

American Government

Since the advent of civilization, humans have had an impulse to form governments. It is an experiment thousands of years in the making.

This course asks a lot of fundamental questions about the nature of government and society. Among them:

- What is the purpose of government?
- What types of governments are there? What is a democracy?
- Where is the center of governmental power? Is it national or local?
- Is America's government too big? Too small? Constantly shifting with the times?
- What are the rights and responsibilities of each American citizen?

We do not answer these questions; that is up to you. Defining the role of government has been thousands of years in the making. Welcome to the laboratory of democracy.

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The Nature of Government

1. The Nature of Government



Is government to be feared or loved? Thomas Hobbes set out to discover that in his book Leviathan, which spawned this famous title page that depicts government as a giant towering over the land. Is the king protecting or threatening his country?

Do you believe in government "BY THE PEOPLE, FOR THE PEOPLE, AND OF THE PEOPLE"? Few Americans would say no, especially since these words spoken by Abraham Lincoln in his 1863 Gettysburg Address are firmly imbedded in the American political system. Yet governments over the centuries have not always accepted this belief in popularly elected rule.



Jacques-Louis David painted The Death of Socrates as a metaphor for the French government during the revolution. Socrates represents the revolutionaries that martyred themselves for their principles, while the Athenian government represents the corrupt French nobility.

Even in the modern United States many skeptics criticize government as being controlled by greedy, corrupt people who are only interested in lining their own pockets. So which view is correct? Is government an instrument of its citizens, an entity that represents and protects a beloved country, or an oppressive, self-serving monster that deserves no one's respect?

If we look to the past for an answer, we find comments like these:

"Behold my sons, with how little wisdom the world is governed." -Axel Oxenstiern (1583-1654)

"The government that governs least governs best." -Thomas Jefferson

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Governments are everywhere. From the earliest tribe through the most recent nation to find its place on the map, government in some form has been necessary to ensure safety and order. In the 1600s, Rembrandt painted the government of the local clothmaker's guild.

The conflict, alive and well today, is solidly based in the past. Governments are sometimes idealized and often criticized. Yet virtually every society in history has had some form of government, either as simple as the established leadership of a band of prehistoric people, or as complex as the government of the United States today.

Do varying opinions of political power rise from the fact that some governments are good, and others are bad? Does power corrupt leaders, or is it possible for them to administer governments fairly? The American political system is rooted in the ideal that a just government can exist, and that its citizens can experience a good measure of liberty and equality in their personal lives.

We will begin by considering reasons why governments exist, and some types of government including democracy, particularly as it is practiced in the modern United States.

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1a. The Purposes of Government



Albrecht Dürer was an artist who worked during the Thirty Years War. His work reflects the turmoil of the time. The invasions of the German area during the Thirty Years War were ended by the Treaty of Westphalia, which defined the nation-state and the concept of sovereignty.

Why do governments exist? One major reason is that they create rules. But what rules are necessary or desirable? That is open to question, and different types of governments have certainly created a wide variety of rules.

GOVERNMENTS almost certainly originated with the need to protect people from conflicts and to provide law and order. Why have conflicts among people happened throughout history? Many people, both famous and ordinary, have tried to answer that question. Perhaps human nature dictates

selfishness, and people inevitably will come to blows over who gets what property or privilege. Or maybe, as KARL MARX explains, it is because the very idea of "PROPERTY" makes people selfish and greedy.

Whatever the reasons, governments first evolved as people discovered that protection was easier if they stayed together in groups and if they all agreed that one (or some) in the group should have more power than others. This recognition is the basis of SOVEREIGNTY, or the right of a group (later a country) to be free of outside interference.



