

How the Legislative branch checks....

• The Courts:

- Advice and consent (senate)
- Determines # of justices
- Must fund implementation
- Propose amendments 2/3 vote in each house.

• The President:

- Override veto 2/3 vote
- Advice and consent (senate)
- Ratify treaty's 2/3 vote
- Must fund programs (Bureaucracy)
- Legislative oversight (Bureaucracy)

How the Judicial branch checks...

- **The President:**

- Judicial Review

The Congress:

Judicial Review

How the executive branch checks...

- **The courts:**

- Appointment of judges
- Lack of implementation

- **The Congress:**

- Veto
- Commander in chief
- Executive order

Bully Pulpit – go public

Presidential Powers:

- Commander in chief
- Chief diplomat – appointment of ambassadors, diplomatic recognition, receives ambassadors, negotiates treaties.
- Can make executive agreements. (With other countries)
- Chief Legislator – veto or sign legislation (Formal). Helps set the agenda (informal)
- Can go around congress to the people...if popular.
- Executive orders

Congressional Powers

- Declare War
- Advice and Consent (Confirmation)
- Control the Money
- Legislative oversight
- Pass bills...
- Ratify treaties
- Create – cabinet departments and seats on the supreme court

Interest group methods

- Lobbying - \$
- Campaign contributions -\$
- Going public -\$ for advertising
- Grassroots lobbying – lots of people
- Protest – lots of people
- Litigation – environmental and civil rights groups
- Electioneering - \$ and public

Political Parties

- Loosely organized and fragmented.
- Give cues to voters
- Organize diverse interest in society
- Try to get out the vote
- Keep party going between elections
- Liberals and conservatives
- Who are the coalition's that make up each party
- Third parties?

Media

- Watchdog function
- Help set the policy agenda
- Biased towards the types of stories they report
- Body watch, horse race, orchestra pit coverage

Constitution and Federalism

- New Jersey plan vs Virginia plan
- Great (Connecticut) Compromise = bicameral legislature
- Federalism – division of power, dual vs cooperative, fiscal federalism (all of the grants)
- States obligations to each other... Full faith and credit, extradition, privileges and immunities
- Ex post facto, habeus corpus, no bill of attainder

Incorporation doctrine/ Selective incorporation

- The act of applying some of the bill of rights to the states.
- Done through the equal protection or due process clause of the 14th amendment
- Gitlow vs. U. S. started it

Campaign Finance

- Used to be able to donate as much as you wanted and it was all legal
- **Campaign finance reform act 1974** –
 - 1. created FEC
 - 2. Required Disclosure
 - 3. Put Limits on spending
 - 4. Soft money loophole
- **McCain-Feingold** – eliminated soft money
- **Citizens United** – created SuperPACS...People and Corporations can spend as much as they want. No contact w/ campaign.

Congress

House of Reps

- 25 years old
- 7 years a citizen
- Live in district
- Rules committee
- Revenue bills must start here
- Bring impeachment charges
- Gerrymandered districts
- Leadership has actual power

Senate

- 30 years old
- 9 years a citizen
- Live in state
- Filibuster
- Advice and consent
- Less formal rules
- Less leadership power
- Has impeachment trial

Weakness of Articles of Confederation

- Could not tax
- Could not raise an army
- No executive branch
- Could not regulate interstate commerce
- States had all the power
- Needed unanimous consent to amend
- Could not protect property...Shay's rebellion

Divided Government

- One party controls one branch, other party the other branch
- Creates problems for presidential appointments
- Leads to party polarization and gridlock
- Has been occurring for last 50 years...we don't trust our politicians
- Caused by split-ticket voting

Supreme Court

- Most cases heard on appeal
- Get to choose which cases to take...rule of 4
- Writ of certiorari – formal calling of the case
- Judicial Review
- Weakness is implementation...they need other branches help
- 8 justices 1 chief justice...9 total
- District Courts (91)– Original Jurisdiction (Trials)
- Courts of Appeal (12)– Appellate Jurisdiction (Was the trial fair?)

We have low voter turnout!

Who Votes?

- Older
- educated
- More \$
- Married
- Union members
- Homeowners
- Religious
- High political efficacy

Who Doesn't

- Opposite of the other side...

Political participation

Conventional

- Vote
- Run for office
- Grassroots
- Campaign
- Donate money

Unconventional

- Protests
- Riots
- Violence

Primary and Caucus system

What works

- More democratic (people get to pick)

What doesn't

- Too much time
- Too expensive
- Low participation rates
- Too much emphasis on early contests (Iowa and N.H.)

Electoral College

- Each state has as many electors as members of congress. 538 total, 435 house, 100 senate, 3 D.C.
- Winner take all electoral votes after popular vote in each state.
- 270 to win...if no 270 goes to House of Representatives and winner is chosen from the top 3 vote getters. Each state gets one vote
- Focus is on battleground states.
- Designed to keep the decision making with the elites.

3 theories of American Democracy

- Pluralism- groups compete and common good is achieved.
- Hyperpluralism- groups too powerful, government caves to both sides and common good not achieved.
- Elite and Class Theory- Rich control everything...

Incumbent Advantages

- Name recognition
- More PAC money
- Pork barrel and casework
- Weak opponents ...especially in the house
- Gerrymandered districts...only in the house
- Voting record
- Franking privilege
- ****They lose with scandal or redistricting****

Ways to try and stop minorities from voting:

- Grandfather clause
- Poll tax
- Literacy test
- White primary
- Violence
- Voter I.D. cards....more recently

Last presidents and their party i.d.

