

Introduction Unit: Citizenship

Responsibilities of Citizens:

- personal – to oneself
- civic – to the community
- fiscal – monetary
- legal – to the law
- moral – based on a religious/righteous belief

Effective Citizens:

- Volunteer
- Are informed
- Are educated
- Are self-motivated
- Perform their civic duties

American Diversity: different cultures/ethnicities

"E Pluribus Unum" – out of many; one

***Melting Pot Theory** – all cultures mix together into one (assimilate, become like everyone else)

***Salad Bowl Theory** – people retain their individual cultural identities (multiculturalism, encouraging cultural differences)

*issues

- Racism**-discrimination due to race
- sexism**-discrimination based on gender
- Ageism**-discrimination based on age

Recurring Problems in America:

Discrimination	Unemployment
Poverty	Substance Abuse
Crime	Disease
Immigration	National Security
Natural Disasters	Pollution
Taxation	Political Corruption

Citizen Involvement in Politics and Government

***Duties:** Actions citizens must perform

-Pay taxes, obey the law, go to school, jury duty, Selective Service/Draft (Males)

***Responsibility:** things citizens should do

-graduate, volunteer, vote, stay informed

***Benefits of duties and responsibilities:** saves government money, people more involved in community, safer and cheaper to live in country

***costs of serving on a jury:** time away from family and home, exposure to violence, emotional stress

***Grassroots ideas:** those that originate with the people

***initiative:** people start the law making process, they push their ideas into action

***Community Activism:** people dedicate time and money in order to affect political change in their community

***Public service:** People perform jobs or duties that are geared towards helping the community (teachers, cops, running for office)

***Civil disobedience:** peaceful protest against unjust laws (usually involves breaking the law)

Affirmative Action: Policy to help minorities

Types of Governments:

Democracy-people make the decisions

- Direct**-people vote on every decision
- Representative**-people vote for someone to speak for them

Republic-representatives speak for the people

Autocracy-one person rules

Monarchy-ruler gains their power from their inheritance

- Absolute**-all power rests with them
- Constitutional**-ruler is limited

Dictatorship and Totalitarianism-ruling party has no restrictions – people have no say

Theocracy-Government uses religious laws

Anarchy-no government, chaos, lawlessness

Goal 7: Decisions, decisions

Economics: study of how people and businesses must make choices because resources are limited

Scarcity: our wants/needs will always exceed the amount of resources available to us

Renewable Resources: those that can replenish themselves

Non-renewable Resources: those that cannot replenish themselves or are slow to do so-availability often affects our choices and prices

Basic Factors of Production: most productive resources are broken into these categories

1. **Land:** natural resources

2. **Labor:** Human output

3. **Capital:** man-made tools that help make goods and provide services

-**Physical Capital:** tangible tool

-**Human Capital:** knowledge of how to use the tool

4. **Entrepreneur:** someone who takes a risk and provides a new good or service or is innovative

Better Choices:

***Productivity:** decreasing your inputs while increasing your outputs

-**Input:** resources you put into a good or service

-**Output:** final good or service

***Ways to increase productivity:**

1. **Division of labor:** divide up one task into smaller parts

2. **Specialization:** each person does the task they do best

3. **Mass production:** make one item in large quantities

4. **Assembly line:** production moves down the line, humans and machines stay put

Issues with Division of Labor and Specialization

*Too much reliability on the process; if one section breaks, process slows

*Boring/does not present a challenge

***Law of Diminishing Returns:** add too much of one factor of production without increasing the others and productivity actually decreases.

Types of Economic Systems

***Traditional:** decisions based on custom and survival

***Command:** Government makes all decisions and owns all resources

***Market/Free Enterprise:** individuals own all resources and make all decisions (no gov't)

***Mixed:** Individuals and government share the resources and decision-making

Characteristics of Free Enterprise System

***Voluntary Exchange:** people freely enter into business of choice

***Profit-making:** incentive for all business decisions

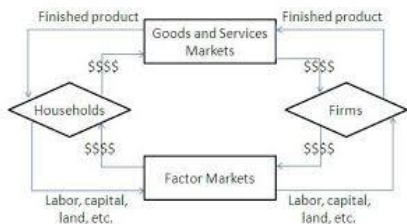
- *New ideas/better efficiency promoted
- copyrights**: protects intellectual discoveries
- patents**: protects inventions

Circular Flow of Economic Activities:
relationship between people and business

***Product Market**: where households and firms exchange goods and services

***Factor Market**: where households and firms exchange productive resources

***Economic Interdependence**: households and firms are dependent upon each other to survive economically



Supply and Demand (influence on Price)

***Demand**: the amount the consumer is willing to purchase based on the price of the item

-**Law of Demand**: as prices fall, demand will increase. The reverse is also true

***Elasticity of Demand**: how quickly demand changes when the price changes

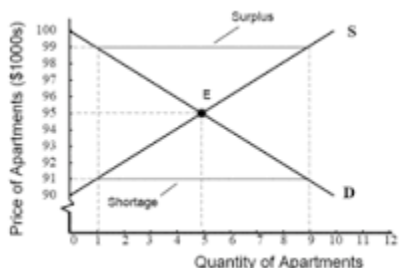
-**elastic**: demand changes greatly as price changes (wants)

-**inelastic**: demand does not change when prices change (needs)

***Supply**: the amount the producer is willing to make at a certain sale price

-**Law of Supply**: as prices rise, the producer will be willing to increase the supply. As prices fall, the supplier will decrease the amount they produce.

