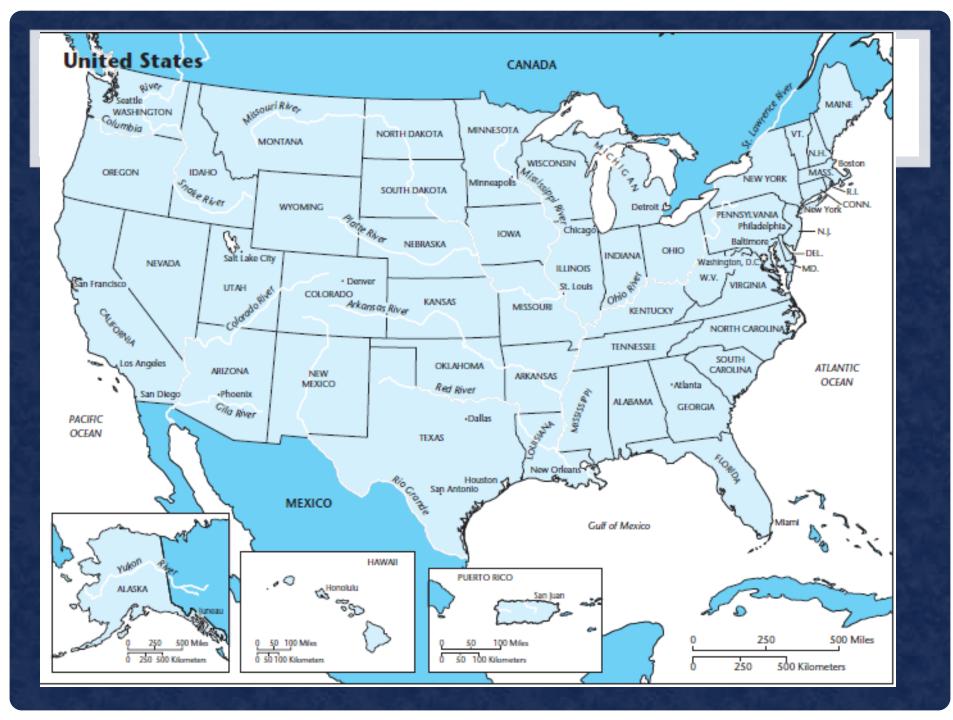
### INRL 207 - CONTEMPORARY STATE SYSTEMS

UNITED STATES

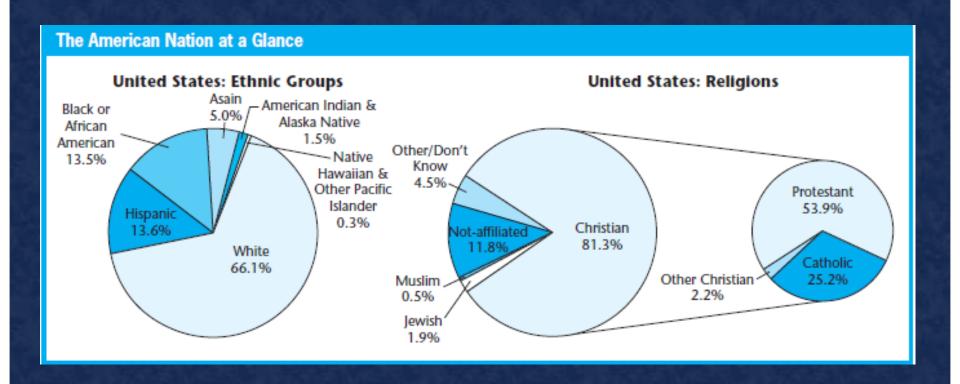
## UNITED STATES KEY TERMS

- **FEDERALISM**
- SEPARATION (DIVISION) OF POWERS
- CHECKS AND BALANCES
- **IMMIGRATION**



#### STATE AND FEDERAL SYSTEM

- Historically state and local government came first.
- The states have their own legislative, executive and judicial institutions
- State and local government control important areas like:
  - Highways
  - State income tax
  - Public schools and universities
  - Police and fire departments
  - Regulate business and supervise commercial affairs
- The Federal system of government controls:
  - Foreign policy, defense and monetary policy
  - Areas that cannot be regulated locally and statewise: interstate commerce, interstate crime, interstate environmental problems etc.



## (1) The Revolutionary ERA (1773-1789)

**RESULTS?** 

## (1) The Revolutionary ERA (1773-1789)

- Declaration of Independence July 4, 1776
- Colonies

## IN CONGRESS, JULY 4, 1776. DECLARATION

BY THE REPRESENTATIVES OF THE

## UNITED STATES OF AMERICA.

IN GENERAL CONGRESS ASSEMBLED.

