A.P. Government

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Summer Review

For 2011-2012 School Year

The goal of the Summer Review is to ensure that the student is familiar with the philosophical and constitutional basis of United States Government. The packet includes the following:

- Notes on the Foundations of American government
- Notes on the Enlightenment
- Excerpt from John Locke's Second Treatise of Civil Government
- Summary of John Locke's ideas
- Notes on Classical Republicanism and Classical Liberalism
- Summary of "The Federalists' Position on Ratification of the Constitution"
- The Constitution of the United States
- The First Ten Amendments to the Constitution (unnumbered pages)
- Constitution Exercise (to be completed)
- Six Basic Principles of American Government

Students are to complete the following activities after reading the materials. Note that all responses are to be typed and we require MLA format using Times New Roman 12 point font.

1. John Locke Précis following instructions on page 4.4.
2. After reading the summary of John Locke's ideas, identify two ideas that you would challenge or that you consider most confusing or unclear. Present your thoughts in 50 to 100 words for each of the two ideas.
3. After reading the Summary of "The Federalists' Position on Ratification of the Constitution," identify what you believe to be the Federalists' strongest and weakest positions in defending the Constitution. Explain your thoughts in each case in 100 to 150 words.
4. The Constitution Exercise on pages 4.31 and 4.32
5. There will be a 20 question proficiency quiz administered the first week of school. Students may retake the proficiency quiz anytime during the first semester to achieve the proficiency score of 80% or to improve their score.

We understand that students will be completing this work with a lack of teacher support during the summer. Our basic expectation is that students will be responsible in completing their work, the work will show careful thought, and it will be presented in a professional manner.

The reading and assignments should take the student who is working at the A.P. level less than 20 hours total to complete. Students who read at a slower rate may take longer to complete the work. Please do not wait until the weekend before school starts to do the work.

Note that the packet does not include pages 4.16, 4.28, 4.29, 4.30

Special thanks to Jerry Morris, A.P. Government teacher at Kamiak High School in Mukilteo, Washington, who put together the reading material.

AP American Government

Foundation Notes

Two central questions any government must answer:
- How should we govern? 1.
- What should government do? 2.
  - Scope?
  - Size?
  - Obligations?
- this leads to ....
- Politics 3.
- Who gets What, When, How

World Prior to 1776
- Greeks
  - Demos •
  - City state •
  - Pure democracy •
- Romans (republic)
  - Senate •
  - Consul(s) •

Kings
- Divine right•
- Strongest form •
- John Locke (1632-1704)
  - "state of nature"•
  - natural rights •

Founders asked questions about ancients

What was good about ancients?
- Civic virtue •
- Moral education •
- Small, uniform communities •

What were negatives?
- Became corrupt over time •
- Became too diverse over time which led to factions •

AP American Government and Politics
Notes on Enlightenment

- Scientific Revolution
  - -farmers began to notice, study, and record conditions about harvests concepts of inductive deductive reasoning developed
  - -scientific method developed
- The Church's benevolent stance toward science changed abruptly
- Descartes, "I think therefore 1 am"; men were thinking beings
- Weakening of religious authority; questioning of religion Protestant Reformation
- Questioning of the justness of absolute monarchy
- Three fundamental ideas encompassed the Enlightenment:
  - -individualism
  - -relativism
  - -rationalism
- Thomas Hobbes
  - 1651 Leviathan
    - In state of nature man's nature is revealed
    - Life is tenuous, solitary, poor, nasty, brutish, and short thus, ORDER is 1st priority
- John Locke
  - 1690 Two Treatises of Government
    - Man is inherently good
    - Government is necessary to protect property

AP American Government and Politics
John Locke Précis

After reading John Locke's "Second Treatise of Civil Government", write a précis (a summary of the main ideas and points) about the treatise in 150 words or less. Final product must be typed. Evaluation is based on succinctness (did you keep it 150 words or less), and the completeness and complexity of your summary.

John Locke

SECOND TREATISE,
OF CIVIL GOVERNMENT

Of the State of Nature.

To understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.

A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection, unless the lord and master of them all should, by any manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty.

But though this be a state of liberty, yet it is not a state of license: though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions: for men being all the workmanship of one omnipotent, and infinitely wise maker; all the servants of one sovereign master, sent into the world by his order, and about his business; they are his property, whose workmanship they are, made to last during his, not one another's pleasure: and being furnished with like faculties, sharing all in one community of nature, there cannot be supposed any such subordination among us, that may authorize us to destroy one another, as if we were made for one another's uses, as the inferior ranks of creatures are for ours. Every one, as he is bound to preserve himself, and not to quit his station willfully, so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice on an offender, take away, or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another.

And that all men may be restrained from invading others rights, and from doing hurt to one another, and the law of nature be observed, which willeth the peace and preservation of all mankind, the execution of the law of nature is, in that state, put into every man's hands, whereby every one has a right to punish the transgressors of that law to such a degree, as may hinder its violation: for the law of nature would, as all other laws that concern men in this world 'be in vain, if there were no body that in the state of nature had a power to execute that law, and thereby preserve the innocent and restrain offenders. And if any one in the state of nature may punish another for any evil he has done, every one may do so: for in that state of perfect equality, where naturally there is no superiority or jurisdiction of one over another, what any may do in prosecution of that law, every one must needs have a right to do.

