

Name \_\_\_\_\_

Period \_\_\_\_\_

## Unit One Reading Guide

Textbook: Chapter One

### DEFINING DEMOCRACY

**Direct Democracy**

**Representative Democracy**

#### **Core Beliefs of American Democracy**

- Individual liberty
- Popular consent
- Equality of opportunity
- Free and fair elections
- Majority rule

#### **Theories of Power Distribution**

- Majoritarian (traditional)
- Elite
- Pluralist
- Hyperpluralist

# ROOTS OF THE AMERICAN CONSTITUTIONAL EXPERIMENT

<b>What was the Articles of Confederation?</b>	
<b>Structure of the Articles</b>	<b>Flaws of the Articles</b>
<b>Shays' Rebellion</b>	
<b>Consensus at the Constitutional Convention</b>	

# CONFLICT AND COMPROMISE

<b>New Jersey Plan</b>	<b>Virginia Plan</b>
↓	↓
<b>Connecticut Compromise</b>	
<b>3/5 Compromise</b>	<b>Election of the President</b>
<b>Federal Court System</b>	
<b><i>Federalists</i></b>	<b>To Adopt or Not to Adopt?</b> <b><i>Antifederalists</i></b>
<b>What were <i>The Federalist Papers</i>?</b>	

## **FEDERALIST #10**

1. What is a faction? Give modern-day examples.
2. Explain the following: "...the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens."
3. What is the most common cause of factions?

## **FEDERALIST #51**

4. Explain the following: "If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions."
5. In a republican government, which branch is the strongest?
6. Madison's three "AUXILIARY PRECAUTIONS" are:
  - Separation of Powers
  - Checks and Balances
  - Federalism

How do these prevent tyranny?

# **CHECKING POWER WITH POWER**

**Why did Madison create a constitution?**

**Explain SEPARATION OF POWERS**

**Explain CHECKS AND BALANCES**

**Explain JUDICIAL REVIEW**

# CHECKS AND BALANCES OF THE THREE BRANCHES

## LEGISLATIVE BRANCH

<b>LEGISLATIVE OVER EXECUTIVE</b> <i>-Congress over President-</i>	<b>LEGISLATIVE OVER JUDICIAL</b> <i>-Congress over Supreme Court-</i>
<ol style="list-style-type: none"> <li>1. refuse to confirm Pres. appointments</li> <li>2. refuse to ratify treaties</li> <li>3. declare war</li> <li>4. impeach and remove the Pres. and V.P.</li> <li>5. override a Presidential veto</li> </ol>	<ol style="list-style-type: none"> <li>1. propose amendments to overturn Court decisions</li> <li>2. impeach and remove federal judges</li> <li>3. refuse to confirm Supreme Court judges</li> </ol>

## EXECUTIVE BRANCH

<b>EXECUTIVE OVER LEGISLATIVE</b> <i>-President over Congress-</i>	<b>EXECUTIVE OVER JUDICIAL</b> <i>-President over Supreme Court-</i>
<ol style="list-style-type: none"> <li>1. veto acts of Congress</li> <li>2. suggest laws or policies</li> <li>3. send troops</li> </ol>	<ol style="list-style-type: none"> <li>1. appoints federal judges</li> <li>2. pardon federal offenders</li> <li>3. can "refuse" to enforce judicial rulings</li> </ol>

## JUDICIAL BRANCH

<b>JUDICIAL OVER LEGISLATIVE</b> <i>-Supreme Court over Congress-</i>	<b>JUDICIAL OVER EXECUTIVE</b> <i>-Supreme Court over President-</i>
<ol style="list-style-type: none"> <li>1. appointed for life</li> <li>2. declare acts of Congress unconstitutional</li> </ol>	<ol style="list-style-type: none"> <li>1. appointed for life</li> <li>2. declare executive acts unconstitutional</li> </ol>

Listed below are some of the checks and balances of the three branches of government. In the spaces provided write:

- **E** if it is a power possessed by the **executive branch**,
- **L** if it is power possessed by the **legislative branch**,
- **J** if it is a power possessed by the **judicial branch**.

