**Faculty of Letters and Languages – M’sila**

**Department of English**

**Level:** Second year license

**Course:** American Civilization.

**Lecture**: Political Institutions: The Federal Government

**Lecture number**: 04

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**INTRODUCTION:**

The English authorities allowed the American colonists to evolve political institutions (governors, assemblies and courts) with little outside interference. Partially based on local control and the consent of the inhabitants, these traditions of self-government later inspired the independence movement, formed the foundation for the constitutions of the independent states after 1776 and served as the model for the federal government erected through the Constitution of 1787. At first most Americans opposed a strong central government, which they identified with British oppression. The first US constitution, the Articles of Confederation (1781-8), established a loose league of independent states under a very weak central government. With no executive or judicial branch, the national government consisted only of a one-house legislature that lacked financial, diplomatic and military power. Much like the United Nations, the confederation had to ask the member states for everything, from military forces to money for operating expenses. Soon chaos in the nation's economy and international relations made members of the merchant classes support a stronger central government.

**I-The Constitutional Framework**

Four-fifths of the original text of the Constitution remains unchanged, and only seventeen amendments have been added after the Bill of Rights. Yet, its thought and language have remained flexible enough to be interpreted differently by succeeding generations. The changes in US constitutionalism have been significant but few. They have come through amendments and judicial review rather than revolutionary upheavals. The enduring principles in the Constitution are **republicanism**, **federalism**, the **separation of powers** and the system of **checks and balances**.

**1-The Constitution**

The **U.S Constitution** is the [supreme law](https://en.wikipedia.org/wiki/Supremacy_Clause) of the [United States](https://en.wikipedia.org/wiki/United_States). The [Constitution](https://en.wikipedia.org/wiki/Constitution), originally comprising seven articles, delineates the national frame of government. Its first three articles embody the doctrine of the [separation of powers](https://en.wikipedia.org/wiki/Separation_of_powers), whereby the [federal government](https://en.wikipedia.org/wiki/Federal_government_of_the_United_States) is divided into three branches: **the**[**legislative**](https://en.wikipedia.org/wiki/United_States_Congress), consisting of the [bicameral](https://en.wikipedia.org/wiki/Bicameralism) [Congress](https://en.wikipedia.org/wiki/United_States_Congress) (Article [One](https://en.wikipedia.org/wiki/Article_One_of_the_United_States_Constitution));**the executive**,consisting of the [President](https://en.wikipedia.org/wiki/President_of_the_United_States) (Article [Two](https://en.wikipedia.org/wiki/Article_Two_of_the_United_States_Constitution)); and **the**[**judicial**](https://en.wikipedia.org/wiki/Federal_judiciary_of_the_United_States), consisting of the [Supreme Court](https://en.wikipedia.org/wiki/Supreme_Court_of_the_United_States) and other federal courts (Article [Three](https://en.wikipedia.org/wiki/Article_Three_of_the_United_States_Constitution)). Articles [Four](https://en.wikipedia.org/wiki/Article_Four_of_the_United_States_Constitution), [Five](https://en.wikipedia.org/wiki/Article_Five_of_the_United_States_Constitution) and [Six](https://en.wikipedia.org/wiki/Article_Six_of_the_United_States_Constitution) embody concepts of [federalism](https://en.wikipedia.org/wiki/Federalism), describing the rights and responsibilities of [state governments](https://en.wikipedia.org/wiki/State_governments_of_the_United_States), the [states](https://en.wikipedia.org/wiki/U.S._state) in relationship to the federal government, and the shared process of constitutional amendment. [Article Seven](https://en.wikipedia.org/wiki/Article_Seven_of_the_United_States_Constitution) establishes the procedure subsequently used by the thirteen [States](https://en.wikipedia.org/wiki/U.S._state) to [ratify](https://en.wikipedia.org/wiki/Ratification) it. It is regarded as the oldest written and codified national constitution in force.

**2-The Twenty-Seven Amendments to the Constitution**

Thirty-three **amendments to the United States Constitution** have been proposed by the [United States Congress](https://en.wikipedia.org/wiki/United_States_Congress) and sent to the [states](https://en.wikipedia.org/wiki/U.S._state) for [**ratification**](https://en.wikipedia.org/wiki/Ratification#Ratification_in_the_United_States_Constitution) since the [Constitution](https://en.wikipedia.org/wiki/United_States_Constitution) was put into operation on March 4, 1789. **Twenty-seven** of these, having been ratified by the requisite number of states, are part of the Constitution. The **first ten amendments** were adopted and ratified simultaneously and are known collectively as the [**Bill of Rights**](https://en.wikipedia.org/wiki/United_States_Bill_of_Rights)**.**

**Examples of Amendments**

**The First Amendment**

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances*.

