

# Civics and Economics EOC Review Packet

## Early American History EOC Review #1

### Early Influences

**Magna Carta:** limited the power of the King

**Glorious Revolution:** Limited the King's power – Parliament's power increased

**English Bill of Rights:** Parliament power; basic rights of citizens

**Common law:** system of law based on **precedent:** a ruling in an earlier case that was similar (also traditions)

**Enlightenment:** stressed the use of reason & scientific method

- **John Locke:** argued gov't exists for the people (**Social Contract**) – purpose of gov't is to protect **natural rights** "life, liberty and property"
- **Montesquieu:** proposed separation of powers (3 branches)
- **Rousseau:** "all men are created equal"

**Great Awakening:** Religious movement

### **Colonies:**

**Jamestown (Virginia):** 1<sup>st</sup> permanent English settlement in New World

- **Joint-Stock Companies:** provide money to finance trip, expect profits in return
- **House of Burgesses:** 1<sup>st</sup> representative democracy

### **Plymouth Colony (Massachusetts):**

founded by Pilgrims, 2<sup>nd</sup> permanent English Colony (Separatists/Puritans), left for religious freedom

- **Mayflower Compact:** direct democracy; town meetings
- Religion is important (John Winthrop – "City Upon a Hill")
- **Salem Witch Trials**

### **Fundamental Orders of Connecticut:**

first written constitution in colonies

**Rhode Island** – religious tolerance, Anne Hutchinson & Roger Williams

**Pennsylvania** – William Penn – Quakers

**Georgia** – debtors' colony, buffer from Spanish/Catholic Florida

**Maryland Toleration Act:** freedom of religion, sep. of church and state

**Proprietary Colony** – ruled by 1

**Royal Colony** – ruled by King

**Self-Governing Colony** – ruled by the people

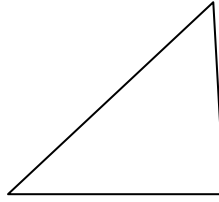
**Indentured Servants:** work to pay off debt of trip to New World; **Headright System** – extra land given for each servant you bring

**New England:** trade, shipping, rum, lumber

**Middle:** wheat, shipping

**Southern:** Tobacco, farming, slavery

## **Triangular Trade**



**Mercantilism:** country should sell more goods to other countries than it buys

- Colonies were seen as a good source of cheap materials for G.B.

**Middle Passage:** slaves from Africa

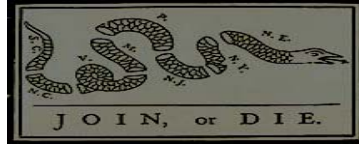
### Relations with England

**Salutary Neglect:** England ignores Colonies (become self-sufficient & self-governing)

### **French and Indian War:**

- England (w/ colonies) vs. France (w/ Indians)
- England wins control over France's territory in New World
- Treaty of Paris 1763 ended it
- British debts led to heavy taxes on colonies

**Albany Plan of Union:** began unifying colonies; Ben Franklin-Join, or Die (also used in Rev. War)



**"no taxation without representation"**

**Proclamation of 1763:** colonists may not expand past Appalachian Mtns.

**Writs of Assistance:** British officers can enter and search property (led to 4<sup>th</sup> Am.)

**Stamp Act:** paper/playing cards

**Townshend Acts:** paint, cloth, glass etc.

**Boston Massacre:** propoganda, first deaths of revolution

**Tea Act:** monopoly for English tea company – **Boston Tea Party**

**Intolerable Acts-** closed Boston Harbor; included **Quartering Act-** must house soldiers (led to 3<sup>rd</sup> Am)

**1st Continental Congress:** protest Intolerable Acts – form Committees of Correspondence

**Sons of Liberty:** protests, resistance

**Revolutionary War:** Lexington/Concord ("Shot Heard Round the World"); French aid; Yorktown (end); Treaty of Paris 1783

**Declaration of Independence** – Thomas Jefferson

**Common Sense** – Thomas Paine

**2<sup>nd</sup> Continental Congress** – began Art. of Confederation; organize for war; send Olive Branch Petition (peace) to King

### Other Key Events/Concepts

**Bacon's Rebellion:** poor farmers wanted \$ to fight N.A.'s in Va. – gov't did not help them

**Land Ordinance of 1785** – divided land into blocks to sell & settle orderly

**Northwest Ordinance of 1787-** plan to make land into states

**Shays' Rebellion** - farmers in Mass. Protests taxes: demonstrates a need for a stronger central gov't

### Articles of Confederation:

- Loose confederation of states
- 1 house legislature; each state had 1 vote

### **Powers:**

- Fed gov't can declare war, sign treaties, establish weights/meas., post office
- More powers to State gov't (army, taxes)

### **Problems:**

- Congress had no power to tax, regulate trade, enforce laws
- No single leader or a national court system
- Hard to amend (all 13 needed)
- Too much power to states, not enough power to Federal gov't

1787, 12 states (no R.I.) met at

**Philadelphia Convention** – Articles discarded; Constitution was created

**Whiskey Rebellion:** showed power of Fed. Gov't to enforce laws

- **Virginia Plan** (congressional representation based on population) vs.