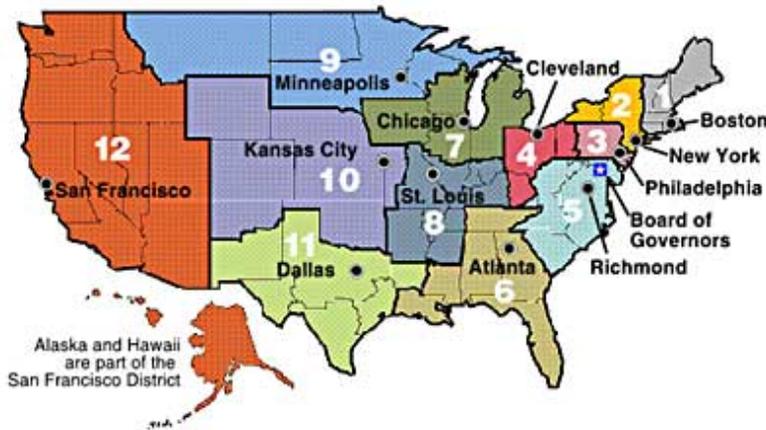
Part of a government's function is to protect its citizens from outside attack. Ancient Chinese emperors constructed a "Great Wall" to defend the borders of their empire.

A country, then, needs to not only protect its citizens from one another, but it needs to organize to prevent outside attack. Sometimes they have built Great Walls and guarded them carefully from invaders. Other times they have led their followers to safe areas protected by high mountains, wide

rivers, or vast deserts. Historically, they have raised armies, and the most successful ones have trained and armed special groups to defend the rest. Indeed in the twentieth century, governments have formed alliances and fought great world wars in the name of protection and order.

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In more recent years, government responsibilities have extended to the economy and public service. An early principle of capitalism dictates that markets should be free from government control. But when economies spun out of control during the 1930s, and countries sank into great depressions, governments acted. The United States Congress created the FEDERAL RESERVE SYSTEM in the early twentieth century to ward off inflation and monitor the value of the dollar. FRANKLIN ROOSEVELT and his "BRAIN TRUST" devised New Deal programs to shock the country into prosperity.



Governments become involved with the economic workings of their countries. In the 1930s, the Federal Reserve System began to take a role in helping the American economy prevent another depression by locating currency reserves at centralized banks.

Perhaps government responsibility to provide social programs to its citizens is the most controversial of all. In the

United States the tradition began with the New Deal programs, many of which provided people with relief through jobs, payments, and food. During the 1960s PRESIDENT LYNDON JOHNSON unveiled his "GREAT SOCIETY" programs aimed at eliminating poverty in the entire country. Many European countries today provide national medical insurance and extensive welfare benefits. Many Americans criticize these programs as expensive ventures that destroy the individual's sense of responsibility for his/her own well-being. So, the debate over the proper role of government in providing for its people's general welfare is still alive and well today.

Though the rules and responsibilities vary greatly through time and place, governments must create them. Governments provide the parameters for everyday behavior for citizens, protect them from outside interference, and often provide for their well-being and happiness.

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1b. Types of Government



Louis XIV, the King of France from 1643 until 1715, is the definition of an absolute monarch. His famous phrase, "I am the State," is an illustration of the power he wielded in France. Louis ruled through a mixture of fear and admiration, but in every case the law extended from himself.

"Off with his head!"

This is a favorite story line to show how cruel a king (or a sultan or emperor) can be. The rules in this type of government are pretty clear. Whatever the ruler says, goes. Of course, many people have had different ideas about how the ruler should govern, and those beliefs support totally different types of government. The rules shape the government's LEGITIMACY, or the degree to which the people accept the authority of the government.

Rule by Man

Countries whose CITIZENS are governed by the absolute decisions of the ruler have not necessarily been unhappy. A government whose king or queen rules justly and wisely may enjoy a great deal of legitimacy as long as the ruler's AUTHORITY is accepted. Sometimes people may accept their leader because they are afraid of the consequences if they don't. In the words of MACHIAVELLI, "It is better to be feared than loved." As long as the feared ruler is seen as bringing about prosperity or protecting the lives of his subjects, it is entirely possible that his people will be happy.



*Niccolò Machiavelli wrote political works during the Renaissance. In *The Prince*, Machiavelli advised his audience that in a system of Rule by Man it was "better to be feared than loved."*

An absolute ruler may be accepted because the people believe or accept the idea that God gave him/her the right to rule. This belief is known as divine right, which often has been associated with a MONARCHY, a form of government in which the power of the king or queen is hereditary. A similar idea legitimized the Chinese emperor, whose rule was threatened if his subjects perceived that he had lost the "mandate of heaven."

