

Chapter 1: Principles of Government

Section 1: Government and the State

Lecture Notes

Key Terms:

government; public policies; state; sovereign; justice

A. Overview

In this Section, students will learn the characteristics of a state and the reasons why states establish governments. Special attention will be given to the purposes underlying the United States system of government.

B. What is Government?

1. Government makes and enforces public policies. **Government is that complex of offices, personnel, and processes by which a state is ruled, by which its public policies are made and enforced. Public policies of a government are all those things a government decides to do.** Examples: imposing an income and property taxes; minimum wages; maintaining an armed force.
2. Government consists of lawmakers (who create), executives (who implement), and judges (who interpret and apply).

C. The State and its Characteristics A "state" is a body of people, living in a defined territory, organized politically (under a government) and having the power to make and enforce laws without the consent of higher authority.

1. Population -- A state consists of individuals.
2. Territory -- A state must have land with boundaries.
3. Sovereignty -- Sovereign states determine their own form of government. A **sovereign** has supreme, absolute power of a state within its own territory.
4. Government -- Government consists of the machinery and personnel by which the state is ruled.

D. Origins of the State

1. The Force Theory -- A person or group forced control over an area and individuals.
2. The Evolutionary Theory -- States originated in the family.

3. The Divine Right -- God gave individuals or groups the right to rule.
4. The Social Contract Theory -- People agreed to give up power to the state in return for the state's service to the general well-being of the people.

E. The Purpose of Government

"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and out Posterity, do ordain and establish this Constitution of the United States of America."

1. To Form a More Perfect Union -- In union there is strength.
2. To Establish Justice -- The law should be administered reasonably, fairly, and impartially. **Justice is the reasonable, fair, impartial administration of the law.**
3. To insure Domestic Tranquility -- Without order, people would live in anarchy.
4. Provide for the Common Defense -- The state's security rests on wise defense and foreign policies.
5. To Promote the General Welfare -- The state has a responsibility to provide a variety of public services.
6. To Secure the Blessings of Liberty -- Freedom is necessary for a democracy.

Chapter 1: Principles of Government

Section 2: Forms of Government

Lecture Notes

Key Terms:

unitary government; federal government; confederation; presidential government; parliamentary government; dictatorship; democracy; direct democracy; representative democracy

A. Overview

Governments are organized in a variety of forms. In this Section, students will learn three different ways of classifying these forms: according to the geographic distribution of power, the relationship between legislative and executive branches, and the number of persons who can participate in the governing process.

B. Classifying Government

1. No two governments are exactly alike.
2. Governments are classified into three categories in order to analyze them: geographic distribution; relationship between legislative and executive; and number who can participate.

C. Geographic Distribution of Power

1. **Unitary** Government -- Power is held in a single, central agency. A centralized government. Local government is created by central government for convenience and is answerable to central government. Most governments are unitary. Great Britain is an example of unitary but democratic. Do not confuse with dictatorship. The various states in United States have unitary form of government.
2. **Federal** Government -- Powers are divided between a central government and several local governments. Both act on their own sets of laws, officials, and agencies. In U.S., national government has power and so do states.
3. **Confederation** -- An alliance of independent states. A confederate government possesses little authority to act on its own. The central government has limited power and can only handle matters that the member states have assigned to it. Limited power, and usually in matters of defense and foreign commerce. At the present time, there is only one confederation: the Commonwealth of Independent States, an alliance of 11 of the 15 republics which made up the old Soviet Union.

D. Relationship Between Legislature and Executive Branches

1. **Presidential Government** -- Features a separation of powers. In a presidential government, the executive and legislative branches are independent and coequal. The executive and legislative branches each can check the actions of the other branch. President chosen independently of the legislature, holds office for a fixed term, and has powers not subject to direct control of the legislature.
2. **Parliamentary Government** -- Members of the executive branch are also members of the legislative branch (the parliament). Executive is made up of the prime minister or premier and that official's cabinet. Executive is leader of the majority party or of a coalition of parties and is chosen by parliament. Cabinet is chosen from members of parliament. Executive is subject to parliament's direct control. Executive remains in office only as long as policies have confidence of majority. No confidence vote requires executive resign. No checks and balances.