**New Jersey Plan** (equal representation for all states) → **Great Compromise** (bicameral legislature, two houses, House of Reps based on population, Senate equal)

- **3/5<sup>th</sup> Compromise:** count 3/5 of slaves for population/representation purposes, will not touch slave trade for 20 years

- **Federalists** (strong national gov't, Federalist Papers – Hamilton/Madison, support Const'n) vs. **Anti-Federalists** (weaker national gov't, strong state gov't) → **Bill of Rights** added to protect people from gov't abuses

- **Electoral College:** president not elected by a direct popular vote

- Three Branches of Government; **Separation of Powers; Checks and Balances** (fear of too much power concentrated in one place, like King)

- **Popular Sovereignty:** Rule by People

# Civics and Economics EOC Review Packet

## Amendments & Court Cases

☺ Pay special attention to

### Amendments

- 1- Religion☺  
Assembly  
Petition  
Press  
Speech
- 2- Right to bear arms☺
- 3- Quartering troops
- 4- Search and seizure☺
- 5- Self-incrimination☺  
Indictment  
Due Process  
Eminent Domain  
Double Jeopardy
- 6- Speedy trial & right to a lawyer☺
- 7- Civil Suits☺
- 8- Excessive bail & fines prevents cruel & unusual punishment☺
- 9- Power to the people (right to privacy)☺
- 10- Powers to the states☺
- 11- Place limits on suits against states
- 12- Electoral College
- 13- Abolishes slavery☺
- 14- Defines citizenship (due process)  
☺ = protection under the law
- 15 - Black males allowed to vote☺
- 16- Income Tax
- 17- People vote for Senators directly☺
- 18- Prohibition (no drinking) ☺
- 19- Women can vote(suffrage) ☺
- 20- Changes the dates of congressional & presidential terms
- 21- Drinking is legal☺
- 22- Two-terms for the president☺
- 23- D.C. gets to vote for president
- 24- Eliminates poll tax
- 25- Presidential secession☺
- 26- 18 year olds allowed vote
- 27- Congressional pay raises

### Terms

**Civil liberties:** powers are not absolute – are limited by the rights of others

**Libel:** printing lies

**Slander:** spoken lies

**Censorship:** banning films or printed materials

**Exclusionary rule:** evidence collected or analyzed in violation of the U.S. constitution is not admissible for a criminal prosecution in court of law

**Search warrants:** court order allowing law enforcement officer to search a suspect's home/business and take specific items as evidence

**Suffrage:** right to vote

**Poll tax:** \$ paid in order to vote

**Self-incrimination:** right to remain silent

**Indictment:** formal charge by a group of citizens called a grand jury

**Due process:** following established legal procedures

**Eminent domain:** right of the gov't to take private property for public use

**Double jeopardy:** person who is accused of a crime & judged not guilty may not be put on trial again for the same crime

### Court Cases

Court Cases will be in **italics** with the date in parenthesis at the end. It is important to know that typically the date will give away the answer, court cases from 1801-1834 are from the Marshall court and John Marshall almost always made a ruling that tried to strengthen the national/federal government over the state government; court cases from the 1950s to the present typically dealt with extending individual rights. Court cases will always have the following appearance:

- *Gibbons v. Ogden* (1824)

☺1. *Marbury v. Madison*- established Judicial Review and strengthened the federal government

2. *McCulloch v. Maryland*- strengthen the federal government – states are bound to the Constitution

3. *Gibbons v. Ogden*- strengthen the power of the federal government to interstate trade/commerce

☺4. *Leandro v. North Carolina*- guarantees a “sound basic education”

☺ 5. *Plessy v. Ferguson* 14th- Separate is equal - segregation is allowed

☺6. *Brown v. Board of Ed.* 14th - overturned Plessy- ordered desegregation – separate IS NOT equal

7. *Korematsu v. U.S.* - upheld FDR's executive order to put Japanese-Americans in internment camps during WWII

