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Boutique Academic Coaching & Tutoring

AP U.S. GOVERNMENT AND POLITICS · COURSE REVIEW AND PRACTICE

AP U.S. Government Mastery.

Every unit on the exam: clear explanations, worked examples, the required documents and Supreme Court cases, free-response practice, and two full-length practice exams.

INSIDE

Foundations of American Democracy · Interactions Among Branches · Civil Liberties and Civil Rights · Ideologies and Beliefs · Political Participation · Required Documents and Cases · Two Practice Exams · Reference



Table of Contents.

Five units of AP U.S. Government and Politics, required documents and cases, two practice exams, and a reference section.

Contents

Each section has an explanation, worked examples, and practice problems. Answers and explanations close every chapter. Click any entry to jump to that page.

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Welcome to AP U.S. Government.

The ideas, the required cases, the writing skills, and the practice you need for the exam.

Welcome How to Use This Book

A complete AP U.S. Government and Politics course: clear explanations, worked examples, practice problems with full explanations, and practice exams.

What is inside

All five units of AP U.S. Government and Politics, in order, with the nine required foundational documents and fifteen required Supreme Court cases in Chapter 6. Start Here covers the exam and the four free-response types. Each unit has explanations, worked examples, three practice sets per section, a multiple-choice set and four free-response questions. Two practice exams and a reference section close the book.

Your situation	Study plan
Taking the course now	Work one unit at a time as your class does, and review the matching cases and documents in Chapter 6.
Starting 6 weeks before the exam	Read Start Here, do two sections a day, memorize the cases with the Chapter 6 tables, and take Practice Exam 1 at the end of week 4.
Final week	Redo missed problems, drill documents and cases, and take Practice Exam 2 under timed conditions.

A routine that works

- 1. Read.** Study the key boxes, then work each example yourself before reading its solution.
- 2. Practice.** Do every Set A problem, then Sets B and C. Write your answers before you look.
- 3. Check.** Compare with the answers and explanations at the end of the chapter. Mark mistakes and note the reason, not just the right answer.
- 4. Review.** Return to missed problems the next day, then do the multiple-choice and free-response sections and the practice exams.

Free-response habits

Answer every part directly. Name the concept, give a specific example or evidence, and explain how it connects to the prompt. Restating the question earns nothing.

Cases and documents

Know each required case by its facts, holding, and constitutional clause, and each document by its author, argument, and context.

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Start Here: The Exam and Your Toolkit.

3 sections with explanations and worked examples, then 42 practice problems. Answers and full explanations are at the end of the chapter.

0.1 The AP U.S. Government Exam: Format, Scoring, and Study Plan

Learn exactly how the AP U.S. Government and Politics exam is built, how it is scored, and how to turn that structure into a study plan.

The AP U.S. Government and Politics exam lasts three hours and is split into two equal halves. Half of your score comes from multiple-choice questions and half from free-response questions. Knowing the design in advance lets you practice the right skills instead of just memorizing facts.

Section I is 55 multiple-choice questions in 80 minutes, worth 50 percent of the score. That is about 87 seconds per question, so pace matters. Many questions come with a stimulus: a short passage, a political cartoon, a table, a graph, or a map. Each question has four answer choices, and there is no penalty for guessing, so you should answer every one.

Section II is four free-response questions (FRQs) in 100 minutes, also worth 50 percent. Each question counts for 12.5 percent of the whole exam, so the four are weighted equally even though they have different point totals. The recommended time is 20 minutes for the first three and 40 minutes for the fourth.

FRQ	Type	Points	Recommended time	What it asks you to do
1	Concept Application	3	20 min	Read a real-world scenario, then describe and explain how a political concept applies to it
2	Quantitative Analysis	4	20 min	Read a graph, table, map, or infographic, then identify, describe, draw a conclusion, and connect it to a principle
3	SCOTUS Comparison	4	20 min	Compare a required Supreme Court case with a new case described in the prompt
4	Argument Essay	6	40 min	Develop a defensible claim backed by foundational-document evidence, reasoning, and a response to an opposing view

Exam structure at a glance

Section I: 55 multiple-choice questions, 80 minutes, 50% of the score.

Section II: 4 free-response questions, 100 minutes, 50% of the score (12.5% each).

FRQ order: Concept Application (3 pts), Quantitative Analysis (4 pts), SCOTUS Comparison (4 pts), Argument Essay (6 pts).

Total exam time: 3 hours. No penalty for wrong multiple-choice answers.

The five units and their weight

The course is organized into five units. The percentages below show roughly how much of the multiple-choice section each unit receives. Unit 2 is the biggest, but no unit can be ignored, because the FRQs and the argument essay pull from every unit.

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Unit	Topic	MC weight	Core ideas
1	Foundations of American Democracy	15-22%	Democratic theory, Articles of Confederation, ratification debate, federalism, separation of powers, Federalist 10 and 51, Brutus 1
2	Interactions Among Branches of Government	25-36%	Congress, presidency, courts, bureaucracy, checks and balances, policy making
3	Civil Liberties and Civil Rights	13-18%	Bill of Rights, First Amendment, incorporation, due process, equal protection, social movements
4	American Political Ideologies and Beliefs	10-15%	Public opinion, polling, political socialization, ideology and policy
5	Political Participation	20-27%	Voting, parties, interest groups, elections, campaign finance, media

Five big ideas

Every topic connects back to five big ideas, and the exam keeps returning to them: **Constitutionalism** (how the Constitution distributes and limits power), **Liberty and Order** (balancing freedom against stability and safety), **Civic Participation in a Representative Democracy** (how citizens influence government), **Competing Policy-Making Interests** (how institutions and groups shape policy), and **Methods of Political Analysis** (how to read data and understand public opinion). When you study a new topic, ask which big idea it illustrates.

What you must know by name

The course requires you to know nine foundational documents and fifteen Supreme Court cases in detail. Exam writers love them because they let a question test real understanding. A SCOTUS Comparison always uses one of the required cases, and an argument essay always gives you a choice of required documents to cite.

- ◆ Documents: Declaration of Independence, Articles of Confederation, U.S. Constitution, Federalist No. 10, Federalist No. 51, Federalist No. 70, Federalist No. 78, Brutus No. 1, and Letter from Birmingham Jail.
- ◆ Cases: Marbury v. Madison, McCulloch v. Maryland, Schenck v. United States, United States v. Lopez, Brown v. Board of Education, Baker v. Carr, Engel v. Vitale, Gideon v. Wainwright, Tinker v. Des Moines, New York Times v. United States, Wisconsin v. Yoder, Shaw v. Reno, McDonald v. Chicago, Citizens United v. FEC, and Roe v. Wade.
- ◆ For each case, be able to state the facts, the constitutional question, the holding, and the reasoning. For Roe, also know that Dobbs v. Jackson Women's Health Organization (2022) overruled it.

Case note formula

Facts: who sued whom, and over what?

Question: which constitutional clause or amendment is at issue?

Holding: who won, and what rule did the Court announce?

Impact: how did it change the balance of power or the rights of people?

How the questions are written

AP questions rarely ask for a bare definition. They ask you to apply a concept to a new situation. Four skills run through the exam: concept application, SCOTUS application, data analysis, and source analysis, with argumentation tested in the essay. Command words tell you what to do. **Identify** means name it with no explanation. **Describe** means give relevant characteristics. **Explain** means say how or why, with a cause-and-effect link. **Draw a conclusion** means state what the evidence shows. **Develop an argument** means make a claim and prove it.

EXAMPLE 1: TURNING A COMMAND WORD INTO POINTS

A prompt says: "A city council holds a series of town halls before voting on a new zoning law. (A) Identify the model of democracy illustrated. (B) Explain how the town halls reflect that model." How should a student write for each part to earn full credit?

SOLUTION

Part A uses the verb identify, so a one-phrase answer is enough: "Participatory democracy." Adding extra explanation earns nothing more but costs time.

Part B uses explain, so you need a because link. Write: "Town halls let ordinary citizens speak directly and shape the decision, which fits participatory democracy because it stresses broad, active citizen involvement in making policy."

Check that Part B names the connection between the scenario (town halls) and the concept (citizen involvement). Restating the scenario alone does not earn the point.

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EXAMPLE 2: PLANNING YOUR WEEKS

A student has eight weeks before the exam, studies five days a week, and scores lowest on Unit 5 (participation) and on the argument essay. Build a plan.

SOLUTION

Weeks 1-4: review one unit every week in this order of weakness and weight: Unit 2 (largest weight), Unit 5 (weak), Unit 3, then Units 1 and 4 together. End each week with 15 MC questions and a short quiz on the required cases from that unit.

Weeks 5-6: practice one FRQ of each type per week under a timer (20, 20, 20, and 40 minutes). Self-score with the point lists in this book, then rewrite the weakest response.

Week 7: write two argument essays, each using a different required document. Drill the nine documents and fifteen cases with flashcards.

Week 8: take a full timed practice exam, review every miss by writing the rule it tested, and rest the day before.

Exam tip

Spend your review time where points are easiest to gain. Required documents and cases are finite lists, so mastering all of them is realistic. Use the first minute of each FRQ to underline the command words, and answer every part, because each part is scored separately and a blank part is a guaranteed zero.

Study habits that work

- ◆ Study actively. Close the book and write the holding of a case from memory before you check it.
- ◆ Make comparison charts, such as Federalists versus Anti-Federalists or delegate versus trustee, because the exam loves contrasts.
- ◆ Read the news with the course in mind. A Senate filibuster, an executive order, or a ruling on speech is a live example of a concept you can cite.
- ◆ Practice with timing. Do MC sets at about 80 seconds per question, then review slowly.
- ◆ Keep an error log. Write the question topic, why you missed it, and the correct rule. Patterns show you where to focus.

Common mistakes

Students often memorize case names without the holding, write the essay thesis as a restatement of the prompt, or skip the data question because it looks intimidating. Another trap is giving opinion where the exam wants a link to a political principle. Always tie your answer to a named concept, document, or case.

Practice**SET A Check Your Understanding**

Answer each question in one to three sentences.

1. How many multiple-choice questions and free-response questions are on the exam, and what percent of the score does each section carry?
2. Name the four FRQ types in order and the point value of each.
3. Why is it a good strategy to answer every multiple-choice question, even when you are unsure?
4. Which unit has the largest multiple-choice weight, and which has the smallest?
5. List the nine required foundational documents.
6. Explain the difference between the command words identify and explain, and say why it matters for time management.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. How is the free-response section of the AP U.S. Government and Politics exam weighted?
 - (A) Each of the four questions counts for 12.5 percent of the exam score
 - (B) The argument essay counts for 25 percent and the other three share 25 percent
 - (C) Each question counts in proportion to its point value, so the essay is worth the most
 - (D) The section is worth 25 percent of the exam score
 - (E) Questions 1 and 2 count for 10 percent each and Questions 3 and 4 for 15 percent each
8. A student reads a prompt that says "Explain how the Supreme Court's holding in *Marbury v. Madison* affected the power of the judicial branch." What does the word explain require?
 - (A) Naming the case in a single phrase
 - (B) Providing a cause-and-effect reason showing how the holding changed judicial power
 - (C) Listing every opinion written in the case
 - (D) Stating whether the student agrees with the holding
 - (E) Summarizing the facts of the case only
9. Which of the following sets contains only required foundational documents?
 - (A) Federalist No. 15, Declaration of Independence, and the Constitution
 - (B) Common Sense, Federalist No. 10, and the Articles of Confederation
 - (C) Federalist No. 70, Federalist No. 84, and Brutus No. 1
 - (D) The Gettysburg Address, the Constitution, and Federalist No. 78
 - (E) Federalist No. 51, Brutus No. 1, and Letter from Birmingham Jail
10. A student has 20 minutes left and has not started the SCOTUS Comparison, which is worth 4 points. Which approach is best?
 - (A) Skip the question because it is hard to earn full credit
 - (B) Write only part (a) and ignore the rest
 - (C) Answer every part briefly, because each part is scored separately
 - (D) Rewrite the argument essay instead
 - (E) Spend the entire time on a long answer to part (c)
11. Which pairing of free-response question and point value is correct?
 - (A) Concept Application, 4 points
 - (B) Quantitative Analysis, 3 points
 - (C) SCOTUS Comparison, 6 points
 - (D) Argument Essay, 6 points
 - (E) Argument Essay, 4 points
12. Which statement best describes the multiple-choice section of the exam?
 - (A) It has 45 questions in 60 minutes and no stimuli
 - (B) It has 55 questions with a penalty for each wrong answer
 - (C) It has 55 questions in 80 minutes, many with a stimulus such as a chart, passage, or cartoon
 - (D) It has 80 questions in 55 minutes
 - (E) It has only text-based questions that ask for definitions

SET C Apply and Extend

Write a complete response. Your answers are scored on the points listed in the model answer.

13. A student plans to spend 40 minutes on each of the four FRQs because "they all count equally." (a) Explain why this plan is flawed using the exam's recommended timing. (b) Propose a better allocation of the 100 minutes and justify it.
14. For each of the following pieces of preparation, identify which FRQ type it best prepares you for and explain why: (a) memorizing the holding of *Shaw v. Reno*, (b) practicing reading bar graphs about voter turnout, (c) learning the claims in Federalist No. 10 and Brutus No. 1.

0.2 Writing the Four Free-Response Questions

Master a repeatable method for each of the four free-response question types, with model responses and a clear picture of how points are earned.

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The four free-response questions (FRQs) reward precise, labeled answers. Graders do not look for flowery writing. They look for the specific move each part asks for, such as an identification, a description, or an explanation. Write in complete sentences, label every part (A, B, C), and answer each part separately, even when your answers overlap.

FRQ 1: Concept Application (3 points)

You read a short real-world scenario (an interest group endorsement, a presidential action, a legislative vote) and answer three parts. The typical pattern is describe, explain, and then explain again by changing a condition in the scenario.

- 1 Underline the actor and the action** Find who is doing what. Your answer to the describe part usually just restates that action in political language, such as "The group endorsed a candidate."
- 2 Name the concept** Decide which course idea the scenario illustrates, such as lobbying, electioneering, oversight, or federalism.
- 3 Use a because chain** For explain parts, write: action, then political effect, then why. For example, an endorsement can signal group support to voters, which may raise the candidate's chance of winning, which increases the group's access to the official.
- 4 Answer the twist** The last part often changes a fact (a smaller group, a different branch). State how the change alters the outcome and why.

Concept Application rubric pattern

Part A: describe or identify the action in the scenario (1 point).

Part B: explain how the action affects policy, voters, or institutions (1 point).

Part C: explain how a changed condition would change the outcome or strategy (1 point).

Never leave a part blank, and avoid just repeating the scenario's words.

FRQ 2: Quantitative Analysis (4 points)

You receive a graph, table, map, or infographic. The sequence is nearly always the same: identify a data point, describe a pattern, draw a conclusion, and explain how the data connects to a political principle. Use numbers and labels from the visual when you identify or describe. When you draw a conclusion, go one step beyond the data and say what it suggests. When you explain, link the conclusion to a named principle such as federalism, representation, or political socialization.

FRQ 3: SCOTUS Comparison (4 points)

The SCOTUS Comparison is worth 4 points: you receive a short description of a non-required case and holding, then identify a similarity or difference with a specified required case, describe the details, reasoning, or holding of the required case, explain a similarity or difference in the reasoning or holding, and explain how the non-required case demonstrates a political principle, institution, process, policy, or behavior. Each task earns one point; the sample in the course framework presents three lettered parts, and your exam may present three or four, so answer every lettered part fully.

The prompt describes a case you are not required to know, with its facts and holding, and names a required case. You must connect the two. The parts typically ask you to identify a shared clause or principle, explain why the outcomes differ, and explain how the new holding affects the balance of power or a right. This question is why you must know the facts, clause, holding, and reasoning for each of the fifteen required cases.

Question	What to write	Typical trap
1 Concept Application	Action, concept, effect, and the effect of the changed condition	Repeating the scenario without naming a political concept
2 Quantitative Analysis	Specific data, pattern, conclusion, then principle	Describing when a conclusion is requested
3 SCOTUS Comparison	Clause, holding, reasoning difference, effect	Mixing up which holding belongs to which case
4 Argument Essay	Thesis, two pieces of evidence, reasoning, opposing view	Thesis that only restates the prompt

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EXAMPLE 1: A SCOTUS COMPARISON RESPONSE

In *Wickard v. Filburn* (1942), a farmer grew more wheat than a federal quota allowed, saying it was for his own use. The Court upheld the penalty, holding that Congress could regulate it because, in total, such production substantially affects interstate commerce. (A) Identify the constitutional clause common to *Wickard* and *United States v. Lopez* (1995). (B) Explain why the *Lopez* holding differed from the *Wickard* holding. (C) Explain how *Wickard* affected the balance of power between national and state governments.

SOLUTION

(A) The Commerce Clause (Article I, Section 8), which gives Congress power to regulate commerce among the states. This earns the identification point.

(B) In *Lopez*, the Court struck down the Gun-Free School Zones Act because possessing a gun near a school is not economic activity and has no clear link to interstate commerce, so it fell outside Congress's power. In *Wickard*, growing wheat was economic activity that, combined with many other farmers, affected the national wheat market. The difference in the nature of the activity explains the different results.

(C) *Wickard* widened national power because it allowed Congress to regulate even small, local, non-sold activity if the combined effect touched interstate commerce. That shifted the balance toward the national government and away from state authority.

FRQ 4: Argument Essay (6 points)

This is the longest question, with 40 recommended minutes. The prompt gives a claim to argue and a list of required documents. Plan for five minutes, write for thirty-five. The six points are earned for a defensible thesis, two pieces of evidence (one from a listed foundational document), reasoning that links evidence to claim, and a response to an opposing view.

Argument essay checklist

Thesis: a position that answers the question and previews your line of reasoning, not a restatement of the prompt.

Evidence 1: specific content from a listed foundational document (a quotation or clear paraphrase with the idea named).

Evidence 2: a second document or a precise course concept, case, or event.

Reasoning: a because sentence explaining why each piece of evidence supports your thesis.

Alternate view: concede, refute, or rebut an opposing argument in one or two sentences.

EXAMPLE 2: BUILDING AN ARGUMENT ESSAY

Prompt: Develop an argument that explains whether separation of powers or federalism does more to protect individual liberty. Use evidence from Federalist No. 51 or the U.S. Constitution.

SOLUTION

Thesis: Separation of powers does more to protect liberty because it divides authority inside the national government so that ambition checks ambition, while federalism protects liberty only if states choose to.

Evidence 1: Federalist No. 51 argues that the structure of government should give each branch the means and motive to resist the others, since men are not angels and power must be restrained by power.

Reasoning 1: Because each branch must fight for its own powers, no branch can easily dominate, so citizens face less risk of tyranny.

Evidence 2: The Constitution gives the president a veto and Congress the power to override it and to impeach, showing checks in action.

Alternate view: Supporters of federalism argue that dividing power between national and state governments also limits tyranny. This is partly true, but states can themselves restrict rights, as shown by laws struck down under the Fourteenth Amendment, so internal checks on every government are more reliable.

Common mistakes

Do not write a thesis that merely repeats the prompt, such as "Separation of powers and federalism both protect liberty." Do not drop a document name without using its idea. Do not forget the opposing view, which is a separate point. In data questions, do not guess numbers; read them from the visual. In SCOTUS questions, do not confuse the required case with the one in the prompt.

Time and polishing

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Spend 20 minutes on each of FRQs 1 to 3 and 40 on FRQ 4, but be flexible. If you finish early, return to explain parts and add a because. A response with a clear label, a short sentence for each identify, and a full reasoning chain for each explain beats a long unfocused paragraph every time. Practice by writing under a timer and scoring yourself against the point lists, then rewrite anything that earned no point.

Practice

SET A Check Your Understanding

Answer each question in one to four sentences.

1. List the four FRQ types and the number of points for each.
2. A Concept Application prompt says: "Explain how the action described in Part A affects policy making." Write the first sentence of a strong response to a scenario in which a trade association hires a lobbyist to meet with committee staff.
3. What is the difference between describing a trend in a graph and drawing a conclusion from it? Give a brief example.
4. Why is "The Supreme Court decided Lopez in 1995" not a strong answer to a SCOTUS Comparison question?
5. Rewrite this weak thesis to make it defensible: "This essay will discuss the president and Congress."
6. Name the three ways the rubric allows you to respond to an opposing view.

SET B Exam-Style Multiple Choice

Choose the best answer.

7. A student answers Part A of a Concept Application question, "Identify the political party function shown in the scenario," with three sentences on the history of parties. What is the main problem?
(A) The answer should have been written as a thesis statement
(B) The answer does far more than the verb identify requires, which uses time needed for the explain parts
(C) The answer fails because parties are not part of the course
(D) The answer should have avoided naming any function
(E) The answer needed a graph to earn the point
8. Which sentence is the strongest example of reasoning in an argument essay claiming that the Constitution protects liberty through separation of powers?
(A) Separation of powers is described in the Constitution.
(B) The three branches are legislative, executive, and judicial.
(C) Federalist No. 51 is a famous essay by James Madison.
(D) Many Americans believe the Constitution is a good document.
(E) Because each branch can check the others, no single group can gather enough power to threaten citizens' freedom.
9. In a Quantitative Analysis question, a bar graph shows voter turnout rising for every age group between two elections. Which response best "draws a conclusion"?
(A) Because turnout rose in every age group, factors that increased participation appear to have affected voters broadly, not just one age group.
(B) Turnout was 61 percent for ages 45 to 64.
(C) The bar for ages 18 to 29 is the shortest bar.
(D) Turnout increased between the two elections.
(E) The graph shows data collected by a government agency.
10. A SCOTUS Comparison question gives a new case and asks how its holding differs from that of a required case. Which strategy earns the most credit?
(A) Summarize every justice's opinion in the required case
(B) State which decision the student agrees with
(C) Name the required case's holding, then explain which facts or reasoning led to a different outcome in the new case
(D) List the date of each decision and the vote count
(E) Describe only the facts of the new case

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11. Which feature is required for full credit on the argument essay's evidence row?
 - (A) One piece of evidence taken from a news story
 - (B) Three quotations from the same foundational document
 - (C) A hypothetical example that the student invents
 - (D) At least two pieces of specific, relevant evidence, with one coming from a foundational document the prompt lists
 - (E) Evidence taken only from the student's personal experience
12. A student writes: "Some people think federalism weakens national unity. They are partly right that state differences can cause inequality, but federalism still lets states act as laboratories for policy." This sentence best demonstrates which essay skill?
 - (A) Stating a defensible thesis
 - (B) Providing evidence from a foundational document
 - (C) Identifying a data trend
 - (D) Applying a Supreme Court holding
 - (E) Responding to an opposing perspective through concession and rebuttal

SET C Apply and Extend

Write a complete response. Your answer is scored on the points listed in the model answer.

13. Scenario: A national organization representing nurses sends thousands of postcards to members of the Senate Health Committee urging them to vote for a bill on hospital staffing. (a) Describe the action taken by the organization. (b) Explain how the action could affect policy making in Congress. (c) A smaller group of nurses with few members, but a large budget, supports the same bill. Explain how its strategy would likely differ.
14. The table shows hypothetical turnout by age group in a midterm election.

Age 18-29:	28 percent
Age 30-44:	41 percent
Age 45-64:	55 percent
Age 65 and over:	66 percent

 (a) Identify the age group with the highest turnout. (b) Describe the pattern in the data. (c) Draw a conclusion about how the pattern may affect which policies candidates emphasize. (d) Explain how the data illustrate a political participation concept.

0.3 Reading Data, Sources, and Required Documents

Learn to read graphs, tables, maps, polls, cartoons, and primary sources the way the AP exam expects, and review the nine required documents.

Nearly half the multiple-choice questions and one full FRQ present a visual or a text. Strong students do not rush to the answer choices. They first read the source carefully, using the same routine every time. The skills are the same whether you face a bar graph, a poll, a cartoon, or a paragraph by James Madison.

Reading quantitative data

- 1 **Read the title, labels, and units** Find out what is measured (turnout, spending, approval), the unit (percent, dollars, millions), and the time period or population. Many errors come from confusing percent with number.
- 2 **Find the highest, lowest, and biggest change** These are the easiest data points to identify, and they set up your description of the pattern.
- 3 **Describe the pattern** Use comparison words: increases, decreases, remains stable, greater than, similar. Cite at least two numbers.
- 4 **Draw a conclusion** Say what the pattern suggests about people or institutions, without claiming more than the data prove.
- 5 **Connect to a principle** Link the conclusion to a course idea such as federalism, representation, ideology, or participation.

Describe versus conclude

Describe: state what the data show. Example: "State Y spends the most per pupil."

Conclude: state what the data suggest. Example: "States differ in how much they invest in schools, which reflects policy choices under federalism."

Correlation is not causation: two things moving together does not prove one causes the other.

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Source analysis routine (CEPA)

- Claim: what does the author argue?
- Evidence: what facts, examples, or numbers support it?
- Perspective: who is the author and what interest or audience shapes the view?
- Argument: how does the reasoning connect evidence to claim, and which course concept does it relate to?

Polls, surveys, and maps

A **poll** estimates opinion in a population from a sample. Check the sample size, how respondents were chosen, and the **margin of error**, which is the range around the result in which the true value likely lies. A poll showing 47 percent support with a margin of error of plus or minus 3 points means true support is probably between 44 and 50 percent. If two results differ by less than the margin of error, you cannot claim a real difference. A **random sample** gives every member of the population an equal chance of selection, which makes it representative. Biased question wording, self-selected respondents, and low response rates weaken a poll.

On a map, read the legend before you read the colors. A shaded map shows how a value varies across places, such as turnout by state. A cartogram resizes places by a variable instead of by area. Do not confuse a map of geography with a map of data.

Visual	Look first at	Common trap
Bar or line graph	Axis labels, units, and start point	Misreading percent change versus percentage-point change
Table	Column and row headings	Comparing raw numbers when percents are given
Map	Legend and shading key	Assuming darker always means more
Poll result	Sample size, margin of error, wording	Treating a small gap as a real difference
Cartoon	Labels, symbols, caption	Reading the symbol literally

EXAMPLE 1: DATA ANALYSIS FROM A TABLE

Use the hypothetical table to answer: (A) Identify the state with the highest per-pupil spending. (B) Describe a relationship between spending and the state's share of funding. (C) Draw a conclusion. (D) Explain how the data illustrate federalism.

State	Spending per pupil (hypothetical)	Share of school funding from state government
State W	\$9,200	62%
State X	\$12,800	45%
State Y	\$15,600	38%
State Z	\$11,400	71%

SOLUTION

- (A) State Y, at \$15,600 per pupil.
- (B) The two highest-spending states (State Y at \$15,600 and State X at \$12,800) have the two lowest state-government shares (38 and 45 percent), while the two lowest-spending states (State W and State Z) have the highest shares (62 and 71 percent). In this data, a larger state share goes with lower spending per pupil.
- (C) Higher spending may depend on local or federal funds rather than on state government alone, so a larger state share does not guarantee higher spending.
- (D) Education is largely run by states and localities, so each government chooses its own funding level, which shows that federalism divides policy responsibilities and produces differences between states.

Reading cartoons and written sources

A political cartoon uses symbols to make an argument. Identify each labeled figure and what it stands for, decide what the artist is saying about them, then connect that message to a course concept, such as checks and balances or interest group influence. Written sources follow a similar routine: find the **claim** (what the author wants you to believe), the **evidence**, the **reasoning**, and the author's **perspective** (the background or interest shaping the view).

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EXAMPLE 2: ANALYZING A DOCUMENT EXCERPT

A passage argues that a large republic can control factions because power is spread among many interests, so no single group can dominate. Name the likely document, state the claim, and explain how it supports an argument that the Constitution would protect liberty.

SOLUTION

The likely document is Federalist No. 10 by James Madison.

The claim is that factions, groups united by a common interest opposed to others' rights or the common good, cannot be eliminated, but their effects can be controlled by a large republic with representatives.

Reasoning: in a large republic there are so many interests that a majority faction is unlikely to form, so minority rights are protected. Under the Constitution, this structure helps protect liberty because no single faction easily controls government.

Exam tip

When a question asks about a source, tie your answer to specific words, labels, or numbers from the source. A response that could be written without looking at the visual or text will not earn credit.

The nine required foundational documents

Document	Author or origin	Main idea to remember
Declaration of Independence (1776)	Thomas Jefferson and the Continental Congress	Natural rights; government by consent; right to alter abusive government
Articles of Confederation (1781)	Continental Congress	Weak national government, state sovereignty, no executive or national courts
U.S. Constitution (1787)	Constitutional Convention	Separation of powers, checks and balances, federalism, the Bill of Rights after ratification
Federalist No. 10	James Madison	A large republic controls the effects of factions
Federalist No. 51	James Madison (traditionally)	Ambition must counteract ambition; separated powers and federalism protect liberty
Federalist No. 70	Alexander Hamilton	A single, energetic executive is needed for good government
Federalist No. 78	Alexander Hamilton	The judiciary is the least dangerous branch; judicial review and life tenure
Brutus No. 1	An Anti-Federalist writer (probably Robert Yates)	A large republic and a strong national government threaten liberty and state power
Letter from Birmingham Jail (1963)	Martin Luther King Jr.	Nonviolent protest against unjust laws; justice delayed is justice denied

Common mistakes

Do not treat the visual as proof of more than it shows. A bar graph of one year cannot show a trend. A margin of error does not mean the poll is wrong. A cartoon is an argument, not a fact. Do not mix up Federalist No. 10 (factions) with No. 51 (checks), or No. 70 (executive) with No. 78 (judiciary).

Practice**SET A Check Your Understanding**

Answer each question in one to four sentences.

1. Define margin of error and explain how it affects the interpretation of a poll that shows Candidate A leading Candidate B 48 percent to 46 percent with a margin of error of plus or minus 3.
2. List the five steps for analyzing a quantitative source in order.
3. What is the difference between a correlation and a cause? Give a political example of a correlation that should not be treated as causation.

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4. State the main argument of Brutus No. 1 and identify the group of founders who held it.
5. Match each document with its author: Federalist No. 70, Federalist No. 78, Federalist No. 10, Letter from Birmingham Jail.
6. Why should you read a map's legend before drawing conclusions from its colors?

SET B Exam-Style Multiple Choice

Choose the best answer. Question 3 includes short data.

7. A poll of 1,000 adults reports 52 percent support for a policy with a margin of error of plus or minus 3 points. Which statement is best supported?
 - (A) Exactly 52 percent of all Americans support the policy
 - (B) A majority of Americans definitely support the policy
 - (C) The true level of support is likely between about 49 and 55 percent
 - (D) The poll is biased because the sample is under 5,000
 - (E) The margin of error means 3 percent of respondents lied
8. A political cartoon shows a large hand labeled "Congress" holding a puppet labeled "Agency" with strings, while a small figure labeled "President" holds a pair of scissors. Which interpretation best fits the cartoon?
 - (A) Congress controls the bureaucracy through legislation, but the president may check that control
 - (B) The agency is independent of both elected branches
 - (C) The president completely controls Congress
 - (D) The courts are deciding the agency's budget
 - (E) Congress has no role in executive agencies
9. The following hypothetical table shows support for a ballot measure. According to the table, which conclusion is best supported?
Ages 18-34: 58% support. Ages 35-54: 49% support. Ages 55 and over: 37% support.
 - (A) Older voters are more informed than younger voters
 - (B) The measure will pass in a general election
 - (C) Young people vote at a higher rate than older people
 - (D) Age is the only factor that affects support
 - (E) Support for the measure decreases as age increases
10. Which feature of a primary source should a student examine first when analyzing an argument?
 - (A) The length of the document
 - (B) The author's claim and the evidence and reasoning the author uses
 - (C) The number of paragraphs
 - (D) The date on which the student first read it
 - (E) The font used in printing
11. Which pair correctly matches a required document with its main idea?
 - (A) Federalist No. 70 and the claim that the judiciary is the weakest branch
 - (B) Federalist No. 78 and the call for a plural executive
 - (C) Letter from Birmingham Jail and the defense of the Articles of Confederation
 - (D) Brutus No. 1 and the fear that a large republic with a strong national government would endanger liberty
 - (E) Federalist No. 10 and the argument that small direct democracies best control factions
12. A map shades states by the share of voters who cast mail ballots in an election. A student claims that mail voting is more common in the West. Which action best tests the claim?
 - (A) Compare the shading of Western states with the rest of the country and cite specific states and percentages
 - (B) Count the number of states on the map
 - (C) Assume the claim is correct because it is a common belief
 - (D) Read the title of the map only
 - (E) Look for the map's author without reading the legend

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SET C Apply and Extend

Write a complete response. Your answer is scored on the points listed in the model answer.

13. Use the hypothetical poll results to answer. (a) Identify the age group most opposed to the policy. (b) Describe a pattern in the data. (c) Draw a conclusion about how a candidate might use this information. (d) Explain one reason the poll's overall result should be interpreted with caution.

Group	Support	Oppose	Unsure
Ages 18-34	58%	30%	12%
Ages 35-54	49%	40%	11%
Ages 55 and over	37%	56%	7%
All adults (n = 1,000, margin of error +/- 3 points)	47%	42%	11%

14. Read this claim: "Because the Constitution divides power among separate branches, no single group can easily dominate government." (a) Identify the foundational document from which this idea is most clearly drawn. (b) Explain how the idea in the claim supports the founders' goal of protecting liberty. (c) Explain how an Anti-Federalist such as Brutus might respond to the claim.

Answers Start Here: Answers and Explanations

Answers for every practice problem, numbered to match. Read the explanation even when your answer is correct.

0.1 The AP U.S. Government Exam: Format, Scoring, and Study Plan**SET A · CHECK YOUR UNDERSTANDING**

- There are 55 multiple-choice questions and 4 free-response questions. Each section is worth 50 percent of the exam score, and each FRQ is worth 12.5 percent. The multiple-choice section gets 80 minutes and the FRQs get 100 minutes.
- Question 1 is Concept Application (3 points), Question 2 is Quantitative Analysis (4 points), Question 3 is SCOTUS Comparison (4 points), and Question 4 is the Argument Essay (6 points). Although point totals differ, each counts equally toward the final score.
- There is no penalty for wrong answers, so a blank earns nothing while a guess has a chance of earning credit. Eliminating even one or two choices improves the odds, so leave no question unanswered.
- Unit 2, Interactions Among Branches of Government, has the largest weight at 25 to 36 percent. Unit 4, American Political Ideologies and Beliefs, has the smallest at 10 to 15 percent. Even so, the FRQs can draw on any unit.
- The Declaration of Independence, Articles of Confederation, U.S. Constitution, Federalist No. 10, Federalist No. 51, Federalist No. 70, Federalist No. 78, Brutus No. 1, and Letter from Birmingham Jail. The essay evidence must come from these documents or from course concepts.
- Identify asks you to name or state something without elaboration, so a short phrase earns the point. Explain asks how or why and needs a reasoning link between the idea and the situation. Writing long explanations for identify parts wastes time you need for the explain parts.

SET B · EXAM-STYLE MULTIPLE CHOICE

- A. Each FRQ is weighted equally at 12.5 percent, which adds up to the 50 percent for Section II. The tempting choice C is wrong because weighting is by question, not by raw points.
- B. Explain asks how or why, so the answer must connect the holding (judicial review) to its effect on judicial power. Choice A describes identify, and choice E describes a summary, which is not enough.
- E. Federalist No. 51, Brutus No. 1, and Letter from Birmingham Jail are all required. Choice C fails because Federalist No. 84 is not required, and choice B fails because Common Sense is not on the list.
- C. Each part is scored independently, so partial answers earn partial credit and blank parts earn none. Choice E fails because overinvesting in one part sacrifices easier points elsewhere.
- D. The argument essay is the 6-point question. Concept Application is 3 points and the others are 4, so choices A, B, and C each state a wrong value.
- C. The section has 55 questions in 80 minutes, and many use stimuli. Choice B is wrong because there is no guessing penalty, and choice E ignores the heavy use of data and sources.

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SET C · APPLY AND EXTEND

13. (a) 1 point: The total is only 100 minutes, so four 40-minute blocks (160 minutes) cannot fit. 1 point: The questions have different demands, and the recommended timing is 20, 20, 20, and 40 minutes because the essay requires planning and writing a full argument while the first three need short responses. (b) 1 point: A workable plan is 20/20/20/40, leaving a minute or two to scan the questions. 1 point: Justification, such as that the argument essay has the most points (6) and needs a thesis, two pieces of evidence, reasoning, and a response to an opposing view, while the other questions are scored on short parts.
14. (a) 1 point: Memorizing *Shaw v. Reno* prepares you for the SCOTUS Comparison, because that question asks you to compare a required case to a new one using holdings and reasoning. (b) 1 point: Reading graphs prepares you for Quantitative Analysis, which asks you to identify, describe, and draw conclusions from data. (c) 1 point: Knowing the claims in *Federalist No. 10* and *Brutus No. 1* prepares you for the Argument Essay, where one piece of evidence must come from a foundational document. 1 point: A strong answer adds that these skills also help in multiple choice, which tests all of them in stimulus questions.

0.2 Writing the Four Free-Response Questions**SET A · CHECK YOUR UNDERSTANDING**

1. Concept Application is 3 points, Quantitative Analysis is 4, SCOTUS Comparison is 4, and Argument Essay is 6. The first three get about 20 minutes each and the essay gets about 40. Each is worth 12.5 percent of the exam.
2. A strong first sentence is: "By hiring a lobbyist to meet with committee staff, the association gains access to the members who write the bill, which allows the group to supply information and press for policy that benefits its members." It names the action, the effect, and the reason.
3. Describing states what the data show, such as "turnout rose among younger voters from 2014 to 2018." Drawing a conclusion says what that implies, such as "campaigns may have succeeded in mobilizing young voters in that election." A conclusion must be supported by the data but extends beyond simply restating it.
4. It gives only a date, which does not identify a holding, a clause, a difference in facts, or an effect on power. Credit comes from specifics such as the constitutional clause and the reasoning that led to the outcome, so you must connect the holding to the new case.
5. A defensible thesis takes a position and previews reasoning, for example: "Congress holds more policy-making power than the president because it controls taxation and spending and can override vetoes, even though the president shapes the agenda." This earns the thesis point because it responds to a question and can be argued against.
6. The rubric allows refutation (showing the opposing claim is wrong), concession (acknowledging that it has merit), and rebuttal (answering the opposing claim with a counterargument). Using any of these, with clear reasoning, earns the final point.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. B. B. Identify asks only for a named concept, so extra history earns no credit and wastes time. The thesis option is wrong because a thesis belongs only in the argument essay.
8. E. E. Reasoning explains why the evidence supports the claim by linking the feature (checks) to the outcome (protected liberty). The other sentences only restate facts or opinion without that link.
9. A. A. A conclusion goes beyond the data to state what it shows or suggests. Reporting a single value is identifying, and stating that turnout increased merely describes the trend.
10. C. C. The task is to compare holdings and reasoning, so you must tie each outcome to specific facts or constitutional logic. Opinion, dates, and vote counts do not answer the comparison.
11. D. D. The rubric requires two specific pieces of evidence, with at least one drawn from a listed foundational document. A news story or invented example does not satisfy the document requirement.
12. E. E. The student acknowledges the opposing view (concession) and then argues against it (rebuttal). The sentence cites no document and states no full thesis, so those options do not fit.

SET C · APPLY AND EXTEND

13. (a) 1 point: The organization is lobbying (grassroots lobbying) by mobilizing members to send postcards to senators. (b) 1 point: Thousands of messages show committee members that many constituents care, which can raise the cost of voting against the bill and may influence amendments or the vote. (c) 1 point: A small, wealthy group has fewer members, so it is more likely to rely on money, such as campaign contributions or hired lobbyists and legal expertise, than on mass mobilization.
14. (a) 1 point: Age 65 and over (66 percent). (b) 1 point: Turnout rises steadily with age, from 28 percent among the youngest voters to 66 percent among the oldest. (c) 1 point: Candidates may focus on issues affecting older voters, such as Social Security and health care, because those voters are most likely to show up. (d) 1 point: The data illustrate a pattern of voter turnout, where older, more settled citizens participate more, a concept tied to political socialization and costs of voting. Any accurate link to a participation concept earns the point.

0.3 Reading Data, Sources, and Required Documents**SET A · CHECK YOUR UNDERSTANDING**

1. The margin of error is the range around a poll result in which the true population value likely falls. Because the two-point gap is smaller than the margin of 3 points, the race is a statistical tie. You cannot conclude Candidate A is truly ahead.
2. First read the title, labels, and units. Second, locate the highest, lowest, and biggest change. Third, describe the pattern with numbers. Fourth, draw a conclusion about what the pattern suggests. Fifth, connect it to a political principle.
3. A correlation means two variables move together, while a cause means one produces the change in the other. For example, states with higher turnout may also have more college graduates, but that alone does not prove education causes turnout, since other factors like registration rules may matter.

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4. Brutus No. 1 argues that a large republic cannot represent diverse citizens and that a strong national government with broad powers would swallow state governments and endanger liberty. The author was an Anti-Federalist, a member of the group that opposed ratification of the Constitution.
5. Federalist No. 70 was written by Alexander Hamilton, as was Federalist No. 78. Federalist No. 10 was written by James Madison. The Letter from Birmingham Jail was written by Martin Luther King Jr.
6. The legend explains what each color or shade means, including the units and categories. Without it you may reverse the meaning, such as thinking darker shading means higher turnout when it may mean lower.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. C. The margin of error gives a range around the estimate, here 49 to 55. Saying a majority definitely supports the policy ignores that the range's low end is under 50 percent.
8. A. A. The strings represent congressional control, and the scissors suggest the president's ability to cut or counter it, such as with a veto. The independence option contradicts the strings.
9. E. E. The numbers fall from 58 to 49 to 37 as age rises, so only the trend claim is supported. The pass-or-fail option goes beyond the data because the table says nothing about turnout.
10. B. B. Source analysis begins with the claim, then looks at evidence, reasoning, and perspective. Length, formatting, and reading date reveal nothing about the argument.
11. D. D. Brutus No. 1 is an Anti-Federalist essay warning about a large republic. Federalist No. 70 defends a strong single executive and Federalist No. 78 describes the judiciary as the weakest branch, so those two matches are swapped. Federalist No. 10 argues that a large republic controls factions best.
12. A. A. Testing a regional claim requires reading the legend and comparing groups of states with specific values. Counting states or relying on belief provides no evidence.

SET C · APPLY AND EXTEND

13. (a) 1 point: Ages 55 and over (56 percent oppose). (b) 1 point: Support falls and opposition rises as age increases, from 58 percent support among 18 to 34 to 37 percent among those 55 and over. (c) 1 point: A candidate could tailor messages, emphasizing the policy to younger audiences and avoiding it or modifying it for older voters, while recognizing which groups are likely to turn out. (d) 1 point: The margin of error is 3 points, so true overall support may be between 44 and 50 percent, and the unsure respondents could shift the result. Subgroup samples are even smaller, so their margins are larger.
14. (a) 1 point: Federalist No. 51 (separation of powers and checks and balances), or the U.S. Constitution itself. (b) 1 point: Dividing power among three branches and giving each tools to resist the others prevents concentration of power, which the founders believed was the root of tyranny, so individual liberty is better protected. (c) 1 point: Brutus would argue that structure alone is not enough in a large republic, since the national government has broad powers, such as the Necessary and Proper Clause and Supremacy Clause, that would still overpower the states and distance representatives from ordinary citizens. Credit any accurate response tied to his warnings about a large republic and a strong national government.

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Chapter 1: Foundations of American Democracy.

10 sections with explanations and worked examples, then 144 practice problems. Answers and full explanations are at the end of the chapter.

1.1 Ideals of Democracy and Types of Democracy

You will learn the ideas behind American self-government (natural rights, social contract, popular sovereignty, republicanism, limited government) and the three models of representative democracy that the AP exam asks you to compare.

Every government answers one basic question: why should anyone obey it? The Founders answered with a set of Enlightenment ideas that you must be able to name, define, and spot in a scenario. The AP exam rarely asks for a bare definition. It hands you a situation and asks which principle is at work, so practice recognizing the ideas in action.

Start with the **state of nature**, an imagined condition with no government at all. Thomas Hobbes pictured it as a war of everyone against everyone, where life is insecure, so people give up nearly all freedom to a strong ruler. **John Locke** was more hopeful. In his *Second Treatise of Civil Government* (1690) he argued that people are born with **natural rights** (life, liberty, and property) that exist before any government and cannot be legitimately taken away. People form governments to protect those rights better than they could alone.

Social contract and natural rights

Social contract: an agreement in which people consent to be governed in return for protection of their rights. If the government breaks the deal by violating those rights, the people may alter or abolish it.

Natural rights: rights people hold simply by being human, not because a government granted them (Locke: life, liberty, property; Jefferson: life, liberty, and the pursuit of happiness).

The Declaration of Independence (1776), drafted by Thomas Jefferson with help from John Adams and Benjamin Franklin, is Locke's theory turned into a political argument. It says all men are created equal, that they hold unalienable rights, that governments get their "just powers from the consent of the governed," and that when a government becomes destructive of those ends, the people may change it. Then it lists grievances against King George III as evidence that the king broke the contract. The Declaration is the foundation for **popular sovereignty**, the idea that political power ultimately belongs to the people.

Baron de Montesquieu, in *The Spirit of the Laws* (1748), contributed the idea that liberty is safest when government power is divided among separate branches, so that no single person both makes and enforces the law. Later chapters on separation of powers and checks and balances build directly on him. **Jean-Jacques Rousseau** stressed that legitimate authority rests on the "general will" of the community, which reinforces popular sovereignty and the claim that government must serve the common good rather than a ruler's private interest.

Four ideas from this tradition shape the U.S. Constitution:

- ◆ **Limited government:** government has only the powers the people give it, and it must obey the law itself. Written constitutions, a bill of rights, and separated powers are the tools.
- ◆ **Popular sovereignty:** the people are the source of governmental authority. The Constitution opens with "We the People," and elections let citizens consent to or withdraw consent from officeholders.
- ◆ **Republicanism:** citizens exercise power through elected representatives who serve the public good, rather than voting directly on every issue.
- ◆ **Natural rights and the social contract:** the purpose of government is to secure rights, and its authority depends on consent.

Notice that republicanism does not mean the Republican Party. It names a form of government, and the Founders also called it representative democracy. That leads to the second half of this lesson: how much should ordinary citizens take part?

The AP framework describes three models of representative democracy along a scale from broad to narrow participation.

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Model	Core idea	Who has influence	Where you see it
Participatory democracy	Broad, active involvement by citizens in politics and civil society	Ordinary citizens, directly and often	Town meetings, ballot initiatives and referenda, grassroots organizing, mass voter-registration drives
Pluralist democracy	Many competing groups bargain and pressure government; no single group dominates	Organized interest groups	Lobbying by unions, trade associations, and advocacy groups; coalition building in Congress
Elite democracy	Limited participation; educated or wealthy leaders make the decisions	A small group of experienced, well-resourced leaders	Electoral College electors, Senate selection before the 17th Amendment, judicial review by unelected judges, influence of donors and experts

Three models of representative democracy

Participatory: more citizen involvement is better, and power flows from the many.

Pluralist: groups, not individuals, are the main actors, and policy results from group competition and compromise.

Elite: a small, informed few should govern because the public may lack time, knowledge, or restraint.

The Constitution blends all three, which is why exam questions on this topic reward nuance. The House of Representatives, elected directly every two years, leans participatory. The original Senate (chosen by state legislatures until 1913) and the Electoral College lean elite because they filter the public's choices through a smaller group. The Founders' fear of both tyranny and mob rule, together with the sheer number of groups competing for influence, gives the system pluralist features. This is the heart of the debate between Federalist No. 10, which defends a large republic that filters public passion, and Brutus No. 1, which warns that a large republic distances rulers from the people. You will study that debate in detail in the ratification lesson.

EXAMPLE 1: IDENTIFY THE PRINCIPLE

A city council passes a zoning rule. Residents collect signatures to force a public vote repealing it, and the voters repeal it. Identify the model of democracy and the underlying principle of the Declaration of Independence that this illustrates.

SOLUTION

Step 1: Look at who made the final decision. Voters decided directly, bypassing their representatives, so this is participatory democracy.

Step 2: Link to the principle. The Declaration says governments derive just powers from the consent of the governed. The repeal shows the people, not officials, holding final authority, which is popular sovereignty.

Step 3: Complete the explanation. The council's rule lost legitimacy because the people withdrew their consent, which is the social-contract logic in miniature.

EXAMPLE 2: PLURALISM VERSUS ELITISM

Hundreds of retired teachers, a nurses' association, and a hospital lobby each press a state legislature on a health bill. Lawmakers amend the bill several times to win support from each group. Explain which model this best reflects and why it is not elite democracy.

SOLUTION

Step 1: Identify the actors. Multiple organized groups with different interests are competing for influence, and no single group controls the outcome.

Step 2: Name the model. Group-based activism by nongovernmental interests trying to affect decisions is pluralist democracy.

Step 3: Rule out elite democracy. In an elite model a small, privileged set of leaders decides with little input from outside groups. Here policy emerges from bargaining among many groups, so the pluralist label fits better.

Common mistakes

Do not confuse popular sovereignty (the people are the source of power) with direct democracy (citizens vote on laws themselves). The United States is a republic that uses popular sovereignty through representatives. Also, do not say pluralist democracy means "many people vote." It means groups compete. And remember Locke, not Hobbes, is the main influence on the Declaration.

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Practice

SET A Check Your Understanding

Answer each in one to three sentences.

1. Define the social contract and explain how the Declaration of Independence applies it to King George III.
2. List the three natural rights named by Locke and explain how Jefferson's wording differs.
3. What idea did Montesquieu contribute, and in which later feature of the Constitution does it appear?
4. Explain the difference between a republic and a direct democracy.
5. Give one feature of the Constitution that is elite in character and explain why.
6. A group of neighbors organizes a petition drive and attends every school board meeting. Which model of democracy do they reflect, and why?

SET B Exam-Style Multiple Choice

Choose the best answer.

7. The phrase "governments derive their just powers from the consent of the governed" most directly reflects which principle?
(A) Federalism (B) Judicial review (C) Separation of powers
(D) Popular sovereignty (E) Elite democracy
8. Which Enlightenment thinker is most closely associated with the idea that government should be divided into separate branches?
(A) Baron de Montesquieu (B) Thomas Hobbes (C) Jean-Jacques Rousseau
(D) John Locke (E) Thomas Paine
9. A state allows voters to place a proposed law on the ballot by gathering signatures. This process is most characteristic of which model of democracy?
(A) Elite democracy (B) Pluralist democracy (C) Monarchy
(D) Theocracy (E) Participatory democracy
10. Which statement best describes pluralist democracy?
(A) Citizens vote directly on every law.
(B) A small educated class makes decisions for the public.
(C) Competing organized groups influence policy through bargaining.
(D) The executive branch holds most power.
(E) State governments hold all policymaking authority.
11. Which feature of the original Constitution is most consistent with an elite model of democracy?
(A) Direct election of members of the House of Representatives
(B) Selection of the president through the Electoral College
(C) A Bill of Rights protecting speech
(D) A two-year House term
(E) The amendment process
12. Locke's view of the state of nature differs from Hobbes's because Locke argued that
(A) people have no rights until a government grants them
(B) a single ruler should have absolute power
(C) majorities may take property from minorities
(D) natural rights exist before government and limit it
(E) society needs no government at all

SET C Apply and Extend

Respond in a short paragraph or in lettered parts as directed.

13. A national organization of small-business owners spends heavily to lobby Congress and files briefs in court on tax rules. (a) Identify the model of democracy illustrated. (b) Explain how this model differs from participatory democracy. (c) Describe one concern critics raise about this model.
14. Explain how two ideas from the Declaration of Independence are reflected in the U.S. Constitution. For each idea, name the idea and identify one specific constitutional feature that reflects it.

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1.2 Government Power and Individual Rights

You will explain the tension between order and liberty, see how the Declaration and the Articles of Confederation answered it, and connect specific weaknesses of the Articles (including Shays' Rebellion) to the move toward a stronger national government.

American political history is a long argument over one balance: how much power government needs to keep order and how much freedom individuals must keep. Too little government and you risk disorder, the Hobbesian state of nature. Too much and you risk tyranny, the abuse the colonists blamed on Britain. The AP course calls this the balance between governmental power and individual rights, and it is the theme behind nearly every topic in this chapter.

Order versus liberty

Order: security, stable law, protection of property, and the ability to enforce decisions.

Liberty: freedom from arbitrary government action and the protection of individual rights.

Increasing one tends to reduce the other, so constitutional design is about finding a workable balance.

The Declaration of Independence (1776) sits at the liberty end. It was an argument that a government had violated the rights of the people. Its grievances against the king (taxation without consent, quartering troops, dissolving legislatures, judges dependent on his will) are complaints about concentrated, unaccountable power. After independence, the states responded by writing constitutions with weak governors and strong legislatures. The first national constitution, the **Articles of Confederation**, drafted in 1777 and ratified in 1781, did the same on a larger scale.

The Articles created a **confederation**: a loose league of sovereign states in which the central government depends on the states. Its structure made sense for people who had just fought a distant, powerful government. It had a single-chamber Congress with one vote per state, no president, and no national court system. But its design soon showed serious weaknesses.

Weakness of the Articles	Why it mattered
No power to tax; Congress could only request money from the states	Congress could not pay war debts or run a government; states often ignored requests
No power to regulate interstate or foreign commerce	States taxed each other's goods and competed, and Congress could not negotiate strong trade treaties
No national executive or national courts	No one to enforce laws or resolve disputes between states
One vote per state; nine of thirteen states needed to pass major laws	Small minorities could block action, regardless of population
Amendment required unanimous consent of all thirteen states	Reform was nearly impossible
No standing national army; Congress relied on state militias	The nation could not respond to internal rebellion or defend its frontier

The most dramatic demonstration came in 1786 and 1787 in western Massachusetts. After the war, farmers faced heavy debts and high state taxes, and courts were foreclosing on farms and jailing debtors. A group led by Revolutionary War veteran **Daniel Shays** shut down courthouses and tried to seize a federal arsenal in Springfield. **Shays' Rebellion** frightened property owners across the states. The national government had no military power or money to respond, so wealthy Massachusetts citizens privately paid for a militia that finally ended the uprising.

The rebellion did not end because of national power; it ended in spite of its absence. That was the point leaders such as George Washington, James Madison, and Alexander Hamilton drew from it: a government that cannot raise an army, collect taxes, or enforce laws cannot protect property or keep order. A meeting at Annapolis in 1786 on trade barriers failed for lack of attendance but called for a broader convention, which led to Philadelphia in 1787.

Defenders of the Articles pointed out real achievements. Congress negotiated the 1783 Treaty of Paris and passed the Northwest Ordinance of 1787, which set a process for admitting new states and banned slavery in the Northwest Territory. Even so, supporters of reform believed the national government lacked the basic tools of sovereignty.

Link to remember

Weakness: no national army → Shays' Rebellion showed disorder could threaten property and stability.

Weakness: no power to tax and regulate commerce → pushed Madison and Hamilton to call for a stronger national government.

Reformers did not abandon liberty. They sought a government strong enough to preserve it, but limited by structure.

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EXAMPLE 1: CONNECT AN EVENT TO A PROVISION

In 1786 the national Congress asks the states to send money for its debts. Only a fraction of the requested funds arrive, and Congress cannot compel payment. Identify the Articles provision at issue and explain how it supported the argument for a stronger national government.

SOLUTION

Step 1: The provision is that Congress had no independent power to tax. It could only request funds from the states.

Step 2: The result was a national government unable to pay debts or fund basic functions, and states could ignore it without consequence.

Step 3: Reformers argued this showed that a government dependent on state goodwill was too weak, supporting a new constitution that granted Congress the power to lay and collect taxes.

EXAMPLE 2: EXPLAIN WITH THE ORDER-LIBERTY BALANCE

Explain how Shays' Rebellion illustrates the tension between order and liberty.

SOLUTION

Step 1: The rebels acted on a liberty claim, protesting taxes and foreclosures they thought unjust, but they closed courts, which undermined legal order.

Step 2: Because the national government could not restore order, property owners feared too little government. This pushed opinion toward greater national authority.

Step 3: Conclusion: the episode showed that excess liberty without enforcement power can threaten the rights it claims to defend, so a stronger but limited government became attractive.

Common mistakes

Do not say the Articles were a total failure with no accomplishments, and do not say Shays' Rebellion caused the Articles to fail on its own. It exposed existing weaknesses. Also avoid writing that the Articles had a "weak president": there was no executive branch at all.

Practice**SET A Check Your Understanding**

Answer each in one to three sentences.

1. Explain the tension between order and liberty in your own words.
2. Why did the Articles of Confederation give Congress so little power?
3. Name two economic powers Congress lacked under the Articles and one consequence of each.
4. What was Shays' Rebellion and what did the national response reveal?
5. Why was amending the Articles so difficult, and why does it matter?
6. Name one accomplishment of the Articles and explain why it did not settle the debate about reform.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which feature of the Articles of Confederation most directly contributed to Congress's inability to pay Revolutionary War debts?
(A) Lack of a national judiciary (B) Lack of power to levy taxes
(C) One vote per state (D) A single legislative chamber
(E) The requirement of unanimity to amend
8. Shays' Rebellion is best understood as evidence of which weakness of the Articles?
(A) Excessive national power over the states
(B) Too much control over interstate commerce
(C) An overly strong executive
(D) Absence of a bill of rights
(E) Lack of a national military and enforcement power
9. Under the Articles of Confederation, a major law required the approval of
(A) a simple majority of Congress (B) a two-thirds vote of the House
(C) the national president (D) nine of the thirteen states
(E) the Supreme Court
10. The Declaration of Independence is best described as
(A) a statement of natural rights and an argument that the king violated the social contract
(B) a plan of government for the new nation
(C) a treaty ending the war with Britain
(D) a list of powers granted to Congress
(E) the first state constitution
11. Which statement best captures the order versus liberty tension?
(A) Government can expand both always without cost.
(B) Liberty requires the absence of all laws.
(C) Greater government power for security can limit individual freedoms.
(D) Order is only a concern of state governments.
(E) Rights are irrelevant to security.
12. Which was a result of the Articles' lack of power to regulate commerce?
(A) States imposing trade barriers on each other (B) Uniform national tariffs
(C) A single national currency (D) Federal courts hearing trade disputes
(E) A strong executive trade office

SET C Apply and Extend

Respond in a short paragraph or in lettered parts as directed.

13. (a) Describe one weakness of the Articles of Confederation. (b) Explain how that weakness was revealed by a specific event or problem of the 1780s. (c) Explain how the Constitution addressed the weakness.
14. Explain why the Declaration of Independence and the Articles of Confederation can both be seen as reactions to British rule, and why the Articles later came under criticism.

1.3 The Constitutional Convention and Compromises

You will explain the major disputes at the 1787 Philadelphia Convention (representation, slavery, and selecting the president), the compromises that resolved them, and why unresolved issues still shape politics.

In the summer of 1787, fifty-five delegates from twelve states (Rhode Island refused to send anyone) met in Philadelphia, with George Washington presiding. Congress had authorized them only to revise the Articles of Confederation, but they quickly decided to write a new framework. The delegates, mostly propertied, educated men, shared several goals: create a national government strong enough to tax, regulate commerce, and keep order; protect liberty by dividing and limiting power; and avoid giving too much control to either a king-like executive or to unchecked popular majorities. They disagreed sharply about how to share power among states of different sizes and how to treat slavery. The AP course asks you to explain how **negotiation and compromise** produced the Constitution.

The first big split was about representation in Congress. Large states preferred a design based on population, and small states feared being outvoted.

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Feature	Virginia Plan (Madison, Randolph)	New Jersey Plan (Paterson)
Legislature	Two houses (bicameral)	One house (unicameral)
Representation	Based on population (or wealth)	Equal: one vote per state
National power	Strong national government with an executive and national courts	Amend the Articles; modest added powers, such as taxing and regulating trade
Favored by	Large states	Small states

The deadlock was broken by the **Great Compromise** (also called the Connecticut Compromise), proposed by Roger Sherman and Oliver Ellsworth. It created a bicameral Congress: the House of Representatives, with seats apportioned by state population, and the Senate, with two senators per state regardless of size. Revenue bills must start in the House. The result gave large states influence in one chamber and small states equal footing in the other.

Great (Connecticut) Compromise

- House: representation based on population, directly elected by the people, two-year terms.
- Senate: two senators per state, originally chosen by state legislatures (changed by the 17th Amendment in 1913).
- Resolved the large-state versus small-state dispute and shaped the whole structure of Congress.

The second dispute concerned slavery and representation. Southern delegates wanted enslaved people counted in the population for seats in the House but not for taxes, while northern delegates argued the opposite. The **Three-Fifths Compromise** counted each enslaved person as three-fifths of a free person for both representation and direct taxes. It increased the South's seats in the House and electoral votes, and it embedded slavery in the framework without using the word. A related bargain on the **importation of slaves** barred Congress from banning the international slave trade before 1808. The Constitution also required the return of people who escaped slavery, in the fugitive slave clause. These compromises helped win southern support and left a moral conflict that took the Civil War and the 13th, 14th, and 15th Amendments to address.

A third issue was how to choose the president. Some delegates wanted Congress to do it, which would weaken the executive's independence. Others wanted a direct popular vote, which worried those who feared uninformed majorities, and which many southern states disliked because their large enslaved populations would not vote. The compromise was the **Electoral College**: each state receives electors equal to its number of House members plus senators, and the state legislatures decide how electors are chosen. A candidate needs a majority of electors. The system blends popular input with state-based and elite filtering, and it gave extra weight to small states and to slave states through the Three-Fifths Compromise.

Compromises at a glance

- Great Compromise: House by population, Senate by equal state vote.
- Three-Fifths Compromise: enslaved persons counted as three-fifths for representation and direct taxes.
- Slave trade compromise: no ban on importation until 1808.
- Electoral College: electors equal to House seats plus Senate seats choose the president.

These bargains made adoption possible, but they left unresolved questions. The Senate's equal representation gives a voter in a small state more weight than a voter in a large state. The Electoral College can produce a president who loses the national popular vote, as happened in 2000 and 2016. The framers also did not fully settle how much power belongs to the national government versus the states, a question you will see throughout this chapter, in modern debates over surveillance after 9/11 and the federal role in schools.

EXAMPLE 1: APPLY THE GREAT COMPROMISE

Two states each have 2 senators. State X has 40 million people and State Y has 600,000. Explain how the Great Compromise treats them in each chamber of Congress and what argument critics might make.

SOLUTION

- Step 1: Senate: equal representation, so both states have 2 senators, giving State Y far more influence per person.
- Step 2: House: seats are apportioned by population, so State X has far more members (every state has at least one).
- Step 3: Critics argue the Senate overweights small states and departs from one person, one vote; defenders say it protects the federal principle and smaller states' interests, which is why small states agreed to the Constitution.

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EXAMPLE 2: COMPROMISE AND CONSEQUENCE

Explain one reason the framers adopted the Three-Fifths Compromise and one long-term consequence.

SOLUTION

Step 1: Reason: delegates from slaveholding states threatened not to join a union that did not count enslaved people for representation, so counting three-fifths was a bargain to keep the union together.

Step 2: Consequence: the South gained extra House seats and electoral votes without enslaved people having any vote, increasing proslavery influence in national politics.

Step 3: The compromise postponed the moral question of slavery; the 13th and 14th Amendments later ended it and the three-fifths rule.

Common mistakes

The Three-Fifths Compromise did not mean enslaved people were counted as three-fifths of a person for voting; they could not vote. It set how they counted for apportionment and taxes. Also, do not say the Electoral College was designed to give the president to Congress: the electors choose, and the House decides only if no one gets a majority.

Practice**SET A Check Your Understanding**

Answer each in one to three sentences.

1. State two goals the framers shared at the Convention.
2. Contrast the Virginia Plan and the New Jersey Plan on representation.
3. Describe how the Great Compromise structured Congress.
4. Explain what the Three-Fifths Compromise did and who benefited politically.
5. What did the slave trade compromise permit and until when?
6. Why did the framers create the Electoral College instead of a direct popular election or selection by Congress?

SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which compromise resolved the dispute between large and small states over representation in Congress?
(A) Three-Fifths Compromise (B) Missouri Compromise (C) Great Compromise
(D) Electoral College (E) Slave trade compromise
8. The New Jersey Plan proposed that
(A) representation be based on population
(B) the president be elected directly by the people
(C) the judiciary have the power of judicial review
(D) each state have equal representation in a one-house legislature
(E) Congress be abolished
9. The Three-Fifths Compromise directly affected
(A) how enslaved persons were counted for representation and taxes
(B) the age requirement for senators
(C) the length of presidential terms
(D) the amendment process
(E) judicial appointments
10. Which feature of the Constitution gives small states disproportionate influence?
(A) Apportionment of House seats by population (B) Two-year House terms
(C) Direct election of senators (D) Judicial review
(E) Equal representation of states in the Senate

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11. Which of these remains an unresolved issue from the compromises at the Convention?
- (A) Whether Congress can levy taxes
(B) Whether the president can win the Electoral College while losing the national popular vote
(C) Whether there should be a Supreme Court
(D) Whether states may coin money
(E) Whether slavery is legal
12. The compromise on importation of enslaved people prevented Congress from ending the slave trade before
- (A) 1776 (B) 1787 (C) 1800 (D) 1808 (E) 1865

SET C Apply and Extend

Respond in a short paragraph or in lettered parts as directed.

13. (a) Identify one compromise made at the Constitutional Convention. (b) Explain the dispute it resolved. (c) Explain one way the compromise still affects American politics today.
14. Some argue that the Convention's compromises were necessary to form the union, while others argue they undermined democratic principles. Take one position and defend it with two specific compromises.

1.4 Ratification: Federalists and Anti-Federalists

You will analyze the ratification debate through the required documents (Federalist 10, 51, 70, 78, and Brutus 1), explain each author's claim, and connect it to the structure of the Constitution and the promise of a Bill of Rights.

Writing the Constitution was only half the job. Article VII said it would take effect when nine of the thirteen states approved it in special ratifying conventions, bypassing both Congress and the state legislatures. That choice itself reflects popular sovereignty: approval came from conventions elected by the people. Delaware ratified first in December 1787, New Hampshire became the ninth state in June 1788, and the large, essential states of Virginia and New York followed after intense debate.

Two camps formed. **Federalists**, including James Madison, Alexander Hamilton, and John Jay, supported the Constitution. They published the Federalist Papers (85 essays under the name "Publius") to persuade New York. **Anti-Federalists**, such as Patrick Henry, George Mason, and the writer known as "Brutus," opposed it. They feared a distant national government would overwhelm the states and endanger individual rights.

Issue	Federalist view	Anti-Federalist view
Size of republic	A large republic is stable and protects liberty	Only a small republic keeps government close and accountable
National power	Needed to tax, regulate commerce, and keep order	Dangerous; could swallow the states
Representation	Elected representatives filter and refine public views	Too few representatives, who would be elites far from the people
Bill of Rights	Unnecessary at first; the government has only listed powers	Essential to protect individuals from the new government
Executive and courts	Energetic executive and independent judiciary	Fear of an unaccountable executive and unelected judges

Federalist No. 10 (Madison) is the most tested document in the course. Madison defines a **faction** as a group of citizens, whether a majority or a minority, united by a common passion or interest that works against the rights of others or the good of the whole community. Because factions come from human nature and from unequal property, especially differences among those who have and lack property, you cannot remove their causes without destroying liberty. So you must control their effects. A minority faction is checked by majority voting. The real danger is a majority faction, and the solution is a **large republic**: representatives refine public opinion, and a larger, more diverse nation includes so many interests that no single one can easily form a majority and act as one. A pure democracy, where citizens rule directly, cannot do this.

Federalist No. 10 in brief

Problem: factions, especially majority factions, threaten minority rights and the common good.

Cause: unequal distribution of property and differing opinions; cannot be removed without destroying liberty.

Solution: control effects through a representative government in a large, diverse republic.

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Federalist No. 51 (Madison) explains how structure protects liberty. Because people are not angels, government must be designed so that "ambition must be made to counteract ambition." Power is divided between the branches (separation of powers), each given tools and motives to resist the others (checks and balances), with a bicameral legislature and a federal division between national and state governments as "double security" for the rights of the people. The multiplicity of interests in the extended republic works along with that structure.

Federalist No. 70 (Hamilton) defends a strong, single executive. A single president provides energy, quick decisions, and a clear line of accountability, while a committee would breed delay, conflict, and the ability to blame others. **Federalist No. 78** (Hamilton) calls the judiciary the "least dangerous" branch because it controls neither the sword nor the purse, only judgment. Judges need life tenure for independence, and courts must declare laws contrary to the Constitution void, an argument for judicial review (later exercised in *Marbury v. Madison*).

Brutus No. 1 (likely Robert Yates, writing as "Brutus") is the main Anti-Federalist counter-argument. Brutus warns that the Constitution would turn the states into a single consolidated government. The Necessary and Proper Clause, the Supremacy Clause, and the power to tax without limit would let the national government crush state authority. A large republic cannot work, he says, because citizens would be too different, too distant from their representatives, and too poorly informed. The few representatives would be an aristocracy, not a mirror of the people. Free government, Brutus argues, requires a small territory with shared interests.

Contrasting the arguments

Madison (Fed. 10): large republic CONTROLS faction. Brutus (No. 1): large republic LOSES connection to the people.

Madison (Fed. 51): structure and ambition protect liberty. Brutus: structure cannot restrain a consolidated government.

Hamilton (Fed. 70, 78): energetic executive, independent judiciary. Anti-Federalists: fear unaccountable power.

Anti-Federalist pressure had a lasting result. To win Massachusetts and other states, Federalists promised to add amendments protecting individual rights. Madison drafted the **Bill of Rights** in 1789, and the first ten amendments were ratified in 1791. Notice the direction of the argument: the supporters of strong government gave in on rights to get the document adopted.

EXAMPLE 1: APPLY FEDERALIST NO. 10

A state has a majority of residents who rely on one industry and want taxes shifted to every other industry. Explain how Federalist No. 10 would analyze this and what solution it favors.

SOLUTION

Step 1: This is a majority faction: a group united by a shared economic interest that could act against the rights or interests of others.

Step 2: Madison says the cause (differing economic interests) cannot be removed, so control the effect.

Step 3: In a large republic the nation includes many industries and interests, making it harder for any one majority to form and impose its will, and representatives can refine narrow demands.

EXAMPLE 2: COMPARE BRUTUS AND MADISON

Brutus No. 1 and Federalist No. 10 both address the size of the republic. Explain the main difference in their claims.

SOLUTION

Step 1: Madison claims a large republic is an advantage, because many interests make a dominant faction less likely and representatives refine opinion.

Step 2: Brutus claims a large republic is dangerous, because distant representatives would not know or reflect citizens and the national government would consolidate power over the states.

Step 3: The difference reflects their models: Madison's filtered, pluralist approach versus Brutus's belief in participation in a small community.

Exam tip

When a source question names an author, state the claim first, then explain with a piece of the argument. Do not confuse Hamilton and Madison: Hamilton wrote No. 70 and 78; Madison wrote 10 and 51. Brutus is Anti-Federalist, so he opposes the Constitution, even though he was concerned with liberty like the Federalists.

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Practice

SET A Check Your Understanding

Answer each in one to three sentences.

1. How many states needed to ratify the Constitution, and why was ratification by conventions significant?
2. Define faction as Madison uses the term and name the most common source of factions.
3. According to Federalist No. 10, why is a large republic better at controlling faction than a small one?
4. Explain Madison's phrase "ambition must be made to counteract ambition" in Federalist No. 51.
5. Why did Hamilton argue for a single executive in Federalist No. 70?
6. Why did Anti-Federalists demand a Bill of Rights, and how did the Federalists respond?

SET B Exam-Style Multiple Choice

Choose the best answer.

7. In Federalist No. 10, James Madison argues that the effects of faction are best controlled by
 - (A) eliminating freedom of speech
 - (B) a small direct democracy
 - (C) a strong monarchy
 - (D) state legislatures alone
 - (E) a large republic with elected representatives
8. Which statement best summarizes Brutus No. 1?
 - (A) A large republic would protect liberty by diversifying interests.
 - (B) A powerful national government would consolidate power and threaten the states and individual liberty.
 - (C) The president needs a plural executive.
 - (D) The judiciary should have no power.
 - (E) The Articles of Confederation should be unchanged.
9. Federalist No. 78 describes the judiciary as the "least dangerous branch" because it
 - (A) controls the army
 - (B) controls the budget
 - (C) has neither force nor will, only judgment
 - (D) is elected by the people
 - (E) can remove the president
10. Which feature of the Constitution best reflects the logic of Federalist No. 51?
 - (A) Separation of powers and checks and balances
 - (B) Amendment by three-fourths of the states
 - (C) The Three-Fifths Compromise
 - (D) Equal representation in the Senate
 - (E) The Preamble
11. A promise to add a Bill of Rights was most important for winning the support of
 - (A) Federalists such as Hamilton
 - (B) British leaders
 - (C) the Continental Army
 - (D) Anti-Federalists and undecided delegates concerned about liberty
 - (E) Supreme Court justices
12. Which pairing of author and position is correct?
 - (A) Madison, favors a plural executive
 - (B) Hamilton, favors a single energetic executive
 - (C) Brutus, favors a large consolidated republic
 - (D) Hamilton, opposes judicial review
 - (E) Madison, opposes separation of powers

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SET C

Apply and Extend

Respond in a short paragraph or in lettered parts as directed.

13. (a) Describe the argument Madison makes in Federalist No. 10 about the size of a republic. (b) Describe how Brutus No. 1 answers it. (c) Explain one way the structure of the Constitution reflects each view.
14. Explain how two required documents from the ratification debate show different views on the proper balance of power between the national government and individual liberty.

1.5

Principles of American Government

You will learn how separation of powers, checks and balances, limited government, republicanism, and popular sovereignty are built into the Constitution, how the document is organized, and how it is amended.

The Constitution turns the ideas of Locke, Montesquieu, and Madison into working rules. Five principles organize the whole document, and AP questions often give you a power or an event and ask which principle is involved.

- ◆ **Popular sovereignty:** the people are the source of government's authority ("We the People" in the Preamble; elections; ratification by conventions).
- ◆ **Republicanism:** citizens elect representatives to govern for them (Article I and II elections).
- ◆ **Limited government:** government may do only what the Constitution allows, and it is bound by law (enumerated powers, the Bill of Rights, due process).
- ◆ **Separation of powers:** lawmaking, enforcing, and judging are placed in three branches so no one holds all power.
- ◆ **Checks and balances:** each branch has tools to restrain the others, so power is shared and overlapping.

Separation of powers and checks and balances are not the same thing. Separation assigns different jobs to different branches. Checks and balances give each branch a way to interfere with the others' jobs. A president who vetoes a bill is exercising a check in the lawmaking process, which is why the powers overlap.

Branch	Main power	Checks on other branches
Legislative (Congress, Article I)	Makes laws, taxes and spends, declares war	Overrides vetoes (two-thirds of each house); Senate confirms appointments and ratifies treaties (two-thirds); impeaches and removes officials; controls the budget
Executive (President, Article II)	Enforces laws; commander in chief; conducts diplomacy	Vetoes bills; nominates judges and officers; can call Congress into session; issues pardons
Judicial (Supreme Court, Article III)	Interprets laws and decides cases	Judicial review: can strike down laws and actions as unconstitutional (established in Marbury v. Madison, 1803); judges serve for life

Checks to know

Veto and override: the president can reject a bill; two-thirds of both houses can pass it anyway.

Impeachment: the House impeaches (by majority); the Senate tries it and removes by a two-thirds vote.

Advice and consent: the Senate confirms nominees by majority and approves treaties by two-thirds.

Judicial review: the Court may invalidate laws, an implied power.

The Constitution's organization is predictable, and knowing it helps you locate powers quickly. The Preamble states the purposes. **Article I** creates Congress and lists its powers. **Article II** creates the presidency. **Article III** creates the Supreme Court and allows Congress to establish lower courts. **Article IV** governs relations among states (full faith and credit, privileges and immunities) and between states and the nation, including admission of new states. **Article V** sets out the amendment process. **Article VI** contains the Supremacy Clause, which makes the Constitution and federal laws the supreme law of the land. **Article VII** sets the ratification rule (nine states). The 27 amendments follow, beginning with the Bill of Rights.

The framers wanted a document that could change but not casually. **Article V** provides two ways to propose an amendment and two ways to ratify one.

Stage	Method 1 (always used so far)	Method 2 (rarely used)
Proposal	Two-thirds of both houses of Congress	A national convention called by Congress at the request of two-thirds of state legislatures
Ratification	Legislatures of three-fourths of the states	Conventions in three-fourths of the states (used only for the 21st Amendment)

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Why make amendment hard? The framers feared both stagnation and impulse. The Articles required unanimity, which froze reform. Article V picks a middle path: broad national agreement, by supermajorities in Congress and across regions, but no single state can veto. Notice, too, that the process involves the states at both ends, an expression of federalism. Concentrated interests can sometimes block change, but widespread movements have succeeded, including the 19th Amendment for women's suffrage and the 26th Amendment lowering the voting age to 18.

The president has no formal role in amending the Constitution, and the amendment is not subject to a veto. Every one of the 27 amendments was proposed by Congress. The supermajority requirements make amendment difficult. Thousands of proposals have been introduced and only a handful have succeeded. Many changes have occurred instead through judicial interpretation, congressional statutes, executive practice, and custom. Judicial review, political parties, and the president's cabinet are examples of institutions that developed without any explicit amendment.

Article V numbers

Proposal: two-thirds of Congress (67 senators and 290 House members if all vote) or two-thirds of state legislatures (34 states).

Ratification: three-fourths of states (38 of 50).

Informal change: court decisions, statutes, and practice also change how the Constitution works.

EXAMPLE 1: IDENTIFY THE CHECK

Congress passes a bill raising the minimum wage. The president vetoes it. Two months later both houses pass it again with more than two-thirds majorities. Name the principle and the checks used.

SOLUTION

Step 1: The president used the veto, an executive check on the legislature.

Step 2: Congress used its override power, a legislative check on the executive, requiring two-thirds of each house.

Step 3: The sequence illustrates checks and balances, with the executive participating in lawmaking, rather than a strict separation of powers.

EXAMPLE 2: AMENDMENT MATH

Suppose a proposed amendment passes the Senate with 70 votes and the House with 300 votes (all members present). Can it be sent to the states, and what is needed for ratification?

SOLUTION

Step 1: Two-thirds of 100 senators is 66.67, so 67 are needed. 70 is enough. Two-thirds of 435 House members is 290. 300 is enough, so Congress has proposed it.

Step 2: The president's signature is not required.

Step 3: Three-fourths of the 50 states, 38, must ratify through legislatures or conventions. 37 states would not be enough.

Common mistakes

Do not say the president ratifies amendments or can veto them. Do not confuse the vote to impeach (a simple House majority) with the vote to remove (two-thirds of the Senate). And remember judicial review is not stated in the text of Article III; it was established by the Court in *Marbury v. Madison*.

Practice

SET A Check Your Understanding

Answer each in one to three sentences.

1. Explain how separation of powers differs from checks and balances.
2. Give two checks Congress has on the executive branch.
3. What is the purpose of the Supremacy Clause, and in which article is it found?
4. Describe the two ways to propose and the two ways to ratify an amendment.
5. Why have so few amendments been adopted?
6. Name one change in how American government works that was not made by formal amendment, and explain how it occurred.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. The Senate refuses to confirm the president's nominee for a federal judgeship. This is an example of
 - (A) a legislative check on the executive
 - (B) judicial review
 - (C) executive privilege
 - (D) federalism
 - (E) popular sovereignty
8. Which action requires a two-thirds vote in the Senate?
 - (A) Confirming a cabinet secretary
 - (B) Passing an appropriations bill
 - (C) Approving a presidential nominee for ambassador
 - (D) Removing an impeached president from office
 - (E) Beginning a revenue bill
9. The Preamble's opening phrase "We the People" most directly reflects
 - (A) judicial review
 - (B) separation of powers
 - (C) federalism
 - (D) the Three-Fifths Compromise
 - (E) popular sovereignty
10. Which statement about the amendment process is correct?
 - (A) The president must sign amendments.
 - (B) Three-fourths of the states must ratify an amendment.
 - (C) The Supreme Court proposes amendments.
 - (D) A simple majority of Congress can propose amendments.
 - (E) State governors ratify amendments.
11. Which is a power of the judicial branch that is not explicitly stated in Article III?
 - (A) Hearing cases between states
 - (B) Tenure during good behavior
 - (C) Judicial review of federal laws
 - (D) Original jurisdiction over ambassadors
 - (E) Appellate jurisdiction
12. A governor is elected and a legislature passes laws that must follow a written constitution. This best illustrates
 - (A) monarchy
 - (B) direct democracy
 - (C) anarchy
 - (D) confederation
 - (E) republicanism and limited government

SET C Apply and Extend

Respond in a short paragraph or in lettered parts as directed.

13. (a) Define checks and balances. (b) Describe a check the president has on Congress and a check Congress has on the president. (c) Explain how these checks serve the framers' goal of limited government.
14. A group proposes an amendment to change term lengths. Describe the steps needed to adopt it by the most common route and explain why the process is demanding.

1.6 Federalism: Structure and Constitutional Basis

You will sort powers into enumerated, implied, reserved, and concurrent categories, explain the clauses that shape the balance between nation and states, compare dual and cooperative federalism, and apply *McCulloch v. Maryland* and *United States v. Lopez*.

Federalism is a system in which power is divided between a national government and state governments, each with its own sphere of authority. It was the framers' compromise between the weak confederation of the Articles and a fully centralized government. Madison called it a "double security" for liberty because power is divided twice: between levels and among branches.

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Type of power	Meaning	Examples
Enumerated (expressed) powers	Specifically listed for the national government, mostly in Article I, Section 8	Tax, coin money, regulate interstate and foreign commerce, declare war, raise an army
Implied powers	Not listed, but reasonably linked to an enumerated power through the Necessary and Proper Clause	Create a national bank, build interstate highways, create an air force
Reserved powers	Kept by the states or the people under the 10th Amendment	Run elections, set education policy, license professions, general police powers (health, safety, morals)
Concurrent powers	Shared by both levels	Levy taxes, borrow money, build roads, establish courts, enforce laws
Denied powers	Forbidden to one or both levels	Nation: tax exports; states: coin money, make treaties; both: ex post facto laws, bills of attainder

Several constitutional clauses are the pressure points of the system. Know them by name, because the exam presents scenarios and expects you to match the clause.

- ◆ **Necessary and Proper Clause** (Article I, Section 8): Congress may make all laws "necessary and proper" to carry out its enumerated powers. It is also called the elastic clause because it stretches national power.
- ◆ **Commerce Clause** (Article I, Section 8): Congress may regulate commerce among the states, with foreign nations, and with Native American tribes. Broad readings let Congress regulate much economic activity.
- ◆ **Supremacy Clause** (Article VI): the Constitution, federal laws, and treaties are the supreme law of the land, and conflicting state laws are invalid.
- ◆ **10th Amendment**: powers not delegated to the national government nor prohibited to the states are reserved to the states or the people.
- ◆ **Full Faith and Credit Clause** (Article IV): states must honor the public acts, records, and court judgments of other states.

Dual versus cooperative federalism

Dual federalism (layer cake): national and state governments operate in separate, distinct spheres. Dominant roughly from the founding to the 1930s.

Cooperative federalism (marble cake): levels share responsibilities and work together on programs, often through federal grants. Grew from the New Deal on, as the national government expanded its role.

Federalism has not been static. The Court's interpretations of the Commerce and Necessary and Proper Clauses, along with the 14th Amendment and the national government's spending power, have moved the balance over time. The AP course requires two cases that show opposite moments in this story.

McCulloch v. Maryland (1819). Congress chartered the Second Bank of the United States, and Maryland taxed the Baltimore branch to hamper it. James McCulloch, the cashier, refused to pay. Chief Justice John Marshall's unanimous opinion answered two questions. First, could Congress create a bank, even though the Constitution doesn't mention one? Yes. The Necessary and Proper Clause gives Congress implied powers to choose appropriate means to carry out its enumerated powers such as taxing, borrowing, and regulating commerce. Second, could Maryland tax the bank? No. Under the Supremacy Clause, a state cannot tax or obstruct a legitimate federal institution because "the power to tax involves the power to destroy." McCulloch established a broad reading of implied powers and national supremacy.

United States v. Lopez (1995). Congress passed the Gun-Free School Zones Act of 1990, making it a federal crime to possess a gun in a school zone. Alfonso Lopez, a high school senior in Texas, was convicted for bringing a handgun to school. In a 5-4 decision written by Chief Justice Rehnquist, the Court held that the law exceeded Congress's Commerce Clause power. Possessing a gun near a school is not itself economic activity, and its connection to interstate commerce was too indirect. If the Court accepted that connection, it said, Congress could regulate almost anything and the states' police power would vanish. Lopez was the first time in decades the Court limited Congress's commerce power and revived the 10th Amendment as a real boundary.

Case comparison

McCulloch (1819): expands national power (implied powers) and affirms supremacy over states.

Lopez (1995): limits national power (Commerce Clause) and protects state authority.

Both turn on the meaning of constitutional clauses, not on the policy wisdom of the laws.

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EXAMPLE 1: APPLY MCCULLOCH

Congress creates a national agency to build a rail system between cities. A state taxes the agency's property. Using McCulloch, explain whether the tax is valid.

SOLUTION

Step 1: Congress's power to regulate commerce and establish postal roads plus the Necessary and Proper Clause supports creating the agency as an implied power.

Step 2: Under the Supremacy Clause, a state cannot tax a lawful federal agency, since doing so would let states undermine federal authority.

Step 3: Conclusion: the state tax is invalid under McCulloch's reasoning.

EXAMPLE 2: APPLY LOPEZ

Congress passes a law making it a federal crime to carry a handgun within 1,000 feet of any public school, but with no findings about commerce. Explain how Lopez applies.

SOLUTION

Step 1: The law relies on the Commerce Clause, and the question is whether the regulated activity substantially affects interstate commerce.

Step 2: Under Lopez, carrying a gun is not economic activity, and the link to commerce is too attenuated.

Step 3: The law would likely be unconstitutional as it intrudes on state police power, reserved by the 10th Amendment.

Common mistakes

Do not reverse the cases: McCulloch favors national power, Lopez limits it. Do not say Lopez struck down all use of the Commerce Clause; it set a limit for non-economic, local conduct. And avoid saying the 10th Amendment gives the states unlimited power: the Supremacy Clause makes valid federal law prevail.

Practice**SET A Check Your Understanding**

Answer each in one to three sentences.

1. Define federalism and explain why Madison called it a double security.
2. Distinguish enumerated powers from implied powers and give one example of each.
3. What does the 10th Amendment say, and what kind of powers does it protect?
4. Explain the difference between dual and cooperative federalism.
5. State the holding of McCulloch v. Maryland and the clauses on which it relied.
6. State the holding in United States v. Lopez and the reasoning behind it.

SET B Exam-Style Multiple Choice

Choose the best answer.

7. The Necessary and Proper Clause is the basis for which kind of power?

(A) Reserved powers	(B) Concurrent powers	(C) Implied powers
(D) Denied powers	(E) Judicial powers	
8. Which power is an example of a concurrent power?

(A) Levying taxes	(B) Coining money
(C) Making treaties	(D) Regulating interstate commerce
(E) Declaring war	
9. In McCulloch v. Maryland, the Court ruled that a state could not tax a federal bank because of the

(A) Full Faith and Credit Clause	(B) Commerce Clause
(C) 10th Amendment	(D) Establishment Clause
(E) Supremacy Clause	

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10. The decision in *United States v. Lopez* was significant because it
- (A) expanded Congress's commerce power
 - (B) ended all federal gun regulation
 - (C) gave Congress broad implied powers
 - (D) limited Congress's commerce power for non-economic activity
 - (E) struck down the Supremacy Clause
11. A new federal highway program is run jointly with state agencies, with states choosing routes and the federal government paying most costs. This best illustrates
- (A) dual federalism
 - (B) cooperative federalism
 - (C) confederation
 - (D) a unitary system
 - (E) reserved powers only
12. Which is a reserved power of the states?
- (A) Setting rules for licensing teachers and doctors
 - (B) Establishing post offices
 - (C) Coining currency
 - (D) Declaring war
 - (E) Making treaties with other nations

SET C Apply and Extend

Respond in a short paragraph or in lettered parts as directed.

13. (a) Describe the facts and holding of *McCulloch v. Maryland*. (b) Describe the facts and holding of *United States v. Lopez*. (c) Explain how the two decisions illustrate different directions of the balance between national and state power.
14. A state legislature passes a law that conflicts with a valid federal statute. Explain which prevails and cite the constitutional provision, then explain one argument the state could make under the 10th Amendment.

1.7 Federalism in Action

You will explain how the national government influences states through grants, mandates, and preemption, how devolution and state differences shape policy, and how the 14th Amendment and *McDonald v. Chicago* changed the relationship between states and individual rights.

In modern America the national government raises more revenue than states, and states run many programs. **Fiscal federalism** is the use of federal money to influence what states do. The Constitution gives Congress the power to tax and spend for the general welfare, and Congress often offers money to states with conditions attached. States can refuse, but most do not want to lose the funds.

Type of federal grant	How it works	Example
Categorical grant	Money for a narrowly defined purpose, with strict rules and often a state matching requirement	Funds for school lunch programs or a specific highway project
Project grant	Competitive categorical grant awarded for specific proposals	Research or community development funds states apply for
Block grant	A large sum for a broad area (health, welfare), with states choosing how to spend it	Temporary Assistance for Needy Families (TANF), created by 1996 welfare reform

Grants and strings

Categorical grants give Congress more control; block grants give states more discretion.

Conditions on grants let Congress influence state policy indirectly. In *South Dakota v. Dole* (1987), the Court upheld withholding a small share of highway funds from states that kept the drinking age below 21.

Most federal funding for states is in categorical form, with Medicaid the largest.

A **mandate** is a requirement from the national government that states (or local governments) carry out a policy or meet standards. Mandates can be tied to federal funds, as with conditions on education aid, or they can be direct orders, as with environmental standards under the Clean Air Act. An **unfunded mandate** requires action without providing money to pay for it. States and local officials complain that these shift costs to them, and Congress passed the Unfunded Mandates Reform Act in 1995 to require cost estimates. Another tool is **preemption**: federal law overrides conflicting state law under the Supremacy Clause, such as federal aviation or immigration rules.

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Since the 1980s, a movement called **devolution** has shifted responsibility from the national government back to the states. The 1996 welfare overhaul replaced the old entitlement program with TANF block grants, giving states flexibility over eligibility and work requirements, and imposing time limits. Supporters say states are "laboratories of democracy" that can try different approaches and are closer to their citizens. Critics note that devolution produces unequal protections and a possible race to the bottom in benefits.

