

1

FOUNDATIONS OF AMERICAN DEMOCRACY

1.1

Ideals of Democracy

1. Rule of Law
2. Popular Sovereignty
3. Social Contract
4. Natural Rights
5. Republicanism

Ideals codified in our Declaration and Constitution

1.2

Types of Democracy

1. Participatory – broad grassroots engagement
2. Pluralist – competing groups
3. Elitist – best and brightest

The evolution of democracy has played out in tension

1.3

Government Powers and Individual Rights

1. Balance between government power and individual rights
2. Shay's Rebellion v. the Bill of Rights

This tension has been a hallmark of American political development

1.4

Challenges of the Articles of Confederation

1. Lack of centralized military power
2. Lack of tax law enforcement policy
3. Difficult amendment process – unanimity

Call for a stronger central government

1.5

Ratification of the US Constitution

1. Compromises: Great and 3/5
2. Amendment Process – Article V: Congress/States
3. Federalism

Call for a stronger central government
Security and Individual Liberty

1.6

Principles of American Government

1. Separation of powers/Checks and Balances
2. Multiple access points in order to influence
3. Abuse of power addressed through impeachment

Ensuring the people's will is represented and that freedom is preserved

1.7

Relationship Between States and the Federal Government

1. Exclusive enumerated powers to the national government – foreign policy
2. Concurrent powers – marble cake federalism
3. Grants and mandates

Dynamic distribution of power between national and state governments

1.8

Constitutional Interpretations of Federalism

1. Tenth Amendment, Fourteenth Amendment, Commerce Clause, Necessary and Proper Clause at the heart of the debate
2. McCulloch v. Maryland – empowered national supremacy
3. U.S. v. Lopez – limited the national government

Impacting policy-making

1.9

Federalism in Action

1. Multiple access points
2. National policy-making is constrained by the sharing of power between and among the three branches and the state governments

2

INTERACTIONS AMONG BRANCHES OF GOVERNMENT

2.1

Congress: The Senate and the House of Representatives

1. Republican ideal manifested in the operation of the legislative branch
2. Senate represent states equally/House represent population
3. Difference chamber sizes influence formality of debate
4. Coalitions affected by term differences
5. Enumerated and implied powers: federal budget/declaring war/enacting legislation...necessary and proper clause

2.2

Structures, Powers, and Functions of Congress

1. Structures, powers and functions affect the policy-making process
2. Different constitutional responsibilities affect the policy-making process
3. Chamber specific procedures, rules, and roles – debate rules; roles of Speaker; Majority leader; committee leadership; filibuster/cloture; holds and unanimous consent; Rules committee; Committee-of-the-Whole; discharge petitions; Treaty ratification
4. Budget – mandatory v. discretionary spending; entitlements
5. Pork barrel projects; logrolling

2.3

Congressional Behavior

1. Ideological divisions can lead to gridlock
2. Gerrymandering – increased partisanship and decreased accountability; Baker v. Carr (1961) v. Shaw v. Reno (1993)
3. Divided government
4. Lame duck president's impact on appointment process
5. Trustee/Delegate/Partisan/Politico roles

2.4

Roles and Powers of the President

1. Vetoes/Pocket vetoes – formal powers that check the Congress
2. Treaties/Executive agreements – formal and informal powers influence foreign policy
3. Bargaining and persuasion – informal powers that influence congressional action
4. Executive orders – informal powers that allow the president to manage the federal gov't
5. Signing statements – informal power that informs Congress of the president's interpretation of laws passed

2.5

Check on the Presidency

1. Term limits found in 22nd Amendment
2. Senate confirmation checks appointment powers
3. Conflicts with Congress

2.6

Expansion of Presidential Power

1. Powerful president foreshadowed in Federalist 70 – energetic president
2. Different perspectives on presidential roles

2.7

Presidential Communication

1. Modern technology, social media, and rapid response to political issues
2. SOTU; Bully Pulpit ...tools for agenda setting

2.8

The Judicial Branch

1. Independent judiciary
2. Check the other branches – legal standing
3. Federalist 78
4. Marbury v. Madison (1803) – judicial review

2.9

Legitimacy of the Judicial Branch

1. Stare decisis
2. Ideological changes in the composition of the Supreme Court
3. Controversial and unpopular court decisions can lead to challenges