***Equilibrium**: where supply and demand meet; determines the correct price and supply of a particular good/service



Other influences on prices:

*Product availability

-**Shortage**: demand exceeds supply, prices increase

-**Surplus**: supply exceeds demand, prices decrease

*Government intervenes →

-**Price Floor**: gov't sets a "lowest" price that can be charged (minimum wage)

-**Price Ceiling**: gov't sets a "highest" price that can be charged (rent control)

*Level of Competition

-**Monopoly**: only one producer for a particular good or service/drives up prices

-**Natural Monopoly**: government sponsored monopolies for items that affect whole communities (utilities)

-**Oligopoly**: a few producers for a particular good or service/keeps prices high

-**Perfect competition**: enough producers for a particular good/service that allows for prices to remain stable

Benefits of Competition:

1. Cheaper Prices
2. More Choices
3. Better Quality

Types of Businesses

1. **Sole Proprietorship**: single owner (bakery)
2. **Partnership**: multiple owners (Lawyer/Dentist)
3. **Corporation**: stockholders own business/run by a Board of Directors (Microsoft)

-**Stocks (Shares)**: bits of ownership in a company

-**Dividend**: portion of profits divided among shareholders once expenditures subtracted

4. **Franchise**: Parent Corporation allows individual owners to run portions of a business based on a set of specific standards (McDonald's)

*Advantages and Disadvantages:

-**Liability**: amount of responsibility one has in business ventures (limited/unlimited)

-**Life**: length of time a business lives beyond its creators (limited/unlimited)

Business Formations

***Merger**: multiple businesses join into one

-**Horizontal merger**: like businesses join together (U.S. Airways and American Airlines)

-**Vertical merger**: company joins its suppliers (Chevrolet merges with Firestone)

-**Conglomerate**: unrelated businesses join under one large parent company (Philip Morris owns Kraft and Miller)

-**Anti-Trust Laws**: government intervenes when a business or merger may turn into a monopoly

Business Cycle: The ups and downs in the flow of business activity.



Phases:

***Expansion**: Economy grows, stock investment increases, new businesses open, prices rise as demand does, unemployment rate falling, GDP rising

-**Recovery**: Economic activity picks up again

***Peak**: Economy at its highest productivity, full employment, high prices for stocks and resources

***Contraction**: Economy slows, businesses start to close, unemployment rises, demand falls, GDP falling

***Trough**: Economy at its lowest, high unemployment, prices low because demand is

-**Recession**: economic downturn that lasts 2 fiscal quarters to 2 years

-**Depression**: economic downturn that lasts more than two years (The Great Depression lasted from 1929-WWII)

Government influence on the Economy

***Monetary Policy**: how the Federal Reserve influences personal spending by regulating the amount of money in circulation (money supply)

-**expansionary/loose money policy**: government allows more money into circulation

-**Contractionary/tight money policy**: less money in circulation

*How to influence money supply:

1. Print more/less money
2. Manipulate the **Reserve Requirement** (the minimum amount of money all banks need to have at all times)
3. Sell more/less bonds (loans)

4. Manipulate interest rates: makes it easier/harder to borrow money

-More money in circulation, more money for people to borrow and spend, more economic activity

* **Fiscal Policy:** how government influences personal spending through taxation

-Lower taxes means more money for people to spend in the economy

* **Federal Reserve:** Nation's bank, regulates money supply and economy by setting monetary policy

Goal 8: Money Makes the World go 'Round

Economic Theories

1. **Adam Smith:** Enlightenment Economist, wrote the book *Wealth of Nations*

* **Laissez-faire:** gov't leaves economic choices to individuals and businesses

* **Incentive** (reason for effort) is to gain monetary profit

* **Capitalism:** economic choices/resources are privately owned. No gov't intervention

* **Invisible Hand:** economy regulates itself

2. **Karl Marx:** writer/philosopher wrote the pamphlet *Communist Manifesto* calling for "workers of the world unite"

* **Communism:**

-Individuals are selfish, all factors and resources should be evenly distributed across society

-no social class system

-people work for the common good, not ownership

3. **John Maynard Keynes:** Keynesian Economics mixes both theories: individual ownership with gov't intervention for protection and security. Cut taxes, gov't spends

Role of Money

*Traditional Economies use **barter** (trade one good or service for another)

*Modern Economies use money

-Medium of Exchange: used to gain goods and services

-Unit of Account: used to compare two goods and services

-Store of Value: retains its value even when not used

*Advantages to money (currency)

1. Durability: can be reused

2. Uniformity: similar values within similar societies

3. Portability: easy to carry

4. Acceptability: everyone can use

5. Divisibility: can be divided into smaller amounts and the smaller portions can be used.

-**Inflation:** Prices rise faster than salaries

-**Deflation:** Period of falling prices

Both harm the Economy

Organizations that Influence Business

* **Labor Unions:** groups that represent workers in order to negotiate contracts with business owners and managers (North Carolina is a "**Right to Work**" state: labor unions are not allowed to form)

1. **Collective Bargaining:** Union representatives meet with the company's management team to negotiate a contract

2. **Arbitration/Mediation:** third party comes in to help management and union come up with a suitable contract