And thus, in the state of nature, one man comes by a power over another; but yet no absolute or arbitrary power, to use a criminal, when he has got him in his hands, according to the passionate heats, or boundless extravagancy of his own will; but only to retribute to him, so far as calm reason and conscience dictate, what is proportionate to his transgression, which is so much as may serve for reparation and restraint...

Every offence, that can be committed in the state of nature, may in the state of nature be also punished equally, and as far forth as it may, in a commonwealth: for though it would be besides my present purpose, to enter here into the particulars of the law of nature, or its measures of punishment; yet, it is certain there is such a law, and that too, as intelligible and plain to a rational creature, and a studier of that law, as the positive laws of commonwealths; nay, possibly plainer; as much as reason is easier to be understood, than the fancies and intricate contrivances of men, following contrary and hidden interests put into words...

Of The Ends of Political Society and Government

If man in the state of nature be so free, as has been said; if he be absolute lord of his own person and possessions, equal to the greatest, and subject to no body, why will he part with his freedom? Why will he give up this empire, and subject himself to the dominion and control of any other power? To which it is obvious to answer, that though in the state of nature he hath such a right, yet the enjoyment of it is very uncertain, and constantly exposed to the invasion of others: for all being kings as much as he, every man his equal, and the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very unsecure. This makes him willing to quit a condition, which, however free, is full of fears and continual dangers: and it is not without reason, that he seeks out, and is willing to join in society with others, who are already united, or have a mind to unite, for the mutual preservation of their lives, liberties and estates, which I call by the general name, property.

The great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under government, is the preservation of their property. To which in the state of nature there are many things wanting.

First, There wants an established, settled, known law, received and allowed by common consent to be the standard of right and wrong, and the common measure to decide all controversies between them: for though the law of nature be plain and intelligible to all rational

creatures; yet men being biased by their interest, as well as ignorant for want of study of it, are not apt to allow of it as a law binding to them in the application of it to their particular cases.

Secondly, In the state of nature there wants a known and indifferent judge, with authority to determine all differences according to the established law: for every one in that state being both judge and executioner of the law of nature, men being partial to themselves, passion and revenge is very apt to carry them too far, and with too much heat, in their own cases; as well as negligence, and unconcern, to make them too remiss in other men's.

Thirdly, In the state of nature there often wants power to back and support the sentence when right, and to give it due execution, They who by any injustice offended, will seldom fail, where they are able, by force to make good their injustice; such resistance many times makes the punishment dangerous, and frequently destructive, to those who attempt it.

Thus mankind, notwithstanding all the privileges of the state of nature, being but in an ill condition, while they remain in it, are quickly driven into society. Hence it comes to pass, that we seldom find any number of men live any time together in this state. The inconveniencies that they are therein exposed to, by the irregular and uncertain exercise of the power every man has of punishing the transgressions of others, make them take sanctuary under the established laws of government, and therein seek the preservation of their property. It is this makes them so willingly give up every one his single power of punishing, to be exercised by such alone, as shall be appointed to it amongst them; and by such rules as the community, or those authorized by them to that purpose, shall agree on. And in this we have the original right and rise of both the legislative and executive power, as well as of the governments and societies themselves.

For in the state of nature, to omit the liberty he has of innocent delights, a man has two powers. The first is to do whatsoever he thinks fit for the preservation of himself, and others within the permission of the law of nature: by which law, common to them all, he and all the rest of mankind are one community, make up one society, distinct from all other creatures. And were it not for the corruption and viciousness of degenerate men, there would be no need of any other; no necessity that men should separate from this great and natural community, and by positive agreements combine into smaller and divided associations. The other power a man has in the state of nature is the power to punish the crimes committed against that law. Both these he gives up, when he joins in a private, if I may so call it, or particular politic society, and incorporates into any common-wealth, separate from the rest of mankind.

The first power, viz. of doing whatsoever he thought for the preservation of himself, and the rest of mankind, he gives up to be regulated by laws made by the society, so far forth as the preservation of himself, and the rest of that society shall require; which laws of the society in many things confine the liberty he had by the law of nature.

Secondly, The power of punishing he wholly gives up, and engages his natural force, (which he might before employ in the execution of the law of nature, by his own single authority, as he thought fit) to assist the executive power of the society, as the law thereof shall require: for being now in a new state, wherein he is to enjoy many conveniences, from the labor, assistance, and society of others in the same community, as well as protection from its whole strength; he is to part also with as much of his natural liberty, in providing for himself, as the good, prosperity, and safety of the society shall require; which is not only necessary, but just, since the other members of the society do the like.