State differences are a defining feature of federalism. States vary in marijuana laws, minimum wages, abortion regulations, voting procedures, gun laws, and school funding. Marijuana is a clear conflict: many states have legalized medical or recreational use while federal law still classifies it as a controlled substance. Under the Supremacy Clause, federal law remains valid, but the national government has often chosen not to enforce it against state-compliant activity, which creates uncertainty. This is an example of states acting as laboratories and the federal government choosing cooperation or conflict case by case.

The **14th Amendment** (1868) changed federalism by limiting the states. Its Due Process Clause has been used to **incorporate** most of the Bill of Rights, meaning the Supreme Court applies those protections against state and local governments, not just the national government. Its Equal Protection Clause allows the national government to enforce equality against discriminatory state laws, as in *Brown v. Board of Education* (1954). In **McDonald v. Chicago (2010)**, the Court ruled 5-4 that the 2nd Amendment right to keep and bear arms for self-defense applies to the states through the Due Process Clause, invalidating Chicago's handgun ban. McDonald shows how incorporation constrains state power in the name of individual rights.

Tools of national influence over states

Grants with conditions (carrots), mandates and unfunded mandates (sticks), preemption by statute, incorporation of rights by the courts.

State tools: lawsuits challenging federal actions, refusing optional programs (such as the Medicaid expansion, which NFIB v. Sebelius made optional in 2012), and experimentation in policy.

One more tool is the court system. Federal courts hear challenges by states to national actions and by individuals to state actions. In NFIB v. Sebelius (2012), the Court upheld the Affordable Care Act's individual mandate as a tax but held that Congress could not coerce states into the Medicaid expansion by threatening existing funds, a limit on conditional spending. The case shows that the courts police the boundary even in cooperative federalism.

EXAMPLE 1: CLASSIFY THE TOOL

Congress offers each state a lump sum for public health, with only general guidelines, and lets each state decide how to divide the money among programs. Identify the tool and explain the trade-off.

SOLUTION

Step 1: A large sum for a broad area with state discretion is a block grant.

Step 2: Benefit: states can tailor programs to local needs, consistent with devolution.

Step 3: Cost: less federal control, so spending may vary and some national goals may not be met; critics of block grants say funds can be diverted or fall short.

EXAMPLE 2: MANDATE OR CONDITION?

A new federal law requires all local police departments to adopt a data-reporting system but gives no funds. Name this and explain the likely response from local officials.

SOLUTION

Step 1: This is an unfunded mandate: a requirement with no money attached.

Step 2: Local and state officials would object that costs are shifted to their budgets, which they may argue violates the spirit of the 10th Amendment.

Step 3: Congress may respond by adding funds or by making compliance a condition of existing grants, which is a funded condition rather than a mandate.

Common mistakes

A mandate is not a grant. Do not call every federal funding "a block grant": block grants are the most flexible kind. Do not claim incorporation applies the Bill of Rights to states by the 10th Amendment; it is the 14th Amendment's Due Process Clause. And remember McDonald concerns the 2nd Amendment, not the 1st.

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Practice

SET A Check Your Understanding

Answer each in one to three sentences.

1. Define fiscal federalism and explain why grants give Congress influence over states.
2. Contrast categorical and block grants in terms of state discretion.
3. What is an unfunded mandate, and why do state officials criticize it?
4. Define devolution and give one example from welfare policy.
5. Explain the idea that states are laboratories of democracy.
6. How did *McDonald v. Chicago* change the relationship between states and individual rights?

SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which grant gives states the greatest flexibility in spending?
(A) Categorical grant (B) Block grant
(C) Project grant (D) Matching grant tied to a single program
(E) A mandate
8. A federal law requires states to meet clean water standards but provides no money. This is best described as
(A) a block grant (B) incorporation (C) devolution
(D) an unfunded mandate (E) a project grant
9. Several states have legalized marijuana while federal law prohibits it. This conflict illustrates
(A) judicial review
(B) separation of powers
(C) the Supremacy Clause and state policy differences in federalism
(D) the Three-Fifths Compromise
(E) executive privilege
10. The doctrine of incorporation applies provisions of the Bill of Rights to the states through the
(A) Supremacy Clause (B) Commerce Clause
(C) Establishment Clause (D) Article V
(E) Due Process Clause of the 14th Amendment
11. The 1996 welfare reform law best illustrates
(A) devolution through block grants (B) centralization of welfare policy
(C) a new federal mandate on states (D) judicial activism
(E) dual federalism
12. In *South Dakota v. Dole*, Congress successfully influenced states to adopt a drinking age of 21 by
(A) directly ordering states to change laws
(B) amending the Constitution
(C) withholding a portion of highway funds
(D) using the Commerce Clause to criminalize alcohol
(E) impeaching governors

SET C Apply and Extend

Respond in a short paragraph or in lettered parts as directed.

13. (a) Define block grant. (b) Describe one advantage and one disadvantage of block grants compared with categorical grants. (c) Explain how a block grant reflects devolution.
14. Explain how the 14th Amendment and *McDonald v. Chicago* limit the power of state governments, and identify one argument for state autonomy that a state might raise in response.

1.8 Federalism and the Public Policy Process

You will trace how public policy moves through stages across federal, state, and local governments, sort policy areas by who holds authority, and analyze current debates in which levels of government overlap or conflict.

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Public policy is a course of action government adopts to address a problem. In a federal system, no policy has just one home. Congress may pass a statute, a federal agency writes the rules, a state agency carries them out, and a city enforces them. Understanding who holds authority at each point is a key skill for the AP exam, because scenario questions ask you to identify which level acts and why.

Stage	What happens	Who is involved (examples)
Agenda setting	A problem gains attention and is placed on the list of issues officials act on	Media, interest groups, voters, officials, crises
Formulation and adoption	Options are drafted and a law or rule is approved	Congress, state legislatures, city councils, the president, governors
Implementation	Agencies put the policy into effect through rules, spending, and enforcement	Federal agencies, state agencies, local governments
Evaluation	Results are assessed, and the policy is changed, expanded, or ended	Congress, courts, audit offices, researchers, the public

Because the 10th Amendment reserves residual powers to the states, many policy areas begin at the state or local level. Yet the national government shapes almost every area through its enumerated powers (taxing and spending, commerce, foreign affairs), and through the Supremacy Clause. In practice, authority falls into three broad groups.

Primarily federal	Primarily state or local	Shared (intergovernmental)
National defense, foreign policy, immigration law, currency, interstate commerce, patents	Public education, criminal law enforcement, family law (marriage, divorce), zoning and land use, running most elections, professional licensing	Health care (Medicaid, public health), environmental protection, transportation, public safety, welfare, labor standards

How to place a policy area

Is it listed in Article I, Section 8, or tied to foreign affairs? Likely federal.

Is it a traditional police power (health, safety, morals, education)? Likely state or local.

Does federal money, a federal standard, or a federal court ruling apply? Then the area is shared, and conflicts are settled by the Supremacy Clause.

Education illustrates the sharing. States and local school districts run schools, set graduation rules, and provide most funding. The national government cannot order curricula but influences policy through conditional grants and civil rights enforcement. The No Child Left Behind Act (2002) used testing mandates tied to funds, and the Every Student Succeeds Act (2015) returned much accountability design to states. The role of the federal government in public school education remains a recurring debate.

Interstate issues also challenge federalism. Pollution crosses borders, rivers flow through several states, and people move between them. The Constitution gives states some tools: the Full Faith and Credit Clause (Article IV) requires states to honor each other's court judgments and public records, and states may form **interstate compacts**, which need Congress's consent (Article I, Section 10). Examples include agreements on regional water use and port authorities. When states cannot settle a problem, the Commerce Clause lets Congress step in, as with national environmental laws.

Current debates show the balance still being negotiated. Immigration enforcement: states and cities differ in how much to cooperate with federal authorities, producing conflicts under the Supremacy Clause. Health care: the Affordable Care Act expanded Medicaid, and the Court in 2012 made the expansion optional for states. Marijuana: states have legalized despite federal law. Abortion: after the 2022 decision in *Dobbs v. Jackson Women's Health Organization* overruled *Roe v. Wade*, authority to regulate abortion returned largely to the states, producing sharply different state laws. Elections: states administer voting, while Congress and the courts police discrimination. In each case, the argument turns on whether policy should be uniform across the nation or tailored to local preferences.

Key policy-process terms

Public policy: a course of action government takes to address a problem.

Interstate compact: an agreement between states that needs congressional consent.

Preemption: federal law overriding conflicting state law under the Supremacy Clause.

Intergovernmental relations: the interaction among national, state, and local governments in making and carrying out policy.

Local governments are creatures of the state: cities and counties get their powers from state constitutions and charters, not directly from the U.S. Constitution. That is why a state can limit city ordinances, and why mayors and county officials often see themselves as the front line of implementation. A policy that looks national in the headline is usually delivered by a local school board, health department, or police force.

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EXAMPLE 1: TRACE A POLICY ACROSS LEVELS

Congress passes a law requiring all states to reduce air pollution but lets each state design its plan. A state agency writes a plan and counties enforce it. Identify the role of each level and the federalism concept illustrated.

SOLUTION

Step 1: Congress adopts the policy under the Commerce Clause, setting the national goal. This is the national level's formulation and adoption.

Step 2: The state agency designs and the counties enforce the plan, which is implementation at lower levels.

Step 3: Concept: cooperative federalism, with a shared policy area where states have discretion within national standards.

EXAMPLE 2: INTERSTATE CONFLICT

Two states disagree over how much water each may take from a shared river. Identify two constitutional paths for resolving the dispute.

SOLUTION

Step 1: The states can negotiate an interstate compact, which requires Congress's consent under Article I, Section 10.

Step 2: Alternatively, the Supreme Court has original jurisdiction over disputes between states (Article III) and can decide the allocation.

Step 3: Congress could also legislate under its commerce power, and its statute would be supreme under Article VI.

Exam tip

When an FRQ asks you to "explain" how a federal system affects a policy, name the level, name the power or clause, and then give the consequence (for example, differing state laws or federal preemption). Avoid claiming one area is purely federal or state: most areas are shared in practice.

Practice**SET A Check Your Understanding**

Answer each in one to three sentences.

1. List the four stages of the public policy process.
2. Why is public education mainly a state and local responsibility, and how does the national government still influence it?
3. Name two policy areas that are primarily federal and explain why.
4. Describe two tools states can use to solve interstate problems.
5. How did the Court's 2022 decision in *Dobbs* affect federalism and abortion policy?
6. Explain how federalism allows different states to adopt different policies on the same issue, giving one example.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. In the policy process, a federal agency issuing regulations to carry out a statute is part of
 - (A) agenda setting
 - (B) formulation
 - (C) evaluation only
 - (D) judicial review
 - (E) implementation
8. Which policy area has traditionally been the primary responsibility of state governments?
 - (A) Licensing teachers and running public schools
 - (B) Declaring war
 - (C) Regulating immigration
 - (D) Printing currency
 - (E) Making treaties
9. Two states want to coordinate on regional transportation planning. The Constitution requires them to
 - (A) obtain a presidential order
 - (B) amend the Constitution
 - (C) obtain Congress's consent to an interstate compact
 - (D) win a Supreme Court ruling
 - (E) hold a referendum
10. Federal law requires states to meet environmental standards but lets them design their own plans. This is an example of
 - (A) dual federalism
 - (B) cooperative federalism
 - (C) a unitary system
 - (D) a confederation
 - (E) direct democracy
11. Which best explains why the national government can influence education despite no explicit power over schools?
 - (A) The Necessary and Proper Clause alone
 - (B) The Third Amendment
 - (C) Judicial appointments
 - (D) Conditional spending and civil rights enforcement
 - (E) The Electoral College
12. A city refuses to use local resources to help enforce federal immigration law, while federal officials say federal law is supreme. This conflict most directly involves
 - (A) the Establishment Clause
 - (B) the 3rd Amendment
 - (C) the Electoral College
 - (D) the Great Compromise
 - (E) the Supremacy Clause and the 10th Amendment

SET C Apply and Extend

Respond in a short paragraph or in lettered parts as directed.

13. (a) Identify a policy area in which authority is shared between federal and state governments. (b) Describe the role of each level. (c) Explain one way a conflict between the levels could be resolved.
14. Some argue that policies like marijuana regulation should be left to the states, while others argue for a uniform national policy. Take one position and support it with reference to federalism principles.

1.9 Multiple-Choice Practice: Foundations of American Democracy

Twenty AP-style questions covering democratic ideals, the founding, the ratification debate, the Constitution's principles, and federalism.

Choose the best answer for each question. Check the explanation, including why the best wrong answer fails, before moving on.

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SET A Core Concepts

Choose the best answer.

1. "The people are the only legitimate source of governmental power, and they may replace a government that violates their rights." This statement best reflects which pair of ideas?
(A) Federalism and judicial review
(B) Elite democracy and republicanism
(C) Separation of powers and checks and balances
(D) Popular sovereignty and the social contract
(E) Implied powers and supremacy
2. Which Enlightenment thinker most influenced the idea of dividing government into legislative, executive, and judicial branches?
(A) Locke
(B) Montesquieu
(C) Hobbes
(D) Rousseau
(E) Madison
3. A state allows citizens to propose and pass laws directly by collecting signatures for a ballot measure. This feature is most characteristic of which model of democracy?
(A) Participatory
(B) Elite
(C) Pluralist
(D) Authoritarian
(E) Confederal
4. Under the Articles of Confederation, which problem did Shays' Rebellion most clearly reveal?
(A) Congress had too much control over state courts
(B) The executive was too powerful
(C) The national government lacked the military and enforcement power to maintain order
(D) The states could not issue their own currency
(E) The federal courts were overburdened
5. The Great Compromise at the Constitutional Convention established which arrangement?
(A) A single legislature with one vote per state
(B) A Congress chosen entirely by state governors
(C) A House based on property and a Senate based on wealth
(D) A national legislature chosen by the president
(E) A House based on population and a Senate with equal state representation
6. Which of the following is an unresolved issue that the compromises of 1787 still influence today?
(A) Whether Congress may collect taxes
(B) A presidential candidate can win the Electoral College while losing the national popular vote
(C) Whether the president may command the military
(D) Whether the Constitution can be amended
(E) Whether states can coin money
7. Madison argues in Federalist No. 10 that the problem of faction is best addressed by
(A) a small direct democracy where citizens vote on all laws
(B) removing the causes of faction by equalizing property
(C) restricting liberty so groups cannot form
(D) a large republic that includes many interests and uses representation
(E) giving state legislatures more power

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SET B Applications and Data

Choose the best answer.

8. Read the passage: "The legislative, executive, and judicial departments should have no partial agency in, or control over, the acts of each other... ambition must be made to counteract ambition." This passage is most closely linked to which constitutional feature?
- (A) The Great Compromise (B) Checks and balances
(C) The Three-Fifths Compromise (D) The Supremacy Clause
(E) Judicial review by the states
9. The Senate rejects a treaty by failing to reach a two-thirds vote. This is an example of
- (A) a legislative check on the executive branch (B) judicial review
(C) a veto override (D) the principle of federalism
(E) an enumerated power of the president
10. A proposed constitutional amendment is passed by two-thirds of both houses of Congress. What must happen next for it to become part of the Constitution?
- (A) The president must sign it (B) The Supreme Court must approve it
(C) Three-fourths of the states must ratify it (D) A majority of the states must ratify it
(E) Two-thirds of the states must ratify it
11. Which of these is a concurrent power?
- (A) Coining money (B) Making treaties
(C) Regulating the militia of other states (D) Declaring war
(E) Levying taxes
12. In *McCulloch v. Maryland* (1819), the Supreme Court held that
- (A) Congress lacked power to create a bank
(B) Congress had the implied power to create a national bank and states could not tax it
(C) states may tax federal institutions within their borders
(D) the 10th Amendment limits implied powers
(E) commerce can be regulated only by states
13. The following table summarizes the votes needed for certain constitutional actions. Which row is accurate?
- | | |
|-------------------------------|--------------------------|
| Action | Vote required |
| Propose amendment in Congress | Two-thirds of each house |
| Ratify amendment | Two-thirds of states |
| Override veto | Majority of each house |
| Remove impeached official | Majority of Senate |
- (A) Ratify amendment | Two-thirds of states
(B) Override veto | Majority of each house
(C) Remove impeached official | Majority of Senate
(D) Propose amendment in Congress | Two-thirds of each house
(E) Ratify amendment | Majority of states
14. A federal grant gives states a large sum to use for broad social-service goals with few restrictions. This is best described as
- (A) a categorical grant (B) a block grant (C) an unfunded mandate
(D) preemption (E) incorporation

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SET C Exam-Level Stretch

Choose the best answer.

15. In *United States v. Lopez* (1995), the Court's decision was based on the conclusion that
- (A) carrying a gun near a school is not economic activity and does not substantially affect interstate commerce
 - (B) Congress has no power to regulate commerce
 - (C) the Supremacy Clause does not apply to criminal law
 - (D) guns are protected by the 1st Amendment
 - (E) states may ignore federal criminal statutes
16. Which scenario is best explained by the Supremacy Clause?
- (A) A governor vetoes a bill passed by the state legislature
 - (B) A state ratifies a constitutional amendment
 - (C) A state law that conflicts with a valid federal statute is invalid
 - (D) The Senate confirms a federal judge
 - (E) A state holds a referendum on a tax
17. Brutus No. 1 and Federalist No. 10 disagree most directly about
- (A) whether a bill of rights should be written by the Federalists
 - (B) whether the executive should be plural
 - (C) whether state legislatures should vanish
 - (D) whether slavery should be abolished
 - (E) whether a large republic can preserve liberty and responsiveness
18. A federal law requires states to adopt a specific voter-registration system but provides no funds. State officials object. Which concept best describes their complaint?
- (A) A block grant
 - (B) An unfunded mandate
 - (C) Dual federalism
 - (D) Judicial review
 - (E) Full faith and credit
19. Which statement best captures why incorporation of the Bill of Rights through the 14th Amendment affected federalism?
- (A) It transferred all state powers to Congress
 - (B) It repealed the 10th Amendment
 - (C) It gave states the power to nullify federal law
 - (D) It limited state governments by applying national rights protections to them
 - (E) It removed the judiciary from rights disputes
20. A state wants to reduce water pollution that flows to a neighboring state. Which action is available under the Constitution?
- (A) Declare war on the neighbor
 - (B) Enter an interstate compact with the neighbor with the consent of Congress
 - (C) Tax the neighbor's imports
 - (D) Appoint a federal judge to settle the dispute
 - (E) Amend the Constitution without the other state

1.10 Free-Response Practice: Foundations of American Democracy

Four free-response questions modeled on the AP exam: concept application, quantitative analysis, Supreme Court comparison, and the argument essay.

Each question lists the parts you must answer. The model answers name the scoring points, with one point per labeled part unless noted. Write complete sentences, name specific clauses, cases, and documents, and always explain the reasoning rather than only naming a term.

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QUESTION 1 Concept Application

Read the scenario. A state legislature passes a law requiring every public high school to offer a financial-literacy course. Congress then passes a statute offering each state a sum of federal money for broad education needs, on the condition that the state adopt the same course. Several state officials say the condition pressures states to give up control of schools, while supporters say the funds are optional.

1. (a) Identify the form of federal influence that Congress uses in this scenario.
2. (b) Explain how the scenario illustrates cooperative federalism rather than dual federalism.
3. (c) Explain one reason a state might refuse the money, citing a constitutional provision.

QUESTION 2 Quantitative Analysis

The table shows hypothetical data on the sources of funding for a state's total public spending of 100 units in the years shown.

Year	Federal grants (units)	State and local taxes (units)
1990	20	80
2000	26	74
2010	34	66
2020	38	62

4. (a) Identify the trend in federal grants as a share of total spending from 1990 to 2020.
5. (b) Draw a conclusion about the relationship between the national government and the state, using the data.
6. (c) Explain how the trend could be connected to either categorical grants or conditions attached to federal funds.
7. (d) Explain one reason supporters of state autonomy might view the trend with concern.

QUESTION 3 Supreme Court Comparison

In *McCulloch v. Maryland* (1819), the Supreme Court upheld Congress's authority to create a national bank and barred Maryland from taxing it. In *United States v. Lopez* (1995), the Court struck down a federal law banning gun possession in school zones.

8. (a) Identify the constitutional clause that kept Maryland from taxing the national bank in *McCulloch v. Maryland*.
9. (b) Describe a difference in the facts between *McCulloch v. Maryland* and *United States v. Lopez*.
10. (c) Explain how the holding in *McCulloch* and the holding in *Lopez* differ in their effect on the balance of power between the national government and the states.
11. (d) Explain how the holding in *United States v. Lopez* demonstrates the principle of federalism.

QUESTION 4 Argument Essay

Develop an argument that explains whether the Constitution's design protects individual liberty better through a large national republic or through strong state governments. In your essay, you must: articulate a defensible claim or thesis; support your claim using at least TWO pieces of specific and relevant evidence, one of which must come from *Federalist No. 10* or *Brutus No. 1*; use reasoning to explain why your evidence supports your claim; and respond to an opposing or alternative perspective using refutation, concession, or rebuttal.

12. Write a well-organized essay that meets all four requirements above. (Plan: thesis, two evidence paragraphs, and a response to the opposing view.)

Answers Chapter 1: Answers and Explanations

Answers for every practice problem, numbered to match. Read the explanation even when your answer is correct.

1.1 Ideals of Democracy and Types of Democracy**SET A · CHECK YOUR UNDERSTANDING**

1. The social contract is an agreement in which people consent to government in exchange for protection of their rights. The Declaration lists grievances to show the king violated that agreement, so the colonists claim the right to alter or abolish his rule.
2. Locke named life, liberty, and property. Jefferson wrote life, liberty, and the pursuit of happiness. The change broadens the purpose of government beyond protecting possessions, but both treat the rights as unalienable and prior to government.
3. Montesquieu argued liberty is protected when power is divided among separate branches. This appears in the Constitution's separation of powers into legislative, executive, and judicial branches, and in the checks each holds over the others.
4. A republic is a government in which citizens exercise power through elected representatives who act for the public good. In a direct democracy citizens make laws themselves. The Founders chose a republic to filter public opinion and to make government workable in a large country.
5. The Electoral College is one example: electors, not voters directly, formally choose the president. Another is lifetime appointment of federal judges. Each places a decision in the hands of a small group insulated from immediate public pressure, a key feature of elite democracy.
6. They reflect participatory democracy. Their broad, active involvement through petitions and public meetings shows citizens trying to shape decisions directly rather than leaving them to leaders or to large organized interests.

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SET B · EXAM-STYLE MULTIPLE CHOICE

7. D. The consent of the governed means that the people are the source of political authority, which is popular sovereignty. Federalism (A) divides power between governments and does not concern the source of authority; separation of powers (C) concerns dividing power within government.
8. A. Montesquieu's *The Spirit of the Laws* argued for dividing power among branches. Locke (D) is the tempting choice because he is the source of natural rights, but he is not the main source of separation of powers.
9. E. Initiatives that let citizens bring and decide laws directly broaden participation, a participatory feature. Pluralist (B) would involve group lobbying of officials, not voters deciding themselves.
10. C. Pluralist democracy centers on competing nongovernmental groups shaping decisions. Choice B describes elite democracy, and A describes direct, participatory democracy.
11. B. The Electoral College filters voters' preferences through electors, a classic elite feature. Direct House elections (A) and short terms (D) are participatory features.
12. D. Locke held that natural rights precede government and that government's job is to protect them, so rights limit government. Choice A is closer to a Hobbesian view, in which rights depend on a sovereign.

SET C · APPLY AND EXTEND

13. (a) 1 point: pluralist democracy, because an organized group seeks influence on decisions. (b) 1 point: participatory democracy emphasizes broad involvement by ordinary individuals, while pluralism works through group-based activism, so people mostly take part through the groups they belong to. (c) 1 point: groups with more money, organization, or access may dominate, leaving unorganized or poorer interests underrepresented. Any accurate concern about unequal influence earns the point.
14. Idea 1 (1 point) with feature (1 point): popular sovereignty is reflected in the Preamble's "We the People" and in regular elections, such as direct election of the House. Idea 2 (1 point) with feature (1 point): natural rights and the social contract are reflected in protection of liberty through the Bill of Rights, or limited government is reflected in separation of powers and enumerated powers. Full credit requires naming each idea, linking each to a specific provision, and explaining the link, not merely listing terms.

1.2 Government Power and Individual Rights**SET A · CHECK YOUR UNDERSTANDING**

1. Order means security and enforceable law; liberty means freedom from arbitrary government. Giving government more power to maintain order usually reduces individual freedom, while giving individuals more freedom can weaken government's ability to enforce rules. Good design seeks a balance.
2. The founding generation had just rebelled against a powerful distant government and feared concentrated authority. States kept most power, and the national government was designed to be a weak league that could not threaten state or individual liberty.
3. Congress could not tax and could only request funds, so it struggled to pay war debts. It could not regulate interstate commerce, so states erected trade barriers and the nation could not bargain well with foreign powers. Both limits left the economy fragmented.
4. It was an uprising by indebted western Massachusetts farmers in 1786-87 who closed courts and threatened an arsenal. The national government had no army or funds to respond, which revealed that it could not maintain domestic order.
5. All thirteen states had to agree to any amendment, so a single state could block reform. This made fixing the structural problems nearly impossible, which is why leaders called a convention to write a new constitution instead.
6. The Northwest Ordinance set a method for admitting new states and banned slavery in the territory north of the Ohio River. It showed the Articles could do some things, but it did not give Congress taxing, commerce, or enforcement powers, so major weaknesses remained.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. B. Congress could only request money from states and had no authority to tax, which left it unable to pay debts. Unanimity to amend (E) was a separate weakness that blocked reform but did not itself produce the funding shortfall.
8. E. Congress could not raise an army or compel order, so privately funded militia had to end the rebellion. Choice A is the opposite: the problem was weak, not excessive, national power.
9. D. Major laws needed the affirmative vote of nine states, which let a small group of states block action. Choice A is wrong because votes were by state, not by simple majority of members.
10. A. The Declaration states natural rights, popular sovereignty, and a list of grievances showing the king broke the contract. It was not a plan of government (B); that was the Articles and later the Constitution.
11. C. Expanding government power to ensure security often constrains liberty, such as through searches or restrictions. Choice A ignores that trade-off, and C is extreme.
12. A. With no power to regulate commerce, states taxed each other's goods and competed against one another. A uniform tariff (B) would have required exactly the national power the Articles lacked.

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SET C · APPLY AND EXTEND

13. (a) 1 point: a correct weakness, such as no power to tax, no national military, no commerce regulation, or amendment by unanimity. (b) 1 point: a linked event, for example Shays' Rebellion showing the lack of military or enforcement power, or unpaid war debts showing the lack of taxing power. (c) 1 point: for example, Article I gives Congress the power to tax and regulate commerce, and Article II creates an executive able to enforce laws and command forces. Credit requires specificity and an explicit link, not a general claim that the Articles were weak.
14. 1 point: the Declaration accused Britain of concentrated, unaccountable power and asserted natural rights. 1 point: the Articles reflected the same fear by keeping power with the states and providing no executive or national courts. 1 point: the Articles were criticized because the resulting national government could not tax, regulate commerce, or enforce order (such as in Shays' Rebellion), so leaders argued liberty needed a government with enough power to function.

1.3 The Constitutional Convention and Compromises**SET A · CHECK YOUR UNDERSTANDING**

1. They wanted a government strong enough to tax, regulate commerce, and keep order, and they also wanted to limit power through division of authority so neither a tyrant nor unchecked majorities could dominate. Both goals respond to the failures of the Articles and fear of tyranny.
2. The Virginia Plan based representation in a two-house legislature on population, favoring large states. The New Jersey Plan gave each state one vote in a single chamber, protecting small states. They disagreed about whether people or states should be the unit of representation.
3. It created a House apportioned by population and a Senate with two senators per state. This gave large states the advantage in one chamber and small states equality in the other, and revenue bills begin in the House.
4. It counted each enslaved person as three-fifths of a free person for representation and direct taxes. Slaveholding states benefited by gaining more House seats and electoral votes, even though enslaved people had no political rights.
5. It prevented Congress from banning the importation of enslaved people before 1808. This protected the slave trade for twenty years as the price of southern support for the Constitution.
6. Selection by Congress would weaken executive independence, and direct election raised concerns about uninformed voters and was disliked by southern states. The Electoral College blended state roles, popular input, and an elite filter, so it was a compromise.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. The Great Compromise created a House based on population and a Senate with equal representation. The Three-Fifths Compromise (A) concerned counting enslaved people, not state size.
8. D. The New Jersey Plan, favored by small states, kept a unicameral legislature with equal votes. Choice A describes the Virginia Plan.
9. A. It set the fraction at which enslaved people counted for representation and direct taxes. Choice C is unrelated; terms were not addressed by this compromise.
10. E. Each state has two senators regardless of population, so voters in small states have more weight per capita. House apportionment (A) favors large states.
11. B. The Electoral College can produce a winner who loses the popular vote, which continues to generate debate. The other options were settled by the text or by later amendment.
12. D. The Constitution barred a ban on importation before 1808. Choice E is when the 13th Amendment ended slavery, a different matter.

SET C · APPLY AND EXTEND

13. (a) 1 point: names a compromise such as the Great Compromise, Three-Fifths, slave trade, or Electoral College. (b) 1 point: accurately explains the dispute (for example, large versus small states over representation). (c) 1 point: links to a current effect, for example equal Senate representation gives small states disproportionate influence over legislation and confirmations, or the Electoral College affects presidential campaigns. Generic claims without a specific effect do not earn the point.
14. 1 point: states a defensible position. 1 point each for two accurate compromises with evidence (for example, the Great Compromise secured small-state support; the Three-Fifths Compromise and slave trade clause kept southern states in the union but entrenched slavery). 1 point: reasoning that connects the evidence to the position, such as weighing union against democratic equality. Either position can earn full credit if supported with accurate evidence.

1.4 Ratification: Federalists and Anti-Federalists**SET A · CHECK YOUR UNDERSTANDING**

1. Nine of thirteen states had to ratify through special state conventions. Using conventions of the people, not state legislatures or Congress, reflects popular sovereignty and avoided leaving the decision to bodies that would lose power.
2. A faction is a group, whether a majority or minority, united by a common interest or passion adverse to others' rights or the common good. Madison names the unequal distribution of property as the most common and durable source.
3. A large republic contains many more interests and groups, so it is harder for a single faction to become a majority and act together. Representatives also refine public views. A small republic has fewer interests, so a majority faction forms easily.
4. Madison means that officials in each branch should have personal and institutional motives to resist encroachment by others. Since people are self-interested, the system uses competing ambitions, such as Congress checking the president, to prevent tyranny.
5. Hamilton argued one person acts with energy and speed, can respond to emergencies, and is clearly accountable to the public. A plural executive would allow delay, disagreement, and blame-shifting.
6. They feared the new national government could threaten individual liberties and there was no list of protections. Federalists promised amendments to secure rights, and Madison drafted the Bill of Rights, ratified in 1791.

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SET B · EXAM-STYLE MULTIPLE CHOICE

7. E. Madison holds that a large republic with representation filters opinion and multiplies interests. Choice B is the model he rejects as unable to control majority factions.
8. B. Brutus fears the national government's taxing, supremacy, and necessary and proper powers would swallow the states. Choice A is Madison's argument in Federalist 10, the opposite view.
9. C. Hamilton says the judiciary lacks the sword and the purse, so it has only judgment. Choice B is wrong because the legislature, not the courts, controls spending.
10. A. Federalist 51 explains how separated powers with checks let ambition counteract ambition. The Senate arrangement (D) is from the Great Compromise, not the logic of Fed. 51.
11. D. The promise of amendments protecting rights persuaded skeptical states to ratify. Hamilton (A) did not need convincing, and the Federalists had opposed adding a bill first.
12. B. Federalist 70 argues for a unitary executive for energy and accountability. Hamilton supports judicial review in No. 78, so the option claiming he opposes it is wrong.

SET C · APPLY AND EXTEND

13. (a) 1 point: Madison argues a large republic with many interests makes a majority faction less likely and uses representatives to refine opinion. (b) 1 point: Brutus argues a large republic is too distant from the people, so government would be consolidated and unaccountable. (c) 1 point for linking to structure: Madison's view appears in the House's elected representatives and the extended republic; Brutus's concerns appear in the Bill of Rights and the retention of state powers (10th Amendment). Accept any accurate parallel.
14. 1 point: accurately describes one document (for example Federalist 51 relies on structural checks to protect liberty). 1 point: accurately describes a second with a contrasting view (for example Brutus 1 warns that national power will consolidate and endanger liberty). 1 point: explains the difference in how each balances power and rights. Full credit requires explicit comparison and reference to the specific text arguments, not just summaries.

1.5 Principles of American Government**SET A · CHECK YOUR UNDERSTANDING**

1. Separation of powers assigns lawmaking, enforcement, and adjudication to different branches. Checks and balances give each branch powers over the others' actions. The first divides jobs, the second creates overlap and mutual restraint.
2. Congress can override a presidential veto with two-thirds votes, and the Senate can reject nominations and treaties. It can also impeach and remove the president or other officials and control the budget through appropriations.
3. It makes the Constitution, federal laws, and treaties the supreme law of the land, so state laws that conflict with them are invalid. It is in Article VI.
4. Proposal: two-thirds of both houses of Congress, or a national convention requested by two-thirds of state legislatures. Ratification: three-fourths of state legislatures, or conventions in three-fourths of states.
5. Proposal requires two-thirds of Congress and ratification three-fourths of the states, a broad consensus meant to prevent hasty change. Many proposals lack that support, so change has often come by other means.
6. Judicial review was established through the Court's decision in *Marbury v. Madison*, and the president's cabinet and political parties grew through practice. These changes came from interpretation and custom, not an amendment text.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. A. Refusing confirmation is a power of the Senate over a presidential nomination, a check on the executive. Judicial review (B) is the courts reviewing government actions.
8. D. Conviction and removal after impeachment needs two-thirds of senators present. Confirmations and ordinary legislation (B) need only majorities.
9. E. "We the People" asserts that authority comes from the people. Federalism (C) concerns the division of power between governments, not its source.
10. B. Ratification requires 38 of 50 states. Choice A is wrong because the president has no role, and a simple majority (D) is below the required two-thirds.
11. C. The Court established judicial review in *Marbury v. Madison*. The other powers listed are expressly stated in Article III.
12. E. Elected officials who must obey a written constitution illustrate both republicanism and limited government. Direct democracy (B) would involve citizens making laws themselves.

SET C · APPLY AND EXTEND

13. (a) 1 point: a system in which each branch has powers to limit the others. (b) 1 point for a president-to-Congress check (veto, calling special sessions) and 1 point for a Congress-to-president check (override, impeachment, Senate confirmation, budget). (c) 1 point: dividing and overlapping power prevents any branch from dominating, which keeps government within constitutional limits.
14. 1 point: two-thirds of both houses propose. 1 point: three-fourths of the states ratify, by legislatures in the usual case. 1 point: explains that supermajorities require broad consensus across regions and protect against temporary majorities, consistent with the framers' fear of hasty changes. The president does not sign; credit is not given for a presidential role.

1.6 Federalism: Structure and Constitutional Basis

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SET A · CHECK YOUR UNDERSTANDING

1. Federalism divides power between national and state governments. Madison called it a double security because rights are protected by dividing power vertically between levels as well as horizontally among branches, so each government guards against the other's abuse.
2. Enumerated powers are explicitly listed, like coining money or declaring war. Implied powers are not listed but follow from enumerated ones through the Necessary and Proper Clause, like creating a national bank.
3. It states that powers not delegated to the national government nor prohibited to the states are reserved to the states or the people. It protects reserved powers such as police powers over health, safety, and education.
4. In dual federalism the levels act in separate spheres, a layer cake. In cooperative federalism they share responsibilities and often work together through grants, a marble cake, as in modern welfare and transportation programs.
5. The Court held that Congress could create a national bank as an implied power and that Maryland could not tax it. It relied on the Necessary and Proper Clause and the Supremacy Clause.
6. The Court held that the Gun-Free School Zones Act exceeded Congress's Commerce Clause power. Gun possession near schools is not economic activity and has too indirect a link to interstate commerce, so upholding it would erase limits on federal power.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. The clause lets Congress take actions reasonably related to enumerated powers, which are implied powers. Concurrent powers (B) are shared by both levels and arise from different provisions.
8. A. Both the nation and states may levy taxes. Regulating interstate commerce (D) is national, and coining money is denied to states.
9. E. Marshall reasoned that valid federal institutions are protected by the Supremacy Clause from state obstruction. The 10th Amendment (C) is the argument Maryland made, which the Court rejected.
10. D. Lopez held that carrying a gun near a school is not economic activity, so Congress went beyond its commerce power. Choice A is the opposite of the holding.
11. B. Shared administration and funding through programs is cooperative federalism (marble cake). Dual federalism (A) implies separate spheres.
12. A. Professional licensing is a state police power under the 10th Amendment. The other options are expressly national powers.

SET C · APPLY AND EXTEND

13. (a) 1 point: Maryland taxed the national bank; the Court held that Congress had implied power to create the bank and the state could not tax it (Necessary and Proper and Supremacy). (b) 1 point: the Gun-Free School Zones Act was struck down 5-4 because gun possession is not economic and exceeded the Commerce Clause. (c) 1 point: McCulloch expanded national authority; Lopez limited it and protected state power. Accurate comparison with a clear contrast is required.
14. 1 point: the federal statute prevails. 1 point: the Supremacy Clause of Article VI. 1 point: the state could argue the federal law regulates a matter reserved to the states under the 10th Amendment and exceeds enumerated powers, as Lopez found. Full credit needs a plausible 10th Amendment argument tied to a reserved power such as education or police powers.

1.7 Federalism in Action**SET A · CHECK YOUR UNDERSTANDING**

1. Fiscal federalism is the use of federal money to shape state policy. Because states depend on federal funds, Congress can attach conditions that states are reluctant to refuse, giving it influence beyond its direct powers.
2. Categorical grants are narrow and carry strict rules, leaving states little discretion. Block grants are broad and let states choose how to spend funds within general categories.
3. An unfunded mandate is a federal requirement imposed on states or localities without the money to carry it out. Officials criticize it because costs fall on state and local budgets.
4. Devolution is the shift of responsibility from the national government to the states. The 1996 welfare reform replaced the earlier program with TANF block grants, giving states more control over eligibility and work requirements.
5. States can try different policies in their own jurisdictions, so successful ideas can spread and failures are limited to one state. This allows experimentation without risking the entire nation.
6. McDonald held that the 2nd Amendment applies to state and local governments through the Due Process Clause of the 14th Amendment. It limited state power to regulate guns, extending the incorporation of the Bill of Rights.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. B. Block grants fund broad areas with minimal restrictions. Categorical grants (A) restrict use to specific purposes.
8. D. A requirement imposed without funding is an unfunded mandate. Devolution (C) refers to shifting authority to states, not requiring them to meet standards.
9. C. State laws differ while federal law remains supreme, which creates a federalism conflict. Judicial review (A) is the courts' power and not the heart of the issue.
10. E. The Court uses 14th Amendment due process to apply most Bill of Rights protections to states. The Supremacy Clause (A) makes federal law supreme but is not the doctrine of incorporation.
11. A. Replacing a federal entitlement with block grants gave states discretion, which is devolution. Choice B is the opposite.
12. C. Congress used a spending condition rather than a direct order, and the Court upheld it. Direct orders (A) would raise 10th Amendment problems.

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SET C · APPLY AND EXTEND

13. (a) 1 point: a federal grant for a broad policy area giving states wide discretion in spending. (b) 1 point: advantage, such as flexibility to fit local needs; 1 point: disadvantage, such as less federal oversight, uneven results, or risk of reduced funding. (c) 1 point: it moves decision-making responsibility from the national government to states, which is devolution.
14. 1 point: the Due Process Clause of the 14th Amendment lets courts apply Bill of Rights guarantees against states. 1 point: McDonald applied the 2nd Amendment to Chicago, invalidating its handgun ban. 1 point: a state could argue that police power over public safety is reserved under the 10th Amendment and that local conditions justify different gun rules. Accept any accurate argument for state autonomy.

1.8 Federalism and the Public Policy Process**SET A · CHECK YOUR UNDERSTANDING**

1. Agenda setting, formulation and adoption, implementation, and evaluation. Problems are placed on the agenda, laws are adopted, agencies carry them out, and results are assessed and adjusted.
2. Education is a traditional state police power reserved by the 10th Amendment, so states and districts set standards and provide most funds. The national government influences it through conditional grants, testing requirements, and civil rights enforcement.
3. National defense and foreign policy, because the Constitution gives these to the national government; and immigration or currency, because they require uniform national rules. Both are enumerated or inherent national powers.
4. States can form interstate compacts with congressional consent, and they rely on the Full Faith and Credit Clause so one state honors another's judgments. They may also sue each other in the Supreme Court.
5. Dobbs overruled Roe v. Wade and returned authority to regulate abortion largely to states and elected legislatures, producing widely different state laws, which illustrates reserved powers and policy diversity.
6. Because states hold reserved powers, they may legislate differently on matters like marijuana, minimum wage, or gun laws. For example, some states have legalized recreational marijuana while others maintain bans.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. E. Agencies putting a statute into effect through rules is implementation. Formulation (B) is drafting and adopting the policy.
8. A. Public education has historically been a state and local police-power function. Declaring war and making treaties belong to the national government.
9. C. Article I, Section 10 requires congressional consent for interstate compacts. A presidential order (A) has no such role.
10. B. Shared responsibility, with national goals and state discretion, is cooperative federalism. Dual federalism (A) would involve separate spheres.
11. D. Congress attaches conditions to funds and enforces civil rights laws, which shape state education policy indirectly. The Necessary and Proper Clause (A) must still link to an enumerated power.
12. E. The dispute is about whether federal law preempts local choices (Supremacy Clause) and whether the federal government may commandeer local resources (10th Amendment). The other options are unrelated.

SET C · APPLY AND EXTEND

13. (a) 1 point: a valid shared area such as health care, the environment, or transportation. (b) 1 point: accurate federal role (for example, funding or national standards) and accurate state role (for example, administration or additional regulation). (c) 1 point: resolution by the Supremacy Clause and courts, congressional preemption, negotiation, or conditioning grants. Responses must describe both levels, not just one.
14. 1 point: a clear position. 1 point: accurate federalism principle (for example, 10th Amendment reserved powers and laboratories of democracy for the state side; Supremacy Clause, equal national treatment, and interstate effects for the national side). 1 point: application to the issue with an example. 1 point: reasoning that connects the principle to the position, possibly acknowledging a trade-off. Either position can earn full credit.

1.9 Multiple-Choice Practice: Foundations of American Democracy**SET A · CORE CONCEPTS**

1. D. The statement says authority comes from the people and rests on an agreement they can end, which are popular sovereignty and the social contract. Republicanism appears in a wrong option, but pairing it with elite democracy does not fit the statement.
2. B. Montesquieu argued in *The Spirit of the Laws* that separated powers protect liberty. Locke, the best distractor, shaped natural rights and consent, not the branch structure.
3. A. Direct citizen lawmaking widens participation, a participatory feature. Pluralism works through group pressure on officials, so it fails here.
4. C. Congress could not raise an army to respond, so private funds paid for a militia. The claim that Congress was too powerful reverses the situation.
5. E. It blended the Virginia Plan (population) and the New Jersey Plan (equality). The single-house option describes the New Jersey Plan alone, which the convention did not adopt.
6. B. The Electoral College compromise leaves this possibility, as in 2000 and 2016. The others were settled directly by the text.
7. D. Madison says the causes cannot be removed without destroying liberty, so the effects must be controlled. A small direct democracy is the form he says is most prone to majority faction.

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SET B · APPLICATIONS AND DATA

8. B. Federalist 51 describes motives for each branch to resist the others, which is checks and balances. The Supremacy Clause concerns national and state law, not the relations among branches.
9. A. The Senate's treaty power checks the president. A veto override is a different process and requires two-thirds of both houses.
10. C. Article V requires ratification by three-fourths of the states. The president has no role, which makes the option about presidential signature wrong.
11. E. Both the national and state governments tax. Coining money is a national power that states are denied.
12. B. Marshall used the Necessary and Proper Clause and the Supremacy Clause. The idea that states could tax the bank was Maryland's position, which the Court rejected.
13. D. Only the proposal row is correct. Ratification needs three-fourths of the states, a veto override needs two-thirds, and removal needs two-thirds of the Senate. The ratification row is the most tempting error because it uses the same supermajority idea.
14. B. A broad purpose with state discretion defines a block grant. A categorical grant limits spending to a narrow purpose.

SET C · EXAM-LEVEL STRETCH

15. A. The ruling limited the Commerce Clause for non-economic activity. The claim that Congress has no commerce power overstates the holding.
16. C. Article VI makes valid federal law supreme over conflicting state law. A governor's veto is a state-level check unrelated to the clause.
17. E. Madison sees size as a safeguard, while Brutus sees it as a danger to liberty. The disagreement over a plural executive concerns Hamilton and other Anti-Federalists, not these two documents.
18. B. A requirement without funding is an unfunded mandate. A block grant would include money with flexibility.
19. D. Incorporation through Due Process applies guarantees such as the 2nd Amendment in *McDonald v. Chicago* to states. It does not eliminate the 10th Amendment, which remains in force.
20. B. Article I, Section 10 allows compacts with congressional consent. Taxing imports from another state is forbidden to states.

1.10 Free-Response Practice: Foundations of American Democracy**QUESTION 1 · CONCEPT APPLICATION**

1. (a) 1 point: Congress is using a conditional grant (fiscal federalism): money tied to a state policy requirement. Naming a grant with conditions or spending power earns the point; naming a block grant alone is acceptable if the condition is noted.
2. (b) 1 point: the levels are working jointly, with national funds supporting a state-run education program, rather than operating in separate spheres. The explanation must refer to the shared responsibility, not merely define the term.
3. (c) 1 point: the state could cite the 10th Amendment, which reserves education policy to the states, to argue that accepting the condition surrenders control; the state may refuse because the grant is voluntary. Accept an argument tied to reserved powers.

QUESTION 2 · QUANTITATIVE ANALYSIS

4. (a) 1 point: federal grants rise from 20 percent to 38 percent of total spending, an increase of 18 percentage points. Stating the numbers accurately is required.
5. (b) 1 point: the state depends more on federal funds over time, which suggests growing national influence and a more cooperative, intertwined relationship (not dual federalism).
6. (c) 1 point: federal grants usually carry conditions, so greater reliance allows Congress to shape state policy through the spending power; categorical grants are especially restrictive. Accept a clear link of larger grants to greater federal control.
7. (d) 1 point: reliance on federal money can reduce state discretion and make states vulnerable to funding cuts or unfunded mandates, weakening the reserved powers protected by the 10th Amendment.

QUESTION 3 · SUPREME COURT COMPARISON

8. (a) 1 point: the Supremacy Clause (Article VI). A valid federal institution cannot be taxed or obstructed by a state. Naming the Necessary and Proper Clause alone does not earn the point because that clause explains why Congress could create the bank, not why Maryland could not tax it.
9. (b) 1 point: *McCulloch* concerned a state tax on a federal bank, while *Lopez* concerned a federal criminal law on gun possession near schools. The response must describe a factual difference, not just restate the holdings.
10. (c) 1 point: *McCulloch* expanded national power by upholding implied powers and national supremacy over a state tax. *Lopez* limited national power by finding that Congress exceeded its commerce power over non-economic local conduct, protecting state police power. Both parts must be explained to earn the point.
11. (d) 1 point: *Lopez* enforced limits on the national government's enumerated powers by holding that the Commerce Clause does not reach non-economic local conduct, which preserves a sphere of state authority under the Tenth Amendment. The response must tie the holding to the division of power between national and state governments.

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QUESTION 4 · ARGUMENT ESSAY

- 12.** Scoring (6 points): 1 point for the thesis, up to 3 points for evidence, 1 point for reasoning, and 1 point for the alternate perspective. Thesis (1 point): a defensible claim that takes a position and sets up a line of reasoning, not a restatement of the prompt (for example, that a large republic protects liberty better because it checks majority factions). Evidence (up to 3 points): one point for a relevant piece of evidence, two points for a specific and relevant piece, and three points for two specific and relevant pieces, one of which comes from Federalist No. 10 or Brutus No. 1 (Federalist No. 10's argument about factions in an extended republic, or Brutus No. 1's warning that a large republic distances representatives from the people); the second can be Federalist No. 51's double security, the Supremacy Clause, the Tenth Amendment, or the Bill of Rights. Reasoning (1 point): explains how the evidence supports the thesis through causation, comparison, or process, not merely listing facts. Alternate perspective (1 point): describes an opposing view and refutes, concedes, or rebuts it, for example conceding that Brutus feared distant government and then rebutting that structure and the Bill of Rights guard against abuse. Either position can earn full credit if it is supported and reasoned.

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Chapter 2: Interactions Among Branches of Government.

11 sections with explanations and worked examples, then 158 practice problems. Answers and full explanations are at the end of the chapter.

2.1 Congress: Structure and Powers

You will compare the House and Senate and identify the enumerated, implied, and chamber-specific powers of Congress.

Article I of the Constitution creates Congress, a **bicameral** (two-chamber) legislature, and lists its powers before those of the president or the courts. The framers expected the legislature to be the most powerful branch because it represents the people and controls taxing and spending. Understanding how the two chambers differ explains much of how policy is made.

The Great Compromise. At the Constitutional Convention, large states backed the Virginia Plan (representation by population) and small states backed the New Jersey Plan (equal representation). The Great Compromise, also called the Connecticut Compromise, split the difference: the House of Representatives is based on population, and the Senate gives every state two members. This is why the House is designed to represent the people and the Senate to represent the states as equals. The republican ideal, rule through elected representatives, is built into both chambers.

The two chambers at a glance

House: 435 voting members; 2-year terms; at least 25 years old, 7 years a citizen, lives in the state; whole chamber elected every two years; seats divided among states by population.

Senate: 100 members (2 per state); 6-year staggered terms (one third elected every two years); at least 30 years old, 9 years a citizen; originally chosen by state legislatures, directly elected since the 17th Amendment (1913).

Feature	House of Representatives	Senate
Size	435 voting members (plus nonvoting delegates)	100
Basis of representation	Population of each state, by apportionment	Equal: two per state
Term	2 years	6 years, staggered
Constituency	Smaller, usually one district	Larger, whole state
Debate	Strict time limits set by the Rules Committee	Nearly unlimited unless cloture is invoked
Atmosphere	Formal, majority-controlled, partisan	Less formal, individual senators hold more power
Unique powers	Starts revenue bills; impeaches officials	Approves treaties; confirms appointments; tries impeachments

Apportionment and size. The Constitution requires a census every ten years. After each census, seats in the House are **reapportioned**: states that grew faster gain seats and others lose them. The number of voting members was fixed at 435 by a 1929 law, so one state's gain is another's loss. A state's number of electoral votes equals its House seats plus two (for its senators), so reapportionment also shifts presidential power. Redrawing district lines inside a state after reapportionment is called **redistricting** (covered in a later lesson).

Why the chambers behave differently. Size and term length shape behavior. The large House needs strict rules to function, so the majority party, through the Speaker and the Rules Committee, controls debate and amendments. The smaller Senate can allow open debate, which gives individual senators more leverage. Terms matter too: House members must campaign constantly, which pushes them toward the short-term preferences of their district. Senators serve six years and represent a whole state, so they can take longer views and form shifting coalitions. Because only a third of the Senate faces voters at a time, it changes slowly, which the framers meant as a cooling check on passing public moods.

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Enumerated and implied powers

Enumerated (expressed) powers are those listed in Article I, Section 8: tax, borrow, regulate interstate and foreign commerce, coin money, declare war, raise and support armies and a navy, establish post offices, set naturalization rules, and create lower courts.

Implied powers come from the necessary and proper (elastic) clause, which lets Congress make all laws needed to carry out its listed powers. *McCulloch v. Maryland* (1819) confirmed this broad reading.

Powers of Congress as a whole. Congress holds the power of the purse: it passes the federal budget, raises revenue, and coins money. It declares war and funds the military, even though the president is commander in chief. It writes laws on a wide range of economic, environmental, and social issues, justified mostly by the commerce clause and the necessary and proper clause. Article I, Section 9 also limits Congress: it may not pass bills of attainder or ex post facto laws, and it may not suspend habeas corpus except in rebellion or invasion.

Powers unique to each chamber. The House originates bills for raising revenue, though the Senate may amend them, and the House holds the sole power to **impeach** (formally accuse) federal officials by majority vote. The Senate holds the power to try impeachments, with a two-thirds vote needed to convict, to confirm presidential appointments (judges, ambassadors, cabinet) by majority vote, and to ratify treaties by a two-thirds vote. If no presidential candidate wins an Electoral College majority, the House picks the president and the Senate picks the vice president. The Speaker of the House leads the House, while the vice president is President of the Senate and votes only to break ties.

EXAMPLE 1: WHICH CHAMBER?

A bill raising the federal tax on gasoline passes the House, and separately the president submits a treaty and an ambassador nomination. Identify which chamber has the key role for each action and the vote required.

SOLUTION

Revenue bill: the Constitution says tax bills originate in the House. The Senate may then amend and must also pass it, so both chambers must agree on the same text.

Treaty: only the Senate ratifies treaties, and it needs two thirds of senators present. This is a higher bar than ordinary laws.

Ambassador: nominations are confirmed by the Senate alone, by simple majority. The House has no role.

Conclusion: the House starts money bills, while the Senate holds foreign-policy and appointment checks on the president.

EXAMPLE 2: REAPPORTIONMENT

After a census, State X has the same number of residents it had before, but the rest of the country grew faster. State X had 6 House seats. Explain what is likely to happen to its House seats and its electoral votes, and why total House size does not change.

SOLUTION

House seats are divided by each state's share of national population. State X's share fell, so it will likely lose a seat and have 5.

Electoral votes equal House seats plus two senators. State X goes from 8 electoral votes to 7. Its Senate seats stay at two because of the Great Compromise.

The House stays at 435 because federal law caps it. Seats are redistributed, not added, so one state's gain is another's loss.

Common mistakes

Do not say the House has 100 members or that senators serve two-year terms. Do not say the Senate originates revenue bills. Do not say the House ratifies treaties. Remember: the Senate has only two seats per state no matter how big the state is, while House seats change with every census. And the vice president is not a member of the Senate; he only breaks ties.

Practice

SET A Check Your Understanding

Answer each question in two to four sentences.

1. Explain how the Great Compromise shaped the structure of Congress.
2. Name two powers that belong only to the House and two that belong only to the Senate.
3. Why do House debate rules differ from Senate debate rules, and how does this affect the individual member?
4. Distinguish enumerated powers from implied powers and give one example of each.

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5. How does the census connect to a state's influence in presidential elections?
6. How did the 17th Amendment change the Senate, and why does it matter for the republican ideal?

SET B Exam-Style Multiple Choice

Choose the best answer for each question.

7. Which of the following is a power given only to the Senate?
(A) Originating revenue bills (B) Impeaching a federal judge
(C) Ratifying treaties by a two-thirds vote (D) Overriding a veto by simple majority
(E) Selecting the Speaker of the House
8. A state's population grows more slowly than the national average between two censuses. Which outcome is most likely?
(A) It loses a House seat and an electoral vote
(B) It loses a Senate seat
(C) It keeps all its House seats because seats are fixed at statehood
(D) It gains a House seat because the House gets larger
(E) It loses electoral votes but keeps its House seats
9. Which feature best explains why a senator can often take a longer-term view than a representative?
(A) A larger number of colleagues (B) Election by state legislatures
(C) Strict time limits on floor debate (D) Six-year terms and a statewide constituency
(E) A requirement to be 25 years old
10. The necessary and proper clause is most directly the basis for which kind of congressional power?
(A) Judicial review (B) Implied powers
(C) Reserved powers of the states (D) Executive privilege
(E) Inherent powers of the president
11. Which statement about Congress is accurate?
(A) The president and Congress share the power to declare war equally
(B) The House confirms judges
(C) Senators must be at least 25 years old
(D) The vice president votes on every Senate bill
(E) Congress controls the power of the purse, including taxing, borrowing, and coining money
12. The Great Compromise is best described as which of the following?
(A) A plan creating one chamber with equal votes for each state
(B) A plan creating a House based on population and a Senate with equal state representation
(C) A plan allowing the president to select senators
(D) A rule counting enslaved persons as three fifths for apportionment
(E) A plan limiting Congress to enumerated powers only

SET C Apply and Extend

Write a full response. Each answer lists the scoring points.

13. Compare the House and the Senate on (a) term length and size, and (b) one way that difference affects how each chamber makes policy.
14. Explain how the Constitution makes Congress the most powerful branch on spending, and identify one limit on Congress's power in Article I, Section 9.

2.2 How a Bill Becomes Law

You will trace a bill from introduction through committee, floor action, conference, and presidential action, and explain how rules shape outcomes.

A bill must survive a long series of choke points before it becomes law, and most die along the way. The process is deliberately difficult: the framers wanted laws to reflect broad agreement. Knowing where bills get stuck, and who controls each gate, is essential for both multiple-choice and free-response questions.

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Step 1: Introduction and committee referral. Only a member of Congress can introduce a bill, though the president or an interest group may draft it. In the House, a bill is dropped in the hopper; in the Senate, a senator is recognized to introduce it. The bill is then referred to a **standing committee**, a permanent committee with a policy focus such as Armed Services or Judiciary. Committees are where most bills die. A chair, who belongs to the majority party and often has seniority, controls the schedule, so a bill the chair dislikes may never receive a hearing. The committee holds hearings, then holds a **markup**, where members amend the text, and votes whether to report it to the full chamber.

Other committees matter too. **Select committees** study a specific issue for a limited time, **joint committees** include members of both chambers (often for oversight or administration), and **conference committees** are temporary joint panels that settle differences between House and Senate versions of a bill.

Types of committees

Standing: permanent, specialized, write and review most bills.

Select (special): temporary, investigate or study one issue.

Joint: members from both chambers, mostly study and oversight.

Conference: temporary, merges differing House and Senate versions of the same bill.

Step 2: Floor action in the House. A reported bill goes on a **calendar**, a list that sets the order of consideration. In the House, major bills go to the powerful **Rules Committee**, which issues a **rule** setting how long the debate lasts and whether amendments are allowed. A closed rule bars amendments, while an open rule permits them. The House often debates in the Committee of the Whole, a procedure that lets the chamber act with a lower quorum, and then holds a final vote. Because the majority party controls the Rules Committee, the Speaker of the House has major influence over what reaches the floor.

If a committee refuses to act, House members may try a **discharge petition**. If a majority of the House (218 members) signs, the bill can be forced out of committee to the floor. This tool is rarely successful because most members are reluctant to defy their own leaders.

Step 3: Floor action in the Senate. The Senate has no Rules Committee. Most debate is organized through **unanimous consent** agreements negotiated by the majority and minority leaders. Any senator can place a **hold**, an informal notice that the senator will object to a unanimous consent request, which can delay a bill or nomination. The most famous Senate tool is the **filibuster**, extended debate used to block a vote. It can be ended by **cloture**, which requires three fifths of the Senate (60 of 100). Since 2013 and 2017, cloture on nominations, including Supreme Court nominees, requires only a simple majority, but legislation still needs 60 votes. This is why a party with 52 or 53 seats often cannot pass major bills without minority support. **Budget reconciliation** is a major exception: it limits Senate debate to 20 hours so a budget-related bill can pass with 51 votes.

Cloture and the filibuster

Filibuster: a Senate tactic of unlimited debate to delay or kill a bill.

Cloture: a vote to end debate; requires 60 senators for legislation (three fifths), a simple majority for nominations.

The House has no filibuster because the Rules Committee sets debate limits.

Step 4: Reconciling versions. Both chambers must pass identical text. If the versions differ, a **conference committee** negotiates a compromise, and its report must be approved by both chambers without further amendment. Alternatively, one chamber may simply accept the other's version. During negotiation, members use **riders**, amendments unrelated to the bill's main purpose, attached to must-pass legislation such as appropriations. Riders and **pork-barrel** spending (projects aimed at a member's district) are often traded through **logrolling**, in which members agree to support one another's priorities.

Step 5: Presidential action. The president has four options. The president may sign the bill, making it law. The president may veto it, returning it with objections. If Congress is in session and the president does nothing for ten days (Sundays excluded), the bill becomes law without a signature. If Congress adjourns during those ten days and the president does nothing, the bill dies in a **pocket veto**, which cannot be overridden. Congress can **override** a regular veto by a two-thirds vote in both chambers. Overrides are rare, so the veto threat itself gives presidents leverage in bargaining. The president must accept or reject the whole bill: the Supreme Court struck down the line-item veto in *Clinton v. City of New York* (1998).

Stage	House	Senate
Gatekeeper	Rules Committee, Speaker	Majority leader, any senator via holds
Debate	Limited by rule	Unlimited unless cloture (60)
Forcing action	Discharge petition (218)	Cloture vote; unanimous consent
Majority needed to pass	Simple majority	Simple majority, but 60 to end debate
Special route	Committee of the Whole	Budget reconciliation (51 votes)

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EXAMPLE 1: COUNTING VOTES FOR CLOTURE

The Senate has 54 members of Party X and 46 of Party Y. All Party X senators support a bill and all Party Y senators oppose it. Party Y launches a filibuster. Can the bill pass? What does Party X need?

SOLUTION

A simple majority would pass the bill, and Party X has 54 votes. But a filibuster requires cloture to end debate, and cloture on legislation needs 60 votes.

Party X is 6 votes short ($60 - 54$). It would need at least six senators from Party Y to vote for cloture.

If the measure qualified as budget reconciliation, debate is limited by law, so 51 votes would be enough. Otherwise the filibuster gives the minority party a veto, which illustrates how Senate rules set the bar high for building majority support.

EXAMPLE 2: OVERRIDE MATH

The House passes a bill 230-205, the Senate passes it 62-38, and the president vetoes it. Assuming all members vote again in the same way, can Congress override? What would be needed?

SOLUTION

An override needs a two-thirds vote in each chamber. In the House with 435 members voting, two thirds is 290. The House has only 230 votes, so it is 60 short.

In the Senate with 100 members voting, two thirds is 67. The Senate has 62, so it is 5 short.

The override fails in both chambers. Supporters would need 60 more House votes and 5 more Senate votes, or must compromise with the president. This explains why veto threats often lead Congress to change a bill beforehand.

Common mistakes

Do not say the president can veto parts of a bill (no line-item veto). Do not say cloture requires 60 votes for judicial nominees today. Do not confuse a rider (unrelated amendment) with a pork-barrel project (spending for a district). Remember that a pocket veto occurs only when Congress adjourns, and an override needs two thirds of each chamber, not three fifths.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Why are standing committees called the gatekeepers of the legislative process?
2. What does the House Rules Committee do, and why does it have no Senate counterpart?
3. Explain the difference between a filibuster and cloture, including the vote needed for legislation.
4. What is a discharge petition, and why is it rarely successful?
5. Describe the four things a president can do with a bill passed by Congress.
6. Define a rider and explain why members attach riders to must-pass bills.

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SET B Exam-Style Multiple Choice

Choose the best answer for each question.

7. Which of the following is the primary role of a conference committee?
(A) Resolving differences between House and Senate versions of a bill
(B) Holding hearings on judicial nominees
(C) Investigating executive agencies
(D) Deciding whether a bill violates the Constitution
(E) Setting debate time for House bills
8. A bill has 56 supporters in the 100-member Senate. Opponents begin a filibuster. What is the likely outcome?
(A) The bill passes because it has a majority
(B) The bill goes to the House Rules Committee
(C) The president may order a vote
(D) The bill cannot pass without at least four more votes for cloture
(E) The bill dies automatically after ten days
9. Which action is an example of logrolling?
(A) A president rejects part of a spending bill
(B) Two representatives agree to support each other's district projects
(C) A senator reads a book aloud on the floor for hours
(D) A committee chair refuses to schedule a hearing
(E) The House signs a discharge petition
10. A president receives a bill on October 1 and does nothing. Congress adjourns on October 5 and does not return for months. What happens?
(A) It becomes law without signature
(B) Congress may override by a two-thirds vote
(C) The Supreme Court decides its fate
(D) The bill goes back to committee
(E) The bill dies by pocket veto
11. Which statement about the House and the Senate is accurate?
(A) Both chambers have a filibuster
(B) Only the Senate has committees
(C) The House uses the Rules Committee to limit debate, while Senate debate is controlled mostly by unanimous consent and cloture
(D) The Senate Rules Committee decides amendments to appropriations
(E) The House can end debate only by a vote of three fifths
12. The Supreme Court's decision in *Clinton v. City of New York* (1998) is significant because it
(A) struck down the line-item veto as unconstitutional
(B) upheld the president's pocket veto
(C) limited the filibuster
(D) gave the Senate power over treaties
(E) allowed the president to rescind spending without Congress

SET C Apply and Extend

Write a full response. Each answer lists the scoring points.

13. Explain why the Senate's rules make it harder to pass legislation than the House's rules. In your answer (a) identify one Senate rule, and (b) explain its effect on the majority party.
14. A bill passes both chambers but the president vetoes it. Describe two ways Congress and the president might resolve the dispute and explain why one is more difficult than the other.

2.3 Congressional Behavior and Representation

You will explain role conceptions, incumbency, redistricting, the required cases *Baker v. Carr* and *Shaw v. Reno*, and the role of parties in Congress.

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Members of Congress answer to voters, party leaders, donors, and their own convictions. This lesson explains how members think about representation, why incumbents usually win, how district lines are drawn and challenged, and how parties organize each chamber.

Role conceptions. Political scientists describe three ways a member can understand the job of representing a constituency. A **trustee** uses their own judgment and expertise to decide what is best, even if voters disagree. A **delegate** votes the way the district wants, acting as a messenger of constituent opinion. A **politico** mixes the two: acting as a delegate on issues that voters care deeply about and as a trustee on complicated or less visible issues. Most members behave like politicos in practice, because they want to be re-elected but also face issues voters know little about.

Role	Whose view guides the vote?	Likely when...
Trustee	Member's own judgment	Issue is complex, technical, or the member is secure in office
Delegate	Constituents' preferences	Issue is salient and the district is united or competitive
Politico	Shifts between the two	Most real situations; balances re-election and conscience

Representation roles

Trustee: votes on conscience and informed judgment.

Delegate: votes as constituents instruct.

Politico: switches between trustee and delegate depending on the issue.

Incumbency advantage. An **incumbent** is an official already holding the office. In most House elections, more than 90 percent of incumbents who run win, and Senate incumbents win at lower but still high rates. Reasons include name recognition from years in office, the **franking privilege** (free mail to constituents), staff who provide **casework** (help with agencies such as Social Security or veterans benefits), easier fundraising because donors and political action committees back likely winners, a record of delivering federal projects, and safe districts drawn to favor one party. Challengers struggle to raise money and gain attention, which reinforces the cycle. Incumbents are less safe in wave elections when a national mood shifts against the president's party.

Redistricting and the Supreme Court. After each census, state legislatures (or commissions in some states) redraw congressional and state legislative districts. In the early 1960s many states had not redrawn lines for decades, so rural districts had far fewer people than urban ones, giving rural voters more influence. In **Baker v. Carr (1962)**, voters challenged Tennessee's legislative map, which had not been redrawn since 1901. The Supreme Court held that malapportionment claims are not a political question and can be heard by federal courts under the Equal Protection Clause of the 14th Amendment. Baker opened the door to the 'one person, one vote' doctrine, which the Court later applied to congressional districts in *Wesberry v. Sanders* (1964) and to state legislatures in *Reynolds v. Sims* (1964): districts must have roughly equal population.

Gerrymandering is drawing district lines to benefit a party or group. Two common methods are **packing** (concentrating the opposing party's voters in a few districts so they win those by wide margins but waste votes) and **cracking** (splitting opposing voters among many districts so they never form a majority). In *Rucho v. Common Cause* (2019) the Court held that partisan gerrymandering claims are political questions that federal courts cannot decide, leaving remedies to states and Congress.

Racial gerrymandering and Shaw v. Reno (1993). The Voting Rights Act of 1965 encouraged creation of **majority-minority districts**, in which racial or ethnic minority voters make up a majority, to give minority voters a chance to elect candidates of their choice. After the 1990 census, North Carolina drew a second majority-Black district, the 12th, which was long and thin and in places only as wide as a highway. White voters sued. In *Shaw v. Reno*, the Supreme Court ruled 5-4 that a district so bizarre that it can only be explained as an effort to separate voters by race may violate the Equal Protection Clause and must meet strict scrutiny. The decision did not ban majority-minority districts; it barred using race as the predominant factor in drawing lines without strong justification.

Two required redistricting cases

Baker v. Carr (1962): courts may hear challenges to unequal districts; started 'one person, one vote'; Equal Protection Clause.

Shaw v. Reno (1993): race-driven, bizarrely shaped districts can violate Equal Protection; no racial gerrymandering.

Parties and leadership. Parties organize Congress. The majority party chooses the **Speaker of the House**, who is second in the line of succession to the presidency and controls the agenda, and the **majority leader** in the Senate. Each party has a floor leader, a **whip** who counts votes and enforces discipline, and a conference or caucus where members elect leaders and discuss strategy. The vice president serves as President of the Senate, and a president pro tempore presides in the vice president's absence. Party leaders assign committee positions, schedule floor votes, and negotiate with the White House. Polarization, the growing ideological distance between the parties, makes compromise harder and party-line votes more common.

Divided government and gridlock. When one party controls the White House and the other controls at least one chamber of Congress, the government is divided. Ideological divisions can produce **gridlock**, a standstill in which little legislation passes, or force compromise. Divided government also affects appointments: in 2016 the Senate majority refused to hold hearings on a Supreme Court nominee in a presidential election year, showing how a Senate of the opposing party can block a lame-duck president.

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EXAMPLE 1: PACKING AND CRACKING

A state has 100 voters in five districts of 20 voters each. Party Blue has 60 voters and Party Red has 40. If the map is drawn by Red, explain how Red could win 3 of 5 districts.

SOLUTION

Red packs Blue voters into two districts of 20 Blue each, using 40 of Blue's voters. Blue wins those two districts, 20-0, a waste of votes.

The other 20 Blue voters are cracked across three districts (7, 7, and 6). Red's 40 voters are divided among those districts (13, 13, and 14).

Red wins each of the three districts 13-7, 13-7, and 14-6. Blue has 60 percent of votes but only 2 of 5 seats. This shows how lines, not votes alone, can determine outcomes.

EXAMPLE 2: ROLE CONCEPTIONS

A representative from a coal-mining district privately believes a new environmental law will help the country's long-term health but her district strongly opposes it. She votes no, citing her constituents. Later, she votes for a complex banking regulation that few constituents have opinions about. Identify her role in each vote.

SOLUTION

On the environmental law she acts as a delegate: she votes to reflect strong district opposition despite her personal view.

On the banking regulation, with little constituent interest, she uses her own judgment, acting as a trustee.

Because she shifts by issue, she is best described as a politico, which matches how most members behave.

Exam tip

When a question gives a redistricting scenario, ask two things: is the problem unequal population (Baker and one person, one vote) or race-based line drawing (Shaw)? Do not say Shaw v. Reno banned majority-minority districts; it applied strict scrutiny to race-predominant maps. Also do not call gerrymandering illegal in general; courts police racial and population problems, but partisan gerrymanders are beyond federal courts today.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Differentiate a trustee, a delegate, and a politico.
2. List three reasons incumbents win re-election so often.
3. What did Baker v. Carr (1962) decide and why was it important?
4. Explain how packing and cracking can give a party more seats than its vote share suggests.
5. What was the holding in Shaw v. Reno (1993), and what did it not do?
6. Describe the roles of the Speaker of the House and a party whip.

SET B Exam-Style Multiple Choice

Choose the best answer for each question.

7. A senator votes against a popular local spending project because she believes it wastes taxpayer money, saying 'I was elected to use my best judgment.' Her behavior is best described as that of a
 - (A) delegate
 - (B) trustee
 - (C) politico
 - (D) whip
 - (E) incumbent challenger
8. Which of the following is an advantage that helps incumbents in House elections?
 - (A) The franking privilege
 - (B) The 17th Amendment
 - (C) The Rules Committee's power over bills
 - (D) The filibuster
 - (E) Majority-minority districts
9. The decision in Baker v. Carr (1962) most directly contributed to which principle?
 - (A) Separate but equal
 - (B) Prior restraint
 - (C) Judicial review
 - (D) One person, one vote
 - (E) Dual federalism

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10. In *Shaw v. Reno* (1993), the Supreme Court held that
- (A) majority-minority districts are always unconstitutional
 - (B) partisan gerrymandering is a political question
 - (C) a congressional district drawn with extreme shape to separate voters by race may violate the Equal Protection Clause
 - (D) state legislatures cannot redraw districts
 - (E) each state must have an equal number of districts
11. A state map splits a city with many voters of one party into three districts, each dominated by the other party. This practice is called
- (A) packing
 - (B) logrolling
 - (C) casework
 - (D) reapportionment
 - (E) cracking
12. Which situation describes divided government?
- (A) Both chambers have Democratic majorities and the president is Democratic
 - (B) The president is a Democrat and the Republicans control the Senate
 - (C) The House and Senate have different leaders from the same party
 - (D) The Supreme Court overturns a federal law
 - (E) A state governor disagrees with the president

SET C Apply and Extend

Write a full response. Each answer lists the scoring points.

13. Describe the facts and holding of *Baker v. Carr* (1962) and explain one way the decision affected representation in Congress.
14. Compare the reasoning of *Baker v. Carr* and *Shaw v. Reno* as they relate to redistricting. Explain one similarity and one difference.

2.4 The Presidency: Powers and Roles

You will separate the formal and informal powers of the president and explain how the 22nd and 25th Amendments shape the office.

The framers feared both tyranny and weakness. They created a single president, a choice defended in Federalist No. 70 as the way to get 'energy in the executive': quick decisions, clear responsibility, and secrecy when needed. Article II lists only a few powers, but over two centuries presidents have used informal methods to enlarge the office. This lesson separates the formal powers written in the Constitution from the informal powers presidents have developed.

Qualifications and terms. Article II requires a president to be a natural-born citizen, at least 35 years old, and a resident of the United States for 14 years. The **22nd Amendment** (1951), passed after Franklin Roosevelt won four elections, limits a president to two elected terms, and no more than ten years in office total. The president is chosen by the Electoral College, and the 12th Amendment requires separate electoral votes for president and vice president.

Formal (constitutional) powers. These come directly from Article II:

- ◆ **Commander in chief:** the president directs the armed forces, though Congress declares war and funds the military.
- ◆ **Treaty power:** the president negotiates treaties, but the Senate must ratify them by a two-thirds vote.
- ◆ **Appointments:** the president nominates federal judges, ambassadors, and cabinet officers, with the Senate's advice and consent (majority).
- ◆ **Veto:** the president may reject legislation; Congress can override with a two-thirds vote in both chambers. A pocket veto happens when Congress adjourns and the president does not sign within ten days.
- ◆ **Pardon:** the power to grant reprieves and pardons for federal offenses, except in cases of impeachment, without needing congressional approval.
- ◆ **Legislative duties:** the president delivers a State of the Union address, recommends measures, and may call Congress into special session.
- ◆ **Executive duties:** receiving ambassadors and 'taking care' that the laws are faithfully executed.

Formal powers of the president

Commander in chief, treaties (with two-thirds of the Senate), appointments (with Senate majority), veto, pardon, State of the Union, take care that laws are faithfully executed.

These are expressed in Article II and checked by Congress through the Senate, the power of the purse, and veto overrides.

Informal powers. Because Article II is brief, presidents rely on informal powers that arise from custom, bargaining, or implied authority.

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- ◆ **Bargaining and persuasion:** presidents trade favors, appointments, or federal projects and appeal to the public to win votes in Congress. Richard Neustadt argued that the president's real power is the power to persuade.
- ◆ **Bully pulpit:** a term from Theodore Roosevelt describing the office's ability to command public attention and shape the agenda through speeches and media.
- ◆ **Executive orders:** directives that manage the executive branch and have the force of law. They rest on the president's executive power or on authority delegated by Congress. They may be overturned by courts, as in *Youngstown Sheet & Tube v. Sawyer* (1952), or reversed by Congress or by a later president.
- ◆ **Executive agreements:** agreements with other nations that do not need Senate approval. Presidents increasingly use them instead of treaties because they avoid the two-thirds vote.
- ◆ **Signing statements:** written comments issued when signing a bill, stating how the president interprets or intends to carry out the law. They can signal that the president may not enforce provisions he considers unconstitutional.
- ◆ **Executive privilege:** the claim that communications within the White House can be kept confidential. *United States v. Nixon* (1974) held the privilege is not absolute and cannot defeat a criminal subpoena.

Executive order vs executive agreement

Executive order: a directive to the executive branch that manages the government; has the force of law within the executive branch.

Executive agreement: a pact with a foreign government made by the president alone; not ratified by the Senate.

Power	Type	Check or limit
Veto	Formal	Override by two-thirds of each chamber
Treaty	Formal	Senate ratification by two-thirds
Executive order	Informal / implied	Courts, Congress, next president
Executive agreement	Informal	Congress can fund or block; not binding as a treaty
Signing statement	Informal	No force of law; Congress may protest or sue
Bully pulpit	Informal	Public opinion, media, partisan polarization

Roles of the president. Scholars group the job into roles: chief executive (running the bureaucracy), commander in chief, chief diplomat, chief legislator (proposing a legislative agenda), chief of state (ceremonial leader), party leader, and economic leader (proposing a budget and responding to the economy). A president's popularity influences how well he or she performs these roles. Presidents usually have the most influence early in their terms, during a 'honeymoon' period, and in their first year, when public support and a fresh electoral mandate are strong.

Succession and disability. The **25th Amendment** (1967) clarifies what happens when the president cannot serve. If the president dies, resigns, or is removed, the vice president becomes president. If the vice presidency is vacant, the president nominates a replacement who must be confirmed by a majority of both houses. The president may voluntarily transfer power temporarily to the vice president, and the vice president and a majority of the cabinet may declare the president unable to serve. Beyond the vice president, the Presidential Succession Act (1947) lists the Speaker of the House, the president pro tempore of the Senate, and then cabinet secretaries.

EXAMPLE 1: IDENTIFY THE POWER

A president wants to end a trade dispute with another country. Without asking the Senate, the president signs a pact with that country's leader to lower tariffs on certain goods. Later, the president issues a statement announcing that he will interpret a pending spending bill to avoid funding one program he thinks violates the Constitution. Identify the powers used and one limit on each.

SOLUTION

The pact with a foreign leader is an executive agreement, an informal foreign policy power that avoids the two-thirds Senate treaty vote. Limit: Congress can refuse to fund or implement it, or pass a law contradicting it.

The statement attached at signing is a signing statement, which expresses his interpretation of the law. Limit: it has no legal force; courts and Congress may disagree, and Congress could cut off funding or defend its authority in court.

Both show how presidents expand their authority beyond the explicit Article II list.

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EXAMPLE 2: SUCCESSION

The president and vice president both die in an accident. Under the Presidential Succession Act, who becomes president, and what other amendment-based process would apply if only the vice presidency were vacant?

SOLUTION

The Succession Act places the Speaker of the House next after the vice president, so the Speaker would become president (the 25th Amendment fills only the vice presidency, not the presidency, beyond the VP).

If only the vice presidency were vacant, Section 2 of the 25th Amendment says the president nominates a vice president, who takes office after confirmation by a majority vote of both the House and the Senate.

This shows the difference between succession (who steps up) and replacement (how a vacant office is filled).

Common mistakes

Do not say the president declares war; Congress does. Do not claim that executive orders are laws passed by Congress; they are directives and can be struck down. Do not confuse the 22nd Amendment (term limits) with the 25th (succession and disability). Treaties need two thirds of the Senate; judicial appointments need only a majority.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Why did the framers choose a single executive, and which document defended that choice?
2. List four formal powers the president holds under Article II.
3. How does an executive agreement differ from a treaty?
4. What are signing statements and why do they matter?
5. Explain what the bully pulpit is and how it can help a president achieve a policy agenda.
6. Compare what the 22nd and 25th Amendments each accomplish.

SET B Exam-Style Multiple Choice

Choose the best answer for each question.

7. Which of the following is an informal power of the president?
(A) Vetoing a bill
(B) Serving as commander in chief
(C) Issuing an executive agreement with a foreign nation
(D) Granting a pardon
(E) Nominating federal judges
8. Federalist No. 70 is best summarized as arguing that
(A) a single executive is necessary for energy and accountability
(B) Congress should select the president
(C) presidents should have unlimited terms
(D) a plural executive prevents tyranny
(E) courts should check the president through judicial review
9. A president unable to get a bill through Congress instead issues an order directing agencies how to enforce existing law. Which statement best describes the order's limits?
(A) It is binding permanently on all future presidents
(B) Courts or a later president can overturn it, and Congress can pass a law to override it
(C) It has the force of a constitutional amendment
(D) It requires approval by two thirds of the Senate
(E) It cannot be challenged in court
10. Which president's long tenure was the primary motivation for the 22nd Amendment?
(A) Abraham Lincoln
(B) Theodore Roosevelt
(C) Richard Nixon
(D) Franklin D. Roosevelt
(E) Woodrow Wilson

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11. Under the 25th Amendment, if the vice president becomes president, how is the vacant vice presidency filled?
 - (A) The Speaker of the House takes the office
 - (B) The Senate elects a vice president by two-thirds vote
 - (C) The Electoral College meets again
 - (D) The office remains empty until the next election
 - (E) The president nominates a replacement who must be confirmed by majority votes of both houses
12. *United States v. Nixon* (1974) established that
 - (A) the president can ignore Congress
 - (B) executive privilege exists but cannot override a criminal subpoena
 - (C) the president has absolute confidentiality
 - (D) impeachment requires a Supreme Court ruling
 - (E) the Senate must confirm all executive orders

SET C Apply and Extend

Write a full response. Each answer lists the scoring points.

13. Describe two ways a president can influence Congress without using the formal veto, and explain one limit on each.
14. Explain how presidential power has been enhanced beyond the expressed powers in Article II. In your answer, use one example of an implied or informal power and explain how another branch can limit it.

2.5 The Executive Branch and the Bureaucracy

You will describe the structure of the executive branch, the civil service, how agencies make rules, and how they are held accountable.

Congress passes laws, but the **bureaucracy** carries them out. The bureaucracy is the large set of departments, agencies, and commissions in the executive branch staffed by about two million civilian employees who are mostly unelected. Because laws are usually written in general terms, bureaucrats use judgment to fill in details, which gives the bureaucracy real policy power. This lesson explains its structure, how it is controlled, and who influences it.

Structure of the executive branch. The bureaucracy has four main types of organizations.

- ◆ **Cabinet departments** (15 executive departments, such as State, Defense, Treasury, Justice, and Education). Each is led by a secretary, nominated by the president and confirmed by the Senate. Together the secretaries form the president's **cabinet**, an advisory body. Departments are the largest units and carry out major government functions.
- ◆ **Independent executive agencies** have narrower missions and are not part of a cabinet department. Examples are NASA, the Environmental Protection Agency, and the Central Intelligence Agency. Their heads serve at the president's pleasure.
- ◆ **Independent regulatory commissions** write and enforce rules for specific economic sectors. Examples include the Federal Communications Commission, the Securities and Exchange Commission, the Federal Trade Commission, and the Federal Reserve. They are bipartisan, led by members with fixed terms who the president can remove only for cause, which gives them independence from short-term political pressure.
- ◆ **Government corporations** sell services and are partly funded by fees, like businesses. Examples include the U.S. Postal Service and Amtrak.

Four parts of the bureaucracy

Cabinet departments: large, led by secretaries, carry out core functions.

Independent executive agencies: narrow missions, outside departments.

Regulatory commissions: bipartisan, fixed terms, write rules for sectors of the economy.

Government corporations: provide services and charge fees.

The Executive Office of the President (EOP). The EOP is a group of units that help the president manage the government. It includes the White House staff, the **Office of Management and Budget (OMB)**, which prepares the president's budget and reviews agency rules, the National Security Council, and the Council of Economic Advisers. Its staff are appointed by the president and loyal to the president's agenda.

Civil service. Early presidents filled jobs through the **spoils system**, or patronage, rewarding supporters. After President Garfield was assassinated by a disappointed office seeker, Congress passed the **Pendleton Act (1883)**, creating a merit-based civil service in which jobs go to people through tests and qualifications, not loyalty. The Hatch Act (1939) bars most federal employees from certain political activity. The civil service gives continuity and expertise, but it also makes it hard for a new president to replace career employees, so presidents rely on political appointees at the top.

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Discretion and rule making. Congress often writes broad laws and delegates authority to agencies. **Bureaucratic discretion** is the freedom agencies have to decide how to implement laws. In practice, agencies make **rules** (regulations) that have the force of law. Under the Administrative Procedure Act (1946), an agency typically proposes a rule, publishes it in the Federal Register, accepts public comments, considers them, and then issues a final rule. Interest groups, businesses, and citizens can weigh in during this period. This power to write rules, to enforce them, and to judge disputes through administrative hearings gives agencies a mix of legislative, executive, and judicial functions.

Rule making in steps

1. Congress passes a law with broad goals and delegates authority.
2. The agency publishes a proposed rule.
3. The public comments.
4. The agency issues a final rule that has the force of law, subject to court review.

Who influences the bureaucracy? An **iron triangle** is a stable, mutually beneficial relationship among three actors: a federal agency, a congressional committee or subcommittee, and an interest group. The agency receives funding and political support, the committee gets credit and campaign help, and the group gets favorable policy. Many scholars say policy making is more open than this, so they describe **issue networks**, loose and changing webs of officials, interest groups, experts, think tanks, and journalists who share concern about a policy area. Issue networks are larger and shift as issues change.

Feature	Iron triangle	Issue network
Members	Agency, congressional committee, interest group	Many groups, experts, officials, media
Stability	Stable, closed	Fluid, open
Policy influence	Narrow, mutually beneficial	Broad, debated and contested
Example	Veterans' groups, a House committee, and the VA	Climate scientists, environmental groups, EPA, think tanks

Holding the bureaucracy accountable. Because bureaucrats are not elected, all three branches check them. The president appoints and can generally remove agency heads and sets priorities through OMB review and executive orders. Congress controls budgets through appropriations, holds oversight hearings, confirms appointees (Senate), and can create or abolish agencies, set procedures, and use the Government Accountability Office as its investigative arm. Inspectors general inside agencies investigate waste and fraud. Courts review agency actions to ensure they stay within statutes and the Constitution. In *INS v. Chadha* (1983), the Supreme Court ruled that Congress cannot overturn agency actions through a one-house legislative veto. Public attention, whistleblowers, and interest groups also pressure agencies.

EXAMPLE 1: CLASSIFY THE AGENCY

A new agency has five commissioners, no more than three from one party, who serve staggered seven-year terms and can be removed only for misconduct. It writes rules for telecommunication companies. Identify its type, and explain how this design affects its relationship with the president.

SOLUTION

It is an independent regulatory commission because it regulates one economic sector, has bipartisan membership, and fixed terms. Fixed terms and removal only for cause insulate commissioners from presidential pressure, so they can follow expertise rather than the White House's politics.

The tradeoff is accountability: voters have less ability to hold the commission responsible, so Congress must rely on hearings and appropriations.

EXAMPLE 2: IRON TRIANGLE

A farm-state House committee funds a Department of Agriculture program that supports sugar prices. A sugar growers' association contributes to committee members' campaigns and supplies data to the agency. Explain why this arrangement is an iron triangle and a drawback.

SOLUTION

The three parts are the agriculture agency, the congressional committee, and the interest group. Each helps the others: the group gives money and information, the committee gives the agency its budget, and the agency gives the group favorable rules.

A drawback is that the narrow interests of the group can dominate while the general public, which pays higher prices, is not represented.

Because other groups and the media can intrude, many analysts say issue networks describe modern policy making better.

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Common mistakes

Do not say the president can fire all agency officials at will, since regulatory commissioners have protections. Do not confuse the cabinet (advisers and department heads) with the EOP (staff offices). Do not describe iron triangles as formal institutions; they are informal relationships. Do not claim bureaucrats are elected; they are appointed or hired.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Name the four types of bureaucratic organizations and give one example of each.
2. How did the Pendleton Act of 1883 change the federal workforce?
3. What is bureaucratic discretion, and why does Congress delegate it?
4. Describe the key steps of agency rule making.
5. Distinguish an iron triangle from an issue network.
6. Identify two ways Congress can hold the bureaucracy accountable.

SET B Exam-Style Multiple Choice

Choose the best answer for each question.

7. The Federal Reserve and the Securities and Exchange Commission are best classified as
 - (A) cabinet departments
 - (B) government corporations
 - (C) Executive Office of the President units
 - (D) independent regulatory commissions
 - (E) executive agencies led by presidential advisers
8. The Office of Management and Budget is part of the
 - (A) Executive Office of the President
 - (B) cabinet
 - (C) Congress
 - (D) Federal Reserve
 - (E) Department of the Treasury
9. Which scenario illustrates an iron triangle?
 - (A) A president issues an executive order
 - (B) An agency, a congressional committee, and an interest group each benefit from a program
 - (C) Several experts and journalists debate environmental policy
 - (D) The Senate confirms an agency head
 - (E) A court strikes down a rule
10. The Pendleton Act (1883) most directly
 - (A) created the cabinet
 - (B) limited presidents to two terms
 - (C) gave Congress a legislative veto
 - (D) established the Federal Register
 - (E) replaced the spoils system with a merit-based civil service
11. Which action by Congress is an example of oversight of the bureaucracy?
 - (A) Overriding a veto
 - (B) Passing a constitutional amendment
 - (C) Holding hearings to question an agency head about spending
 - (D) Ratifying a treaty
 - (E) Drawing district lines

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12. In *INS v. Chadha* (1983), the Supreme Court held that
- (A) agencies may not make rules
 - (B) the president may remove any commissioner
 - (C) civil servants may not unionize
 - (D) a one-house legislative veto of agency action is unconstitutional
 - (E) Congress cannot delegate authority

SET C Apply and Extend

Write a full response. Each answer lists the scoring points.

13. Explain why bureaucratic discretion is a challenge for democratic accountability, and describe two ways elected officials can limit it.
14. Compare an iron triangle with an issue network. Explain which better describes how modern policy is made and why.

2.6 The Federal Judiciary: Structure and Judicial Review

You will describe the structure of the federal courts, how judges are selected, how cases reach the Supreme Court, and why *Marbury v. Madison* matters.

Article III creates the judicial branch with a short text: 'the judicial power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.' The Constitution creates only the Supreme Court. Congress built the rest of the federal court system, starting with the Judiciary Act of 1789, and has changed it since. Judges decide real disputes, and through the power of judicial review they can declare laws and executive actions unconstitutional.

