet Union. This paradigm advocated resisting Soviet expansionism wherever it would be occurred regardless of the local context of the conflict.

• The Disengagement paradigm was embraced in the 1970s in the aftermath of Vietnam War. Many believed the containment paradigm had dragged us into a Vietnamese civil war; many American clamored for a return to a degree of isolationism.

• The 1980s and 90s were dominated by the new Human Rights paradigm. The goal of U.S. foreign policy was to prevent genocide whether the nation had a direct stake in a conflict or not. The policy was applied unequally and was not always successful (Applied in Bosnia and Somalia, not applied in Rwanda).

• Following the 9/11 attacks the United States embraced the Pre-Emption paradigm (i.e. – Bush Doctrine). The United States declared it would act against emerging threats before they are fully formed (i.e. – Axis of Evil (Iraq, Iran, and North Korea)). The United States would identify and destroy any terrorist threat before it reached America’s borders regardless of where that threat was located. Finally, the United States declared it would not hesitate to act alone (would disregard the views of the United Nations and NATO allies).

• For Majoritarians the military protects everyone and every taxpayer contribute to the nation’s defense. The president is Command-in-Chief and Congress has a supportive role.

• In regards to client politics and military spending, the beneficiaries of government allocations are generals, defense contractors, and members of Congress. The military budget reflects the lobbying skills of the military-industrial complex.

• Prior to the Cold War, the United States maintained a small peacetime military.

• Increases in military spending reflected public opinion and general support for a large peacetime military due to the perceived threat of Soviet expansionism.

• The military categorizes spending in terms of personnel, big-ticket items, small-ticket items, readiness, and bases.

• One of the most expensive aspects of military spending is paying and supporting the all-volunteer force.

• Big-ticket items (Aircraft carriers, tanks, fighter jets, etc.) are often impacted by cost overruns (the difference between the actual cost and the estimated cost – i.e. – F-35 Joint Strike Fighter). There are many reasons for cost overruns: it is hard to know in advance what something that has never existed before will actually cost to build, contractors have an incentive to underestimate the cost to get the weapon approved, Pentagon officials want “the best” money can buy (“gold plating”) and sole sourcing (no competition to build a weapon means no incentive to control the costs).

• Small-ticket items may include all types of small equipment (helmets, rifles, etc.) that are deemed essential for the military.

• Readiness (training) is often on the chopping block during budget cuts. Client politics makes readiness a low priority (after manufacturing equipment and maintain bases). Training and readiness have no specific client constituencies thus they do not have special interest and congressional support.

• The system of locating / maintaining military bases is purely politics (members of Congress protecting jobs and ensuring the flow of pork into a district).

• The National Security Act of 1947 set up the organization of the Department of Defense.

• The Secretary of Defense is a civilian, as are the secretaries of the Army, Navy, and Air Force.

• The reason that the U.S. military is organized into branches is to alleviate the fear that a unified military would become too powerful and the desire of each service to preserve their autonomy / area of expertise.

• The Joint Chiefs of Staff (JCS) are composed of the uniformed head of each service. The JCS chair and vice chair are appointed by the president and confirmed by the Senate. The JCS does not have command authority over troops, but plays a key role in defense planning. The JCS chair has been designated the principal military adviser to the president; JSC does not have combat command. The Joint Staff is composed of officers from each service assisting the JCS.

• The chain of command for control of the military runs from the President to the Secretary of Defense to the Unified and Specified Commands.

• Since 9/11, U.S. foreign policy has focused on terrorism and emerging threats (i.e. - rogue nuclear nations).
• Because of far reaching global commitments, the U.S. is vulnerable both here and abroad to terrorist attacks.
• The world today is multipolar with numerous global players (U.S., Russia, China, EU, etc.) angling for influence and control of the global stage.
• A number of important lessons were learned about rebuilding a nation after a war: (1) do not leave quick; rebuilding takes time, (2) organize your own agencies, (3) make certain civilian and military operatives are carefully coordinated, and (4) democracy and democratic values can not be imposed on people; they need to be learned and practiced over a reasonable period of time if a successful outcome is to achieved.
### UNIT 5 WEEK 20

<table>
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<tr>
<th>TOPICS COVERED</th>
<th>UNIT OBJECTIVES</th>
<th>UNIT ACTIVITIES</th>
<th>POWERPOINT NOTES / TOPICS</th>
<th>READING ASSIGNMENTS</th>
<th>SUPPLEMENTAL READING</th>
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<tbody>
<tr>
<td>Chapter 19 – Foreign &amp; Military Policy (Pages 481 to 510)</td>
<td>• Compare and contrast how Majoritarians and Political Elites tend to differ on issues regarding foreign policy.</td>
<td>Chapter 19 Overview Themes, Group Work, and Writing:</td>
<td>• Chapter Learning Objectives</td>
<td>Reading (Textbook)</td>
<td>The Lanahan Readings in the American Polity, 6th Ed (2016).</td>
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<tr>
<td>Chapter 19 Vocabulary</td>
<td>• Explain how issues pertaining to foreign policy would be viewed through the prism of interest group politics.</td>
<td>a) Students will read and discuss the following handouts in small groups</td>
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<td>#80 – Samuel Huntington - The Clash of Civilizations (Pages 649 to 658)</td>
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<tr>
<td>• Bi-polar World / Cold War</td>
<td>• Explain how issues pertaining to foreign policy would be viewed through the prism of client politics.</td>
<td>b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.</td>
<td></td>
<td>As the world shifts from a unipolar (one superpower) world to a multipolar (multiple power centers) the hegemony (or dominance) of the United States continues to be challenged by a variety of emerging nations and non-nation state players. 1) Why is it important that the United States simply not to cut losses and write off the rest of the world and 2) What impact could diminished influence have on the rest of the world?</td>
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<td>• Big Ticket Items (military spending)</td>
<td>• How did Doocyquevill believe that democracies have great trouble conducting foreign affairs effectively? What claims are made by those who believe the exact opposite—that policies are made badly when elites have too much discretion and are made better when they are aired democratically?</td>
<td>Theme A – Foreign Policy as Majoritarian Politics</td>
<td></td>
<td>#81 – Fareed Zakaria – The Post-American World (Pages 659 to 668)</td>
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<td>• Bush Doctrine</td>
<td>• What about foreign-policy issues today? Can you think of any cases in which our policy was harmed by open debate? Can you think of any cases in which our policy was harmed by being made in secret and where open debate would have produced a better policy? What about (a) peace negotiations in the Middle East; (b) the growth of Chinese influence in Asia; (c) the war in the Persian Gulf; (d) troop commitments to U.N. peacekeeping? (e) the invasion of Afghanistan? How much of the policy-making in each of these circumstances was done in secret? Was there a good reason for secrecy, or was secrecy used as a means of evading the Constitution?</td>
<td>• Who Governs? To What Ends?</td>
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<td>#82 – Chalmars Johnson – Blowback (Pages 669 to 675)</td>
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<td>• Central Intelligence Agency (CIA)</td>
<td>• Describe how the U.S. Constitution has created an “invitation to struggle” between the executive and legislative branches of government.</td>
<td>Theme A: Foreign Policy as Majoritarian Politics</td>
<td></td>
<td>#83 – Joseph Nye - Soft Power (Pages 676 to 684)</td>
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<td>• Client politics</td>
<td>• Analyze the reasons that presidents find greater success in foreign policy than in domestic policy.</td>
<td>• What about foreign-policy issues today? Can you think of any cases in which our policy was harmed by open debate? Can you think of any cases in which our policy was harmed by being made in secret and where open debate would have produced a better policy? What about (a) peace negotiations in the Middle East; (b) the growth of Chinese influence in Asia; (c) the war in the Persian Gulf; (d) troop commitments to U.N. peacekeeping? (e) the invasion of Afghanistan? How much of the policy-making in each of these circumstances was done in secret? Was there a good reason for secrecy, or was secrecy used as a means of evading the Constitution?</td>
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<td>#84 – Richard Haas – Foreign Policy Begins At Home (Pages 685 to 690)</td>
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<td>• Commander-in-Chief</td>
<td>• Judge the value of a treaty negotiated by a president when factoring in the need for the U.S. Senate to ratify it.</td>
<td>• If the Constitution does not make the president clearly dominant in foreign affairs, how has the president managed to exert so much power? Could Congress be dominant if it wanted to? Does Congress fail to exercise power (a) for policy reasons (unified leadership is needed and Congress knows that it cannot provide it); (b) for institutional reasons (the president has access to better information than does Congress); or (c) for political reasons (Congressional members do not profit politically from tackling foreign policy issues)?</td>
<td>Homework:</td>
<td>Tuesday: Political Cartoon Analysis Form</td>
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<td>• Containment (paradigm)</td>
<td>• Explain how the U.S. Supreme Court has impacted the growth of foreign and military powers beyond those specifically mentioned in the U.S. Constitution.</td>
<td>or $85/year and $8.99 per week for 6 weeks.</td>
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<td>Thursday: Current Event Report Form</td>
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<td>• Cost Overruns</td>
<td>• Speculate why the U.S. Supreme Court is reluctant to intervene in disputes between the</td>
<td>• On what basis have most people judged the president’s powers are too extensive or too limited? Does the same go</td>
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<td>Complete Mindtap Review and Practice Tests (Chapter 19) (Cengage Learning – textbook website)</td>
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<td>• Council of Foreign Relations (civilian)</td>
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<td>• Department of Defense</td>
<td>• Describe how the U.S. Constitution has created an “invitation to struggle” between the executive and legislative branches of government.</td>
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<td>• Disengagement (paradigm)</td>
<td>• Analyze the reasons that presidents find greater success in foreign policy than in domestic policy.</td>
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<td>• Dove</td>
<td>• Judge the value of a treaty negotiated by a president when factoring in the need for the U.S. Senate to ratify it.</td>
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<td>• Entrepreneurial Politics</td>
<td>• Explain how the U.S. Supreme Court has impacted the growth of foreign and military powers beyond those specifically mentioned in the U.S. Constitution.</td>
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<td>• First Strike Doctrine</td>
<td>• Speculate why the U.S. Supreme Court is reluctant to intervene in disputes between the</td>
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<td>• Gold Plating (military spending)</td>
<td>• Describe how the U.S. Constitution has created an “invitation to struggle” between the executive and legislative branches of government.</td>
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<td>• Global Policeman</td>
<td>• Analyze the reasons that presidents find greater success in foreign policy than in domestic policy.</td>
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<td>• Globalism</td>
<td>• Judge the value of a treaty negotiated by a president when factoring in the need for the U.S. Senate to ratify it.</td>
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<td>• Globalization</td>
<td>• Explain how the U.S. Supreme Court has impacted the growth of foreign and military powers beyond those specifically mentioned in the U.S. Constitution.</td>
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<td>• Hawk</td>
<td>• Speculate why the U.S. Supreme Court is reluctant to intervene in disputes between the</td>
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<td>• Hegemony</td>
<td>• Describe how the U.S. Constitution has created an “invitation to struggle” between the executive and legislative branches of government.</td>
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<td>• House Intelligence Committee</td>
<td>• Analyze the reasons that presidents find greater success in foreign policy than in domestic policy.</td>
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<td>• Human Rights</td>
<td>• Judge the value of a treaty negotiated by a president when factoring in the need for the U.S. Senate to ratify it.</td>
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<td>• Internationalism (paradigm)</td>
<td>• Explain how the U.S. Supreme Court has impacted the growth of foreign and military powers beyond those specifically mentioned in the U.S. Constitution.</td>
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<td>• Isolationism (paradigm)</td>
<td>• Speculate why the U.S. Supreme Court is reluctant to intervene in disputes between the</td>
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<td>• Joint Chiefs of Staff</td>
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<td>• Korematsu v. United States (1944)</td>
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<td>• Majoritarian politics</td>
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<td>• Military Industrial Complex</td>
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<td>• Multi-polar World</td>
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<td>• National Security Advisor (NSA)</td>
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181 AP U.S. Government & Politics Curriculum / Syllabus
• National Security Council (NSC)
• North Atlantic Treaty Organization (NATO)
• Nuclear Triad
• Paradigm
• Pentagon
• Personnel (military)
• Polarization
• Preemption / Bush Doctrine (paradigm)
• "Rally Around the Flag"
• Readiness (military)
• Senate Foreign Relations Committee
• Senate Intelligence Committee
• Small Ticket Items (military spending)
• State Department
• Terrorism
• Unipolar World / Hegemony
• United Nations (UN)
• War Powers Act of 1973
• Worldviews

President and Congress regarding issues of war powers.
• Describe ways in which the U.S. Congress can limit the power of the presidency in terms of foreign policy.
• List the purpose and requirements of the War Powers Act of 1973.
• Evaluate the constitutional arguments of the practice of every president since the passage of the War Powers Act sending troops abroad without congressional approval.
• Explain why presidents deny that the War Powers Act is constitutional.
• Explain why once military operations commence, Congress is reluctant to cut off appropriations to support these missions.
• Evaluate the importance of the House and Senate Intelligence Committees being fully informed of any military action, including covert (black-ops) operations.
• Describe how the role of the United States in the world fundamentally changed following World War II.
• List the departments and agencies that have had a greater say in foreign relations since World War II.
• Summarize the impact these agencies may have on the ability of the Secretary of State to do his or her job.
• Describe the mission and composition of the National Security Council (NSC).
• Explain a consequence of having a multi-center, policy-decision machine advising the U.S. President.

for domestic affairs?
• What role has the Supreme Court played in foreign policy? How does this compare to how it played in civil rights or in business regulation?
• Does the fact that public opinion supports presidential initiatives mean that the president can act independently and then count on public support?
• How are foreign affairs more politically profitable for the president than domestic affairs? Does this suggest that the president will allow too much attention to foreign affairs relative to domestic affairs? Does this suggest that the president is at a disadvantage in dealing with foreign leaders who need not worry about public opinion in their nations?
• Congress enacted the War Powers Resolution to curtail presidential power in the area of war making. Can the president still act without prior congressional approval? Doesn’t the War Powers Act make legal what was once probably not so—the ability of the president to act without consulting Congress? How does the War Powers Resolution apply to nuclear war?

Theme B – The Foreign Policy Elite
• What principles should consistently guide the foreign policy of the United States? Do these fundamental principles represent commonalities among the different worldviews?
• Which worldview would you endorse for the president of the United States? Why advocate on behalf of this worldview? Would your perspective change if you were president or a member of Congress? If your status as a civilian or member of the military services changed?
• Do shifts in the worldviews guiding United States foreign policy endanger the nation’s security? Why or why not? Do these changes endanger our allies?
• Given the constant focus on rights in the Constitution, why has the human-rights worldview only recently gained influence among our foreign policy elite?

Theme C – How Are Military Spending Decisions Made?
• Should the United States purchase weapons manufactured by other countries if these weapons prove superior and cheaper?
• Each branch of the military purchases its own weapons systems, which sometimes leads to problems. For example, because the army and navy had incompatible communications systems, during the Grenada invasion a soldier was forced to

• Limitations of the State Department / A job too big for just one department or agency
• National Security Council (NSC) / National Security Advisor (NSA)
• The consequences of having multicenter decision making for foreign policy decision making
• Foreign Policy & Public Opinion
• Backing the President / Rally ‘Round the Flag
• Chart – Bush’s Approval Rating Pre & Post 9/11 (Gallup)
• Table: Popular Reactions to Foreign Policy Crises (Gallup)
• Mass vs. Elite Opinion
• Chart - Popular Reactions to Foreign Policy Crises (realclearpolitics.com)
• Tracking Poll – Public Support for Barack Obama’s handling of foreign policy (NBC News/ Wall Street Journal)
• Theme B: The Foreign Policy Elite
• Foreign Policy Paradigms or Worldviews
• Cleavages Among Foreign Policy Elites
• Isolationism paradigm
•Containment / Anti-Appeasement paradigm
• Disengagement paradigm
• Human rights paradigm
• Preemption / Bush Doctrine
• Map: U.S. Military Intervention in the Middle East
• Two Views of the Military: Majoritarian vs. Client politics
• The Defense Budget
• Chart: Defense Spending on Track to Lowest Level Since 1940 (Heritage Foundation)
• Chart: 2011 Top 10 Defense Budgets (International Institute for Strategic Studies)
• Tracking Poll: Public Sentiment on Defense
• Identify the two types of opinions that shape foreign policy preferences.
• Speculate various reasons why American public opinion tends to be mushy and volatile on issues dealing with foreign policy.
• Identify the symbolic role the U.S. President play during times of a foreign crisis.
• Explain why it is common for a sitting president to see a boost in popularity immediately after a crisis (i.e. – George W. Bush following the 9/11 attacks).
• Demonstrate the correlation between an increase in military casualties and the public’s willingness to support an escalation of force.
• List possible reasons why public support for protracted military engagements tends to diminish over time.
• Evaluate the impact on presidential decision making when the American people prefer military campaigns of short duration.
• Identify those groups who routinely have the highest opposition against military action.
• Identify some of the causes why mass opinion is poorly informed on issues of foreign policy.
• Speculate why elites tend to be more liberal and internationalists than the general public.
• Explain why elites tend to be very divided on many foreign policy issues instead of offering a unified perspective.
• Identify some of the reasons exist for not doing so?
• What does it mean to say that decisions about the allocation of the military budget are incremental? Why have efforts to engage in rational planning and substantial reallocations of resources often failed? Hasn’t this succeeded in addressing the base closures issue?
• How does Congress differ from the president as a maker of defense policy? To which branch would we look for rational planning? For representation of various and diverse interests? For representation of public opinion? For technical expertise in evaluating weapons systems?
• The text says that military officers “naturally” want the best new weapons that modern technology can devise. What constraints need to be imposed on these desires, given other governmental priorities and budgetary constraints?

Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)
| Groups that are associated with the U.S. foreign policy elite.  
| Explain what a paradigm is and how it often helps to mold and guide foreign policy.  
| List the five foreign policy paradigms that have dominated the 20th and 21st centuries.  
| Describe the causes and rationale behind the Isolationism paradigm.  
| Describe the causes and rationale behind the Containment (or anti-appeasement) paradigm.  
| Evaluate the Disengagement paradigm and whether it was practical in terms of scope and intended outcomes.  
| Evaluate the cost in terms of blood and treasury to adhering to the Human Rights paradigm.  
| Judge the long-term and short-term consequences of the Pre-Emption paradigm.  
| Describe how military spending is generally viewed by Majoritarians.  
| Explain how client politics would evaluate/judge military spending.  
| Identify the cause(s) of the massive increase in military spending during the Cold War.  
| List the various categories of military spending.  
| Explain why military personnel are so expensive to maintain.  
| Speculate how the cost of personnel may impact the decisions the military makes about the future size of America's armed forces.  
| Describe what are Big-ticket items and why cost overruns are common. |
| • Describe what are Small-ticket items.  
  • Explain why allocations for Readiness are often reduced or cut during times of tight budgets.  
  • Explain why the system of locating / maintaining military bases is purely client politics.  
  • Explain how the National Security Act of 1947 altered the organization of America’s military forces.  
  • List the two reasons for separate uniformed military services.  
  • Identify the composition of the Joint Chiefs of Staff (JCS).  
  • Explain the focus of U.S. foreign policy since 9/11.  
  • Speculate why nations and groups may harbor hostility towards the United States in the 21st century.  
  • Evaluate the impact of a multipolar world on the United States in the 21st century.  
  • List a number of important lessons that can be learned about rebuilding a nation after a war. |
Know

- A bureaucracy is a large, complex organization composed of appointed officials.
- While size and complexity can cause problems for bureaucracies, the political context or environment in which these organizations act may be what creates problems.
- American governmental bureaucracy is distinct in many ways: (1) political authority over the bureaucracy is shared by the President and Congress, (2) federal agencies share functions with related state and local government agencies (federalism), and (3) America’s adversary culture leads to closer scrutiny and makes court challenges more likely (preoccupation with individual rights).
- Many of the tasks performed by departments, agencies, commissions, and government corporations include: (1) writing and enforcing regulations, (2) testifying before Congress, and (3) issuing fines.
- Because of these tasks, issues networks and iron triangles have formed.
- There are four factors that pose special problems for governmental bureaucracies in the United States. These include: (1) bureaucracies must answer to competing sources of political authority (i.e. – the president and congress), (2) they must function in a constitutional system with fragmented power (i.e. – sharing power with both state and local agencies), (3) they are asked to achieve vague and competing goals, and (4) an incentive system that values and rewards efficiency does not exist.
- Government by proxy exists when state and local governments are hired to staff and administer federal programs.
- Unlike most western European democracies, there is little public ownership of industry in the United States. However, because of the high rate of private ownership there is a high degree of regulation in the United States.
- The U.S. Constitution made little provision for the federal administrative system thus leaving a great deal of ambiguity about the appropriateness of government involvement.
- Two of the biggest catalysts for bureaucratic growth in American history have been war and economic depression.
- Officials affect how laws are interpreted, the tone and effectiveness of bureaucratic administration, and party strength.
- Patronage (i.e. – The Spoils System) in nineteenth and early twentieth centuries rewarded supporters, induced congressional support, and built party organizations through the use of favors and jobs.
- The American Civil War was a watershed in government bureaucratic growth; it showed the administrative weakness of the federal government and increased demands for civil service reform.
- The post-Civil War period witnessed rapid industrialization and the emergence of a national economy.
- The power of the national government to regulate interstate commerce became necessary and somewhat controversial due to the sweeping economic changes (i.e. – growth of railroads).
- Between 1861 and 1901 new bureaucratic agencies primarily performed service roles – *not enforcing regulation*. The federal government was constrained from taking more vigorous steps because of accepted belief in a limited federal government, states’ rights, laissez-faire economic principles, and fragmented power. The Supreme Court ruled executive agencies could only apply statutes passed by Congress.
- Wars led to reduced restrictions on administrators and an enduring increase in executive branch personnel.
- The Great Depression (i.e. – FDR’s New Deal) and World War II led to a mass growth in government activism. The Supreme Court upheld laws that granted discretion to administrative agencies. The new, large tax base that was created during World War II remained and helped to support the new bureaucratic growth.
- The 9/11 attacks profoundly affected U.S. federal bureaucracy. A new cabinet agency was created (i.e. – Department of Homeland Security) without consolidated control over many other governmental agencies. Intelligence-gathering activities were also consolidated under the Director of National Intelligence (DNI).
• Today the federal bureaucracy continues to grow in both direct and indirect ways. There has only been a modest increase in public employees but a significant indirect increase through the use of private contractors (i.e. – Iraq War – Halliburton, Blackwater) and state and local government employees.

• A true measure of bureaucratic power can be found in its level of discretionary authority.

• Discretionary authority is the ability of a bureaucracy to choose courses of action and to make policies not set out in the statutory law. This delegation of undefined authority by Congress has greatly increased.

• The American people always expect the federal government to do more – not less. This has led to the propensity of the government always growing in both scope and scale. There has been a significant indirect increase in the number of employees through the use of private contractors and state/local government employees.

• Patronage is the rewarding of government jobs and contracts in return for political support. It was common for elected officials to routinely fill the ranks of government bureaucracy with political supporters and party members.

• The assassination of President James Garfield ushered in the end of the patronage system. In 1883 the Pendleton Act changed the basis of government jobs from patronage to merit.

• The merit system protects presidents from being pressure to award government jobs and it protects bureaucrats from being replaced for political reasons.

• Primary areas of delegation include: (1) subsidies to groups and organizations, (2) grants-in-aid programs (transferring money from the national government to state and local governments), and (3) devising and enforcing regulations, especially for the economy.

• A number of factors help to explain the behavior of bureaucrats: (1) recruitment and reward system, (2) personal and political attributes, (3) nature of their work, and (4) constraints imposed on agencies by various outside actors (i.e. – Congress, the President, special interest groups, the public, etc.).

• Competitive service requires bureaucrats compete for jobs through the Office of Personnel Management (OPM). Competitive exams replaced patronage after the adoption of the Pendleton Act (1883). The merit system protects presidents from pressure and protects patronage appointees from removal by new presidents (i.e. – “blanket in”).

• Appointment by merit is based on written exam or through selection criteria. Today, the competitive service system has become more decentralized and less reliant on OPM referral. Some agencies have need of professionals who cannot be ranked by examination. In addition, agencies face pressure to diversify federal bureaucracy personnel.

• The excepted service is when bureaucrats are appointed by agencies, typically in a nonpartisan fashion. About three percent of excepted employees are appointed on grounds other than merit – presidential appointments, Schedule C jobs (working on presidential policy initiatives), and non-career executive assignments.

• A bureaucracy can sometimes circumvent the usual search process by using the buddy system. A name-request job is used to identify a person whom an agency wants to tap for middle to upper level jobs. In many cases, this job is tailored for a certain person or their skill set. This system encourages issues networks based on shared policy views.

• Most bureaucrats cannot be easily fired because of due process protections. However, a number of informal methods may be employed to discipline a bureaucrat including not assigning work to an individual or reassigning the bureaucrat to a new location.

• The Senior Executive Service (SES) was established to provide the president and the cabinet with more control in personnel decisions. However, the SES has not been very successful in the firing or transfer of bureaucrats as initially hoped.

• Lifetime bureaucrats who have worked for the same agency for their entire career dominate nearly all bureaucracies. These individuals provide continuity and expertise. However, these same individuals may have power over their new bosses in terms of working behind the boss’s back, through sabotage, delaying initiatives, and making alliances with outside forces (i.e. – lobbyists, members of Congress).

• Critics contend that many political appointees and upper-level bureaucrats are unrepresentative of U.S. society (middle to upper income) and the belief that they have an occupational self-interest.
• Bureaucrats are somewhat more liberal or conservative than the average citizen, depending on the appointing president. Most bureaucrats are moderates and do not take extreme positions. Above all else, bureaucrats are professionals who place the duties and responsibilities of their job above their own personal ideology. Most civil servants have highly structure jobs that make their personal attitudes irrelevant.

• Research suggests that certain activist agencies bureaucrats tend to be more liberal (i.e. – Federal Trade Commission, Environmental Protection Agency, and the Food and Drug Administration) while traditional agencies tend to be more conservative (i.e. – Departments of Agriculture, Commerce, and Treasury). Bureaucrats’ policy views reflect the type of work that they do.

• The Whistleblower Protection Act (1989) empowered bureaucrats to come forward if they believed an agency was partaking in fraud, waste, or illegal activities. Critics contend this obstructive power may be used against bosses who wish to initiate change.

• Each agency has its own culture (an informal understanding among employees about how they are suppose to act). Strong agency culture motivates employees but make agencies resistant to change.

• There is a much greater constraint on government agencies than on private bureaucracies in terms of hiring, firing, pay, and other procedures established by law, not the market place. Examples include: (1) Administrative Procedure Act (1946) – Before adopting a new rule or policy change it must be posted and subject to public comment, (2) Freedom of Information Act (1966) – Citizens have the right to inspect an agency’s records upon request, (3) National Environmental Policy Act (1969) – Any government action requires an environmental impact statement, (4) Privacy Act (1974) – Government files about individual citizens must be kept private, and (5) Open Meeting Law (1976) – Agency meetings must be open to the public.

• There are numerous consequences of these constraints: (1) the government moves slowly / deliberately, (2) the government sometimes act inconsistently (competing mandates / overseers), (3) it is easier to block action than take action, (4) reluctant decision making by lower-ranking employees / must get superior’s OK, and (5) red tape (excessive paperwork and delays).

• Constraints from citizens. Agencies try to respond to citizen demands for openness, honesty, fairness, etc. while attempting to fulfill their duties and obligations.

• Agencies often seek alliances with congressional committees and interest groups (i.e. – iron triangles/client politics).

• An Iron Triangle is a tight, mutually advantageous alliance (i.e. – agency, congressional committee, and a interest group). This normally results in client politics.

• Iron Triangles are less common today because politics has become too complicated; more interest groups, more congressional sub-committees, all competing against one another.

• Issue networks are groups that regularly debate government policy on certain issues. They tend to be contentious splitting along partisan, ideological, and economic lines.

• There are various forms of congressional supervision: (1) Congress creates and oversees agencies, (2) Congress authorizes funds for agencies and programs, and (3) Congressional appropriations provide funds for the agency to spend on its programs.

• The Appropriations Committee may be the most powerful of all the congressional committees. The House approves most expenditure recommendations. This committee has the power to influence an agency’s policies by “marking up” an agency’s budget.

• One informal congressional control over agencies occurs when individual members of Congress seek privileges for their constituents.

• The legislative veto is a requirement that an executive decision must lie before Congress for a specified period before it takes effect. It was declared unconstitutional by the U.S. Supreme Court in 1983 (INS vs. Chadha).

• Congress may exercise oversight of agencies by conducting investigations. These investigations may check agency discretion.

• There are five “pathologies” associated with bureaucracies: (1) red tape – complex, sometimes conflict rules, (2) conflict – agencies working at cross purposes, (3) duplication – two or more agencies seem to do the same thing, (4) imperialism – tendency for agencies to grow, irrespective of programs’ benefits and costs, and (5) waste (spending more than is necessary to buy some product or service).

• Numerous attempts to make the bureaucracy work more efficiently have been undertaken. None have been overly successful. Nearly all of these reforms stress increased centralized control on behalf of efficiency, accountability, and consistency.
• The rivalry between the president and Congress for control of the bureaucracy makes bureaucrats nervous about irritating either branch, and so they issue rules designed to avoid getting into trouble, even if these rules make it hard to do their job.
• Numerous examples exist of attempts to reform the federal bureaucracy: (1) The Brownlow Commission (1937) recommended sweeping changes to the executive branch, (2) The First Hoover Commission (1949) made 273 recommendations to Congress and President Truman; many were adopted, and (3) The Ash Council (1969) examined agency efficiency under the Nixon administration.
• In 1993, Vice President Al Gore orchestrated the National Performance Review (NPR) as a way to instill a new government culture. Recommendations included less centralized management, more employee initiatives, and fewer detailed rules / more customer satisfaction.
• Bureaucratic reform is always difficult to accomplish; most rules and red tape are due to struggles between the President and Congress. Periods of divided government worsen matters, especially in implementing policy.

Understand

• Most bureaucracies are large, complex organizations composed of appointed officials. While size and complexity can cause problems for bureaucracies, the political environment in which these organizations must operate is often the chief source of their problems.
• Government bureaucracies perform a wide range of tasks including writing/enforcing regulations, issuing fines, and testifying before Congress.
• The relationship between Congress and the bureaucracy, along with the influence of outside special interest groups, have led to the formation of issue networks and iron triangles.
• American governmental bureaucracy is distinct from many European governmental models. The primary difference rest in the governmental organizational structure. The United State utilizes a diffused and shared power structures under federalism while most European nations utilize a unitary structure of centralized national government control.
• In addition to the challenges of overlapping bureaucratic jurisdictions under federalism, bureaucracies are also asked to achieve vague/competing goals and lack an incentive system for government employees that values and rewards efficiency.
• The federal government commonly uses state and local governments in a proxy role to administer federal programs (i.e. – welfare).
• In the United States the executive and legislative branches of government share political authority over the bureaucracy.
• Federal (national) agencies share functions with related state and local government agencies.
• Americans willingness to challenge governmental decision (politically or legally) leads to closer scrutiny of bureaucratic decision and rules.
• The vast majority of industry in the United States is privately owned. In Europe, key sectors of the national economy are owned and controlled by the national government. Because of the high rate of private ownership in the United States there is a high degree of regulation of industry.
• The U.S. Constitution offers little guidance in recommending the scope or scale of the federal administrative system. Thus, the debate about the role of government in society continues to be argued to this day.
• Both war and economic depression has often been the key sources for the growth of governmental bureaucracy (i.e. – FDR’s New Deal during the Great Depression and the creations of the Department of Homeland Security following 9/11)
• Bureaucrats (government officials) can affect how laws are interpreted and the tone and effectiveness of the agency’s administration.
• Patronage was previous used in the United States to rewarded political supporters, “encourage” congressional support, and built party loyalty through the use of favors and government jobs.
• The American Civil War served as a paradigm shift in the in the role of the federal bureaucracy; the conflict highlighted the administrative weakness of the federal government and increased demands for civil service reform.
• Following the Civil War the United States underwent rapid industrialization with sweeping implications for the national economy.
• The need for the federal government to regulate interstate commerce became evident due to the shifting economic forces (i.e. – growth of railroads) molding the nation.
• From the Civil War until the start of the twentieth century, almost bureaucratic agencies existed to provide services to industry and citizens, not to enforce regulations.
• War and national calamites led to the lessening of restrictions on administrators and an enduring increase in the federal bureaucracy and executive branch personnel. The Great Depression and World War II led to a mass growth in government activism. The Supreme Court upheld laws that granted discretion to administrative agencies. The new, large tax base that was created during World War II remained and helped to support the new bureaucratic growth.
• More recently, 9/11 affected the growth of the federal bureaucracy (i.e. – The Department of Homeland Security).
• A number of factors helped to limited the federal government from taking more vigorous steps in expanding governmental power. Most citizens believed in and supported the idea of a limited federal government in the abstract. However, people always expect the government to do more – not less. States were very reluctant to have the national government usurp their power or encroach on their jurisdiction (states’ rights). A key tenant of capitalism, the belief in laissez-faire economic principles, meant the government should not meddle in business. Fragmented political power (due to dual federalism) meant forging a coalition to support such action would be nearly impossible. Finally, the U.S. Supreme Court determined executive agencies could only apply statutes passed by Congress – not create their own rules and regulations.
• The modern federal bureaucracy continues to grow in both direct and indirect ways. While there has only been a modest increase in the number of public employees, there has been a substantial increase in the use of private contractors to carry out government policy (i.e. – Iraq War – Halliburton, Blackwater). Federal grants have also contributed to the growth in the number of state and local government employees who are employed to administer and carry out these programs.
• Discretionary authority is the ability of a bureaucracy to choose courses of action and to make policies not set out in the statutory law. Since World War II, this delegation of undefined authority by Congress has greatly increased.
• Primary areas of delegation include: (1) subsidies to groups and organizations, (2) grants-in-aid programs (transferring money from the national government to state and local governments), and (3) devising and enforcing regulations, especially for the economy.
• Bureaucratic behavior may be explained in numerous ways: (1) the recruitment and reward systems, (2) personal and political attributes of the bureaucrat, (3) the nature of their work, and (4) constraints imposed on agencies by various outside actors (i.e. – Congress, the President, special interest groups, the public, etc.).
• Historically, patronage was used to reward loyal political supporters with government jobs and contracts (i.e. – cronyism).
• Elected officials would routinely dole out patronage jobs and contracts to political supporters and allies to reward them for their loyalty and support.
• Potential government employees must compete for jobs through the Office of Personnel Management (OPM).
• The assassination of President Garfield and the 1883 Pendleton Act served as the catalyst for competitive civil service exams to replace the Spoils System. The merit system protects presidents from pressure to appoint supporters / party members and protects patronage appointees from removal by new presidents (i.e. – "blanket in").
• The competitive service system has become more decentralized and less reliant on OPM referral.
• Some agencies have need of professionals / specialists who cannot be ranked by examination because of their unique skill set.
• The excepted service is when individuals are appointed by agencies, typically in a nonpartisan fashion. About three percent of excepted employees are appointed on grounds other than merit – presidential appointments, Schedule C jobs (working on presidential policy initiatives), and non-career executive assignments.
• The buddy system is a name-request position used to identify a person whom an agency wants to hire for middle to upper level jobs. In many cases, this job is tailored for a certain person. This system encourages issues networks based on shared policy views.
• A number of factors can influence the behavior of government officials. These include the recruitment and reward system, the nature of the work done by the bureaucrat, their personal/political attributed, and constraints imposed on the agency they work for by various outside actors (i.e. – Congress, President, Interest Groups, etc.).
• Most bureaucrats cannot be easily fired. However, managers / supervisors sometimes employ a number of informal methods to “discipline” a bureaucrat including not assigning work to an individual or reassigning the bureaucrat to a new location.
• The Senior Executive Service (SES) was created to provide the president and the cabinet with more control in personnel decisions. However, the SES has not been very successful in the firing or transfer of bureaucrats as initially hoped.

• It is common to find bureaucrats in government who have worked for the same agency or department for their entire career. These individuals provide continuity and expertise. However, these same individuals may have power over their new bosses in terms of working behind the boss’s back, through sabotage, delaying initiatives, and making alliances with outside forces (i.e. – lobbyists, members of Congress).

• Critics contend that many political appointees and upper-level bureaucrats are unrepresentative of U.S. society (middle to upper income) and that they have an occupational self-interest.

• Discretionary authority is the power given to an agency or department to implement policy and make rules aligned with the policy goals.

• When it comes to rule making and implementation of policy or laws bureaucrats are often given discretionary authority in how to achieve the mandates/goals of the policy or law.

• Bureaucrats are somewhat more liberal or conservative than the average citizen, depending on the appointing president.

• Despite their personal ideology, bureaucrats are professionals who place the duties and responsibilities of their job above their own personal political beliefs. Most government jobs are highly structured that makes their personal attitudes irrelevant.

• Bureaucrats’ policy views often reflect the type of work that they do. Government agencies that tend to be more “activist” in nature (i.e. – Federal Trade Commission, Environmental Protection Agency, and the Food and Drug Administration) tend to employ more liberal leaning bureaucrats. Other government agencies and departments that tend to be more “traditional” in nature (i.e. – Departments of Agriculture, Commerce, and Treasury) tend to employ more conservative leaning bureaucrats.

• The Whistleblower Protection Act (1989) empowered bureaucrats to come forward if they believed an agency was partaking in fraud, waste, or illegal activities. Critics contend this obstructive power may be used against bosses who wish to initiate change.

• Agency culture is an informal understanding among employees about how they are supposed to act. Strong agency culture may motivate employees but may also make agencies resistant to change.

• There is a much greater constraint on government agencies than on private bureaucracies in terms of hiring, firing, pay, and other procedures established by law, not the market place.

• Examples of constraints include: (1) Administrative Procedure Act (1946) – Before adopting a new rule or policy change it must be posted and subject to public comment, (2) Freedom of Information Act (1966) – Citizens have the right to inspect an agency’s records upon request, (3) National Environmental Policy Act (1969) – Any government action requires an environmental impact statement, (4) Privacy Act (1974) – Government files about individual citizens must be kept private, and (5) Open Meeting Law (1976) – Agency meetings must be open to the public.

• There are numerous consequences of these constraints: (1) the government moves slowly / deliberately, (2) the government sometimes act inconsistently (competing mandates / overseers), (3) it is easier to block action than take action, (4) reluctant decision making by lower-ranking employees / must get superior’s OK, and (5) red tape (excessive paperwork and delays).

• Many constraints on government bureaucracies originate from citizens. Agencies try to respond to citizen demands for openness, honesty, fairness, etc. while attempting to fulfill their duties and obligations.

• Agencies often seek alliances with congressional committees and interest groups in order to check the power of the chief executive and limit changes they may seek.

• An Iron triangle is a tight, mutually advantageous alliance (i.e. – agency, congressional committee, and a interest group). This normally results in client politics. Iron triangles are less common today because politics has become too complicated; more interest groups, more congressional sub-committees, all competing against one another. Today, issue networks are more common than iron triangles.

• Issue networks are groups that regularly debate government policy on certain issues. They tend to be contentious splitting along partisan, ideological, and economic lines.

• While the president is in charge of / responsible for the federal bureaucracy, Congress has a number of methods to also monitor agencies: (1) Congress creates and oversees agencies, (2) Congress authorizes funds for agencies and programs, and (3) Congressional appropriations provide funds for the agency to spend on its programs.
• The Appropriations Committee is considered the most powerful of all the congressional committees. The House approves most expenditure recommendations (i.e. – controlling the purse strings). This committee has the power to influence an agency’s policies by “marking up” an agency’s budget.

• An informal congressional control over agencies occurs when individual members of Congress seek privileges for their constituents by making individual requests to an agency.

• The legislative veto is a requirement that an executive decision must lie before Congress for a specified period before it takes effect. It was declared unconstitutional by the U.S. Supreme Court in 1983 (INS vs. Chadha).

• Congress may exercise oversight of agencies by conducting investigations.

• There are five “pathologies” associated with bureaucracies: (1) red tape – complex, sometimes conflict rules, (2) conflict – agencies working at cross purposes, (3) duplication – two or more agencies seem to do the same thing, (4) imperialism – tendency for agencies to grow, irrespective of programs’ benefits and costs, and (5) waste (spending more than is necessary to buy some product or service).

• The rivalry between the president and Congress for control of the bureaucracy makes bureaucrats nervous about irritating either branch, and so they issue rules designed to avoid getting into trouble, even if these rules make it hard to do their job.

• There have been numerous attempts to reform the federal bureaucracy: (1) The Brownlow Commission (1937), (2) The First Hoover Commission (1949), The Ash Council (1969), and the National Performance Review (1993).

• Presidents routinely undertake attempts to reform the federal bureaucracy. Nearly all of these reforms stress increased centralized control on behalf of efficiency, accountability, and consistency.

• In 1993, Vice President Al Gore orchestrated the National Performance Review (NPR) as a way to instill a new government culture. Recommendations included less centralized management, more employee initiatives, and fewer detailed rules / more customer satisfaction.

• Bureaucratic reform is always difficult to accomplish; most rules and red tape are due to struggles between the President and Congress. Periods of divided government worsen matters, especially in implementing policy.
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| Unit 5 | Week 21 | Chapter 15 – The Bureaucracy (Pages 371 to 397) | • Define what a bureaucracy is and why the term often carries a negative connotation.  
• Explain how the political context or environment in which bureaucracies operate may be responsible for bureaucratic inefficiency.  
• Describe how U.S. governmental bureaucracy is distinct in three ways.  
• Illustrate the connection between high levels of private ownership of industry in the United States and the high degree of government regulation of American industry.  
• Identify the role of the government in industry in many Western European nations and explain how it fundamentally differs from the United States.  
• Evaluate the impact of the U.S. Constitution on the establishment of a federal administrative system.  
• Evaluate the impact of public officials in determining how laws are interpreted and the tone and effectiveness of bureaucratic administration.  
• Explain what patronage is and how it impacted government and political parties in the nineteenth and early twentieth centuries.  
• Recount why the American Civil War became a watershed event in government bureaucratic growth.  

Chapter 15 Overview Themes, Group Work, and Writing:  
 a) Students will read and discuss the following handouts in small groups  
b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.  
Theme A: Size and Power of the Bureaucracy  
• Prioritize the three ways in which the U.S. public bureaucracy contrasts with those of other nations. Which of these three characteristics is most relevant to political executives? To civil servants? To the average citizen? Most of the contrasts are rooted in a concern for controlling the bureaucracy, securing greater accountability, and obtaining responsiveness from the executive branch. Have these goals been realized?  
• Supreme Court cases notwithstanding, to what extent does patronage continue to influence political appointments in the federal and state governments? In regard to the federal government, consider presidential appointment politics, which seek to reward and incorporate influential interests. Think about personal experiences and the federal and state levels, as family employment and internships are often influenced by party affiliations. Contrasts between the states should be considered because differing patronage practices may suggest differences in political cultures.  
• How do you measure the power of a bureaucracy? For example, do you think about the number of people employed or the size of its budget or the breadth of its agenda, or other factors? Why do you rely on one measure rather than another? Note that the book, while concluding that power is measured most accurately in terms of discretionary authority, acknowledges that it has also been assessed in terms of budgets and staffing.  
Theme B: Control of the Bureaucracy  
• The text defines bureaucracy as “a large, complex organization composed of appointed officials.” What does this mean?  
• Chapter Learning Objectives  
  • Who Governs? To What Ends?  
  • Theme A: Size and Power of the Bureaucracy  
  • The U.S. Bureaucracy: An Overview  
  • Government Bureaucracy: Writing & Enforcing Rules, Issuing Fines, Testifying before Congress, Issue Networks / Iron Triangles  
  • Four Factors that pose special problems for public service bureaus in the United States  
  • Government by Proxy  
  • Scope of U.S. Bureaucracy  
  • The Growth of the Federal Bureaucracy  
  • The Two Primary Sources of Bureaucratic Growth: War & Economic Depression  
  • PBS Crash Course – Bureaucracy Basics (YouTube)  
  • Growth of the Bureaucracy / Patronage / Spolis System / Civil War  
  • Post Civil War Bureaucracy  
  • The Federal Bureaucracy: 1861 to 1901 / Constraints of limited government / Laissez-faire economic policy  
  • Expansion of the Bureaucracy: The Great Depression & World War II  
  • The Impact of 9/11 on U.S. Bureaucracy (Department of Homeland Security & Director of National Intelligence (DNI))  
  • Control of the Bureaucracy  
  • The Power of a Bureaucracy / Discretionary Authority  
  • The Growth of the Bureaucracy Today  

Reading (Textbook)  
Wilson: Chapter 15  
#34 – Paul Light – A Government Ill Executed (Pages 255 to 262)  
Paul Light paints a damning assessment of the federal government’s bureaucratic apparatus while somewhat tempering his assessment of the actual bureaucrats (government employees). Is Light correct in his assertions or is his broad stroke condemnation lacking in context or perspective? Either support or refute Light’s thesis.  
#35 – Cornelius Kerwin & Scott Furlong – Rulemaking (Pages 263 to 271)  
Congress legislates (make laws), Presidents execute (carry out the law), and the Courts adjudicate (interpret the meaning of laws). Despite this framework of government, it is the federal bureaucracy that creates the rules by which laws are implemented and carried out. Rather than acting in isolation, the federal bureaucracy must engage with the vast spectrum of American pluralism (educated & uneducated, reformers & contrarians, etc.). Each of these competing forces has the goal of ensuring their priorities are taken into account and accommodated as the rules to implement policies and laws are hashed out. Is this simply a by-product of “democracy in action” or a more telling symptom of hyper-pluralism in 21st century America in which government action is always called into question? Explain.  

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Can you envision a large, simple organization? Could such an organization accomplish anything consistently?

- The text’s definition of bureaucracy includes the phrase “appointed officials.” Why do the large, complex organizations in our society not have elected rather than appointed officials? Wouldn’t electing officials be more democratic? Should we elect the Secretary of Defense or the Secretary of Health and Human Services (HHS), for example? Would this make these officials more responsive to public opinion? What about an Assistant Secretary of Defense? Would the president be more or less able to control the bureaucracy if these officials were independently elected? Would concerted, consistent action be more or less likely if many more officials were elected?

