

- ▶ Each state had one vote in the **Confederation Congress**
- ▶ Confederation Congress had to ask states for revenue and soldiers
- ▶ Could direct an army and maintain a navy
- ▶ Conducted the nation's foreign relations and could declare war



- ▶ No power to tax
- ▶ No power to raise troops
- ▶ No national executive or judiciary
- ▶ No power to regulate interstate trade

Articles of Confederation

Weaknesses of the Articles of Confederation

The Story of Our Constitution

Constitutional Convention (1787)

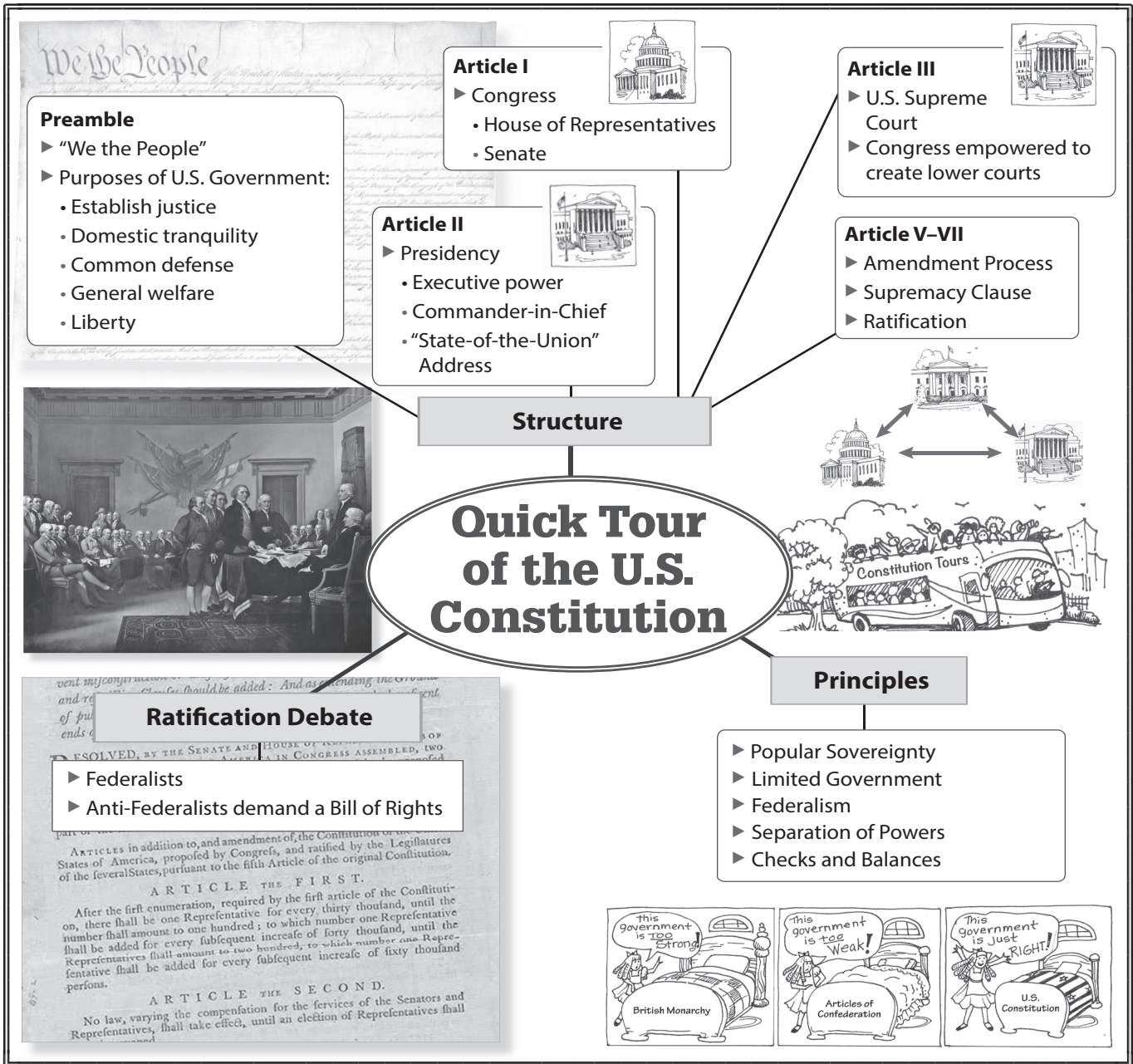
Problems under the Articles of Confederation