3. **Strike:** workers refuse to work

Influence of Population movement on the economy

* **Immigration:** People move between countries

* **Migration:** People move between regions

-people provide capital, investment, and job skills to local area

* **North American Free Trade Agreement (NAFTA):** free trade agreement between Mexico, Canada and US

-more competition (can be good or bad) and movement of factories to new areas

* **Outsourcing:** a company hires another company or person outside of their business to perform a specific task or job (many of those hired today are outside the US)

* **Downsizing:** laying off workers, making a company smaller, often causing people to move and influencing an area

Economic Indicators: ways for government to determine which phase of the business cycle the US is in

1. **Gross Domestic Product (GDP):** measure of all the goods and services produced IN a country in a year

2. **Gross National Product (GNP):** measure of all the goods and services made BY a country in a year

-Government compares to previous years and to other countries to determine the health of the economy

3. **Consumer Price Index:** tracks the monthly change in prices of average household goods (cleaners, milk) in order to determine if demand/prices are rising or falling.

4. **Stock Investment:** rising/falling stock prices indicate expansion/contraction

-**Bull market:** rising incidents of stock investment

-**Bear Market:** decreasing/slow incidents of stock investments

International Trade

* **Globalization:** increasing connections made between people of different regions and countries

-International trade increasing exponentially in modern times

1. Wealth becoming more evenly distributed over time (still major gaps between rich and poor)

2. Better technology (transportation/communication)

3. **Comparative Advantage:** countries choose to specialize in certain economic activities in order to be more efficient. They then must trade for those items they do not specialize in

4. **Absolute Advantage:** a particular country is the only one to make a good or provide a service. Other countries must trade in order to gain the item/service

5. Increasing population/competition for resources

*Levels of World-Wide production

-**1st world (Developed Nations):** high levels of wealth and political power, mostly a service-based economies (most GDP comes from services such as banking and research)

-**2nd world (Communist Countries):** government owned resources, mostly production-based economies (GDP comes from manufacturing)

-**3rd world (underdeveloped Nations):** traditional based economies, high levels of poverty, little international trade, low education levels for general public.

*International Trade leads to **economic interdependence** (countries rely on each other for wants and needs)

-Advantages: efficient use of resources, cheaper products and more choices, increasing world-wide opportunities for work, more distribution of resources necessary for survival

-Disadvantages: economic contractions and natural and political disasters affect more countries, increasing competition for resources, possible loss of individual cultural traits.

Factors influencing trade

***Balance of Trade**: measure of how much one country trades with another

-**Favorable**: export (send goods and services out of your country) more than you import (bring goods and services into your country)

-**Unfavorable**: import more than you export

***Trade barriers**: actions taken to halt or decrease trade between countries/regions in order to protect each areas businesses

-**Tariff**: tax on imports (makes them more expensive for the consumer)

-**Embargo**: complete elimination of trade with a particular country/region

-**Quota**: specific amount of something that is allowed in a country/region

-**Standards**: goods/services must meet specific requirements to be allowed into a country

Goal 9: Who wants to be a Millionaire?

Making Choices:

***Trade-offs**: all the things you give up when you make a decision

***Opportunity Cost**: The most valuable thing you give up when you make a decision

*Decision-Making Model (5 steps)

1. State the problem
2. List all the alternatives
3. Define the criteria
4. Evaluate your alternatives using the criteria
5. State your decision

*Weighing the cost

-**Fixed costs**: those that do not change from month-to-month

-**Variable costs**: those that change when the level of production changes

-**Investment**: set aside a resource in the hopes that it will be worth more in the future

Stock	Bonds
Mutual Funds	Education/Yourself
Savings Accounts	CDs
Real Estate	Cash

Financial Intermediaries/Personal Finance

*How banks work:

1. People deposit money into bank, bank keeps money for customer and pays them interest

-**Demand deposit**: customer can pull money out whenever they choose (checking or savings accts.)

-**Timed deposit**-people must not withdraw money for a pre-set amount of time (Certificate of Deposit)

2. Bank loans money to individuals, businesses and government.

3. Borrowers pay back the loan as well as interest (a portion of the loan amount that must be paid back with the loan)

***Federal Deposit Insurance Corporation**: protect bank deposits up to \$250,000

***Credit cards v debit cards**: debit cards withdraw money directly from a bank account while credit cards provide a loan to customers that they must pay back with interest. Credit cards are a form of revolving debt.

*Lowering taxes (Goal 7) means more **disposable income** (money after taxes) and more **expendable income** (money after bills are paid) leads to more economic activity and healthier economy

*Better to "Pay yourself first": pay your bills then buy groceries, pay off credit cards, invest in 401k, set aside money for liquid saving

Goal 2: Lego's of America

Colonization (settling a group in a new place):

-purpose: **mercantilism**=making money for the mother country

a. Northern Colonies: Rocky soil, Puritans, Religious Intolerance, densely populated towns, shipping, fishing, fur, timber, Public Education

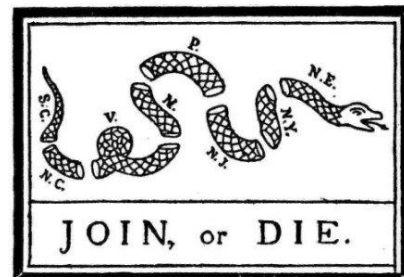
b. Middle Colonies: "Breadbasket", densely populated towns and farms, Quakers, Religious Toleration

c. Southern Colonies: Humid summers, Clay soil, Plantations, Joint-Stock companies, Cash Crops (tobacco, rice, indigo), Debtors, Slaves