- The Pendleton Act has had both beneficial and harmful effects. On the one hand, it has lessened the fear of job loss among civil servants, making the bureaucracy sometimes resistant to presidential direction. On the other hand, bureaucrats should have some immunity to resist improper orders from politically motivated superiors. How can these twin goals of competence and political neutrality be balanced more perfectly than they are today?

The text lists four factors that account for the behavior of bureaucrats. Would you want the behavior of bureaucrats to be most heavily determined by (a) the manner in which they are recruited and rewarded; (b) their personal attributes, such as their socioeconomic background and their political attitudes; (c) the nature of the jobs they have; (d) responsiveness to outside forces—political superiors, legislators, interest groups, or journalists? Why? Having reached this conclusion, how much authority would you delegate to bureaucrats manifesting these motivations?

- What difference does the buddy system make in federal hiring? Does this system embody the worst of both worlds, allowing appointments neither by a publicly accountable official (such as the president) nor by merit? Are there possible advantages to this buddy system?

- The Chávez decision invalidated the legislative veto. Why does Congress continue to enact laws with such provisions? Could Congress adequately supervise the exercise of delegated authority by bureaucrats without a legislative veto?

Theme C: Bureaucratic Pathologies

- The text says that red tape is partly a consequence of bigness and largely a result

- Pie Chart: Where Do America’s Federal Employees Work? (Washington Post)

- Federal Bureaucrats

- Patronage Defined / Patronage Political Cartoon “Government Cake”

- Bureaucracy in the Age of Patronage / Garfield Assassination / Pendleton Act / Merit System

- The Federal Bureaucracy Today

- Chart: Federal Civilian Employment, 1990-2014 (Office of Management and Budget)

- Factors Explaining the Behavior of Government Officials

- Recruitment and Retention / Office of Personnel and Management (OPM)

- Recruitment and Retention / Excepted Service (Schedule C)

- The Buddy System

- The Challenges of Firing a Bureaucrat / Senior Executive Service (SES)

- PBS Crash Course: Types of Bureaucrats (YouTube)

- Discretionary Authority for Rule Making and Implementation

- Agency Culture / Stability vs. Change


- Culture and Careers

- Constraints on the Bureaucracy

- General Constraints on the Bureaucracy (Administrative Procedure Act (1946), Free of Information Act (1966), National Environmental Policy Act (1969), Privacy

Do you agree or disagree with Wilson’s thesis that bureaucratic inefficiency is usually acceptable for services the government provides? Why or why not? Explain. Why must the government operate under a different set of rules compared to the private sector?

#37 – Robert Reich – Locked in the Cabinet (Pages 278 to 289)
(Attention: The use of a profane word appears on page 282. Please do not read this article if it offends your sensibilities. Thanks.)
When it comes to running a government bureaucracy why is temperament, flexibility, and having a sense of humility (along with humor) essential in order to have any degree or success (or sanity)?
| presidents from political pressure to hire supporters and protects patronage appointees from job loss following a change of administration. |
| • Explain why some agencies may wish to bypass the rigid requirements of OPM when seeking professionals to hire. |
| • Describe what the excepted service is. |
| • Articulate how the buddy system works and how this has increased the importance of the issue networks. |
| • Explain why most bureaucrats cannot be easily fired. |
| • List some informal methods that managers may use to discipline a bureaucrat. |
| • Explain the goal of the Senior Executive Service (SES) and why it failed to achieve it stated goal. |
| • List potential positive and negative consequences of lifetime bureaucrats working for the same agency for their entire career. |
| • Evaluate the arguments of critics who contend that many political appointees are unrepresentative of U.S. society. |
| • Explain why most bureaucrats tend to be politically moderate and do not take extreme ideological positions. |
| • Explain how the structure of bureaucratic jobs makes individual bureaucrats personal attitudes irrelevant. |
| • Compare and contrast the political ideology of bureaucrats who work for activist agencies against those found in |

| Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements) |
| Supplemnetal Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements) |
| Act (1974), Open Meeting Law (1976) |
| • Effects of Constraints |
| • Agency Allies / Iron Triangles / Client Politics |
| • Issue Networks |
| • Congressional Oversight |
| • Appropriations Committee & Other Legislative Committees |
| • The Legislative Veto |
| • INS v. Chadha (1983) |
| • Chart – How the Public Views Particular Federal Agencies (Pew) |
| • Bureaucratic Pathologies (Red Tape, Conflict, Duplication, Imperialism, Waste) |
| • Reforming the Bureaucracy |
| • The Challenge of Reforming the Federal Bureaucracy |
| • PBS Crash Course – Controlling the Bureaucracies (YouTube) |
• Judge the importance of the Whistleblower Protection Act (1989) of bureaucratic effectiveness.
• Examine how an agency’s culture can have both positive and negative implications for a bureaucracy.
• Compare and contrast the constraints on government agencies and private bureaucracies in regards to firing individuals for underperformance.
• List some of the consequences of governmental bureaucracy constraints.
• Identify the root cause of many of these constraints.
• Speculate why agencies often seek alliances with congressional committees and interest groups.
• Identify what an Iron Triangle is and explain how it may impact the ability of an agency to be changed or redirected.
• Identify the reasons for Iron Triangles being less common today than in the past.
• Describe what issue networks are.
• List the various forms of congressional supervision.
• Explain why the Appropriations Committee may be the most powerful of all the congressional committees.
• Explain what the legislative veto is and why the Supreme Court struck it down as unconstitutional.
• Evaluate the impact of congressional
investigations on agency discretion.
• List the five “pathologies” associated with bureaucracies.
• Explain what red tape is and where the term originated.
• Speculate why numerous attempts to make the bureaucracy more efficient have failed to achieve a lasting impact.
• Explain how Vice President Al Gore’s National Performance Review (NPR) initiative was different in its approach to reform.
• Evaluate how periods of divided government worsen bureaucratic functions, especially in implementing policy.
Unit 6
Chapters 13 and 17
College Board: AP U.S. Government and Politics (Curriculum Standards / Requirements Addressed)
Unit 6 (Chapters 13, 17)

Chapter 13 – Congress
Chapter 17 – Domestic Policy (Policy Making, Social Welfare, Business Regulation, Environmental Policy)

Curriculum Requirement (CRs) addressed:

| Curriculum Requirements 1 through 16 | CR 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16 |

Reasoning Processes (RPs) addressed:

| Reasoning Process 1: Definition / Classification | RP 1.a, b, c, d, e, f |
| Reasoning Process 2: Process | RP 2.a, b, c, d |
| Reasoning Process 3: Causation | RP 3.a, b, c, d, e |
| Reasoning Process 4: Comparison | RP 4.a, b, c, d |

Disciplinary Practices (DPs) addressed:

| Disciplinary Practice 1: Apply political concepts and processes to scenarios in contest | DP 1.a, b, c, d, e |
| Disciplinary Practice 2: Apply Supreme Court decisions | DP 2.a, b, c, d |
| Disciplinary Practice 3: Analyze and interpret quantitative data represented in tables, charts, graphs, maps, and infographics | DP 3.a, b, c, d, e, f |
| Disciplinary Practice 4: Read, analyze, and interpret foundational documents and others text-based and visuals sources | DP 4.a, b, c, d |
| Disciplinary Practice 5: Develop an argument in essay format | DP 5.a, b, c, d |
### Big Ideas (BIs) addressed:

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### Political Skills and Practices (PS&P) addressed:

| Skill 1: Describe and explain constitutional and political institutions, principles, processes, models, and beliefs | PS&P 1.A, B |
| Skill 2: Explain connections among political behavior, political institutions, belief, and cultural factors | PS&P 2.A, B |
| Skill 3: Read, analyze, and interpret quantitative data to draw conclusions about political principles, processes, behavior and outcomes | PS&P 3.A |
| Skill 4: Read, analyze, and interpret qualitative sources | PS&P 4.A, B |
| Skill 5: Read, analyze, and interpret qualitative resources | PS&P 5.A, B |
Know

- There are a number of key differences that distinguishes the U.S. Congress from the British Parliament.
- Parties in Great Britain select whom they wish to serve in Parliament (members must work their way up through the party apparatus); members of Congress must first win competitive primary elections held for the electorate; party leadership can not hand pick candidates.
- In Britain, voters choose between national parties (i.e. – Conservative, Labor, Liberal, Green, etc.) when electing the legislature. In the United States, voters are given the opportunity to choose between multiple candidates within a single party (i.e. – primaries or caucuses) to determine who will be the party’s candidate in legislative races.
- Members of Parliament select the Prime Minister and other executive branch leaders. In the United States, members do not choose the chief executive – the voters elect the President (i.e. – separation of powers).
- In Parliament, members vote together on most issues; re-nomination to a governmental position depends on remaining loyal to the party. In Congress, power is decentralized and members are independent with weak party loyalty.
- Parliament’s principal work is debating national issue (i.e. – unitary system). Congress’s principal work is representation of local interest and action to address those local wants and concerns (i.e. – taking care of constituents’ concerns, bringing home the bacon (pork barrel spending)).
- Members of Parliament (a.k.a. - MPs) have very little actual power with little pay and small staff resources. Members of Congress have a great deal of individual power with high pay and significant staff resources.
- A parliament, such as in Great Britain’s, is an assembly of party representatives who choose a government and discuss major national issues.
- A congress, like the one used in the United States, is a meeting place of representatives of local constituencies, districts, and states.
- The Framers of the U.S. Constitution were opposed to the concentration of power in a single institution. To balance the concerns of large and small states a bicameral legislature was adopted (i.e. – House and Senate). The Framers expected Congress to be the dominant branch of government for the nation.
- The Framers believed that a Congress was an essential component of federalism. Not only would power be divided between branches of government but also that Congress would serve as a linchpin of checks and balances in government.
- The Enumerated Powers of Congress are contained in Article I, Section 8 of the U.S. Constitution. Some of these powers include the authority to collect taxes, borrow money, declare war, coin money, create inferior courts, and fix the standard of weights and measures.
- Political scientists continue to debate the pros and cons of have greater centralized or decentralized congressional action. Centralization would allow Congress to act quickly and decisively. However, it requires strong central leadership, restrictions on debate, and little committee interference. Decentralization allows for the protection of individual members and their constituencies. However, it results in weak leadership, rules allowing for delay, and much committee activity.
- The general trend in congressional action in the 21st Century has been towards decentralization and great inefficiency.
- Many Americans today consider Congress to be the “broken branch” of government because of its ongoing dysfunctionality. Today Congress is unable to address problems effectively (i.e. – too partisan / unwilling to compromise), too responsive to special interest (i.e. – money and the revolving door), is preoccupied with nonstop campaign fundraising, and is unlikely to be able to fix itself due to the problem of Gerrymandering and safe district.
- Congress is a collection of individual representatives from states and districts who play no role in choosing the president. They are free to serve the interest of their constituents, their personal political views – not those of Congressional leaders.
- There have been a number of changes in the organization of the House of Representatives over the course of American history. These changes that can be identified with distinct phases. (1) Phase One (1787 to mid 1820s) was dominated by a powerful House. During the first three
Presidential administrations of the United States the House of Representatives was preeminent, originating all legislation. The party caucus shaped policy questions and selected party candidates for the presidency. (2) Phase Two (Late 1820s through 1880s) was known for emerging divisions within the House of Representatives. President Andrew Jackson asserted presidential power through the use of the veto. National nominating conventions became common replacing the former caucus system. The issue of slavery and the Civil War shattered party unity thus limiting the power of the Speaker. Following the war, Radical Republicans imposed harsh penalties on the post-war South. (3) Phase Three (Late 1880s through 1910s) was dominated by the Speaker of the House. Speaker Thomas B. Reed of Maine produced party unity. He chaired the Rules Committee, selected committee chairs, and assigned committee members. (4) Phase Four (1920s through the 1950s) witnessed a revolt by House members against the all-powerful position of the Speaker. The Speaker was stripped of power to appoint committee chairs and members; the Speaker was removed from the Rules Committee. Other sources of power emerged in the chamber: party caucuses, Rules Committee, and Chairs of standing committees acquiring their office on the basis of seniority. (5) Phase Five (1960s to 90s) was dominated by individual members; the defining issue was civil rights. Powerful Southern committee chairs blocked Civil Rights legislation until 1965. Democratic members changed rules to limit chairs’ power: (1) committee chairs became elective, not selected on the basis of seniority, (2) subcommittees were strengthened, (3) chairs could not refuse to convene committee meetings; meetings had to be opened to the public, (4) the size of congressional staffs were increased, (5) each member could introduce legislation, and (6) half of the majority members chaired at least one committee or subcommittee. (6) Phase Six (1994 to 1998) Speaker attempted to reassert leadership dominance (i.e. - Speaker Newt Gingrich). Efforts began to restore Speaker's powers because the individualistic system was not efficient. Speaker appointed a majority of the Rules Committee members, given multiple referral authority, reduced the number of committees, dominated the selection of committee chairs, and set legislative agenda for the House. (7) Phase Seven (2010 to present) Speaker has little control over the party caucus; individual members dominated pushing their own ideological agenda (i.e. – Tea Party). Party disunity and unwillingness to compromise; gridlock and ineffectiveness.

- The U.S. Senate managed to escape many of the tensions encountered by the House of Representatives. The smaller chamber (2 members per state) precluded the need for a Rules Committees and limitations on amendments and debate time.
- Today the Senate remains individualistic and decentralized. It is difficult to exercise strong leadership due to the independence of membership. The Senate often serves as a stepping stone for those with presidential aspirations.
- Since the adoption of the 17th Amendment (1913), senators are chosen by popular elections, not by the state legislatures.
- A filibuster (a legislative tactic to attempt to talk a bill to death rather than permitting a vote) was restricted by Rule 22 (i.e. – Cloture) in 1917 (2/3 of the Senate needed to vote end debate). Today, a filibuster can be stop by a vote of cloture (60 votes).
- The term “nuclear option” is sometimes used when the Senate changes the rules to bypass the 60-vote requirement for cloture and instead relies on a simply majority; this has been used to appoint members to the federal bench.
- The beliefs and interests of members of Congress can affect policy. The House Democrats are the most diverse in terms of race and gender. The Senate Republicans are the least diverse in terms of race and gender.
- Membership in Congress is now viewed as a career. Gerrymandering (congressional district boundary lines drawn to lessening the likelihood of successful challenges to incumbents) result in little turnover in Congressional membership.
- Voters support incumbents for several reasons: (1) media coverage is higher for incumbents, (2) incumbents have greater name recognition than challengers, and (3) members secure policies, programs, and pork for voters.
- Election convulsions (i.e. – wave elections) do periodically alter membership of Congress. Voters opposed incumbents due to budget deficits, unpopular policies, legislative-executive bickering, and scandal. These “waves” are not realignments but rather an opportunity for voters to express their dissatisfaction with the party in power.
- The voting behavior of Congressional members is not always obvious. Members may be devoted to their constituents, their own beliefs, pressure / interest groups, congressional leaders, or some other force.
- Three primary theories attempt to explain member behavior: representational view, organizational view, and attitudinal view.
- Representational view (i.e. – the people’s delegate): members vote to please their constituents, in order to secure re-election. This applies when constituents have a clear view of a high profile issue (i.e. – Social Security) and the legislator’s vote is likely to attract attention.
• **Organization view:** when constituency interests are not vitally at stake, members primarily respond to cues from their colleagues (i.e. – voting with the party).

• **Attitudinal** (i.e. – trustee or caretaker) view: the member’s ideology determines his or her vote. A senator or congressman who embraces this viewpoint would be more inclined to follow his / her own judgment or follow their conscience regardless of cues from the party or the voters. House members are less likely to adopt this view while senators, somewhat more removed from the general public, are more inclined to vote how they best see fit.

• **Politico** is an informal term used to politician.

• Members of congress are increasingly divided by political ideology. Polarization among members has led to many more attacks and to less constructive negotiations of bills and policies.

• Critics contend that Gerrymandering has been a root cause of polarization in the U.S. Congress as few districts are competitive between parties which results in the most partisan part of a party from gaining and maintaining control without and real threat of a challenge.

• **Baker v. Carr** (1961) was a landmark U.S. Supreme Court case that decided that redistricting issues present justiciable questions, thus enabling the federal courts to intervene in and to decide redistricting cases (i.e. – one man, one vote).

• **Shaw v. Reno** (1993) held that redistricting based on race must be held to a standard of strict scrutiny under the equal protection clause.

• **Gill v. Whitford** (2018) – A pending Supreme Court case that will determine if partisan gerrymandering is constitutional or not.

• The negative fallout of congressional partisanship includes partisan votes against presidential initiatives no matter what they are (i.e. – The Party of No). This has included refusals to confirm presidential appointments made during a lame duck session of Congress (i.e. President Obama’s appointment of Merrick Garland to the U.S. Supreme Court).

• The Vice President of the United States also serves as Vice President of the Senate. This is mostly a symbolic position since the Vice President does not meddle in the business of the Senate. The primary job of the Vice President is to cast a tie-breaking vote is called upon by the Senate.

• The President pro tempore presides in the Vice President’s absence. The pro tempore is the members with the most seniority of the majority party. Other than being third in line to become the U.S. President, this is a largely honorific position.

• Their respective party members elect the Majority and Minority Leaders to lead the U.S. Senate.

• The Majority Leader schedules Senate business, usually in consultation with the minority leader. The Majority Leader is normally skilled at political bargaining and may acquire substantial influence over the substance of the Senate’s business.

• Party Whips are assistant leaders in both the House and the Senate. These leaders keep leaders informed, round up votes, and count noses (i.e. – knowing where members stand on various issues). In the House of Representative there are also a number of assistant whips.

• Each party has a policy committee that schedules Senate business and prioritizes bills.

• Committee assignments are handled by a group of Senators representing each party: The Democrat Steering Committee and the Republican Committee on Committees. Assignments are especially important for freshman (high profile, springboard for ambitious “climbers”). Committee assignments emphasize ideological and regional balance. Other factors that may determine committee assignments include popularity, effectiveness on television, or favors owed.

• The modern Senate, when contrasted against the House of Representatives, has changed in terms of norms, not rules. The Senate is less party centered and less leader oriented than in the House. The Senate is generally more hospitable to freshmen, more heavily staffed, and more subcommittee oriented.

• The House rules give those in leadership positions significant power. The Speaker of the House is the leader of the majority party and presides over the House. He or she (1) decides who to recognized to speak on the floor, (2) rules on germaneness of motions, (3) assigns bills to committees, (4) influences which bills are brought up for a vote, and (5) appoints members of special and select committees.

• A loose measure of the strength of a party’s structure is the ability of leaders to get members to vote together to determine party rules and organization.
• A caucus is an association of members of Congress created to advocate a political ideology or a regional or economic interest. There are three primary types of caucuses: (1) Intra-party caucuses – members share a similar ideology, (2) Personal interest caucuses – members share an interest in an issue, and (3) Constituency caucuses – established to represent groups, regions, or both.

• Nearly all work done in Congress takes place in committees; it is the most important organization feature of Congress. Congress has sometimes been referred to as a collection of committees who get together occasionally to vote. Committees do all of the following: (1) consider bills or legislative proposals, (2) research issues, (3) draft the language of bills / laws, (4) maintain oversight of executive committees, and (5) conduct investigations.

• There are four types of committees in congress: (1) Standing Committees are permanent bodies with specified legislative responsibilities, (2) Select or Special Committees are groups appointed for a limited purpose and limited duration, (3) Joint Committees are those on which both representatives and senators serve, and (4) Conference Committees are a temporary committee made up of both senators and representatives appointed to resolve difference in Senate and House versions of the same piece of legislation before final passage.

• The majority party has a majority of seats on the committees and names the chair of each committee. Chairs are elected by secret ballot in the party caucus. Usually the majority party elects the most senior member of the committee. All House committees with more than twenty members are to have at least four subcommittees.

• The Subcommittee Bill of Rights (circa 1970s) changed several congressional traditions. House committee chair were to be elected by a secret ballot in the party caucus. No House or Senate member could chair more than one committee. All House committees with more than twenty members were to have least four subcommittees. Finally, these reforms resulted in the creation of larger staffs with most meeting being open to the public.

• In the House of Representatives, each party sets committee assignments and legislative schedules. The Democrats use the Steering and Policy Committee to complete this task. The Republicans divide this task between two committees – The Committee on Committee for committee assignments and the Policy Committee to schedule legislation.

• Party unity and polarization in Congress continue to a challenge in modern legislature. Splits today reflect deep ideological differences between parties or party leaders. In the past, the focus was on winning elections and keeping power. Leaders dispensing patronage and giving key assignments maintained party discipline in the past. Finally, the length of Senate and House terms contribute to the type of coalitions that may form in both bodies.

• Members of Congress cannot longer keep up with the increased legislative workload and must rely heavily upon their staff. Constituency service is a major task of members’ staff. Legislative functions of staff include devising proposals, negotiating agreements, organizing hearings, and meeting with lobbyists and administrators. Members’ staff considers themselves advocates of their employers (entrepreneurial function), which sometimes makes them very independent. Two results of large staff: more legislative work in Congress and more individualistic Congress (less collegial, less deliberative).

• Staff agencies work for Congress as a whole, providing specialized knowledge. Major staff agencies include the Congress Research Service (CRS), the General Accounting Office (GAO), and the Congressional Budget Office (CBO).

• Bills travel through Congress at different speeds. Bills to spend money and tax/ regulate business move slowly. Bills with a clear, appealing idea move fast, especially if they don’t require expenditures (i.e. – National Do Not Call Registry (2003))

• A member of Congress must introduce a bill. Public bills are proposals that pertain to public as a whole. Private bills, now rarely introduced, pertain to a proposal that would impact an individual only.

• Pending legislation does not carry over form one Congress to another; it must be reintroduced. This puts pressure on Congress to get legislation passed before the end of a term otherwise the process must begin anew in the next session of Congress.

• A simple resolution is passed by one house of Congress and affects that house alone. This resolution is not signed by the President and does not have the force of law.

• Both houses of Congress pass a concurring resolution. This resolution is not signed by the President and does not have the force of law.

• A joint resolution is essentially a law. It is passed by both houses of Congress and signed by the president.
• Either the Speaker or presiding officer in the Senate refers a bill to a committee for consideration.
• All revenue bills must originate in the House of Representatives.
• Most bills die in committee.
• After hearings and mark-up sessions, the committee reports a bill out to the House or Senate. If a bill is not reported out, the House can use the “discharge petition” for force it out of committee. If a bill is not reported out in the Senate a discharge motion can be made (rarely used).
• A bill must be placed on a calendar to come to a vote before either house.
• The House Rules Committee set the rules for consideration. A closed rule sets a time limit on debate and restricts amendments. An open rule permits amendments from the floor.
• The Committee of the Whole is a procedural device for expediting House consideration of bills. Congress adjourns and reconvenes as a giant committee. The Committee of the Whole cannot pass bills.
• In the Senate there are no rules limiting the germaneness of amendments; riders are common. Debate can only be limited / stopped by a cloture vote (i.e. – Rule 22). Three-fifths of the Senate must vote in favor of ending a filibuster. Effectively, neither party controls the Senate unless it has at least 60 votes; otherwise, the Senate must act as a bipartisan majority.
• Holds are a parliamentary procedure permitted by Senate rules that allows one or more senators to prevent a motion from reaching a vote on the Senate floor. If the senator provides notice privately to his or her party leadership of their intent (and the party leadership agrees) then the hold is known as a secret or anonymous hold. If a senator objects on the Senate floor or the hold is publically revealed, then the hold is more generally known as a Senatorial hold.
• A senator may request unanimous consent on the floor of the Senate to set aside a specified rule of procedure so as to expedite proceedings. If no senator objects, The Senate permits the action. If any senator objects, the request is denied.
• The nuclear option (or constitutional option) is a parliamentary procedure that allows the Senate to override Rule 22 – specifically the 60-vote rule to close debate – by a simple majority of 51 votes, rather than the two-thirds supermajority normally required to amend the rule.
• Different procedures for voting are used at the members’ request: voice vote, division (standing) vote, teller vote, and roll-call vote.
• Differences between a Senate and House version of a bill must be reconciled before being sent to the President. If minor, the last house to act merely sends bill to the other house, which accepts the changes. It major, a Conference Committee is appointed to resolve the differences. The Conference Committee is made up of the members of the original committee that proposed the bill. Once the compromise is reached the bill is reported back to both house where it must be accepted or rejected as a whole.
• The bill, in its final form, goes to the President. The President may sign the bill into law. If the bill is veto it is returned back to the house of origin. The Congress may override the presidential veto with a two-thirds majority vote of both houses.
• Some have argued that the power of Congress should be reduced in terms of individual member’s powers and perks. Proposals include regulating franking (the sending of subsidized mail), placing Congress under the law, and trimming pork.

Understand

• The legislature of Great Britain (i.e. – Parliament) has many distinguishing features that stand in sharp contrast to the U.S. Congress.
• British political parties, not the voters directly (a.k.a. primaries) select who will be candidates / members for parliamentary positions. This engenders party members to be loyal and closely follow the party’s political platform and positions.
• In the United States, individual candidates must participate in competitive primary elections to win the nomination of their party. As a result, candidates/elected officials are often quite independent of the party apparatus and do not feel compelled to closely follow the party line.
• In Great Britain, voters select which party they wish to see in power, not the individual candidate. A voter cannot “split their ticket” by voting for different candidates of different parties for different positions. In the United States, split ticket voting is common. A major outcome of this difference is divided government.
• Whichever political party gains a major of votes (or forms a coalition with smaller parties to achieve a majority) takes control of Parliament. The leader of the victorious party becomes Prime Minister (i.e. – chief executive). His or her entire government (i.e. – cabinet) is made up of elected members of Parliament (a.k.a. - MPs). In the United States, the voters, not the legislature, selects the chief executive (i.e. – President). The U.S. Constitution also mandates a separation of power between the branches of government.

• The ruling party or governing coalition in the British Parliament vote together on nearly every issue. Those members who choose to buck the party line will not be re-nominated to their position. Parliament can act quickly, getting key legislation passed and not having to deal with continues delaying tactics of individualistic members or divided government.

• In the United States, power is decentralized and members are independent and focused on their constituents’ parochial concerns. Party unity is fragile and unreliable. There is little a party can do to punish those members who choose to pursue their own agenda.

• Because of the unitary structure of the British government, the primary concern of Parliament is on national issues that will affect the country as a whole. Federalism, which decentralizes powers, compels member of Congress to focus on representing local wants and needs. Members of Congress are expected to secure resources and enact laws that will benefit their constituents regardless of how it may impact the nation.

• Since the party is the dominant feature of Parliament individual members of Parliament have very little power and small staffs. In contrast, because of the weak nature of American political parties, members of Congress have a great deal of power, are highly paid, and have significant staff resources.

• On of the primary concerns of the Framers was the danger of concentrating too much power in a single governmental institution. Thus, the separation of powers was mandated to keep power in check. Furthermore, to appease both large and small states a bicameral legislature was established.

• The Framers expected the Congress to be at the forefront of government, not the President or the Supreme Court.

• Article I, Section 8 of the U.S. Constitution gave the Congress a host of Enumerate Powers exclusively (i.e. – taxation, declaring war, creating inferior courts, etc.)

• Centralization of governmental power would allow Congress to act quickly and decisively. However, in order for centralization to be effective it requires strong central leadership, restrictions on debate, and little committee interference.

• Decentralization of governmental power allows for the protection of individual members and their constituencies. However, it results in weak leadership, rules allowing for delay, and much committee activity. The general trend in congressional action in the 21st Century has been towards decentralization.

• Many Americans today consider Congress to be a broken, dysfunctional institution plagued with partisan bickering and gamesmanship. Critics contend that it is unlikely this for this trend to be reserved anytime soon.

• Congress, instead of being a unified body with a national vision and agenda, instead in a collection of individual representatives who are more loyal to their individual states and constituencies.

• The shifts concentration of power in Congress has shifted over the course of American history.

• **Phase One** (1787 to mid 1820s) was dominated by a power House. During the first three presidential administrations of the United States the House of Representatives was preeminent, originating all legislation. The party caucus shaped policy questions and selected party candidates for the presidency.

• **Phase Two** (Late 1820s through 1880s) was known for emerging divisions within the House of Representatives. President Andrew Jackson asserted presidential power through the use of the veto. National nominating conventions became common replacing the former caucus system. The issue of slavery and the Civil War shattered party unity thus limiting the power of the Speaker. Following the war, Radical Republicans imposed harsh penalties on the post-war South.

• **Phase Three** (Late 1880s through 1910s) the Speaker of the House dominated all House proceedings. Speaker Thomas B. Reed of Maine produced party unity. He chaired the Rules Committee, selected committee chairs, and assigned committee members.
Phase Four (1920s through the 1950s) witnessed a revolt by House members against the all power position of the Speaker. The Speaker was stripped of his power to appoint committee chairs and members and was removed from the Rules Committee. Other sources of power emerged in the chamber: party caucuses,Rules Committee, and Chairs of standing committees who acquired their office on the basis of seniority.

Phase Five (1960s to 90s) individual members came to the forefront of Congress; the defining issue during the 1960s became civil rights. Powerful Southern committee chairs blocked legislation until 1965. Democratic members changed rules to limit chairs’ power: (1) committee chairs became elective, not selected on the basis of seniority, (2) subcommittees strengthened, (3) chairs could not refuse to convene committee meetings; meetings had to be opened to the public, (4) the size of congressional staffs increased, (5) each members could introduce legislation, and (6) half of the majority members chaired at least one committee or subcommittee.

Phase Six (1994 to 1998) The Speaker attempted to reassert leadership dominance (Newt Gingrich). Efforts began to restore Speaker’s powers because the individualistic system was not efficient. Speaker appointed a majority of the Rules Committee members, given multiple referral authority, reduced the number of committees, dominated the selection of committee chairs, and set legislative agenda for the House.

Phase Seven (2010 to present) Speaker has little control over the party caucus; individual members dominated pushing their own ideological agenda (i.e. – Tea Party). Party disunity and unwillingness to compromise; gridlock and ineffectiveness.

The smaller size of the U.S. Senate helped this legislative body avoid many of the problems that plagued the House; it precluded the need for a Rules Committees and also on limitations dealing with amendments and debate time.

Today’s Senate remains individualistic and decentralized with leadership having a difficult time trying to exercise over their caucus.

It is very difficult to unseat a congressional incumbent for a host of reasons: their ability to accumulate a war chest for campaigns, their ability to dole out constituency services, bring home government funding to their states and districts (i.e. – pork), and the creation of safe congressional districts by partisan state legislatures (i.e. – Gerrymandering).

The 17th Amendment (1913), allows citizens to select the two federal senators who will represent their state in Washington. Prior to the 17th Amendment, senators were chosen by state legislatures.

A filibuster is a parliamentary technique in which an individual senator attempts gains control of the floor and attempts to talk a bill to death rather than permitting a vote. Rule 22 restricted this practice in 1917 when it was agreed upon that a two-thirds vote of the Senate could end the filibuster. Today, a filibuster can be stop by a vote of cloture (60 votes).

The beliefs and interests of members of Congress may affect public policy and the legislative agenda they pursue.

The House Democrats are the most diverse in terms of race and gender. The Senate Republicans are the least diverse in terms of race and gender.

Some members of Congress view their elected position more as a career than as public service.

Voters tend to support incumbents for a variety of reasons: (1) higher media coverage for incumbents, (2) greater name recognition than challengers, and (3) sitting members can secure policies, programs, and pork for their constituents.

From time to time a major election convulsions can radically alter membership of Congress. This would more likely happen in the House. Voters may wish to dump incumbents due to budget deficits (i.e. – runaway government spending and programs), unpopular policies, legislative-executive bickering, an unpopular president (which would impact members of the President’s party) or scandal. Wave election occurs when the present party in power is swept out of power by the opposition due to public dissatisfaction with the state of affairs in Washington.

Politico is an informal term used to describe a politician.

The way members of Congress vote is not always obvious; members may be devoted to their constituents, their own beliefs, pressure groups, congressional leaders, or some other force. Often members will vote using different styles depending on the profile of the issue.

Representational view: members vote to please their constituents, in order to secure re-election. This applies when constituents have a clear view of a high profile issue and the legislator’s vote is likely to attract attention.

Organization view: where constituency interests are not vitally at stake, members primarily respond to cue from colleagues (i.e. – voting with the party).
• **Attitudinal (caretaker) view:** the member’s ideology determines his or her vote. A senator or congressman who embraces this viewpoint would be more inclined to follow his / her own judgment or follow their conscience regardless of cues from the party or the voters. House members are less likely to adopt this view while senators, somewhat more removed from the general public, are more inclined to vote how they best see fit.

• The personal ideology held by individual members of Congress is an increasing source of friction and division. Polarization among members has led to many more attacks and to less constructive negotiations of bills and policies.

• Critics point to the impact of gerrymandered Congressional districts as a contributing factor is congressional polarization. The Supreme Court has addressed the issue of gerrymandering in *Baker v Carr* (1961), *Shaw v. Reno* (1993), and *Gill v. Whitford* (2018).

• The Vice President, in addition to be next in line for the presidency, also serves as President of the Senate. This is mostly a symbolic position since the Vice President does not meddle in the business of the Senate. The primary job of the Vice President is to cast a tie-breaking vote is called upon.

• The President pro tempore presides in the Vice President’s absence. The pro tempo is the member of the Senate with the most seniority in the majority party. Other than being third in-line to become the U.S. President, this is a largely honorific position.

• The Senate Majority and Minority Leaders, elected by the members of the Senate, run the day-to-day operation of this legislative body.

• The Majority Leader schedules Senate business, usually in consultation with the minority leader. The Majority Leader is normally skilled at political bargaining and may acquire substantial influence over the substance of the Senate’s business.

• Party Whips serve as assistant leaders in both the House and the Senate. These leaders keep the Majority and Minority leaders informed, round up votes, and count noses (i.e. – knowing where members stand on various issues).

• Each party has a policy committee that schedules Senate business and prioritizes bills.

• Committee assignments are handled by a group of Senators representing each party: The Democrat Steering Committee and the Republican Committee on Committees. Assignments are especially important for freshman (high profile, springboard for ambitions). Committee assignments emphasize ideological and regional balance. Other factors that may determine committee assignments include popularity, effectiveness on television, or favors owed.

• In the House of Representatives, the rules governing that legislative body provide the Speaker more power than their counterpart in the U.S. Senate. The Speaker of the House is the leader of the majority party and presides over the House. He or she (1) decides who to recognize to speak on the floor, (2) rules on germaneness of motions, (3) assigns bills to committees, (4) influences which bills are brought up for a vote, and (5) appoints members of special and select committees.

• A loose measure of the strength of party structure is the ability of leaders to get members to vote together to determine party rules and organization.

• A caucus is an association of members of Congress created to advocate a political ideology or a regional or economic interest.

• There are three primary types of caucuses: (1) Intra-party caucuses – members share a similar ideology, (2) Personal interest caucuses – members share an interest in an issue, and (3) Constituency caucuses – established to represent groups, regions, or both.

• The committee system is the most important organization feature of Congress. Congress has sometimes been referred to an array of committees who get together occasionally to vote. Committees do all of the following: (1) consider bills or legislative proposals, (2) research issues, (3) draft the language of bills / laws, (4) maintain oversight of executive committees, and (5) conduct investigations.

• There are four types of committees utilized by the U.S. Congress: (1) **Standing Committees** are permanent bodies with specified legislative responsibilities, (2) **Select or Special Committees** are groups appointed for a limited purpose and limited duration, (3) **Joint Committees** are those on which both representatives and senators serve, and (4) **Conference Committees** are a temporary committee made up of both senators and representatives appointed to resolve difference in Senate and House versions of the same piece of legislation before final passage.

• The majority party always has a majority of seats on each committee and controls each committee chair. Chairs are elected by secret ballot in the party caucus. Normally, the majority party elects the most senior member of the committee to serve as chair. All House committees with more than twenty members are to have at least four subcommittees.

• The Subcommittee Bill of Rights changed several congressional traditions including a secret election of chairs by the party caucus, limiting the number of chairmanships per member, and the mandatory creation of four subcommittees for each committee with 20 or more members.

• Today, members of Congress cannot longer keep up with the increased legislative workload and must rely heavily upon their staff.
• Constituency service (i.e. – handling the request of citizens from the member’s district or state) is a major responsibility of members’ staff.
• Legislative functions of staff include devising proposals, negotiating agreements, organizing hearings, and meeting with lobbyists and administrators.
• Members’ staff considers themselves advocates of their employers (entrepreneurial function), which sometimes makes them very independent. Two results of large staff: more legislative work in Congress and more individualistic Congress (less collegial, less deliberative).
• Staff agencies work for Congress as a whole, providing specialized knowledge. Major staff agencies include the Congress Research Service (CRS), the General Accounting Office (GAO), and the Congressional Budget Office (CBO).
• Bills can travel through Congress at different speeds depending on the nature of the topic and the profile of an issue. Bills to spend money or to tax or regulate business generally move slowly. Bills with a clear, appealing idea most fast, especially if they don’t require expenditures.
• A member of Congress must introduce a bill.
• Public bills are proposals that pertain to public affairs. Private bills, none rarely introduce, pertains to a proposal that would impact an individual.
• Pending legislation does not carry over form one Congress to another; it must be reintroduced. Thus, each Congress has a two-year window to accomplish a legislative goal before having to start the process all over again the following Congress.
• A simple resolution is passed by one house of Congress and affects that house alone. This resolution is not signed by the President and does not have the force of law.
• A concurring resolution is pass by both houses of Congress. This resolution is not signed by the President and does not have the force of law.
• A joint resolution is essential a law. It is passed by both houses of Congress and signed by the president.
• The U.S. Constitution requires that all revenue bills must originate in the House of Representatives.
• Either the Speaker or presiding officer in the Senate refers a bill to a committee for consideration. Most bills die in committee.
• After hearings and the mark-up sessions (i.e. – finalizing the language of the bill), the committee reports a bill out to the House or Senate. If a bill is not reported out, the House can use the “discharge petition” for force it out of committee. If a bill is not reported out in the Senate a discharge motion can be made (rarely used).
• A bill must be placed on a calendar to come to a vote before either house.
• The House Rules Committee sets the rules for consideration. A closed rule sets a time limit on debate and restricts amendments. An open rule permits amendments from the floor.
• The Committee of the Whole is a procedural device for expediting House consideration of bill. The entire legislative body adjourns and reconvenes as a giant “committee” to expedite the legislative timetable. A Committee of the Whole cannot pass bills.
• In the Senate there are no rules limiting the germaneness (whether the topic is relevant or not to the actual bill) of amendments; riders (often pork barrel spending) are common. Debate can only be limited / stopped by a cloture vote. Three-fifths of the Senate must vote in favor of ending a filibuster. Effectively, neither party controls the Senate unless it has at least 60 votes; otherwise, the Senate must act as a bipartisan majority.
• Different procedures for voting are used at the members’ request: voice vote, division (standing) vote, teller vote, and roll-call vote.
• The Senate allows individual Senators to place holds of pending legislation thus preventing the measure from being voted on.
• When suspending the rules or procedures of the Senate a requirement for a vote of unanimous consent exists.
• Differences between a Senate and House version of a bill must be reconciled before being sent to the President. If minor, the last house to act merely sends bill to the other house, which accepts the changes. It major, a Conference Committee is appointed to resolve the differences. The Conference Committee is made up of the members of the original committee that proposed the bill. Once the compromise is reached the bill is reported back to both house where it must be accepted or rejected as a whole.
• The bill, in its final form, goes to the President. The President may sign the bill into law. If the bill is veto it is returned back to the house of origin. The Congress may override the presidential veto with a two-thirds majority vote of both houses.
• Some have argued that the power of Congress should be reduced in terms of individual member’s powers and perks. Proposals include regulating franking (the sending of subsidized mail), placing Congress under the law, and trimming pork.
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| Unit 6 | 23-24 | Chapter 13 – Congress (Pages 296 to 330) | **Chapter 13 Vocabulary**  
• Attitudian View  
• Article I, Section 8 (U.S. Constitution)  
• Baker v. Carr (1961)  
• Bicameral legislature  
• Caucus (Party)  
• Closed Rule  
• Cloture Vote  
• Committees  
• Committee of the Whole  
• Committee on Committee for committee assignments (Republicans)  
• Concurrent Resolution  
• Conference Committee  
• Congressional Accountability Act of 1995  
• Congressional Budget Office (CBO)  
• Congressional Research Service (CRS)  
• Conservative Coalition  
• Constituents  
• Constituency Caucus  
• Constituency Services  
• Contract with America (1990s)  
• Decentralization  
• Delegate (member voting)  
• Democratic Steering Committee  
• Discharge Petition  
• Division Vote | **Identify and describe a number of key differences that distinguishes the U.S. Congress from the British Parliament.**  
**Compare and contrast how British and American political parties select their candidates for the legislature.**  
**Debate the positive and negative consequences of have a unified or divided executive / legislative branches.**  
**Discuss the root causes for strong party unity in Great Britain and weak party unity in the United States.**  
**Compare the primary arena of concern for the British Parliament and the United States Congress.**  
**Explain why the Framers were opposed to the concentration of power in a single governing institution.**  
**List some of the pros and cons of have greater centralized or decentralized congressional action.**  
**Speculate why the general trend in congressional action has been towards decentralization.**  
**Identify some of the key changes in the organization of the House of Representatives that have occurred over the course of U.S. history.**  
**Identify some of the key changes that occurred during Phase One** | **Chapter 13 Overview Themes, Group Work, and Writing:**  
a) Students will read and discuss the following handouts in small groups  
b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.  
**Theme A: Who Gets to Congress**  
**Members of Congress tend to have a particular demographic profile—most members are middle-aged, male, white, well-educated attorneys. Is this a matter of concern? Does the preponderance of a particular demographic and professional group compromise the quality of representation provided by the U.S. Congress? In 1992, feminist organizations encouraged women to vote for women congressional candidates by noting that every member of the Senate Judiciary Committee, which had confirmed Clarence Thomas for the Supreme Court, had just this profile. How important is descriptive representation?**  
**Why have Senate races been more competitive historically than House races?**  
What factors would constrain the incumbency advantage of senators? If senators have a six-year term to prepare for reelection and House members have only a two-year term, shouldn’t senators experience greater success in their campaigns?  
**What factors combined to make House races more competitive in the 1990s?** Which of these developments has surfaced in your local elections? On the basis of the electoral outcomes since 2000, which party do you expect will control the legislative and executive branches in the future?  
**Should the number of terms served by members of Congress be limited, as they are for the president? If not, what justification exists for imposing a term requirement on the president but not on Congress? Would’t corruption be less likely if members of Congress were regularly rotated in office?** | **Chapter Learning Objectives**  
**Who Governs? To What Ends?**  
**Overview: A Brief History of the U.S. Congress**  
**Comparative Government: British Parliament & the U.S. Congress (Compare & Contrast)**  
**The Framers’ View of Congress**  
**The Evolution of Congress (Bicamerality)**  
**The Enumerated Powers of Congress: Article I, Section 6**  
**Competing Values: Congressional Action – Centralization vs. Decentralization (20th and 21st Century Trends)**  
**Contemporary Americans View of Congress**  
**General Observations About the U.S. Congress**  
**PBS Crash Course: Bicameral Legislature (YouTube)**  
**Changes in the Organization of the House of Representatives (Historical Overview)**  
**Phase One: The Powerful House (1789-1820s)**  
**Phase Two: A Divided House (1820s-1880s)**  
**Phase Three: The Speaker Returns (1890s to 1910)**  
**Phase Four: The House Revolts**  
**Phase Five: The Members Rule**  
**Phase Six: Leadership Reform**  
**Organization of the House (New Gingrich’s Contract with America)**  
**U.S. Senate (Historical Overview)**  
**Evolution of the Senate /** | **Reading Textbook**  
Wilson: Chapter 13  
• #19 – David Mayhew – Congress - The Electoral Connection (Pages 141 to 144)  
Of the three activities mentioned by Mayhew (advertising, credit claiming, and position taking), which is the most effective? Why?  
Why do most politicians and public officials employ all three activities?  
• #20 – Richard Fenno - Home Style (Pages 150 to 155)  
Why is the “presentation of self” for a member of Congress important back in their home district? What is the difference in the roles of a “delegate” and a “trustee” and how does that affect how an elected official approaches their job?  
• #21 – Steven Smith – The Senate Syndrome (Pages 151 to 157)  
Who Gets to Congress? Wouldn’t corruption be less likely if members of Congress were regularly rotated in office?  
Would permanently ending the 60-vote cloture rule diminish the significance of the Senate as a safeguard of minority rights? Should the Senate operate under the same parliamentary rules as the House of Representatives to remove a long-standing obstacles and obstructions to the passage of timely legislation by the majority party?  


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### Theme: Does Congress Represent Constituents’ Opinions?

- Which of the theories (representational, organizational, attitudinal) do you believe is practiced by most members of Congress during campaign season? Would you expect the longer term of Senators (6 years) compared to Representatives (2 years) to result in their practicing a different theory of representation?
- Which of the three theories listed above do you endorse as a citizen? Which would you endorse as a member of Congress? Explain why your perspective did or did not change, depending on your political role.
- Suppose you want your representative in Congress to vote for the policies you prefer—the representational theory of congressional voting. How could you make this happen?
- What is party unity voting? If representatives vote with their party, does that necessarily mean they are less likely to be representing constituents’ attitudes?