HEN in the Course of human Events, it becomes necessary for one People to dissolve the Political Bands which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to the Separation.

WE hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness -- That to secure these Rights, Governments are inflituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolith it, and to inflitute new Government, laying its Foundation on fuch Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long eftablished should not be changed for light and transient Causes; and accordingly all Experience hath shewn, that Mankind are more disposed to suffer, while Evils are fufferable, than to right themselves by abolishing the Forms to which they are accustomed. But when a long Train of Abuses and Usurpations, pursuing invariably the fame Object, evinces a Defign to reduce them under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security. Such has been the patient Sufferance of these Colonies; and such is now the Necessity which constrains them to alter their former Systems of Government. The History of the present King of Great-Briain is a History of repeated Injuries and Usurpations, all having in direct Object the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid World.

HE has refused his Assent to Laws, the most wholesome and necessary for the public Good.

HE has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained a and when so suspended, he has utterly neglected to attend to them.

HE has refused to pass other Laws for the Accommodation of large Districts of People, unless those People would relinquish the Right of Representation in

the Legislature, a Right inestimable to them, and formidable to Tyrants only.

He has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of fatiguing them into Compliance with his Measures.

HE has diffolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.

He has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the Dangers of Invasion from without, and Convulsions within.

HE has endeavoured to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migrations hither, and raifing the Conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

tra has made Indoes dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries. He has erected a Multitude of new Offices, and lent hither Swarms of Officers to narrais our reopie, and eat out their Substance.

He has kept among us, in Times of Peace, Standing Armies, without the confent of our Legislatures.

HE has affected to render the Military independent of and superior to the Civil Power. He has affected to render the Minday has to a Jurisdiction foreign to our Constitution, and unnecknowledged by our Laws; giving his Affent to their Acts of

#### DECLARATION OF INDEPENDENCE

- All men are created equal
- Endowed with certain inalienable rights, life liberty pursuit of happiness
- Government derives «their just powers from the consent of the governed»

# (2) THE CIVIL WAR AND RECONSTRUCTION (1861-1876)

QUESTION: WHETHER THE STATES OR THE NATIONAL GOVERNMENT SHOULD BE DOMINANT

SLAVERY

14TH AMENDMENT TO THE CONSTITUTION (1868)

# WHY 14TH AMENDMENT IS IMPORTANT?

- First, it extended the protections of the Bill of Rights to cover actions by states as well as by the federal government (the courts slowed the implementation of this provision).
- Second, it extended citizenship to all persons born in the United States.
- This made U.S. citizens of freed slaves (a
- legal necessity because an 1857 Supreme Court ruling,
- Dred Scott v. Sanford, had held that all blacks, slave or free, were not and could never be U.S. citizens) but also guaranteed that U.S.-born children of the tens of millions of immigrants who migrated after 1868 would become U.S. citizens at birth.

## (3) THE NEW DEAL ERA (1933–1940)

- Roosevelt Administration
- Social security

#### The Federal Government

FIGURE 12-3 Organization Chart of the Federal Government

#### THE GOVERNMENT OF THE UNITED STATES

THE CONSTITUTION

#### LEGISLATIVE BRANCH

#### THE CONGRESS SENATE HOUSE

Architect of the Capitol United States Botanic Garden General Accounting Office Government Printing Office Library of Congress Congressional Budget Office

#### **EXECUTIVE BRANCH**

#### THE PRESIDENT THE VICE PRESIDENT

#### **Executive Office of the President**

White House Office
Office of the Vice President
Council of Economic Advisers
Council on Environmental Quality
National Security Council
Office of Administration

Office of Management and Budget Office of National Drug Control Policy Office of Policy Development Office of Science and Technology Policy Office of the U.S. Trade Representative

#### JUDICIAL BRANCH

#### The Supreme Court of the United States

United States Courts of Appeals
United States District Courts
Territorial Courts
United States Court of International Trade
United States Court of Federal Claims
United States Court of Appeals
for the Armed Forces

United States Tax Court United States Court of Appeals for Veterans Claims

> Administrative Office of the United States Courts

Federal Judicial Center United States Sentencing Commission

DEPARTMENT OF AGRICULTURE DEPARTMENT OF COMMERCE DEPARTMENT OF DEFENSE DEPARTMENT OF EDUCATION DEPARTMENT OF ENERGY DEPARTMENT OF HEALTH AND HUMAN SERVICES