Judicial review and *Marbury v. Madison* (1803). In the election of 1800, President John Adams lost to Thomas Jefferson. Before leaving office, Adams appointed many Federalist judges, including William Marbury as a justice of the peace, but his commission was not delivered before Jefferson took office. Secretary of State James Madison, on Jefferson's orders, withheld it. Marbury asked the Supreme Court to order delivery under a provision of the Judiciary Act of 1789 that let the Court hear such cases directly. Chief Justice John Marshall wrote that Marbury had a right to his commission, but the Court could not give it because the section of the Judiciary Act that gave the Court this original jurisdiction conflicted with Article III, which lists the Court's original jurisdiction narrowly. Marshall ruled that a law that conflicts with the Constitution is void and that 'it is emphatically the province and duty of the judicial department to say what the law is.' The case established **judicial review**, the power of federal courts to strike down laws and executive actions that violate the Constitution. Hamilton's *Federalist* No. 78 had defended this idea earlier, calling the judiciary the 'least dangerous' branch because it has neither the sword (the executive) nor the purse (the legislature), only judgment.

Marbury v. Madison (1803)

Facts: Adams's last-minute appointee, Marbury, sued to receive his commission after Madison withheld it.

Holding: The Judiciary Act provision expanding the Court's original jurisdiction was unconstitutional.

Significance: Established judicial review, a key check on Congress and the president, and the Court's role as final interpreter of the Constitution.

Structure of the federal courts. The system has three levels.

- ◆ **District courts** (94 of them) are trial courts with **original jurisdiction**, meaning they hear cases first. They determine facts and apply law, with juries in many cases.
- ◆ **Courts of appeals** (13) review district court decisions for legal errors; they have **appellate jurisdiction**. Twelve are regional circuits and one, the Federal Circuit, hears special subjects like patents. Cases are heard by panels of three judges, with no new trial or jury.
- ◆ **The Supreme Court** has nine justices (the number is set by Congress, not the Constitution). It has limited original jurisdiction over cases involving ambassadors and disputes where a state is a party, but mostly serves as the final appellate court.

Level	Number	Role	Jurisdiction
District courts	94	Trial courts: facts, juries	Original
Courts of appeals	13	Review legal errors; panels of 3	Appellate
Supreme Court	1 (9 justices)	Final appeal; constitutional questions	Mostly appellate; limited original

Which cases are federal? Federal courts hear cases involving the Constitution, federal laws, treaties, disputes between states, cases with ambassadors, and cases between citizens of different states (diversity jurisdiction) with a large amount at stake. Most civil and criminal cases go to state courts.

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Appointment and tenure. The president nominates federal judges and justices, and the Senate confirms them by majority vote. The Senate Judiciary Committee holds hearings, and for district judges the tradition of **senatorial courtesy** gives senators from the nominee's state influence. Judges serve 'during good behavior', usually life, and their salaries cannot be reduced. Removal is possible only by impeachment. These protections are designed to keep judges independent from politics. Presidents tend to appoint judges with similar ideology, so who wins the White House and Senate shapes the courts for decades. Because Supreme Court vacancies are rare, each is highly consequential.

Judicial independence

Life tenure 'during good behavior' and protected salaries insulate federal judges from political pressure. Presidents nominate; the Senate confirms by majority vote; removal only by impeachment and conviction.

How cases reach the Supreme Court. Losing parties file a petition for a **writ of certiorari**, an order directing a lower court to send up the record for review. The justices follow the **rule of four**: if four justices agree, the Court takes the case. The Court accepts roughly 60 to 70 of about 7,000 petitions a year, usually those involving conflicting rulings among appeals courts or significant constitutional questions. Other writs include **habeas corpus**, which requires the government to justify why a person is being detained.

Standing and justiciability. To bring a case, a person must have **standing**: a personal, real injury caused by the defendant that a court can remedy. Courts do not give advisory opinions and avoid 'political questions' that they think belong to elected branches. Cases must also be ripe (not too early) and not moot (still a live dispute). Interest groups often influence cases by filing **amicus curiae** ('friend of the court') briefs, which offer arguments and information from nonparties. The solicitor general represents the federal government before the Supreme Court. After oral argument, justices discuss in a private conference, vote, and write a majority opinion; others may write concurring opinions (agree with the result for other reasons) or dissenting opinions.

EXAMPLE 1: JURISDICTION

A man convicted in a federal district court claims the trial judge misstated the law to the jury. He appeals. (a) Which court hears his appeal first? (b) What must he do to reach the Supreme Court, and what are his odds?

SOLUTION

(a) The appeal goes to the U.S. court of appeals for the circuit in which the district court sits. A three-judge panel reviews the record for legal errors without a new trial or jury.

(b) If he loses, he files a petition for a writ of certiorari. Four justices must vote to hear the case under the rule of four.

His odds are low: the Court accepts about 1 percent of petitions. It most often takes cases where circuits disagree or an important constitutional question exists.

EXAMPLE 2: APPLY MARBURY

Suppose Congress passes a law that gives the Supreme Court original jurisdiction over disputes between private citizens and corporations. A corporation sues directly in the Supreme Court. Using Marbury, predict the outcome and explain the reasoning.

SOLUTION

Article III lists the Court's original jurisdiction narrowly (ambassadors and cases where a state is a party). Congress cannot add to it by ordinary law.

Following Marbury, the Court would declare that part of the law unconstitutional and dismiss the case for lack of jurisdiction, sending the case to a district court.

The reasoning is judicial review: when a statute conflicts with the Constitution, the Constitution controls.

Common mistakes

The Constitution does not say the Court has nine justices or that courts may review laws; Congress set the number, and judicial review comes from Marbury. Marbury lost his case, but the Court gained power. Certiorari is a request to review, not a ruling on the merits. Appeals courts do not hold new trials.

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Practice

SET A Check Your Understanding

Answer each question in two to four sentences.

1. Explain how Article III shaped the federal court system and what Congress added.
2. What were the facts and holding of *Marbury v. Madison*?
3. Why is *Marbury v. Madison* considered a political victory for the Court even though *Marbury* lost?
4. Describe the difference between original and appellate jurisdiction using the district courts and courts of appeals.
5. How do life tenure and the appointment process affect the independence of federal judges?
6. Define standing and explain one reason courts require it.

SET B Exam-Style Multiple Choice

Choose the best answer for each question.

7. Which court hears cases for the first time and determines the facts?
(A) A federal district court (B) A federal court of appeals
(C) The Supreme Court in every case (D) The Federal Reserve
(E) A state attorney general
8. The principle of judicial review was established in
(A) *McCulloch v. Maryland* (B) *Brown v. Board of Education*
(C) *Gideon v. Wainwright* (D) *Baker v. Carr*
(E) *Marbury v. Madison*
9. The 'rule of four' refers to
(A) the number of justices needed to decide a case
(B) the number of justices who must agree to hear a case
(C) the four courts of appeals that handle most cases
(D) the number of justices needed for a quorum
(E) the four steps of the confirmation process
10. Hamilton called the judiciary the 'least dangerous' branch in *Federalist No. 78* because it
(A) lacks any power to interpret laws (B) is elected directly by the people
(C) controls neither the military nor the budget (D) is checked by the filibuster
(E) cannot be impeached
11. A group that is not a party to a case files an *amicus curiae* brief. Its purpose is to
(A) become a party in the lawsuit
(B) vote on the outcome
(C) enforce the Court's decision
(D) give the Court additional arguments and information
(E) appeal to a different court
12. Which statement about federal judges is accurate?
(A) They serve during good behavior and can be removed only by impeachment
(B) They are elected for ten-year terms
(C) They are chosen by the Senate alone
(D) Congress may reduce their pay if they rule unpopularity
(E) The president can remove them if they rule against him

SET C Apply and Extend

Write a full response. Each answer lists the scoring points.

13. Describe the facts and holding of *Marbury v. Madison*, and explain how the decision relates to *Federalist No. 78*.
14. Explain how the process for selecting federal judges promotes judicial independence but also makes appointments political. Give two features.

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2.7 Judicial Decision Making and Constitutional Interpretation

You will explain precedent, interpretive approaches, the Court's legitimacy and limits, and the required case *Engel v. Vitale*.

Supreme Court justices decide the meaning of the Constitution, yet they have no army and no budget of their own. How do they decide cases, what approaches do they use, and why do people obey? This lesson covers precedent, interpretation, the idea of judicial activism and restraint, the Court's legitimacy and limits, and the required case *Engel v. Vitale*.

Precedent and stare decisis. A **precedent** is an earlier court decision that guides later ones. The doctrine of **stare decisis** (Latin for 'to stand by things decided') tells courts to follow precedent in similar cases. It promotes stability, fairness, and predictability: people can plan their lives knowing how the law will be applied. But the Court can overturn its own precedents when it concludes they were wrongly decided or society has changed. *Brown v. Board of Education* (1954) overturned the 'separate but equal' rule of *Plessy v. Ferguson* (1896), and *Dobbs v. Jackson Women's Health Organization* (2022) overruled *Roe v. Wade* (1973) and *Planned Parenthood v. Casey* (1992). Lower federal courts, however, must follow Supreme Court precedents.

Stare decisis

Courts follow earlier rulings in similar cases to keep the law stable and predictable.

The Supreme Court may overrule its own precedents; lower courts are bound by them.

Methods of interpretation. Justices disagree about how to read the Constitution.

- ◆ **Originalism** (or textualism) holds that the Constitution should be read as its words were understood when written or ratified. Originalists say this limits judges' discretion and keeps decisions tied to the democratic act of adopting the text.
- ◆ **Living Constitution** (or living document) holds that the meaning of broad phrases like 'equal protection' or 'cruel and unusual punishment' evolves with society. Supporters say this allows the Constitution to adapt to new circumstances, such as new technology.
- ◆ **Judicial activism** describes judges who are willing to strike down laws and to use the courts to shape policy. **Judicial restraint** describes judges who defer to the elected branches and precedent, striking down laws only when clearly unconstitutional.

Approach	Key idea	Typical argument
Originalism	Meaning fixed at adoption	The text means what it meant to those who ratified it
Living Constitution	Meaning adapts over time	General principles apply to modern conditions
Judicial restraint	Defer to elected branches	Policy is for legislatures and voters
Judicial activism	Use courts to correct wrongs	Courts must protect rights when others do not

The labels 'activist' and 'restrained' are often used by critics to describe rulings they dislike. Both liberals and conservatives have been called activist when they overturn laws or precedents. Remember that judicial restraint is about deference, while originalism is about method; the two are related but not identical.

Why the Court's rulings are obeyed: legitimacy. The Court has no way to enforce its own decisions. As Hamilton said in Federalist No. 78, the judiciary has 'neither force nor will, but merely judgment.' It relies on the executive branch to carry out rulings and on Congress to fund the courts. Its authority depends on **legitimacy**: the public's belief that the Court is fair, follows the law, and is not just another political body. Reasoning in written opinions, respect for precedent, and the appearance of independence build legitimacy. Controversial rulings, partisan confirmation fights, and perceptions that justices vote based on politics can erode it. Compliance has sometimes been resisted: after *Brown*, many Southern officials resisted school desegregation until President Eisenhower sent federal troops to Little Rock in 1957, and the Court insisted in *Cooper v. Aaron* (1958) that its rulings bind states.

Limits on the Court. The other branches have several checks. The president and Senate shape the Court through appointments. Congress can propose constitutional amendments to override interpretations (the 16th Amendment reversed an income tax ruling), pass new laws that revise a statutory interpretation, change the Court's size or appellate jurisdiction, and impeach judges. The president and states may drag their feet on implementing rulings. Courts also limit themselves by requiring standing, avoiding political questions, and deciding cases on narrow grounds.

Checks on the Court

Appointments and confirmations; constitutional amendments; new legislation; changing jurisdiction or size; impeachment; slow or incomplete compliance; public opinion.

The Court's own self-restraint: standing, political question doctrine, precedent.

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Required case: Engel v. Vitale (1962). New York's Board of Regents wrote a short, nondenominational prayer to be recited aloud each morning in public school classrooms. Participation was voluntary, but a group of parents sued, saying the practice violated the **Establishment Clause** of the First Amendment, which prohibits government from establishing a religion. In a 6-1 decision, the Supreme Court held that the state-written prayer was unconstitutional. Justice Black wrote that the government may not compose official prayers for people to recite as part of a religious program carried on by the government, even if the prayer is nondenominational and students may opt out. The decision applied the First Amendment to the states through the 14th Amendment (incorporation). It was controversial, and critics urged constitutional amendments to allow school prayer. In the following year, *Abington School District v. Schempp* (1963) extended the principle to required Bible readings in public school.

EXAMPLE 1: APPLYING APPROACHES

A state passes a law banning the use of certain surveillance technology unknown in 1791. A challenger says the law violates the Fourth Amendment's protection against unreasonable searches. Explain how an originalist and a living constitution judge might each approach the question.

SOLUTION

An originalist would ask what 'unreasonable searches' meant to those who ratified the amendment (for example, physical entry into a home), and apply that principle to the new technology only to the extent consistent with the original meaning.

A living Constitution judge would treat the amendment as a broad principle of privacy that evolves, asking how it should protect people from modern tracking.

Both look at the same text. They differ about whether meaning is fixed at adoption or can adapt, and thus may reach different results.

EXAMPLE 2: COMPARE ENGEL AND SCHEMP

Compare *Engel v. Vitale* (required) with *Abington v. Schempp* (not required). Identify a similarity and a difference.

SOLUTION

Similarity: both involved public school religious exercises challenged under the Establishment Clause, and both ruled against the school practice, relying on the First Amendment as applied to states.

Difference: *Engel* concerned a state-written prayer recited in class, while *Schempp* concerned required Bible reading and recitation of the Lord's Prayer; *Schempp* also set out a test that government action needs a secular purpose and must neither advance nor inhibit religion.

Explanation: both show that the Court views government sponsorship of religious exercise in schools as a violation, even when participation is voluntary or the prayer is nondenominational.

Exam tip

If a question asks how the Court enforces its decisions, the answer is that it depends on others (the executive and the states), which is why legitimacy matters. When asked about precedent, remember both sides: *stare decisis* creates stability, but the Court may overrule precedent. Do not say *Engel* banned all prayer in schools; students can still pray privately, and the ruling targeted government-written prayer.

Practice

SET A Check Your Understanding

Answer each question in two to four sentences.

1. Explain *stare decisis* and one reason the Supreme Court might depart from it.
2. Contrast originalism and the living Constitution approach.
3. What is the difference between judicial activism and judicial restraint?
4. Why does the Supreme Court depend on its legitimacy?
5. Identify two ways Congress or the president can limit the Court.
6. Summarize the facts and holding of *Engel v. Vitale* (1962).

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SET B Exam-Style Multiple Choice

Choose the best answer for each question.

7. In *Engel v. Vitale* (1962), the Supreme Court ruled that
 - (A) students may not pray privately in school
 - (B) religious clubs may not meet at school
 - (C) a state-sponsored prayer in public schools violates the Establishment Clause
 - (D) public schools may teach about religion
 - (E) the government must remain neutral between religion and nonreligion in all cases
8. A judge says courts should uphold a law unless it is clearly unconstitutional because policy decisions belong to elected officials. This judge is practicing
 - (A) judicial activism
 - (B) judicial restraint
 - (C) judicial review
 - (D) the living Constitution approach
 - (E) selective incorporation
9. Which of the following best explains why the Supreme Court is called 'the least dangerous branch'?
 - (A) It cannot hear constitutional cases
 - (B) Its justices serve only short terms
 - (C) It is chosen by the president alone
 - (D) It depends on other branches to enforce its decisions
 - (E) It cannot overturn precedent
10. *Brown v. Board of Education* (1954) is an example of the Supreme Court
 - (A) overturning an earlier precedent
 - (B) following stare decisis
 - (C) declining a case on standing
 - (D) using the political question doctrine
 - (E) ratifying a treaty
11. Which of the following is a congressional check on the Supreme Court?
 - (A) Vetoing a decision
 - (B) Appointing a new Chief Justice by majority of the House
 - (C) Declaring a ruling void by joint resolution
 - (D) Issuing a writ of certiorari
 - (E) Proposing a constitutional amendment to overturn a ruling
12. A justice argues that the Eighth Amendment's ban on cruel and unusual punishment must be read according to society's evolving standards of decency. This justice is applying
 - (A) originalism
 - (B) a living Constitution approach
 - (C) strict textualism
 - (D) the rule of four
 - (E) judicial independence

SET C Apply and Extend

Write a full response. Each answer lists the scoring points.

13. Describe the facts and reasoning of *Engel v. Vitale*, and explain how it relates to the First Amendment.
14. Explain how the legitimacy of the Supreme Court can both constrain and empower it. Give one example.

2.8 Checks and Balances in Action

You will trace how the branches check each other through oversight, impeachment, war powers, appointments, and judicial review.

The framers divided power among three branches and then gave each some power over the others. In Federalist No. 51, James Madison argued that 'ambition must be made to counteract ambition': officials in each branch would defend their own authority, so no branch could dominate. **Separation of powers** divides government functions among branches, and **checks and balances** let each branch limit the others. This lesson shows these checks in action and explains why modern politics often produces conflict or gridlock.

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Branch	Checks on Congress	Checks on the President	Checks on the Courts
Legislative	(Bicameralism: each chamber checks the other)	Override vetoes; impeach and remove; Senate confirms appointments and ratifies treaties; control funding; oversight hearings; declare war	Create lower courts; set jurisdiction; confirm judges; propose amendments; impeach judges
Executive	Veto; call special sessions; recommend legislation	(Vice president and cabinet under 25th Amendment)	Nominate judges; pardon; enforce (or not) rulings
Judicial	Judicial review of laws	Judicial review of executive actions; US v. Nixon	(Self-restraint and precedent)

Federalist No. 51

Separation of powers and checks and balances protect liberty by making ambition counteract ambition.

Each branch has the constitutional means and personal motives to resist encroachment by the others.

Executive-legislative relations. Presidents and Congress share power in lawmaking, spending, and foreign affairs. The president proposes budgets and legislation and can veto; Congress writes laws, appropriates money, and oversees agencies. Congress uses **oversight**: committee hearings, subpoenas, investigations, and budget control to review how the executive is implementing laws. The Government Accountability Office and inspectors general assist. Presidents resist through executive privilege, executive orders, and signing statements.

War powers. The Constitution splits military authority: the president is commander in chief, but Congress declares war, funds the military, and writes rules for it. In practice presidents have sent troops into combat many times without a declaration of war, as in Korea and Vietnam. After Vietnam, Congress passed the **War Powers Resolution (1973)** over President Nixon's veto. It requires the president to notify Congress within 48 hours of sending forces into hostilities and to withdraw them within 60 days (with a 30-day extension to withdraw) unless Congress authorizes the action or declares war. Presidents have argued the law is unconstitutional, and Congress often passes an **authorization for use of military force** rather than a formal declaration. Congress's strongest war power remains the purse.

Appointments and confirmation. The president nominates cabinet secretaries, ambassadors, and judges, but the Senate confirms with a majority. The Senate can reject nominees or refuse to hold hearings. When the Senate is in recess, the president may make temporary recess appointments, but the Supreme Court limited this practice in *NLRB v. Noel Canning* (2014) by holding that the Senate must be out for at least about ten days.

Impeachment. The House can **impeach** (bring formal charges against) the president, vice president, and civil officers, including judges, for 'treason, bribery, or other high crimes and misdemeanors,' by a simple majority. The Senate then holds a trial, with the Chief Justice presiding in a presidential trial, and removal requires a two-thirds vote. Presidents Andrew Johnson (1868), Bill Clinton (1998), and Donald Trump (2019 and 2021) were impeached but acquitted by the Senate. Richard Nixon resigned in 1974 before the full House could vote. Impeachment is a political process, so the party balance in each chamber matters.

Impeachment in two steps

House: impeaches (formal accusation) by simple majority.

Senate: tries the case; two-thirds vote needed to convict and remove.

Courts and the other branches. Courts review laws and executive actions. In *United States v. Lopez* (1995), the Court struck down a federal gun-free school zone law because it exceeded Congress's commerce power, a limit on Congress. In *Youngstown v. Sawyer* (1952) it rejected President Truman's seizure of steel mills. In *Citizens United v. FEC* (2010), it struck part of a campaign finance law as a violation of free speech. Congress and the president respond: they can write new laws, propose amendments, change jurisdiction, and appoint new judges. Compliance depends on the other branches; the Court does not enforce its own rulings.

Divided government and gridlock. When different parties control the presidency and Congress, or the two chambers, the checks work with full force. The president's agenda faces opposition, the Senate may block nominees, and Congress may use oversight and investigations aggressively. This often leads to **gridlock**, in which few laws pass. Divided government may produce compromise on must-pass items such as budgets, but also shutdowns. Under unified government, a president's party is less likely to check the president, so Congress's oversight is weaker. Presidents under divided government use executive orders and agreements more heavily, which raises further conflict with the courts and Congress.

Policy making as interaction. Almost every major policy involves several branches: Congress passes a law, the president signs and directs agencies to carry it out, the bureaucracy writes rules, and courts decide disputes about legality. Each branch can modify the policy at each stage.

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EXAMPLE 1: TRACING CHECKS

Congress passes a law regulating a power company. The president vetoes it, calling it an unfair burden. Congress overrides the veto. A company sues and a federal court strikes it down as beyond Congress's authority. Identify each check used and the branch applying it.

SOLUTION

The president's veto is a check by the executive on the legislative branch.

Congress's override by two thirds of each chamber is a check by the legislative branch on the executive.

The court's decision is judicial review, a check by the judiciary on Congress. Congress could respond by amending the Constitution, passing a different law within its authority, or confirming judges who read its powers more broadly.

This chain shows that no branch has the final word permanently.

EXAMPLE 2: WAR POWERS

A president orders air strikes on a foreign country on day 1 without a declaration of war. Under the War Powers Resolution, what must happen on days 2 and 60, and what can Congress do if it disagrees?

SOLUTION

By hour 48 the president must report the action to Congress in writing.

Within 60 days the forces must be withdrawn unless Congress declares war or authorizes the use of force or extends the deadline (the law allows a further 30 days for withdrawal).

If Congress disagrees, it can cut funding, pass a law requiring withdrawal (which the president could veto, requiring a two-thirds override), hold hearings, or refuse to authorize. Presidents often claim the resolution is unconstitutional, so the clash is usually settled politically.

Common mistakes

Do not say the Senate impeaches a president; the House impeaches and the Senate tries. Do not say impeachment means removal; it is only the accusation. Remember conviction needs two thirds. Do not confuse divided government (different parties control branches) with the separation of powers (constitutional design that always exists).

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. What does Federalist No. 51 argue about checks and balances?
2. Describe the process of impeaching and removing a president.
3. Identify two ways Congress can check the executive branch other than impeachment.
4. What does the War Powers Resolution require, and why has it been hard to enforce?
5. How does divided government affect checks and balances?
6. Give one example of the Supreme Court checking Congress and one of it checking the president.

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SET B Exam-Style Multiple Choice

Choose the best answer for each question.

7. Which of the following is a check that the legislative branch holds over the executive?
 - (A) Judicial review of statutes
 - (B) Nominating federal judges
 - (C) Issuing executive orders
 - (D) The Senate's power to confirm cabinet nominees
 - (E) Granting pardons
8. A president sends troops into combat without a declaration of war. Which action is a congressional check under the War Powers Resolution?
 - (A) Requiring withdrawal after 60 days without authorization
 - (B) Immediate removal of the president
 - (C) Presidential pardon of the troops
 - (D) A Supreme Court order to withdraw
 - (E) Senate impeachment
9. Which of the following is true of presidential impeachment?
 - (A) The Supreme Court conducts the trial
 - (B) The House brings charges and the Senate decides on removal
 - (C) A majority of the Senate is needed to remove the president
 - (D) The Senate brings the charges
 - (E) The president must resign upon impeachment
10. The Supreme Court's decision in *United States v. Lopez* (1995) is an example of
 - (A) the president limiting the judiciary
 - (B) Congress expanding the commerce power
 - (C) the Senate confirming a justice
 - (D) federalism favoring national power
 - (E) the judiciary limiting congressional power
11. During a period of divided government, which outcome is most likely?
 - (A) Fewer vetoes
 - (B) Automatic passage of the president's agenda
 - (C) More aggressive congressional oversight of the executive
 - (D) Fewer investigations
 - (E) Less need for compromise on budgets
12. The recess appointment power was limited in *NLRB v. Noel Canning* (2014) because the Court held that
 - (A) the president cannot nominate judges
 - (B) the Senate must confirm all appointees
 - (C) the House must approve recess appointments
 - (D) the Senate must be in recess for a substantial period
 - (E) Congress cannot recess

SET C Apply and Extend

Write a full response. Each answer lists the scoring points.

13. A president and Congress disagree over an executive order that redirects funds to a project Congress did not approve. Describe two checks that could be used by Congress and explain the likely role of the courts.
14. Explain how divided government can both increase and reduce policy making. Provide an example of each.

2.9 The Policy-Making Process and Federal Budget

You will describe the stages of policy making and explain how the budget process, mandatory and discretionary spending, and interest groups shape policy.

A law is only one step in public policy. Policy is the set of government decisions and actions that address a problem. Political scientists describe policy making as a cycle with stages, and the federal budget is the clearest place to see how the branches, the bureaucracy, and interest groups interact over money.

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The policy-making stages. The process is not always neat, but five stages are commonly used.

- ◆ **Agenda setting:** a problem gains attention from the public, the media, officials, or events. A crisis, a presidential speech, a focus event such as a disaster, an advocacy campaign, or a report can place an issue on the **policy agenda**.
- ◆ **Policy formulation:** officials, committees, interest groups, think tanks, and agencies draft possible solutions, debate their costs and effects, and write bills.
- ◆ **Policy adoption:** Congress passes a bill and the president signs it, or the president issues an executive order, or a court issues a ruling that sets policy.
- ◆ **Implementation:** the bureaucracy carries out the policy by writing rules, spending funds, and enforcing requirements. This stage gives agencies discretion and often changes policy in practice.
- ◆ **Evaluation:** officials, the Government Accountability Office, congressional committees, researchers, and the public judge whether the policy works. Results may lead to adjustment, expansion, or repeal, which starts the cycle again.

Stages of the policy process

Agenda setting → formulation → adoption → implementation → evaluation.

Each stage has different key actors: media and groups at agenda setting, Congress at formulation and adoption, agencies at implementation, and oversight bodies at evaluation.

Role of interest groups and the bureaucracy. Interest groups lobby legislators, testify at hearings, offer research, draft bill language, comment on proposed agency rules, and sue in court. They shape each stage, especially agenda setting and implementation. The bureaucracy influences policy by drafting proposals, advising presidents, and exercising discretion in rule making and enforcement. Because the federal system also has states, the way states and local governments carry out federal programs further shapes outcomes.

The federal budget process. The budget is Congress's most powerful policy tool. The federal **fiscal year** begins on October 1 and ends September 30. The process has several steps:

- 1 **President proposes** The Office of Management and Budget helps the president submit a budget request, usually in winter or early spring.
- 2 **Congress adopts a budget resolution** The House and Senate budget committees, assisted by the Congressional Budget Office (CBO), set overall targets for spending and revenue. A budget resolution is not a law and does not go to the president.
- 3 **Authorization** Authorizing committees create or continue programs and set funding ceilings.
- 4 **Appropriation** The House and Senate appropriations committees and their subcommittees write bills that actually provide money for the discretionary programs. Appropriation bills must pass both chambers and be signed.
- 5 **Reconciliation (optional)** Congress may use a special process to change taxes or mandatory spending with 51 Senate votes.
- 6 **Execution and audit** Agencies spend the money; the GAO and inspectors general check how it was used.

If Congress does not pass appropriations by October 1, it often passes a **continuing resolution**, a temporary measure that funds agencies at current levels. If neither is passed, parts of the government may **shut down** until an agreement is reached. Because spending bills are must-pass legislation, they attract riders and pork-barrel projects.

Kinds of spending. Federal outlays fall into three broad categories:

Category	What it is	Examples	Controlled by
Mandatory spending (entitlements)	Spending required by existing law; anyone who qualifies receives benefits	Social Security, Medicare, Medicaid	Changed only by changing the law, not annual appropriations
Discretionary spending	Spending set each year in appropriations	Defense, education, transportation, scientific research, most agencies	Annual appropriations process
Interest on the debt	Payments to holders of federal debt	Interest on Treasury securities	Determined by debt size and interest rates

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Entitlements and the squeeze on the budget

Mandatory spending is the largest part of the budget, roughly 60 percent or more, and it is growing as the population ages and health costs rise.

Because mandatory spending is automatic, as it grows, there is less room for discretionary spending unless revenue rises or the deficit grows.

Deficit and debt. A **deficit** occurs in a year when spending exceeds revenue. The **national debt** is the total of all accumulated deficits minus surpluses. Congress faces trade-offs among raising taxes, cutting spending, and borrowing. Entitlement programs are politically hard to reduce because they are popular and have organized supporters, such as senior citizens' groups.

EXAMPLE 1: READING BUDGET DATA

A simplified budget shows total spending of \$6,000 billion: mandatory \$3,700 billion, discretionary \$1,700 billion, and interest \$600 billion. Calculate each share and explain what it implies for Congress's flexibility.

SOLUTION

Mandatory: $3,700 / 6,000 = 0.617$, or about 62 percent. Discretionary: $1,700 / 6,000 = 0.283$, or about 28 percent. Interest: $600 / 6,000 = 0.10$, or 10 percent.

Only about 28 percent can be changed through annual appropriations. Most of the budget is set by existing laws and obligations to pay interest.

Implication: if mandatory spending and interest rise, discretionary programs like defense or education must shrink unless taxes rise or the deficit increases. Changing mandatory programs requires new legislation, which is politically difficult.

EXAMPLE 2: IDENTIFY THE STAGE

A city suffers a severe flood. News coverage and advocacy by local groups lead members of Congress to introduce disaster relief bills. After passage, a federal agency issues rules about who qualifies for aid. Two years later, the GAO reports that payments were slow. Identify the stage in each step.

SOLUTION

News coverage and advocacy that bring attention to the problem are agenda setting.

Introduction and drafting of bills are formulation; passage and signing are adoption.

The agency's rules and distribution of aid are implementation; the GAO report is evaluation, which can restart the cycle through new proposals.

Common mistakes

Do not say the president's budget becomes the budget; it is a proposal and Congress decides. Do not treat a budget resolution as a law. Do not confuse the deficit (one year) with the debt (accumulated). Remember that entitlements are mandatory spending, which Congress does not vote on each year.

Practice

SET A Check Your Understanding

Answer each question in two to four sentences.

1. Name the five stages of the policy-making process and describe the first one.
2. How can interest groups influence policy implementation?
3. Explain the difference between authorization and appropriation.
4. Distinguish mandatory spending from discretionary spending and give an example of each.
5. What is a continuing resolution and why is it used?
6. Why does the growth of entitlement spending limit Congress's budget choices?

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SET B Exam-Style Multiple Choice

Choose the best answer for each question.

7. Which of the following is mandatory spending?
(A) Funding for national parks
(B) Social Security benefits
(C) Defense procurement
(D) Federal grants for highway construction
(E) Salaries of congressional staff
8. A federal agency writes regulations explaining how a new health law will operate. This is which stage of the policy process?
(A) Implementation
(B) Agenda setting
(C) Formulation
(D) Adoption
(E) Evaluation
9. Which institution prepares the president's budget proposal?
(A) The Congressional Budget Office
(B) The Government Accountability Office
(C) The Federal Reserve
(D) The Senate Finance Committee
(E) The Office of Management and Budget
10. A continuing resolution is passed when
(A) the president vetoes a treaty
(B) entitlements need to be reduced
(C) the Supreme Court strikes down a budget
(D) appropriations bills are not finished by the start of the fiscal year
(E) a deficit becomes a surplus
11. Which statement about the deficit and national debt is accurate?
(A) The deficit equals the national debt
(B) A surplus increases the debt
(C) The debt grows when deficits are added together over time
(D) The debt is the amount spent in one year
(E) The deficit refers only to mandatory spending
12. The Congressional Budget Office primarily
(A) provides Congress with nonpartisan analysis of budget and economic effects
(B) drafts the president's budget
(C) enforces spending laws
(D) hears legal challenges to the budget
(E) audits private companies

SET C Apply and Extend

Write a full response. Each answer lists the scoring points.

13. Explain how the growth of mandatory spending affects the policy choices of Congress. In your answer (a) define mandatory spending, and (b) describe one policy option Congress has for responding.
14. Select a policy problem and describe how it would move through agenda setting, formulation, and implementation. Identify one actor at each stage.

2.10 Multiple-Choice Practice: Interactions Among Branches of Government

Twenty exam-style questions covering Congress, the presidency, the bureaucracy, the courts, checks and balances, and policy making.

Directions: Choose the single best answer to each question. Some questions include a table or scenario; use the information provided.

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SET A Core Concepts

Choose the best answer for each question.

1. Which statement correctly compares the House and the Senate?
(A) The House originates revenue bills, while the Senate confirms presidential appointments
(B) The Senate impeaches officials, while the House tries them
(C) Both chambers have two members per state
(D) The House ratifies treaties by a two-thirds vote
(E) Senators serve two-year terms, representatives six
2. The Great Compromise at the Constitutional Convention resolved a dispute over
(A) whether the president would be elected directly
(B) how enslaved persons would be taxed
(C) whether the national government could regulate commerce
(D) how states would be represented in the legislature
(E) how judges would be chosen
3. A bill passes the Senate 57-43 but opponents refuse to end debate. Which is the likely result?
(A) The bill becomes law after ten days
(B) The bill stalls because cloture requires 60 votes
(C) The House Rules Committee decides
(D) The bill passes because a majority supports it
(E) The president may call a vote
4. Which power is a formal power of the president?
(A) Issuing signing statements
(B) Making executive agreements
(C) Using the bully pulpit
(D) Setting the agenda through persuasion
(E) Granting pardons for federal offenses
5. The Supreme Court established the power of judicial review in
(A) *McCulloch v. Maryland*
(B) *Baker v. Carr*
(C) *Marbury v. Madison*
(D) *Engel v. Vitale*
(E) *Shaw v. Reno*
6. An agency that regulates a part of the economy, is led by a bipartisan board with fixed terms, and is partly insulated from presidential removal is an example of
(A) a cabinet department
(B) an independent regulatory commission
(C) a government corporation
(D) a part of the Executive Office of the President
(E) a congressional committee
7. Which is a power of Congress in Article I, Section 8?
(A) Receiving ambassadors
(B) Granting reprieves
(C) Commanding the militia of the states
(D) Coining money
(E) Vetoing legislation

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SET B Applications and Data

Choose the best answer for each question.

8. Based on the data, which conclusion is best supported?

Year	Vetoed	Overrides
Year 1	12	1
Year 2	20	0
Year 3	8	2
Year 4	16	1

- (A) Congress overrides only a small share of presidential vetoes
 (B) Congress overrides most vetoes
 (C) Overrides increase every year
 (D) The president never uses the veto after year 3
 (E) Veto use is highest in the year with the most overrides
9. A representative from a rural district votes against a farm subsidy bill that most constituents favor, saying her study of the issue shows it is wasteful. This best illustrates the
 (A) delegate model (B) politico model
 (C) trustee model of representation (D) iron triangle
 (E) logrolling
10. In *Baker v. Carr* (1962) the Supreme Court held that
 (A) race may never be considered in drawing districts
 (B) partisan gerrymandering is nonjusticiable
 (C) districts must be compact
 (D) state legislatures cannot draw districts
 (E) courts may hear claims about unequal legislative districts under the Equal Protection Clause
11. A state with 100 voters in five equal districts has 60 voters for Party A and 40 for Party B. Party B's map placed 20 A voters in each of two districts and spread the rest of A's voters so B wins the other three. This technique is best described as
 (A) reapportionment (B) packing and cracking (C) logrolling
 (D) casework (E) a legislative veto
12. A federal agency proposes a rule, takes public comments, and then issues a final regulation. This process best illustrates
 (A) judicial review
 (B) the legislative veto
 (C) senatorial courtesy
 (D) bureaucratic rule making under delegated authority
 (E) impeachment
13. Passage of the War Powers Resolution (1973) over a veto reflects Congress's attempt to
 (A) reclaim authority over decisions to use military force
 (B) limit the Supreme Court's jurisdiction
 (C) declare war on Vietnam
 (D) expand presidential treaty power
 (E) reduce its own oversight
14. A school district opens each day with a prayer written by the state board of education, which students may skip. Based on *Engel v. Vitale*, a court would most likely
 (A) uphold it because participation is voluntary
 (B) uphold it because the prayer is nondenominational
 (C) find the practice unconstitutional under the Establishment Clause
 (D) dismiss it because students lack standing
 (E) find it violates the free exercise of religion

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SET C Exam-Level Stretch

Choose the best answer for each question.

15. Which scenario best illustrates an iron triangle?
 - (A) A president, a Senate majority leader, and a Speaker negotiating a budget
 - (B) A court, a plaintiff, and an amicus curiae
 - (C) A governor, a mayor, and the president coordinating relief
 - (D) A defense contractor, a House armed services subcommittee, and the Pentagon each benefit from continued funding of a weapons program
 - (E) A think tank, a newspaper, and a university debating policy
16. A president signs a bill and states that he will not enforce one provision he considers unconstitutional. Which criticism of this practice is most consistent with separation of powers?
 - (A) It violates the 22nd Amendment
 - (B) It lets the president rewrite a law passed by Congress
 - (C) It prevents the Senate from confirming nominees
 - (D) It transfers power to the judiciary automatically
 - (E) It gives the House impeachment power
17. Which best explains why the Senate's filibuster tends to increase the influence of a minority party?
 - (A) The Senate can override vetoes by simple majority
 - (B) Senators serve longer terms than House members
 - (C) Ending debate on most legislation requires 60 votes
 - (D) The Senate originates all spending bills
 - (E) The vice president votes on all bills
18. *Brown v. Board of Education* (1954) is best described as an example of the Court
 - (A) upholding a prior ruling under stare decisis
 - (B) refusing review on standing grounds
 - (C) expanding the president's war powers
 - (D) limiting the commerce clause
 - (E) overturning a precedent to apply the Equal Protection Clause differently
19. Mandatory spending now takes up a growing share of the federal budget. What is the most likely effect on Congress?
 - (A) Discretionary programs face more pressure unless revenue increases
 - (B) Appropriations committees gain power
 - (C) The president can cut entitlements by order
 - (D) Congress must vote yearly on Social Security
 - (E) Deficits disappear
20. The Senate refuses to hold hearings on a Supreme Court nominee made by a lame-duck president of the opposite party. This is best seen as an example of
 - (A) a pocket veto
 - (B) senatorial courtesy
 - (C) judicial restraint
 - (D) divided government and the Senate's confirmation check
 - (E) a war powers check

2.11

Free-Response Practice: Interactions Among Branches of Government

Four free-response questions on Chapter 2, modeled on the concept application, quantitative analysis, SCOTUS comparison, and argument essay formats.

Each question is scored with the points shown in the model answers. Write in complete sentences, use the specific vocabulary of the course, and respond to every part. Part-labeled questions earn points independently, so attempt every part. The essay is scored on thesis, evidence, reasoning, and response to an alternative perspective.

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QUESTION 1 Concept Application

Read the scenario and answer all parts. Scenario: A president of one party faces a Senate controlled by the opposing party. The president issues an executive order directing the Environmental Protection Agency to adopt stricter limits on factory emissions. Senators from the opposing party object, hold oversight hearings with the agency head, and threaten to cut the agency's budget. A manufacturer sues in federal court, claiming the agency exceeded its authority.

1. (a) Identify one informal power the president used in the scenario.
2. (b) Describe how the Senate's actions in the scenario illustrate congressional oversight of the bureaucracy.
3. (c) Explain how the manufacturer's lawsuit demonstrates a check on the executive branch by another branch.

QUESTION 2 Quantitative Analysis

Use the data to answer all parts. Veto data for one president (hypothetical): Congress 1: bills passed 400, vetoes 20, overrides 2. Congress 2: bills passed 300, vetoes 45, overrides 3. Congress 3: bills passed 350, vetoes 15, overrides 1. (In each case Congress 2 followed an election in which the opposing party took control of both chambers.)

4. (a) Identify the Congress with the highest number of vetoes and state that number.
5. (b) Describe a pattern or trend in the data on vetoes and overrides.
6. (c) Draw a conclusion about the relationship between divided government and presidential vetoes, using the data.
7. (d) Explain how the veto threat can influence legislation even when few vetoes are overridden.

QUESTION 3 SCOTUS Comparison

In *Baker v. Carr* (1962), voters challenged Tennessee's legislative districts, which had not been redrawn for decades and gave rural areas disproportionate power. The Supreme Court ruled that federal courts may hear such challenges. In *Wesberry v. Sanders* (1964), voters in Georgia challenged congressional districts with widely different populations, and the Court held that districts for the House must have roughly equal populations.

8. (a) Identify the constitutional clause or provision that is common to the reasoning in *Baker v. Carr* and relevant to its holding.
9. (b) Based on the information provided, describe a similarity in the facts or decisions of *Baker v. Carr* and *Wesberry v. Sanders*.
10. (c) Explain how the holding in *Baker v. Carr* influenced the decision in *Wesberry v. Sanders*.
11. (d) Explain how the decision in *Shaw v. Reno* (1993) further affected the process of drawing congressional districts.

QUESTION 4 Argument Essay

Develop an argument that explains whether the president or Congress has more power over the federal bureaucracy. In your essay you must: articulate a defensible claim or thesis that responds to the prompt and establish a line of reasoning; support your claim with at least two pieces of specific and relevant evidence, at least one of which must come from a required foundational document (Article I or Article II of the Constitution, Federalist No. 51, or Federalist No. 70); use reasoning to explain why your evidence supports your claim; and respond to an opposing or alternative perspective using refutation, concession, or rebuttal.

12. Write a full essay response to the prompt above. Use specific evidence and clear reasoning.

Answers Chapter 2: Answers and Explanations

Answers for every practice problem, numbered to match. Read the explanation even when your answer is correct.

2.1 Congress: Structure and Powers**SET A · CHECK YOUR UNDERSTANDING**

1. The Great Compromise resolved the dispute between large states, which wanted representation by population, and small states, which wanted equality. It gave the House seats by population and the Senate two seats per state. As a result, the House represents the people and the Senate represents the states equally.
2. The House starts revenue bills and impeaches federal officials. The Senate ratifies treaties (two-thirds vote) and confirms presidential appointments (majority vote); it also tries impeachments. Each power reflects a chamber's role: the House is closest to the people, the Senate acts as a check on the executive.
3. The House has 435 members, so it needs strict time limits set by the majority through the Rules Committee. The Senate is small enough to permit extended debate. As a result, individual representatives have less control over the agenda, while individual senators can use holds and filibusters to gain leverage.
4. Enumerated powers are explicitly listed in Article I, Section 8, such as coining money. Implied powers are not listed but are inferred from the necessary and proper clause, such as creating a national bank to carry out taxing and borrowing powers, as upheld in *McCulloch v. Maryland*.

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5. The census triggers reapportionment of the 435 House seats. A state's electoral votes equal its House seats plus two, so gaining or losing seats changes its electoral votes. Fast-growing states gain presidential influence while slower-growing states lose it.
6. The 17th Amendment (1913) replaced selection of senators by state legislatures with direct popular election. It made the Senate directly accountable to voters, moving it toward the republican ideal that officials gain office through the people, though senators still serve longer, staggered terms.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. Treaty ratification is a Senate-only power with a two-thirds threshold. Impeachment is the House's power; the House impeaches while the Senate tries the case.
8. A. Seats are reapportioned by population share within a fixed 435, so a slower-growing state tends to lose a seat and one electoral vote. Senate seats never change, which eliminates the Senate options.
9. D. Six-year staggered terms reduce constant electoral pressure. Strict debate limits belong to the House, and legislatures no longer choose senators.
10. B. The clause allows laws needed to carry out enumerated powers, which creates implied powers. Reserved powers belong to the states under the 10th Amendment.
11. E. Article I gives taxing, borrowing, and coining powers to Congress. Only Congress declares war, the Senate confirms judges, and the vice president votes only to break ties.
12. B. The Great Compromise combined the Virginia Plan's population-based House with the New Jersey Plan's equal Senate. The three-fifths clause is a different compromise about counting population.

SET C · APPLY AND EXTEND

13. 1 point: House has 435 members and two-year terms; Senate has 100 members and staggered six-year terms.
1 point: A valid effect, such as the House using strict debate limits and majority control through the Rules Committee while the Senate allows extended debate and filibusters.
1 point: Explains the link, e.g., large size forces the House to restrict debate, so legislation moves faster there but the majority party dominates; Senate individual leverage slows legislation and forces broader coalitions.
14. 1 point: Congress holds the power to tax, borrow, and appropriate funds (power of the purse), and the House originates revenue bills.
1 point: Executive agencies and courts depend on appropriations, so Congress can shape policy by funding or withholding money.
1 point: A valid limit: no bills of attainder, no ex post facto laws, or no suspension of habeas corpus except in rebellion or invasion.

2.2 How a Bill Becomes Law

SET A · CHECK YOUR UNDERSTANDING

1. Bills are referred to standing committees, which hold hearings and markups and decide whether to report a bill to the floor. The chair controls the schedule, so many bills never receive a hearing and die. This gives committees and their chairs major influence over what becomes law.
2. The Rules Committee sets the rule for a bill: debate time and whether amendments are allowed. The 435-member House needs such limits to function. The 100-member Senate instead relies on unanimous consent agreements and permits extended debate.
3. A filibuster is unlimited debate used to delay or block a vote. Cloture is the vote to end debate. For legislation cloture requires three fifths of the Senate, or 60 votes.
4. A discharge petition, signed by a majority of the House (218 members), pulls a bill out of committee for a floor vote. It is rarely successful because members are reluctant to defy their party leaders and committee chairs, who control the agenda.
5. The president can sign it into law, veto it, let it become law without signature after ten days if Congress is in session, or let it die by pocket veto if Congress adjourns within the ten days. A regular veto can be overridden by two thirds of both chambers.
6. A rider is an amendment unrelated to the bill's main purpose. Members attach it to must-pass bills, like appropriations, because the bill is likely to pass and the president is unlikely to veto the whole thing, so the rider can become law along with it.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. A. Conference committees merge differing versions. Setting House debate time is the Rules Committee's job, which is the most tempting wrong answer.
9. B. Logrolling is vote trading. The book reading is a filibuster, and refusing to schedule a hearing is gatekeeping.
11. C. The House majority controls debate through the Rules Committee. Only the Senate permits unlimited debate, so only the Senate has the filibuster.
8. D. Legislation needs 60 votes for cloture, so 56 supporters are four short. A bare majority is enough only for reconciliation or nominations.
10. E. Congress adjourned within ten days, so inaction triggers a pocket veto, which cannot be overridden. If Congress had stayed in session the bill would have become law.
12. A. The Court ruled that the Line Item Veto Act let the president amend laws, violating the Presentment Clause. The president must sign or veto an entire bill.

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SET C · APPLY AND EXTEND

13. 1 point: Identifies a Senate rule such as the filibuster/cloture (60 votes), holds, or unanimous consent.
 1 point: Explains the effect: a determined minority can delay or block a bill that a simple majority supports.
 1 point: Contrasts with the House, where the Rules Committee, controlled by the majority, limits debate and amendments, so majority party can move bills with a simple majority.
14. 1 point: Override with two-thirds vote of each chamber.
 1 point: Negotiate changes or pass a revised bill the president will sign (or attach to another bill as a rider).
 1 point: Explains that override is harder because it requires a supermajority, which is difficult under partisan division, so negotiation is more common.

2.3 Congressional Behavior and Representation**SET A · CHECK YOUR UNDERSTANDING**

1. A trustee follows personal judgment, a delegate follows constituents' wishes, and a politico shifts between the two depending on the issue. Most members act as politicians because they want to be re-elected but also face complex issues.
2. Incumbents have name recognition, free mailing under the franking privilege, constituent casework, easier fundraising, and often safe districts. These advantages make it hard for challengers to raise money or get attention.
3. The Court ruled that challenges to unequally populated legislative districts are not political questions and can be heard under the Equal Protection Clause. It was important because it began the one person, one vote doctrine and opened courts to redistricting cases.
4. Packing places the opposing party's voters in a few districts where they win by huge margins, wasting votes. Cracking splits them among many districts so they fall short of a majority. Together they let the map drawer win more seats than its share of voters.
5. The Court held that a district so oddly shaped that it can only be explained by race may violate Equal Protection and must pass strict scrutiny. It did not prohibit all majority-minority districts, only race-predominant map drawing without a compelling justification.
6. The Speaker is chosen by the majority party, presides over the House, and controls much of the legislative agenda. A whip counts votes, communicates leadership's position, and pressures members to vote with the party.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. B. She substitutes her judgment for constituent preference, the definition of a trustee. A politico would balance the two.
8. A. Franking allows free mail to constituents, increasing visibility. The other options do not directly help re-election.
9. D. By allowing courts to hear malapportionment claims, Baker led to cases requiring districts of roughly equal population. Judicial review was established earlier, in Marbury.
10. C. The Court applied strict scrutiny to race-driven district shapes. The ruling did not ban all majority-minority districts, and the partisan gerrymandering question was decided later in Rucho.
11. E. Dividing a group so it cannot form a majority is cracking. Packing concentrates the group in a single district.
12. B. Divided government exists when different parties control the presidency and at least one chamber of Congress. Same-party control is unified government.

SET C · APPLY AND EXTEND

13. 1 point: Facts: Tennessee had not redrawn legislative districts since 1901, leaving urban voters underrepresented.
 1 point: Holding: federal courts can hear malapportionment claims under the Equal Protection Clause; not a political question.
 1 point: Effect: started one person, one vote, leading to districts of roughly equal population and increasing the influence of urban and suburban voters.
14. 1 point: Similarity: both rely on the Equal Protection Clause of the 14th Amendment and allow federal courts to review districts.
 1 point: Difference: Baker concerns unequal population among districts, Shaw concerns race-predominant district shape.
 1 point: Explains significance, e.g., Baker expanded equal voting power while Shaw limited use of race in map drawing even when intended to help minority voters.

2.4 The Presidency: Powers and Roles**SET A · CHECK YOUR UNDERSTANDING**

1. Federalist No. 70 argued that a single executive provides energy, decisiveness, secrecy, and clear accountability, while a committee would be slow and could hide blame. This supports quick action in emergencies and makes voters know whom to hold responsible.
2. Commander in chief, negotiating treaties, nominating judges and other officers, vetoing legislation, granting pardons, and giving the State of the Union are all formal powers. Each is written in the Constitution and many are checked by the Senate or Congress.
3. A treaty requires ratification by two thirds of the Senate. An executive agreement is made by the president alone with another country's government. Presidents use agreements to avoid the Senate, though a later president or Congress can undo them.
4. Signing statements are written remarks that accompany a bill the president signs, telling the public and executive officials how the president reads the law. They matter because a president may indicate that parts of a law will not be enforced, which raises separation of powers concerns.
5. The bully pulpit is the president's ability to use speeches, media, and public attention to promote ideas. A president can shape the agenda and build public support, which pressures members of Congress to cooperate with the president's goals.
6. The 22nd Amendment limits presidents to two elected terms and ten years total. The 25th Amendment sets procedures for presidential succession, filling a vice presidential vacancy, and handling presidential disability.

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SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. Executive agreements are not mentioned in Article II. The other powers are expressly stated in the Constitution.
9. B. Executive orders must rest on constitutional or statutory authority and may be struck down or rescinded. They do not require Senate approval.
11. E. Section 2 gives the president the nomination and requires confirmation by both chambers. The Speaker is next in line only for the presidency.
8. A. Hamilton argued for a unified executive. The plural executive option states the opposing view that Federalist 70 rejects.
10. D. Roosevelt was elected four times, leading to the two-term limit ratified in 1951.
12. B. The Court recognized executive privilege but held it must yield to the demands of a criminal trial. Nixon resigned soon after.

SET C · APPLY AND EXTEND

13. 1 point: Identifies one informal tool, such as bargaining, bully pulpit, or a signing statement.
1 point: Identifies a second tool and explains how each helps pass a policy agenda.
1 point: Explains a limit, e.g., public opinion may not support the president, or Congress is not bound by signing statements.
14. 1 point: Notes that Article II is brief, so presidents expand power by interpretation and custom.
1 point: Gives a valid example: executive orders, executive agreements, or signing statements.
1 point: Explains a check: courts can strike down orders (Youngstown), Congress can pass laws or withhold funding, or a later president can rescind.

2.5 The Executive Branch and the Bureaucracy**SET A · CHECK YOUR UNDERSTANDING**

1. Cabinet departments (Department of Defense), independent executive agencies (NASA), independent regulatory commissions (Federal Communications Commission), and government corporations (U.S. Postal Service). They differ in mission, independence, and funding.
2. It created a merit-based civil service, replacing the spoils system in which jobs went to political supporters. Many jobs were filled through exams and qualifications, producing a more expert and stable workforce, though it also limited a president's power to replace employees.
3. Discretion is the freedom agencies have to decide how to apply laws. Congress delegates it because lawmakers lack time and expertise to write detailed rules for every situation, so they write broad laws and let agencies fill in specifics.
4. An agency proposes a rule and publishes it in the Federal Register, takes public comments, reviews them, and issues a final rule that carries the force of law. Courts may review the rule if challenged.
5. An iron triangle is a stable, closed relationship among an agency, a congressional committee, and an interest group. An issue network is a broader, shifting group of many participants, including experts and media, interested in a policy area.
6. Congress can hold oversight hearings, control agency budgets through appropriations, confirm agency heads in the Senate, investigate through the Government Accountability Office, and rewrite or abolish agency authority. Each lets elected representatives check unelected officials.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. D. They regulate sectors of the economy and have bipartisan leadership with fixed terms. Government corporations sell services.
9. B. An iron triangle is a mutually beneficial alliance among those three actors. The experts and journalists example describes an issue network.
11. C. Hearings are a core oversight tool. The other actions are legislative or electoral matters unrelated to agency supervision.
8. A. OMB prepares the president's budget and reviews rules. It is not a cabinet department and does not report to Congress.
10. E. After Garfield's assassination, Congress created merit-based hiring. The legislative veto was later struck down in Chadha.
12. D. The Court ruled that legislative action must follow bicameral passage and presentment to the president, so a one-house veto violated the Constitution.

SET C · APPLY AND EXTEND

13. 1 point: Bureaucrats are unelected but make rules that have the force of law.
1 point: Identifies a congressional check such as hearings, appropriations, Senate confirmation, or statutory limits.
1 point: Identifies a presidential or judicial check such as appointment/removal, OMB review, or court review of rules.
14. 1 point: Describes iron triangle as stable, narrow, mutually beneficial alliance of agency, committee, and group.
1 point: Describes issue network as broad, shifting, with many participants.
1 point: Argues a position with reasoning, such as many actors (social media, think tanks, competing groups) make issue networks more realistic for modern policy.

2.6 The Federal Judiciary: Structure and Judicial Review**SET A · CHECK YOUR UNDERSTANDING**

1. Article III created only the Supreme Court and let Congress create lower courts. Congress created district courts and courts of appeals in the Judiciary Act of 1789 and later laws, and set the number of justices at nine.
2. Marbury was an Adams appointee whose commission Madison withheld. The Court said Marbury deserved it, but the law letting the Court hear his case directly conflicted with Article III. The Court struck that provision down, establishing judicial review.
3. By refusing to issue the order, Marshall avoided a conflict with Jefferson, who might have ignored it. By striking down an act of Congress, he claimed the power of judicial review, a lasting power over Congress and the president.

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4. District courts have original jurisdiction because they hear cases for the first time and establish facts. Courts of appeals have appellate jurisdiction because they review the legal decisions of lower courts, without new trials or juries.
5. Judges are nominated by the president and confirmed by the Senate, then serve during good behavior with protected salaries. This keeps them from fear of removal or pay cuts for unpopular rulings, but presidents can shape courts through ideologically similar appointments.
6. Standing requires a litigant to show a personal, real injury caused by the defendant that a court can fix. It keeps courts from issuing advisory opinions and ensures cases involve real adversaries.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. A. District courts are trial courts with original jurisdiction. Appeals courts review legal issues only.
9. B. Four of nine justices must vote to grant certiorari. A majority of five is needed to decide a case.
11. D. Amicus briefs allow outside interests to try to influence a decision, while not becoming parties.
8. E. Marbury (1803) is the origin of judicial review. The other cases applied constitutional principles but did not create the power.
10. C. Courts have judgment but depend on others to enforce rulings and fund their work. They can be impeached and are not elected.
12. A. Life tenure and protected salary are core guarantees of independence. The president nominates and the Senate confirms.

SET C · APPLY AND EXTEND

13. 1 point: Facts: Adams's last-minute appointee Marbury sought his commission, which Madison withheld.
1 point: Holding: the Judiciary Act section expanding original jurisdiction conflicted with Article III and was unconstitutional; judicial review established.
1 point: Link: Federalist 78 argued judges should strike down laws that conflict with the Constitution, because the Constitution reflects the people's will above ordinary legislation.
14. 1 point: Life tenure and salary protection insulate judges from political pressure.
1 point: Presidential nomination and Senate confirmation involve partisan considerations and ideology.
1 point: Explains that vacancies and Senate control shape the long-term ideology of the courts, so the same features that protect judges also make appointments contested.

2.7 Judicial Decision Making and Constitutional Interpretation

SET A · CHECK YOUR UNDERSTANDING

1. Stare decisis tells courts to follow earlier decisions to promote stability and predictability. The Court may depart when it concludes a precedent was wrongly decided or society has changed, as in *Brown v. Board* overturning *Plessy*.
2. Originalism holds that the Constitution means what it meant when adopted, limiting judges' discretion. The living Constitution view holds that broad principles should be applied in light of present circumstances. They disagree about whether constitutional meaning changes over time.
3. Judicial activism describes judges willing to overturn laws or precedents and use courts to shape policy. Restraint describes deference to the elected branches and precedent. Critics often apply the labels to rulings they dislike.
4. The Court has no army or budget, so it depends on others to enforce its rulings. Public belief that it is fair and law-driven leads people and officials to comply, even when they disagree with decisions.
5. Congress can propose constitutional amendments, change laws the Court interprets, alter the Court's jurisdiction, or impeach judges. The president, with the Senate, can appoint justices who shift the Court over time, and can resist or delay enforcement.
6. New York officials wrote a short nondenominational prayer for students to recite in public school. The Court held 6-1 that this government-composed prayer violated the Establishment Clause, even though participation was voluntary.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. The ruling targeted official government prayer, not private prayer. The tempting broader readings misstate its scope.
9. D. Hamilton noted that the Court lacks force and will. Justices have life tenure and can overturn precedent.
11. E. Amendments can override interpretations. Congress cannot veto Court decisions, and certiorari is a Court tool.
8. B. Deference to elected branches is restraint. Judicial review is the power to strike down laws, which restrained judges also hold.
10. A. *Brown* overturned *Plessy*'s separate but equal doctrine for public schools. The other options do not describe *Brown*.
12. B. Evolving standards is the hallmark of a living constitution. Originalism ties meaning to the time of adoption.

SET C · APPLY AND EXTEND

13. 1 point: Facts: New York officials composed a short, nondenominational prayer recited in public school classrooms; voluntary.
1 point: Reasoning/holding: government composing prayer violates the Establishment Clause even if voluntary; applied to states through the 14th Amendment.
1 point: Relationship: the First Amendment bars government establishment of religion, so official school prayer is an endorsement of religion.
14. 1 point: Legitimacy lets the Court get compliance without force.
1 point: Constraint: if the Court acts in ways the public sees as political or lawless, it may lose support, or other branches may resist.
1 point: Valid example, such as resistance to *Brown* in Southern schools and federal enforcement at Little Rock, or presidents complying with *United States v. Nixon*.

2.8 Checks and Balances in Action

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SET A · CHECK YOUR UNDERSTANDING

1. Federalist 51 argues that giving each branch the means and motives to resist the others, so that ambition counteracts ambition, prevents any branch from dominating and protects liberty.
2. The House impeaches by simple majority, charging 'treason, bribery, or other high crimes and misdemeanors.' The Senate then holds a trial, with the Chief Justice presiding, and removal requires a two-thirds vote.
3. Congress can override a veto, use oversight hearings and investigations, control funding, confirm or reject nominees, and ratify treaties. These let Congress influence how the executive carries out laws.
4. The president must notify Congress within 48 hours of committing forces and withdraw them within 60 days (plus 30 for withdrawal) without authorization. Presidents claim it is unconstitutional, and Congress is reluctant to cut off funding for troops, so enforcement is weak.
5. With divided government, each branch is controlled by opposing parties and uses its checks more aggressively: vetoes, hearings, blocked nominees. This often leads to gridlock or negotiation, especially for budgets.
6. In *United States v. Lopez* (1995) the Court limited Congress by striking down a federal gun-free school zone law as beyond the commerce power. In *United States v. Nixon* (1974) it limited the president by ordering him to turn over tapes.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. D. Confirmation is a legislative check on the executive. Nominating judges and pardons are executive powers.
8. A. The Resolution sets a withdrawal clock unless Congress authorizes the action. Impeachment starts in the House, not the Senate.
9. B. Impeachment is the House accusation; conviction requires a two-thirds Senate vote. The Chief Justice only presides.
10. E. The Court struck down a federal law as exceeding Congress's authority. This reduced rather than expanded the commerce power.
11. C. Opposing parties use oversight and other checks more aggressively. Budgets still require negotiation.
12. D. The Court said short breaks are not recesses long enough to bypass Senate confirmation. The Senate still confirms permanent appointments.

SET C · APPLY AND EXTEND

13. 1 point: A congressional check: refusing future appropriations, passing a law prohibiting the action (veto override needed), oversight hearings, or impeachment threat.
1 point: A second distinct check.
1 point: Courts: may review whether the order exceeds presidential authority (*Youngstown*) if someone with standing sues.
14. 1 point: Increase: forces bipartisan compromise on must-pass items such as budgets.
1 point: Reduce: partisan opposition can produce gridlock, blocked nominees, or shutdowns.
1 point: Connects to checks and balances: each side uses vetoes, filibusters, oversight to check the other.

2.9 The Policy-Making Process and Federal Budget**SET A · CHECK YOUR UNDERSTANDING**

1. The stages are agenda setting, formulation, adoption, implementation, and evaluation. Agenda setting is when a problem gains the attention of the public and officials so that government considers acting on it.
2. Interest groups submit comments on proposed agency rules, lobby agency officials, provide data, monitor enforcement, and sue when agencies act unlawfully. This helps them affect how a law actually operates.
3. Authorization creates or continues a program and sets a spending limit. Appropriation actually provides the money. A program may be authorized but receive less or no funding if appropriators do not provide it.
4. Mandatory spending is required by existing law, such as Social Security or Medicare, and continues without annual votes. Discretionary spending, such as defense or education, is decided each year in appropriations.
5. It is a temporary funding measure that keeps agencies operating at existing levels when appropriations are not finished by October 1. Congress uses it to avoid a shutdown while negotiations continue.
6. Entitlements are automatic and growing as the population ages and medical costs rise. As they take up more of the budget, discretionary spending must be cut or Congress must raise revenue or borrow more.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. B. Social Security is an entitlement required by law. Parks, defense, and highway programs are set annually through appropriations.
8. A. Agencies carry out laws by writing rules. Formulation involves drafting bills, which happens before passage.
9. E. OMB is part of the Executive Office of the President. The CBO serves Congress.
10. D. It temporarily funds government at current levels. It is not a response to a veto or judicial action.
11. C. The debt is accumulated borrowing. A deficit is a one-year gap between spending and revenue.
12. A. The CBO estimates costs and effects of legislation for Congress. OMB serves the president.

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SET C · APPLY AND EXTEND

13. 1 point: Defines mandatory spending as spending required by existing law, such as Social Security and Medicare, not appropriated annually.
1 point: Explains that growth squeezes discretionary programs.
1 point: Valid option: raise taxes, cut benefits or eligibility through legislation, increase borrowing, or reduce discretionary programs; notes political difficulty.
14. 1 point: Describes agenda setting with an actor such as media, interest group, or president.
1 point: Describes formulation with an actor such as a committee, think tank, or members of Congress.
1 point: Describes implementation with a bureaucratic agency issuing rules or enforcing the law.

2.10 Multiple-Choice Practice: Interactions Among Branches of Government**SET A · CORE CONCEPTS**

1. A. Revenue bills start in the House, and confirmation is a Senate power. The impeachment option reverses the roles: the House impeaches and the Senate tries.
3. B. Opponents' filibuster can be ended only by three fifths of senators, and 57 is three short. Ten-day rule applies to presidential action, not Senate debate.
5. C. Marbury (1803) held that courts may void laws that conflict with the Constitution. McCulloch dealt with implied powers and federal supremacy.
7. D. Coining money is an enumerated congressional power. The others belong to the president.
2. D. It created a House based on population and a Senate with equal representation. The three-fifths clause addressed counting enslaved persons, a separate compromise.
4. E. The pardon power is in Article II. The others are informal powers developed through practice.
6. B. Bipartisan membership and fixed terms define regulatory commissions. Government corporations provide services for a fee.

SET B · APPLICATIONS AND DATA

8. A. Total overrides (4) are small relative to total vetoes (56). The Congress-overrides-most option contradicts the data.
10. E. Baker rejected the political question defense and led to one person, one vote. The partisan gerrymandering question was addressed in Rucho in 2019.
12. D. Agencies use delegated authority to make rules with notice and comment. The legislative veto was struck down in Chadha.
14. C. Engel held that a government-composed prayer violates the Establishment Clause even if voluntary and nondenominational. Free exercise concerns protecting religious practice, not this situation.
9. C. She follows her own judgment against constituent preference. A politico would consider constituent opinion on a salient issue.
11. B. Packing concentrated A voters in two districts and cracking split the rest. Reapportionment is the reallocation of seats among states after the census.
13. A. Congress overrode Nixon's veto to require notification and time limits on deployments. The law did not declare any war.

SET C · EXAM-LEVEL STRETCH

15. D. An iron triangle links an interest group, a committee, and an agency. The last option is closer to an issue network.
17. C. A cloture threshold of three fifths means the majority needs minority votes. A simple-majority veto override is false; it requires two thirds.
19. A. Automatic spending reduces room for discretionary items. Entitlements change only through new law.
16. B. If the president selectively refuses to enforce provisions, he exercises a quasi-veto beyond Article II. The practice is not controlled by term limits or confirmation rules.
18. E. Brown rejected Plessy's separate but equal doctrine in public education. Stare decisis was not applied in the sense of following Plessy.
20. D. The opposing party-controlled Senate used its advice and consent role to block the nominee. Senatorial courtesy involves home-state senators and district judges.

2.11 Free-Response Practice: Interactions Among Branches of Government**QUESTION 1 · CONCEPT APPLICATION**

1. (a) 1 point: The executive order (an informal power implied from the president's executive power and used to manage the executive branch). Bargaining and persuasion or the bully pulpit would also be correct if tied to the scenario.
2. 1 point: Identifies hearings or budget threats as oversight tools and explains that Congress uses them to monitor how the agency applies laws, review its decisions, and pressure it. Hearings force officials to explain their actions publicly, and appropriations control gives Congress leverage because agencies need funding.
3. (c) 1 point: The court can use judicial review to strike down the order or the agency's rule if it exceeds the authority granted by the Constitution or by statute, so the judiciary checks the executive. The response must name or clearly describe the court's review, not just say the manufacturer sued. (Youngstown v. Sawyer is a valid supporting example.)

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QUESTION 2 · QUANTITATIVE ANALYSIS

4. 1 point: Congress 2, with 45 vetoes.
5. 1 point: Vetoes rose sharply in Congress 2 (from 20 to 45), then fell in Congress 3 (to 15), while overrides stayed very low (1 to 3) in every Congress. Overrides are rare compared with vetoes.
6. 1 point: Concludes that vetoes increased when the opposing party controlled Congress (Congress 2), because the president and Congress disagree on policy more frequently. 1 point: Supports with data, e.g., 45 vetoes versus 20 and 15 in other Congresses; and may note that overrides remain rare because the opposition lacks two thirds.
7. 1 point: The president's threat to veto leads Congress to alter bills or avoid passing them, since a two-thirds override is hard. Congress members negotiate with the White House before passage, and the president gains bargaining leverage.

QUESTION 3 · SCOTUS COMPARISON

8. 1 point: The Equal Protection Clause of the 14th Amendment (the Court held that unequal districts could be challenged under it).
9. 1 point: Both cases involved unequal populations among legislative districts, both ruled that federal courts could address the issue, and both supported equal voting power for citizens.
10. 1 point: Baker established that malapportionment claims are justiciable and opened the door to the one person, one vote principle, which Wesberry applied to congressional districts (citing Article I's requirement that representatives be chosen 'by the people').
11. 1 point: Shaw held that a district drawn so that race is the predominant factor, shown by a bizarre shape, may violate the Equal Protection Clause and must meet strict scrutiny, so mapmakers cannot use race as the main criterion even to help minority voters; it limited racial gerrymandering.

QUESTION 4 · ARGUMENT ESSAY

12. Scoring (6 points): 1 point for the thesis, up to 3 points for evidence, 1 point for reasoning, and 1 point for the alternate perspective. Thesis (1 point): a defensible claim, for example 'Congress has more lasting power over the bureaucracy because it creates, funds, and oversees agencies, although the president controls daily management.' A restatement of the prompt earns no point. Evidence (up to 3 points): one point for a relevant piece, two for a specific and relevant piece, and three for two specific and relevant pieces, one from a required foundational document (for example, Article I power of the purse and creation of agencies; Article II appointment and the take-care duty; Federalist No. 70 on a unitary executive with accountability; Federalist No. 51 on checks); the second piece may be Senate confirmation, Office of Management and Budget review, executive orders, hearings, inspectors general, or the Administrative Procedure Act. Reasoning (1 point): links the evidence to the claim (for example, because agencies depend on appropriations written by Congress, budget control shapes policy more than the president's ability to appoint heads). Alternate perspective (1 point): acknowledges the opposing position (the president appoints agency heads, directs OMB, issues orders) and rebuts it (Congress can pass laws to override orders, courts review, and the Senate can reject nominees).

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Chapter 3: Civil Liberties and Civil Rights.

10 sections with explanations and worked examples, then 144 practice problems. Answers and full explanations are at the end of the chapter.

3.1 The Bill of Rights and Selective Incorporation

You will learn what the Bill of Rights protects, how the Fourteenth Amendment extended those protections to the states, and how to distinguish civil liberties from civil rights.

A **civil liberty** is a freedom that the Constitution protects against arbitrary government interference. The Founders did not include a list of such freedoms in the original 1787 Constitution, and Anti-Federalists such as Brutus warned that a strong national government without one would threaten the people. To win ratification, supporters promised to add amendments. In 1791 the states ratified the **Bill of Rights**, the first ten amendments, which spell out individual liberties and limit what government may do.

Key definitions

Civil liberties: constitutional guarantees that protect individuals, their opinions, and their property from government action. They are limits on government ("the government shall not...").

Civil rights: protections against discrimination and guarantees of equal treatment under the law. They rest mainly on the Fourteenth Amendment's Equal Protection Clause and on acts of Congress.

The courts never stop interpreting these amendments. Words such as "unreasonable," "cruel and unusual," and "establishment of religion" have no fixed meaning, so judges must decide how to balance an individual's freedom against public order and safety. That balancing is the central theme of this chapter.

Amendment	Main protection
First	Religion (establishment and free exercise), speech, press, assembly, petition
Second	Right to keep and bear arms
Third	No forced quartering of soldiers in homes
Fourth	No unreasonable searches and seizures; warrants need probable cause
Fifth	Grand jury indictment, no double jeopardy, no self-incrimination, due process, takings clause
Sixth	Speedy and public trial, impartial jury, counsel, confront witnesses
Seventh	Jury trial in civil cases
Eighth	No excessive bail or fines; no cruel and unusual punishment
Ninth	Rights not listed are not denied to the people
Tenth	Powers not given to the national government are reserved to the states or the people

Barron v. Baltimore (1833) set the starting point. Chief Justice Marshall held that the Bill of Rights restrained only the national government, not the states. A state or city could therefore limit speech or search homes without violating the first ten amendments. After the Civil War the picture changed. The **Fourteenth Amendment (1868)** says that no state may "deprive any person of life, liberty, or property, without due process of law" or deny anyone "the equal protection of the laws." Its **Due Process Clause** became the doorway through which the Supreme Court applied the Bill of Rights to the states.

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Selective incorporation

Incorporation is the process by which the Supreme Court has applied provisions of the Bill of Rights to state and local governments through the Fourteenth Amendment's Due Process Clause.

It is selective because the Court has done it one right at a time, case by case, rather than all at once. Rights that are fundamental to ordered liberty are incorporated.

The first major step came in **Gitlow v. New York (1925)**. Benjamin Gitlow, a socialist, was convicted under a New York law for publishing a manifesto urging radical change. The Court upheld his conviction because his words posed a danger, but it announced in passing that freedom of speech and of the press are among the liberties protected from state impairment by the Fourteenth Amendment. From that statement flowed a series of rulings: freedom of the press in *Near v. Minnesota* (1931), the Fourth Amendment exclusionary rule in *Mapp v. Ohio* (1961), the right to counsel in felony cases in *Gideon v. Wainwright* (1963), and many more.

The most recent required case is **McDonald v. Chicago (2010)**. Chicago banned nearly all handgun ownership by residents. Two years earlier, *District of Columbia v. Heller* (2008) had held that the Second Amendment protects an individual right to keep a handgun at home for self-defense, but D.C. is a federal enclave. The question in *McDonald* was whether that right also limits states and cities. The Court held 5-4 that the Second Amendment right is fundamental and is incorporated through the Fourteenth Amendment, so Chicago's ban could not stand. The decision shows incorporation still operating in the twenty-first century and extended the national reach of a once-dormant amendment.

EXAMPLE 1: APPLYING INCORPORATION

A state legislature passes a law allowing police to search any home in the state without a warrant when an officer feels suspicious. A resident challenges it in federal court. Which constitutional provisions control, and why can a federal court hear the case?

SOLUTION

Step 1: Identify the right. The Fourth Amendment bars unreasonable searches and requires warrants based on probable cause.

Step 2: Notice the actor. A state, not Congress, passed the law. Under *Barron* alone the Bill of Rights would not apply.

Step 3: Apply incorporation. The Fourth Amendment has been incorporated through the Due Process Clause of the Fourteenth Amendment (*Mapp v. Ohio*, 1961), so it limits states.

Step 4: Conclude. The federal court can strike down the law as an unreasonable search by a state government.

EXAMPLE 2: LIBERTY OR RIGHT?

Classify each: (a) a city refuses to rent apartments to a family because of their national origin; (b) a school principal prevents students from publishing a newspaper article critical of the district.

SOLUTION

(a) This is a civil rights issue. The family is being treated unequally because of a group characteristic, which raises the Equal Protection Clause and the Civil Rights Act of 1968.

(b) This is a civil liberties issue. A government official is restricting expression, which the First Amendment protects against government interference.

Key difference: liberties ask what government may not do to anyone; rights ask whether government or private actors treat groups equally.

Common mistakes

Students often say the Bill of Rights was applied to the states in 1791. It was not; it bound only the national government until the Fourteenth Amendment and selective incorporation. Another error is saying all rights are incorporated at once; the Court has used a case-by-case approach. Finally, do not confuse civil liberties (limits on government) with civil rights (equal treatment).

Not every guarantee has been incorporated. The Third Amendment, the Fifth Amendment's grand jury requirement, and the Seventh Amendment's civil jury right are examples that have not been applied to the states by the Supreme Court. The Ninth and Tenth Amendments are not individual protections that need incorporation, because they speak to unlisted rights and reserved powers. On the exam, you will usually be asked to explain how incorporation changed the relationship between citizens, states, and the national government, or to connect a scenario to a specific amendment.

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Practice

SET A Check Your Understanding

Answer each question in two to four sentences.

1. Explain the difference between civil liberties and civil rights, and give one example of each.
2. Why did the Bill of Rights not apply to state governments before the twentieth century?
3. What is selective incorporation, and which clause of the Fourteenth Amendment is the basis for it?
4. Describe the significance of *Gitlow v. New York* (1925) even though *Gitlow* lost.
5. Summarize the facts and holding of *McDonald v. Chicago* (2010).
6. Name two rights from the Bill of Rights that the Court incorporated and the case for each.

SET B Exam-Style Multiple Choice

Choose the best answer.

7. The Supreme Court held in *Barron v. Baltimore* (1833) that
 - (A) the states must respect the First Amendment
 - (B) the Bill of Rights limits only the national government
 - (C) the Fourteenth Amendment protects free speech from states
 - (D) the Court may review state laws for due process
 - (E) Congress may not restrict freedom of the press
8. Which constitutional provision is the main basis for selective incorporation?
 - (A) Ninth Amendment
 - (B) Commerce Clause
 - (C) Supremacy Clause
 - (D) Due Process Clause of the Fourteenth Amendment
 - (E) Necessary and Proper Clause
9. A state police department searches a home without a warrant. A court suppresses the evidence. This outcome most directly reflects
 - (A) the Ninth Amendment
 - (B) incorporation of the Fourth Amendment
 - (C) the establishment clause
 - (D) the Tenth Amendment
 - (E) the Third Amendment
10. Which statement about civil liberties is most accurate?
 - (A) They cannot be limited under any circumstance
 - (B) They are created by acts of Congress only
 - (C) They restrict government interference with individual freedoms
 - (D) They apply only to citizens at the federal level
 - (E) They guarantee equal treatment by private employers
11. The decision in *McDonald v. Chicago* (2010) is best described as
 - (A) an application of the Second Amendment to state and local governments
 - (B) a ruling that the Second Amendment applies only to militias
 - (C) a limit on the power of the federal government to regulate firearms only
 - (D) a repeal of the Tenth Amendment
 - (E) a decision upholding a city handgun ban
12. Which of the following is an example of a civil right rather than a civil liberty?
 - (A) Freedom to practice a religion
 - (B) Protection against self-incrimination
 - (C) Protection from employment discrimination based on sex
 - (D) Protection against unreasonable searches
 - (E) Freedom to petition the government

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SET C Apply and Extend

Write a developed response. Model answers list the scoring points.

13. Use the case *Gitlow v. New York* and *McDonald v. Chicago* to (a) identify what the two cases have in common regarding the Fourteenth Amendment, and (b) explain one way incorporation changes federalism.
14. A state enacts a law forbidding any criticism of the governor in newspapers. (a) Identify the amendment and the doctrine that lets the Supreme Court strike down the law. (b) Explain why Congress, not a state, might have been the only target of this amendment before 1925.

3.2 Religion: Establishment and Free Exercise

You will learn how the First Amendment's two religion clauses work, what *Engel v. Vitale* and *Wisconsin v. Yoder* decided, and how to apply them to new scenarios.

The First Amendment begins with two religion clauses: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." They can pull against each other. Government that goes out of its way to help religion risks establishing it; government that refuses to make room for religion risks burdening free exercise. The Court spends much of its time deciding where one clause ends and the other begins. Both clauses were incorporated against the states in the 1940s (*Cantwell v. Connecticut* for free exercise, *Everson v. Board of Education* for establishment).

The Religion Clauses

Establishment Clause: government may not create an official religion, favor one religion over others, or favor religion over nonreligion. Thomas Jefferson's phrase, a "wall of separation between church and state," is often used to describe it.

Free Exercise Clause: government may not unduly burden a person's right to hold religious beliefs and, in many cases, to act on them. Belief is absolute; conduct can be regulated.

The Establishment Clause and school prayer. In *Engel v. Vitale* (1962) a New York school board directed teachers to open each day with a short, nondenominational prayer written by state officials. Parents of students in the district sued. The Court held 6-1 that the practice violated the Establishment Clause. The prayer was voluntary and carefully neutral, but the Court reasoned that government has no business composing official prayers and that sponsoring a religious activity in public schools pressures students who dissent. The next year, *Abington v. Schempp* (1963) struck down mandatory Bible reading. Later cases barred organized prayer at school-sponsored graduation and football games (*Lee v. Weisman*, *Santa Fe v. Doe*). Students may still pray on their own, form religious clubs under equal-access rules, and read scripture during free time.

To judge whether a law violates the Establishment Clause, courts for decades used the **Lemon test** from *Lemon v. Kurtzman* (1971). A law is valid only if it satisfies all three prongs.

Lemon test

1. The law must have a secular (nonreligious) purpose.
2. Its primary effect must neither advance nor inhibit religion.
3. It must not create excessive government entanglement with religion.

Failure on any one prong makes the law unconstitutional. Recent Court decisions have often looked instead to history and tradition, but *Lemon* remains a core term for the AP exam.

The Free Exercise Clause. *Wisconsin v. Yoder* (1972) involved Amish parents who refused to send their children to school after the eighth grade, contrary to a Wisconsin compulsory attendance law that required attendance to age sixteen. The parents argued that high school exposure to worldly values threatened their religious way of life, and that their children were already learning farming, homemaking, and community skills. The Court ruled for the Amish, with only one justice partly dissenting. A state may not apply a general rule to burden a long-established religious practice unless it shows a compelling interest, and Wisconsin's interest in two more years of schooling was not strong enough in this case. The ruling was narrow: it emphasized the Amish community's centuries-old, self-sufficient way of life.

Yoder's high standard did not last for all claims. In *Employment Division v. Smith* (1990) two members of a Native American church were denied unemployment benefits after being fired for using peyote in a ritual. The Court held that a neutral law of general application can apply to religious conduct even without a compelling interest. Congress responded with the Religious Freedom Restoration Act (1993) to restore a stricter test for federal law. More recent cases continue to expand religious accommodation: *Hobby Lobby* (2014) allowed certain closely held companies to avoid the contraceptive mandate, and *Kennedy v. Bremerton School District* (2022) protected a coach's brief personal prayer on the field. In *Carson v. Makin* (2022), the Court held that Maine could not exclude religious schools from a tuition program open to private schools.

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Case	Issue	Result	Clause
Engel v. Vitale (1962)	State-written school prayer	Unconstitutional	Establishment
Lemon v. Kurtzman (1971)	Aid to religious schools	Created three-part test	Establishment
Wisconsin v. Yoder (1972)	Amish and compulsory schooling	Amish exempt after eighth grade	Free exercise
Employment Division v. Smith (1990)	Peyote in religious ritual	Neutral law applies	Free exercise
Kennedy v. Bremerton (2022)	Coach's on-field prayer	Protected	Both clauses

EXAMPLE 1: APPLYING ENGEL

A public middle school principal announces over the intercom each morning, "Please bow your heads for the school's morning prayer." Students may remain silent. Is this constitutional?

SOLUTION

Step 1: Identify the clause. Official sponsorship of a prayer raises the Establishment Clause.

Step 2: Compare with Engel. There, a nondenominational prayer composed by state officials was still unconstitutional even though participation was voluntary.

Step 3: Apply. The principal is a government official in a public school leading a prayer, which sends a message that government endorses religion and pressures students.

Step 4: Conclude that the practice violates the Establishment Clause. A moment of silence for any purpose, or student-initiated private prayer, would be treated differently.

EXAMPLE 2: APPLYING YODER

A state requires all children to attend school until age eighteen. A small religious community whose members live without modern technology asks to exempt its sixteen-year-olds for vocational learning at home. How would a court use Yoder?

SOLUTION

Step 1: The claim is under the Free Exercise Clause because a general law burdens a religious practice.

Step 2: Yoder asks whether the belief is sincere and long-established, and whether the state has a compelling interest strong enough to override it.

Step 3: A court would weigh evidence that the children receive adequate alternative education and that the community is self-sufficient.

Step 4: If the facts parallel the Amish, the exemption could be granted; if the group is new or the education is inadequate, the state's interest in education would likely prevail.

Common mistakes

Students confuse the two clauses. If the issue is government promoting or sponsoring religion, think Establishment (Engel). If the issue is government burdening a person's religious practice, think Free Exercise (Yoder). Also do not say Engel banned all prayer in schools; it banned government-sponsored prayer. Do not state that Yoder gives religious groups a blanket right to ignore laws; Smith shows that neutral laws can still apply.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. State the holding of Engel v. Vitale and the constitutional clause it relied on.
2. Describe the three prongs of the Lemon test.
3. Why did the Court side with the Amish in Wisconsin v. Yoder?
4. Explain how Employment Division v. Smith narrowed the free exercise protection recognized in Yoder.
5. Give one example of a school-related religious activity that remains constitutional.
6. How do the Establishment and Free Exercise Clauses sometimes conflict? Provide an example.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which Supreme Court case held that state-sponsored prayer in public schools violates the Establishment Clause?
(A) Tinker v. Des Moines (B) Wisconsin v. Yoder
(C) Engel v. Vitale (D) Employment Division v. Smith
(E) Gideon v. Wainwright
8. In Wisconsin v. Yoder (1972), the Court ruled that
(A) states may not fund private schools
(B) students may not pray in school
(C) religious practices are never subject to regulation
(D) public schools must teach about religion
(E) Amish parents could not be compelled to send children to school past eighth grade
9. A city places a nativity scene alone in front of city hall. A challenger sues. Which test is a court most likely to apply?
(A) Clear and present danger (B) The Lemon test
(C) Strict scrutiny of racial classifications (D) Time, place, and manner
(E) The exclusionary rule
10. Which action would most clearly violate the Establishment Clause?
(A) A student reads a Bible during lunch
(B) A student club meets after school for religious discussion
(C) A teacher assigns a reading about world religions
(D) A student wears a religious head covering
(E) A public school teacher leads a class prayer each morning
11. Which argument would a defender of the Amish in Yoder most likely make?
(A) A neutral law may impose heavy burdens on belief
(B) Education is not a state responsibility
(C) Religious freedom applies only to belief, not conduct
(D) Compulsory schooling imposes a serious burden on religious practice without a compelling interest
(E) The Establishment Clause requires public school attendance
12. Which pair correctly matches a case with its constitutional clause?
(A) Engel v. Vitale - Free Exercise; Wisconsin v. Yoder - Establishment
(B) Engel v. Vitale - Establishment; Wisconsin v. Yoder - Establishment
(C) Engel v. Vitale - Equal Protection; Wisconsin v. Yoder - Due Process
(D) Engel v. Vitale - Establishment; Wisconsin v. Yoder - Free Exercise
(E) Engel v. Vitale - Free Speech; Wisconsin v. Yoder - Free Press

SET C Apply and Extend

Write a developed response. Model answers list the scoring points.

13. Compare Engel v. Vitale and Wisconsin v. Yoder. (a) Identify the clause at issue in each. (b) Explain one way both decisions reflect the Court's commitment to individual liberty.
14. A state requires all public school teachers to display a state-approved religious motto in every classroom. (a) Identify the constitutional provision most relevant. (b) Apply the Lemon test to the policy. (c) Explain how a state might defend the law.

3.3 Speech and Press

You will learn the major limits on free expression, from Schenck's clear and present danger test to Tinker's protection of symbolic speech and the rule against prior restraint.

The First Amendment says Congress shall make no law "abridging the freedom of speech, or of the press." The text sounds absolute, but the Court has never treated it that way. Speech doctrine is a long effort to protect the open exchange of ideas that democracy needs while allowing government to stop genuine harm.

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Protected and less-protected expression

Pure speech and symbolic speech (acts that communicate a message, such as wearing an armband or burning a flag) receive strong protection.

Government may regulate unprotected or less-protected categories: speech that creates a clear and present danger, incitement to imminent lawless action, defamation (libel and slander), obscenity, and true threats. It may also impose content-neutral time, place, and manner limits.

Schenck v. United States (1919). During World War I, Charles Schenck mailed leaflets urging draftees to resist conscription, in violation of the Espionage Act of 1917. Justice Holmes wrote for a unanimous Court that the question is whether words are used in circumstances that create a **clear and present danger** of bringing about harms Congress may prevent. Holmes added that even the most stringent protection of speech would not protect a man falsely shouting fire in a theater. Schenck's conviction was upheld. The test was easy for government to meet, but the Court later narrowed it. In *Brandenburg v. Ohio* (1969) the Court held that advocacy is protected unless it is directed to inciting imminent lawless action and is likely to produce it.

Tinker v. Des Moines Independent Community School District (1969). Students, including 13-year-old Mary Beth Tinker, wore black armbands to school to protest the Vietnam War. The school suspended them. The Court held 7-2 that wearing armbands was **symbolic speech** closely akin to pure speech and protected by the First Amendment. Students do not "shed their constitutional rights at the schoolhouse gate." Schools may restrict student expression only if officials can reasonably forecast that it will substantially disrupt school activities or invade the rights of others. Because the armbands caused no disruption, the suspension was unconstitutional. Later cases gave schools more authority over lewd speech (*Bethel v. Fraser*, 1986), school-sponsored newspapers (*Hazelwood*, 1988), and pro-drug messages (*Morse v. Frederick*, 2007).

Freedom of the press and prior restraint. A **prior restraint** is government action that blocks expression before it is published. The Court treats it as presumptively unconstitutional. In **New York Times Co. v. United States (1971)**, the Pentagon Papers case, the Nixon administration sought to stop the Times and the Washington Post from publishing a classified study of the Vietnam War. The Court ruled 6-3 for the newspapers in a short opinion. The government had not met its heavy burden of showing that publication would cause direct, immediate, and irreparable harm to national security. The Constitution, in effect, tilts toward publication and leaves the press free to expose government actions, though publishers can face punishment afterward for unlawful acts.

Other limits. Defamatory statements can be punished or sued over, but the Court has made it hard for public officials and public figures to win libel cases. Under *New York Times v. Sullivan* (1964), they must prove actual malice: that the speaker knew the statement was false or showed reckless disregard for the truth. Obscenity is unprotected, defined by the Miller test (1973) as material that appeals to prurient interest by community standards, depicts sexual conduct in a patently offensive way, and lacks serious literary, artistic, political, or scientific value. Government may also enforce **time, place, and manner** regulations such as noise limits or permit rules for parades, if they are content-neutral, serve a significant government interest, and leave open other ways to communicate.

Key tests

Schenck: speech is unprotected if it creates a clear and present danger of harms Congress may prevent. Brandenburg later required imminent lawless action.

Tinker: school officials may restrict student speech only if it would substantially disrupt school activities or invade others' rights.

Prior restraint: presumed unconstitutional; government bears a heavy burden.

Category	Standard or case	Protected?
Symbolic speech	Tinker (1969)	Yes, unless substantial disruption
Dangerous advocacy	Schenck (1919); Brandenburg (1969)	Not if clear and present danger or imminent lawless action
Prior restraint	NYT v. United States (1971)	Presumed invalid
Libel of public official	Sullivan (1964)	Only if actual malice
Obscenity	Miller (1973)	No
Content-neutral limits	Time, place, manner	Allowed if narrowly tailored

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EXAMPLE 1: TINKER APPLIED

A high school bans students from wearing T-shirts that criticize a new graduation requirement. Students wear the shirts silently, and classes continue normally. A student is suspended. Is the suspension constitutional?

SOLUTION

Step 1: Identify the right. Wearing a message is symbolic speech under the First Amendment.

Step 2: Use Tinker. Student speech can be limited only if it substantially disrupts school or invades others' rights.

Step 3: Apply. Classes were undisturbed, so there is no forecast of substantial disruption.

Step 4: Conclude. The suspension likely violates the First Amendment. If the shirts led to fights or stopped classes, the school's argument would improve.