### Theme C: Congressional Organization & Procedures

- Look at the chart “How a Bill Becomes Law” and list the hurdles a bill must surmount if it is to become law. Is the legislative process too inefficient?
- There are two especially significant facts about the legislative process. First, almost all legislation is considered in subcommittees composed of from six to ten members. Second, much legislation enacted into law passes with few changes in the way the bill is reported from committee. To be successful, therefore, wouldn’t interest groups have to influence only a few members of Congress? Does Congress so strongly support the work of its committees?
- Consider each of the following features of Congress (including some that no longer apply), and discuss the policy implications of each. Does each (a) lead to more or less logical and coherent policies? (b) lead to more or less representation of various local and parochial interests? (c) make it easier or harder to pass legislation?
  - Party Voting in Congress
  - A powerful Speaker of the House
  - A highly specialized committee structure
  - Committee reforms that have taken power away from chairs
  - Ideological caucuses
  - Open meetings of committees
  - Large staffs, including those of Congressional members

### 17th Amendment / Filibuster / Rule 22 (Cloture)

- General Observations About the Senate
  - Who is Congress?
  - Incumbent Advantages: War Chest, Constituency Services, Pork, Gerrymandering / Safe Districts
  - Chart: Percentage of Incumbents Reelected to Congress (National Journal)
  - Chart: Reelection Rates for House and Senate Incumbents 1964-2014 (Center for Responsive Politics)
  - Political Cartoon: Throw the Bums Out of Congress
  - Electoral Conventions / Wave Elections
  - Political Cartoon: Polling Place & Anger Management Counseling
  - Political Cartoon: First Aid for Angry Voters
  - PBS Crash Course: Congressional Elections (YouTube)
  - PBS Crash Course: Gerrymandering
  - Diversity in Congress
  - Chart: Agreement with Statement: “My Member of Congress Represents People Like Me” (Texas Tribune 2011)
  - Pie Chart: Women in the House of Representatives Since 1917 (National Journal)
  - Graphic: 113th Congress Diversity
  - Table: Minorities in Congress 113th Congress

### Filibuster

- Filibuster / Rule 22 (Cloture)
  - Political Cartoon: When Members of Congress Vote
  - Member Behavior (Representational View, Organizational View, Functional)

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**#22 — Michele Swers – Women in the Club (Pages 158 to 166)**

Michele Swers outlines the challenges female senators face when tackling issues of national defense and defense spending. Do you believe that as American population grows and diversifies, and women are elected to more public offices, that the days of the Senate being an “all boys club” will come to an end? How might that impact defense appropriations in the 21st century?


What are both the positive and negative effects of pork? How does pork highlight the conflict for the legislature as representatives of local interest but yet still being part of a larger national legislative body?

**#24 – John Ellwood & Eric Patashnik – In Praise of Pork (Pages 170-174)**

Ellwood and Patashnik contend that pork is a necessity for government. What do you think? Either support or refute their thesis by providing evidence cited from their article.

**#26 – Chuck McCutcheon & David Mark – Dog Whistles, Walk Backs, and Washington Handshakes (Pages 181 to 192)**

In this insightful (and somewhat humorous) essay, McCutcheon and Mark list numerous examples of jargon, slang, and bluster used inside the Washington beltway. The author claims that public servants can be “confusing as hell” and indecipherable to most outsiders. Is it feasible to educate the American people about this political vernacular
| Roll-Call Vote | Rule 22 (1917) | Safe District |
| Select or Special Committees | Sequential Referral | Shaw v. Reno (1993) |
| 17th Amendment | Simple Resolution | Speaker of the House |
| Special Committees | Staff | Staff Agencies |
| Standing Committee | Steering and Policy Committee (Democrats) | Subcommittee Bill of Rights |
| Tea Party Caucus | Teller Vote | Unanimous Consent |
| Voice Vote | War Chest | Veto |
| Wave Elections | Whips | War Chest |

- **Behavior of Congressional Members**: The behavior of congressional members is not always obvious. List the three primary theories that attempt to explain congressional member voting behavior.
  - Judge the practical and moral rationale behind a representational view of voting.
  - Judge the practical and moral rationale behind the organizational view of voting.
  - Judge the practical and moral rationale behind the attitudinal / caretaker view of voting.

- **Supplemental Reading Presentations**
  - Member and committees, and staff agencies
  - Committees, and staff agencies
  - Staff
  - Staff Agencies

- **Optional Activity (Time Permitting)**
  - Mini-Research Activity
  - Researching Members of Congress
  - Objective: Encourage students to become familiar with the PA delegation to the U.S. Congress by conducting research and filling out a documentation form.
  - Items to be researched include: Member profile, district profile, committee assignments, committee assignments, issues of particular importance to the legislator, voting record / pattern, location of home and Washington D.C. offices, sponsored legislation.

- **Optimal Activity (Time Permitting)**
  - Gerrymandering Worksheet
  - Cracking and Packing

- **Theme D: Ethics and Congress**
  - Congressional scandals are classified as financial, sexual, and political. Which do you consider more or less serious? Why? What information should be provided in media coverage of candidates and officeholders?
  - More than one author has noted how difficult it is for Congress to police its own members for ethics violations. Why? As a congressional member, would you be willing to serve on the ethics committee of your chamber? Note that these committee rosters now list the same number of Democratic and Republican members. Why?

- **Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)**

- **Political Cartoon: The Closed Rule**
  - Political Cartoon: The Congressional Pledge of Allegiance (to their parties, not to the nation)
  - Chart: Widen Voting Gap Between Republicans and Democratic Lawmakers in Congress (1947-2011)
  - Journal Sentinel/Vital Statistics on Congress
  - The Negative Fallout from Congressional Partisanship

- **Optional Activity (Time Permitting)**
  - PBS Crash Course: Congressional Decisions
  - Theme C: Congressional Organization and Procedures
  - The Congress is not a single organization, but rather a vast collection of organizations (party organization, caucuses, committees, staff, staff agencies)
  - Leadership of Congress
  - Party Structure in the Senate (President pro tempore, Majority & Minority Leaders, Party Whips, Policy Committee)
  - Committee Assignment in the Senate (Democratic Steering Committee, Republican Committee on Committees)
  - The Modern U.S. Senate: Contrasting with the House of Representatives
  - Party Structure in the House of Representatives (Speaker, Majority & Minority Leaders, Party Whips)
  - The Speaker of the House (Powers)
  - PBS Crash Course:
and identify the three most common type of caucuses found in Congress.
• Explain why committees are the most important organizational feature of Congress.
• List and describe the four types of committees utilized by Congress.
• Identify ways in which the majority party controls committee assignments and agendas.
• Speculate why members of Congress can no longer keep up with the increased legislative workload.
• Provide examples of constituency services that are offered by members of Congress.
• List two results of having large congressional staffs.
• Explain the purpose of staff agencies.
• Identify a number of the major staff agencies that assist the U.S. Congress.
• Speculate why bills travel through Congress at different speeds.
• Compare and contrast a public bill and a private bill.
• Evaluate the potential consequence of pending legislation not carrying over from one Congress to another.
• Compare and contrast a simple resolution, a concurring resolution, and a joint resolution.
• Explain why all revenue bills must originate in the House of Representatives.
• Describe what happens to most bills in committee.
• Explain the purpose of a "discharge petition."
• Explain the duties and responsibilities of committee staff.
• Speculate why Congress is no longer able to meet the increased legislative workload.
• Provide examples of how Congress is working to address the increased workload.

Congressional Leadership (YouTube)
• Committee Assignments in the House of Representatives
• Party Strength and Discipline in Congress
• Strength of Party Structure (loose today)
• Party Unity and Polarization
• Congressional Caucuses (Intra-Party, Personal Interest, Constituency)
• Congressional Committees
• Standing, Special/Select, Joint, and Conference Committees
• Overview of Committees
• Subcommittee Bill of Rights
• Congressional Committees: A Key Check on Presidential Power (Watchdog Role)
• PBS Crash Course: Congressional Committees
• Congressional Staff (Constituency Service, Legislative Function, Entrepreneurial Function)
• Chart: Profile of Congressional Staffers (2011) Huffington Post
• Results of Larger Congressional Staffs
• Staff Agencies (Congressional Research Service, Government Accountability Office, Congressional Budget Office)
• How a Bill Becomes a Law
• How fast can a bill become law? (Influencing Factors)
• Introducing a Bill to Congress (Private Bills, Public Bills)
• Resolutions (Simple, Concurrent, Joint)
• Study in Committee
• Mark-Up Sessions
• House Rules Committee (Open & Closed Rules), Restrict Rule
• The Discharge Petition
• Debate in the House / Committee of the Whole / Riders
• Debate in the Senate /
<table>
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<th>Responsibilities of the House Rules Committee.</th>
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<td>• Compare and contrast a closed rule and an open rule.</td>
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<td>• Describe how the Committee of the Whole works in the U.S. Congress.</td>
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<td>• Speculate why the Senate has not chosen to create a rule committee for their chamber.</td>
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<td>• Identify the different methods used to record votes in the U.S. Congress.</td>
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<td>• Explain the purpose and responsibilities of a Conference Committee.</td>
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<td>• List which actions the President may undertake once a bill arrives on his desk.</td>
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<td>• List some of the proposals that have been made to reduce the power and perks granted to Congress.</td>
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<td>• Senatorial Holds</td>
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<td>• Methods of Voting in the U.S. Congress (Voice Vote, Division (Standing) Vote, Teller Vote, Roll-Call Vote)</td>
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<td>• Conference Committee</td>
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<td>• Political Cartoon: How a Bill Becomes a Law Today (It Doesn't)</td>
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<td>• On to the President / Veto / Pocket Veto / Signing Statements</td>
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<td>• Legislative Productivity?</td>
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<td>• PBS Crash Course: How a Bill Becomes a Law (YouTube)</td>
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<td>• Political Cartoon: Corruption in Congress</td>
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<td>• Suggestions to End the abuse of Congressional Power &amp; Privilege / Franking / Congressional Accountability Act of 1995</td>
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<tr>
<td>• Trimming Pork / Logrolling</td>
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Know

- The political agenda is a term to describe the factors that influence the development and adoption of government policy.
- The current U.S. political agenda includes taxes, energy, economy, and civil rights.
- None of these issues is inevitable political; shared beliefs determine what is legitimate for the government to do.
- Forces affecting legitimacy include: (1) share political values, (2) weight of custom and tradition, (3) impact of events, and (4) changes in the way that political elites think and talk about politics.
- When it comes to the scope and size of government one thing is certain – government always gets larger since people have come to expect that government should play a role in an increasing array of activities and responsibilities. In essence, government has become all things to all people.
- Policymaking debate in the United States centers about the legitimate scope of government action; despite that debate, the responsibilities that government assumes continues to grow due to the wants and demands of the American people.
- People generally believe that government should continue to do what it is doing now; in essence, they like the programs and policies that they benefit from.
- Both organized and disorganized influences can contribute to the growth of government. Organized interests can include unions, businesses, and special interests. Disorganized interests can include urban minorities and the poor. Groups often react to a sense of relative social or economic deprivation; this, in turn, may change the values and beliefs of others. Often the media is vital as a linkage institution by focusing on issues that become elevated to the political agenda.
- Changes in attitudes and events tend to increase government activities (i.e. – 9/11, Hurricane Katrina, 2008 housing market collapse).
- A number of societal institutions (i.e. – courts, bureaucracy, legislature, media, and state government) may push for the expansion of government and the adoption of more “priorities” onto the political agenda.
- Courts make decisions that force action by the other branches of government (i.e. – school desegregation, gay marriage, abortion). Courts facilitate change when there is no popular majority.
- Government bureaucracy is often a source of political innovation. Government agencies form alliances with members of congress and interest groups creating “iron triangles” that may push items or issues onto the political agenda.
- The media helps to place issues on the political agenda by publicizing them to a wide audience (safety standard, gun control regulation, etc.).
- The federal government may adopt issues or ideas that were pioneered by the states (i.e. – “laboratories of democracy” - medical marijuana, gay marriage, etc.).
- The nature of an issue will affect the kind of groups that become politically active (i.e. – high profile vs. low profile). This often affects the intensity of political conflict especially with a conflicting agenda of rights.
- The cost and benefits of a proposed policy provide a way to understand how an issue affects political power.
- A cost is any burden, monetary or nonmonetary, that some people must, or expect, to bear from the policy.
- A benefit is any satisfaction, monetary or nonmonetary, that some people must, or expect, to receive from the policy.
- Two aspects of costs and benefits are important to understand: (1) the perception of costs and benefits affects politics, and (2) people consider whether it is legitimate for a group to benefit.
- Politics is a process of settling disputes over who benefits and who ought to pay.
- People prefer programs that provide benefits to them at low cost.

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• Perceived distributions of costs and benefits shapes the kinds of political coalitions that form, but will not necessarily determine who wins.

• Majoritarian politics involves distributed benefits and distributed costs. Both benefits and costs are shared by large number of citizens. Majoritarian politics involves appeals to large blocs of voters (i.e. – finding a majority to support a program or idea). Debate over majoritarian politics is often conducted in ideological or cost terms (i.e. – military budget).

• Interest group politics involves concentrated benefits and concentrated costs. It gives benefits to a relatively small and identifiable group while cost are imposed on another small, identifiable group. Interest groups carry on debate with minimal involvement by the wider public (i.e. – labor unions versus business interests).

• Client politics involved concentrated benefits but distributed costs to society as a whole. A relatively small group receives benefits; that group has an incentive to organize and build coalitions. Costs are distributed widely so there is little incentive for the opposition to mobilize (i.e. – pork barrel projects). The beneficiaries become “clients” of the government because the policy serves their needs.

• Entrepreneurial politics involves distributed benefits and concentrated costs. Benefits are given to large numbers of citizens but costs are imposed on a small and identifiable group. Success of entrepreneurial politics often depends on the people who work on behalf of unorganized majorities (i.e. – policy entrepreneurs).

• The debate about the regulation of business reveals two distinguished viewpoints. One view believes that economic power dominates political power. Critics argue that wealth can buy political power. Also, since politicians and business people have similar backgrounds they share similar ideologies. This means politicians defer to business. Another view is that political power is a threat to a market economy due to excessive regulations, taxes, and oversight. Neither extreme is correct; business-government relationships depend on many variables.

• Throughout American history, Majoritarian, Interest Group, Client, and Entrepreneurial politics have all played a role in determining the type and extent of business regulation found in the United States.

• Majoritarian politics has played a role in the regulation of business over the course of American history. The public’s indignation was strong but unfocused on any one particular industry. Antitrust legislation was adopted in the 1890s (i.e. – Sherman Antitrust Act). In the twentieth century antitrust legislation and enforcement were strengthened (i.e. – Federal Trade Commission (1914), Clayton Act (1914)). Enforcement was determined primarily by ideology and personal convictions of the current presidential administration.

• Interest Group politics emerged when regulatory policies conferred benefits on one organized group and costs were leveled on another equally organized group. A prime example of this is labor-management conflicts in American history. In the 1930s, labor unions sought government protection for their rights; business interests were in strong opposition. Labor prevailed with the Wagner Act and the creation of the National Labor Relations Board (NLRB). Later battles were won by business rolling backing labor protections (i.e. – Taft-Hartley Act (1947), Landrum-Griffin Act (1957)). These battles were highly publicized struggles with winners and losers often determined by the partisan composition of Congress.

• In Client politics, agency capture is likely when benefits are focused and costs are dispersed; an agency is created essentially to serve a group’s needs. An example of this can be found in state and local licensing of attorneys, barbers, cab companies, etc. It restricts who may enter into the occupation or profession and may prevent fraud, malpractice, or safety hazards by mandating licenses and certification. Citizens are generally not opposed to this practice since regulation protects the safety and well being of society. Other examples of client politics include regulation of milk industry that provides subsidies and keeps prices artificially high. The struggle to sustain benefits depends on insider politics (lobbying key Washington decision makers, not the wider public). Insider politics is particularly protracted with regulatory agencies with issue regulations influencing business practices.

• Entrepreneurial politics relies on entrepreneurs to galvanize public opinions and mobilize congressional support. Examples include the Pure Food and Drug Act of 1906 (inspired by Upton Sinclair’s book The Jungle). In the 1960s and 70s large number of consumer and environmental protection statutes were passed (inspired by Rachael Carson’s book Silent Spring). A policy entrepreneur is usually associated with such a measure (i.e. – Ralph Nader’s campaign to get seatbelts installation mandated in automobiles). Often the debate over these issues becomes moralistic and extreme (i.e. – modern debate of fracking for natural gas).

• Costs and benefits are not completely defined in terms of money but also a matter of perception.

• Political conflict is largely a struggle to make one set of beliefs about costs and benefits prevail over another (i.e. – a struggle to alter perceptions).
Two types of arguments are used: (1) Here and now argument – people care more about the present than the distant future (gas prices versus potential problems with climate change), and (2) Cost argument – people react more strongly to costs than to benefits (i.e. – switch from lost cost light bulbs that wasted energy to more expensive, more efficient green light bulbs).

Values can be described as our collective assumptions of what is good for our community or country. An emphasis on self-interest leads to neglecting the power of ideas.

Deregulation is the ideology/practice of reducing government regulation or oversight of an industry to permit greater economic freedom and growth. The idea was first proposed by academic economists who persuaded politicians to adopt these policies (i.e. – (1980s) trucking, phones, airfares, etc.).

Welfare policy in the United States can be explained primarily in terms of (1) who benefits, (2) who pays, and (3) citizens’ beliefs about social justice. None of these factors is static (will remain the same over time). Who will benefit from or pay for a program varies as the society and the economy change. Beliefs about who deserves what shift with changes in people’s attitudes towards work, family, and the obligations of government.

In the United States there are two basic types of welfare programs: Social Security & Medicare (benefit most citizens with no means test) and Medicaid and Food Stamps (benefit a few citizens, means tested upon need).

Programs like Social Security and Medicare involve Majoritarian politics since it impacts nearly every citizen at some time in their life. These programs are very popular and any proposed changes cause a firestorm of controversy. Politicians look for ways to maintain these benefits while hiding the rising costs; Congress will routinely adopt measures that allow tough decisions on these programs to be postponed (i.e. – kicking the can down the road). These programs bring up issues of legitimacy. Conservatives argue that the U.S. Constitution does not authorize the federal government to spend money on these types of programs. Liberals counter that Social Security is not really expenditure; the government collects funds and holds them in trust for later payment.

Programs like Medicaid and Foods Stamps involve Client politics (everybody pays, relatively few people benefit); questions about these programs are debated in terms of legitimacy with groups fighting to maintain government funding. The appeal of client-based, means-tested programs changes with popular opinion. Example – In 1935 AFDC (Aid for Families with Dependent Children) was seen as a way of helping poor women whose husbands had died in a war or had been killed in a mining accident. By the 1960s, AFDC was viewed as encouraging out of wedlock births and creating social dependency (generational welfare). The program lost its political legitimacy and was abolished.

Four factors make social welfare policy different in the U.S. than in other nations: (1) Americans generally take a restrictive view of who is entitled to government assistance, (2) America has been slower than other nations to embrace the welfare state (i.e. – capitalism vs. socialism), (3) Citizens and elected officials insisted that the state and private enterprise play a large role in administering welfare programs, and (4) Non-governmental organizations (NGOs) play a large role in many of these programs.

Americans debate about who benefits from welfare programs. Most Americans insist that assistance should only be provided for those who cannot help themselves. However, it is sometimes difficult to distinguish between “deserving” and “undeserving” recipients. The American public prefers to give services, not money, to help the “deserving” poor.

At the national level, the United States lagged behind most European nations in the establishment of the welfare state. Example – Great Britain adopted a national system of old-age pensions in 1908, the United States did not do the same until 1935. One reason that many European nations were able to adopt these national programs quickly was due to their unitary structure of governments that permit swift changes / reforms. The separation of powers and checks and balances means that greater political effort and more time will be required for the adoption of new welfare policies. Federalism means that the states will play a large role in determining how any welfare program is designed and administered.

Throughout American history, states and private enterprises played a role in the administration of social welfare programs. It was not until F.D.R.’s New Deal programs (circa 1930s) that the national government began to take on this responsibility.

Proponents of States’ Rights argued against federal involvement in their welfare programs while at the same time state authorities lobbied for federal involvement (i.e. – money) to help the states provide these services.
• Non-governmental organizations (NGOs) administered much of the modern welfare state. Contracts and grants are awarded to national and non-profit organizations (i.e. – Big Brothers, Big Sisters, Jewish Federation, Salvation Army, Catholic Charities, etc.).
• Charitable Choice is a provision that allows religious and non-profit organizations to compete for grants to administer welfare-to-work and related policies.
• The catalyst for the birth of the federal government becoming involved in social welfare programs began with the Great Depression of 1929. Private charities and city relief programs were overwhelmed and incapable of meeting the growing demands of the unemployed. FDR’s New Deal relief programs were set to address the growing crisis.
• FDR’s cabinet committee focused on two kinds of social welfare programs: (1) Insurance for unemployed and the elderly (workers would contribute via taxes and would benefit when eligible), and (2) Assistance for dependent children, the blind, and the elderly. These programs (with the exception of old-age insurance) would be federally funded and state administered. Every citizen would be eligible for insurance programs while assistance programs would be means tested (to see if individuals would qualify). Medical benefits were omitted in 1935 to ensure passage of the Social Security Act.
• Under LBJ, the Medicare Act of 1965 was adopted. The law applied only to the elderly to help limit the cost.
• There are many challenges in trying to reform majoritarian welfare programs.
• The biggest problem facing Social Security is that there will soon be insufficient numbers of people paying Social Security taxes to provide benefits for every retired person (i.e. – Baby Boomers).
• A number of solutions to this problem have been proposed: (1) raising the retirement age to 70, (2) freezing retirement benefits, (3) raising Social Security taxes, and (4) privatizing Social Security. The American people reject these proposals.
• Health care issues will remain on the political agenda (i.e. – Affordable Care Act (ACA) or Obamacare). The Baby Boomer population continues to retire in large numbers and government health care expenditures continue to grow. The issue is also closely monitored and lobbied by groups such as the AARP (American Association of Retired Persons).
• A good example of Client welfare programs is the Aid to Families with Dependent Children (AFDC). AFDC was part of the Social Security Act of 1935 and provided federal aid to state programs to help the poor. Over time, public opinion began to swing against “underserving” recipients. States were further constrained from running their individual programs due to new federal mandates (i.e. – food stamps and the EITC (earned income tax credit)).
• AFDC was replaced with TANF (Temporary Assistance to Needy Families). This was a block grant program that had strict federal requirements about work and limited how long families could receive federal funds. By 2003, welfare caseloads had declined nationally by 60%.
• Family assistance politics are less about cost than about the legitimacy of beneficiaries. Most Americans believe able-bodied people on welfare should have to work for their benefits.
• Environmental policy is controversial because it creates both winners and losers. Losers, in particular, may not want to pay the cost of new environmental requirements (i.e. – auto emission controls).
• Critics argue that many environmental problems are clouded in scientific uncertainty with only questionable or unrealistic benefits to counterweight the sometimes-prohibitive cost. An example of this argument deals with the issue of climate change and the release of manmade pollutants (i.e. – greenhouse gases) into the atmosphere.
• Entrepreneurial politics: an unorganized public benefits at the expense of a well-organized groups. These politics require mobilizing the media, dramatizing the issue, and convincing members of Congress that their reputations will suffer if they do not cast the right vote.
• Environmental policy often takes the form of entrepreneurial politics. A policy entrepreneur often gains momentum by encouraging emotional appeals to a perceived crisis (i.e. – dolphins dying in tuna nets, sea turtles drowned in shrimp nets, etc.). This may lead to a distortion of priorities in the long term (Example – the possibility that cancer is caused by pesticides receives a higher profile than does pollution-causing runoff from farms and towns).
• Environmental issues profoundly impact the way the national government deals with state government and other nations in the global arena.
• The Kyoto Protocol called for a 5% worldwide reduction of greenhouse gases. While supported by the Clinton administration, the U.S. Senate failed to ratify the treaty since many believed it would adversely impact the U.S. economy.

• Environmental policy is shaped by unique features of U.S. politics: (1) Americans embrace an adversarial political culture and are willing to employ the court system to challenge governmental decisions they are unhappy with, (2) environmental rules and regulations are often uniform at the national level (i.e. – auto emission requirements), (3) environmental laws come with many regulators and rules, strict deadlines, and expensive technology requirements or upgrades, and (4) government and business are often in conflict (i.e. – economic growth versus environmental protection).

• In comparison, Great Britain’s environmental policy has the following characteristics: (1) rules are flexible and regional, (2) compliance is voluntary and does not rely on formal enforcement, and (3) government and business routinely cooperate.

• Because of the federal structure of U.S. government, implementing environmental policy depends heavily upon cooperation of individual states. While laws and policies are nationally set, methods to achieve standards are left up to the individual states (i.e. – the laboratories of democracy). State policies are subject to federal control and oversight. Examples of how states may choose to comply with pollution standards include speed limits, emission testing, and carpooling lanes. Local politicians often influence how allocations are made for given environmental programs.

• Federalism reinforces adversarial politics in the United States; the separations of powers, along with three levels of government, provide multiple points of access for individuals and groups who wish to change policy and decisions.

• The issue of global warming / climate change is an example of how Entrepreneurial politics may influence environmental policy debate.

• The public’s awareness of environmental issues gained momentum in the 1960s and 70s. Under President Richard Nixon, the Environmental Protection Agency (EPA) was established (1970), Clean water legislation was enacted (1972), and the Endangered Species Act was adopted (1973).

• The debate around climate change is complex; vocal activists are often able to sway the public to a much greater extent than scientists.

• The Endangered Species Act is also strongly opposed amongst the business community and those sectors of the economy that depend upon harvesting resources from nature. The ESA forbids buying or selling any creature or plant that is likely to become extinct unless it is given special protection. Regulations also forbid adversely impacting habitats that contain endangered species (i.e. – river systems that impact certain types of trout, forests that may spotted owl habitat. Firms or agencies that wish to build anything in an area where an endangered species lives must comply with these regulations (sometimes at a substantial cost).

• To prevent client groups from directing how the laws will be implemented, the bills must be written so that the courts can be used to force action.

• Majoritarian politics: an unorganized public benefits at its own expense. Whether the proposal wins or loses depends on how the public evaluates the costs.

• The issue of automobile emission population helps to illustrate how Majoritarian politics influences the debate over environmental regulation. In the 1970s the public demanded that the government take action on the nation’s air quality. The Clear Act of 1970 imposed emission restrictions on automobiles as a means of addressing that concern. Because of the mandated time frame for emission reductions, automobile manufacturers relied on catalytic converters to comply with the government requirement. Because of this new equipment and restrictions needed to comply to the law cars became more expensive, catalytic converters were criticized for diminished engine horsepower, the car industry fretted about a loss of competitiveness due to the burdens of the new requirements, and labor unions feared the loss of jobs. As a result, public pressure caused the EPA to push back deadlines and to weaken the standards.

• Majoritarians (the masses) may support environmental goals in the abstract but will resist if it increase cost or convenience to them individually. The public will support tough laws when: (1) someone else pays, (2) the costs are hidden (i.e. – more expensive cars), and (3) they do not have to change their habits (i.e. – the increased use of public transportation or carpooling).

• Majoritarian politics can occur when people believe the costs are low (Example – National Environmental Policy Act of 1969 (NEPA)). NEPA requires environmental impact statements (EIS) prior to construction but does not require specific action on the part of the government. The law also encouraged numerous lawsuits that block or delay projects because of their potential environmental impact. Despite that, popular support remains strong because costs appear low, and benefits high for most people.
• Majoritarian politics can also occur when people believe the costs are high (Example – increased gasoline taxes). Higher taxes would discourage driving, save fuel, and help to reduce smog. Most would pay and most would benefit. The challenge is that costs come long before benefits (increased prices versus cleaner air) and sometimes the benefits may not be obvious to the average person. It is easier to raise gasoline prices if benefits are concrete (improved roads, highways, bridges, etc.).
• Interest-group politics: two organized groups with a material stake in the outcome fight over who will pay and who will benefit. When confronted with interest-group politics, Congress tends to find workable compromises rather than passing sweeping legislation.
• The issue of acid rain can be used to illustrate the role of interest group politics in environmental policy. The burning of high-sulfur coal in midwestern factories creates acid rain. The wind carries the sulfuric acid eastward that, in turn, falls as acid rain. Acid rain is responsible for the acidification of lakes and destruction of forest in the East. This results in an East versus Midwest / Canada versus United States regional battle.
• The battle over acid rain involved environmentalists, Mid-West businesses, high-sulfur coal miners, and their political allies in Congress. Proposals to address the problem ranged from using only low-sulfur coal (which was contested by states producing high sulfur coal) and the addition of scrubbers on smokestacks (opposed by industry as too costly).
• Interest group politics affect other environmental issues (i.e. zoning regulation, land-use, placement of pipelines, fracking for natural gas, etc.).
• Client politics: an organized group gets a benefit and an unorganized public must pay. Client politics depends on each group having strategically placed allies in Congress and on preempting any effort to generate entrepreneurial politics.
• The use of agricultural pesticides illustrates the role of client politics in environmental regulation debates. The issue is the possible negative health consequence from use pesticides and agricultural run-off. The EPA has been tasked with the responsibility of evaluating the safety of all pesticides. The problem facing the EPA is that many pesticides have long-term effects that require extended study that can be expensive and time consuming. Politics further complicates the issue since farmers are well represented in Congress (resistant to regulations), government subsidies to farmers over encourage overproduction (which means the overuse of pesticides), and long-term damage is hard to see or dramatize.
• The timber industry also has client politics. The U.S. Forest Service manages America’s public forest. Congress has supported loggers in key issues such as granting access to U.S. Forest Service timber, clear-cutting, and harvesting old-growth forests. In many cases, the Forest Service has been forced to sell harvesting rights at below-market prices creating a subsidized industry.
• In general, entrepreneurial politics has played the dominant role in most environmental issues. This is because the issues can be portrayed in life-threatening terms, the goals can be related to what most people believe is the good life, and the cost can be minimized or deferred on small groups.
• Policy entrepreneurs have been very successful in sensitizing the public to environmental issues and building a momentum into their messages.
• A coherent environment policy is difficult to formulate for a number of reasons: (1) many environmental problems are not clear-cut, (2) goals are often unclear, (3) means of achieving goals (command and control strategy) are complicated (i.e. – local circumstances, limits of technology, economic costs).
• The EPA is not left alone to define problems. Congressional funding for the EPA can be limited; congress may work to prevent the EPA from being able to enforce the law.
• People do not distinguish between realistic and unrealistic threats, reasonable and unreasonable costs. It is difficult to keep environmental policy focused on real risks, not diverted by unfounded popular concerns.
• The environment has improved since the 1970s in some aspect (i.e. – less air pollution, improved water quality) but remains a problem in others (i.e. – hazardous waste).

Understand

• Government policy is often a result of what issues and concern becomes part of the political agenda.
• Concerns about taxes, energy, the economy, and civil rights are all part of the current political agenda.
• Issues within the political agenda are not politically inevitable; political culture and shared societal beliefs form the basis for what people consider the legitimate domain of government concern.

• Share political values, the weight of custom and tradition, the impact of events, and changes in the way that political elites think and talk about politics all affect issues pertinent to the political agenda.

• The American people still debate the legitimate scope of government regulation and policymaking.

• Despite the debate, the size and scope of government responsibilities continues to grow, as people demand the government do more and more.

• Today people generally believe that government should continue to do what it is doing now.

• Both expected (i.e. — growly elderly population) and unexpected events (i.e. - natural disaster, financial busts, acts of terrorism) tend to increase government activities.

• The courts, government bureaucracy, the legislature, mass media, and state government all push for the expansion of government and the adoption of more priorities on the political agenda.

• Actions by the courts (i.e. — desegregation, gay marriage, abortion) can facilitate change when there is no popular majority.

• Government bureaucracy is often a source of political innovation when faced with new challenges or demands for action from the public.

• Government agencies form alliances with members of congress and interest groups creating "iron triangles" that often push items onto the political agenda.

• Mass media, by publicizing certain issues, can help to prioritize issues on the public agenda.

• States, referred to as laboratories of democracy, often pioneer new ideas and approaches that are later emulated by the national government.

• The type of issue facing society will often serve as a catalyst for certain kinds of groups to become politically active.

• The cost and benefits of a proposed policy provides a way to understand how an issue affects political power.

• A cost can be defined as any burden (monetary or nonmonetary) that people must bear because of a policy.

• A benefit is any satisfaction (monetary or nonmonetary) that some people expect or enjoy because of a policy.

• The perception of costs and benefits affects politics; people consider whether it is legitimate for a specific group to benefit because of a policy, program, or regulation.

• Politics is a process of settling disputes over who benefits and who ought to pay.

• People prefer programs that provide benefits to them at low cost. In essence, the American people love their programs and benefits but do not want to pay for them.

• Perceived distributions of costs and benefits influences the building of political alliances and coalitions.

• These alliance and coalition do not necessarily guarantee who will win or lose policy battles.

• Majoritarian politics involves distributed benefits and distributed costs.

• Both benefits and costs are shared by large number of citizens.

• In order to be successful with Majoritarian politics politicians must appeal to large blocs of voters (i.e. — finding a majority to support a program or idea).

• Debate over majoritarian politics is conducted in ideological or cost terms (i.e. — military budgets).

• Interest group politics involves concentrated benefits and concentrated costs.

• Interest group politics gives benefits to a relatively small and identifiable group while cost are imposed on another small, identifiable group.

• Interest groups carry on debate with minimal involvement by the wider public (i.e. – labor unions versus business interests).

• Client politics involved concentrated benefits but distributed costs to a society as a whole.

• Under client politics, a relatively small group receives benefits; that group has an incentive to organize and build coalitions to keep and maintain the benefits or services they receive.

• Costs are distributed widely so there is little incentive for the opposition to mobilize (i.e. – pork barrel projects). The beneficiaries become “clients” of the government because the policy serves their needs.
Entrepreneurial politics involves distributed benefits and concentrated costs.

Benefits are given to large numbers of citizens but costs are imposed on a small and identifiable group.

Success of entrepreneurial politics often depends on the people who work on behalf of unorganized majorities (i.e. – policy entrepreneurs).

The debate about the regulation of business reveals two distinguished viewpoints: power/wealth can corrupt the political process and politics/government can be a threat to the functioning and well-being of a market economy.

One view believes that economic power dominates political power. Critics argue that wealth can buy political power and influence (thus determining the government’s priorities when formulating policy).

Another view is that political power is a threat to a market economy due to excessive regulations, taxes, and oversight.

Neither extreme is correct; business-government relationships depend on many variables.

Throughout American history, Majoritarian, Interest Group, Client, and Entrepreneurial politics have all played a role in determining the type and extent of business regulation found in the United States.

Majoritarian politics has played a role in the regulation of business over the course of American history. Majoritarian outrage was focused on Robber Barons who amassed vast fortunes while exploiting workers and fixing prices.

Antitrust legislation was adopted in the 1890s (i.e. – Sherman Antitrust Act). Later, in the twentieth century. Antitrust legislation and enforcement were strengthened (i.e. – Federal Trade Commission (1914), Clayton Act (1914)).

Enforcement was determined primarily by ideology and personal convictions of the current presidential administration.

Interest Group politics occur when regulatory policies conferred benefits on one organized group and costs were leveled on another equally organized group.

A prime example of this is labor-management conflicts in American history. In the 1930s, labor unions sought government protection for their rights; business interests were in strong opposition. Labor prevailed with the Wagner Act and the creation of the National Labor Relations Board (NLRB).

Later battles were won by business rolling backing labor protections (i.e. – Taft-Hartley Act (1947), Landrum-Griffin Act (1957)). These battles were highly publicized struggles with winners and losers often determined by the partisan composition of Congress.

In Client politics, benefits are focused and costs are dispersed.

Agency capture often occurs (an agency is created essentially to serve a group’s needs).

The struggle to sustain benefits depends on insider politics (lobbying key Washington decision makers, not the wider public). Insider politics is particularly protracted with regulatory agencies with issue regulations influencing business practices.

Entrepreneurial politics relies on policy entrepreneurs to galvanize public opinions and mobilize congressional support.

Historical examples of entrepreneurial politics include the Pure Food and Drug Act of 1906 (inspired by Upton Sinclair’s book The Jungle) and environmental protection laws enacted in the 1960s and 70s (inspired by Rachael Carson’s book Silent Spring).

Often the debate over these issues becomes moralistic and extreme (i.e. – modern debate of fracking for natural gas).

Costs and benefits are not completely defined in terms of money but also a matter of public perception.

Political conflict is largely a struggle to make one set of beliefs about costs and benefits prevail over another (i.e. – a struggle to alter perceptions).

Two types of arguments are used: (1) Here and now argument – people care more about the present than the distant future and (2) Cost argument – people react more strongly to costs than to benefits.

Values are our conceptions of what is good for our community or country. An emphasis on self-interest leads to neglecting the power of ideas.

Deregulation is the ideology/practice of reducing government regulation or oversight of an industry to permit greater economic freedom and growth.

Welfare policy in the United States can be explained primarily in terms of (1) who benefits, (2) who pays, and (3) citizens’ beliefs about social justice.

Beliefs and attitudes towards social welfare programs are not predetermined or set. They change over time depending on the context of the time and the nature of the program that is being implemented.
• In the United States there are two basic types of welfare programs: Social Security & Medicare (benefit most citizens with no means test) and Medicaid and Food Stamps (benefit a few citizens, means tested upon need). Why there is broad support for programs such as Social Security and Medicare other programs, such as Medicaid and Food Stamps, often receive greater scrutiny and criticism from the American public.

• Popular programs like Social Security and Medicare involve Majoritarian politics; these programs impact nearly every citizen at some time in their life and are widely supported by the public. Any proposed modification of eligibility or reduction of benefits is fiercely opposed; elected leaders are reluctant to tackle reform because of the potential negative backlash (i.e. – “the third rail of American politics”).

• Many conservatives argue that the U.S. Constitution does not permit the federal government to spend money on social welfare programs plus creating a culture of dependency. Liberals generally support the notion of a social safety net for the poor and disadvantaged and argue it is essential for the nation’s wellbeing.

• Programs like Medicaid and Foods Stamps involve Client politics (everybody pays, relatively few people benefit).

• Unlike universal social welfare programs that benefit all Americans regardless of income questions about needs based programs are debated in terms of legitimacy.

• The appeal of client-based, means-tested programs changes with popular opinion. Example – In 1935 AFDC (Aid for Families with Dependent Children) was seen as a way of helping poor women whose husbands had died in a war or had been killed in a mining accident. By the 1960s, AFDC was viewed as encouraging out of wedlock births and creating social dependency (generational welfare). The program lost its political legitimacy and was abolished.

• The social welfare policies of the United States differ from many other nations in the following ways: (1) Americans generally take a restrictive view of who is entitled to government assistance (i.e. – not everyone should automatically qualify), (2) America has been slower than other nations to embrace the welfare state (i.e. – capitalism vs. socialism / rugged individualism and self-reliance vs. dependency on the state), (3) Citizens and elected officials insist that the state and private enterprise play a large role in administering welfare programs (a byproduct of federalism), and (4) Non-governmental organizations (NGOs) play a large role in many of these programs.

• Most Americans insist that public assistance should only be provided for those who cannot help themselves. However, distinguish between “deserving” and “undeserving” recipients in not always easy since the circumstances and context of aid can change.

• The American public prefers to give social welfare services, not money, to help the “deserving” poor.

• At the national level, the United States lagged behind most European nations in the establishment of the welfare state.

• Great Britain adopted a national system of old-age pensions in 1908; the United States did not do the same until 1935.

• One reason that many European nations were able to adopt these national programs quickly was due to their unitary structure of governments that permit swift changes / reforms.

• The separation of powers and checks and balances means that greater political effort and more time will be required for the adoption of new welfare policies. Federalism means that the states will play a large role in determining how any welfare program is designed and administered.

• F.D.R.’s New Deal programs (circa 1930s) ushered in the era of big national government addressing more national social welfare issues.

• Despite complaints of excessive federal oversights and unwanted mandates, state and local officials continue to ask / demand for more federal funding of state administered social welfare services.

• Non-governmental organizations (NGOs) administered much of the modern welfare state.

• Government contracts and grants are awarded to national and non-profit organizations (i.e. – Big Brothers, Big Sisters, Jewish Federation, Salvation Army, Catholic Charities, etc.) that in turn help the poor and disadvantaged.

• Charitable Choice is a legal provision that allows religious and non-profit organizations to compete for grants to administer welfare-to-work and related policies.

• The Great Depression revealed the limitations of private charities and city relief programs to deal with a wide-ranging social welfare crisis. FDR’s New Deal relief programs were set to address the growing crisis and head off potential violent social and political unrest.

• FDR’s cabinet committee focused on two kinds of social welfare programs: (1) Insurance for unemployed and the elderly (workers would contribute via taxes and would benefit when eligible), and (2) Assistance for dependent children, the blind, and the elderly.

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• These New Deal programs (with the exception of old-age insurance) would be federally funded and state administered. Every citizen would be eligible for insurance programs (Social Security) while assistance programs would be means tested (to see if individuals would qualify).
• Medical benefits were omitted in 1935 to ensure passage of the Social Security Act.
• The social welfare state was expanded in the 1960s when President Lyndon B. Johnson signed the Medicare Act into law in 1965. The law provided medical coverage for the elderly American only as a means of limiting the cost of the program.
• The biggest problem facing Social Security is that there will soon be insufficient numbers of people paying Social Security taxes to provide benefits for every retired person (i.e. – Baby Boomers).
• A number of solutions to this problem have been proposed: (1) raising the retirement age to 70, (2) freezing retirement benefits, (3) raising Social Security taxes, and (4) privatizing Social Security.
• While in the abstract, many Americans support the idea of reforming these programs; when these reforms would adversary affect them citizens reject these proposals.
• Health care issues continue to remain on the political agenda (i.e. – Medicare Part B (prescription drug benefits to American seniors), and the Affordable Care Act (ACA) or Obamacare).
• As the Baby Boomer population continues to retire in large numbers government health care expenditures continue to grow and consumer a greater portion of the national budget.
• A good example of Client welfare programs is the Aid to Families with Dependent Children (AFDC).
• AFDC was part of the Social Security Act of 1935 and provided federal aid to state programs to help the poor. Over time, public opinion began to swing against “underserving” recipients.
• States were further constrained from running their individual programs due to new federal mandates (i.e. – food stamps and the EITC (earned income tax credit)).
• AFDC was replaced with TANF (Temporary Assistance to Needy Families).
• This was a block grant program that had strict federal requirements about work and limited how long families could receive federal funds. By 2003, welfare caseloads had declined nationally by 60%.
• Family assistance politics are less about cost than about the legitimacy of beneficiaries.
• Most Americans believe able-bodied people on welfare should have to work for their benefits.
• U.S. environmental policy is often controversial since it creates both winners and losers with the adoption and implementation of policy.
• The expense of adopting a new policy or regulation is often assessed against the “loser” who may feel the cost burdensome or unfair.
• There is not universal agreement about the nature or impact of perceived environmental problems. The release of greenhouse gases and the potential impact of climate change are often hotly debated by proponents and foes alike.
• Entrepreneurial politics often drives environmental issues with emotional issues (i.e. – the clubbing of baby seals) receiving more attention than other, less dramatic examples (polluted runoff from farms). This emphasis may distort the importance of the debate topics and compel the government to address the higher profile issue first.
• National environmental policy often has a profound impact in the way the federal government interacts with both the state governments and foreign nations.
• Global initiatives to reduce greenhouse gases in the Kyoto Protocol meet with stiff resistance by the U.S. Congress. The U.S. Senate out of fear it would hurt the U.S. economy did not ratify the treaty.
• The federal structure of American government has resulted in many unique political features that are not always found in other nations. These include: (1) Americans embrace an adversarial political culture and are willing to employ the court system to challenge governmental decisions they are unhappy with, (2) environmental rules and regulations are often uniform at the national level (i.e. – auto emission requirements), (3) environmental laws come with many regulators and rules, strict deadlines, and expensive technology requirements or upgrades, and (4) government and business are often in conflict (i.e. – economic growth versus environmental protection).
• Great Britain, in comparison to the United States, has adopted a much more decentralized, regionally based environmental policy. Aspects of the British policy include: (1) rules are flexible and regional, (2) compliance is voluntary and does not rely on formal enforcement, and (3) government and business routinely cooperate.

• Environment policy in the United States requires cooperation between the national and state governments. While the national government creates and sets policy, it is often left up to the states to comply with these rules and regulations.

• Local politicians often influence how allocations are made for given environmental programs (i.e. – water treatment plants, water management, etc.).

• Federalism provides multiple access points for individuals and groups who wish to change or challenge environmental policy and decisions.

• Entrepreneurial politics often plays a key role in the debate about climate change / global warming.

• The 1960s & 70s saw a dramatic increase of public awareness of environmental issues.

• Under President Richard Nixon, the Environmental Protection Agency (EPA) was established (1970), Clean water legislation was enacted (1972), and the Endangered Species Act was adopted (1973).

• While various stakeholders continue to debate the existence or severity of climate change vocal activists (i.e. – Al Gore’s movie An Inconvenient Truth), are often able to sway the public to a much greater extent than other scientists.

• The Endangered Species Act was designed to protect threaten species and prevent their eventual extinction.

• The ESA forbids buying or selling any creature or plant that is likely to become extinct unless it is given special protection.

• Regulations also forbid adversely impacting habitats that contain endangered species (i.e. – river systems that impact certain types of trout, forests that may spotted owl habitat.

• Firms or agencies that wish to build anything in an area where an endangered species lives must comply with these regulations (sometimes at a substantial cost).

• Many business groups and developers are opposed to the ESA because they it negatively impacts economic development for many marginal species (i.e. humans versus animals debate).

• The crafting of environmental laws is crucial since it can prevent client politics from directing how the laws will be implemented and also permit court action for compel enforcement.

• Majoritarian politics involves having an unorganized public benefits at its own expense.

• In Majoritarian politics, the proposal wins or loses depending on how the public evaluates the costs of the policy or program.

• The debate over the cost and benefits automobile emissions helps to illustrate how Majoritarian politics can impact environmental regulation.

• The Clear Act of 1970 imposed emission restrictions on automobiles as a means of addressing air pollution caused by auto emissions.

• Because of the mandated time frame for emission reductions, automobile manufacturers relied on catalytic converter technology to comply with the government mandate.

• The cost of catalytic converters and other restrictions needed to comply with the law caused cars to become more expensive.

• Catalytic converters were criticized for diminished engine horsepower, the car industry fretted about a loss of competitiveness due to the burdens of the new requirements, and labor unions feared the loss of jobs. As a result, public pressure caused the EPA to push back deadlines and to weaken the Clean Air standards in regards to automobile emissions.

