

## AP U.S. Government: Required Foundational Documents

Document	Author	Main Points
Declaration of Independence	Thomas Jefferson (primary) - authorized by Second Continental Congress	Declared Independence from Britain - justification for "divorce" Identified Natural Rights - Life, Liberty, Pursuit of Happiness and gov.'s job to protect them Influenced heavily by John Locke <ul style="list-style-type: none"> <li>• Consent of the Governed; Popular Sovereignty; Social Contract Theory</li> <li>• Limited government</li> </ul>
Articles of Confederation	John Dickerson - authorized by Second Continental Congress	Confederal Government; Weak- Congress not given many powers Unicameral Legislature Each State = 1 vote (2-7 delegates); 9/13 votes needed to pass laws No Executive / No Judicial No power to raise an army
U.S. Constitution	Written by Constitutional Convention	Outlines the structure of the government <ul style="list-style-type: none"> <li>• Three branches of government w/ check and balances</li> </ul> Relationships between states Amendment process 27 Amendments (including the Bill of Rights)
Federalist No. 10	James Madison Federalist Papers	Factions are inevitable - cannot destroy them, so must manage them <ul style="list-style-type: none"> <li>• Large Republic is the best form of government to address factions - too difficult for any one faction to gain power; less likely for corruption</li> </ul> Pluralism -> many factions competing for influence leads to only the best ideas being enacted Prevents tyranny of the majority; Views of people will be "refined and enlarged" by their elected representatives
Brutus 1	Robert Yates Anti- Federalist	Constitution gives too much power to central government <ul style="list-style-type: none"> <li>• Necessary and Proper Clause (Elastic Clause) is a blank check to Congress</li> <li>• Supremacy Clause -- state governments will be obsolete; impotent</li> <li>• Too large a country for Congress to represent local concerns; ineffective because too many views (factions) form consensus</li> </ul> Can do away with States governments, creating one powerful state. Standing Army in peacetime is a destruction of liberty Once you give up power the only way to get it back is by force -- "Many instances can be produced where the people have voluntarily increased the powers of their rulers; but few, if any, in which rulers have willingly abridged their authority."
Federalist No. 51	Madison or Hamilton Federalist Papers	Power is divided between <ul style="list-style-type: none"> <li>• three branches of government, each w/ little control over the other</li> <li>• national/ state government; House and Senate are divided &amp; elected in different ways (back then)</li> </ul> Checks and Balances -- Gov. must be powerful enough to control the people, but also control itself -- separate but equal powers All keep power from becoming too centralized -- prevent one person/one group from taking over the government "If men were angels, no government would be necessary. ..." "you must first enable the government to control the governed; and in the next place oblige it to control itself."
Federalist No. 70	Alexander Hamilton Federalist Papers	Argues for a single, "energetic" executive (president) "energy in the executive is the leading character in the definition of good government." <ul style="list-style-type: none"> <li>• President must be single person; having a dual executive or committee will lead to confusion, disagreement, and inability to act decisively</li> <li>• Debate and disagreement are good for Congress, poison for the president</li> </ul> President needs to be able to act swiftly and decisively to respond to crises Having a single president makes the executive easily accountable; multiple presidents = finger-pointing and shifting blame Rejects a plural executive, instead a Cabinet of advisors to the President

Federalist No. 78	Alexander Hamilton Federalist Papers	<p>"The least dangerous branch" -- Independent and inherently weaker than the other 2 branches -- cannot enforce its decisions</p> <p>"no influence over either the sword or the purse,...It may truly be said it have neither FORCE nor WILL, but merely judgement."</p> <p>Judiciary must be independent; case for lifetime appointments</p> <p>The power of judicial review -- job is to interpret the Constitution</p> <ul style="list-style-type: none"> <li>Argues that the federal courts have the duty to determine whether acts of Congress are constitutional and to follow the Constitution impartially. Hamilton viewed this as a protection against abuse of power by Congress.</li> </ul>
Letter from a Birmingham Jail	Dr. Martin Luther King, Jr.	<p>Justice delayed is justice denied; "Injustice anywhere is a threat to justice everywhere. ..."</p> <p>"Freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed"</p> <p>All people should be treated the same under the law (14th Amendment Equal Protection Clause)</p> <p>Nonviolent direct action seeks to create urgency for legislative action</p> <ul style="list-style-type: none"> <li>Countered the claim that civil rights protesters were agitating, they were merely pointing out tensions that already existed (uncomfortable truths)</li> </ul> <p>Owns extremism in support of a noble cause, such as fulfilling the promise of America (so long as it fits the tenets of nonviolence)</p>

## THE CONSTITUTION OF THE UNITED STATES (A Quick, Simplified Summary)

### PREAMBLE

We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution for the United States of America.

