



U.S. Constitution: What are the key Principles?



We have talked about Democracy

+ Will of the people, representation, elections, rights, and rule of law, political equality

+ Democracy American style- protective, developmental, pluralist, and participatory

+ Cross –cutting elements- goals, role of citizen, institutional mechanisms, equality, and character of human nature

+ **YET**, what are the underlying principles that enable the people to pursue opportunity, prosperity, and property?



The American Political Culture and Enduring Concerns/Balance

- ❖ *Role of government*
- ❖ *Balance of conflict and competition and resolution*
- ❖ *Fostering Cooperation*
- ❖ *Establishing and maintaining community*
- ❖ *Ensuring basic rights and societal obligations*
- ❖ *The rules of the games and facilitating widespread participation*



Core Value #1- Liberty

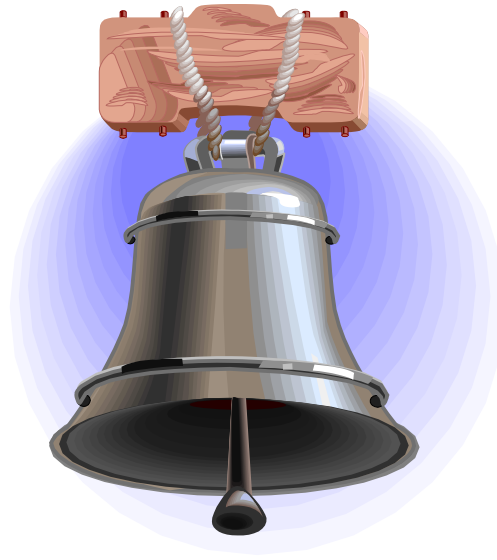
- ☐ *Individual liberty- economic, religious, personal. All persons having equal worth*
- ☐ *Natural rights- our inalienable rights=>life, liberty and pursuit of happiness*
- ☐ *Immediate inclusion of the Bill of Rights*
- ☐ *Rights are not absolute*
- ☐ *Concept of citizenship- responsible to participate in public life*
- ☐ *Will of the people is paramount*



Core Value #2

Political Equality- all free/ encouraged to participate

- ❖ *All have equal standing before government & its agents*
- ❖ *All have equal rights*
- ❖ *Distinction of citizenship status and suffrage rights*
- ❖ *Are there a basis for differential rights ?*
- ❖ *Protective or legal standing and protections*



Core Value #3- Popular Sovereignty

- *Ruled by the people*
- *Final authority in the hands of the people*
- *Self-governance (have interest, capabilities, intelligence to govern)*
- *Agree upon representative government*



Core Value #4 - Majority Rule

- ✓ *Representatives chosen by the greatest numbers*
- ✓ *All must go along with the policy/legislative outcomes*
- ✓ *The majority that produces the outcomes is not always the same majority*
- ✓ *Majority rule reflects the modal sentiment of the populace*



Core Value #5- Minority Rights

- *Original emphasis on political and religious minorities*
- *Minority represented those not part of the prevailing majority based upon a variety of distinctions / interests*
- *Need for a delicate balance of having an operational government that can function and avoid the excesses of arbitrary rule.*
- *Avoid abuse of power by merely numbers*



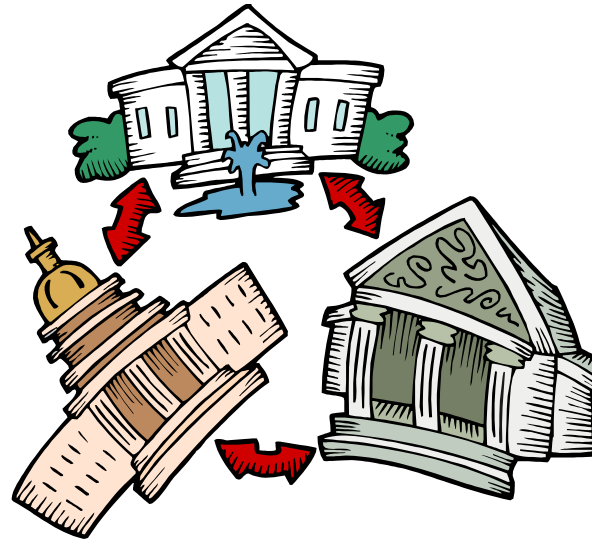
Core Value # 6- Economic Rights

-  *Right to own property*
-  *Limited role of government to regulate economic activities*
-  *Extreme abuses of economic activities subject to anti-trust laws*
-  *Government can involve itself in regulating unfair business practices to protect individual rights*
-  *Can well be wealth inequalities among individuals and entrepreneurs but not responsibility of government to ensure economic equality*



Core Value #7- Government as Responsive

- *Expectations by the people to make demands on government*
- *Will be competing publics*
- *For government to be responsive , people need to participate*
- *Government responsive to voiced opinions and concerns*
- *Govt. as responsive if active citizenry and not couch potatoes*
- *All have responsibility to be national citizens*
- *Government responsive to actions of citizenry*
- *Governance an interactive process between people and their government*



