

Government Final Exam Study Guide

Chapter 1 Concepts

Government: A group of people who make, enforce, and interpret the laws in a society

Theories of Government Formation:

Force Theory—one person or group of people took control over an area

Evolutionary Theory—government “evolved” out of the family unit

Divine Right Theory—God gave the right to rule to kings

Social Contract Theory—People decide to give up some of their rights in order to obtain the benefits of government; developed by John Locke and Thomas Hobbes

Main goal of government according to Locke: protection of property

Modern forms of government: Democracy and Dictatorship

Geographic Distributions of Power

Unitary Government—all powers held by a single central government

Federal Government—powers divided between a national government and several local governments

Confederate Government—an alliance of independent states

Four Requirements for an independent “state”: Population, Territory, Government, Sovereignty

Chapter 2 Concepts

First English document which limited the rights of kings: Magna Carta, AD 1215

Romans 13:1-7—know what the verses say

Dietrich Bonhoeffer’s options for how Christians can interact with their government if it is hurting its own citizens

1. Question Government to keep it accountable
2. Help the victims of Government action
3. Stop the government—“jam a spoke in the wheel”

Articles of Confederation

Required ratification by all 13 states to go into effect

Congress lacked the power to tax

Shay’s Rebellion—an example of weakness under the Articles

Constitutional Convention

Original purpose: to revise the Articles of Confederation

Virginia Plan v. New Jersey Plan—know the differences between these plans

Connecticut Compromise—Congress would have two houses

Senate and House

Federalists v. Anti-Federalists—know what each group thought about the Constitution

Chapter 4 Concepts

Federalism: the division of power between a national government and state governments

- Constitution is the document that provides for the division of power between the National Government and the States
- Each level of government in a federal system is responsible for governing the same people at the same time

Powers of the National Government

- Delegated Powers: those powers given to the National Government by the Constitution
 - Expressed Powers: powers specifically spelled out in the Constitution
 - Implied Powers: not expressly stated in the Constitution, but powers that are reasonably suggested
 - Necessary and Proper Clause says that Congress has the power to make all laws necessary and proper to carry out the expressed powers
 - Examples:
 - Building the Interstate Highway System
 - Prohibiting racial discrimination
 - Building Hydroelectric Dams
 - Inherent Powers: powers that belong to the National Government because all governments have these powers
 - Examples:
 - Immigration
 - Acquire territory
 - Protect the nation from rebellion

Powers Denied to the National Government

- Expressly denied: things that the Constitution says that the National Government cannot do
 - Laws prohibiting freedom of religion

- Conducting illegal searches or seizures of property
- Denial of trial by jury
- Denied by Silence of the Constitution
 - Example: National School System—Constitution says nothing about education
- Denied by Federalism
 - National Gov. cannot tax states—if it could, then it could control them completely
- Reserved Powers: 10th Amendment reserves (leaves) powers NOT granted to the National Government to the States
 - Examples: marriage, alcohol sales, regulation of professionals (doctors, lawyers, etc.)

Exclusive Powers: Can be used by the National Government alone—Cannot be used by the States

Concurrent Powers: Powers that the National and State Governments possess at the same time

Supremacy Clause:

- The Constitution and Federal law always win
- If National and State law conflict, the National law wins
- *McCulloch v. Maryland* (1819)—case decided by the Supreme Court of the United States
 - If there is a conflict between the National and State governments, the law of the National government wins

Invasion and Internal Disorder: National Government must protect the state from invasion and internal disorder

- Examples: riots, natural disasters, invasion from a foreign power

Grants-in-Aid—National Gov. makes policy on a topic by offering money to states with conditions

- Categorical Grants—made for a specific defined purpose with strings attached
 - Examples: school lunches, the construction of airports, or No Child Left Behind (education)
 - State or local government usually must make its own contribution of money
 - State or local government usually must obey guidelines in exchange for the money
- Block Grants—used for broader purposes with fewer conditions (fewer strings attached)
 - Examples: health care, social services, or welfare
 - Became popular during the Reagan Administration
- Project Grants—Grants are applied for by states for research projects, usually in a health or science-related area

Full Faith and Credit

- Full credit is given in each state to the “Public Acts, records, and judicial proceedings of every other State”
 - Example: Birth Certificates and Marriage Licenses are recognized in other states
- Does not apply to Criminal matters—each state applies its own criminal laws
- Federal Defense of Marriage Act (Clinton Administration)
 - Federal Law that says that a state is able to disregard same-sex marriage performed in other states

Parties, Elections, and Interest Groups

Two main Parties: Republicans and Democrats

Types of Minor Parties: Know the differences between Ideological, Single Issue, Economic Protest, and Splinter Parties

Can Minor Parties influence elections?

Voters and Nonvoters

Likely to vote?

- Long-time residents
- Strong Party Identification
- Higher Levels of income, education, and social status
- Women

Not as Likely to Vote?

- Younger than 35
- Unmarried
- Unskilled

Know the difference between Independent Voters and Undecided/Uninformed Voters

Primary Election—what is it?

Polling place

Ballot

Interest Groups and Lobbyists

The Legislative Branch

House of Representatives

Terms: 2 years

435 members apportioned based on state population

Seats reapportioned after each census

Gerrymandering: the practice of drawing districts in strange shapes for political purposes

Qualifications for Membership

25 years old

Citizen of US for 7 years

Inhabitant of State in which elected

Senate

Terms: 6 years

100 members (2 per state)

Qualifications for Membership

30 years old

Citizen of US for 9 years

Inhabitant of State in which elected

Voting Options for Members of Congress—how they decide how to vote

Trustees—guided by their own conscience

Delegates—guided by what their constituents want

Partisans—guided by what their party wants

Politicos—guided by balancing all of these factors

Committees—most work gets accomplished through these

Executive Branch

President—enforces the laws

Terms: 4 years

Qualifications

35 years old

Citizen of US for 14 years

Natural born citizen of the United States

Term Limits—limited to serving two full terms

Electoral College

Winning candidate must win 270 out of 535 electoral votes

If no majority winner, then the election is thrown to the House of Representatives

President's Cabinet

Composed of the leaders of major executive branch departments

Two things the Cabinet does:

Advises the President

Carries out the President's orders

Federal Budget

Discretionary Spending—Congress decides each year on these things to spend money on

Non-discretionary Spending—spending that is already going to happen because of past promises (Social Security, Medicare, Medicaid)

President proposes the budget to Congress for review and approval

Judicial Branch

Supreme Court

9 Justices with lifetime appointments

Majority of 5 justices is necessary for an opinion

Majority opinion—states the court's decision and the reasons for it

Concurring opinion—agrees with the majority's result, but for different reasons

Dissenting opinion—states reasons the justices disagree with the majority

Bill of Rights/Due Process

1st Amendment

Freedom of Speech
Freedom of Religion
Establishment of Religion

4th Amendment

Prohibits Illegal Search and Seizure
What is required for an arrest or seizure of property?
Warrant obtained from a judge, OR Probable cause to believe a crime was committed
Exclusionary rule—keeps “tainted evidence” from an illegal search out of evidence in court

5th Amendment

Double jeopardy—you cannot be prosecuted for the same crime twice
Not required to testify against yourself
Due Process is required in criminal cases
Miranda v. Arizona—warning you of your due process rights

6th Amendment

Right to the assistance of counsel

8th Amendment

No cruel or unusual punishment allowed

Roe v. Wade

Right to privacy as basis of the decision
Limits on Abortion allowed, but current law is that abortions cannot be completely prevented