**The Second Amendment**

*A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.*

**II-The Political Parties**

The founding fathers viewed political parties as factions (interest groups that pursue narrow private interests rather than the common good). They designed a constitutional system that, together with the size and diversity of the country, was meant to keep factions so divided that no one of them could gain significant power. The need to win popular support in a [republic](https://en.wikipedia.org/wiki/Republicanism_in_the_United_States) led to the American invention of voter-based political parties in the 1790s. Americans were especially innovative in devising new campaign techniques that linked public opinion with public policy through the party. The first two-party system consisted of the [Federalist Party](https://en.wikipedia.org/wiki/Federalist_Party), who supported the ratification of the Constitution, and the [Anti-Administration party](https://en.wikipedia.org/wiki/Anti-Administration_party) (Anti-Federalists), who opposed the powerful central government, among others, that the Constitution established when it took effect in 1789. The modern two-party system consists of **the**[**Democratic Party**](https://en.wikipedia.org/wiki/History_of_the_Democratic_Party_%28United_States%29) and **the**[**Republican Party**](https://en.wikipedia.org/wiki/History_of_the_Republican_Party_%28United_States%29). Several [third parties](https://en.wikipedia.org/wiki/Third_party_%28United_States%29) also operate in the U.S., and from time to time elect someone to local office. The largest third party since the 1980s is **the**[**Libertarian Party**](https://en.wikipedia.org/wiki/Libertarian_Party_%28United_States%29). Besides the [**Constitution**](https://en.wikipedia.org/wiki/Constitution_Party_%28United_States%29), [**Green**](https://en.wikipedia.org/wiki/Green_Party_of_the_United_States), and **Libertarian** parties, there are [many other political parties](https://en.wikipedia.org/wiki/List_of_political_parties_in_the_United_States) that receive only minimal support and only appear on the ballot in one or a few states. Some political candidates, and many voters, choose not to identify with a particular political party. They are called **Independent**.

**II-Branches of Government**

The [Constitution of the United States](https://www.archives.gov/founding-docs/constitution) divides the federal government into three branches to make sure no individual or group will have too much power. Each branch of government can change acts of the other branches:

* The president can veto legislation created by Congress and nominates heads of federal agencies.
* Congress confirms or rejects the president's nominees and can remove the president from office in exceptional circumstances.
* The Justices of the Supreme Court, who can overturn unconstitutional laws, are nominated by the president and confirmed by the Senate.

**1-The Executive Branch**

The [executive branch](https://www.whitehouse.gov/about-the-white-house/the-executive-branch/) carries out and enforces laws. It includes the president, vice president, the Cabinet, executive departments, independent agencies, and other boards, commissions, and committees.

American citizens have the right to vote for the president and vice president through free, confidential ballots. Key roles of the executive branch include:

* [**President**](https://www.whitehouse.gov/people/donald-j-trump/): The president leads the country. He or she is the head of state, leader of the federal government, and Commander in Chief of the United States Armed Forces. The president serves a four-year term and can be elected no more than two times.
* [**Vice president**](https://www.whitehouse.gov/people/mike-pence/): The vice president supports the president. If the president is unable to serve, the vice president becomes president. The vice president can be elected and serve an unlimited number of four-year terms as vice president, even under a different president.
* [**The Cabinet**](https://www.whitehouse.gov/the-trump-administration/the-cabinet/): Cabinet members serve as advisors to the president. They include the vice president, heads of executive departments, and other high-ranking government officials. Cabinet members are nominated by the president and must be approved by a simple majority of the Senate—51 votes if all 100 Senators vote.

**2-The Legislative Branch**

The legislative branch [drafts proposed laws](https://www.usa.gov/how-laws-are-made#item-35837), confirms or rejects presidential nominations for heads of federal agencies, federal judges, and the Supreme Court, and has the authority to declare war. This branch includes Congress (the Senate and House of Representatives) and [special agencies and offices](https://www.usa.gov/legislative-agencies) that provide support services to Congress. American citizens have the right to vote for Senators and Representatives through free, confidential ballots.

* [**Senate**](https://www.senate.gov/general/contact_information/senators_cfm.cfm): There are two elected Senators per state, totaling 100 Senators. A Senate term is six years and there is no limit to the number of terms an individual can serve.
* [**House of Representatives**](https://www.house.gov/representatives): There are 435 elected Representatives, which are divided among the 50 states in proportion to their total population. There are additional non-voting delegates who represent the District of Columbia and the territories. A Representative serves a two-year term, and there is no limit to the number of terms an individual can serve.

**3-The Judicial Branch**

The [judicial branch](https://www.whitehouse.gov/about-the-white-house/the-judicial-branch/) interprets the meaning of laws, applies laws to individual cases, and decides if laws violate the Constitution. It's comprised of the Supreme Court and other federal courts.

* [**Supreme Court**](http://www.supremecourt.gov/)—The Supreme Court is the highest court in the United States. The Justices of the Supreme Court are nominated by the president and must be approved by the Senate.
	+ [**Nine members**](https://www.supremecourt.gov/about/justices.aspx) make up the Supreme Court— a Chief Justice and eight Associate Justices. There must be a minimum of [**six Justices**](https://www.supremecourt.gov/about/faq_general.aspx) to decide a case.
	+ If there is an even number of Justices and a case results in a tie, the lower court's decision stands.
	+ There is no fixed term for Justices. They serve until their death, retirement, or removal in exceptional circumstances.
* [**Federal Courts and Judicial Agencies**](https://www.usa.gov/judicial-agencies)– The Constitution gives Congress the authority to establish other [federal courts](http://www.uscourts.gov/about-federal-courts) to handle cases that involve federal laws including tax and bankruptcy, lawsuits involving U.S. and state governments or the Constitution, and more. Other federal judicial agencies and programs support the courts and research judicial policy.

**EXERCISES:**

**1-** **Explain and examine the following names and terms:**

Bill of Rights- Constitutional Amendments-Militia-Justices-Two Party System

**2-In short paragraph discuss one of the following topics:**

**Explain how one branch of government can influence the other (with examples)**

**References:**

Oakland, John. Mauk, David. 2002. *American Civilization: an Introduction.* London: London University Publication Office. **P.110-141**

<https://www.usa.gov/branches-of-government>

Wikipedia contributors, "Political parties in the United States," *Wikipedia, The Free Encyclopedia,* <https://en.wikipedia.org/w/index.php?title=Political_parties_in_the_United_States&oldid=876623731> (accessed January 4, 2019).

**Appendix: The Three Branches of the U.S. Government**

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