• Majoritarians (the masses) may support environmental goals in the abstract but will resist if it increase cost or convenience to them individually.

• The public will support tough laws when: (1) someone else pays, (2) the costs are hidden (i.e. – more expensive cars), and (3) they do not have to change their habits (i.e. – the increased use of public transportation or carpooling).

• Majoritarian politics can occur when people believe the costs are low (Example – National Environmental Policy Act of 1969 (NEPA)).

• Majoritarian politics can also occur when people believe the costs are high (Example – increased gasoline taxes).

• Higher taxes would discourage driving, save fuel, and help to reduce smog. Most would pay and most would benefit. The challenge is that costs come long before benefits (increased prices versus cleaner air) and sometimes the benefits may not be obvious to the average person.

• It is easier to raise gasoline prices if benefits are concrete (improved roads, highways, bridges, etc.).
• Interest-group politics involves two or more organized groups with a material stake in the outcome fight over who will pay and who will benefit.
• When confronted with interest-group politics, Congress tends to find workable compromises rather than passing sweeping legislation.
• The issue of acid rain can be used to illustrate the role of interest group politics in environmental policy.
• The burning of high-sulfur coal in midwestern factories creates acid rain. The wind carries the sulfuric acid eastward that, in turn, falls as acid rain. Acid rain is responsible for the acidification of lakes and destruction of forest in the East.
• The negative outcomes of acid rain results in an East versus Midwest / Canada versus United States regional battle.
• The battle over acid rain involved environmentalists, Mid-West businesses, high-sulfur coal miners, and their political allies in Congress.
• Proposals to address the problem ranged from using only low-sulfur coal (which was contested by states producing high sulfur coal) and the addition of scrubbers on smokestacks (opposed by industry as too costly).
• Interest group politics affect other environmental issues (i.e. zoning regulation, land-use, placement of pipelines, fracking for natural gas, etc.).
• Client politics occurs when an organized group gets a benefit and the unorganized public must pay.
• Client politics depends on each group having strategically placed allies in Congress and on preempting any effort to generate entrepreneurial politics.
• The use of agricultural pesticides illustrates the role of client politics in environmental regulation debates.
• Many are concerned about the possible negative health consequence from using pesticide contamination of the environment.
• The EPA has been tasked with the responsibility of evaluating the safety of all pesticides but is challenged from gauging the long-term effects of pesticide exposure.
• Politics further complicates the issue of pesticide usage since farmers are well represented in Congress (resistant to regulations), government subsidies to farmers over encourage overproduction (which means the overuse of pesticides), and the fact that long-term damage is hard to see or dramatize to a sometimes-skeptical public.
• The timber / logging industry also helps to illustrate the impact of client politics on U.S. environmental policy.
• The U.S. Forest Service manages America’s public forest. Congress has supported loggers in key issues such as granting access to U.S. Forest Service timber, clear-cutting, and harvesting old-growth forests. In many cases, the Forest Service has been forced to sell harvesting rights at below-market prices creating a subsidized industry even though they may disagree with congressional mandates on scientific grounds.
• Entrepreneurial politics has played a dominant role in most environmental issues; most issues are portrayed in life-threatening terms to the public - the goals can be related to what most people believe is the good life, and the cost can be minimized or deferred on small groups.
• Policy entrepreneurs have been very successful in sensitizing the public to environmental issues and building a momentum into their messages.
• A coherent environment policy is difficult to formulate for a number of reasons: (1) many environmental problems are not clear-cut, (2) goals are often unclear, (3) means of achieving goals (command and control strategy) are complicated (i.e. – local circumstances, limits of technology, economic costs).
• The EPA is not left alone to define problems. Congressional funding for the EPA can be limited; congress may work to prevent the EPA from being able to enforce the law.
• People do not distinguish between realistic and unrealistic threats, reasonable and unreasonable costs.
• It is difficult to keep environmental policy focused on real risks, not diverted by unfounded popular concerns.
• The environment has improved since the 1970s in some aspect (i.e. – less air pollution, improved water quality) but remains a problem in others (i.e. – hazardous waste).
Chapter 17

Domestic Policy Making

- Agency Capture
- Benefit
- Clayton Act (1914)
- Client Politics
- Cost
- Deregulation
- Entrepreneurial Politics
- Federal Trade Commission (1914)
- Inside Game (Lobbying)
- Interest Group Politics
- Iron Triangles
- Landrum-Griffin Act (1959)
- Logrolling
- Majoritarian Politics
- National Labor Relations Board (NLRB)
- Policy Entrepreneurs
- Political Agenda
- Pork Barrel Legislation
- Process Regulation
- Sherman Anti-Trust Act
- Taft-Hartley Act (1947)
- Values
- Wagner Act

Social Welfare Policy
- AFDC (Aid to Families with Dependent Children)
- Baby Boomers

Policy Making
- Define what the political agenda and explain how it influences the type of issues considered by government.
- List some of the issues that currently encompass the political agenda.
- Discuss how our collective beliefs determine what is legitimate for the government to do.
- Identify and list the forces affecting the legitimacy of government action / regulation.
- Compare and contrast how liberals and conservatives view the legitimate scope of government action.
- Speculate why the responsibilities that government assumes continues to grow regardless of who wields political power.
- Explain why people generally believe that government should continue to do what it is doing now.
- Provide examples of how events tend to increase government activities.
- List and describe a number of institutions that may push for the expansion of government and the adoption of more priorities on the political agenda.
- Identify and evaluate the role of courts decisions that force action by the other

Chapter 17 Overview Themes, Group Work, and Writing:

- a) Students will read and discuss the following handouts in small groups
- b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.

Theme A: Setting the Political Agenda
- Who sets the agenda? Look over the following list of individuals and rank them, starting with the one who has the most ability to put an item on the public agenda and ending with the one who has the least power to put an issue on the agenda. Explain your judgments, which will be revealing of your views of who has power and to what ends they are exercising it.
  - a) The president of General Motors
  - b) The president of CBS
  - c) A U.S. Senator
  - d) A homeless person
  - e) An average blue-collar worker
  - f) A member of the House of Representatives
  - g) A millionaire
  - h) A federal district judge
  - i) A white parent who resents having a child bused
  - j) An aide to a U.S. senator
  - k) An editor of the New York Times
- Would any of the individuals listed have the power to keep an item off the agenda? If no single person has this power, might a group be able to do so?
- Is it true, as the text says, that "many people believe that whatever the government now does it ought to do"? Can you think of counterexamples—areas of government activity that a majority oppose and demand be eliminated?
- What about the issues that aren't on the political agenda? List some concerns that are not being addressed by the government. What are the consequences of keeping these issues off the political agenda?
- If the general public benefits from entrepreneurial politics, why doesn't a social movement or other mass form of political activism fuel their policies?
• Earned Income Tax Credit (EITC)
• Food Stamps
• Income Transfer Laboratories
• Income Transfer (Democracy)
• Means Test (Programs)
• Medicare
• Medicare Part D
• New Deal
• No Means Test (Programs)
• Non-Governmental Organizations (NGOs)
• Poverty Line
• Public Assistance
• Redistributive Policies
• Social Security Act of 1935
• Supplemental Security Income (SSI)
• Temporary Assistance for Needy Families (TANF)
• Unemployment Insurance

Environmental Policy

- Acid Rain
- CAFE (Corporate Average Fuel Economy) standards
- Catalytic Converters
- Clean Air Act (1970)
- Client Politics
- Earth Day (1970)
- Endangered Species Act (1973)
- Entrepreneurial Politics
- Environmental Impact Statement (EIS)
- Environmental Protection Agency (EPA)
- Interest Group Politics
- Majoritarian Politics
- Mandate
- National Environmental Policy

branches of government.
• Explain why courts can facilitate change when there is no popular majority.
• Explain how government bureaucracy can be a source of political innovation.
• Identify what an iron triangle is and how it may push items onto the political agenda.
• Explain how the media helps to place issues on the political agenda.
• Judge the wisdom of the federal government adopting issues or ideas that were pioneered by the states such as medical marijuana or gay marriage.
• Explain how the nature of an issue will affect the kind of groups that become politically active.
• Determine how the cost and benefits of a proposed policy provide a way to understand how an issue affects political power.
• Define what a cost is.
• Define what a benefit is.
• Identify the two aspects of costs and benefits that are important to understand regarding politics.
• Explain how politics is used to settle disputes over who benefits and who ought to pay.
• Explain why people prefer programs that provide benefits to them at low cost.
• Correlate how perceived distributions of costs and benefits shapes the kinds of political coalitions that form around a issues.
• Define the role of Majoritarian politics when discussing enviromental policy.
• What political skills distinguish a successful policy entrepreneur? What policy

Theme A: Cost, Benefits, and Policy

• Why is it important to consider people’s perceptions of costs and benefits? Would it not be better to look at who really pays and who really benefits, regardless of the perceptions?
• Of the four types of politics outlined in this chapter, which are exemplified in each of the following cases?
  a) A presidential candidate promises to cut the size and power of the federal bureaucracy
  b) Congress considers the military situation in Europe and decides to appropriate money to increase troop strength there
  c) The Massachusetts congressional delegation seeks to have the F-18 fighter plan built because its jet engines are built in that state
  d) A civil rights group sues for a city-wide desegregation program involving busing
  e) A governor creates a commission on the status of women and appoints several members of the feminist movement to it

• Do you believe that one or another of the four types of politics is better than others? Why? Do you think that some are more likely to produce bad outcomes? Which, and why?
• Do some of the four types of politics tend to benefit liberals and others conservatives, or are liberals and conservatives equally likely to benefit from each?
• Why do those who bear the costs not oppose client politics?
• Does the government agency administering economic controls have more power when the controls are the result of client politics or when they are the result of interest-group politics? Why?
• Why didn’t Congress or the president invite interest groups to assist in devising environmental regulations, as politicians did in Great Britain?

Theme B: Cost, Benefits, and Policy

• Four Kinds of Politics: Entrepreneurial, Client, Interest Group Majoritarian
• Majoritarian Politics: Distributed Benefits, Distributed Costs
• Interest Group Politics: Concentrated Benefits, Concentrated Costs
• Client Politics: Concentrated Benefits, Distributed Costs (Agency Capture)
• Environmental Politics: Distributed Benefits, Concentrated Costs

**Environmental Policy in Comparative Perspective**

- The United States provides a less generous welfare program in Great Britain?
- Why didn’t Congress or the president invite interest groups to assist in devising environmental regulations, as politicians did in Great Britain?
- After reading the personal accounts of poverty why do you think the popular perception of lazy, handout-seeking people still persists amongst most Americans? Is it still possible today with hard work, grit, and determination to escape the cycle of poverty in the United States? Why or why not? Explain.

#78 – Steven Cohen – Understanding Environmental Policy (Pages 629 to 636)

Author Steven Cohen uses the crisis surrounding the growth and disposal of New York’s solid waste as one of the challenges with formulating and implementing sound environmental policy. Within the framework of federalism, should these types of issues be dealt with by the national government or left to the state or local governments to figure out? Lay out a compelling argument for your viewpoint by using data and examples notes in Cohen’s article.

#79 – Sasha Abramsky – The American Way of Poverty (Pages 637 to 646)

After reading the personal accounts of poverty why do you think the popular perception of lazy, handout-seeking people still persists amongst most Americans? Is it still possible today with hard work, grit, and determination to escape the cycle of poverty in the United States? Why or why not? Explain.

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Act of 1969
• Scrubbers (Smokestack)
• Technology Lag

policymaking.
• Explain how Interest group politics affect government policymaking.
• Explain the role of Client politics on government policy making.
• Explain how beneficiaries of government policies in turn become “clients”.
• Explain how Entrepreneurial politics may affect government policymaking.
• Identify and articulate the two distinguished viewpoints about the regulation of business in the United States.
• Explain why neither view is entirely correct.
• Identify historical examples of how Majoritarian politics has played a role in the regulation of American business.
• Evaluate the role of ideology is determine the level and vigor of business regulation by the current presidential administration.
• Explain how the conflict between business and labor has been a source of Interest Group politics.
• Identify reasons that citizens may not be opposed to client politics and agency capture.
• Evaluate the role of insider politics in client politics.
• Compare and contrast Entrepreneurial politics with Majoritarian politics.
• List historical examples of Entrepreneurial politics and explain how policymaking was impacted.
• Explain why costs and benefits cannot be

expand its welfare system?
• In weighing the influence of the governmental structure and of public attitudes, which do you believe is most determinative of current welfare programs in the United States? Can you provide support for your contention?

Theme D: Social Welfare - Welfare Politics and Policy
• Why does Congress now feel trapped by the Social Security program? How could one claim that Social Security was actually the result of client politics in its early years but has become more a majoritarian issue as tax rates have increased? How did the 1983 Social Security legislation attempt to salvage the fiscal integrity of the program?
• Why couldn’t the recipients of AFDC protect their program? Who determines what is politically legitimate in the United States? What are the implications of that power for government and for policy-makers?
• Have the 1996 welfare reforms responded to the public criticisms? Have they responded to the problem of poverty within the society?
• What has been the role of public opinion in the political battles over welfare policies?
• What do Americans believe about the role of government in social-welfare policies?

Theme E: Environmental Policy – The Politics of Environmental Protection
• The text does not, of course, discuss each major environmental issue. What type of politics (client, majoritarian, etc.) is involved in the disposal of toxic wastes? Recycling?
• Why didn’t Congress or the president invite businesses to assist in devising environmental regulations, as occurred in England? How could the participation of business leaders in England result in a greater degree of improvement in water quality, compared with the United States, where businesses were excluded?
• Should a national pollution standard be established? How could such a standard be formulated, so that clean areas could sustain their high quality of air and water, while polluted areas would be able to correct some of the damage?

Theme F: Environmental Policy – Transportation and the Environment
• Why is the car such an integral aspect of the American lifestyle? Under what circumstances are cars less important to citizens?
• What would be the principal elements of an environmentally sensitive, popularly

Sinclair’s The Jungle & Rachel Carson’s Silent Spring
• Perceptions, Beliefs, Interests, and Values
• The Problem of Definitions
• Common Arguments: Here-and now argument, cost argument
• The Role of Values
• The Power of Ideas: Deregulation
• The Limits of Ideas

Social Welfare
• Types of Programs (Means Test and No Means Test)
• Theme C: United States Welfare Programs in Comparative Perspective
• Four Factors That Distinguish U.S. Social Welfare Policies
• The Evolution of American Public Opinion
• The Great Depression
• Who Benefits?
• Pie Chart: Who Receives Food Stamps? (Dept. of Agriculture)
• Chart: Food-Stamps Rolls Expanding Even as Unemployment Decreases (1970-2012) Bloomberg
• The U.S. and E.U. Welfare State
• Chart: Public Social Expenditure as percentage of GDP (NY Times)
• Thrifty Europeans: European Defense Spending
• Political Cartoon: European Welfare State
• States and Private Enterprise: Key Administrators of U.S. Social Welfare
• Federalism & Social Welfare Policy / Laboratories of Democracy
• NGOs (Non-Governmental Organizations)
• Theme D: Welfare Politics and Policy
completely defined in terms of money.

• Evaluate the following statement: Political conflict is largely a struggle to make one set of beliefs about costs and benefits prevail over another (i.e. – a struggle to alter perceptions).
• Identify the two types of arguments that are made regarding public policy debates.
• Examine the role of values in determining the level of regulation and oversight citizens may support.
• Explain what deregulation is and how it can be used to illustrate aspects of policy decision-making.

acceptable transportation policy? How could citizens be encouraged to choose environmentally healthy ways of meeting their transportation needs? For example, several urban areas have special express lanes for cars with three passengers or more, and also allow carpooling drivers to pay lower tolls. What other innovations can be designed to encourage conservation?
• Could a policy to build mass transit systems in metropolitan areas be affected by majoritarian politics, since the benefits may not be widely distributed due to the number of cars already in operation? Is mass transit doomed because most beneficiaries would be poor?

Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)

Optional Activity (Time Permitting)
American Public Policy: Meeting the Wants and Needs of the American People

Informational Posters Project

Objective:
• Provide the opportunity for students to explore the mission, organization, and complexity of various Federal and State agencies and how these agencies serve the public.
• Allow students to gain a greater in-depth understanding and appreciation of the social, political, and economic impact of these agencies on the American public.

Activity:
• You may choose to work alone or with a partner.
• Select one of the many governmental departments, agencies, or bureaus to investigate.
• Gather information about the agency and create an informational poster explaining the duties, responsibilities, and functions of a particular governmental agency.

Requirements:
Prepare a poster containing the following information:
• Title (Name of the Department, Agency, Bureau, etc.)
• Your names clearly labeled under the title
• Photographic image of the head of the department, agency, or bureau
• Symbol or logo of the particular agency
• Summary information (with accompanying images, graphics, charts, etc. use the grading rubric as a checklist / guideline

Environmental Policy

Overview: Environmental Issues and the Four Styles of Policy Making:
Entrepreneurial Politics, Majoritarian Politics, Interest Group Politics, Client Politics
• The Controversies
• Theme E: The Politics of Environmental Protection
• U.S. Environmental Policy
• Clear Air Act (1970)
• A Comparative Analysis: British Environmental

• An Historical Perspective on Social Welfare in America
• Background: Poverty in America / Poverty Line
• Federal Poverty Guidelines
• Welfare / Public Assistance / Income Transfer / Redistributive Policies
• Social Insurance Programs: Social Security, Medicare, Public Assistance
• The Birth of the Modern Welfare State: The Social Security Act of 1935
• Social Security: An Overview
• Chart: Medicare & Social Security Face Large Deficits (GAO)
• What is Causing the Funding Shortfall for Social Security? / Baby Boomers
• Political Cartoon – Baby Boomers
• Possible Solutions to Social Security Crisis
• Medicare: An Overview
• Medicare Act of 1965
• Prescription Drug Benefit (Medicare Part D)
• The Possibility of Reform?
• Public Assistance Programs
• SSI, Food Stamps, Medicaid, TANF, EITC
• Chart/Map – Who’s Getting Food Stamps
• Two Kinds of Welfare Politics
• Majoritarian Politics vs. Client Politics

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<td>• Cleaning Up the Air and Water: Air Pollution Act (1955), Clear Air Amendment (1970), Clean Air Act (1990), Water Pollution Act (1948), Water Quality Improvement Act (1970), Water Pollution Control Act (1972)</td>
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| - Chapter 13 – Congress (Pages 296 to 330) | • Prepare Students for the College Board Exam | • 55 Multiple-Choice Questions  
• 4 Free Response Questions: 33 Take Home Essay Questions, 2 In-Class Essay Questions | N/A |  |  |  |  |
| - Chapter 17 – Domestic Policy (Policy Making, Social Welfare, Business Regulation, and Environmental Policy (Pages 428 to 460) |  |  |  |  |  |  |  |
Unit 7
Chapters 16, 5, and 6
## College Board: AP U.S. Government and Politics (Curriculum Standards / Requirements Addressed)

**Unit 7** *(Chapters 16, 5, 6)*

### Chapter 16 – The Judiciary
### Chapter 5 – Civil Liberties
### Chapter 6 – Civil Rights

#### Curriculum Requirement (CRs) addressed:

| Curriculum Requirements 1 through 16 | CR 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16 |

#### Reasoning Processes (RPs) addressed:

| Reasoning Process 1: Definition / Classification | RP 1.a, b, c, d, e, f |
| Reasoning Process 2: Process | RP 2.a, b, c, d |
| Reasoning Process 3: Causation | RP 3.a, b, c, d, e |
| Reasoning Process 4: Comparison | RP 4.a, b, c, d |

#### Disciplinary Practices (DPs) addressed:

| Disciplinary Practice 1: Apply political concepts and processes to scenarios in contest | DP 1.a, b, c, d, e |
| Disciplinary Practice 2: Apply Supreme Court decisions | DP 2.a, b, c, d |
| Disciplinary Practice 3: Analyze and interpret quantitative data represented in tables, charts, graphs, maps, and infographics | DP 3.a, b, c, d, e, f |
| Disciplinary Practice 4: Read, analyze, and interpret foundational documents and others text-based and visuals sources | DP 4.a, b, c, d |
| Disciplinary Practice 5: Develop an argument in essay format | DP 5.a, b, c, d |
Big Ideas (BIs) addressed:

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Political Skills and Practices (PS&P) addressed:

| Skill 1: Describe and explain constitutional and political institutions, principles, processes, models, and beliefs | PS&P 1.A, B |
| Skill 2: Explain connections among political behavior, political institutions, belief, and cultural factors | PS&P 2.A, B |
| Skill 3: Read, analyze, and interpret quantitative data to draw conclusions about political principles, processes, behavior and outcomes | PS&P 3.A |
| Skill 4: Read, analyze, and interpret qualitative sources | PS&P 4.A, B |
| Skill 5: Read, analyze, and interpret qualitative resources | PS&P 5.A, B |
Know

- Article III of the U.S. Constitution states that “The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may time to time ordain and establish.” The district and appellate levels of the federal court structure where established by the First Congress in 1789 (i.e. – The Judiciary Act of 1789). Congress also gave state courts concurrent jurisdiction over many federal issues.
- The American judicial system is an adversarial system (i.e. – two parties must bring a dispute before the court). The court serves as a neutral arbiter between the opponents.
- American courts are passive by nature (i.e. – they do not actively seek out cases to be heard).
- Federal courts are barred from giving advisory opinions about a point of law to the President or Congress (i.e. – separation of powers).
- Courts generally rule on legal questions, not political matters (i.e. – election outcomes / disputes).
- An independent judiciary, with the power of judicial review, can be a potent political force in American society.
- Only in the United States do judges play so large a role in policy-making.
- Judicial review is the right of the federal courts to rule on the constitutionality of laws and executive actions. It is the chief judicial weapon in the checks and balances system.
- Chief Justice John Marshall and U.S. Supreme Court claimed the power of judicial review in the landmark decision Marbury v. Madison. Since 1789, the U.S. Supreme Court has declared over 160 federal laws unconstitutional.
- Few other countries granted this power to their courts. In Great Britain, parliament is the supreme lawmaker.
- Judicial review is only effective in a few other countries with stable federal systems (i.e. – Australia, Canada, Germany, and India).
- In theory, Congress and the President make policy and law – courts only interpret and apply law. In reality, judges make policy all of the time when carrying out this task.
- The doctrine of judicial review is the greatest single power of the courts. It allows the U.S. Supreme Court and lower courts to take an active role in ensuring that the other branches of government abide by the U.S. Constitution.
- Since its adoption, debate has swirled over how the U.S. Constitution should be interpreted. The primary reason for that debate is that the U.S. Constitution is a skeletal document - its ambiguity on a host of topics gives it political flexibility but also brings into question what was the Framers’ true intent when crafting the blueprint for government.
- Strict constructionists, or Originalists, believe that justices/judges are bound by the exact wording of the Constitution (i.e. - its true intent). Accordingly, the U.S. Constitution is a “dead document” that must be interpreted exactly as it is written without judicial inference.
- Loose constructionists, or Activists, believe that justices/judges need to look to the underlying principles of the Constitution in attempting to determine what was the intent of the Framers. The U.S. Constitution is a “living document” in which consideration should be made in regards to current social, political, and economic contexts when applying the law.
- Whether a judge or justice is a strict or loose constructionist is not based on one’s particular ideological preferences. A judge can be either conservative and an activist or a liberal and a strict constructionist although today most activist judges are liberal and Originalists are conservative.
- The Framers probably expected judicial review would become a key feature of the judiciary but probably did not expect the federal court to play such a large role in policy making as they do today.
- The traditional view of a passive court was that judges would find and apply existing law only. The traditional view made it easy for the Framers to predict courts would be neutral and passive in public affairs.
- Alexander Hamilton believed courts were the least dangerous branch of government; their authority only limited the legislature (i.e. – Federalists #78).
Federalist #78 was written to explicate and justify the structure of the judiciary under the proposed Constitution. Hamilton believed that the judiciary and the power of judicial review would act as a protection against any abuse of power by Congress.

Hamilton had little concern that the judiciary might be able to overpower the political branches since Congress controlled the flow of money and the President the military. Courts did not have nearly the same clout from a constitutional design standpoint. Any judgments issued by the judiciary required the other two branches of government to enforce their ruling.

The federal judiciary gradually evolved toward judicial activism, shaped by political, economic, and ideological forces of three eras.

First Era - From 1787 to 1865, the Supreme Court focused on the establishment of national supremacy (Marshall Court).

Chief Justice John Marshall (1801-1834) guided the Supreme Court through a period of rapid expansion in its power. He believed in the preeminence of federal power that were key in shaping many of the early court decision that profoundly changed the relationship between the other two branches of government.

Marbury v. Madison (1803) established that the Supreme Court could declare a congressional act unconstitutional.

McCulloch v. Maryland (1819) established that power granted to the federal government (especially its power to regulate commerce – interstate commerce clause – Article I, Section 8 “Elastic Clause” or “Necessary and Proper Clause”) should be construed broadly. It also decided the issue that federal law is supreme over state law.

In Dred Scott v. Sanford (1857), the U.S. Supreme Court under Chief Justice Robert Taney ruled that blacks were not, and could not become, free citizens of the United States. Federal law (i.e. – the Missouri Compromise) prohibiting slavery in the northern territories was unconstitutional since it denied the right of people to own property (i.e. – slaves).

Second Era - From 1865 to 1937 the Supreme Court struggled with defining the scope of the government’s power over the economy. The dominant issue of the period: (1) Under what circumstances could the state governments regulate the economy? and (2) When could the federal government do so?

Private property was held to be protected by the Fourteenth Amendment. The Supreme Court was supportive of private property, but could not develop a principle distinguishing between reasonable and unreasonable regulation of business. The Court interpreted the Fourteenth and Fifteenth Amendments narrowly as applied to African-Americans. It upheld segregation (i.e. – Plessy v. Ferguson) and excluded minorities from voting in many states.

Third Era - From 1936 (a.k.a. – New Deal Era) to the present. The Court established the tradition of deferring to the legislature in economic regulation cases. The Court shifted its attention to personal liberties and became active in defining rights.

The Warren Court (i.e. – Chief Justice Earl Warren, 1953 to 1969) provided liberal protection of rights and liberties against government trespass. Beginning in 1992, the Supreme Court began to rule that states have the right to resist some federal action (i.e. – the revival of the 10th Amendment / States’ Right arguments). Reasserted the limits to federal supremacy. This continues today under the Robert’s Court (i.e. - Chief Justice John Roberts).

Article III of the U.S. Constitution created a Supreme Court but left the task of creating a lower court system to the first Congress.

Two kinds of federal courts were created by Congress (i.e. – Judiciary Act) to handle cases that the Supreme Court does not need to decide.

Constitutional courts (i.e. – federal district courts and federal appellate courts). Judges serve during good behavior and can only be removed by impeachment. There are 94 federal district courts and 12 federal appellate courts in the United States.

Congress creates legislative courts for a specialized purpose. Judges have fixed terms and can be removed (i.e. – Court of Military Appeals and Territorial Courts).

When considering the selection of individuals to be nominated to the federal bench, the U.S. President weighs many factors during the selection process: (1) Party background (i.e. - Democrat or Republican), (2) Judicial behavior (how has this individual ruled in other cases), (3) Senatorial courtesy (i.e. - will the senator(s) from a given state where the appointee will serve will support the nomination or will the candidate be blue slipped (i.e. - rejected), (4) Litmus test (i.e. - test of ideological purity; does the nominee share a similar ideology as the President?). Other factors that may also play a role include a candidate’s background/confirmability, age/experience, and race/gender.

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• Today’s Supreme Court is sometimes accused of having a elite bias because of the Ivy League educational background of all the sitting justices.
• There has been negative fallout from a politicalized nomination/confirmation process. As the process has become more politicalized there has also been a decline in federal appeals court nominee confirmations. Today lengthier confirmation hearings are common. These hearings are not necessarily about qualifications but about protecting the policy preferences of the senators on the Judiciary Committee. As federal judges make more policy decisions the nomination process becomes longer, more ideological, and more uncertain.
• Jurisdiction means the legal authority of a court to hear a given case. The federal courts have limited jurisdiction.
• The United States has a dual court system: a federal court system and fifty state court systems.
• Federal cases are listed in Article III and the Eleventh Amendment to the U.S. Constitution.
• Federal courts have jurisdiction when the case involves the U.S. Constitution, federal law, or treaties. It also has jurisdiction over diversity cases: cases involving different states, or citizens of different states.
• Some cases can be tried in either the federal or state courts (example – if both federal and state laws have been broken). Each level of government has the right to enact laws and neither can block prosecution out of sympathy for the accused.
• Most federal cases begin in federal district courts; the bulk of these cases are straightforward and do not lead to new public policy. The volume handled by these courts is huge: 650 federal judges receive about 300,000 a year.
• The U.S. Supreme Court picks the cases it wants to hear on appeal. It requires agreement of four justices (i.e. – Rule of Four) to issue a writ of certiorari (a command to send the case forward to the Court for review).
• The U.S. Supreme Court generally only agrees to review certain types of cases: (1) those involving significant federal or constitutional questions, (2) those involving conflicting decision by circuit courts, and (3) those involving Constitutional interpretation by one of the highest state courts about state or federal law.
• The Supreme Court may consider 7000 petitions each year but only about 100 appeals are granted certiorari. Justices do not disclose why or why not they accepted a case. If a case if refused it affirms the lower court’s decision. Only about 1% of all petitions to the Supreme Court are accepted.
• Because of the limited number of cases heard by the U.S. Supreme Court results in a diversity of constitutional interpretations among appeals courts.
• In the U.S. legal system, judicial decisions create legal precedents that guide judges in deciding similar future cases. The decisions of the highest court in a jurisdiction create mandatory precedent that must be followed by lower courts in that jurisdiction. The U.S. Supreme Court creates binding precedent that all other federal courts must follow.
• There are a number of deterrents that prevents the courts from action as democratic institutions: (1) the U.S. Supreme Court rejects all but a few of the applications for certiorari, (2) the financial cost of the appeals process is prohibitive, (3) does the litigant have standing?, (4) sovereign immunity (11th Amendment), and (5) limitations on class-action lawsuits.
• The financial cost of the appeals process may be lowered by in forma pauperis (a request to have a court waive the fees in a civil action because the plaintiff is too poor) or having an interest group covers the fees (i.e. – ACLU). Cost in terms of time is also high and cannot be mitigated. Fee shifting can also help to defer legal expensive as the losing side pays the court cost.
• Not every legal action can be appealed to the highest court. The Supreme Court must have jurisdiction (i.e. – the legal authority to hear the case) and the plaintiff must have standing.
• The jurisdiction of the U.S. Supreme Court falls into two categories – Original and Appellate.
• Original jurisdiction requires cases to be brought directly to the Supreme Court. These types of cases are extremely rare with fewer than 200 being decided. Some examples of cases covered under Original Jurisdiction include foreign treaties, ambassadors, maritime jurisdiction (i.e. – piracy) and cases between two states (i.e. – New Jersey v. New York (2003) dealing with the territorial sovereignty of Ellis Island).
• Appellate jurisdiction comes into play when either the lower federal courts or a state supreme court has already decided a case. Most cases arrive at the Supreme Court this way. Most cases begin in the Federal District Courts (i.e. – disputes between citizens of two different states, criminal
violations of federal law, etc.). Only the losing side can appeal to the U.S. Court of Appeals. If a party loses in the Court of Appeals they can make a final appeal to the Supreme Court.

- Standing is the term used to describe the guidelines regarding who is entitled to bring a case: (1) there must be a real controversy between adversaries, and (2) personal harm must be demonstrated.
- Being a taxpayer does not ordinarily constitute entitlement to challenge federal government action; this requirement is relaxed when the First Amendment is involved. The courts have previously rejected petitions for standing for animals, the environment, and robots.
- Sovereign immunity (i.e. - 11th Amendment) means the government must consent to being sued. By statute, government has given its consent to be sued in cases involving contract disputes and negligence. The 11th Amendment resulted from the case of Chisholm v. Georgia.
- Class-action suits are brought on behalf of all similarly situated persons. In 1974, the Supreme Court tightened rules on these types of suits for federal courts, through many state courts remain accessible. Often, big class-action suits affect how courts make public policy (i.e. – asbestos, silicone breast implants, etc.). More recently in Walmart v. Dukes (2011) the U.S. Supreme Court rejected a class action against retail giant Walmart by current and former female employees for gender discrimination in pay and promotions.
- There are a number of factors that may determine whether or not the Supreme Court will accept a case. First, if lower courts are in disagreement over the same legal issue (i.e. – Circuit Split). Second, when a lower court’s ruling conflicts with a previous Supreme Court decision. Third, when an issue has not been previously litigated such as 4th Amendment protections and modern smart phones. Finally, the court believes that the legal principles at stake could have an impact beyond the litigants involved (i.e. – Brown v. Board of Education).
- Once the U.S. Supreme Court has decided to hear a case (writ of certiorari) a sequence of steps takes place.
- Lawyers submit legal briefs / brief (documents that set forth the facts of the case, summarizes the lower court decision, gives the argument of that side of the case, and discusses other issues).
- Oral arguments between at 10 A.M. and take place in the Supreme Court. Each side is given thirty minutes to argue before the convened bench. During this time, justices can interrupt with questions at any time.
- Since the federal government is a party to almost half of the cases heard by the Court, the solicitor general frequently represents the United States government. The solicitor general is the federal government’s top trial lawyer. He or she decides what cases the government will appeal from the lower courts and approves every case presented to the Supreme Court.
- Justices may also consider other opinions by parties who be impacted by any potential outcome or ruling. Amicus curiae (“friend of the court”) briefs are submitted it both parties agree or the Supreme Court grants permission.
- The same week following oral arguments the Supreme Court meets in a private conference. Only members of the bench are permitted to attend. The Chief Justice speaks first and votes last. He or she also selects who will be the opinion writer on the winning side.
- There are numerous types of court opinions that can be issues: (1) per curiam – brief and unsigned, (2) unanimous opinion, (3) majority opinion, (4) concurring opinion, and (5) dissenting opinion.
- Stare decisis (i.e. – “let the decision stand”) is the policy of the court to abide by or adhere to principles established by decisions in earlier cases. This helps to give law predictability and accountability. Three examples of cases that embody the idea of stare decisis include Marbury v. Madison, McCulloch v. Maryland, and Gibbons v. Ogden.
- There are five factors that tend to shape U.S. Supreme Court decisions: (1) Basing decisions on law – not personal feelings, (2) the view of the justices (most justices take a consistent position on certain kinds of issues), (3) the interpersonal relationships among the justices, (4) social forces and public attitudes / decisions may not reflect prevailing public opinions or attitudes, and (5) Presidents & Congress; although separation of power exists, the Courts are aware of the political climate in Washington.
- The court system in the United States has the power to make policy by interpretation of the Constitution or the law (i.e. – Citizens United v. FEC), by extending the reach of existing law (i.e. – Wickard v. Filburn), or by designing remedies that involve judge’s action in administrative or legal ways (i.e. – school busing to aid in desegregation).
- There are a number of ways to measure the power of the Court: (1) the number of laws declared unconstitutional (160 in 225+ years), (2) number of prior cases overturned (not following stare decisis), (3) the extent to which judges will handle cases once left to the legislature (i.e. – political
There are varying views about the role and impact of judicial review. Supporters believe that courts should correct injustices when other branches or state governments refuse to do so (i.e. – segregation). These individuals believe that courts are the last resort for those without the power or influence to get policy change or new laws enacted. The possible reason for activism includes: (1) adversary culture that emphasizes individual rights and suspicion of government power and the ease of getting standing when issues involve the Bill of Rights.

Restraintists or Originalists believe that the courts should defer to the judgment of elected branches of government on legislative matters. These judges/justices tend to withhold using judicial review except in cases where a law or rule is clearly unconstitutional (i.e. – Justice Antonin Scalia).

Proponents of judicial review that the courts should correct injustices when other branches or state governments refuse to do so. The courts, they argue, are the last resort for those without the power or influence to gain new laws.

Critics of judicial review argue that judges lack expertise in designing and managing complex institutions. Many initiatives required balancing policy priorities and allocating public revenues (example – controls on the number of incarcerated inmates in a given correction facility). The courts are not accountable because judges are not elected and do not have to account for where money will come from to enforce their rulings.

On possible reason for the growth of judicial activism is America’s adversarial culture that emphasizes individual rights and cultivates suspicion of governmental power. A more obvious reason is that it is relatively easy to get standing in America’s courts compared to most other nations in the world.

Laws and the Constitution are filled with vague language, giving courts opportunities to design remedies and clarify what the law is suppose to mean. The attitudes of federal judges affect their decisions when the law gives them latitude.

Some basic restraints on judicial power include: (1) judicial decisions can be resisted or ignored, and (2) judges have no enforcement mechanism and must rely on the executive to enforce the ruling.

Congress can check the power of the court through confirmation of judges and justices. Congress can also change the number of judges, giving the president more or less appointment opportunities.

Supreme Court decisions can be undone in a number of ways: (1) revising legislation, (2) amending the Constitution, (3) altering the jurisdiction of the Supreme Court, and (4) restricting Court remedies.

Defying public opinion by the Court may be dangerous since the legitimacy of the Court may diminish, especially amongst elite opinion.

Public confidence in the Supreme Court varies in popular support depending on the type of decisions the Court makes and the historical context in which these decisions are made.

There are two reasons for the increase in judicial activism: (1) government does more and courts interpret more laws, and (2) activist ethos of judges is now more widely accepted than it historically.

Understand

- Because of the federal structure of American government, three governmental levels of court exist in the United States: national, state, and local.
- Article III of the U.S. Constitution created a national Supreme Court and left the duty to set up a lower court system to the First Congress.
- The Judiciary Act of 1789 created a three-tier judiciary; it also gave state courts concurrent jurisdiction over many federal issues.
- In order for the courts to hear a case two parties must be involved (i.e. – Adversarial System). The court serves as a neutral arbiter between the opponents.
- The American court system is passive by nature and design. It does not actively seek out cases to hear but rather waits plaintiffs to bring complaints/challenges to them.
• In the United States courts are barred from giving advice to the other two branches of government on whether a law or governmental action would be considered constitutional or not. This is meant to preserve the separation of powers between branches.
• Generally, the courts rule on legal matters and try to avoid being dragged into political disputes (i.e. – *Bush v. Gore* (2000))
• In the United States, an independent judiciary can be a powerful political force due to the power of judicial review.
• Few nations, other than the United States, empower their judges/justices to potentially play a large role in government policy-making. The court system in the United States has the power to make policy by interpretation of the Constitution or the law, by extending the reach of existing law, or by designing remedies that involve judge’s action in administrative or legal ways.
• Judicial review is the single most power tool of the courts; it allows the courts to determine the constitutionality of laws and executive actions. It permits the courts to strike down laws and actions it feels are in violation of the U.S. Constitution.
• In theory, it is the sole responsibility of the Congress and President to make policy and law – not the courts. In reality, since policy goals are sometimes vague and laws often lack clarity, judges end up informally making policy all of time based up the decisions they render on legal challenges brought before them.
• *Marbury v. Madison* is the most important landmark Supreme Court case in U.S. history. The Court, under Chief Justice John Marshall, declared provisions of the Judiciary Act null and void. In the process, the Court claimed the right of judicial review, a power not explicitly mentioned in the U.S. Constitution.
• Over the course of the last 200+ years, the U.S. Supreme Court has declared over 160 federal laws unconstitutional.
• In Great Britain, parliament is the supreme lawmaker; judicial review cannot prevent parliament from carrying out a policy it may wish to enact.
• Only Austria, Canada, Germany, and India have a process of judicial review that is comparable with that found in the United States.
• The U.S. Constitution has always been a focal point of debate about what the Framers’ intentions were when they drafted the document.
• One of the shortcomings (or strengths – depending on your point of view) of the U.S. Constitution is its inherit ambiguity.
• Strict constructionists (aka – Originalists) believe that judges are bound by the wording of the Constitution.
• According to strict constructionists, the U.S. Constitution is a “dead document” that must be interpreted exactly as it is written.
• Loose constructionists (aka – Activists) believe that judges/justices need to look to the underlying principles of the Constitution in attempting to determine what was the intent of the Framers.
• Loose constructionists view the U.S. Constitution is a “living document” in which flexibility and current social, political, and economic contexts must be considered when applying the law.
• Ideology alone will not be a determinant if a judge/justice is a strict or loose constructionist.
• The Framers of the U.S. Constitution may have expected the emergence of judicial review but did not explicitly mention it. Historians and political scientists agree that the Framers would not have expected the Court to play such a large role in policy making.
• The Framers assumed that the Court would be passive by nature - only finding and apply existing law. This traditional view made it easy for the Framers to predict courts would be neutral and passive in public affairs.
• In Federalist #78, Alexander Hamilton argued that the Court was the least dangerous branch of government because Congress controlled the flow of money and the President the military. The Court would have to rely on the other two branches of government to execute its judicial decisions.
• The federal judiciary evolved toward judicial activism because of political, economic, and ideological forces of three distinct eras.
• From 1787 to 1865 (First Era), the Supreme Court focused on the establishment of national supremacy. *Marbury v. Madison* (1803) established that the Supreme Court could declare a congressional act unconstitutional. *McCulloch v. Maryland* (1819) established that power granted to the federal government (especially its power to regulate commerce – interstate commerce clause – Article I, Section 8 “Elastic Clause” or “Necessary and Proper Clause”) should be construed broadly. It also decided the issue that federal law is supreme over state law. Finally in *Dred Scott v. Sanford* (1857), the U.S. Supreme Court under Chief Justice Robert Taney ruled that blacks were not, and could not become, free citizens of the United States. Federal law (i.e. – the Missouri Compromise) prohibiting slavery in the northern territories was unconstitutional since it denied the right of people to own property (i.e. – slaves).
• From 1865 to 1937 (Second Era) the Supreme Court struggled with defining the scope of the government’s power over the economy. The dominant issues of the period included: (1) Under what circumstances could the state governments regulate the economy? & (2) When could the federal government do so? Private property held to be protected by the Fourteenth Amendment. The Supreme Court was supportive of private property, but could not develop a principle distinguishing between reasonable and unreasonable regulation of business. The Court interpreted the Fourteenth and Fifteenth Amendments narrowly as applied to African-Americans. It upheld segregation (i.e. – Plessy v. Ferguson) and excluded minorities from voting in many states.

• From 1936 (aka – New Deal Era) to the present (Third Era), the Supreme Court has deliberated about personal liberties. The Court established the tradition of deferring to the legislature in economic regulation cases. The Court shifted its attention to personal liberties and became active in defining rights. The Warren Court (i.e. – Chief Just Earl Warren, 1953 to 1969) provided liberal protection of rights and liberties against government trespass.

• Beginning in 1992, the Supreme Court began to rule that states have the right to resist some federal action (i.e. – the revival of the 10th Amendment / States’ Right arguments). Reasserted the limits to federal supremacy. This continues today under the Robert’s Court (Chief Justice John Roberts).

• While Article III of the U.S. Constitution created a Supreme Court it left the responsibility of setting up lesser courts to the first Congress (1789).

• The Judiciary Act created two kinds of lesser federal courts: (1) Constitutional courts (i.e. – federal district courts and federal appellate courts). Judges serve during good behavior and can only be removed by impeachment. There are 94 federal district courts and 12 federal appellate courts in the United States and (2) legislative courts for a specialized purpose. Judges have fixed terms and can be removed (i.e. – Court of Military Appeals and Territorial Courts).

• Various factors come into play when the president has the opportunity to select an individual to serve on the federal bench. These include: (1) Party background (Democrat or Republican) of the nominee, (2) previous judicial behavior of the individual (how this individual ruled in other cases), (3) Senatorial courtesy (will the senator(s) from a given state where the appointee will serve will support the nomination), and a (4) litmus test on key issues (test of ideological purity; does the nominee share a similar ideology as the President?). Other considerations may include a potential candidate’s confirmability, the race or gender of the candidate, and their experience/age.

• The membership of the U.S. Supreme Court is sometimes accused of having an elitist view of the world because every member has at one time or another attended Ivy League schools.

• Politics and turned confirmation hearings into partisan battlegrounds. Today the issues being fought over are not the qualifications of the candidates but rather the policy preferences of members of the U.S. Senate.

• Jurisdiction means the legal authority of a court to hear a given case. The federal courts in the United States only have limited jurisdiction (i.e. – federal question cases and diversity cases).

• The United States has a dual court system: a federal court system and fifty state court systems. Some cases can be tried in either the federal or state courts (example – if both federal and state laws have been broken). Each level of government has the right to enact laws and neither can block prosecution out of sympathy for the accused.

• Federal cases are listed in Article III and the Eleventh Amendment to the U.S. Constitution. Federal courts have jurisdiction when the case involves the U.S. Constitution, federal law, or treaties. It also has jurisdiction over diversity cases: cases involving different states, or citizens of different states.

• Most federal cases begin in federal district courts; most are straightforward and do not lead to new public policy. The volume handled by these courts is huge: 650 federal judges receive about 300,000 a year.

• The U.S. Supreme Court is extraordinary selective when it comes to picking cases on appeal. At least four justices (i.e. – Rule of Four) are required to issue a writ of certiorari (a command to send the case forward to the Court for review).

• The U.S. Supreme Court is inclined to consider appeals if the case: (1) involves significant federal or constitutional questions, (2) involves conflicting decision by circuit courts, and (3) involves Constitutional interpretation by one of the highest state courts about state or federal law.