But though men, when they enter into society, give up the equality, liberty, and executive power they had in the state of nature, into the hands of the society, to be so far disposed of by

the legislative, as the good of the society shall require; yet it being only with an intention in every one the better to preserve himself, his liberty and property; (for no rational creature can be supposed to change his condition with an intention to be worse) the power of the society, or legislative constituted by them, can never be supposed to extend farther, than the common good; but is obliged to secure every one's property, by providing against those three defects above mentioned, that made the state of nature so unsafe and uneasy. And so whoever has the legislative or supreme power of any common-wealth, is bound to govern by established standing laws, promulgated and known to the people, and not by extemporary decrees; by indifferent and upright judges, who are to decide controversies by those laws; and to employ the force of the community at home, only in the execution of such laws, or abroad to prevent or redress foreign injuries, and secure the community from inroads and invasion. And all this to be directed to no other end, but the peace, safety, and public good of the people…

Of the Extent on
The Legislative Power

The great end of men's entering into society, being the enjoyment of their properties in peace and safety, and the great instrument and means of that being the laws established in that society; the first and fundamental positive law of all commonwealths is the establishing of the legislative power; as the first and fundamental natural law, which is to govern even the legislative itself, is the preservation of the society, and (as far as will consist with the public good) of every person in it. This legislative is not only the supreme power of the common-wealth, but sacred and unalterable in the hands where the community have once placed it; nor can any edict of any body else, in what form soever conceived, or by what power soever backed, have the force and obligation of a law, which has not its sanction from that legislative which the public has chosen and appointed: for without this the law could not have that, which is absolutely necessary to its being a law,* the consent of the society, over whom no body can have a power to make laws, but by their own consent, and by authority received from them...

These are the bounds which the trust, that is put in them by the society, and the law of God and nature, have set to the legislative power of every common-wealth, in all forms of government. First, They are to govern by promulgated established laws, not to be varied in particular cases, but to have one rule for rich and poor, for the favorite at court, and the country man at plough. Secondly, these laws also ought to be designed for no other end ultimately, but the good of the people. Thirdly, They must not raise taxes on the property of the people, without the consent of the people, given by themselves, or their deputies. And this properly concerns only such governments where the legislative is always in being, or at least where the people have not reserved any part of the legislative to deputies, to be from time to time chosen by themselves. Fourthly, The legislative neither must nor can transfer the power of making laws to any body else, or place it any where, but where the people have…

Of the Dissolution
Of Government

The constitution of the legislative is the first and fundamental act of society, whereby provision is made for the continuation of their union, under the direction of persons, and bonds of laws,

made by persons authorized thereunto, by the consent and appointment of the people, without which no one man, or number of men, amongst them, can have authority of making laws that shall be binding to the rest. When any one, or more, shall take upon them to make laws, whom the people have not appointed so to do, they make laws without authority, which the people are not therefore bound to obey; by which means they come again to be out of subjection, and may constitute to themselves a new legislative, as they think best, being in full liberty to resist the force of those, who without authority would impose any thing upon them.

Whosoever uses force without right-as every one does in society who does it without law-puts himself into a state of war with those against whom he so uses it; and in that state all former ties are cancelled, all other rights cease, and every one has a right to defend himself, and to resist the aggressor…

Here it is like the common act contrary will be made: Who shall be judged whether the prince or legislative act contrary to their trust? This, perhaps, ill-affected and factious men may spread amongst the people, when the prince only makes use of his due prerogative. To this I reply, The people shall be judge; for who shall be judge whether his trustee or deputy acts well and according to the trust reposed in him, but he who deputes him and must, by having deputed him, have still a power to discard him when he fails in his trust? If this be reasonable in particular cases of private men, why should it be otherwise in that of the greatest moment, where the welfare of millions is concerned and also where the evil, if not prevented, is greater, and the redress very difficult, dear, and dangerous?

To conclude. The power that every individual gave the society when he entered into it can never revert to the individuals again, as long as the society lasts, but will always remain in the community; because without this there can be no community- no commonwealth, which is contrary to the original agreement; so also when the society hath placed the legislative in any assembly of men, to continue in them and their successors, with direction and authority for providing such successors, the legislative can never revert to the people whilst that government lasts: because, having provided a legislative with power to continue for ever, they have given up their political power to the legislative, and cannot resume it. But if they have set limits to the duration of their legislative, and made this supreme power in any person or assembly only temporary; or else when, by the miscarriages of those in authority, it is forfeited; upon the forfeiture of their rulers, or at the determination of the time set, it reverts to the society, and the people have a right to act as supreme, and continue the legislative in themselves or place it in a new form, or new hands, as they think good.

JOHN LOCKE
(1632 - 1704)

1. Locke starts out with the concept of the state of nature and takes an optimistic view. Locke's conception of men in the state of nature is not noticeably different from man in organized society. Locke cannot conceive of human beings living together without some sort of law and order, and in the state of nature it is the law of nature that rules: "The state of nature has a law of nature to govern it, which obliges everyone; and reason, which is that law, teaches all mankind who will consult it, that, being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions."

2. The law of nature, through the instrument of reason, defines what is right and wrong; if a violation of the law occurs, the execution of the penalty is, in the state of nature, "put into every man's hands, whereby every one has a right to punish the transgressions of that law to such a degree, as may hinder its violation."

   (A) In actuality, the legal situation that Locke describes as the state of nature still exists in two areas:

   (1) A primitive community there is a body of law that is generally known to its members. In the event of injury the injured party's family pursues and punishes
   (2) The state of nature still exists between so-called advanced nations. This is called international law.