DEPARTMENT OF HOMELAND SECURITY DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DEPARTMENT OF THE INTERIOR DEPARTMENT OF JUSTICE DEPARTMENT OF LABOR DEPARTMENT OF

DEPARTMENT OF TRANSPORTATION DEPARTMENT OF THE TREASURY

Commission

U.S. Postal Service

DEPARTMENT OF VETERANS AFFAIRS

#### INDEPENDENT ESTABLISHMENTS AND GOVERNMENT CORPORATIONS

African Development Foundation Central Intelligence Agency Commodity Futures Trading Commission Consumer Product Safety Commission Corporation for National and Community Service Defense Nuclear Facilities Safety Board Environmental Protection Agency

Environmental Protection Agency
Equal Employment Opportunity
Commission
Export-Import Bank of the U.S.
Farm Credit Administration
Federal Communications Commission
Federal Deposit Insurance Corporation
Federal Election Commission
Federal Emergency Management

Federal Housing Finance Board

Federal Labor Relations Authority Federal Maritime Commission Federal Mediation and Conciliation Service Federal Mine Safety and Health Review Commission Federal Reserve System Federal Retirement Thrift Investment Board Federal Trade Commission General Services Administration Inter-American Foundation Merit Systems Protection Board National Aeronautics and Space Administration National Archives and Records Administration National Capital Planning Commission National Credit Union Administration National Foundation on the Arts and the Humanities

National Labor Relations Board
National Mediation Board
National Railroad Passenger Corporation
(Amtrak)
National Science Foundation
National Transportation Safety Board
Nuclear Regulatory Commission
Occupational Safety and Health
Review Commission
Office of Government Ethics
Office of Personnel Management
Office of Special Coursel
Overseas Private Investment Corporation
Panama Canal Commission
Peace Corps

Pension Benefit Guaranty Corporation

Postal Rate Commission

Railroad Retirement Board
Securities and Exchange Commission
Selective Service System
Small Business Administration
Social Security Administration
Tennessee Valley Authority
Trade and Development Agency
U.S. Agency for International Development
U.S. Commission on Civil Rights
U.S. Information Agency
U.S. International Trade

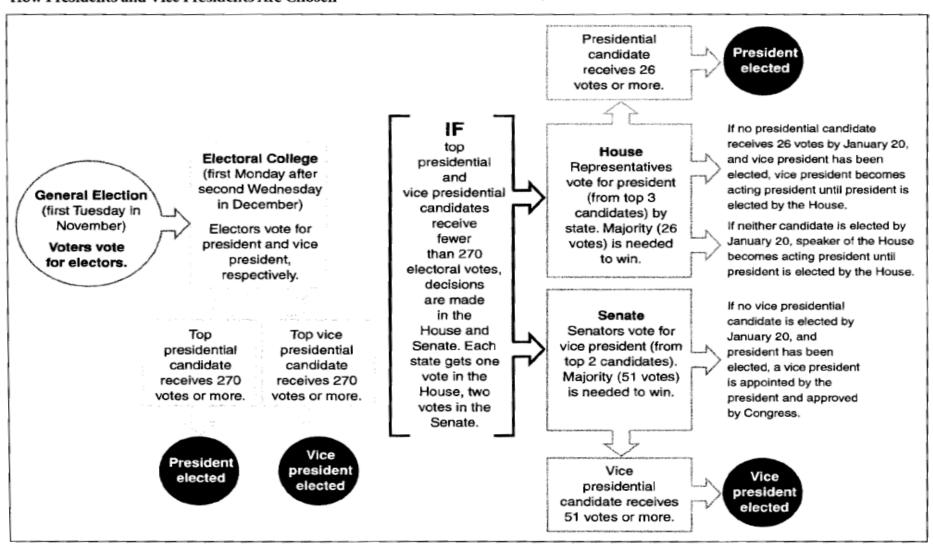
# THE EXECUTIVE BRANCH: THE PRESIDENCY

- 4-year term max two 4-year terms
- Protects the Constitution
- Proposes legislation
- Enforces the laws made by Congress
- Commander in Chief of the armed forces
- Appoints judges to Supreme Court (with the consent of the Senate)

#### PRESIDENTIAL ELECTIONS IN THE USA

#### FIGURE 9-3

How Presidents and Vice Presidents Are Chosen



Source: Adapted from Michael J. Glennon, When No Majority Rules: The Electoral College and Presidential Succession (Washington, D.C.: Congressional Quarterly Press, 1993), p. 20.