8. *Furman v. Georgia* 8th-stopped capital punishment (death penalty) until laws were rewritten

9. *Gregg v. Georgia* 8th-reinstated or brought back the death penalty

☺10. *Gideon v. Wainwright* 6th-right to an attorney

☺11. *New Jersey v. TLO* 4th- “stupid girl” schools can search students if they have reasonable suspicion

☺ 12. *Tinker v. Des Moines*

*Ist*- symbolic speech or students have freedom of speech as long as it is not a disruption

☺13. *Hazelwood v. Kuhlmeier*- 1<sup>st</sup> school publications can be censored

14. *Texas v. Johnson*- 1<sup>st</sup> flag burning is legal

15. *Engel v. Vitale*-1<sup>st</sup> removes prayer from school

☺16. *Miranda v. Arizona*- 5<sup>th</sup> strengthens the rights of accused or must be read your rights when arrested

☺17. *Mapp v. Ohio*- 4<sup>th</sup> protects against unreasonable search and seizure **Exclusionary rule**- evidence obtained illegally can not be used in court

18. *Heart of Atlanta Motel v. U.S. Congress* can outlaw racial segregation of private facilities that engage in interstate commerce

19. *Regents of the University of California v. Bakke*- reverse discrimination (14 amendment – affirmative action)

20. *Bethel School District v. Frasier*- schools can discipline students for lewd or indecent speech at school events

21. *State v. Mann*- state decision overrides lower decisions

22. *In re Gault*- Established rights for juveniles (right to counsel, parent notification, etc.)

23. *Dartmouth College v. Woodward* - limited the power of the States to interfere with private institution's charters –safes guards business enterprises from state gov't domination

24. *Dred Scott v. Sanford*- people of African decent, slave or not, could never be citizens of the US – Congress could not prohibit slavery in federal territories

25. *Escobedo v. Illinois*- ruling held that criminal suspects have a right to counsel during police interrogations

26. *Roe v. Wade*-9<sup>th</sup> – legalized abortion

### Amending the US Constitution

1. vote of 2/3's of members of both houses – approved by ¾'s of the 50 state legislatures

2. by national convention at the request of 2/3's of the 50 state legislatures- approved by ¾'s of ratifying conventions held in 50 states

# Civics and Economics EOC Review Packet

## THE LEGISLATIVE BRANCH-CONGRESS

BICAMERAL: 2 HOUSES OF CONGRESS	HOUSE OF REPRESENTATIVES	SENATE
How is membership decided?	Members are elected from local districts in each state. <b>Gerrymandering</b> - when states divided in odd-shaped districts for strictly political gain, i.e. more Republicans in district.	Members are chosen from an entire state.
What is the membership?	435	100
Leaders	Speaker of the House	Constitutional leader: Vice President votes in tie only Actual leader: President Pro Tempore
Term of Office- No Const'tional limit on # of terms	2 years	6 years (1/3 up for election every 2 years)
What is membership based on? <b>(Great Compromise)</b>	Population of the state (taken from the <b>census</b> : population count taken every 10-years)	2 per state –equal representation
What are the requirements?	25 years old, citizen for 7 years prior to the election, live in the state you represent	30 years old, citizen for 9 years prior to the election, live in the state you represent
Privileges & Penalties	<b>Franking</b> -free postage <b>Immunity</b> -freedom from legal prosecution <b>Censure</b> -formal disapproval for minor offenses <b>Expulsion</b> :2/3 vote of HR or Sen. for serious offenses	Same as House
How is <b>impeachment</b> handled?	<b>May impeach</b> (to accuse government officials of misconduct while in office)	Senate is the jury – 2/3's vote
How are debates handled?	Rules Committee sets the terms for debate – usually places time limits on the discussion	<b>Filibuster</b> : talk a bill to death – can end a filibuster if 3/5's of the members vote for <b>cloture</b> ; no one may speak more than 1 hour
How are bills dealing with money handled?	All tax bills and other measures to raise \$ must start in the HOR <b>Authorization bills</b> : create projects & establishes how money can be spent on them <b>Appropriations bills</b> : actually provides the \$ for each program/activity	Has to approve \$ bills
Who approves Presidential treaties?	Does not approve presidential treaties	2/3 votes to ratify treaty

### TYPES OF CONGRESSIONAL SESSIONS:

- Regular session→ meet from Jan. to Nov/Dec
- Special session→ Called by Pres. to deal w/pressing problem
- Joint session→ House & Senate meet together--i.e. State of Union