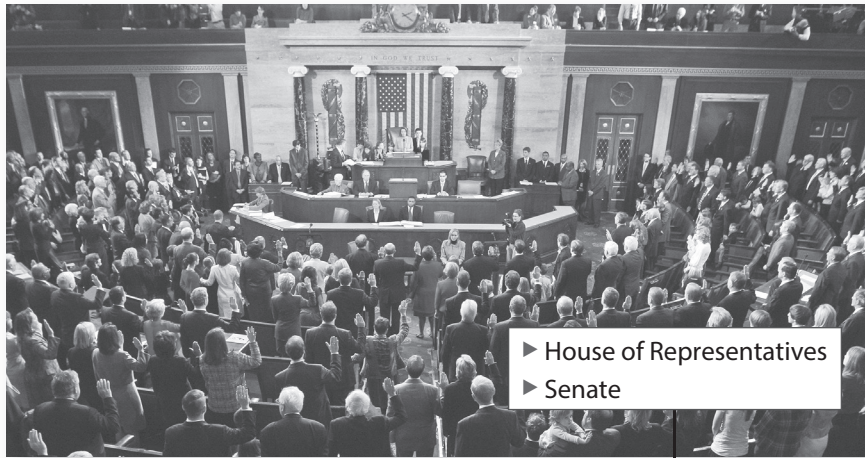


- ▶ Delegates agreed to scrap Articles of Confederation
- ▶ Delegates agreed on the need for national executive and judiciary
- ▶ Large vs. Small States led to "Great Compromise":
 - **Senate:** States represented equally
 - **House of Representatives:** Number of members based on state's population
- ▶ **Electoral College** chooses the President

- ▶ States taxed one another's goods
- ▶ **Shays' Rebellion** posed threat
- ▶ Call to revise the Articles of Confederation

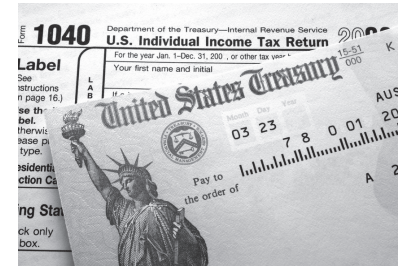






▶ House of Representatives
▶ Senate

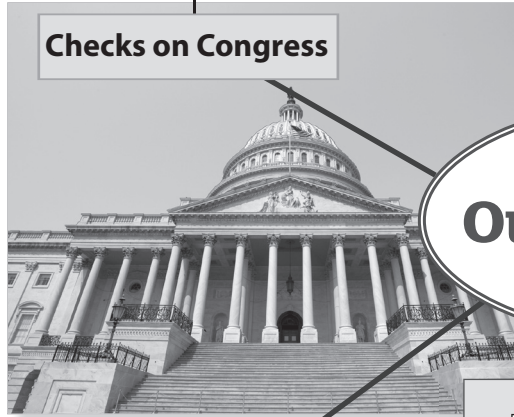
- ▶ Tax
- ▶ Borrow
- ▶ Coin money
- ▶ Regulate interstate commerce
- ▶ Declare war
- ▶ Establish patents & copyrights
- ▶ Establish lower federal courts
- ▶ Raise & support armies
- ▶ Maintain navy
- ▶ Establish post offices



- ▶ Both houses must agree to pass a law
- ▶ President must sign bills
- ▶ Judicial review can invalidate law