3. The law of the state of nature is thus deficient in three important points:

   (A) First, it is not sufficiently clear. If all men were guided by pure reason they would all see the same law. But men are biased by their interests and mistake their interests for general rules of law.
   (B) Second, there is no third-party judge who has no personal stake in disputes.
   (C) Third, in the state of nature the injured party is not always strong enough to execute the just sentence of the law.

4. After society "is set up by contract, government is established, not by a contract, but by trust. The legislature is "The Supreme power" to which all other powers, particularly the executive must "be subordinate." Yet the legislature is only relatively supreme among organs of government, above the legislature there is still something higher: the people.

   (A) Ordinarily there are three parties to trust; the trustor, who creates the trust; the trustee, who is charged with the administration of the trust; and the beneficiary, in whose interest the trust is created.
   (B) According to Locke's views of government, there are only two parties to trust, the people, who is both trustor and beneficiary, and the legislature, who is trustee.

5. The principal characteristic of a trust is the fact that the trustee assumes primarily obligations rather than rights. The purpose of the trust is determined by the interest of the beneficiary and not by the will of the trustee. The trustee is little more than a servant of both trustor and beneficiary, and he may be recalled by the trustor in the event of neglect of duty.

6. Locke thus goes farther than the makers of the Glorious Revolution who accused James II of having violated the "original contract between King and people." The contractual conception of kingship by divine right, according to the king-and the king only-received his right to govern from God.

   (A)Locke completes this progression by his conception of government as trust: only the people as trustor (and beneficiary) have rights; the government as trustee has only duties, which are defined by the interests of the trustor and beneficiary, and not by those of the trustee.

   (B) In the theory of the divine right, only the ruler has rights; in the theory of contract, both people and government have rights, in Lockes conception of government trust, only the people have rights.

7. Locke confines the act of covenant to the setting up of society but not of government. Locke's government is not a party to any contract with the people, because he does not wish to give-the state any rights against the people.
   Locke's state always remains an instrument of the purposes that society sets for it. As a strong believer in natural law, Locke assigned to government the task of finding the law rather than making it. Law precedes the state in Locke.

8. Among the rights which precede government, Locke stresses that of property. The principal purpose of government, the reason why men give up the state of nature for civil society, is "for the mutual preservation of their lives, liberties, and estates, which I call by the general name, property."

   (A) This broad Lockean concept of property exceeds man's purely economic needs and interests and encompasses almost the whole orbit of his "life, liberty, and pursuit of happiness."

   (B) Lockes theory of property starts with the inquiry of how private property can be justified at all. Because every man has a property in his own person, the "labor of his body and the work of his hands we may say are properly his". Labor creates property: the human effort that is "mixed" with natural resources is the determining criterion which alone justifies private property.

   (C) But labor does more than create property. It also determines the value of property. "It is labor indeed." Locke says, "That puts the difference of value on everything." In fact, he stresses the proportion of labor in value highly enough to say that "of the product of the earth useful to the life of man, nine-tenths are the effects of labor."

9. This Lockean theory of property was later used in the defense of capitalism. When Locke defended property on the ground of individual effort and initiative, he protected the productive capacities of a new system of commercial and industrial capitalism against the restructive traditions of the repressive state. By making labor the title of property and the source of value, Locke translated the rise of a new class to power into terms of a new political economy.

10. Locke did not work out a theory as to how much property a person may fairly claim for himself. In general, he acknowledges that the right of property is limited. "As much as anyone can make use of to any advantage of life before it spoils, so much he may by his labor fix a property in; whatever is beyond this is more than his share, and belongs to others. Nothing has made by God for man to spoil or destroy."

    (A)This theory would have lasted forever, '~d not the invention of money, and by agreement of men to put a value on it, introduced (by consent) larger possessions and a right to them".

11. The criterion which Locke here applies is that of waste. Before money was invented, man had no moral right to hoard the products of the earth and allow them to rot and spoil. His ability to use perishable goods determined the amount of property he could rightfully own.

    (A) Thus Locke arrives at defining money, "as some lasting thing that men might keep with spoiling and that by mutual consent, men would take in exchange for the useful but perishable supports of life".

    (B) In his doctrine of property Locke makes no serious attempt to reconcile the teachings of natural law, which stresses reasonable equality of property, with the inequality of property that stems, by consent among men, from the use of money •.

12. Property precedes government and is the "great and chief end" from which men unite into political society. It follows that the state "cannot take "from any man any part of his property without his own consent." Even if the commonwealth is based on freely elected representative institutions, it cannot "dispose of the estates of the subjects' arbitrarily." The 14th amendment to the constitution. of the U.S. embodies the Lockeon theory, that no state .shall "deprive any person of life, liberty, or property, without due process of the law."

    (A) Locke had a distrust on executive power, he had more confidence in the legislature, as it represented the will of the people.

13. Locke specifically lists four major limitations on the power of the legislature:

    (A) First, the law must apply equally to all, rich and poor.

    (B) Second, the law must not be arbitrary and oppressive, but must be designed for the good of the people.