• The Supreme Court may consider 7000 petitions each year but only about 100 appeals are granted certiorari. In order for a Cert to be issued at least four members of the bench must agree to consider the case (i.e. – The Rule of Four).
• Because of the limited number of cases heard by the U.S. Supreme Court results in a great variety of constitutional interpretations among appeals courts which may end up having to eventually be decided by the Supreme Court.
• The U.S. Supreme Court rejects all but a few of the applications for certiorari. The justices are not any obligation to explain why they did or did not accept a case for consideration.
• When the Court makes a decision it becomes a legal precedent that lower and future courts will rely upon when ruling on similar issues. The rulings issued by the U.S. Supreme Court create binding precedent that all other federal courts must follow.
• The financial cost of the appeals process is prohibitive. The financial cost of the appeals process may be lowered by in forma pauperis (a request to have a court waive the fees in a civil action because the plaintiff is too poor) or having an interest group cover the fees (i.e. – ACLU). Cost in terms of time is also high and cannot be mitigated. Fee shifting compels the losing side to pay the court cost of the victor.
• The U.S. Supreme Court has two types of jurisdiction: Original and Appellate.
• Litigants must have standing. Standing is the term used to describe the guidelines regarding who is entitled to bring a case: (1) there must be a real controversy between adversaries, and (2) personal harm must be demonstrated. Being a taxpayer does not ordinarily constitute entitlement to challenge federal government action; this requirement is relaxed when the First Amendment is involved.
• Sovereign immunity (11th Amendment) means the government must consent to being sued. By statute (i.e. – law), government has given its consent to be sued in cases involving contract disputes and negligence.
• Class-action suits are brought on behalf of all similarly situated persons. In 1974, the Supreme Court tightened rules on these types of suits for federal courts, through many state courts remain accessible. Often, big class-action suits affect how courts make public policy (i.e. – asbestos, silicone breast implants, etc.).
• There are a variety of factors that influence the Supreme Court when it comes to accepting a case or not: (1) If different federal circuits are ruling differently on the same challenges the Supreme Court is more inclined to hear the case (i.e. – circuit split), (2) If a lower court makes a ruling that contradicts previous Supreme Court rulings, (3) If the Court has not yet ruled on a subject area and feels that case law / precedent would benefit the nation’s courts (i.e. – smart phones and the 4th Amendment), and if a case has potential national implications (i.e. – same-sex marriage).
• Once the U.S. Supreme Court has decided to hear a case a number of processes are set in motion. Lawyers submit legal briefs / brief (documents that set forth the facts of the case, summarizes the lower court decision, gives the argument of that side of the case, and discusses other issues). Next, oral arguments take place in the Supreme Court. Each side is given thirty minutes to argue before the convened bench. During this time, justices can interrupt with questions at any time.
• The solicitor general is the federal government’s top trial lawyer. Since the federal government is a party to almost every case, the solicitor general frequently appears before the Court. He or she decides what cases the government will appeal from the lower courts and approves every case presented to the Supreme Court.
• Justices may also consider other opinions by parties who be impacted by any potential outcome or ruling.
• Amicus curiae (“friend of the court”) briefs are submitted it both parties agree or the Supreme Court grants permission.
• That same week, following oral arguments, the Supreme Court meets in a private conference. Only members of the bench are permitted to attend. The Chief Justice speaks first and votes last. He or she also selects who will be the opinion writer on the winning side.
• There are numerous types of court opinions that can be issues: (1) per curiam – brief and unsigned, (2) unanimous opinion, (3) majority opinion, (4) concurring opinion, and (5) dissenting opinion.
• There are a number of ways to measure the power of the Court: (1) the number of laws declared unconstitutional (160 in 225+ years), (2) number of prior cases overturned (not following stare decisis), (3) the extent to which judges will handle cases once left to the legislature (i.e. – political questions), (4) kinds of remedies imposed; judges may go beyond what is narrowly required (i.e. – sweeping ruling), and (5) the basis for a sweeping orders can come either from the Constitution or from court interpretation of federal laws.
• Supporters of judicial review / judicial activism believe that courts should correct injustices when other branches or state governments refuse to do so (i.e. – segregation). These individuals believe that courts are the last resort for those without the power or influence to get policy change or new
laws enacted. The possible reason for activism includes: (1) adversary culture that emphasizes individual rights and suspicion of government power and the ease of getting standing when issues involve the Bill of Rights.

- Critics of judicial review/judicial activism argue that judges lack expertise in designing and managing complex institutions. Many initiatives required balancing policy priorities and allocating public revenues (example – controls on the number of incarcerated inmates in a given correction facility). The courts are not accountable because judges are not elected and do not have to account for where money will come from to enforce their rulings.
- Laws and the Constitution are filled with vague language, giving courts opportunities to design remedies and clarify what the law is supposed to mean.
- The attitudes of federal judges affect their decisions when the law gives them latitude when crafting their rulings.
- The courts and judges are not all-powerful and are not completely immune to the potential political reality of contemporary society. The Court is mindful that (1) judicial decisions can be resisted or ignored, and (2) judges have no enforcement mechanism and must rely on the executive to enforce the ruling.
- The legislature can check the power of the Court through confirmation of judges and justices. Congress can also change the number of judges (adding or subtracting) and giving the president more or less appointment opportunities.
- Supreme Court decisions can be undone (undermined) in a number of ways: (1) revising legislation to comport with the Court’s opinion, (2) amending the Constitution (a rather difficult and lengthy process), (3) altering the jurisdiction of the Supreme Court (politically dangerous), and (4) restricting Court remedies by statutory law.
- Public confidence in the Supreme Court varies depending on the type of decisions the Court makes and the historical context in which these decisions are made (i.e. – Brown v. Board of Education, Roe v. Wade, Citizens United v. FEC).
- Judicial activism has increased because government does more and courts interpret more laws and the activist ethos of judges is now more widely accepted.
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| Unit 7 | Week 28 | Textbook: Chapter 16 - The Judiciary (Pages 398 to 427) | • Explain how an independent judiciary, with the power of judicial review, can be a potent political force in the United States. | Chapter 1 Overview Themes, Group Work, and Writing:  
a) Students will read and discuss the following handouts in small groups  
b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.  
Theme A: The History of the Federal Judiciary  
- What problems did the Court have in trying to limit economic regulation in the era between the Civil War and the New Deal?  
- What was the Roosevelt court-packing plan? What does it suggest about the relationship between the Supreme Court and the other branches of government?  
- How would one distinguish successful from unsuccessful assertions of judicial power? What is it that puts Marbury in one class and Dred Scott in another?  
Theme B: The Supreme Court in Action  
The Theme Summary describes several of the practices and rituals of the Supreme Court. Based on the Summary, how would you describe the culture of this institution? In what ways are its folkways (and thus its culture) similar to or different from the other branches of government?  
- In what respects is the Supreme Court a political institution? Think carefully about how you are defining political in answering this question.  
- What are the reasons for a greater number of concurring and dissenting opinions in the Court decisions of recent decades? What are the advantages and disadvantages of such outcomes? How do these opinions impact the relationships among the justices?  
- The role of the clerks of the Court is extremely powerful: clerks are the Court’s “agenda setters” in some important ways: they review all incoming petitions, provide research to the justices, and write drafts of the opinions. Most clerks are fresh out of an exclusive law school, are highly
| • Learning Objectives  
• Who Governs? To What Ends?  
• Overview: The Judiciary  
• Judicial Review  
• Judicial Review: A Comparative Perspective  
• Constitutional Interpretation / Strict Constructionists vs. Activist (Living Constitution)  
• PBS Crash Course: Judicial Review (YouTube)  
• Theme A. The History of the Federal Judiciary  
• Development of the Federal Courts (The Framers)  
• Traditional View vs. Activists View  
• Alexander Hamilton: Federalist #78  
• The Evolution Towards an Activist Court  
• 1787 to 1865: National Supremacy and Slavery / Marbury v. Madison / McCulloch v. Maryland / John Marshall  
• Article I, Section 8 – The Elastic Clause / Necessary & Proper Clause  
• Dred Scott v. Sandford (1857)  
• 1865 to 1893: Defining the Scope of Government’s Power / Over the Economy / Private Property Rights / Segregation (Plessy v. Ferguson (1896))  
• 1936 to Present: Personal Liberties / Warren Court  
• 1960s to Present: The Revival of State Sovereignty / 10th Amendment  
• Political Cartoon: 10th Amendment vs. Federal Authority | Reading (Textbook)  
Wilson: Chapter 16  
The Lanahan Readings in the American Polity, 6th Ed (2016)  
#38 – Alexander Hamilton - Federalist #78 (Pages 293 to 297)  
#39 – David O’Brien - Storm Center (Pages 298 to 302)  
#40 – David Yalof - Pursuit of Justices (Pages 303 to 309)  
#41 – Richard Fallon – The Dynamic Constitution (Pages 310 to 318)  
#42 – Marcia Coyle – The Roberts Court (Pages 319 to 330)  
#43 – Jeffrey Toobin – The Oath (Pages 331 to 336)  
Homework:  
Tuesday: Political Cartoon Analysis Form  
Thursday: Current Event Report Form  
Complete MindTap Review and Practice Test (Cengage Learning – textbook website)  
Foundational Documents  
• Federalist #78  
Home Work Questions  
The Lanahan Readings in the American Polity, 6th Ed. (2016)  
#38 – Alexander Hamilton - Federalist #78 (Pages 293 to 297)  
What reasons does Alexander Hamilton outline in Federalist #78 that the Judiciary is the most important of all three branches (and the least dangerous)? Do you agree or disagree with Hamilton’s conclusions?  
#39 – David O’Brien - Storm Center (Pages 298 to 302)  
How did politics influence the Court’s timing when it came to deciding Brown v. Board of Education (1954)? “Public opinion serves to curb the Court when it threatens to go too far or too fast in its ruling.” Do you agree or disagree with this statement? Elaborate.  
#40 – David Yalof - Pursuit of Justices (Pages 303 to 309)  
Today a judicial nominee, especially a Supreme Court nominee, is under the microscope about all facets of their opinions, writings, academic background, associations, and personal history. Some scholars believe that many great past justices would not be able to meet the high bar of expectations set for today’s judges and justices. Is this undue scrutiny keeping many well-qualified men and women from being considered by the president for judicial appointments?  
#41 – Richard Fallon – The Dynamic Constitution (Pages 310 to 318)  
What is the “counter-majoritarian” difficulty the
• Judiciary Committee (U.S. Senate)
• Jurisdiction
• Justices
• Legislative Courts
• Limited Jurisdiction
• Litmus Test (Judicial Appointments)
• Majority Opinion (U.S. Supreme Court)
• Marbury v. Madison
• McCulloch v. Maryland
• Opinion of the Court
• Oral Arguments
• Original Jurisdiction
• Originalists
• Per Curiam Opinion
• Plessy v. Ferguson
• Political Question
• Precedents
• Remedy
• Restraintists
• Rule of Four
• S.C.O.T.U.S.
• Senatorial Courtesy
• Solicitor General
• Sovereign Immunity
• Standing
• State Decisism
• Strict Constructionist
• Unanimous Opinion (U.S. Supreme Court)
• Walmart v. Dukes (2011)
• Writ of Certiorari

believed that the Court was the least dangerous branch of government.
Speculate why the federal judiciary evolved toward judicial activism over the course of American history.
Identify the predominate issues dealt with by the U.S. Supreme Court from 1787 to 1865 (a.k.a. – the First Era).
Restate the significance of the landmark U.S. Supreme Court case, Marbury v. Madison.
Describe the constitutional basis for the U.S. Supreme Court’s ruling in McCulloch v. Maryland.
Speculate how the Court’s ruling in Dred Scott v. Sanford may have undermined the credibility of the Court.
Describe the major issues facing the U.S. Supreme Court from 1865 to 1937 (a.k.a. – the Second Era).
Identify what issues dominated (and continue to dominate) the Court’s attention from the late 1930s to the present time.
Evaluate the impact of the Warren Court on the expansion of civil liberties and civil rights in the United States.
Evaluate the apparent direction of the today’s Supreme Court under Chief Justice John Roberts.
Judge whether or not the Framers failed in their task to more thoroughly structure a U.S. court system under Article III of the U.S. Constitution.
Identify the two kinds of federal courts were motivated by career, and are very intelligent. They generally share the philosophy of the justice they are clerking for, and they will hold this position for only one year. Is this an appropriate way for the Court to manage its workload? What are the advantages and disadvantages of this system?

Theme C: The Power of the Federal Judiciary
Why do presidents give careful thought to the political views of prospective judicial nominees? Isn’t legal competence more important?
What kinds (and how many) resources are required to bring a case to the Supreme Court? Is the judicial system more accessible than the legislative or executive branches?
What sorts of legal doctrines or principles will an activist judge favor?
Is the judiciary still the “least dangerous” branch?
What are the checks on the power of the judiciary? Are they potent and easily invoked, or weak and difficult to invoke? Why haven’t unpopular decisions, such as those on busing and school prayer, been overturned?

Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)

• Affordable Care Act
• Chart – Economics and Civil Liberties Laws Overturned by the U.S. Supreme Court, by Decade, 1900–2012 (Congressional Quarterly)
• The Structure of the Federal Courts
• Two Kinds of Federal Courts / Constitutional Courts / Legislative Courts
• Map – The Federal Judicial Circuits
• Selecting Federal Judges / Litmus Test
• Political Cartoon – Selecting Female Members to the U.S. Supreme Court
• Political Cartoon – Selecting Conservative Appointees to the U.S. Supreme Court
• Chart – Judicial Appointments by President (FDR to Obama) (Prospect.org)
• Chart – Race of Judicial Nominees (Carter to Obama) (Prospect.org)
• Chart - Gender of Judicial Nominees (Carter to Obama) (Prospect.org)
• Youtube Video Clip: President Obama Nominates Merrick Garland
• President Trump Nominates Neil Gorsuch
• Fallout from a Politicalized Nomination Process
• Chart – Judicial Nomination and Confirmation, U.S. Courts of Appeal (Carter to Obama)
• Chart – Federal Court Nominees: Time from Hears to Confirmation (Clinton, Bush, Obama)
• Video Clip: Senate Confirm Sotomayor
• The Jurisdiction of the Federal Courts

The Jurisdiction of the Federal Courts

Court may find itself in from time to time as it chooses cases to hear and renders decisions impacting society. Although citizens appear to accept a judicial role in interpreting the U.S. Constitution, that acceptance is often contingent on the notion that judicial review will produce good results overall that will benefit society. What may happen if citizens stop viewing the Supreme Court rulings this way?

#42 – Marcia Coyle – The Roberts Court (Pages 319 to 330)
• Citizens United v. FEC (2010)
• National Federation of Independent Business v. Sebelius (i.e. – Obamacare) (2012)

All three of these landmark cases highlight the danger of the U.S. Supreme Court as appearing to be motivated by politics rather than by constitutional law when rendering decisions. Is it fair to automatically assume that the Supreme Court justices make rulings based upon their own ideological leanings or preferences? Does the lack of moderate voices on the modern bench automatically encourage partisan bashing of any Supreme ruling today?

#43 – Jeffrey Toobin – The Oath (Pages 331 to 336)
Sonia Sotomayor believes that women and minorities bring something different to the bench than the traditional judicial appointee. “Our experiences as women and people of color affect our decisions . . . Personal experiences affect what judges choose to see.” Do you believe that a president who has the opportunity to select a nominee to the federal bench should take into account the court’s gender and racial composition as another
created by Congress (i.e. – Judiciary Act) to handle cases that the Supreme Court does not need to decide.

- Compare and contrast a constitutional court and a legislative court.
- List the factors U.S. presidents consider when selecting whom will be nominated to serve on the federal bench.
- Restate what jurisdiction means.
- Explain how the dual court system in the United States works.
- Identify when federal courts would have jurisdiction over a case.
- Explain why some cases can be tried in either the federal or state courts.
- Evaluate the impact of the large number of cases that are handled by the federal courts each year.
- Speculate why the U.S. Supreme Court is very selective in the types and number of cases they consider each year.
- Restate how many justices must agreed to consider a case before the U.S. Supreme Court.
- Identify some of the factors that might make the Court more inclined to hear a particular case.
- Judge the potential impact of the Supreme Court deciding only a handful of cases a year.
- Explain how the financial cost of the appeals process may impact the type of cases that are appealed to the U.S. Supreme Court.
- Define what in forma

- Graphic Organizer – The Jurisdiction of the Federal Courts
- Dual Court System / Limited Jurisdiction / Federal Question Cases / Diversity Cases
- Federal Courts & Cases / 650 district court judges / 300,000 cases per year
- Chart: Court Hierarchy – Supreme Court, Court of Appeals, District Courts
- PBS Crash Court: Structure of the Court System (Youtube.com)
- The Route to the Supreme Court
- Writs of Certiorari / Rule of Four
- Few Cases, Major Implications
- Precedents
- Getting to Court
- Money and Time / In forma pauperis
- Standing to Sue
- Standing or Not? Animals, Environment, Robots?
- Sovereign Immunity / 11th Amendment
- Class Action Lawsuits
- Example: Women Workers v. Walmart
- Political Cartoon – Women Workers v. Walmart / Supreme Court Ruling
- Theme B: The Supreme Court in Action
- The Supreme Court in Action / Writ of Certiorari / Briefs / Amicus curiae / Solicitor General / Oral Arguments
- Kinds of Court Opinions (Per curiam, Opinion of the Court/Majority Opinion, Concurring Opinion, Dissenting Opinion)
- Stare Decisis
- PBS Crash Course: S.C.O.T.U.S. Procedures (YouTube)
- Theme C: The Power of the Federal Judiciary
- Political Cartoon – Judicial Activism

component of evaluating a candidates credentials? Why or why not? Is diversity on the Court essential to ensure all perspectives are taken into account?
- Define what standing is.
- Define and evaluate the impact of sovereign immunity.
- Define what class action suits are and how decisions in these type of cases allow the Court to make public policy.
- Define what a writ of certiorari is.
- Define what legal briefs and what purpose it serves.
- Evaluate the purpose of oral arguments; judge whether they are really worth the time and expense to hold.
- Describe the role of the U.S. solicitor general.
- Evaluate the impact of amicus curiae briefs and whether the Court should allow them to be submitted.
- Discuss the benefits and shortcomings of having the Supreme Court justices discussing and voting on a given case in private.
- Identify and describe the various types of opinions that can be issued by the Court following its decision.
- Explain how the court system in the United States has the power to make public policy.
- List the ways the power of the Court can be measured.
- Compare and contrast opposing views over the issue of judicial review and judicial activism.
- Describe the challenges faced by the Court when statutory laws and the U.S. Constitution are written with ambiguous language.

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<td>Chart – Public Approval of the Supreme Court’s Performance, 2000-2014 (Gallup)</td>
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• Identify some basic restraints on judicial power.
• Describe how congress can check the power of the court.
• Explain how Supreme Court decisions can be undone.
• Discuss how the Court may lose public support and respect by venturing too far afield from public opinion when making a ruling.
• Discuss how circumstances and different times may cause a fluctuation of public confidence in the Supreme Court.
• List two modern reasons for the increase in judicial activism by America’s courts.
Know

- Civil liberties are foundational to the political beliefs and political culture in the United States. Most civil liberties problems involve competing interests (i.e. conflicting rights and duties). The courts have generally enlarged freedom of expression over the course of American history.
- The Framers believed that the Constitution limited government – what wasn’t specifically allowed was obviously NOT allowed.
- In order to get the Constitution ratified by enough states, the Federalists agreed to support the adoption of a national Bill of Rights (nearly every state at the time already had their own state Bill of Rights).
- The U.S. Bill of Rights (Amendments 1 – 10) was viewed as specific restriction on federal government action ONLY; it was originally understood not to apply to actions by the states.
- Civil liberties are protections the Constitution provides against the abuse of government power. The Framers believed that the Constitution established a limited government that did not require a bill of rights. State ratifying constitutions demanded the addition of a bill of rights as a condition for ratifying the new constitution.
- The U.S. Bill of Rights was originally seen as a list of specific restrictions on the federal government – not on state government actions.
- Civil rights are protections granted to certain groups of people against discrimination.
- In practice, there is no clear line between civil liberties and civil rights.
- The courts attempt to strike a balance between the right of society and the right of the individual. Federal judges are often sensitive to strong currents of popular opinion that may influence how they address constitutional issues. When no strong national mood is discernible, the opinions of elites influence judicial thinking.
- In the United States, many controversies arise out of competing rights and duties, rights during a national crisis or wartime, rights that originate due to cultural conflicts, and rights guaranteed by the U.S. Bill of Rights but not necessarily protected by the state governments. A number of landmark cases help to illustrate this problems and conflict throughout the course of American history.
- An example of conflicting constitutional rights is exemplified in the Sheppard v. Maxwell (1966). The case highlighted the conflicting rights of freedom of the press (First Amendment) and the right to due process (Fourteenth Amendment). Dr. Sam Sheppard was convicted in 1954 of the murder of his pregnant wife. He denied he was involved and spent a decade in the Ohio Penitentiary before a retrial was ordered by the U.S. Supreme Court. He was acquitted of the murder in 1966. The U.S. Supreme Court described the trial against Sheppard as a “carnival atmosphere” in which he was denied his constitutional right to due process (14th Amendment).
- New York Times Co. v. Sullivan (1964) highlighted the conflict of constitution rights involving freedom of the press (First Amendment) and right of an individual to sue for defamation or libel. The case involved the reporting of the civil rights campaign in the Southern United States in the 1960s and whether that reporting had libeled public officials. The case established the “actual malice” standard which requires the plaintiff in a defamation or libel case to prove that the publisher of the statement in question knew that the statement was false or acted in reckless disregard of its truth or falsity. Because of the extremely high burden of proof on the plaintiff, and the difficulty of proving the defendant’s knowledge and intentions, such cases – when they involve public figures – rarely prevail.
- In New York Times Co. v. United States (1971) (a.k.a. – The Pentagon Papers) the two competing rights involved the right to free of the press (First Amendment) and the necessity for the government to withhold information from the public based on national security concerns. The Court ruled that to exercise prior restraint (censoring material before it is published), the government must show sufficient evidence that the publication of that information would cause a “grave and irreparable danger.”
- In Kunz v. New York (1951) the conflicting rights involved freedom of speech versus public order. The U.S. Supreme Court ruled that a New York City ordinance that prohibited religious services on public streets without a permit was unconstitutional. Baptist minister Carl J. Kunz was accused of making “scurrilous attacks” on Catholics and Jews that were considered offensive; the city moved to restrict this type of speech in public places.
Kunz case helped to establish that government restrictions on speech must be narrowly tailored so that they do not inappropriately limit expression protected by the First Amendment.

- Struggles over rights tend to follow a pattern similar to interest group politics in economic issues.
- War has been the crisis that has most often restricted the liberty of some minority. Examples include:
  - The Sedition Act of 1798 (following the French Revolution). These were a series of laws passed by Congress that (1) empowered the President to expel, without a hearing, any dangerous aliens from the country, (2) to arrest, detain, and deport aliens hailing from enemy countries during times of war, (3) and banned anti-government speech (used to silence political critics). In reality, the Sedition Act was used to squash political dissent.
  - The Smith Act (The Alien Registration Act) (1940) made it illegal to advocate the overthrow of the U.S. government punishable by fines and imprisonment.
  - The Internal Security Act of 1950 required members of the Communist Party to register with the government.
  - The Communist Control Act of 1954 declared the Communist Party to be a part of a conspiracy to overthrow the government.
  - USA Patriot Act (2001) provided sweeping new police powers to the national government to fight the war on terror. This included indefinite detentions of immigrants, permission for law enforcement to search a home or business without the owner’s or occupants consent or knowledge, expanded law enforcement access to business and personal records, etc.
- The United States is the most ethnically, racially, and religiously diverse nation in the world. While our diversity is one of our greatest strengths, it has also been a catalyst for conflict and the struggle over defining and expanding civil liberties and civil rights.
- The Conflicts about the meaning of some constitutionally protected freedoms arose with the immigration of “new” ethnic, cultural, and/or religious groups.
  - A number of examples illustrate this point: (1) Irish Catholic immigrants took offense to the use of the Protestant King James version of the Bible being used as a required public school text (i.e. – Philadelphia’s Nativists Riots), (2) Some members of the Jewish community were offended by crèches (manger displays) at Christmas time on public property, and (3) Bi-lingual education versus English only schools.
- Before the American Civil War, the U.S. Constitution and Bill of Rights were only understood to apply to the federal government – not the state governments.
- In Barron v. Baltimore (1833) – The Supreme Court ruled that the Bill of Rights applied only to the federal government and that states were free to enforce laws that restricted rights contained in the Bill of Rights, and that the federal government was not permitted to interfere with the enforcement of such laws.
- Changes began after the Civil War with the ratification of the Fourteenth Amendment (1868). The Fourteenth Amendment contains two key provisions: (1) Due process clause – “no state shall deprive any person of life, liberty, or property without due process of law,” and (2) Equal protection clause – “no state shall deny to any person within its jurisdiction the equal protection of the law.”
- Gradually, the U.S. Supreme Court began to use these two clauses to apply certain rights to state governments.
  - Chicago, Burlington & Quincy Railroad Co. v. City of Chicago (1897) – was the first time the U.S. Supreme Court declared that the Fourteenth Amendment’s due process clause requires that states provide fair compensation for seizing private property (i.e. – Eminent Domain / Fifth Amendment). Prior to this case the Bill of Rights was considered to apply only to the national government.
- Gitlow v. New York (1925) – Socialist Benjamin Gitlow was charged with criminal anarchy under New York’s Criminal Anarchy Law for publishing a document called “Left Wing Manifesto.” He was arrested and sentenced to ten years in prison. The Court declared that the Fourteenth Amendment had extended the reach of the First Amendment (specifically protections of freedom of speech and freedom of the press) to the governments of the individual states. The Fourteenth Amendment prohibits states from infringing free speech, but the defendant was properly convicted under New York’s Criminal Anarchy Law because he disseminated newspapers that advocated the violent overthrow of the government. The Court upheld Gitlow’s conviction on the basis that the government may suppress or punish speech that directly advocates the unlawful overthrow of the government.
government and it upheld the constitutionality of the state statute at issue, which made it a crime to advocate the duty, need, or appropriateness of overthrowing government by force or violence.

**Palko v. Connecticut (1937)** – In 1935 Frank Palka broke into a store and stole a phonograph (record player). When cornered, he killed two police officers but was eventually caught a few weeks later. During his first trial, Palka was found guilty of second-degree murder. The state appealed the ruling and in the new trial Palka was convicted of first-degree murder. Palka appealed to the U.S. Supreme Court on the grounds that the Fifth Amendment banned double jeopardy and the due process clause of the Fourteenth Amendment. The Court ruled that certain rights must apply to the states because they are essential to “ordered liberty” and they are “principles of justice.”

**Chicago, Burlington & Quincy Railroad Co. v. City of Chicago (1897)**, **Gitlow v. New York (1925)**, and **Palko v. Connecticut (1937)** began the process of incorporation (i.e. – Incorporation Doctrine / Selective Incorporation) applying some (but not all) federal rights to the states.

Today “new rights” determined by the Court (i.e. – the right to privacy / abortion / gay marriage) are applied to both state and national governments.

In **District of Columbia v. Heller (2008)** the Supreme Court held that the Second Amendment applies to federal enclaves and protects an individual’s right for traditionally lawful purposes, such as self-defense within the home. Later in **McDonald v. Chicago (2010)**, the Supreme Court ruled that the Second Amendment that allows people to keep and bear arms also applies to states governments.

English jurist William Blackstone believed that the press should be free of prior restraint (government censorship of material before it is published) but then must accept the consequences if a publication is improper or illegal.

The Sedition Act of 1789 followed William Blackstone’s view (with improvements). A jury trial, not a judge, would be most appropriate to determine if a publication was improper or illegal. The defendant would be acquitted (found not guilty) if it could be proved that the publication was accurate (even though it may be disparaging).

During U.S. involvement in World War One (1917-18) Congress defined the limits of expression. Accordingly, Congress determined that treason, insurrection, forcible resistance to federal laws, and encouraging disloyalty in the armed services were not protected by the First Amendment.

**Schenck v. United States (1919)** Charles T. Schenck violated the Espionage Act of 1917 when he mailed circulars encouraging resistance to the draft. The Court ruled that the First Amendment did not protect the defendant’s criticism of the draft, because it created a “clear and present danger” to the enlistment and recruiting service of the U.S. armed forces during a state of war. The decision of the Court was authored by Justice Oliver Wendell Holmes - “The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing a panic . . . The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent.”

In subsequent cases, when it appeared to him that the Court was departing from the precedents established in Schenck and companion cases, Holmes dissented, reitering his view that expressions of honest opinion were entitled to near absolute protection, but that expressions made with the intent to cause a criminal harm, or that threatened clear and present danger of such harm, could be punished.

The Supreme Court moved toward more free of expression after World War One but with some deference to Congress during times of crisis.

In **Yates v. United States (1957)** the U.S. Supreme Court held that the First Amendment protected radical or reactionary speech, unless it posed a “clear and present danger.” Members of the Communist Party of the USA were charged and convicted with unlawful advocacy of the violent overthrow of the United States (illegal under the Smith Act). The Supreme Court overturned the convictions and instituted the practice of “balancing” the rights of society’s right of self-protection against the right of an individual’s free speech.

In **Brandenburg v. Ohio (1969)** the U.S. Supreme Court held that the government could not punish inflammatory speech unless the speech was directed towards inciting (and was likely to incite), imminent lawless action. The ruling struck down Ohio’s criminal syndicalism statute that broadly prohibited the advocacy of violence. Clarence Brandenburg, a KKK leader, gave a hate filled speech against minorities, Jews, and Catholics and announced plans for a march on Washington on the Fourth of July. He was charged with advocating violence under Ohio’s criminal syndicalism law. Brandenburg was fined $1000 and sentenced to 10 years in jail.

In **National Socialist Party of America v. Village of Skokie (1977)** the U.S. Supreme Court ruled that if a state seeks to impose an injunction in violation of First Amendment rights, it must provide strict procedural safeguards, including immediate appellate review. Absent such review, a stay must be granted. A group of American Nazis announced plans to march through the village of Skokie, Illinois, a predominately Jewish community.
The ACLU challenged the injunction issued by the Circuit Court that prohibited marchers at the rally from wearing Nazi uniforms or displays of swastika. While failing to show up at the march, the Nazis won the right to display the swastika and uniforms.

- Hate speech is constitutionally permissible but it is a somewhat murky in what is and is not allowed (i.e. – bullying, social media postings, etc.). Private institutions are less tolerant of any type of hate speech or ethnic/religious intimidations.
- Hate speech is permissible, but hate crimes that result in direct physical harm may be punished more harshly.
- Some kinds of speech in the United States are not fully protected.
- Libel, written statement(s) defaming another by false statement, is not considered free speech.
- Slander, oral defamatory statements, is also not a form of protected speech.
- It is very difficult to prove either libel or slander in the United States.
- In order for public figures to claim sue for libel they need to prove “actual malice” – that a statement was made with a reckless disregard for the truth or with knowledge that the words were false.
- There is no clear, enduring, or comprehensive definition of obscenity.
- The 1973 definition by the Court, “judged by the average person, applying contemporary community standards to appeal to the ‘prurient interest’ or to depict in a patently offensive way, sexual conduct specifically defined by applicable state law and lacking serious literary, artistic, political, or scientific value.”
- The Court is challenged with competing claims of freedom versus decency. Localities decide whether to tolerate pornography or not but must comply with strict constitutional tests if they decide to regulate it. Protection is extended to almost all forms of communication. Zoning ordinances have been upheld since it regulates the use of property rather than expression.
- Symbolic speech is used to describe actions that purposefully and discernibly convey a particular message or statement to those viewing it. Individuals cannot claim protection for an otherwise illegal act on the grounds that it conveys a political message (i.e. – burning a draft card).
- The Court has protected other forms of symbolic speech (black armbands – Tinker v. Des Moines and flag burning – Texas v. Johnson).
- One of the most challenging issues for the Court has been to determine “who is a person?” and whether corporations and organizations have the same rights as individuals.
- The Court has ruled that corporations, organizations, and interest groups have First Amendment rights.
- The Court permits restrictions on commercial speech (advertising); however, the regulation must be narrowly tailored and serve the public interest.
- In 2010, the Supreme Court fundamentally altered restrictions placed on corporations and union in Citizen United v. FEC (2010). The court ruled that a provision of the Bipartisan Campaign Reform Act (McCain-Feingold) prohibiting unions, corporations and not-for-profit organizations from broadcasting electioneering communications within 60 days of a general election or 30 days of a primary election violated the free speech clause of the First Amendment.
- According to the Court young people, especially students may have less freedom of expression than adults.
- In Hazelwood v. Kuhlmeier (1988) the Supreme Court ruled that a school newspaper can be censored / restricted by school authorities. School-sponsored activities could also be controlled / censored if they were damaging or disruptive to the educational and the social learning environment.
- In Morse v. Frederick (2007) the Court sided with high school administrators that a student banner held up during a parade (i.e. – “Bong Hits 4 Jesus”) was not protected speech and the school district was within its right to punish the students involved in the incident.
- The First Amendment to the United States Constitution guarantees freedom of religion. Freedom of religion has two separate clauses. The Establishment Clause forbids the government from establishing a state religion or showing favoritism to one particular religious denomination over another. The Free Exercise clause allows citizens to believe in anything they want (although their actions related to those beliefs may be restricted if they violate the law (i.e. – child marriage, human sacrifice, ritualistic drug use, etc.).
- Some conflicts between religious freedom and public policy continue to be difficult to settle: (1) conscientious objection to war versus mandatory military service, (2) refusal to work on Saturdays (Seventh-Day Adventists), or (3) Refusal by the Amish to send children to public school beyond the eighth grade.
• President Thomas Jefferson believed that there is a “wall of separation” between church and state. The Supreme Court has interpreted the Establishment Clause to mean no government involvement, even if the involvement would be non-preferential.

• In *Everson v. Board of Education* (1947) the Court ruled that New Jersey Catholic school parents could be reimbursed for the cost of busing their children to school because bussing was a religious-neutral activity.

• In *McCollum v. Board of Education* the Court ruled against the practice of “release time” that permitted students to receive religious instruction during the school day. The court later reversed itself in *Zorach v. Clauson* (1952) provided that students left school grounds for religious instruction and that transportation was not provided by the school district.

• In *Engel v. Vitale* (1962) the Court ruled that government-directed prayer in public schools violated the Establishment Clause even if the prayer was religiously neutral and students could remain silent or be excused from the classroom during its recitation.

• In *Wisconsin v. Yoder* (1972) *the Court ruled that the Amish were exempt from Wisconsin’s compulsory education law beyond the 8th grade.* It reasoned that the parents’ fundamental right of freedom of religion outweighed the state’s interest in educating its children.

• In *Lemon v. Kurtzman* (a.k.a. – Lemon Test) (1971) the Court ruled that for a law to be considered constitutional under the Establishment Clause, it must have a legitimate secular purpose, must not have the primary effect of either advancing or inhibiting religion, and also must not result in an excessive entanglement of government and religion. The Court struck down Pennsylvania’s Private Elementary and Secondary Education Act that allowed the superintendent of public schools to reimburse private schools for the salaries of teachers who taught in these private schools, from public textbooks and with public instructional materials.

• In *Edwards v. Aguilla* (1987) the Court ruled that the teaching of creationism in public schools is unconstitutional because it attempts to advance a particular religion. Within the same vein, a Federal court in Pennsylvania ruled that Intelligence Design could not be taught in a science classroom (i.e. – *Kitzmiller v. Dover Area School District*, 2004).

• Supreme Court rulings dealing with Freedom of Religion remain complex and shifting in regards to the Establishment and Free Exercise Clauses.

• The Supreme Court has continued to interpret the protected rights the accused have under the U.S. Bill of Rights.

• The exclusionary rule forbids evidence collected in violation of the U.S. Constitution to be used against the accused in the courtroom. While most nations let all evidence into trial (later punishing the police for misconduct), the United States excludes improperly obtained evidence. The exclusionary rule implements the Fourth (freedom from unreasonable searches and seizures) and the Fifth (protection against self incrimination) Amendments.

• In *Mapp v. Ohio* (1961) the Supreme Court began to use the exclusionary rule to enforce a variety of constitutional guarantees.

• A reasonable search of an individual can be made when a properly obtained search warrant (an order from a judge authorizing a search and listing items to be searched for) is obtained, when there is probable cause, or the incident occurs because of an arrest.

• During the police search the officers may search the individual being arrested, things in plain view, and things or places under the immediate control of the individual. Situations involving automobiles and electronic devices continue to challenge the ability of the court to set limits; the Court attempts to protect a “reasonable expectation of privacy” while allowing for the enforcement of laws / public safety.

• While the Bill of Rights was originally intended to prevent torture (Eighth Amendment) or coercion (Fifth Amendment) those rights were later interpreted / extended to people who were unaware of their right, particularly their right to remain silent in both the courtroom and the police station.

• Because of *Miranda v. Arizona* (1966) any confessions is presumed to be involuntary unless a suspect is fully informed of their rights. Today, the term “Miranda Rights” is commonly used to describe the list of rights the police read to a person being charged with a crime. Interestingly, this protection does not apply if, while in jail, a person confesses to another inmate who happens to be an undercover officer.

• In recent cases, the Court has relaxed the exclusionary rule allowing the police greater freedom to question juveniles, incorporating a “good-faith” exception (i.e. *United States v. Leon*, 1984), when questioning an individual is the matter involves the “overriding considerations of public safety,” or if the evidence would have been “inevitable.”

• In *Gideon v. Wainwright* (1963) the Court unanimously ruled that states are required under the 6th Amendment to provide counsel in criminal cases to represent defendants who are unable to afford to pay their own attorneys thus extending the right to counsel found with the 5th and 6th Amendments.
• Congress or state legislatures may prescribe the death penalty for murder or other capital crimes. The Court has ruled that the death penalty is not a per se violation of the 8th Amendment’s ban on cruel and unusual punishment (i.e. – Gregg v. Georgia, 1976).
• The 8th Amendment requires the courts to consider the evolving “standards of decency” to determine if a particular punishment constitutes a cruel or unusual punishment (i.e. – no death penalty for juveniles (i.e. – Roper v. Simmons, 2005) or mentally disabled people (i.e. – Atkins v. Virginia (2002)).
• The U.S. A. PATRIOT Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism) was meant to increase the federal powers to combat terrorism. Numerous new police powers, some controversial, were given to the federal government. These include: (1) the government may tap any telephone used by a suspect, rather than obtaining a separate order for each phone, (2) the government may tap Internet communications and voicemail, (3) investigators can share information learned in grand jury proceedings, (4) any non-citizen can be held as a security risk for seven day (or longer if it is a certified risk), (5) the federal government can track money across U.S. borders and among banks, and (6) the statute of limitations on terrorist crimes eliminated; penalties increased.
• During a proclaimed national emergency, a military court can try non-citizens believed to be terrorist or to have harbored a terrorist.
• Despite its many controversial provisions, the USA PATRIOT was re-authorized under later presidential administrations.

Understand

• At its core, the foundation of American political beliefs and culture is based up civil liberties and civil rights.
• Today many Civil Liberties conflicts are a result of competing civil liberties (i.e. – right to a fair trial vs. freedom of the press).
• The U.S. Constitution was viewed by the delegates at the Philadelphia convention as limiting or restricting what a national government could do to the states and the American people; the Enumerated Powers clearly spelled out what the national government could do – and nothing more.
• A key Anti-Federalist demand during the ratification of the U.S. Constitution was the inclusion of a national bill of rights to augment rights already protected by state constitutions.
• The U.S. Bill of Rights was originally interpreted to apply to the actions of the national government only – not the laws or actions of the states. Thus, states were free to impose restrictions on liberties that did not conflict with their state constitutions.
• Civil liberties are constitutionally protected guarantees against the abuse of governmental power; Civil rights are protections granted to certain groups of people against discrimination. In application, there is no clear distinction between either civil liberties or rights.
• When issue of Civil Liberties come before the American courts they attempt to strike a balance between the rights of the individual versus the right of society. Sometimes judges may be sensitive to strong current of popular opinion (i.e. – Me Too Movement).
• When Civil Liberties issues do not attract much public scrutiny the opinion of elites influence judicial thinking.
• A number of factors influence the discourse and debate about the meaning and extent of civil liberties. Examples include: competing rights and duties amongst different groups of citizens, rights during a national crisis or wartime, rights that clash due to cultural conflicts, and rights guaranteed by the U.S. Bill of Rights but not necessarily protected by the state governments (i.e. – segregation).
• The case of Sheppard v. Maxwell (1966) illustrated the challenge the Court faced when competing rights collide. In this case, the right of the press to present the news (the facts surrounding a criminal murder trial) versus the right of an individual to receive a fair trial in light of media sensationalism.
• In the New York Times Co. v. Sullivan (1964) highlighted the conflict of constitution rights involving freedom of the press (First Amendment) and right of an individual to sue for defamation or libel. Because of the extremely high burden of proof on the plaintiff, and the difficulty of proving the defendant’s knowledge and intentions, such cases – when they involve public figures – rarely prevail.
• The U.S. Supreme Court ruled in favor of Free Speech in the landmark case New York Times Co. v. United States (1971) (a.k.a. – The Pentagon Papers) The Court ruled that to exercise prior restraint (censoring material before it is published), the government must show sufficient evidence that the publication of that information would cause a “grave and irreparable danger.”

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• In *Kunz v. New York* (1951) the Court ruled that a New York City ordinance that prohibited religious services on public streets without a permit was unconstitutional. The Kunz case helped to establish that government restrictions on speech must be narrowly tailored so that they do not inappropriately limit expression protected by the First Amendment.

• Fights over civil liberties and rights tend to follow a similar pattern as those of interest group politics concerning economic issues.

• The government has normally responded to a wartime crisis by restricting civil liberties in the name of national security. Two historical examples include the relocation of Japanese Americans following World War II and the passage of the Patriot Act following 9/11.

• Following the French Revolution, the Sedition Act of 1798 was passed to suppress dissension. Congress enacted legislation that (1) empowered the President to expel, without a hearing, any dangerous aliens from the country, (2) to arrest, detain, and deport aliens hailing from enemy countries during times of war, (3) and banned anti-government speech (used to silence political critics).

• The Red Scare / Cold War provided for justification for a series a measures aimed at anti-American activities. These included the Smith Act (The Alien Registration Act) (1940), the Internal Security Act of 1950, and the Communist Control Act of 1954.

• Despite encroachments upon American civil liberties, the Court routinely upheld the legislation as necessary on the grounds of national security.

• While America’s diversity is one of its greatest strengths, it has also been a catalyst for conflict and the struggle over defining and expanding civil liberties and civil rights with the arrival of new groups throughout the course of American history. This was especially true with the arrival of large number of Catholic Irish and Chinese immigrants in the 1800s.

• The value set of European pilgrims and Puritans served as the basis for what would be considered “Americanism.”

• Before the American Civil War, the U.S. Constitution and Bill of Rights were only understood to apply to the federal government – not the state governments.

• In *Barron v. Baltimore* (1833) – The Supreme Court ruled that the Bill of Rights applied only to the federal government; not to the action or conduct of individual states jurisdiction.

• The Fourteenth Amendment (1868) fundamentally altered the way the rights would be applied throughout the nation regardless of where citizens resided.

• The Fourteenth Amendment contains two key provisions: (1) Due process clause – “no state shall deprive any person of life, liberty, or property without due process of law,” and (2) Equal protection clause – “no state shall deny to any person within its jurisdiction the equal protection of the law.”

• In a series of rulings U.S. Supreme Court began to use these two clauses to apply certain rights to state governments (i.e. – the process of incorporation or Incorporation Doctrine).

• In *Chicago, Burlington & Quincy Railroad Co. v. City of Chicago* (1897) – the U.S. Supreme Court declared that the Fourteenth Amendment’s due process clause requires that states provide fair compensation for seizing private property (i.e. – Eminent Domain / Fifth Amendment).

• In *Gitlow v. New York* (1925) – The Court declared that the Fourteenth Amendment had extended the reach of the First Amendment (specifically protections of freedom of speech and freedom of the press) to the governments of the individual states.

• In *Palko v. Connecticut* (1937) – The Court ruled that certain rights must apply to the states because they are essential to “ordered liberty” and they are “principles of justice.”

• Today “new rights” determined by the Court (i.e. – the right to privacy / abortion / same-sex marriage) are applied to both state and national governments.

• The provisions of the 2nd Amendment were affirmed to apply to state laws in the cases of *District of Columbia v. Heller* (2008) and *McDonald v. Chicago* (2010).

• English jurist William Blackstone believed that the press should be free of prior restraint (government censorship of material before it is published) but then must accept the consequences if a publication is improper or illegal.

• During World War One Congress defined the limits of expression: treason, insurrection, forcible resistance to federal laws, and encouraging disloyalty in the armed services were not protected by the First Amendment.
• In *Schenck v. United States* (1919) the Court ruled that the First Amendment did not protect the defendant's criticism of the draft, because it created a clear and present danger to the enlistment and recruiting service of the U.S. armed forces during a state of war.

• The decision of the Court was authored by Justice Oliver Wendell Holmes - "The most stringent protection of free speech would not protect a man in falsely shouting fire in a theatre and causing a panic . . . The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent."

• In *Brandenburg v. Ohio* (1969) the U.S. Supreme Court held that the government couldn't punish inflammatory speech unless the speech is directed towards inciting (and is likely to incite), imminent lawless action.

• In *National Socialist Party of America v. Village of Skokie* (1977) the U.S. Supreme Court ruled that if a state seeks to impose an injunction in violation of First Amendment rights, it must provide strict procedural safeguards, including immediate appellate review. Absent such review, a stay must be granted.

• Hate speech is permissible, but hate crimes that result in direct physical harm is not. In many ways the rise of social media has provided a wide reaching platform for hate speech that did not exist in the past.

• Some kinds of speech in the United States are not fully protected. Libel, written statement(s) defaming another by false statement, and slander, oral defamatory statements, is also not a form of protected speech.

• It is very difficult to prove either libel or slander in the United States. In order for public figures to claim sue for libel they need to prove “actual malice” – that a statement was made with a reckless disregard for the truth or with knowledge that the words were false.

• The Court has struggled repeatedly when asked to determine whether something is obscene within the context of community standards. Localities decide whether to tolerate pornography or not but must comply with strict constitutional tests if they decide to regulate it. Protection is extended to almost all forms of communication. Zoning ordinances have been upheld since it regulates the use of property rather than expression.

• Unlike broadcast media (television and radio) the Internet is mostly unregulated by the federal government.

• Symbolic speech is non-verbal communication through the use of signs, placards, armbands, etc. Symbolic speech is mostly protected along the same lines as other forms of freedom of speech.