2.10

The Courts in Action

1. Activism v. Restraint

2.11

Checks on the Judicial Branch

1. Congressional legislation to modify the impact of decisions
2. Constitutional amendments
3. Judicial appointments and confirmations

4. President/States ignoring decisions
5. Legislation impacting court jurisdiction

2.12

The Bureaucracy

1. Powerful institution implementing federal policies with sometimes questionable accountability
2. Writing and enforcing regulations
3. Issuing fines
4. Testifying before Congress
5. Issue networks and iron triangles
6. Patronage; civil service; merit system impact effectiveness – promoting professionalism; specialization and neutrality

2.13

Discretionary and Rule-Making Authority

1. Discretionary and rule making authority – examples: Dept. of Defense/Dept. of Education

2.14

Holding the Bureaucracy Accountable

1. Held accountable by committee hearings; power of the purse
2. Held accountable through presidential ideology, authority and influence
3. Compliance monitoring

2.15

Policy and the Branches of Government

1. Formal and informal powers of Congress, president and courts used to maintain accountability

3

CIVIL LIBERTIES AND CIVIL RIGHTS

3.1

The Bill of Rights

1. Bill of Rights: First ten amendments...protecting minority rights
2. Continuously interpreted by the courts
3. Enumerated liberties and rights of individuals...protection against arbitrary government

3.2

5

First Amendment: Freedom of Religion

1. Establishment Clause/Free Exercise Clause
2. Engel v. Vitale (1962) – school sponsorship of religious activities
3. Wisconsin v. Yoder (1972) – compelling Amish to attend school violates free exercise

3.3

First Amendment: Freedom of Speech

1. Schenck v. US (1919) – clear and present danger
2. Symbolic speech – Tinker v. Des Moines (1969)
3. Limits on obscenity

3.4

First Amendment: Freedom of the Press

1. Heavy presumption against prior restraint
2. NY Times v. US (1971) – Pentagon Papers/run the presses/National security

3.5

Second Amendment: Right to Bear Arms

1. Constitutional interpretation of individual liberty changes over time
2. McDonald v. Chicago (2010) – application of 2nd Amendment to the States

3.6

Amendments: Balancing Individual Freedom with Public Safety

1. Regulation of firearms/collection of digital metadata v. individual rights
2. Second Amendment? Fourth Amendment? Eighth Amendment?

3.7

Selective Incorporation

1. Imposed limitations on state regulation of civil rights and civil liberties
2. Applying Bill of Rights, little by little, to the States using the due process clause of the Fourteenth Amendment
3. Gitlow v. New York

3.8

Amendments: Due Process and the Rights of the Accused

1. Fourth Amendment – warrantless searches of digital data/exclusionary rule

2. Fifth and Sixth Amendment – Miranda rules
3. Gideon v. Wainwright (1963)

3.9

Amendments: Due Process and the Right to Privacy

1. Right to privacy not explicitly named in the Constitution
2. Roe v. Wade (1973)

3.10

Social Movements and Equal Protection

1. Fourteenth Amendment “equal protection clause” – civil rights
2. Advancement of more than liberty ... equality too
3. Martin Luther King, Jr. - Letter from a Birmingham Jail

3.11

Government Responses to Social Movements

1. Civil Rights Act of 1964/Voting Rights Act of 1965
2. Title IX
3. Brown v. Board of Education (1954)

3.12

Balancing Minority and Majority Rights

1. Sometimes minority rights are protected and sometimes restricted
See Plessy v. Ferguson
2. Civil rights protect individuals from discrimination based on characteristics such as race, gender, sex...
3. National Organization of Women
4. Pro-life and pro-choice movements

3.13

Affirmative Action

1. Contemporary debate – Affirmative Action
2. Some justices insist that the Constitution is colorblind
3. Some justices insist that the Constitution empowers courts to correct injustices
4. When race is used, it must pass the highest scrutiny

4

AMERICAN POLITICAL IDEOLOGIES AND BELIEFS

4.1

American Attitudes About Government and Politics

1. Attitudes shaped by the intersection of demographics, political culture, and dynamic social change
2. Core values: individualism, equality of opportunity, free enterprise, rule of law and limited government

