



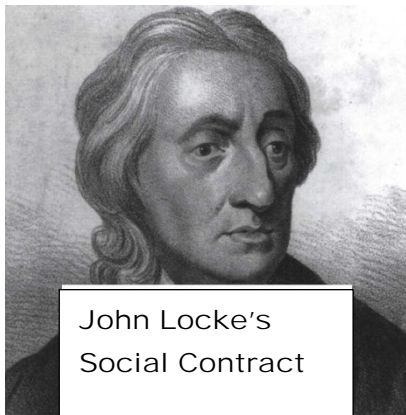
Montesquieu's view of separation of powers

1. The Founding Fathers used his views when writing the Constitution.  
He described the separation of political power among a **legislature**, an **executive**, and a **judiciary**.



John Locke on the Foundations of Natural Law and Natural Right

2. He wrote that government is morally obligated to serve people, namely by protecting their natural rights of **life, liberty, and property**.  
Think- Declaration of Independence



3. A social contract is the belief that the state only exists to serve the will of the people. He believed when government violates individual rights, people were obligated to rebel.  
Think- Declaration of Independence/ American Revolution

Magna Carta, 1215



4. First document to limit the powers of the king - signed in 1215.  
Citizens could not be deprived of life, liberty or property without a lawful judgment of their peers or by law of the land.  
Represented by the fifth amendment.



English Bill of Rights, 1689

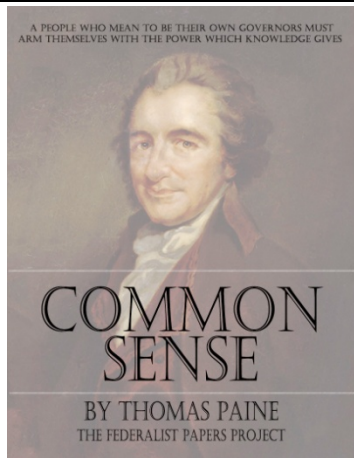


Mayflower Compact, 1620



5. Established freedom from taxation without representation, outlawed cruel and unusual punishment, guaranteed the right to bear arms, and many other rights.  
Many of these same rights are included in the U.S. Constitution.

6. First document to establish self-government in the colonies.  
Signed before the passengers left the ship, *The Mayflower*, to settle in Plymouth Colony.



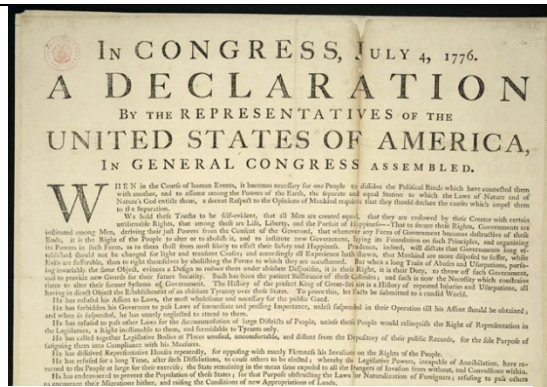
*Common Sense* by Thomas Paine



Self-Government

7. Pamphlet encouraging colonists to demand their rights as citizens and support independence for the colonies.  
Ideas are echoed in the Declaration of Independence.

8. Government or control of a country by its own members rather than by members of a different country.



Declaration of Independence

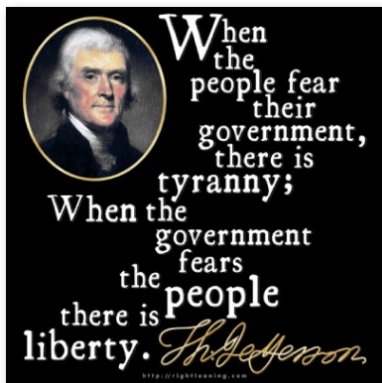
Assent



9. Statement of American ideals -**role of government** is to protect their **natural rights** (life, liberty, pursuit of happiness) - adopted July 4, 1776.

Also listed grievances against the king. Colonists were angry over being taxed without their consent (no taxation without representation).

10. Official approval or agreement



Tyranny

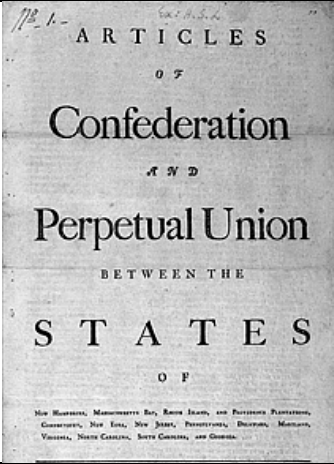
Shay's Rebellion



11. Cruel and oppressive government or rule.

12. Protests by Massachusetts farmers over tax collections and judgments for debt. State militia crushed the rebels.

Alarmed politicians - cited as a reason to revise or replace the Articles of Confederation.



Articles of Confederation



Preamble to the Constitution

13.  
 First form of government for America.

Many Weaknesses:  
 Only had a Congress where 9 out of the 13 states had to agree.  
 No executive or judicial branch (power to enforce or interpret laws).  
 States had the majority of the power.  
 Country in debt - no way to raise money.

14.  
 Introduction to the U.S. Constitution, establishing the goals and purposes of government.

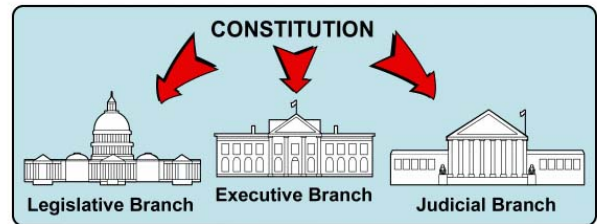
"We the People" = government depends on the people for its power and exists to serve them.

Sets up the six goals of government.



Constitutional Government

Separation of Powers



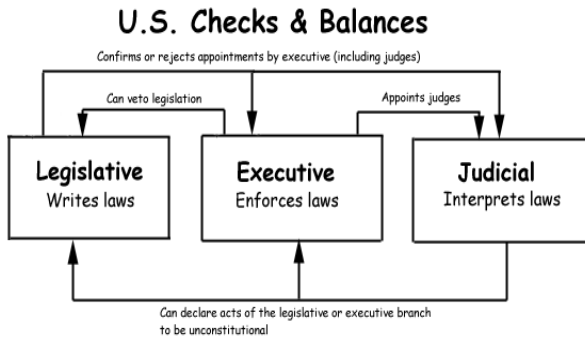
15.  
 Any government whose authority and construction are **defined** by a constitution.

16.  
 Powers of government are divided among three branches of government: Legislative, Executive, and Judicial.

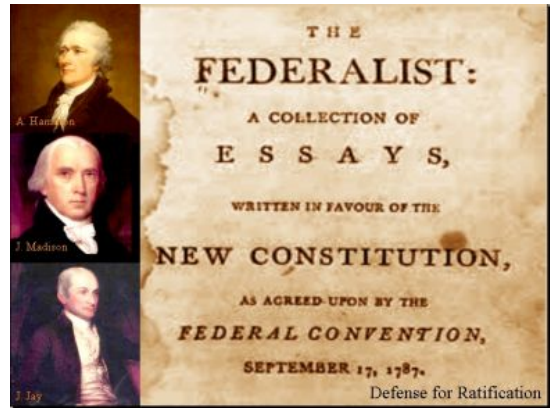
Limits the power of government.

Montesquieu (French philosopher) believed this was a way to ensure liberty.

## Checks and Balances



## Federalists



17. Each governmental branch has powers to limit (check) the other branches.

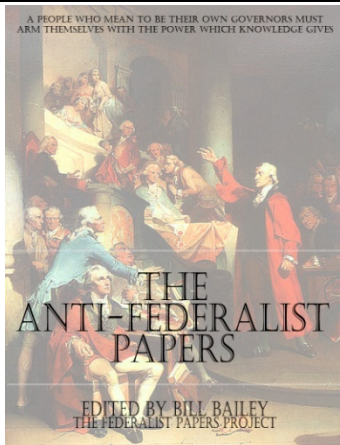
Keeps the balance of power relatively equal between the branches.