    (C) Third, the legislature must not raise taxes without the consent of the people or their representatives;

    (D) Fourth, the legislature must not transfer its law making power to anyone else.

14. Locke draws a sharp distinction between state and society; of the two, society is by far the more important and enduring. The dissolution of government does not entail that of society, whereas of society is dissolved. it is certain that the government of the society cannot remain. Locke mentions that the destruction of society usually occurs by external forces, by conquerors swords "that mangle society to pieces." But when government is dissolved from within. Locke does not anticipate chaos but trusts that society will set up a new government to serve its ends and purposes. In general, government dissolves from within if it violates the trust given to it by the people when they set up a new government.
15. Absolute monarchy is according to Locke, no form of civil government at all, in fact, worse than the state of nature. In the latter, everyone is judge in his own case whereas in absolute monarchy there is only one person who has the liberty: The King.

16. Before Locke, theories of disobedience usually contained an element of apology when it came to justifying resistance to authority. Locke reversed the position by declaring the arbitrary ruler an outcast and rebel against the law, where as the people defend the law by revolting against such depots: "In all states and conditions the true remedy of force without authority is to oppose force to it." and the ruler who uses force without authority should be treated like an aggressor in war. Locke qualifies his theory of resistance in two ways:

    (1) First, force is to be used by the people only against unjust and unlawful force, and
    (2) Second, the right of disobedience may not be exercised by one man or a small group of citizens who feel themselves oppressed, but only by the majority of the people when they have suffered from mischief and oppression. Locke's insistence that there is a higher law above the law of the state has led to the conception, so deeply ingrained in the traditions of democratic nations, that obedience to the law is a high, but not the highest, civic virtue. Opponents of the democratic government have changed that making political rule dependent on consent of the ruled "lays a ferment for frequent rebellion," as Locke puts it. Locke does not deny the charge, but asserts that his hypothesis invites anarchy and rebellion no more than any other. First, when the people are miserable, they will rebel under any form of government. Second. Locke emphasizes little mismanagement in public affairs." Third, government by consent coupled with the right of the people to rebel is, "the best force against rebellion." The more the channels of force communication and consent are maintained in a society, the less need for revolution.

17. By committing themselves to Locke's theories of government, the British supplied the cause for the American Rebellion (and for the later peaceful independence of other colonies such as Canada and India.) The test of the Declaration of Independence is pure Locke, and the main elements of the American political system -- inviolability of property, limited government, and the inalienable rights of individuals --are all directly traceable to Locke.

18. Above all, Locke's defense of the right to rebel seemed to the makers of the American Revolution, reasonable. Thomas Jefferson, in many respects a Lockean rationalist and lover of freedom and toleration, expressed the American version of Locke's theory of rebellion in the classical phrase that tithe tree of liberty must be refreshed from time to time with the blood of patriots and tyrants". Whatever the social or economic system that may exist at a particular time -- be it a pioneering frontier country, or an old established society, vigorous, self-confident capitalism or mature, skeptical industrialism, welfare New Dealism or experimental democratic socialism -- the right to rebel remains the great, perhaps the greatest, tradition of British and American politics.

AP American Government and Politics
Foundation Notes

Classical Republicanism

- Based on ancient histories empirical people thought of these as facts
- Overtime they became corrupted
  - -Monarchy to tyranny
  - -Aristocracy to oligarchy
  - -Democracy to anarchy
- Recognized a natural inequality
- Constitution necessary and revered
- Celebration of the few; order is fragile so 1st priority is order, then liberty
- Change is bad, not to be revered
- Resisted who could govern, who could vote

Classical Liberalism

- Development and articulation of a market economy
- Ordinary people could control their own lives. This is opposite to Puritans and whole change in reasoning
- Self interest keeps people in line because they need to feed their kids, etc.
- Adam Smith, "Every man is a merchant-we are all the same".
- This leads to limited government
  - -Order is natural
  - -government is simple
  - -natural rights
  - -consent of the governed legislature's
  - -law is only legitimate body

AP American Government and Politics
Foundation Notes

Basic Principles:

1. Popular Sovereignty
   - -All political power belongs to the people. "We the People"
2. Limited Government
   - -Government not all-powerful; limited in ability
3. Separation of Powers
   - -Powers divided into 3 branches
4. Checks and Balances
5. Judicial Review
   - -The courts power to decide whether what the government does is in accord with what Constitution provides
6. Federalism

- National government is a government of delegated powers
- Expressed Powers
  -Delegated powers
- Implied Powers
  -Powers reasonably implied. (Necessary and Proper Clause) examples:
  - -The draft to raise an army
  - -Creation of the I RS to tax
  - -Creation of the Federal Reserve
  - -Aid to education
- Inherent Powers
  -Powers that belong because it is a national government
- Reserved Powers
  -Powers granted to each state

The Federalists' Position on Ratification of the Constitution

The following information summarizes the arguments presented for the Federalists' position in a series of essays entitled The Federalist. These essays were written by Alexander Hamilton, John Jay, and James Madison using a common pen-name, Publius, a patriot of ancient Rome.

