

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): 1st permanent English settlement in New World

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

Plymouth Colony (Massachusetts):

founded by Pilgrims, 2nd 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

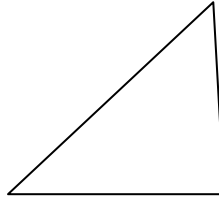
Indentured Servants: work to pay off debt of trip to New World; **Headright System** – extra land given for each servant you bring

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

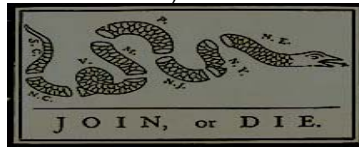
Relations with England

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 4th 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 3rd 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

2nd 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)

- **3/5th 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

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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*- 1st school publications can be censored

14. *Texas v. Johnson*- 1st flag burning is legal

15. *Engel v. Vitale*-1st removes prayer from school

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

☺17. *Mapp v. Ohio*- 4th 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*-9th – 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

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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. Gerrymandering - 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? (Great Compromise)	Population of the state (taken from the census : 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	Franking -free postage Immunity -freedom from legal prosecution Censure -formal disapproval for minor offenses Expulsion :2/3 vote of HR or Sen. for serious offenses	Same as House
How is impeachment handled?	May impeach (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	Filibuster : talk a bill to death – can end a filibuster if 3/5's of the members vote for cloture ; 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 Authorization bills : create projects & establishes how money can be spent on them Appropriations bills : 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.

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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
- ◆ 22nd 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.

1st—Vice President
2nd—Speaker of the House (if Pres. & VP die)
3rd—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

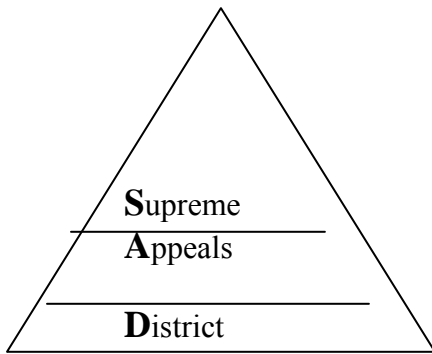
- ◆ **EOP** – Executive Office of the President
- ◆ **OMB** – Office of Management and Budget
- ◆ **NSC** – National Security Council
- ◆ **Cabinet** – includes the heads of the 15 departments – they are called secretaries
 - Sec. of State
 - Sec of Treasury
 - Sec of Defense
 - Dept. of Homeland Security- *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

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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 “

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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

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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

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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.

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ECONOMICS

Supply & Demand

- Law of Demand:
 - As P ↑, Qd ↓
 - As P ↓, Qd ↑
- Law of Supply
 - As P ↑, Qs ↑
 - As P ↓, Qs ↓
- **Substitutes:** used in place of each other (Coke & Pepsi)
- **Complements:** used together (tennis racket & tennis balls)
- **Equilibrium:** where S & D curves intersect; supply equals demand
- **Equilibrium Price:** price at equilibrium
- **Elasticity of Demand**
 - **Elastic:** demand changes more than price (items with substitutes, luxury items, expensive items)
 - **Inelastic:** demand change less than price (items with no substitutes, necessities, cheap items)
 - **Unit-elastic:** demand & price change the same amount
- **Surplus:** supply is greater than demand; price will fall
- **Shortage:** demand is greater than supply; price will rise
- Movement along supply or demand curve: caused by change in *price*
- Changes in Equilibrium Price Demand
 - D ↓ = Equilibrium Price ↓
 - D ↑ = Equilibrium Price ↑
- Supply
 - S ↑ = Equilibrium Price ↓
 - S ↓ = Equilibrium Price ↑
- ***If in doubt, draw it out!!!***
 - **Law of Diminishing Marginal Utility:** the additional satisfaction a consumer gets from purchasing 1 more unit of a product will lessen with each unit purchases
 - **Law of diminishing returns:** after some pt., adding units increases total output – extra output for each additional unit will begin to decrease

Introduction to Economics

- **Scarcity** – not enough resources to meet our needs; always exists; fundamental problem of society
- **Opportunity Cost:** “what we lose when we choose” – the value of what we give up
- **Needs** – things we must have

- **Wants** – things we don't need
- **Goods** – tangible items
- **Service** – action taken
- Factors of Production
 1. Land – natural resources
 2. Labor – workers
 3. Capital – tools
 4. Entrepreneurship – owners & - managers
 - Producers- makers of the good/service
 - Consumers- users of the good/service