Important Documents/Institutions

- Magna Carta**-limited government power
- Parliament**-representative legislative branch
- Enlightenment**-Philosophical movement-new ideas about natural rights and the role of government
 - ***Social Contract**-people give up rights and the government protects them (Constitution)
 - ***John Locke**-people have a right to replace tyrannical governments
 - ***Montesquieu**-Separation of Powers
- Virginia House of Burgesses**-colonial representative legislature
- Mayflower Compact**-direct democracy, town meetings, majority rule, self-government
- Fundamental Orders of Connecticut**-1st colonial constitution
- Maryland Toleration Act**-religious freedom for all Christians (Catholics)
- John Peter Zengar**-freedom of the Press

Causes of the American Revolution



Benjamin Franklin calls for his **Albany Plan of Union** in 1754 (united the colonies against England)

1. **Navigation Acts**-laws that required colonists to sell only to Britain, use only British crews
2. **French and Indian War**-led to the taxation of the colonists
3. **Proclamation of 1763**-colonists not allowed to move west of the Appalachian Mountains
4. **Quartering Act**-colonists have to house British soldiers
5. **Stamp Act**-tax on paper materials
6. **Boston Massacre**-use of propaganda to make the British look bad
7. **Salutary Neglect**-British leave colonists alone
8. **Boston Tea Party**-Sons of Liberty dump tea in harbor protesting tea act
9. **Intolerable/Coercive Acts**-punishment for tea party; close harbor and town meetings

10. **Common Sense**-Thomas Paine calls for independence

11. **Declaration of Independence**-Thomas Jefferson justifies the reasons for the revolt and announces the colonies intent

American Identity:

1. **Early Public Education System**-North

2. **Religious Pluralism**-variety of religious beliefs

***Great Awakening**-religious revival that leads to ideas of religious freedom and separation of church and state

3. **Egalitarianism**-all men created equal (no titles)

4. **Patriotism**-love and pride in one's country

Problems with our First Government

a. **Articles of Confederation**: First plan for government (loose confederation of states)

*Strengths: created a post office, Northwest Ordinance of 1787 (shows how territories become states)

*Weaknesses: Federal government could not tax, draft soldiers, enforce laws and trade, no national court system, no national currency, required unanimous vote to make changes

***Shay's Rebellion**-Farmers in New York revolt when government could not help them retain their land

b. Creation of the US Constitution

***Virginia Plan**-big states wanted representation by population

***New Jersey Plan**-small states wanted equal representation

***Great/Connecticut Compromise**-Legislative branch: bicameral Congress with a Senate (equal) and a House of Representatives (population)

***3/5 Compromise**-3 out of 5 slaves would be counted for congressional representation

Fundamental Principles:

a. **Separation of Powers**-powers divided between three branches

b. **Checks and Balances**-each branch watches over the other

c. **Federalism**-national and state governments share power

d. **Popular Sovereignty**-power derived from the people

e. **Democratic Republic**-form of government

Factions Arise: Federalists/Anti-Federalists

***Federalists**-want a strong national government, feared the people

***Anti-Federalists**-want to keep states strong, feared strong central government, want Bill of Rights to protect people

***Loose interpretation**-gov't could imply some of their powers from those stated

***Strict interpretation**-gov't can only do what is specifically stated in Constitution

***Federalist Papers**-essays written by Hamilton, Jay and Madison to support ratification of the Constitution

Bill of Rights: 1st Ten Amendments

Natural Rights-rights we're born with: make a living, feed our families, religion, petition, press, speech, assembly

Rights of the Accused-Due process, double jeopardy, self-incrimination, search and seizure, jury trial, lawyer, freedom from cruel and unusual punishment

Unenumerated Rights-those not listed, but still a right

Reserved Powers-States retain some power

Other important terms:

Separatists: People who wanted to split from the Church of England

Indentured Servants: People who worked 5-7 years to pay off debt. NOT SLAVES

Goal 3: We The People

The US Constitution:

a. Guiding principles of the document based on Enlightenment ideals:

***Social Contract**: give up some rights to gain protection from gov't

***limited Government**-gov't power should be limited to protect the people

***Separation of powers**-divide the ruling body into three different branches to limit gov't

***Checks and balances**-each branch of gov't watches over the other and has the power to overrule

***Popular sovereignty**-people are the original source of all gov't power. "People Rule"

***Federalism**-powers to rule will be shared by both states and the federal gov't

b. Three Sections: Preamble, Articles, Amendments

***Preamble**-provides goals for the US Government

***Articles**-structure of gov't

1. **Legislative branch (Congress)**-makes laws

2. **Executive Branch**-enforces laws

3. **Judicial Branch**-interprets law

4. **Full Faith and Credit Clause**-States recognize each other's laws

5. **Amending the Constitution**-provides the process for changing the Constitution

-proposal: 2/3 of Congress or a convention called by 2/3 of the states

-Ratification: 3/4 of the state legislatures approve

6. **Supremacy Clause**-states that the Constitution is the "Supreme law of the land"

7. **Ratification**- 9 of the 13 states had to approve the Constitution in order for it to go into effect.