• *Tinker v. Des Moines* (students wearing black arm bands to protest the Vietnam War) and *Texas v. Johnson* (the burning of an American flag in protest) serve as two key cases in which the U.S. Supreme Court protected symbolic speech.

• Corporations and organizations have the same rights (including First Amendment rights) as individuals in the United States.

• In *Citizen United v. FEC*, the Court ruled that a provision of the Bipartisan Campaign Reform Act (McCain-Feingold) prohibiting unions, corporations and not-for-profit organizations from broadcasting electioneering communications within 60 days of a general election or 30 days of a primary election violated the free speech clause of the First Amendment

• The First Amendment to the U.S. Constitution provides for Freedom of Religion. The two key provision of that right include the Establishment Clause that forbids the government from establishing or endorsing a religion and the Free Exercise Clause that guarantees against government compulsion in religious matters.

• Establishment Clause forbids the government from establishing a state religion or showing favoritism to one particular religious denomination over another. The Free Exercise clause allows citizens to believe in anything they want (although their actions related to those beliefs may be restricted if they violate the law (i.e. – child marriage, human sacrifice, ritualistic drug use, etc.).

• Some conflicts between religious freedom and public policy continue to be difficult to settle (i.e. – Obamacare vs. Hobby Lobby).

• President Thomas Jefferson believed that there is a "wall of separation" between church and state.

• The Supreme Court has interpreted the Establishment Clause to mean no government involvement, even if the involvement would be non-preferential.

• In *Everson v. Board of Education of Ewing Township* (1947) the Court ruled that New Jersey Catholic school parents could be reimbursed for the cost of busing their children to school because busing was a religious-neutral activity.
• In *McCollum v. Board of Education* the Supreme Court ruled that the practice of releasing students during the school day to attend religious instruction was unconstitutional. A few years later in 1952 the Court reversed itself allowing release time under specific circumstances: (1) instruction must take off school grounds and (2) transportation to the place of instruction can not be provided by the school district.

• In *Engel v. Vitale* (1962) the Court ruled that government-directed prayer in public schools violated the Establishment Clause even if the prayer was religiously neutral and students could remain silent or be excused from the classroom during its recitation.

• Pray is not banned in public schools! Students are allowed to pray; school officials, however, cannot lead or endorse a prayer or praying.

• In *Wisconsin v. Yoder* (1972) the Supreme Court ruled that Wisconsin could not compel Amish children to attend school beyond the 8th grade based upon their religious beliefs.

• In *Edwards v. Aguilla* (1987) the Court ruled that the teaching of creationism in public schools was unconstitutional because it attempted to advance a particular religion.

• In 2005 the Federal court in Pennsylvania ruled that Intelligent Design Theory was not science and could not be taught in the public school science classroom.

• In *Lemon v. Kurtzman* (a.k.a. – Lemon Test) (1971) the Court ruled that for a law to be considered constitutional under the Establishment Clause, it must have a legitimate secular purpose, must not have the primary effect of either advancing or inhibiting religion, and also must not result in an excessive entanglement of government and religion.

• Supreme Court rulings dealing with Freedom of Religion remain complex and shifting in regards to the Establishment and Free Exercise Clauses.

• The Exclusionary Rule forbids evidence collected in violation of the U.S. Constitution. While most nations let all evidence into trial (later punishing the police for misconduct), the United States excludes improperly obtained evidence.

• The exclusionary rule implements the Fourth (freedom from unreasonable searches and seizures) and the Fifth (protection against self-incrimination) Amendments.

• In *Mapp v. Ohio* (1961) the Supreme Court began to use the exclusionary rule to enforce a variety of constitutional guarantees.

• A reasonable search of an individual can be made when a properly obtained search warrant is obtained, when there is probable cause, or the incident occurs because of an arrest.

• During the police search the officers may search the individual being arrested, things in plain view, and things or places under the immediate control of the individual.

• In *United States v. Leon* (1984) the Court carved out a “good faith exception” for police search in seizures when gathering evidence. The Court reasoned at an error in gathering evidence may be sufficiently minor that it may be used in a trial.

• Situations involving automobiles and electronic devices continue to challenge the ability of the court to set limits; the Court attempts to protect a “reasonable expectation of privacy” while allowing for the enforcement of laws / public safety.

• In *Miranda v. Arizona* (1966) any confessions were presumed to be involuntary unless a suspect was fully informed of their rights. Today, the term “Miranda Rights” is commonly used to describe the list of rights the police read to a person being charged with a crime.

• In recent cases, the Court has relaxed the exclusionary rule allowing the police greater freedom to question juveniles, incorporating a “good-faith” exception, when questioning an individual is the matter involves the “overriding considerations of public safety,” or if the evidence would have been “inevitable.”

• In *Gideon v. Wainwright* (1963), the Supreme Court affirmed a right to legal counsel even if the accused cannot afford it.

• The Supreme Court has ruled that the federal government and states may choose to impose a death penalty for certain crimes since it is not a per se violation of the 8th Amendment’s ban on cruel and unusual punishment (i.e. *Gregg v. Georgia*, 1976).

• In 2002, the Court ruled that executing mentally retarded criminals would violate the 8th Amendment (*Atkins v. Virginia*). Later in 2005, the Court invalidated the death penalty for all juvenile offenders (i.e. – *Roper v. Simmons*)

• The U.S.A. PATRIOT Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism) was enacted into law to increase the federal government’s powers to combat terrorism following the 9/11 attacks.
Numerous new police powers, some controversial, were given to the federal government: (1) the government may tap any telephone used by a suspect, rather than obtaining a separate order for each phone, (2) the government may tap Internet communications and voice mail, (3) investigators can share information learned in grand jury proceedings, (4) any non-citizen can be held as a security risk for seven day (or longer if it is a certified risk), (5) the federal government can track money across U.S. borders and among banks, and (6) the statute of limitations on terrorist crimes eliminated; penalties increased. During a proclaimed national emergency, a military court can try non-citizens believed to be terrorist or to have harbored a terrorist.

Despite its many controversial provisions, the USA PATRIOT was re-authorized under later presidential administrations.
UNIT WEEK TOPICS COVERED

Unit 7 Week 29 Textbook:
Chapter 5 – Civil Liberties (Pages 95 to 120)

Unit Vocabulary List:
• Actual Malice
• Atkins v. Virginia (2002)
• Baron v. Baltimore (1833)
• Bipartisan Campaign Reform Act (2002)
• Blackstone, Sir William
• Brandenburg v. Ohio (1969)
• Chaplinsky v. New Hampshire (1942)
• Citizens United v. FEC (2010)
• Civil Liberties
• Civil Rights
• Clear and Present Danger Test
• Communist Control Act (1954)
• Death Penalty
• Defamatory Speech
• Dickerson v. United States (2000)
• Doctrine of Incorporation
• Due Process Clause (14th Amendment)
• Edwards v. Aguillard (1987)
• Engel v. Vitale (1962)
• Equal Protection Clause (14th Amendment)
• Establishment Clause
• Espionage and Sedition Acts (WWII)
• Everson v. Board of Education of Ewing Township
• Exclusionary Rule

UNIT OBJECTIVES
• Explain why Civil liberties are considered to be foundational to political beliefs and political culture of the United States.
• Explain why the Framers believed that the Constitution limited government and protected rights.
• Speculate why the U.S. Constitution did not originally have a bill of rights protecting fundamental civil liberties.
• Analyze the reasons why the Bill of Rights was viewed as specific restriction on federal government action only and did not apply directly to the laws and actions of individual state governments.
• Define the term / concept - civil liberties.
• Compare and contrast how civil liberties and civil rights are similar and different.
• Explain why many civil liberties/civil rights controversies arise out of competing rights and duties.
• Describe the facts of Sheppard v. Maxwell (1966) and identify the two competing rights that were at the heart of the case.
• Explain how the Court clarified the right to sue for libel in New York Times Co. v. Sullivan (1964).
• Evaluate the impact of New York Times Co. v. United States (1971) in

UNIT ACTIVITIES
Chapter 5 Overview Themes, Group Work, and Writing:
a) Students will read and discuss the following handouts in small groups
b) As students read and discuss the articles they should make a list of pros and cons they perceive from both the reading and the discussion.

Theme A: First Amendment Rights
• Another area of speech not given automatic constitutional protection is “fighting words”: words that would provoke a reasonable person to fight.
• Should fighting words be protected as a form of speech? What if the words are true? Should the First Amendment permit the punishment of truth?

What is the Supreme Court’s current definition of obscenity? Is this definition clear? Could it guide a publisher who wishes to publish a certain book but who wondered whether it was obscene?

What regulations should be imposed on the Internet? In Reno v. American Civil Liberties Union (111 S.Ct. 2329 [1997]), the Supreme Court ruled that the Communications Decency Act of 1996 (CDA) was insufficiently precise in its restrictions. The CDA had prohibited the “knowing transmission of obscene or indecent messages to any recipient under 18 years of age” and the “knowing sending or displaying of patently offensive messages in a manner that is available to a person under 18 years of age.” The Court ruled that the CDA thereby “effectively suppresses a large amount of speech that adults have a constitutional right to receive and to address to one another.” In reaching this conclusion, the Court commented on the technological resources available to regulate Internet communications and the extent of the Internet audience. For example, the Court noted, a chat room might have hundreds of individuals who were participants of which two were minors, with the result that all communications would be subject to the CDA prohibitions. As another

Learning Objectives
• Who Governs? To What Ends?
• Overview: The Politics of Civil Liberties
• Competing Interest / Conflicting Rights and Duties
• Civil Liberties Defined
• The U.S. Bill of Rights and Original Intent
• Civil Liberties vs. Civil Rights (Compare & Contrast)
• The Courts and Civil Liberties

When Courts Resolve Political Conflicts:
Comparing the Courts to the Executive & Legislative Branches

Rights in Conflict:
Competing Rights: The Sheppard Case (Due Process vs. Freedom of the Press)

Competing Rights:
Pentagon Papers
(Common Defense vs. Freedom of the Press)

Competing Rights:
Carl Jacob Kurz (Free Speech vs. Public Order / Kurz v. New York (1951))

Rights in Conflict: Culture and Civil Liberties

Examples – Japanese-American Internment
follow Pearl Harbor / The Patriot Act post 9/11

USA Patriot Act (An Overview)

USA Freedom Act (2015)

Political Cartoon – Government Spying


Reading: Wilson (Textbook): Chapter 5


• #44 – Anthony Lewis - Gideon’s Trumpet (Pages 339 to 348)
Was the decision reached by the U.S. Supreme Court in Gideon v. Wainwright a validation of American due process or was it a miscarriage of justice in which a liberal court ended up accepting Gideon’s petition? Why or why not?

• #45 – Richard Kluger - Simple Justice (Pages 349 to 356)
The American judicial system is supposed to be non-partisan (apolitical) in its decision-making. Despite this, Chief Justice Earl Warren seemed unwilling to tackle the touchy situation of race relations because of the potential of negative political fallout. What inference can you make regarding politics, political culture, and the direction of court decisions based upon this reading?

Foundsational Documents
• Engle v. Vitel (1962)
• Wisconsin v. Yoder (1972)
• Tinker v. Des Moines (1969)
• NY Times v. United States (1971)
• Miranda v. Arizona (1966)
• Schenck v. United States (1919)
• Gideon v. Wainwright (1963)
• Roe v. Wade (1973)
• Gitlow v. New York (1925)

Home Work Questions
The Lanahan Readings in the American Polity, 6th Ed. (2016)

AP U.S. Government & Politics Curriculum / Syllabus
<table>
<thead>
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<th>Term</th>
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<td>Brandenburg v. Ohio</td>
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Example: the Court observed that parents transmitting birth control information by e-mail to their own child could violate someone’s standard of decency, even though their family and community would consider the communication entirely appropriate. Given these considerations of audience and technology, is any regulation of Internet communication constitutional?

- The free exercise clause protects religious behavior. But what is a valid religion? How can courts distinguish fraudulent religious claims from legitimate ones?

Optional Activity (Time Permitting)

**Bill of Rights Comic Strip / Depicting the Bill of Rights in comic form.**

**Supplemental Reading Presentations** (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)

**Overview**

- Baron v. Baltimore (1833) and Gitlow v. New York (1925)
- Paiko v. Connecticut (1937)
- “Selective Incorporation” / “New Rights”
- McDonald v. Chicago (2010)
- Theme A: First Amendment Rights
- Freedom of Speech
- Freedom Speech and National Security / William Blackstone
- Sedition Act of 1798
- Schenck v. United States (1919) / Clear and Present Danger Test
- Smith Act (1940)
- Political Cartoon – Free Speech Complaints
- Charlottesville, Virginia August 2017
- Brandenburg v. Ohio

**AP U.S. Government & Politics Curriculum / Syllabus**

- Fourteenth Amendment
- Free Exercise Clause
- Freedom of Expression
- Freedom of Religion
- Smith Act (1940)
- Pentagon Papers
- Pierce v. Society of Sisters (1925)
- terms of freedom of speech versus national security.
- Judge and debate the constitutional rationale used by the Court for their ruling in Palko v. Connecticut (1937).
- Explain why struggles over rights tend to follow a pattern similar to interest group politics in economic issues.
- Speculate why war has been the crisis that has most often restricted civil liberties.
- Describe the intent of the Sedition Act of 1798 and evaluate its impact on First Amendment protections.
- Identify the various laws that were passed during the Red Scare of the late 1940s and 50s which undermined civil liberty protections in the United States.
- Speculate why restrictions on civil liberties tend to ebb and flow depending upon the context of a crisis the United States is facing.
- Explain why the diversity found in the United States sometimes has served as a catalyst for conflict over the meaning of civil liberties and civil rights.
- Evaluate the impact of the value set of the early white European Protestants (Pilgrims, Puritans, and others) in forming the basis of what is commonly thought of as Americanism.
- Trace the arrival of new groups (i.e. – Irish Catholics, European Jews, and Hispanics) and conflicts dealing with individual rights.
<table>
<thead>
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<th>Scenario/Issue</th>
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<tbody>
<tr>
<td>Probable Cause</td>
<td>Speculate why the Supreme Court in Barron v. Baltimore (1833) ruled that the Bill of Rights applied only to the federal government.</td>
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<tr>
<td>Public Safety Exception</td>
<td>Identify the significance of the due process clause and the equal protection clause of the Fourteenth Amendment.</td>
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<td>Rasul v. Bush (2004)</td>
<td>Identify the series of U.S. Supreme Court decisions that gradually began to incorporate the U.S. Bill of Rights into state laws and constitutions.</td>
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<td>Reno v. ACLU (1997)</td>
<td>Describe the facts involving Gitlow v. New York (1925) and explain how the Court fundamentally shifted its take on Freedom of Speech.</td>
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<td>Roper v. Simmons (2005)</td>
<td>Explain why in Palko v. Connecticut (1937) – The Court ruled that certain rights must apply to the states because they are essential to “ordered liberty.”</td>
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<td>Schenck v. United States (1919)</td>
<td>Identify who William Blackstone was and his influence on the U.S. Supreme Court.</td>
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<tr>
<td>Search Warrant</td>
<td>Evaluate the arguments made in Schenck v. United States (1919) and decide if government censorship is ever appropriate.</td>
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<tr>
<td>Sedition Act of 1789</td>
<td>Judge whether Justice Oliver Wendell Holmes’s opinion in the Schenck decision that versus group norms.</td>
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<td>Selective Incorporation</td>
<td>National Socialist Party of America v. Village of Skokie (1977)</td>
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<td>Sheppard v. Maxwell (1966)</td>
<td>Hate Speech in the 21st Century: An Uncertain Road Ahead</td>
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<td>Slander</td>
<td>Chart - Race in Incidents of Hate Crimes in U.S. 199—2012 (NBC News)</td>
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<td>Smith Act (1940)</td>
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<td>Snyder v. Phelps (2011)</td>
<td>unprotected Speech: Defamatory Speech / Libel / Slander / Actual Malice</td>
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<td>Symbolic Speech</td>
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<td>Wall of Separation</td>
<td>Who is a Person?</td>
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<td>Wisconsin v. Yoder (1972)</td>
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<td>Political Cartoon: Corporation are People / Money is Speech</td>
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<td>Chart – Outside Money Rushes in 1992-2012 (following Citizens United)</td>
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censorship may be appropriate if it causes a “clear and present danger” is still widely accepted in today’s society.

• Evaluate the impact of war on the curtailment of civil liberties.
• Speculate why the Supreme Court would be more inclined to side with Congress in limiting civil liberties during wartime.
• Describe how the court attempts to “balance” the right of the individual versus the protection of society as was done in Yates v. United States (1957).
• Evaluate the outcome of Brandenburg v. Ohio (1969) and speculate the long-term repercussions of the ruling.
• Describe the facts in the case the National Socialist Party of America v. Village of Skokie (1977).
• Infer how the Court viewed public opinion within the context of the Skokie case.
• Speculate why hate crimes are punished more harshly than other crimes.
• Compare and contrast libel and slander. Explain the difference.
• Explain why it is very difficult to prove either libel or slander in the United States.
• Define what “actual malice” means and why it is so difficult to prove in a court of law.
• Explain why the concept of obscenity is so difficult to define in society.
• Restate (in your own words) how the U.S. Supreme Court defined obscenity.

First Amendment:
• Freedom of Religion / Establishment Clause / Free Exercise Clause
• Everson v. Board of Education of Ewing Township (public school bus service for parochial school students)
• McCollum v. Board of Education / Zorach v. Clauson (Release Time)
• Engel v. Vitale (1962) (Mandated School Prayer)
• School Prayer: Court Guidelines
• Wisconsin v. Yoder (1972) (The Amish & mandatory public education)
• Other Separation Issues: Religious Holidays, Religious Displays, Distribution of Religious Material)
• Lemon v. Kurtzman (1971) / Lemon Test
• Limits to the Free Exercise of Religion?
• Crime and Due Process
• The 4th Amendment and Search and Seizure
• Exclusionary Rule
• Mapp v. Ohio (1961)
• When can the police search you without it being unreasonable? / Search Warrant / Probable Cause
• Good-Faith Exception /
• Explain why it is difficult for local communities to limit “obscenity.”
• Forecast whether or not the federal government will eventually regulate the Internet like television or radio.
• Describe how symbolic speech is different from other forms of speech.
• Identify Tinker v. Des Moines and Texas v. Johnson as landmark cases that solidified the right of symbolic speech.
• Evaluate the legal impact of corporations having the same right as a living person (citizen).
• Evaluate the impact of Citizens United v. FEC on the government’s ability to regulate spending on campaign advertising (free speech).
• Judge whether or not citizens under eighteen years of age should have few First Amendment protections than those over eighteen or finished with school.
• List the two provisions contained within Freedom of Religion.
• Evaluate the position taken by President Thomas Jefferson who believed that there is a “wall of separation” between church and state and that wall is essential to the protection of both.
• Judge the merits of Everson v. Board of Education (1947); did the Court make the right decision.

• Police Interrogations, Confessions, and Self-Incrimination
• The Miranda Rule / Miranda v. Arizona (1966) / Miranda Rights
• The Right to a Legal Counsel
• Gideon v. Wainwright (1963)
• The Death Penalty and Civil Liberties
• 8th Amendment and the Death Penalty / Proportionality Analysis
• Map – States with and without the death penalty (deathpenaltyinfo.org)
• Civil Liberties in the 21st Century
• Patriot Act (An Overview)
• Political Cartoon – One Nation, Under Surveillance
• Evaluate the impact of Engel v. Vitale (1962) on public education.
• Describe the three parts and the purpose of the Lemon Test.
• Restate the Court’s ruling in Edwards v. Aguillard (1987).
• Speculate why the Supreme Court continues to wrestle with issues involving the role of religion in society and in government.
• Describe the purpose of the exclusionary rule and whether it is a benefit or burden to society as a whole.
• Judge the lasting impact of Mapp v. Ohio (1961) on police conduct.
• Describe when a reasonable search of an individual can be made.
• List those things or places that the police may search during an arrest.
• Restate the purpose/intent of “Miranda Rights.”
• Explain what is the “good-faith” exception when questioning a suspect.
• Restate the purpose and mission of the U.S.A. PATRIOT Act.
• List numerous provisions of the U.S.A. PATRIOT Act and how they can be viewed by some as violations of fundamental rights.
• State when a military court can try a civilian.
• Speculate why, despite its many controversial provisions, the USA PATRIOT was re-authorized.
Unit 7 / Textbook Chapter 6 – Civil Rights
Enduring Understandings (EUs)

Know

- Civil rights protect individuals’ freedom from infringement by governments and private organizations; it ensures one’s ability to participate in the civil and political life without discrimination or repression.
- When different groups are treated in different ways, the question is whether or not that treatment is reasonable. Some differential treatment is considered reasonable (i.e. – progressive income tax based upon one’s wealth) while others are not (classification by race or ethnicity).
- Suspect Classification is any classification of groups meeting a series of criteria suggesting that they are likely the targets of discrimination. These classes receive closer scrutiny by the courts when an Equal Protection claim (i.e. – 14th Amendment) is made alleging unconstitutional discrimination caused by a law, regulation, or other government action.
- The struggle for African-American civil rights was both long and arduous. Many whites felt deeply threaten (especially in the American South) by African-American integration and political action. Change was difficult because African-Americans were not able to vote in many areas and often lacked the resources for effective political organizing.
- Racism in the United States produced many appalling actions: lynching, denial of the “franchise” (i.e. - the right to vote), legal obstacles to hinder the buying of houses or taking of jobs on an equal basis as whites, and racial segregation (especially in schools and on public transportation).
- Progress for the Civil Rights movement depended upon two things: (1) finding more white (i.e. – Euro-American) allies and (2) shifting the challenge to policy-making arenas where whites had less of an advantage. The Civil rights movement did both. It broadened its base by publicizing the denial of basic liberties to African-Americans and moved their legal and political struggle form Congress to the federal courts that were not influenced by public opinion and political pressures.
- When the Civil Rights movement decided to utilize the Courts to enact change the primary focus of their arguments centered on with meaning (or intent) of the Fourteenth Amendment as it define citizenship.
- Broadly interpreted, the Fourteenth Amendment makes the U.S. Constitution color-blind; differential treatment of people based on race or ethnicity was banned by the Constitution following the adoption of the Fourteenth Amendment.
- Narrowly interpreted, the Fourteenth Amendment demanded equal legal rights, but African-Americans and whites could be otherwise treated differently (separate but equal rationale).
- *Plessy v. Ferguson* (1896) – was a landmark Supreme Court decision upholding the constitutionality of state laws requiring racial segregation in public facilities under the doctrine of “separate but equal.”
- The NAACP’s (National Association for the Advancement of Colored People) campaign waged a legal battle against segregationist laws; litigation didn’t require broad coalitions or changing public opinion such as legislation would have required.
- The NAACP strategy went through a series of stages: (1) persuade the Supreme Court to declare unconstitutional the laws creating schools that were separate but obviously unequal, (2) persuade the Supreme Court to declare unconstitutional the laws creating schools that were separate but not so obviously unequal, and (3) have the Supreme Court rule that separate schools are inherently unequal and therefore unconstitutional. This gradual approach would allow momentum to build and create a body of case law upon which segregation could be abolished.
- The first step in this process was to focus on institutions that had obvious inequalities and challenge these practices in court. From 1938 to 1948 a series of cases did just that.
- *Gaines v. Canada* (1938) - One of the most important court cases in the U.S. civil rights movement in the 1930s. Lloyd Gaines, an African-American student, applied for admission to the University of Missouri School of Law. After being denied admission because he was African-American and refusing the university's offer to pay for him to attend another neighboring state's law school with no racial restriction, he filed suit. The U.S.
The Supreme Court ultimately ruled in his favor, holding that the separate but equal doctrine required that Missouri either admit him or set up a separate law school for African American students.

- **Sipuel v. Board of Regents of University of Oklahoma** (1948) - Ada Lois Sipuel applied for admission into the University of Oklahoma Law School in order to challenge the state's segregation laws and to become a lawyer. In 1946, she applied at the University of Oklahoma and was denied because of her race. Two years later, the Supreme Court ruled unanimously that the state of Oklahoma had to provide instruction for blacks equal to that of whites.

- **The next step for the Civil Rights movement was to challenge laws and practices in which separation created inequality in less obvious ways.**

- **Sweatt v Painter** (1950) - The case involved an African-American man, Heman Marion Sweatt, who was refused admission to the University of Texas School of Law. At the time, no law school in Texas would admit black students. The Supreme Court ruled that separate law schools for African-Americans would fail to qualify, both because of quantitative differences in facilities and intangible factors, such as its isolation from most of the future lawyers with whom its graduates would interact. The court held that, when considering graduate education, intangibles must be considered as part of "substantive equality."

- **McLaurin v. Oklahoma State Regents** (1950) - George McLaurin, was first denied admission to the University of Oklahoma to pursue a Doctor of Education degree. At the time, Oklahoma law prohibited schools from instructing blacks and whites together. The court found that the university's inaction in providing separate facilities (in order to meet Oklahoma state law) had violated McLaurin Constitutional rights. The Court ruled that different treatment of students in public institutions of higher learning (based solely on race) violated the Equal Protection Clause of the 14th Amendment.

- **The final step was to get the Court to declare the practice of segregation / separation as inherently unequal.**

- **Brown v. Board of Education** (1954) - the Court declared state laws establishing separate public schools for black and white students to be unconstitutional. The Court ruled that segregation was detrimental, creating a sense of inferiority in African-American students. The decision overturned the Plessy v. Ferguson decision of 1896, which allowed state-sponsored segregation. The unanimous (9–0) decision read, "separate educational facilities are inherently unequal." As a result, de jure (by law) racial segregation was ruled a violation of the Equal Protection Clause of the Fourteenth Amendment.

- The Southern Manifesto (a document crafted by Southern congressmen) condemned the Brown v. Board of Education decisions as and "abuse of judicial power." Eventually resistance to integration collapsed in the 1970s.

- Segregation existed in two forms. De jure (by law) in the South and de facto (by social practice) in the North. While de jure segregation could be dealt with by abolishing laws and allowing African-Americans to attend previously all white schools, the existence of de facto segregation was more challenging. Because of housing patterns and income levels, segregation occurred not be law, but by preference.

- **Swann v. Charlotte-Mecklenburg** (1971) - dealt with the busing of students to promote integration in public schools. The Court held that busing was an appropriate remedy for the problem of racial imbalance in schools, even when the imbalance resulted from the selection of students based on geographic proximity to the school rather than from deliberate assignment based on race. This was done to ensure the schools would be "properly" integrated and that all students would receive equal educational opportunities regardless of their race.

- The following guidelines were created for subsequent school integration cases: (1) plaintiff must show school system's intent to discriminate, (2) continued existence of segregated schools in district (with a history of segregation) creates a presumption of intent to discriminate, (3) remedies may include racial quotas, redrawn district lines, and court-ordered busing, and (4) not every school needs to reflect the composition of the district as a whole.

- Inter-city busing could be authorized only if both the city and the suburbs had practiced segregation.

- The significance of intent was that the Supreme Court would not constantly redraw district lines or bus routes.

- Court ordered busing remained controversial; the issue died by the late 1980s. In 1992 a legal decision allowed busing to end if segregation was caused solely by segregated housing patterns.

- The campaign in Congress for civil rights legislation required the Civil Rights movement to get its issues on the political agenda (by mobilizing public opinion). To achieve this, the movement orchestrated a number of dramatic events: (1) sit-ins, freedom rides, voter registration efforts and (2)
leaders of the movement, such as Martin Luther King, Jr. and Rosa Parks (Montgomery bus boycott) mobilizing large groups of people into action. The movement sometimes transformed from nonviolent civil disobedience to the “long, hot summers” of racial violence between 1964 and 1968. As a result, the campaign had mixed results. The Civil Rights movement was propelled onto the national agenda but coalition building amongst various groups (especially whites) suffered setbacks since demonstrations and riots were seen as law-breaking.

- Martin Luther King, Jr.’s Letter from Birmingham Jail in 1963 was a landmark document in the struggle for Civil Rights. In it, King defended the strategy of non-violent resistance to racism. He believed that sometimes people have a duty to break unjust laws and to take direct action rather than waiting potentially forever for justice to come through the courts. “Injustice anywhere is a threat to justice everywhere.”
- Congressional opposition to the Civil Rights movement was strong; President Kennedy was reluctant to submit strong civil rights legislation for fear of alienating Southern Democrats.
- Four key developments broke the deadlock in Congress: (1) public opinion changed regarding school integration and access to public facilities, (2) violent reactions of segregationists (especially in the South) received extensive coverage by the media, (3) the assassination of President Kennedy in 1963, and (4) a 1964 Democratic landslide allowed northern Democrats to prevail in Congress.
- Between 1965 and 1968, key civil rights legislation was enacted into law: (1) the 1957, 1960, and 1965 Civil Rights Acts strengthened laws protecting the right to vote. (2) 1968 Civil Rights Act provided for equal housing opportunities regardless of race, creed, or national origin and made it a federal crime to “by force or by threat of force, injure, intimidate, or interfere with anyone … by reason of their race, color, religion, or national origin,” and (3) Civil Rights Act of 1964 outlawed discrimination based on race, color, religion, sex, or national origin. It ended unequal application of voter registration requirements and racial segregation in schools, at the workplace and by facilities that served the general public.
- The Voting Rights Act of 1965 aimed to overcome legal barriers at the state and local levels that prevented African-American from exercising their right to vote under the 15th Amendment. The act significantly widened the franchise and is considered among the most far-reaching pieces of civil rights legislation in history.
- The Act banned the use of literacy tests, provided for federal oversight of voter registration in areas where less than 50 percent of the non-white population had not registered to vote, and authorized the U.S. Attorney General to investigate the use of poll taxes in state and local elections.
- Since the 1960s, the mood of Congress has shifted and is now supportive of civil rights legislation. The change in congressional response reflects both a dramatic rise in African-American voting and change in white elite opinion.
- Racial profiling is a practice in which law enforcement authorities are more likely to stop and question a person because of their race or ethnicity (i.e. – DWB (Driving While Black)) than they would a non-minority. Opponents of racial profiling believe the practice is inherently discriminatory and should never be done under any circumstance. Proponents argue that members of some groups are more likely to break the law; stopping innocent people may lead to higher levels of public safety in the long term (i.e. – NYC’s Stop and Frisk policy). The debate about racial profiling was heightened following the 9/11 attacks when people of Arab descent believed they were being targeted by law enforcement as potential terrorists.
- The battle for women’s rights began with the Seneca Falls Convention of 1848. Women began to demand the right to vote just like male citizens. Many western states granted women the franchise but it wasn’t until the 19th Amendment (passed in 1920) could the right to vote was granted to female citizens.
- Both World War I and II dramatically transformed the workplace as large-scale female employment filled America’s defense industries with women for the first time. This empowering opportunity hastened the calls for women to be granted equality with male citizens.
- By the 1970s, the Supreme Court began to review gender-based classifications and had to determine what standards to employ (i.e. - Reasonableness standard versus strict scrutiny standard). The Court chose a blend of the two.
- Gender-based differences have been prohibited by the courts in the following contexts: (1) age of adulthood, (2) drinking age, (3) arbitrary employee height-weight requirements, (4) mandatory pregnancy leaves, (5) Little League exclusion, (6) business and professional associations, (7) retirement benefits, and (8) salaries for high school coaches of girls and boys.
- In Rostker v. Goldberg (1981) the Court ruled that Congress may require men, but not women, to register for the draft. Since there is not currently a draft in place this issue is politically moot. Today women routinely serve in combat in America’s all volunteer armed forces.
• Title IX of the Education Amendment Act of 1972 was a piece of landmark legislation that substantially addressed inequalities between men and women in college athletics. According to Title IX, “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education programs or activity receiving Federal financial assistance.”

• In Grove City College v. Bell (1984), the Court held that Title IX applied only to those programs receiving direct federal aid.

• The courts have also dealt with the issue of sexual harassment in regards to protecting the rights of women. The Court has prohibited two forms of sexual harassment. Quid pro quo rule: sexual favors required as a condition for holding a job or for promotion; employers are strictly liable for the actions and conduct of their employees. Hostile environment: creating a setting in which harassment impairs a person’s ability to work; employers are liable if they were negligent. The Supreme Court’s position continues to evolve and standards are not yet clearly articulated for all situations.

• Regulating sexual matters has traditionally been a state function, under the exercise of the police powers. States had traditionally decided whether and under what circumstances abortions could be obtained.

• In Griswold v. Connecticut (1965), a Connecticut law criminalizing the use of contraceptives violated the right to marital privacy. The U.S. Supreme Court reversed the Connecticut Supreme Court prior decision.

• In 1965 the Supreme Court held that states could not prevent the sale of contraceptives because it violated the “zone of privacy.”

• Privacy was not explicitly mentioned in the U.S. Constitution but has been inferred by the Courts from various provisions of the Bill of Rights.

• In Roe v. Wade (1973) the Court struck down a Texas ban on abortion and all similar state laws; the Court declared that the right to choose to terminate a pregnancy is protected by the Fourteenth Amendment.

• Under Roe, there cannot be any regulations regarding abortion during the first trimester. The second trimester has no ban but regulations to protect the health of a woman can be enacted. Abortions during the third trimester can be tightly regulated (and routinely is). The courts have repeatedly struck down attempts at abortion bans as unconstitutional.

• Critics of Roe v. Wade contend that life begins at conception and that the fetus is entitled to equal protection under the law (i.e. – 14th Amendment). Supporters of abortion rights argue that no one can determine exactly when life begins and it is the choice of the mother to determine the outcome of the pregnancy.

• The struggle over abortion law has sometimes involved public demonstrations and violence (clinic bombings, assassination of doctors).

• The National Organization of Women (NOW) is a grassroots group dedicated to multi-issue and multi-strategy approach to women’s rights.

• A number of later U.S. Supreme Court decision have allowed state governments to limit access to abortion services.

• In Webster v. Reproductive Health Service (1989) the Court upheld some restrictions imposed by Missouri limiting abortions. These included restrictions on the use of state funds, facilities, and employees in performing, assisting with, or counseling about abortions.

• In Planned Parenthood v. Casey (1992), the Court ruled that Pennsylvania law could require parental consent for a minor, informed consent, and a 24-hour waiting period prior to having a procedure performed.

• The Hyde Amendment (1976) is a legislative provision barring the use of certain federal funding to pay for abortions except if a pregnancy arises from incest or rape or if the life of the mother is in danger.

• Today, opposing sides debate whether or not past discrimination practices continue to impact society today. Some argue for equal of results to address these injustices. Proponents argue that racism and sexism is still a problem; equal rights are simple not enough. There needs to be a governmental tool (i.e. – Affirmative Action) to correct the mistakes of the past. Opponents reject equality of results in favor of equality of opportunity. They contend that preferential treatment based on race or gender is a form of reverse discrimination. Laws should be color blind and sex neutral. Society is best served when advancement is based on merit and skill (i.e. – the best people, regardless of who they are, will rise to the top).

• Affirmative Action is the policy of providing special opportunities for, and favoring members of, a disadvantaged group who suffer from discrimination in the past. The government and other institutions have used affirmative action programs to allow groups previously disadvantaged a chance to “catch up.” Affirmative action programs are routinely controversial with frequent challenges in the court system. Critics contend that positions are “reformatted” in the name of diversity or multiculturalism.

• Quota systems are subject to strict scrutiny by the court and must correct an actual pattern of discrimination.
• Compensatory Action is helping minorities “catch up” through the use of extra education, training, etc. Preferential Treatment is giving minorities preferences and applying quotas to achieve that goal. The public generally supports compensatory action but not preferential treatment.

• In Regents of the University of California v. Bakke (1978) - the Court upheld affirmative action, allowing race to be one of several factors in college admission policy. However, the Court ruled that specific quotas, such as the 16 out of 100 seats set aside for minority students by the University of California, Davis School of Medicine, were impermissible.

• The emerging standards for quotas and preference systems include: (1) quote system subjected to strict scrutiny (must be a compelling state interest to justify a quota), (2) must correct an actual pattern of discrimination, (3) must identify actual practices that discriminate, (4) federal quotas will be given deference because the Constitution Congress greater power to correct the effects of racial discrimination, (5) voluntary preference systems may be easier to justify, and (6) not likely to apply when a person gets laid off.

• Adarand Constructors v. Pena (1995) - All racial classifications, imposed by whatever federal, state, or local government actor, must be analyzed by a reviewing court under a standard of “strict scrutiny,” the highest level of Supreme Court review (such classifications are constitutional only if they are narrowly tailored measures that further compelling governmental interests). In 1989 the US Department of Transportation awarded a highway construction contract in Colorado to Mountain Gravel and Construction Company. Mountain Gravel solicited bids for a subcontract for guardrails along the highway. Adarand Constructors submitted the lowest bid, with a higher bid being submitted by Gonzales Construction. However, the Small Business Administration (SBA) had certified Gonzales Construction as a disadvantaged business, and thus Mountain Gravel awarded the subcontract to Gonzales, due to financial incentives in the Mountain Gravel's contract for employing disadvantaged businesses. Adarand filed suit in federal court against the Department of Transportation, arguing that the subcontracting incentive clause, or bonus, that caused Adarand to lose a subcontract was unconstitutional.

• Gratz v. Bollinger (2003) was a Supreme Court case regarding the University of Michigan undergraduate affirmative action admissions policy. In a 6–3 decision, the Court ruled the University's point system's "predetermined point allocations" that awarded 20 points to underrepresented minorities "enures that the diversity contributions of applicants cannot be individually assessed" and was therefore unconstitutional.

• Grutter v. Bollinger (2003) - the Supreme Court upheld the affirmative action admissions policy of the University of Michigan Law School in a 5 - 4 decision. The Court ruled that the University of Michigan Law School had a compelling interest in promoting class diversity. The court held that a race-conscious admissions process that may favor "underrepresented minority groups," but that also took into account many other factors evaluated on an individual basis for every applicant, did not amount to a quota system that would have been unconstitutional under Regents of the University of California v. Bakke.

• Historically, the U.S. Supreme Court had been willing to allow states to determine the rights of homosexuals.

• In Bowers v. Hardwick (1986), Georgia was allowed to ban homosexual activity (i.e. – sodomy laws). This decision was later overturned.

• Recently Supreme Court rulings have fundamentally broadened the rights of homosexuals in the United States.

• In Romer v. Evans (1996) once again addressed the rights of gays. Colorado voters had approved a state constitutional amendment making it illegal to protect persons who were gay, lesbian, or bisexual from discrimination. The U.S. Supreme Court later overturned this amendment, as it was a violation of the 14th Amendment's Equal Protection Clause.

• Lawrence v. Texas (2003) – a Texas law that banned sexual conduct between persons of the same sex was ruled unconstitutional.

• United States v. Windsor (2013) – the Supreme Court held that restricting U.S. federal interpretation of "marriage" and "spouse" to apply only to heterosexual unions under the Defense of Marriage Act (DOMA) was unconstitutional under the Due Process Clause because doing so "disparage[s] and ... injure[s] those whom the State, by its marriage laws, sought to protect in personhood and dignity."

• In Obergefell v. Hodges (2015) the Court ruled that a fundamental right to marry is guaranteed to same-sex couples by both the Due Process and Equal Protection Clauses of the 14th Amendment.
Understand

- Civil rights are designed to protect groups from discrimination by either the government or private organizations based upon race, ethnicity, religion, sexual preference, gender, etc. or some other distinguishing characteristic.
- The Courts have ruled that some differentiation in the way groups are treated is permissible (i.e. – the wealthy pay a larger percentage of their income in taxes than the poor) while others (classification by race or ethnicity) are prohibited.
- Suspect classification involves a series of criteria to see if a group is a target of discrimination.
- Claims of suspect classification often result in closer scrutiny by the courts when violations of the Equal Protection clause are claimed.
- Despite the political significance of the 13th, 14th, and 15th Amendments, the struggle for African-American civil rights would continue well into the 1950s and 60s as the post-Civil War promises of equality failed to be achieved.
- One of the most common civil rights violations following the American Civil War was the denial of the “franchise” (right to vote) for African-Americans. Poll taxes, literacy tests, and grandfather clauses were commonly used to deny the right to vote to African-Americans.
- In order for the Civil Rights movement to gain traction it needed to accomplish two goals: find more white allies and shift the debate to the policy making arenas where whites has less of an advantage.
- The Civil Rights movement broadened its base by publicizing the denial of basic liberties to African-Americans and while at the same time moving their legal and political struggle form Congress to the federal courts.
- The Fourteenth Amendment would serve as the cornerstone for the legal challenges brought to the courts by the Civil Rights movement.
- Broadly interpreted, the Fourteenth Amendment makes the U.S. Constitution color-blind; differential treatment of people based on race or ethnicity was banned by the Constitution. Narrowly interpreted, the Fourteenth Amendment demanded equal legal rights, but African-Americans and whites could be otherwise treated differently (separate but equal rationale).
- In Plessy v. Ferguson (1896) – the Court affirmed the concept of “separate but equal” – as long as facilities or services were equal, the states had a right to segregate based upon race.
- The NAACP (National Association for the Advancement of Colored People) is a national civil rights organization that focused on overturning laws that permitted government segregation and discrimination based upon race.
- The NAACP strategy went through a series of stages: (1) persuade the Supreme Court to declare unconstitutional the laws creating schools that were separate but obviously unequal, (2) persuade the Supreme Court to declare unconstitutional the laws creating schools that were separate but not so obviously unequal, and (3) have the Supreme Court rule that separate schools are inherently unequal and therefore unconstitutional.
- In Gaines v. Canada (1938) – The NAACP challenged the admission policy of the University of Missouri Law School when African-American Lloyd Gaines was denied admission. The U.S. Supreme Court ultimately ruled in Gaines’s favor, holding that the separate but equal doctrine required that Missouri either admit him or set up a separate law school for African American students.
- In Sipuel v. Board of Regents of University of Oklahoma (1948) - the Supreme Court ruled unanimously that the state of Oklahoma must provide instruction for blacks equal to that of whites.
- Following their success in the Gaines and Sipuel cases, the NAACP focused on challenging laws and practices in which separation created inequality in less obvious ways.
- In Sweatt v Painter (1950) - the Supreme Court ruled that separate law schools for African-Americans would failed to qualify, both because of quantitative differences in facilities and intangible factors, such as its isolation from most of the future lawyers with whom its graduates would interact. Heman Sweatt was refused admission to the University of Texas School of Law. At the time, no law school in Texas would admit black students.
- McLaurin v. Oklahoma State Regents (1950) - George McLaurin was first denied admission to the University of Oklahoma to pursue a Doctor of Education degree; Oklahoma law prohibited schools from instructing blacks and whites together. The Court ruled that different treatment of students in public institutions of higher learning solely on the basis of race violates the Equal Protection Clause of the 14th Amendment.
• In *Brown v. Board of Education I* (1954) - the Court declared state laws establishing separate public schools for black and white students to be unconstitutional. The decision overturned the *Plessy v. Ferguson.* The unanimous (9–0) decision stated, "separate educational facilities are inherently unequal."

• In *Brown v. Board of Education II* (1955) - Schools must obey the original *Brown* ruling and de-segregate, but not immediately. Federal courts would supervise de-segregation.

• Following the Brown decision, de jure (by law) racial segregation was ruled a violation of the Equal Protection Clause of the Fourteenth Amendment.

• Political leaders of the American South responded to the Brown decision by issuing the "The Southern Manifesto" (a document crafted by Southern congressmen). It condemned the *Brown v. Board of Education* decisions as an "abuse of judicial power."

• By the 1970s, much of the resistance to school integration collapsed.

• Segregation existed in two forms. De jure (by law) in the South and de facto (by social practice) in the North.

• De jure segregation was dealt with by abolishing laws and allowing African-Americans to attend previously all white schools; the existence of de facto (the ways things) segregation was more challenging. Because of housing patterns and income levels, segregation occurred not be law, but by preference.

• *Swann v. Charlotte-Mecklenburg* (1971) – initiated the use of busing as a means of dealing with segregated schools. This was done to ensure the schools would be "properly" integrated and that all students would receive equal educational opportunities regardless of their race.

• Following Swann, a series of guidelines were set up to address segregated schools: (1) plaintiff must show school system’s intent to discriminate, (2) continued existence of segregated schools in district with history of segregation creates presumption of intent to discriminate, (3) remedies may include racial quotas, redrawn district lines, and court-ordered busing, and (4) not every school needs to reflect the composition of the district as a whole.

• Inter-city busing could be authorized only if both the city and the suburbs had practiced segregation; the importance of a community’s or school district’s intent was that the Supreme Court would not constantly redraw district lines or bus routes but had to judge whether a previous pattern of discrimination had existed.

• By the 1980s, much of the debate surrounding school bussing had died down. In 1992 busing could be legally ended if segregation was caused solely by segregated housing patterns (i.e. - de facto).

• In order for the Civil Rights movement to pressure members of Congress into action it was essential to get their issues on the public / political agenda.

• To achieve this, the movement orchestrated a number of dramatic events: (1) sit-ins, freedom rides, voter registration efforts and (2) the use of high profile individuals such as Martin Luther King, Jr. and Rosa Parks (inspired the Montgomery bus boycott).

• Congressional opposition to the Civil Rights movement was strong, especially in the American South.

• President Kennedy was reluctant to submit strong civil rights legislation for fear of alienating Southern Democrats and damaging his chances for reelection in 1964.

• Ironically, Kennedy’s assassination in 1963, along with the televised violence of Southern state officials against peaceful protestors, helped to break the deadlock in Congress over enacting civil rights legislation. The Democrats came to power in a 1964 landslide allowing Northern politicians to enact sweeping civil rights legislation.

• Martin Luther King Jr.’s *Letter from Birmingham Jail* (1963) is often viewed as a landmark document outlining the goals and strategy employed by the Civil Rights movement. It defended the strategy of non-violence resistance to racism. MLK – "Injustice anywhere is a threat to justice everywhere."

• The 1957, 1960, and 1965 Civil Rights Acts strengthen laws protecting the right to vote.