EXAMPLE 2: PRIOR RESTRAINT

A federal court orders a magazine not to publish an article about a government program before it appears. The government says the article may embarrass officials. Evaluate the order.

SOLUTION

Step 1: The order stops publication in advance, a prior restraint.

Step 2: Under *NYT v. United States*, prior restraints face a heavy presumption against validity.

Step 3: Embarrassment is not the direct, immediate, and irreparable harm to national security that the government must show.

Step 4: The order is likely unconstitutional. The government could still pursue lawful remedies for specific legal violations after publication.

Common mistakes

Do not say *Schenck* still sets today's standard; the clear and present danger idea survived but was narrowed by *Brandenburg*. Do not claim *Tinker* protects all student speech; schools may restrict disruptive, lewd, or school-sponsored speech. And *NYT v. United States* did not say national security is never a reason to limit the press; it said the government failed to meet a very heavy burden.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. State the facts and holding of *Schenck v. United States*.
2. Explain why wearing black armbands in *Tinker* counted as speech.
3. What is a prior restraint, and why did the Court rule against one in *New York Times v. United States*?
4. Describe two categories of speech that receive less First Amendment protection.
5. Define time, place, and manner restrictions and give an example.
6. How does *Tinker* differ from *Schenck* in its approach to government power over speech?

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. The phrase 'clear and present danger' comes from which required case?
(A) Engel v. Vitale (B) Tinker v. Des Moines
(C) New York Times v. United States (D) Schenck v. United States
(E) Gideon v. Wainwright
8. In Tinker v. Des Moines (1969), the Supreme Court held that
(A) students could wear black armbands because the protest did not substantially disrupt school
(B) schools may punish any political speech by students
(C) the protest was unprotected because it criticized the war
(D) students lose First Amendment rights at school
(E) armbands are not a form of speech
9. Which action is a prior restraint?
(A) A prosecution for sending threats
(B) A fine imposed after a newspaper publishes false statements
(C) A lawsuit for libel against a magazine
(D) A court order preventing a newspaper from printing a story
(E) A city noise ordinance limiting loudspeakers at night
10. A city requires groups to obtain a permit before holding a march and bans amplified sound after 10 p.m. in residential areas. These rules are best described as
(A) time, place, and manner restrictions (B) subject to the clear and present danger test
(C) prior restraints on press freedom (D) regulation of obscene material
(E) violations of the Establishment Clause
11. A newspaper falsely accuses a senator of taking a bribe. The senator wins a libel suit only if she proves
(A) the newspaper violated a school policy (B) the newspaper acted with actual malice
(C) the story offended many readers (D) the story concerned national security
(E) the article was written before an election
12. Which statement best connects Schenck and Tinker?
(A) Both rejected symbolic speech
(B) Both overturned prior restraints
(C) Both were decided during the same war
(D) Both involved the Court deciding when speech may be limited, but Tinker gave more protection to the speaker
(E) Both held that students have no speech rights

SET C Apply and Extend

Write a developed response. Model answers list the scoring points.

13. Compare Tinker v. Des Moines and Schenck v. United States. (a) Describe one similarity in the constitutional question. (b) Explain one difference in the outcomes and why the Court reached each result.
14. A state passes a law banning all protests within two blocks of any state office building unless the message supports the governor. (a) Explain why this is not a valid time, place, and manner regulation. (b) Identify one condition for a valid regulation. (c) Explain how the Court's view of prior restraint relates.

3.4 Second Amendment, Due Process, and Rights of the Accused

You will learn how the Court interprets the Second Amendment and the Fourth, Fifth, Sixth, and Eighth Amendments, with Gideon, Mapp, Miranda, and McDonald as the key cases.

This lesson covers a right that stirs fierce public debate (the Second Amendment) and the constitutional rules that protect people suspected or accused of crimes. Both involve balancing individual liberty with public order and safety.

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The Second Amendment. The amendment reads: "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." For most of American history the Court said little about it. In **District of Columbia v. Heller (2008)** the Court held 5-4 that the amendment protects an individual's right to possess a firearm for lawful purposes such as self-defense in the home, unconnected to militia service. In **McDonald v. Chicago (2010)** it held, also 5-4, that this right is incorporated and limits state and local governments. Neither decision made the right unlimited; Heller itself said that bans on felons possessing guns, restrictions in sensitive places like schools, and conditions on commercial sales can be valid. Gun control laws today are debated against that balance.

Second Amendment

Heller (2008): individual right to keep a handgun at home for self-defense (federal enclave of D.C.).

McDonald v. Chicago (2010): the right is fundamental and applies to states through the Fourteenth Amendment.

Reasonable regulations (background checks, bans on felons, sensitive places) are still allowed.

The Fourth Amendment and the exclusionary rule. The Fourth Amendment forbids unreasonable searches and seizures and requires warrants to rest on probable cause. In **Mapp v. Ohio (1961)** the Court applied the **exclusionary rule** to the states: evidence obtained through an illegal search cannot be used against the defendant in court. The rule deters police misconduct, though exceptions exist, such as good-faith reliance on a defective warrant. Digital privacy is a modern frontier: Riley v. California (2014) held that police generally need a warrant to search the data on a cell phone seized during an arrest.

The Fifth Amendment and Miranda. The Fifth Amendment guarantees due process, protects against double jeopardy and self-incrimination, requires grand jury indictment for serious federal crimes, and says private property cannot be taken for public use without just compensation. In **Miranda v. Arizona (1966)** the Court held that before custodial interrogation, police must tell suspects they have the right to remain silent, that anything they say can be used against them, and that they have a right to an attorney, provided if they cannot afford one. Statements taken without these warnings are generally inadmissible.

The Sixth Amendment and Gideon. The Sixth Amendment guarantees a speedy and public trial, an impartial jury, notice of the charges, the right to confront witnesses, and the assistance of counsel. In **Gideon v. Wainwright (1963)**, Clarence Earl Gideon was charged with breaking into a pool hall in Florida. He was too poor to hire a lawyer, and the judge refused to appoint one because state law provided counsel only in capital cases. Gideon defended himself and was convicted. Writing to the Court from prison, he won a unanimous ruling that the Sixth Amendment right to counsel in felony cases is fundamental and applies to the states. The state retried him, with a lawyer, and he was acquitted. The decision created the modern public defender system.

The Eighth Amendment. This amendment bars excessive bail, excessive fines, and **cruel and unusual punishments**. Courts interpret the phrase in light of "evolving standards of decency." In Furman v. Georgia (1972) the Court struck down existing death penalty laws as arbitrary, and in Gregg v. Georgia (1976) it allowed capital punishment under guided procedures. Later decisions barred executing people for crimes other than murder against individuals (Kennedy v. Louisiana), executing people with intellectual disability (Atkins v. Virginia, 2002), and imposing the death penalty on juveniles (Roper v. Simmons, 2005).

Due process basics

Procedural due process: government must follow fair procedures (notice, hearing, counsel) before taking life, liberty, or property.

Rights of the accused apply to state cases through incorporation, which is why Mapp and Gideon matter to local police and courts.

Amendment	Case	Rule
Fourth	Mapp v. Ohio (1961)	Illegally seized evidence excluded in state courts
Fifth	Miranda v. Arizona (1966)	Warnings before custodial interrogation
Sixth	Gideon v. Wainwright (1963)	Appointed counsel for poor felony defendants
Eighth	Gregg v. Georgia (1976)	Death penalty allowed with guided procedures
Second	McDonald v. Chicago (2010)	Individual gun right applies to states

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EXAMPLE 1: GIDEON APPLIED

A man is charged with burglary, a felony, in state court. He cannot afford a lawyer, and the judge says the court does not provide free lawyers in noncapital cases. The man is convicted. How should an appeals court rule?

SOLUTION

Step 1: Identify the right. The Sixth Amendment guarantees counsel to those accused of crimes.

Step 2: Check incorporation. Gideon v. Wainwright applied the right to appointed counsel in felony cases to the states through the Fourteenth Amendment.

Step 3: Apply. The court's refusal denied due process; the defendant was entitled to a free lawyer.

Step 4: Conclude that the conviction should be reversed and the case retried with counsel appointed.

EXAMPLE 2: EXCLUSIONARY RULE

Without a warrant or probable cause, police enter an apartment, find illegal weapons, and charge the resident. What argument should the defense lawyer raise and what is the likely result?

SOLUTION

Step 1: The entry violates the Fourth Amendment's warrant and probable cause requirements.

Step 2: The defense moves to suppress the evidence under the exclusionary rule applied to the states in Mapp.

Step 3: If the judge agrees, the weapons cannot be used at trial.

Step 4: Without them prosecutors may be unable to prove the case, so charges may be dropped. This illustrates the tension between public safety and constitutional protections.

Exam tip

When a scenario describes a suspect in custody, look for Fifth Amendment self-incrimination and Miranda. If it describes a search, think Fourth Amendment and the exclusionary rule. If a poor defendant lacks a lawyer, think Gideon. Always say that the right applies to states because of incorporation, which is how the Court reaches state police and courts.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Summarize the holdings of Heller and McDonald and explain how they differ.
2. What is the exclusionary rule and which case applied it to the states?
3. List the key warnings required by Miranda v. Arizona.
4. Explain how Gideon v. Wainwright changed criminal justice in the states.
5. What does 'cruel and unusual punishment' mean in practice, and how does the Court interpret it?
6. Why is the Fifth Amendment's protection against self-incrimination important in criminal cases?

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which case incorporated the Second Amendment against the states?
(A) Gideon v. Wainwright (B) Mapp v. Ohio
(C) Miranda v. Arizona (D) District of Columbia v. Heller
(E) McDonald v. Chicago
8. Clarence Gideon's case established that
(A) police must read suspects their rights
(B) evidence from illegal searches is inadmissible
(C) states must provide attorneys to poor defendants in felony cases
(D) the death penalty is unconstitutional
(E) juries must be unanimous in all cases
9. Police stop a driver without suspicion, search the trunk, and find illegal drugs. The driver's best argument is that
(A) the Sixth Amendment guarantees a speedy trial
(B) the Second Amendment protects the drugs
(C) double jeopardy applies
(D) the Fourth Amendment and exclusionary rule bar use of the evidence
(E) the Eighth Amendment forbids the search
10. Miranda warnings are required when a suspect is
(A) testifying at trial with a lawyer (B) in custody and about to be interrogated
(C) standing near a crime scene (D) walking down the street
(E) applying for a driver's license
11. The Supreme Court's decision in Heller (2008) is best described as
(A) limiting the Second Amendment to state militias
(B) ruling that guns are not protected by the Constitution
(C) banning all gun regulations
(D) recognizing an individual right to possess firearms for self-defense while allowing some regulation
(E) upholding D.C.'s handgun ban
12. Which statement about the death penalty and the Eighth Amendment is accurate?
(A) The Court never reviews punishments
(B) The Court has held the death penalty is always unconstitutional
(C) The Eighth Amendment applies only to federal courts
(D) The death penalty is required for murder
(E) The Court has restricted execution of juveniles and people with intellectual disabilities

SET C Apply and Extend

Write a developed response. Model answers list the scoring points.

13. Compare Gideon v. Wainwright and Mapp v. Ohio. (a) Identify the amendment involved in each. (b) Explain how both decisions illustrate selective incorporation. (c) Explain one effect on state criminal justice.
14. A legislator argues that police need broad power to search phones during arrests to fight terrorism. (a) Identify the amendment that limits this power. (b) Explain how the exclusionary rule and Riley v. California support the amendment. (c) Describe the competing values.

3.5 Privacy and Other Unenumerated Rights

You will learn how the Court found a right to privacy, how that right shaped Griswold, Roe, and Dobbs, and how Congress balances liberty with security.

The word "privacy" does not appear in the Constitution. Yet the Court has recognized a **right to privacy** that protects certain personal decisions from government interference. This right is called an unenumerated right because it is not listed in the text. The debate about where it comes from, and how far it extends, is one of the most intense in American law and politics.

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Key terms

Unenumerated rights: rights not explicitly listed in the Constitution. The Ninth Amendment says that listing some rights does not mean others are denied.

Substantive due process: the doctrine that the Due Process Clause of the Fifth and Fourteenth Amendments protects some fundamental liberties from government interference no matter what procedures are used.

Penumbra: Justice Douglas's term for implied zones of privacy formed by the 'emanations' of several Bill of Rights guarantees.

Griswold v. Connecticut (1965). Connecticut banned the use of contraceptives, even by married couples. Estelle Griswold, who directed a Planned Parenthood clinic, was convicted of assisting married couples. The Court struck the law down 7-2. Justice Douglas reasoned that the First, Third, Fourth, Fifth, and Ninth Amendments each create a zone of privacy, and together their penumbras protect the intimacy of the marital relationship from government intrusion. Concurring justices relied on the Ninth Amendment or on the Fourteenth Amendment's liberty. Later cases extended the privacy right to unmarried people (*Eisenstadt v. Baird*, 1972).

Roe v. Wade (1973). Texas outlawed abortion except to save the mother's life. "Jane Roe" challenged the law. The Court held 7-2 that the constitutional right to privacy, grounded in the Fourteenth Amendment's concept of personal liberty, includes a woman's decision to end a pregnancy. Under Roe's trimester framework, states had little power to regulate in the first trimester, could regulate to protect maternal health in the second, and could restrict or prohibit abortion after viability. *Planned Parenthood v. Casey* (1992) reaffirmed a right to abortion but replaced the trimester framework with an undue burden standard: states may regulate abortion before viability if the regulation does not place a substantial obstacle in the path of a woman seeking it.

Dobbs v. Jackson Women's Health Organization (2022). Mississippi banned most abortions after fifteen weeks. The Court upheld the law and overruled both *Roe* and *Casey*, holding 6-3 on the judgment (and 5-4 on overruling) that the Constitution does not confer a right to abortion because such a right is not deeply rooted in the nation's history and tradition and is not part of the 'liberty' protected by the Fourteenth Amendment. The authority to regulate abortion returned to the people and their elected representatives. The result is a patchwork of state laws, with some states banning abortion and others protecting access. *Dobbs* also renewed debate about whether other privacy-related precedents, such as *Griswold* and *Obergefell*, rest on firm ground, although the majority said its holding concerned abortion only. For AP, *Roe* remains a required case, and you should know both its holding and that *Dobbs* overruled it.

Other privacy and liberty cases. In *Lawrence v. Texas* (2003) the Court struck down a state law criminalizing same-sex intimate conduct, relying on liberty under the Due Process Clause. In *Obergefell v. Hodges* (2015) it held that same-sex couples have a fundamental right to marry. Both are examples of substantive due process. Other long-recognized liberties include the right of parents to direct their children's upbringing (*Pierce v. Society of Sisters*, 1925).

Liberty versus security. After the September 11, 2001 attacks, Congress passed the **USA PATRIOT Act** (2001). It expanded surveillance powers, including roving wiretaps, easier access to business records, and information sharing among agencies. Supporters said it was necessary to detect terrorism; critics argued it threatened Fourth Amendment privacy. Revelations about bulk collection of telephone records led to the **USA FREEDOM Act** (2015), which limited that bulk collection. The central question remains how to balance national security with civil liberties.

Abortion doctrine at a glance

Roe (1973): privacy right includes abortion; trimester framework.

Casey (1992): undue burden test.

Dobbs (2022): no constitutional right to abortion; states regulate.

Case	Year	Holding
Griswold v. Connecticut	1965	Married couples have a privacy right to use contraception
Roe v. Wade	1973	Privacy right includes abortion decision (trimester framework)
Planned Parenthood v. Casey	1992	Undue burden standard replaces trimesters
Lawrence v. Texas	2003	Private same-sex conduct protected
Obergefell v. Hodges	2015	Fundamental right to same-sex marriage
Dobbs v. Jackson	2022	<i>Roe</i> and <i>Casey</i> overruled; states may regulate abortion

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EXAMPLE 1: READING PRIVACY THROUGH A SCENARIO

A state passes a law banning the sale of contraceptives to anyone. A couple challenges the law. Which precedent applies and what is the argument?

SOLUTION

Step 1: Identify the claim. The couple says the law invades the private choice of whether to use contraception.

Step 2: Cite *Griswold v. Connecticut*. The Court found a zone of privacy created by the Bill of Rights, and later extended it beyond marriage.

Step 3: Explain reasoning. Government intrusion into intimate decisions is limited by substantive due process.

Step 4: Conclude that the law is unconstitutional under existing precedent, though critics who reject unenumerated rights might disagree.

EXAMPLE 2: SECURITY VERSUS LIBERTY

Congress considers allowing intelligence agencies to collect all citizens' phone records without individualized suspicion to prevent terrorism. Describe the competing constitutional values.

SOLUTION

Step 1: Security. Government has an interest in protecting citizens, and supporters cite the Patriot Act's goals.

Step 2: Liberty. The Fourth Amendment forbids unreasonable searches, and bulk collection reaches people not suspected of any crime.

Step 3: Check history. After criticism, the USA FREEDOM Act (2015) limited bulk collection.

Step 4: Conclusion. The Court and Congress seek a balance, often requiring court-approved warrants and oversight.

Common mistakes

Do not say the Constitution explicitly contains a right to privacy. Say it is implied or unenumerated. Do not claim *Dobbs* outlawed abortion nationally; it returned the question to the states. And remember that *Roe* is still a required case: know the holding and the fact that *Dobbs* overruled it.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. What is an unenumerated right? Give an example.
2. Explain how Justice Douglas found a right to privacy in *Griswold v. Connecticut*.
3. Describe the holding of *Roe v. Wade* and the standard that replaced its trimester framework.
4. How did *Dobbs v. Jackson Women's Health Organization* change constitutional law?
5. What is substantive due process?
6. Explain one way the Patriot Act reflects a conflict between liberty and security.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which Bill of Rights guarantee did *Griswold v. Connecticut* use as part of a 'penumbra' creating a right to privacy?
(A) The Second Amendment
(B) Several amendments, including the First, Third, Fourth, Fifth, and Ninth
(C) The Seventh Amendment
(D) The Eighth Amendment alone
(E) The Tenth Amendment alone
8. *Roe v. Wade* (1973) was based mainly on
(A) the Establishment Clause
(B) the Commerce Clause
(C) the Second Amendment
(D) the Fourteenth Amendment's protection of liberty and a right to privacy
(E) the Thirteenth Amendment
9. Which Supreme Court decision overruled *Roe v. Wade*?
(A) *Griswold v. Connecticut*
(B) *Gideon v. Wainwright*
(C) *Lawrence v. Texas*
(D) *Planned Parenthood v. Casey*
(E) *Dobbs v. Jackson Women's Health Organization*
10. Which of the following is an unenumerated right recognized by the Court?
(A) The right to petition government
(B) The right to be free of quartering soldiers
(C) The right to privacy in intimate decisions
(D) The right to bear arms
(E) The right to a speedy trial
11. Opponents of the USA PATRIOT Act's surveillance provisions most likely argued that it
(A) limited freedom of religion
(B) violated the Establishment Clause
(C) denied equal protection by race
(D) threatened Fourth Amendment privacy
(E) violated the Sixth Amendment right to counsel
12. A state legislature restricts abortion after fifteen weeks. Under *Dobbs*, the law is
(A) likely constitutional because states may regulate abortion
(B) valid only if Congress approves
(C) valid only before viability
(D) automatically unconstitutional because of *Roe*
(E) subject to the exclusionary rule

SET C Apply and Extend

Write a developed response. Model answers list the scoring points.

13. Compare *Griswold v. Connecticut* and *Roe v. Wade*. (a) Identify the source of the right in each. (b) Explain how *Dobbs* affects the legacy of *Roe*. (c) Describe an argument critics make against unenumerated rights.
14. Congress debates renewing a law that lets agencies obtain business and phone records without a warrant to combat terrorism. (a) Explain the constitutional concern. (b) Make an argument for renewing. (c) Make an argument against.

3.6 Civil Rights and the Equal Protection Clause

You will learn how the Fourteenth Amendment's Equal Protection Clause, *Brown v. Board of Education*, and landmark civil rights laws fought discrimination, and the levels of judicial scrutiny.

Civil rights are guarantees of equal treatment and protection from discrimination. The key constitutional source is the **Equal Protection Clause** of the Fourteenth Amendment: no state shall "deny to any person within its jurisdiction the equal protection of the laws." After the Civil War, the Thirteenth Amendment (1865) abolished slavery, the Fourteenth (1868) granted citizenship and equal protection, and the Fifteenth (1870) barred denying the vote based on race. Yet states soon created Jim Crow laws that enforced segregation and kept Black citizens from voting through poll taxes, literacy tests, and intimidation.

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Plessy v. Ferguson (1896). Homer Plessy challenged a Louisiana law requiring separate railway cars for Black and white passengers. The Court upheld it, creating the **separate but equal** doctrine: segregation did not violate equal protection if facilities were equal. Justice Harlan dissented, arguing that the Constitution is color-blind. In practice, facilities for Black Americans were rarely equal, and Plessy legitimized segregation for nearly sixty years.

Brown v. Board of Education (1954). The NAACP Legal Defense Fund, led by Thurgood Marshall, brought cases from several states challenging segregated public schools. Linda Brown, a Black third grader in Topeka, Kansas, had to travel across town to a segregated school though a white school was nearby. Chief Justice Earl Warren wrote a unanimous opinion that separate educational facilities are **inherently unequal**, because segregation generates a feeling of inferiority that harms children's learning. The Court drew on social science evidence and held that segregated public schools violate the Equal Protection Clause. A year later, Brown II (1955) ordered desegregation "with all deliberate speed," which allowed many districts to resist for years.

Brown v. Board of Education

Overruled Plessy v. Ferguson in the context of public education.

Holding: state-mandated segregation of public schools violates the Equal Protection Clause of the Fourteenth Amendment.

Significance: a landmark that energized the civil rights movement; implementation required court orders, federal troops (Little Rock, 1957), and later legislation.

De jure vs. de facto segregation. **De jure** segregation is separation required or created by law, as in Plessy and Brown. **De facto** segregation happens in practice because of residential patterns, income, or private choices, without a legal mandate. Courts can order remedies for de jure segregation, such as busing (Swann v. Charlotte-Mecklenburg, 1971). Proving de facto segregation unconstitutional is harder, since the Court has required evidence of intent to discriminate (Milliken v. Bradley, 1974).

Congress acts. The **Civil Rights Act of 1964** banned discrimination in public accommodations such as hotels and restaurants, barred employment discrimination based on race, color, religion, sex, or national origin (creating the Equal Employment Opportunity Commission), authorized the Justice Department to sue to desegregate schools, and allowed the government to cut off funds from discriminatory programs. Congress relied largely on its Commerce Clause power, which the Court upheld in Heart of Atlanta Motel v. United States. The **Voting Rights Act of 1965** outlawed literacy tests and, under Section 5, required states and localities with histories of discrimination to obtain federal preclearance before changing voting rules. In Shelby County v. Holder (2013) the Court struck down the formula used to decide which jurisdictions needed preclearance. Amendments also expanded the franchise: the Nineteenth (women, 1920), Twenty-Fourth (poll taxes banned in federal elections, 1964), and Twenty-Sixth (age 18, 1971).

Levels of judicial scrutiny. When a law treats groups differently, courts decide how closely to examine it.

Level	Applies to	Test
Strict scrutiny	Race, national origin, and fundamental rights	Law must serve a compelling government interest and be narrowly tailored; usually struck down
Intermediate scrutiny	Sex or gender (Craig v. Boren, 1976)	Law must serve an important interest and be substantially related to it
Rational basis	Most other classifications, such as age or wealth	Law must be rationally related to a legitimate government interest; usually upheld

Equal protection rules

Strict scrutiny applies to race: the most demanding test. Example: a state law assigning school seats by race.

Intermediate scrutiny applies to sex: Reed v. Reed (1971) first struck down a sex-based law; later cases require an important interest and a substantial relationship.

Rational basis: the default test for ordinary economic and social legislation.

EXAMPLE 1: CHOOSING THE LEVEL

A state university offers a scholarship only to male applicants in engineering. A woman sues under the Equal Protection Clause. Which standard applies and how might the court rule?

SOLUTION

Step 1: The classification is by sex.

Step 2: Intermediate scrutiny applies: the state must show an important objective and a substantial relationship to it.

Step 3: A stereotype that men are better engineers is not an important objective, and the scholarship is not substantially related to any legitimate goal.

Step 4: The court would likely strike down the scholarship rule.

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EXAMPLE 2: BROWN AND ITS LIMITS

A district draws school zones based on neighborhoods. Because of housing patterns, one school is nearly all white and another nearly all Black, but no law requires this. Does *Brown* require a remedy?

SOLUTION

Step 1: Identify the type of segregation. No law created it, so it is de facto segregation.

Step 2: *Brown* addressed state-mandated segregation; courts generally require proof of intent to discriminate.

Step 3: Without proof of intent, courts are unlikely to order remedies. Districts or legislatures might adopt voluntary integration policies.

Step 4: The case shows that de facto segregation is harder to remedy through the courts.

Common mistakes

Do not say *Brown* overruled *Plessy* for all contexts; it held that separate is not equal in education. Do not confuse de jure (by law) with de facto (in fact). Memorize the scrutiny levels: race gets strict, sex gets intermediate, and most others get rational basis.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Explain the separate but equal doctrine from *Plessy v. Ferguson*.
2. What was the Court's reasoning in *Brown v. Board of Education*?
3. Distinguish de jure from de facto segregation with an example of each.
4. Name two major provisions of the Civil Rights Act of 1964.
5. What did the Voting Rights Act of 1965 do, and how did *Shelby County v. Holder* affect it?
6. Describe the three levels of scrutiny and give one classification for each.

SET B Exam-Style Multiple Choice

Choose the best answer.

7. *Brown v. Board of Education* overturned the doctrine established in
 (A) *Marbury v. Madison* (B) *Plessy v. Ferguson* (C) *Gideon v. Wainwright*
 (D) *Barron v. Baltimore* (E) *Roe v. Wade*
8. Which clause of the Constitution did the Court rely on in *Brown*?
 (A) Takings Clause (B) Commerce Clause
 (C) Establishment Clause (D) Necessary and Proper Clause
 (E) Equal Protection Clause
9. A law that classifies people by race will be examined under
 (A) the Lemon test (B) strict scrutiny
 (C) intermediate scrutiny (D) rational basis review
 (E) the clear and present danger test
10. Which is an example of de facto segregation?
 (A) A statute creating separate train cars
 (B) A law barring Black students from a state university
 (C) Neighborhood schools that are racially imbalanced because of housing patterns
 (D) A city ordinance assigning seats by race
 (E) A state law requiring separate drinking fountains
11. The Civil Rights Act of 1964 was upheld largely through Congress's power to
 (A) ratify treaties (B) tax and spend only
 (C) declare war (D) coin money
 (E) regulate interstate commerce

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12. Which constitutional amendment lowered the voting age to eighteen?
- (A) Thirteenth (B) Twenty-Sixth (C) Fifteenth
(D) Twenty-Fourth (E) Nineteenth

SET C Apply and Extend

Write a developed response. Model answers list the scoring points.

13. Compare Plessy v. Ferguson and Brown v. Board of Education. (a) State each holding. (b) Explain one reason the Court changed course. (c) Describe an obstacle to implementing Brown.
14. A state passes a law denying drivers licenses to unmarried men under 21 but not women. (a) Identify the standard of review. (b) Apply it. (c) Explain the role of Reed v. Reed.

3.7 Social Movements and the Expansion of Rights

You will learn how citizens, courts, and Congress have worked together and against each other to expand civil rights, from the civil rights movement to Title IX, the ADA, and affirmative action.

Constitutional rights do not expand on their own. Citizens organize **social movements**, groups that push for change through protest, litigation, lobbying, and elections. Governments respond with court decisions, legislation, and executive action. This lesson traces that cycle and asks which institutions deserve credit for expanding rights.

The civil rights movement. Black Americans and allies used several strategies. The NAACP pursued a **litigation strategy**, a long campaign of lawsuits that led to Brown v. Board of Education. Others used **nonviolent direct action**: the Montgomery bus boycott (1955-56), sit-ins at lunch counters (1960), the Freedom Rides (1961), the Birmingham campaign (1963), the March on Washington (1963), and the Selma marches (1965). Boycotts imposed economic costs, sit-ins and marches dramatized injustice, and media coverage built public sympathy. In "**Letter from Birmingham Jail**" (1963), Martin Luther King Jr. responded to white clergy who urged patience and called his protests untimely. He argued that people have a moral responsibility to disobey unjust laws, that nonviolent direct action creates tension necessary for negotiation, and that "justice too long delayed is justice denied." He also criticized the white moderate who preferred order to justice. The pressure helped produce the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

Why movements succeed

They frame injustice in values the public already holds (liberty, equality).

They use multiple tactics: courts, protest, lobbying, voting.

They gain allies and attention through media, forcing Congress, presidents, or courts to act.

Women's rights. The 1848 Seneca Falls convention launched a long suffrage struggle that ended with the Nineteenth Amendment (1920). In the 1960s and 1970s the **National Organization for Women** (1966) pressed for equal pay and workplace rights. The Equal Pay Act (1963) and Title VII of the 1964 Act barred sex discrimination in pay and employment. **Title IX** of the Education Amendments of 1972 bans sex discrimination in any education program receiving federal funds, and it dramatically expanded girls' participation in school sports. The Equal Rights Amendment passed Congress in 1972 but did not receive ratification by enough states. In Reed v. Reed (1971) the Court first struck down a sex-based law under equal protection. The pro-life movement, in contrast, mobilized after Roe v. Wade and ultimately helped produce the Dobbs outcome, showing that movements can also seek to restrict rights recognized by the Court.

LGBTQ rights and disability rights. The modern LGBTQ movement grew after the 1969 Stonewall uprising. Lawrence v. Texas (2003) invalidated sodomy laws, and Obergefell v. Hodges (2015) recognized a constitutional right to same-sex marriage. In Bostock v. Clayton County (2020), the Court held that Title VII's ban on sex discrimination covers discrimination against gay and transgender employees. Disability rights advocates won the **Americans with Disabilities Act of 1990**, which bans discrimination in employment, public services, and public accommodations and requires reasonable accommodations such as accessible buildings.

Affirmative action. These are policies that consider race, sex, or other traits to remedy past discrimination and promote diversity. Regents v. Bakke (1978) barred strict racial quotas but allowed race as one factor in admissions. Grutter v. Bollinger (2003) upheld a holistic law school admissions policy. In Students for Fair Admissions v. Harvard and University of North Carolina (2023), the Court ruled that race-conscious admissions at those universities violate the Equal Protection Clause, effectively ending most race-based affirmative action in higher education. Supporters argue such programs correct historic inequality; opponents argue the Constitution forbids classifying people by race.

Who gets the credit? Historians and political scientists disagree. Courts can declare rights, but they have no army or budget and depend on others to carry out rulings. Congress can pass sweeping statutes, but usually acts only when public pressure and electoral calculations demand it. Movements supply that pressure but need institutions to make change last. Most strong essays argue that the three work together, while still defending one as the most important driver.

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Institution	How it expanded rights	Example
Courts	Interpret the Constitution; can strike discriminatory laws	Brown (1954), Obergefell (2015)
Congress	Passes statutes with enforcement power	Civil Rights Act 1964, ADA 1990, Title IX
Presidents	Executive orders, enforcement, appointments	Truman desegregated the armed forces (1948)
Citizens and movements	Protest, organizing, voting	Montgomery boycott, Selma marches

Letter from Birmingham Jail

Author: Martin Luther King Jr., 1963, written while jailed for demonstrating without a permit.

Claims: unjust laws should be resisted openly and nonviolently; waiting is not acceptable; citizens must take direct action.

Audience: eight white clergymen. Theme: moral responsibility and the cost of delay.

EXAMPLE 1: LINKING MOVEMENT TO POLICY

Explain how protests in Selma, Alabama, in 1965 contributed to a policy change.

SOLUTION

Step 1: Marchers demanded voting rights and were attacked by state troopers on Bloody Sunday, which was televised.

Step 2: The coverage built national pressure on Congress and President Johnson.

Step 3: Congress passed the Voting Rights Act of 1965, banning literacy tests and creating preclearance.

Step 4: This shows protest shaping policy through public opinion and elected officials.

EXAMPLE 2: STATUTES VERSUS COURTS

A school's girls' soccer team receives far fewer resources than the boys' team. Which law might apply and who enforces it?

SOLUTION

Step 1: The school receives federal funds, so Title IX applies.

Step 2: Title IX bars sex discrimination in education programs.

Step 3: Students can file complaints with the Department of Education or sue.

Step 4: This is an example of Congress, not the Constitution directly, extending protections that courts then enforce.

Exam tip

Argument essays ask which institution or group did the most to expand rights. Pick one, define it, and use two pieces of evidence (a case, a law, or an event) with reasoning. Acknowledge a counterargument: courts often act only after movements and Congress build pressure.

Practice

SET A

Check Your Understanding

Answer each question in two to four sentences.

- Identify two strategies the civil rights movement used and one result of each.
- Summarize the central argument of King's "Letter from Birmingham Jail."
- What does Title IX prohibit, and how is it enforced?
- Explain what the Americans with Disabilities Act requires.
- Describe the evolution of Supreme Court rulings on affirmative action.
- Give one example showing that a social movement can seek to limit rights recognized by the Court.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. In his 'Letter from Birmingham Jail,' Martin Luther King Jr. argued that
 - (A) violent resistance is the best strategy
 - (B) protest should be delayed until courts act
 - (C) civil disobedience is always illegal and wrong
 - (D) citizens have a moral duty to resist unjust laws through nonviolent action
 - (E) the white clergy were correct to urge patience
8. Which law bans sex discrimination in federally funded education programs?
 - (A) The Civil Rights Act of 1866
 - (B) The Americans with Disabilities Act
 - (C) Title VII
 - (D) The Voting Rights Act
 - (E) Title IX
9. The Montgomery bus boycott was an example of
 - (A) a violent uprising
 - (B) a lawsuit to the Supreme Court only
 - (C) nonviolent direct action with economic pressure
 - (D) a legislative filibuster
 - (E) an executive order
10. The Americans with Disabilities Act (1990) is an example of
 - (A) a presidential order
 - (B) a state law only
 - (C) a Supreme Court decision creating a right
 - (D) Congress responding to a social movement
 - (E) a constitutional amendment
11. In *SFFA v. Harvard* (2023), the Court held that
 - (A) race-conscious admissions at the schools violated the Equal Protection Clause
 - (B) quotas are permitted
 - (C) affirmative action applies only to public schools
 - (D) colleges may use race as the main factor
 - (E) affirmative action is required
12. Which pairing correctly matches movement and result?
 - (A) Suffrage movement - Twenty-Sixth Amendment
 - (B) NAACP - campaigned for the ADA
 - (C) NOW - pressed for sex equality in employment and education
 - (D) Pro-life movement - *Brown v. Board*
 - (E) Disability movement - Civil Rights Act of 1964

SET C Apply and Extend

Write a developed response. Model answers list the scoring points.

13. Argue which had greater impact on expanding civil rights: the Supreme Court, Congress, or social movements. (a) State a claim. (b) Provide two pieces of evidence. (c) Explain a counterargument.
14. Explain how interest groups and activists used both litigation and protest. (a) Identify a group using litigation. (b) Identify a protest tactic. (c) Explain why using both was effective.

3.8 Civil Liberties and Rights: Court Cases Workshop

You will review the required cases of this unit, learn a method for SCOTUS comparison questions, and practice applying holdings to new scenarios.

The AP exam includes a **SCOTUS comparison** free-response question. You are given a required case you must know and a non-required case described in a short summary. You must identify the constitutional clause, describe the required case's holding and reasoning, and explain how that reasoning applies to the non-required case. This workshop gives you a compact reference of the required civil liberties and rights cases and shows how to compare them.

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Case	Clause or amendment	Holding in one line
Schenck v. US (1919)	First (speech)	Speech creating a clear and present danger may be punished
Gitlow / McDonald (1925 / 2010)	Fourteenth (incorporation)	Rights in the Bill of Rights apply to states
Engel v. Vitale (1962)	First (establishment)	School-sponsored prayer is unconstitutional
Gideon v. Wainwright (1963)	Sixth	State must appoint counsel for poor felony defendants
Tinker (1969)	First (speech)	Students may engage in nondisruptive symbolic speech
NYT v. US (1971)	First (press)	Prior restraint presumed invalid
Wisconsin v. Yoder (1972)	First (free exercise)	Amish exempt from schooling past eighth grade
Brown v. Board (1954)	Fourteenth (equal protection)	Segregated schools are inherently unequal
Shaw v. Reno (1993)	Fourteenth (equal protection)	Race-based districting can be challenged; strict scrutiny

Shaw v. Reno (1993) arose after North Carolina, to comply with the Voting Rights Act, drew a congressional district in a long, narrow, irregular shape to create a second majority-Black district. Several white voters sued. The Court held 5-4 that a districting plan so irregular that it can only be explained as an effort to separate voters by race could be challenged under the Equal Protection Clause and must survive strict scrutiny. The case matters because it limits **racial gerrymandering**: race may be considered, but it cannot be the predominant factor in drawing districts without a compelling reason.

Three-step method for a SCOTUS comparison

1. Identify the required case, its facts, the constitutional clause, and the holding.
2. Identify the principle the Court used (the reasoning).
3. Apply that principle to the new case and say whether the outcome should be the same or different, and why.

What the exam rewards

Name the case and clause accurately; describe the facts briefly; state the holding in a complete sentence.

Explain the reasoning: what principle did the majority use, and what interest did it weigh against the individual's right?

Connect to the other case with a specific reason, using words such as because, therefore, or in contrast.

The scoring pattern usually gives separate points for the required case's holding, for the constitutional clause, and for an explanation of how the reasoning applies to the non-required case. A response that only restates the facts of both cases earns few points. Keep a one-sentence holding and a one-sentence reasoning for every required case in this chapter so that you can move quickly during the exam.

Pairing required cases with others. The exam often pairs a required case with one that has a similar constitutional question. Practice with these pairs:

- ◆ Engel v. Vitale and a case about a teacher-led prayer at a graduation (both Establishment Clause; the same reasoning applies if the school sponsors the prayer).
- ◆ Wisconsin v. Yoder and Employment Division v. Smith (both Free Exercise; in Yoder the Court protected the religious practice because the burden was heavy and the state's interest limited, while in Smith a neutral drug law applied to everyone).
- ◆ Tinker and Bethel v. Fraser (both student speech; Tinker protected political speech, Fraser allowed discipline for a lewd speech at an assembly).
- ◆ Schenck and Brandenburg v. Ohio (both speech that might lead to harm; Schenck allowed punishment under clear and present danger, Brandenburg requires imminent lawless action).
- ◆ NYT v. United States and Near v. Minnesota (both prior restraint of press).
- ◆ Gideon and Miranda (both Fifth and Sixth Amendment protections for the accused; Gideon about counsel at trial, Miranda about warnings during interrogation).
- ◆ Brown and Plessy; Shaw and Miller v. Johnson (equal protection and race).

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EXAMPLE 1: APPLYING TINKER TO A NEW CASE

In *Bethel School District v. Fraser* (1986), a student gave a nominating speech at a school assembly filled with sexual innuendo and was suspended. The Court upheld the suspension. Compare it to *Tinker*.

SOLUTION

Step 1: *Tinker* held that students may express views, including political ones, unless the speech substantially disrupts school or invades others' rights.

Step 2: Similarity: both involved First Amendment claims by public school students and the school's authority over discipline.

Step 3: Difference: *Tinker*'s armbands were quiet political speech; *Fraser* involved lewd speech at a school event, which schools may regulate to teach civility.

Step 4: Conclusion: the Court gave schools more authority over vulgar speech than over political viewpoints.

EXAMPLE 2: HYPOTHETICAL

A state law requires all children to attend school until age 18. A community of conscientious religious believers asks for an exemption after age 16. Which required case is most relevant, and what factors would a court weigh?

SOLUTION

Step 1: *Wisconsin v. Yoder* is the controlling reasoning, under the Free Exercise Clause.

Step 2: The court asks whether the religious beliefs are sincere and a long-established way of life, how heavily the law burdens them, and whether the state's interest is compelling.

Step 3: The community must show alternative learning.

Step 4: *Smith* may limit *Yoder* if the law is neutral and generally applicable, so the result depends on how courts read the case today.

Common mistakes

Do not just summarize both cases. The exam rewards explaining why the reasoning of the required case would or would not apply to the other case. Also avoid mixing up the clause: tie *Engel* to Establishment and *Yoder* to Free Exercise, *Tinker* and *Schenck* to speech, and *Brown* and *Shaw* to equal protection.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Match each case to its clause: *Engel*, *Yoder*, *Tinker*, *Gideon*.
2. Explain the significance of *Shaw v. Reno*.
3. How does the reasoning in *Schenck* differ from the reasoning in *New York Times v. United States*?
4. Compare *Engel* and *Yoder*: how do they illustrate different religion clauses?
5. Why is *McDonald v. Chicago* an example of selective incorporation?
6. State two facts from *Brown v. Board of Education* and its holding.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. A public high school bans a student from wearing a shirt that opposes a school dress code, though it causes no disruption. This is most similar to the facts of
(A) Gideon v. Wainwright (B) Shaw v. Reno (C) McDonald v. Chicago
(D) Tinker v. Des Moines (E) Engel v. Vitale
8. A state legislature draws a district with a bizarre shape to ensure a majority of one race. Which case applies?
(A) Gideon v. Wainwright (B) Shaw v. Reno
(C) Brown v. Board of Education (D) Engel v. Vitale
(E) Schenck v. United States
9. A local government orders a newspaper not to print leaked documents. The strongest precedent for the newspaper is
(A) Schenck v. United States (B) McDonald v. Chicago
(C) Wisconsin v. Yoder (D) New York Times v. United States
(E) Gideon v. Wainwright
10. A state refuses to give a poor defendant charged with a serious felony a lawyer. Which case should the defendant cite?
(A) Brown v. Board (B) Tinker v. Des Moines (C) Engel v. Vitale
(D) Wisconsin v. Yoder (E) Gideon v. Wainwright
11. Which two cases both rely on the First Amendment's religion clauses?
(A) Brown and Shaw (B) Engel and Yoder (C) Gideon and McDonald
(D) Tinker and Schenck (E) Schenck and Gideon
12. Which statement best compares Brown and Shaw?
(A) Both were decided unanimously
(B) Both involve the Second Amendment
(C) Both concern the Sixth Amendment
(D) Both rest on the Fourteenth Amendment's Equal Protection Clause
(E) Both concern freedom of the press

SET C Apply and Extend

Write a developed response. Model answers list the scoring points.

13. Compare Wisconsin v. Yoder and Engel v. Vitale. (a) Identify the common value. (b) Explain a difference in the clause used. (c) Apply the reasoning of one case to a school scenario involving a state-written pledge with religious language.
14. Choose two of Schenck, Tinker, and New York Times v. United States and explain how each reflects the balance between order and liberty.

3.9 Multiple-Choice Practice: Civil Liberties and Civil Rights

Twenty AP-style questions covering the Bill of Rights, incorporation, religion, speech, rights of the accused, privacy, equal protection, and movements.

Choose the best answer for each question. Some items include a table, scenario, or other stimulus. In each answer, the explanation covers why the correct choice is right and why the most tempting wrong choice fails.

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SET A Core Concepts

Choose the best answer.

1. Which statement best describes selective incorporation?
 - (A) The Tenth Amendment requires states to follow the Bill of Rights
 - (B) Congress has applied the Bill of Rights to states by statute
 - (C) The states chose which rights to follow
 - (D) The Court has applied specific Bill of Rights protections to the states one case at a time through the Fourteenth Amendment
 - (E) All provisions were applied to states in 1868
2. Engel v. Vitale (1962) is most closely related to which principle?
 - (A) Government may not sponsor religious activities in public schools
 - (B) Public schools may never allow student prayer
 - (C) Free exercise is absolute
 - (D) Schools may teach only one religion
 - (E) Religious groups are exempt from all laws
3. The Court's decision in Gideon v. Wainwright most directly expanded protections for
 - (A) religious minorities
 - (B) journalists publishing classified documents
 - (C) students engaging in political protest
 - (D) poor defendants in state felony cases
 - (E) gun owners
4. Schenck v. United States (1919) established that
 - (A) speech creating a clear and present danger may be punished
 - (B) obscenity is protected
 - (C) prior restraint is always unconstitutional
 - (D) symbolic speech is protected
 - (E) students have speech rights at school
5. Which situation is best classified as a civil right rather than a civil liberty?
 - (A) Police search a home without a warrant
 - (B) A company refuses to hire a qualified applicant because of her religion
 - (C) A city bans a peaceful rally downtown
 - (D) A court orders a book not to be published
 - (E) A school punishes a student's silent protest
6. The Lemon test asks whether a law
 - (A) creates a clear and present danger
 - (B) passes rational basis review
 - (C) violates the exclusionary rule
 - (D) has a secular purpose, neither advances nor inhibits religion, and avoids excessive entanglement
 - (E) is narrowly tailored to a compelling interest
7. Brown v. Board of Education (1954) held that
 - (A) the federal government must run schools
 - (B) segregated public schools are inherently unequal
 - (C) busing is required nationwide
 - (D) separate but equal is valid in education
 - (E) private schools must integrate

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SET B Applications and Data

Choose the best answer.

8. The table summarizes three cases. In how many did the Court rule against government efforts to restrict expression?

Case	Year	Outcome
Schenck v. US	1919	Conviction upheld
Tinker v. Des Moines	1969	Students protected
NYT v. US	1971	Newspapers allowed to publish

- (A) Cannot be determined (B) Two (C) None
(D) Three (E) One
9. A public high school allows a student Bible club to meet after school like other clubs and denies a request for the principal to lead a prayer at graduation. Together these actions reflect
(A) the elastic clause
(B) a violation of the Free Exercise Clause
(C) strict scrutiny of race
(D) the Court's attempt to avoid both establishing and burdening religion
(E) a violation of the Equal Protection Clause
10. A state requires drivers to show ID. A group claims it burdens poor voters. Which factor is most relevant to deciding whether a court applies strict scrutiny?
(A) Whether the governor signed it
(B) Whether it has a secular purpose
(C) Whether the state legislature was Democratic
(D) Whether the law was passed recently
(E) Whether the law classifies people by race or burdens a fundamental right
11. The exclusionary rule from Mapp v. Ohio is intended to
(A) prohibit cruel punishment
(B) guarantee a lawyer to poor defendants
(C) deter unlawful police searches by barring illegally obtained evidence
(D) prevent self-incrimination
(E) stop prior restraints
12. Which situation requires Miranda warnings?
(A) A witness testifies voluntarily in court
(B) A student is questioned about a prank by a principal
(C) Police stop a car for a broken taillight and issue a ticket
(D) Police question a suspect in custody
(E) A suspect volunteers a confession on the street
13. After McDonald v. Chicago (2010), state and city handgun laws
(A) must comply with the Second Amendment right recognized in Heller
(B) are unaffected
(C) apply only to federal property
(D) are subject only to the Tenth Amendment
(E) are all invalid
14. Which situation is the best example of a prior restraint?
(A) The police arrest a protester who incites a riot
(B) A town regulates parade permits
(C) A judge forbids a newspaper from publishing a story before it runs
(D) A university fines a newspaper after publication
(E) A citizen sues for libel

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SET C Exam-Level Stretch

Choose the best answer.

15. In which scenario would a court most likely apply intermediate scrutiny?
- (A) A state taxes alcohol
 - (B) A city requires school zoning by race
 - (C) A law bans unlicensed medicine
 - (D) A state law allows only women to receive a certain public benefit
 - (E) A county bans loud noise at night
16. The Voting Rights Act of 1965 was designed to
- (A) guarantee equal pay
 - (B) allow 18-year-olds to vote
 - (C) create the Equal Employment Opportunity Commission
 - (D) desegregate public schools
 - (E) eliminate barriers such as literacy tests that kept Black citizens from voting
17. Which court case limited racial gerrymandering by subjecting oddly shaped race-based districts to strict scrutiny?
- (A) Engel v. Vitale
 - (B) Baker v. Carr
 - (C) Shaw v. Reno
 - (D) Brown v. Board
 - (E) United States v. Lopez
18. Martin Luther King Jr.'s 'Letter from Birmingham Jail' primarily argues that
- (A) white moderates have been strong allies
 - (B) violence is the best method
 - (C) protest should wait for the courts
 - (D) citizens must use nonviolent direct action to challenge unjust laws
 - (E) segregation was beyond the reach of the federal government
19. Planned Parenthood v. Casey (1992) differed from Roe v. Wade by
- (A) replacing the trimester framework with an undue burden standard
 - (B) banning all abortions
 - (C) relying on the Second Amendment
 - (D) allowing no restrictions
 - (E) overruling Roe
20. Which situation best illustrates tension between security and civil liberties?
- (A) A legislature changes tax rates
 - (B) A state increases highway funding
 - (C) Congress expands government surveillance powers after a terrorist attack
 - (D) A court expands voting hours
 - (E) A school adopts a dress code

3.10 Free-Response Practice: Civil Liberties and Civil Rights

Four free-response questions modeled on the AP exam: concept application, quantitative analysis, SCOTUS comparison, and argument essay.

Each question is scored by points, one per skill demonstrated. Write complete sentences, name the specific clause, case, or document, and explain the connection rather than only listing facts. Model answers below name the scoring points; your wording may differ as long as the substance is accurate.

QUESTION 1 Concept Application

Read the scenario, then answer all parts. A public high school principal learns that several students plan to wear black T-shirts with the message 'Stop the Cuts' to protest the elimination of the school's art program. The principal announces that anyone wearing the shirts will be suspended. The students wear the shirts anyway. Classes proceed normally, and a lawsuit is filed.

1. (a) Identify the constitutional provision at issue in the scenario.
2. (b) Explain how the principal's action relates to the Supreme Court's reasoning in *Tinker v. Des Moines*.
3. (c) Explain how incorporation allows the students to bring their claim against a public school.

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QUESTION 2 Quantitative Analysis

Use the data below to answer all parts. The table shows the percentage of respondents in a hypothetical national survey who said they agree with each statement.

4. (a) Identify the percentage of respondents in 2015 who agreed that the government should be able to monitor phone records to prevent terrorism.

Statement	2005	2015	2023
Government should be able to monitor phone records to prevent terrorism	63	54	48
Public schools should be allowed to hold voluntary prayer	71	66	64
States should be able to regulate firearm purchases more strictly	52	55	58

5. (b) Describe the trend in support for government monitoring of phone records between 2005 and 2023.
 6. (c) Draw a conclusion about public opinion on the balance of liberty and security, using the data.
 7. (d) Explain how a constitutional provision or policy discussed in this chapter connects to the data on phone records.

QUESTION 3 SCOTUS Comparison

Read the passage and answer all parts. In *Engel v. Vitale* (1962), the Supreme Court held that a prayer written by state officials and recited in public schools violated the Establishment Clause. In *Lee v. Weisman* (1992), a public middle school invited a rabbi to give a nonsectarian prayer at graduation. A student objected. The Court held that the school's involvement in the prayer violated the Establishment Clause.

8. (a) Identify the constitutional clause that is common to both cases.
 9. (b) Describe the facts and holding of *Engel v. Vitale*.
 10. (c) Explain why the Court is likely to have reached a similar decision in *Lee v. Weisman*, using reasoning from *Engel*.
 11. (d) Explain how the holding in *Lee v. Weisman* demonstrates the principle of separation of church and state.

QUESTION 4 Argument Essay

Develop an argument that answers the following prompt: To what extent has the Supreme Court protected civil liberties in the United States? In your essay you must articulate a defensible claim or thesis, support it with at least two pieces of specific evidence (at least one from a required foundational document, the Constitution, and one from another source such as a required case), use reasoning to explain how the evidence supports your claim, and respond to an opposing or alternative perspective.

12. Write the argument essay.

Answers Chapter 3: Answers and Explanations

Answers for every practice problem, numbered to match. Read the explanation even when your answer is correct.

3.1 The Bill of Rights and Selective Incorporation**SET A · CHECK YOUR UNDERSTANDING**

- Civil liberties are constitutional limits on government, such as the First Amendment's protection of speech from government censorship. Civil rights concern equal treatment and protection from discrimination, such as the Equal Protection Clause barring racially segregated public schools. Liberties restrain what government may do to anyone; rights ensure groups are treated equally.
- In *Barron v. Baltimore* (1833) the Court held that the first ten amendments limited only the national government. The Constitution's text addresses Congress and federal power, so states were left to their own constitutions until the Fourteenth Amendment gave the Court a basis for applying them.
- Selective incorporation is the Court's case-by-case application of specific Bill of Rights provisions to the states. It relies on the Due Process Clause, which forbids states from depriving persons of liberty without due process. Rights deemed fundamental to ordered liberty are incorporated.
- Although the Court upheld *Gitlow's* conviction, it stated that freedoms of speech and press are protected against state action by the Fourteenth Amendment. That statement began selective incorporation, and later courts relied on it to protect speech and press from state interference.
- Chicago banned most handgun possession. Residents sued, arguing the Second Amendment limits cities. The Court held 5-4 that the Second Amendment's right to keep and bear arms for self-defense is fundamental and incorporated through the Fourteenth Amendment, so Chicago's ban was invalid.
- Examples: the right to counsel for poor felony defendants was incorporated in *Gideon v. Wainwright* (1963), and the exclusionary rule under the Fourth Amendment was applied to the states in *Mapp v. Ohio* (1961). Others include press freedom in *Near v. Minnesota* and the Second Amendment in *McDonald*.

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SET B · EXAM-STYLE MULTIPLE CHOICE

7. B. Barron held the Bill of Rights restrained only the federal government. The idea that states must respect the First Amendment came later through incorporation; the Fourteenth Amendment did not yet exist in 1833.
8. D. The Court reads 'liberty' in the Fourteenth Amendment's Due Process Clause to include Bill of Rights guarantees. The Supremacy Clause makes federal law supreme but does not itself apply the Bill of Rights to the states.
9. B. The Fourth Amendment, applied to states through the Fourteenth, supports excluding unlawfully obtained evidence (*Mapp v. Ohio*). The Tenth Amendment is tempting but reserves powers rather than protecting individuals from state searches.
10. C. Civil liberties protect individuals from government interference. Guaranteed equal treatment by employers describes civil rights legislation, and courts do balance liberties against public safety, so no liberty is absolute.
11. A. McDonald incorporated the Second Amendment. The 'federal only' reading describes the narrower holding of *Heller*, which involved Washington, D.C., a federal district.
12. C. Equal treatment and freedom from discrimination are civil rights. The other four are liberties listed in the First, Fourth, and Fifth Amendments that restrain government action.

SET C · APPLY AND EXTEND

13. (a) 1 point: Both cases applied rights from the Bill of Rights (speech in *Gitlow*'s reasoning, the Second Amendment in *McDonald*) to state governments through the Due Process Clause of the Fourteenth Amendment. (b) 1 point: Incorporation shifts power toward the national government and federal courts, since states can no longer set their own rules on incorporated rights. 1 point: Explain the effect, for example that Chicago had to rewrite its gun ordinance to meet a national constitutional standard.
14. (a) 1 point: First Amendment freedom of the press. 1 point: Selective incorporation through the Fourteenth Amendment's Due Process Clause (*Gitlow*, *Near v. Minnesota*), allowing federal courts to review state law. (b) 1 point: Under *Barron v. Baltimore* the Bill of Rights, written as 'Congress shall make no law', limited only the federal government, so states faced no First Amendment restraint until incorporation.

3.2 Religion: Establishment and Free Exercise**SET A · CHECK YOUR UNDERSTANDING**

1. The Court held that public school officials may not sponsor or require even a short, nondenominational prayer. It relied on the Establishment Clause of the First Amendment, applied to the states through the Fourteenth Amendment. The voluntary nature of the prayer did not save it.
2. A law must have a secular purpose, its main effect must neither advance nor inhibit religion, and it must not create excessive entanglement between government and religion. If a law fails any one prong, it violates the Establishment Clause.
3. The Court found that compulsory attendance beyond eighth grade seriously burdened the Amish religious way of life, and that Wisconsin's interest in two extra years of schooling was not compelling given the Amish community's own effective vocational education. The decision rested on the Free Exercise Clause.
4. In *Smith* the Court held that neutral laws of general application, like a drug ban, may be enforced against religious conduct even without a compelling interest. That departed from the demanding scrutiny of *Yoder* and prompted Congress to pass the Religious Freedom Restoration Act.
5. Students may pray privately, meet in voluntary religious clubs under equal-access policies, and wear religious clothing. A teacher may teach about religion in an academic way. The key is that the school itself does not sponsor or endorse worship.
6. Accommodating religion can look like advancing it. For instance, a state that pays for religious school tuition to avoid burdening believers may be accused of establishing religion, while refusing the funds may burden free exercise. Courts must balance neutrality with accommodation.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. *Engel v. Vitale* struck down a state-written school prayer. *Yoder* is the free exercise case about the Amish, which is the likely trap if you confuse the two clauses.
8. E. The Court held that applying compulsory schooling to the Amish violated the Free Exercise Clause. The broad claim that religious practices are never subject to regulation overstates the decision, which was fact-specific.
9. B. Government display of religious symbols raises an Establishment Clause question, traditionally examined with the *Lemon* test. The others belong to speech, equal protection, and criminal procedure.
10. E. Teacher-led prayer is government sponsorship of worship. The other options involve private student expression or secular education about religion, which are permitted.
11. A. The Amish argued free exercise protects conduct tied to belief when the state lacks a compelling interest. Saying neutral laws can burden belief is the position later taken in *Smith*.
12. D. *Engel* is about government sponsoring religion (Establishment) and *Yoder* about burdening a religious practice (Free Exercise). The reversed pairing is the classic mix-up.

SET C · APPLY AND EXTEND

13. (a) 1 point: *Engel* concerned the Establishment Clause. 1 point: *Yoder* concerned the Free Exercise Clause. (b) 1 point: *Engel* protected students from government-imposed religion, preserving freedom of conscience; *Yoder* protected the Amish from state interference in their religious practice. Either explanation tied to liberty earns the point; a strong answer links both to protection of dissenting minorities from majority preferences.
14. (a) 1 point: The Establishment Clause, applied to the states by the Fourteenth Amendment. (b) 1 point: The law likely fails the purpose prong or effect prong because displaying a religious motto advances religion; 1 point for stating that it need only fail one prong. (c) 1 point: The state could argue the motto is historical or ceremonial and has a secular purpose, or that it only acknowledges tradition rather than coercing belief.

3.3 Speech and Press

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SET A · CHECK YOUR UNDERSTANDING

1. Charles Schenck distributed leaflets urging draftees to resist the World War I draft and was convicted under the Espionage Act. The Court unanimously upheld the conviction, holding that speech that creates a clear and present danger of harm Congress can prevent is not protected, especially in wartime.
2. The armbands communicated opposition to the Vietnam War without words, so the Court treated them as symbolic speech, closely akin to pure speech. Because they did not disrupt school operations, the First Amendment protected the students.
3. A prior restraint stops publication before it occurs. The Court ruled that prior restraints are presumptively unconstitutional, and the government had not shown that publishing the Pentagon Papers would cause direct, immediate, and irreparable harm to national security.
4. Examples include obscenity, defamation, incitement to imminent lawless action, and true threats. Libel of a public official requires proof of actual malice, and obscenity is judged under the Miller test. These categories can be punished because they cause harm or lack value.
5. They are content-neutral rules on when, where, and how speech may occur, such as noise limits near hospitals or requiring a permit for a march. They are valid if they serve a significant interest and leave open other ways to communicate.
6. Schenck allowed government to punish speech that creates a clear and present danger, giving government broad authority in wartime. Tinker protected a nondisruptive political message and placed a burden on school officials to show substantial disruption, favoring the speaker.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. D. Justice Holmes introduced the phrase in Schenck. Tinker and the Pentagon Papers case dealt with symbolic speech and prior restraint, so the phrase does not come from them.
8. A. The Court held the armbands were symbolic speech and could be banned only if they threatened substantial disruption. Saying students lose rights at school reverses the famous 'schoolhouse gate' language.
9. D. Only a court order barring publication in advance blocks speech before it happens. Fines and lawsuits come after publication, and the noise ordinance is a content-neutral manner rule.
10. A. Permit and noise rules that apply regardless of the message are content-neutral time, place, and manner regulations. They are valid if they serve a significant interest and leave other channels open.
11. B. For public officials, libel requires proof of actual malice: knowledge of falsity or reckless disregard for the truth. Offense or timing alone is not enough.
12. D. Both decide the boundary of protected speech, yet Schenck upheld a conviction and Tinker protected student expression. The two arose during different wars (World War I and Vietnam).

SET C · APPLY AND EXTEND

13. (a) 1 point: Both asked how far government can restrict speech when it may harm an important interest (military conscription in Schenck, school order in Tinker); both involved opposition to a war. (b) 1 point: Schenck upheld a conviction while Tinker protected the speakers. 1 point: In Schenck the Court found a clear and present danger to the war effort; in Tinker, armbands caused no substantial disruption and symbolic speech is protected.
14. (a) 1 point: The law is content-based because it favors one viewpoint; valid time, place, manner rules must be content-neutral. (b) 1 point: Any one of: serves a significant government interest, narrowly tailored, leaves open alternative channels. (c) 1 point: Requiring approval based on message resembles a prior restraint, which is presumed invalid under *NYT v. United States*.

3.4 Second Amendment, Due Process, and Rights of the Accused**SET A · CHECK YOUR UNDERSTANDING**

1. Heller held that the Second Amendment protects an individual right to keep a handgun at home for self-defense, but it involved the federal enclave of Washington, D.C. McDonald held that the right is incorporated and therefore limits state and local governments such as Chicago.
2. The exclusionary rule bars prosecutors from using evidence gained from an unconstitutional search. *Mapp v. Ohio* (1961) applied it to state courts, giving the Fourth Amendment practical force against local police.
3. Police must tell a suspect in custody that he has the right to remain silent, that anything said may be used in court, that he has the right to a lawyer, and that one will be provided if he cannot afford it. Without them, statements are generally inadmissible.
4. *Gideon* held that states must provide lawyers to poor defendants charged with felonies. This created public defender offices and reduced the unfairness of wealthy defendants having a major advantage.
5. The Eighth Amendment prohibits punishments that are barbaric or grossly disproportionate. Courts apply evolving standards of decency, which led to bans on executing juveniles and people with intellectual disabilities.
6. It prevents the government from forcing a person to testify against himself, so prosecutors must prove guilt with independent evidence. Miranda warnings protect that right during police interrogation.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. E. McDonald (2010) applied the right to state and local governments. Heller, the common wrong answer, dealt with a federal district.
8. C. *Gideon* guaranteed counsel to indigent felony defendants. Reading rights is *Miranda*, and the exclusionary rule is *Mapp*, which are tempting because all three involve criminal procedure.
9. D. The unreasonable search violates the Fourth Amendment, so the evidence can be suppressed. The Eighth and Sixth Amendments address punishment and trial rights, not searches.
10. B. The warnings apply to custodial interrogation. A suspect who is free to leave or not being questioned does not trigger them.
11. D. Heller recognized an individual right but said reasonable restrictions remain valid. The choice about banning all regulation overstates the ruling.

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12. E. Decisions like *Roper* and *Atkins* limited who can be executed. The Court has not banned capital punishment altogether, so the absolute claim fails.

SET C · APPLY AND EXTEND

13. (a) 1 point: *Gideon* involved the Sixth Amendment right to counsel; *Mapp* involved the Fourth Amendment and the exclusionary rule. (b) 1 point: In both the Court applied a Bill of Rights guarantee to state governments through the Due Process Clause of the Fourteenth Amendment. (c) 1 point: Any effect, such as state-funded public defenders or police changing search procedures to avoid suppression of evidence.
14. (a) 1 point: The Fourth Amendment's protection against unreasonable searches. (b) 1 point: *Riley* requires a warrant for cell phone searches; 1 point: evidence from a warrantless phone search can be excluded under the exclusionary rule. (c) 1 point: Public safety and crime prevention weigh against individual privacy; the courts balance them by requiring warrants and probable cause.

3.5 Privacy and Other Unenumerated Rights**SET A · CHECK YOUR UNDERSTANDING**

1. It is a right not specifically listed in the Constitution but recognized by courts, usually through the Ninth Amendment or the Due Process Clause. The right to privacy, protecting contraception decisions in *Griswold*, is an example.
2. Douglas argued that several Bill of Rights guarantees, including the First, Third, Fourth, Fifth, and Ninth Amendments, have penumbras that together create a zone of privacy. Marital intimacy falls within that zone, so the state's contraception ban was unconstitutional.
3. *Roe* held that the constitutional right to privacy includes a woman's decision to have an abortion, balanced against state interests that grow over pregnancy. *Casey* (1992) replaced the trimester framework with the undue burden standard.
4. *Dobbs* overruled *Roe* and *Casey*, holding the Constitution does not protect a right to abortion. That returned the power to regulate abortion to state legislatures and produced different laws across states.
5. It is the doctrine that the Due Process Clauses protect fundamental liberties from government interference regardless of the procedures used. It supported rulings on contraception, marriage, and intimate conduct.
6. The Act expanded government surveillance and information sharing to fight terrorism, enhancing security. Critics argued that it threatened Fourth Amendment privacy because it allowed broad collection of records, prompting later limits in the USA FREEDOM Act.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. B. Douglas combined several amendments into a zone of privacy. No single amendment mentions privacy, so relying on one alone misstates the reasoning.
8. D. The Court rested the abortion right on privacy under the Fourteenth Amendment's liberty. The other provisions have no connection.
9. E. *Dobbs* (2022) overruled *Roe*. *Casey* narrowed *Roe*'s framework but reaffirmed a right to abortion, which is the usual distractor.
10. C. Privacy is not in the text; the others are explicit in the Bill of Rights.
11. D. Surveillance and records collection raise Fourth Amendment search concerns. The other amendments were not the focus of the main criticism.
12. A. After *Dobbs* the Constitution does not protect a right to abortion, so the state may regulate. The viability limit was part of *Roe* and *Casey*, which were overruled.

SET C · APPLY AND EXTEND

13. (a) 1 point: *Griswold* found privacy in the penumbras of several amendments; *Roe* grounded privacy in the Fourteenth Amendment's liberty. (b) 1 point: *Dobbs* overruled *Roe* and *Casey* and returned abortion regulation to states. (c) 1 point: Critics argue judges invent rights not in the text or history, undermining democratic decision-making and judicial restraint.
14. (a) 1 point: Fourth Amendment protection against unreasonable searches and the right to privacy. (b) 1 point: The law helps prevent attacks, serving government's duty to protect citizens. (c) 1 point: Broad collection without suspicion threatens liberty and can chill speech and association; oversight and warrants are better.

3.6 Civil Rights and the Equal Protection Clause**SET A · CHECK YOUR UNDERSTANDING**

1. The Court held that a state could require racial segregation if the separate facilities were equal. Justice Harlan dissented. The doctrine let states maintain Jim Crow systems with unequal facilities for nearly sixty years.
2. The Court reasoned that segregated public schools are inherently unequal because separation generates feelings of inferiority that harm Black children's education. Using social science evidence, it held that segregation violates the Equal Protection Clause.
3. De jure segregation is required by law, such as state laws mandating separate schools. De facto segregation occurs without legal command, such as neighborhoods that are racially divided because of housing patterns or income.
4. It banned discrimination in public accommodations like restaurants and hotels, and banned employment discrimination based on race, color, religion, sex, or national origin. It also allowed the government to pursue school desegregation.
5. It banned literacy tests and required federal preclearance of voting changes in places with histories of discrimination. *Shelby County* struck down the coverage formula, making preclearance largely inoperative until Congress updates it.
6. Strict scrutiny (race) requires a compelling interest and narrow tailoring; intermediate scrutiny (sex) requires an important interest substantially related to it; rational basis (age, wealth) requires only a legitimate interest rationally related to the law.

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SET B · EXAM-STYLE MULTIPLE CHOICE

7. B. Brown rejected 'separate but equal' from Plessy in public education. The other cases address different issues.
9. B. Racial classifications trigger strict scrutiny, the most demanding standard. Intermediate scrutiny is for sex.
11. E. The Court upheld the public accommodations provision under the Commerce Clause in Heart of Atlanta Motel. The taxing power was not the main basis.
8. E. Segregated schools were held to violate the Fourteenth Amendment's equal protection guarantee. The Commerce Clause supported the Civil Rights Act of 1964, which makes it a tempting but wrong choice.
10. C. De facto segregation arises without legal requirement. The others are laws mandating separation, which is de jure.
12. B. The Twenty-Sixth Amendment (1971) gave 18-year-olds the vote. The Nineteenth gave women the vote, and the Twenty-Fourth banned poll taxes in federal elections.

SET C · APPLY AND EXTEND

13. (a) 1 point: Plessy upheld separate but equal; 1 point: Brown held segregated public schools unconstitutional. (b) 1 point: The Court found segregation inherently unequal, citing psychological harm and social science, plus changing social attitudes. (c) 1 point: Massive resistance, the vague 'all deliberate speed' order, or federal troops needed at Little Rock illustrate obstacles.
14. (a) 1 point: Intermediate scrutiny for sex classifications. (b) 1 point: The state must show an important interest substantially related to the law; 1 point: concluding the law likely fails because it rests on stereotypes. (c) 1 point: Reed v. Reed (1971) was the first case striking down a sex-based law under equal protection, starting the move toward heightened scrutiny.

3.7 Social Movements and the Expansion of Rights**SET A · CHECK YOUR UNDERSTANDING**

1. Litigation by the NAACP produced Brown v. Board of Education, ending legal school segregation. Nonviolent protests such as Selma marches and the March on Washington pressured Congress to pass the 1964 and 1965 acts.
2. King argued that citizens have a duty to break unjust laws openly and nonviolently, that direct action creates tension that forces negotiation, and that delaying justice amounts to denying it. He criticized moderates who valued order over justice.
3. Title IX bans sex discrimination in education programs that receive federal funds. It is enforced through complaints to the Department of Education, loss of funding, and lawsuits.
4. It prohibits discrimination against people with disabilities in employment, government services, and public accommodations, and requires reasonable accommodations such as ramps and accessible facilities.
5. Bakke (1978) barred quotas but allowed race as a factor; Grutter (2003) upheld holistic review for diversity; SFFA v. Harvard (2023) held race-conscious admissions unconstitutional.
6. The pro-life movement opposed Roe v. Wade, organized politically, influenced judicial appointments, and helped lead to the Dobbs decision overturning Roe.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. D. King defended nonviolent civil disobedience. The patience argument was the clergy's position that he rejected.
9. C. Boycotts used economic pressure and nonviolence. Although litigation (Browder v. Gayle) later ended bus segregation, the boycott itself was direct action.
11. A. The Court struck down the admission programs under equal protection. Requiring or favoring affirmative action reverses the outcome.
8. E. Title IX of the Education Amendments of 1972 covers education. Title VII covers employment, which is the closest distractor.
10. D. The ADA is a federal statute that came from disability rights activism. It is not an amendment or court ruling.
12. C. NOW pushed for equal treatment of women. The others mismatch groups with results.

SET C · APPLY AND EXTEND

13. (a) 1 point: A defensible claim naming one institution. (b) 2 points: Two accurate, relevant pieces of evidence, such as Brown for courts, the 1964 Civil Rights Act for Congress, or Selma and Birmingham for movements. (c) 1 point: A reasoned counterargument, for example that courts rely on enforcement from Congress and presidents or that movements shaped what Congress and courts did.
14. (a) 1 point: NAACP Legal Defense Fund and Brown v. Board. (b) 1 point: Sit-ins, bus boycotts, or marches. (c) 1 point: Litigation established legal principles while protest created public pressure and demonstrated that injustice was ongoing, making implementation more likely.

3.8 Civil Liberties and Rights: Court Cases Workshop**SET A · CHECK YOUR UNDERSTANDING**

1. Engel is the Establishment Clause, Yoder the Free Exercise Clause, Tinker the First Amendment speech clause (symbolic speech), and Gideon the Sixth Amendment right to counsel, applied to the states through the Fourteenth Amendment.
2. The Court held that districts drawn so irregularly that race is the predominant factor can be challenged under the Equal Protection Clause and must meet strict scrutiny. It limits racial gerrymandering, even when intended to help minority representation.
3. Schenck allowed government to punish speech creating a clear and present danger, giving priority to national security in wartime. New York Times placed a heavy burden on government to justify prior restraint, giving priority to a free press.
4. Engel concerned government sponsoring a prayer, so it was an Establishment Clause case. Yoder concerned the government burdening a religious practice, so it was a Free Exercise case. Both protect conscience from majority pressure.
5. It applied the Second Amendment right to keep and bear arms to state and local governments through the Fourteenth Amendment's Due Process Clause, one right at a time.

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6. Linda Brown, a Black student in Topeka, had to attend a segregated school though a white school was closer. The NAACP brought the case with others. The unanimous Court held segregated public schools unconstitutional under the Equal Protection Clause.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. D. Tinker concerned quiet student protest through clothing. The others involve religion, counsel, districting, or guns.
9. D. The Pentagon Papers case bars prior restraints absent extraordinary justification. Schenck allowed punishment of dangerous speech, the opposite emphasis.
11. B. Engel is Establishment and Yoder is Free Exercise. Tinker and Schenck are speech, Brown and Shaw equal protection.
8. B. Shaw v. Reno addresses race-based districting. Brown involved school segregation, which is related to equal protection but not districting.
10. E. Gideon guaranteed appointed counsel. The others involve unrelated rights.
12. D. Both apply equal protection, one to schools and one to districting. Brown was unanimous, but Shaw was 5-4.

SET C · APPLY AND EXTEND

13. (a) 1 point: Both protect religious liberty against government intrusion. (b) 1 point: Engel is under the Establishment Clause; Yoder under the Free Exercise Clause. (c) 1 point: Applying Engel, a state-written religious message recited at school would likely be unconstitutional because government sponsors religion; 1 point for noting voluntariness does not cure the problem.
14. 1 point each for correctly stating the holding of the two chosen cases (Schenck: clear and present danger; Tinker: symbolic speech unless disruption; NYT: prior restraint). 1 point for explaining what interest government asserted (security, school order). 1 point for explaining how the Court weighed liberty against that interest and who prevailed.

3.9 Multiple-Choice Practice: Civil Liberties and Civil Rights

SET A · CORE CONCEPTS

1. D. Incorporation proceeded case by case via the Due Process Clause. It was not done by Congress or all at once, so the 1868 option fails.
3. D. Gideon guaranteed appointed counsel in state felony cases. The other groups are tied to other cases.
5. B. Employment discrimination concerns equal treatment, a civil rights issue. The rest are government restrictions on liberties.
7. B. Brown rejected separate but equal in public education. It did not itself require nationwide busing.
2. A. Engel barred government-sponsored prayer. Students may still pray privately, so the claim that schools may never allow student prayer overstates the holding.
4. A. Schenck produced the clear and present danger test. Prior restraint and student speech come from later cases.
6. D. These are the three prongs of the Lemon test. Narrow tailoring is part of strict scrutiny.

SET B · APPLICATIONS AND DATA

8. B. Tinker (students protected) and New York Times (newspapers free to publish) went against the government, while Schenck upheld a conviction. Answering one overlooks the press case.
10. E. Strict scrutiny is triggered by suspect classifications like race or fundamental rights. Party control and timing do not determine the standard.
12. D. Miranda applies to custodial interrogation. Traffic tickets and voluntary statements do not trigger it.
14. C. Only blocking publication in advance counts. Fines and suits come afterward.
9. D. Allowing equal access protects free exercise, while prohibiting official prayer avoids establishment. Neither action violates a clause.
11. C. The rule keeps illegally obtained evidence out of court. Counsel and self-incrimination are other rights.
13. A. McDonald incorporated the right. It does not invalidate every regulation.

SET C · EXAM-LEVEL STRETCH

15. D. Sex-based classifications receive intermediate scrutiny. Race uses strict scrutiny, and economic regulations use rational basis.
17. C. Shaw v. Reno is the equal protection districting case. Baker v. Carr concerned malapportionment and justiciability.
19. A. Casey reaffirmed the core of Roe but adopted undue burden. Overruling came in Dobbs (2022).
16. E. The VRA targeted voting barriers. The EEOC came from the Civil Rights Act of 1964.
18. D. King justified nonviolent civil disobedience and criticized delay. The patience argument is the clergy's.
20. C. Expanded surveillance trades privacy for security. The others do not involve liberty versus security.

3.10 Free-Response Practice: Civil Liberties and Civil Rights

QUESTION 1 · CONCEPT APPLICATION

1. (a) 1 point: The First Amendment's protection of freedom of speech (symbolic speech/expression).
2. (b) 1 point: Tinker held that students may engage in nondisruptive symbolic speech and that schools may restrict it only if it would substantially disrupt school activities or invade others' rights. The response must also link the facts (classes proceeded normally, so no substantial disruption) to the holding, concluding the suspension is likely unconstitutional as in Tinker.
3. (c) 1 point: The First Amendment originally limited only Congress, but selective incorporation through the Due Process Clause of the Fourteenth Amendment applies it to state and local governments, including public schools.

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QUESTION 2 · QUANTITATIVE ANALYSIS

4. (a) 1 point: 54 percent.
5. (b) 1 point: Support fell steadily from 63 percent in 2005 to 54 in 2015 and 48 in 2023, a fifteen-point decrease.
6. (c) 1 point: A defensible conclusion supported by data, such as that Americans have become less willing to give up privacy for security over time, now with fewer than half supporting monitoring; or that opinion on security measures is shifting toward protecting liberty.
7. (d) 1 point: The Fourth Amendment protects against unreasonable searches, and the Patriot Act and later USA FREEDOM Act reflect the debate. The explanation must link the amendment or law to monitoring of records.

QUESTION 3 · SCOTUS COMPARISON

8. (a) 1 point: The Establishment Clause of the First Amendment.
9. (b) 1 point: A New York school board had teachers lead a nondenominational prayer written by officials at the start of the school day; the Court held, 6-1, that government sponsorship of the prayer, even if voluntary, violated the Establishment Clause. The point requires holding plus relevant facts.
10. (c) 1 point: In both cases public school officials sponsored a religious exercise, so the same principle applies: government may not endorse or direct religious worship. Students may feel pressured to participate, and nonsectarian wording does not remove government involvement.
11. (d) 1 point: Lee shows the Establishment Clause barring government from sponsoring or coercing religious exercise, here at a public school graduation, so the state stays neutral toward religion. The response must tie the holding to government neutrality, not merely restate the facts.

QUESTION 4 · ARGUMENT ESSAY

12. Scoring (6 points): 1 point for the thesis, up to 3 points for evidence, 1 point for reasoning, and 1 point for the alternate perspective. Thesis (1 point): a defensible claim that responds to the prompt and sets up a line of reasoning, for example: The Court has often protected civil liberties by applying the Bill of Rights to states and defending dissent, though it has also allowed limits in times of crisis. A restatement of the prompt earns no point. Evidence (up to 3 points): one point for a relevant piece, two for a specific and relevant piece, and three for two specific and relevant pieces, one from the Constitution (the Bill of Rights or the Fourteenth Amendment's Due Process Clause) and a second such as *Gideon v. Wainwright* (counsel extended to poor defendants) or *Tinker v. Des Moines* (symbolic speech protected). Reasoning (1 point): explains how the evidence supports the claim. Alternate perspective (1 point): acknowledges a contrary view, such as *Schenck v. United States* upholding punishment of speech, and responds with a rebuttal showing the Court later narrowed these limits (*Brandenburg*), or concedes that protection is incomplete but argues that the overall trend supports the thesis.

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Chapter 4: American Political Ideologies and Beliefs.

8 sections with explanations and worked examples, then 118 practice problems. Answers and full explanations are at the end of the chapter.

4.1 American Political Culture and Core Values

You will learn the core values that make up American political culture, how people interpret those values differently, and how those beliefs shape attitudes toward government.

Political culture is the set of widely shared beliefs, values, and habits that shape how citizens think about government and their own role in it. Every country has one. In the United States it grew out of the colonial experience, the Enlightenment ideas behind the Declaration of Independence, and the Constitution's design. Alexis de Tocqueville, a French visitor who toured the young republic in the 1830s, noticed that Americans were unusually committed to equality of condition, local association, and personal initiative. Later scholars have called this mix a form of American exceptionalism: the view that the nation's founding on ideas rather than shared ancestry makes it distinct.

The values below show up again and again in speeches, court cases, and campaigns. The key point for the AP exam is that nearly all Americans endorse these values in the abstract, but they disagree sharply about what the values require in practice. Those disagreements are the raw material of ideology and party conflict.

Core values of American political culture

Liberty: freedom from unjust government interference and the freedom to act, speak, worship, and own property.

Individualism: the belief that people are responsible for their own success and should be free to pursue their own goals.

Equality of opportunity: everyone should get a fair chance to compete, regardless of birth, race, or sex.

Free enterprise: a market economy with private property and limited government direction of business.

Rule of law: government and citizens alike are bound by known, fairly applied laws.

Limited government and popular sovereignty: government exists by the consent of the governed and has only the powers the people grant it.

Liberty is a good example of a value with two faces. Negative liberty means freedom from interference, such as a gun owner who wants fewer restrictions or a business owner who wants fewer permit rules. Positive liberty means having the real means to act, such as a worker who argues that public education, health coverage, or a minimum wage make freedom meaningful. Conservatives and libertarians usually stress the first meaning; liberals more often stress the second. Both sides sincerely say they are defending liberty.

Equality works the same way. Almost everyone supports equality of opportunity, but people split over how to secure it. One camp says it requires only that laws treat everyone alike and that markets reward effort. Another camp says true opportunity requires public action, such as school funding, anti-discrimination enforcement, or affordable college, because people start from unequal places. A smaller group favors equality of outcome, in which government narrows differences in income or wealth directly. Most Americans reject strict equality of outcome, which is one reason the United States has a smaller welfare state than many other wealthy democracies.

Individualism and **free enterprise** explain why many Americans believe that success comes from hard work, and why surveys regularly show that Americans are more likely than Europeans to say individuals, not circumstances, determine income. This belief makes redistribution a harder sell. Yet Americans also value community, volunteering, and charity, which Tocqueville called self-interest rightly understood. The **rule of law** is the value with the broadest consensus: no one, including the president, is above the law, and people expect courts to apply rules evenly. **Popular sovereignty** is expressed through voting, petitioning, and protest.

Americans also differ in how strongly they hold these values together. Some surveys find that a large majority supports the idea of limited government, yet the same people want government to protect Social Security, Medicare, and public safety. This is not simple hypocrisy. People often dislike government in general while approving of specific programs that help them. Political scientists describe this gap as being symbolically conservative and operationally liberal, a pattern that explains why campaigns attacking big government are often more successful than proposals to cut particular benefits.

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Value	Liberal-leaning interpretation	Conservative-leaning interpretation
Liberty	Freedom to make personal choices; government acts to expand real freedom	Freedom from taxes and regulation; economic liberty and religious liberty
Equality	Government should reduce barriers and unequal starting points	Equal treatment under law; results should reflect effort
Role of government	Active government can solve shared problems	Limited government; private markets and civil society first
Individualism	People also need a safety net and community support	Personal responsibility is the main path to success

Key distinctions to memorize

Negative liberty = freedom from interference. **Positive liberty** = freedom through having the means to act.

Equality of opportunity = fair chance to compete. **Equality of outcome** = similar results.

Symbolic conservative, operational liberal = opposes big government in general but backs specific programs.

Trust in government = share of citizens who say Washington does the right thing most of the time.

Trust in government is a measurable part of political culture. Surveys that ask how often people trust Washington to do the right thing show a steep fall from about three in four in the early 1960s to roughly one in five in recent years, with short upticks after events like the September 11 attacks. Declines are linked to the Vietnam War, Watergate, economic recessions, and polarization. Trust also depends on partisanship: people trust government more when their own party holds the presidency. Low trust affects behavior. People who distrust government are less likely to see voting as worthwhile, more skeptical of new programs, and more open to outsider candidates. Yet Americans' **patriotism** remains high; many people criticize government while still feeling pride in the country and its founding ideals.

Globalization has changed political culture in two directions. American ideas such as free speech, popular music, and entrepreneurship have spread worldwide, while immigration, trade, and international media have introduced ideas from other nations into American debates about health care, immigration, and national identity. Changing demographics add further pressure, since newer groups may bring different views of government, family, and community.

EXAMPLE 1: SAME VALUE, DIFFERENT POLICY

A city council debates a plan requiring all employers to offer paid sick leave. Supporters say it advances liberty and equality. Opponents say it violates liberty. Explain how both sides can appeal to liberty.

SOLUTION

Supporters use positive liberty: workers who cannot afford unpaid days off are not really free to care for themselves or their children, so the law expands practical freedom and equal opportunity.

Opponents use negative liberty and free enterprise: a business owner should be free to set job terms without government mandates, and mandates raise costs that can reduce hiring.

Conclusion: the disagreement is about the meaning of liberty and how much government should do to protect it, not about whether liberty matters. This is why shared values do not prevent policy conflict.

EXAMPLE 2: READING A TRUST PATTERN

A survey finds that among respondents asked whether they trust the federal government to do what is right most of the time, 55 percent of Democrats said yes the year after a Democratic president took office, but only 20 percent of Democrats said yes the year after a Republican president took office. What does this show?

SOLUTION

Describe: trust among Democrats changed by 35 percentage points with no change in the people surveyed, only in which party held the White House.

Explain: trust in government is partly a partisan judgment. People are more positive when their side controls the government.

Conclude: low overall trust reflects not only events like scandals or wars, but also political polarization, which affects how citizens evaluate government's performance.

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Common mistakes

Do not say that conservatives value liberty and liberals do not. Both claim liberty; they differ on its meaning. Also avoid saying that Americans reject all government. Most Americans want limited government in principle yet support popular programs. On the exam, always name the value and then state which interpretation a specific actor is using.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Define political culture and give two core values that are part of American political culture.
2. Distinguish equality of opportunity from equality of outcome, and say which one most Americans support.
3. Explain the difference between negative and positive liberty with one policy example of each.
4. Describe the long-term trend in trust in the federal government and name two factors that scholars connect to it.
5. Explain what is meant by saying that Americans are symbolically conservative but operationally liberal.
6. Explain one way globalization has influenced American political culture.

SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which statement best describes the relationship between core American values and policy conflict?
(A) Americans disagree about whether core values such as liberty and equality should guide policy at all.
(B) Core values have little influence on policy because interests alone drive conflict.
(C) Only conservatives in the United States hold individualism as a core value.
(D) Americans broadly share core values but interpret what they require differently.
(E) Core values are mostly found in the Constitution and not in public opinion.
8. A group argues that a federal program providing free school meals expands liberty because hungry children cannot learn or compete fairly. This argument relies most directly on which interpretation?
(A) Negative liberty and limited government
(B) Free enterprise and rule of law
(C) Positive liberty and equality of opportunity
(D) Popular sovereignty and federalism
(E) Equality of outcome and judicial review
9. Which of the following is the best example of the value of rule of law?
(A) A senator is investigated and, after a trial, convicted under the same statutes that apply to any citizen.
(B) A governor signs a bill that cuts income taxes for all residents.
(C) A group of voters organizes a petition to place an initiative on the ballot.
(D) A company decides to relocate to a state with fewer regulations.
(E) A president uses an executive order to direct an agency.
10. Survey data show that trust in the federal government fell sharply between 1964 and 1980. Which pair of events would political scientists most likely cite as contributing factors?
(A) The Cold War ending and the 1990s economic boom
(B) The Vietnam War and the Watergate scandal
(C) The passage of the Bill of Rights and ratification of the Constitution
(D) The Great Depression and World War II
(E) The September 11 attacks and the Iraq invasion
11. A voter says, "I want government to stay out of my life, but do not touch my Medicare." This statement best illustrates
(A) political efficacy among older voters
(B) the impact of generational replacement
(C) the free rider problem in collective action
(D) a conflict between rule of law and individualism
(E) a gap between abstract support for limited government and support for specific programs

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12. Tocqueville's observation that Americans form many voluntary associations to solve problems most strongly reflects which core value?
- (A) Equality of outcome
 - (B) Federal supremacy
 - (C) Individualism combined with community involvement
 - (D) Judicial review
 - (E) Deference to authority

SET C Apply and Extend

Write a response with a claim, evidence, and explanation. Scoring points are given in each model answer.

13. A state legislature debates a bill that would require employers to provide paid family leave. (a) Identify one core value that supporters would likely invoke and one that opponents would likely invoke. (b) Explain how the two sides can interpret the same value differently. (c) Explain how low trust in government might affect public support for the bill.
14. Over several decades, surveys show a decline in the share of Americans who say they trust the federal government most of the time, while a large majority continue to say they are proud to be American. (a) Describe the pattern. (b) Explain one reason trust and patriotism can move in different directions. (c) Explain one behavioral consequence of low trust for either elections or policy-making.

4.2 Political Socialization

You will learn how families, schools, peers, media, religion, region, and demographics shape political beliefs, and how generation and life cycle effects change those beliefs over time.

Political socialization is the lifelong process by which people acquire their political attitudes, values, and beliefs. Nobody is born a Democrat, a Republican, or a libertarian. Instead, people absorb ideas from the people and institutions around them, and those ideas then guide how they vote, which causes they support, and how they judge government. Political scientists call the sources of that learning **agents of socialization**.

Agents of socialization

Family: usually the strongest early influence; children often adopt their parents' party identification and basic outlook.

School: teaches civic knowledge, patriotism, and norms such as voting; higher education is linked to greater participation.

Peers and social groups: friends, coworkers, and clubs influence opinions, especially in adolescence and young adulthood.

Media: news, social media, and entertainment frame issues and supply information.

Religious and civic organizations: shape moral views and encourage participation.

Family matters most because it comes first and is the most emotionally powerful. Children who grow up in households where politics is discussed often share the party identification of their parents, particularly when both parents agree. The influence is not absolute. In adulthood, people with different experiences may switch parties, and homes with divided politics produce more independents. **Schools** teach the history and structure of government, rituals like the Pledge of Allegiance, and habits of participation such as student government and debate. College adds exposure to different viewpoints, and Americans with more education are more likely to vote, contact officials, and join groups, although the effect on party choice varies by field and setting.

Peers become influential when young people begin to form their own identity. Because people tend to choose friends with similar views, peer groups often reinforce existing beliefs rather than change them. The **media** has become a powerful and fragmented agent. A person who gets news from one partisan source or a personalized social media feed may encounter few opposing views, a pattern sometimes called an echo chamber or filter bubble. Entertainment media also shape attitudes about institutions, such as police dramas or political comedy. **Religious institutions** influence views on social issues such as abortion, marriage, and the role of faith in public life, and they connect members to volunteer and political networks. Civic groups such as Scouts, service clubs, and neighborhood associations build what Robert Putnam called social capital, the networks of trust that make cooperation possible. Putnam's famous argument was that the decline of such groups, which he illustrated with the image of people bowling alone, weakened civic life.

Beyond the agents, social and demographic characteristics create **cleavages**: lines of division in which groups tend to hold different political views. They are tendencies, not rules. Many individuals break the pattern, and groups themselves are not uniform.