## HOW A BILL BECOMES A LAW

1. Introduced to the House of Representatives
2. Goes to committee in the HR (**STANDING COMMITTEE**)
3. Goes to HR floor debate
  - **Party whips**- stirs up party support for a piece of legislation
  - **Floor leaders**-watches parties activities on the floor (**Majority/Minority**)
4. Introduced to Senate
5. Goes to Senate committee (**STANDING COMMITTEE**).
6. Goes to Senate floor debate
  - **Filibuster**- stalls legislation
7. **Conference Committee**- if the two houses approve different versions of the bill. This is where the kinks are worked out.
8. Final Congressional Approval
9. Presidential approval
  - Veto- to reject
  - **Pocket veto**- only when Congress not in session & President sits on bill for 10 days w/o signing--Kills bill
  - Approval—signing bill into law or not signing bill for 10 days while Congress in session

### CONGRESSIONAL COMMITTEE TYPES:

1. Standing committee: permanent committee
2. Select committee: temporary committee meets for limited time till job done
3. Joint committee: both Senate & House members; meet for limited time about specific issues

### THE POWERS OF CONGRESS

1. **Expressed powers: a.k.a. delegated powers** listed in the Constitution
  - ♦ levy and collect taxes (tax laws must start in the House of Representatives and must be approved by Senate)
  - ♦ borrow money; coin, print and regulate money
  - ♦ establish bankruptcy laws, regulate foreign and interstate commerce, copyrights & patents
  - ♦ declare war; raise and support and army and navy
  - ♦ establish a post office & federal courts
  - ♦ regulate immigration and naturalization, pass laws
  - ♦ if no candidate receives a majority of the votes – the House picks the president from among the three vote getters – Senate chooses the Vice President
2. **Implied powers:** powers not stated in the Constitution that allow whatever is necessary and proper (**elastic clause**) to carry out the expressed powers.
3. **Non Legislative Powers:**
  - Ratify treaties (Senate), Approve Presidential appointments (Senate), Propose Constitutional amendments by 2/3 vote
  - Bring Impeachment charges (House), Try impeachment cases (Senate), Investigate

### The Power of Approval and Removal:

- Senate has the power to approve or reject the president's nominees
- Congress may remove any federal official who has committed a serious offense

### Limits on Power of Congress: Congress cannot suspend:

1. **Writ of habeas corpus:** court order that requires police to bring a prisoner to court to explain why they are holding the person

2. **Bill of Attainder:** laws that punish a person without a jury trial

3. **Ex post facto laws:** laws that make an act a crime after the act was committed

Congress cannot interfere w/ the powers that the Constitution reserves for the states.

# Civics and Economics EOC Review Packet

## The Executive Branch (Article Two)

### Qualifications for US President

1. At least 35
2. A natural born citizen
3. resident of the USA for at least 14yrs. prior to the election
4. Vice-president meets same requirements

### Electing a President

1. Presidential elections every 4 yrs.

2. The **Electoral College** includes 538 electors (3 from D.C.)

- ◆ **Winner-take-all-system**
- ◆ Need at least 270 votes to win
- ◆ # of electoral votes determined by population (census every 10 years)

### Terms of the President

- ◆ Terms are 4 years
- ◆ 22<sup>nd</sup> amendment – limits president to 2 elected terms in office – or a maximum of 10 years
- ◆ No term limit on the Vice-Presidency

### Presidential Succession

#### 1. 1947 – Presidential Succession Act

- ◆ Indicates the line of succession after the vice president
- ◆ **25 Amendment** –if the president dies/ leaves office the vice pres becomes president & chooses a VP

2. If the President dies in office, the officers below would replace him/her in the following order.

1<sup>st</sup>—Vice President  
2<sup>nd</sup>—Speaker of the House (if Pres. & VP die)  
3<sup>rd</sup>—Senate President Pro Tempore (if Pres, VP & Speaker die)

### Constitutional Powers

1. **Veto (reject)** bills passed by Congress - **Pocket Veto** (doesn't sign for 10 days and

Congress **ISN'T** in session= does not become law)

2. Call Congress into special session
3. commander in chief of the armed forces
4. receive leaders & other officials of foreign countries
5. Makes treaties (Senate approval)
6. Appoints heads of executive agencies, judges& ambassadors
7. issues pardons
8. Must give a **State of the Union Address**

### Presidential Roles

1. **Chief Executive:** carries out the laws issued by Congress

- Can grant **pardons** (declaration of forgiveness & freedom from punishment), **reprieves** (order to delay punishment until a higher court can hear the case) and **amnesty** (a pardon toward a group of people)