I. Republican Government

Most people had thought that republican government could only exist in a small territory populated by people who possessed civic virtue. The Federalists maintained that it is possible to have republican government in a territory as large as that represented by the thirteen original states even if the people lack civic virtue. Moreover, such a republic, an extended republic, as they called it, would be superior to the classical republics of small city-states which depended on the civic virtue of the citizens.

In "Federalist No. 10," they describe what they thought was the major problem of the classical republics, that is, factions. Factions are made up of people of common interests or beliefs who try to get the government to do things that are desirable for them but which are contrary to the common good.

Classical republicanism had held that the main way of preventing this kind of behavior was for the citizens to possess civic virtue, encouraged by education, religion, and the good example of those who exercised political authority. The Federalists argued, however, that history demonstrated that this does not work. The old republics had been destroyed because people preferred their own interests to the good of the community.

A larger state could avoid these problems because the people would be dispersed over a large territory. A larger number of people would produce a greater number of interest groups. These interest groups, scattered over a large territory, would find it impossible to cooperate with one another in order to form majorities, get the government to do what they wanted, and obtain laws that were favorable to their own interests instead of the common interest. In addition, representation and checks and balances would also help to ensure that the common interest rather than private interests would influence the policy of the government. Thus, the extended republic solved one of the most important problems of the old republics and clearly represented a superior form of republican government.

II. Federalism

The Constitution established anew kind of political system: a federal system. In such a system, there are two governments, each sovereign in its own sphere and each with the authority to act directly upon the people. Previously there had been confederations consisting of a group of sovereign states held together for purpose~ of mutual defense or trade. The other form of government has been national or consolidated, in which authority had been located in one central government.

The United States under the Articles of Confederation had been, as the name suggests, a confederation. The central government, such as it was, had very little authority. The Federalists

argued that this had made the United States weak and disreputable abroad and disunited at home. In order to solve these problems, there was a need for a national government with the authority to deal with those problems common to all of the states. These included foreign affairs, i.e., treaty and war-making powers. There is a clear need, they also argued, for a common authority to regulate commerce, coin money, and enforce contracts in order to restore the economy of the United States. All of this was necessary, if the government was to be able to provide for the general defense and security as well as the common welfare of the United States.

This did not mean that the state governments were to be eliminated or made entirely subordinate to the government of the United States in regard to matters of purely local jurisdiction. Under the Constitution, the laws passed by Congress are the supreme law of the land, but only in those matters over which Congress is given authority by .the Constitution, and these are the powers enumerated in Article I, Section 8 of the Constitution.

These enumerated powers should not be feared because in any contest between the states and the national government, the advantage is on the side of the state governments. The state governments, being closer to the people than the national government, will have a greater claim to their loyalty and support. In fact, they argued, the greatest problem under the new Constitution will not come from the power of the national government but from the powers retained by the states. This is so in spite of the supremacy clause of the Constitution.

III. Separation of powers and checks and balances

Virtually all Americans in 1787 agreed that the separation of powers is the keystone of constitutional government. In "Federalist No. 47," the Federalists wrote, "The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very defmition of tyranny."
However, critics of the Constitution pointed out that while the powers of government were indeed placed· in three separate branches, these powers were not completely distinct. Through the veto, the executive was involved in the legislative power. Through the authority to approve appointments and treaties, the legislative branch was involved in the executive powers.

The Federalists argued that if the three branches of government were totally separate, it would be impossible for them to check and balance each other. Hence, they must be armed with the power to do so. The new Constitution gives them this power. The executive can check the legislative branch through the use of the veto power. The legislative branch can check the executive by over-riding the veto by a two-thirds vote in the House and Senate. These and other devices provided by the Constitution ensure that the three branches of government will be kept in balance.

IV. The Congress
House of Representatives

Major objections were voiced to the two-year term and the relatively small number of representatives. Many believed that annual elections were required to keep the representatives responsible to their constituents. They also argued that one representative for 30,000 people was

insufficient to provide for representative government.
The Federalists argued that elections every two years are sufficient to protect the safety of the people. They also maintained that two-year terms are desirable because they would enable the representatives to get more experience without making them so independent of the people's judgment as to become dangerous.
In answer to the claim that there are too few representatives, they argued that the limited power given to Congress makes it safe to entrust the legislative authority of the lower house to a fairly small number of persons. Finally, they defended the number of representatives by arguing that the larger the assembly, the smaller the number of people who actually direct its affairs. This is so because large groups are more susceptible to the appeal of emotion and are more likely to be swayed by the appeals of clever and unscrupulous demagogues.