Montesquieu (French philosopher) believed this was a way to ensure liberty.

18. Supporters of the Constitution who believe a strong national government is needed to keep the country united.

Published the *Federalist Papers* to gain support for the Constitution.

## Anti-Federalists



## Bill of Rights



19. Feared a strong federal government as created by the Constitution.

Did not believe it would protect states' rights nor people's freedom.

As the Constitution is ratified, they push for a "Bill of Rights" to protect individual liberties.

20. First 10 amendments to the U.S. Constitution - details the specific freedoms that belong to each American citizen.



Rule of Law

Civil  
Law



21.  
No one is above the law.

Foundation of liberty in the United States and it protects us from tyranny; Constitution = limited government.

22.  
Group of laws that refer to disputes among people or organizations.



Criminal Law

23.  
Group of laws that define what acts/activities are crimes.

Describes how a person accused of a crime should be tried in court and how crimes should be punished.

Constitutional Law



24.  
Based on the Constitution and on Supreme Court decisions interpreting the Constitution.



Statutory Law

25.  
Laws that are passed by a law-making body (such as Congress).  
  
Most criminal and many civil laws are also these types of laws.

Military Law



26.  
Governs the behavior of men and women in all branches of the U.S. armed forces.



Common Law

27.  
Type of law that develops from judges previous decisions and is followed in situations not covered by statutory law.  
  
Sometimes, also called case law.

Juvenile Law



28.  
An area of the law that deals with the actions and well-being of persons who are not yet adults.



Citizenship

Naturalization



29.  
As defined by the 14<sup>th</sup> Amendment: all who are born or naturalized in the United States are citizens of the United States and of the state they reside in.

30.  
Legal process through which immigrants become U.S. citizens.  
  
Must be at least 18 years old, have a background check showing "good moral character", be fingerprinted, and pass tests on civics, U.S. history, and English  
  
Must take Oath of Allegiance to the United States.



Law of Blood



Law of Soil

31.  
Idea that a person's nationality at birth is the same as that of his natural parents.  
  
For example, if a child's parents are American citizens travelling through France when they give birth to that child, the child is American.

32.  
Idea that the country of citizenship of a child is determined by its country of birth.  
  
For example, in most cases if a child was born on U.S. land, but his parents are not U.S. citizens, the child is still a U.S. citizen.





Civic Responsibility

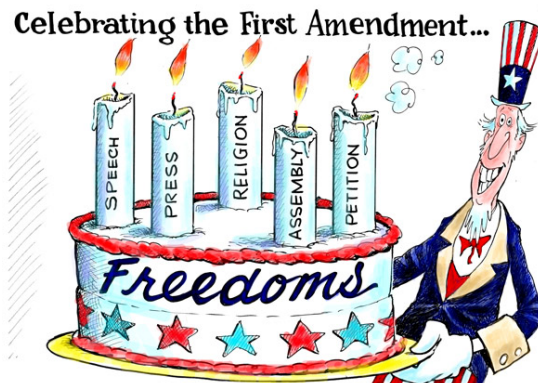
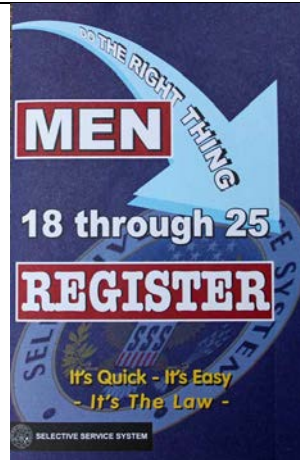


Civic  
Duty

33.  
Something that you **should** do as a citizen. This can include participating in the democratic process (voting), recycling, volunteering, or helping other citizens.

34.  
A civic duty is something that each citizen **owes** their nation, whether it's serving on a jury, abiding the law, registering for selective service, or paying taxes.

Selective  
Service



First Amendment

35.  
A system for calling up people for compulsory (required) military service.

36.  
Protects five freedoms: religion, speech, press, assembly, and petition.



Second Amendment



Third Amendment

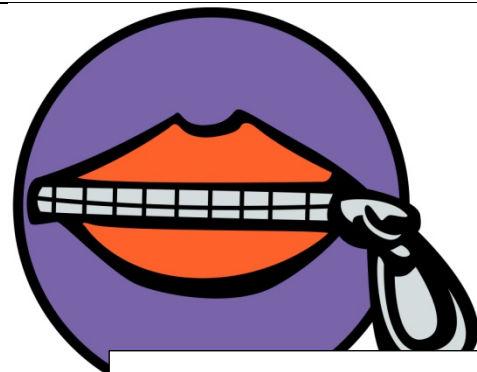
37. Protects the right to bear arms.

38. No soldiers will be quartered (housed) without the consent of the owners during times of peace.

Also protects home-owners during times of war (unless required by law).



Fourth Amendment

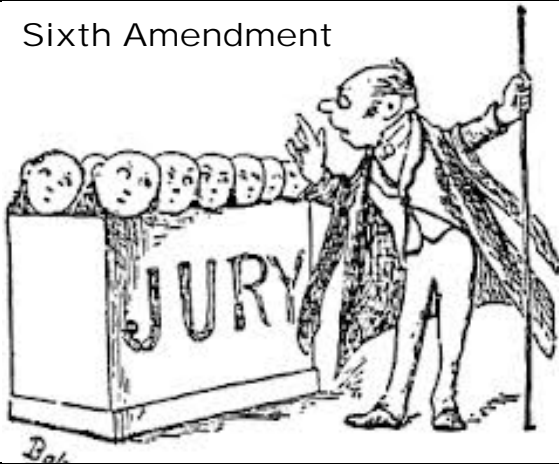


Fifth Amendment

39. Protects against **unreasonable** search and seizures without a warrant or probable cause.

- 40.
1. Before being tried for a serious crime a grand jury must indict (formally accuse) the person of the crime.
  2. Protects against being tried for the same criminal offense twice.
  3. Protects against self-incrimination.
  4. Cannot be deprived of rights without due process of the law.
  5. Allows for eminent domain.

Sixth Amendment



Seventh Amendment

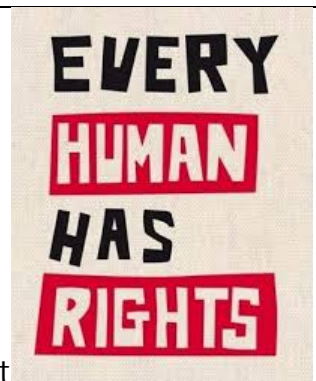
41.  
 Right to a prompt and public trial decided by a jury.  
 A person must be informed of the charges against them.  
 Can hear and question all witnesses, and have their own witnesses.  
 Right to legal counsel (attorney). (Supreme Court interpreted this to mean the government will provide one if you cannot afford it).

42.  
 In cases involving money or property over \$20, the right to a trial by jury is preserved.



Eighth Amendment

43.  
 Protects against excessive bail and fines.  
 Protects against cruel and unusual punishments.

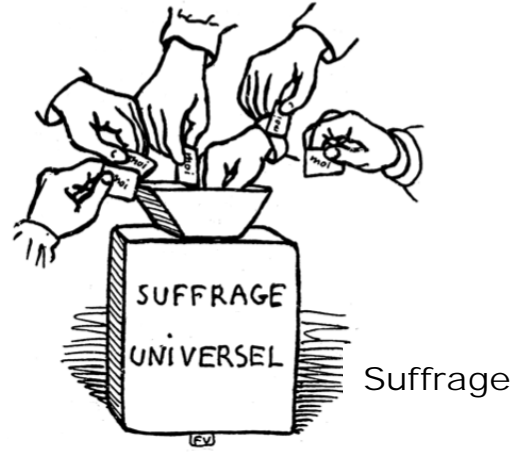


Ninth Amendment

44.  
 There are rights reserved to the people that are not listed in the Constitution.  
 Refers to the natural rights of people.  
 Also called **unenumerated rights** - those not spelled out in the Constitution.