• The 1968 Civil Rights Act provided for equal housing opportunities regardless of race, creed, or national origin and made it a federal crime to “by force or by threat of force, injure, intimidate, or interfere with anyone … by reason of their race, color, religion, or national origin,”

• The Civil Rights Act of 1964 outlawed discrimination based on race, color, religion, sex, or national origin. It ended unequal application of voter registration requirements and racial segregation in schools, at the workplace and by facilities that served the general public.
Today Congress is now more supportive of civil rights legislation. The change in congressional attitudes reflects both a dramatic rise in African-American voters and change in white elite opinion.

Racial profiling encourages law enforcement officials to stop and question individuals on a frequent basis based solely on their race or ethnicity. Some African-Americans were pulled over by police for DWB (Driving While Black) in New Jersey that caused a national uproar.

Supporters of racial profiling contend with limited resources and personnel it only makes sense for law enforcement to focus on those groups of people more likely to partake in a criminal activity than scrutinizing everyone in the same manner (example – The TSA screening young Arabic men at the airport more closely than a little old white lady using a walker).

The battle for equal rights for women began with the Seneca Falls Convention of 1848.

The 19th Amendment (passed in 1920) gave all America women the right to vote in elections.

The First and Second World Wars witnessed a dramatic increase of women in the workforce.

During the 1970s, the U.S. Supreme Court began to review gender-based classifications.

The Court had to determine what standards to employ: reasonableness standard versus strict scrutiny standard; The Court chose a blend of the two.

The Court ruled that discrimination based upon gender was unconstitutional in the following ways: (1) age of adulthood, (2) drinking age, (3) arbitrary employee height-weight requirements, (4) mandatory pregnancy leaves, (5) Little League exclusion, (6) business and professional associations, (7) retirement benefits, and (8) salaries for high school coaches of girls and boys.

In 1981, the Supreme Court ruled in Rostker v. Goldberg that Congress may require men, but not women, to register for the draft.

Today, women routinely serve in combat in America’s all volunteer armed forces.

Title IX of the Education Amendments Act of 1972 fundamentally changed college sports / educational opportunities forever. The Act mandated that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

In Grove City College v. Bell (1984) the Court held that Title IX applied only to those programs receiving direct federal aid.

The Court has prohibited two forms of sexual harassment.

Quid pro quo rule: sexual favors required as a condition for holding a job or for promotion; employers are strictly liable for the actions and conduct of their employees.

Hostile environment: creating a setting in which harassment impairs a person’s ability to work; employers are liable if they were negligent.

The Supreme Court’s position continues to evolve and standards are not yet clearly articulated for all situations.

States had traditionally decided whether and under what circumstances abortions could be obtained.

The Supreme Court in 1965 held that states could not prevent the sale of contraceptives because it violated the “zone of privacy” (i.e. – Griswold v. Connecticut, 1965)

Over the course of American history, the Court has acknowledge the inferred right to privacy for individuals even though that protection is not clearly spelled out in the Constitution or the Bill of Rights.

Roe v. Wade (1973) the Court struck down a Texas ban on abortion; the decision overturned all state laws that had banned abortion.

The Supreme Court attempted to define what and if states could regulate abortions: (1) there cannot be any regulations regarding abortion during the first trimester, (2) the second trimester has no ban but regulations to protect the health of a woman can be enacted and (3) abortions during the third trimester can be tightly regulated.

Critics of Roe v. Wade contend that life begins at conception and that the fetus is entitled to equal protection under the law (i.e. – 14th Amendment).

Supporters of abortion rights argue that no one can determine exactly when life begins and it is the choice of the mother to determine the outcome of the pregnancy.

The National Organization of Women (NOW) is a feminist grassroots interest group that promotes women’s rights and interests.
Over time, the Supreme Court allowed states to impose greater restrictions on abortions. In *Webster v Reproductive Health Services* (1989), the Court allowed the state of Missouri to restrict the use of state funds, facilities, and employees in performing, assisting with, or counseling on abortion services. In *Planned Parenthood v. Casey* (1992) the Court upheld the right of Pennsylvania to require spousal awareness, parental consent for minors, informed consent, and a 24-hour waiting period.

The Hyde Amendment (1976) made it illegal to use certain federal funds to pay for abortions except in the case of incest, rape, or if the life of the mother was in danger due to the pregnancy. Those who support equality of results as a governmental goal believe that racism and sexism are still a problem in American society. They believe that equal rights alone are not enough; past discrimination demands special treatment in order to allow those affected groups a chance to “catch up”.

Affirmative action is the policy of providing special opportunities for, and favoring members of, a disadvantaged group who suffer from discrimination in the past.

The government and other institutions have used affirmative action programs to allow groups previously disadvantaged a chance to “catch up.”

Affirmative action programs are routinely controversial frequently challenged in court. Critics of affirmative action contend that positions and job descriptions are tailored not to the requirements of the jobs but rather in the name of diversity or multiculturalism (i.e. – female firefighters).

Opponents believe that equality of opportunity, not equality of results, is the best way to allow groups who have been discriminated against in the past an opportunity to “catch up”. They believe laws should be color blind and sex neutral and government should work to eliminate barriers – not pick winners and losers.

Quotes and preference system are subject to strict scrutiny by the courts. According to the courts, both must correct an actual pattern of discrimination and must identify actual practices that discriminate. Generally, federal quotas are given deference since Congress has greater power to correct the effects of racial discrimination.

Two tools that have been employed to address past discrimination practices include Compensatory Action and Preferential Treatment. Many people support compensatory actions such as providing extra education and training to minorities. Preferential treatment, such as giving minorities preferences or applying quotas, are not generally supported by the public.

In *Regents of the University of California v. Bakke* (1978) - the Court upheld affirmative action, allowing race to be one of several factors in college admission policy. The Court also ruled that specific quotas, such as setting a specific number of seats aside for minority students, were impermissible.

The emerging standards for quotas and preference systems include: (1) quote system subjected to strict scrutiny (must be a compelling state interest to justify a quota), (2) must correct an actual pattern of discrimination, (3) must identify actual practices that discriminate, (4) federal quotas will be given deference because the Constitution Congress greater power to correct the effects of racial discrimination, (5) voluntary preference systems may be easier to justify, and (6) not likely to apply when a person gets laid off.

*Adarand Constructors v. Pena* (1995) - All racial classifications, imposed by whatever federal, state, or local government actor, must be analyzed by a reviewing court under a standard of “strict scrutiny,” the highest level of Supreme Court review (such classifications are constitutional only if they are narrowly tailored measures that further compelling governmental interests).

*Gratz v. Bollinger* (2003) In a 6–3 decision, the Court ruled the University of Michigan’s point system’s "predetermined point allocations" that awarded 20 points to underrepresented minorities "ensures that the diversity contributions of applicants cannot be individually assessed" and was therefore unconstitutional.

*Grutter v. Bollinger* (2003) - the Supreme Court upheld the affirmative action admissions policy of the University of Michigan Law School. The Court ruled that the University of Michigan Law School had a compelling interest in promoting class diversity.

In 1986 the Supreme Court allowed the state of Georgia to ban homosexual activity (i.e. – sodomy laws) in a 5-4 decision (i.e. *Bowers v. Hardwick*).

In 1996, the Supreme Court held that a Colorado state constitutional amendment to ban legal protection for person based on gay, lesbian, or bisexual orientation was unconstitutional since it violated the Equal Protection Clause of the 14th Amendment (i.e. – *Romer v. Evans*, 1996)

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Recently Supreme Court rulings have fundamentally broadened the rights of homosexuals. 
Lawrence v. Texas (2003) – a Texas law that banned sexual conduct between persons of the same sex was ruled unconstitutional opening the way for a host of challenges to gay marriage bans.
United States v. Windsor (2013) – the Supreme Court held that restricting U.S. federal interpretation of "marriage" and "spouse" to apply only to heterosexual unions under the Defense of Marriage Act (DOMA) was unconstitutional under the Due Process Clause because doing so "disparage[s] and ... injure[s] those whom the State, by its marriage laws, sought to protect in personhood and dignity."
In 2015, the Supreme Court held in Obergefell v. Hodges, that the fundamental right to marry is guaranteed to same-sex couples by both the Due Process and Equal Protection Clause of the 14th Amendment.
### UNIT 7

#### Week 30

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| Chapter 6 - Civil Rights (Pages 121 to 150) | **Chapter 6 Overview Themes, Group Work, and Writing:** | • Explain whom civil rights protect and how they differ from civil liberties.  
• Speculate why the courts consider certain differential treatment of citizens acceptable (i.e. progressive income tax) but others as violations of civil rights (classification by race or ethnicity).  
• Describe what suspect classification is and why it is routinely considered unconstitutional.  
• Speculate why many whites felt deeply threatened (especially in the American South) by African-American integration and political action.  
• List some of the appalling byproducts of racism in the United States.  
• Identify the two things that progressed in the Civil Rights movement depended upon.  
• Identify the Constitutional protections found in 14th Amendment that served as the legal basis for the Civil Rights movement challenges in the U.S. court system.  
• Restate the involved issues and the ultimate outcome of the Plessy v. Ferguson case in 1896.  
• Speculate why the NAACP decided to turn to the American court system rather than the legislature in order to push for Civil Rights | **Learning Objectives**  
• Who Governments? To What Ends?  
• PBS Crash Course - Discrimination (Youtube)  
• Civil Rights: An Overview  
• Defining Civil Rights  
• Differential Treatment / Unreasonable Treatment / Suspect Classification / Strict Scrutiny  
• The Fight for Civil Rights: The Freedom Riders  
• Theme A: Civil Rights and the Courts  
• What exactly did the Fourteenth Amendment guarantee to African-Americans?  
• How could the Supreme Court rule that segregation was constitutional?  
• What was the Court’s argument in overruling Plessy? Suppose it could be proved that segregation did not have a detrimental effect on African American children. Would this require that the Court—in the interests of logical consistency—rule differently in Brown?  
• How did the Court move from (a) interpreting the Fourteenth Amendment to mean that African Americans cannot be relegated to particular schools because of their race to (b) requiring that a particular racial balance must exist in schools? Why was it important that the first busing cases to come to the Court were from southern states that had practiced de jure segregation?  
• Debate the Court’s rulings on busing. Is this an issue that involves constitutional interpretation? Or does it involve the Court in policy-making better handled by a legislature or bureaucratic agency?  
• What similarities and differences can you discern between the African American civil rights movement and that for women? Latinos? Gays and lesbians? Are these differences primarily historical, cultural, or legal? How do those differences affect the remedies necessary to protect these individuals’ civil rights?  
• Theme B: Women and Equal Rights  
• Compare and contrast the Supreme Court’s rulings in racial and in gender civil rights cases. What differences exist in their reasoning about race-based versus sex-based discrimination? | **Reading:**  
Wilson (Textbook): Chapter 6  
**The Lanahan Readings in the American Polity, 6th Ed. (2016):**  
• #46 – Charles Ogletree – All Deliberate Speed (Pages 357 to 365)  
• #47 – Obergefell v. Hodges (2015) and Chief Justice Roberts’ Dissent (Pages 366 to 378)  
• #48 – David Bernstein – You Can’t Say That! (Pages 379 to 386)  
**Homework:**  
• Tuesday: Political Cartoon Analysis Form  
• Thursday: Current Event Report Form  
• Complete MindTap Review and Practice Test (Cengage Learning – textbook website) | **Home Work Questions**  
**The Lanahan Readings in the American Polity, 6th Ed. (2016):**  
#46 – Charles Ogletree – All Deliberate Speed (Pages 357 to 365)  
Charles Ogletree makes the case that the Brown decision that ended the practice of separate but equal schools was undermined when the Court ruled that desegregation plans should be carried out with “all deliberate speed” (code for “slowdown”). He later cites decisions in Bakke, Grazier, and Gutter as examples of affirmative action in education being under attack. Should the federal government take more assertive / aggressive measures to ensure economically and racially blended schools exist in the United States? Why or why not?  
What compelling arguments does Ogletree make regarding his position? Does his arguments have any merit? Explain / elaborate.  
**#47 – Obergefell v. Hodges (2015) and Chief Justice Roberts’ Dissent (Pages 366 to 378):**  
In Obergefell v. Hodges, a split Supreme Court (5-4) ruled that the Due Process and Equal Protection Clause of the Fourteenth Amendment extended to all states the rights of same sex couples to marry and have their legal unions recognized by all other states. Justice Kennedy penned the Court’s majority opinion and framed the issue in terms of an evolving societal norm of human rights. The dissent, authored by John Roberts, continued that the Courts had overreached and trespassed |
Supplemental Reading Presentations (group leaders) and classroom discussion (see pages 26 to 28 for specific requirements)

- Griswold v. Connecticut (1965)
- Grove City College v. Bell (1984)
- Hyde Amendment (1976)
- Hostile Environment (sexual harassment)
- Jim Crow
- Letter from Birmingham Jail (1963)
- Martin Luther King, Jr.
- McLaurin v. Oklahoma State Regents (1950)
- NAACP
- Nineteenth Amendment
- National Organization of Women (NOW)
- Planned Parenthood v. Casey (1992)
- Plessy v. Ferguson (1896)
- Police Powers
- Preferential Treatment
- Quo pro quo (sexual harassment)
- Quotas
- Racial Profiling
- Reasonable / Reasonableness Standard (Gender-Based Discrimination)
- Reed v. Reed (1971)
- Regents of the University of California v. Bakke (1978)
- Reverse Discrimination
- Richmond v. Croson (1989)
- Roe v. Wade (1973)

reforms.
- List the stages of the NAACP strategy to challenge and eventually overturn segregation.
- Describe the facts of the case in Gaines v. Canada (1938) and explain how the outcome helped in the overall struggle for Civil Rights.
- Describe the facts of the case in Sipuel v. Board of Regents of University of Oklahoma (1948) and explain how the outcome helped to advance the struggle for civil rights in the United States.
- Speculate why the Civil Rights movement first went after cases that dealt with obvious examples of discrimination and later turned their attention to less obvious ones.
- Explain how both Swett v. Painter (1950) and McLaurin v. Oklahoma State Regents (1950) cases helped to undermine the precedents created by Plessy v. Ferguson.
- Evaluate the significance of Brown v. Board of Education (1954) on American history and culture.
- Describe what the Southern Manifesto was and how it may have help to bolster resistance to civil rights legislation.
- Compare and contrast de jure and de facto segregation.
- Analyze the issues being argued in Swann v. Charlotte-Mecklenburg (1971). Argue who had the most compelling legal argument.
- List some of the guidelines the Court gender-based inequities in treatment?
- What are your assessments of this difference?
- What are the most significant “women’s issues” on the current political agenda? Are these issues of relevance only or even particularly to women? Why or why not?

History – Civil Rights in the 1950s (Youtube)
- De jure versus De facto Segregation
- Quote – Shirley Chishom
- Busing Protest in Boston (1970s)
- The Campaign in Congress for Civil Rights Legislation
- The Campaign for Civil Rights: Getting on the Political Agenda / Civil Disobedience / Rosa Parks / Martin Luther King, Jr.
- Letter from Birmingham Jail (1963)
- Legislative Obstacles to the Civil Rights Movement
- Four Key Developments: Breaking the Legislative Impasse on Civil Rights (Shifting Public Opinion, TV Coverage / Kennedy Assassination / 1964 Democratic Landslide
- Passage of Five Key Civil Rights Bills (1957 to 1968)
- Civil Rights Act of 1964
- Voting Rights Act of 1965
- Chart – Growing Support Among Southern Democrats in Congress for Civil Rights Bills Since the 1960s (1957 to 1991) Congressional Quarterly
- Graph: African-Americans in Congress (1965 vs. 2013) (Huffington Post)
- Racial Profiling / DWB (Driving While Black)
- Opinions on Racial
• Romer v. Evans (1996)
• Rosa Parks
• Rostker v. Goldberg (1981)
• Seneca Falls Convention (1948)
• Separate But Equal
• Sipuel v. Board of Regents of University of Oklahoma (1948)
• Southern Manifesto
• Suffrage
• Suspect Classification
• Swann v. Charlotte Mecklenburg (1971)
• Sweat v. Painter (1950)
• Title IX of the Education Amendments Act of 1972
• United Steelworkers v. Weber (1979)
• United States v. Virginia (1996)
• United States v. Windsor (2013)
• Voting Rights Act of 1965
• Webster v. Reproductive Health Services (1989)
• Zone of Privacy (from Griswold v. Connecticut)

created regarding bussing following the Swann v. Charlotte-Mecklenburg decision.
• Discuss why some parents and students may have been opposed to bussing. Judge the value of bussing in terms of integration, cost, and equality.
• Identify some of the methods used by the Civil Rights movement to get their issues on the public agenda.
• Explain why the non-violent Civil Rights movement sometimes transformed into violence and unrest during the 1960s.
• Identify the key block of legislators that were strongly opposed to civil rights legislation during the 1960s.
• Recount some of the reasons why President John F. Kennedy may have been reluctant to embrace sweeping civil rights legislation.
• Pinpoint some of the key developments that helped to break the deadlock on civil rights legislation in the U.S. Congress.
• Identify and describe the series of measures enacted by Congress in the 1950s and 60s that sought to address the concerns of the Civil Rights movement.
• Speculate how changing demographics will impact future civil rights debate and the call for additional legislation.
• Explain what is meant by DWB (Driving While Black). Either defend or refute the practice of racial profiling by police.
• Identify the birthplace and the genesis of the

• Profiling
• • Political Cartoon – Driving While Black
• Political Cartoon – Office of Homeland Security’s New Color Coded Racial Profiling System
• Theme B: Women and Equal Rights
• Historical Overview: Women’s Rights / Seneca Falls Convention (1948) / 19th Amendment
• PBS Crash Course U.S. History – Women’s Suffrage (Youtube)
• Gender-Based Discrimination / Reasonableness / Strict Scrutiny
• Gender-Based Difference Banned by the Courts
• Gender-Based Differences Allowed by the Courts
• Military Conscription / Rostker v. Goldberg (1981)
• The Modern Reality: Women are in Combat
• Political Cartoon – Women in Combat
• Title IX of the Education Amendments Act of 1972 / Grove City College v. Bell (1984)
• PBS Crash Course – Sex Discrimination (Youtube)
• Personal Conduct, Privacy, and Civil Rights
• Sexual Harassment / Quid pro quo / Hostile Environment
• The Supreme Court and Sexual Harassment: Evolving Standards / Murky Case Law
• Privacy, Sex, and Birth Control / Zone of Privacy
• Political Cartoon – Abortion Debate
• Abortion / Roe v. Wade / 14th Amendment
• Roe v. Wade: Guidelines
women's right movement.
• Identify which constitutional amendment permitted American women the right to vote.
• Recount the two major events that dramatically changed the role of women in the work force.
• Speculate why the U.S. Supreme Court prohibited gender-based differences in some cases but permitted those differences in other cases.
• Discuss the significance of 
• Evaluate the implications of having individual states, rather than the national government, determine whether and under what circumstances abortions could be obtained.
• Evaluate the concept of privacy within constitutional terms. In essence, does the U.S. Constitution protect privacy?
• Explain the significance of Roe v. Wade and the political and social controversy it created.
• Describe how the Roe v. Wade ruling impacted when, and if, the government can regulate abortion.
• List the constitutional arguments made by critics of Roe v. Wade.
• Define what affirmative action is and why governments and institutions have adopted it.
• Identify the arguments made by critics of affirmative action.
• Discuss the facts

Provided by the Supreme Court
• Political Cartoon – When Does Life Begin?
• NOW – The National Organization of Women
• Pro-Life Constitutional Arguments
  • Hyde Amendment (1976)
  • Map – The Majority of States Restrict Abortion Coverage to the Hyde Amendment Requirements (Guttmacher Institute)
• Affirmative Action
  • Chart: Views on Race and College Admission from Pew (Pew Research Center)
  • Equality of Results vs. Equality of Opportunity
  • Emerging Standards for Quotas and Preference System
  • Compensatory Action vs. Preferential Treatment
• PBS Crash Course – Affirmative Action (Youtube)
• Gay Rights, the Courts, and the U.S. Constitution
• Historical Precedents / Bowers v. Hardwick
surrounding the case of Regents of the University of California v. Bakke (1978) and how it impacted the practice of racial quotas.
- Describe the emerging standards for quotas and preference systems include.
- Identify how the recent Supreme Court rulings in Lawrence v. Texas (2003) and United States v. Windsor (2013) have fundamentally changed the civil liberties of homosexuals in the United States.
- Predict the future of same-sex marriage in the 21st century.

<table>
<thead>
<tr>
<th>Unit 7 Test</th>
<th>Week 31</th>
<th>Chapter 16 - The Judiciary (Pages 398 to 427)</th>
<th>Chapter 5 – Civil Liberties (Pages 95 to 120)</th>
<th>Chapter 6 – 121 to 150</th>
<th>Comprehension &amp; Mastery Check</th>
<th>Prepare Students for the College Board Exam</th>
<th>Unit 7 Test</th>
<th>N/A</th>
<th>Review Textbook</th>
<th>N/A</th>
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<td></td>
<td>55 Multiple-Choice Questions</td>
<td></td>
<td>Company’s Website: MindTap (Online self-check and practice tests)</td>
<td></td>
</tr>
</tbody>
</table>
Unit 8
Research Project
Controversial Topic Research Paper and Presentation

## Curriculum Requirement (CRs) addressed:

<table>
<thead>
<tr>
<th>Curriculum Requirements 1 through 16</th>
<th>CR 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15</th>
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</thead>
</table>

## Reasoning Processes (RPs) addressed:

<table>
<thead>
<tr>
<th>Reasoning Process 1: Definition / Classification</th>
<th>RP 1.a, b, c, d, e, f</th>
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<tbody>
<tr>
<td>Reasoning Process 2: Process</td>
<td>RP 2.a, b, c, d</td>
</tr>
<tr>
<td>Reasoning Process 3: Causation</td>
<td>RP 3.a, b, c, d, e</td>
</tr>
<tr>
<td>Reasoning Process 4: Comparison</td>
<td>RP 4.a, b, c, d</td>
</tr>
</tbody>
</table>

## Disciplinary Practices (DPs) addressed:

<table>
<thead>
<tr>
<th>Disciplinary Practice 1: Apply political concepts and processes to scenarios in contest</th>
<th>DP 1.a, b, c, d, e</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disciplinary Practice 2: Apply Supreme Court decisions</td>
<td>DP 2.a, b, c, d</td>
</tr>
<tr>
<td>Disciplinary Practice 3: Analyze and interpret quantitative data represented in tables, charts, graphs, maps, and infographics</td>
<td>DP 3.a, b, c, d, e, f</td>
</tr>
<tr>
<td>Disciplinary Practice 4: Read, analyze, and interpret foundational documents and others text-based and visuals sources</td>
<td>DP 4.a, b, c, d</td>
</tr>
<tr>
<td>Disciplinary Practice 5: Develop an argument in essay format</td>
<td>DP 5.a, b, c, d</td>
</tr>
</tbody>
</table>
**Big Ideas (BIs) addressed:**

<table>
<thead>
<tr>
<th>CON</th>
<th>Constitutionalism</th>
<th>BI-CON 5, 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOR</td>
<td>Liberty and Order</td>
<td>BI-LOR 1, 2, 3</td>
</tr>
<tr>
<td>PDR</td>
<td>Civics Participation in a Representative Democracy</td>
<td>BI-PDR 1, 2, 3</td>
</tr>
<tr>
<td>PMI</td>
<td>Competing Policy Making Interest</td>
<td>BI-PMI 1, 2, 3, 4, 5</td>
</tr>
<tr>
<td>MPA</td>
<td>Methods of Political Analysis</td>
<td>BI-MPA 1, 2, 3</td>
</tr>
</tbody>
</table>

**Political Skills and Practices (PS&P) addressed:**

<p>| Skill 1: Describe and explain constitutional and political institutions, principles, processes, models, and beliefs | PS&amp;P 1.A, B |
| Skill 2: Explain connections among political behavior, political institutions, belief, and cultural factors | PS&amp;P 2.A, B |
| Skill 3: Read, analyze, and interpret quantitative data to draw conclusions about political principles, processes, behavior and outcomes | PS&amp;P 3.A |
| Skill 4: Read, analyze, and interpret qualitative sources | PS&amp;P 4.A, B |
| Skill 5: Read, analyze, and interpret qualitative resources | PS&amp;P 5.A, B |</p>
<table>
<thead>
<tr>
<th>UNIT</th>
<th>WEEK</th>
<th>TOPICS COVERED</th>
<th>UNIT OBJECTIVES</th>
<th>UNIT ACTIVITIES</th>
<th>POWERPOINT NOTES / TOPICS</th>
<th>READING ASSIGNMENTS / HOMEWORK</th>
<th>SUPPLEMENTAL READING ESSAY RESPONSE QUESTIONS</th>
</tr>
</thead>
</table>
| N/A  | Week 33-38 | Controversial Research Topics (Research, Topic Development, Critical Writing, PowerPoint Creation, Oral Arguments) | • Articulate a defensible claim or thesis  
• Support the argument using relevant evidence  
• Logically organize and analyze evidence, explaining its significance to justify the claim or thesis  
• Use refutation, concession, and rebuttal in responding to opposing or alternative perspectives  
• Demonstrate the ability to gather data and research to develop a well-crafted argument on a controversial topic  
• Cite real world examples and analytical data in crafting a compelling argument on behalf of a specific position  
• Demonstrate the ability to conduct independent research utilizing academic resources.  
• Utilize both printed and electronic resources.  
• Synthesize information and various points of view to articulate a well-informed viewpoint about an assigned topic.  
• Demonstrate mastery of a given topic by identifying and effectively using expert testimonials, data driven facts, and academically sound / legal reasoning | • Two students will select one of the categories of controversial issues. One student will research and present a “pro” point of view to the class. The other student will research and present a “con” point of view to the class.  
• The focus of your presentation / arguments is the appropriate role of the government / politics in the controversy.  
• Research Forms (5 pts. each) Conduct research on your topic and submit a series of research forms documenting your collected evidence (There will be a minimum of five research forms collected for this project). These forms will be submitted at the end of each research session for evaluation. You are to use either government, educational, or organizational websites when researching your topic. You are not permitted to use Wikipedia or Social Media as a source.  
• Argumentative / Persuasive Research Paper (86 pts.) Each student will write a five page argumentative / persuasive research paper. The paper must be formatted according to MLA guidelines (plain white paper, 1-inch margins, 12pt. sized font, and Times New Roman font). The paper will have an introduction, a series of three to four distinct evidence driven arguments, and a concluding or summarizing paragraph. Parenthetical citations (in-text) are required for this paper. Students will also have a MLA formatted Works Cited page at the end of the essay.  
• Oral Presentation (40 pts.) - Students will give an oral presentation before the class on the merits of their position. The oral argument must be at least three to five minutes in length. Students must be prepared to respond to questions from the class about their topics.  
• Multi-Media Presentation (30 pts.) - Students are required to create a | Persuasive Essay Tips and Techniques  
Tips on Preparing an Outstanding PowerPoint Presentation (Elements of Success)  
Tips on giving an outstanding oral presentation before a group | Additional research on your own | N/A |
A PowerPoint that will be used in conjunction with their oral presentation. The PowerPoint must contain:

- A Title Slide (You name, topic/position, date, subject)
- Topic Overview Slide (Bullet summary of the issue and the government’s role in the controversy).
- A minimum of three to four argumentative slides that contain the title of the argument, objective facts, illustrations, quotes, data, graphics, etc. to support a particular side of an argument
- Summary slide (recap of points / closing arguments)
- Works Cited Slide - MLA formatted.
**Appendix A: Required Foundational Documents**

The following listing represents the required readings for the course as they relate to the enduring understandings.

<table>
<thead>
<tr>
<th>EU 1.A: A balance between governmental power and the individual rights has been a hallmark of American political development.</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Federalist No. 10: The Same Subject Continued – The Utility of the Union as a Safeguard Against Domestic Faction and Insurrection (<a href="https://teachingamericanhistory.org/library/document/federalist-no-10/">https://teachingamericanhistory.org/library/document/federalist-no-10/</a>)</td>
</tr>
<tr>
<td>• The Declaration of Independence (<a href="https://www.archives.gov/founding-docs/declaration">https://www.archives.gov/founding-docs/declaration</a>)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EU 1.B: The writing and ratification of the Constitution emerged from the debate about weaknesses in the Articles of Confederation and was the product of important compromises.</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The Articles of Confederation (<a href="http://www.ushistory.org/documents/confederation.htm">http://www.ushistory.org/documents/confederation.htm</a>)</td>
</tr>
<tr>
<td>• The Constitution of the United States (including the Bill of Rights and following Amendments) (<a href="https://constitutioncenter.org/interactive-constitution">https://constitutioncenter.org/interactive-constitution</a>)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EU 1.C: The Constitution creates a complex and competitive policy-making process to ensure the people’s will is accurately represented and that freedom is preserved.</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The Constitution of the United States (including the Bill of Rights and following Amendments) (<a href="https://constitutioncenter.org/interactive-constitution">https://constitutioncenter.org/interactive-constitution</a>)</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>EU 1.D: Federalism reflects the dynamic distribution of power between national and state governments.</th>
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</thead>
<tbody>
<tr>
<td>• The Constitution of the United States (including the Bill of Rights and following Amendments) (<a href="https://constitutioncenter.org/interactive-constitution">https://constitutioncenter.org/interactive-constitution</a>)</td>
</tr>
<tr>
<td>EU 2.C: The 14th Amendment’s “equal protection clause” has often been used to support the advancement of equality.</td>
</tr>
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<td>---------------------------------------------------------------</td>
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<tr>
<td>• <strong>Letter from Birmingham Jail</strong> (Martin Luther King, Jr.)</td>
</tr>
<tr>
<td>(<a href="https://web.cn.edu/kwheeler/documents/Letter_Birmingham_Jail.pdf">https://web.cn.edu/kwheeler/documents/Letter_Birmingham_Jail.pdf</a>)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EU 5.B: The presidency has been enhanced beyond its expressed constitutional powers.</th>
</tr>
</thead>
<tbody>
<tr>
<td>• <strong>Federalist No. 70: The Executive Department Further Considered</strong></td>
</tr>
<tr>
<td>(<a href="http://teachingamericanhistory.org/library/document/federalist-no-70/">http://teachingamericanhistory.org/library/document/federalist-no-70/</a>)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EU 5.C: The design of the judicial branch protects the court’s independence as a branch of government, and the emergence and use of judicial review remains a powerful judicial practice.</th>
</tr>
</thead>
<tbody>
<tr>
<td>• <strong>Federalist No. 78: The Judiciary Department</strong> (<a href="http://teachingamericanhistory.org/library/document/federalist-no-78/">http://teachingamericanhistory.org/library/document/federalist-no-78/</a>)</td>
</tr>
</tbody>
</table>
### Appendix B: Required Supreme Court Cases

The following listing represents Supreme Court cases and their holdings as related to the enduring understandings.

<table>
<thead>
<tr>
<th>EU 1.D: Federalism reflects the dynamic distribution of power between national and state governments.</th>
</tr>
</thead>
<tbody>
<tr>
<td>• <em>McCulloch v. Maryland (1819)</em> – Established supremacy of the U.S. Constitution and federal laws over state laws.</td>
</tr>
<tr>
<td>• <em>United States v. Lopez (1995)</em> – Congress may not use the commerce clause to make possession of a gun in a school zone a federal crime.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EU 2.A: Provisions of the Bill of Rights are continually being interpreted to balance the power of government and the civil liberties of individuals.</th>
</tr>
</thead>
<tbody>
<tr>
<td>• <em>Engel v. Vitale (1962)</em> – School sponsorship of religious activities violates the establishment clause.</td>
</tr>
<tr>
<td>• <em>Wisconsin v. Yoder (1972)</em> – Compelling Amish students to attend school past the eighth grade violates the free exercise clause.</td>
</tr>
<tr>
<td>• <em>New York Times Company v. United States (1971)</em> – Bolstered the freedom of the press, establishing a “heavy presumption against prior restraint” even in cases involving national security.</td>
</tr>
<tr>
<td>• <em>Schenck v. United States (1919)</em> – Speech creating a “clear and present danger” is not protected by the First Amendment.</td>
</tr>
</tbody>
</table>
EU 2.B: The due process clause of the 14th Amendment has been interpreted to prevent the states from infringing upon basic liberties.

- **Gideon v. Wainwright (1963)** – Guaranteed the right to an attorney for the poor or indigent.
- **Roe v. Wade (1973)** – Extended the right of privacy to a woman’s decision to have an abortion
- **Gitlow v. New York (1925)** – States may prohibit speech having a tendency to cause danger to public safety.
- **McDonald v. Chicago (2010)** – The Second Amendment right to keep and bear arms for self-defense is applicable to the states.

EU 2.C: The 14th Amendment’s “equal protection clause” has often been used to support the advancement of equality.

- **Plessy v. Ferguson (1896)** – Upheld "separate but equal" racial segregation by the states.
- **Brown v. Board of Education I (1954)** – Race-based school segregation violates the equal protection clause.
- **Brown v. Board of Education II (1955)** – School districts and federal courts must implement the Court’s decision in Brown v. Board of Education I (1954) “with all deliberate speed”.

EU 4.E: The impact of federal polices on campaigning and electoral rules continue to be contested by both sides of the political spectrum.

- **Buckley v. Valeo (1976)** – Campaign spending is a form of protected speech under the First Amendment, subject to restrictions on campaign contributions by individuals.
- **Citizens United v. Federal Election Commission (FEC) (2010)** – Political spending by corporations, associations, and labor unions is a form of protected speech under the First Amendment.
**EU 5.A: The republican ideal in the U.S. is manifested in the structure and operation of the legislative branch.**

- **Baker v. Carr (1961)** – Court-enforced redistricting based on the principle of “one-person-one-vote” ensured that urban constituencies were represented proportionally equal to rural area constituents.


**EU 5.C: The design of the judicial branch protects the Court’s independence as a branch of government, and the emergence and use of judicial review remains a powerful judicial practice.**

- **Marbury v. Madison (1803)** – Established the principle of judicial review empowering the Court to nullify an act of the legislative or executive branch that violates the Constitution.
Appendix C: Additional Supreme Court Cases Covered in the Curriculum
The following listing represents Supreme Court cases and their holdings as related to the enduring understandings.

<table>
<thead>
<tr>
<th>Unit 1: Chapters 1, 20, and 4</th>
<th>The Study of American Government, American Democracy: Then &amp; Now, American Political Culture</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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<table>
<thead>
<tr>
<th>Unit 2: Chapters 2, 3, and 18</th>
<th>U.S. Constitution, Federalism, Economic Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>• <strong>Wickard v. Filburn (1942)</strong> – Production quotas under the Agricultural Adjustment Act of 1938 were constitutionally applied to agricultural production that was consumed purely intrastate because its effect upon interstate commerce placed it within the power of Congress to regulate under the Commerce Clause.</td>
<td></td>
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</table>

| • **National Federation of Independent Business (NFIB) v. Sebelius (2012)** – The Tax Anti-Injunction Act does not apply because the Patient Protection and Affordable Care Act (ACA)'s labeling of the individual mandate as a "penalty" instead of a "tax" precludes it from being treated as a tax under the Anti-Injunction Act. The individual mandate provision of the ACA functions constitutionally as a tax, and is therefore a valid exercise of Congress's taxing power. Congress exceeded its Spending Clause authority by coercing states into a transformative change in their Medicaid programs by threatening to revoke all of their Medicaid funding if they did not participate in the Medicaid expansion, which would have an excessive impact on a state's budget. Congress may withhold from states refusing to comply with the ACA's Medicaid expansion provision only the additional funding for Medicaid provided under the ACA. |

| • **U.S. v. Morrison (2000)** – The Violence Against Women Act of 1994, is unconstitutional as exceeding congressional power under the Commerce Clause and under section 5 of the Fourteenth Amendment to the Constitution. |

| • **Printz v. U.S. (1997)** – The Brady Handgun Violence Prevention Act's interim provision commanding the "chief law enforcement officer" (CLEO) of each local jurisdiction to conduct background checks, is unconstitutional. |

<table>
<thead>
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<th>Unit 3: Chapters 8, 9, and 10</th>
<th>Political Participation, Political Parties, Elections &amp; Campaigns</th>
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<tbody>
<tr>
<td>N/A</td>
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<tr>
<td>Unit 4: Chapters 7, 11, and 12</td>
<td>Public Opinion, Interest Groups, The Media</td>
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<td>--------------------------------</td>
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<tr>
<td>• <strong>Branzburg v. Hayes (1972)</strong> – The First Amendment's protection of press freedom does not give the reporter's privilege in court.</td>
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<thead>
<tr>
<th>Unit 5: Chapters 14, 19, and 15</th>
<th>The Presidency, Foreign &amp; Military Policy, The Bureaucracy</th>
</tr>
</thead>
<tbody>
<tr>
<td>• <strong>U.S. v. Nixon (1973)</strong> - The Supreme Court does have the final voice in determining constitutional questions; no person, not even the president of the United States, is completely above the law; and the president cannot use executive privilege as an excuse to withhold evidence that is &quot;demonstrably relevant in a criminal trial.&quot;</td>
<td></td>
</tr>
<tr>
<td>• <strong>Immigration and Naturalization Service v. Chadha (1983)</strong> – Congress may not promulgate a statute granting to itself a legislative veto over actions of the executive branch that is inconsistent with the bicameralism principle and Presentment Clause of the Constitution.</td>
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<table>
<thead>
<tr>
<th>Unit 6: Chapters 13 and 17</th>
<th>Congress, Domestic Policy (Policy Making, Social Welfare, Business Regulation, Environmental Policy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• <strong>Gill v. Whitford (2017)</strong> – A case involving the constitutionality of partisan gerrymandering. Other forms of gerrymandering based on racial or ethnic grounds have been deemed unconstitutional, and while the Supreme Court has identified that extreme partisan gerrymandering can also be unconstitutional, the Court has not agreed on how this can be defined, leaving the question to lower courts to decide.</td>
<td></td>
</tr>
</tbody>
</table>
### Unit 7: Chapters 16, 5, and 6
### The Judiciary, Civil Liberties, Civil Rights

- **Dred Scott v. Sandford (1857)** – In this ruling, the U.S. Supreme Court stated that slaves were not citizens of the United States and, therefore, could not expect any protection from the Federal Government or the courts. The opinion also stated that Congress had no authority to ban slavery from a Federal territory.
  

- **Walmart v. Dukes (2011)** – Plaintiffs failed to show that their proposed class shares a common question of law or fact required under Rule 23. In addition, claims for monetary relief are not eligible for class certification under Rule 23.
  

- **Sheppard v. Maxwell (1966)** – Sheppard did not receive a fair trial due to media interference.
  

- **Kunz v. New York (1951)** – A case finding a requirement mandating a permit to speak on religious issues in public was unconstitutional.
  

- **Baron v. Baltimore (1833)** – A case that determined that state governments are not bound by the Bill of Rights.
  

- **Palko v. Connecticut (1937)** – The Fifth Amendment right to protection against double jeopardy is not a fundamental right incorporated by the Fourteenth Amendment to the individual states.
  

- **District of Columbia v. Heller (2008)** – The Second Amendment guarantees an individual's right to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home. United States Court of Appeals for the District of Columbia Circuit affirmed.
  

- **Brandenburg v. Ohio (1969)** – Ohio's criminal syndicalism statute violated the First Amendment, as applied to the state through the Fourteenth, because it broadly prohibited the mere advocacy of violence rather than the constitutionally unprotected incitement to imminent lawless action.
  
• **National Socialist Party of America v. Village of Skokie (1977)** – If a state seeks to impose an injunction in the face of a substantial claim of First Amendment rights; it must provide strict procedural safeguards, including immediate appellate review. Absent such immediate review, the appellate court must grant a stay of any lower court order restricting the exercise of speech and assembly rights.
  

• **Texas v. Johnson (1989)** – A statute that criminalizes the desecration of the American flag violates the First Amendment. Texas Court of Criminal Appeals affirmed.
  

• **Snyder v. Phelps (2011)** – Speech on a matter of public concern, in a public place, cannot be the basis of liability for a tort of emotional distress. Fourth Circuit affirmed, trial court reversed and remanded.
  

• **Morse v. Frederick (2007)** – Because schools may take steps to safeguard those entrusted to their care from speech that can be regarded as encouraging illegal drug use, the school officials in this case did not violate the First Amendment by confiscating the pro-drug banner and suspending Frederick.
  

• **Chaplinsky v. New Hampshire (1942)** – A criminal conviction for causing a breach of the peace through the use of "fighting words" does not violate the Free Speech guarantee of the First Amendment.
  

• **New York Times v. Sullivan (1964)** – The First Amendment, as applied through the Fourteenth, protected a newspaper from being sued for libel in state court for making false defamatory statements about the official conduct of a public official, because the statements were not made with knowing or reckless disregard for the truth. Supreme Court of Alabama reversed and remanded.
  

• **Miller v. California (1973)** – Obscene materials are defined as those that the average person, applying contemporary community standards, find, taken as a whole, appeal to the prurient interest; that depict or describe, in a patently offensive way, sexual conduct or excretory functions specifically defined by applicable state law; and that the work, taken as a whole, lack serious literary, artistic, political, or scientific value.
  
• **Reno v. ACLU (1997)** – Provisions of the CDA (Communications Decency Act) are unconstitutional and unenforceable, except for cases of obscenity or child pornography, because they abridge the freedom of speech protected by the First Amendment and are substantially overbroad. The Internet is entitled to the full protection given to media like the print press; the special factors justifying government regulation of broadcast media do not apply.


• **FEC v. Wisconsin Right to Life, Inc. (2007)** – The Bipartisan Campaign Reform Act's restriction on issue ads in the months preceding elections is constitutional only with respect to ads expressly advocating the election or defeat of a candidate.


• **Everson v. Board of Education of Ewing Township (1947)** – (1) The Establishment Clause of the First Amendment is incorporated against the states through the Due Process Clause of the Fourteenth Amendment. (2) New Jersey law providing public payment of the costs of transportation to and from parochial Catholic schools is not in violation of the Establishment Clause.


• **McCollum v. Board of Education (1948)** – The use of public school facilities by religious organizations to give religious instruction to schoolchildren violates the Establishment Clause of the First Amendment.


• **Zorach v. Clauson (1952)** – Released time programs are acceptable if the instruction takes place away from the school campus, for 1 hour per week, and with no public funding.


• **Kitzmiller v. Dover Area School District (2005)** – Teaching intelligent design in public school biology classes violates the Establishment Clause of the First Amendment to the Constitution of the United States (and Article I, Section 3, of the Pennsylvania State Constitution) because intelligent design is not science and "cannot uncouple itself from its creationist, and thus religious, antecedents."


• **Lemon v. Kurtzman (1971)** – For a law to be considered constitutional under the Establishment Clause of the First Amendment, the law must (1) have a legitimate secular purpose, (2) not have the primary effect of either advancing or inhibiting religion, and (3) not result in an excessive entanglement of government and religion.

<table>
<thead>
<tr>
<th>Case Study</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Pierce v. Society of Sisters (1925)</strong></td>
<td>The Oregon Compulsory Education Act that required attendance at public schools, forbidding private school attendance, was held unconstitutional under the Due Process Clause of the Fourteenth Amendment. <a href="https://en.wikipedia.org/w/index.php?title=Pierce_v._Society_of_Sisters&amp;oldid=828768525">Source</a></td>
</tr>
<tr>
<td><strong>Zelman v. Simmons-Harris (2002)</strong></td>
<td>The Ohio school voucher program does not violate the Establishment Clause even if the vouchers could be used for private, religious schools, because it passed a five-part test developed by the court in the case. <a href="https://en.wikipedia.org/w/index.php?title=Zelman_v._Simmons-Harris&amp;oldid=830103077">Source</a></td>
</tr>
<tr>
<td><strong>Mapp v. Ohio (1961)</strong></td>
<td>The Fourth Amendment prohibition against unreasonable searches and seizures, as applied to the states through the Fourteenth, excludes unconstitutionally obtained evidence from use in criminal prosecutions. Ohio Supreme Court reversed. <a href="https://en.wikipedia.org/w/index.php?title=Mapp_v._Ohio&amp;oldid=830651520">Source</a></td>
</tr>
<tr>
<td><strong>United States v. Leon (1964)</strong></td>
<td>Established that evidence obtained in good faith by police relying upon a search warrant that subsequently is found to be deficient may be used in a criminal trial. <a href="https://en.wikipedia.org/w/index.php?title=United_States_v._Leon&amp;oldid=827006549">Source</a></td>
</tr>
<tr>
<td><strong>Miranda v. Arizona (1966)</strong></td>
<td>The Fifth Amendment right against self-incrimination requires law enforcement officials to advise a suspect interrogated in custody of his or her rights to remain silent and to obtain an attorney. Supreme Court of Arizona reversed and remanded. <a href="https://en.wikipedia.org/w/index.php?title=Miranda_v._Arizona&amp;oldid=831130138">Source</a></td>
</tr>
<tr>
<td><strong>Gideon v. Wainwright (1963)</strong></td>
<td>The Sixth Amendment right to counsel is a fundamental right applied to the states via the Fourteenth Amendment to the United States Constitution's due process clause, and requires that indigent criminal defendants be provided counsel at trial. Supreme Court of Florida reversed. <a href="https://en.wikipedia.org/w/index.php?title=Gideon_v._Wainwright&amp;oldid=832116934">Source</a></td>
</tr>
</tbody>
</table>
• **Furman v. Georgia (1972)** – The arbitrary and inconsistent imposition of the death penalty violates the Eighth and Fourteenth Amendments, and constitutes cruel and unusual punishment.  

• **Gregg v. Georgia (1976)** – The imposition of the death penalty does not, automatically, violate the Eighth and Fourteenth Amendment. If the jury is furnished with standards to direct and limit the sentencing discretion, and the jury's decision is subjected to meaningful appellate review, the death sentence may be constitutional. If, however, the death penalty is mandatory, such that there is no provision for mercy based on the characteristics of the offender, then it is unconstitutional.  

• **Atkins v. Virginia (2002)** – A Virginia law allowing the execution of mentally handicapped individuals violated the Eighth Amendment's prohibition of cruel and unusual punishments. Supreme Court of Virginia reversed and remanded.  