1. \_\_\_ Can veto acts of Congress.
2. \_\_\_ Can impeach and remove the President and Vice-President.
3. \_\_\_ Can declare executive acts unconstitutional.
4. \_\_\_ Can propose amendments to overturn Court decisions.
5. \_\_\_ Appoints federal judges.
6. \_\_\_ Can override a Presidential veto.
7. \_\_\_ Appointed for life, so as to be free from executive and legislative control.
8. \_\_\_ Can refuse to confirm Presidential appointments.
9. \_\_\_ Can suggest laws or policies.
10. \_\_\_ Can declare acts of Congress unconstitutional.
11. \_\_\_ Can refuse to ratify treaties.
12. \_\_\_ Can pardon federal offenders.
13. \_\_\_ Can impeach and remove federal judges.
14. \_\_\_ Can declare war.

## WHO'S CHECKING WHO – CHECKS AND BALANCES

Listed below are some of the checks and balances of the three branches of government. In the spaces provided write which branch has the power and which branch's power is being checked. (*EXEC = Executive, JUD = Judicial, LEG = Legislative*)

1. The \_\_\_\_\_ branch can refuse to confirm presidential appointments which checks the power of the \_\_\_\_\_ branch.
2. The \_\_\_\_\_ branch can pardon federal offenders which checks the power of the \_\_\_\_\_ branch.
3. The \_\_\_\_\_ branch can veto acts of Congress which checks the power of the \_\_\_\_\_ branch.
4. The \_\_\_\_\_ branch can declare acts of Congress unconstitutional which checks the power of the \_\_\_\_\_ branch.
5. The \_\_\_\_\_ branch can propose amendments to overturn Court decisions which checks the power of the \_\_\_\_\_ branch.
6. The \_\_\_\_\_ branch can refuse to confirm Supreme Court judges which checks the power of the \_\_\_\_\_ branch.
7. The \_\_\_\_\_ branch can override a presidential veto which checks the power of the \_\_\_\_\_ branch.
8. The \_\_\_\_\_ branch can impeach and remove federal judges which checks the power of the \_\_\_\_\_ branch.
9. The \_\_\_\_\_ branch can impeach and remove the president and V.P. which checks the power of the \_\_\_\_\_ branch.
10. The \_\_\_\_\_ branch can appoint federal judges which checks the power of the \_\_\_\_\_ branch.
11. The \_\_\_\_\_ branch can refuse to ratify treaties which checks the power of the \_\_\_\_\_ branch.
12. The \_\_\_\_\_ branch can suggest laws or policies which checks the power of the \_\_\_\_\_ branch.
13. The \_\_\_\_\_ branch is appointed for life which checks the power of the \_\_\_\_\_ branch and the \_\_\_\_\_ branch.
14. The \_\_\_\_\_ branch can declare war which checks the power of the \_\_\_\_\_ branch.
15. The \_\_\_\_\_ branch can send troops which checks the power of the \_\_\_\_\_ branch.

# FORMAL AMENDMENTS

What is a formal amendment?

**Proposed in Congress by a 2/3 vote in both the House and the Senate**



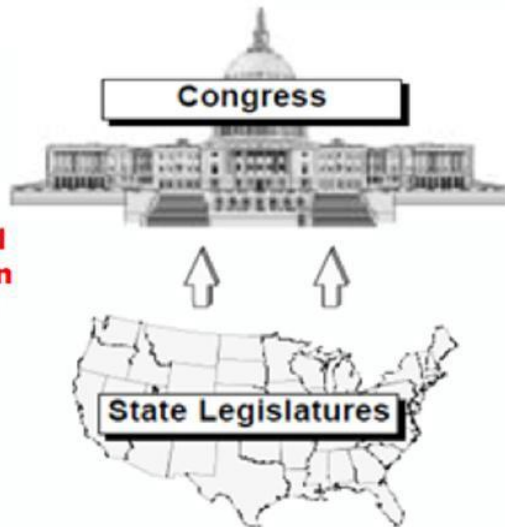
**Ratified by state legislatures in  $\frac{3}{4}$  of the states (38 states)**

**OR**



**Ratified by state conventions held in  $\frac{3}{4}$  of the states (38 states)**

**Proposed at a National Convention called by Congress when requested by 2/3 of the State Legislatures**



**Ratified by state legislatures in  $\frac{3}{4}$  of the states (38 states)**

**OR**



**Ratified by state conventions held in  $\frac{3}{4}$  of the states (38 states)**

To date, all 27 formal amendments have been proposed by \_\_\_\_\_ and ratified by \_\_\_\_\_.