Tenth Amendment

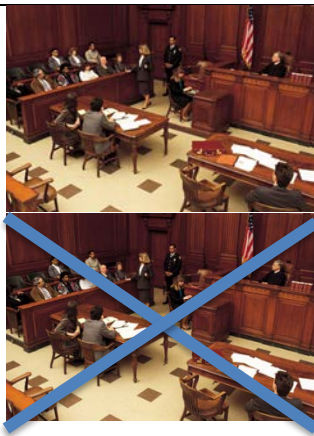
**Remember the  
Tenth Amendment!**  
**STATES HAVE RIGHTS TOO !**



45.  
Powers that are not reserved to the federal government nor prohibited to the states belong to the states or the people.

Limits the power of the federal government.

46.  
The right of voting.



Double  
Jeopardy

Due Process



47.  
The act of putting a person through a second trial for an offense for which he or she has already been prosecuted or convicted.

Prohibited by the **Fifth Amendment**.

48.  
The government has to follow rules and established procedures in everything it does.

This protection helps to ensure justice.

Contained in the **Fifth Amendment**.



Eminent Domain

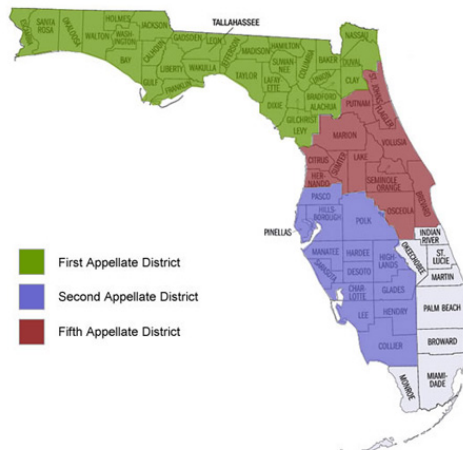
"Pleading the Fifth"



49.  
 Government power to take private property for public use without the owner's consent.  
 The **Fifth Amendment** requires the payment of just compensation to the owner.

50.  
 A person's refusal to answer a question on the ground that the answer might incriminate the person.  
 The right to this refusal is protected by the **Fifth Amendment**.

Appellate Process



Ex Post Facto

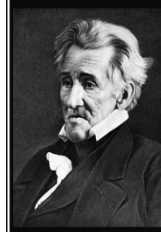


51.  
 The process to have a higher court review the result of a trial court or lower court.  
 The Supreme Court is mainly an Appeals Court

52.  
 Latin for "after the fact."  
 Laws adopted after an act is committed making it illegal although it was legal when done, or increases the penalty for a crime after it is committed.  
 Such laws are specifically **prohibited** by the U.S. Constitution.



*Habeas Corpus*



All the rights secured to the citizens under the Constitution are worth nothing, and a mere bubble, except guaranteed to them by an independent and virtuous Judiciary.

(Andrew Jackson)

izquotes.com

Independent Judiciary

53. Court order that requires the government to bring a prisoner to court and explain why he or she is being held.

54. A justice system that is not influenced by either the legislative or executive branch.  
  
Free to make decisions based upon law, not upon men or pressure from other groups.  
  
Created to guarantee equal justice to all.

Precedent



"Sorry, but 'What happens in Vegas, stays in Vegas' is not a recognized legal precedent."



Summary Judgment

55. A previous case or legal decision that may be or must be followed in future similar cases.

56. A procedural device used during civil cases to promptly dispose of a case without a trial. It is used when there is no dispute as to the material facts of the case and a party is entitled to judgment.  
  
The purpose of summary judgment is to avoid unnecessary trials.



Civil Disobedience

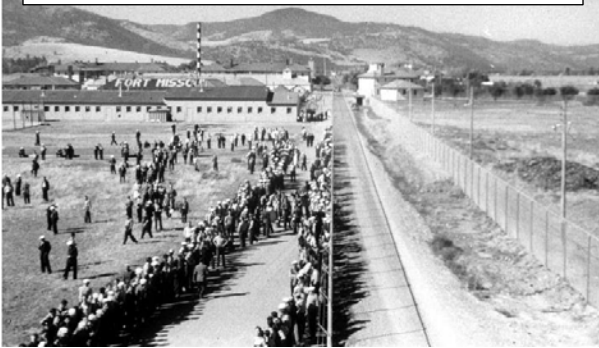


Economic Freedom

57. Refusal to obey governmental demands or commands especially as a nonviolent and usually collective (group) way of forcing the government to do or change something

58. The freedoms to choose how to produce, sell, and use your own resources, while respecting others' rights to do the same.

Internment



PROPERTY RIGHTS

59. The imprisonment or confinement of people, commonly in large groups, without trial.

60. Authority to determine how a resource is used, whether that resource is owned by government or by individuals.





15<sup>th</sup>

Amendment



19<sup>th</sup>

Amendment



65.

States that no one can be denied suffrage (right to vote) based on race or color.

66.

Prohibits any United States citizen from being denied the right to vote on the basis of gender.



24<sup>th</sup> Amendment

26<sup>th</sup> Amendment

67.

Bans the use of poll taxes as a requirement for voting in national elections.

Supreme Court interpretation later expands this to cover state elections as well.

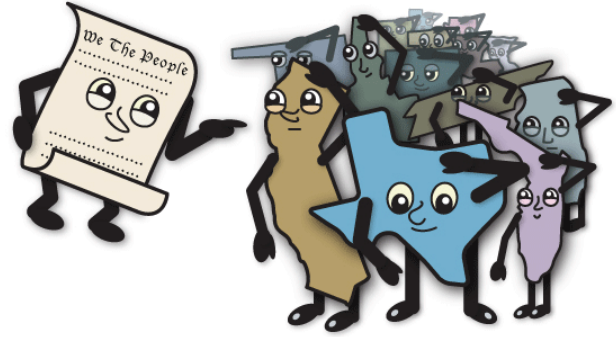
68.

Lowered the voting age in all elections to 18.



Equal Rights Amendment

States' Rights



69. A proposed amendment to the United States Constitution designed to guarantee equal rights for women.

Originally proposed in 1923.

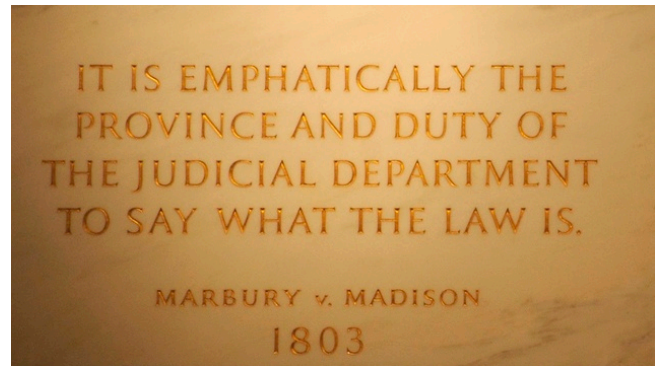
The amendment has been reintroduced in every session of Congress since 1982.

70. Political powers reserved for the state governments and not the federal government.



Voting Rights Act of 1965

*Marbury v. Madison*



71. Designed to enforce the voting rights guaranteed by Fifteenth Amendment to the United States Constitution.

Prohibits discrimination in voting.

It is considered one of the most effective pieces of civil rights legislation ever enacted in the U.S.

72. Establishes the Supreme Court's power of judicial review (deciding whether laws passed by Congress are constitutional).



Plessy v. Ferguson

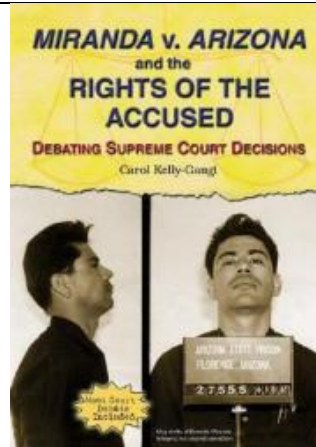


*Brown v. Board of Education*

73.  
"Separate, but equal" was constitutional.  
Upholds state laws requiring segregation.

74.  
Segregation in the public schools is unconstitutional.  
Reverses the Court's earlier position on segregation set by *Plessy v. Ferguson*.