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Cleavage	Typical tendency in recent elections	Caution
Religion	More frequent churchgoers lean Republican; the nonreligious lean Democratic. Evangelical Protestants strongly Republican; Black Protestants strongly Democratic	Differences within faiths are large
Region	The South and rural areas lean Republican; the Northeast, West Coast, and big cities lean Democratic	Every region has competitive areas
Gender	Women are somewhat more likely to vote Democratic; men more likely to vote Republican (the gender gap)	The gap is typically a few to ten points
Race and ethnicity	Black voters overwhelmingly Democratic; Latino voters lean Democratic with considerable variation; white voters lean Republican	Cuban Americans and recent shifts show variation
Education and income	College graduates, especially with postgraduate degrees, lean Democratic; non-college whites lean Republican	Income effects are weaker than education effects
Age	Younger adults lean Democratic; older adults lean Republican	Interacts with generation and life cycle

Two time-based concepts explain why attitudes change. A **generational effect** (also called a cohort effect) occurs when people who come of age during the same major events share lasting beliefs. For example, people who became adults during the Great Depression and New Deal often stayed loyal to the Democratic Party for decades, and many young adults who first voted during the Reagan years were more likely to identify as Republicans. A **life cycle effect** is a change linked to getting older, regardless of generation. Young adults tend to hold more liberal views and participate less, while older people become more conservative, more settled, and more likely to vote because they own homes, pay taxes, and have community ties.

Generational vs life cycle effect

Generational (cohort) effect: the shared experiences of a group that came of age together leave lasting political imprints on that group.

Life cycle effect: people's views and participation change as they pass through stages of life such as school, work, parenthood, and retirement.

To tell them apart in data, follow the same cohort across time (generation) or compare all cohorts at the same age (life cycle).

Political events also socialize. A war, recession, scandal, or attack can shift beliefs, especially for people who experience it during their formative years. The assassination of a president, the Vietnam War, the September 11 attacks, the 2008 financial crisis, and the COVID-19 pandemic each shaped how large groups see government's role. Importantly, the same event can produce different lessons depending on the person's background. Finally, globalization has meant that American political culture both influences and absorbs ideas from other countries through trade, migration, and digital communication.

EXAMPLE 1: IDENTIFYING THE AGENT

Maria's parents are both active Democrats who talk about politics at dinner. In high school, she joins debate and a service club, and now her closest friends are conservative classmates at her college who frequently argue with her. Identify two agents of socialization that most likely encouraged her political engagement and explain one that may have moderated her views.

SOLUTION

Family: regular political talk and active parents model participation and likely shaped her early party identification.

School and civic organizations: debate and service club build civic skills and habits of participation.

Peers: friends with opposing views expose her to alternative arguments and may soften or complicate her views, a counterweight to family influence.

Conclusion: socialization is cumulative; the earliest agent is often strongest, but later agents can change or sharpen beliefs.

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EXAMPLE 2: READING DATA ABOUT AGE

A poll finds that in 2000, 40 percent of adults aged 18 to 29 identified as conservative. In 2020, the same people (now aged 38 to 49) were 48 percent conservative, while the 18 to 29 group in 2020 was 38 percent conservative. Does this support a generational or life cycle explanation?

SOLUTION

Describe: the original cohort became 8 points more conservative as it aged, while the new young cohort is still near the level of the young group in 2000.

Compare: the stable young-adult figure (40 then 38) suggests that youth is associated with lower conservatism, consistent with a life cycle effect.

Conclude: the data point to a life cycle effect because the same cohort shifted as it aged and each new young group resembles the earlier young group. A generational effect would require the new young cohort to differ strongly from earlier ones.

Common mistakes

Do not treat cleavages as laws; a tendency means more likely, not certain. Do not confuse generational effects (shared formative events) with life cycle effects (aging). On the exam, tie each agent to an actual belief or behavior, such as family to party identification or school to turnout, rather than just listing the agent.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Define political socialization and name three agents of socialization.
2. Explain why family is usually considered the most influential early agent, and identify one limitation of its influence.
3. Explain how the media can strengthen existing beliefs rather than change them.
4. Distinguish a generational effect from a life cycle effect with one example of each.
5. Describe two demographic cleavages in American politics and explain why they should be described as tendencies.
6. Explain how a major political event can shape the beliefs of people who experience it as young adults.

SET B Exam-Style Multiple Choice

Choose the best answer.

7. A student whose parents regularly discuss politics at the dinner table later adopts the same party identification. This best illustrates the influence of
 - (A) the media as a linkage institution
 - (B) the family as an agent of political socialization
 - (C) a life cycle effect
 - (D) a generational effect
 - (E) the peer group as a source of opinion
8. People who came of age during the Great Depression remained strongly loyal to the Democratic Party for decades. Political scientists would most likely explain this as a
 - (A) life cycle effect
 - (B) gender gap
 - (C) push poll effect
 - (D) regional realignment of the Northeast
 - (E) generational effect
9. Which of the following findings would best support a life cycle effect on political participation?
 - (A) Voter turnout rises with age in every generation surveyed at the same ages
 - (B) Adults born in one decade are consistently more liberal than all other cohorts at every age
 - (C) College graduates vote more than non-graduates
 - (D) Women vote at higher rates than men in presidential elections
 - (E) Turnout was higher during the Cold War than after it

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10. Robert Putnam's argument about declining participation in bowling leagues, service clubs, and similar groups concerned the loss of
- (A) federal funding for local governments
 - (B) political efficacy among the young only
 - (C) social capital that supports civic engagement
 - (D) religious belief
 - (E) trust in the judiciary
11. Table: share of each group identifying as Democratic or leaning Democratic. College graduates, 56 percent; adults with a high school education or less, 42 percent. Which conclusion is best supported?
- (A) Education causes people to become Democrats
 - (B) High school graduates strongly support the Republican Party
 - (C) Education has no influence on participation
 - (D) Education level is associated with different party leanings in this sample
 - (E) The data show a life cycle effect
12. Which situation is the best example of peer influence on political attitudes?
- (A) A voter follows the party endorsement printed on a sample ballot
 - (B) A teenager changes her view on a school dress code after discussions with close friends
 - (C) A child watches a parent vote
 - (D) A student recites the Pledge of Allegiance at school
 - (E) A retiree joins a church-based service group

SET C Apply and Extend

Write a response with a claim, evidence, and explanation. Scoring points are given in each model answer.

13. A researcher reports that adults aged 65 and older vote at much higher rates than adults aged 18 to 24, and that the gap has persisted in every election for 40 years. (a) Identify whether this is better explained by a generational or life cycle effect. (b) Explain your reasoning. (c) Identify one agent of socialization that could help narrow the gap and explain how.
14. Two classmates, Jordan and Kai, were raised in the same household by parents who identify with the same party, yet they now identify with different parties. (a) Identify two agents of socialization that could account for the difference. (b) Explain how one of them could change a person's party identification. (c) Explain why this case shows that family influence is strong but not absolute.

4.3 Public Opinion and Polling

You will learn how scientific polls measure public opinion, what sampling and margin of error mean, how question wording and poll type affect results, and how to evaluate poll data critically.

Public opinion is the collective view of citizens on issues, leaders, and government. Officials, candidates, and interest groups track it because it signals which policies voters will accept and which candidates may win. Opinion is measured mainly through **polls**: surveys that ask a sample of people questions and use their answers to estimate the views of a larger population. Not all polls are equally trustworthy, and the AP exam expects you to judge their quality.

A **scientific poll** begins with a clearly defined **population**, such as all U.S. adults or all likely voters. Because contacting everyone is impossible, pollsters draw a **sample**. The core principle is **random sampling**: every member of the population has an equal chance of being selected, so the sample should mirror the population. A large but non-random sample, such as people who respond to an online sign-up, can be much worse than a small random one. The famous 1936 Literary Digest poll, which surveyed millions from car-registration and phone lists and wrongly predicted that Alf Landon would beat Franklin Roosevelt, shows how a biased sampling frame defeats sheer size. Modern pollsters use random-digit dialing of phones, address-based mail samples, and carefully weighted online panels, then adjust results through weighting so that the sample matches the population on age, race, education, and region.

Margin of error (sampling error)

The **margin of error** shows how far the sample result may fall from the true population value because only part of the population was surveyed. It is usually reported at a 95 percent confidence level.

A rough rule is $MOE \approx \frac{1}{\sqrt{n}}$ in proportion terms, so 1,000 respondents gives about 3 points and 400 gives about 5 points.

Larger samples shrink the margin of error, but with diminishing returns: quadrupling the sample only halves it.

A result such as 52 percent with a margin of error of plus or minus 3 means the true value is probably between 49 and 55 percent.

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Two candidates are in a **statistical tie** when the gap between them is smaller than the margin of error for the difference. Note that the margin of error covers only random sampling error. It does not account for bias from poor wording, a bad sample, or people who lie or refuse to respond. Subgroup results, such as Latino voters within a national sample of 1,000, have much larger margins because the subgroup has fewer respondents.

Question wording and format can change answers dramatically. Leading questions, loaded words, or double-barreled questions that ask two things at once produce misleading results. For example, a question asking about "estate tax" often draws more support for repeal than one about the "tax on the largest inheritances," even though the policy is the same. Closed-ended questions give fixed choices and are easy to compare, while open-ended questions allow richer answers but are hard to summarize. The order of questions can prime respondents, and a question lacking a neutral option can force people to invent opinions. Social desirability bias leads some people to give answers that seem acceptable instead of truthful, especially on sensitive topics such as race.

Type of poll	What it does	Key feature or weakness
Opinion (cross-sectional) poll	Measures views on issues or leaders at one point in time	Snapshot; results change as events occur
Benchmark poll	Early poll by a campaign to learn the electorate's starting views and set a baseline	Used to plan strategy and later compare progress
Tracking poll	Repeated polling, often daily, with rolling samples to show movement	Reveals trends but sample is small; subject to noise
Entrance poll / exit poll	Surveys voters as they arrive at or leave polling places	Helps explain who voted and why; can mislead if early voters and mail voters are missed
Push poll	Not a real poll: calling many voters with loaded, often false statements to shift opinion	Unscientific and deceptive; no results are collected
Focus group	Small, guided group discussion	Gives depth about feelings and messaging but is not representative

Exit polls are conducted on Election Day and help the media explain the results and project winners, but they are not perfect. Response rates are low, early and mail voters are underrepresented unless additional phone surveys are added, and early projections based on partial information have been wrong. **Response rate**, the share of people contacted who actually answer, has fallen sharply to single digits for many phone polls, which raises the risk that those who respond differ from those who do not (nonresponse bias). Another challenge is determining who is a **likely voter**, since people tend to overstate their intention to vote.

Checklist for evaluating a poll

- Who sponsored it, and might they gain from a certain result?
- How were respondents chosen (random or self-selected)? How large is the sample and the margin of error?
- What exactly was asked, in what order, and with what answer choices?
- When was it conducted, and has anything changed since?
- What is the response rate, and how was the data weighted?

When reading a chart, first state what is measured and the unit (percent of whom, in which year). Then describe the pattern (increase, decrease, gap between groups), compare it against the margin of error, draw a conclusion that the data support, and connect it to a political concept such as partisanship, efficacy, or the role of government. Be careful with causation: a poll shows that two things go together, not that one caused the other. Also note limits, such as an older survey date, a small subgroup, or ambiguous wording.

EXAMPLE 1: MARGIN OF ERROR

A poll of 1,000 randomly selected likely voters finds Candidate X at 48 percent and Candidate Y at 45 percent, with a margin of error of plus or minus 3 points. Is Candidate X clearly ahead?

SOLUTION

Identify the gap: 48 minus 45 equals 3 points.

Apply the margin: each candidate's true support could be about 3 points higher or lower, and the uncertainty on the lead itself is roughly twice that, so a 3-point lead is within the sampling error.

Conclusion: the race is a statistical tie. X may be ahead, but the poll cannot show it with confidence. A different explanation (for example, a likely-voter screen or undecided voters) would require additional data.

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EXAMPLE 2: SPOTTING BIAS

A senator mails a survey to 5,000 supporters asking, "Do you agree that wasteful Washington spending is out of control and must be stopped?" Of the 800 who return it, 91 percent say yes. Evaluate the claim that 91 percent of Americans oppose federal spending.

SOLUTION

Sampling problem: respondents were the senator's supporters and self-selected by returning the form, so the sample is not random.

Wording problem: "wasteful" and "out of control" are loaded and lead respondents toward agreeing.

Response rate: 800 of 5,000 (16 percent) leaves nonresponse bias.

Conclusion: the poll cannot support a claim about all Americans; it is an unscientific measure of the senator's base.

Common mistakes

A bigger sample does not fix a biased sample. Do not say a margin of error accounts for every kind of error; it covers only random sampling error. A push poll is not a real poll; it is a persuasion tactic. In FRQs, name the flaw (for example, self-selection or leading wording) and explain how it distorts the result.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Define random sampling and explain why it allows a poll to represent a population.
2. A poll of 800 voters reports a margin of error of plus or minus 3.5 points. Explain what that means for a result of 54 percent.
3. Explain why the 1936 Literary Digest poll failed despite surveying millions of people.
4. Distinguish a benchmark poll from a tracking poll.
5. Explain how a push poll differs from a scientific poll.
6. Give two reasons exit poll results might not perfectly reflect the electorate.

SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which sampling method is most likely to produce a representative sample of registered voters in a state?
(A) Posting an online survey link on a candidate's website
(B) Interviewing shoppers at a mall on a Saturday
(C) Selecting voters at random from the state's voter registration list
(D) Asking callers to a talk radio show to vote by phone
(E) Surveying members of a political club
8. A poll reports that 46 percent of respondents support a proposal, with a margin of error of plus or minus 4 percentage points. Which statement is best supported?
(A) The true level of support is probably between 42 and 50 percent
(B) Exactly 46 percent of the population supports the proposal
(C) A majority opposes the proposal
(D) The margin of error shows that the question wording was neutral
(E) The poll surveyed 400 people at most
9. Which of the following is the best example of a push poll?
(A) A news organization surveys 1,200 randomly selected adults on tax policy
(B) A campaign conducts a poll of 800 voters before announcing its candidate
(C) A research center interviews voters as they leave polling places
(D) A caller asks, "Would you vote for Candidate Z if you knew he had been investigated for fraud?" and ends the call without recording answers
(E) A university repeats the same survey of 1,000 adults every year

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10. A tracking poll shows a candidate's support rising from 44 to 49 percent over two weeks, with a daily sample of about 400 respondents. What is the most reasonable caution?
- (A) Tracking polls cannot show trends
 - (B) Single-day changes may be noise because each daily sample has a large margin of error
 - (C) The increase proves the candidate's advertising worked
 - (D) The poll is invalid because it is repeated
 - (E) The margin of error is zero because it is tracked
11. Two surveys on the same issue produce very different results. One asks, "Do you support providing aid to people who cannot afford health coverage?" The other asks, "Do you support a government takeover of health care?" The best explanation for the gap is
- (A) a larger margin of error in one survey
 - (B) use of exit polling rather than telephone polling
 - (C) a life cycle effect
 - (D) a lower response rate in the first survey
 - (E) question wording that leads respondents toward different answers
12. Which factor most directly increases the risk of nonresponse bias in a modern telephone poll?
- (A) Falling response rates, if those who answer differ from those who do not
 - (B) Using a random sample
 - (C) Reporting a margin of error
 - (D) Asking closed-ended questions
 - (E) Conducting the poll in an election year

SET C Apply and Extend

Write a response with a claim, evidence, and explanation. Scoring points are given in each model answer.

13. A news site invites visitors to click yes or no on whether the state should raise the gas tax. After 2,000 clicks, 68 percent say no. (a) Identify two flaws in using this result to describe state opinion. (b) Describe how a scientific poll would avoid these flaws. (c) Explain how a legislator might still use the result politically despite its flaws.
14. A poll of 600 likely voters shows Candidate A at 51 percent and Candidate B at 47 percent, with a margin of error of 4 points. Another poll of 2,400 voters one week later shows A at 50 and B at 48 with a margin of 2 points. (a) Explain whether either poll shows A clearly leading. (b) Explain why the second poll has a smaller margin of error. (c) Identify one limitation that margin of error does not address.

4.4 Political Ideologies

You will learn the major American political ideologies, how they differ on the role of government, and how the Democratic and Republican parties relate to them.

A **political ideology** is a consistent set of beliefs about what government should do, who should have power, and how society should be organized. Ideologies work as mental shortcuts: they help people form opinions on new issues without studying each one from scratch. In the United States ideology is usually pictured on a left-right **continuum**. The term comes from the seating in the French assembly of the 1790s. Today the left is associated with greater government action to promote equality and the right with limited government and tradition, though the line is imperfect, since many people hold mixed views.

Left to right: the continuum

Far left / socialist - strong government ownership or control of the economy to reduce inequality.

Liberal - active government to promote equality, regulate business, and protect civil rights and liberties.

Moderate / centrist - mix of views, willing to compromise; often independent.

Conservative - smaller government, free markets, traditional values, strong defense.

Libertarian - minimal government in both economic and personal life; sits outside the simple line.

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Liberalism in the modern American sense grew from the New Deal and the Great Society. Liberals believe government can and should regulate the economy, provide a safety net, and protect the rights of minorities. They support progressive taxes, public health insurance, environmental regulation, and abortion rights, and they tend to resist government intrusion into personal choices such as marriage and reproduction. **Conservatism** emphasizes limited federal government, free enterprise, lower taxes, individual responsibility, traditional institutions such as family and religion, a strong national defense, and, in many cases, devolving power to the states. Conservatives often accept government action to enforce moral order, protect life, and secure borders, so they are not against government in all realms. A distinction within the right is between fiscal conservatives, who focus on taxes and spending, and social conservatives, who emphasize moral and religious concerns.

Three test questions for any ideology

1. How much should government regulate the economy? 2. How much should government regulate personal behavior? 3. How much should government do to promote equality?

Liberal: more, less, more. Conservative: less, more on some moral issues, less. Libertarian: less, less, less.

Party platform = formal statement of party goals adopted at the national convention; it guides but does not bind candidates.

Libertarianism is the commitment to maximum individual liberty and minimal government. Libertarians oppose economic regulation like conservatives and also oppose government restrictions on personal behavior like liberals, for example drug laws or limits on speech. They accept government mainly to protect property, enforce contracts, and keep the peace. **Socialism** favors collective or government ownership of major industries and strong redistribution. Democratic socialists in the United States usually seek a mixed economy with expanded public programs such as universal health care, free college, and strong unions, rather than abolishing private property.

Populism is not left or right in itself; it is a style that casts politics as a struggle between ordinary people and a corrupt elite, and it can appear on either side, with the Populist Party of the 1890s, Huey Long, and modern movements critical of Wall Street or global trade as examples. **Moderates** are people who do not consistently take either side. They are many in number but not always numerous in primaries, which are dominated by more ideological voters.

Ideology	Economy	Social and personal issues	Role of government
Liberal	Regulation, progressive taxes, safety net	Support abortion rights, LGBTQ rights, civil rights enforcement	Active, to promote equality
Conservative	Lower taxes, fewer regulations, free markets	Traditional values; often restrict abortion; religious liberty	Limited at the federal level, stronger on defense and order
Libertarian	Minimal regulation and taxes	Maximum personal freedom	Minimal, protect rights and property
Socialist	Public ownership or control, high redistribution	Generally progressive	Large and central
Populist	Distrust of elites and big business	Varies	Government should serve ordinary people

The **parties** do not match ideologies perfectly, but the pattern is strong. The Democratic Party platform generally aligns with liberal positions, and the Republican Party platform with conservative ones. A **party platform** is the formal statement of a party's goals and positions adopted at its national convention every four years. Platforms matter because they signal to activists and voters what the party stands for, although candidates are not legally bound by them. Over time the parties have sorted: conservative Southern Democrats and liberal Northeastern Republicans, once common, have largely disappeared, leaving each party more ideologically uniform and the gap between them wider. This sorting is called **polarization**. Many voters still call themselves moderate or independent, and both parties contain internal factions, such as progressives and moderates among Democrats and libertarian, social, and populist wings among Republicans.

On the AP exam you will be asked to apply ideologies to scenarios. A good approach is to ask three questions: How much should government regulate the economy? How much should government regulate personal behavior? How much should government do to promote equality? A liberal answers more, less, and more. A conservative answers less, more (on some moral issues), and less. A libertarian answers less, less, and less. Tracking these three questions reveals why libertarians sometimes split from both parties.

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EXAMPLE 1: CLASSIFYING A POSITION

A congressperson votes against a federal minimum wage increase, supports legalizing marijuana at the state level, and opposes government restrictions on gun ownership. Identify the ideology that best fits and explain, noting where this is not the same as typical party positions.

SOLUTION

Economy: opposing a wage mandate means less regulation of the marketplace, consistent with conservatism or libertarianism.

Personal behavior: supporting marijuana legalization expands personal freedom, which is more typical of libertarians or liberals than social conservatives.

Guns: opposing restrictions is consistent with conservatism and libertarianism.

Conclusion: the pattern best matches libertarianism, since the person favors limited government in both economic and personal spheres. It differs from the typical Republican platform on drug policy.

EXAMPLE 2: LINKING A PARTY PLATFORM TO IDEOLOGY

A party platform declares: "We will expand access to public health insurance, strengthen environmental rules, and raise taxes on high incomes to fund education." Which party's platform does this most likely resemble and why?

SOLUTION

Identify the policies: expanding public insurance, tougher regulation, higher taxes on high incomes.

Link to ideology: these are positions of liberals who believe government should reduce inequality and regulate harms.

Connect to the party: the Democratic Party platform generally aligns with liberal ideology, so the platform resembles the Democrats.

Qualification: platforms are general, and individual Democrats may differ (moderates may oppose tax increases); a platform shows the party's overall direction, not each member's views.

Common mistakes

Do not equate libertarian with conservative. Libertarians oppose government limits on personal choices that many conservatives support. Do not assume every Democrat is liberal or every Republican is conservative. Populism is a style, not a fixed left or right position. And avoid defining liberal and conservative only as big or small government; use specific areas of policy.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Describe what the left-right continuum measures and explain one limitation of it.
2. Explain how libertarians differ from both liberals and conservatives.
3. Distinguish fiscal conservatives from social conservatives.
4. Define populism and explain why it is not tied to a single place on the continuum.
5. Define a party platform and explain how it relates to ideology.
6. Explain what is meant by saying the parties have become ideologically sorted.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which position is most consistent with modern American liberalism?
(A) Reducing the federal role in education and returning it to families
(B) Eliminating income taxes in favor of consumption taxes
(C) Opposing any government action on private economic decisions
(D) Replacing public benefits with private charity
(E) Expanding federal regulation of environmental pollution
8. A voter supports legalizing all recreational drugs, opposes any minimum wage, and wants a much smaller military budget. This voter's views are most consistent with
(A) libertarianism (B) social conservatism (C) democratic socialism
(D) populism (E) modern liberalism
9. Which statement about party platforms is accurate?
(A) They are written by the Supreme Court
(B) They state a party's positions but do not legally bind the party's candidates
(C) They must be followed by all members of Congress
(D) They are identical in the two major parties
(E) They are adopted at state primary elections
10. A candidate says, "A corrupt elite in Washington and on Wall Street has rigged the economy against working families." This rhetoric is best described as
(A) libertarian (B) moderate (C) conservative
(D) populist (E) pluralist
11. Table: percent identifying as liberal, moderate, or conservative among Democrats and Republicans. Democrats: 52 liberal, 36 moderate, 12 conservative. Republicans: 3 liberal, 24 moderate, 73 conservative. Which conclusion is best supported?
(A) Moderates are the largest group in both parties
(B) Republicans are more diverse ideologically than Democrats
(C) The parties are ideologically sorted, though each contains a range of views
(D) Ideology has no connection to party identification
(E) Democrats are mostly conservative
12. Which pair correctly matches an ideology with its core view of government?
(A) Libertarianism: government should enforce traditional morals
(B) Conservatism: government should end all taxes
(C) Liberalism: government should have no role in the economy
(D) Populism: government should protect the elite
(E) Socialism: major economic resources should be collectively or publicly controlled

SET C Apply and Extend

Write a response with a claim, evidence, and explanation. Scoring points are given in each model answer.

13. A national party platform proposes a tax credit to help families pay for private school tuition. (a) Identify which ideology and which party are most likely to support the proposal. (b) Explain how the proposal reflects the ideology's view of government. (c) Describe how an opposing ideology would likely respond.
14. Some political scientists argue that the American two-party system pushes voters into two camps even though many hold mixed views. (a) Describe one way a voter might be liberal on economic issues but conservative on social issues. (b) Identify the ideology of voters who are conservative on economic issues and liberal on personal freedom. (c) Explain how this fact complicates the use of a left-right continuum.

4.5 Ideology and Economic Policy

You will learn how liberal, conservative, and libertarian ideologies differ on regulating the marketplace, taxes, spending, monetary policy, and the social safety net.

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Economic policy is where ideology has its clearest effects. The central question is how much government should shape the marketplace. **Liberals** favor more regulation to protect workers, consumers, and the environment and to reduce inequality. **Conservatives** favor fewer regulations and lower taxes, arguing that free markets create growth and opportunity. **Libertarians** want little or no regulation beyond protecting property rights and voluntary trade. These differences appear in debates over taxes, spending, the minimum wage, and the Federal Reserve.

Two tools of economic policy

Fiscal policy: government decisions about taxing and spending. The president proposes and Congress passes the budget and tax laws.

Monetary policy: control of the money supply and interest rates by the **Federal Reserve** (the Fed), an independent central bank whose goals are stable prices and maximum employment (its dual mandate).

Lower interest rates make borrowing cheaper and tend to stimulate the economy; higher rates slow borrowing and fight inflation.

Competing economic theories lie behind the ideological positions. **Keynesian economics**, named for John Maynard Keynes, holds that during recessions demand falls, and government should increase spending or cut taxes to boost demand, even if it runs a deficit. It is associated with liberals and with the New Deal, the 2009 stimulus, and the pandemic relief of 2020 and 2021. **Supply-side economics** holds that lower taxes and fewer regulations encourage businesses and investors to produce and hire more, which spurs growth. It is associated with conservatives and was central to the Reagan tax cuts of the 1980s and the 2017 Tax Cuts and Jobs Act, which lowered the top individual rate from 39.6 to 37 percent and the corporate rate from 35 to 21 percent. Critics on the left argue that such cuts mostly help wealthy people and increase deficits; supporters argue they expand the economy. Economists disagree about how much tax cuts pay for themselves, and most studies find they do so only partly.

Two theories to know

Keynesian: boost demand with government spending or tax cuts in a downturn (liberal tendency).

Supply-side: cut taxes and regulation to spur production and investment (conservative tendency).

Both are theories about how fiscal and monetary tools affect growth, employment, and inflation.

Issue	Liberal position	Conservative position	Libertarian position
Taxes	Progressive: higher rates on high incomes and corporations	Lower, flatter rates; cut capital gains and estate taxes	Minimal taxes; many oppose income tax
Regulation	More to protect consumers, workers, environment	Fewer, to reduce business costs	Little or none beyond property and contracts
Minimum wage	Raise it and index to inflation	Keep low or leave to states; may cost jobs	Oppose any mandate
Safety net	Expand programs such as Medicaid, SNAP, EITC	Reduce, add work requirements, devolve to states and charities	Replace with private charity
Federal Reserve	Accepts activism to reduce unemployment	Emphasizes price stability and rules	Skeptical of the Fed; some favor ending it
Deficits	Tolerated during downturns; invest for growth	Reduce spending; balanced budget	Strongly oppose deficits

The **social safety net** is a set of government programs that protect people from poverty and hardship. Social Security and Medicare are social insurance programs funded by payroll taxes and widely popular across party lines. Means-tested programs, such as Medicaid, Supplemental Nutrition Assistance Program (SNAP), and Temporary Assistance for Needy Families (TANF), target low-income people. The **Earned Income Tax Credit** rewards work by boosting income for low-wage workers and has support from many conservatives. The 1996 Personal Responsibility and Work Opportunity Act, signed by a Democratic president and passed by a Republican Congress, ended the open-ended federal cash welfare entitlement and created TANF with time limits and work requirements. It shows how conservative ideas on personal responsibility shaped the policy and also why ideology does not always follow party lines. Liberals tend to emphasize that poverty has structural causes and call for expanding aid; conservatives tend to emphasize incentives to work and warn that benefits can create dependency.

Because most federal spending is mandatory, including Social Security, Medicare, Medicaid, and interest on the debt, reducing deficits involves hard choices. Conservatives who call for spending cuts rarely target popular entitlements, which links back to the gap between symbolic conservatism and operational liberalism. Liberals who want to expand programs must propose how to pay for them, usually through taxes on high earners, which meets opposition from conservative lawmakers and some business interests.

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Data questions on this topic often present polling or budget numbers. You should be able to describe a pattern (for example, the share who support raising the minimum wage by party), explain it by tying it to ideology, and note a limit (for example, wording or that the data are national and not state-specific). Differences in support between partisan groups often show up even for popular ideas, but some policies, such as raising the minimum wage, draw majority support from members of both parties.

EXAMPLE 1: APPLYING FISCAL THEORY

During a deep recession, a president proposes a large package of government spending on infrastructure and unemployment benefits funded by borrowing. Which economic theory supports this approach, which ideology is most associated with it, and what would opponents argue?

SOLUTION

Theory: Keynesian economics, since government spending raises demand when private demand is weak.

Ideology: liberals are the group most associated with this approach and with active government in the economy.

Opposition: conservatives and libertarians would argue that deficits burden future taxpayers, that government spending crowds out private investment, and that tax cuts or deregulation would better encourage growth (supply-side).

EXAMPLE 2: INTERPRETING DATA WITH A LIMITATION

A poll reports that 62 percent of adults favor raising the federal minimum wage, including 85 percent of Democrats, 62 percent of independents, and 38 percent of Republicans. Describe the pattern, explain it, and state one limitation.

SOLUTION

Describe: majority support overall, with a large partisan gap (47 points between Democrats and Republicans) and independents near the national average.

Explain: liberal ideology favors market regulation and higher wages, so Democrats support the policy at high rates, while conservatives worry about job losses and prefer less regulation; the 38 percent of Republicans shows that many conservatives still back it.

Limitation: results depend on the wording (for example, mentioning a specific amount or the effect on jobs can change support), and the poll does not show how intense opinions are or what respondents would trade for it.

Exam tip

When asked to compare ideologies, name the specific policy and the specific reason, such as supply-side theory for conservatives or Keynesian theory for liberals. Remember that fiscal policy belongs to Congress and the president, while monetary policy belongs to the independent Federal Reserve. Do not say that the Fed sets taxes or that Congress sets interest rates.

Practice**SET A Check Your Understanding**

Answer each question in two to four sentences.

1. Distinguish fiscal policy from monetary policy and identify who controls each.
2. Explain the main idea of Keynesian economics and the ideology most associated with it.
3. Explain the main idea of supply-side economics and give one example of a policy based on it.
4. Compare how liberals and conservatives view the minimum wage.
5. Explain why the 1996 welfare reform is a useful example of conservative ideas influencing policy.
6. Explain why proposals to cut federal spending often avoid Social Security and Medicare.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which action is an example of monetary policy?
(A) Congress passes an income tax cut
(B) The president signs a federal budget
(C) Congress increases funding for highways
(D) The Federal Reserve lowers interest rates to encourage borrowing
(E) A state increases its sales tax
8. Supporters of supply-side economics would most likely favor
(A) reducing taxes on businesses to encourage investment
(B) increasing government spending during recessions to raise demand
(C) expanding means-tested benefits
(D) raising the top individual income tax rate
(E) creating a federal jobs program
9. A libertarian would most likely respond to a proposed federal minimum wage by arguing that
(A) government should raise the wage to reduce poverty
(B) wages should be set through voluntary agreements between employers and workers
(C) only the states should set standards
(D) the Federal Reserve should set wages
(E) businesses should be required to share profits
10. The 1996 welfare reform law (PRWORA) is best described as an example of
(A) a Keynesian response to recession
(B) expanding the cash entitlement for all poor families
(C) conservative ideas about work and personal responsibility shaping a bipartisan law
(D) monetary policy by the Fed
(E) a Supreme Court decision on welfare
11. Table: Share who say government should do more to reduce income inequality: Democrats 78 percent, independents 52 percent, Republicans 22 percent. What is the best conclusion?
(A) Republicans overwhelmingly support more government action
(B) Party has little relation to attitudes about inequality
(C) Independents are the most conservative group
(D) The data prove that party causes opinion
(E) Support for government action to reduce inequality varies strongly by party, consistent with ideological differences
12. Which of the following best explains why economists and politicians disagree about tax cuts?
(A) The Constitution requires tax cuts in recessions
(B) The Federal Reserve decides tax rates
(C) All economists reject supply-side theory
(D) They rely on different theories about whether lower taxes or higher demand best produce growth
(E) Taxes have no effect on the economy

SET C Apply and Extend

Write a response with a claim, evidence, and explanation. Scoring points are given in each model answer.

13. A bill would cut the corporate income tax rate and reduce federal regulation of business, while a rival bill would raise taxes on high earners to expand Medicaid. (a) Identify the ideology behind each bill. (b) Explain the economic theory behind the first bill. (c) Explain one argument critics of the first bill would make.
14. A poll shows that 70 percent of respondents say government spends too much, but when asked about 12 specific programs, a majority supports increased or maintained spending for 10 of them. (a) Describe the pattern. (b) Explain it using a concept about American political beliefs. (c) Explain one effect this pattern could have on how legislators act.

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4.6 Ideology and Social Policy

You will learn how liberal, conservative, and libertarian ideologies differ on social issues such as education, health care, the environment, immigration, criminal justice, and civil rights.

Social policy covers government action on education, health, family, the environment, immigration, public safety, and civil rights. The main ideological question is how far government should go in guiding personal behavior and in promoting equality. According to the course framework, **liberals** think the zone of personal privacy, where government should stay out, extends further than conservatives do, except in the areas of religion and education. **Conservatives** generally favor less government involvement to produce social and economic equality, and **libertarians** oppose any government intervention beyond protecting private property and individual liberty. Policy trends reflect which ideology is winning in the parties at a given time.

Ideology and social policy: the core pattern

Liberals: broad personal privacy (reproductive choice, marriage equality, drug reform); active government to promote equality and protect civil rights.

Conservatives: more government attention to moral order, religion, and public safety; less government effort to engineer equality of outcome; prefer state and local control.

Libertarians: oppose government involvement in both personal choices and economic life beyond protecting rights and property.

Education. Liberals generally support more federal and state funding for public schools, universal pre-kindergarten, and affordable college. Conservatives emphasize local control and school choice, including vouchers that allow public money to follow students to private schools, charter schools, and standards-based accountability. In *Zelman v. Simmons-Harris* (2002), the Supreme Court upheld an Ohio voucher program that included religious schools, ruling that it did not violate the Establishment Clause because parents made the choice. Libertarians would prefer to minimize or end public control of schools.

Health care. Liberals favor expanding public coverage through programs such as the Affordable Care Act (ACA) of 2010, which expanded Medicaid, created insurance exchanges and subsidies, and required most people to have coverage or face a penalty, and some favor a single-payer system. The Supreme Court upheld the ACA's individual mandate in 2012 as a use of Congress's taxing power. Conservatives tend to prefer market-based reforms, state flexibility, and limits on federal mandates, and many have sought to repeal or reduce the ACA. Libertarians oppose mandates and favor free-market health care.

Environment. Liberals support federal regulation of pollution and climate policy, such as limits on emissions and clean energy subsidies, arguing that markets fail to price harms such as pollution. Conservatives and libertarians emphasize costs to business and jobs, state authority, and private property, and they are more skeptical of broad regulation, although many conservatives support conservation and technological solutions. **Immigration.** Liberals tend to support a path to citizenship for undocumented immigrants who have long lived in the United States, protection for people who came as children (the DREAM Act and DACA), and humane enforcement. Conservatives tend to emphasize border security, enforcement of existing law, and limits on legal immigration, and often oppose amnesty. Libertarians favor open or freer immigration yet minimal welfare benefits. **Criminal justice.** Liberals stress reducing mass incarceration, racial disparities, and sentencing for nonviolent drug offenses, and favor rehabilitation and police reform. Conservatives stress law and order, support for police, and tough sentences, although many have joined reforms such as the First Step Act of 2018 to cut costs and aid reentry. Libertarians oppose the drug war and favor limited policing powers.

Civil rights and liberties. Liberals support government action to enforce anti-discrimination law and to expand rights, including same-sex marriage, recognized nationally in *Obergefell v. Hodges* (2015), and abortion rights, recognized in *Roe v. Wade* (1973) and reaffirmed in *Planned Parenthood v. Casey* (1992). In 2022 the Court in *Dobbs v. Jackson Women's Health Organization* overturned *Roe* and *Casey*, returning abortion regulation to elected officials of the states, a win for conservative legal efforts and an example of how court appointments shape policy. Conservatives stress religious liberty, parental rights, and states' roles, and some advocate colorblind policy over race-conscious remedies. The policy impact depends on who holds the presidency, Congress, and the courts.

Cases and laws to remember

Zelman v. Simmons-Harris (2002): voucher program including religious schools upheld.

Roe v. Wade (1973) and **Planned Parenthood v. Casey (1992):** federal protection for abortion rights, overruled by **Dobbs (2022)**.

Obergefell v. Hodges (2015): same-sex marriage is a constitutional right nationwide.

Affordable Care Act (2010): expanded coverage; mandate upheld in 2012.

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Issue	Liberal tendency	Conservative tendency	Example
Education	More public funding, equal access	School choice, local control	Zelman v. Simmons-Harris (2002) upheld vouchers
Health care	Expand coverage; public option	Market solutions; state flexibility	ACA (2010)
Environment	Federal regulation of emissions	Fewer regulations; protect jobs	Clean Air Act enforcement debates
Immigration	Path to citizenship; protect Dreamers	Border security; enforce limits	DREAM Act and DACA
Criminal justice	Reduce incarceration; reform policing	Law and order; tough penalties	First Step Act (2018)
Civil rights	Expand rights and privacy	Religious liberty; judicial restraint	Obergefell (2015); Dobbs (2022)

Remember that these are tendencies. Public opinion often cuts across ideology. Majorities in both parties favor some criminal justice reforms, for example, and some conservatives support environmental protections. Policy results also depend on federalism: states can adopt different rules on abortion, marijuana, education, and immigration enforcement, producing very different laws across the country. Over time, the balance between individual liberty and government efforts to promote order and stability has shifted back and forth, as in debates over surveillance after September 11, drug laws, and public health mandates.

EXAMPLE 1: IDENTIFYING IDEOLOGICAL REASONING

A state legislature debates a voucher program that lets families use public funds at private schools. A legislator argues, "Parents, not bureaucrats, know what is best for their children, and competition improves schools." Another replies, "Vouchers drain money from public schools that serve every child." Identify the ideology of each speaker and explain the underlying values.

SOLUTION

First speaker: conservative or libertarian, emphasizing parental choice, markets, and competition.

Second speaker: liberal, emphasizing public institutions and equal opportunity for all students funded by shared taxes.

Link to case: the Supreme Court in *Zelman v. Simmons-Harris* (2002) held that a voucher program giving aid to parents who choose among schools does not violate the Establishment Clause, so the debate is political and policy-based, not constitutionally barred.

EXAMPLE 2: INTERPRETING POLICY CHANGE

After a change in the Supreme Court's membership, the Court overturns a precedent protecting a right and returns the issue to the states. Explain how this reflects the success of one ideology and its effect on policy.

SOLUTION

Identify: *Dobbs* (2022) overruled *Roe* and *Casey*, allowing states to regulate abortion without the earlier federal limit.

Link to ideology: conservative legal and political movements had long sought this result and helped by electing presidents who appointed like-minded justices.

Effect: policy now varies widely by state, with some banning and others protecting abortion, showing how ideology and federalism together shape social policy.

Common mistakes

Do not claim that liberals always want more government or conservatives always want less. Liberals want less government in personal privacy, while conservatives accept more government in areas like border security, criminal law, and moral order. In answers, specify the issue area and the reason behind each position.

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Practice

SET A Check Your Understanding

Answer each question in two to four sentences.

1. Explain the difference between how liberals and conservatives view the zone of personal privacy.
2. Describe the conservative case for school vouchers and name the case that upheld one voucher program.
3. Compare liberal and conservative approaches to health care reform, using the Affordable Care Act.
4. Explain how liberals and conservatives typically differ on immigration policy.
5. Explain why criminal justice reform shows that policy does not always divide neatly along party lines.
6. Explain how Supreme Court appointments can change social policy, using *Dobbs* as an example.

SET B Exam-Style Multiple Choice

Choose the best answer.

7. In *Zelman v. Simmons-Harris* (2002), the Supreme Court ruled that
 - (A) school vouchers violate the Free Exercise Clause
 - (B) a voucher program that lets parents choose private religious schools does not violate the Establishment Clause
 - (C) states cannot fund private education
 - (D) public schools must be racially integrated
 - (E) prayer in public schools is constitutional
8. Which approach to health care is most consistent with liberal ideology?
 - (A) Eliminating all insurance regulation
 - (B) Allowing insurance to be sold only by religious groups
 - (C) Ending public health programs in favor of private charity
 - (D) Expanding government subsidies and Medicaid to increase the number of insured people
 - (E) Letting states opt out of federal health policy entirely
9. A libertarian would most likely support which of the following?
 - (A) Legalizing marijuana and reducing federal spending on drug enforcement
 - (B) Increasing federal environmental regulation
 - (C) Establishing a single-payer health system
 - (D) Increasing criminal penalties for drug use
 - (E) Requiring a national school curriculum
10. The *Dobbs* decision (2022) is best described as
 - (A) strengthening the right to privacy
 - (B) overruling *Roe v. Wade* and returning regulation of abortion to the states
 - (C) legalizing same-sex marriage nationwide
 - (D) upholding the Affordable Care Act
 - (E) banning abortion nationwide
11. Table: Percent of each group saying the government should provide a path to citizenship for undocumented immigrants: liberals 82, moderates 66, conservatives 38. The best explanation of the pattern is that
 - (A) conservatives unanimously oppose the policy
 - (B) moderates oppose it more than conservatives
 - (C) views on immigration are associated with ideology, though a substantial share of conservatives also support a path to citizenship
 - (D) ideology has no effect
 - (E) liberal support proves most voters agree

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12. Which of the following best illustrates the tension between individual liberty and government efforts to promote order?
- (A) A vote on increasing the president's salary
 - (B) A debate over the size of the Senate
 - (C) A discussion over naming a post office
 - (D) A decision to schedule a primary election
 - (E) Debates over whether public health authorities may require vaccination during an epidemic

SET C Apply and Extend

Write a response with a claim, evidence, and explanation. Scoring points are given in each model answer.

13. Congress considers a bill giving a path to citizenship to people brought to the United States as children while also increasing funding for border security. (a) Identify the ideology that primarily supports each component. (b) Explain why such a bill might require compromise between parties. (c) Explain one way federalism affects immigration policy outcomes.
14. A state passes a law restricting abortion after a certain week of pregnancy, and a neighboring state passes a law protecting abortion access. (a) Identify the ideology most associated with each law. (b) Explain how the Dobbs decision made this situation possible. (c) Explain one effect on citizens in each state.

4.7 Multiple-Choice Practice: American Political Ideologies and Beliefs

Twenty AP-style questions covering political culture, socialization, polling, ideologies, and economic and social policy.

Directions: Choose the best answer to each question. Some questions include a table or data. Review the explanation for every item, including the ones you answered correctly.

SET A Core Concepts

Choose the best answer.

1. Which pair of values do liberals and conservatives both claim but interpret differently?
- (A) Federalism and judicial review
 - (B) Popular sovereignty and separation of powers
 - (C) Liberty and equality of opportunity
 - (D) Rule of law and checks and balances
 - (E) Free enterprise and civil disobedience
2. A voter who says she dislikes big government but would oppose any cuts to Social Security is best described as
- (A) symbolically conservative but operationally liberal
 - (B) libertarian
 - (C) a populist
 - (D) politically ineffectual
 - (E) a benchmark respondent
3. Which factor most directly accounts for the spread of political party identification from parents to children?
- (A) Selective incorporation
 - (B) Realignment
 - (C) Exit polling
 - (D) Social desirability bias
 - (E) Political socialization within the family
4. Which of the following is the best example of a life cycle effect?
- (A) A cohort that grew up during the Depression favoring the Democratic Party for life
 - (B) Voter turnout increasing as people age in every generation
 - (C) Women voting differently from men in a given election
 - (D) Southerners leaving the Democratic Party after 1964
 - (E) Younger voters using social media more than older voters
5. A pollster draws a random sample of 1,000 likely voters and reports a margin of error of plus or minus 3 points. The margin of error is meant to capture
- (A) bias caused by loaded questions
 - (B) bias from people who refuse to respond
 - (C) the difference between registered and likely voters
 - (D) random variation because only part of the population was surveyed
 - (E) dishonesty by respondents

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6. Which ideology advocates minimal government involvement in both the economy and personal behavior?
- (A) Modern liberalism (B) Social conservatism (C) Libertarianism
(D) Democratic socialism (E) Populism
7. The Federal Reserve most directly influences the economy through
- (A) setting income tax rates
(B) passing the federal budget
(C) negotiating trade agreements
(D) changes in interest rates and the money supply
(E) regulating state elections

SET B Applications and Data

Choose the best answer.

8. Based on the table, which conclusion is best supported?

Group	Support raising minimum wage (%)	Oppose (%)
Democrats	84	14
Independents	63	33
Republicans	41	56

- (A) Republicans overwhelmingly support raising the minimum wage
(B) Independents oppose a higher minimum wage
(C) Party identification causes people to hold their views
(D) Most Democrats oppose the policy
(E) Support for raising the minimum wage is highest among Democrats, but a substantial share of Republicans also support it
9. Based on the table, which statement best describes the relationship between age and turnout?

Age group	Voted in last midterm (%)
18-29	28
30-44	42
45-64	58
65 and older	70

- (A) Turnout is highest among the youngest voters (B) Turnout rises with each older age group
(C) Turnout does not vary by age (D) Only voters over 65 participate
(E) Turnout falls as people age
10. Which is the most reasonable explanation for the pattern in the trust table between 1964 and 1980?

Year	Trust federal government most of the time (%)
1964	77
1980	25
2000	44
2010	22
2020	20

- (A) Rising confidence in Congress after the Constitution
(B) Passage of the Civil Rights Act alone
(C) The end of the Cold War
(D) Events such as Vietnam and Watergate reduced confidence in government
(E) The growth of exit polls

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11. Based on the table of two polls, which statement is accurate?

Poll	Sample size	Candidate A	Candidate B	Margin of error
Poll 1	500	49	46	4.4
Poll 2	2,000	48	47	2.2

- (A) Poll 1 is more precise because it has a larger lead
(B) Poll 2 has a larger margin of error because it is bigger
(C) Neither poll shows Candidate A leading by more than the margin of error
(D) Candidate B is clearly ahead in Poll 2
(E) Poll 2 proves that Candidate A will win
12. A caller asks voters, "Would you still support Senator Lee if you knew she voted to cut veterans' benefits?" and does not record answers. This is best described as
(A) a push poll (B) a benchmark poll (C) a tracking poll
(D) an exit poll (E) a focus group
13. Table: ideology by party. Which conclusion is best supported?

Party	Liberal (%)	Moderate (%)	Conservative (%)
Democrats	50	37	12
Republicans	4	25	71

- (A) Republicans are more ideologically diverse than Democrats
(B) Democrats are mostly moderates
(C) There are no liberal Republicans
(D) Moderates make up the majority of both parties
(E) The parties are ideologically sorted, but both contain moderates
14. A state's voter registration list is used to randomly select 800 voters for a telephone poll. Compared with a website poll open to anyone, the telephone poll is more credible mainly because
(A) it is more expensive
(B) every registered voter has an equal chance of being selected
(C) it has more respondents
(D) it eliminates all error
(E) it uses closed-ended questions

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SET C Exam-Level Stretch

Choose the best answer.

15. A conservative legislator supports a school voucher program and opposes federal environmental regulations. A libertarian colleague supports the voucher program, opposes the regulations, and supports legalizing drugs. The libertarian differs from the conservative most clearly in
- (A) supporting higher taxes
 - (B) favoring expanded federal education spending
 - (C) supporting universal health insurance
 - (D) seeking less government involvement in personal behavior
 - (E) seeking a larger military
16. Which situation best demonstrates a generational effect on political attitudes?
- (A) Adults who came of age during the Vietnam War era share lasting distrust of government decades later
 - (B) Voter turnout rising from age 25 to age 65
 - (C) Women supporting different candidates than men
 - (D) A voter changing parties after moving to a new city
 - (E) A candidate's popularity changing in a tracking poll
17. A president proposes cutting corporate and top income tax rates to encourage business investment. Opponents argue that this will mostly benefit wealthy people and raise deficits. The proposal is most closely associated with
- (A) Keynesian economics
 - (B) monetary policy
 - (C) supply-side economics
 - (D) social insurance
 - (E) mercantilism
18. In *Zelman v. Simmons-Harris* (2002) the Court upheld a voucher program. Which ideological goal does this ruling most directly advance?
- (A) Separating religion from all public funding
 - (B) Increasing federal control of curricula
 - (C) Ending public education
 - (D) Requiring school prayer
 - (E) Expanding parental choice in education
19. A poll finds 65 percent of adults support a specific tax on pollution when it is described as protecting clean air, but only 38 percent support it when described as a new government tax. The difference is best explained by
- (A) question wording effects
 - (B) a lower margin of error
 - (C) life cycle effects
 - (D) exit poll errors
 - (E) response rate differences only
20. Which statement best explains why the Democratic and Republican platforms have grown further apart since the 1960s?
- (A) The Constitution requires party platforms to match their voters
 - (B) Third parties took over most elections
 - (C) Exit polls changed voters' behavior
 - (D) Conservative Southern Democrats and liberal Northeastern Republicans largely disappeared as the parties sorted by ideology
 - (E) Primary elections were abolished

4.8 Free-Response Practice: American Political Ideologies and Beliefs

Four compact free-response questions on socialization, polling data, ideology, and policy.

Each part is scored separately, usually one point per task named in the model answer. Use the command word (identify, describe, explain), refer to the data or scenario directly, and finish each explanation by linking your point to a political concept.

QUESTION 1 Concept Application: Socialization and Political Culture

Read the scenario and answer all parts. Scenario: Dana, 19, grew up in a rural town where her parents, who are active in a church and a local party committee, discussed politics at home. She attends a large urban university where most of her classmates and professors hold different political views, and she follows national news mainly through a social media feed that matches her interests.

1. (a) Identify one agent of political socialization that likely shaped Dana's early political views.
2. (b) Explain how Dana's university environment could change her political attitudes.
3. (c) Explain how Dana's social media feed could limit that change.

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QUESTION 2 Quantitative Analysis: Reading a Poll

Use the data below. A national poll of 1,000 randomly selected adults, margin of error plus or minus 3 points, asked whether the federal government should do more to solve problems. Group | Should do more (%) | Should do less (%) Democrats | 76 | 21 Independents | 52 | 44 Republicans | 22 | 74 All adults | 50 | 46

4. (a) Describe the pattern in the data for the three partisan groups.
5. (b) Explain whether the poll supports the claim that a majority of all adults want the government to do more. Use the margin of error in your answer.
6. (c) Draw a conclusion about how ideology relates to the partisan differences, and explain one way a party leader could use this finding.
7. (d) Identify one limitation of the poll that could affect the reliability of this conclusion.

QUESTION 3 Quantitative Analysis: Ideology and Economic Policy

Use the data below from a survey asking whether the top federal income tax rate should be raised. Group | Support raising (%) | Oppose (%) Liberals | 82 | 15 Moderates | 58 | 38 Conservatives | 24 | 73 Libertarians | 15 | 82

8. (a) Describe the relationship between ideology and support for raising the top tax rate.
9. (b) Explain how supply-side economic theory helps explain the opposition among conservatives.
10. (c) Explain how the Keynesian approach differs and which group in the table is most likely to support it.
11. (d) Explain why the results for libertarians could be similar to those for conservatives on this issue but different on another issue, such as drug policy.

QUESTION 4 Concept Application: Ideology and Social Policy

Read the scenario and answer all parts. Scenario: A state legislature considers a bill that would give each family a voucher worth \$6,000 to use at any school, public or private. The governor, a conservative, supports it. Opponents in the legislature, mostly liberals, say it would weaken public schools. A court case challenges the program because some families would use vouchers at religious schools.

12. (a) Explain one value behind the governor's conservative position.
13. (b) Explain one value that opponents might rely on.
14. (c) Identify the Supreme Court case most relevant to the court challenge and describe its holding.

Answers Chapter 4: Answers and Explanations

Answers for every practice problem, numbered to match. Read the explanation even when your answer is correct.

4.1 American Political Culture and Core Values**SET A · CHECK YOUR UNDERSTANDING**

1. Political culture is the set of widely shared beliefs and values that shape how citizens view government and politics. Two core values are individualism (people are responsible for their own success) and the rule of law (everyone, including officials, must follow the law). Others include liberty, equality of opportunity, free enterprise, and popular sovereignty.
2. Equality of opportunity means everyone gets a fair chance to compete, while equality of outcome means government works to make results such as income more alike. Most Americans support opportunity and reject strict equality of outcome. This preference helps explain the limited size of the American welfare state compared to many other democracies.
3. Negative liberty is freedom from interference, for example a law that protects gun ownership or lowers regulation of small businesses. Positive liberty is having the real capacity to act, for example public schooling or health coverage that gives people the means to use their freedom. Each side uses the word liberty but means a different thing.
4. Trust in the federal government fell from roughly three in four Americans in the early 1960s to about one in five in recent years, with brief increases after events like September 11. Scholars connect the decline to Vietnam, Watergate, economic downturns, and partisan polarization. Trust also rises when a person's own party controls the presidency.
5. The phrase means many Americans say they favor small, limited government in general (symbolic conservatism) but support specific programs such as Social Security, Medicare, and disaster relief (operational liberalism). It explains why anti-big-government messages poll well while proposals to cut particular benefits often do not.
6. Globalization spreads American values and culture abroad while exposing Americans to ideas from other countries. For example, comparisons with other nations' health care systems and immigration policies have entered American policy debates, and immigration has diversified the population whose views the political system must reflect.

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SET B · EXAM-STYLE MULTIPLE CHOICE

7. D. Citizens usually endorse the same values but split over what they mean in practice, such as the scope of liberty. A is wrong because disagreement is about interpretation, not rejection, and B and C overlook that both ideological camps claim these values.
8. C. Arguing that government help makes real freedom and fair competition possible is positive liberty tied to equality of opportunity. A is the tempting wrong choice, since negative liberty and limited government would oppose the program.
9. A. Rule of law means the law applies equally to officials and citizens. B and E are ordinary government actions that do not test equal application of law, and C describes popular sovereignty or direct democracy.
10. B. Vietnam and Watergate undermined faith in government in this period. A and C happen in the wrong period, and E occurs later, though 9/11 caused only a brief rise in trust.
11. E. The speaker supports small government in principle but defends a specific program. This is the symbolic conservative/operational liberal pattern. B is tempting but generational replacement concerns age cohorts, not a mismatch within one person's views.
12. C. Voluntary associations show people acting individually but cooperatively to solve problems, a blend Tocqueville emphasized. A is wrong because it concerns results rather than civic habits, and B and D are institutional concepts that do not describe associations.

SET C · APPLY AND EXTEND

13. (a) 1 point: Supporters might invoke equality of opportunity or positive liberty (workers need the means to care for family without losing a job). 1 point: Opponents might invoke free enterprise or negative liberty (employers should control job terms; mandates restrict economic freedom). (b) 1 point: Explanation that both sides say they defend liberty but define it differently, one as freedom from regulation, the other as the practical capacity to use freedom. (c) 1 point: People with low trust may doubt that the state can administer the program fairly or efficiently and therefore oppose new programs, or they may stay home from elections, lowering pressure on legislators.
14. (a) 1 point: Trust in the federal government has fallen substantially over time, while patriotism remains high. (b) 1 point: Trust is an evaluation of current officials and institutions, whereas patriotism is attachment to the nation and its founding ideals, so a person can be angry at government performance and still proud of the country. (c) 1 point: Low trust can make voters more open to outsider or anti-establishment candidates, reduce support for expanding government programs, or lower turnout among people who think officials do not respond. Any one consequence explained with a clear link earns the point.

4.2 Political Socialization**SET A · CHECK YOUR UNDERSTANDING**

1. Political socialization is the lifelong process of acquiring political attitudes, values, and beliefs. Agents include family, schools, peers, media, religious institutions, and civic organizations. Together they teach people what to believe about government and how to participate.
2. Family comes first and has the most intense emotional bonds, so children often adopt parents' views and party identification, especially when parents agree. A limitation is that later experiences such as college, jobs, peers, and events can change beliefs, and divided households produce more independents.
3. People choose news and social media that fit their views, and algorithms feed them similar content. The result is an echo chamber that reinforces what they already think, raises certainty, and exposes them to fewer opposing arguments, which increases polarization.
4. A generational effect is shared by a cohort that came of age under the same events, such as New Deal-era adults staying loyal to the Democratic Party. A life cycle effect is tied to aging, such as young adults being less likely to vote and older adults becoming more likely to vote as they settle into communities.
5. Examples include gender (women lean Democratic more than men) and region (the South leans Republican, big cities lean Democratic). They are tendencies because large shares of each group vote against the pattern and group preferences vary with other traits like race, religion, or education.
6. Events shape beliefs most strongly during the formative years because people are forming their political identities. A recession, war, or attack can leave lasting views about the proper role of government, trust in leaders, or party loyalty, producing a generational effect that can last for decades.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. B. The family is the earliest and often strongest source of party identification. A cohort effect is the tempting wrong choice, since cohort effects concern shared events experienced by an age group, not a single household.
8. E. A shared formative experience that shaped a cohort's long-term loyalty is a generational (cohort) effect. A life cycle effect is wrong because loyalty persisted as the cohort aged rather than varying with life stage.
9. A. If turnout increases with age across different cohorts, age rather than historical period or generation explains it. The cohort-based choice describes a generational effect and is the best distractor.
10. C. Putnam argued that fewer voluntary associations reduced networks of trust and cooperation, or social capital. The youth-only choice is partly tempting but his argument was about society broadly, not just one age group.
11. D. The data show an association, not causation, between education and partisan lean. The causal claim is the tempting error because correlation does not prove that education caused the difference.
12. B. Friends and classmates of similar standing are peers whose conversations can shift opinion. The Pledge describes school rituals, and the service group describes religious or civic organizations, not peers.

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SET C · APPLY AND EXTEND

13. (a) 1 point: Life cycle effect. (b) 1 point: Each new generation of young adults votes less and each generation votes more as it ages, so age rather than a single cohort's experience explains the persistent gap (older people have settled residence, property, and ties that make voting easier and more rewarding). (c) 1 point: Schools could teach and encourage participation with civics classes, mock elections, or registration drives; peers, civic groups, or media campaigns could also be explained with a link to young-adult turnout.
14. (a) 1 point: Any two agents, for example peers and media (or school, religion, events). (b) 1 point: Explanation, such as: friends and college classmates who hold different views may change the person's views through discussion and shared experience, or consuming a different set of media sources can shift beliefs. (c) 1 point: Family is the first and usually strongest influence, yet other agents and experiences can override it; the siblings' difference shows that socialization is cumulative and no single agent decides outcomes.

4.3 Public Opinion and Polling**SET A · CHECK YOUR UNDERSTANDING**

1. Random sampling means every member of the target population has an equal chance of being chosen. This prevents systematic overrepresentation of any group, so the sample's characteristics should closely match the population and generalizing from it is justified, within a known margin of error.
2. The margin of error means the true population value is probably (at the 95 percent confidence level) within 3.5 points of the sample result. For 54 percent, the true value is likely between 50.5 and 57.5 percent. It reflects only sampling error, not bias from wording or nonresponse.
3. The magazine drew its sample from telephone and car-registration lists, which overrepresented wealthier Americans in the Depression, and low response rates added further bias. Large size cannot cure a nonrandom, unrepresentative sampling frame, so the poll wrongly predicted that Landon would beat Roosevelt.
4. A benchmark poll is an early survey a campaign uses to learn the electorate's starting positions and set a baseline for strategy. A tracking poll is repeated frequently, often daily with rolling samples, to monitor changes in support over time.
5. A scientific poll uses a random sample and neutral questions to measure opinion. A push poll calls a large number of voters with loaded or negative statements, often false, to change minds, and it does not aim to collect representative data. It is a form of campaigning disguised as a survey.
6. Exit polls interview only a portion of voters who agree to answer, so nonresponse bias can distort results. They may also miss early and mail voters and people who vote at times when interviewers are absent. Weighting corrections help but cannot remove all error.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. A random draw from the registration list gives every voter an equal chance of selection. The mall option is the best distractor, since it is convenient but systematically misses people who do not shop there.
8. A. The margin of error gives a likely range around the sample figure. The exact-value choice ignores sampling error, and the wording choice confuses sampling error with measurement bias.
9. D. Push polls spread negative messages under the cover of a survey rather than measure opinion. The campaign poll in the second choice is a legitimate benchmark poll.
10. B. Small daily samples produce wide margins, so analysts look at the multi-day trend. The advertising choice confuses correlation with causation.
11. E. Loaded terms such as takeover change how respondents interpret the question. A sampling explanation is unlikely because the scenario concerns the content of the questions, not the sample.
12. A. Nonresponse bias arises when the people who respond are systematically different from those who do not. Random sampling reduces bias, so the second choice is wrong.

SET C · APPLY AND EXTEND

13. (a) 1 point: Self-selection (only people who visit and choose to click respond). 1 point: A second flaw such as no control of repeat votes or unrepresentative visitors (lack of random sampling), or that the result cannot be weighted to the state's population. (b) 1 point: A scientific poll draws a random sample of the population, uses neutral wording, and weights to match demographics. (c) 1 point: A legislator might treat the response as a sign of intense opinion among engaged constituents who are likely to contact officials or vote, even if it is not representative.
14. (a) 1 point: In the first poll the 4-point lead is within the margin for the difference, so it is not clearly a lead; in the second poll a 2-point lead is also inside the margin of 2 on each share and cannot be called a clear lead. (b) 1 point: A larger sample reduces random sampling error, because more respondents give a more precise estimate (quadrupling the sample halves the margin). (c) 1 point: Margin of error does not cover bias from question wording, nonresponse, a flawed likely-voter screen, or changes in opinion between polls.

4.4 Political Ideologies**SET A · CHECK YOUR UNDERSTANDING**

1. The continuum arranges ideologies by their views on the role of government, from the left (more government action to promote equality) to the right (limited government, free markets, and tradition). A limitation is that it is one-dimensional: libertarians favor limited government in both economic and personal matters and so do not fit neatly on it, and individuals often hold mixed views.
2. Libertarians agree with conservatives in wanting little regulation of the economy and low taxes. They agree with liberals in wanting little government control over personal choices such as drug use and speech. They want government mostly limited to protecting property and rights, so they split from both major parties on certain issues.
3. Fiscal conservatives focus on lower taxes, smaller budgets, and less regulation. Social conservatives emphasize traditional moral and religious values on issues such as abortion and marriage. The two often ally in the Republican Party, but they can disagree about priorities and about the role of government in enforcing morality.

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4. Populism is a political style that pits ordinary people against a corrupt elite. Because the elite can be defined as big business and Wall Street or as the political establishment and global institutions, populist leaders have appeared on both the left and the right, so it does not occupy one fixed position.
5. A party platform is a formal statement of goals and positions adopted at the national convention. It reflects the dominant ideology within the party, with Democratic platforms generally liberal and Republican platforms generally conservative, but candidates are not bound to it.
6. Sorting means that voters and officeholders now align more consistently with one party by ideology: conservative Democrats and liberal Republicans have mostly disappeared. As a result each party is more ideologically uniform, the distance between them has grown, and compromise has become harder.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. E. Liberals favor a strong regulatory role for government to address collective problems. The tax and limited-government options reflect conservative or libertarian thinking.
8. A. Libertarians seek minimal government in both economic and personal matters. Modern liberalism is the tempting choice because of the drug position, but liberals support a minimum wage.
9. B. Platforms are adopted at national conventions and guide, but do not force, officeholders. The assumption that they are binding is the common trap.
10. D. Populism frames politics as ordinary people against elites. The conservative choice is wrong because this rhetoric could be used by candidates on the left or right.
11. C. Each party is concentrated on one side, yet both contain moderates and some of the opposite ideology. The first choice is wrong because moderates are not the largest group in either party in this table.
12. E. Socialists favor public or collective control of major parts of the economy. The libertarian option reverses libertarianism's stand against government enforcement of morals.

SET C · APPLY AND EXTEND

13. (a) 1 point: Conservatives (and libertarians), and the Republican Party. (b) 1 point: The credit reflects belief in free-market choice and family responsibility, with government using tax policy to expand private options rather than operating schools directly. (c) 1 point: Liberals would likely argue it diverts money from public schools, reducing support for the system that serves all students, and would favor funding public education directly; this reflects their belief in government-provided services and equal opportunity.
14. (a) 1 point: A voter could favor a higher minimum wage and public health care but oppose abortion and support traditional marriage (a socially conservative union member or religious voter). (b) 1 point: Libertarian. (c) 1 point: Because people can be left on one dimension and right on another, one line cannot capture their views; the continuum oversimplifies, and a two-dimensional model separating economic and personal freedom is more accurate.

4.5 Ideology and Economic Policy**SET A · CHECK YOUR UNDERSTANDING**

1. Fiscal policy is taxing and spending, and it is controlled by Congress and the president. Monetary policy is the management of the money supply and interest rates, and it is controlled by the Federal Reserve, an independent central bank. Both aim to influence growth, employment, and inflation.
2. Keynesian economics says that when demand is weak, government should raise spending or cut taxes to boost demand, even by running deficits. It is most associated with liberals, who support using government to soften recessions, as in the New Deal and the 2009 stimulus.
3. Supply-side economics holds that lower taxes and less regulation encourage production, investment, and hiring, which leads to growth. The Reagan tax cuts of the 1980s and the 2017 Tax Cuts and Jobs Act are examples. It is associated with conservatives.
4. Liberals usually support raising the minimum wage to reduce poverty and protect workers. Conservatives often oppose federal increases, arguing that mandated wages can cost jobs and should be left to markets or states. Libertarians would oppose any minimum wage as interference with voluntary contracts.
5. The law ended the federal cash entitlement and created TANF, with work requirements and time limits, reflecting conservative emphasis on personal responsibility and reducing dependency. It also shows compromise, since a Democratic president signed it, and illustrates ideas shaping policy beyond party lines.
6. Social Security and Medicare are popular with voters of both parties, including older people who vote at high rates, and the programs are mandatory spending. Candidates therefore risk electoral punishment, which reflects the gap between support for limited government in the abstract and support for specific programs.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. D. Monetary policy is carried out by the Fed through interest rates and the money supply. The tax cut is fiscal policy and is the common confusion.
8. A. Supply-side theory holds that lower taxes on producers promote growth. Spending to raise demand is the Keynesian approach and the best distractor.
9. B. Libertarians oppose economic mandates beyond protecting contracts. Conservatives might choose the states-only approach, so that option is not distinctly libertarian.
10. C. The law added work requirements and time limits and ended the entitlement. The Keynesian choice is wrong because the law aimed at reducing dependence rather than boosting demand.
11. E. The large gaps match the liberal and conservative views of government's role. The causal claim fails because the data show association only.

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12. D. Supply-side and Keynesian views interpret the effects of tax and spending policy differently. The Fed does not set tax rates, so that choice mixes up fiscal and monetary roles.

SET C · APPLY AND EXTEND

13. (a) 1 point: The first reflects conservative (supply-side) ideology; the second reflects liberal ideology. (b) 1 point: Supply-side theory argues that lowering taxes and regulations lets businesses invest and hire, producing growth that benefits all. (c) 1 point: Critics argue that the cuts mainly benefit corporations and wealthy investors, increase deficits, reduce revenue for programs, and weaken protections for consumers, workers, or the environment.
14. (a) 1 point: Most respondents favor spending less in general but support most specific programs. (b) 1 point: Symbolic conservatism but operational liberalism: Americans embrace limited government as an idea but like what government does in practice. (c) 1 point: Legislators may campaign for smaller government while avoiding cuts to popular programs, or they may find it politically safer to cut deficits through vague promises rather than specific reductions.

4.6 Ideology and Social Policy

SET A · CHECK YOUR UNDERSTANDING

1. Liberals believe personal privacy is broad, covering reproductive choices, marriage, and drug use, and they want government to stay out of those matters (although they accept intervention for religion and education). Conservatives generally accept more government involvement in moral and public-order questions but resist government efforts to engineer social and economic equality.
2. Conservatives argue that parents should have choice and that competition among schools improves quality and gives low-income families options. *Zelman v. Simmons-Harris* (2002) upheld an Ohio voucher program, because aid went to parents who chose among religious and secular schools, so it did not violate the Establishment Clause.
3. Liberals favored the ACA's expansion of Medicaid, subsidies, and mandate to extend coverage, and some prefer a government-run system. Conservatives prefer market-based solutions, state control, and fewer mandates, and many sought repeal. The Court upheld the individual mandate in 2012 under the taxing power.
4. Liberals tend to favor a path to citizenship and protections like DACA, and humane enforcement. Conservatives emphasize border security, enforcement of existing laws, and limits on legal immigration. Libertarians often favor freer immigration but limited benefits.
5. Some reforms, such as the First Step Act of 2018, drew support from liberals seeking to reduce incarceration and conservatives and libertarians concerned about costs and government power. Public opinion on sentencing and policing is mixed within each party, so coalitions can cross party lines.
6. Presidents who share an ideology appoint justices who tend to interpret the law in similar ways. In *Dobbs* (2022) a Court with a conservative majority overruled *Roe* and *Casey*, returning abortion regulation to states. Social policy can therefore change without Congress acting.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. B. The Court focused on parents' independent choice among many options. The prayer choice mixes this case up with school-prayer decisions such as *Engel v. Vitale*.
8. D. Liberals believe government should expand access to care. The charity and opt-out choices reflect libertarian and conservative preferences.
9. A. Libertarians oppose government interference in personal choices and favor smaller budgets. Increasing penalties is the tempting but conservative option.
10. B. *Dobbs* removed the federal constitutional protection but did not ban abortion nationwide. The nationwide ban claim is a common error.
11. C. The table shows a steady ideological gradient with significant crossover. The unanimous opposition option ignores that 38 percent of conservatives support it.
12. E. Public health mandates balance personal choice against community safety. The other items involve no clear liberty-versus-order tension.

SET C · APPLY AND EXTEND

13. (a) 1 point: The path to citizenship is primarily supported by liberals; the border security funding by conservatives. (b) 1 point: Each party values one part and might oppose the other, so a package that includes both can win votes of members in each party; the compromise is a way to pass a law in divided government. (c) 1 point: States and localities make decisions such as whether to cooperate with federal enforcement or provide services and in-state tuition, so effects differ across states.
14. (a) 1 point: Conservative ideology for the restrictive law; liberal ideology for the protective law. (b) 1 point: *Dobbs* overruled *Roe* and *Casey*, ending the federal constitutional right and leaving regulation to the states' elected officials. (c) 1 point: Citizens in the restrictive state face limits on access, and may travel or lose access to services, while those in the protective state keep access; policy depends on residence, illustrating federalism.

4.7 Multiple-Choice Practice: American Political Ideologies and Beliefs

SET A · CORE CONCEPTS

1. C. Both camps invoke liberty and equality of opportunity but disagree about what they require, for example freedom from regulation versus freedom through public support. The other pairs name institutions or principles that are not the center of ideological disagreement.
2. A. She supports limited government in principle while backing a specific program. Libertarians would oppose most entitlement programs, so that option fails.
3. E. Family is the earliest agent of socialization. Realignment concerns shifts in party coalitions across the electorate, not transmission within households.
4. B. A change linked to getting older across cohorts is a life cycle effect. The Depression cohort is a generational effect and is the best distractor.
5. D. Margin of error describes sampling error only. Bias from wording and nonresponse is not included, so the loaded-questions option is wrong.

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6. C. Libertarians want government limited to protecting rights and property. Social conservatives accept government action on moral issues, so they are not the answer.
7. D. The Fed conducts monetary policy. Setting tax rates and passing budgets are fiscal policy functions of Congress and the president.

SET B · APPLICATIONS AND DATA

8. E. Democrats show the highest support at 84 percent while 41 percent of Republicans also back the increase. The causal claim fails because the table shows association only.
9. B. The percentages climb steadily from 28 to 70. Pairing this with a life cycle explanation requires multi-year cohort data, which this single table does not provide.
10. D. Trust fell from 77 to 25 percent during an era of war and scandal. The Cold War ended after 1980, so it cannot explain the drop.
11. C. Leads of 3 and 1 points are inside the margins. Poll 2 is more precise, not less, because a larger sample reduces sampling error.
12. A. The call uses a loaded premise to move opinion rather than measure it. A benchmark poll is a legitimate early survey that gathers baseline data.
13. E. Each party clusters on one side while moderates remain at 37 and 25 percent. The first option is wrong because Republicans are more concentrated in one category than Democrats.
14. B. Random selection supports generalizing to the population. A website poll could attract far more respondents, so size does not explain credibility.

SET C · EXAM-LEVEL STRETCH

15. D. Libertarians extend their limited-government stance to personal choices such as drug use. Conservatives accept government action on some moral questions.
16. A. Shared formative events leave lasting marks on a cohort. The turnout rising with age option is a life cycle effect.
17. C. Cutting tax rates to spur investment is supply-side economics. Keynesian policy raises demand through spending or targeted tax cuts in recessions, and the opponents' complaint fits the political rivalry between the theories.
18. E. The ruling allowed states to offer school choice programs including religious schools. The choice calling for separating religion from public funding is the position the Court rejected for this program.
19. A. The same policy gets different support under different framing. The margin of error would not produce a 27-point change.
20. D. Sorting made each party more ideologically uniform. The idea that third parties dominate is false for a two-party system.

4.8 Free-Response Practice: American Political Ideologies and Beliefs**QUESTION 1 · CONCEPT APPLICATION: SOCIALIZATION AND POLITICAL CULTURE**

1. (a) 1 point: Family, church (religious organization), or community. The response should connect the agent to Dana's early exposure to politics at home.
2. (b) 1 point: Peers and professors expose her to alternative arguments and diverse experiences, which can moderate or shift her views and increase political participation.
3. (c) 1 point: A personalized feed can create an echo chamber that reinforces existing views and reduces exposure to opposing ideas.

QUESTION 2 · QUANTITATIVE ANALYSIS: READING A POLL

4. (a) 1 point: Democrats strongly favor doing more, Republicans strongly favor doing less, and independents are split near the middle (roughly even). The gap between Democrats and Republicans is 54 points.
5. (b) 1 point: No; the 50 percent figure is not a majority and, with the margin of error of 3 points, the true value could range from 47 to 53 percent, so the poll cannot show a majority.
6. (c) 1 point: Democrats align with liberal views of an active government while Republicans align with conservative views of limited government. 1 point: A leader could use it to target messages to base voters, emphasize shared values for independents, or decide which policies to pursue and defend.
7. (d) 1 point: Wording is general and not about specific programs; subgroup margins are larger; social desirability or nonresponse; or the poll shows association but not cause.

QUESTION 3 · QUANTITATIVE ANALYSIS: IDEOLOGY AND ECONOMIC POLICY

8. (a) 1 point: Support decreases steadily as one moves from liberal to libertarian, from 82 to 15 percent.
9. (b) 1 point: Supply-side theory holds that lower taxes spur investment, production, and hiring, so conservatives argue raising rates would reduce growth.
10. (c) 1 point: Keynesian theory favors government spending and taxes to manage demand, and supports progressive taxation and public spending; liberals are most likely to favor it.
11. (d) 1 point: Both oppose higher taxes, but libertarians also oppose government intervention in personal behavior, so they would favor legalizing drugs, while many conservatives favor enforcement of drug laws.

QUESTION 4 · CONCEPT APPLICATION: IDEOLOGY AND SOCIAL POLICY

12. (a) 1 point: Parental choice, free-market competition, or limited government control of education.
13. (b) 1 point: Equal opportunity and the idea that public education should be well funded and available to all, so public money should not be diverted.
14. (c) 1 point: *Zelman v. Simmons-Harris* (2002), which held that a voucher program giving funds to parents who choose among many schools, religious or not, does not violate the Establishment Clause.

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Chapter 5: Political Participation.

9 sections with explanations and worked examples, then 130 practice problems. Answers and full explanations are at the end of the chapter.

5.1 Voting Rights and Voter Turnout

Trace the expansion of suffrage, explain what shapes turnout, and use the models of voting behavior to analyze why people vote as they do.

In a democracy, who is allowed to vote, and who actually does vote, shapes who holds power. This section follows the long expansion of the right to vote, the laws that protect it, the patterns in turnout, and the models political scientists use to explain why voters choose as they do.

Suffrage is the right to vote. At the founding, states set the rules, and most limited voting to white men who owned property. Over two centuries, constitutional amendments and federal laws removed those barriers one group at a time. Each change was usually won through long political pressure from movements, not handed down by government.

Change	Year	What it did
15th Amendment	1870	Bars denial of the vote based on race or previous servitude; Congress may enforce it
17th Amendment	1913	Voters, not state legislatures, elect U.S. senators directly
19th Amendment	1920	Bars denial of the vote based on sex
24th Amendment	1964	Bans poll taxes in federal elections (extended to state elections by the Supreme Court in 1966)
Voting Rights Act	1965	Banned literacy tests; required federal review of voting changes in states with a history of discrimination
26th Amendment	1971	Lowered the voting age to 18

The 15th Amendment did not end discrimination. After Reconstruction, southern states used **literacy tests**, **poll taxes**, grandfather clauses, and intimidation to keep Black citizens from the polls. The Civil Rights Movement of the 1950s and 1960s, including the Selma marches, pushed Congress to pass the **Voting Rights Act of 1965**. It outlawed literacy tests and required places with a record of discrimination to get federal "preclearance" before changing election rules. In *Shelby County v. Holder* (2013) the Court struck down the formula that decided which places needed preclearance, so that requirement is currently inactive, and debate continues over whether Congress should write a new formula.

Key idea: the amendments that expanded suffrage

15th: race. 19th: sex. 24th: poll taxes. 26th: age 18. Remember the order with R-S-T-A: Race, Sex, Tax, Age.

17th Amendment is different: it did not add voters, it made the Senate elected directly by the people.

Amendments set the principle; the Voting Rights Act of 1965 supplied the enforcement.

Today the fights are over the rules that surround voting, which political scientists call **structural barriers**. These include voter registration requirements, ID laws, early voting, mail voting, polling place locations, and rules about felony convictions. The National Voter Registration Act of 1993 ("motor voter") made registering easier by letting people sign up at motor vehicle offices. Supporters of **voter ID laws** say they protect election integrity. Critics say fraud by impersonation is extremely rare and that ID rules fall hardest on poor, elderly, and minority voters who are less likely to have a license. In *Crawford v. Marion County* (2008) the Court upheld Indiana's photo ID law. Elections are run by states, so rules vary widely.

Voter turnout is the percentage of eligible voters who cast ballots. Turnout in U.S. presidential elections has generally been around 55 to 66 percent of eligible voters, and it falls sharply in midterm years, often to about 40 to 50 percent. It is lower in primaries and local elections. Compared with many democracies, U.S. turnout is lower. Reasons include that Americans must usually register themselves, elections are held on a workday, states run them, and voting is not compulsory. Countries with automatic registration, weekend voting, or fines for not voting tend to have higher turnout.

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Factor	Effect on likelihood of voting
Education	Higher education strongly predicts voting
Income	Higher-income people vote at higher rates
Age	Older citizens vote far more than 18-29 year olds
Political efficacy	Belief that your vote matters raises turnout
Election type	Presidential years draw more voters than midterms or primaries
Registration and access	Easier registration and early voting raise turnout

Key idea: models of voting behavior

Rational choice: vote for the option that best serves your own interests.

Retrospective voting: judge the party in power on its recent record ("Are you better off than four years ago?").

Prospective voting: choose based on what you predict a candidate will do.

Party-line voting: support one party's candidates for every office on the ballot.

Besides these models, voter choice is shaped by **party identification**, ideology, candidate characteristics, issues that matter at the time, and demographics such as religion, gender, race, and region. Party identification is the strongest single predictor for most voters.

EXAMPLE 1: CLASSIFYING A VOTER

In 2022 a voter says, "Prices rose fast under the current Congress, so I am voting against every incumbent of the governing party." Identify the model of voting behavior and explain it.

SOLUTION

Identify the model: retrospective voting.

Explain: the voter is judging the party in power by its recent performance on the economy, not predicting future behavior.

Note the contrast: a prospective voter would instead base the choice on a challenger's promises about the future.

EXAMPLE 2: EXPLAINING A TURNOUT GAP

A state records 62% turnout in a presidential year and 41% in the following midterm. Explain two reasons for the drop.

SOLUTION

Reason 1: Election type. Presidential races get heavy media coverage and campaigning, so efficacy and interest are higher than in midterms.

Reason 2: Lower salience and demographics. Midterms feature lower-profile offices, and groups with historically lower turnout, such as young voters, participate even less.

Conclusion: the gap is explained by differences in election type and political engagement, not by changes in the law.

Common mistakes

Do not say the 24th Amendment banned all poll taxes; it covered federal elections, and a later Supreme Court case covered state ones. Do not confuse registration (a legal requirement before voting) with turnout (actually casting a ballot). The VRA of 1965 is a statute, not an amendment.

Practice

SET A Check Your Understanding

Answer each item in two or three sentences.

1. State which amendment extended the vote on the basis of sex and which lowered the voting age.
2. Why was the Voting Rights Act of 1965 needed after the 15th Amendment?
3. Define voter turnout and distinguish it from voter registration.
4. Give one argument for and one argument against strict photo voter ID laws.
5. Explain the difference between retrospective and prospective voting.
6. Name three factors that predict whether an individual will vote.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which constitutional amendment bans the use of poll taxes in federal elections?
(A) 15th (B) 19th (C) 24th (D) 26th (E) 17th
8. Which statement about the Voting Rights Act of 1965 is accurate?
(A) It banned literacy tests and created federal oversight of election changes in some states
(B) It lowered the voting age to 18
(C) It gave women the right to vote
(D) It required all states to use photo ID
(E) It eliminated state control of elections
9. A voter chooses a candidate solely because she believes the candidate's tax plan will lower her own taxes. This is best described as
(A) retrospective voting (B) party-line voting
(C) prospective voting based on ideology (D) strategic voting
(E) rational choice voting
10. Which is the most likely reason U.S. turnout is lower than in many other democracies?
(A) Voting is compulsory in the United States
(B) Citizens are usually responsible for registering themselves
(C) Presidential elections are held on weekends
(D) Federal law forbids early voting
(E) The Electoral College removes the ballot
11. Which pairing of election type and expected turnout is most accurate?
(A) Midterm turnout is higher than presidential turnout
(B) Primary turnout is usually higher than general election turnout
(C) Local elections draw more voters than national ones
(D) Presidential general elections usually have the highest turnout
(E) Turnout is identical across election types
12. The 17th Amendment is best described as a change that
(A) extended suffrage to women
(B) moved the election of senators from state legislatures to the voters
(C) eliminated the Electoral College
(D) lowered the voting age
(E) banned literacy tests

SET C Apply and Extend

Write a complete response in the style of an AP free-response question.

13. Scenario: A state passes a law requiring a government-issued photo ID to vote in person. (a) Identify one structural barrier concept relevant to this law. (b) Explain one way the law could affect turnout among a demographic group. (c) Explain one reason supporters defend it.
14. Compare the effects of the 15th Amendment and the Voting Rights Act of 1965 on Black voting rights. Explain why the second was needed and what each demonstrates about how rights are protected.

5.2 Elections and the Electoral College

Explain how primaries, caucuses, and general elections work and evaluate whether the Electoral College helps or harms democracy.

Elections are the main linkage between citizens and government. In the United States, many different elections happen on different schedules and under different rules, and the presidential process is unusual because it ends with the Electoral College instead of a national vote count.

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Primary elections choose each party's nominee. In a **closed primary**, only voters registered with the party may vote. In an **open primary**, any registered voter may choose a party's ballot on election day. **Caucuses** are local meetings where party members discuss and publicly show support for candidates; they take longer and draw fewer participants than primaries. The **general election** pits the nominees of each party (and independents) against each other. Congressional general elections happen every two years; those held between presidential years are **midterm elections**, which usually bring lower turnout and often cost the president's party seats.

Type	Who participates	Purpose
Closed primary	Registered party members only	Pick the party nominee
Open primary	Any registered voter picks one party's ballot	Pick the party nominee
Caucus	Party activists who attend in person	Pick delegates and show candidate support
General election	All eligible voters	Choose the officeholder
Midterm election	All eligible voters, but fewer vote	Elect all House seats and one-third of the Senate in the middle of a presidential term

Presidential nominees are formally chosen at **party conventions** by delegates, most of whom are pledged to a candidate based on primary and caucus results. In practice, the nominee is usually known before the convention. **Incumbency advantage** is the edge that sitting officeholders enjoy from name recognition, fundraising, constituency service, and the staff and resources of office. House incumbents who run win reelection well over 90 percent of the time, though the advantage is smaller for presidents.

Key idea: how the Electoral College works

Each state gets electors equal to its House seats plus two for its senators. There are 538 electors in all, and a candidate needs 270 to win.

The Twenty-Third Amendment gives the District of Columbia three electors.

In 48 states and DC, the candidate with the most popular votes wins all of the state's electors (winner-take-all). Maine and Nebraska give two electors to the statewide winner and one to the winner of each congressional district.

If no candidate gets 270, the Twelfth Amendment sends the election to the House, where each state delegation casts one vote.

Because of winner-take-all, candidates concentrate on **swing states** (also called battleground states), where both parties have a realistic chance, and mostly ignore states that are safely Democratic or Republican. A candidate can win the presidency while losing the national popular vote, which has happened five times, including 2000 and 2016. Electors usually vote as pledged, but a **faithless elector** votes for someone else. In *Chiafalo v. Washington* (2020), the Supreme Court held that states may punish or replace faithless electors, so states can bind electors to the popular vote result.

Key terms: swing state and faithless elector

Swing state: a state where neither party has a reliable majority, so candidates focus there.

Faithless elector: an elector who does not vote for the candidate they pledged to support; *Chiafalo v. Washington* (2020) lets states bind electors.

Argument that it facilitates democracy	Argument that it impedes democracy
Forces candidates to build broad, multi-region coalitions	A candidate can win while losing the national popular vote
Protects the federal structure and gives small states a voice	Voters in safe states are largely ignored; swing-state voters count most
Usually produces a clear winner and limits recount fights to one state	Small states have more electoral votes per person than large states
Supports a stable two-party system	Votes for a losing candidate in a state are effectively wasted

Proposed reforms include a constitutional amendment for direct popular election, allocating electors proportionally, using the Maine and Nebraska district method everywhere, and the **National Popular Vote Interstate Compact**, in which states agree to give all electors to the national popular vote winner once states totaling 270 electoral votes join. Each option changes who campaigns where, and each has supporters and critics. Amending the Constitution requires large supermajorities, which is why changes have been hard to enact.

On **representation**, the Electoral College gives every state two electors because of its senators, so a voter in Wyoming has more weight per person than a voter in California. Defenders view this as consistent with federalism; critics see it as violating one person, one vote. When you write about it on the exam, name the principle you are using (popular sovereignty, federalism, or political equality).

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EXAMPLE 1: CALCULATING ELECTORS

A state has 9 House seats. How many electors does it have, and what happens to its electoral votes if candidate X wins 50.4% of its popular vote in a winner-take-all state?

SOLUTION

Electors = House seats + 2 senators = $9 + 2 = 11$.

Under winner-take-all, X receives all 11 electors even with a narrow plurality.

The 49.6% who voted for other candidates receive no representation in the Electoral College from this state, which is the "wasted vote" criticism.

EXAMPLE 2: APPLYING A REFORM

Explain how adopting the National Popular Vote Interstate Compact would change campaign strategy, and give one argument that it would still raise problems.

SOLUTION

Strategy change: candidates would seek votes everywhere, including large safe states, because every vote nationwide would count equally toward the national total, rather than focusing on swing states.

Problem: smaller states and rural areas could be ignored in favor of dense population centers, and the compact depends on enough states joining to reach 270 electoral votes.

This shows a trade-off between political equality and the federal balance the Electoral College is meant to protect.

Common mistakes

The Electoral College is not a place; electors meet in their own states. Do not say the winner needs a majority of states; the winner needs 270 electoral votes. Do not say the popular vote has no role: it decides how each state's electors are awarded.

Practice**SET A Check Your Understanding**

Answer each item in two or three sentences.

1. Distinguish an open primary from a closed primary.
2. Explain why presidential candidates spend more time in swing states than in safe states.
3. How many electoral votes does a candidate need to win, and what happens if no candidate gets that number?
4. What is a faithless elector, and what did *Chiafalo v. Washington* decide?
5. Describe one reason defenders say the Electoral College supports federalism.
6. What is incumbency advantage? Give two sources of it.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which statement about caucuses is accurate?
(A) They are held on the same day nationwide
(B) They elect members of Congress in the general election
(C) They are local meetings in which participants publicly support candidates
(D) They are required by the Constitution
(E) They always use secret ballots
8. A state has 5 House members. How many electoral votes does it have?
(A) 7 (B) 3 (C) 5 (D) 10 (E) 538
9. Which was the main argument made by critics of the Electoral College after the 2016 election?
(A) It limits candidates to two terms
(B) It prevents any state from voting
(C) It gives Congress the power to choose electors
(D) It eliminates the role of primaries
(E) A candidate can win the presidency without winning the most popular votes nationwide
10. Which reform would give all of a state's electors to the national popular vote winner if enough states join?
(A) Maine-Nebraska district plan (B) The National Popular Vote Interstate Compact
(C) Proportional allocation (D) Faithless elector laws
(E) Open primaries
11. The midterm election is best described as
(A) a primary to pick convention delegates
(B) a vote held only in swing states
(C) an election for president only
(D) the election held midway through a presidential term
(E) the second round of a general election
12. Which would most likely be cited by a defender of the Electoral College?
(A) It guarantees equal weight to every individual vote
(B) It forces candidates to win support across several regions
(C) It ensures the largest state decides the election
(D) It removes states from the process
(E) It makes primaries unnecessary

SET C Apply and Extend

Write a complete response in the style of an AP free-response question.

13. Use the following data. In State Y, which has 10 electoral votes and uses winner-take-all, candidate P wins 2,100,000 votes and candidate Q wins 2,050,000 votes. (a) Identify how many electoral votes each candidate receives. (b) Explain how this outcome illustrates a criticism of winner-take-all. (c) Explain how Maine or Nebraska's system would differ.
14. Argue either that the Electoral College facilitates democracy or that it impedes democracy. Support your claim with two pieces of evidence and respond to one opposing argument.