**ARTICLE I** (almost 50% of the Constitution) The Congress consisting of the House of Representatives and the Senate: qualifications, powers, duties, terms of office, regulations, rules, privileges, relationships to states

- Section 1: bicameral
- Section 2: House details
- Section 3: Senate details
- Section 7: how a bill becomes a law
- Section 8: Enumerated** (expressed) **Powers**; commerce clause; elastic clause
- Section 9: Denied powers

**ARTICLE II** The Presidency: term, qualifications, duties, powers

**ARTICLE III** The creation of the judicial system and the Supreme Court: qualifications, jurisdictions, powers. Establishes trial by jury

**ARTICLE IV** The sanctity of the individual states: **full faith and credit clause**; rights of citizens, relationship between the states, admission of new states, and protection from the government

**ARTICLE V** How the Constitution may be amended (proposed by 2/3 both houses or states; ratified by 3/4 states.)

**ARTICLE VI** Declares the Constitution the Supreme Law of the land (**supremacy clause**)

**ARTICLE VII** Original requirements for ratification (9 states)

### AMENDMENTS

#### BILL OF RIGHTS (1791)

- Freedom of speech, religion (establishment and free exercise), press, assembly, and petition
- The right to own and bear arms
- Quartering of soldiers
- Protection of citizens against illegal search and seizure of private property
- Freedom from self-incrimination, double jeopardy, right to due process
- Criminal trials: right to a speedy trial with witnesses, right to a lawyer
- Right to a trial by jury in a civil case
- Protection against excessive fines, cruel and unusual punishment
- Constitution is not an exclusive list of rights
- States retain all privileges not given to the Federal government

## ADDITIONAL AMENDMENTS

11. (1798) Interprets judicial powers
12. (1804) Sets guidelines for electing the President and Vice President
13. (1865) Abolishes the practice of slavery
14. (1868) Defines citizenship and limits states from violating the **equal protection** of all citizens. Source for selective incorporation.
15. (1870) Prohibits limiting the right to vote based on race
16. (1913) Authorizes the collection of federal income tax
17. (1913) Provides for election of Senators by direct popular vote
18. (1919) Prohibits the manufacture, sale or transportation of liquor
19. (1920) Gives women the right to vote
20. (1933) Changed inauguration day from March to January (shortened lame duck period)
21. (1933) Repealed 18th Amendment (prohibition)
22. (1951) Limits the President to 2 terms or 10 years
23. (1961) Grants Presidential voting rights to the District of Columbia
24. (1964) Bars poll tax in federal elections
25. (1967) Provides for Presidential disability and succession
26. (1971) Lowers the legal voting age to 18
27. (1992) Congressional pay raises take effect only after next election

## AP U.S. Government: Required Court Cases

Case	Precedent and Constitutional Reasoning	Relevant Vocabulary / Key Terms
<b>Case about Checks and Balances and Separation of Powers</b>		
Marbury v. Madison (1803)	Used the Judicial Branch's inherent power from Article III of the Constitution to establish judicial review as constitutional affirming checks and balances and separation of powers	Judicial Review
<b>Cases about Federalism</b>		
McCulloch v. Maryland (1819)	Used the supremacy clause from Article VI of the Constitution to affirm the supremacy of the federal government and the US Constitution over the states and state laws	Elastic Clause (Necessary and Proper Clause) – established implied power doctrine (vs. just enumerated powers), which strengthened the federal government Supremacy Clause
United States v. Lopez (1995)	Congress may not use the commerce clause, Article I Section 8, to make possession of a gun in a school zone a federal crime	Commerce Clause devolution
<b>Cases about the Bill of Rights, balance between power of government and individual liberties</b>		
Engel v. Vitale (1962)	School sponsorship of religious activities violates the establishment clause in the 1st amendment	1st Amendment; religion establishment clause
Wisconsin v. Yoder (1972)	Forcing Amish students to attend school past 8th grade violates the free exercise clause of the 1st amendment	1st Amendment; religion free exercise clause home school
Tinker v. Des Moines School District (1969)	Public school students retain 1st amendment freedom of speech/expression while on campus, as long as it	1st Amendment, Free Speech symbolic speech