***Amendments**-changes made to the Constitution (27 total)

1st- **Freedom of Expression/Five Freedoms** (religion, assembly, press, petition, speech)

-**Establishment Clause**-gov't cannot establish an official religion

-**Free Exercise Clause**-gov't cannot prohibit people from practicing their religion

2nd-right to bear arms (own guns)

3rd-no quartering troops (soldiers can't move into private homes)

4th-No unreasonable search and seizure, exclusionary rule-if it's not in the warrant it's excluded from the trial

5th- **no self-incrimination**, eminent domain (gov't can take property), **no double jeopardy**, **due process** (gov't has to follow a certain set of procedures to protect the accused) at federal level

6th-Right to a speedy Trial, jury and attorney

7th-Right to a jury in civil cases

8th- \Protection from cruel and unusual punishment and excessive bail

9th-rights not listed (Unenumerated rights) are still rights afforded to the people

10th-**Reserved powers** to the states

13th-abolishes slavery

14th-Civil rights (equal protection clause) and due process at state level, citizenship

15th-Suffrage cannot be denied due to race

18th-prohibition of alcohol

19th-women's suffrage

21st-repealed the 18th amendment

22nd-President only allowed two terms

24th-abolishes Poll Tax

25th-Presidential succession (VP, speaker of the house, President Pro Tempore, cabinet)

26th-voting age dropped to 18

NC Constitution:

***Declaration of Rights**-lists the rights of citizens of North Carolina

-similar to US Bill of Rights

-includes a section for victims rights

-rights are embedded into the NC Constitution

*Amendments: by Popular Sovereignty

-proposal by legislature or a convention called by the people (**initiative**-people start the process)

-Ratify by a **referendum** (vote of the people to accept or deny law)

State Government Structure:

*Legislative Branch: **General Assembly**

-Governor approvals, state budgets, make statutes (state laws)

1. Senate-50 members

2. House of Representatives-120 members

*Executive Branch: **Governor** (4 year term)

-approves/vetoes statutes (NC is last state to give the governor veto power), calls out the **National Guard**

-**Cabinet**-department heads that help governor run the state/enforce the law

*Council of State-Group of elected members, including the governor, that make decisions for the state

*Judicial Branch-NC Supreme Court

-8 judges, elected by the people, serve 8 year term

Levels of Government in the State

*State: **General Assembly, Governor, Lieutenant Governor**

-regulate intrastate (within the state) trade, state budgets, statutes

*County: **County Commission**

-regulate county budget, make ordinances (local laws), regulate utilities, run school system

*City: **City council, Mayor**

-regulate city budget, make ordinances

-**annexation**-city/county brings unincorporated areas into city limits in order to gain tax revenue

Paying for local government:

***Income tax**-tax on salary/wages

***Sales tax**-tax on purchases

***Property tax**-tax on cars, homes, land

***User fees**-payments for the use of local public resources such as lakes and parks

***Licensing fees**-drivers, fishing, professionals

***Bonds**-gov't sell certificates to raise money

*Lottery-only used for education projects

Services Provided by Local Government:

SBI-State Bureau of Investigation (state law enforcement)

Health and Human Services-state health

Public Instruction-schools/curriculum

Transportation-highways, public transport

Corrections-prison system

Agriculture-farm and grown consumer products

Registrar of Deeds-tracks property ownership

Parks and Recreation-local parks/youth programs

Board of Elections-registers voters

Solving Local Community Conflicts:

***Open Forums**: ways for citizens to bring their grievances to local gov't to solve

-**public hearings**: people can speak to local boards/governors about an issue

-**Town Meeting**: citizens can help local councils make decisions on local projects

***Petition**: citizens get signatures in support of a particular concern and ask gov't to remedy the situation

***Zoning**: city planning-used to minimize conflicts between businesses and citizens

Modern State Issues:

Leandro Case-state mandates that all students should receive a sound basic education to receive state funding

-provide qualified teachers and principals and a safe environment

Gerrymandering-redrawing voting district lines to get a particular group into office.

Federalism:

***Enumerated/Delegated/Expressed Powers**: Specifically for the Federal Gov't

-Coin Money, declare war, regulate interstate and foreign trade, make treaties

***Concurrent Powers**: Shared between Fed and State gov'ts.

-make laws, establish courts, collect taxes

***Reserved Powers**: Specifically for the States

-drivers licenses and traffic laws, marriage laws, licensure for professionals, alcohol laws

Goal 4: Three Ring Circus

Using the Constitution:

Marbury v Madison-Judicial Review

*Supremacy Clause:

McCulloch v Maryland-States cannot tax federal institutions, Congress has power to incorporate a bank

Gibbons v Ogden-only federal gov't can regulate interstate trade.