- Issues **Executive orders** (have the same force of a law)

#### 2. **Chief Diplomat:**

-Directs foreign policy

#### 3. **Commander in Chief**

- Commander of the armed forces

- Right to declare war belongs to Congress **BUT** the **War Powers Resolution:** states that the president must notify Congress within 48 hours when troops are sent into battle - must be brought home within 69 days unless Congress gives its approval to remain longer or declares war

4. **Legislative leader** – only Congress can make laws – President can suggest laws to members of Congress

5. **Head of State** – greets foreign leaders – carries out ceremonial functions

6. **Economic Leader** – prepares the federal budget

7. **Party Leader** – represents their political party – often used to raise \$ for candidates

### Foreign Policy

– nation's overall plan for dealing with other nations

- Basic goal is **national security**- the ability to keep the country safe from harm/attack

### TERMS

-**Treaties**- formal agreements b/t the gov'ts of 2/more countries

- **NATO – North Atlantic Treaty Organization** – defense treaty b/t the US, Canada and European nations
- **NATFA**- trade agreement between the United States, Canada and Mexico

-**Executive agreement**- agreement b/t the president & the leader of another country

-**Ambassador**- official representative of a country's gov't

-**Trade sanctions**- efforts to punish another nation by imposing trade barriers

-**Embargo**- an agreement among a group of nations that prohibits them from trading with a nation

### Advisers & Executive Agencies

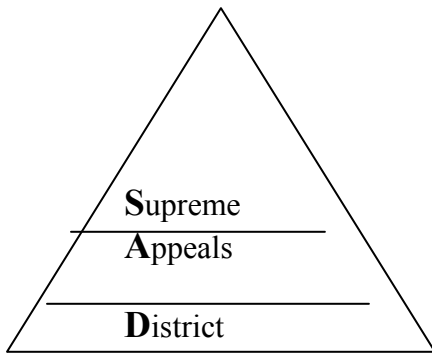
- ◆ **EOP** – Executive Office of the President
- ◆ **OMB** – Office of Management and Budget
- ◆ **NSC** – National Security Council
- ◆ **Cabinet** – includes the heads of the 15 departments – they are called secretaries
  - Sec. of State
  - Sec of Treasury
  - Sec of Defense
  - Dept. of Homeland Security- *last cabinet position created in response to 9/11.*
- ◆ **FEMA**- Federal Emergency Management Admin.
- ◆ **Joint Chiefs of Staff**
- ◆ **FDA**- Food & Drug Administration
- ◆ **EPA**- Environmental Protection Agency

### Other Key Terms

- ◆ Federal bureaucracy
- ◆ Civil service worker
- ◆ Spoils system
- ◆ Merit system

# Civics and Economics EOC Review Packet

## Judicial Branch – Article III



**The way to remember the Level of Federal Courts (Supreme, Appeals, District):** When you have to go to court, you may be feeling **S.A.D.** (Supreme, Appeals, District)

### Cases Heard in Federal Courts

- ◆ Those involving the Constitution
- ◆ Violations of federal laws
- ◆ Controversies between states
- ◆ Dispute between parties from different states
- ◆ Suites involving the federal gov't
- ◆ Cases involving foreign gov'ts & treaties
- ◆ Cases based on admiralty & maritime laws
- ◆ Cases involving U.S. Diplomats

### Jurisdiction

- ◆ **Exclusive jurisdiction:** authority to hear & decide cases
- ◆ **Concurrent jurisdiction:** authority for both state & federal courts to hear & decide cases
- ◆ **Appellate jurisdiction:** the authority of a court to hear a case appealed from a lower court
- ◆ **Original jurisdiction:** the authority to hear cases for the first time

### District Courts

- ◆ Trials are held & lawsuits begin here
- ◆ 94 districts
  - 550 judges
  - Each district has at least 2 judges
- ◆ Judges are appointed by President
- ◆ **Subpoenas:** court order requiring someone to appear in court
- ◆ Other officials
  - Magistrate
  - U.S. Attorney
  - U.S. Marshal

### Appeals Courts

- Each has jurisdiction over 1 of 12 **circuits:** the area of jurisdiction of a federal court of appeals
- Judges
  - Appointed for life
  - Each appeals court has from 6-27 judges
  - Decides on fairness of first trial - not guilt or innocence – may **remand** (return) a case to a lower court

### Special Federal Courts

- **U.S. Tax Court** – appeals dealing with federal tax laws
- **U.S. Court Federal Claims** – cases of citizens who are suing the gov't
- **U.S. Court of Military Appeals** – appeals court for the military – **court martial:** trial before a panel of military officers
- **U.S. Court of International Trade** – hears disputes arising from **tariff** (tax on an imported good) and trade laws