5.3 Campaigns and Campaign Finance

Explain how campaigns are organized, how campaign finance law developed through Buckley and Citizens United, and the arguments about regulating money in elections.

Running for national office is expensive. Candidates pay for staff, advertising, data, travel, and fundraising itself. The debate over campaign finance is a debate between two goals the Constitution protects or implies: free political speech, and fair elections free from corruption.

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A modern campaign is organized around the candidate, a campaign manager, and professional consultants for polling, advertising, data analytics, and fundraising. Volunteers and field organizers handle canvassing and phone banking. Parties and outside groups support candidates but are legally separate. Campaigns are long (often starting a year or more before election day), costly, and increasingly driven by social media and online fundraising. Critics say this makes candidates dependent on donors and consultants; supporters say it helps campaigns reach voters efficiently.

The Federal Election Campaign Act (1971, strengthened in 1974) set disclosure rules and contribution limits and created the **Federal Election Commission (FEC)**, the agency that enforces federal campaign finance law. Note the vocabulary: **hard money** is regulated money given directly to candidates; **soft money** was unregulated money given to parties for "party building"; an **independent expenditure** is spending to support or oppose a candidate without coordinating with the candidate's campaign.

Key case: Buckley v. Valeo (1976)

Held that limits on contributions to candidates are constitutional, because they serve the government interest in preventing corruption and its appearance.

Held that limits on independent expenditures and on a candidate's spending of their own money violate the First Amendment, because spending money to communicate is a form of speech.

Result: contributions can be limited; independent spending cannot.

The **Bipartisan Campaign Reform Act of 2002 (McCain-Feingold)** responded to the soft-money loophole. It banned national parties from raising soft money, restricted corporations' and unions' broadcast "electioneering communications" close to elections, and required the "Stand by Your Ad" disclosure ("I am [candidate] and I approve this message").

Key case: Citizens United v. FEC (2010)

Facts: Citizens United, a nonprofit, wanted to air and promote a film critical of Hillary Clinton close to the 2008 primaries; BCRA's ban on corporate electioneering communications blocked it.

Holding (5-4): The First Amendment protects political spending by corporations, associations, and unions. The government may not ban independent expenditures by them.

Reasoning: political spending is speech; independent spending, not coordinated with a candidate, does not create corruption or its appearance.

Disclosure requirements were upheld (8-1).

After Citizens United and a lower court decision, *SpeechNow v. FEC* (2010), groups called **Super PACs** (independent-expenditure-only committees) emerged. They can raise unlimited sums from individuals, corporations, and unions and spend unlimited sums to support or attack candidates, but they may not donate to or coordinate with a campaign. Citizens United is a required case because it ties the First Amendment (free speech) to an ongoing debate about money in politics.

Presidential campaigns can also use public financing, a system that matches small donations if a candidate agrees to spending limits. Since 2000 almost all major candidates have declined it because private fundraising raises far more. Meanwhile, online fundraising has made small donors more important, and campaigns now spend heavily on data, digital ads, and targeted messaging. Understanding who gives and who spends helps you judge the claims on each side.

Group	Money rules	Disclosure
Traditional (connected) PAC	Raises limited contributions from individuals; can give limited amounts directly to candidates	Reports donors to the FEC
Super PAC	Unlimited contributions and spending; independent of candidates	Reports donors to the FEC
527 organization	Tax-exempt political group; historically used for issue advocacy	Must report to the IRS and, in many cases, the FEC
501(c)(4) social welfare group	Can spend on politics if it is not the primary purpose; unlimited	Does not have to disclose donors ("dark money")

Arguments for regulation: large donations can buy access and influence; spending gaps advantage the wealthy; the public loses trust when money seems to buy results; and rising costs push candidates to fundraise constantly instead of governing. **Arguments against:** restrictions limit political speech; groups of all ideologies use money to participate; limits protect incumbents who have free media; and disclosure rules may chill donors. In *McCutcheon v. FEC* (2014), the Court struck down overall limits on how much one donor could give to all candidates in total, continuing the trend of treating money as speech.

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EXAMPLE 1: CLASSIFYING A GROUP

A group raises \$20 million from a few wealthy donors and corporations, and buys ads attacking a Senate candidate. It never talks to the candidate's campaign. Identify the type of group and the case that made it possible.

SOLUTION

It spends unlimited money independently and does not coordinate, which describes a Super PAC.

Citizens United v. FEC (2010) held that independent expenditures by corporations and unions cannot be banned; combined with SpeechNow, this allowed unlimited fundraising for independent spending.

A traditional PAC could not accept such large donations, and a campaign committee could not accept them either.

EXAMPLE 2: APPLYING BUCKLEY

Congress passes two laws: (1) no individual may give a candidate more than \$3,000 per election; (2) no group may spend more than \$1 million on its own ads about a candidate. Which is more likely constitutional?

SOLUTION

Under Buckley, contribution limits (law 1) are allowed because they address corruption or its appearance.

Law 2 limits independent expenditures; Buckley and Citizens United treat these as protected speech.

Law 1 is likely constitutional, law 2 is likely unconstitutional.

Common mistakes

Citizens United did not allow corporations to give unlimited money directly to candidates, and it did not abolish disclosure. It struck down bans on independent spending. Also do not say Super PACs coordinate with campaigns; if they do, the spending is treated as a contribution.

Practice**SET A Check Your Understanding**

Answer each item in two or three sentences.

1. State the holding of Buckley v. Valeo in two parts.
2. What did the Bipartisan Campaign Reform Act of 2002 do?
3. Explain how Citizens United v. FEC relates to the First Amendment.
4. Distinguish a Super PAC from a traditional PAC.
5. What is the role of the Federal Election Commission?
6. Give one argument for and one against limiting campaign spending.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which of the following was upheld as constitutional in *Buckley v. Valeo*?
(A) Limits on independent expenditures
(B) Limits on a candidate's spending of personal funds
(C) Limits on contributions to candidates
(D) A ban on all corporate speech
(E) A ban on all political advertising
8. The 2010 decision in *Citizens United v. FEC* most directly led to the rise of
(A) Super PACs
(B) soft money to the national parties
(C) caucuses
(D) the Electoral College
(E) public financing of congressional races
9. Which describes "dark money"?
(A) Spending by groups such as 501(c)(4) organizations that need not reveal their donors
(B) Money given to presidential candidates in matching funds
(C) Donations to political parties
(D) Campaign money spent after an election
(E) Contributions that exceed legal limits
10. A critic of *Citizens United* would most likely argue that the decision
(A) restricts the free speech of individuals
(B) increases the influence of wealthy interests over elections
(C) bans corporations from politics
(D) raises contribution limits to candidates
(E) eliminates the FEC
11. Which pairing correctly matches a law with its goal?
(A) FECA - ending the Electoral College
(B) Buckley - allowing literacy tests
(C) Citizens United - creating the FEC
(D) BCRA - banning soft money
(E) McCutcheon - lowering the voting age
12. A campaign is NOT permitted to do which of the following under current law?
(A) Accept an individual's contribution within the legal limit
(B) Coordinate spending directly with a Super PAC
(C) Report donors to the FEC
(D) Hire professional consultants
(E) Run ads stating that the candidate approves the message

SET C Apply and Extend

Write a complete response in the style of an AP free-response question.

13. *Citizens United v. FEC* (2010) is a required Supreme Court case. (a) Identify the constitutional clause at the heart of the decision. (b) Explain how the holding affected the way corporations can participate in elections. (c) Explain one argument critics make against the decision.
14. Compare the approaches to campaign finance regulation in *Buckley v. Valeo* and *Citizens United v. FEC*. Identify one similarity and one difference, and evaluate which approach better balances speech and fair elections.

5.4 Political Parties

Describe the functions and organization of parties, explain why the U.S. has two major parties, and analyze realignment, third parties, and polarization.

Political parties are organizations that nominate candidates and try to win elections in order to control government. They are central **linkage institutions**, meaning channels through which citizens communicate preferences to policymakers. The other linkage institutions are elections, interest groups, and the media.

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Parties perform several functions: they recruit and nominate candidates; mobilize and educate voters; run campaigns, including fundraising and media strategy; write **party platforms** (formal statements of positions every four years at national conventions); organize legislatures through committee assignments and leadership posts; and give voters a shortcut by which to judge candidates. Platforms matter as statements of values, but candidates are not bound to them.

Party organization is decentralized. At the national level are the Democratic National Committee and Republican National Committee, which plan conventions, raise money, and support campaigns. State and local committees register voters and recruit candidates. In Congress, the majority and minority party leadership, party caucuses, and whips organize voting and committee control.

Key idea: why the United States has two major parties

Duverger's law: single-member districts with plurality (winner-take-all) elections tend to produce two dominant parties.

Voters avoid "wasting" votes on candidates unlikely to win, so support consolidates behind the two leading parties.

Proportional representation systems, which award seats by vote share, support multiparty systems.

Third parties and independents (such as the Bull Moose Progressives in 1912, Ross Perot in 1992 with about 19 percent of the vote, and Green and Libertarian candidates) rarely win electoral votes. Structural barriers include winner-take-all districts, difficult ballot access laws, debate participation thresholds, and lower access to money. A second barrier is that major parties often **absorb** the popular ideas of third parties. For example, many Progressive and Populist ideas were later adopted by Democrats and Republicans. Third parties may still influence elections by acting as **spoilers** that draw votes from a major-party candidate, and they bring new issues onto the agenda.

Barrier to third parties	How it works
Winner-take-all elections	Second place earns nothing, so supporters drift to viable candidates
Ballot access laws	Petition signatures and filing fees differ by state
Debate rules	Polling thresholds can exclude minor candidates
Fundraising gap	Fewer donors and less media coverage
Absorption of ideas	A major party adopts the popular platform plank

A **realignment** is a lasting shift in the coalitions of voters supporting each party. It is often triggered by a **critical election** in which new issues and voting blocs emerge, such as 1860 (slavery and the rise of the Republicans), 1932 (the Great Depression and the New Deal coalition), and 1980 and 1994 for later shifts. The New Deal coalition united urban workers, unions, minorities, and southern whites under Democrats. Since the 1960s, the South moved toward Republicans and many suburban and college-educated voters moved toward Democrats. Parties adapt their messaging to appeal to demographic coalitions, and new technology, such as voter databases and social media, lets them target and mobilize supporters.

Many scholars describe a decline and then a resurgence of parties. Their role in nominating candidates weakened because of primaries, candidate-centered campaigns, television, and political consultants. More voters are independents or split their tickets. At the same time, parties gained strength in fundraising, voter data, and in Congress, where leaders enforce party discipline. **Polarization**, the widening ideological distance between the parties, has grown since the 1970s. It is visible in party-line votes in Congress and in how few moderates remain. Sorting by ideology, geography, and media consumption reinforces it.

Party identification is a voter's long-term psychological attachment to a party, often formed in childhood through family and reinforced by peers, region, and experience. It is the best single predictor of vote choice. Each party relies on a coalition: Democrats today draw heavily from urban voters, Black voters, Latino voters, women, and younger voters, while Republicans draw from rural voters, evangelical Christians, and older white voters. Parties modify their messages to hold their coalitions together and attract new groups, and these shifts can eventually produce a realignment. A memory aid for party functions is R-M-P-O: Recruit, Mobilize, Platform, Organize government.

Key terms

Party platform: a party's official statement of goals and positions.

Critical election: an election that signals a lasting shift in party coalitions.

Realignment: a long-term change in which groups support which party.

Polarization: ideological distance between parties, often measured by roll call votes.

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EXAMPLE 1: EXPLAINING A THIRD-PARTY RESULT

A third-party candidate receives 9% of the national popular vote and no electoral votes. Explain why.

SOLUTION

Under winner-take-all rules a state's electors go to the plurality leader in that state, so 9% spread across states is not enough to win any state.

Votes are not concentrated enough in any state to win, and Duverger's law predicts voters will move to viable candidates.

The candidate may still affect the race by pulling votes away from one major candidate or by pushing the agenda.

EXAMPLE 2: LINKING TECHNOLOGY TO PARTY STRATEGY

Explain how voter data and social media have changed how parties mobilize voters.

SOLUTION

Parties compile voter files with consumer and past-voting data, allowing precise targeting of potential supporters.

Social media lets parties deliver messages directly and fundraise cheaply without relying on mass media.

One benefit is higher efficiency in turnout efforts; one drawback is that targeted messages may deepen polarization and spread misinformation.

Common mistakes

Do not say the Constitution creates the two-party system; it is a product of electoral rules. Realignment is a lasting change in coalitions, not just a single winning party. Also, party platforms are not binding laws or contracts.

Practice**SET A Check Your Understanding**

Answer each item in two or three sentences.

1. List three functions of political parties.
2. Explain Duverger's law.
3. Name two structural barriers facing third-party candidates.
4. What is a critical election, and why does it matter?
5. What is party polarization?
6. Explain one way parties have declined in influence and one way they have remained strong.

SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which of the following best explains why the U.S. has a two-party system?
(A) The Constitution requires two parties
(B) Third parties are illegal
(C) Winner-take-all single-member districts discourage minor parties
(D) The Electoral College abolishes primaries
(E) Voters prefer fewer choices by law
8. Which election is generally considered a critical election that created the New Deal coalition?
(A) 1932 (B) 1800 (C) 1860 (D) 1968 (E) 2008
9. A party platform is best described as
(A) a binding contract with voters
(B) a federal law
(C) a poll of voters
(D) a campaign finance report
(E) a list of the party's positions and goals adopted at its convention

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10. Which development has most weakened parties' role in nominations?
 - (A) The ban on caucuses
 - (B) The rise of primary elections
 - (C) The abolition of conventions
 - (D) The 17th Amendment
 - (E) The Voting Rights Act
11. Proportional representation systems, compared with U.S. winner-take-all elections, generally
 - (A) produce fewer parties
 - (B) eliminate elections
 - (C) give all seats to the largest party
 - (D) make it easier for small parties to win seats
 - (E) require two parties
12. Which is an example of a major party absorbing a third-party agenda?
 - (A) The Libertarian Party winning the presidency
 - (B) Populist ideas such as the graduated income tax later being adopted by major parties
 - (C) A new third party never forming
 - (D) The Republican Party splitting in 2020
 - (E) Voters boycotting the election

SET C Apply and Extend

Write a complete response in the style of an AP free-response question.

13. Scenario: In a presidential election, a third-party candidate draws 4% of votes, mostly from people who otherwise would have voted for the Democratic nominee, and the Republican wins a close state. (a) Identify the term for this effect. (b) Explain how winner-take-all rules cause voters to hesitate to support third parties. (c) Explain one way third parties can still influence policy.
14. Evaluate the claim that political parties are weaker today than in the past. Use two specific pieces of evidence and consider a counterargument.

5.5 Interest Groups and Lobbying

Classify interest groups, explain their tactics and the free-rider problem, and compare pluralist and elite views of their influence.

An **interest group** is an organization of people with shared policy goals who try to influence government decisions. Unlike parties, interest groups do not run candidates under their own label; they pressure those who hold office. They are linkage institutions that give citizens a voice between elections, and they are protected by the First Amendment rights to assemble, petition, and speak. James Madison worried about the "mischiefs of faction" in Federalist 10 and argued that a large republic with many competing groups would keep any one from dominating.

Type	Goal	Example
Economic or business	Protect members' financial interests	U.S. Chamber of Commerce, labor unions such as the AFL-CIO
Professional	Advance a profession	American Medical Association
Public interest	Policies said to benefit all, not just members	Common Cause
Single-issue	One narrow issue, often intensely	National Rifle Association, groups opposed to abortion or defending abortion rights
Ideological	Broad philosophy	Club for Growth, ACLU
Government groups	Represent state and local governments	National Governors Association

Interest groups influence government in two broad ways. **Insider strategies** work within the system: direct **lobbying** of members of Congress and agency staff, providing research and testimony, helping draft bills, and building relationships. **Outsider strategies** mobilize the public or the courts: grassroots campaigns, advertising, protests, and litigation, including filing **amicus curiae** briefs. Groups also influence elections by endorsing candidates, mobilizing members, and giving through PACs. A common criticism is the **revolving door**, in which former officials become lobbyists and lobbyists take government jobs.

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Key idea: the free-rider problem

A free rider enjoys a benefit that a group wins without paying the costs of membership.

Because collective goods (like a tax break for an industry) help everyone whether or not they join, individuals have little reason to join or donate.

Groups overcome it with selective incentives, such as magazines, discounts, insurance, or social events open only to members, and with purposive benefits such as the satisfaction of supporting a cause.

Two theories describe who wins. **Pluralist theory** says power is spread among many groups competing for influence; no single group dominates, and groups check each other. **Elite theory** says a small group of wealthy, well-connected people dominates policymaking, so the public's voice is weak. Evidence for pluralism includes the number of organizations on all sides of most issues. Evidence for elite theory includes the large resource gaps between business groups and ordinary citizens, and unequal access to decisionmakers.

Theory	Who holds power	Role of interest groups
Pluralist	Many competing groups	Balance each other and give citizens representation
Elite	Small wealthy, connected minority	Reinforce advantages of the powerful
Hyperpluralist	Too many groups	Make government weak and gridlocked by overlapping demands

Key idea: iron triangles and issue networks

Iron triangle: a stable, mutually beneficial relationship among a congressional committee, a bureaucratic agency, and an interest group.

Issue network: a looser, shifting web of officials, experts, advocacy groups, and journalists interested in a policy area.

Both help groups influence policy across party lines.

Groups differ in resources. Wealthy and well-organized groups can hire lobbyists, fund research, and contribute to campaigns. Groups of ordinary citizens or the poor often lack such resources, which is why scholars say the "pressure system" has an upper-class accent. Regulation attempts to improve transparency: the Lobbying Disclosure Act of 1995 requires lobbyists to register and report, and the Honest Leadership and Open Government Act of 2007 limited gifts to members of Congress and lengthened cooling-off periods before they can become lobbyists. Lobbying itself is legal and constitutionally protected, as it is the right to petition the government.

Interest groups are also active in shaping the budget and in implementing laws. Once Congress passes a statute, agencies write detailed rules, and groups comment on proposed rules, meet with regulators, and sue if they dislike the result. Professional organizations, the military, social movements, and agencies themselves compete at each stage of the federal budget process, from the president's proposal to appropriations bills. This explains why a group that loses in Congress can often continue the fight in the bureaucracy or the courts. Remember that PACs are the electoral arm of many groups: they collect donations from members and pass limited contributions to candidates who share their goals. Influence is not guaranteed, though: a group's success depends on its size, intensity, funding, cohesion, and whether public opinion is on its side.

EXAMPLE 1: IDENTIFY STRATEGIES

A retirees' association testifies before a Senate committee, files an amicus brief in a Social Security case, and urges members to call their representatives. Classify each tactic.

SOLUTION

Testifying before a committee is an insider strategy (lobbying).

Filing an amicus brief is an indirect tactic of litigation to influence courts.

Urging members to call representatives is a grassroots (outsider) strategy.

Together they show that groups often use multiple strategies at the same time.

EXAMPLE 2: APPLYING THE FREE-RIDER PROBLEM

Explain why a union may offer members discounted health insurance.

SOLUTION

Union contract gains, such as higher wages, benefit all workers in a workplace, whether or not they pay dues.

Because workers could free ride, the union needs a reason to join.

Discounted insurance is a selective incentive available only to members, so it increases membership.

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Exam tip

When asked how groups influence policy, name the target (Congress, agency, court, or public) and the tactic. When asked to compare pluralism and elitism, mention who has power and give an example of evidence for each. Remember that interest groups are not parties: they seek influence, not control of government.

Practice**SET A Check Your Understanding**

Answer each item in two or three sentences.

1. Define interest group and explain how it differs from a political party.
2. Explain the free-rider problem and one solution.
3. Describe pluralist theory.
4. What is an iron triangle?
5. Give two insider and two outsider tactics used by interest groups.
6. Identify one way the government regulates lobbying.

SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which best describes elite theory?
(A) Power is spread evenly among citizens
(B) Government is too weak because of too many groups
(C) A small group of wealthy individuals and institutions dominates policy
(D) Political parties control interest groups
(E) Interest groups are illegal
8. An interest group offers its members a free magazine and discounted travel insurance. These benefits are meant to
(A) overcome the free-rider problem
(B) lobby legislators directly
(C) run candidates for office
(D) repeal campaign finance laws
(E) create an iron triangle
9. Which is an outsider strategy?
(A) Drafting a bill with a committee staffer
(B) Testifying at a committee hearing
(C) Meeting privately with an agency official
(D) Hiring a former congressman as a lobbyist
(E) Organizing members to write letters and hold a rally
10. The relationship among a House subcommittee, an agency, and an industry group is called
(A) an issue network
(B) an iron triangle
(C) a faction
(D) a realignment
(E) a caucus
11. Federalist 10 argues that factions are best controlled by
(A) abolishing liberty
(B) a strong executive
(C) state sovereignty
(D) a large republic with many competing interests
(E) a ban on political parties
12. Which would most likely be used as evidence for pluralist theory?
(A) Business groups spend vastly more on lobbying than citizens' groups
(B) Many groups with opposing views participate on most issues
(C) A few families fund most campaigns
(D) Former officials often become lobbyists
(E) Congress rarely hears from the public

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SET C Apply and Extend

Write a complete response in the style of an AP free-response question.

13. Explain how interest groups influence the policy process. (a) Identify one insider and one outsider tactic. (b) Explain one way unequal resources among groups may affect policy outcomes. (c) Explain how the free-rider problem limits group power.
14. Evaluate whether interest groups help or harm democracy. Use pluralist and elite theories in your answer and give a specific example.

5.6 The Media and Political Communication

Explain the media's roles and effects, how they are regulated, and how changing technology affects political knowledge and participation.

The media are the main way most citizens learn about politics. They are also a **linkage institution**, because they carry information from citizens to government and from government to citizens. How the media cover politics, and how that coverage is changing, affects what people know, what they think is important, and how they vote.

The media perform several roles. They **inform** the public about events and policy, serve as a **watchdog** by investigating wrongdoing, act as a **gatekeeper** by deciding which stories get attention, provide a forum for debate and commentary, and sometimes help set the public agenda. Traditional media include newspapers, radio, and broadcast and cable television. New media include websites, podcasts, streaming, and social media, where anyone can publish and share instantly. Americans, especially younger ones, now rely heavily on online sources and social platforms for news.

Key idea: agenda setting and framing

Agenda setting: the media influence what issues the public thinks are important by choosing what to cover.

Framing: how a story is presented (its angle, words, and images) shapes how audiences interpret it.

Priming: coverage of a topic makes it a standard that voters use to judge leaders.

Election coverage often emphasizes **horse-race journalism**: who is ahead in the polls, who is raising money, and who is gaining ground, instead of detailed policy positions. Reporters also rely on short **sound bites**. Critics say this makes elections seem like games, focuses attention on personality, and lowers political knowledge. Defenders say people are interested in who is winning and that polls show public opinion. Polling results themselves can influence elections by affecting fundraising, enthusiasm, and who gets coverage.

Traditional media	New media and social media
Editors and professional standards act as gatekeepers	Almost anyone can publish; little gatekeeping
Mass audience with similar information	Targeted audiences and personalized feeds
Slower news cycle	Instant, continuous news cycle
Clearer accountability for errors	Greater risk of misinformation and rumors
Costly to produce, dependent on advertising	Cheap to produce, spread through shares and algorithms

Media bias is a long-running controversy. Some argue that mainstream news outlets lean left or right, or that commercial pressures cause bias toward sensational stories. Research shows that audiences often practice **selective exposure**, choosing sources that match their views. Algorithms may produce **echo chambers** or filter bubbles, where people mainly see information that reinforces existing beliefs. Partisan outlets and talk programs have grown because audiences want opinion, and media ownership has become concentrated in a small number of large companies. The result is a debate about credibility, polarization, and whether citizens share common facts.

Regulation differs by medium. The **Federal Communications Commission (FCC)**, created under the Communications Act of 1934, licenses broadcast radio and television stations, which use public airwaves. Rules once included the Fairness Doctrine, requiring balanced coverage of controversial issues, which the FCC dropped in 1987, and still include the equal time rule for candidates on broadcast stations and limits on indecent content. Print media and the internet have far less regulation.

The media also affect elections directly. Candidates buy advertising, give interviews, appear in debates, and use social media to bypass reporters. Free (earned) media coverage can matter as much as paid advertising. Negative ads may lower turnout among some voters, while fact-checkers try to hold candidates accountable. Studies of political knowledge find that people who follow news closely know more about politics, but a large share of citizens gets information mostly from entertainment or friends' posts. For participation, this means online platforms can lower the cost of getting involved yet also leave citizens unsure which sources are credible.

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Key case: New York Times Co. v. United States (1971)

The government tried to stop newspapers from publishing the Pentagon Papers, a secret study of the Vietnam War.

Holding: the government failed to meet its heavy burden to justify **prior restraint**, an order blocking publication in advance.

Significance: the First Amendment protects press freedom strongly; the government must show a very serious and direct harm to national security.

Press freedom comes from the First Amendment. Prior restraint is almost always unconstitutional, and the Court has made it difficult for public officials to win libel suits (*New York Times v. Sullivan*, 1964). Press freedom is not unlimited: libel, certain obscenity, and some threats are not protected, and reporters sometimes face pressure to reveal sources.

EXAMPLE 1: AGENDA SETTING

For two weeks, local television news covers a rise in car thefts daily, and a poll then shows residents rank crime as the top issue even though crime statistics are flat. Which concept does this illustrate, and why?

SOLUTION

It illustrates agenda setting: the media influenced what the public views as important by emphasizing the story.

The contrast with flat statistics shows the media affect perceptions of issues, not only facts.

If the stories had described the thefts as a sign of a failing city government, that would be framing as well.

EXAMPLE 2: APPLYING NYT V. UNITED STATES

A court is asked to block a newspaper from printing a leaked report on a military program. Which precedent applies, and what must the government show?

SOLUTION

The relevant precedent is *New York Times Co. v. United States* (1971), which concerned prior restraint.

The government must overcome a heavy presumption against prior restraint by showing a direct, serious threat to national security.

Mere embarrassment or general claims of secrecy are not enough, so the court would likely allow publication.

Common mistakes

Do not confuse agenda setting (what to think about) with framing (how to think about it). Do not say the FCC regulates newspapers or the internet content directly. And remember that prior restraint is different from punishment after publication.

Practice**SET A Check Your Understanding**

Answer each item in two or three sentences.

1. Explain the media's role as a linkage institution.
2. Distinguish agenda setting from framing.
3. What is horse-race journalism, and why do critics object?
4. Describe the FCC's role.
5. What did the Supreme Court decide in *New York Times v. United States*?
6. Explain how social media may reinforce existing beliefs.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. A news channel's coverage of a campaign mostly highlights who is leading in polls. This is an example of
(A) investigative journalism (B) equal time (C) horse-race coverage
(D) prior restraint (E) selective exposure
8. Which constitutional provision most directly protects press freedom?
(A) The First Amendment
(B) Article I, Section 8
(C) The Tenth Amendment
(D) The Fourteenth Amendment's equal protection clause
(E) Article III
9. Which of the following is an example of the FCC's regulatory power?
(A) Blocking a newspaper from printing a story
(B) Banning political ads on the internet
(C) Licensing blogs
(D) Ruling on libel cases
(E) Enforcing equal time rules for candidates on broadcast stations
10. The tendency of people to choose news sources that match their views is called
(A) gatekeeping (B) selective exposure (C) framing
(D) agenda setting (E) priming
11. Which statement about new media is most accurate?
(A) They have stronger gatekeepers than traditional media
(B) They are regulated more heavily than broadcast media
(C) They cannot be used for fundraising
(D) They have lowered the cost of publishing and spread news instantly
(E) They have eliminated media bias
12. Which would most likely be an example of framing?
(A) A station refusing to air a candidate
(B) A newspaper describes a tax proposal as a 'relief for families' while another calls it a 'giveaway to the rich'
(C) A government order to stop publication
(D) An agency licensing a station
(E) A poll about turnout

SET C Apply and Extend

Write a complete response in the style of an AP free-response question.

13. The Pentagon Papers case is a required Supreme Court case. (a) Identify the First Amendment principle at issue. (b) Explain the Court's reasoning. (c) Explain how the holding applies if the government tried to punish a newspaper after it published classified information.
14. Evaluate the claim that social media has improved democratic participation. Use two pieces of evidence and address a counterargument.

5.7 Participation Beyond Voting and Linkage Institutions

Describe forms of participation beyond voting, explain how social movements and digital activism affect policy, and review how to write a strong argument essay.

Voting is only one form of political participation. Citizens also contact officials, sign petitions, donate, volunteer in campaigns, attend meetings, boycott companies, protest, and join groups. These activities matter because elected officials respond most to people who are visibly engaged, and because participation beyond voting can change which issues reach the agenda at all.

Political scientists separate **conventional** participation (voting, campaigning, donating, contacting officials) from **unconventional** participation (protests, marches, sit-ins, boycotts). Those with higher income and education, older citizens, and people with a strong sense of **political efficacy** tend to participate more in conventional ways. Protest is often used by groups that lack other power and can raise attention to a problem that institutions have ignored.

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Key idea: linkage institutions

Linkage institutions are channels through which citizens' preferences reach policymakers.

The four to know are: political parties, interest groups, elections, and the media.

Each has strengths and limits: parties aggregate interests, groups represent intensely felt views, elections choose officials, and media inform and amplify.

Linkage institution	How it connects citizens to government	Limit
Elections	Choose leaders and give voters a chance to hold them accountable	Infrequent and a blunt signal of what voters want
Political parties	Offer packages of positions and mobilize voters	Few choices; may follow donors or activists
Interest groups	Press specific demands on legislators and agencies	Unequal resources and free-rider problems
Media	Spread information and expose problems	Bias, sensationalism, and echo chambers

A **social movement** is a sustained, organized effort by people outside government to change policy or society. The women's suffrage movement helped win the 19th Amendment; the labor movement won workplace protections; the Civil Rights Movement achieved the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Martin Luther King Jr. explained the logic of **civil disobedience** in his "Letter from Birmingham Jail" (1963): nonviolent direct action creates a crisis that forces a community to confront injustice, and people have a moral duty to disobey unjust laws while accepting the consequences. More recent movements include the Tea Party, Occupy Wall Street, and Black Lives Matter, which show how movements can influence parties and public conversation across the ideological spectrum.

Movements affect **policy outcomes** in several ways: they draw media attention, shift public opinion, pressure legislators, create new interest groups, and sometimes bring about a realignment of voting blocs. They succeed more often when they have clear goals, organized leadership, allies in government, and favorable public opinion. Many also use the courts. Because movements are sustained over time, they differ from one-time protests.

Smaller acts matter too. A **petition** shows officials that a number of citizens care about an issue and can be a first step toward a ballot initiative in states that allow them. Volunteering for a campaign or community group builds skills and social ties that increase later participation, and attending town halls or writing letters gives lawmakers direct feedback. Because most legislators track constituent contact, a handful of personalized messages can carry more weight than a form letter.

Digital activism has changed participation. Online petitions, hashtags, crowdfunding, and livestreaming reduce the cost of joining a cause and help movements organize rapidly. Critics argue that low-cost online engagement (sometimes called slacktivism) produces weak ties and less commitment than the sustained risk-taking of earlier movements. Evidence is mixed: online campaigns often work best when they lead to offline action like voting, marching, or donating.

Youth participation is a recurring concern. Citizens aged 18 to 29 vote at lower rates than older groups, partly because they move frequently, face registration hurdles, and feel less connected to parties. Still, young people are active in volunteering, protesting, and online campaigns, and turnout among them rose in recent elections. Civic education, easier registration, and campus voting efforts can narrow the gap.

Writing the argumentation essay

Claim: one defensible thesis that responds to the prompt and establishes a line of reasoning.

Evidence: at least two pieces, and at least one must come from a required foundational document or course content.

Reasoning: explain how each piece supports the claim; do not just list facts.

Respond to an opposing view with a concession, rebuttal, or refutation.

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EXAMPLE 1: THESIS AND EVIDENCE

Prompt: Develop an argument that protest is an effective means of political participation. Write a thesis and name two pieces of evidence.

SOLUTION

Thesis: Protest is effective because it draws media attention to excluded groups and builds pressure that conventional channels ignore.

Evidence 1: The Civil Rights Movement, using marches and civil disobedience described in the Letter from Birmingham Jail, helped lead to the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

Evidence 2: The women's suffrage movement of protests and petitions contributed to ratification of the 19th Amendment.

Next step: explain how each shifted public opinion and forced lawmakers to act, then address the view that protests often fail without allies in government.

EXAMPLE 2: CLASSIFYING PARTICIPATION

Classify each as conventional or unconventional: (a) a citizen emails a state senator; (b) students stage a sit-in at a school board meeting; (c) a retiree donates to a campaign.

SOLUTION

(a) Conventional: contacting officials is routine participation.

(b) Unconventional: a sit-in is a protest tactic outside normal channels.

(c) Conventional: donating is a standard campaign activity.

Both kinds can influence policy; unconventional tactics are more often used by groups that lack access.

Exam tip

On the argumentation essay, name the specific document or case (such as Letter from Birmingham Jail, Federalist 10, or Citizens United) and connect it to your claim. A claim restating the prompt earns no point, and evidence without reasoning does not earn the reasoning point.

Practice**SET A Check Your Understanding**

Answer each item in two or three sentences.

1. Give three forms of political participation other than voting.
2. Distinguish conventional from unconventional participation, with an example of each.
3. List the four linkage institutions.
4. What argument does the Letter from Birmingham Jail make about civil disobedience?
5. Describe one advantage and one limitation of digital activism.
6. Why might young people participate less in elections than older citizens?

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which of the following is a linkage institution?
(A) The Supreme Court (B) The Cabinet (C) The media
(D) The Electoral College (E) The civil service
8. A group of citizens organizes sit-ins and marches to protest a law they consider unjust. This best illustrates
(A) unconventional participation (B) iron triangles
(C) conventional participation (D) retrospective voting
(E) party-line voting
9. Which factor best predicts higher political participation?
(A) Lower education (B) Age under 25
(C) Living in a state with no elections (D) Lack of media use
(E) Higher political efficacy
10. Critics of online activism most often argue that it
(A) reaches too few people
(B) creates weak commitment compared with sustained offline action
(C) is illegal
(D) cannot raise money
(E) has no effect on media
11. Which movement is most closely connected to passage of the Voting Rights Act of 1965?
(A) Temperance movement (B) Populist movement (C) Tea Party
(D) Civil Rights Movement (E) Environmental movement
12. In an argumentation essay, which of the following would earn the evidence point?
(A) Restating the prompt
(B) Citing the Letter from Birmingham Jail and explaining its relevance to the claim
(C) Listing three adjectives
(D) Writing about the author's life only
(E) Naming a movement without any explanation

SET C Apply and Extend

Write a complete response in the style of an AP free-response question.

13. Scenario: Students at a high school organize a petition, a social media campaign, and a walkout demanding later school start times. (a) Identify the type of participation used in the walkout. (b) Explain one way the petition and social media campaign could influence the school board. (c) Explain one limitation of relying on social media for the campaign.
14. Argumentation: Develop an argument that interest groups, not individual voters, are the most important linkage institution. Use at least one piece of evidence from a required foundational document or case, and respond to an opposing view.

5.8 Multiple-Choice Practice: Political Participation

Practice with 20 AP-style questions covering voting, elections, campaign finance, parties, interest groups, media, and participation.

Choose the best answer for each question. Some questions use tables or short statements. After each set, read the explanation for every item, including those you answered correctly.

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SET A Core Concepts

Choose the best answer for each question.

1. Which amendment prohibits denying the right to vote on account of sex?
(A) 15th (B) 24th (C) 19th (D) 26th (E) 17th
2. The Voting Rights Act of 1965 most directly responded to which problem?
(A) Literacy tests and other devices used to keep Black citizens from voting
(B) Lack of a national voter registration form
(C) Low turnout among young citizens
(D) Corporate spending in campaigns
(E) Gerrymandering by independent commissions
3. A voter punishes the governing party because of an economic downturn. This voter is using which model?
(A) Prospective voting (B) Party-line voting (C) Rational choice only
(D) Random voting (E) Retrospective voting
4. Under the Twelfth Amendment, if no presidential candidate wins an electoral majority, the president is chosen by
(A) the Senate
(B) the House, with one vote per state delegation
(C) the Supreme Court
(D) a national runoff
(E) the outgoing president
5. Which statement about Buckley v. Valeo (1976) is correct?
(A) It upheld limits on independent expenditures
(B) It banned corporate PACs
(C) It created the FEC
(D) It upheld contribution limits but struck down limits on independent spending
(E) It lowered the voting age
6. Which best explains why third parties struggle in U.S. presidential elections?
(A) They are barred by the Constitution
(B) Winner-take-all rules reward only first place
(C) They cannot raise money
(D) The Senate chooses electors
(E) Voters lack information about them
7. An iron triangle consists of
(A) the president, Congress, and the Court
(B) two parties and the media
(C) federal, state, and local government
(D) voters, candidates, and donors
(E) an agency, a congressional committee, and an interest group

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SET B Applications and Data

Choose the best answer for each question.

8. Use the table. Which conclusion is best supported by the data?

Age group	Presidential year turnout	Midterm year turnout
18-29	46%	28%
30-44	58%	42%
45-64	67%	55%
65 and over	71%	62%

- (A) Older citizens vote at higher rates than younger citizens in both kinds of elections
 (B) Turnout is higher in midterm years than in presidential years
 (C) Turnout among 18-29 year olds is higher than among 30-44 year olds
 (D) Age has no relationship to turnout
 (E) Turnout rises in midterms for all groups
9. Using the table, the largest drop in turnout between presidential and midterm years occurred among which group?

Age group	Presidential year turnout	Midterm year turnout
18-29	46%	28%
30-44	58%	42%
45-64	67%	55%
65 and over	71%	62%

- (A) 30-44 (B) 45-64
 (C) 65 and over (D) 18-29
 (E) All groups dropped equally
10. Using the table, what is the best explanation for the pattern of the data?

Age group	Presidential year turnout	Midterm year turnout
18-29	46%	28%
30-44	58%	42%
45-64	67%	55%
65 and over	71%	62%

- (A) Midterm elections are more heavily publicized
 (B) Older citizens cannot vote in presidential elections
 (C) Younger citizens typically have lower efficacy and face more barriers to participation
 (D) Registration is automatic for the young
 (E) The Electoral College only affects older voters
11. Use the table showing two hypothetical elections. Which statement is accurate?

Year	Candidate P electoral votes	Candidate Q electoral votes	Popular vote leader
Election 1	271	266	Q
Election 2	304	227	Q

- (A) Q won both elections
 (B) P won both elections even though Q won the popular vote
 (C) Election 2 was decided by the House
 (D) Q needed fewer than 270 electoral votes to win
 (E) The electoral vote cannot differ from the popular vote

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12. Which reform would most directly address the outcome in the table?

Year	Candidate P electoral votes	Candidate Q electoral votes	Popular vote leader
Election 1	271	266	Q
Election 2	304	227	Q

- (A) A higher voting age
(B) Longer primaries
(C) Open caucuses
(D) A national popular vote for president
(E) Stricter voter ID laws
13. A Supreme Court majority reasons that the government may not limit independent political spending by corporations and unions, because spending is a form of protected speech. This reasoning comes from which case?
(A) Citizens United v. FEC
(B) Marbury v. Madison
(C) Shaw v. Reno
(D) Baker v. Carr
(E) Engel v. Vitale
14. A group spends heavily on ads criticizing a candidate and does not disclose its donors because it is organized as a social welfare nonprofit. This group is best described as a
(A) traditional PAC
(B) political party
(C) 527 candidate committee
(D) caucus
(E) 501(c)(4) organization

SET C Exam-Level Stretch

Choose the best answer for each question.

15. Which of the following best describes the effect of the Supreme Court's decision in *Chiafalo v. Washington* (2020)?
(A) Electors must vote for the popular vote winner nationwide
(B) The Electoral College was abolished
(C) States may require electors to vote for the candidate they pledged to support
(D) Faithless electors are protected by the First Amendment
(E) Congress may appoint electors
16. A candidate wins a state with 52% of the vote and receives all of its electors, while a neighboring state splits its electors between two candidates. Which best explains the difference?
(A) Large states use proportional allocation
(B) Only swing states may split votes
(C) The Twelfth Amendment requires splitting
(D) Electors are chosen by the legislature
(E) Maine and Nebraska allocate some electors by congressional district
17. Which action by a group is an example of an outsider strategy?
(A) Testifying before a committee
(B) Organizing a mass march and ad campaign
(C) Working in an agency
(D) Writing draft legislation for a member
(E) Hiring a former staffer as a lobbyist
18. Mancur Olson's analysis of collective action best helps explain why
(A) interest groups buy television ads
(B) parties nominate candidates
(C) large groups with diffuse benefits struggle to recruit members
(D) media outlets frame stories
(E) courts hear amicus briefs
19. Which of the following is subject to the FCC's equal time rule for candidates?
(A) A broadcast television station
(B) A newspaper
(C) A personal blog
(D) A podcast
(E) A social media user

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20. Which argument is the strongest for the claim that the 2002 BCRA and Citizens United reflect an ongoing debate about money in politics?
- (A) Both laws increased turnout
 - (B) Both banned PACs
 - (C) Both were decided in the same year
 - (D) BCRA sought to limit certain political money, while Citizens United struck down part of those limits on First Amendment grounds
 - (E) Both abolished the FEC

5.9 Free-Response Practice: Political Participation

Practice four AP-style free-response questions on political participation.

These four questions mirror the AP exam: a concept application, a quantitative analysis, a comparison with a required Supreme Court case, and an argumentation essay. Questions 1 to 3 are worth 3, 4, and 4 points; the essay is worth 6 points. Write a full response before reading the model answers.

QUESTION 1 Concept Application: Interest Groups and Lobbying

Read the scenario and answer all parts. A national association of nurses wants Congress to pass a law requiring minimum nurse-to-patient ratios in hospitals. The association hires lobbyists, endorses candidates, sends emails urging members to call their representatives, and files an amicus brief in a related court case. Hospital owners' groups oppose the bill.

1. (a) Identify one insider strategy the nurses' association uses.
2. (b) Explain how the free-rider problem might limit the association's membership and power.
3. (c) Explain how the competition between the nurses' association and hospital owners' groups illustrates pluralist theory.

QUESTION 2 Quantitative Analysis: Turnout

Use the data for a hypothetical county. Registered voters and votes cast in a presidential year and the following midterm year, including voters under age 30.

4. (a) Identify the overall turnout rate of registered voters in the presidential year.
5. (b) Describe the pattern shown in the data for voters under age 30 between the two elections.
6. (c) Draw a conclusion about the effect of election type on turnout, using the data.
7. (d) Explain one reason, other than election type, why younger registered voters turn out at lower rates than the overall electorate.

QUESTION 3 SCOTUS Comparison: Citizens United v. FEC

Read the summary and answer all parts. In *McCutcheon v. FEC* (2014), the Supreme Court held that federal limits on the total amount an individual may contribute to all candidates, parties, and committees combined in an election cycle violate the First Amendment. The Court reasoned that the government may regulate contributions only to prevent quid pro quo corruption or its appearance, and that aggregate limits did little to advance that goal while restricting political association and speech.

8. (a) Identify the constitutional clause that is common to both *McCutcheon v. FEC* and *Citizens United v. FEC*.
9. (b) Based on the summary, describe the reasoning of the Court in *McCutcheon v. FEC*.
10. (c) Explain how the facts of *McCutcheon v. FEC* lead to a similar holding to *Citizens United v. FEC*.
11. (d) Explain one way the decision in *Citizens United* affected the role of outside groups in campaigns.

QUESTION 4 Argument Essay: The Electoral College

Develop an argument about whether the Electoral College facilitates or impedes democracy in the United States. In your essay, you must: articulate a defensible claim or thesis that responds to the prompt and establishes a line of reasoning; support your claim with at least TWO pieces of specific and relevant evidence, with at least one piece from a required foundational document (such as Federalist 10, Federalist 51, or the Constitution) or from another course concept; use reasoning to explain why your evidence supports your claim; and respond to an opposing or alternate perspective using refutation, concession, or rebuttal.

12. (a) Write your essay in response to the prompt above.

Answers Chapter 5: Answers and Explanations

Answers for every practice problem, numbered to match. Read the explanation even when your answer is correct.

5.1 Voting Rights and Voter Turnout

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SET A • CHECK YOUR UNDERSTANDING

1. The 19th Amendment (1920) barred denying the vote based on sex, and the 26th Amendment (1971) lowered the voting age to 18. The 26th was driven largely by the argument that 18-year-olds drafted to fight in Vietnam should be able to vote.
2. The 15th Amendment banned racial discrimination in voting on paper, but states used literacy tests, poll taxes, and intimidation to block Black voters. The VRA gave the federal government enforcement tools, including banning literacy tests and requiring review of changes in places with a history of discrimination.
3. Turnout is the percentage of eligible people who actually cast ballots. Registration is the legal step of getting on the voter rolls before voting. Many registered people still do not vote, so registration raises the possible electorate but does not equal turnout.
4. Supporters argue the laws protect public confidence and prevent fraud at the polls. Opponents argue that in-person impersonation is very rare and that the laws burden people without IDs, who are disproportionately low-income, elderly, or minority voters.
5. Retrospective voting rewards or punishes the party in power based on its recent record. Prospective voting looks forward and chooses the candidate expected to do the best job on future issues. Both are tied to the voter's evaluation of performance, but they look in opposite time directions.
6. Higher education, higher income, and older age all predict voting. Strong political efficacy and easy registration procedures also raise the odds. These patterns explain why young and low-income citizens are underrepresented at the polls.

SET B • EXAM-STYLE MULTIPLE CHOICE

7. C. The 24th Amendment (1964) targeted poll taxes. The 15th concerned race generally, and the 15th did not specifically ban poll taxes.
8. A. The VRA outlawed literacy tests and required preclearance. Lowering the voting age to 18 was the 26th Amendment, a likely mix-up.
9. E. The voter acts on perceived individual interest, which is rational choice. Prospective voting is about predicting future performance, not self-interest specifically.
10. B. Individual-initiative registration is a structural barrier. Voting is not compulsory in the United States, unlike in some higher-turnout countries that fine nonvoters.
11. D. Presidential contests draw the most voters. Primaries typically draw far fewer people than general elections.
12. B. Direct election of senators made the Senate more democratic. Extending suffrage to women was the 19th Amendment, a common mix-up.

SET C • APPLY AND EXTEND

13. (a) Voter ID requirements are a structural barrier, a rule about the process of voting. (1 point)
(b) Citizens without driver's licenses, such as some low-income, elderly, or young voters, may find it harder to obtain a qualifying ID, which could reduce their turnout. (1 point)
(c) Supporters say it deters fraud and increases public confidence that elections are fair. (1 point)
14. Scoring: (1) The 15th Amendment (1870) prohibited racial discrimination in voting in principle. (2) States evaded it for about a century using literacy tests, poll taxes, and violence. (3) The VRA gave concrete enforcement: banning literacy tests and requiring federal review of election changes in covered states. (4) Together they show that a constitutional right needs legislation and enforcement, and that social movements pressure government to act.

5.2 Elections and the Electoral College**SET A • CHECK YOUR UNDERSTANDING**

1. In a closed primary only voters registered with a party can vote in that party's contest. In an open primary any registered voter can choose which party's ballot to use. Open primaries tend to draw more moderate or independent voters.
2. Almost all states use winner-take-all, so extra votes beyond a plurality do not add electors. Candidates focus resources where a small shift could flip all of a state's electors, which means swing states, and not states that one party reliably wins.
3. A candidate needs 270 of 538 electoral votes. If nobody reaches 270, the House of Representatives chooses the president under the Twelfth Amendment, with each state delegation casting one vote.
4. A faithless elector casts an electoral vote for someone other than the candidate they pledged to support. In *Chiafalo v. Washington* (2020) the Supreme Court held that states may enforce pledges and penalize or replace faithless electors.
5. It gives states a role in choosing the president and guarantees each state at least three electors, so small states are not completely overshadowed by large ones. Defenders say this reflects the Constitution's balance between national and state power.
6. Incumbency advantage is the higher chance of winning that sitting officeholders have compared with challengers. Sources include name recognition from holding office and easier fundraising, plus staff and constituent services that build voter loyalty.

SET B • EXAM-STYLE MULTIPLE CHOICE

7. C. Caucuses are party meetings with open discussion and public preference-showing. They are not constitutional requirements, and secret ballots are the feature of primaries.
8. A. Electors equal House seats plus two senators, so $5 + 2 = 7$. Choosing 5 forgets the Senate-based electors.
9. E. The winner lost the national popular vote by roughly three million votes, so critics said it fails majority rule. Congress does not choose electors.
10. B. The compact works through state laws and takes effect only when states with 270 electoral votes join. The Maine-Nebraska plan still allocates by district.
11. D. Midterms fall between presidential years and elect the entire House and part of the Senate. They are not primaries, which come before general elections.
12. B. Defenders argue the system encourages broad coalitions and protects federalism. Equal weight for every vote is the standard that critics say it fails to meet.

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SET C · APPLY AND EXTEND

13. (a) P receives all 10 electoral votes and Q receives 0. (1 point)
 (b) Q's 2,050,000 voters receive no electoral representation although they are nearly half the state, so margins beyond a plurality and votes for the loser are effectively wasted. (1 point)
 (c) Maine and Nebraska give two electors to the statewide winner and one to the winner of each congressional district, so a state's votes can split between candidates. (1 point)
14. Scoring: (1) A clear claim. (2-3) Two accurate pieces of evidence, such as: winners can lose the popular vote (2000, 2016), swing states get the attention, or small-state weight reflects federalism and broad coalitions. (4) Reasoning that links evidence to the democratic principle named, like political equality or federalism. (5) A rebuttal or concession, for instance acknowledging that the compact could reduce disparities but could marginalize small states.

5.3 Campaigns and Campaign Finance**SET A · CHECK YOUR UNDERSTANDING**

- The Court held that limits on contributions to candidates are constitutional because they prevent corruption and its appearance. It also held that limits on independent expenditures and candidates' own spending are unconstitutional because spending is a form of protected speech.
- BCRA banned national parties from raising soft money, restricted corporate and union electioneering communications near elections, and required candidates to state that they approve their ads. It aimed to close loopholes in earlier campaign finance law.
- The Court reasoned that political spending is speech and that the government may not restrict it based on the speaker's identity. Because corporations and unions are associations of people, the Court held they have the right to spend independently from their treasuries on election messages.
- A traditional PAC has limits on how much it can accept and give directly to candidates. A Super PAC can accept unlimited contributions and spend unlimited sums, but only independently and without coordinating with candidates.
- The FEC is the independent agency that administers and enforces federal campaign finance laws. It collects disclosure reports and investigates violations, though it is often criticized for deadlocks since its commissioners are evenly divided between the parties.
- For: limits reduce the influence of wealthy donors and the appearance of corruption. Against: limits restrict political speech and may protect incumbents because challengers need to spend more to be heard.

SET B · EXAM-STYLE MULTIPLE CHOICE

- Contribution limits were upheld. Independent expenditure limits fell because the Court treated spending as speech.
- Dark money refers to political spending by organizations that do not disclose their donors. Legal limits are not what defines it.
- D. BCRA targeted soft money. The FEC was created by 1974 amendments to FECA, not by Citizens United.
- A. Super PACs are independent-expenditure-only committees. Soft money was banned by BCRA, not created by this case.
- B. Critics argue unlimited independent spending gives the wealthy and organizations outsized influence. It did not ban corporate political speech; it protected it.
- B. Coordination with a Super PAC would turn independent spending into an illegal in-kind contribution. Hiring consultants and following disclosure rules are routine and legal.

SET C · APPLY AND EXTEND

13. (a) The free speech clause of the First Amendment. (1 point)
 (b) Corporations, unions, and associations may spend unlimited amounts from their treasuries on independent political messages, which led to Super PACs. (1 point)
 (c) Critics say unlimited spending lets wealthy interests dominate political debate and creates the appearance of corruption. (1 point)
14. Scoring: (1) Similarity: both treat spending money to communicate as speech protected by the First Amendment. (2) Difference: Buckley allowed contribution limits to prevent corruption, while Citizens United removed limits on independent spending by corporations and unions. (3) A clear evaluation, e.g. that Buckley's contribution limits keep a check on direct quid pro quo corruption, or that Citizens United better protects speech. (4) Supported with reasoning about the corruption versus speech trade-off, such as disclosure as a middle path.

5.4 Political Parties**SET A · CHECK YOUR UNDERSTANDING**

- Parties recruit and nominate candidates, mobilize and educate voters, run campaigns, and organize legislative leadership and committees. These functions connect citizens to government.
- Duverger's law says that systems with single-member districts and winner-take-all elections tend toward two major parties. Voters and donors avoid backing candidates unlikely to win, so support consolidates around two options.
- Winner-take-all elections make it hard to win anything without finishing first, and ballot access rules and debate thresholds limit exposure. The major parties also adopt popular third-party ideas.
- A critical election is one that signals a lasting shift in the coalitions supporting each party, as in 1932 when the New Deal coalition formed. It matters because it reshapes party control and policy for decades.
- Polarization is the growing ideological gap between the parties. It shows up in congressional party-line voting, fewer moderates, and more conflict over compromise.
- Declined: primaries and candidate-centered campaigns mean voters, not party leaders, choose nominees. Strong: parties raise money, maintain voter databases, and control committee and leadership posts in Congress.

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SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. Plurality, single-member districts create the incentives behind Duverger's law. The Constitution does not mention parties.
9. E. Platforms announce party goals but do not bind candidates. They are not law.
11. D. Seats are awarded by vote share, so small parties win representation. The opposite occurs under winner-take-all.
8. A. The Great Depression and Franklin Roosevelt's victory in 1932 formed the Democratic coalition. The 1860 election concerned the rise of the Republicans.
10. B. Primaries shifted power from party leaders to voters. The 17th Amendment concerned Senate elections, not nominations.
12. B. Absorption of popular ideas takes the issue away from third parties. The other options do not describe adoption of agendas.

SET C · APPLY AND EXTEND

13. (a) Spoiler effect. (1 point)
(b) Because only first place wins, a vote for a candidate unlikely to win may help the voter's least-preferred major candidate, so voters choose among viable candidates. (1 point)
(c) Third parties raise new issues, forcing major parties to adopt them in their platforms. (1 point)
14. Scoring: (1) A claim that identifies a position. (2) Evidence for decline: primaries, candidate-centered campaigns, and more independents and split tickets. (3) Evidence for strength: party-line voting in Congress, fundraising, and data operations, or polarization. (4) Reasoning linking evidence to party influence. (5) A counterargument or concession acknowledging the other side, for instance parties are weaker in nominating but stronger in governing.

5.5 Interest Groups and Lobbying**SET A · CHECK YOUR UNDERSTANDING**

1. An interest group is an organization that tries to influence policy on specific issues. A party nominates candidates under its own label and tries to win control of government, while an interest group does not run candidates.
2. A free rider enjoys the benefits of a group's success without contributing. Groups offer selective incentives, such as member-only benefits, to encourage people to join.
3. Pluralist theory holds that political power is dispersed among many competing groups, so no single group dominates. Citizens are represented through the groups they join.
4. It is a stable relationship among an interest group, a congressional committee, and a bureaucratic agency that all benefit from a particular policy. It shows how groups influence policy through long-standing relationships.
5. Insider: lobbying members of Congress and providing testimony or research. Outsider: grassroots mobilization and public advertising campaigns, or protests and lawsuits.
6. The Lobbying Disclosure Act of 1995 requires lobbyists to register and disclose their clients and spending. Other rules limit gifts and impose waiting periods before former officials can lobby.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. Elite theory emphasizes concentrated power. The statement about too many groups describes hyperpluralism, not elite theory.
9. E. Mobilizing the public is an outsider tactic. The others occur inside government institutions.
11. D. Madison argued that the diversity in a large republic prevents any one faction from becoming a majority. Removing liberty is a cure he rejects.
8. A. Member-only perks are selective incentives that encourage people to join. They do not themselves constitute lobbying.
10. B. This three-part stable relationship is an iron triangle. An issue network is looser and includes more participants.
12. B. Competing groups on both sides support pluralism. The others cited support the elitist view.

SET C · APPLY AND EXTEND

13. (a) Insider: lobbying Congress or testifying; outsider: grassroots mobilization or litigation. (1 point)
(b) Groups with more money can hire lobbyists and fund campaigns, which gives them greater access and so can bias policy toward the wealthy. (1 point)
(c) Because people can benefit without joining, groups with collective goals may struggle to gain members and funds, limiting their power. (1 point)
14. Scoring: (1) A clear position. (2) Pluralist evidence, e.g. groups represent many viewpoints and give citizens a voice between elections. (3) Elite evidence, e.g. wealthy groups have more access, as with business lobbying and the revolving door. (4) A specific example, such as an iron triangle in agricultural or defense policy. (5) A conclusion that weighs the two, noting reforms such as disclosure requirements.

5.6 The Media and Political Communication**SET A · CHECK YOUR UNDERSTANDING**

1. The media connect citizens and government by informing the public about government and by conveying public concerns and opinion to officials. Along with elections, parties, and interest groups, they are a channel for communication.
2. Agenda setting is the media's influence over which issues the public sees as important. Framing is how the story is presented, such as its angle and wording, which shapes how people interpret the issue.
3. It is coverage that focuses on polls, momentum, and strategy rather than policy. Critics say it trivializes elections and leaves voters less informed about issues.

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4. The FCC licenses and regulates broadcast radio and television, which use public airwaves. It enforces rules such as equal time for candidates and limits on indecent content.
5. The Court ruled the government could not stop newspapers from publishing the Pentagon Papers because it had not met the heavy burden needed to justify prior restraint. The case protects press freedom.
6. Algorithms and user choices expose people to content they already agree with, creating echo chambers. This selective exposure can deepen polarization and spread misinformation.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. Emphasis on polls and momentum is the horse race. Selective exposure concerns audience choices, not coverage.
8. A. The First Amendment protects freedom of the press. The 14th Amendment incorporates it against states but is not the source of the right.
9. E. Equal time applies to broadcasters. The FCC does not regulate newspapers or blogs.
10. B. Selective exposure describes audience choice. Gatekeeping is what editors do.
11. D. Low costs and speed define digital media. Gatekeeping is weaker, not stronger.
12. B. The same facts are presented with different angles. Refusing to air a candidate would be gatekeeping, not framing.

SET C · APPLY AND EXTEND

13. (a) Freedom of the press and the doctrine against prior restraint. (1 point)
(b) The Court held the government had not met its heavy burden to justify blocking publication, as it did not show direct and serious harm to national security. (1 point)
(c) The ruling concerned prior restraint, not punishment afterward; the government could still pursue laws on leaks or espionage, though prosecuting a newspaper raises its own First Amendment questions. (1 point)
14. Scoring: (1) A clear claim. (2) Evidence for: lower cost of mobilizing, fundraising, and sharing information; greater access to political information. (3) Evidence against: echo chambers, misinformation, and shallow participation. (4) Reasoning linking evidence to democratic participation and knowledge. (5) A concession or rebuttal acknowledging the opposing view.

5.7 Participation Beyond Voting and Linkage Institutions**SET A · CHECK YOUR UNDERSTANDING**

1. Examples include contacting an elected official, signing petitions, donating to or volunteering for campaigns, joining an interest group, and protesting. They let citizens communicate preferences between elections.
2. Conventional participation uses established channels, such as voting or donating. Unconventional participation includes protests, marches, or boycotts that operate outside regular channels, often to draw attention.
3. Political parties, interest groups, elections, and the media. Each channels citizens' preferences to government in a different way.
4. King argues that nonviolent direct action is justified to expose injustice and force negotiation, and that individuals have a moral obligation to disobey unjust laws while openly accepting the penalty.
5. Advantage: it lowers the cost of joining and organizing, so movements can spread quickly. Limitation: low-cost engagement may produce weaker commitment than sustained offline action.
6. Young citizens move more often and face registration barriers, tend to have weaker ties to parties and community, and may feel less efficacy. These factors lower voting but not necessarily other kinds of participation.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. The media carry information between citizens and government. The Supreme Court and Cabinet are governmental institutions, not channels for citizens' preferences.
8. A. Sit-ins and marches are unconventional tactics. Conventional participation is voting or contacting officials.
9. E. People who think they can make a difference participate more. Younger age usually predicts lower turnout.
10. B. Critics emphasize shallow engagement. It actually reaches many people and can raise money.
11. D. Marches such as those in Selma pressured Congress to act. The Tea Party formed decades later.
12. B. Specific, relevant evidence from a required document supports the claim. Naming a movement with no connection does not.

SET C · APPLY AND EXTEND

13. (a) The walkout is unconventional participation (protest). (1 point)
(b) Together they show broad support and attract media attention, creating pressure on elected board members who want to be reelected. (1 point)
(c) Online support may be shallow, not translate into attendance at meetings or voting, and may not reach older voters on the board. (1 point)
14. Scoring: (1) A defensible thesis. (2) Evidence such as Federalist 10's discussion of factions or Citizens United's role in group spending. (3) A second piece of evidence, e.g. lobbying resources or iron triangles. (4) Reasoning that connects each to the claim about influence beyond elections. (5) A refutation or concession such as that elections still determine who holds office and that voters can remove officials.

5.8 Multiple-Choice Practice: Political Participation

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SET A · CORE CONCEPTS

1. C. The 19th Amendment (1920) addresses sex. The 15th concerned race.
3. E. Judging recent performance is retrospective. Prospective voting looks forward to predicted performance.
5. D. Buckley allowed contribution limits to prevent corruption but treated independent spending as protected speech. The FEC was created by the 1974 amendments.
7. E. The triad of agency, committee, and group is the definition. The branches of government are not an iron triangle.
2. A. The act targeted discrimination such as literacy tests. Low turnout among the young led to the 26th Amendment, not the VRA.
4. B. Each state delegation casts one vote in the House. The Senate chooses the vice president in that situation.
6. B. Winner-take-all rules create the pressure toward two parties. There is no constitutional ban.

SET B · APPLICATIONS AND DATA

8. A. In every row older groups have higher turnout. The data show a drop for every group from presidential to midterm, so the claim about midterms fails.
10. C. Efficacy, mobility, and registration hurdles are linked to lower youth turnout. Midterms are typically less publicized, which lowers turnout.
12. D. Choosing the winner by national popular vote would have elected Q. Voter ID laws have no effect on this outcome.
14. E. Social welfare groups are 501(c)(4)s and need not reveal donors. Traditional PACs must disclose.
9. D. The drop is 18 points for ages 18-29 versus 16, 12, and 9 for the others. The drop among 30-44 year olds is smaller.
11. B. P exceeded 270 in both elections despite losing the popular vote. Neither was decided in the House because 270 was reached.
13. A. Citizens United treats political spending as protected speech. Baker v. Carr concerns apportionment.

SET C · EXAM-LEVEL STRETCH

15. C. The Court held states may bind electors. Option stating electors cannot be bound reverses the ruling.
17. B. Public mobilization is outside strategy. The others involve direct dealing with officials.
19. A. The equal time rule applies to licensed broadcasters. Newspapers are not licensed by the FCC.
16. E. Maine and Nebraska give two electors to the statewide winner and one per district. The Twelfth Amendment deals with contingent elections.
18. C. If everyone benefits regardless of joining, people have little incentive to pay, a free-rider problem. The ads are tactics, not membership problems.
20. D. They show a conflict between regulation and speech. Citizens United narrowed BCRA but did not abolish the FEC.

5.9 Free-Response Practice: Political Participation**QUESTION 1 · CONCEPT APPLICATION: INTEREST GROUPS AND LOBBYING**

1. (a) 1 point: Lobbying members of Congress (or endorsing candidates / filing an amicus brief as legal-institutional work). Any one insider tactic named in the scenario earns the point.
2. (b) 1 point: Explanation that nurses benefit from improved staffing laws whether or not they join, so some will free ride and avoid dues. The explanation must connect nonmembership to fewer resources and weaker influence (not merely define the term).
3. (c) 1 point: Pluralist theory holds that power is dispersed among many competing groups. Here two organized groups with opposing aims compete, neither automatically wins, and citizens are represented through the groups they join.

QUESTION 2 · QUANTITATIVE ANALYSIS: TURNOUT

4. (a) 1 point: $600,000 / 800,000 = 75$ percent.
5. (b) 1 point: Turnout among voters under 30 fell from 50 percent (80,000 of 160,000) in the presidential year to 30 percent (51,000 of 170,000) in the midterm year, a drop of 20 percentage points. Describing this decline in turnout for young voters earns the point.
6. (c) 1 point: Both overall and youth turnout fall in the midterm year, which supports the conclusion that midterm elections draw fewer voters than presidential elections because they have lower visibility and less intense campaigns.
7. (d) 1 point: Acceptable reasons include lower political efficacy, residential mobility, weaker party ties, or registration and ID hurdles. The explanation must link the factor to lower turnout.

QUESTION 3 · SCOTUS COMPARISON: CITIZENS UNITED V. FEC

8. (a) 1 point: The free speech clause of the First Amendment.
9. (b) 1 point: The Court reasoned that limits on contributions are justified only to prevent quid pro quo corruption or its appearance, and aggregate limits did not meaningfully serve that goal while burdening speech and association.
10. (c) 1 point: Both decisions treat political spending or contributions as protected speech that the government may restrict only to address corruption, so both struck down restrictions that were not tailored to that goal.
11. (d) 1 point: Citizens United allowed corporations and unions to spend unlimited sums independently, which helped create Super PACs and increased the influence of outside spending relative to candidates and parties.

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QUESTION 4 · ARGUMENT ESSAY: THE ELECTORAL COLLEGE

- 12.** Scoring (6 points): 1 point for the thesis, up to 3 points for evidence, 1 point for reasoning, and 1 point for the alternate perspective. Thesis (1 point): a defensible claim that takes a position (restating the prompt earns nothing). Evidence (up to 3 points): one point for a relevant piece, two for a specific and relevant piece, and three for two specific and relevant pieces with at least one from a required foundational document (for example Federalist No. 10 on factions and large republics or the Constitution's provisions on electors); the second may be the 23rd Amendment, winners who lost the popular vote in 2000 and 2016, swing-state focus, or federalism. Reasoning (1 point): links the evidence to the claim about democracy. Alternate perspective (1 point): responds to an opposing view with a concession, rebuttal, or refutation. Model essay (facilitates): The Electoral College facilitates democracy by forcing candidates to build broad coalitions and by respecting federalism. Federalist 10 argues that a large republic with many interests keeps any single faction from dominating; the Electoral College requires candidates to win in many states and regions, not just in populous cities. The system also gives each state a minimum of three electors, so small states keep a voice. Some critics point to 2000 and 2016, when the winner lost the national popular vote, and argue that the system impedes political equality. That concern is real, but the rare mismatch must be weighed against the stability of a clear, state-certified result and incentives for broad appeal. Therefore, on balance the system supports representative democracy. A full-credit essay may argue the opposite so long as it uses accurate evidence and reasoning.

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Chapter 6: Required Documents and Court Cases.

3 sections with explanations and worked examples, then 42 practice problems. Answers and full explanations are at the end of the chapter.

6.1 The Foundational Documents

Learn the nine required documents: why each was written, what it argues, and how the exam asks you to compare them.

The AP exam does not ask you to memorize these texts word for word. It asks you to explain an author's **claim**, connect it to a constitutional principle, and **compare** it with another document. For each document, know the context (what problem prompted it), the main argument, and the idea it is most often paired with.

Document	Context	Main argument	Exam link
Declaration of Independence (1776)	Colonies break from Britain after years of taxation and royal control	Governments get their power from the consent of the governed; people hold natural rights (life, liberty, pursuit of happiness); when a government abuses them, the people may alter or abolish it	Social contract, popular sovereignty, natural rights
Articles of Confederation (1781)	First national framework, written in fear of a strong central power	A league of sovereign states with one-house Congress, one vote per state, no executive, no national courts, no power to tax; amendments needed all 13 states	Weak national government; why the Constitution replaced it
Constitution (1787)	Convention called to fix the Articles' failures such as unpaid debts and Shays' Rebellion	Separation of powers, checks and balances, federalism, and a stronger national government with taxing and commerce powers; Bill of Rights added later	Structure of the system; compare to the Articles
Federalist 10 (Madison, 1787)	Ratification debate in New York	Factions (groups pursuing narrow interests) cannot be removed without destroying liberty, so control their effects with a large republic and representation	Pluralism, interest groups, large republic
Federalist 51 (Madison, 1788)	Ratification debate	Ambition must counter ambition: separate branches, each with checks, plus federalism, protect liberty because people are not angels	Separation of powers, checks and balances
Federalist 70 (Hamilton, 1788)	Ratification debate	Energy in the executive requires a single president, which gives unity, speed, and clear accountability	Strong, unitary executive
Federalist 78 (Hamilton, 1788)	Ratification debate	The judiciary is the least dangerous branch, has neither sword nor purse, and needs life tenure to judge independently and strike down laws that violate the Constitution	Judicial review, independence
Brutus 1 (Anti-Federalist, 1787)	Ratification debate in New York	A large republic cannot represent diverse people; the Necessary and Proper and Supremacy Clauses will swallow state power; a standing army and no bill of rights threaten liberty	Anti-Federalist view; compare to Federalist 10
Letter from Birmingham Jail (King, 1963)	Written after arrest during nonviolent protests against segregation	An unjust law is no law at all; waiting is not acceptable; nonviolent direct action creates tension that forces negotiation	Civil disobedience, equality, civil rights movement

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Core rules to remember

Federalist = ratify the Constitution: large republic (Fed 10), checks and balances (Fed 51), strong president (Fed 70), independent courts (Fed 78).

Anti-Federalist = Brutus 1: fear of distant, powerful national government and no listed rights.

Declaration = why to leave a government. Articles = first government. Constitution = revised government.

Federalist 10 versus Brutus 1 is the most tested pairing. Madison argues that a large republic is a cure: with many interests spread across a wide territory, no single faction is likely to form a majority, and elected representatives filter public passion. Brutus argues the opposite: representatives in a large republic will be few, will not know their voters, and will drift toward elites, so a small republic stays closer to the people. Both want to protect liberty; they disagree about the size of the republic and the danger of national power.

Federalist 51 versus the Articles of Confederation shows the shift in design. Under the Articles, Congress did everything and had little power. Madison's structure divides power twice, horizontally among three branches and vertically between nation and states, so each part can block the others. Federalist 70 and 78 explain individual branches: Hamilton wants a vigorous executive and a judiciary able to say what the Constitution means.

Comparison pairs the exam likes

Fed 10 vs Brutus 1: remedy for faction vs fear of large republic.

Fed 51 vs Fed 70: dividing power vs concentrating executive energy (both serve liberty and accountability).

Declaration vs Birmingham letter: both appeal to natural rights and justify resisting unjust authority; King insists on nonviolence and accepts legal penalties.

Articles vs Constitution: states dominant vs national supremacy.

EXAMPLE 1: STIMULUS PASSAGE

A passage states: 'If men were angels, no government would be necessary. Ambition must be made to counteract ambition.' Identify the document, explain the claim, and apply it to a provision of the Constitution.

SOLUTION

Document: Federalist 51, written by Madison.

Claim: because people pursue self-interest, government must be built so that each branch has the motive and the means to resist the others.

Application: the president can veto a bill passed by Congress, and Congress can override with a two-thirds vote in each house. Each branch uses its own ambition to check the other, which prevents tyranny.

EXAMPLE 2: COMPARE TWO DOCUMENTS

Compare how Federalist 10 and Brutus 1 view the size of the republic.

SOLUTION

Similarity: both seek to protect liberty and prevent a government that serves narrow interests.

Difference: Madison says a large republic dilutes factions because there are many interests, so none dominates; Brutus says a large republic is too far from citizens and will concentrate power in a distant national government.

Evidence: Federalist 10's extended republic and representation; Brutus's warning about the Supremacy and Necessary and Proper Clauses and a lack of a bill of rights.

Common mistakes

Do not attribute Federalist 70 to Madison (it is Hamilton) or call Brutus a Federalist. Do not say the Declaration created the government; it justified independence. Do not treat Birmingham as violent protest: King defended nonviolent direct action. On FRQs, name the document AND explain the idea; naming alone earns no point.

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Practice

SET A Check Your Understanding

Answer each in one to three sentences.

1. Which document argues that government power comes from the consent of the governed, and what follows if a government violates natural rights?
2. List three structural weaknesses of the Articles of Confederation.
3. Explain Madison's solution to the problem of factions in Federalist 10.
4. Why does Hamilton argue in Federalist 70 for a single executive?
5. Why does Hamilton call the judiciary the least dangerous branch in Federalist 78?
6. What did Martin Luther King Jr. mean in the Birmingham letter by saying an unjust law is no law at all?

SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which document most directly supports the idea that a large republic helps control the effects of factions?
(A) Brutus 1 (B) Federalist 70
(C) Articles of Confederation (D) Federalist 10
(E) Declaration of Independence
8. A passage warns that the Supremacy Clause and the power to tax will let the national government overwhelm the states. The author most likely supports
(A) a smaller republic and protections for rights
(B) ratification of the Constitution without change
(C) a stronger executive
(D) Madison's extended republic
(E) life tenure for judges
9. Which provision of the Articles of Confederation was changed by the Constitution?
(A) One vote per state in Congress (B) State legislatures choosing all officials
(C) The need for a bill of rights (D) Annual elections for governors
(E) Power of Congress to levy taxes
10. Federalist 78 is most closely associated with which principle?
(A) Executive energy (B) Federalism (C) Judicial review
(D) Popular sovereignty (E) Civil disobedience
11. The Declaration of Independence and the Letter from Birmingham Jail both
(A) demand an end to all government
(B) appeal to natural rights to challenge unjust authority
(C) reject nonviolence
(D) argue for a larger republic
(E) reject the idea of equality
12. Federalist 51 argues that liberty is best protected by
(A) a weak national government
(B) direct democracy
(C) unlimited legislative supremacy
(D) a single branch with expertise
(E) a government that checks itself through separated and divided power

SET C Apply and Extend

Write a response that earns each scoring point.

13. (a) Identify one similarity and one difference between Federalist 10 and Brutus 1. (b) Explain how one of their arguments is reflected in the Constitution.
14. Explain how Federalist 51 and Federalist 78 together support limited government. Use one example from each.

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6.2

Required Supreme Court Cases I: Federalism, Powers, and Judicial Review

Master six required cases on judicial review, national power, representation, and campaign speech, and learn how to compare them.

For every required case, be ready to state the **facts**, the **constitutional question**, the **holding** (the Court's decision), the **reasoning** (why), and the **significance** (what changed). The free-response question that asks you to compare a required case with a non-required one rewards students who name the clause or principle that links them.

Case	Facts and question	Holding and reasoning	Significance
Marbury v. Madison (1803)	President Adams's last-minute appointee William Marbury never received his commission because Secretary of State Madison withheld it. Marbury asked the Court to order delivery under the Judiciary Act of 1789. Can the Court issue the order, and is the law valid?	Marbury had a right to the commission, but the section of the Act giving the Court that original power conflicted with Article III, which lists its original jurisdiction. A law repugnant to the Constitution is void, and it is the judiciary's duty to say what the law is.	Established judicial review : the power to strike down acts of government that violate the Constitution. Basis for the judiciary as an equal branch.
McCulloch v. Maryland (1819)	Maryland taxed the Baltimore branch of the Second Bank of the United States. Cashier James McCulloch refused to pay. Can Congress create a bank, and can a state tax it?	Unanimous. Congress may charter a bank under the Necessary and Proper Clause (implied powers); a state cannot tax a federal institution because the Supremacy Clause makes federal law supreme and the power to tax is the power to destroy.	Broad reading of national power and national supremacy over states; supports implied powers.
United States v. Lopez (1995)	Twelfth-grader Alfonso Lopez carried a handgun into a Texas high school and was charged under the federal Gun-Free School Zones Act. Did Congress exceed its Commerce Clause power?	5-4: the law was unconstitutional. Possessing a gun near a school is not economic activity and has no substantial link to interstate commerce; allowing the law would give Congress a general police power reserved to states.	First major limit on the Commerce Clause since the New Deal; revived the Tenth Amendment and federalism limits.
Baker v. Carr (1962)	Tennessee had not redrawn legislative districts since 1901, so rural votes counted far more than urban votes. Can federal courts hear a malapportionment claim, or is it a political question?	6-2: the claim is justiciable. Unequal districts can violate the Equal Protection Clause of the Fourteenth Amendment, and courts can provide a remedy.	Opened the door to one person, one vote rulings (later Reynolds v. Sims); judiciary enters redistricting.
Shaw v. Reno (1993)	After the census, North Carolina drew a bizarrely shaped majority-Black congressional district to comply with the Voting Rights Act. White voters sued. Does race-based districting violate equal protection?	5-4: a district so irregular that it can only be explained by race is subject to strict scrutiny and may violate the Equal Protection Clause. The case was sent back to lower courts.	Limits use of race as the predominant factor in drawing majority-minority districts ; links to gerrymandering.
Citizens United v. FEC (2010)	A nonprofit corporation wanted to air and advertise a film critical of Hillary Clinton close to a primary, which federal law barred. Can government restrict independent political spending by corporations and unions?	5-4: independent expenditures by corporations and unions are protected political speech under the First Amendment, and independent spending does not create corruption. Disclosure rules remained valid.	Enabled super PACs and large outside spending; central to debates about money in politics.

Judicial review and federal power in one sentence each

Marbury: courts may declare laws unconstitutional, so the Constitution stays supreme law.

McCulloch: implied powers plus Supremacy Clause equals strong national government.

Lopez: the Commerce Clause has limits, so some powers stay with states.

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Several of these cases form natural **comparison pairs**. McCulloch and Lopez both address the scope of national power, but they point in opposite directions: McCulloch expands it and Lopez restricts it. Baker v. Carr and Shaw v. Reno both concern the Fourteenth Amendment and how districts are drawn, but Baker lets courts examine equal vote weight while Shaw polices race-based line drawing. Marbury and Baker both give courts authority over areas where the political branches might claim control.

Comparison pairs

McCulloch vs Lopez: expands vs limits federal power; both use constitutional clauses (Necessary and Proper, Commerce).

Baker vs Shaw: equal population in districts vs race in district shape; both use Equal Protection.

Citizens United vs campaign finance law: speech protection vs limits on corruption.

Marbury vs McCulloch: both strengthen national institutions; Marbury strengthens the courts, McCulloch strengthens Congress.

EXAMPLE 1: APPLY THE HOLDING

Congress passes a law banning anyone from possessing a lunch box containing homemade snacks within 1,000 feet of any school. Using a required case, explain whether the law is likely constitutional.

SOLUTION

Identify the case: United States v. Lopez, which struck down a ban on possessing guns in school zones.

Apply reasoning: possession of homemade snacks is not economic activity and has no clear link to interstate commerce, as in Lopez.

Conclusion: the law likely exceeds the Commerce Clause, and the regulation of such local matters would belong to states under the Tenth Amendment.

EXAMPLE 2: COMPARE

Explain how Marbury v. Madison and Baker v. Carr each expanded the role of federal courts.

SOLUTION

Marbury: the Court claimed judicial review, the power to void laws that conflict with the Constitution.

Baker: the Court rejected the claim that districting is a political question and held that courts can hear equal protection challenges to legislative maps.

Link: in both cases the Court enlarged the judiciary's role by reaching issues the other branches might have wished to control.

Common mistakes

Marbury did not win his commission; the Court lost the case on the narrow issue yet gained a larger power. Do not say Lopez ended the Commerce Clause; it only drew a limit. Do not confuse Shaw (race-based shape) with Baker (population). Do not state that Citizens United allowed unlimited direct contributions to candidates; it concerned independent expenditures.

Practice

SET A Check Your Understanding

Answer each in two to four sentences.

1. State the holding of Marbury v. Madison and the constitutional provision it relied on.
2. Why did the Court in McCulloch v. Maryland say Maryland could not tax the bank?
3. What was the significance of Lopez for federalism?
4. Why did the Court in Baker v. Carr reject the argument that malapportionment was a political question?
5. What standard did Shaw v. Reno apply to oddly shaped districts, and why does it matter?
6. Explain the reasoning in Citizens United v. FEC about corporate independent spending.

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. The principle of judicial review was established in
(A) McCulloch v. Maryland (B) Baker v. Carr (C) Marbury v. Madison
(D) Lopez (E) Shaw v. Reno
8. Which pair of cases both address the extent of national power over the states?
(A) Baker v. Carr and Shaw v. Reno
(B) Marbury v. Madison and Citizens United
(C) Shaw v. Reno and Citizens United
(D) Baker v. Carr and Lopez
(E) McCulloch v. Maryland and United States v. Lopez
9. Maryland's tax on the national bank was struck down primarily because
(A) the bank was run by a private owner
(B) federal law is supreme over conflicting state law
(C) the Tenth Amendment forbade all taxes
(D) Congress had no power to charter a bank
(E) the bank was in commerce
10. A state draws a congressional district shaped like a thin strip to include a majority of one racial group. Which case is most relevant?
(A) Baker v. Carr (B) Lopez (C) Marbury v. Madison
(D) Shaw v. Reno (E) McCulloch v. Maryland
11. Which most accurately describes an effect of Citizens United?
(A) Independent political spending by corporations and unions is protected speech
(B) Corporations may now donate unlimited sums directly to candidates
(C) Disclosure laws were all struck down
(D) Political parties were banned from spending
(E) Individuals can no longer give to PACs
12. Baker v. Carr led most directly to
(A) school desegregation (B) limits on Commerce Clause power
(C) the one person, one vote principle (D) a right to counsel
(E) school prayer bans

SET C Apply and Extend

Write a response that earns each scoring point.

13. (a) Identify the constitutional clause at issue in Lopez. (b) Explain how the Court's reasoning in Lopez differs from its reasoning in McCulloch. (c) Explain one effect on federalism.
14. Congress passes a law restricting independent spending by labor unions on election ads. (a) Identify the required case that applies. (b) Explain how the case's holding would affect the law. (c) Describe one argument for keeping such limits.

6.3 Required Supreme Court Cases II: Rights and Liberties

Learn nine required cases on speech, religion, due process, equal protection, incorporation, and privacy, with the pairs the exam compares.

These cases explain how the Bill of Rights and the Fourteenth Amendment protect individuals. Two ideas recur. **Incorporation** is the process of applying Bill of Rights protections to state governments through the Due Process Clause of the Fourteenth Amendment. **Balancing tests** weigh an individual's right against a government interest. Learn each case in the same order: facts, question, holding, reasoning, significance.

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Case	Facts and question	Holding and reasoning	Significance
Schenck v. United States (1919)	Charles Schenck mailed leaflets urging draftees to resist the World War I draft and was convicted under the Espionage Act. Is this protected speech?	Unanimous: conviction upheld. Speech creating a clear and present danger of bringing about evils Congress may prevent is not protected, as with falsely shouting fire in a theater.	Created the clear and present danger test; later narrowed by stricter standards.
Brown v. Board of Education (1954)	Black children in several states were required to attend segregated public schools. Does segregation in public education violate equal protection?	Unanimous: separate educational facilities are inherently unequal because segregation harms children's hearts and minds. Plessy's 'separate but equal' does not apply in public schools.	Fourteenth Amendment Equal Protection Clause ; began the end of legal segregation.
Engel v. Vitale (1962)	New York required public schools to begin the day with a short, state-written, nondenominational prayer, voluntary for students. Does this violate the First Amendment?	6-1: it violates the Establishment Clause . Government may not write or sponsor official prayers, even if nondenominational and voluntary.	Banned school-sponsored prayer; applied establishment limit to states via incorporation.
Gideon v. Wainwright (1963)	Clarence Gideon, too poor to hire a lawyer, defended himself in a Florida felony trial and lost. Must states provide counsel to poor defendants?	Unanimous: the Sixth Amendment right to counsel is fundamental and applies to the states through the Fourteenth Amendment; states must provide lawyers in felony cases.	Incorporation; created the public defender expectation; overruled Betts v. Brady.
Tinker v. Des Moines (1969)	Students wore black armbands to protest the Vietnam War and were suspended. Do students have free speech rights in school?	7-2: students do not shed rights at the schoolhouse gate. Symbolic speech may be restricted only if it would substantially disrupt school activity.	Protects symbolic speech of students; sets substantial disruption standard.
New York Times v. United States (1971)	The government tried to stop newspapers from publishing the classified Pentagon Papers about the Vietnam War. May courts impose prior restraint on the press?	6-3 (per curiam): the government did not meet its heavy burden to justify prior restraint. The First Amendment strongly disfavors censorship in advance.	Press freedom; made prior restraint nearly impossible absent extreme national security harm.
Wisconsin v. Yoder (1972)	Amish parents refused to send their children to school after eighth grade for religious reasons, defying a law requiring attendance to age 16. Does this violate the Free Exercise Clause?	Unanimous: the state's interest did not outweigh the Amish community's religious freedom, because their way of life was long-established and children were still prepared for it.	Free Exercise Clause; shows religious liberty can trump a general law.
Roe v. Wade (1973) with Dobbs (2022)	A Texas law banned most abortions. Does the Constitution protect the right to choose?	Roe, 7-2: the right to privacy under the Fourteenth Amendment's Due Process Clause covers a decision to end a pregnancy, subject to state interests. Casey (1992) later used the undue burden standard.	Dobbs v. Jackson Women's Health (2022) overruled Roe and Casey, returning regulation to states and elected officials.
McDonald v. Chicago (2010)	Chicago banned most handguns. Does the Second Amendment apply to state and local governments?	5-4: the right to keep and bear arms for self-defense is fundamental and applies to states through the Fourteenth Amendment's Due Process Clause.	Incorporated the Second Amendment, following Heller (2008) for federal law.

Incorporation cases

Gideon incorporated the right to counsel, McDonald the right to bear arms, and Engel applied the Establishment Clause to states. Mechanism: Fourteenth Amendment Due Process Clause, applied one right at a time. Roe is a privacy case under Due Process, now overruled by Dobbs.

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Comparison pairs help you answer FRQs. **Schenck and Tinker** both test when speech can be limited, but Schenck allows limits when danger is clear and present while Tinker protects students unless there is substantial disruption. **Schenck and New York Times v. United States** contrast punishing speech after it occurs with blocking it before publication. **Engel and Yoder** both involve religion and schools: Engel limits state endorsement (Establishment), while Yoder protects a religious group from a state requirement (Free Exercise). **Gideon and McDonald** both show incorporation, applying a national guarantee to states.

Constitutional clauses to attach to cases

First Amendment Establishment: Engel. Free Exercise: Yoder. Speech and press: Schenck, Tinker, New York Times.

Sixth Amendment: Gideon. Second Amendment: McDonald.

Fourteenth Amendment: Brown (Equal Protection), Roe (Due Process, privacy).

EXAMPLE 1: APPLY TINKER

A public high school bans a student from wearing a peaceful pin supporting a local environmental policy. No disruption has occurred. Use a required case to evaluate the ban.

SOLUTION

Case: Tinker v. Des Moines, where students wore armbands in protest and the Court protected symbolic speech.

Reasoning: the Court allowed restriction only when speech substantially disrupts school activity; a quiet pin causes no disruption.

Conclusion: the ban likely violates the First Amendment unless the school shows a substantial disruption.

EXAMPLE 2: INCORPORATION

A state denies a lawyer to a poor person charged with a felony. Explain how Gideon applies and the constitutional route used.

SOLUTION

Gideon held that the Sixth Amendment right to counsel is essential to a fair trial.

The Sixth Amendment originally limited only the federal government, but the Court applied it to the states through the Due Process Clause of the Fourteenth Amendment.

Result: the state must provide counsel, so the denial is unconstitutional.

Common mistakes

Do not say Engel banned all prayer; it banned government-sponsored prayer. Brown did not mention the Fourteenth Amendment's Due Process Clause; it used Equal Protection. Roe was based on privacy under Due Process, and Dobbs overruled it, so describe both. NYT v. United States was about prior restraint, not punishment after publication.

Practice

SET A Check Your Understanding

Answer each in two to four sentences.

1. What test came from Schenck v. United States, and what did it mean?
2. Why did the Court in Brown v. Board find separate schools unconstitutional?
3. Explain why the prayer in Engel violated the Establishment Clause even though it was voluntary.
4. What is incorporation, and which required cases show it?
5. How did Tinker v. Des Moines expand free speech rights?
6. What changed with Dobbs v. Jackson Women's Health regarding Roe v. Wade?

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SET B Exam-Style Multiple Choice

Choose the best answer.

7. Which case is most closely associated with the idea that students retain free speech rights at school?
(A) Tinker v. Des Moines (B) Schenck v. United States (C) Engel v. Vitale
(D) Wisconsin v. Yoder (E) Gideon v. Wainwright
8. Which required case concerned a government attempt to stop publication before it occurred?
(A) Schenck v. United States (B) Tinker v. Des Moines
(C) Engel v. Vitale (D) New York Times v. United States
(E) McDonald v. Chicago
9. Gideon v. Wainwright and McDonald v. Chicago are similar because both
(A) involve the Establishment Clause
(B) overruled Brown v. Board
(C) applied a Bill of Rights protection to the states
(D) involve prior restraint
(E) concerned parental rights
10. The Amish parents in Wisconsin v. Yoder relied primarily on the
(A) Establishment Clause (B) Free Exercise Clause (C) Equal Protection Clause
(D) Sixth Amendment (E) Commerce Clause
11. Brown v. Board of Education relied primarily on which constitutional provision?
(A) First Amendment Establishment Clause (B) Second Amendment
(C) Fifth Amendment self-incrimination (D) Tenth Amendment
(E) Fourteenth Amendment Equal Protection Clause
12. Which statement best describes the current status of Roe v. Wade?
(A) Overruled in Dobbs, with regulation returned to states
(B) Still controlling and based on the Equal Protection Clause
(C) Modified into a ban on all abortions
(D) Applied only to federal law
(E) Never decided by the Supreme Court

SET C Apply and Extend

Write a response that earns each scoring point.

13. (a) Identify the constitutional principle in Engel v. Vitale. (b) Explain one difference between Engel and Wisconsin v. Yoder in how they treat religion. (c) Explain how both cases involve state governments.
14. Compare Schenck v. United States and Tinker v. Des Moines. (a) Identify the shared right. (b) Describe the different standards. (c) Explain which gives speakers more protection.

Answers Chapter 6: Answers and Explanations

Answers for every practice problem, numbered to match. Read the explanation even when your answer is correct.

6.1 The Foundational Documents**SET A · CHECK YOUR UNDERSTANDING**

1. The Declaration of Independence. If a government destroys rights such as life, liberty, and the pursuit of happiness, the people have the right to alter or abolish it and create a new one. This is the social contract and popular sovereignty at work.
2. Any three: no executive branch, no national court system, no power to tax, no power to regulate interstate commerce, one vote per state in a single-house Congress, and a requirement that all 13 states approve amendments (nine for major laws). These produced a government that could not pay debts or respond to Shays' Rebellion.
3. Madison says factions cannot be eliminated without destroying liberty, so government must control their effects. A large republic holds many interests so no one faction is likely to form a majority, and elected representatives refine and filter public opinion.
4. A single executive provides energy: unity of purpose, quick decisions, and secrecy when needed. It also gives clear accountability, because one person can be blamed, whereas a plural executive lets members shift blame.
5. The judiciary controls neither the military (the sword) nor the budget (the purse), so it must rely on the other branches to enforce its rulings. It can only judge, and life tenure lets judges stay independent while overturning laws that conflict with the Constitution.