*Gideon v. Wainwright*



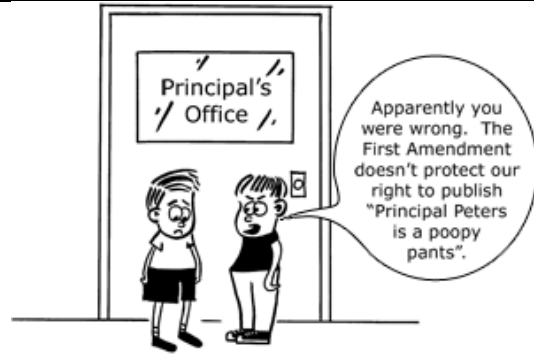
*Miranda v. Arizona*

75.  
Established free legal help for those who cannot otherwise afford representation in court.

76.  
Ruled that a person's Fifth Amendment rights begin at the time of arrest.  
The name "Miranda Rights" come from this case.



*Tinker v. Des Moines*



*Hazelwood v. Kuhlmeier*

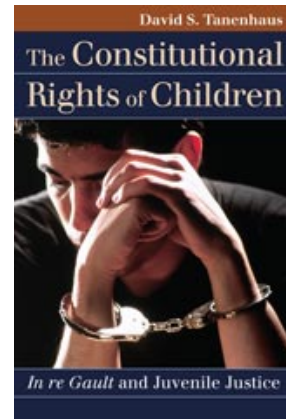
77.  
Establishes the extent of public school students' constitutional rights while at school.  
  
Specifically about black armbands worn to school to protest the war in Vietnam.

78.  
Establishes that the 1st Amendment does not require schools to promote particular types of student speech (specifically about a school newspaper).  
  
The paper was sponsored by the school and the school was within its rights to prevent publication of articles it found inappropriate.

*United States v. Nixon*



*In re Gault*



79.  
Court ruling forced President Nixon to turn over secret tapes of White House conversations.  
  
Due process of law more important than "executive privilege" which is the right to withhold information from other government branches.

80.  
Landmark U.S. Supreme Court decision that held that juveniles accused of crimes in a delinquency proceeding must be afforded many of the same due process rights as adults.



*Bush v. Gore*



*Heller v.  
D.C.*

81. After issues with voters' ballots in Florida, the FL Supreme Court issued a recount. The US Supreme Court ruled that this was unconstitutional, since in essence the FL Supreme Court was creating a new election law (something they cannot do). The recount was stopped and George Bush declared the winner in Florida, and the nation.

82. Court held that the Second Amendment protects an individual right to possess a firearm unconnected with service in a militia, and to use that firearm for traditionally lawful purposes, such as self- defense within the home.



Juvenile Rights



Segregation

83. Minors in juvenile court delinquency proceedings **do not** have the same constitutional rights as those given to adults in regular criminal court cases.

*In re Gault* strengthened some of their rights; such as, the right to know the charges, and right to an attorney.

84. The enforced separation of different racial groups.



Communist Party



Libertarian Party

85. Political party in the United States, which supports communism - the economic and political system in which the government owns the means of production and decides what will be produced.

86. Political party in the United States that believes each individual has the right to control his or her own body, action, speech, and property. Government's only role is to help individuals defend themselves from force and fraud.



Socialist Party



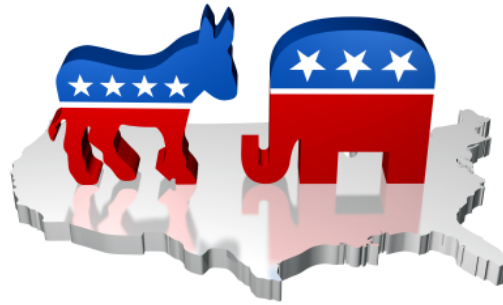
Democratic Party

87. Political Party in the United States which supports socialism - working people own and control the means of production and distribution through democratically- controlled public agencies, cooperatives, or other collective groups.

88. One of the two major political parties in the United States. Considered to be more liberal, the party supports a stronger role for the federal government in providing social programs.



Republican Party



Two-Party System

89.  
One of the two major political parties in the United States.

Considered to be more conservative, the party supports reducing the power of the federal government in providing social programs.

90.  
U.S. only has two main political parties, but hundreds of smaller parties.

Smaller parties, **usually**, do not have a significant impact on national politics, but have, at times, swayed the vote enough to help one of the major candidates to win.

### Constitutional Requirements for the House of Representatives



### Constitutional Requirements for the Senate



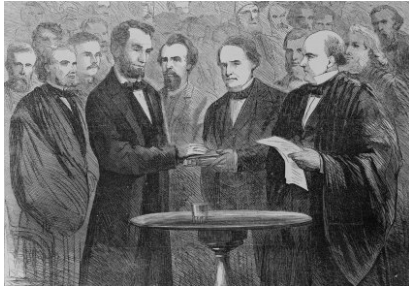
91.  
Candidates must:

- be at least 25 years old.
- have been a citizen of the U.S. for at least 7 years.
- be a legal resident of the state you represent.

92.  
Candidates must:

- be at least 30 years old.
- have been a citizen of the U.S. for at least 9 years.
- be a legal resident of the state you represent.

## Constitutional Requirements for the President



Special Interest Groups

93.  
Candidates must:

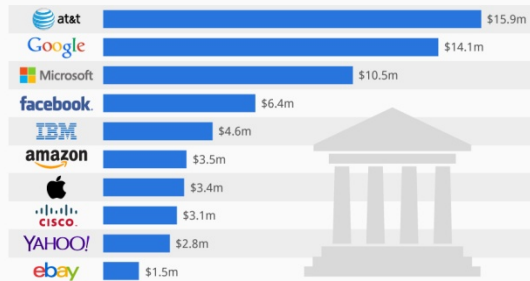
- be at least 35 years old.
- be a native born U.S. citizen.
- be a resident of the United States for at least 14 years.

94.

Organizations of people with common interests who try to influence government policies and decisions.

### The Price of Political Influence

Lobbying expenditure of selected companies in the U.S. in 2013 (in million U.S. dollars)



Source: Clerk of the House's Lobbying Disclosure database

statista



Lobbyist

Lobbying

95.  
A person paid to represent an interest group's viewpoint.

96.  
Seeking to influence a politician or public official on an issue.





Political  
Action  
Committee



Watchdog

97.  
The part of a special interest group that collects voluntary contributions from members to fund political candidates and political parties that the interest group favors.

98.  
A group of people who act as protectors of other citizens against illegal, inefficient and unethical practices in government.  
  
They closely monitor how things are done by politicians and draw attention to anything that is not done properly.



Because 'truth' is a subjective term, and 'facts' are what you make them

Bias



Symbolism

99.  
An attitude that always favors one way of feeling or acting over any other.

Not always obvious.

100.  
The use of symbols to represent ideas or qualities.

Used often in political campaigns to sway voters.



Propaganda



Domestic Policy

101.  
Ideas used to influence people's thinking or behavior.

Used often in political campaigns to sway voters.

102.  
An area of public policy which concerns laws, government programs, and administrative decisions which are directly related to all issues and activity **within** a nation's borders.

Foreign Policy



103.  
A country's plan for dealing with other countries of the world.



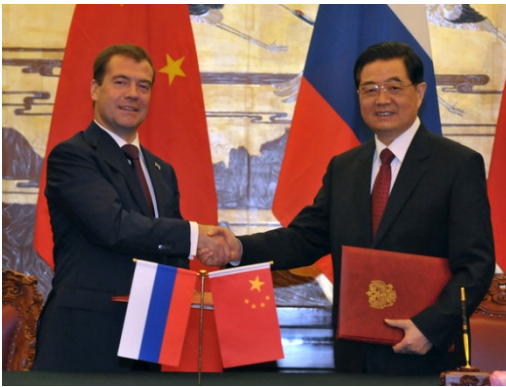
United States State Department

104.  
Executive department responsible for international relations of the United States.

Created in 1789.

It was the first executive department established.

Alliance



U.S. Ambassadors to the MENA Region are welcomed by NUSACC Chairman Don De Marino (right) and Executive Vice President Curt Silvers (left).