Senate

The following four objections had been raised regarding the Senate:

1. The qualification for senators were more advanced age and a longer period of citizenship. (Senators are required to be at least 30 years of age and citizens for 9 years preceding election. Members of the House of Representatives must be 25 years old and citizens for 7 years.) The Federalists argued that the office of senator requires greater knowledge and stability of character. Since senators deal with foreign nations through the treaty-making power, they should be free of foreign influences, and this is more likely if they have been citizens for a longer period of time.
2. Senators were appointed by state legislatures. The Federalists claimed that this was the method favored by pubic opinion and also is useful as a means of linking the state governments to the federal government.
3. Each state is equally represented in the Senate. The Federalists defended equal representation in the Senate by candidly admitting that this was a compromise between the claims of the large states and the small states. They went on to claim that it is desirable for laws to require approval by a majority of the people and a majority of the states. They admitted that this might seem an inconvenience, making it more difficult to pass laws. But this may be a good thing because "the facility and excess of law-making seem to be the diseases to which our governments are most liable ...."
4. The number of senators is small. The Federalists insisted that this would result in greater stability and dignity in the government. They argued that large assemblies are susceptible to sudden and violent passions. A small body, elected for six-year terms, would be more sober and better informed in its deliberations. The resulting stability would be advantageous both in terms of domestic politics and foreign relations.

V. The President

The Federalists had harsh words for critics of the presidency. They first addressed the selection of the president by the Electoral College, a group of men chosen specifically for the purpose. This method, they claimed, would remove the selection of the president from tumult and disorder. Meeting in their several states, members of the Electoral College would be less susceptible to intrigues and conspiracies. Describing the process by which the selection of the president might be made by the House of Representatives, they concluded, "This process of election affords a moral certainty that the office of president will seldom fall to the lot of any

man who is not in an eminent degree endowed with the requisite qualifications." The result will be "a constant probability of seeing the station filled by characters pre-eminent for ability and virtue."
To those who argued that a strong executive is incompatible with republican government, The Federalists retorted that energy in the executive is the first prerequisite of good government. "It is essential to the protection of the community and against foreign attacks; it is not less essential to the steady administration of the laws; to the protection of property ...; to the security of liberty against the enterprises and assaults of ambition, of faction, and anarchy." A feeble executive, they insisted, leads to weak government and such a government, "whatever it may be in theory, must be, in practice, a bad government."

There were some people who argued in favor of a plural executive. The Federalists held that a plural executive is deficient in performing the executive functions, necessarily lacking secrecy, dispatch and decisiveness. Moreover, a plural executive tends to conceal faults and destroy responsibility. Finally, they pointed out, a plural executive is more expensive than a single executive.

Defending the four-year term of the presidency, the Federalists claimed that it would give the executive a certain independence from the transient whim and passing opinions of the people, which is desirable. The people always intend the public good, but sometimes they are led astray. A statesman, and especially the executive, should be able to resist these momentary impulses and act on the basis of long-term calculations of the public good, unswayed by the passion of the moment.
They defended re-eligibility for election on similar grounds. They also argued that it lends stability to the government, providing a degree of continuity in its administration which is advantageous from the point of view of both domestic and foreign policy.

The people of the United States, given their experience with the British monarch and the royal governors, were naturally suspicious of executive power. The Federalists assured them that the executive power established by the Constitution is not only effective, but it is also safe. The president is chosen every four years by persons (Electoral College) "immediately chosen by the people for that purpose," and he is liable to impeachment, trial, and dismissal from office. Moreover, effective controls upon the executive power are provided by the system of checks and balances, in which some of the most important powers (treaty-making and appointive) are shared with the Senate. These measures provide assurance that executive power would not be successfully abused.

VI. The Judiciary

Questions were raised by opponents of the Constitution regarding the way in which judges were appointed arid their lifetime tenure in office during good behavior.

The Federalists dismissed the first by pointing out that while judges are appointed by the president, his appointments require the advice and consent of the Senate. This is sufficient to regard against foolish appointments.

The Federalists defended life tenure by first arguing that the judicial power, having access to neither the sword nor the purse, is the least dangerous branch of the government. "The judiciary is beyond comparison the weakest of the three departments of power. ..."
Having argued that it is safe to entrust the judicial power to judges with life tenure, they also said it is necessary in order to guarantee their independence. The independence of the judiciary is especially important under a Constitution providing for government of limited powers. Such a Constitution stipulates that there are certain kinds of laws, for example ex post facto laws, that the legislature cannot pass. "Limitations of this kind," they wrote, "can be preserved in practice no other way than through the medium of courts of justice, whose duty it must be to declare all acts contrary to the manifest terms of the Constitution void. Without this, all the reservations of particular rights or privileges would amount to nothing."

Life tenure, the Federalists emphasized, is essential if the judges are to possess the independence necessary for performing the "arduous" task of enforcing the limits imposed by the Constitution on the other branches of government. Moreover, the duties of judges require great amounts of knowledge and experience which would be enhanced by lengthy terms of service.

VII. Bill of Rights

The Federalists responded to complaints that the Constitution does not contain a bill of rights. They argued that the Constitution contains protections for those rights usually mentioned in bills of rights. These included the guarantee of habeas corpus, prohibition of ex post facto laws, the guarantee in criminal cases of trial by jury in the state where the crime was committed, protection of persons and their descendants accused of treason, and the prohibition of tides of nobility.

Most bills of rights, such as the Magna Carta, were between kings and their people, and are unnecessary in a political system where sovereignty resides in the people and the members of the government are only the people's servants. Moreover, a Constitution which delegates only limited powers to the government does not require a minutely detailed list of the rights maintained by the people.