### Supreme Court

- Highest court in the land
- Final court of appeal
- Original jurisdiction in cases involving diplomats, and cases involving states
- **Judicial Review:** court can review any federal or state law to see if it is in agreement with the Constitution - established by **Marbury v. Madison**
- **Justices:**
  - **9 justices** – (8 associates & one chief)
  - Presidential appointment – with Senate approval (**2/3's vote**)
  - First African-America justice – Thurgood Marshall
  - First female- Sandra Day O'Connor

### Decisions

- **Majority Opinion:** statement explaining the majority view in a case in which the justices are divided
- **Concurring Opinion:** statement that is written by a justice who supports the majority decision but has different reasons
- **Dissenting Opinion:** statement of any judges who disagrees with the majority decision

### Other Terms

- **Unconstitutional:** violates the principles and rights established in the US Constitution
- **Recess:** a halt in court room proceedings
- **Writ of certiorari** (directs a lower court to send its records on a case to the Supreme Court for review)
- **Writ of habeas corpus:** a court order requiring that the accused go before a judge to decide if they should be held for trial
- **Brief:** summary of a case court
- **Docket:** court calendar
- **Remand:** when an appeals court sends a case back to a lower court to be tried again
- **Stare Decisis:** a guiding principle that discourages judges from over turning precedents. “let a decision stand “

# Civics and Economics EOC Review Packet

## Political Parties & Elections

### Political Parties

- first political parties were the federalist (supporters of the Constitution) and the anti-federalist (opposed the Constitution)

### Political Systems

- One party system - Cuba
- Two party system - U.S.
- Multiparty system - United Kingdom (England) or most places with parliaments

### Basic Terms

- **Plurality**- having the most votes (but not half)
- **Majority**- over half of the votes
- **Coalition** – an alliance with another party/parties so that together they command a majority of votes

### Functions of Political Parties

- Select candidates
- Inform the public about issues
- Act as a watchdog
- Serve as a link between branches of government and the people

### Ideologies/Political Spectrum

#### Conservative- (Right wing)

- Limited gov't
- Traditional values
- Oppose gov't regulations

#### Liberal (left wing)

- Help the poor and working class
- Support public housing, affirmative action, welfare
- More gov't intervention

#### Moderates (middle)

- Hold a variety of beliefs.

### Political Parties in the US

- **Democrats**-liberal
- **Republicans**-conservative
- **Third Parties**: form around one candidate or issue; act as spoilers in an election
- Most Americans are moderates

### Political Party Organization

**Local level** – organize volunteers to get the people to vote & work to elect local gov't officials

- **Precinct**: election district of a city/town

**State level**- organize campaigns to get candidates elected to national office

- **Political machine**: an unofficial system that controls the activities of a party/candidate

**National Convention** – held every four years (each party holds their own) party members elect delegates to attend – delegation then votes in order to select a candidate – used for presidential elections

### Voting & Elections

#### Who can vote?

- At least 18 yr. old, registered voters, live in state, not in jail or a mental institution

#### Why people do not vote?

- Apathy (don't care), not registered, feel their vote doesn't matter

#### How do we nominate candidates?

- **Caucus**: a closed meeting of people from one political party, especially a local meeting to select delegates or candidates
- **Primaries**-held to nominate candidates to office
- **Open primary**- anyone can vote
- **Closed primary**- only people registered with a party may vote

#### Elections

- General elections are held the first Tuesday after the first Monday in even numbered years. (November)
- **Incumbents**: the person already holding an elected office

#### Propaganda Techniques

- **Glittering generality**: says little, but conveys emotion
- **Bandwagon**: encourages the listener to do something b/c it's the popular thing to do
- **Stacked cards**: presents the evidence in a partial/slanted way
- **Name-calling**: uses negative labels to stigmatize opponents
- **Just plain folks**: emphasizes similarities w/ the average citizen
- **Endorsements**: when a famous & respected person supports you
- **Symbols**: uses symbolic images to enhance a candidate's profile

#### Types of Voting

- **Split-ticket**- voting for different parties
- **Straight ticket**- voting for the same party
- **Absentee Voting**: if you are not able to vote on Election Day – you may vote by absentee ballot and mail it in

**Electoral College**- officially elects the president  
538 electoral votes total (435 people in the HOR + 100 Senators + 3 votes from Washington, D.C.) A candidate needs 270 electoral votes to win the presidency --- # of votes is determined by the # of people the state has in the HOR + the 2 senators

#### KEY words

**Platform**: series of statements that explain a party's/ candidates' views, beliefs & positions

**Plank**: a statement about a party's position on an individual political issue

#### PAC- political action committees-A

committee formed by business, labor, or other special-interest groups to raise money and make contributions to the campaigns of political candidates whom they support.