Ambassadors

105.  
Association formed for mutual benefit between countries.

106.  
Highest-ranking officials representing a government in a foreign country.

Diplomacy



Diplomat

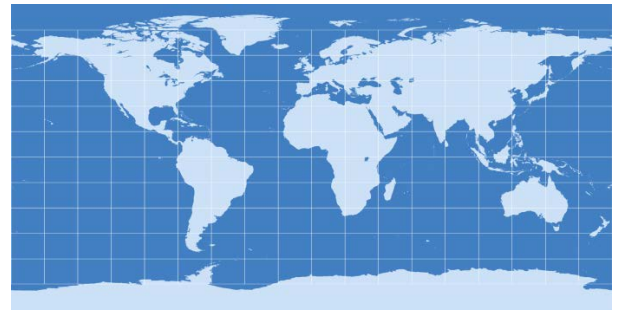
107.  
The art of dealing with foreign governments.

108.  
A person appointed by a country to conduct diplomacy with another country or international organization.

An ambassador would be the highest-ranking.



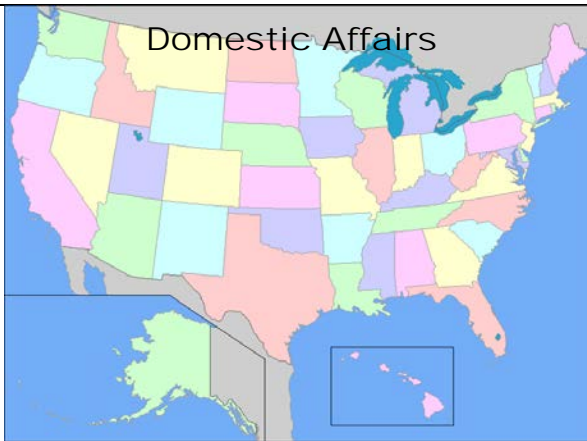
Doctrine



Foreign Affairs

109.  
A statement of government policy especially in international relations.

110.  
Activities of a nation in its relationships with other nations; **international relations**.



Domestic Affairs

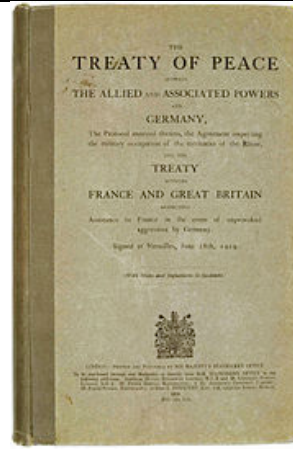


Secretary of State

111.  
Issues relating to your own country.

112.  
Official of the federal government heading the U.S. Department of State, principally concerned with foreign affairs.

## Embassy



## Treaty

113.  
The residence or office of an ambassador in a foreign country.

114.  
A formally concluded and ratified agreement between countries.

## Non-Governmental Organization (NGO)



ASSOCIATION of  
FISH & WILDLIFE  
AGENCIES

## International Non-Governmental Organization (INGO)



115.  
Private organizations that pursue activities to relieve suffering, promote the interests of the poor, protect the environment, provide basic social services, or undertake community development.

116.  
Has the same mission as a non-governmental organization (NGO), but it is international in scope and has outposts around the world to deal with specific issues in many countries.



North American Free Trade Agreement (NAFTA)

North Atlantic Treaty Organization



(NATO)

117. Designed to remove tariff barriers between the United States, Canada, and Mexico over a fifteen year time span.  
  
Most comprehensive regional trade agreement ever negotiated by the United States.

118. Security alliance to safeguard the freedom and security of its members through political and military means.



International Red Cross/Red Crescent



119. Organization that acts before, during and after disasters and health emergencies to meet the needs and improve the lives of vulnerable people around the world.

120. Organization that promotes peaceful coexistence and worldwide cooperation.  
  
Currently has 192 permanent member countries.



United Nations Children's Fund

World Court (International Court of Justice)



121.  
A United Nations program that provides long-term humanitarian and developmental assistance to children and mothers in developing countries.

122.  
Judicial branch of the UN.  
Its main functions are to settle legal disputes between member countries.



World Trade Organization (WTO)

Bay of Pigs



123.  
International trade agreement - its main function is to ensure that trade flows as smoothly, predictably and freely as possible.  
159 countries are members.

124.  
Unsuccessful military invasion of Cuba in 1961 by U.S. sponsored troops.  
The invasion was a major embarrassment for U.S. foreign policy.



Cuban Missile Crisis



Iran Hostage Crisis

125.  
 13 day confrontation over the Soviet Union building missile bases in Cuba. The United States decided on a military blockade - they would not permit offensive weapons to be delivered to Cuba.  
 U.S. and Soviet Union (with UN's help) came to an agreement to avoid nuclear war.

126.  
 A diplomatic crisis between Iran and the United States when 52 Americans were held hostage for 444 days (November 4, 1979, to January 20, 1981), after a group of Iranian students took over the US Embassy in Tehran.



Korean War



Vietnam War

127.  
 In 1950, North Korea invaded South Korea. The U.S. and 15 other members of the UN helped defend South Korea. In 1953, the conflict reached a stalemate.

Tensions still remain high between the two countries.

128.  
 Controversial war to stop the spread of communism in SE Asia. The U.S. sent economic and military aid to help the non-communist southern half. By 1975, the Communist government controlled all of Vietnam.



## Gulf Wars I and II



## World War I



129.

The First Persian Gulf War, Jan.-Feb., 1991, was an armed conflict between Iraq and a coalition of 39 nations including the United States. It was a result of Iraq's invasion of Kuwait on Aug. 2, 1990.

The Second Persian Gulf War, also known as the Iraq War, Mar.-Apr., 2003, was a largely U.S.-British invasion of Iraq. It started in part because the Iraqi government failed to cooperate fully with UN weapons inspections in the years following the first conflict.

130.

U.S. initially tried to remain neutral, but German submarines attacked U.S. merchant ships making this impossible.

The U.S. entered the war as an "associated power", rather than a formal ally of France and the United Kingdom, in order to avoid "foreign entanglements".

## World War II



## Direct Democracy



131.

U.S. takes a neutral position until the Japanese attack at Pearl Harbor in Hawaii.

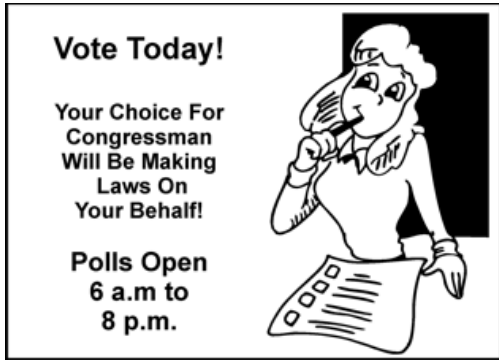
End of the war led to the formation of the United Nations.

United States is finished trying to isolate (isolationism) itself from the rest of the world.

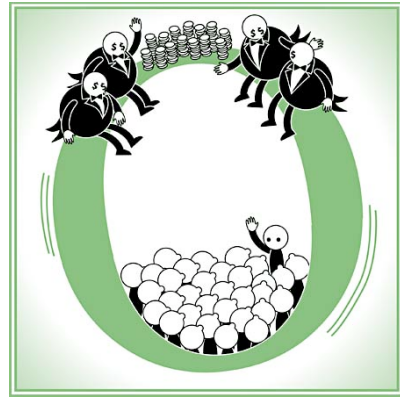
132.

Type of government in which the power to govern lies directly in the hands of the people rather than being exercised through their representatives.