	doesn't "disrupt the learning environment"	captive audience doctrine
New York Times v. United States (1971)	Ensures freedom of press clause of the 1st amendment by limiting prior restraint except in most extreme cases of national security	1st Amendment, free press prior restraint is limited "Pentagon Papers"
Schenk v. US (1919)	Speech that represents a "clear and present danger" is not protected speech under the freedom of speech clause in the 1st amendment	1st Amendment, Free Speech "clear and present danger" "yelling 'Fire!' in a crowded theater" - not all speech is protected
<b>Cases about Selective Incorporation via the 14th amendment's due process clause</b>		
Gitlow v. New York (1925)	The first case that used the selective incorporation doctrine, using the due process clause of the 14th amendment to extend the Bill of Rights protections to states	selective incorporation
Gideon v. Wainwright (1963)	Used the 6th amendment to decide that those who cannot afford an attorney will be provided with one, incorporated to the states via the due process clause of the 14th amendment.	selective incorporation 6th Amendment Right to counsel
Roe v. Wade (1973)	Used the 4th amendment's right to privacy to rule that states could not prevent women from having abortions, incorporated to the states via the due process clause of the 14th amendment.	penumbras (HINT: Griswold v. Connecticut, a case about contraception, that originally established penumbras, or "zones of privacy" inherent in the Bill of Rights) right to privacy / abortion
McDonald v. Chicago (2010)	The 2nd amendment prevents states from limiting gun ownership for self-protection, incorporated to the states via the due process clause of the 14th amendment.	14th Amendment due process clause Privileges and Immunities Clause 2nd amendment
<b>Cases about the 14th amendment's equal protection clause supports equality of individuals</b>		
Brown v. Board of Education (1954)	School segregation violates the equal protection clause of the 14th amendment - overturned Plessy v. Ferguson's separate but equal doctrine	14th Amendment's equal protection clause
<b>Cases about campaigning, election rules, and redistricting</b>		
Baker v. Carr (1961)	Used the equal protection clause in the 14th amendment to apply to redistricting - established "one person one vote" doctrine	"the political thicket" (i.e. the political question and the role of the SCOTUS) gerrymandering (though this is secondary) "one man, one vote"
Shaw v. Reno (1993)	Used equal protection clause in the 14th amendment to prohibit states from racial gerrymandering	14th Amendment's equal protection clause Section V of the Voting Rights Act (pre-clearance clause) racial gerrymandering vs. communities of interest majority-minority district
Citizen United v. Federal Election Commission (2010)	Political spending by corporations and organizations is protected speech under the 1st amendment and cannot be limited by government	1st Amendment Free Speech (Used Buckley v. Valeo - campaign donations were protected expression and cannot be limited by the government)

## AP U.S. Government: Free Response Questions

<b>Q#1: Argumentative Essay (25 min.)</b> 60% of exam - 7 point rubric	<b>Q#2: Concept Application (15 min.)</b> 40% of exam - 3 point rubric
<ul style="list-style-type: none"> <li>● Claim/Thesis                             <ul style="list-style-type: none"> <li>○ 1-2 sentences only</li> <li>○ Take a <b>clear, defensible position</b></li> <li>○ respond to the question</li> <li>○ Establish a <b>line of reasoning</b> -- use the word "because"</li> </ul> </li> <li>● 1st Piece of Evidence -- pick one of listed required docs                             <ul style="list-style-type: none"> <li>○ new paragraph</li> <li>○ Use relevant and specific evidence from a required document that <i>supports your claim/thesis</i></li> <li>○ <i>Is your argument relevant to the topic of the prompt?</i></li> <li>○ <i>Did you explain <u>how/why</u> your evidence supports your claim/thesis? (Did you close the loop?)</i></li> </ul> </li> <li>● 2nd Piece of Evidence -- pick different one than 1st, can be from list or own knowledge of gov.                             <ul style="list-style-type: none"> <li>○ new paragraph</li> <li>○ Use relevant and specific evidence from something other than the document you used in your other argument that <i>supports your claim/thesis</i></li> <li>○ <i>Is your argument relevant to the topic of the prompt?</i></li> <li>○ <i>Did you explain <u>how/why</u> your evidence supports your claim/thesis? (Did you close the loop?)</i></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● Read through the scenario and question 1-2 times</li> <li>● Three parts: A, B, C                             <ul style="list-style-type: none"> <li>○ can label parts</li> <li>○ skip line between sections</li> </ul> </li> <li>● Verbs are "describe" or "explain" (see below)</li> <li>● <b>Every</b> word in the prompt matters -- be sure that you are addressing all parts of the prompt</li> <li>● "in the context of the scenario" - must relate response to the scenario specifically, do not give arbitrary response that could be applied many situations</li> </ul>