*1st Amendment:

Engel v Vitale-voluntary school prayer is violation of Establishment Clause

Texas v Johnson-flag burning allowed as free expression

Tinker v Des Moines-free speech allowed as long as education is not disrupted

Hazelwood v Kuhlmeier-schools can censor school publications

Bethel School District v Fraser-schools can censor student speech

Schenk v US-speech that shows a clear and present danger is not allowed

*4-8 Amendments:

NJ v TLO-students can be searched if there is a reasonable suspicion

Mapp v Ohio-evidence with improper warrant cannot be used in court (Exclusionary Rule)

Miranda v Arizona-Cops must read accused their rights

Gideon v Wainwright-poor defendants have right to a lawyer

Furman v Georgia-death penalty is cruel and unusual

Gregg v Georgia-overturned Furman and death penalty is allowed (based on states decisions)

14th Amendment:

Plessy v Ferguson-“Separate but equal” doctrine allows for legalized segregation

Brown v Board-overturns Plessy

Regents of UC v Bakke-No quotas in Affirmative Action

Swann v CMS-Forced busing in order to desegregate

In Re Gault-juveniles under arrest get the same rights as adults (due process)

Separation of Powers

Article 1-Legislative Branch “Congress”

***Bicameral Body**-two houses: make laws, declare war, propose constitutional amendments, appropriate funds, override presidential veto

***Majority Leader**-elected by the majority party

***Minority Leader**-elected by the minority party

***Whip**-gets party members to vote a certain way

1. **Senate**-100 members (two per state)

-30 years old, citizen for 9 years

-Approve presidential appointments, approve presidential treaties, run impeachment trial

-**Vice President**: head of Senate

-**President pro tempore**: runs Senate in VPs absence

2. **House of Representatives**-435 members, based on population

-25 years old, citizen for 7 years

-propose tax laws, impeach government officials

-**Speaker of the House**: head of the HOR

Article 2: Executive Branch “President”

-35 years old, natural born citizen, live in country for 14years, two four year terms (22 amendment)

*Titles and Roles:

Head of State-US Leader

Commander in Chief-Military leader

Chief Diplomat-liaison with foreign leaders

Legislative Leader-Approves/Vetoes bills, gives yearly **State of the Union Address**

Economic Leader-proposes budget

Party Leader-Campaigns for other members

Chief Executive-issues executive orders, issues pardons

Presidential Cabinet-Secretaries (Department heads) that advise the president

Article 3-Judicial Branch “Supreme Court”

-Appointed by the President, approved/denied by the Senate (confirmation hearings)

-9 justices serve life term

-**Chief Justice**-head judge; presides over impeachment trials

Judicial Review-Courts have power to overrule laws and executive orders (decide whether laws are fair)

-interprets the Constitution, settles disputes involving the gov’t, settles disputes between states

Checks and Balances: Examples

1. President vetoes laws made by Congress/Congress overrides the veto/Supreme court declares laws unconstitutional

2. President appoints judges and cabinet members/Senate approves or denies

3. President is Commander-in-Chief of armed forces/Congress declares war and appropriates money

Conflict Resolution in Congress: Bill to a Law

*Bills start in either house (tax bills start in House of Representatives)

*Once introduced by Congressmen and read a **standing committee** decides to keep or kill the

bill, a **subcommittee** researches and holds hearings, the whole house holds a debate, if approved it is sent to the other house and goes through the same process

*each house has own version of bill then sent to **conference committee** (members of both houses) to create one version then sent back to each house for final approval before it is sent to President

*President has three options:

1. Approve it (signs)

2. Veto it (rejects)

3. Pocket Veto: lets it sit for ten days and if Congress is out of session, bill dies

*If bill is rejected, Congress can override the veto with a 2/3 vote

*Rules for Congressional Debate:

-**House rules committee** (House of Representatives) sets limits and rules for debate prior to each floor debate

-**Pigeonhole**-set bill aside and let it die

-Senate has no rules committee/allowed to have a **filibuster** (talking to delay or kill a bill)

-Cloture: 3/5 of Senate can vote to end a filibuster

Paying for government

***Progressive tax**-pay more as you earn more

-**income tax**: tax on earnings

-**inheritance tax**: tax on property gained from death

-**Luxury tax**: expensive items (cars, diamonds)

***Regressive tax**-everyone pays the same, places higher burden on the poor

-**Excise tax**-tax on non-essential items like alcohol, gasoline and tobacco products

-**Tariff**-tax on imported goods

***Bonds**-form of loan where people purchase and the gov’t pays back with interest

Services provided:

Bureaucracy-support systems that helps provide services to the people

Two types:

1. **Merit system**-have to prove skills by passing a test

2. **Appointees**-picked by President

FBI-National law enforcement

DHS-Terrorism protection/security

CIA-International information gathering

CDC-disease prevention/health

IRS-tax collection

CIS-immigration and citizenship

DOT-national transportation systems

EPA-environmental regulation

FEMA-natural disasters/emergencies

Modern Controversy

Patriot Act-federal government power to wiretap and conduct warrantless searches to investigate terrorism (passed in response to 9/11)

Goal 5: Ideology

***Two party system**: two political parties dominate (**Democrats and Republicans**)

Plurality: many political parties, receive as many seats as percentage of votes

*Functions of Political parties:

1. Act as a watchdog over gov't
2. Keep public informed
3. Select and nominate candidates
4. Act as a liaison for the people to gov't

***Third Parties**-rarely win elections

-take votes from main parties during elections

-spotlight particular issues

***platform**-beliefs of a political party

***plank**-individual beliefs in a platform

***political spectrum**-measures one's political philosophy

-**Conservative (Right Wing)**: Republican, small gov't, less taxes, big business, community values, individual responsibilities

-**Liberal (Left Wing)**: Democrat, big gov't, more taxes, welfare, universal health care (affordable care act), Pro-choice