Representative Democracy



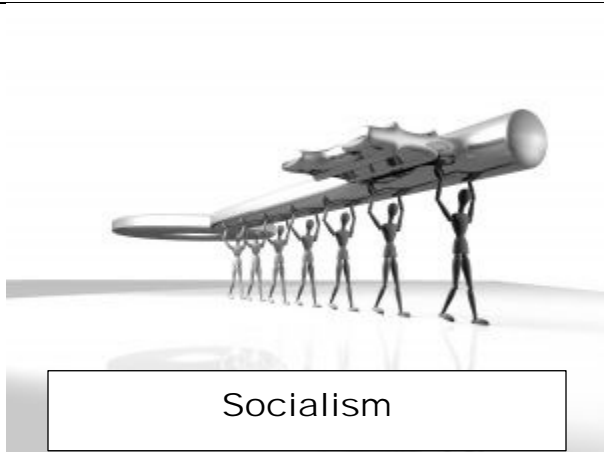
Oligarchy



133.  
Type of government in which the people elect representatives to carry on the work of the government for them.

The United States is one.  
Also called a republic.

134.  
Type of government in which all power belongs to a small group of people.



Socialism

135.  
Economic system where working people own and control the means of production and distribution through democratically-controlled public agencies, cooperatives, or other collective groups.  
There are many varieties.



Communism  
You have two cows. The state takes both and gives you some milk.  
Communism

136.  
The economic and political system in which the government owns the means of production and decides what will be produced.



Monarchy



Autocracy

137.  
Type of government having a ruler who inherits the position, may rule for life, and holds powers varying from very limited to total.

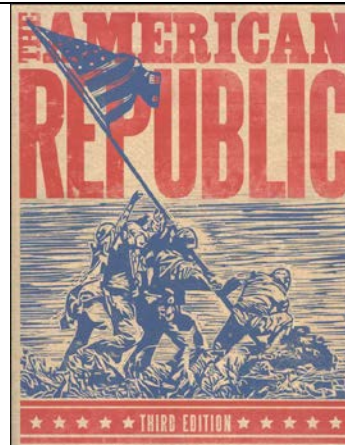
138.  
Type of government where one person has unlimited power.

North Korea is an example.

### ABSOLUTE MONARCHS of EUROPE 1500 - 1800



Absolute Monarchy



Republic

139.  
Type of government in which the monarch has absolute power among his people.

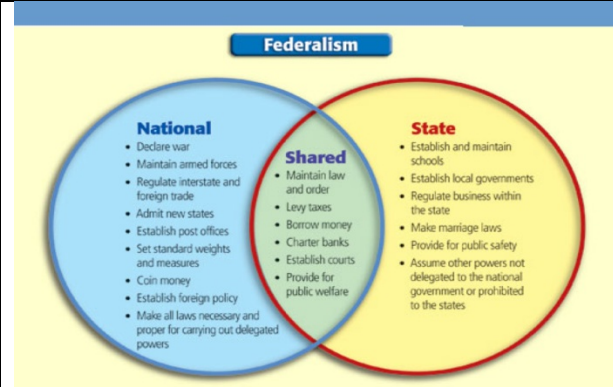
140.  
Type of government in which the people elect representatives to carry on the work of the government for them.

The United States is one.

Also called a representative democracy.



Parliamentary System of Government



Federal System of Government

141.  
A system of democratic government in which the executive branch is held accountable to the legislature (parliament).

The executive and legislative branches are interconnected.

142.  
A system of government that divides the powers of government between the national (federal) government and state and local governments.

The United States is a federal government.



Confederal System of Government

↑ = Direction of power  
□ = Political unit ie., state

**Confederation**



Unitary System of Government

↓ = Direction of power  
□ = Political unit ie., state

143.  
A system of government where the states have the power and the national government is weak.

Think: Articles of **Confederation**

144.  
A system of government where power is almost entirely centralized in a national government. Power is allowed to local governments only for the sake of convenience (such as garbage collection times or issuing parking tickets).

Many countries (but not the U.S.) have this system of government.

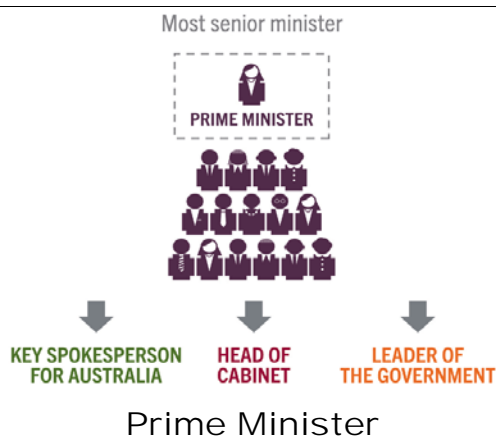
Governor



President

145.  
The chief executive of a state government.

146.  
The chief executive of a nation.



CONGRESS

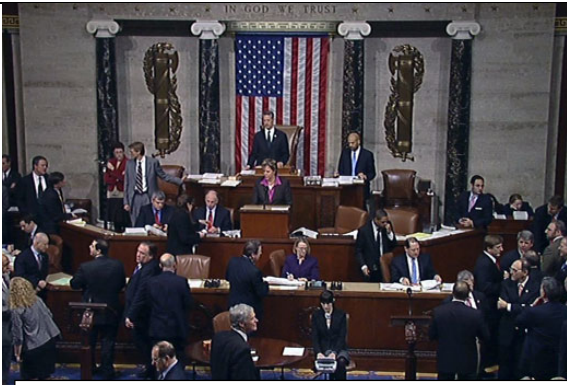
Legislative Branch

147.  
The most senior minister of cabinet in the executive branch of government in a parliamentary system.

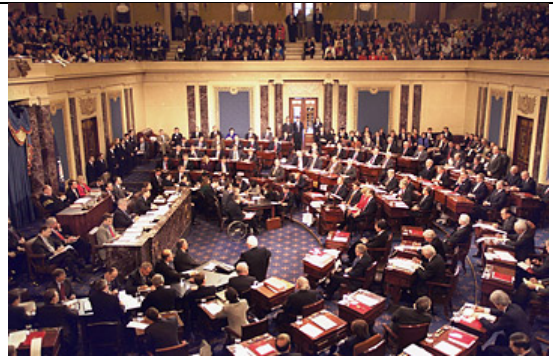
Example: The UK has a Prime Minister.

148.  
Branch of the government, created by Article I in the Constitution, that makes the laws. Is **bicameral** with the House of Representatives and Senate.

Delegated powers include: collecting taxes, borrowing money, coining money, punishing counterfeiters, regulating trade, granting copyrights and patents, making immigration law, forming the federal court system, punishing piracy, declaring war, funding and regulating armed forces, forming and arming militias, establishing the postal service, and creating Washington D.C., and to make all laws which shall be **necessary and proper**.



House of Representatives



Senate

149.  
One part of the Legislative Branch.

Has 435 elected members -number of representatives for each state depends on that state's population.

Any appropriations (spending money) bill must **start** in this chamber.

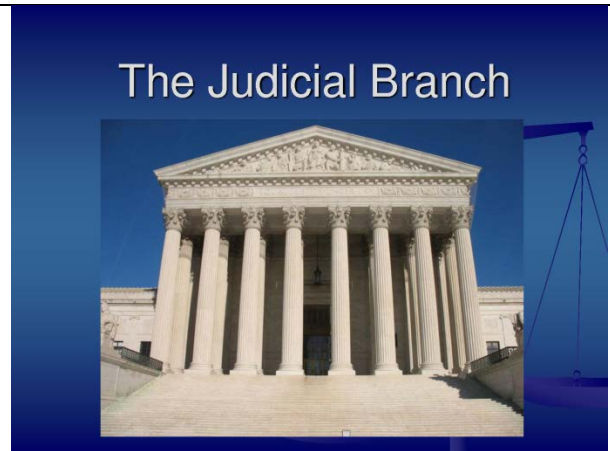
150.  
One part of the Legislative Branch.

Has 100 elected members with each state having two senators.

Has special powers: all impeachment trials held in the Senate, all treaties must be approved with a 2/3 vote, and all appointed high officials (like Supreme Court justices) must be approved with a majority vote.



Executive Branch



151.  
Branch of the government, created by Article II in the Constitution, in charge with enforcing the laws.

The President is Commander in Chief of the armed forces, and also has the power to make treaties. **Yet**, only Congress can declare war, and the Senate must approve any treaty with a 2/3 vote.

152.  
Branch of the government, created by Article III in the Constitution, in charge of handling disagreements over the law.