Structure

Checks on Congress



Congress: Our Legislative Branch

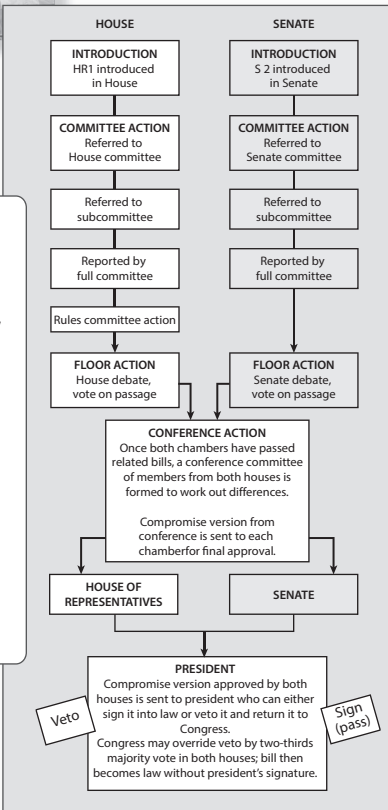
Enumerated Powers

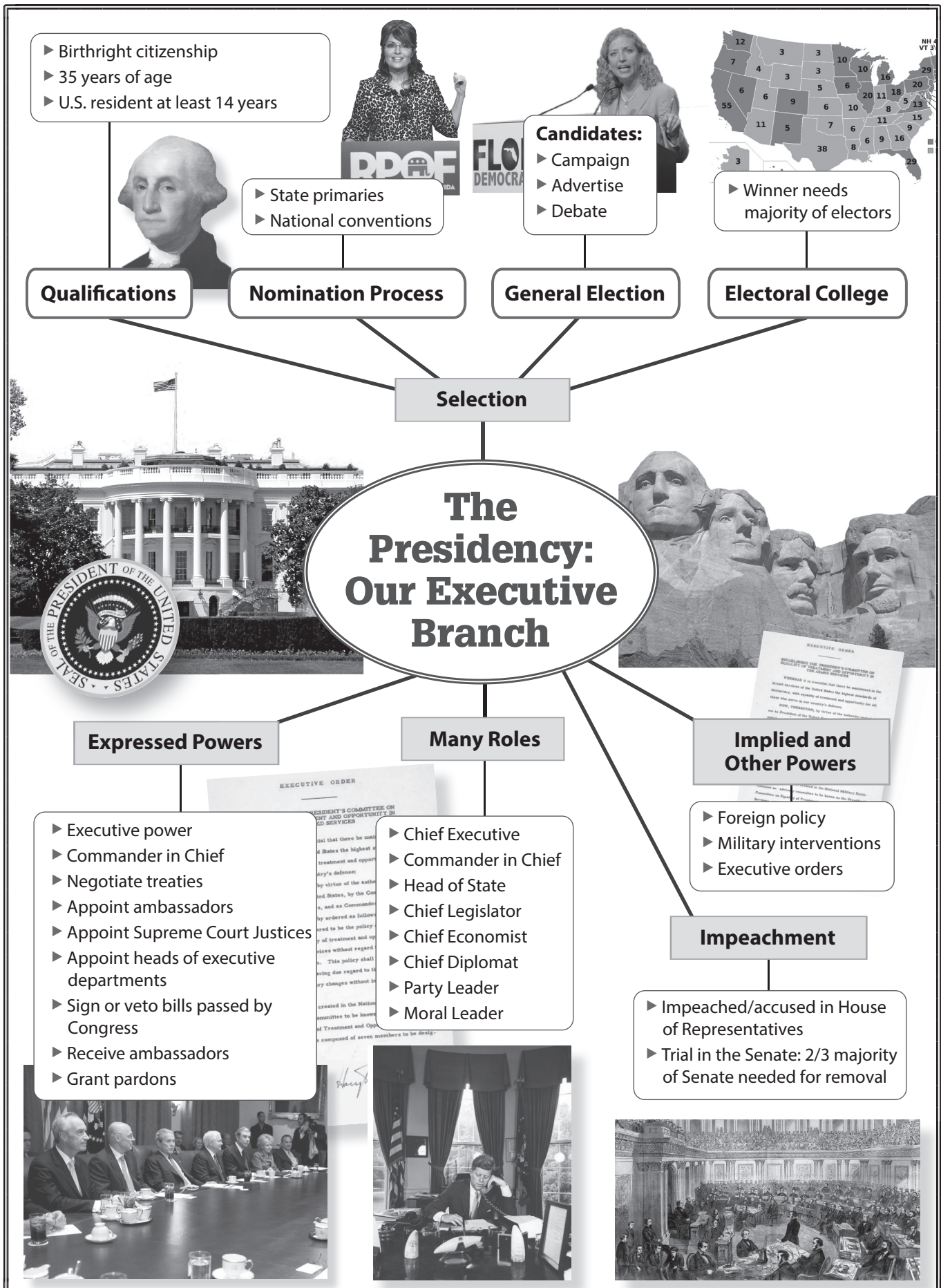
Implied Powers

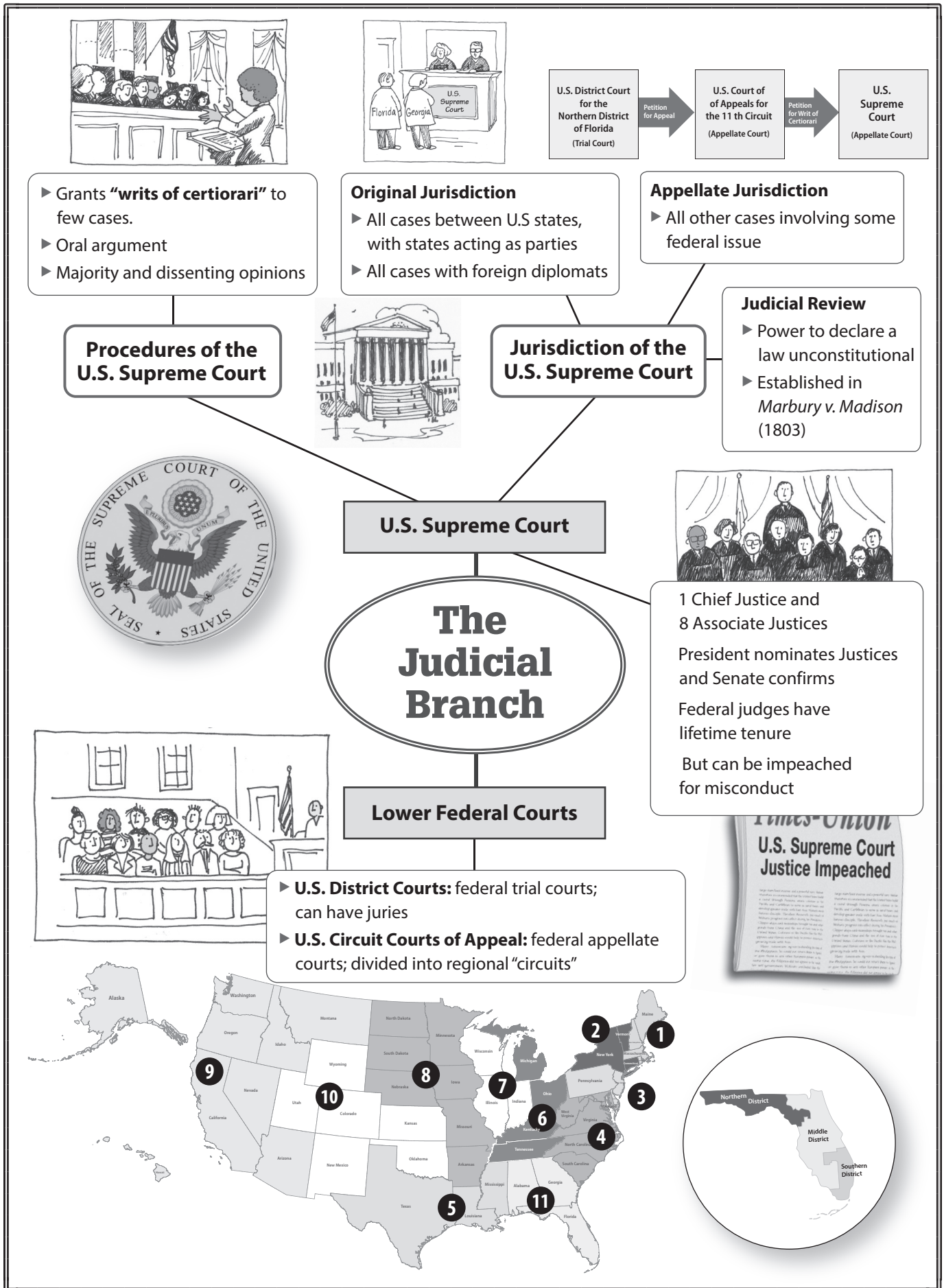
- ▶ "Necessary & Proper" Clause (Elastic Clause)

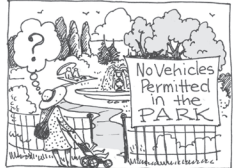
How a Bill Becomes a Law

- ▶ Bill introduced
- ▶ Bill sent to committee
- ▶ If reported favorably by committee, bill debated and voted by house
- ▶ Bill sent to other house
- ▶ Conference committee iron out differences
- ▶ Bill given to President for approval or veto
- ▶ Congress overrides veto with 2/3 vote in each house









- ▶ **Law:** a government-enforced rule with a penalty for violation
- ▶ **“Rule of Law”:** Everyone is subject to the same laws, even our rulers
- ▶ **“Due Process” rights:** Procedures for enforcing the law are also defined by law – individuals have the right to a hearing, to assistance of counsel, to see evidence, to confront accusers & witnesses, to have case decided by impartial decision-maker