**Special Interest Group**: an organization of people with some common interest who try to influence government decisions (exs. AARP, NRA, NAACP)

**Lobbyist**: are paid by interest groups to represent a particular issue

**Voting Rights Act 1965**- stops voting laws that discriminate against race, religion or ethnicity.

**Canvassing**-going door to door asking for votes or taking polls

**Propaganda**- an attempt to persuade voters to support a particular issue

**Winner-take-all-system**: the candidate that gets the largest popular vote will receive all of the state's electoral votes

**Nonpartisan races**: free from a political party or affiliation

# Civics and Economics EOC Review Packet

## Criminal and Civil Law

### The Sources of American Law

- 1- **Code of Hammurabi**- first known system of law-eye for an eye justice
- 2- **Ten Commandments**- moral rules
- 3- **Justinian Code**- rules of the Romans
- 4- **English Law**-most important source of American law
- 5- **Common law**- system of law based on precedent and customs
- 6- **Declaration of Independence/Constitution**

### Types of Laws

#### 1. Civil Law

Non-criminal actions- divorce, child custody hearings

-**Lawsuits** (legal action in which a person/group sues to collect damages for some harm that is done)

- **Plaintiff**- makes the complaint
- **Defendant**- defends themselves

- **Tort**: wrongful acts for which an injured party has the right to sue

#### 2. Criminal Law

Types of crimes

- **Misdemeanor**- less serious crime for which the penalty is often a fine
- **Felony**-is a serious crime for which the penalty can be imprisonment for more than one year

**Jury**- group of unbiased peers who decide guilt

- **Grand jury**-decides if there is enough evidence to bring charges or **indict** (16 -23 citizens)
- **Petit jury**-trial jury (12 citizens)
- **Hung jury**- jury cannot agree on a verdict

### Characters

- **Prosecutor**-brings the charges and has the burden of proof
- **Defense Attorney**- gov'ts attorney

### Punishment

- **Restitution**- payment for damages done
- **Rehabilitation**-ultimate goal of the juvenile court system
- **Probation**-granted for lesser crimes
- **Jail time**

### 3. Common Law

#### 4. Constitutional Law –

5. Administrative Law – all the rules and regulations that gov't agencies of the executive branch must issue to carry out their jobs

6. Statutory Law- is a law written by a legislature branch of gov't

7. International Law - Comprises treaties, customs and agreements among nations

### Types of Crimes

#### 1. Crimes against people

- **Assault** – placing someone in fear without actual physical contact
- **Battery** – if physical contact occurs
- **Homicide** – killing someone
- **Murder** – killing that is intentional & the killer had no legal recognized excuse
- **Manslaughter** – killing someone that happens by accident/in a fit of anger

#### 2. Crimes against property

- **Larceny**- taking anything of value that belongs to another person without violence
- **Robbery**- taking something from someone by force /with the threat of violence
- **Burglary**- breaking into a building planning to do something illegal

#### 3. White-Collar Crime

- **Fraud**- taking someone's property/\$ by cheating/lying
- **Embezzlement**- stealing money that has been entrusted to your care

4. **Victimless Crimes** – acts that primarily hurt the people who commit them

5. **Crimes against the Government**- treason- is the betrayal of one's country by helping its enemies or by making war against it

### The arrest & pretrial process

- **Probable cause**- a good reason to believe that a suspect has been involved in a crime
- **Warrant**- legal paper, issued by a court, giving police permission

to make an arrest, seizure, or search

- **Preliminary hearing** – defendant may enter a plea of guilty, not guilty, or a plea of “no contest”
- **Bail** - \$ that a defendant gives the court as a kind of promise that they will return for the trial
- **Indictment**- a formal charge against the accused
- **Arraignment** – court hearing in which the defendant is formally charged with a crime and enters a plea
- **Plea bargaining**- agreeing to plead guilty in exchange for a lesser charge or a lighter sentence

### Additional Terms

**Jurisprudence** – study of law

**Status** - law written by a legislative body

**Writ of habeas corpus** – requires a law official to bring anyone arrested to court & explain why they are being held

**Bill of attainder** – law that punished a person accused of a crime w/o a trial

**Ex post facto law** – would allow a person to be punished for an action that was not against the laws when it was committed

**Due process of law**- gov't may not take away civil liberties w/o following the law

**Double jeopardy**- a person who is tried and found not guilty may not be placed on trial for the same crime again

**Injunction** – court order forcing a group/person to stop an action

**Acquittal** – not guilty

**Delinquent**- juvenile who is found guilty of a crime

# Civics and Economics EOC Review Packet

## State Government

### North Carolina's Constitution

- N.C. became a state in 1789 – Constitution was written in 1776
- May be amended (changed)

### Legislative Branch: NC General Assembly

Main purpose is the write & passes state statutes.