This is a form of federalism.



## ALL 27 FORMAL AMENDMENTS

*(All formal amendments have been proposed by Congress and ratified by the States)*

- |                                  |                                  |   |
|----------------------------------|----------------------------------|---|
| A. 18-year-olds can vote         | O. Eminent domain                | CC. Prohibition ended                   |
| B. African-Am. men right to vote | P. Equal protection of the law   | DD. Public trial                        |
| C. Assembly                      | Q. Illegal search and seizure    | EE. Quartering of troops                |
| D. Bail                          | R. Incorporated BoR to States    | FF. Religion                            |
| E. Bear arms                     | S. Jury of your peers            | GG. Right to a lawyer                   |
| F. Citizenship for former slaves | T. Limit on congressional raises | HH. Self-incrimination                  |
| G. Collect income taxes          | U. Outlawed poll taxes           | II. Senators elected by people          |
| H. Confront witnesses            | V. Petition                      | JJ. Slavery abolished                   |
| I. Cruel and unusual punishment  | W. Powers reserved to the people | KK. Speech                              |
| J. D.C. gets electoral votes     | X. Powers reserved to the states | LL. Speedy trial                        |
| K. Double jeopardy               | Y. Presidential disability       | MM. Suing in federal court              |
| L. Due process from Fed govt     | Z. Presidential term limits      | NN. Time from elections to inauguration |
| M. Due process from State govt   | AA. Press                        | OO. Trial by jury in civil cases        |
| N. Electoral voting              | BB. Prohibition                  | PP. Women can vote                      |

<b>1<sup>st</sup> Amendment</b> ♦ ♦ ♦ ♦ ♦	<b>2<sup>nd</sup> Amendment</b> ♦	<b>3<sup>rd</sup> Amendment</b> ♦
<b>4<sup>th</sup> Amendment</b> ♦	<b>5<sup>th</sup> Amendment</b> ♦ ♦ ♦ ♦	<b>6<sup>th</sup> Amendment</b> ♦ ♦ ♦ ♦ ♦
<b>7<sup>th</sup> Amendment</b> ♦	<b>8<sup>th</sup> Amendment</b> ♦ ♦	<b>9<sup>th</sup> Amendment</b> ♦
<b>10<sup>th</sup> Amendment</b> ♦	<b>11<sup>th</sup> Amendment</b> ♦	<b>12<sup>th</sup> Amendment</b> ♦
<b>13<sup>th</sup> Amendment</b> ♦	<b>14<sup>th</sup> Amendment</b> ♦ ♦ ♦ ♦	<b>15<sup>th</sup> Amendment</b> ♦
<b>16<sup>th</sup> Amendment</b> ♦	<b>17<sup>th</sup> Amendment</b> ♦	<b>18<sup>th</sup> Amendment</b> ♦
<b>19<sup>th</sup> Amendment</b> ♦	<b>20<sup>th</sup> Amendment</b> ♦	<b>21<sup>st</sup> Amendment</b> ♦
<b>22<sup>nd</sup> Amendment</b> ♦	<b>23<sup>rd</sup> Amendment</b> ♦	<b>24<sup>th</sup> Amendment</b> ♦
<b>25<sup>th</sup> Amendment</b> ♦	<b>26<sup>th</sup> Amendment</b> ♦	<b>27<sup>th</sup> Amendment</b> ♦

# INFORMAL AMENDMENTS

**What is an informal amendment?**

**Why do we need informal amendments?**

**Congressional Actions**

**Presidential Actions**