Finally, the Federalists suggested that such a list of protected rights is in fact dangerous to the rights of the people. Why provide protection against powers not granted? This might afford the pretext for the government to claim power it doesn't have on the ground that if protection is offered against the misuse of a particular power, that power must have been granted.

The Constitution of the United States of America

Preamble

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Article I

Section 1.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2.

The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a Representative who shall not have attained to the age of twenty five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each state shall have at least one Representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

Article II

Section 1.

The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected, as follows:

Each state shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each state having one vote; A quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the

Article III

Section 1.

The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Section 2.

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;--to all cases affecting ambassadors, other public ministers and consuls;--to all cases of admiralty and maritime jurisdiction;--to controversies to which the United States shall be a party;--to controversies between two or more states;--between a state and citizens of another state;-- between citizens of different states;--between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Section 3.

Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

Article IV

Section 1.

Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

Section 2.

The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Section 3.

New states may be admitted by the Congress into this union; but no new states shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Section 4.

The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

Article V

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

Article VI

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

Article VII

The ratification of the conventions of nine states, shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

Done in convention by the unanimous consent of the states present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty seven and of the independence of the United States of America the twelfth. In witness whereof We have hereunto subscribed our Names,

G. Washington
- Presidt. and deputy from Virginia

New Hampshire:
John Langdon, Nicholas Gilman

Massachusetts:
Nathaniel Gorham, Rufus King

Connecticut:
Wm. Saml. Johnson, Roger Sherman

New York:
Alexander Hamilton

New Jersey:
Wil. Livingston, David Brearly, Wm. Paterson, Jona. Dayton

Pennsylvania:
B. Franklin, Thomas Mifflin, Robt. Morris, Geo. Clymer, Thos. FitzSimons, Jared Ingersoll, James Wilson, Gouv Morris

Delaware:
Geo. Read, Gunning Bedford jr, John Dickinson, Richard Bassett, Jaco. Broom

Maryland:
James McHenry, Dan of St Thos. Jenifer, Danl Carroll

Virginia:
John Blair, James Madison Jr.

North Carolina:

The First Ten Amendments to the Constitution of the United States
(The Bill of Rights)

Amendment 1
Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment 2
A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

Amendment 3
No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Amendment 4
The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment 5
No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment 6
In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment 7
In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Amendment 8
Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment 9
The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment 10
The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

AP American Government and Politics

Constitution Exercise

Name ________________________________ Period ____________

Part 1: Listed below are the powers that are delegated or denied in the Constitution. Identify who has the power and where the source of the power can be found in the Constitution. An example is provided.

C = Congress
H = House of Representatives
S = Senate
P = President
X = Power denied to the government

	Power	Who has the power	Source
Ex.	Declare war	C	Art 1, Sec 8
1.	Appoint judges to federal courts		
2.	Award titles of nobility		
3.	Admit new states to union		
4.	Establish a system of post roads		
5.	Regulate foreign trade		
6.	Place a tariff on exports		
7.	Enforce laws passed by Congress		
8.	Create federal courts		
9.	Establish an army and navy		
10.	Nominate Ambassadors		
11.	Establish a post office		
12.	Borrow money		
13.	Give "state of the nation"		
14.	Lead the army and navy		
15.	Censor a book or newspaper		
16.	Coin money		
17.	Make treaties with foreign nations		
18.	Establish laws on copyrights		
19.	Regulate trade with Native Americans		
20.	Make rules for people who go bankrupt		

Part 2: On a separate sheet of paper, and then attached to this one, answer each question and provide the location in the Constitution that is the source of the answer.

1. Can a president veto a bill without returning it to Congress?
2. What is treason?
3. How can the Constitution be amended?
4. Where must all laws dealing with money originate? Why?
5. Can a bill become a law without the president's signature?
6. How many senators are elected at anyone election? How many members of the House of Representatives?
7. Who has the power to levy taxes?
8. Who determines the qualifications of the members of Congress?
9. When can a Congressman be arrested?
10. Can the president veto a bill passed by Congress? How can it be passes over his veto?
11. What are the terms of office for members of Congress?
12. Does the Constitution allow for the direct election of the president?
13. Who hears trial cases between different states or citizens of different states?
14. What is the term of office for members of the federal judiciary?
15. What is the proof of treason?
16. Why is a person with a drivers license from Oregon able to legally drive in Missouri?
17. How do the states get the powers that are not specifically delegated to the federal government?
18. What is habeas corpus? When can it be suspended?
19. What is a bill of attainder? What is an ex post facto law? Are they allowed?
20. What restrictions are placed on members of Congress when speaking in Congress?
21. Who may impeach a government official? Who will hold the trial of an official who has been impeached?
22. Can the number of United States senators from any state be reduced?
23. Where in the Constitution is the principle of judicial review?

Six Basic Principles of American Government

Popular Sovereignty- All political power belongs to the people. "We the People ..."

Limited Government- Government not all-powerful; they have limited power and can do only certain things.

Separation of Powers- Powers divided into 3 branches.

Checks and Balances- Each branch of government has some check on the other two.

Judicial Review- The federal courts power to decide whether what the government does is in accord with what the Constitution provides.

Federalism- National government with power within its sphere and state and local governments with their own power.