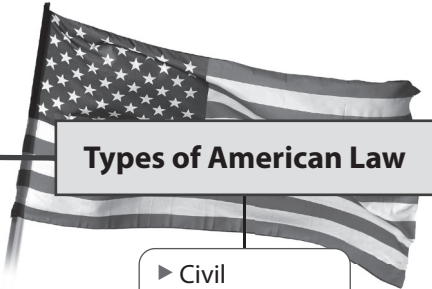
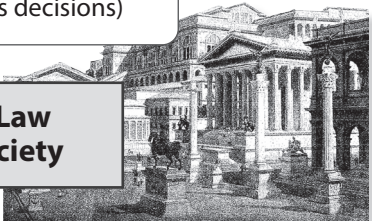
Law & Due Process

Rule of Law

Evolution of Law in Western Society

- ▶ Code of Hammurabi
- ▶ Twelve Tables
- ▶ Code of Justinian
- ▶ Middle Ages: Roman law, Church law, King’s laws, “Common law” —based on precedents (judge’s decisions)

THE CODE OF HAMMURABI
 22. IF ANY ONE IS COMMITTING A ROBBERY AND IS CAUGHT, THEN HE SHALL BE PUT TO DEATH
 IF HE DESTROYS THE EYE OF A MAN'S SLAVE OR BREAKS A BONE OF A MAN'S SLAVE, HE SHALL PAY ONE-HALF HIS PRICE
 IF A SHEPHERD, TO HIS OWN GUILT, KILLS AN OX OR SHEEP BELONGING TO ANOTHER MAN, HE SHALL BE GUilty OF THE SAME AS THE OX OR SHEEP. IF HE KILLS AN OX OR SHEEP BELONGING TO HIMSELF, HE SHALL BE PUT TO DEATH



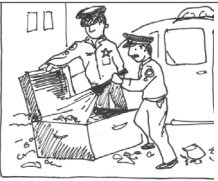
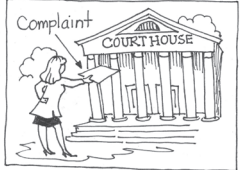
Types of American Law

- ▶ Civil
- ▶ Criminal
- ▶ Constitutional
- ▶ Military
- ▶ Statutory
- ▶ Common
- ▶ State
- ▶ Federal

Courts in Action

A Civil Case
 Complaint • Pretrial Discovery • Pretrial Motions • Attempts at Settlement • Jury Selection • Trial • Cross-Examination • Closing Statements • Jury Instructions • Verdict • Appeal

A Criminal Case
 Crime • Police Investigation • Warrant/Searches • Probable Cause/Arrest • Arraignment • Bail • Plea Bargaining • Trial • Verdict • Sentencing • Appeal