Moderate: values from both sides

Voting and Elections

***voting requirements**: 18, US Citizen, registered, no felonies, live in area for 30 days

***voting protections**:

-15th Amendment: Suffrage to all males regardless of race

-19th Amendment: Suffrage to women

-24th Amendment: eliminate poll taxes

-26th Amendment: voting age dropped to 18

***Absentee ballots**: voting through the mail

***Voter Apathy**: people don't vote because they don't care or feel it will make a difference

***Incumbent**: person who is currently in office

Road to the Presidency:

1. **Self-Announcement** (backed by political party) or **petition** (signatures in support)

2. **Primaries** (Jan-June): elections to narrow down candidates

***Open**: anyone can participate

***Closed**: only party members vote

***Caucus**: Meeting help by party officials to choose candidate

3. **National Convention** (Summer): each party announces their candidate and platform

4. **Campaign**: commercials, ads, debates

5. **Election Day**: Tuesday after the first Monday in November

***Popular Election**: People vote

6. **Electoral College**: formally elects the President

*Each state gets electors based on their congressional representation

*Winner-take-all system-the candidate who wins the popular election in the state gets all that state's electoral votes

7. **Lame Duck** period: between announced winner and end-of-term for incumbent (person in office)

*neither person has power to get much done

8. **Inauguration**: new President sworn in

9. First **State of the Union Address**: speech given by the President telling the people his plans for the year

Other Local Elections:

***Recall Elections**: People petition to have an election where they can remove an elected official from office = vote someone out of office (not allowed in NC)

***Referendum**: people directly vote on issues

Mass Media and Propaganda

-collection of information sources

*forms of **Mass Media**

Newspaper Internet

Magazines Television

Radio

-Television is most influential

***Propaganda**: techniques used to persuade people to think a certain way

-**Glittering Generality**: grand statement that does not mean much (looks good, no substance)

-**Endorsement**: famous person supports

-**Plain folk**: act like average person "Just like you"

-**Bandwagon**: follow the crowd "everyone is doing it"

-**Name-calling**: using terms to demean an opponent "mudslinging"

-**Stacked cards**: only present one side of an issue

-**Emotional appeal**: play upon people's fears or sympathies

Influences on Government and Elections

***Interest Groups**: organizations that form in order to influence legislation based on a certain issue or cause

-criticisms: too influential for size, similar to bribery, make single issue too important

-**Lobbyists**: work for interest groups to persuade legislation

***Political Action Committee**: fundraising and financial contributions to candidates

-**List of some interest groups**:

American Association for Retired Persons (AARP)

National Association for the Advancement of Colored Persons (NAACP)

National rifle Association (NRA)

People for the Ethical Treatment of Animals (PETA)

National Organization for Women (NOW)

Sierra Club

***Think Tanks**: independent agencies that are hire to come up with solutions to complex problems

***Chambers of Commerce**: local business organizations that work to promote legislation that protects local small businesses

Goal 6: Law and Order

Key ways to Solve Conflicts:

***Consensus:** getting a unanimous agreement; usually involves a vote

***Compromise:** both sides give up concessions to come to an agreement that benefits both sides

***Debate:** opposing sides present evidence backing their opinion to make more educated decisions

***Negotiation:** discussion of many issues (can involve compromise) in order to come to an agreement

***Mediation:** Third party helps opposing sides come to an agreement

***Arbitration:** third party hears all sides and makes a legally binding decision

Solving disputes in court:

***Jurisdiction:** ability of a particular court to pass judgment in a case (area of power)

-**Original:** Hear it first

-**Appellate:** hear it once it has been through a previous (lower) court

*Court Levels:

1. US Supreme Court: Original in constitutional cases, appellate

2. US Circuit Court of Appeals: Appellate

3. US District Court: Original in federal cases

* * *

1. NC Supreme Court: Original in NC constitutional cases, appellate

2. NC Court of Appeals: appellate

3. NC Superior Court: Original jurisdiction in felony cases and civil cases over \$10,000

4. NC District Courts: original jurisdiction in misdemeanor cases and civil cases under \$10,000

5. Magistrate (original in small claims cases under \$2,000 or juvenile/low level misdemeanors)

Adversarial Nature of Court System

***Civil Court:** People v People or People v Business, usually involves monetary damages as punishment

Plaintiff (brings the suit) v defendant

-Plaintiff must prove the case by a **Preponderance of the Evidence** (majority of the evidence shows responsibility)

-**Settlement:** both sides agree to set terms to avoid going to court

***Criminal Court:** State/Gov't v People; someone has violated someone else's rights

-Prosecution has "**burden of proof**"

-must prove case **beyond a reasonable doubt**

-**Plea Bargain**-defendant pleads guilty to a lesser charge to avoid court

Important Court Terms

***Grand Jury:** looks at evidence to determine whether there is enough to go to court

***Indictment:** issued by Grand Jury; states that there is enough evidence to go to court

***Summons:** document telling the defendant they must go to court

***Subpoena:** document informing a person they must testify in court

***Petit Jury:** 12 members of society determine guilt/innocence of defendant (verdict)

***Verdict:** issued by petit jury stating whether a defendant is acquitted (innocent of charges) or convicted (guilty of charges)

***Bench Trial:** judge issues the verdict

***Writ of Certiorari:** document requesting information from a lower court in the case of an appeal

Ex post Facto: cannot be arrested for a law that didn't exist yet.