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6. King argued that a law that degrades human personality and conflicts with moral law lacks real authority. A citizen may break it openly and accept the penalty, as an act of respect for law's deeper purpose, justice.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. D. Federalist 10 makes the extended-republic argument. Brutus 1 (A) argues the opposite, that a large republic is dangerous.
8. A. The author is an Anti-Federalist, so wants a smaller republic and a bill of rights. D is the opposing Federalist view, the tempting trap for students who recall the right debate but reverse the sides.
9. E. The Constitution gave Congress the power to tax. One vote per state (A) was partly kept in the Senate, so it was not fully changed.
10. C. Federalist 78 explains judicial review and judicial independence. B is wrong because federalism is more associated with Federalist 10 and 51.
11. B. Both appeal to natural or moral law to justify challenging unjust authority. C is wrong because King urged nonviolence.
12. E. Madison's design divides power horizontally and vertically so the parts check each other. A is wrong because Madison wanted a stronger national government than the Articles.

SET C · APPLY AND EXTEND

13. 1 point: similarity, such as both aim to protect liberty from tyranny or oppressive majorities. 1 point: difference, such as Madison favors a large republic to dilute factions while Brutus favors a smaller one closer to the people. 1 point: explanation, for example the Constitution adopts representation and an extended republic (Madison), or the Bill of Rights, added after ratification, answers Brutus's complaint about missing guarantees.
14. 1 point: Federalist 51 supports limits through separated powers and checks, such as presidential veto and congressional override. 1 point: Federalist 78 supports limits by defending an independent judiciary using judicial review to strike down laws that violate the Constitution. 1 point: linking both to limited government, because each gives a branch the means to stop another from exceeding its authority.

6.2 Required Supreme Court Cases I: Federalism, Powers, and Judicial Review

SET A · CHECK YOUR UNDERSTANDING

1. The Court held that the part of the Judiciary Act of 1789 giving it original jurisdiction over Marbury's request was unconstitutional. It relied on Article III's list of original jurisdiction and the Supremacy of the Constitution. This created judicial review.
2. The Court said the Constitution is supreme under the Supremacy Clause and the power to tax can destroy; if states could tax federal institutions they could control them. Because the bank was a legitimate use of implied powers, the state tax was invalid.
3. Lopez was the first time since the New Deal that the Court struck down a law as beyond Commerce Clause power. It showed the Court would enforce limits on Congress and protect state authority.
4. The Court reasoned that the claim rested on the Equal Protection Clause, a judicially manageable standard, so it was a legal question rather than one committed to another branch. Judges could provide a remedy by requiring fairer districts.
5. It applied strict scrutiny to a district whose shape could only be explained by race. This matters because it limits race-based drawing of majority-minority districts and requires a compelling interest and narrow tailoring.
6. The Court said political speech does not lose protection because the speaker is a corporation or union. It also found that independent spending, which is not coordinated with a candidate, does not create quid pro quo corruption, so limits violate the First Amendment.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. C. Marbury declared that courts can void unconstitutional laws. McCulloch (A) concerns implied powers and supremacy.
8. E. McCulloch expanded national power and Lopez limited it. A pairs two districting cases, which concern representation not federalism.
9. B. The Supremacy Clause makes valid federal law, including the bank charter, supreme over state taxes. D is wrong because the Court upheld Congress's power to charter it.
10. D. Shaw v. Reno addresses oddly shaped, race-based districts. A (Baker) concerns population inequality, a tempting but different issue.
11. A. The ruling covered independent expenditures only. B is wrong because direct contributions to candidates remained limited.
12. C. By allowing courts to hear malapportionment claims, Baker opened the way to rulings requiring equal population districts. Limits on Commerce Clause power come from Lopez, not Baker.

SET C · APPLY AND EXTEND

13. 1 point: the Commerce Clause (Article I, Section 8). 1 point: in McCulloch the Court read federal power broadly through the Necessary and Proper Clause, while in Lopez it found the activity was noneconomic and not substantially connected to interstate commerce, so it limited federal power. 1 point: Lopez shifted some authority back to states by reinforcing the Tenth Amendment and showing the Court will police the scope of Congress.
14. 1 point: Citizens United v. FEC. 1 point: the law would likely be unconstitutional because the Court held that independent expenditures by corporations and unions are protected speech under the First Amendment. 1 point: a valid argument for limits, such as that large spending can give wealthy groups outsized influence or create an appearance of corruption, or that disclosure and limits protect fairness in elections.

6.3 Required Supreme Court Cases II: Rights and Liberties

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SET A · CHECK YOUR UNDERSTANDING

1. Schenck produced the clear and present danger test: speech may be punished if it creates a clear and present danger of bringing about evils Congress can prevent. In wartime the Court applied it to leaflets urging resistance to the draft.
2. The Court held that separate public schools are inherently unequal because segregation by law harms Black children's educational development and sense of worth. This denied equal protection under the Fourteenth Amendment and rejected 'separate but equal' for schools.
3. The prayer was written and promoted by a state agency, so government itself was endorsing religion. Because voluntary participation does not remove official sponsorship, the Establishment Clause still barred it.
4. Incorporation applies Bill of Rights protections to states through the Fourteenth Amendment's Due Process Clause. Gideon (right to counsel) and McDonald (right to keep and bear arms) are required examples.
5. Tinker held that students keep their First Amendment rights in school, including symbolic speech like armbands. Schools may limit speech only when it would substantially disrupt activity or invade others' rights.
6. Dobbs overruled Roe and Casey, holding that the Constitution does not confer a right to abortion. Regulation returned to states and legislatures, so Roe is no longer controlling precedent.

SET B · EXAM-STYLE MULTIPLE CHOICE

7. A. Tinker protected student symbolic speech absent substantial disruption. B (Schenck) tests wartime speech and gives government more power, so it is the opposite.
8. D. New York Times v. United States rejected prior restraint of the Pentagon Papers. A is a tempting speech case but involved punishment after the fact.
9. C. Both incorporated rights through the Fourteenth Amendment. A is wrong because neither case concerned religion.
10. B. The Amish claimed their religious practice was burdened by the schooling law, a Free Exercise claim. A is wrong because they were not challenging government endorsement of religion.
11. E. Brown held segregation violated equal protection. D is wrong because the Tenth Amendment concerns reserved powers.
12. A. Dobbs (2022) overruled Roe and Casey. B is wrong because Roe relied on privacy under Due Process, not Equal Protection.

SET C · APPLY AND EXTEND

13. 1 point: Establishment Clause (separation of church and state). 1 point: Engel prevents government from sponsoring religion, while Yoder protects an individual religious community from a state requirement under Free Exercise. 1 point: both were challenges to state laws, so they depend on the First Amendment applying to states through the Fourteenth Amendment.
14. 1 point: freedom of speech under the First Amendment. 1 point: Schenck applies clear and present danger, allowing punishment where speech threatens serious harm; Tinker allows restriction only when speech substantially disrupts school operations. 1 point: Tinker protects speakers more, since it demands a showing of disruption and covers symbolic expression, while Schenck was used to uphold a wartime conviction.

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Chapter 7: Deep Dives and Mixed Review.

9 sections with explanations and worked examples, then 130 practice problems. Answers and full explanations are at the end of the chapter.

7.1 Federalism Deep Dive: Powers, Grants, and Cases

You will sort powers into exclusive and concurrent categories, distinguish the main kinds of federal funding, and trace how policies and cases have shifted the balance of power.

Federalism questions on the exam almost always ask you to do one of three things: sort a power into the national, state, or shared category; identify a type of federal funding and explain the control it gives Washington; or connect a case or policy to the shifting balance of power. This section gives you the tools for all three, with the policies and cases the course framework names.

Key terms

Exclusive powers: held by only one level of government.

Concurrent powers: exercised by both national and state governments.

Fiscal federalism: the national government shaping state policy through grants, conditions, and mandates.

Devolution: shifting policy responsibility from the national government back to the states.

Why the framers divided power

The Articles of Confederation gave the national government no power to tax directly and no way to raise an army, which is why Shays' Rebellion (1786-87) exposed its weakness. The Constitution fixed this, but the framers still feared concentrated power. In Federalist No. 51, Madison called federalism a "double security": power is divided between two levels of government and then among branches, so the people are protected by both and a majority cannot easily abuse the minority. Federalist No. 10 adds that a large republic with many interests makes it hard for any faction to dominate. Brutus No. 1 replied that a large national government would swallow the states, which is the same worry that drives modern arguments for state control.

Who holds which powers

The Constitution lists **enumerated powers** for Congress (Article I, Section 8), allows **implied powers** through the Necessary and Proper Clause, reserves other powers to the states or the people under the Tenth Amendment, and makes federal law supreme under the Supremacy Clause. Some powers are **exclusive**: only one level may use them. Others are **concurrent**: both levels may use them at once. Powers denied to one level or both are a third group.

Category	Examples
Exclusive national	Coin money, declare war, make treaties, regulate trade with other nations and among the states, set naturalization rules
Exclusive state (reserved)	Run elections, create local governments, regulate most licenses and intrastate commerce, ratify amendments, use the police power to protect health, safety, and morals
Concurrent (shared)	Tax, borrow money, build roads, charter banks, establish courts, enforce criminal law
Denied to states	Make treaties, coin money, tax imports and exports, keep troops in peacetime

These lists explain why bargaining over the balance of power never ends. Because so many powers overlap, a policy area such as education or health care can be shaped from both capitals, and each side has an incentive to claim credit or shift blame.

Money is the national government's main lever

Congress seldom orders the states to act directly. Instead it attaches conditions to money. This **fiscal federalism** takes several forms.

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Tool	What it is	Level of state control	Example
Categorical grant	Money for a narrow purpose with detailed rules	Low	Funding for a specific highway project or school lunch program
Block grant	Money for a broad area with few strings	High	Welfare funds sent as a fixed sum to states in the 1996 reform
Revenue sharing	Federal funds sent to states and cities with almost no conditions (1970s to 1986)	Very high	State and Local Fiscal Assistance Act
Mandate	A requirement that states follow a federal rule, funded or unfunded	Lowest	Requirements for accessible public buildings
Condition of aid	Funds withheld if a state refuses a policy	Low	Highway funds and the minimum drinking age

The **National Minimum Drinking Age Act (1984)** did not forbid under-21 drinking in any state. It cut a share of a state's federal highway money if it kept a lower age, and every state complied. The Supreme Court upheld this method in *South Dakota v. Dole* (1987). The **No Child Left Behind Act (2001)** worked the same way: states receiving federal education money had to test students annually and report results by group. Critics called it an intrusive mandate, and Congress replaced it in 2015. In each case, the lesson is that the national government can shape state policy without commanding it.

Policy conflicts and cooperation

- ◆ **Marijuana:** Colorado and Washington legalized recreational use in 2012 even though federal law still banned it. Congress has the commerce power to enforce its ban (the Court confirmed this in *Gonzales v. Raich*, 2005), but it relies on state police to enforce most drug laws, so state choices have real effect. This is an example of states as laboratories of democracy.
- ◆ **Disasters:** After Hurricane Katrina (2005), failures at the local, state, and national levels showed how shared responsibility can leave gaps. Governors request a federal disaster declaration, and the national government supplies money and resources. The response to Hurricane Sandy (2012) also involved debate over federal aid.
- ◆ **Marriage:** The Defense of Marriage Act (1996) defined marriage for federal purposes as between a man and a woman and let states refuse to recognize same-sex marriages from other states. The Court struck down the federal definition in *United States v. Windsor* (2013), and *Obergefell v. Hodges* (2015) required all states to license such marriages under the Fourteenth Amendment.

How the Court shifted the balance

During the New Deal, Congress used the Commerce Clause to regulate the economy. The Court first resisted, then in *NLRB v. Jones and Laughlin Steel* (1937) accepted that labor relations in a large industry affect interstate commerce, opening the way to broad national regulation. *Wickard v. Filburn* (1942) went further by allowing regulation of wheat grown for home use because the total effect on the market was large. From the 1980s, Presidents and Congress promoted **devolution**, returning responsibility to states through block grants and the 1996 welfare reform.

Two required cases anchor the debate. In **McCulloch v. Maryland (1819)**, Maryland taxed the national bank's Baltimore branch. The Court held that Congress has implied powers under the Necessary and Proper Clause to charter a bank, and that a state cannot tax a federal institution because the Supremacy Clause makes federal law superior. This strengthened national power. In **United States v. Lopez (1995)**, the Court struck down the Gun-Free School Zones Act because possessing a gun near a school is not economic activity and Congress had not shown a link to interstate commerce. It was the first time in decades that the Court limited the commerce power. *United States v. Morrison* (2000) applied similar logic to strike down part of the Violence Against Women Act: gender-motivated violence is not economic activity.

Two required federalism cases in one glance

McCulloch (1819): implied powers + Supremacy Clause = national bank valid, state tax invalid.

Lopez (1995): Commerce Clause has limits; non-economic local activity cannot be regulated simply because it has some effect on commerce.

Both rely on the Constitution's text, but McCulloch expands national power and Lopez limits it.

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EXAMPLE 1: IDENTIFY THE GRANT AND THE EFFECT

Congress offers each state a lump sum for health services and lets the state decide how to spend it among broad categories. Another proposal gives money only for one named vaccine program and requires reports. Identify each grant type and explain which gives the state more control.

SOLUTION

The lump sum with broad categories is a block grant.

The money for one named program with reporting requirements is a categorical grant.

The block grant gives states more control because they choose how to allocate the money, while categorical grants set the purpose and rules from Washington.

EXAMPLE 2: APPLYING LOPEZ

Congress bans possession of a certain item near any polling place, saying it could affect interstate commerce. Using Lopez, explain whether the Court is likely to uphold the law.

SOLUTION

Identify the question: is the activity economic or tied to interstate commerce?

Under Lopez, a ban on mere possession near a particular location is not an economic activity and Congress must show a substantial link to commerce.

Conclusion: the Court would likely strike it down unless Congress had findings or a jurisdictional element showing a connection to commerce, reflecting a state-sovereignty view of the Tenth Amendment.

Common mistakes

Do not call Lopez a Tenth Amendment decision; it is a Commerce Clause decision that protects state sovereignty. Do not say that block grants give Washington more control than categorical grants. Do not say that McCulloch expanded state power.

Practice**SET A Check Your Understanding**

Answer in two or three sentences.

1. Classify each power as exclusive national, exclusive state, or concurrent: (a) coining money, (b) running elections, (c) levying taxes.
2. Explain the difference between a categorical grant and a block grant.
3. Explain how the National Minimum Drinking Age Act shaped state policy without directly ordering states.
4. Describe how Colorado's and Washington's marijuana laws illustrate federal-state conflict.
5. State the holding in *McCulloch v. Maryland* and name the two constitutional clauses it relied on.

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SET B Exam-Style Multiple Choice

Choose the best answer.

6. Which of the following is an example of a categorical grant?
 - (A) A fixed sum to a state for welfare programs, to be allocated as the state chooses
 - (B) A federal payment to a state to expand a named bridge project under federal specifications
 - (C) Federal tax revenue shared with cities without conditions
 - (D) A requirement that all states recognize federal law
 - (E) A federal tax deduction for state residents
7. A state refuses to raise its drinking age, and Congress responds by withholding a percentage of its federal highway funds. This best illustrates
 - (A) a mandate that directly orders states
 - (B) revenue sharing without conditions
 - (C) a condition of aid used to influence state policy
 - (D) a block grant
 - (E) the exclusive powers of the states
8. Which of the following Supreme Court cases limited Congress's power under the Commerce Clause?
 - (A) *McCulloch v. Maryland*
 - (B) *NLRB v. Jones and Laughlin Steel*
 - (C) *Wickard v. Filburn*
 - (D) *United States v. Lopez*
 - (E) *Brown v. Board of Education*
9. The reaction of Colorado and Washington to marijuana law in 2012 is best described as
 - (A) nullification of the Supremacy Clause
 - (B) a federal mandate
 - (C) revenue sharing
 - (D) judicial review
 - (E) states acting as laboratories for policy differing from federal law
10. Which statement best describes devolution?
 - (A) Transfer of policy responsibility from the national government to states
 - (B) Transfer of state responsibilities to Congress
 - (C) Expansion of federal mandates
 - (D) Judicial supremacy over the states
 - (E) Direct election of senators
11. Which pair correctly matches a case with its principal result?
 - (A) *McCulloch v. Maryland*: Congress lacks implied powers
 - (B) *Lopez*: gun possession near schools is economic activity
 - (C) *Morrison*: the Court upheld a federal civil remedy for gender-motivated violence
 - (D) *McCulloch v. Maryland*: states cannot tax the national bank
 - (E) *Lopez*: the Court expanded the Commerce Clause

SET C Apply and Extend

Write a full response, then check it against the scoring points.

12. Compare *McCulloch v. Maryland* and *United States v. Lopez* in terms of their effect on the balance between national and state power.
13. A student says that the national government has no way to influence state education policy because education is a state power. Refute this with two specific tools.
14. Develop a claim about whether block grants or categorical grants better serve democracy, using one piece of evidence from the Constitution or a required document.

7.2 Congress and the President: Procedure, Appointments, and Limits

You will explain how chamber size and term length shape Congress, describe procedures such as cloture and discharge petitions, and analyze how presidential powers are used and limited.

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The exam rewards students who can explain why a rule inside Congress or an appointment fight affects policy. This section covers the procedures and constraints that show up in stimulus-based questions: how the size and terms of each chamber shape behavior, which tools leaders use to build or block majorities, how the budget works, and how presidents use and are limited in their formal and informal powers.

Two chambers, two cultures

The Senate has 100 members, two per state, serving six-year staggered terms. It was designed to represent states equally. The House has 435 members apportioned by population, serving two-year terms. Size matters. A large House needs strict rules to function, so debate is limited and the **Rules Committee** (controlled by the majority party) decides how long a bill may be debated and whether amendments are allowed. In the smaller Senate, debate is traditionally open-ended and rules depend heavily on **unanimous consent** agreements. Term length matters too. House members are always near an election, which pushes them toward the short-term preferences of their districts. Senators have longer terms and statewide constituencies, so coalitions can be more stable and members can take longer-term positions.

Feature	House	Senate
Members and terms	435; two years	100; six years, staggered
Debate	Limited by rules set by the Rules Committee	Extended unless stopped by cloture
Key bill rules	Rules Committee; Committee of the Whole; discharge petition	Filibuster and cloture; holds; unanimous consent
Unique powers	Originate revenue bills; impeach officials	Confirm appointments; ratify treaties (two-thirds); try impeachments
Leader roles	Speaker of the House	Majority leader; Vice President as president of the Senate (tie-breaking vote)

Procedures that shape outcomes

- ◆ **Committee of the Whole:** The House turns itself into one committee of all members, with a lower quorum, to debate and amend a bill before the formal final vote. It speeds the work of a large chamber.
- ◆ **Discharge petition:** If a committee will not report a bill, a majority of House members (218) can sign a petition to force it to the floor. It is a tool for the minority or rebels to bypass committee and leadership.
- ◆ **Filibuster and cloture:** In the Senate, senators can extend debate to block a vote. Cloture ends debate and requires three-fifths of the Senate (60 votes). The high threshold makes it hard to pass controversial laws without bipartisan support.
- ◆ **Holds:** A senator can announce that they will object to unanimous consent for a bill or nomination, delaying action.
- ◆ **Whips:** Party officers who count votes, persuade members, and keep attendance. They connect leaders and rank-and-file members.
- ◆ **Riders and logrolling:** A rider is an unrelated provision attached to a bill likely to pass. Logrolling is trading votes between members so each gets something. Pork-barrel spending directs money to local projects. These tactics help build majorities but may raise costs.

Cloture and the veto override

Cloture: ends a Senate filibuster; needs three-fifths of the Senate (60 of 100).

Veto override: needs two-thirds of both houses.

Discharge petition: needs a majority of the House (218) to pull a bill from committee.

The budget problem

Congress writes the federal budget, but most of it is already committed. **Mandatory spending** such as Social Security, Medicare, and interest on the debt continues under existing law without annual votes. **Discretionary spending** such as defense, education, and transportation is set through yearly appropriations. As entitlement costs grow, the discretionary share shrinks unless revenue rises or the deficit grows. The reconciliation process (used in the Omnibus Budget Reconciliation Act of 1985 and many later laws) lets the Senate pass certain budget bills by simple majority, avoiding a filibuster, so it is attractive when a party has narrow control.

Senate treaty and appointment powers

Treaties: two-thirds of senators present must approve. Executive agreements need no Senate vote.

Appointments: cabinet members, ambassadors, and judges need confirmation by a simple majority. White House staff do not need Senate confirmation.

Presidential powers and their limits

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The president's formal powers include the veto, the power to nominate officials and judges, commander in chief, and the treaty power. A veto can be overridden by two-thirds of each house. A pocket veto happens when Congress adjourns and the president does not sign within ten days, so the bill dies. Informal powers expand the office. **Executive orders** manage the executive branch and rest on Article II or on authority delegated by Congress. **Executive agreements** are deals with other nations that need no Senate approval. **Signing statements** announce how the president reads a new law. The **bully pulpit** and the State of the Union let presidents set the agenda, and social media now allows a fast and direct reach to the public. Bargaining and persuasion also matter: a president with a strong relationship with congressional leaders can win votes.

Limits come from the Senate. Presidents choose cabinet secretaries, ambassadors, and judges, but the Senate confirms them. The Senate rejected Robert Bork for the Supreme Court in 1987 and John Tower for secretary of defense in 1989, and Abe Fortas's nomination as chief justice failed in 1968. Judges matter most because they serve for life, so a judicial appointment outlasts the president. The Twenty-Second Amendment (1951) limits presidents to two elected terms, a response to Franklin Roosevelt's four. Presidents of one party facing a Senate of the other party often face confirmation delays, especially late in a term (the lame-duck period). Executive orders can provoke conflict with Congress, which may respond with legislation or by refusing funds.

Removal is the ultimate check on the executive. The House impeaches by simple majority, and the Senate tries the case, convicting only by a two-thirds vote. Andrew Johnson (1868) and Bill Clinton (1998) were impeached but acquitted, and Richard Nixon resigned in 1974 after the House Judiciary Committee approved articles of impeachment. Federalist No. 51's logic explains why: each branch needs tools to resist the others.

EXAMPLE 1: CLOTURE IN PRACTICE

A bill has the support of 54 senators in a 100-member Senate. Opponents begin a filibuster. Explain what happens and what it means for policy.

SOLUTION

Fifty-four senators are a majority but not the three-fifths (60) needed for cloture, so debate can continue.

Supporters need six more votes, probably from the opposing party, or they must change the bill.

Result: the filibuster gives a determined minority leverage and pushes lawmakers toward bipartisan compromise.

EXAMPLE 2: A PRESIDENT'S AGENDA AND THE SENATE

A president of one party nominates a Supreme Court justice when the other party controls the Senate. Describe two possible Senate responses and explain the effect on checks and balances.

SOLUTION

The Senate could hold hearings and vote, confirming or rejecting the nominee.

It could refuse to hold hearings or delay, leaving the seat vacant, as happened with a 2016 nomination.

Both reflect the Senate's check on appointments. Because the justice has life tenure, the stakes for the president's long-term influence are high.

Common mistakes

Do not say the House ratifies treaties or confirms judges. Do not confuse cloture (ends debate, 60 votes) with a veto override (two-thirds of both houses). Do not describe executive agreements as treaties; they do not need Senate consent.

Practice

SET A Check Your Understanding

Answer in two or three sentences.

1. Explain two ways the size difference between the House and Senate affects debate.
2. Explain how term length influences congressional behavior.
3. Describe the purpose of a discharge petition.
4. Explain why the three-fifths requirement for cloture matters for policy.
5. Distinguish mandatory from discretionary spending and explain why discretionary spending may shrink.

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SET B Exam-Style Multiple Choice

Choose the best answer.

6. Which Senate procedure requires a vote of three-fifths of the chamber?
(A) Confirming a Supreme Court justice (B) Overriding a veto
(C) Ratifying a treaty (D) Ending a filibuster through cloture
(E) Impeaching the president
7. Which of the following is a power of the House of Representatives but not the Senate?
(A) Confirming ambassadors (B) Originating revenue bills
(C) Approving treaties (D) Trying impeachment cases
(E) Voting on cloture
8. Which is the best example of logrolling?
(A) A senator delays a nomination by announcing a hold
(B) A president signs a bill with a statement of interpretation
(C) A representative votes for a colleague's project in exchange for support for their own
(D) A House committee refuses to report a bill
(E) A senator speaks for hours to block a vote
9. The Twenty-Second Amendment most directly limits
(A) the number of terms a president may be elected to
(B) the president's veto power
(C) the length of Supreme Court tenure
(D) the Senate's power to confirm nominees
(E) the powers of the vice president
10. A president uses an executive agreement with a foreign leader instead of a treaty. This approach
(A) requires approval by two-thirds of the Senate
(B) must be reviewed by the Supreme Court
(C) requires a vote by both houses of Congress
(D) is unconstitutional
(E) allows the president to avoid the Senate ratification requirement
11. The Senate rejected the nomination of Robert Bork in 1987. This is best seen as an example of
(A) the Senate's confirmation check on presidential appointments
(B) a legislative veto
(C) judicial review
(D) a pocket veto
(E) an executive order

SET C Apply and Extend

Write a full response, then check it against the scoring points.

12. Explain how the filibuster and the Rules Committee together illustrate that the House and Senate use different methods to manage debate.
13. A president issues an executive order that Congress opposes. Describe two ways Congress could respond and one limit on those responses.
14. Develop an argument about whether the Senate's confirmation power is an effective check on the president. Use one example.

7.3 Courts and the Bureaucracy: Legitimacy, Limits, and Accountability —

You will explain how other branches limit the Supreme Court, describe how agencies make rules, and analyze how Congress, the president, and courts hold the bureaucracy accountable.

The Supreme Court can strike down laws, yet it commands no army and holds no purse. The bureaucracy carries out most federal policy, yet no voter elects its officials. This section explains how each is held in check and why the questions of legitimacy and accountability come up so often on the exam. Keep one idea in view: every institution that has power also faces limits from at least two others.

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Judicial review and its limits

Marbury v. Madison (1803) established **judicial review**, the Court's power to declare actions of Congress and the executive unconstitutional. Federalist No. 78 gave the reasoning: the judiciary has "neither force nor will, but merely judgment," so life tenure under Article III is needed to protect its independence. That independence also fuels a debate about legitimacy. Justices are unelected, and a ruling can stand for decades, so critics ask whether the Court is too powerful. Defenders point to **precedent** and **stare decisis**, the habit of following earlier rulings, which gives law stability, though changes in the Court's membership can still overturn precedent. The debate over **judicial activism** (using the Court to strike laws and set policy) versus **judicial restraint** (deferring to elected branches and precedent) is a constant feature of this conversation.

Other branches have several tools to limit the Court, and you should be able to name and explain at least four.

Check	How it works	Example
Constitutional amendment	Overtakes the effect of a ruling	The Sixteenth Amendment (1913) allowed a federal income tax after the Court struck down an earlier income tax
Appointments and confirmation	President nominates and Senate confirms, shaping the Court's long-term direction	Appointments of Sandra Day O'Connor and Thurgood Marshall
Legislation	Congress passes a new law to modify a decision's impact	A new statute that responds to a ruling interpreting an earlier law
Jurisdiction and size	Congress sets the Court's appellate jurisdiction and the number of justices	Franklin Roosevelt's 1937 court-packing plan, which Congress rejected
Non-compliance	Presidents or states slow or ignore a ruling	Resistance to school desegregation after Brown
Impeachment	The House may impeach and the Senate remove judges	Rare, used for misconduct rather than for unpopular rulings

Three decisions illustrate the Court's reach. **Martin v. Hunter's Lessee (1816)** confirmed that the Supreme Court can review state court rulings on federal law, which makes federal law uniform. **United States v. Nixon (1974)** held that executive privilege is not absolute: the president had to give tapes to a criminal trial, and Nixon complied and resigned, a sign of the Court's legitimacy. In school desegregation, **Swann v. Charlotte-Mecklenburg** upheld busing as a remedy for segregated schools, and **Milliken v. Bradley (1974)** limited those remedies by refusing to require cross-district busing between Detroit and its suburbs without proof that suburbs had caused the segregation. Together they show the Court expanding and narrowing rights as its membership and reasoning change.

Why the Court's legitimacy is debated

Justices are unelected and serve for life, but they can nullify laws made by elected officials.

The Court depends on others to enforce its rulings, so its authority rests on public acceptance.

Presidents and Congress can respond through appointments, amendments, laws, and jurisdiction.

The bureaucracy and rule making

The federal bureaucracy includes cabinet departments, independent executive agencies, independent regulatory commissions such as the Securities and Exchange Commission (SEC) and the Federal Communications Commission, and government corporations such as Amtrak. Congress passes laws in broad terms and delegates **discretionary authority** to agencies to fill in the details. When an agency writes binding regulations, it is engaged in **rule making**. The process typically has agency staff propose a rule, publish it for public comment, then issue a final rule with the force of law. Agencies also enforce rules, issue fines, testify before Congress, and judge compliance. The framework names several agencies you should connect to their work.

Agency	Typical role
Department of Homeland Security (DHS)	Border security, immigration enforcement, disaster response, airport security through the TSA
Department of Transportation	Safety rules for highways, aviation, and transit
Department of Veterans Affairs	Benefits and health care for veterans
Department of Education	Administers federal education funds and student aid, enforces civil rights in schools
Environmental Protection Agency (EPA)	Writes and enforces pollution rules
Federal Election Commission (FEC)	Administers campaign finance disclosure and limits
Securities and Exchange Commission (SEC)	Regulates stock markets and investor protection

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Reformers have tried to make the bureaucracy professional. Under the old **patronage** or spoils system, jobs went to political supporters. The Pendleton Act (1883) created a **merit system** in which hiring is based on examinations and qualifications, which promotes expertise and neutrality. The result is a stable civil service, but it can also make officials difficult to remove or redirect. Agencies, congressional committees, and interest groups often form **iron triangles** or broader **issue networks**, which can make an agency responsive to narrow interests.

Tools of bureaucratic accountability

Congress: oversight hearings, appropriations (power of the purse), confirmation, rewriting statutes.

President: appointment and removal, executive orders, budget through the OMB.

Courts: review of whether rules follow the statute and fair procedure.

Impoundment Control Act (1974): president must spend funds Congress appropriates unless Congress agrees to rescind them.

Holding the bureaucracy accountable

Because agencies write law-like rules, each branch wants to control them. **Congress** has oversight through committee hearings, budget control (the power of the purse), confirmation of agency heads, and investigations. Congress may rewrite a statute to narrow an agency's discretion. The Court held in *INS v. Chadha* (1983) that a legislative veto, in which one house cancels an executive action without a law, is unconstitutional. The Impoundment Control Act (1974) responded to Nixon's refusal to spend appropriated funds by requiring the president to spend money as Congress directs unless Congress agrees otherwise. The **president** appoints and removes top officials, issues executive orders (as with Lyndon Johnson's Executive Order 11246 on federal contractors), directs the budget through the Office of Management and Budget, and sets priorities through the agency's leadership. Presidential ideology and influence shape how an agency enforces laws. **Courts** review whether agencies follow statutes and procedures.

Even so, **compliance monitoring** is a persistent challenge. Washington often depends on state and local officials to carry out programs, and distance, cost, and different priorities can weaken the effect. Agencies must inspect, audit, and require reports to see whether rules are followed. Competing interests also pull in different directions, so Congress, the president, and courts can each hold an agency partly accountable but none controls it fully.

EXAMPLE 1: COMPETING CONTROLS

A new Environmental Protection Agency rule limits emissions from factories. Industry groups lobby Congress to block it, the president supports it, and a court reviews it. Explain how each actor can influence the outcome.

SOLUTION

Congress: can hold hearings, cut the agency's budget, or pass a law that rewrites or limits the rule.

President: can appoint agency leaders who support the rule, direct enforcement priorities, and veto a bill blocking it.

Courts: can strike the rule if the agency exceeded its delegated authority or ignored procedure.

The result shows that accountability is shared, and no single institution fully controls the bureaucracy.

EXAMPLE 2: CHOOSING THE CORRECT CHECK ON THE COURT

The Supreme Court rules that a federal income tax is unconstitutional. Describe the most durable way the political system could overturn the effect of the ruling, and explain why.

SOLUTION

A constitutional amendment is the most durable response because the Court cannot overrule the Constitution's text.

This is what happened with the Sixteenth Amendment (1913), which allowed Congress to tax incomes.

Other responses, such as new statutes or new appointments, are less certain or slower.

Common mistakes

Do not confuse the legislative veto (struck down in *Chadha*) with the president's veto. Do not say the merit system was created by the Constitution; it comes from the Pendleton Act and later reforms. Do not claim Congress can overrule the Supreme Court's interpretation of the Constitution by ordinary legislation.

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Practice

SET A Check Your Understanding

Answer in two or three sentences.

1. Explain how stare decisis and changes in the Court's membership can both be true.
2. Describe two ways Congress or the president can limit the Supreme Court.
3. Explain the significance of *United States v. Nixon* for checks and balances.
4. Distinguish a patronage system from a merit system.
5. Explain what rule making is and why Congress delegates it.

SET B Exam-Style Multiple Choice

Choose the best answer.

6. The Sixteenth Amendment is an example of which way of limiting the Supreme Court?
(A) Court-packing
(B) Constitutional amendment
(C) A legislative veto
(D) Impeachment of a justice
(E) Executive refusal to comply
7. Which statement best describes the Court's decision in *INS v. Chadha*?
(A) It upheld the president's power to impound funds
(B) It created the merit system
(C) It allowed Congress to dismiss judges
(D) It struck down a legislative veto of executive action
(E) It upheld executive privilege against criminal subpoenas
8. Which of the following best illustrates the president's influence over bureaucratic agencies?
(A) The House holds hearings on an agency's budget
(B) A federal court strikes down an agency rule
(C) Congress cuts an agency's funding
(D) The Senate rejects a nominee
(E) The president appoints an agency head who shares the administration's goals
9. The Pendleton Act of 1883 primarily aimed to
(A) create a merit-based civil service
(B) increase patronage
(C) limit the president's veto
(D) regulate campaign contributions
(E) create the Environmental Protection Agency
10. Which pairing of agency and function is accurate?
(A) Federal Election Commission and stock market regulation
(B) Department of Education and highway safety
(C) Securities and Exchange Commission and investor protection
(D) Environmental Protection Agency and campaign finance
(E) Department of Veterans Affairs and border security
11. In *Milliken v. Bradley* (1974), the Supreme Court
(A) required busing across district lines
(B) limited remedies for segregation that crossed school district lines
(C) ended all busing plans
(D) overturned *Brown*
(E) upheld segregation by law

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SET C Apply and Extend

Write a full response, then check it against the scoring points.

12. Explain two ways the other branches can limit judicial power and one reason the limits may be ineffective.
13. Explain how Congress, the president, and the courts each hold the bureaucracy accountable, and why the result is incomplete accountability.
14. Develop an argument about whether the merit system makes the bureaucracy more or less democratic. Use one example.

7.4 Rights of the Accused, Privacy, and Digital Surveillance

You will connect the Fourth, Fifth, Sixth, and Eighth Amendments to Gideon and Miranda, explain digital privacy and surveillance debates, and describe the privacy line from Roe to Dobbs.

Every question about the rights of the accused or privacy asks the same underlying thing: where does the Court draw the line between protecting individual liberty and allowing government to keep order and safety? This section puts the pieces together, from the amendments that protect suspects to the digital-age debate over phone records, and shows how the required cases Gideon and Roe fit with other decisions you may be asked to compare.

The rights of suspects and defendants

Amendment	Protection	Key idea
Fourth	No unreasonable searches and seizures; warrants require probable cause	The exclusionary rule bars illegally seized evidence from trial (extended to states in <i>Mapp v. Ohio</i> , 1961)
Fifth	Right against self-incrimination; due process; no double jeopardy; grand jury	Basis for the Miranda warnings
Sixth	Speedy and public trial, impartial jury, right to counsel, confront witnesses	<i>Gideon v. Wainwright</i> applied the counsel right to state felony cases
Eighth	No excessive bail or cruel and unusual punishment	Applied in death penalty cases against the states

Gideon v. Wainwright (1963) is the required case here. Clarence Gideon, charged in Florida with breaking into a poolroom, asked for a lawyer and was refused because Florida only appointed counsel in capital cases. He defended himself, was convicted, and petitioned from prison. The Supreme Court ruled unanimously that the Sixth Amendment right to counsel is a fundamental right incorporated through the Fourteenth Amendment's Due Process Clause, so states must provide a lawyer to defendants who cannot afford one in felony cases. It is a classic example of selective incorporation.

Miranda v. Arizona (1966) applied the Fifth Amendment to police questioning. Suspects in custody must be told of their right to remain silent, that statements can be used against them, and that they have a right to an attorney, appointed if they cannot afford one. If officers skip the warnings, the statement generally cannot be used. The Court later recognized a **public safety exception** in *New York v. Quarles* (1984): when an officer asks an urgent question to protect the public, such as where a discarded gun is, the answer may be used as evidence even without warnings. This is a clear example of the Court balancing liberty against order.

Other pretrial rights are meant to keep the state from overwhelming the individual: a speedy and public trial prevents long detention without a verdict, an impartial jury prevents biased judgment, and a lawyer helps a defendant understand the charges. On punishment, the Eighth Amendment has been interpreted through death penalty cases. The Court halted executions in *Furman v. Georgia* (1972) because of arbitrary use, then allowed them under clearer guidelines in *Gregg v. Georgia* (1976).

Rights of the accused in one line each

Exclusionary rule: illegally seized evidence cannot be used against the suspect.

Miranda: warn suspects in custody of the rights to silence and counsel; public safety exception exists.

Gideon: the state must provide a lawyer to poor defendants in felony cases.

Selective incorporation: the Court applies rights to the states one by one through the Fourteenth Amendment.

Digital searches and surveillance

Technology raises new Fourth Amendment questions. In **Riley v. California (2014)**, the Court unanimously held that police generally need a warrant to search the digital contents of a cell phone seized when arresting someone, because phones hold vast private information unlike a wallet or cigarette pack. The decision shows the Court updating old protections for a new context.

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After the September 11 attacks, Congress passed the USA PATRIOT Act (2001), which expanded surveillance powers, including authority the government used to collect bulk telephone **metadata**: records of which numbers called each other and for how long, but not the content of the calls. When the program became public in 2013, critics said it invaded privacy while supporters said it helped find terrorists. Congress responded with the USA Freedom Act (2015), which ended bulk collection by the government and required more specific requests to phone companies. The case reflects the repeated pattern of crisis, expansion of security powers, public reaction, and a partial pullback. Questions on this topic often ask you to explain both the security rationale and the liberty concern.

Privacy timeline

1925 Pierce: parents may direct their children's education.

1965 Griswold: privacy protects married couples' use of contraception.

1973 Roe: privacy includes the abortion decision, balanced against state interests.

1992 Casey: undue burden standard replaces the trimester framework.

2022 Dobbs: Roe and Casey overruled; regulation returned to the states.

The right to privacy

The Constitution never uses the word privacy, but the Court has found a right of privacy in several amendments and in the Due Process Clause of the Fourteenth. *Pierce v. Society of Sisters* (1925) protected parents' right to choose private schooling, and *Griswold v. Connecticut* (1965) protected married couples' access to contraception. **Roe v. Wade (1973)**, the required case, held that the right of privacy included a woman's decision to have an abortion, balanced against the state's interests in potential life and maternal health, and it set a trimester framework. *Planned Parenthood v. Casey* (1992) kept the core of Roe but replaced the trimester framework with an undue burden test. In **Dobbs v. Jackson Women's Health Organization (2022)**, the Court overruled Roe and Casey, holding that the Constitution does not confer a right to abortion and that the question returns to the states and elected officials. Because of this update, you should know Roe's holding and reasoning for the exam and also that Dobbs changed the law. The Hyde Amendment (1976) bars use of certain federal funds for abortion except in cases of rape, incest, or danger to the woman's life. Privacy also arises in schools: in *Board of Education v. Earls* (2008), the Court upheld drug testing for students in competitive extracurricular activities.

EXAMPLE 1: APPLYING MIRANDA AND ITS EXCEPTION

Officers arrest a suspect after a robbery and, before reading warnings, ask where he threw the weapon because children are playing nearby. He tells them. Is the answer admissible?

SOLUTION

Under Miranda, questioning a suspect in custody without warnings normally makes statements inadmissible.

Under the public safety exception from *New York v. Quarles*, an urgent question needed to protect the public may be asked first.

Conclusion: the answer is likely admissible, reflecting a balance between individual rights and public safety.

EXAMPLE 2: A CELL PHONE SEARCH

Police arrest a driver for a traffic offense and, without a warrant, search the contents of his phone. Using *Riley*, explain whether the search is likely valid.

SOLUTION

The Fourth Amendment protects against unreasonable searches, and warrants generally require probable cause.

Riley held that phone contents are so personal that police generally need a warrant, even after an arrest.

Conclusion: the search is likely invalid, and under the exclusionary rule the evidence would likely be excluded.

Common mistakes

Do not say *Gideon* applies to all crimes or only to federal courts; it covers state felony cases. Do not say Dobbs reaffirmed Roe. Do not mix up the Fourth Amendment (searches) and the Fifth (self-incrimination) when applying *Miranda*.

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Practice

SET A Check Your Understanding

Answer in two or three sentences.

1. State the holding in *Gideon v. Wainwright* and the constitutional basis for applying it to the states.
2. Explain what the exclusionary rule does and which amendment it protects.
3. Explain how the public safety exception illustrates a balance between rights and safety.
4. Describe why the Court in *Riley v. California* treated cell phones differently from other items found on an arrested person.
5. Explain the difference between metadata and the content of calls, and why the distinction matters in the debate over surveillance.

SET B Exam-Style Multiple Choice

Choose the best answer.

6. Which Supreme Court case required states to provide counsel to indigent defendants in felony cases?
(A) *Miranda v. Arizona* (B) *Gideon v. Wainwright* (C) *Mapp v. Ohio*
(D) *Roe v. Wade* (E) *Riley v. California*
7. A police officer finds drugs after searching a home without a warrant or a valid exception. Under the exclusionary rule, the evidence
(A) will be admitted if it proves guilt (B) is admissible with a judge's approval
(C) can be used only by the defense (D) is automatically converted to a civil matter
(E) may generally not be used at trial
8. The USA Freedom Act of 2015 is best described as
(A) an expansion of bulk collection of phone records by the government
(B) a ruling that struck down the exclusionary rule
(C) a law creating the Fourth Amendment
(D) a limit on the government's collection of bulk telephone metadata
(E) a decision about the right to counsel
9. In the *Gideon* case, the Court relied on which constitutional clause to apply the right to counsel to the states?
(A) the Commerce Clause
(B) the Supremacy Clause
(C) the Due Process Clause of the Fourteenth Amendment
(D) the Establishment Clause
(E) the Necessary and Proper Clause
10. Which of the following is the best example of the Court balancing individual liberty and public safety?
(A) *Quarles* allowing unwarned questioning in an emergency
(B) *Roe* recognizing privacy
(C) *Gideon* requiring counsel for the poor
(D) *Riley* requiring a warrant for phone searches
(E) *Mapp* excluding illegally seized evidence
11. Which statement about *Roe v. Wade* is accurate after the *Dobbs* decision?
(A) *Roe* remains controlling precedent
(B) *Dobbs* applied the Third Amendment
(C) *Roe* was extended to cover all privacy claims
(D) *Roe* was overruled and abortion regulation returned to the states
(E) *Dobbs* affirmed *Casey*'s undue burden test

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SET C Apply and Extend

Write a full response, then check it against the scoring points.

12. Compare *Gideon v. Wainwright* and *Miranda v. Arizona* in the rights they protect and the amendments involved.
13. Explain how the debate over metadata collection after 9/11 illustrates the tension between liberty and order, and describe how Congress responded.
14. Develop an argument about whether the right to privacy should be protected by courts or left to legislatures. Use *Roe* or *Dobbs* as evidence.

7.5 Non-Required Cases for SCOTUS Comparisons

You will learn the most common non-required cases to pair with the required cases and use a four-step method to write a SCOTUS Comparison response.

Free-response Question 3 gives you a short description of a case you have not studied and asks you to compare it with a required case. You are not expected to know the new case in advance. But you will answer faster and with more confidence if you have met the most common comparison partners. This section pairs each major required case with a non-required case that the framework or common practice uses, so you can see how the Court's reasoning stays the same or shifts.

A method for any comparison

- 1 **Find the shared clause** Ask which part of the Constitution both cases rely on, such as the Free Speech Clause, the Free Exercise Clause, the Equal Protection Clause, or the Commerce Clause.
- 2 **Describe the required case** State the facts, the holding, and the reasoning of the required case in two or three sentences. Specific facts earn the points.
- 3 **Compare the facts that matter** Explain which differences in facts, such as where the speech happened or what the law targeted, led to the same or a different result.
- 4 **Explain the principle** Finish by naming the political principle the new case demonstrates, such as federalism, individual liberty versus order, or equal protection.

Pairs worth knowing

Required case	Comparison case	Key similarity or difference
Tinker v. Des Moines (1969)	<i>West Virginia v. Barnette</i> (1943)	Both protect students' expression from state-imposed uniformity. <i>Barnette</i> stopped schools from forcing a flag salute on Jehovah's Witnesses; <i>Tinker</i> protected silent armbands.
Tinker v. Des Moines (1969)	<i>Bethel v. Fraser</i> (1986), <i>Hazelwood</i> (1988), <i>Morse v. Frederick</i> (2007)	Each allows more school control. <i>Fraser</i> upheld punishment for a lewd assembly speech; <i>Hazelwood</i> allowed editing of a school-sponsored paper; <i>Morse</i> allowed removal of a banner seen as promoting illegal drug use.
Schenck v. United States (1919)	<i>Brandenburg v. Ohio</i> (1969)	<i>Schenck</i> allowed punishing speech with a clear and present danger; <i>Brandenburg</i> protects advocacy unless it is directed to and likely to produce imminent lawless action.
Engel v. Vitale (1962)	<i>Lee v. Weisman</i> (1992)	Both bar school-sponsored religious exercise under the Establishment Clause. <i>Lee</i> extended <i>Engel</i> to graduation prayers because of subtle coercion.
Wisconsin v. Yoder (1972)	<i>Oregon v. Smith</i> (1990)	<i>Yoder</i> exempted the Amish from compulsory attendance after eighth grade. <i>Smith</i> held that a neutral law of general applicability can apply to religious use of peyote, narrowing the Free Exercise protection.
McDonald v. Chicago (2010)	<i>District of Columbia v. Heller</i> (2008)	<i>Heller</i> held that the Second Amendment protects an individual right to keep a handgun at home; <i>McDonald</i> applied that right to states through the Fourteenth Amendment.
Brown v. Board (1954)	<i>Plessy v. Ferguson</i> (1896), <i>Swann</i> , <i>Milliken</i>	<i>Brown</i> rejected separate but equal that <i>Plessy</i> accepted. <i>Swann</i> upheld busing; <i>Milliken</i> limited cross-district remedies.
Brown v. Board (1954); Equal Protection	<i>Bakke</i> (1978), <i>Gratz</i> and <i>Grutter</i> (2003), <i>Parents Involved</i> (2007)	The Court has allowed race to be considered only in limited ways. <i>Bakke</i> barred quotas but allowed race as one factor; <i>Grutter</i> upheld holistic review; <i>Gratz</i> struck a point system; <i>Parents Involved</i> struck K-12 plans based on race.

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Required case	Comparison case	Key similarity or difference
United States v. Lopez (1995)	NLRB v. Jones and Laughlin (1937), Wickard (1942), Morrison (2000)	Same Commerce Clause; Jones and Laughlin and Wickard upheld broad regulation of economic activity; Lopez and Morrison limited regulation of non-economic activity.
Citizens United v. FEC (2010)	Buckley v. Valeo (1976)	Both treat political spending as speech; Citizens United extended the principle to independent spending by corporations and unions.

Comparison checklist

Same clause? Same standard? Same kind of facts?

What fact changed the result: setting, target of the law, who was burdened, or the government's interest?

What did each Court say about individual liberty versus government authority?

Reading the differences

Look at three kinds of facts. First, the **setting**: Tinker students were protesting quietly in school, Morse involved a school-supervised event, and Fraser involved a vulgar speech at a school assembly, which explains why the results differ. Second, the **target** of the law: Smith involved a neutral drug law that did not aim at religion, while Yoder involved a school-attendance law that burdened a specific religious way of life. Third, the **standard** the Court uses: Tinker uses substantial disruption, Schenck uses clear and present danger, Brandenburg uses imminent lawless action, and the race-conscious admissions cases use strict scrutiny. Naming the standard is usually the cleanest path to a point.

Race-conscious admissions have continued to evolve. In 2023, in *Students for Fair Admissions v. Harvard* and the *University of North Carolina*, the Court held that race-conscious admissions programs at those universities violated the Equal Protection Clause. The exam expects you to understand the earlier line of cases and the debate between justices who see the Constitution as colorblind and those who say it only forbids racial classifications designed to harm minorities.

Standards to name in your answer

Tinker: student speech may be restricted if it would materially and substantially disrupt school.

Schenck: clear and present danger. Brandenburg: imminent lawless action.

Lemon test: secular purpose, no primary effect of advancing or inhibiting religion, no excessive entanglement.

Strict scrutiny: a racial classification must serve a compelling interest and be narrowly tailored.

EXAMPLE 1: TINKER AND MORSE

A student unfurls a banner at a school-supervised parade across the street from school reading 'Bong Hits 4 Jesus.' The school suspends the student, who sues. The Court in *Morse v. Frederick* (2007) rules for the school. (a) Identify the clause common to Morse and Tinker. (b) Explain how the facts in Morse led to a different result than Tinker.

SOLUTION

(a) The Free Speech Clause of the First Amendment, applied to the states through the Fourteenth Amendment.

(b) In Tinker, the armbands were quiet political speech that did not disrupt school. In Morse, the message was understood as promoting illegal drug use at a school-supervised event, and the Court held that schools may restrict speech reasonably viewed as promoting drug use. The difference in content and setting explains the result.

EXAMPLE 2: YODER AND SMITH

Explain a difference between the reasoning in *Wisconsin v. Yoder* and *Oregon v. Smith*.

SOLUTION

Yoder weighed the burden on the Amish way of life against the state's interest in education and found the state's interest insufficient to override free exercise.

Smith held that a generally applicable and neutral law does not violate free exercise even if it burdens religious practice, so no special exemption is required.

Therefore Smith set a narrower reading of free exercise, and Congress responded by passing the Religious Freedom Restoration Act in 1993.

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Exam tip

Name the required case and the new case in the same sentence as the comparison, and always tie your answer to a fact. 'Both involved the First Amendment' earns nothing without the clause, the facts, or the standard.

Practice**SET A Check Your Understanding**

Answer in two or three sentences.

1. Explain how *West Virginia v. Barnette* and *Tinker* are similar.
2. Explain why the Court allowed punishment in *Bethel v. Fraser* though it protected the students in *Tinker*.
3. State the difference between the *Schenck* and *Brandenburg* standards.
4. Explain how *Lee v. Weisman* builds on *Engel v. Vitale*.
5. Describe how the Court's holding in *Heller* relates to *McDonald v. Chicago*.

SET B Exam-Style Multiple Choice

Choose the best answer.

6. The Court's reasoning in *Oregon v. Smith* differs from *Wisconsin v. Yoder* in that Smith held that
 - (A) the Free Exercise Clause requires exemptions from all laws
 - (B) religious beliefs may be banned
 - (C) a neutral law of general applicability may apply even if it burdens religious practice
 - (D) the Establishment Clause bars unemployment benefits
 - (E) the Amish may not attend private schools
7. Which pair of cases best represents a shift from permitting punishment for dangerous speech to protecting speech unless it incites imminent lawless action?
 - (A) *Schenck* and *Brandenburg*
 - (B) *Tinker* and *Morse*
 - (C) *Engel* and *Lee*
 - (D) *Gideon* and *Miranda*
 - (E) *Baker* and *Reynolds*
8. Which case is most useful for comparing the Court's treatment of race in school admissions?
 - (A) *Barnette*
 - (B) *Miranda*
 - (C) *Lopez*
 - (D) *Bakke*
 - (E) *Heller*
9. *Baker v. Carr* and *Reynolds v. Sims* are related because
 - (A) both established the exclusionary rule
 - (B) both overturned *Plessy*
 - (C) both limited the Commerce Clause
 - (D) both ruled on school prayer
 - (E) both involved unequal representation in legislative districts
10. In *Morse v. Frederick* (2007) the Court ruled for the school. Which fact most clearly distinguishes *Morse* from *Tinker*?
 - (A) The student's message was a quiet political protest against a war
 - (B) The banner was reasonably viewed as promoting illegal drug use at a school-supervised event
 - (C) The student was not enrolled in the school
 - (D) The speech took place on private property far from school
 - (E) A state statute banned all student banners
11. Which statement best compares *Citizens United v. FEC* with *Buckley v. Valeo*?
 - (A) *Citizens United* rejected the idea that money is speech
 - (B) *Buckley* upheld unlimited corporate donations to candidates
 - (C) Both treated spending on political speech as protected, and *Citizens United* extended it to corporations and unions making independent expenditures
 - (D) *Citizens United* struck down disclosure laws
 - (E) Both cases dealt with school prayer

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SET C Apply and Extend

Write a full response, then check it against the scoring points.

12. A student writes a school-newspaper editorial that the principal deletes. The Court in *Hazelwood* allows schools to control school-sponsored publications. Compare the reasoning in *Hazelwood* with the reasoning in *Tinker*.
13. Explain how *Brown v. Board of Education* and *Plessy v. Ferguson* reflect different Court interpretations of the Equal Protection Clause.
14. Develop an argument about whether the Court has been consistent in protecting religious liberty, using *Yoder* and one other case.

7.6 Ideology, Culture, and the Limits of Data

You will connect core American values to policy debates, compare economic ideologies, evaluate polls and data critically, and match each FRQ task verb to the response it requires.

Unit 4 asks you to link beliefs to policy and to judge the quality of polling data. It also expects you to say what a data source can and cannot show. This section completes the unit with the cultural debates, the economic and social policy fights, and the rules of reading polls skeptically. It ends with the task verbs that control how much you must write on every free-response question.

American culture and policy debates

American political culture rests on shared values: **individualism** (people are responsible for their own success), **equality of opportunity** (a fair start, not equal results), **free enterprise**, **rule of law**, and **limited government**. People interpret the same values differently, which is why Americans can agree on principle and clash on policy. Political scientist Seymour Martin Lipset used the term **American exceptionalism** for the idea that the United States is unusual among nations because its identity is built on these values rather than on a shared ancestry or state religion. He called it a double-edged sword, because the same values that encourage freedom and enterprise can also produce distrust of government and tolerance of inequality. Alexis de Tocqueville noticed the same traits in the 1830s, including a love of equality and a habit of joining voluntary groups.

Several debates the framework names show how culture shapes policy.

- ◆ **Multiculturalism versus assimilation:** Multiculturalism values keeping distinct cultures and languages within a shared nation. Assimilation expects newcomers to adopt a common culture and language. Debates over bilingual education and over making **English the official national language** grow from this divide.
- ◆ **The DREAM Act:** A proposed law to create a path to legal status for people brought to the United States as children. It has been debated for years and has not become law, which illustrates how immigration divides both parties and tests federalism and separation of powers. The executive branch created a limited program, DACA (2012), by administrative action.
- ◆ **Welfare reform:** The Personal Responsibility and Work Opportunity Act of 1996 replaced an entitlement with block grants to states, work requirements, and time limits. Supporters emphasized personal responsibility and devolution; critics feared it would leave poor families without a safety net.

Ideology and the economy

Ideology	View of market regulation	Typical positions
Liberal	More regulation and stronger social programs	Higher minimum wage, progressive taxes, inheritance (estate) tax on large fortunes, demand-side or Keynesian policies
Conservative	Fewer regulations and lower taxes	Lower taxes, smaller government, skepticism of the estate tax, supply-side policies
Libertarian	Little or no regulation beyond protecting property and contracts	Minimal government, low taxes, free trade, opposition to most regulation

Economists disagree about how to manage the economy. **Keynesian** theory says that in a downturn the government should spend more or cut taxes to raise demand. **Supply-side** theory says that lower taxes and fewer regulations encourage investment and production. Monetary policy, controlled by the Federal Reserve, works through interest rates and the money supply, while fiscal policy is set by Congress and the president through taxes and spending. The **inheritance tax** is a clear example: liberals say it limits dynasties and funds public goods, while conservatives and libertarians say it taxes money already taxed and harms family businesses.

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Core polling vocabulary

Benchmark poll: an early poll that gives a campaign a baseline.

Tracking poll: repeated polling over time to measure change.

Entrance poll: voters are surveyed as they arrive; exit poll: they are surveyed after voting.

Sampling error (margin of error): the range by which a sample result may differ from the whole population.

Focus group: a small guided discussion that explores attitudes but does not represent the population.

Polls and their limits

A **scientific poll** uses a **random sample**, in which every member of the target population has an equal chance of being chosen, so a few hundred or thousand people can reflect millions. The margin of error shrinks as the sample grows. For a sample of 1,000, it is about plus or minus 3 percentage points. Even a good sample can mislead. Questions can use leading words or push respondents toward an answer. A **push poll** is not real research but a persuasion tool disguised as a survey. People may give answers they think are socially acceptable. Timing matters because opinions change after events, and a low response rate can bias results. Exit and entrance polls miss early and mail voters.

When the exam asks for the **limitations of data**, name a specific, relevant weakness tied to the source: a small or unrepresentative sample, a margin of error larger than the difference being reported, a wording problem, an old date, missing groups, a graph with a truncated axis, or a claim of cause when the data show only correlation. Then say what conclusion the weakness prevents.

Limitations-of-data checklist

Sample: too small, not random, or missing key groups.

Margin of error: larger than the difference reported.

Wording and timing: leading questions, or data collected before major events.

Presentation: truncated axes, missing labels, correlation presented as cause.

EXAMPLE 1: READING A POLL RESPONSIBLY

A poll of 1,000 randomly chosen likely voters shows Candidate X at 49 percent and Candidate Y at 46 percent, with a margin of error of plus or minus 3 points. Explain whether X is clearly ahead.

SOLUTION

Apply the margin to each number: X could be 46 to 52, and Y could be 43 to 49.

The ranges overlap, so the 3-point gap is within the margin of error and X's lead is not statistically clear.

The headline 'X leads' is therefore misleading. A tracking poll over time would show whether the gap is real.

EXAMPLE 2: TURNING A TASK VERB INTO A RESPONSE

A question says 'Explain how a push poll could affect public opinion.' Write a model response that earns the point.

SOLUTION

Identify the claim: a push poll can shift opinion by presenting a damaging claim as a survey question.

Explain the cause: respondents hear the claim, may believe it, and may repeat it to others.

Link to the concept: it is a campaign strategy rather than a scientific poll, because it is not designed to measure opinion fairly.

Task verbs: what each one demands

Verb	What to do	Example opener
Identify	Name or state it, without elaboration	The clause is the Establishment Clause.
Define	Give the specific meaning of the term	Logrolling is the trading of votes.
Describe	Give relevant characteristics	The data show turnout rising with age.
Explain	Say how or why, using evidence and reasoning	This happens because older citizens vote more often.
Compare	Describe similarities or differences	Both cases...
Draw a conclusion	Use the information to make an accurate statement that goes beyond the data	This suggests that candidates...

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Verb	What to do	Example opener
Develop an argument	Make a claim and support it with evidence and reasoning	I argue that...

Common mistakes

A margin of error does not mean the poll is wrong; it describes expected variation. Do not say a larger population needs a larger sample for the same precision; sample size matters most. In an FRQ, do not write an essay for an identify part, and do not write only a fact for an explain part.

Practice

SET A Check Your Understanding

Answer in two or three sentences.

1. Explain how individualism and equality of opportunity can lead to different positions on government programs.
2. Distinguish multiculturalism from assimilation.
3. Describe how the 1996 welfare reform illustrates devolution.
4. Explain how a Keynesian and a supply-side economist would respond to a recession.
5. Explain the difference between an entrance poll and an exit poll and one limitation shared by both.

SET B Exam-Style Multiple Choice

Choose the best answer.

6. A survey using a random sample of 1,200 adults has a margin of error of about 3 points. A result of 51 percent for a policy means that the true value for the population is
 - (A) exactly 51 percent
 - (B) between about 48 and 54 percent
 - (C) at least 51 percent
 - (D) between 41 and 61 percent
 - (E) unknowable
7. Which of the following best illustrates American exceptionalism as described by Lipset?
 - (A) A country united by a common religion
 - (B) A culture without disagreement
 - (C) A government that owns the economy
 - (D) A national identity based on shared values such as liberty and individualism
 - (E) A rejection of constitutionalism
8. Which group would most likely oppose the inheritance tax and favor fewer regulations?
 - (A) Liberals
 - (B) Only socialists
 - (C) Conservatives and libertarians
 - (D) Only the Federal Reserve
 - (E) Supporters of Keynesian demand management
9. A tracking poll differs from a benchmark poll because a tracking poll
 - (A) measures change by repeating the poll over time
 - (B) is taken only once before the campaign starts
 - (C) is taken as voters leave their polling places
 - (D) uses a focus group
 - (E) is not based on a sample
10. Which weakness would most limit conclusions drawn from a bar graph whose vertical axis starts at 40 rather than 0?
 - (A) The graph shows too many categories
 - (B) The graph exaggerates differences between the bars
 - (C) The data are always inaccurate
 - (D) The margin of error is zero
 - (E) The graph cannot be used for opinion data

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11. The task verb 'draw a conclusion' on the exam asks students to
- (A) restate the data
 - (B) list all facts
 - (C) define a term
 - (D) identify a single value
 - (E) use the information to make an accurate statement that goes beyond it

SET C Apply and Extend

Write a full response, then check it against the scoring points.

12. Explain two ways a poll's design can produce misleading conclusions, and give one way to evaluate its credibility.
13. Explain how political culture helps explain why Americans disagree over making English the official language.
14. Develop an argument about whether Keynesian or supply-side policy better fits the American belief in limited government. Use one piece of evidence.

7.7 Participation Deep Dive: Amendments, Parties, Groups, and Media

You will connect voting amendments to participation, explain what parties do and how they adapt, apply Olson's free-rider logic to interest groups, and analyze how media structure shapes political knowledge.

Unit 5 carries about a quarter of the multiple-choice questions, and it also feeds the argument essay and data questions. This section fills in the details that questions turn on: which amendment did what, what parties actually do and how they adapt, why some interest groups organize more easily than others, and how the structure of the media shapes political knowledge.

Expanding the electorate

Amendment or law	Year	Effect on participation
Fifteenth Amendment	1870	Forbids denying the vote on account of race (later undercut by poll taxes, literacy tests, and violence)
Seventeenth Amendment	1913	Direct election of U.S. senators by voters
Nineteenth Amendment	1920	Women gain the right to vote
Twenty-Fourth Amendment	1964	Bans poll taxes in federal elections
Voting Rights Act	1965	Bans literacy tests and gives federal oversight of voting practices in places with a history of discrimination
Twenty-Sixth Amendment	1971	Lowers the voting age to 18

These changes expanded who may vote, but turnout also depends on structure and choice. The United States places registration on the individual and lets states run elections, which differs from countries with automatic registration, national election administration, or fines for not voting. Presidential elections draw more voters than midterms. Voters also reason in different ways: **rational choice** (voting for self-interest), **retrospective** (judging past performance), **prospective** (predicting future performance), and **party-line** voting (supporting one party across the ballot).

What parties do and how they adapt

Parties are **linkage institutions**, channels that connect citizens to government, alongside elections, interest groups, and the media. Their functions include recruiting candidates, writing a platform, mobilizing and educating voters, managing campaigns (including fundraising and media strategy), and organizing government through party leadership and committee systems in legislatures.

Parties have had to adapt. Primaries and modern media moved the choice of nominees from party leaders to voters, so campaigns are **candidate-centered** and the parties' role in nominations has weakened. Campaign finance law also shaped party structure. The Federal Election Campaign Act (1971, amended in 1974) required disclosure, set contribution limits, and created the Federal Election Commission. The Bipartisan Campaign Reform Act of 2002 (McCain-Feingold) banned unlimited "soft money" contributions to national parties and regulated certain broadcast ads. Technology has changed outreach: in 2012 Obama's campaign used a data-integration system called Project Narwhal to target and mobilize voters, while Romney's ORCA get-out-the-vote program failed on Election Day, showing how data and communication technology can determine mobilization success. Parties also modify messages to appeal to demographic coalitions, and occasional **critical elections** produce realignments, durable shifts in party coalitions.

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Functions of parties

- Recruit and nominate candidates.
- Write platforms that state positions.
- Mobilize and educate voters.
- Manage campaigns, including fundraising and media strategy.
- Organize legislatures through leadership and committees.

Why some groups organize more easily than others

Mancur Olson's *The Logic of Collective Action* (1965) explains a puzzle: people who share an interest often do not organize. The reason is the **free-rider problem**. If a benefit, such as clean air or a tax cut, will go to everyone whether or not they join, an individual has little reason to pay dues. Large groups with diffuse benefits struggle most, while small groups with concentrated benefits organize easily. Groups overcome the problem with **selective incentives**, such as discounts, publications, or insurance available only to members, and with purposive or solidarity benefits. E. E. Schattschneider's *The Semisovereign People* (1960) argued that the interest-group system is biased because groups with more money and organization dominate, so the "pressure system" favors upper-income and business interests. This ties into the exam's theme of unequal resources, unequal access to decision makers, and the free rider problem as limits on group influence.

Olson in brief

- Free-rider problem: people can enjoy a group's achievements without paying for them.
- Small groups with concentrated benefits organize more easily than large groups with diffuse benefits.
- Selective incentives (member-only benefits) help groups recruit and keep members.

Groups can be **single-issue** (focused on one topic), ideological, or economic. They influence policy through lobbying, drafting legislation, mobilizing members, educating voters, litigating, and supporting candidates through political action committees. The Club for Growth, which supports limits on taxation and backs like-minded candidates, is an example of an ideological group. Long-term relationships with agencies and committees, called **iron triangles** and **issue networks**, help groups influence policy across party lines.

Media structure and political knowledge

- ◆ **Ownership and choice:** A small number of large corporations own many outlets, and the number of channels and websites has exploded. Competition for audiences encourages consumer-driven coverage.
- ◆ **Horse-race coverage:** Reporting that focuses on polls and who is ahead rather than on policy can shift attention from qualifications and platforms to popularity.
- ◆ **Selective exposure:** With partisan outlets and algorithms, citizens can pick sources that reinforce existing beliefs, which can deepen polarization.
- ◆ **Credibility:** Social media allows quick dissemination but also spreads rumors, so citizens must judge a source's reliability.
- ◆ **Watchdog role:** Investigative journalism uncovers misconduct and informs voters, which links the media to accountability.

EXAMPLE 1: THE 2000 ELECTION AND THE ELECTORAL COLLEGE

In 2000, Al Gore won about half a million more popular votes than George W. Bush, yet Bush won the presidency. Explain how this happened.

SOLUTION

The Electoral College elects the president, not the national popular vote. Nearly every state awards all its electoral votes to the statewide winner.

Bush won Florida by a very small margin after a contested recount (stopped by the Supreme Court in *Bush v. Gore*), which gave him a majority of electoral votes, 271 to 266.

This illustrates the question of whether the Electoral College facilitates or impedes democracy.

EXAMPLE 2: FREE RIDERS

A national association of retirees lobbies for higher benefits, but only a small fraction of eligible retirees pay dues. Explain why.

SOLUTION

Higher benefits, if passed, go to all retirees whether or not they joined the group, so each person can benefit without paying.

This is the free-rider problem identified by Olson.

The group can offer selective incentives such as discounts and magazines for members only.

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Common mistakes

Do not say the Twenty-Fourth Amendment banned literacy tests; that was the Voting Rights Act. Do not describe ORCA as a success. Do not say that Olson argued large groups are always stronger; he argued they face greater organizing problems.

Practice**SET A Check Your Understanding**

Answer in two or three sentences.

1. Match each to its effect: Seventeenth Amendment, Nineteenth Amendment, Twenty-Sixth Amendment.
2. Explain how the Twenty-Fourth Amendment and the Voting Rights Act each reduced barriers to voting.
3. Explain one reason parties' role in nominations has weakened.
4. Explain the lesson of Project Narwhal and ORCA in the 2012 campaigns.
5. Define the free-rider problem and give one solution.

SET B Exam-Style Multiple Choice

Choose the best answer.

6. Which amendment provided for the direct election of United States senators?
(A) Fifteenth (B) Seventeenth (C) Nineteenth
(D) Twenty-Fourth (E) Twenty-Sixth
7. Which statement about political parties as linkage institutions is accurate?
(A) They connect citizens to government by recruiting candidates and mobilizing voters
(B) They make final decisions on court cases
(C) They limit campaign spending
(D) They write the Constitution
(E) They replace interest groups
8. The Bipartisan Campaign Reform Act of 2002 primarily targeted
(A) voting rights for women
(B) the Electoral College
(C) unlimited soft money contributions to national parties
(D) the Supreme Court's jurisdiction
(E) state primaries
9. According to Mancur Olson, large groups often fail to organize because
(A) members have too many selective incentives
(B) small groups have less money
(C) the government forbids organization
(D) each member can benefit without contributing, creating a free-rider problem
(E) all citizens already agree
10. In 2000, George W. Bush became president despite receiving fewer popular votes nationwide than Al Gore. This outcome is best explained by
(A) the Seventeenth Amendment
(B) the discharge petition
(C) the Twenty-Fourth Amendment
(D) a decision of the Senate
(E) the Electoral College's state-by-state allocation of electoral votes

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11. Which media trend most directly contributes to selective exposure?
- (A) Fewer news choices
 - (B) Required balanced coverage
 - (C) An increase in partisan outlets that let people choose sources that match their beliefs
 - (D) Greater government ownership of media
 - (E) Elimination of social media

SET C Apply and Extend

Write a full response, then check it against the scoring points.

12. Explain two ways parties have adapted to candidate-centered campaigns and one limit on their adaptation.
13. Compare an iron triangle with an issue network in how they influence policy.
14. Develop an argument about whether the media or interest groups have more influence on elections. Use one piece of evidence.

7.8 Mixed Review: Multiple Choice

Twenty questions drawn from every unit, weighted toward the topics students miss most often.

Choose the best answer for each question. Items mix all five units and include data tables, scenarios, and case applications. Each answer explains why the correct choice is right and why the most tempting wrong choice fails.

SET A Core Concepts

Choose the best answer.

1. According to Federalist No. 10, the best way to deal with the dangers of faction in a free society is to
- (A) remove the causes of faction by giving everyone the same interests
 - (B) control its effects through a large republic with representation
 - (C) give a majority faction direct control of the government
 - (D) limit the number of political parties
 - (E) let state governments eliminate factions
2. The federal government gives a state a fixed sum for transportation and lets the state decide how to divide it among roads, bridges, and transit. This is an example of
- (A) a condition of aid
 - (B) a categorical grant
 - (C) a federal mandate
 - (D) a block grant
 - (E) a restriction on state powers
3. Ending a filibuster in the Senate usually requires
- (A) three-fifths of the Senate (60 votes)
 - (B) a simple majority of senators present
 - (C) two-thirds of the Senate
 - (D) a vote of the House
 - (E) unanimous consent of all senators
4. Police ask an arrested suspect, without Miranda warnings, where he dropped a loaded gun in a crowded store. Under the public safety exception, his answer is
- (A) inadmissible because the Fourth Amendment forbids all questioning of arrestees
 - (B) inadmissible because warnings were never given
 - (C) inadmissible because the Sixth Amendment bars questioning
 - (D) admissible only if a lawyer was present
 - (E) likely admissible because of the immediate danger to the public
5. Gideon v. Wainwright applied the right to counsel to state courts through
- (A) the Commerce Clause
 - (B) the Tenth Amendment
 - (C) the Fourteenth Amendment's Due Process Clause
 - (D) the Eleventh Amendment
 - (E) the Supremacy Clause

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6. Which reform most directly aimed to make the federal bureaucracy more professional and less dependent on political loyalty?
- (A) The spoils system (B) The Pendleton Act of 1883
(C) The Seventeenth Amendment (D) The Impoundment Control Act
(E) The Twenty-Second Amendment
7. Which statement best describes the free-rider problem?
- (A) Citizens who do not vote cannot be counted in polls
(B) Interest groups cannot lobby without a political party
(C) Politicians receive free transportation from lobbyists
(D) Third parties lose because voters choose the larger party
(E) Members of a group may obtain a collective benefit without paying the cost of obtaining it

SET B Applications and Data

Choose the best answer.

8. Based on the table, which conclusion about voter turnout is best supported?

Age group	Turnout in a presidential election (%)
18-29	39
30-44	53
45-64	66
65 and older	71

- (A) Turnout increases with age
(B) Young adults vote at higher rates than older adults
(C) Turnout is the same across groups
(D) Turnout is highest among citizens aged 30 to 44
(E) Turnout is lowest among citizens aged 65 and older
9. A writer argues that in a vast republic, elected officials will lose touch with ordinary people and eventually escape their control, so power should stay mostly with smaller local governments. This argument is most consistent with
- (A) Federalist No. 70 (B) Federalist No. 10
(C) Brutus No. 1 (D) Federalist No. 78
(E) The Declaration of Independence
10. Congress passes a law making it a federal crime to carry a certain item within 500 feet of any school. A challenger argues the law is beyond Congress's power. Which case would the challenger most likely cite?
- (A) Baker v. Carr (B) McCulloch v. Maryland (C) Marbury v. Madison
(D) United States v. Lopez (E) Wisconsin v. Yoder
11. A poll of 800 randomly selected voters finds that 47 percent support a ballot measure and 44 percent oppose it, with a margin of error of 3.5 points. The most accurate interpretation is that
- (A) support is definitely higher than opposition
(B) the difference is within the margin of error, so the result is too close to call
(C) the poll is invalid
(D) opposition is higher than support
(E) a 3-point gap guarantees a winner in a close election
12. A map of a state shows a congressional district with a long, narrow, irregular shape connecting distant neighborhoods in which most residents are members of a minority group. The Court decision most relevant to a challenge to this district is
- (A) Shaw v. Reno (B) Gideon v. Wainwright
(C) Engel v. Vitale (D) New York Times Co. v. United States
(E) Tinker v. Des Moines

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13. Police arrest a man for a traffic violation and search his phone without a warrant, finding evidence of another crime. Under *Riley v. California*, the search is most likely
- (A) valid because the phone belonged to the arrestee
 - (B) valid because he was under arrest
 - (C) valid if the phone was unlocked
 - (D) valid because phones are like wallets
 - (E) invalid because police generally need a warrant to search a phone
14. A president issues an executive order directing agencies to review regulations, and Congress responds with a law restricting funds for the review. Which principle is best illustrated?
- (A) Selective incorporation
 - (B) Federalism
 - (C) Judicial review
 - (D) Checks and balances through congressional power of the purse
 - (E) Separation of church and state

SET C Exam-Level Stretch

Choose the best answer.

15. Both *Wisconsin v. Yoder* and *Oregon v. Smith* involve the Free Exercise Clause. Which statement correctly contrasts them?
- (A) Both ruled the Establishment Clause was violated
 - (B) *Yoder* upheld a law applying to religious practice, while *Smith* exempted the Amish
 - (C) *Yoder* exempted the Amish from a general requirement, while *Smith* allowed enforcement of a neutral general law against religious use of peyote
 - (D) Both held that religious groups must always receive exemptions
 - (E) *Yoder* and *Smith* both involved the Second Amendment
16. Which conclusion about congressional elections is best supported by the data?

Year	Approve of Congress (%)	Approve of own representative (%)
1	19	54
2	23	57
3	14	49

- (A) Voters tend to judge their own representative more favorably than Congress as a whole, which helps incumbents
 - (B) Voters strongly disapprove of their own representatives
 - (C) Congress is more popular than individual members
 - (D) Approval of members does not vary
 - (E) Voters approve of Congress by a majority in each year
17. After President Nixon refused to spend funds Congress had appropriated, Congress passed the Impoundment Control Act of 1974. The law's purpose was to
- (A) limit the Supreme Court's jurisdiction
 - (B) require the president to spend appropriated funds unless Congress agreed to rescind them
 - (C) give the president a line-item veto
 - (D) allow a legislative veto
 - (E) Congress could not appropriate funds in later years
18. *Citizens United v. FEC* (2010) held that
- (A) states may not regulate any political speech
 - (B) contributions to candidates are unlimited
 - (C) parties may not raise money
 - (D) the Constitution requires public financing of campaigns
 - (E) corporations and unions may make independent political expenditures under the First Amendment

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19. A state legalizes recreational marijuana even though federal law bans it. Which constitutional principle explains why the federal ban remains in force?
- (A) The Establishment Clause (B) The Tenth Amendment
(C) The Supremacy Clause (D) The Fifteenth Amendment
(E) The Equal Protection Clause
20. Which statement best contrasts *Brown v. Board of Education* (1954) with *Plessy v. Ferguson* (1896)?
- (A) Plessy ended segregation
(B) Brown upheld separate but equal facilities
(C) Brown applied only to private schools
(D) Brown held that segregated public schools violate the Equal Protection Clause, rejecting the reasoning of Plessy in education
(E) Brown applied the Commerce Clause

7.9 Mixed Free-Response Clinic

Four free-response questions, one of each exam type, that mix material from different units and use the official point values of 3, 4, 4, and 6.

Each question is scored by points: Question 1 Concept Application is worth 3, Question 2 Quantitative Analysis is worth 4, Question 3 SCOTUS Comparison is worth 4, and Question 4 Argument Essay is worth 6. Time yourself at 20, 20, 20, and 40 minutes, write complete sentences, and compare your response with the scoring points in the model answers.

QUESTION 1 Concept Application: Federalism and the Environment (3 points)

Read the scenario, then answer (a), (b), and (c). Scenario: Congress passes a clean air law saying that any state that does not adopt its pollution-control standards will lose 10 percent of its federal highway funding. The Environmental Protection Agency writes detailed rules to implement the standards. One state refuses to comply and sues, arguing that environmental regulation is a state responsibility.

- (a) Identify the tool the national government uses to influence state policy in the scenario.
- (b) Explain how the action in the scenario affects the balance of power between the national and state governments.
- (c) Explain one way Congress can hold the EPA accountable for how it writes the detailed rules.

QUESTION 2 Quantitative Analysis: Ideology by Generation (4 points)

Use the data to answer (a) through (d). The table shows the percentage of adults in each generation who identify as liberal, moderate, or conservative in a national survey.

- (a) Identify the percentage of the youngest generation (born 1981-1996) that identifies as conservative.

Generation	Liberal (%)	Moderate (%)	Conservative (%)
Born before 1946	15	35	50
Born 1946-1964	20	36	44
Born 1965-1980	24	37	39
Born 1981-1996	33	38	29

- (b) Describe the trend in the percentage identifying as liberal as generations get younger.
- (c) Draw a conclusion about the relationship between generation and ideology, based on the data.
- (d) Explain how the data demonstrate the influence of political socialization on political beliefs.

QUESTION 3 SCOTUS Comparison: Speech and Incitement (4 points)

Read the summary, then answer (a) through (d). In *Brandenburg v. Ohio* (1969), a Ku Klux Klan leader was convicted under an Ohio law that punished advocating violence as a way of achieving political change, after he made a speech at a rally. The Supreme Court unanimously reversed the conviction, holding that the government may not punish advocacy of illegal action unless the advocacy is directed to inciting imminent lawless action and is likely to produce it.

- (a) Identify the constitutional clause that is common to both *Schenck v. United States* (1919) and *Brandenburg v. Ohio*.
- (b) Describe the facts or reasoning of *Schenck v. United States*.
- (c) Explain a difference in the reasoning or holding between *Schenck* and *Brandenburg*.
- (d) Explain how the holding in *Brandenburg* demonstrates the principle of balancing individual liberty and public order.

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QUESTION 4 **Argument Essay: Controlling the Bureaucracy (6 points)**

Develop an argument about whether Congress or the president should have primary control over the federal bureaucracy. Use at least one piece of evidence from one of the following foundational documents: Federalist No. 51, Federalist No. 70, or the Constitution of the United States. In your response, you should: respond to the prompt with a defensible claim or thesis that establishes a line of reasoning; support the claim with at least two pieces of specific and relevant evidence, one of which must come from a document listed above and a second that may come from another foundational document or from your knowledge of course concepts; use reasoning to explain why the evidence supports the claim; and respond to an opposing or alternative perspective using refutation, concession, or rebuttal.

12. Write the argument essay.

Answers **Chapter 7: Answers and Explanations**

Answers for every practice problem, numbered to match. Read the explanation even when your answer is correct.

7.1 **Federalism Deep Dive: Powers, Grants, and Cases****SET A · CHECK YOUR UNDERSTANDING**

1. (a) Exclusive national, because states may not coin money. (b) Exclusive state, since states administer elections under their reserved powers. (c) Concurrent, because both Congress and the states have taxing power.
2. A categorical grant sends money for a specific purpose with detailed federal rules, so the national government keeps control. A block grant covers a broad area with fewer rules, so states have more discretion in spending.
3. The act threatened to withhold part of a state's federal highway funds if it kept a drinking age below 21. States adopted the higher age to keep the money, so the national government achieved its goal through a condition of aid.
4. State law permits recreational use while federal law still bans it. The conflict shows that the Supremacy Clause lets federal law prevail in principle, but real enforcement depends on state and local police, so states can shape practice.
5. The Court held that Congress could charter a national bank and that Maryland could not tax it. It relied on the Necessary and Proper Clause for implied powers and on the Supremacy Clause to place federal law above state law.

SET B · EXAM-STYLE MULTIPLE CHOICE

6. B. A categorical grant targets a specific purpose with federal rules. Choice A describes a block grant, the most tempting wrong answer since both involve a lump sum.
7. C. The money is conditioned on the state's policy choice. Choice A is wrong because Congress did not directly command the state; it used a funding incentive.
8. D. Lopez struck down a federal law for exceeding the commerce power. Choices B and C expanded commerce power, so they are the opposite of what the question asks.
9. E. States may experiment with policy even where federal law differs, though federal law remains supreme. Choice A is wrong because the states did not legally nullify the federal ban.
10. A. Devolution returns authority to the states, as in the 1996 welfare reform. Choice C is the opposite trend.
11. D. McCulloch barred the state tax under the Supremacy Clause. Choice A is wrong because McCulloch upheld implied powers.

SET C · APPLY AND EXTEND

12. 1 point: McCulloch strengthened national power by affirming implied powers and the Supremacy Clause. 1 point: Lopez limited national power by ruling that the Commerce Clause does not reach non-economic local activity. 1 point: Explain that the two show the balance has shifted over time with Court interpretation, using the Necessary and Proper Clause versus the Commerce Clause as the constitutional bases.
13. 1 point: Identify tools such as categorical grants, conditions of aid, or mandates. 1 point: Explain how one works, for example No Child Left Behind tied testing and reporting to federal school funds. 1 point: Explain why states comply (they depend on federal money), so national influence exists even for reserved powers.
14. 1 point: A defensible claim. 1 point: Evidence such as Federalist No. 10 (national oversight guards against local majority factions, supporting categorical rules) or Brutus No. 1 (local knowledge supports block grants). 1 point: Reasoning linking the evidence to the grant type, and acknowledging the alternative view.

7.2 **Congress and the President: Procedure, Appointments, and Limits****SET A · CHECK YOUR UNDERSTANDING**

1. The large House needs strict rules, including limits on debate set by the Rules Committee. The smaller Senate allows long debate and relies on unanimous consent, so a few senators can slow action through filibusters or holds.
2. House members face election every two years and are tied to short-term district interests. Senators serve six years and represent entire states, so they can take longer-term positions and form more stable coalitions.
3. A discharge petition lets a majority of House members force a bill out of a committee that is blocking it, so it can reach the floor. It is a way to bypass committee and leadership control.
4. It makes it hard for a simple majority to pass controversial bills in the Senate. A minority of 41 can block action, which encourages compromise or leads to gridlock.
5. Mandatory spending, such as Social Security and Medicare, continues under existing law without annual votes; discretionary spending is set by yearly appropriations. As entitlement costs rise, less money is available for discretionary programs unless revenue or deficits rise.

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SET B · EXAM-STYLE MULTIPLE CHOICE

6. D. Cloture takes 60 votes. Choice C is tempting but wrong because treaty ratification needs two-thirds.
8. C. Logrolling is vote trading. Choice A describes a hold, a different tool for delay.
10. E. Executive agreements do not need Senate consent, though Congress may respond through funding or law. Choice A describes treaties.
7. B. Revenue bills must originate in the House. Choice D belongs to the Senate.
9. A. It limits presidents to two elected terms. Choice C is wrong because justices have life tenure under Article III.
11. A. The Senate used its confirmation power. Choice B is wrong because a legislative veto concerns congressional reversal of executive actions, not nominations.

SET C · APPLY AND EXTEND

12. 1 point: Describe the Rules Committee setting limited debate and amendment rules in the House. 1 point: Describe the Senate filibuster and cloture, in which debate is open unless 60 votes end it. 1 point: Explain that chamber size and tradition explain the difference, and that each affects how easily majorities pass laws.
13. 1 point each for two valid responses (pass a law contradicting it, cut funding, hold oversight hearings, or use the confirmation power). 1 point: Limit, such as the president's veto of a law overturning the order requiring a two-thirds override, or the courts' ability to review the order.
14. 1 point: Defensible claim. 1 point: Evidence, such as Bork or Tower rejections as effective, or life-tenured judges outlasting the president as limiting the check. 1 point: Reasoning connecting the evidence to the claim and acknowledging an opposing view.

7.3 Courts and the Bureaucracy: Legitimacy, Limits, and Accountability**SET A · CHECK YOUR UNDERSTANDING**

1. Stare decisis encourages the Court to follow precedent, which gives stability. But new justices appointed by different presidents may interpret the Constitution differently and overturn precedent, so stability is not guaranteed.
2. Congress can propose constitutional amendments, change appellate jurisdiction, or pass laws modifying a ruling's impact. The president can nominate justices and Congress can confirm them, shaping the Court over time.
3. The Court held that executive privilege is not absolute when criminal evidence is needed, so the president must obey a court order. Nixon's compliance and resignation showed that the judiciary can check the executive.
4. Patronage gives jobs to political supporters and may favor loyalty over skill. A merit system hires through exams and qualifications to promote professionalism and neutrality.
5. Rule making is an agency's writing of binding regulations to carry out a law. Congress delegates because it lacks time and expertise to write every detail, so it gives agencies discretion within the statute.

SET B · EXAM-STYLE MULTIPLE CHOICE

6. B. An amendment reversed the effect of a Court decision on the income tax. Choice A is wrong because court-packing changes the size of the Court, which was not used here.
8. E. Appointment and direction of agency leaders is a main presidential tool. Choices A, D, and C are congressional tools, and choice B is judicial.
10. C. The SEC regulates securities markets. Choice A reverses the roles of the FEC and the SEC.
7. D. The legislative veto was held unconstitutional. Choice E describes the opposite of *United States v. Nixon*.
9. A. The act established hiring by merit. Choice B is the opposite of its intent.
11. B. The Court limited cross-district remedies without proof of intentional segregation by the suburbs. Choice A is wrong because it states the opposite.

SET C · APPLY AND EXTEND

12. 1 point each: two valid limits (amendment, appointments, jurisdiction, size, legislation). 1 point: An ineffective limit, such as amendments being very hard to pass, appointments taking years, or the Court's life tenure shielding justices.
13. 1 point each for a valid example from Congress (hearings, budget), the president (appointment, executive orders, OMB), and courts (review of rules). 1 point: Explain that competing interests and compliance problems let agencies keep discretion.
14. 1 point: Defensible claim. 1 point: Evidence such as the Pendleton Act, expertise and neutrality, or the insulation of career officials from voters. 1 point: Reasoning with a concession or rebuttal, such as that presidents can still steer policy through political appointees.

7.4 Rights of the Accused, Privacy, and Digital Surveillance**SET A · CHECK YOUR UNDERSTANDING**

1. The Court held that states must provide a lawyer to defendants who cannot afford one in felony cases. The basis was the Sixth Amendment right to counsel, applied to the states through the Fourteenth Amendment's Due Process Clause.
2. It bars the use at trial of evidence obtained through an unreasonable search or seizure. It enforces the Fourth Amendment by removing police incentive to violate it.
3. Normally statements taken without Miranda warnings are excluded. The exception allows an unwarned answer when needed to protect the public immediately, favoring safety in a narrow situation.
4. Phones contain huge amounts of private information, including messages, photos, and location data, much more than a wallet. The Court therefore required a warrant, protecting privacy.
5. Metadata shows who called whom and when, not what was said. Supporters of collection argue it intrudes less, while critics argue large collections reveal intimate patterns, so the debate concerns how far privacy extends.

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SET B · EXAM-STYLE MULTIPLE CHOICE

6. B. Gideon extended the Sixth Amendment counsel right to state felony defendants. Choice A is tempting because it also involves counsel but concerns warnings during police questioning.
8. D. It ended bulk collection by the government and required more targeted requests. Choice A is the opposite of what the law did.
10. A. Quarles lets police question without warnings when public safety is at risk. Choices D and E favor liberty rather than creating a safety exception.
7. E. Illegally obtained evidence is generally excluded. Choice A ignores that the rule applies even when the evidence is reliable.
9. C. Selective incorporation through due process applied the right to the states. Choice B is wrong because the Supremacy Clause makes federal law supreme but does not itself incorporate the Bill of Rights.
11. D. Dobbs overruled Roe and Casey. Choice E is wrong because Casey was also overruled.

SET C · APPLY AND EXTEND

12. 1 point: Gideon protects the Sixth Amendment right to counsel at trial for the poor. 1 point: Miranda protects the Fifth Amendment right against self-incrimination in police custody. 1 point: Similarity, such as both guarantee access to counsel and both reflect the Court's concern that suspects face the state at a disadvantage, or both being applied to states.
13. 1 point: Liberty and order tension explained (security vs privacy). 1 point: Identify the PATRIOT Act's expansion of surveillance. 1 point: The USA Freedom Act (2015) limited bulk collection, showing the political system adjusting.
14. 1 point: Defensible claim. 1 point: Accurate evidence from Roe (privacy under due process) or Dobbs (return to elected officials). 1 point: Reasoning and consideration of an alternative view, such as concerns about judicial overreach versus protecting minority rights.