Florida's Court System



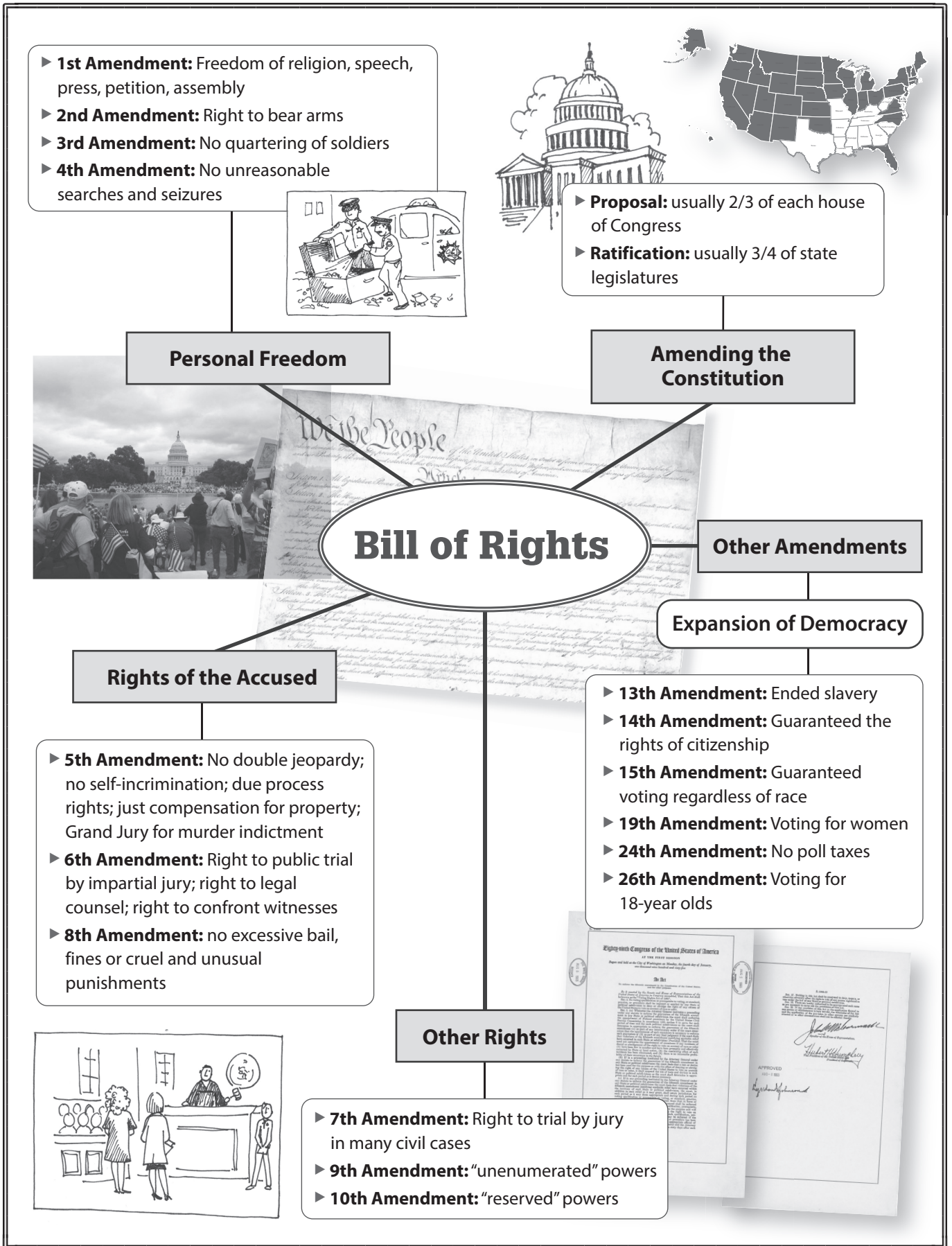
The Role of Courts

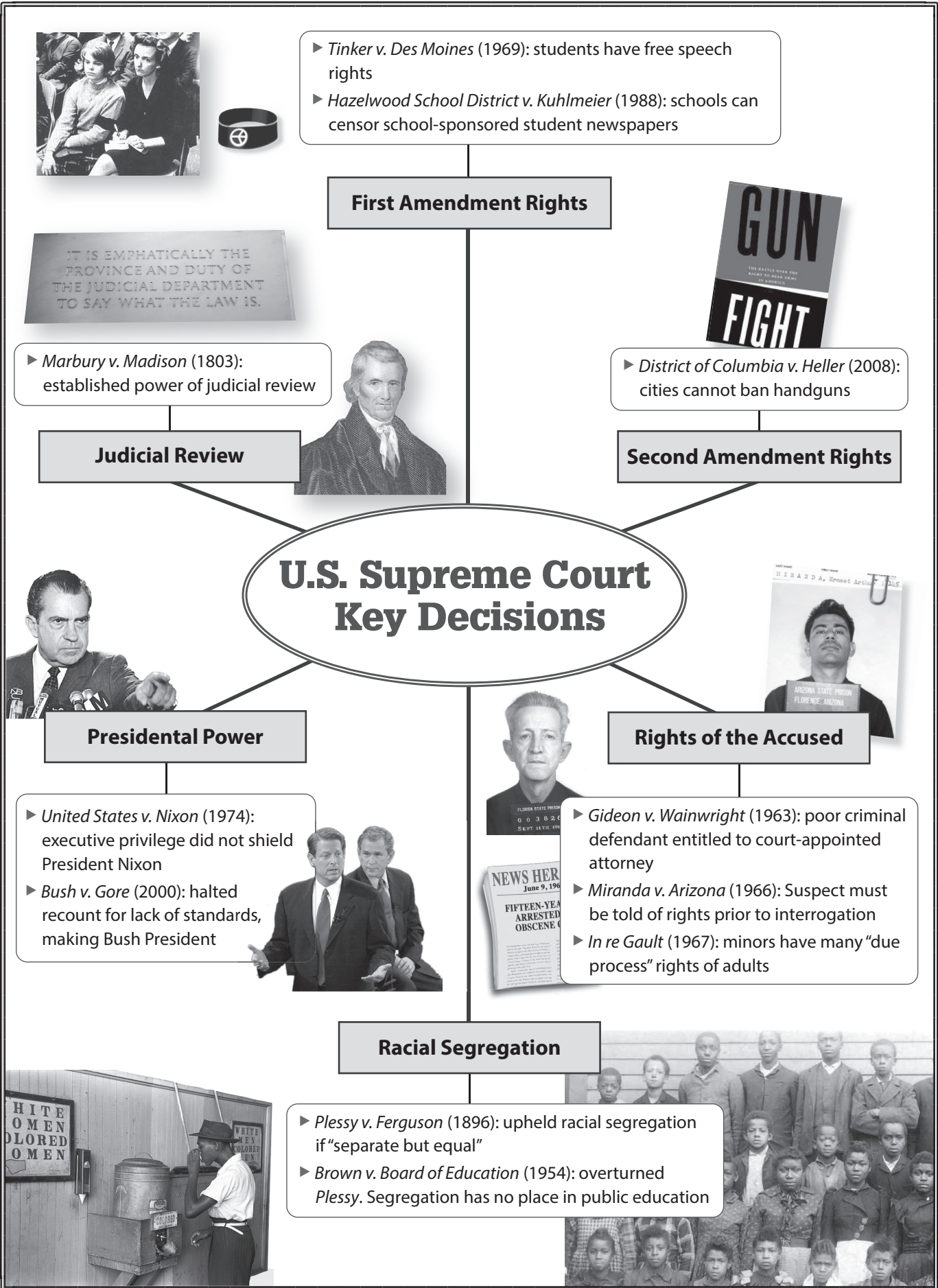


- ▶ **Judge:** interprets the law; applies its wording to specific circumstances
- ▶ **Jury:** determine facts and decide responsibilities
- ▶ **Appellate court:** reviews if trial court applied the law correctly

Florida's Court Structure

- ▶ Florida Supreme Court
- ▶ Florida District Courts of Appeal
- ▶ Florida Circuit Courts
- ▶ Florida County Courts





Federalism

- ▶ Division of power between federal and state governments
- ▶ "Reserved" Powers (left to the states)
- ▶ "Concurrent" Powers (shared by federal and state)
- ▶ Supremacy Clause

- ▶ Federal government meets national needs, such as defense & foreign policy
- ▶ State governments meet statewide needs, such as educational requirements
- ▶ Local governments meet local concerns, such as running a school district

Federalism and State and Local Governments

Obligations and Services of Governments

The U.S. Constitution vs. Florida Constitution

U.S. Constitution

- ▶ Preamble
- ▶ Government of 3 branches:
 - Congress
 - President and Vice President
 - Appointed Cabinet (not in Constitution)
- Federal Courts: 3 levels

Florida Constitution

- ▶ Preamble
- ▶ Florida Declaration of Rights (like Bill of Rights)
- ▶ State Government of 3 branches:
 - Governor and Lt. Governor
 - Elected Cabinet
 - Florida State Legislature
- Florida House of Representatives: up to 120 members
- Florida Senate: up to 40 members
- Florida Courts: 4 levels