4.2

Political Socialization

1. Cultural factors instruct us, even before we look at one issue – zip code as destiny.

4.3

Changes in Ideology

1. Family, school, media, social environments, peers all contribute

4.4

Influence of Political Events on Ideology

1. Importance of political events, including globalization
2. Globalization

4.5

Measuring Public Opinion

1. Scientific polling – opinion polls, tracking polls, exit polls
2. Sampling techniques, sampling error, format of questions

4.6

Evaluating Public Opinion Data

1. Importance of public opinion as a source of political influence
2. Reliability and veracity of public opinion data

4.7

Ideologies of Political Parties

1. Democratic Party – liberal platform
2. Republican Party – conservative platform

4.8

Ideology and Policy-Making

1. The U.S. is a democracy with a diverse society, public policies generated at any given time reflect the attitudes and beliefs of citizens who choose to participate in politics at that time.
2. Balancing individual liberty and government promotion of order at the center of policy debates

4.9

Ideology and Economic Policy

1. Liberals – more government regulation of the marketplace; Keynesian positions
2. Conservatives – fewer government regulations of the marketplace; supply-side positions

4.10

Ideology and Social Policy

1. Liberals – less government regulation of personal privacy and more involvement in promoting equality
2. Conservatives – more government regulation of personal privacy and less involvement in promoting equality
3. Libertarians – oppose any government regulation

5

POLITICAL PARTICIPATION

5.1

Voting Rights and Models of Voting Behavior

1. Expanding opportunities for political participation: 15th, 17th, 19th, 24th, 26th amendments
2. Models of voting behavior: rational choice; retrospective voting; prospective voting; and partisan voting.

5.2

Voter Turnout

1. Structural barriers, political efficacy and demographics can predict differences in voter turnout.
2. National v state-controlled elections
3. Voter registration laws
4. Voting incentives or penalties
5. Midterm v. presidential elections
6. Factors influencing voter choice: Party ID; candidate characteristics; issues; religious beliefs, gender, race, ethnicity and other demographic characteristics

5.3

Political Parties

1. Linkage institution
2. Mobilize and educate voters
3. Candidate recruitment
4. Campaign management
5. Committee and party leadership in legislatures

5.4

How and Why Political Parties Change and Adapt

1. Adapting to candidate-centered campaigns; political parties weakened
2. Modify policies and messaging to appeal to various demographic coalitions; Big Tent
3. Parties influenced by regional realignments, campaign finance law, communication changes

5.5

Third Party Politics

1. Winner-take-all voting districts serve as a structural barrier to third party candidates
2. Incorporation of third-party agendas into platforms of major political parties

5.6

Interest Groups Influence Policy-Making

1. Linkage institution
2. Interest groups represent specific and general interests; can educate voters and office holders; draft legislation; mobilize membership
3. Influence through iron triangles and issue networks

5.7

Groups Influencing Policy Outcomes

1. Influence impacted by inequality of resources; unequal access to decision makers; free riders.
2. Single-issue groups; social movements; protest movements
3. Influencing key stages in the federal budget process
4. Elections can lead to political realignments

5.8

Electing a President

1. Linkage institution
2. Caucuses and primaries - frontloading

3. Party Conventions
4. General Election
5. Electoral College – winner-take-all allocation of votes per state v. national popular vote

5.9

Congressional Elections

1. Linkage institution
2. Caucuses and primaries - frontloading
3. Party Conventions
4. General Election

5.10

Modern Campaigns

1. Dependence on professional consultants
2. Rising campaign costs and intensive fundraising efforts
3. Duration of election cycles

5.11

Campaign Finance

1. See federal legislation and pertaining case law
2. Buckley v. Valeo (1976) – First Amendment
3. Bipartisan Campaign Reform Act (2002) – ban soft money; reduce attack ads (“I approve this message”)
4. Citizens United v. FED (2010) – political spending by corporations, labor unions protected by the First Amendment
5. PACs

5.12

The Media

1. Linkage institution
2. The means by which citizens acquire political information; gatekeeper/watchdog
3. Horse race journalism
4. Political participation influenced by media

5.13

Changing Media

1. Rapid demand for media and political communications
2. Increased media choices
3. Ideologically oriented programming
4. Consumer driven media outlets
5. Uncertainty over the credibility of news sources