Types of Costs

1. **Fixed** – don't change (rent)
2. **Variable** – change with output (labor, utilities)
3. **Total** – Fixed + Variable
4. **Marginal** – cost of making 1 more item

Types of Revenue

1. **Marginal:** revenue from selling one more item
2. **Total Revenue:** P x Q (Price x Quantity)

Types of Economic Systems

3 questions every economy must answer

1. What to produce?
2. How to produce it?
3. For whom to produce it?

- How these questions are answered determines a country's economic system

Command – govt controls resources & makes decisions

- Lack of incentives
- Less customer satisfaction
- Less efficient use of resources

Traditional – decisions based on traditions; developing nations

- Less technology & innovation
- Hunter/gatherer societies

Market – individuals own resources & make decisions according to the laws of supply & demand

- More incentives (profit)
- More innovation
- More customer satisfaction
- Bigger gap b/t rich & poor

Mixed – combo of command & market; US is a mixed economy

- US Economy
- Mixed (mostly market)
- Also known as capitalism & free-enterprise
- Fundamentals of capitalism

1. competition
2. private property
3. freedom of choice
4. voluntary exchange
5. free enterprise

Adam Smith: The Wealth of Nations

- “Invisible Hand” theory
- competition & free enterprise should guide the economy like an “invisible hand”
- “Laissez-faire” – the govt should not interfere with the economy

Types of Businesses /Competition/Labor

Types of Businesses

1. **Sole Proprietorship** – 1 owner
 - Keeps all profits & assumes all debts (unlimited liability)
2. **Partnership** – 2 or more owners
 - Divide work (specialization)
 - Divide profits & debt
3. **Corporation** – owned by hundreds or thousands of stockholders
 - **Stock:** share of ownership
 - **Dividend:** % of profit paid to each stockholder
 - **Merger:** two or more companies join together
 - **Horizontal merger:** two or more firms that produce the same/similar item
 - **Vertical merger:** combines every step in production process under 1 company
 - **Conglomerate:** a company that owns 3 or more businesses that make unrelated products
 - **Division of labor:** dividing a job into smaller tasks (increases production) – assembly lines
 - **Specialization:** each worker focuses on 1 task

Stock Market

Stock- ownership of a company

Securities and Exchange Commission (SEC) - monitors the stock market

Bull Market: the market is good

Bear Market: the market is down

Labor Unions

- groups of workers who band together to get higher pay & better working conditions
 - **Closed shop:** only union members are hired; illegal for

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any company who's product crosses state lines

- **Open shop:** anyone can be hired regardless of union membership
- **Union shop:** don't have to join to be hired, but must join at later time
- **Right-to-work laws:** state laws that prevent unions from forcing workers to join
- **Strike:** workers refusing to work
- **Lockout:** owners ban workers from entering the factory
- **Collective bargaining:** negotiating as a group
- **Taft-Hartley Act (1947):** banned closed shops
- **Wagner Act:** required owners to recognize & negotiate with unions
- **Mediation:** 3rd party listens to dispute & offers solution; neither side has to agree to the solution (not legally binding)
- **Arbitration:** 3rd party listens to dispute, and offers a solution; both side have to follow this decision (legally binding)

Types of Competition

- **Monopoly** – only 1 seller
 - Seller has total control over price & quality of product
- **Oligopoly** – only 3-4 sellers
 - Sellers still have some control over price
- **Perfect competition** – many sellers
 - Best for the buyer b/c there's lots of competition b/t sellers
 - Higher quality & lower prices
- **Sherman Anti-Trust Act & Clayton Anti-Trust Act** banned monopolies

Money, Banking, Federal Reserve

- **Interest:** price of money; what you pay to borrow money
- **Prime rate:** rate offered to best customers
- **Discount rate:** rate banks charge other banks
- **Reserve requirement:** amount banks must keep in the vault to handle customer demands

- **Collateral:** item used to secure loan; the bank gets it if you can't pay the loan
- **Deregulate:** the removal of government control
- **FDIC: Federal Deposit Insurance Corporation** – insures deposits of up to \$100,000
- **Fractional reserve banking:** banks keep a fraction of deposits in the vault & loan out the rest
- **Federal Reserve (Fed):** “bank of banks”
 - Nation's central bank
 - Controls the money supply (monetary policy)
 - Sets several key interest rates