### Free Response Task Verbs:

Identify	Describe	Explain
<ul style="list-style-type: none"> <li>● Answer the prompt, no elaboration</li> <li>● 1 sentence</li> </ul>	<ul style="list-style-type: none"> <li>● Provide details, essential characteristics of what you are describing</li> <li>● Can give an example if it's helpful</li> <li>● 2-4 sentences</li> </ul>	<ul style="list-style-type: none"> <li>● Define all relevant terms</li> <li>● Elaborate, Evidence, Example; show you know by being specific</li> <li>● Answer "How?" or "Why?" does the relationship exist, use the word "because"</li> <li>● "<b>close the loop</b>" by referencing the topic of the question</li> <li>● 1 paragraph</li> </ul>
<b>When you think about the differences in the verbs &amp; what they are asking you to do...consider the following questions:</b>		
<i>What is your favorite food?</i>	<i>Describe your favorite food?</i>	<i>Explain how to make your favorite food?</i>

## IMPORTANT LEGISLATION (not required, but could be useful as examples)

- **Affordable Care Act** (2010) – a.k.a. Obamacare, An expansion of medicaid, most employers must provide health insurance, have insurance or face surtax, prevents rejection based on pre-existing conditions. Also referred to as "Obamacare", signed into law in 2010. Features federal mandates and block grants.
- **American with Disabilities Act** (1990) – federal mandate that requires employers and public facilities to make "reasonable accommodations" for people with disabilities and prohibits discrimination against these individuals in employment.
- **Bipartisan Campaign Reform Act** (2002) – a.k.a. The McCain-Feingold Act, Largely banned party soft money, restored a long-standing prohibition on corporations and labor unions for using general treasury funds for electoral purposes, and narrowed the definition of issue advocacy.
- **Clean Air/Water Acts** (1970) – established the basic structure for regulating discharges of pollutants into air and water and carried out by the Environmental Protection Agency.
- **Civil Rights Act of 1964** – banned discrimination in public accommodations, prohibited discrimination in any federally assisted program, outlawed discrimination in most employment; enlarged federal powers to protect voting rights and to speed school desegregation
- **Fair Housing Act** (1968) – Prohibited discrimination concerning the sale, rental, and financing of housing based on race
- **Federal Election Campaign Act** (1974) – reforming campaign finances. The act created the Federal Election Commission (FEC), provided public financing for presidential primaries and general elections, limited presidential campaign spending, required disclosure, and attempted to limit contributions.
- **Hatch Act** (1939) – a congressional law that forbade government officials from participating in partisan politics and protected government employees from being fired on partisan grounds
- **Help American Vote Act** (2002) – regulate federal elections and help poorer counties acquire more modern voting machines.
- **Medicare/Medicaid Acts** (1965) – Health care initiatives of President Lyndon Johnson. Medicare provided the elderly with universal compulsory medical insurance financed largely through Social Security taxes. Medicaid authorized federal grants to supplement state-paid medical care for low-income people under sixty-five. Both initiatives were passed as amendments to the Social Security Act of 1935.
- **Motor Voter Act** (1993) – requires states to permit people to register to vote when they apply for a driver's license.
- **No Child Left Behind Act** (2001) – mandate was intended to increase accountability in education by requiring states to qualify for federal educational funding by administering standardized tests to measure school achievement.
- **Presidential Succession Act** (1947) – establishes the line of succession to the powers and duties of the office of President of the United States in the event that neither a President nor Vice President is able to "discharge the powers and duties of the office".
- **Social Security Act** (1935) – guaranteed retirement payments for enrolled workers beginning at age 65; set up federal-state system of unemployment insurance and care for dependent mothers and children, the handicapped, and public health
- **Temporary Assistance for Needy Families** (TANF) – replaced AFDC with state-run program that provides assistance and work opportunities to needy families
- **Title IX** of Education Acts of 1972 – forbids gender discrimination in federally subsidized education programs, including athletics
- **Voting Rights Act of 1965** – invalidated the use of any test or device to deny the vote and authorized federal examiners to register voters in states that had disenfranchised africa-americans; encouraging greater social equality and decreasing the wealth and education gap
- **War Powers Act** (1973) – the president is limited in the deployment of troops overseas to a sixty-day period in peacetime (which can be extended for an extra thirty days to permit withdrawal) unless Congress explicitly gives its approval for a longer period.
- **Welfare Reform Act** (1996) – increased the power of the states relative to the federal government, replaced the AFDC program with block grants to the states (TANF); devolution = by giving states greater discretion to determine how to implement the federal goal of transferring people from welfare to work