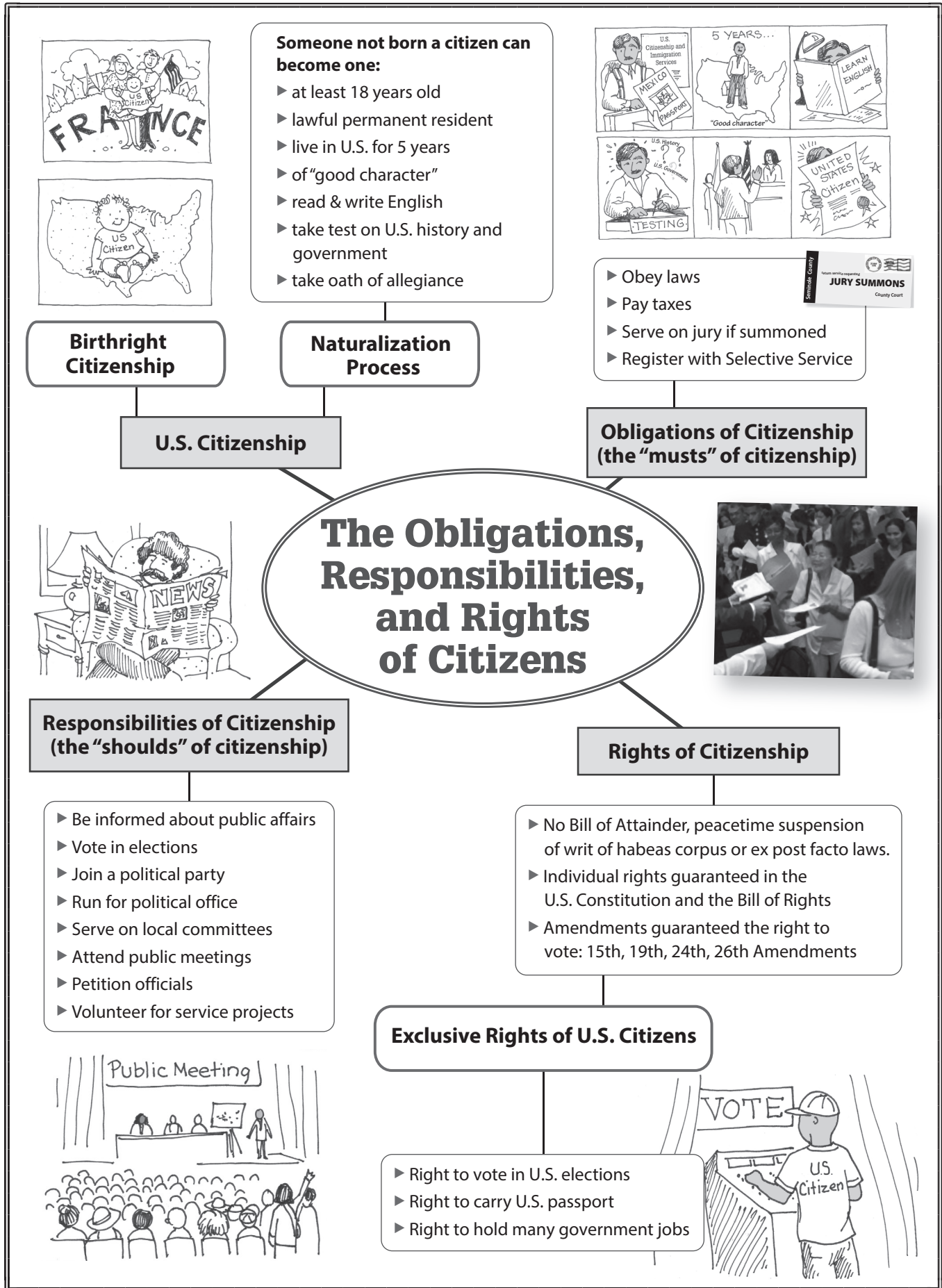


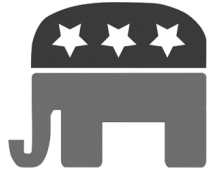
Local Governments in Florida

- ▶ **County Governments**
- ▶ **Municipal Governments:** Governed by mayor and a council or commission; sometimes has city manager
- ▶ **Special Districts:** Meet special purposes

Differences between Florida and U.S. Constitutions

- ▶ Elected Cabinet in Florida
- ▶ No state income tax in Florida
- ▶ English is the official language in Florida
- ▶ Florida Constitution is easier to amend
 - 5 ways to propose amendment
 - 60% of voters must approve for adoption
- ▶ Passing law in Florida similar to Congress/ no "pocket veto" in Florida





- ▶ **Democratic Party:** favors more government support for programs, such as health care and public education
- ▶ **Republican Party:** favors less government, lower taxes, and more freedom

- ▶ **Libertarian Party:** wish to maximize human freedom and to reduce government and taxation
- ▶ **Green Party:** wants to reduce exploitation of the natural environment
- ▶ **Socialist Party:** favors more public services, public ownership of utilities and some industries
- ▶ **Communist Party:** believes capitalists exploit workers; revolution needed to achieve change



Major Parties

Other Parties

Political Parties in Florida

Impact of Political Parties

Political Parties and Elections

Positive Effects

Negative Effects

- ▶ Encourage citizens to participate in the political process
- ▶ Help government leaders to organize support
- ▶ Act as watchdogs over the opposing party

- ▶ Divide Americans
- ▶ Place pressure on legislators



Voting

- ▶ Regulated by state governments
- ▶ Voters must register before voting

Elections

Factors in Evaluating Candidates

Nomination Process

- ▶ Voters show their preferences for candidates in primary elections
- ▶ Parties hold state and national conventions

Campaign for General Election

- ▶ Nominees raise funds from campaign contributions, PACs, and personal savings
- ▶ Political advertising, canvas voters, hold rallies, and debate on television
- ▶ Voters go to polls to vote on Election Day

- ▶ Education
- ▶ Experience, especially in public office
- ▶ Their views on issues
- ▶ How capable they appear in debating
- ▶ How truthful their political advertisements are