Is made up of the Supreme Court, Lower Courts, and Special Courts.



Supreme Court



Concurrent Powers

153.  
The Supreme Court is the nation's highest court with 9 justices appointed by a President and approved by a majority of the Senate.

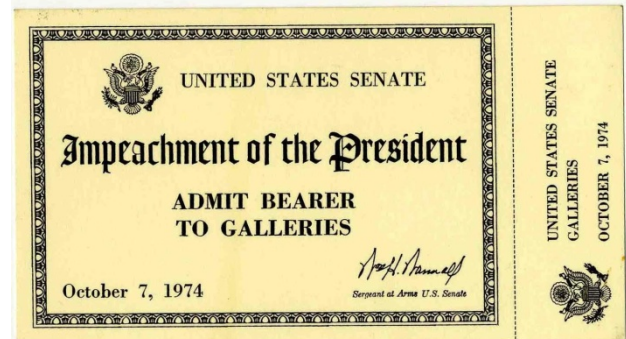
Justices serve for life or until they resign (can also be impeached).

Usually determine constitutionality of laws.

154.  
Powers that are shared by a state and federal government.

Examples include raising and collecting taxes, making and enforcing laws, creating state and local court systems, and borrowing and spending money.

Delegated Powers



Impeachment

155.  
Powers that are clearly spelled out in the Constitution for the federal government.

Examples include conducting foreign policy, printing money, maintaining a post office, and defending the country.

156.  
Formal process in which an official is accused of unlawful activity.

At the federal level, charges must be presented in the House of Representatives and then the trial is in the Senate.

Does not necessarily mean removal from office.

# THE ELASTIC CLAUSE



Implied Powers

Congress has not unlimited powers to provide for the general welfare, but only those specifically enumerated.

~Thomas Jefferson~



Enumerated Powers

157. Powers that Congress has exercised under the "necessary and proper" clause (also called the **elastic clause**):

*"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers..."*

Example: establishing national military academies.

158. Powers granted to Congress by Article I, Section 8 of the U.S. Constitution.

These include: coining money, regulating trade, making immigration law, declaring war, and funding & regulating armed forces.



Reserved Powers



Supremacy Clause

159. Powers granted to the states. These include marriage laws, driving laws, traffic regulations, maintaining education systems, conducting elections.

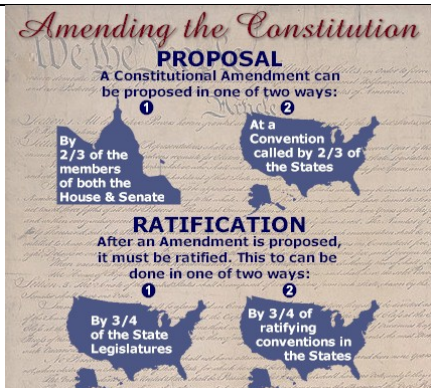
Protected by the 10<sup>th</sup> Amendment

160. The U.S. Constitution is the supreme law of the land.

No one can violate the U.S. Constitution.

Federal law supersedes state law when there is a conflict.





Amendment Process



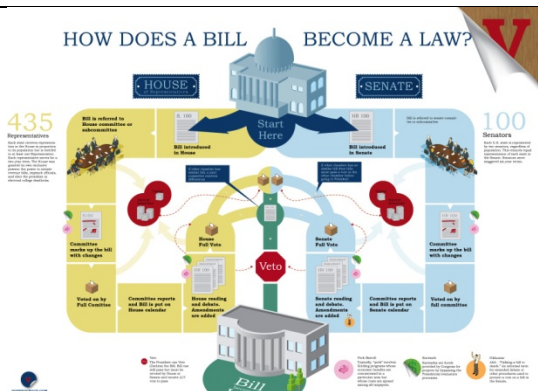
Caucus

161.  
 2 ways to propose a new amendment:  
 2/3 vote in both houses of Congress; 2/3 of states can ask Congress for a national convention to propose a new amendment

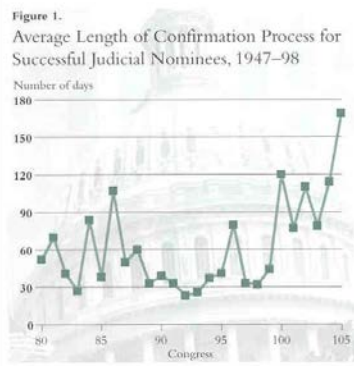
2 ways to ratify a new amendment: 3/4 of state legislatures; 3/4 of special state conventions approve it

Takes a long time and it is not easy to gain approval and ratify a new amendment.

162.  
 A meeting of supporters or members of a specific political party or movement.



How a Bill Becomes a Law



Appointment Confirmation

163.  
 Appropriations bills must start in the House. Others can start in either chamber. Must be introduced, goes to committee, gets out of committee to get voted on, and goes to the other chamber to go through a similar process there. Then sent to the president to sign or veto. If vetoed, Congress can override with a 2/3 vote in both houses (unless it is a pocket veto).

164.  
 The U.S. Constitution gives the president the power to appoint officials like Cabinet secretaries, Supreme Court justices and ambassadors with the "advice and consent of the Senate" To protect the interests of the American people, the Senate holds confirmation hearings to examine candidates for presidential appointment. Presidential appointments **must** be approved by a majority of the Senate.



Congressional Committee Selection

## Executive Order

**Executive Order 11246, as amended by Executive Order 11375**

- ◆ Prohibits employers who practice gender discrimination from receiving federal contracts.
- ◆ Employers are also required to develop “affirmative action” plans.
- ◆ Order established the Office of Federal Contract Compliance under the Department of Labor as an enforcement agency.

165.

Congress divides its legislative, oversight, and administrative tasks among approx. 200 committees and subcommittees.

The list of members of each committee is officially approved by a full vote of its chamber. However, those decisions are actually made by the party leadership. Considerations in making the assignments include each member's areas of expertise, the interests of their constituents, and seniority. Political favors also often come into play in committee assignments.

166.

Orders from the President usually to his own officials. Do not require approval from Congress but they must find support in the Constitution, either in a clause granting the President specific power, or by a delegation of power by Congress to the President.

Have significant influence over the internal affairs of government, deciding how and to what degree laws will be enforced, dealing with emergencies, and waging war.



Judicial Review

167.

A president's constitutional right to reject a decision or proposal made by Congress.

President can also decide not to sign a bill without an official approval/rejection and one of two things can happen after 10 days:

1. Congress is in session, the bill becomes a law.
2. Congress is not in session, the bill dies (called a pocket veto).

168.

The power of the courts to review the actions of the executive and legislative branches - can strike down laws that are deemed unconstitutional.

Became an established power of the judicial branch with the Supreme Court case *Marbury v. Madison* (1803).



Court Order

### Writ of Certiorari

IN THE  
**Supreme Court of the United States**

---

EASTON AREA SCHOOL DISTRICT,  
*Petitioner,*

v.

B.H., A MINOR, BOTH AND THROUGH HER MOTHER; JENNIFER HAWK; K.M., A MINOR BY AND THROUGH HER MOTHER; AMY MCDONALD-MARTINEZ,  
*Respondents.*

---

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

---

**PETITION FOR A WRIT OF CERTIORARI**

169.  
 An order issued by a court of law requiring a person to do something or to refrain from doing something.

170.  
 Order asking for judicial review. A minimum of four of the nine Justices on the Supreme Court is required to grant a writ of certiorari, referred to as the "rule of four".

The court denies the vast majority of petitions and thus leaves the decision of the lower court to stand without review; it takes roughly 80 to 150 cases each term.

City of Houston Smoking Ordinance No. 2006-1054

# NO SMOKING

This is a smoke-free establishment.



No Smoking within 25 feet of the entrance, exit, wheelchair ramp or openable window.

Ordinance



Statute

171.  
 A law or regulation made by a city or town government.

172.  
 A law enacted by the legislative branch (federal or state) of a government.

ACT



Cabinet

173.  
Another name for a law.

It can either be a public law, relating to the general public, or a private law, relating to specific institutions or individuals.