Fiscal and Monetary Policy

Fiscal Policy – Congress

- **slow**
 - Increase taxes
 - Cut gov't spending
- **-speed up**
 - Decreases taxes
 - Increase gov't spending

Monetary Policy – (Fed. Reserve)

- **Slow**
 - Increase interest rates
 - Decrease \$ supply
- **Speed up**
 - Decrease interest rates
 - Increase \$ supply
- **“Easy” or “loose” money policy:** Fed makes money more available by lowering interest rates or lowering the reserve requirement
 - Done to help a struggling economy
- **“Hard” or “tight” money policy:** Fed makes money less available by raising interest rates or raising the reserve requirement
 - Done to fight inflation

Economic Growth & Problems

- **CPI- Consumer Price Index-** measure in the change in price over time of a specific group of goods & services
- **GDP: Gross Domestic Product** – the dollar amount of all goods & services

produced in the US each year; used to measure the output/strength of our economy

Business Cycle

- **Peak:** highest point – expansion & inflation stop- business is good, jobs plentiful, & profits are high
- **Contraction:** economy slows down & demand for goods & services lessen
- **Trough:** lowest point
- **Recession:** GDP going down for 6 consecutive months
- **Depression:** long & severe recession
- **Inflation:** overall increase in prices
 - The value of each dollar **decreases**
 - “too much money chasing too few goods”

Types of unemployment

1. **frictional** – “in between” jobs
2. **seasonal** – caused by weather
3. **technological** – lose job to machine
4. **cyclical** – job cut due to recession
 - Deflation: overall decrease in prices

Taxes & Government Spending

- **Fiscal policy:** how govt spends tax money
- Federal govt spends the most on entitlement programs (Social Security, Medicare, etc) & national defense

Types of taxes

- **Property tax:** biggest source of revenue for local govt – mostly funds education
- **Sales tax:** collected by state & local governments
- **Inheritance tax:** charged on the items you leave after your death
- **Proportional** – takes that same % of everyone's income
- **Regressive** – poor pay a higher % of their income (sales & excise taxes)
- **Progressive** – wealthy pay a higher % of their income (income tax) Also called Estate tax & Death tax
- **Excise tax:** tax on only certain items (tobacco, gas, etc)
- **Income tax:** biggest source of revenue for federal govt; collected by federal & state govt.

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Circular Flow

. - shows how money travels between businesses, households, and the government in a capitalistic society

- **Physical flow** – land, labor & capital
- **Monetary flow** – MONEY
- **Factor market:** the markets where productive resources are bought and sold
- **Product market:** markets where producers offer goods and services for sale

Price Controls

- **Price ceiling-** is a government-set maximum price that can be charged for goods and services
- **Price floors-** prevent price from dropping too low
- **Minimum wage-** lowest legal wage that can be paid to most workers, is a price floor

Functions of Money

- Medium of exchange
- Store of value
- Measure of value

International Trade

Nations trade for several reasons

- Allows them to specialize in the production of particular goods and thereby increase their productivity & output
- They have different amounts of land, labor, capital and natural resources
- Trade allows them to use their economic resources more efficiently.
- **Absolute advantage-** the ability to produce more of a given product using a given amount of resources
- **Comparative advantage-** a principle by which countries determine which commodities they should export/import
- **Imports** - goods and services a country receives from another country

- **Exports** - goods and services a country sends to another country
- **Free trade-** the elimination of restrictions on trade
- **Protectionism-** includes those policies which protect domestic producers for foreign competition
- **Tariff-** a tax on imports
- **Trade deficit-** occurs when a nation's exports of goods and services are greater than the total value of its imports
- **Internationalism:** idea that nations should cooperate to promote common goals – fight against terrorism

Who are you?

United Nations (UN): international organization dedicated to world peace

World Trade Organization (WTO):

help producers of goods & services – helps to reduce tariffs among & eliminate quotas

NAFTA: trade treaty between Canada, Mexico and the United States

OPEC: body that controls Middle Eastern oil

European Union (EU): confederation of European countries

International Monetary Policy (IMF) - monitors a fixed exchange rate system

Outsourcing: sending jobs overseas for cheap labor

Foreign aid: giving resources to other countries

Globalization: political & global interdependence of nations

Developing nations: 3rd world countries