7.5 Non-Required Cases for SCOTUS Comparisons**SET A · CHECK YOUR UNDERSTANDING**

1. Both protect students from government-imposed limits on expression in public schools. In *Barnette*, students could not be forced to salute the flag; in *Tinker*, students could wear armbands. Each rests on the First Amendment applied to the states.
2. Fraser's speech was lewd and delivered at a school assembly, so the school could teach appropriate behavior. *Tinker*'s armbands were silent political expression that did not disrupt school.
3. Schenck allowed punishment for speech creating a clear and present danger. *Brandenburg* protects advocacy unless it is directed at producing imminent lawless action and is likely to do so, giving stronger protection.
4. Engel prohibited official prayer in public schools. Lee extended the same Establishment Clause principle to a graduation prayer, noting subtle coercion of students to participate.
5. Heller held that the Second Amendment protects an individual right to keep a handgun at home, but it involved a federal enclave. McDonald held that the right applies to the states through the Fourteenth Amendment.

SET B · EXAM-STYLE MULTIPLE CHOICE

6. C. Smith narrowed free exercise by upholding neutral generally applicable laws. Choice A states the opposite and overstates *Yoder*.
8. D. Bakke barred quotas but allowed race as a factor in admissions. Choice C concerns the Commerce Clause.
10. B. The Court treated promotion of drug use at a school event as a reason schools may restrict speech. Choice A describes *Tinker*, the case being contrasted.
7. A. Schenck's clear and present danger test was replaced by *Brandenburg*'s narrower imminent lawless action test. Choice B involves student speech, not incitement.
9. E. Baker opened courts to apportionment claims, and *Reynolds* required equal population districts. Choice C is unrelated to either.
11. C. The Court treated independent political spending as protected speech in both. Choice D is wrong because the Court upheld disclosure requirements in *Citizens United*.

SET C · APPLY AND EXTEND

12. 1 point: Identify the First Amendment speech clause common to both. 1 point: Describe *Tinker*'s holding (substantial disruption standard for student expression). 1 point: Explain the difference: *Hazelwood* involves school-sponsored speech that the school can reasonably regulate for educational purposes, while *Tinker* involved personal expression.
13. 1 point: *Plessy* accepted separate but equal. 1 point: *Brown* held that separate schools are inherently unequal. 1 point: Explain that the Court's interpretation changed with its composition, evidence of harm, and the civil rights movement.
14. 1 point: Defensible claim. 1 point: Accurate evidence from *Yoder* (exemption for the Amish) and a second case such as *Smith*, *Engel*, or *Lee*. 1 point: Reasoning that links the evidence to the claim, with acknowledgement of opposing evidence.

7.6 Ideology, Culture, and the Limits of Data**SET A · CHECK YOUR UNDERSTANDING**

1. Individualism stresses self-reliance, so some prefer limited programs. Equality of opportunity can justify programs such as public education that give everyone a fair start. The values are shared but their interpretation leads to different policy views.
2. Multiculturalism values keeping diverse cultures and languages within the national community. Assimilation expects immigrants to adopt a common culture and language.
3. It replaced a federal entitlement with block grants to states and gave states flexibility to design programs with work requirements and time limits. Responsibility shifted from the national government to the states.
4. A Keynesian would increase government spending or cut taxes to raise demand. A supply-side economist would cut taxes and regulations to encourage investment and production.

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5. An entrance poll surveys voters as they arrive; an exit poll surveys them after they vote. Both miss people who voted early or by mail and may be affected by who agrees to respond.

SET B · EXAM-STYLE MULTIPLE CHOICE

6. B. The margin of error gives a range around the reported figure. Choice A treats the sample as perfectly precise.
7. D. Exceptionalism refers to a national identity based on shared political values. Choice B is wrong because the idea does not require agreement on policy.
8. C. Conservatives and libertarians generally favor lower taxes and less regulation. Choice E is tempting but Keynesians often accept active government.
9. A. Tracking polls repeat measurements to show trends. Choice C describes an exit poll.
10. B. A truncated axis makes small differences look large. Choice C overstates the problem because the numbers may be accurate.
11. E. A conclusion requires an inference supported by evidence. Choice A is wrong because restating is description.

SET C · APPLY AND EXTEND

12. 1 point each for two valid design problems (leading wording, unrepresentative sample, low response rate, timing, social desirability, margin of error larger than the gap). 1 point: A way to evaluate credibility, such as checking the sample method, the margin of error, the question wording, and who sponsored the poll.
13. 1 point: Identify the values or divides involved, such as assimilation versus multiculturalism. 1 point: Explain how individualism, rule of law, or national identity lead to different views. 1 point: Link to policy effects on schools, government services, or voting materials.
14. 1 point: Defensible claim. 1 point: Accurate evidence such as the 1996 welfare reform, tax cuts, or stimulus spending. 1 point: Reasoning linking the evidence to limited government and addressing the other view.

7.7 Participation Deep Dive: Amendments, Parties, Groups, and Media

SET A · CHECK YOUR UNDERSTANDING

1. The Seventeenth provided direct election of senators, the Nineteenth gave women the right to vote, and the Twenty-Sixth lowered the voting age to 18.
2. The Twenty-Fourth banned poll taxes in federal elections, removing a cost that burdened poor citizens. The Voting Rights Act banned literacy tests and gave federal oversight to areas with histories of discrimination.
3. Primaries and candidate-centered campaigns let voters, not party leaders, choose nominees. Candidates raise money and build their own organizations, which reduces party control.
4. Narwhal integrated voter data to target and mobilize voters effectively, while ORCA failed on Election Day. The contrast shows that technology and data management can strongly influence turnout efforts.
5. A free rider enjoys a collective benefit without contributing to its cost. Groups reduce it by offering selective incentives available only to members.

SET B · EXAM-STYLE MULTIPLE CHOICE

6. B. The Seventeenth (1913) replaced selection by state legislatures. Choice A concerns race and voting.
7. A. Parties connect citizens to policy makers. Choice E is wrong because parties and interest groups perform different functions.
8. C. The act banned soft money to national parties. Choice B is unrelated to campaign finance.
9. D. Diffuse benefits reduce the incentive to contribute. Choice A is the opposite: selective incentives help groups overcome the problem.
10. E. Electoral votes, not national popular votes, determine the presidency. Choice D is wrong because the Supreme Court, not the Senate, decided *Bush v. Gore*.
11. C. Many outlets and partisan sources allow people to reinforce existing views. Choice A is the opposite of the trend.

SET C · APPLY AND EXTEND

12. 1 point each for two valid adaptations (data and technology, tailoring messages to coalitions, fundraising and campaign services). 1 point: Limit, such as campaign finance law, weaker role in nominations, or independent groups that compete with parties.
13. 1 point: Describe an iron triangle as a stable relationship among an agency, a congressional committee, and an interest group. 1 point: Describe an issue network as a broader, looser group of actors with expertise. 1 point: Explain that both allow interest groups to influence policy across party lines.
14. 1 point: Defensible claim. 1 point: Accurate evidence such as horse-race coverage shaping candidate viability or group spending in campaigns. 1 point: Reasoning and acknowledgement of an alternative, possibly using Federalist No. 10 on factions.

7.8 Mixed Review: Multiple Choice

SET A · CORE CONCEPTS

1. B. Madison argued that the causes of faction cannot be removed without destroying liberty, so the effects must be controlled. Choice A names the tempting alternative, removing the causes, which he rejected.
2. D. Broad purpose with state discretion defines a block grant. Choice B is wrong because a categorical grant limits money to narrow, specific purposes.
3. A. Cloture needs 60 votes for most matters. Choice C (two-thirds) is the threshold for treaties and veto overrides, not cloture, and choice B fails because a simple majority cannot end debate.
4. E. The exception allows unwarned questions needed to protect the public. Choice B states the normal rule but ignores the exception.

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5. C. This is selective incorporation. Choice B is wrong because the Tenth Amendment reserves powers and does not incorporate rights.
7. E. The problem lowers the incentive to join. Choice D describes the spoiler logic of the winner-take-all system, which is different.

SET B · APPLICATIONS AND DATA

8. A. Turnout rises from 39 percent to 71 percent across the groups. Choice B reverses the pattern.
10. D. Lopez limited the Commerce Clause for non-economic activity near schools. Choice B is wrong because McCulloch supports broad implied national powers.
12. A. Shaw held that bizarrely shaped race-based districts may violate the Equal Protection Clause. Choice B concerns counsel for the poor and has no connection to district shape.
14. D. Congress used appropriations to limit executive action. Choice C is wrong because no court acted.

SET C · EXAM-LEVEL STRETCH

15. C. Yoder protected an exemption; Smith narrowed the protection. Choice B reverses the holdings.
17. B. The law protected Congress's power of the purse. Choice D is wrong because the legislative veto was ruled unconstitutional in Chadha.
19. C. Federal law prevails when valid federal and state laws conflict. Choice B is tempting because states have reserved powers, but it does not make state law override valid federal law.

6. B. It created merit-based hiring. Choice A is the system it sought to replace.

9. C. Brutus warned about distance between rulers and the people in a large republic. Choice B is the opposite view, which sees size as a protection against faction.
11. B. The 3-point gap is smaller than the margin, so the ranges overlap. Choice A overstates the evidence.
13. E. Riley required warrants for phone searches even after arrest. Choice B applies the older rule for physical items and misses the privacy interest in digital data.

16. A. The gap between the two figures is about 30 points each year. Choice C reverses the relationship.
18. E. The Court treated independent spending as protected speech. Choice B overstates the decision, which did not remove limits on direct contributions to candidates.
20. D. Brown overturned separate but equal in public education. Choice B reverses the cases.

7.9 Mixed Free-Response Clinic**QUESTION 1 · CONCEPT APPLICATION: FEDERALISM AND THE ENVIRONMENT (3 POINTS)**

1. (a) 1 point: A condition of aid (conditional grant): federal highway money is tied to following national standards. A response of 'fiscal federalism' or 'grant with strings attached' also earns the point.
2. (b) 1 point: The national government gains influence over a policy area that the state claims as its own, because states depend on the money and are pressured to comply. The response must connect the funding threat to a shift of power toward the national level, not simply say the state loses money.
3. (c) 1 point: Valid examples are oversight hearings, cutting or conditioning the agency's appropriation, rewriting the statute to narrow the agency's discretion, confirming agency leaders, or requiring reports. The response must explain how the tool limits or checks the EPA's rule making.

QUESTION 2 · QUANTITATIVE ANALYSIS: IDEOLOGY BY GENERATION (4 POINTS)

4. (a) 1 point: 29 percent.
5. (b) 1 point: The liberal percentage rises with each younger generation, from 15 percent for those born before 1946 to 33 percent for those born 1981-1996, more than doubling.
6. (c) 1 point: Younger generations are more liberal and less conservative than older ones, so generation is associated with ideology and, if patterns persist, the electorate's balance may shift over time. The conclusion must go beyond restating the trend (for example, by noting the limits, such as that life cycle effects may also play a role).
7. (d) 1 point: Political socialization shapes attitudes through events, family, schools, and peers experienced during formative years, so each generation's shared experiences (for example, different economic conditions or major events) lead to different ideological distributions. The response must link generational experience to the pattern in the data.

QUESTION 3 · SCOTUS COMPARISON: SPEECH AND INCITEMENT (4 POINTS)

8. (a) 1 point: The Free Speech Clause of the First Amendment (applied to the states through the Fourteenth Amendment in *Brandenburg*).
9. (b) 1 point: Charles Schenck distributed leaflets urging resistance to the draft during World War I and was convicted under the Espionage Act; the Court upheld the conviction, holding that speech may be punished when it creates a clear and present danger of bringing about harms Congress may prevent, particularly in wartime.
10. (c) 1 point: Schenck's clear and present danger test permitted punishment of speech with a tendency to cause harm, while *Brandenburg* requires that speech be directed at inciting imminent lawless action and be likely to produce it. *Brandenburg* therefore gives much more protection to advocacy.
11. (d) 1 point: *Brandenburg* protects individual liberty by letting people advocate unpopular ideas, but still allows government to punish speech that will cause immediate lawless action, which protects order. The response must connect the standard to the balance between liberty and order, not merely restate the holding.

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QUESTION 4 · ARGUMENT ESSAY: CONTROLLING THE BUREAUCRACY (6 POINTS)

12. 6 points. Thesis (1 point): a defensible claim that takes a side and states a line of reasoning, for example: 'The president should have primary control of the bureaucracy because a single accountable executive is needed to carry out the laws energetically, although Congress should keep oversight.' Evidence (up to 3 points): one point for a relevant piece of evidence, two for a specific and relevant piece, and three for two specific and relevant pieces, one from a listed document. For a presidential-control position: Federalist No. 70 argues for a single executive for energy and accountability, and Article II vests executive power in the president, who appoints officers and must faithfully execute the laws; a second piece may be executive orders, presidential removal and appointment, or the Office of Management and Budget. For a congressional-control position: Federalist No. 51 supports checks so that no branch dominates, and Article I gives Congress the power of the purse, creation of agencies, and oversight; a second piece may be hearings, appropriations, or the Impoundment Control Act. Reasoning (1 point): explains how the evidence supports the claim, for example, that a single executive prevents agencies from answering to many masters, or that Congress's control over money prevents executive dominance. Alternative perspective (1 point): describes the opposing view and refutes, concedes, or rebuts it, for example, conceding that Congress needs oversight but arguing that its size and divisions make day-to-day control impractical. A response earns the evidence points only by using specific details, not by naming a document.

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Section I has 55 multiple-choice questions (suggested time 80 minutes, 50 percent of the score). Section II has 4 free-response questions (suggested time 100 minutes, 50 percent of the score): Question 1 Concept Application, Question 2 Quantitative Analysis, Question 3 SCOTUS Comparison, Question 4 Argument Essay. Choose the best answer for each multiple-choice question. Write free-response answers in complete sentences and attempt every part; answers are explained and scored after each question.

Section	Questions	Time	Weight	Points
I Multiple choice	55	80 min	50%	55 raw
II FRQ 1 Concept Application	3 parts	20 min	12.5%	3
II FRQ 2 Quantitative Analysis	4 parts	20 min	12.5%	4
II FRQ 3 SCOTUS Comparison	4 parts	20 min	12.5%	4
II FRQ 4 Argument Essay	1 essay	40 min	12.5%	6

SECTION I, PART A Multiple Choice: Questions 1-20

Choose the best answer. Questions that refer to a table use the data in the table.

- The government asks a court to block a newspaper from publishing a leaked classified study. Under *New York Times v. United States* (1971), the government will probably lose because
 - the press has an absolute right to publish anything
 - classified material is never protected
 - prior restraint carries a heavy presumption of unconstitutionality that the government did not overcome
 - the government may only punish after publication
 - the Third Amendment protects newspapers
- The House is controlled by one party and the White House by another. Which outcome is most likely?
 - Faster passage of the president's program
 - More confrontation, gridlock, and committee oversight investigations
 - Automatic ratification of treaties
 - The abolition of the filibuster
 - Fewer vetoes
- Following *Citizens United v. FEC* (2010), which action by a corporation is permitted?
 - Donating unlimited money directly to a candidate's campaign
 - Coordinating ad spending with a candidate's campaign
 - Giving unlimited funds to a party's candidate committee
 - Spending unlimited money from its treasury on independent political advertising
 - Voting in federal elections

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4. Which is a power of the House Rules Committee?
- (A) Setting the time limits and amendment rules for debate on a bill on the House floor
 - (B) Confirming federal judges
 - (C) Reconciling House and Senate versions of a bill
 - (D) Beginning impeachment proceedings
 - (E) Ratifying treaties
5. Congress adjourns and the president takes no action on a bill within ten days. What happens to the bill?
- (A) It becomes law without a signature
 - (B) It dies by pocket veto
 - (C) It returns to the House for a revote
 - (D) It goes to the Supreme Court for review
 - (E) It becomes law if two-thirds of the states approve
6. Several students quietly wear campaign buttons supporting a candidate. School officials suspend them though there has been no disruption of classes. Under *Tinker v. Des Moines* (1969), the suspension is probably unconstitutional because
- (A) students have unlimited speech rights on school grounds
 - (B) symbolic speech is not protected by the First Amendment
 - (C) political speech may be banned only in the classroom
 - (D) students may express views at school unless it would materially and substantially disrupt the school
 - (E) school officials act as private persons, not the state
7. A losing party asks the Supreme Court to hear its case. Under the Court's usual practice, the case will be heard if
- (A) the chief justice approves
 - (B) five justices vote to grant certiorari
 - (C) the solicitor general files an objection
 - (D) at least four justices vote to grant certiorari
 - (E) a lower court asks the president for permission
8. A union negotiates higher wages for all workers at a plant, including workers who do not pay dues. Many workers decline to join. This illustrates the
- (A) iron triangle
 - (B) pork-barrel problem
 - (C) gender gap
 - (D) free-rider problem
 - (E) bandwagon effect
9. Under the standard from *Schenck v. United States* (1919), government may punish speech when
- (A) the speech is unpopular with most citizens
 - (B) the speech criticizes government officials
 - (C) the words create a clear and present danger of a substantive evil Congress may prevent
 - (D) the speaker has not obtained a permit
 - (E) the speech takes place on public property
10. Which reform made it easier to register to vote by allowing applications at driver's license offices and by mail?
- (A) The Twenty-fourth Amendment
 - (B) The Help America Vote Act of 2002
 - (C) The Twenty-sixth Amendment
 - (D) The Bipartisan Campaign Reform Act of 2002
 - (E) The National Voter Registration Act of 1993
11. A survey finds that most young adults identify with the same political party as their parents. This best illustrates the influence of which agent of political socialization?
- (A) Peer groups
 - (B) The mass media
 - (C) The family
 - (D) Public schools
 - (E) Interest groups
12. A president delivers a televised address urging citizens to call their representatives in support of a tax bill. This is best an example of
- (A) going public to use the bully pulpit
 - (B) senatorial courtesy
 - (C) a signing statement
 - (D) executive privilege
 - (E) logrolling

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13. Which power is held by the Senate but not by the House?
- (A) Giving advice and consent to treaties and to presidential appointments to the federal courts
 - (B) Originating revenue bills
 - (C) Bringing articles of impeachment
 - (D) Choosing the president if no candidate wins an electoral majority
 - (E) Setting its own rules by simple majority
14. An author defends lifetime tenure for federal judges as necessary so that courts, the weakest branch because they control neither the sword nor the purse, can stand firm against legislative overreach. This is the position of
- (A) Federalist No. 51
 - (B) The Articles of Confederation
 - (C) Brutus No. 1
 - (D) The Declaration of Independence
 - (E) Federalist No. 78
15. A public school district requires teachers to lead a short, nonsectarian prayer each morning, with students allowed to sit quietly. Under *Engel v. Vitale* (1962), this policy is most likely
- (A) constitutional because students may opt out
 - (B) constitutional because the prayer is brief
 - (C) unconstitutional because it violates the Free Exercise Clause
 - (D) unconstitutional because it violates the Establishment Clause
 - (E) unconstitutional because it denies equal protection
16. The Constitutional Convention of 1787 created a House of Representatives apportioned by population and a Senate with equal representation for each state. This arrangement resolved a dispute between
- (A) northern and southern states over slavery in the territories
 - (B) Federalists and Anti-Federalists over a bill of rights
 - (C) large states and small states
 - (D) the president and Congress over war powers
 - (E) property owners and non-owners over the franchise
17. Congress passes a law requiring cleaner air but leaves the setting of specific pollution limits to a federal agency, which then writes detailed regulations. This illustrates
- (A) the legislative veto
 - (B) patronage appointments
 - (C) executive privilege
 - (D) the bureaucracy's use of delegated discretionary authority through rule making
 - (E) original jurisdiction
18. A trade association lobbies a House subcommittee for favorable rules. The agency that regulates the industry then adopts the rules the subcommittee favors. This relationship is best called
- (A) logrolling
 - (B) an iron triangle
 - (C) divided government
 - (D) a pork-barrel project
 - (E) an advisory opinion
19. Use the table to answer the question. Which conclusion is supported by the data?

Age group	Midterm turnout (%)	Presidential turnout (%)
18-24	30	51
25-44	42	60
45-64	57	71
65+	66	74

- (A) The gap between the two elections was largest among voters 65 and older
- (B) Turnout was higher in the presidential election than in the midterm for every age group, and the gap was largest for the youngest voters
- (C) Turnout among 18-24 voters exceeded that of voters 65 and older
- (D) Midterm turnout was higher than presidential turnout in every group
- (E) Turnout rose with age in the midterm but fell with age in the presidential election

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20. In *Wisconsin v. Yoder* (1972), the Court held that Amish parents could not be required to send children to school past eighth grade. This ruling is best understood as an application of
- (A) the Establishment Clause
 - (B) the Equal Protection Clause
 - (C) the commerce clause
 - (D) prior restraint doctrine
 - (E) the Free Exercise Clause weighed against a state interest

SECTION I, PART B Multiple Choice: Questions 21-40

Choose the best answer.

21. After an agency adopts an unpopular rule, a congressional committee reduces the agency's budget for the next year. This most directly illustrates which check?
- (A) Judicial review of agency action
 - (B) Congress's power of the purse over the bureaucracy
 - (C) The president's removal power
 - (D) Senatorial courtesy
 - (E) The legislative veto upheld by the Court
22. A federal court rules that a statute passed by Congress violates the Constitution and cannot be enforced. The authority for this action was first firmly established in
- (A) *McCulloch v. Maryland*
 - (B) *Baker v. Carr*
 - (C) *Gideon v. Wainwright*
 - (D) *United States v. Lopez*
 - (E) *Marbury v. Madison*
23. In *Dobbs v. Jackson Women's Health Organization* (2022), the Supreme Court
- (A) reaffirmed *Roe* and its trimester framework
 - (B) held that abortion is protected by the First Amendment
 - (C) overruled *Roe v. Wade*, holding that the Constitution does not confer a right to abortion and returning regulation to elected officials
 - (D) ruled that states may not regulate abortion before viability
 - (E) held that only Congress may regulate abortion
24. Use the table to answer the question. Which respondent's views best fit modern conservative economic ideology?

Respondent	Taxes on high earners	Business regulation	Spending on social programs
1	Lower	Fewer rules	Reduce
2	Higher	More rules	Expand
3	Higher	Fewer rules	Reduce

- (A) Respondent 2
 - (B) Respondent 3
 - (C) Respondents 1 and 3
 - (D) Respondent 1
 - (E) Respondents 2 and 3
25. In *Shaw v. Reno* (1993), the Supreme Court held that a congressional district so irregular that it appears explainable only by race
- (A) is automatically valid if it helps minority voters
 - (B) violates the one person, one vote rule
 - (C) cannot be reviewed by federal courts
 - (D) may be challenged as a racial gerrymander under the Equal Protection Clause
 - (E) must be redrawn by the president
26. Polls show that women are consistently more likely than men to support Democratic candidates. This difference is known as the
- (A) generation gap
 - (B) gender gap
 - (C) efficacy gap
 - (D) realignment
 - (E) dealignment
27. A voter says, 'Elected officials don't care what people like me think.' This attitude reflects low
- (A) internal political efficacy
 - (B) civic duty
 - (C) partisan loyalty
 - (D) external political efficacy
 - (E) political socialization

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28. A news website asks visitors to click on a poll about a tax proposal, and 80 percent say they oppose it. Why is this result an unreliable measure of public opinion?
- (A) Online polls always have large margins of error
 - (B) Respondents chose themselves, so the sample is not random
 - (C) The sample is too large to be accurate
 - (D) The question was too long
 - (E) Opposition to taxes is never representative
29. 'Governments are instituted among men, deriving their just powers from the consent of the governed, and when a government becomes destructive of these ends, the people may alter or abolish it.' This idea is best described as
- (A) the doctrine of enumerated powers
 - (B) social contract theory and popular sovereignty
 - (C) pluralist democracy
 - (D) federalism
 - (E) judicial review

30. Use the table to answer the question. Which program is a block grant?

Program	Federal funds (millions of dollars)	Conditions
Roads Safety	40	Spent only on six listed projects, each approved by a federal office
Community Services	90	Spent on any housing, job-training, or family programs the state chooses
Clean Water	25	Requires a one-to-one state match and federal design standards
School Lunch	60	Meals must meet federal nutrition rules

- (A) Community Services
 - (B) Roads Safety
 - (C) Clean Water
 - (D) School Lunch
 - (E) None; all four are categorical grants
31. Fifty-six of 100 senators support a bill, but a minority is conducting a filibuster. What is the most likely result?
- (A) The bill passes because a simple majority is enough
 - (B) The Vice President breaks the tie and the bill passes
 - (C) The House Rules Committee ends debate
 - (D) The bill cannot reach a final vote unless at least four more senators vote for cloture
 - (E) Cloture requires two-thirds, so 67 senators are needed
32. A judge declines to overturn a long-standing precedent, writing that changes in policy are for elected legislators. The judge is best described as exercising
- (A) judicial restraint
 - (B) judicial activism
 - (C) original jurisdiction
 - (D) a legislative veto
 - (E) executive privilege
33. Use the table to answer the question. Which statement best explains the pattern shown?

Election	House incumbents reelected (%)	Senate incumbents reelected (%)
Year 1	94	82
Year 2	95	84
Year 3	91	75
Year 4	97	91

- (A) Senators face no challengers in primaries
- (B) Congress is popular, so voters reelect nearly every member
- (C) Incumbents benefit from name recognition, fundraising, and constituent services, and small House districts are often safe for one party
- (D) Term limits keep House members in office longer
- (E) Redistricting is used to defeat Senate incumbents

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34. In 2000, 2016, and other elections the winner of the presidency did not receive the most popular votes. Which feature of the Electoral College most directly explains this possibility?
- (A) Most states award all their electors to the state's popular-vote winner
 - (B) Electors are chosen by party caucuses
 - (C) Superdelegates may override voters
 - (D) Each state has exactly three electors
 - (E) The House always decides the election
35. A representative agrees to vote for a colleague's highway project in return for the colleague's vote on her own farm bill. This is called
- (A) gerrymandering
 - (B) cloture
 - (C) logrolling
 - (D) a filibuster
 - (E) a discharge petition
36. The United States has mostly two major parties. Which institutional feature best explains this?
- (A) Proportional representation in Congress
 - (B) Publicly funded third-party campaigns
 - (C) Closed primaries in all states
 - (D) Frequent referendums
 - (E) Single-member districts decided by plurality vote
37. In a state where only voters registered with a party may vote in that party's primary, the system is called a
- (A) closed primary
 - (B) open primary
 - (C) blanket primary
 - (D) runoff primary
 - (E) caucus
38. *Gideon v. Wainwright* (1963) and *McDonald v. Chicago* (2010) both relied on which legal doctrine?
- (A) Judicial review under Article III
 - (B) The necessary and proper clause
 - (C) The commerce clause
 - (D) Executive privilege
 - (E) Selective incorporation of Bill of Rights guarantees through the Fourteenth Amendment
39. In *United States v. Lopez* (1995), the Supreme Court struck down a federal law banning guns near schools because it exceeded congressional power under the commerce clause. The decision is best described as
- (A) an expansion of the implied powers of Congress
 - (B) a step toward incorporating the Bill of Rights against the states
 - (C) the first assertion of judicial review over federal statutes
 - (D) a ruling that the national government may not tax state banks
 - (E) a limit on national power that reinforced the role of the states
40. Cable news coverage of a primary focuses mainly on who is ahead in the polls and who raised the most money rather than on candidates' policy proposals. This coverage is best described as
- (A) horse-race journalism
 - (B) investigative reporting
 - (C) muckraking
 - (D) soft news
 - (E) narrowcasting

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SECTION I, PART C Multiple Choice: Questions 41-55

Choose the best answer.

41. The president issues an executive order that Congress opposes. Which action by Congress is the most direct way to limit it?
- (A) Reject the order by a resolution passed in the House only
(B) Pass a law that supersedes the order or cuts off funding for it, subject to a possible veto
(C) Overrule it by a two-thirds vote of the Senate alone
(D) Refuse to ratify it as a treaty
(E) Remove the president under the Twenty-fifth Amendment
42. A writer argues that the causes of faction cannot be removed without destroying liberty, so government should instead control the effects of faction by extending the republic over a large territory with many competing interests. This argument most closely reflects which required document?
- (A) Brutus No. 1
(B) Federalist No. 10
(C) Federalist No. 20
(D) Letter from Birmingham Jail
(E) The Declaration of Independence

43. Use the table to answer the question. Which explanation best accounts for the difference in PAC funding?

Source (% of campaign funds)	Incumbents	Challengers
Individuals	62	80
PACs	33	8
Candidate's own money	5	12

- (A) PACs are barred from giving to challengers
(B) Individual donors give only to incumbents
(C) Challengers usually self-fund
(D) Incumbents never accept individual donations
(E) PACs often give to likely winners to gain access to officeholders
44. Martin Luther King Jr. argued in the Letter from Birmingham Jail that individuals have a moral duty to disobey unjust laws openly and accept the penalty. Which action best matches this view?
- (A) A sit-in at a segregated lunch counter followed by peaceful acceptance of arrest
(B) A riot that destroys property
(C) A secret boycott of a company
(D) Filing a lawsuit in court
(E) Writing a letter to a newspaper
45. Baker v. Carr (1962) is significant primarily because it
- (A) held that federal courts may hear challenges to unequal legislative districts, leading to one person, one vote
(B) ended racial segregation in public schools
(C) held that race may never be considered in drawing districts
(D) guaranteed counsel to poor defendants
(E) established that Congress may regulate any local activity
46. An environmental group submits a brief to the Supreme Court urging it to rule a certain way in a case in which the group is not a party. This technique is
- (A) grassroots lobbying
(B) electioneering
(C) filing an amicus curiae brief
(D) a class action
(E) issue advertising
47. In the 1930s, many urban workers, union members, and African Americans moved into the Democratic Party, creating a lasting new coalition. This is an example of
- (A) dealignment
(B) party realignment
(C) split-ticket voting
(D) gerrymandering
(E) the free-rider problem

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48. A House-Senate committee is created to write a single compromise version of a bill that each chamber passed in different form. This is a
- (A) select committee
 - (B) joint investigating committee
 - (C) conference committee
 - (D) standing committee
 - (E) Rules Committee
49. An essay argues that each branch must have the practical means and the personal motives to resist encroachment by the others, because 'ambition must be made to counteract ambition.' This reasoning supports which principle?
- (A) Popular sovereignty exercised through direct democracy
 - (B) Control of faction through a large republic
 - (C) Checks and balances within a separation of powers
 - (D) Protection of rights through judicial review alone
 - (E) Dividing power between the nation and the states
50. The Voting Rights Act of 1965 was passed primarily to
- (A) lower the voting age to 18
 - (B) limit contributions to candidates
 - (C) end literacy tests and other devices used to keep Black citizens from voting
 - (D) create the Electoral College
 - (E) allow citizens to register at motor vehicle offices
51. A poll of 1,000 likely voters finds Candidate A at 52 percent and Candidate B at 48 percent, with a margin of error of 3 percentage points at 95 percent confidence. Which conclusion is best supported?
- (A) Candidate A will certainly win
 - (B) Candidate B is ahead by 3 points
 - (C) The poll is invalid because 1,000 is too few respondents
 - (D) 3 percent of respondents were undecided
 - (E) The race is too close to call because the plausible ranges for the candidates overlap
52. Shays' Rebellion in 1786-1787, an uprising of indebted farmers that the national government could not put down, most directly demonstrated which weakness under the Articles of Confederation?
- (A) Congress had too much power to regulate trade
 - (B) The states had no sovereignty of their own
 - (C) The executive could veto acts of Congress at will
 - (D) Judges served for life and could not be removed
 - (E) The central government could not raise money or a force to maintain order
53. An Anti-Federalist warns that a national government ruling a vast territory cannot know the interests of its people and will absorb the powers of the states. Which constitutional provision would this author most likely cite as a danger?
- (A) The Tenth Amendment
 - (B) The Article V amendment process
 - (C) The guarantee of a republican form of government to each state
 - (D) The Three-fifths Compromise
 - (E) The necessary and proper clause, together with the supremacy clause
54. The House votes 280 to 155 to override a presidential veto, and the Senate votes 70 to 30 to override. What is the result?
- (A) The override fails because the House vote is below two-thirds
 - (B) The override succeeds because both chambers have majorities
 - (C) The override succeeds because 350 of 535 members agreed
 - (D) The override fails because the Senate needed 67 votes of all 100 and got only 70
 - (E) The bill becomes law because the president did not return it

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55. In *Brown v. Board of Education* (1954), the Supreme Court reasoned that
- (A) separate schools are valid if facilities are equal
 - (B) segregation violates the commerce clause
 - (C) the Fifth Amendment bars all state action
 - (D) separate public schools for Black and white children are inherently unequal, violating the Equal Protection Clause
 - (E) segregation is a political question for Congress

QUESTION 1 Concept Application: Oversight of the Bureaucracy

Read the scenario and answer (a), (b), and (c). Scenario: Congress passes a law directing the Department of Transportation to improve highway safety. The department issues a detailed rule requiring new safety equipment on trucks. Trucking companies complain that the rule is too costly, and a group of members of Congress opposes it.

56. (a) Identify the term for the authority Congress gave the department to write the specific rule.
57. (b) Explain one way Congress can check the department's action.
58. (c) Explain one way the president can influence how the department carries out the law.

QUESTION 2 Quantitative Analysis: Political Participation

Use the data to answer (a) through (d). Turnout of eligible voters (%) by education, in a presidential election: Education | Turnout
No high school diploma | 41 High school diploma | 55 Some college | 68 Bachelor's degree | 77 Advanced degree | 84

59. (a) Identify the turnout rate for citizens with a bachelor's degree.
60. (b) Describe the relationship between education and turnout shown in the data.
61. (c) Draw a conclusion about how the data relate to the political influence of different groups.
62. (d) Explain one way a government policy could increase turnout among lower-turnout groups.

QUESTION 3 SCOTUS Comparison: Free Speech in Schools

Read the summary and answer (a) through (d). In *Mahanoy Area School District v. B.L.* (2021), a high school student who did not make the varsity cheerleading squad posted a profane message on social media from a store on a weekend. The school suspended her from junior varsity cheerleading. The Supreme Court ruled for the student, holding that the school's interest in regulating off-campus speech was weak in this instance.

63. (a) Identify the constitutional clause that is common to both *Tinker v. Des Moines* (1969) and *Mahanoy*.
64. (b) Explain how the facts of *Tinker* led to its holding.
65. (c) Explain how the decision in *Mahanoy* is similar to the decision in *Tinker*.
66. (d) Explain how the *Mahanoy* decision demonstrates the principle of judicial interpretation of the Bill of Rights (individual liberty versus the authority of government institutions such as schools).

QUESTION 4 Argument Essay: Federalism and National Power

Develop an argument about whether the national government or the states should hold primary responsibility for public policy in a major area such as education, health care, or policing. In your essay you must: (a) articulate a defensible claim or thesis that responds to the prompt and establishes a line of reasoning; (b) support the claim with at least two pieces of specific, relevant evidence, at least one of which must come from a foundational document: *Federalist No. 10* or *Brutus No. 1*; (c) use reasoning to explain why the evidence supports the claim; (d) respond to an opposing or alternative perspective using refutation, concession, or rebuttal.

67. Write the argument essay.

Key Practice Exam 1: Answers and Explanations

Complete solutions. Free-response keys show the scoring breakdown.

E1 Practice Exam 1

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SECTION I, PART A · MULTIPLE CHOICE: QUESTIONS 1-20

1. C. The Court per curiam held the government had not met its heavy burden to justify a prior restraint. The press right is not absolute, as post-publication penalties could still be possible.
2. B. Divided government makes it harder to pass controversial legislation and increases oversight. Vetoes tend to rise, not fall, when the branches are at odds.
3. D. The Court held that independent expenditures are protected speech, but contribution limits and coordination bans remained. That gap led to super PACs.
4. A. The Rules Committee shapes floor debate in the House, a role the Senate does not perform. Reconciliation of versions is done by conference committees.
5. B. A pocket veto occurs when adjournment prevents a return of the bill. If Congress had remained in session, the bill would have become law without a signature.
6. D. Tinker set a disruption standard, and silent expression with no disruption is protected. Rights in school are not unlimited, which makes the first wrong answer too broad.
7. D. The rule of four sets the threshold for granting a writ of certiorari. A decision on the merits requires a majority, which is why five is tempting but wrong.
8. D. A free rider enjoys the benefits of collective action without sharing its costs. Groups combat it with selective benefits such as insurance or discounts.
9. C. Schenck upheld the conviction of an anti-draft leafleteer under the clear and present danger test. Unpopularity or criticism alone does not meet that test.
10. E. The Motor Voter law streamlined registration. The Twenty-fourth Amendment banned poll taxes in federal elections.
11. C. Research shows that family is the earliest and strongest influence on party identification. Peers and media tend to matter more later.
12. A. Going public means appealing directly to voters to pressure Congress. A signing statement comes after passage, in the president's comments on the law.
13. A. Only the Senate confirms nominees and ratifies treaties (two-thirds). Impeachment is the House's role, with the Senate conducting the trial.
14. E. Federalist No. 78 calls the judiciary the least dangerous branch and ties independence to good-behavior tenure. Brutus (in a later essay) feared an unaccountable judiciary, which is the opposite view.
15. D. Engel held that government-composed or sponsored prayer in public schools establishes religion, even if nondenominational and voluntary. Free exercise is not the issue because nobody is stopped from praying.
16. C. The Great (Connecticut) Compromise balanced the population-based Virginia Plan with the equal-state New Jersey Plan. The slavery disputes were handled mainly through the Three-fifths Compromise.
17. D. Statutes are often broad, and agencies fill in details through rule making. Executive privilege concerns withholding information, not writing regulations.
18. B. An iron triangle links an interest group, a congressional committee, and an agency in mutual benefit. Logrolling is vote trading, which this does not describe.
19. B. The gaps are 21, 18, 14, and 8 points from youngest to oldest. Turnout rose with age in both elections.
20. E. The Court found that compulsory attendance burdened the sincere religious practices of the Amish more than it advanced the state's interest. This is a free exercise case, not an establishment case.

SECTION I, PART B · MULTIPLE CHOICE: QUESTIONS 21-40

21. B. Appropriations let Congress shape agency behavior. The legislative veto was held unconstitutional in *INS v. Chadha*.
22. E. *Marbury* (1803) asserted judicial review of acts of Congress. Lopez used the power but did not create it.
23. C. Dobbs reversed *Roe* and *Casey* on the ground that abortion is not rooted in the Constitution's text or history. The trimester framework was *Roe's*, not Dobbs's.
24. D. Conservatives generally favor lower taxes, less regulation, and less government social spending, which is Respondent 1. Respondent 3 mixes positions, so it cannot fit all three.
25. D. Shaw allowed claims that race-based district lines are subject to strict scrutiny. It did not ban every consideration of race.
26. B. The gender gap is a measurable difference in the political preferences of men and women. Realignment is a long-term change in party coalitions.
27. D. External efficacy is belief that government is responsive. Internal efficacy is belief in one's own ability to understand and affect politics.
28. B. Self-selection yields bias, since people strongly interested in the issue are more likely to respond. A larger sample cannot correct a nonrandom method.
29. B. Consent of the governed is the heart of social contract thinking and popular sovereignty. Enumerated powers describe what the Constitution lists for Congress, not a right to change government.
30. A. A block grant gives states broad discretion within a general policy area, which is the Community Services description. The others carry narrow federal conditions, so they are categorical grants.
31. D. Cloture on most legislation needs 60 votes (three-fifths of the Senate), so 56 falls four short. The two-thirds figure applies to veto overrides and conviction, not cloture.
32. A. Deference to precedent (*stare decisis*) and to elected branches is judicial restraint. Activism would use the courts to strike down laws or precedents.
33. C. Resources and visibility give incumbents an edge, and House districts are often drawn to be safe, which explains the higher House rates. Congress as an institution is typically unpopular even while individual members win.

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34. A. Winner-take-all allocation can magnify narrow state margins into large electoral victories. Distribution of electors is by state size, not equal, so three each is incorrect.
35. C. Logrolling is the mutual exchange of votes. A discharge petition forces a bill out of committee and is unrelated.
36. E. Plurality winners in single-member districts discourage third parties, a pattern called Duverger's law. Proportional representation encourages multiple parties.
37. A. Closed primaries limit participation to registered party members. Open primaries let voters of any registration choose a party's ballot.
38. E. Gideon applied the Sixth Amendment right to counsel to states and McDonald applied the Second Amendment right to bear arms to states, both via due process. Judicial review is a different doctrine.
39. E. Lopez was the first modern case to hold that Congress went beyond the commerce clause, which returns authority to the states. McCulloch, not Lopez, concerned implied powers, so the expansion choice reverses the result.
40. A. Horse-race coverage emphasizes contest standings over issues. Investigative reporting digs into hidden wrongdoing.

SECTION I, PART C · MULTIPLE CHOICE: QUESTIONS 41-55

41. B. Orders rest on delegated or constitutional authority, so Congress changes them through legislation or the power of the purse. A single-chamber resolution has no legal force over the executive.
42. B. Federalist No. 10 holds that a large republic dilutes the power of any single faction. Brutus No. 1 argues the opposite, that a large republic is dangerous.
43. E. Interest groups seek access to policy makers, so they favor incumbents who will probably win and who sit on committees. Nothing bars PAC gifts to challengers.
44. A. Civil disobedience means openly breaking an unjust law nonviolently and accepting consequences. A lawsuit or letter does not involve breaking a law.
45. A. Baker made malapportionment justiciable, opening the way for equal-population districts. Limits on race-based districts came later in Shaw v. Reno.
46. C. Amicus briefs let outside groups inform the Court. Grassroots lobbying mobilizes members to contact officials.
47. B. Realignment is a durable shift in party coalitions, often after a critical election. Dealignment means voters weaken party ties instead of switching.
48. C. Conference committees reconcile differing versions before final votes. Standing committees are permanent and handle bills in a chamber.
49. C. Federalist No. 51 builds self-interested rivalry among branches into the design. Dividing power between nation and states is federalism, which Federalist 51 mentions only as a second safeguard.
50. C. The act banned discriminatory tests and added federal oversight of some jurisdictions. The Twenty-sixth Amendment lowered the voting age.
51. E. A 4-point lead is smaller than the combined error range, so it is not statistically conclusive. A sample of 1,000 is typical of valid polls.
52. E. Congress had no power to tax or to command a standing army and relied on state requests, so Massachusetts had to raise its own militia. The Articles had no strong executive to veto anything.
53. E. Brutus No. 1 feared that elastic national powers backed by supremacy would swallow state authority. The Tenth Amendment protects state power, so an Anti-Federalist would not call it a danger.
54. A. Two-thirds of 435 is 290, so 280 is short. The Senate's 70 exceeds the 67 needed, so the House is the sticking point.
55. D. Brown rejected the separate-but-equal idea from Plessy in public education. The decision rested on the Fourteenth Amendment.

QUESTION 1 · CONCEPT APPLICATION: OVERSIGHT OF THE BUREAUCRACY

56. (a) 1 point: delegated (discretionary) authority, exercised through rule making.
57. (b) 1 point: Congress may hold oversight hearings and subpoena officials, cut the department's appropriations, rewrite the statute to restrict the rule, or reject nominees for department posts. The response must explain how the chosen tool limits the rule, not merely name it.
58. (c) 1 point: The president may appoint and remove the department's leaders, issue executive orders or directions to the department, or shape its budget request through the Office of Management and Budget. Responses must link the tool to influence over how the law is carried out.

QUESTION 2 · QUANTITATIVE ANALYSIS: POLITICAL PARTICIPATION

59. (a) 1 point: 77 percent.
60. (b) 1 point: Turnout rises steadily with education level, from 41 percent for those without a diploma to 84 percent for those with advanced degrees (a gap of 43 points).
61. (c) 1 point: Because higher-education voters participate at higher rates, their preferences are likely to get more attention from candidates and officeholders, so groups with lower turnout may be underrepresented in policy decisions.
62. (d) 1 point: Examples are automatic or same-day registration, expanded early voting or mail ballots, or making Election Day a holiday, each lowering the cost of voting for people with less time or resources. The response must connect the policy to lower voting costs for these groups.

QUESTION 3 · SCOTUS COMPARISON: FREE SPEECH IN SCHOOLS

63. (a) 1 point: The Free Speech (and Free Press/Expression) Clause of the First Amendment, applied to the states through the Fourteenth Amendment.
64. (b) 1 point: Students wore black armbands to protest the Vietnam War and were suspended, though the armbands did not disrupt school operations; the Court held that schools cannot restrict student expression unless it would materially and substantially disrupt the school.
65. (c) 1 point: In both cases, the Court sided with students because the schools could not show a sufficient interest, such as substantial disruption, to justify punishing expression; students keep First Amendment protection even though they are in the public school setting.

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66. (d) 1 point: Mahanoy shows the Court balancing the First Amendment liberty of an individual against the interest of a government institution, here a public school, and concluding that the school's authority is limited when speech occurs off campus and causes no substantial disruption. The response must link the holding to the principle of liberty versus order.

QUESTION 4 · ARGUMENT ESSAY: FEDERALISM AND NATIONAL POWER

67. 6 points: 1 point for the thesis, 3 for evidence, 1 for reasoning, 1 for the alternate perspective. (1) Thesis (1 point): a defensible claim that takes a position on national versus state responsibility and previews a line of reasoning, not merely restating the prompt. (2) Evidence (up to 3 points): one point for a relevant piece of evidence, two for a specific and relevant piece, and three for two specific and relevant pieces, one from Federalist No. 10 or Brutus No. 1. For example, Federalist No. 10 argues that a large republic checks faction, which supports national solutions; Brutus No. 1 argues that a large government cannot know local interests, which supports state control. The second piece can be a case or policy such as McCulloch, Lopez, or a grant program. (3) Reasoning (1 point): explains, through causation, comparison, or process, how the evidence supports the claim rather than only listing facts. (4) Alternate perspective (1 point): describes an opposing view and responds with refutation, concession, or rebuttal. Model thesis: States should lead on education because Brutus No. 1 shows that distant authorities misjudge local needs, and Lopez shows the Court enforcing limits on national power, though national grants can still supply equity.

E2 Practice Exam 2

A second full-length practice exam: 55 multiple-choice questions and 4 free-response questions, with explained answers and scoring points.

Section I has 55 multiple-choice questions (suggested time 80 minutes, 50 percent of the score). Section II has 4 free-response questions (suggested time 100 minutes, 50 percent of the score): Question 1 Concept Application, Question 2 Quantitative Analysis, Question 3 SCOTUS Comparison, Question 4 Argument Essay. Choose the best answer for each multiple-choice question. Write free-response answers in complete sentences and attempt every part; answers are explained and scored after each question.

Section	Questions	Time	Weight	Points
I Multiple choice	55	80 min	50%	55 raw
II FRQ 1 Concept Application	3 parts	20 min	12.5%	3
II FRQ 2 Quantitative Analysis	4 parts	20 min	12.5%	4
II FRQ 3 SCOTUS Comparison	4 parts	20 min	12.5%	4
II FRQ 4 Argument Essay	1 essay	40 min	12.5%	6

SECTION I, PART A Multiple Choice: Questions 1-20

Choose the best answer. Questions that refer to a table use the data in the table.

- On average, which statement about voting patterns is best supported by recent research?
 - Voters in large cities are more likely than rural voters to support Democrats
 - Rural voters favor Democrats by large margins
 - Suburban voters never change their votes
 - Age has no connection to party
 - Region has no connection to party
- A conservative cable viewer avoids liberal news and watches only programs that confirm her views. This behavior illustrates
 - selective exposure
 - horse-race coverage
 - framing
 - agenda setting
 - muckraking
- Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in
 - private clubs
 - federal elections
 - military draft
 - education programs that receive federal funds
 - housing sales
- In the House, the chair of a standing committee is selected by
 - the minority party leader
 - the president
 - a public vote in the district
 - the Senate majority leader
 - the majority party, usually with strong weight given to seniority

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5. In *Roe v. Wade* (1973), the Court's reasoning was based on
- (A) the First Amendment's free exercise clause
 - (B) the Commerce Clause
 - (C) the Tenth Amendment
 - (D) the Eighth Amendment
 - (E) a right to privacy found in the Fourteenth Amendment's concept of liberty
6. A state law conflicts with a valid federal statute governing the same subject. Under Article VI, the federal law prevails. This principle is called
- (A) supremacy (preemption)
 - (B) popular sovereignty
 - (C) limited government
 - (D) checks and balances
 - (E) federalism by consent
7. Use the table to answer the question. Four candidates ran in a primary decided by plurality. Which statement is correct?

Candidate	Share of vote (%)
A	38
B	30
C	22
D	10

- (A) Candidate A does not win because A has less than 50 percent
 - (B) Candidate B and C advance to a runoff under plurality rules
 - (C) Candidate D wins with the fewest votes
 - (D) Candidate A wins, even though A did not receive a majority
 - (E) No winner can be declared
8. Which type of speech does the Supreme Court generally treat as unprotected by the First Amendment?
- (A) Speech criticizing the president
 - (B) Symbolic protest speech such as armbands
 - (C) Speech intended to incite imminent lawless action and likely to produce it
 - (D) Unpopular political opinions
 - (E) Newspaper editorials against war
9. Which statement about the Speaker of the House is accurate?
- (A) The Speaker is elected by the full House, leads the majority party, and is second in line of succession to the presidency
 - (B) The Speaker is chosen by the president
 - (C) The Speaker may not vote on bills
 - (D) The Speaker presides over the Senate
 - (E) The Speaker serves a fixed 2-year term and cannot be reelected
10. A traditional PAC and a super PAC differ most importantly in that
- (A) a PAC may not give to candidates
 - (B) a super PAC must be run by a political party
 - (C) a PAC can accept unlimited gifts from corporations
 - (D) a super PAC must give to Congress
 - (E) a super PAC may raise and spend unlimited sums on independent expenditures but may not coordinate with campaigns
11. Which is a distinguishing feature of a caucus compared with a primary?
- (A) Voters cast secret ballots all day
 - (B) Only independents may vote
 - (C) The state government runs it as a general election
 - (D) Party members meet in person to discuss and choose candidates or delegates
 - (E) The Electoral College meets

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12. A former member of Congress becomes a lobbyist for a firm that deals with the committee on which she served. This pattern is called
(A) logrolling (B) pork barrel (C) the revolving door
(D) a filibuster (E) redistricting
13. A voter decides to support the president's party because the economy improved during the president's term. This voter is using
(A) prospective voting (B) party-line voting (C) retrospective voting
(D) straight-ticket voting (E) spoiler voting
14. An author argues that a single executive, rather than a committee, is needed for decisiveness, secrecy, and accountability, and that a weak executive means a weak government. This view is expressed in
(A) Federalist No. 10 (B) Federalist No. 70
(C) Federalist No. 78 (D) Brutus No. 1
(E) The Articles of Confederation
15. A defendant is acquitted of a crime in a state court. The state then tries to prosecute him again for the same offense. This is most likely barred by the
(A) Second Amendment
(B) Fifth Amendment protection against double jeopardy
(C) Seventh Amendment
(D) Tenth Amendment
(E) Twelfth Amendment
16. At its national convention, a party adopts a statement of its principles and policy goals. This statement is the party's
(A) platform (B) caucus (C) charter
(D) delegate (E) plank rule
17. Which statement about the federal court system is accurate?
(A) The Constitution lists all the lower federal courts by name
(B) Federal judges are elected to fixed terms
(C) The Supreme Court appoints appeals judges
(D) District courts hear most appeals
(E) Congress has created the lower federal courts, and federal judges serve during good behavior
18. Many state conventions ratified the Constitution only after Federalists promised to add amendments protecting individual liberties. This promise led most directly to
(A) the Great Compromise (B) the Twelfth Amendment
(C) the Judiciary Act of 1789 (D) the Bill of Rights
(E) the Missouri Compromise
19. A president makes a commercial agreement with a foreign leader without submitting it to the Senate for approval. This is an
(A) advisory opinion (B) executive order to Congress
(C) impoundment (D) executive agreement
(E) treaty
20. The initiative and referendum allow citizens in some states to
(A) elect the president
(B) impeach judges
(C) amend the U.S. Constitution
(D) choose electors
(E) propose or approve laws directly by popular vote

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SECTION I, PART B Multiple Choice: Questions 21-40

Choose the best answer.

21. A majority of House members want a bill that has been stuck in committee brought to the floor. They use a discharge petition. How many signatures are needed?
(A) 100 (B) 270 (C) 290 (D) 435 (E) 218
22. Both the national government and the state governments may levy taxes. This is an example of
(A) concurrent powers (B) enumerated powers (C) reserved powers
(D) denied powers (E) inherent powers
23. Two polls on the same issue produce very different results. Which feature of the first poll would most likely have biased its results?
(A) A sample of 1,500 respondents
(B) Loaded language that signals a desired answer
(C) A margin of error of 3 points
(D) Random digit dialing
(E) A nonpartisan sponsor
24. Under the Articles of Confederation, which feature made it difficult to improve the national government?
(A) Amendments required the consent of all thirteen states
(B) The president could veto any amendment
(C) Amendments needed only a simple majority of Congress
(D) Federal courts could rewrite the Articles
(E) Amendments required a national referendum
25. No presidential candidate receives 270 electoral votes in a general election. Under the Twelfth Amendment, the president is chosen by
(A) the Senate by majority vote
(B) the Supreme Court
(C) a nationwide runoff election
(D) the House of Representatives, with each state delegation casting one vote
(E) the outgoing president
26. A senator announces a 'hold' on a nominee for an executive position. A hold is best described as
(A) a constitutional power to veto a nomination
(B) an informal tool that signals a threat to delay action, usually by filibuster
(C) a vote by the Judiciary Committee
(D) a way to end debate
(E) a formal impeachment step
27. A city bans ritual animal sacrifice, and a religious group challenges the ban as interfering with its worship. The group's claim is based on the
(A) Free Exercise Clause (B) Establishment Clause (C) Takings Clause
(D) Double Jeopardy Clause (E) Commerce Clause
28. The House impeaches a president by majority vote. Which is needed to remove the president from office?
(A) A majority vote of the Senate
(B) A two-thirds vote of the Senate, which is 67 senators if all 100 vote
(C) A two-thirds vote of the House
(D) A majority vote of the Supreme Court
(E) A vote of three-fourths of the states

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29. In *McDonald v. Chicago* (2010), the Supreme Court held that the Second Amendment right to keep and bear arms applies to state and local governments. The Court reached this holding through
- (A) the Commerce Clause
 - (B) the Supremacy Clause
 - (C) the Due Process Clause of the Fourteenth Amendment
 - (D) the Necessary and Proper Clause
 - (E) the Establishment Clause
30. A president nominates a district judge, but both senators from the nominee's home state, from the president's party, object. The Senate Judiciary Committee does not hold hearings. This is an example of
- (A) logrolling
 - (B) judicial restraint
 - (C) senatorial courtesy
 - (D) executive privilege
 - (E) a pocket veto
31. Use the table to answer the question. Which conclusion is best supported?

Category	Share of federal spending (%)
Mandatory programs	62
Discretionary programs	26
Net interest on the debt	12

- (A) Interest on the debt is the largest category
 - (B) Most federal spending is not decided in annual appropriations bills
 - (C) Discretionary spending exceeds mandatory spending
 - (D) Congress sets each category's total every year
 - (E) Mandatory spending is less than a third of the budget
32. Which amendment extended the right to vote to women?
- (A) The Fifteenth Amendment
 - (B) The Seventeenth Amendment
 - (C) The Twenty-fourth Amendment
 - (D) The Nineteenth Amendment
 - (E) The Twenty-sixth Amendment
33. The Bipartisan Campaign Reform Act of 2002 (McCain-Feingold) primarily
- (A) banned unregulated soft money contributions to national parties
 - (B) eliminated all PACs
 - (C) created the Electoral College
 - (D) banned all corporate speech
 - (E) required a national voter ID
34. A model of democracy holds that many competing groups bargain for policy influence and no single group dominates. This best describes
- (A) elite democracy
 - (B) pluralist democracy
 - (C) participatory democracy
 - (D) direct democracy
 - (E) a monarchy
35. The Federal Communications Commission and the Securities and Exchange Commission have bipartisan boards whose members cannot easily be fired by the president. They are examples of
- (A) cabinet departments
 - (B) independent regulatory commissions
 - (C) government corporations
 - (D) executive agencies in the Executive Office of the President
 - (E) legislative support agencies

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36. Use the table to answer the question. Which statement is supported by the data?

Term	Vetoed issued	Vetoed overridden
1	30	2
2	50	3
3	8	0

- (A) Overrides were most common in Term 3
 (B) Term 2 had the highest override rate
 (C) In every term, fewer than 10 percent of vetoes were overridden
 (D) Vetoes were overridden in about half of cases
 (E) The president won no vetoes in Term 1
37. Exit polls are surveys of voters
 (A) before a candidate announces
 (B) as they leave polling places on Election Day
 (C) by telephone one month before an election
 (D) only in states with early voting
 (E) who do not plan to vote
38. A state law treats people differently because of race. Under the Equal Protection Clause, a court will most likely apply
 (A) rational basis review, requiring any legitimate purpose
 (B) strict scrutiny, requiring a compelling interest and narrowly tailored means
 (C) a presumption of constitutionality
 (D) a ban on all review
 (E) a balancing of state debts
39. A representative votes against her own judgment to follow her district's majority preference on a bill. This is best described as acting as a
 (A) trustee
 (B) party whip
 (C) committee chair
 (D) lobbyist
 (E) delegate
40. Use the table to answer the question. Which conclusion is best supported?

Year	Respondents who trust the federal government to do right most of the time (%)
1	77
2	44
3	47
4	22

- (A) Trust rose in each period
 (B) Trust was highest in Year 3
 (C) Trust never fell below 40 percent
 (D) Trust fell by 22 points in total
 (E) Trust in the federal government in the final year was less than half of its level in the first year

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SECTION I, PART C Multiple Choice: Questions 41-55

Choose the best answer.

41. A dispute between two state governments is brought to the Supreme Court as the first court to hear it. The Court is exercising its
(A) original jurisdiction (B) appellate jurisdiction
(C) concurrent jurisdiction in state courts (D) advisory jurisdiction
(E) writ of mandamus only
42. The Office of Management and Budget, located in the Executive Office of the President, primarily
(A) writes federal court rules
(B) confirms cabinet nominees
(C) audits Congress
(D) prepares the president's budget proposal and reviews agency rules
(E) supervises state governments
43. Midterm elections often result in the president's party losing seats in Congress. Which explanation is most common?
(A) Midterms have higher turnout than presidential years
(B) The Constitution requires the president's party to lose
(C) Voters tend to express dissatisfaction with the party in power, and the president is not on the ballot
(D) Senators serve 2-year terms
(E) Voters must pass literacy tests
44. The War Powers Resolution of 1973 requires the president to
(A) receive a declaration of war before any deployment
(B) withdraw troops after 24 hours
(C) notify Congress within 48 hours of sending armed forces into hostilities
(D) gain Senate approval before any use of force
(E) report to the Supreme Court
45. Which factor is most strongly associated with increased voter turnout?
(A) A midterm election with no major races
(B) A requirement to register 30 days early
(C) Long travel to polling places
(D) A closely contested presidential race with intense mobilization efforts
(E) A lack of competitive districts
46. A third-party candidate draws votes from a major party candidate with similar views, helping the other major party candidate to win. This is known as the
(A) bandwagon effect (B) coattail effect (C) spoiler effect
(D) incumbency effect (E) free-rider effect
47. Which of the following is an example of unconventional political participation?
(A) Voting in a primary (B) Donating to a campaign
(C) Contacting a legislator by mail (D) Joining a peaceful protest march
(E) Running for school board
48. The Pendleton Act of 1883 created a merit-based civil service. Which was the primary problem it addressed?
(A) Excessive federal spending
(B) Unequal representation in the House
(C) State control of postal service
(D) Corruption in Supreme Court appointments
(E) The spoils system, in which jobs went to party loyalists
49. A caller says, 'Would you still support Candidate X if you knew she voted to cut veterans' benefits?' without asking opinions genuinely. This is best called a
(A) tracking poll (B) exit poll (C) push poll
(D) random sample (E) focus group

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50. Maryland taxed the Second Bank of the United States, and the Supreme Court struck down the tax in *McCulloch v. Maryland* (1819). Which principle was central to the ruling?
- (A) The states may tax any business operating within their borders
 - (B) Congress lacks the power to create a bank because it is not listed
 - (C) The Tenth Amendment gives states control over banking
 - (D) The Court cannot review state laws
 - (E) The supremacy clause bars states from taxing or hindering valid federal institutions
51. A man is charged with a felony in state court. He cannot afford a lawyer. Under *Gideon v. Wainwright* (1963), the state
- (A) need not provide counsel because the Sixth Amendment applies only to federal courts
 - (B) must provide an attorney only for capital crimes
 - (C) must provide an attorney for him
 - (D) may require him to represent himself
 - (E) need provide counsel only on appeal
52. Congress proposes a constitutional amendment by a two-thirds vote in both houses. How many states must ratify it under the usual method?
- (A) 26 (B) 38 (C) 34 (D) 40 (E) 50
53. The Declaration of Independence complains that the king 'quarter[ed] large bodies of armed troops among us.' This grievance most directly influenced which constitutional provision?
- (A) The Third Amendment (B) The Fourth Amendment (C) The Eighth Amendment
- (D) The Tenth Amendment (E) The Fourteenth Amendment
54. Congress passes a law requiring states to adopt new voter-registration procedures but provides no money to pay for them. Governors object. This is an example of
- (A) a categorical grant (B) a block grant (C) devolution
- (D) an unfunded mandate (E) a concurrent power
55. Many Americans prize individual liberty, belief in the rule of law, and equal opportunity. These shared beliefs are components of
- (A) partisan realignment (B) an iron triangle
- (C) a political machine (D) the gender gap
- (E) American political culture

QUESTION 1 Concept Application: Interest Groups

Read the scenario and answer (a), (b), and (c). Scenario: A national organization of nurses wants Congress to pass a bill requiring safe staffing levels in hospitals. The group hires lobbyists to meet with committee staff, asks members to send emails to their representatives, and forms a political action committee that donates to candidates.

56. (a) Identify the term for the activity of meeting with committee staff to persuade them to support the bill.
57. (b) Explain how the group's grassroots effort could influence a member of Congress.
58. (c) Explain one way federal campaign finance law limits the PAC's influence.

QUESTION 2 Quantitative Analysis: Public Approval

Use the data to answer (a) through (d). Survey: percent who approve (%) Year | Approve of Congress | Approve of own representative

Year	Approve of Congress (%)	Approve of own representative (%)
1	18	52
2	22	55
3	13	48
4	20	57

59. (a) Identify the difference between approval of Congress and of respondents' own representative in Year 4.
60. (b) Describe the pattern shown in the data.
61. (c) Draw a conclusion about how voters evaluate Congress compared with their own representative.
62. (d) Explain one reason that incumbents win reelection even when approval of Congress is low.

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QUESTION 3 SCOTUS Comparison: Religion and Public Schools

Read the summary and answer (a) through (d). In *Lee v. Weisman* (1992), a public middle school principal invited a rabbi to give a nonsectarian prayer at a graduation ceremony. A student objected. The Supreme Court held that the prayer violated the First Amendment because of the subtle coercion on students to take part.

63. (a) Identify the constitutional clause that is common to both *Engel v. Vitale* (1962) and *Lee v. Weisman*.
64. (b) Explain how the facts of *Engel v. Vitale* led to its holding.
65. (c) Explain how the decision in *Lee v. Weisman* is similar to the decision in *Engel*.
66. (d) Explain how the *Lee v. Weisman* decision demonstrates the principle of separation of church and state.

QUESTION 4 Argument Essay: Judicial Power

Develop an argument about whether Supreme Court justices should serve life terms or fixed terms. In your essay you must: (a) articulate a defensible claim or thesis that responds to the prompt and establishes a line of reasoning; (b) support the claim with at least two pieces of specific, relevant evidence, at least one of which must come from a foundational document: Federalist No. 78 or Federalist No. 51; (c) use reasoning to explain why the evidence supports the claim; (d) respond to an opposing or alternative perspective using refutation, concession, or rebuttal.

67. Write the argument essay.

Key Practice Exam 2: Answers and Explanations

Complete solutions. Free-response keys show the scoring breakdown.

E2 Practice Exam 2**SECTION I, PART A · MULTIPLE CHOICE: QUESTIONS 1-20**

1. A. Geography is a strong correlate of party preference, with urban areas leaning Democratic. These are averages and many exceptions exist.
2. A. Selective exposure is choosing sources that match prior beliefs. Agenda setting is the media's influence on which issues the public considers important.
3. D. Title IX applies to schools receiving federal aid, including athletics. Fair housing is covered by the Fair Housing Act.
4. E. The majority party controls committee leadership and traditionally respects seniority. Party leaders have increasingly overridden it.
5. E. Roe located the privacy right in due process liberty. The Court overruled Roe in *Dobbs v. Jackson Women's Health Organization* (2022).
6. A. The supremacy clause makes valid federal law superior to state law. Popular sovereignty concerns the source of government power.
7. D. Plurality means the most votes, not a majority. A runoff would be needed in a state requiring a majority.
8. C. Incitement of imminent lawlessness is outside protection. Criticism of officials is at the core of protection.
9. A. The Speaker is a powerful partisan leader who follows the Vice President in succession. The Constitution does not require the Speaker to be a House member, but in practice always is.
10. E. Super PACs arose after *Citizens United* and *SpeechNow*. A traditional PAC faces limits on receipts and gifts to candidates.
11. D. Caucuses require attendance at a meeting and often take hours, so turnout is lower. Primaries use a standard secret ballot.
12. C. The revolving door moves people between government and private influence jobs. Critics say it gives access advantages.
13. C. Retrospective voting judges past performance. Prospective voting looks to what candidates promise to do.
14. B. Federalist No. 70 defends an energetic, unified presidency. The Articles had no separate executive at all.
15. B. Double jeopardy prevents retrial after acquittal for the same offense. The Fifth was incorporated against the states.
16. A. A platform summarizes party positions, and individual items are called planks. A caucus is a meeting.
17. E. Article III creates only the Supreme Court and lets Congress create the others. District courts are trial courts, not appeals courts.
18. D. Anti-Federalist objections about missing guarantees of rights produced the first ten amendments in 1791. The Great Compromise was settled earlier in the convention.
19. D. Executive agreements have the force of international commitments but require no Senate vote. A treaty needs two-thirds of the Senate.
20. E. These tools are forms of direct democracy used in about half the states. They do not apply to the federal government.

SECTION I, PART B · MULTIPLE CHOICE: QUESTIONS 21-40

21. E. A discharge petition needs a majority of the 435 members, which is 218. Two-thirds, 290, is the override threshold.
22. A. Concurrent powers are shared by both levels. Reserved powers belong only to the states under the Tenth Amendment.
23. B. Biased wording shapes answers. A random sample with an ordinary margin of error is sound.
24. A. Unanimity gave any state a veto over change. A national referendum is not part of Article V either.
25. D. The House chooses among the top three candidates with one vote per state. The Senate chooses the Vice President.
26. B. A hold is a Senate custom by which an individual can delay legislation or nominations. Cloture is the way to end debate.
27. A. The claim is that government law burdens religious practice. The Establishment Clause concerns government support for religion.
28. B. Conviction and removal require two-thirds of the senators present. The House vote is only the accusation.

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29. C. McDonald is a selective incorporation case. The Commerce Clause is a source of national power, not a basis for incorporation.
31. B. Mandatory spending (62 percent) is set by existing law, such as Social Security and Medicare. Only discretionary spending is set by yearly appropriations.
33. A. Soft money was unlimited party donations outside federal limits. Parts of the act were later weakened by the Court.
35. B. Independent regulatory commissions are insulated from direct presidential control and make rules for industries. Cabinet departments are headed by presidential appointees who serve at the president's pleasure.
37. B. Exit polls help media explain who voted for whom and why. They are different from pre-election polls.
39. E. A delegate follows constituent wishes. A trustee uses his or her own judgment.
30. C. Senatorial courtesy defers to home-state senators on lower-court and some executive nominees. It is a custom, not a constitutional rule.
32. D. The Nineteenth was ratified in 1920. The Fifteenth addressed race, and the Twenty-sixth lowered the voting age to 18.
34. B. Pluralism emphasizes group competition. Elite theory claims a small group of wealthy or powerful people controls policy.
36. C. Override rates were 6.7 percent, 6 percent, and 0 percent. Term 1 had the highest rate, not Term 2.
38. B. Racial classifications receive the most demanding review. Rational basis is for ordinary economic regulations.
40. E. From 77 to 22 is a drop of 55 points, and 22 is under half of 77. The final year level was the lowest.

SECTION I, PART C · MULTIPLE CHOICE: QUESTIONS 41-55

41. A. Article III gives the Court original jurisdiction over cases between states and those involving ambassadors. Most cases arrive through appellate jurisdiction.
43. C. The president's absence reduces the coattail effect and energizes opponents. Midterm turnout is typically lower than in presidential years.
45. D. Competition and mobilization raise turnout. Registration deadlines and distance lower it.
47. D. Protests operate outside normal institutional channels. Voting and contacting officials are conventional participation.
49. C. A push poll is designed to spread negative information while posing as a survey. A tracking poll monitors changes over time.
51. C. Gideon applied the right to counsel to state felony trials. Before Gideon, states provided counsel only in some cases.
53. A. The Third Amendment bars quartering soldiers in homes during peacetime without consent. The Fourth deals with searches and seizures.
55. E. Political culture is the shared set of civic values. Realignment concerns changes in party coalitions.
42. D. OMB helps the president control the executive branch. Confirmation belongs to the Senate.
44. C. The act aimed to restore congressional power after Vietnam. Presidents have often disputed its constitutionality.
46. C. Spoilers divide a like-minded vote. The coattail effect is when a popular candidate helps others on the ticket.
48. E. Reformers wanted federal jobs to go by competence, not patronage. The Act initially covered only a small share of jobs.
50. E. Marshall held that the bank was a valid exercise of implied powers under the necessary and proper clause and that supremacy shields it from state taxation. The Tenth Amendment argument was rejected.
52. B. Three-fourths of 50 states is 37.5, so 38 states are needed. Thirty-four states (two-thirds) can call for a convention, which is a different step.
54. D. An unfunded mandate imposes duties on states without funding. A categorical grant would supply federal money with conditions.

QUESTION 1 · CONCEPT APPLICATION: INTEREST GROUPS

56. (a) 1 point: lobbying.
57. (b) 1 point: Emails and calls from constituents show a member how voters in the district feel, and a member who wants reelection may respond by supporting the bill. The response must link constituent pressure to the member's electoral incentive.
58. (c) 1 point: Federal law caps how much a PAC may give a candidate per election, requires disclosure of donors and spending, and bans coordination of independent spending with candidates, so the PAC cannot buy unlimited influence.

QUESTION 2 · QUANTITATIVE ANALYSIS: PUBLIC APPROVAL

59. (a) 1 point: 37 percentage points (57 minus 20).
61. (c) 1 point: Voters judge their own representative more favorably than the institution, so low approval of Congress does not translate to defeating individual incumbents.
60. (b) 1 point: In every year approval of one's own representative was much higher (at least 30 points higher) than approval of Congress, and both rose and fell together.
62. (d) 1 point: Incumbents have name recognition, easier fundraising, constituent services (casework), and often safe districts, so voters still favor them. The response must explain the advantage.

QUESTION 3 · SCOTUS COMPARISON: RELIGION AND PUBLIC SCHOOLS

63. (a) 1 point: the Establishment Clause of the First Amendment, applied to the states through the Fourteenth Amendment.
64. (b) 1 point: New York officials wrote a short nondenominational prayer to be recited in public schools; the Court held that government-sponsored prayer in public schools is an establishment of religion even when voluntary and nonsectarian.
65. (c) 1 point: In both cases the Court found that school-sponsored prayer is state endorsement of religion that pressures students, so the state may not sponsor it, even if the prayer is nonsectarian and participation is optional.
66. (d) 1 point: Lee shows the Establishment Clause barring government from sponsoring or coercing religious exercise, here at a public school graduation, so that the state remains neutral toward religion. The response must tie the holding to government neutrality, not merely restate the facts.

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QUESTION 4 · ARGUMENT ESSAY: JUDICIAL POWER

- 67.** 6 points: 1 point for the thesis, 3 for evidence, 1 for reasoning, 1 for the alternate perspective. (1) Thesis (1 point): a defensible claim that takes a position on life versus fixed terms and gives a line of reasoning. (2) Evidence (up to 3 points): one point for a relevant piece, two for a specific and relevant piece, and three for two specific and relevant pieces, one from Federalist No. 78 or No. 51. For a life-term position: Federalist No. 78 says judicial independence needs tenure during good behavior because the judiciary is the weakest branch; for fixed terms: Federalist No. 51 says no branch should become dominant and each must be checked, supporting accountability, and an example is a recent appointment dispute or the effect of long tenures on the Court's makeup. (3) Reasoning (1 point): explains how the evidence leads to the claim. (4) Alternate perspective (1 point): describes an opposing view and responds with refutation, concession, or rebuttal (for example, conceding that fixed terms might reduce confirmation battles but arguing independence matters more). Model thesis: Justices should keep life tenure because Federalist No. 78 shows that independence from political pressure protects the Constitution, though a retirement-age norm could address legitimacy concerns.

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Appendix: Reference.

The Constitution and amendments at a glance, key terms, and a skills checklist.

R.1 Key Terms, Amendments, and Constitution Quick Guide

Quick reference. Know what each article does and which amendments matter most for the exam: 1, 2, 4, 5, 6, 8, 10, 14, 15, 17, 19, 22, 24, 26.

This guide gives you a fast, accurate map of the Constitution, a table of all 27 amendments, and the vocabulary that appears most often in exam questions. Use it for quick review, and test yourself by covering the right-hand column and reciting the content from memory.

The Constitution article by article

Part	What it does
Preamble	Purpose: form a more perfect union, establish justice, ensure domestic tranquility, provide for defense, promote welfare, secure liberty. Opens with "We the People."
Article I (Legislative)	Section 1 creates a bicameral Congress. Sec. 2: House, 2-year terms, age 25, 7 years a citizen, population-based; sole power of impeachment. Sec. 3: Senate, 6-year terms, age 30, 9 years a citizen, two per state; tries impeachments (two-thirds to convict); vice president presides. Sec. 4: states set election times and places. Sec. 7: bills for revenue start in the House; presentment and veto; override by two-thirds of each chamber. Sec. 8: enumerated powers (taxes, borrow, regulate commerce, coin money, declare war, raise armies, naturalization, post offices) and the Necessary and Proper (elastic) Clause. Sec. 9: limits on Congress (no bills of attainder, no ex post facto laws, habeas corpus protected). Sec. 10: limits on states.
Article II (Executive)	Sec. 1: president and vice president, 4-year terms, Electoral College, natural-born citizen, age 35, 14 years a resident. Sec. 2: commander in chief; pardons; treaties with Senate consent (two-thirds); appointments with Senate consent. Sec. 3: State of the Union, receive ambassadors, take care that laws are faithfully executed. Sec. 4: impeachment for treason, bribery, or other high crimes and misdemeanors.
Article III (Judicial)	Sec. 1: one Supreme Court and lower courts Congress creates; judges serve during good behavior (life tenure). Sec. 2: federal jurisdiction (federal law, treaties, disputes between states, citizens of different states); original and appellate jurisdiction; jury trials in criminal cases. Sec. 3: defines treason.
Article IV (States)	Full Faith and Credit Clause, Privileges and Immunities Clause, extradition, admission of new states, guarantee of a republican form of government and protection against invasion.
Article V (Amendment)	Proposal by two-thirds of both houses or a national convention called by two-thirds of state legislatures. Ratification by three-fourths of states (legislatures or conventions).
Article VI (Supremacy)	Constitution, federal laws, and treaties are the supreme law of the land (Supremacy Clause); debts of the Confederation are honored; officials take an oath; no religious test for office.
Article VII (Ratification)	The Constitution takes effect when nine of thirteen states ratify.

Constitutional numbers to memorize

Override a veto: two-thirds of both houses.

Convict on impeachment: two-thirds of the Senate. Impeach: majority of the House.

Ratify treaties: two-thirds of the Senate.

Propose an amendment: two-thirds of both houses or a convention called by two-thirds of states. Ratify: three-fourths of states.

Ratify the Constitution: nine of thirteen states.

Ages: 25 (House), 30 (Senate), 35 (President). Terms: 2, 6, 4 years.

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The 27 amendments

Amendment	Year	Content
1	1791	Freedom of religion, speech, press, assembly, and petition
2	1791	Right to keep and bear arms (militia clause)
3	1791	No quartering of soldiers in homes in peacetime without consent
4	1791	No unreasonable searches and seizures; warrants require probable cause
5	1791	Grand jury, no double jeopardy, no self-incrimination, due process, takings clause
6	1791	Speedy public trial, impartial jury, confront witnesses, right to counsel
7	1791	Jury trial in civil cases over twenty dollars
8	1791	No excessive bail or fines; no cruel and unusual punishment
9	1791	Unlisted rights are retained by the people
10	1791	Powers not delegated to the national government are reserved to the states or the people
11	1795	States cannot be sued in federal court by citizens of other states or countries
12	1804	Separate electoral votes for president and vice president
13	1865	Abolished slavery and involuntary servitude (except as punishment for crime)
14	1868	Citizenship, due process, equal protection; basis for incorporation
15	1870	Voting rights cannot be denied because of race
16	1913	Congress may tax incomes
17	1913	Direct popular election of senators
18	1919	Prohibition of alcohol
19	1920	Women's right to vote
20	1933	Lame duck amendment: presidential term begins January 20, Congress January 3
21	1933	Repealed Prohibition (18th)
22	1951	Two-term limit for the president
23	1961	Electoral votes for the District of Columbia
24	1964	Banned poll taxes in federal elections
25	1967	Presidential succession and disability
26	1971	Voting age lowered to 18
27	1992	Congressional pay raises take effect only after the next House election

Amendment groupings

Bill of Rights: Amendments 1 through 10 (1791).

Reconstruction amendments: 13 (end slavery), 14 (citizenship, equal protection, due process), 15 (race and voting).

Voting expansions: 15 (race), 19 (sex), 24 (poll tax), 26 (age 18), plus 17 (direct election of senators) and 23 (D.C. electors).

Presidency: 12, 20, 22, 25.

Prohibition: 18 enacted, 21 repealed.

Key terms for quick review

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Term	Meaning
Federalism	Division of power between national and state governments
Enumerated powers	Powers specifically listed for Congress in Article I, Section 8
Implied powers	Powers inferred from the Necessary and Proper Clause (McCulloch v. Maryland)
Judicial review	Power of courts to strike down laws and actions that violate the Constitution (Marbury v. Madison)
Checks and balances	System that lets each branch limit the others
Separation of powers	Division of government into legislative, executive, and judicial branches
Incorporation	Applying Bill of Rights protections to the states through the Fourteenth Amendment
Veto	President's rejection of a bill; Congress can override with a two-thirds vote in each house
Supremacy Clause	Article VI; federal law prevails over conflicting state law
Commerce Clause	Article I, Section 8; Congress regulates commerce among the states

Constitutional principles and where they appear

Principle	Where it appears	Example
Popular sovereignty	Preamble; Declaration of Independence	Voters choose representatives
Limited government	Bill of Rights; Article I, Section 9	Warrant requirement in the Fourth Amendment
Federalism	Tenth Amendment; Article IV; Supremacy Clause	States run elections within federal rules
Separation of powers	Articles I, II, III	Congress writes laws, president executes, courts interpret
Checks and balances	Veto, override, impeachment, confirmation, judicial review	Senate confirms a Supreme Court nominee
Republicanism	Articles I and IV	Elected representatives, guaranteed in the states

Exam tip

When a question describes a power, find the article first. Taxing, spending, war declaration, and commerce belong to Article I. Treaties and pardons belong to Article II. Lifetime tenure and judicial review (inferred) belong to Article III. Rights against the states come from the Fourteenth Amendment.

Common mistakes

Judicial review is not written in the Constitution; it was established in Marbury v. Madison. The Bill of Rights originally restrained only the national government. The president, not Congress, is commander in chief, but Congress declares war and funds the military. Impeachment is the House bringing charges and the Senate holding the trial.

Amendments often tested, with their link to required cases

- ◆ First Amendment: Schenck v. United States (clear and present danger), Tinker v. Des Moines (student speech), New York Times v. United States (prior restraint), Engel v. Vitale (Establishment Clause), Wisconsin v. Yoder (Free Exercise).
- ◆ Second Amendment: McDonald v. Chicago (incorporated against the states).
- ◆ Sixth Amendment: Gideon v. Wainwright (right to counsel in state felony cases).
- ◆ Fourteenth Amendment: Brown v. Board of Education (equal protection), Shaw v. Reno (race-based districts), Baker v. Carr (one person, one vote justiciable), and the incorporation cases.
- ◆ Tenth Amendment and Commerce Clause: United States v. Lopez.
- ◆ First Amendment and campaign finance: Citizens United v. FEC (corporate political speech).
- ◆ Due process and privacy: Roe v. Wade (1973), overruled by Dobbs v. Jackson Women's Health Organization (2022).

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R.2 Glossary and Skills Checklist

A glossary of the exam's key terms and a unit-by-unit checklist.

This glossary defines the terms the AP U.S. Government and Politics exam uses most, followed by a checklist you can use unit by unit to confirm you have mastered each skill and idea. Read the glossary actively: cover the definition column and say the meaning before checking.

Glossary of key terms

Term	Definition
Affirmative action	Policies that give preference in education or employment to groups that faced discrimination
Amicus curiae brief	Written argument filed by a non-party with an interest in a case
Anti-Federalists	Opponents of ratification who feared a strong national government (Brutus)
Appropriations	Legislation that authorizes spending of money
Articles of Confederation	First U.S. constitution, 1781; weak national government with no executive and no power to tax
Bicameral	Having two chambers, as in Congress
Bill of attainder	Law declaring a person guilty without trial; banned by the Constitution
Block grant	Federal money given to states for broad purposes with few restrictions
Bureaucracy	Departments and agencies that carry out laws
Cabinet	Heads of executive departments who advise the president
Categorical grant	Federal money for a specific purpose, with conditions
Checks and balances	Powers that let each branch limit the others
Civil liberties	Protections of individuals from government, found largely in the Bill of Rights
Civil rights	Government protection against discrimination, based on equal protection
Clear and present danger test	Standard from Schenck for when speech can be punished
Closed primary	Primary in which only registered party members vote
Cloture	Senate vote of 60 to end a filibuster
Coattail effect	Popular presidential candidate helps others on the ticket win
Concurrent powers	Powers shared by national and state governments, such as taxing
Conference committee	Temporary committee that reconciles House and Senate versions of a bill
Cooperative federalism	National and state governments share responsibility (layer cake versus marble cake)
Delegate model	Representative votes the way constituents want
Devolution	Transfer of power from national to state governments
Discharge petition	House procedure to force a bill out of committee with 218 signatures
Divided government	President and the congressional majority come from different parties
Due process	Fair legal procedures; guaranteed by the Fifth and Fourteenth Amendments
Elastic clause	Necessary and Proper Clause
Electoral College	538 electors who choose the president; 270 needed to win
Entitlement	Program with benefits guaranteed to eligible people, such as Social Security
Equal protection clause	Fourteenth Amendment guarantee that states treat people equally under law
Establishment clause	First Amendment ban on government establishing religion
Exclusionary rule	Illegally obtained evidence cannot be used in court (Mapp v. Ohio)
Executive agreement	Pact with a foreign nation made by the president without Senate approval
Executive order	Presidential directive with the force of law within the executive branch

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Term	Definition
Executive privilege	President's claim to withhold information from Congress or the courts
Ex post facto law	Law that punishes an act that was legal when committed; banned
Faction	Group united by a common interest opposed to the rights of others or the common good (Federalist 10)
Federalists	Supporters of ratification of the Constitution
Filibuster	Senate tactic to delay or block a vote by extended debate
Free exercise clause	First Amendment protection of religious practice
Free rider problem	People benefit from a group's work without joining or paying
Gerrymandering	Drawing district lines to favor a party or group
Gridlock	Inability to pass legislation due to division
Grassroots lobbying	Efforts to mobilize ordinary citizens to pressure officials
Hold	Senator's informal block on a nomination or bill
Impeachment	House vote to bring charges against an official; Senate tries them
Incorporation	Application of Bill of Rights to states through the Fourteenth Amendment
Incumbent	Officeholder currently in a seat
Independent agency	Executive agency outside cabinet departments, such as the EPA
Interest group	Organization that seeks to influence policy
Iron triangle	Stable relationship among an agency, a congressional committee, and an interest group
Issue network	Loose coalition of groups and officials interested in an issue
Judicial activism	Courts using review to change policy
Judicial restraint	Courts deferring to the elected branches
Judicial review	Power to declare laws unconstitutional
Lemon test	Three-part test for Establishment Clause cases
Linkage institutions	Elections, parties, interest groups, and media connecting citizens to government
Lobbying	Efforts to influence legislators and officials
Logrolling	Vote trading among legislators
Majority leader	Leader of the majority party in a chamber
Majority-minority district	District where racial minorities make up a majority
Mandate	Requirement imposed by the national government on states; unfunded mandates lack funding
Marketplace of ideas	Theory that truth emerges from open competition of ideas
Medicare	Federal health insurance for those 65 and older
Median voter	Voter in the middle of the political spectrum
Miranda rights	Warnings before custodial interrogation (Miranda v. Arizona)
Natural rights	Rights such as life, liberty, and property that people have by nature (Locke)
Necessary and Proper Clause	Allows Congress to make laws needed to execute its enumerated powers
New Jersey Plan	Convention proposal for equal state representation
Nonpartisan	Not affiliated with a party
Open primary	Primary in which any registered voter may participate
Original jurisdiction	Authority of a court to hear a case first

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Term	Definition
Oversight	Congressional review of executive actions
Party platform	Statement of a party's positions
Party realignment	Lasting shift in party coalitions
Plurality	More votes than any other candidate but not a majority
Pluralist democracy	Model in which groups compete to influence policy
Pocket veto	President fails to sign a bill after Congress adjourns, killing it
Political action committee	Organization that raises and spends money for candidates
Political efficacy	Belief that one's participation matters
Political socialization	Process by which people form political views
Popular sovereignty	Government's power comes from the people
Pork barrel	Spending directed to a legislator's district
Precedent	Earlier decision guiding later cases
Prior restraint	Government blocking publication before it occurs
Proportional representation	Seats awarded by share of votes
Public opinion	Citizens' views on issues and leaders
Reapportionment	Redistribution of House seats after the census
Redistricting	Redrawing district lines
Republic	Government by elected representatives
Reserved powers	Powers kept by the states under the Tenth Amendment
Rider	Unrelated provision added to a bill
Rule of four	Four justices must agree to hear a case
Rules Committee	House committee that sets debate rules
Selective incorporation	Case-by-case application of rights to states
Senatorial courtesy	Practice of deferring to a senator on judicial appointments in the senator's state
Seniority	Length of service, used for committee leadership
Soft money	Unregulated money to parties, curbed by campaign finance law
Standing	Legal right to bring a case
Stare decisis	Following precedent
Super PAC	Group that can raise unlimited sums to support or oppose candidates independently
Superdelegate	Party leader automatically a convention delegate
Supremacy clause	National law is supreme over state law
Suffrage	Right to vote
Trustee model	Representative uses own judgment
Unitary system	Government with power centralized in the national level
Veto	Presidential rejection of a bill
Writ of certiorari	Order to a lower court to send up a case record for review
Writ of habeas corpus	Order requiring that a detained person be brought before a court
Winner-take-all	System in which the top vote-getter wins everything

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Terms students confuse

Civil liberties limit what government may do; civil rights guarantee equal treatment.

Enumerated powers are listed; implied powers are inferred; reserved powers belong to the states.

Reapportionment reassigns House seats among states; redistricting redraws lines within a state.

Closed primary: party members only. Open primary: any voter. Caucus: meeting, not a ballot election.

Delegate follows constituents; trustee uses own judgment; politico switches between the two.

Unit-by-unit skills checklist

Check an item only when you can do it without notes. Aim to have every box checked a week before the exam.

Unit 1: Foundations (15-22%)

- ◆ ☐ Compare the Federalists and Anti-Federalists
- ◆ ☐ Explain Federalist 10, 51, and Brutus 1
- ◆ ☐ Describe the weaknesses of the Articles of Confederation
- ◆ ☐ Define federalism, grants, and mandates
- ◆ ☐ Summarize McCulloch v. Maryland and United States v. Lopez
- ◆ ☐ Compare participatory, pluralist, and elite democracy

Unit 2: Interactions Among Branches (25-36%)

- ◆ ☐ Describe Congress's structures, powers, and leadership
- ◆ ☐ List presidential powers and checks on the presidency
- ◆ ☐ Explain judicial review and Marbury v. Madison
- ◆ ☐ Explain Federalist 70 and 78
- ◆ ☐ Describe the bureaucracy and how it is held accountable
- ◆ ☐ Trace how a bill becomes a law

Unit 3: Civil Liberties and Civil Rights (13-18%)

- ◆ ☐ Summarize Engel, Yoder, Schenck, Tinker, and New York Times
- ◆ ☐ Explain selective incorporation and McDonald v. Chicago
- ◆ ☐ Explain Gideon, Roe, and the Dobbs update
- ◆ ☐ Summarize Brown v. Board and the Letter from Birmingham Jail
- ◆ ☐ Describe civil rights legislation and affirmative action

Unit 4: Ideologies and Beliefs (10-15%)

- ◆ ☐ Describe political socialization agents
- ◆ ☐ Interpret public opinion polls and margins of error
- ◆ ☐ Compare liberal, conservative, libertarian, and populist views
- ◆ ☐ Explain how events shape ideology
- ◆ ☐ Connect ideology to economic and social policy

Unit 5: Political Participation (20-27%)

- ◆ ☐ Explain voting rights and turnout factors
- ◆ ☐ Describe party functions and realignment
- ◆ ☐ Explain interest group strategies and the free rider problem
- ◆ ☐ Compare presidential and congressional elections
- ◆ ☐ Summarize Baker v. Carr, Shaw v. Reno, and Citizens United v. FEC
- ◆ ☐ Evaluate media and campaign finance

Disciplinary practice checklist

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- ◆ [] Concept Application: describe and explain a concept using a scenario
- ◆ [] SCOTUS Application: state facts, holding, and reasoning for all fifteen required cases
- ◆ [] Data Analysis: identify, describe, and draw conclusions from graphs, tables, maps, and polls
- ◆ [] Source Analysis: find the claim, evidence, and reasoning in a text or cartoon
- ◆ [] Argumentation: write a thesis, support it with two pieces of evidence, and answer an opposing view
- ◆ [] Timing: finish 55 multiple-choice questions in 80 minutes and each FRQ within its recommended time

Exam tip

Use the glossary the night before the exam only for terms you still miss. Create a short list of your ten most-missed terms and read it twice.

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