#### ELECTORAL COLLEGE

- A device to place elites between the voteers and selection of leaders
  - (Seçiciler Kurulu)

#### HOW DOES THE ELECTORAL COLLEGE WORK?

- Each state has a number of electors in the Electoral College equal to the total of its US senators (always two) and its representatives, which are determined by the size of the state's population.
- Technically, Americans vote for the electors not the candidate.
- California, the most populous state, has 55 electoral votes. A few small states and the District of Columbia have only three.
- There are 538 electors in the College. In all but two states, Maine and Nebraska, the College works on a winner-takes-all basis. The winner of the popular vote in a state gets all the Electoral College votes in that state.
- To become president, a candidate needs 270 Electoral College votes. The winning candidate does not need to win the national popular vote.

### THE ELECTORAL COLLEGE

- Representatives of the people in presidential elections
- 534 electors, corresponding to the numbers of Representatives and Senators
- 270 electoral votes guarantee the Presidency
- Each state votes as a single block (minus Nebraska and Maine) winner takes all

# THE EXECUTIVE BRANCH: THE CABINET

- No mention of it in the Constitution
- Subordinate to the President
- Cabinet members recruited broadly, not necessarily party insiders

#### FEDERAL GOVERNMENT

Legislative

Congress Elections every 2 years



The Senate 2 members per State. Elections every 2 years for 33% of Senators. A senator is elected for 6 years.

House of Representatives
Members elected according
to the population of the State.
Elections every 2 years for the
whole house

#### FEDERAL GOVERNMENT

The Judiciary

The Supreme Court



9 judges appointed by the President.
Their job is to make sure that the President and Congress run the country according to the US Constitution.



## STATE GOVERNMENT

Each State has its own separate government

There are 3 branches

- State governor
- State legislative
- State court

#### Responsibilities

- Police
- Education
- Transport
- Social Welfare
- Health

# THE LEGISLATIVE BRANCH: CONGRESS PASSES LEGISLATION AND APPROPRIATES MONEY

- The House of Representatives
- 435 members according to the size of the state
- 2-year term

- The Senate
- 100 members -two from each state
- 6-year term

#### CHECKS AND BALANCES

Congress:
Power of the purse
Can override presidential veto
(2/3 majority)
Power of impeachment
Senate approves treaties and
the president's appointments

Supreme Court: Power to declare laws and presidential actions unconstitutional

The President:
Power to veto
Issues executive orders
Commander-in-chief
Appoints Federal Judges
Grants Pardons for offenses
against the US

# CHECKS AND BALANCES: CONFRONTATION OF POWERS

- The president nominates federal judges.
- The president can refuse to enforce the Court's decisions.
- The president grants pardons.
  - The Supreme Court can declare presidential actions unconstitutional.



THE JUDICIARY

- Congress can rewrite legislation to circumvent the Court's decisions.
- The Senate confirms federal judges.
- Congress determines the number of judges.
  - The Supreme Court can declare congressional laws unconstitutional.

- Congress makes legislation and can override a presidential veto of its legislation.
- . Congress can impeach and remove a president.
- The Senate must confirm presidential appointments and consent to the president's treaties based on a two-thirds concurrence.
- Congress has the power of the purse and provides funds for the president's programs.



THE PRESIDENCY

- The president proposes laws and can veto congressional legislation.
- The president makes treaties, executive agreements, and executive orders.
- The president can refuse, and has refused, to enforce congressional legislation.
- The president can call special sessions of Congress.



THE CONGRESS

#### THE SUPREME COURT

- 9 members
- Life term appointment
- Interprets and guards the Constitution
- Interprets the law
- Decisions of the Supreme Court are final
- In general it plays a conservative role, maintaining legal tradition

### ELECTIONS AND POLITICAL PARTIES

- Winner-take-all-election system
- The Electoral College
- Two party system- both appealing to the middle of the political spectrum
- Voting for individuals rather than party slate

Existing parties make rules to perpetuate their power



Fewer parties flourish



Lack of voter support discourages formation of minor parties

Winner-Take-All rules

How the two-party system perpetuates itself

Voters choose not to support parties that they do not view as viable Only one winner (loser gets nothing)

Strategic voting and the "wasted vote' theory

# DEMOCRATS AND REPUBLICANS AND THEIR VOTERS

Democrats supported by majority of black voters (Clinton 83%) Urban ethnics Blue collar workers Catholics More women voters Northeast, upper midwest, northwest, Hawaii

Republicans
Protestant voters
Business community
White collar workers
Religious
fundamentalists