- John Kennedy (D)
- Lyndon Johnson (D)
- Richard Nixon (R)
- Gerald Ford (R)
- Jimmy Carter (D)
- Ronald Reagan (R)
- George H.W. Bush (R)
- Bill Clinton (D)
- George W. Bush (R)
- Barrack Obama (D)

Fiscal and Monetary Policy

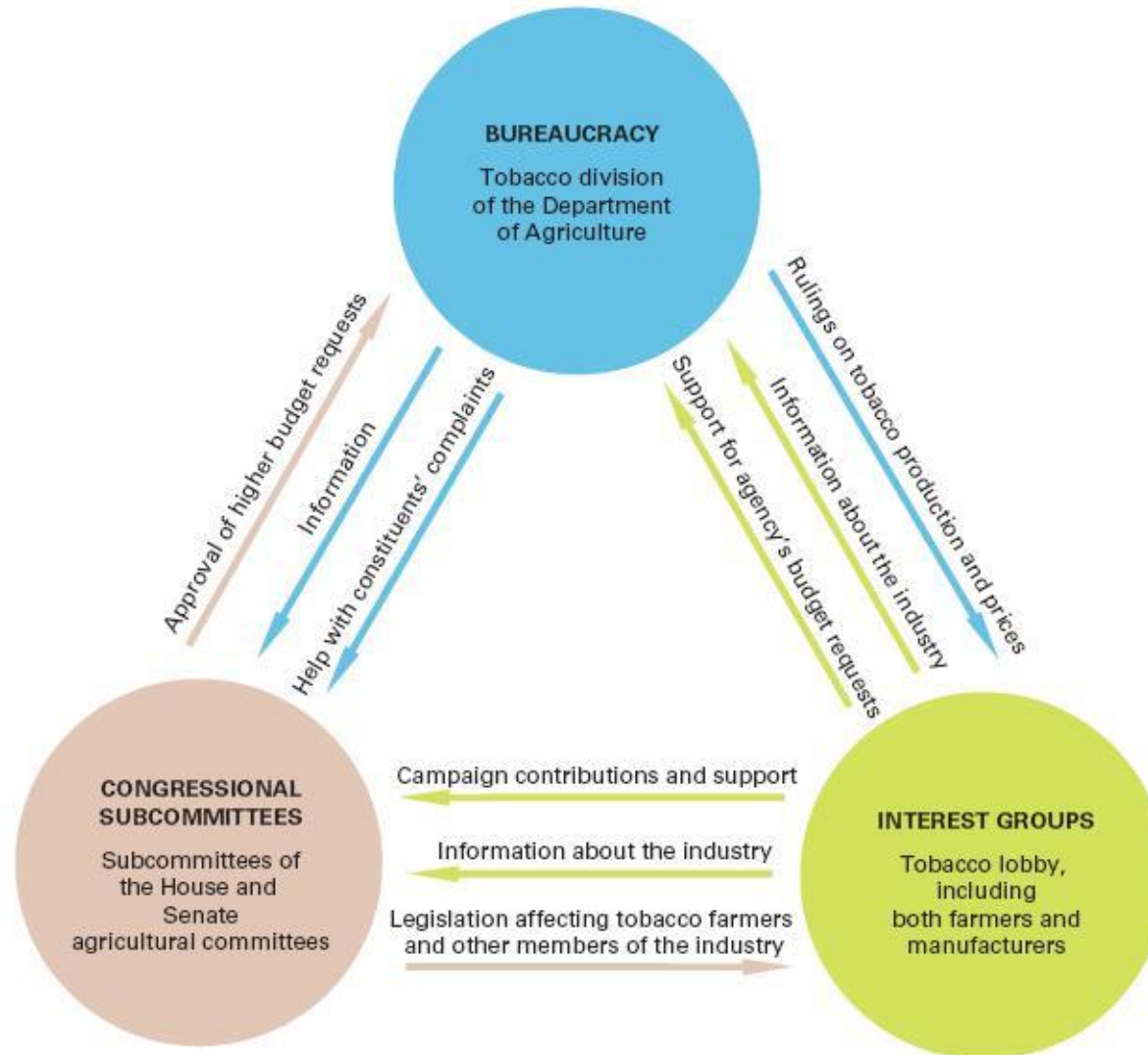
•Fiscal:

- Taxing and spending of congress
- Ways and means committee

•Monetary policy:

- Federal reserve board
- Mostly accomplished by manipulating interest rates

FIGURE 14.4: Iron Triangles: One example



Bureaucracy – How they are organized

- Cabinet departments (Run by Secretaries. Appointed by president confirmed by the Senate. Loyalty split between agency and President)
- Government corporations (Amtrak and Postal Service)
- Regulatory agencies (Designed to protect the people. FEC- FDA- SEC...)
- Independent agencies (NASA, National Science Foundation, everything that doesn't fit anywhere else.)
- ***Bureaucracies are checked by appointment process of the president, confirmation, budget, and oversight by congress, and judicial review of their rules and regulations by the courts.***

Public opinion polls

- The key is to get a random sample (everyone has the same chance of being asked the question and in the same form)
- Random digit dialing
- Choose you “universe” – who you are asking
- No loaded questions!
- Each poll has a sampling error $\pm 3\%$ is a good poll
- Do the polls help or hurt? Politicians know where the people stand but does that stop them from leading....

Different roles of elected officials

- Trustee – the official is trusted to make good decisions on their own
- Delegate – the official votes how the constituents want
- Politico – mixture of the trustee/delegate...sometimes vote on their own, sometimes vote how constituents want.