Core Values/Principles #8

-Separation of Powers & Checks and Balances

- *Interdependence of governmental institutions- decentralize decision-making*
- *Some unique powers for specific political institutions (war, appropriations, impeachment, etc.)*
- *Staggered terms, different constituency bases, required agreements, veto, branches of government*
- *Judicial oversight, people's input on representatives and amendment process, some popularly elected, others elected indirectly*



Core Value/Principle #9- Federalism

- ◆ *Divisions of governments- standing and powers (Federal and state governments)*
- ◆ *Areas of authority and responsibility- mutual, exclusive, and reserved powers*
- ◆ *Original jurisdictions- variation of state structures and offices from national government*

Federalism

Concept of federalism- dual vs. cooperative

Constitutional principles/sections – necessary and proper, elastic clause, explicit

Basic issues of federalism- scope of government, what role to play in times of crisis,

Examples- Brown v. Board of Education, Voting Rights Act, Civil Rights Act, War on Poverty, reapportionment

Why expansion of federal role? – interest groups, crisis, default of states

Conflicts of states vs. national government- immigration

Development of Federalism Patterns

- ❖ Changing federalism pattern- reduce scope , size of bureaucracy, transfer control to states
- ❖ Sub-national governments- municipalities, counties, school districts, regional special districts
- ❖ WHY SHIFTS- Civil War, 14th amendment, 16th amendment, use of sticks and carrots (legislation and funding), court cases, politics
- ❖ Financial federalism- categorical grants, block grants, revenue sharing, formula grants
- ❖ Key court decisions- McCullough v. Maryland, Dred Scott, Hammer v. Dagenhart, the New Deal, Brown v. Board of Education , Civil Rights Act '64
- ❖ Nixon's new federalism; Reagan's state's initiatives, decentralization



Is Federalism Necessary?

- Answer NO- if there are not different problems, an inefficient system; too much duplication; national government too remote
- Answer YES- if states not responsive, wealth inequalities; pluralism and enhancing sense of national community
- Role of citizen participation – informed public; access to any level; insure fullest participation; maximize responsiveness
- Variations of democracies- neighborhood democracies; adversary democracies; unitary democracy; representative democracy



Gun Violence in America

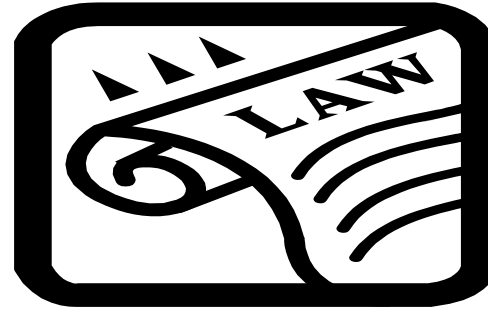
- ☐ What are the issues involved in this area?
- ☐ Are there underlying social and cultural factors?
- ☐ How does government figure into this realm?
- ☐ Are there legal issues and Constitutional issues?



Second Amendment



“A well regulated Militia being necessary to the security of a free state, the right of the people to keep and bear Arms should not be infringed”

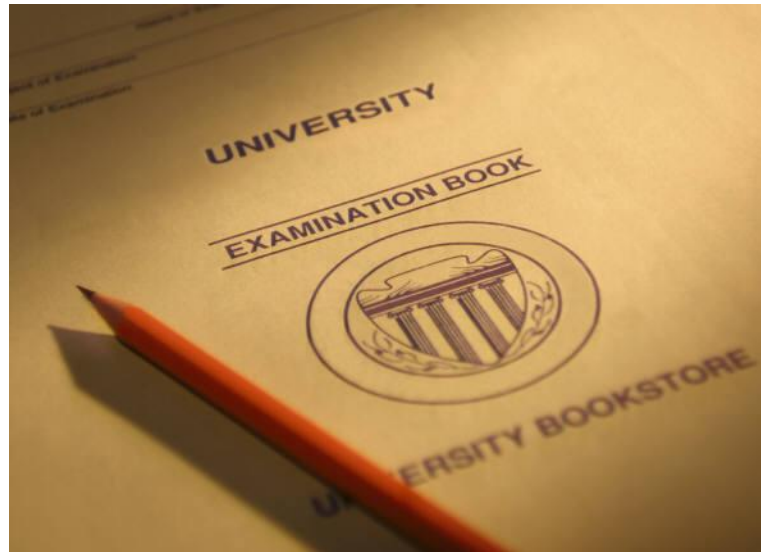


**What should or needs to be the government's
response to violence, and especially gun
violence?**

What is the role of the citizenry?

**What about the states and policies/laws regarding
guns?**

**Is there a viable social, political and legal balance in
this area?**



Exam Schedule for POL 210- Fall Semester, 2008

Exam # 1—September 23rd

Exam #2 – October 28th

Exam #3 – November 18th

Exam #4 – December 16th at 2:00