# DEMOCRATS AND REPUBLICANS AND THEIR POLICIES

#### **Democrats**

- Support welfare programs
- Keynesian economics and job creating programs
- Social security, Medicare and Medicaid
- Civil Rights legislation
- Women's right to abortion

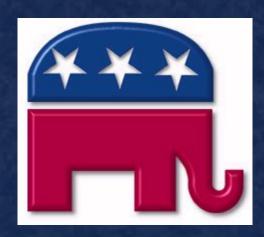
### Republicans

- Limiting federal regulation of business
- Reduction in welfare spending
- Anti-abortion

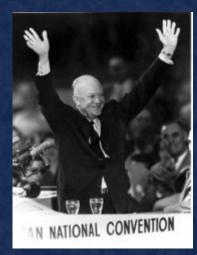
#### POLITICAL PARTIES

## Republican Party

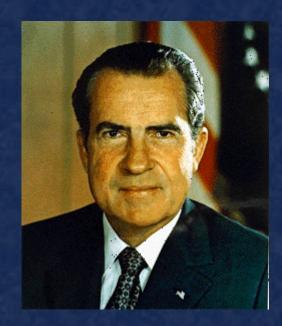
They believe in low taxation
And little interference from
the Federal Government. The
encourage individuals to work
hard and do not like welfare.
A party for the rich and
Middle Class.



### REPUBLICAN PRESIDENTS



Dwight Eisenhower 1953-61 Richard Nixon 1969-74





Gerard Ford 1974-77

### POLITICAL PARTIES

#### Democrats



Believe it is the governments duty to distribute wealth Evenly. They introduce higher taxation and welfare benefits.

Their support comes fron urban areas and minorities.

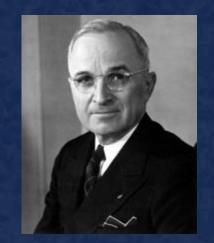
### DEMOCRAT PRESIDENTS

John F Kennedy 1961-63





Lyndon B Johnson 1963-68

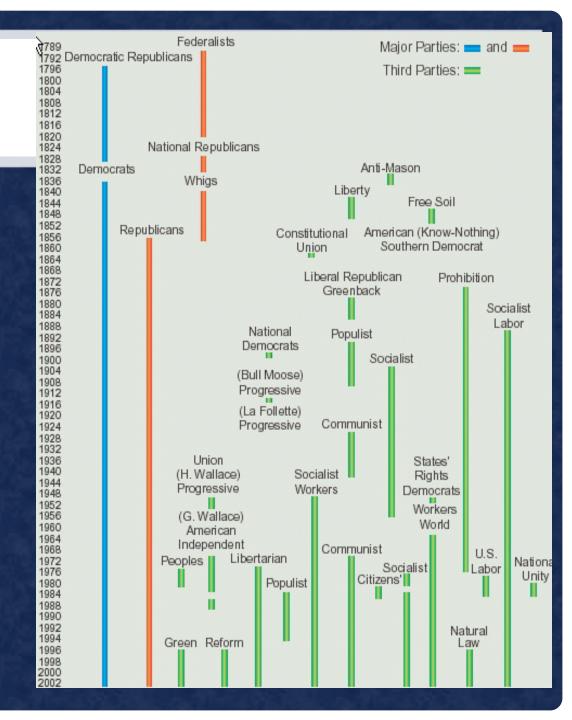




Jimmy Carter 1977-81

Harry Truman 1945-53

## AMERICAN POLITICAL PARTIES SINCE 1789



Political Organization	
Political System	Presidential system.
Regime History	Representative democracy, usually dated from the signing of the Declaration of Independence (1776) or the Constitution (1787).
Administrative Structure	Federalism, with powers shared between the national government and the fifty state governments; separation of powers at the level of the national government among legislative, executive, and judicial branches.
Executive	President, "directly" elected (with Electoral College that officially elects president and vice president) for four-year term; cabinet is advisory group of heads of major federal agencies and other senior officials selected by president to aid in decision-making but with no formal authority.
Legislature	Bicameral. Congress composed of a lower house (House of Representatives) of 435 members serving two-year terms and an upper house (Senate) of 100 members (two from each state) serving six-year terms; elected in single-member districts (or, in the case of the Senate, states) by simple plurality (some states require a majority of voters).
Judiciary	Supreme Court with nine justices nominated by president and confirmed by Senate, with life tenure; has specified original and appellate jurisdiction and exercises the power of judicial review (can declare acts of the legislature and executive unconstitutional and therefore null and void).
Party System	Essentially two-party system (Republican and Democrat), with relatively weak and fractionalized parties; more than in most representative democracies, the personal following of candidates remains very important.