Writ of Habeas Corpus: Have the right to be seen by a judge

Bill of Attainder: Cannot be punished without trial

Characteristics of Effective Laws:

1. written/public

2. fair/just

3. enforceable

4. consequences attached if law is broken

Foundations for American Legal System

***Hammurabi's Code:** written legal code, set punishments

***Ten Commandments:** moral code/laws based on ethics

***Draconian Law:** Very strict punishments, Greek

***Justinian Code:** idea of "justice", laws and punishments are fair across all classes, Roman, codified (organized) law

***Magna Carta:** nobody is above the law

***Iroquois Constitution:** unwritten legal tribal system that helped solve conflicts between tribes. Idea of confederacy

***England's Bill of Rights:** protections for those accused of a crime

***Mayflower Compact:** system of just and equal laws to rule the colony. Form of direct democracy (town meetings)

***Virginia House of Burgesses:** set laws for the colony using representative democracy

***US Constitution:** Foundation for current legal code

Types of Law

***Criminal:** Laws to protect people and property from each other

***Civil:** Laws that settle disputes between conflicting parties

***Administrative:** Laws created by executive agencies to help enforce statutes and ordinances

***Statutory:** Laws made by a legislative body

***International:** laws that govern relationships between different nations

***Common:** laws created by past court decisions (Precedent)

Enforcement of the Law

***Thomas Hobbes** (enlightenment philosopher): to be effective there must be a way to enforce the law

*Federal Law enforcement:

-**Department of Justice:** Drug Enforcement Agency (DEA); Alcohol, Tobacco, Firearms and Explosives (ATF); Federal Bureau of Investigation (FBI)

-**Department of Homeland Security:** Protects from terrorism

-**Secret Service:** Protects important government officials, investigates counterfeiting

*State Law Enforcement

-**State Bureau of Investigation:** multi-city, major crimes that affect the entire state

-**State Highway Patrol/State Troopers:** state traffic laws, protects state officials

-**National Guard:** enforce situations where large peace—keeping body needed

-**Sheriff's Department:** county level enforcement

- **Local Police:** enforce state and local laws within city limits

Keeping informed

*"**Ignorance of the law is no excuse**" – all people need to stay informed, you will be punished for a crime whether you knew it was a law or not

-**Mass Media:** gains knowledge about laws from press releases (information fed to the press by the government)

-**Public Forms**-government shares information with the people

-**Franking Privilege:** congressmen use the USPS for free in order to provide information to constituents

Administrative Law/Regulatory Agencies

***Food and Drug Administration:** drugs and food duh

***Federal Communication Commission:** radio, television, internet, phones

***Federal Trade Commission:** fair business dealings

***Consumer Product Safety Commission:** safe products, especially toys

Punishment

Varies based on severity of situation/crime. In certain cases there is **Mandatory Sentencing** which means a judge has to sentence within certain parameters.

*Four theories on why we punish

1. **Retribution:** take revenge upon the perpetrator

2. **Restitution:** in civil cases, money given to victim

3. **Rehabilitation:** make the criminal a better person after punishment

4. **Deterrence:** stop future crime

-**Three-Strikes policy:** after third felony, criminal is incarcerated for life. Intended to stop **recidivism** (repeating criminal behavior).

*Typical Punishments

Jail/Prison

Probation

Parole (early release from prison, closely monitored)

Damages-Money paid to the victim

Capital Punishment/Death Penalty

*Typical Juvenile Punishments

Parole/Probation

House Arrest

Boot Camp

Juvenile Detention

Other Essential Vocabulary

***Advocate:** Recommend or support

***Adversary:** opponent

***Compulsory:** requirement

***Deficit:** lack something

***Domestic:** relating to the home

***Enact:** make a bill a law

***Expenditure:** expense/cost

***Faction:** group within an organization or party that goes against the larger group

***Perjury:** lying in court

***Policy:** a governmental action or idea

***Precedent:** decision in an old court case that is used as an example

***Regulate:** control or manipulate (antonym: deregulate)

***Repeal:** void out a previous law or decision

* **Representative:** one who speaks or acts on another's behalf

***Revenue:** income

Taking a Multiple Choice Test:

1. Read the question to determine what is being asked (beware of NOT, best describes, etc.)

2. Underline/highlight key words or phrases

3. Cross out "junk" words (those you don't need)

4. Rewrite the question in your own words

5. Try to answer the question without looking at the answer options.

6. Make yes or no questions out of the answers

7. Eliminate the answers you know are wrong

8. If you are at a 50/50 chance and they are complete sentences then choose the longest answer.

Tips for getting ready

1. Constantly review material throughout the semester to place these items in long term memory

2. Do most of your heavy studying in the weeks leading to the test. The night before should be reserved for quick glances and last minute checks on harder material.

3. Get a good night's sleep

4. Eat a good breakfast full of protein to keep energy steady (no sugar)

5. Take care of person issues before the exam: bathroom, hydration, nose-blowing so you are comfortable during the exam

6. Wear layers in case you are too hot or too cold. It's hard to pre-determine the temperature in a room on test day.

7. Have confidence in yourself and your ability to succeed. TRUST YOUR GUT (INSTINCTS).