Rule by man can also take the shape of an OLIGARCHY, or rule by a few elites whose right to rule is based on possession of wealth, social status, military position or achievement. A little more broadly-

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based rule is by ARISTOCRACY (literally, "rule of the highest"), but if the type of government is "rule by man", their decisions are still ARBITRARY and absolute.

Rule by Law

RULE BY LAW exists in any political system in which those with power cannot make up all their own rules but must follow an established CODE OF LAW. In ancient times a Byzantine emperor established JUSTINIAN'S CODE, a set of laws named after him that lived on long after he died. We still follow parts of that code today. The Romans were also known for codifying laws, as was NAPOLEON, Emperor of France, many centuries later.



Napoleon revised the French laws into a single unified code, known as the Code Napoleon. Under the French Empire, the code was implemented throughout Europe. Napoleon is seen in this painting standing next to a copy of the Code written on a scroll.

Today most governments at least claim to be ruled by law. The most common indication is the existence of a written constitution, but the most important question to ask is whether the constitution is the "blueprint" that determines how and what policies are made. For example, Nigeria officially is a democracy with a written constitution that one dictator after another has ignored. On the other hand, Great Britain has never had a constitution as a single written document but has for centuries been governed by law. For much of their history, the English had a limited monarchy, or a king or queen who has followed rule of law.

So, whether a king can order "off with his head!" depends on the type of government that is accepted in his country. If he sets the rules (rule by man), or if the accepted outside rules allow (rule by law), the victim doesn't have a chance.

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1c. What Is a Democracy?



The ancient Romans had a working democracy for the early part of their history. The Forum in Rome is where political meetings and votes were held. The Forum can still be seen today, but most of its buildings are in ruins.

Nowhere is the word "democracy" mentioned in the Declaration of Independence or the U.S. Constitution. How could that be? Our government is a democracy!

Well, for one, as we'll discuss later, the Founders actually feared democratic rule. JAMES MADISON expressed this attitude in FEDERALIST #10: "...instability, injustice, and confusion ...have in truth been the mortal disease under which popular governments everywhere perished..." In the late 18th-century, rule by the people was thought to lead to disorder and disruption. Yet a democratically-based government was seen as superior to the monarchies of Europe.

Democracies did not originate with the founding of the United States. The term "democracy" comes from two Greek words: "demos" (the people) and "kratia" (power or authority). So of course, DEMOCRACY is a form of government that gives power to the people. But how, when, and to which people? The answer to those questions changes through history.



In present-day New England, many small towns hold town meetings in which issues important to the citizens are decided by vote. These meetings are one of the few instances of direct democracy that still operate today. These New Englanders check in at a town meeting.

Democracies are based on "rule of law." The ANCIENT GREEKS (particularly ARISTOTLE) valued NATURAL LAW, the notion that human societies should be governed by ethical principles found in nature. The Greeks are famous for practicing DIRECT DEMOCRACY, a system in which citizens meet to discuss all policy, and then make decisions by majority rule. However, only free males were considered to be citizens. So, their democracy was certainly limited. Today direct democracy is practiced in New England town meetings, where all citizens of voting age meet to decide important political decisions.

But how could direct democracy work in a large, diverse population spread over a geographical distance? Generally, the answer has been that it can't. In its place, the AMERICAN FOUNDERS put "indirect" or "representative" democracy. In this system, REPRESENTATIVES are chosen by the people to make decisions for them. The representative body, then, becomes a manageable size for doing the business of government. The Founders preferred the term "REPUBLIC" to "democracy" because it

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described a system they generally preferred: the interests of the people were represented by more knowledgeable or wealthier citizens who were responsible to those that elected them. Today we tend to use the terms "republic" and "democracy" interchangeably. A widespread criticism of representative democracy is that the representatives become the "elites" that seldom consult ordinary citizens, so even though they are elected, a truly representative government doesn't really exist.



Britain has had a representative democracy since the seventeenth century. Members of the British Parliament are elected from across Britain and represent the interests of their constituents to the government.