174.  
Composed of the most senior appointed officers of the executive branch of the United States, who are usually the heads of the federal executive departments.

All Cabinet members are nominated by the president and then presented to the Senate for confirmation or rejection by a simple majority.



Chief  
Justice



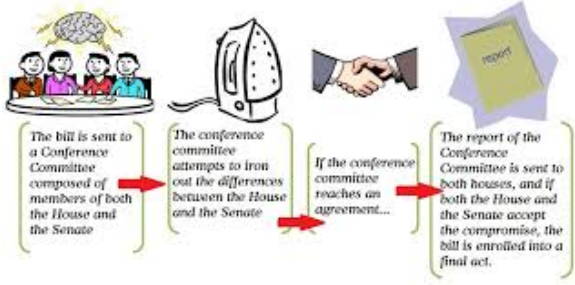
Standing Committee

175.  
Highest judicial officer.

One of the Supreme Court justices (whether federal or state).

176.  
Permanent committees identified by chamber rules that exist in either the House of Representatives or Senate.

Considers bills and issues as well as monitors agencies, programs, and activities that fall under its authority.



Conference Committee

Special Committee



177.  
A conference committee is a committee of the Congress appointed by the House of Representatives and Senate to resolve disagreements on a particular bill.

178.  
Established by a separate resolution of a chamber, sometimes to conduct investigations and studies, and, on other occasions, also to consider measures.

Can be temporary or permanent.

Majority Leader



179.  
The chief spokesperson for the majority party in a legislative body.

Minority Leader



180.  
The floor leader of the second largest group in a legislative body.



Pardon

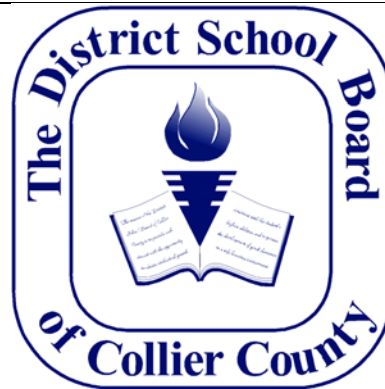


President Pro Tempore

181.  
The action of forgiving an error or offense.  
  
Power of the executive branch at the federal and state level.

182.  
The second-highest-ranking official of the United States Senate since the Constitution states that the Vice President of the U.S. is the President of the Senate.  
Since 1890, the most senior senator in the majority party has generally been chosen to fill this position.  
During the Vice President's absence, they are empowered to preside over Senate sessions.

Speaker of the House

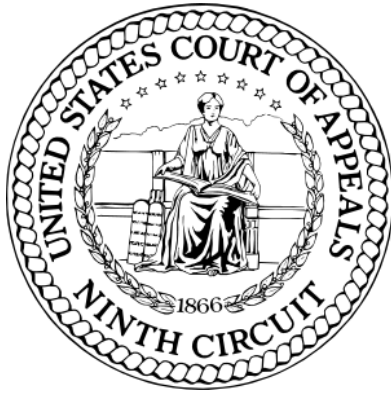


School Board

183.  
The presiding officer of the House of Representatives.  
  
The House elects the position on the first day of every new Congress (every other year) and in the event of the death or resignation of an incumbent Speaker.

184.  
A group of people who are in charge of local schools.  
  
Usually members are elected; although in some areas they are appointed by other governmental officials.

# Appellate Court



## Supreme Court

- Highest court in the federal system
- Nine Justices, meeting in Washington, D.C.
- Appeals jurisdiction through *certiorari* process
- Limited original jurisdiction over some cases



## Courts of Appeal

- Intermediate level in the federal system
- 12 regional "circuit" courts, including D.C. Circuit
- No original jurisdiction; strictly appellate



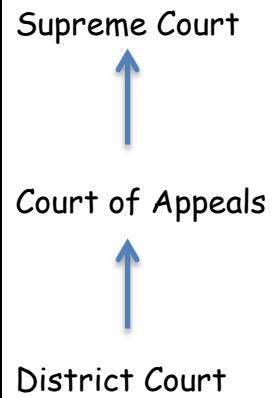
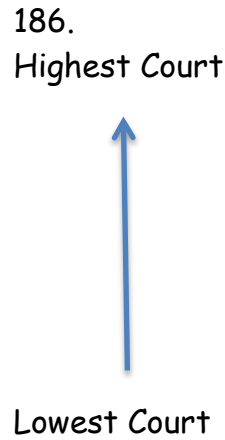
## District Courts

- Lowest level in the federal system
- 94 judicial districts in 50 states & territories
- No appellate jurisdiction
- Original jurisdiction over most cases

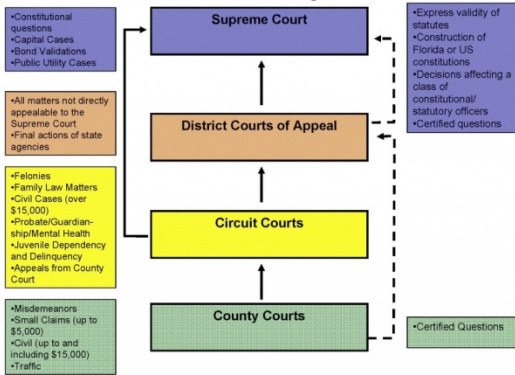
### Federal Court System

185. Any court of law that is empowered to hear an appeal of a trial court or other lower court.

Commonly called an appeals court or court of appeals.



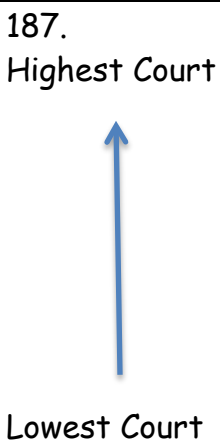
### FL's State Court System



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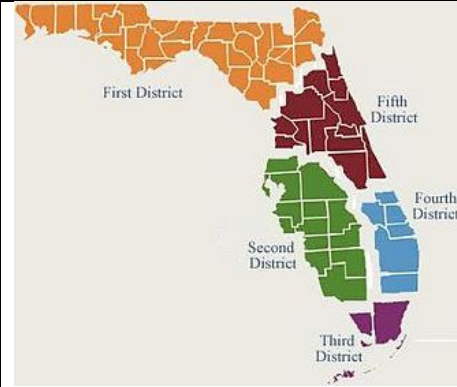
Appeal



- State Supreme Court
- District Court of Appeals
- Circuit Courts
- County Courts

188. Apply to a higher court for a reversal of the decision of a lower court.

## Trial Courts



Jurisdiction

189.

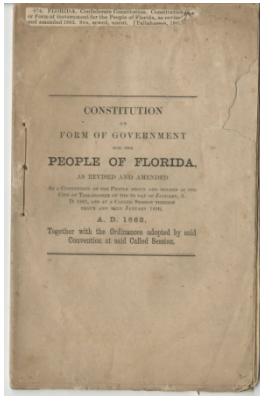
A court that is authorized to hear any type of civil or criminal case.

Examples: U.S. District Courts, Circuit Courts, County Courts

190.

The official power to make legal decisions and judgments; authority.

## Constitution of the State of Florida



191.

The document that establishes and describes the duties, powers, structure, and function of the government of Florida, and establishes the basic law of the state.

## Amending FL's Constitution

The Village Square

Co-sponsored by:

Florida TaxWatch

COLLINS CENTER FOR PUBLIC POLICY

LWV League of Women Voters of Tallahassee

**TAKE-OUT TUESDAY**

**Constitutional Amendments**

**3 TUESDAYS IN OCTOBER**

Bring your favorite take-out, a drink (or just yourself) and learn about the amendments on the ballot in November

192.

5 ways to propose a new amendment in Florida:  $\frac{3}{4}$  vote in both houses of the state legislature, constitutional revision committee (meets every 20 years), taxation and budget commission (meets every 20 years), majority of voters calling a Constitutional Convention, or by voter initiative to have it placed on the ballot.

All amendments must be approved by 60% of the voters.





Florida Declaration of Rights

193.

First section of the Florida Constitution.

Is similar to the U.S. Bill of Rights but, like most state bills of rights, is broader than the federal version.