E. The Number Who Can Participate

1. **Dictatorship** -- Dictatorships exercise limited authority over the people. Participation in government is limited to the individual or group who rules. Those who rule are not responsible to the will of the people. No accountability. Dictators typically gain power by force. All dictatorships are authoritarian, i.e., absolute power and totalitarian, i.e., authority over nearly every aspect of life. Examples: Fascist Italy, Nazi Germany, Soviet Union and PR of China. One person dictatorships rare: Muammar al-Qaddafi. Usually militaristic, have mock elections, and aggressive.
2. **Democracy** -- In a democracy, sovereignty is located with the people who hold the power and give consent to the government to rule.
 - a. **Direct democracy:** Will of people translated into public policy directly by people themselves, in mass meetings. Doesn't exist in any national level.
 - b. **Representative democracy:** Small group of people elected by the people to act on their behalf to express their popular will. They are held accountable to the people through elections.

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Section 3: Basic Concepts of Democracy

Lecture Notes

Key Terms:

compromise: anarchy

A. Overview

The United States is a democracy. In Chapter 3, students will learn the beliefs about the individual and about society that underlie this political philosophy. They will explore the implications and limitations of their democratic beliefs.

B. The Foundation of Democracy

1. The fate of American democracy rests on the people's acceptance of certain basic concepts.
2. The acceptance of the basic concepts of democracy presents Americans with problems and challenges.
 - a. A recognition of the fundamental worth and dignity of every person;
 - b. A respect for the equality of all persons;
 - c. A faith in majority rule and an insistence upon minority rights;
 - d. An acceptance of the necessity of compromise;
 - e. An insistence upon the widest possible degree of individual freedom.

Each generation must develop the skills with which to solve these problems.

C. Fundamental Worth of the Individual

1. Democracy insists on the worth and dignity of all. Each individual is a separate and distinct being.
2. Sometimes the welfare of one person must be subordinated to the interest of the many. People can be forced to do certain things whether they want to or not. For example, individuals must obey traffic signals, pay taxes, go to school, etc.
3. When people are forced to do something, it is serving the interest of many individuals, representing society.

D. Equality of All Persons

1. Democracy insists on equality of opportunity, not necessarily equality of condition.
2. Democracy insists on equality before the law.
3. No person should be held back for reasons of race, color, culture, religion or gender.

NOTE: The concept we now hold is quite different from the one the Framers had in mind when the Bill of Rights was ratified in 1791. Then, neither African-American or women were equal under existing law. Almost 80 years passed before the Constitution was amended to abolish slavery, and 50 more years until women had the right to vote. Only in the last 40 years has our present concept of "equality" for all people taken shape, 200 years after the Bill of Rights was passed.

E. Majority Rule and Minority Rights

1. Democracy argues that the majority will be right more often and wrong. The majority have a "right" to be wrong. Thus, the majority rule is the popular rule.
2. Democracy searches for satisfactory solutions to public problems. It can be a trial and error process. Democracy recognizes that seldom is any solution to a public problem so satisfactory that it cannot be improved upon.
3. The majority must recognize the right of the minority, by fair and lawful means, to become the majority. The majority must always be willing to listen to a minority's argument, to hear its objections, to bear its criticisms, and welcome its suggestions.

F. Necessity for Compromise

Compromise Defined: The process of reconciling competing views and interests in order to find the position most acceptable to the largest number.

1. Compromise allows citizens to make public decisions. To reconcile competing views. Must compromise if all are truly seen as equal, and public policy questions seldom are presented in two simple sides.
2. Compromise is not an end in itself but a means to reach a public goal. Not all compromises are good, and not all are necessary.

G. Individual Freedom

1. Freedom cannot be absolute, or anarchy will result. Democracy does not and cannot insist on complete freedom. Anarchy leads to rule by the strongest, best armed, and the ruthless.

Anarchy Defined: The total absence of government.

2. American democracy strives to strike a balance between liberty and authority. Democracy insists that each individual must be as free to do as he or she pleases as far as the freedom of all will allow.