- **General Assembly**- bicameral (House of Representatives and Senate)
- **State House of Representatives** 120 members elected every 2 years; each represents a district – 21 yrs. old, registered voter, live in district at least 1 yr. prior to election
- **Senate** 50 members elected every 2 years - 25 yrs old, registered to vote, and must live in district elected 1 yr prior

**Declaration of Rights**- explains citizen's rights and limits government (like the Bill of Rights)

### Executive Branch

#### Governor

- \* Chief executive of the state
- \* Qualifications:
  - 30 years old, resident of the state
  - for at least 5 years, American citizen
- \* Elected by the people – 4 year terms – may be elected to one additional consecutive term
  - Have **veto** and **line-item-veto** (vetoing a small section of a bill) power

#### Powers and Duties of the Governor

##### 1. Judicial Leader:

- Offers **pardons**(a declaration of forgiveness & freedom from punishment) and **reprieves** (an order to delay a person's punishment until a higher court can hear the case; grants **paroles** (giving a prisoner an early release from prison), **commute** (to

reduce a criminal's sentence)sentences

2. **Ceremonial Leader:**
  - Greets important visitors- represents the state
3. **Chief Executive:**
  - Carries out state laws
  - Appoints officials
  - Prepares a budget (delivers the State of the State Address)
4. **Chief Legislator:**
  - Proposes legislation
  - Approves or vetoes legislation
5. **Commander in Chief:**
  - In charge of the National Guard (state militia)
6. **Party Leader:**
  - Leader of their political party

#### Governor's Advisory Board:

- \* Council of State – elected
- \* Cabinet of State- appointed

#### Lieutenant Governor

- Same qualifications as governor
- Elected separately from the governor – 4 year term
- Succeeds governor if he/she dies/leaves office
- Serves as president of the state senate

#### Law Enforcement

1. State Level: State Troopers, SBI, and National Guard
2. County Level: Sheriff – runs the jails
3. City Level: Police

#### Judicial Branch

- **District Courts**
  - Handles juvenile, divorce, traffic violations, misdemeanors( \$10,000 or less or punishable by more than 1 year in jail)
- **Superior Courts**
  - Civil cases and felonies
  - **MURDER** cases
- **Supreme Court**- 7 judges
  - Hears all appeals cases and death penalty cases
- **Magistrates**- hold pre-trials, try small claims cases, and issue warrants
- **District Attorney** (D.A.)- represents the state in all criminal cases & juvenile delinquency cases
- **District Public Defender**- represents people accused of crimes who cannot afford lawyers

#### Quick Terms

1. **Initiative**- the power to introduce laws
2. **Referendum**- when citizens vote directly on a statute or law
3. **Recall**- removing a public official from office
4. **Recount**- in an election when the votes are tallied more than once because of a problem with the original count.

#### Local Government

**Municipalities**- towns or cities.

**Ordinances**- local laws such as “leash law”

#### Types of Governments

- **Mayor-Council**
    - Power is divided between legislative & executive branches
    - Executive-mayor
    - Legislative-council
  - **Council-Manager Form**
    - This form is used for some cities and all counties
    - Elected council & mayor make laws
    - Appointed manager handles day-to-day business
- Commission Form**
- Commissioners are elected head of a major department
  - No clear legislative or executive branch

#### Taxes/ Revenues

**Property Tax** – fund counties

**Bonds**- local and state (ie school bonds)

**Lottery** – profit goes to state education

**User Fees** – \$ paid to use some facilities state and local budget

**General Sales Tax** – divided b/w state and county

#### Leandro Case

A N.C. court ruling that guarantees all children in NC a sound and basic education.

#### Federal and State Issues

##### No Child Left Behind

A federal initiative by President Bush to reform public education and to create teacher accountability.

**Pork Barrel** – when legislators on the state and federal level fund pet projects that benefit regions with their **constituents** (people from their district)

**Ear Mark**- federal or state monies allocated for pork barrel projects.