Another modern version of democracy is called "DEMOCRATIC CENTRALISM," a term made famous by VLADIMIR ULYINOV LENIN. As the leader of the RUSSIAN REVOLUTION in 1917, he established a communist government that allowed no private property to exist. All members of society were theoretically equal. However, Lenin considered a small "vanguard of the revolution" necessary to guide the people and establish order. So, a small group of leaders make decisions in the name of the people, based on their perceptions of what the people want and need.

Democracies have come in many shapes and sizes as reflected by the different answers to questions of how, when, and to which people power is given. And although it is not mentioned in the Declaration of Independence nor the Constitution, democracy clearly links to "rule of law" to form a basic principle that profoundly shapes American government.

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1d. Democratic Values — Liberty, Equality, Justice

Liberty and equality.

These words represent basic values of democratic political systems, including that of the United States. Rule by absolute monarchs and emperors has often brought peace and order, but at the cost of personal freedoms. Democratic values support the belief that an orderly society can exist in which freedom is preserved. But order and freedom must be balanced.



In the early days of the French revolution, the members of the third estate agreed to stick together in the face of opposition from the king and nobles. The "Tennis Court Oath" became the first step towards representative democracy in France.

The Influence of the Enlightenment

The American government has its roots in the seventeenth and eighteenth-century ENLIGHTENMENT in Europe, a movement that questioned the traditional authority of the monarch to rule. What gives one person the right to rule another? Enlightenment philosophes answered the question by



acknowledging the importance of establishing order. They were influenced by the chaos of medieval times, when a lack of CENTRALIZED GOVERNMENT brought widespread death and destruction. Havens from invaders and attackers were necessary for survival, so weaker people allied themselves with stronger ones, and kings came to rule who provided protection in return for work and allegiance from their subjects.

*John Locke was the English philosopher who theorized that government was the manifestation of a general will of "the governed" that allowed the governed to change their governors at will. His book, *Treatises on Civil Government*, was very influential in the American revolution.*

As order was established and new economic patterns emerged, people began to question the king's right to rule. For example, JOHN LOCKE, an eighteenth-century English philosopher, theorized that the right to rule came from

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the "CONSENT OF THE GOVERNED." MONTESQUIEU wrote with admiration about three "branches" of government that checked one another's power. ROUSSEAU believed that communities were most justly governed by the "GENERAL WILL" or MAJORITY RULE of their citizens. Though the philosophes believed that rulers were important for maintaining order, they questioned the sacrifice of individual freedom that they saw under European monarchs.

Two Kinds of Balance

Imagine a society in which everyone was perfectly free to do as he or she pleased. How long would it take for chaos to set in? Order implies a necessary loss of freedom if people are to survive. However, how far can order go? Democratic countries cherish INDIVIDUAL FREEDOM and generally believe that laws should not be REPRESSIVE; a little order can be sacrificed in the name of LIBERTY. So, one kind of balance is between order and liberty.

Democratic societies also expect another kind of balance: a compromise between liberty and equality. Complete liberty logically leads to inequality. A strong or ambitious person might acquire more goods and property than another, and someone is bound to dominate. But the line must be drawn before an individual seizes power that greatly restricts the liberties of others.



The ideals of the first French revolution also inspired the 1830 revolution in Paris. The ideas of "Liberty, Equality, and Fraternity" were immortalized in the three colors of the French flag. In Delacroix's painting, Liberty is seen leading the people toward these ideals.

Shouldn't governments help preserve some degree of equality for their citizens? But if they overemphasize equality, won't they restrict their citizens' liberty? For example, governments can bring about more equality by taxing rich citizens more than the poor, but if they carry their policies too far, won't they restrict the individual's freedom to strive for economic success? The balance between liberty and equality is an important cornerstone of democratic government.

In the late 18th century the Founders created the blueprints for the United States government in an effort to achieve these delicate balances — between liberty and order, and between liberty and equality. Their success is reflected in the continuing efforts to refine them. The formula has changed with time, but the framework provided by the Constitution and the values expressed by the Declaration of Independence remain the same.