• **Roper v. Simmons (2005)** – The Eighth and Fourteenth Amendments forbid imposition of the death penalty on offenders who were under the age of 18 when their crimes were committed. Supreme Court of Missouri affirmed, and Stanford v. Kentucky overruled.  

• **Dickerson v. United States (2000)** – The mandate of *Miranda v. Arizona* that a criminal suspect be advised of certain constitutional rights governs the admissibility at trial of the suspect's statements, not the requirement that such statements simply be voluntarily given.  

• **Rasul v. Bush (2004)** – The degree of control exercised by the United States over the Guantanamo Bay base is sufficient to trigger the application of habeas corpus rights. The right to habeas corpus can be exercised in all dominions under the sovereign's control.  

• **Gaines v. Canada (1938)** – States that provide only one educational institution must allow blacks and whites to attend if there is no separate school for blacks.  

• **Sipuel v. Board of Regents of University of Oklahoma (1948)** - Colleges cannot deny admittance based on race.  
<table>
<thead>
<tr>
<th>Case Study</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>Sweatt v. Painter (1950)</strong> –</td>
<td>The Equal Protection Clause of the Fourteenth Amendment requires that petitioner be admitted to the University of Texas Law School.</td>
</tr>
<tr>
<td><strong>Mclaurin v. Oklahoma State Regents (1950)</strong> –</td>
<td>Different treatment of students in public institutions of higher learning solely on the basis of race violates the Equal Protection Clause of the 14th Amendment.</td>
</tr>
<tr>
<td><strong>Brown v. Board of Education II (1955)</strong> –</td>
<td>Schools must obey the original Brown ruling and de-segregate, but not immediately. Federal courts will supervise de-segregation.</td>
</tr>
<tr>
<td><strong>Swann v. Charlotte Meckleburg (1971)</strong> –</td>
<td>Busing students to promote integration is constitutional.</td>
</tr>
<tr>
<td><strong>Green v. County School Board of New Kent County (1968)</strong> –</td>
<td>New Kent County's freedom of choice desegregation plan did not comply with the dictates of Brown v. Board of Education and was therefore unconstitutional.</td>
</tr>
<tr>
<td><strong>Rostker v. Goldberg (1981)</strong> –</td>
<td>The Act's registration provisions do not violate the Fifth Amendment. Congress acted well within its constitutional authority to raise and regulate armies and navies when it authorized the registration of men and not women.</td>
</tr>
<tr>
<td><strong>Groove City College v. Bell (1984)</strong> –</td>
<td>Title IX, which applies only to educational institutions that receive federal funds, could be applied to a private school that refused direct federal funding but for which a large number of students had received federally funded scholarships.</td>
</tr>
<tr>
<td><strong>Reed v. Reed (1971)</strong> –</td>
<td>Administrators of estates cannot be named in a way that discriminates between sexes.</td>
</tr>
<tr>
<td><strong>Craig v. Boren (1976)</strong> –</td>
<td>To regulate in a sex-discriminatory fashion, the government must demonstrate that its use of sex-based criteria is substantially related to the achievement of important governmental objectives.</td>
</tr>
</tbody>
</table>
• **United States v. Virginia** (1996) – Commonwealth of Virginia's exclusion of women from the Virginia Military Institute violated Equal Protection Clause of the Fourteenth Amendment.

• **Webster v. Reproductive Heath Service and Planned Parenthood v. Casey** (1992) – The state of Missouri passed a law which in its preamble stated that "the life of each human being begins at conception", and "unborn children have protectable interests in life, health, and well-being." The Court overturned the decision of the lower courts, stating that: (1) The Court did not need to consider the constitutionality of the law's preamble, as it is not used to justify any abortion regulation otherwise invalid under *Roe v. Wade*. (2) The prohibitions on the use of public employees, facilities, and funds did not violate any of the Court's abortion decisions, as no affirmative right to the use of state aid for nontherapeutic abortions existed. The state could allocate resources in favor of childbirth over abortion if it so chose. (3) Provisions requiring testing for viability after 20 weeks of pregnancy were constitutional, but those limiting abortions in the second trimester of pregnancy were unconstitutional.


• **Gonzales v. Carhart** (2007) – Respondents have not demonstrated that the Partial-Birth Abortion Ban Act, as a facial matter, is void for vagueness, or that it imposes an undue burden on a woman's right to abortion based on its overbreadth or lack of a health exception. The decisions of the Courts of Appeals for the Eighth and Ninth Circuits are reversed.

• **Regents of the University of California v. Bakke** (1978) – Bakke was ordered admitted to UC Davis Medical School, and the school's practice of reserving 16 seats for minority students was struck down. Judgment of the Supreme Court of California reversed insofar as it forbade the university from taking race into account in admissions.

• **United Steelworkers v. Weber** (1979) – The Supreme Court held that United Steelworkers of America did not violate the Civil Rights Act of 1964, as their affirmative action plan attempted to help minority workers and did not prevent other employees from advancing.
• **City of Richmond v. J.A. Croson Co. (1989)** – Racial quotas for awarding government contracts are not justified by general statistical evidence of inequality. The city did not investigate any race-neutral methods to correct the imbalance, nor did its 30% goal correspond to any actual measured injury. Strict scrutiny is warranted, a test which Richmond's law fails.
  

• **Grutter v. Bollinger (2003)** – University of Michigan Law School admissions program that gave special consideration for being a certain racial minority did not violate the Fourteenth Amendment.
  

• **Gratz v. Bollinger (2003)** – A state university's admission policy violated the Equal Protection Clause of the Fourteenth Amendment because its ranking system gave an automatic point increase to all racial minorities rather than making individual determinations.
  

• **Parents v. Seattle School District (2007)** – The student assignment plan of Seattle Public Schools and Jefferson County Public Schools does not meet the narrowly tailored and compelling interest requirements for a race-based assignment plan because it is used only to achieve "racial balance." Public schools may not use race as the sole determining factor for assigning students to schools. Race-conscious objectives to achieve diverse school environment may be acceptable.
  

• **Bowers v. Hardwick (1986)** – A Georgia law classifying homosexual sex as illegal sodomy was valid because there was no constitutionally protected right to engage in homosexual sex. Eleventh Circuit reversed and remanded.
  

• **Romer v. Evans (1996)** – An amendment to the Colorado Constitution that prevents protected status under the law for homosexuals or bisexuals was struck down because it was not rationally related to a legitimate state interest. Supreme Court of Colorado affirmed.
  

• **Lawrence v. Texas (2003)** – A Texas law classifying consensual, adult homosexual intercourse as illegal sodomy violated the privacy and liberty of adults to engage in private intimate conduct under the 14th Amendment. Texas state courts reversed and charges dismissed.
  
• **Obergefell v. Hodges (2015)** – The Fourteenth Amendment requires a State to license a marriage between two people of the same sex and to recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out-of-State. United States Court of Appeals for the Sixth Circuit reversed. *Baker v. Nelson* overturned.

• **Boy Scouts of America v. Dale (2000)** – A private organization is allowed, under certain criteria, to exclude a person from membership through their First Amendment right to freedom of association in spite of state antidiscrimination laws.

• **United States v. Windsor (2013)** - Section 3 of the Defense of Marriage Act, which federally defined marriage as a union between one man and one woman as husband and wife, is unconstitutional under the Fifth Amendment Due Process Clause's guarantee of equal protection. The federal government must recognize same-sex marriages that have been approved by the states. The judgment of the Second Circuit is affirmed.
## Appendix D: Supplemental Reading Assignments & Questions

*The Lanahan Readings in the American Polity* - Edited by Ann G. Serow & Everett C. Ladd

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<thead>
<tr>
<th>Unit/Chapter</th>
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<tr>
<td><strong>Unit 1 / Chapter 1</strong>&lt;br&gt;(The Study of Government)&lt;br&gt;Pages 2 to 20</td>
<td>#2 Cynthia Farrar – <em>Dinner with Democracy</em> (Pages 5 to 13)&lt;br&gt;In <em>Dinner with Democracy</em>, Cynthia Farrar redefines the concept of participatory / deliberative democracy. Rather being “mob rule”, Farrar contends that democracy means &quot;continued engagement, imagination, persuasion, openness . . . (that) can be accomplished only through the process of interaction between the self and others.” What are the benefits, and challenges, of a common civics education in which different viewpoints are given an opportunity to be expressed in a structured setting? While discussing politics in a structured setting may be educational and informative, can the exchange of ideas translate into real world compromises? Why or why not?</td>
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<tr>
<td>Chapter 20&lt;br&gt;(American Democracy: Then and Now)&lt;br&gt;Pages 511 to 524</td>
<td>#4 C. Wright Mills - <em>The Power Elite</em> (Pages 21 to 28)&lt;br&gt;C. Wright Mills believed that the Power Elite, rather than setting up explicit organizations who membership is strictly limited to its own members, would rather use existing organizations or institution to further their agenda and to minimize attracting unwanted scrutiny. Do you think this is still the case today? Provide examples/evidence to support your conclusion.</td>
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<td>#5 Richard Zwegenhaft &amp; G. William Domhoff - <em>Diversity in the Power Elite</em> (Pages 29 to 38)&lt;br&gt;According to Richard Zwegenhaft and G. William Domhoff, the Power Elite’s new outward diversity (i.e. – the inclusion of minorities and women) is really a façade. While newer members of the Power Elite may be diverse, they still retain the mindset and attitudes of the older, white males that have supplant. In essence, outwardly they look different but their attitudes and outlooks are nearly identical to the elites of old. Do you believe that Zwegenhaft and Domhoff’s thesis is an accurate assessment? Why or why not?</td>
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<td></td>
<td>#6 Robert Dahl - <em>Who Governors? And a Preface to Democratic Theory</em> (Pages 39 to 45)&lt;br&gt;Robert Dalh contends that public policy is made by a “steady appeasement of relatively small groups.” Does his assessment help to explain what is commonly considered hyper-pluralism or gridlock in governmental action and policy formation? Provide examples to illustrate the real world consequences of trying to make every faction “happy” while trying to formulate public policy for a nation over 300 million people.</td>
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<td>#9 Robert Bellah &amp; Others - <em>Habits of the Heart</em> (Pages 59 to 66)&lt;br&gt;Do you agree or disagree with the following statement? “In a healthy society the private and public are not mutually exclusive, not in competition with each other. They are, instead, two halves of a whole, two poles of a paradox. They work together dialectically, helping to create and nurture one another.” What was Bellah trying to get at in regards to <em>individualism</em> and the <em>nature of civil society</em>?</td>
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</table>
**Unit 1 / Chapter 20 (American Democracy: Then and Now) Pages 511 to 524**

1. **The Teaching of Niccolo Machiavelli**
   In order to achieve a desired goal, a politician/leader/government official may have to be unethical, untruthful, or even commit an illegal act for the greater good. Niccolo Machiavelli believed that this was a form of amoral pragmatism that was essential for effective leadership; do you agree or disagree? Do the ends justify the means? Use historical and/or political examples to help frame your reply to the question.

2. **The Value & Vice of Power**
   What aspect of power, either coercion or persuasion, could best be used to get society to support the actions of the government? Why is the context of a particular situation/crisis essential to understanding which choice a government may choose to embrace?

   Would Niccolo Machiavelli understand and/or support the rule of Joseph Stalin in light of the economic accomplishments he was able to achieve in the U.S.S.R. prior to World War II? Within the context of Joseph Stalin’s rule either refute or support the following statement – “the ends justify the means.”

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**Unit 1 / Chapter 4 (American Political Culture) Pages 76 to 94**

1. **Alexis de Tocqueville - Democracy in America (Pages 3 to 6)**
   Since its colonization, Americans have been blessed with vast expanses of easily obtainable land. This social and economic reality was radically different from most of the nations of the Old World (Europe) in which feudalism limited ownership of land to a particular class of people. Speculate why the physical abundance of natural resources in North America enabled the ideals of equality and democracy to take root and flourish first in the colonies and later in the independent United States. Also consider if American political culture would have been different if North America had not been as bountiful for its early settlers and immigrants. Would democracy still have flourished?

3. **James Davison Hunter – The Enduring Culture War (Pages 14 to 20)**
   Local and national elites often “frame issues in stark terms, take uncompromising positions, and delegitimize their opponent.” This clash of elites and “cultural warriors” often reduces the influence of the majority of Americans who would prefer greater reason, compromise, and harmony. 1) Speculate how new technology (Internet, Blogs, Social Media) are contributing to the growth of factionalism/hyper-pluralism. 2) Speculate how this polarized discourse is impacting American democracy for better or worse in the 21st century.

7. **Cornel West - Race Matters (Pages 46 to 53)**
   America has a long and painful history when it comes to issues of race. While some hailed the election of Barack Obama as an indicator that America had moved beyond race as a societal divider, others pointed to the election of Donald Trump that the racial divide was as large as ever. Which perspective is the most accurate in light of recent history? Using examples highlighted in the news or in current events, postulate about the state of race relations in the United States in the 21st century.

8. **Michael Kammen - People of Paradox (Pages 54 to 58)**
   In your opinion, how does the rest of the world view the United States with the context of the many contradictions, ambiguities, and dualistic nature of American culture? In particular, consider how more traditional cultures view the role/impact of American culture on the world stage and why it may be perceived as an existential threat to their own culture.
#11 – Richard Hofstadter - *The American Political Tradition* (Pages 79 to 84)
How did the Framers of the U.S. Constitution reconcile the type of government they created with their perceived nature of man? In essence, explain how the fear of democracy lent to the crafting of the U.S. Constitution.

#13 – David Brian Robertson – *The Constitution and America’s Destiny* (Pages 90 to 98)
According to David Brian Robertson, “the delegates who made the Constitution were first and foremost politicians, not philosophers, political scientists, or plundering speculators.” Was the skill set of the politician more critical in the crafting of the U.S. Constitution than the wisdom and insights of political philosophers and historians? Why or why not.

# 10 – James Madison - *The Federalist 10 and 51* (Pages 67 to 78)
One of the greatest concerns that Madison had in drafting the new constitution was the dangerous and divisive nature of factions. Madison realized that factions could not be removed – only their effects could be limited. What did he mean with this assessment? How does a federal republic limit the impact of factions and help to preserve unity throughout the nation despite its many differences? Provide specific examples to support your argument.

#15 - James Madison - *The Federalist 39 and 46* (Pages 111 to 115)
According to James Madison, what are the distinct and essential characteristics of the republican form of government? What is key in Madison’s claim that the establishment of the new Constitution would be a federal, and not a national constitution? Do you agree or disagree with his conclusions? Why or why not?

#16 – Andrew Karch – *Democratic Laboratories* (Pages 116 to 122)
Karch argues today that technological advancements in communication technology allows for the rapid diffusion of ideas and policies amongst the various states governments. The upside of this rapid dispersion of knowledge is that it allows new ideas and approaches to be considered by other state officials dealing with their own state problems. The downside, however, is the expectation of always “chasing the latest trend” or “great new idea” without any consideration given for potential long-term consequences or even if the idea in itself is needed. In balance, is it always good to have these “ideas” coming in a fast or furious manner or would it be better to have a “go slow approach” which involves evaluating long terms ramifications of any dynamic changes before actually adopting them? Within this debate consider whether the Federal government should act as a “throttle” or as a “break” when it comes to state innovation by either encouraging or discouraging it?

#17 – Erin Ryan – *Federalism and the Tug of War Within* (Pages 123 to 123)
Federalism allows political flexibility and local preferences when it comes to policy choices and state sponsored legislation and regulations. However, environmental issues, especially those surrounding air or water quality, often have a national / international impact well beyond the political boundaries on an individual state. Is the challenge of environmental protection as we know it simply too big of a problem to have a piecemeal, state-level approach to the problem? Why or why not. Explain.

#18 – Lori Riverstone-Newell – *Cities, Public Policy, and the Dilemmas of Federalism* (Pages 133 to 138)
While federalism permits the states the authority to experiment with policy and legislation to suit their individual needs, this same degree of sovereignty is not usually extended to local governments (cities, counties, towns, etc.). What are the benefits and pitfalls of cities choosing to adopt policies contrary to state and national law (i.e. – sanctuary cities for illegal immigrants, decriminalization of marijuana, etc.). Why haven’t state and the national government been more forceful when dealing with this local defiance? Are these actions a symbol of a robust form of federalism thriving in America or a manifest symptom of hyperpluralism and parochialism run amuck?
Unit 2 / Chapter 18 (Economic Policy) Pages 461 to 480

#75 – Milton Friedman – *Free to Choose* (Pages 607 to 612)
According to Friedman’s assessment, government, like power, in itself is not the problem. Rather, in the hands of men, government is often viewed as a tool to solve every problem and address every need regards to the cost of individual freedom. In the end, this massive entity becomes a juggernaut destroying personal freedom under the guise of the “common good”. Friedman advocates a return to restraint, to smaller, limited government rather than creating a giant social-welfare safety net for society. However, in the 21st century would it really be possible to return to limited government in which American citizens would tolerate a “hands off” government? Make a pro or con argument about the feasibility of adopting Friedman's views in today's society.

#76 – David Wessel – *Red Ink* (Pages 613 to 620)
David Wessel outlines the scope and depth of America’s fiscal problems with special emphasis place on the growing national debt. Gauging the enormity of the problem, Wessel does not offer the reader a formula to solve these huge national problems. After reading the article, propose some steps that could be taken to address this dire social, political, and economic situation. Next, assess the likelihood of any of your recommendations being adopted by the government. Finally, predict what the economic future may hold for the United States in light of our national debt.

Unit 3 / Chapter 8 (Political Participation) Pages 171 to 188

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**American Politics: Classic and Contemporary Readings**

#5.1 - Micah L. Sifry - "Finding the Lost Voters"
Micah Sifry argues that voter turnout would increase if party candidates ran progressive and populist campaigns to get more people actively engaged with the political process. Is it likely that parties in the future will take his advice? Why or why not? Consider that both Donald Trump and Bernie Sanders employed this approach in the 2016 election cycle. Do you have any additional suggestions that might help to increase voter participation?

#5.2 - Michael Schudson - "Voting Rites: Why We Need a New Concept of Citizenship"
What does Michael Schudson mean by "the burden of Progressivism"? Does the Progressive model of citizenship seem unrealistic when applied to today's voters? Why or why not? Have you personally experienced the "burden of Progressivism" even though you probably have not yet voted?

#5.3 - Robert D. Putnam - "Bowling Alone: America's Declining Social Capital"
What is "social capital" and how is it linked to politics? What indicators suggest that social capital is in decline in the United States? How could this decline impact politics and government in the future?
<table>
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<tr>
<th>Unit 3 / Chapter 9 (Political Parties) Pages 189 to 212</th>
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<tr>
<td>#58 – Matt Barreto &amp; Gary Segura – <em>Latino-America</em> (Pages 455 to 460)</td>
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<td>The Latino “wave” is upon the political landscape of America as Latinos are expected to become the majority race sometime by the mid-21st century. The authors contend the Democratic Party has failed to fully harness this untapped power to maximize their electoral advantage. For Republicans, failure to attract enough non-whites to their party may hinder them from having success in the future. Speculate what will Trump’s legacy be in regards to the pivotal role Latino-Americans will play in the future of American elections? Speculate / predict the future of both parties with the rise of Latino-America.</td>
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<tr>
<td>#68 – Robert Brownstein – <em>The Second Civil War</em> (Pages 551 to 557)</td>
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<tr>
<td>The central obstacle to more effective action against our most pressing problems is an unrelenting polarization of America’s political parties. That polarization has divided Washington, and the nation, into hostile, even irreconcilable camps. Has partisan rivalry and ideological entrenchment undermined any chance of compromise in Washington, D.C. on a whole host of public policy issues? What will be the long-term ramification of hyper partisanship on the two major parties?</td>
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<tr>
<td>#69 – Bill Bishop – <em>The Big Sort</em> (Pages 558 to 565)</td>
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<td>Bill Bishop lays out a compelling argument that the United States has sorted itself into like-minded niches, or tribes, that hold common values and worldviews and avoid interacting with those who share an opposing perspective. It seems that the Madisonian fear of factionalism is now a reality in the new age of tribalism. What may be the long-term ramifications of this for the future of the United States? Have we become too diverse, too different in our worldviews and attitudes that we choose to self-segregate rather than interacting with those who may be ideologically different?</td>
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<td>#70 – William Frey – <em>Diversity Explosion</em> (Pages 566 to 574)</td>
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<td>William Frey’s prediction of future Democratic wins due to shifting demographics was recently called into question. Frey failed to predict the rise of Donald Trump or the reemergence of the angry, disgruntled working class long overlooked by Democratic elites. Does political earthquake serve as a cautionary tale about making assumptions about which political party may benefit from shifting demographics? Speculate why Frey may have miscalculated the success of the Democratic Party to date.</td>
</tr>
<tr>
<td>#71 – Robert Putnam &amp; David Campbell – <em>American Grace</em> (Pages 575 to 582)</td>
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<td>How can religious pluralism coexist with religious polarization? Does the “God Gap” between Democrats and Republicans mean greater polarization on issues such as abortion and gay marriage? Does religion in itself cause polarization or has it more to do with individuals using religion as a justification for the actions they take or positions they advocate?</td>
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<tr>
<td>#72 – Linda Killian – <em>The Swing Vote</em> (Pages 583 to 592)</td>
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<td>According to Linda Killian, a large segment of the American electorate would be in the so-called mushy middle, sharing a mix of conservative economic and socially liberal viewpoints. Despite the moderate predisposition of this demographic, both political parties seem unwilling to embrace moderate candidates to attract these voters consistently. Instead, the pathway to the nomination is often playing to the extremes of the ideological spectrum. Why is that the case? Speculate what role the presidential primary / caucus systems has had on this neglect of the moderate voter.</td>
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### Unit 3 / Chapter 10 (Campaigns & Elections) (Pages 213 to 243)

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<tr>
<th>#33 – Samuel Popkin – <em>The Candidate</em> (Pages 246 to 252)</th>
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<td>A presidential campaign can sometimes go wrong when it must go right. To win, a candidate must create a strong supporting team to facilitate any chance of success. The team will help a presidential hopeful to be agile, to balance conflicting demands, and have the endurance to handle the setback when things don’t go as planned. If successful, some of these “team members” will accompany the new president to the White House. However, many do not. Speculate why some individuals may be ideally suited for a campaign run yet cannot transition effectively into helping a new administration govern. You may want to research some of the following individuals to provide you some context for your response – James Carville (Clinton), Sean Spicer (Trump), and Steve Bannon (Trump).</td>
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<th>#60 – Dan Scala - <em>Stormy Weather</em> (Pages 471 to 477)</th>
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<td>The long and grueling primary calendar quickly reduces the competing field of candidates from a dozen or more individuals to maybe the top two or three candidates for each party’s nomination. In order for a candidate to have any chance of success they often need a bounce coming out of the Iowa caucus, and especially New Hampshire primary. How could the party primary system be made “fairer” and allow a candidate to be selected from a larger cross section of society that represents the broader spectrum of values and beliefs that are held by the American people rather than utilizing the current system?</td>
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<th>#61 – Robert Boatright – <em>Getting Primaried</em> (pages 478 to 486)</th>
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<td>According to Robert Boatright, “getting primaried” – or just the threat of getting primaried – only adds to the further polarization of party politics in the U.S. Is the quest by outside groups and party bases to weed out the non-ideological pure candidates a major factor in gridlock today? Explain.</td>
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<th>#62 – Dennis Johnson - <em>No Place for Amateurs</em> (Pages 487 to 496)</th>
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<td>Has the rise of political hired guns to run campaigns and formulate policy either elevated or diminished the democratic nature of our political system? Does this new reality encourage or discourage greater political participation from average citizens? Explain / elaborate.</td>
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<th>#63 – David Mark – <em>Going Dirty</em> (Pages 497 to 505)</th>
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<td>The issues and themes of negative campaigning will vary by decade and era, but not the use of those tactics by ambitious politicians. According to David Mark, voters should be given as many facts about potential office holders as possible so they can make up their own minds about what is, and what is not important. Do you agree? What if the information being presented is distorted, misleading, or not even relevant? How is the voting public to know what to believe and how are they to discern what is important and what is trivial?</td>
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<th>#64 – Sasha Issenberg – <em>The Victory Lab</em> (Pages 506 to 517)</th>
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<td>The author refers to the letters that were sent to thousands of Coloradoans voters as a useful weapon in the “politics of shame.” Rather than broad appeals to turn out voters, the campaign of Bennet instead used micro-targeting to guilt tripped reluctant voters by reminding them to consider the potential consequence of their electoral inaction. Surprisingly, the ploy worked! Do you think this style of micro-targeting could again be effective or be applied at the national level? Why or why not. Why are people more responsive to passive aggressive “simplicity” rather than Madison Avenue advertising that tries to inspire?</td>
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<tr>
<th>#65 – Kenneth Vogel – <em>Big Money</em> (Pages 518 to 527)</th>
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<td>A few dozen rich donors might now have the influence that the parties’ nominees will be and what platforms they could embrace. What impact will the big money donors have on America’s party system in the future, especially after the <em>Citizens United</em> decision?</td>
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there a danger that a single individual or small group could fundamentally alter a party’s platform or choice of candidates based upon their own personal agenda? Is this a danger to democracy or simply a by-product of it?

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<tr>
<th>Unit 4 / Chapter 7 (Public Opinion) Pages 152 to 170</th>
<th>#49 – V.O. Key – <em>Public Opinion and American Democracy</em> (Pages 389 to 394)</th>
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<td>According to V.O. Key, why do politicians (i.e. – political elites) still value and try to gauge public opinion even if they tend not to trust it? Is there a danger of ignoring the masses (i.e. – majoritarians)? Could this help explain what happened with the rise of Donald Trump in 2016? Why is competition essential amongst the various political elites in order for democracy to flourish?</td>
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<th>#50 – Thomas Cronin - <em>Direct Democracy</em> (Pages 395 to 402)</th>
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<td>Does direct democracy measures such as initiative, referendums, and recalls undermine government stability and the legitimacy of a duly elected republican government? Does the mass of people who make up society have the necessary knowledge, wisdom, and experience to play such a crucial role in government decision making? Why or why not? What would the Framers of the U.S. Constitution thought of these expressions of the popular will?</td>
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<tr>
<th>#52 – Cass Sunstein – <em>Republic.com 2.0</em> (Pages 411 to 417)</th>
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<td>Cass Sunstein focuses on the often overlooked but important role of “cyber niches” on the Internet and their impact on political discourse in the U.S. Rather than serving as a “common carrier” of information that was prevalent during the era of broadcast news, the Internet encourages the personalized world of information in which individuals may limit self-exposure to a few favorite topics and a few points of views. This, in turn, has diminished the impact of news as an agent of socialization that provides a “shared experience” for a diverse society. Is Sunstein correct in concluding that the Internet may be damaging democracy by encouraging polarization and narrowing down to partisan preferences that are tailored to the viewers’ preferences?</td>
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<tr>
<th>Unit 4 / Chapter 11 (Interest Groups) Pages 244 to 267</th>
<th>#55 – E.E. Schattschneider - <em>The Semi-Sovereign People</em> (Pages 430 to 434)</th>
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<td></td>
<td>What is the difference between pressure politics and party politics? Are pressure groups the universal basic ingredient of all political situations and government action? Yes or no. Does their existence help to explain how anything related to governing or governmental action actually gets done? To quote an old American proverb – <em>The squeaky wheel gets the grease</em>. Explain / elaborate.</td>
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<th>#56 – Anthony Nownes – <em>Interest Groups in American Politics</em> (Pages 435 to 448)</th>
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<td>What steps, if any, could be put in place to end the “revolving door” in government? Would it be fair to ban former government officials (now private citizens) from seeking this type of employment once they leave government? Could this, in turn, keep many well qualified people from serving in government since it would limit their future economic well-being because of their public service?</td>
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<th>#57 – <em>Citizens United v. Federal Election Commission</em>, Justice Stevens’ Concurrent and Dissent, Commentary by Frank Fruchtmann Jr. (Pages 449 to 454)</th>
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<tr>
<td>Under <em>Citizens United</em>, the U.S. Supreme Court, by a 5 to 4 majority, allowed corporation and unions to spend unlimited funds on elections under the protection of the Freedom of Speech. Critics contend that a corporation is not a “person” and should not be afforded the same First Amendment protection as an actual citizen. Did the Court, in your opinion, make the correct decision? Why or why not? Explain.</td>
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<th>#59 – Mark Leibovich – <em>This Town</em> (Pages 461 to 467)</th>
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<td>According to the disgraced lobbyist Jack Abramoff, “the best way for lobbyists to influence people on Capitol Hill was to casually suggest they join their firm after they completed their public service. The moment I said that to them, or any of our staff said that to</td>
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them, we owned them.” Based upon this quote, has the pervasive nature of lobbying with its undue influence corrupted America’s democracy? Why or why not? What would be the counterclaim against this assertion? Explain.

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<th>Unit 4 / Chapter 12 (The Media) Pages 268 to 295</th>
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<tr>
<td>#51 – Larry Sabato - Feeding Frenzy (Pages 403 to 410)</td>
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<td>Why has the press become the proverbial “pit bull” when reporting the human failings or personal missteps of candidates seeking public office? How does the author define the concept of “feeding frenzy”? What are the long-term implications for those who are seeking public office or those who already holding elected office?</td>
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<th>#53 – Diana Mutz – How the Mass Media Divides Us (Pages 418 to 423)</th>
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<td>Diana Mutz laments the growth of uncivil political discourse (especially on TV and the radio). Political debates, in her opinion, have become too extreme, too confrontational, and too coarse which in turn has added to the nation’s polarization and unwillingness to consider the positions of the opposition in a rational manner. Mutz admits that calm discussion of politics (ex. – C-SPAN) is inherently uninteresting to most Americans. The networks create these political “Shout Shows” (i.e. – Hardball, Hannity) to boost viewership and to generate profits. Do you think these types of shows are especially damaging when it comes to majoritarian viewership? Why or why not? Do you believe political elites, who view these shows, are more immune to their impact? Why or why not.</td>
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<th>Unit 5 / Chapter 14 (The Presidency) Pages 331 to 370</th>
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<td>#14 – Mark Rozell – Executive Privilege (Pages 99 to 110)</td>
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<td>Proponents and critics of executive privilege argue that the practice is either undemocratic or essential for effective executive leadership. That debate may never be resolved. The challenge for presidential leadership and decision making in the 21st century in the rise of social media and the loss of almost all personal privacy in the digital age. There may come a time, in the not too distant future, where every discussion and every debate in the White House is open for scrutiny by the media, the legislative branch, and the public. Speculate how this changing reality will transform the presidency and whether it will either enhance transparency or hinder candid discussion and debate in the White House.</td>
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<th>#27 – Richard Neustadt - Presidential Power and the Modern Presidents (Pages 195 to 201)</th>
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<td>Why is persuasive power an essential ingredient for successful presidential leadership? How did persuasive power help such presidents as FDR, Kennedy, Reagan, Clinton, and Obama? Does our current president have the necessary skill set to effectively persuade the American people to support a policy or agenda? Why or why not.</td>
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<th>#28 – Arthur Schlesinger - The Imperial Presidency (Pages 202 to 208)</th>
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<td>Did the presidency of Richard Nixon reveal the dangers of presidential power or did it simply reaffirm the long held belief that the safeguards built into the Constitution to prevent the abuse of power actually work? Is the “Imperial Presidency” still possible today? Why or why not?</td>
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<th>#29 – Thomas Cronin &amp; Michael Genovese - The Paradoxes of the American Presidency (Pages 209 to 219)</th>
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<td>Which of the nine paradoxes of the American presidency appears to have the most profound impact upon the executive office? Why? Elaborate.</td>
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<th>#30 – Craig Rimmerman - The Rise of the Plebiscitary Presidency (Pages 220 to 228)</th>
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<td>What are the characteristics of the plebiscitary presidency? What factors have lead to the development of the modern plebiscitary president? Is it realistic or wise to embrace the concept of the plebiscitary president within the context of today’s complex political world or changing global landscape?</td>
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**#31 – Jack Goldsmith – *Power and Constraint* (Pages 229 to 236)**
It seems when a newly elected presidential candidate transitions into the office of Presidency that a healthy measure of humility and pragmatism accompany that transition. The boastful promises of the campaign trail must now find footing in the reality of governing the nation. To ensure a boastful president tempers their promises and outlooks, a modern synopticon has developed to reign in sweeping presidential action. Is this synopticon working today as the author believes or is this “check and balance” breaking down? Elaborate upon your conclusion.

**#32 – Kenneth Mayer - *With the Stroke of a Pen* (Pages 237 to 245)**
Should the president have the ability to issue executive orders without some oversight or approval of the other two branches of government? What are the dangers of allowing the president to wield this type of power? Do critics overstate the concerns over executive orders? Use modern examples of how presidents used executive orders to move their policies preferences forward when Congress was unwilling to address the president’s concerns or agenda priorities. You may want to research the controversy surrounding President Obama at the DACA (Deferred Action on Child Arrivals) debate.

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**Unit 5 / Chapter 19 (Foreign & Military Policy) Pages 481 to 510**

**#80 – Samuel Huntington - *The Clash of Civilizations* (Pages 649 to 658)**
As the world shifts from a unipolar (one superpower) world to a multipolar (multiple power centers) the hegemony (or dominance) of the United States continues to be challenged by a variety of emerging nations and non-nation state players. 1) Why is it important that the United States simply not to cut its losses and write off the rest of the world and 2) What impact could diminished American influence have on the rest of the world?

**#81 – Fareed Zakaria – *The Post-American World* (Pages 659 to 668)**
Zakaria lays out for the reader the transforming world of the 21st century in which the United States role as a superpower will diminish as other global actors rise in importance. Despite this, he argues forcefully that the U.S. must continue to engage with the world and become a global broker in settling disputes and helping others to reach compromises. Despite his calls, it can be argued that the reemergence of “American First” domestic policies will actually push the U.S. in a more isolationist direction. As the 21st century unfolds, which path will the nation take based upon the wishes of the American people? Why?

**#82 – Chalmars Johnson – *Blowback* (Pages 669 to 675)**
Chalmars Johnson contends that the U.S. military, mostly unaccountable for its actions overseas, has been the primary source of blowback against the United States. Is this a fair assessment or is the military simply following the directives of the political leadership of the United States? Explain.

**#83 – Joseph Nye - *Soft Power* (Pages 676 to 684)**
Joseph Nye contends that soft power is just as valuable as hard power in molding world opinion and creating stability. Many critics, however, argue that the United States should not be worried about “global popularity” when making foreign policy decisions. Should more emphasis be placed on soft power or should the United States continue to rely on hard power (or force) to achieve our foreign policy objectives. Explain.

**#84 – Richard Haas – *Foreign Policy Begins At Home* (Pages 685 to 690)**
According to Richard Haas, while the world struggles with a variety of problems from war to famine, it is increasingly problematic for the United States to always try to help others. Haas contends that the inability of America to get its domestic house in order precludes it from trying to help the rest of the world from doing just that. Can the United States afford to disengage from the world and simply hope for the best? Why or why not? What might we learn from the 20th century about American disengagement from
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<tr>
<th>Unit 5 / Chapter 15 (The Bureaucracy) Pages 371 to 397</th>
<th>#34 – Paul Light – <em>A Government Ill Executed</em> (Pages 255 to 262)</th>
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<td>Paul Light paints a damning assessment of the federal government’s bureaucratic apparatus (while somewhat tempering his assessment of the actual bureaucrats (government employees)). Is Light correct in his assertions or is his broad stroke condemnation lacking in context or perspective? Either support or refute Light’s thesis.</td>
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<td>#35 – Cornelius Kerwin &amp; Scott Furlong – <em>Rulemaking</em> (Pages 263 to 271)</td>
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<td>Congress legislatives (make laws), Presidents execute (or carry out the law), and the Courts adjudicate (interpret the meaning of laws). Despite this framework of government, it is the federal bureaucracy that creates the rules by which laws are implemented and carried out. Rather than acting in isolation, the federal bureaucracy must engage with the vast spectrum of American pluralism (educated &amp; uneducated, reformers &amp; contrarians, etc.). Each of these competing forces has the goal of ensuring their priorities are taken into account and accommodated as the rules to implement policies and laws are hashed out. Is this simply a bi-product of “democracy in action” or a more telling symptom of hyper-pluralism in 21st century America in which government action is always called into question? Explain.</td>
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<td>#36 – James Q. Wilson – <em>Bureaucracy</em> (Pages 278 to 292)</td>
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<td>Do you agree or disagree with Wilson’s thesis that bureaucratic inefficiency is usually acceptable for services the government provides? Why or why not? Explain. Why must the government operate under a different set of rules compared to the private sector?</td>
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<td>#37 – Robert Reich – <em>Locked in the Cabinet</em> (Pages 278 to 289)</td>
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<td>(Attention: The use of a profane word appears on page 282. Please do not read this article if it offends your sensibilities. Thanks.)</td>
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<td>When it comes to running a government bureaucracy why is temperament, flexibility, and having a sense of humility (along with humor) essential in order to have any degree or success (or sanity)?</td>
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<th>Unit 6 / Chapter 13 (The Congress) Pages 296 to 330</th>
<th>#19 – David Mayhew – <em>Congress - The Electoral Connection</em> (Pages 141 to 144)</th>
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<td>Of the three activities mentioned by Mayhew (advertising, credit claiming, and position taking), which is the most effective? Why? Why do most politicians and public officials employ all three activities?</td>
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<td>#20 – Richard Fenno - <em>Home Style</em> (Pages 150 to 155)</td>
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<td>Why is the “presentation of self” for a member of Congress important back in their home district? What is the difference in the roles of a “delegate” and a “trustee” and how does that affect how an elected official approaches their job?</td>
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<td>#21 – Steven Smith – <em>The Senate Syndrome</em> (Pages 151 to 157)</td>
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<td>Was the adoption of the “nuclear option” (a procedural change to undermine Rule 22 that required a 3/5ths vote for cloture in the Senate) a wise decision by Democratic Majority Leader Harry Reid? Would permanently ending the 60-vote cloture rule diminish the significance of the Senate as a safeguard of minority rights? Should the Senate operate under the same parliamentary rules as the House of Representatives to remove a long-standing obstacles and obstructions to the passage of timely legislation by the majority party?</td>
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<td>#22 – Michele Swers – <em>Women in the Club</em> (Pages 158 to 166)</td>
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<td>Michele Swers outlines the challenges female senators face when tackling issues of national defense and defense spending. Do you believe that as American population grows and diversifies, and women are elected to more public offices, that the days of the Senate being an “all boys club” will come to an end? How that might impact defense appropriations in the 21st century?</td>
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What are both the positive and negative effects of pork? How does pork highlight the conflict for the legislature as representatives of local interest but yet still being part of a larger national legislative body?

### #24 – John Ellwood & Eric Patashnik - *In Praise of Pork* (Pages 170-174)
Ellwood and Patashnik contend that pork is a necessity for government. What do you think? Either support or refute their thesis by providing evidence cited from their article.

### #26 – Chuck McCutcheon & David Mark – *Dog Whistles, Walk Backs, and Washington Handshakes* (Pages 181 to 192)
In this insightful (and somewhat humorous) essay, McCutcheon and Mark list numerous examples of jargon, slang, and bluster used inside the Washington beltway. The author claims that public servants can be “confusing as hell” and indecipherable to most outsiders. Is it feasible to educate the American people about this political vernacular or should media outlets attempts to clarify (and put into context) the verbiage of our elected leaders?

### Unit 6 / Chapter 17 (Domestic Policy)
Pages 428 to 260

### #73 – Michael Harrington - *The Other America* (Pages 593 to 597)
Michael Harrington provides an overview of the poor in America as one without hope, means, or political / social power. According to Harrington, poverty has afflicted the poor’s soul, crushing hope and creating a defeatist culture of hopelessness. He concludes by advocating for the Federal government to serve as the primary entity to abolish poverty and restore hope in the U.S. Yet despite his plea, Americans in general still disdain many social welfare programs like welfare and food stamps. Most Americans would claim they are “middle class” regardless of their income bracket. Why has the calls for more socialized programs to end poverty fallen on deaf ears in the United States? What does this say about American political ideology and our worldview of poverty in general?

### #74 – Joseph Stiglitz – *The Price of Inequality* (Pages 598 to 606)
According to Stiglitz, underneath the economic inequality in society lies political inequality. Things are the way they are because the few who are wealthy dominate the political system. Is Stiglitz correct? If so, cite examples of how wealth may be correlated to political power in the United States. If Stiglitz is incorrect in his assertion, cite examples where the less affluent segments of society have impacted or changed public policy.

### #78 – Steven Cohen – *Understanding Environmental Policy* (Pages 629 to 636)
Author Steven Cohen uses the crisis surrounding the growth and disposal of New York’s solid waste as one of the challenges with formulating and implementing sound environmental policy. Within the framework of federalism, should these types of issues be dealt with by the national government or left to the state or local governments to figure out? Lay out a compelling argument for your viewpoint by using data and examples notes in Cohen’s article.

### #79 – Sasha Abramsky – *The American Way of Poverty* (Pages 637 to 646)
After reading the personal accounts of poverty why do you think the popular perception of lazy, handout-seeking people still persists amongst most Americans? Is it still possible today with hard work, grit, and determination to escape the cycle of poverty in the United States? Why or why not? Explain.
#38 – Alexander Hamilton - *Federalist #78* (Pages 293 to 297)
What reasons does Alexander Hamilton outline in *Federalist #78* that the Judiciary is the most important of all three branches (and the least dangerous)? Do you agree or disagree with Hamilton’s conclusions?

#39 – David O’Brien - *Storm Center* (Pages 298 to 302)
How did politics influence the Court’s timing when it came to deciding *Brown v. Board of Education* (1954)? “Public opinion serves to curb the Court when it threatens to go too far or too fast in its ruling.” Do you agree or disagree with this statement? Elaborate.

#40 – David Yalof - *Pursuit of Justices* (Pages 303 to 309)
Today a judicial nominee, especially a Supreme Court nominee, is under the microscope about all facets of their opinions, writings, academic background, associations, and personal history. Some scholars believe that many great past justices would not be able to meet the high bar of expectations set for today’s judges and justices. Is this undue scrutiny keeping many well-qualified men and women from being considered by the president for judicial appointments?

#41 – Richard Fallon – *The Dynamic Constitution* (Pages 310 to 318)
What is the “counter-majoritarian” difficulty the Court may find itself in from time to time as it chooses cases to hear and renders decisions impacting society? Although citizens appear to accept a judicial role in interpreting the U.S. Constitution, that acceptance is often contingent on the notion that judicial review will produce good results overall that will benefit society. What may happen if citizens stop viewing the Supreme Court rulings this way?

#42 – Marcia Coyle – *The Roberts Court* (Pages 319 to 330)
All three of these landmark cases highlight the danger of the U.S. Supreme Court as appearing to be motivated by politics rather than by constitutional law when rendering decisions. Is it fair to automatically assume that the Supreme Court justices make rulings based upon their own ideological leanings or preferences? Does the lack of moderate voices on the modern bench automatically encourage partisan bashing of any Supreme ruling today?

#43 – Jeffrey Toobin – *The Oath* (Pages 331 to 336)
Sonia Sotomayor believes that women and minorities bring something different to the bench than the traditional judicial appointee. “*Our experiences as women and people of color affect our decisions . . . Personal experiences affect what judges choose to see.*” Do you believe that a president who has the opportunity to select a nominee to the federal bench should take into account the court’s gender and racial composition as another component of evaluating a candidates credentials? Why or why not? Is diversity on the Court essential to ensure all perspectives are taken into account?
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<th>#44 – Anthony Lewis - <em>Gideon’s Trumpet</em> (Pages 339 to 348)</th>
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<td>Was the decision reached by the U.S. Supreme Court in <em>Gideon v. Wainwright</em> a validation of American due process or was it a miscarriage of justice in which a liberal court ended up accepting Gideon’s petition? Why or why not?</td>
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<th>#45 – Richard Kluger - <em>Simple Justice</em> (Pages 349 to 356)</th>
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<td>The American judicial system is supposed to be non-partisan (apolitical) in its decision-making. Despite this, Chief Justice Earl Warren seemed unwilling to tackle the touchy situation of race relations because of the potential of negative political fallout. What inference can you make regarding politics, political culture, and the direction of court decisions based upon this reading?</td>
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<th>#46 – Charles Ogletree – <em>All Deliberate Speed</em> (Pages 357 to 365)</th>
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<td>Charles Ogletree makes the case that the <em>Brown</em> decision that ended the practice of separate but equal schools was undermined when the Court ruled that desegregation plans should be carried out with “all deliberate speed” (code for “slowdown”). He later cites decisions in <em>Bakke</em>, <em>Gratz</em>, and <em>Gutter</em> as examples of affirmative action in education being under attack. Should the federal government take more assertive / aggressive measures to ensure economically and racially blended schools exist in the United States? Why or why not? What compelling arguments does Ogletree make regarding his position? Does his arguments have any merit? Explain / elaborate.</td>
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<th>#47 – <em>Obergefell v. Hodges</em> (2015) and Chief Justice Roberts’ Dissent (Pages 366 to 378)</th>
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<td>In <em>Obergefell v. Hodges</em>, a split Supreme Court (5-4) ruled that the Due Process and Equal Protection Clause of the Fourteenth Amendment extended to all states the rights of same sex couples to marry and have their legal unions recognized by all other states. Justice Kennedy penned the Court’s majority opinion and framed the issue in terms of an evolving societal norm of human rights. The dissent, authored by John Roberts, contended that the Courts had overreached and trespassed on the authority of the state legislatures in deciding what would be best for their citizens. After reading this article / opinion decide which side most the compelling argument? Explain why.</td>
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<th>#48 – David Bernstein – <em>You Can’t Say That!</em> (Pages 379 to 386)</th>
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<td>According to David Bernstein, a new era of political correctness has resulted in a moralistic agenda aimed at eliminating all forms of invidious discrimination (ex – <em>anything likely to arouse or incur resentment or anger in others</em>). This, in turn, has created a “chilling effect” on the exercise of civil liberties in the workplace, at universities, in membership organization, and even churches throughout the United States. Do you agree with Bernstein’s assertions or do you think it is necessary to create a safe environment where everyone feels safe and not threatened? Explain.</td>
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