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## The Constitution

Produced by Dr Peter Jepson and Mr. Nathan Scott using 'US Government & Politics' by Anthony J Bennett

Read and précis Chapter One from the text before the Lecture

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## Lecture basics ...

- Turn off your mobile
- Do NOT chat during a lecture
- Raise your hand if you have question
- Supplement your PowerPoint PDF notes.

2

## Understanding the USA

- US society still influenced by the principles that led to its establishment over 200 years ago.
- New concepts to learn - *separation of power, federalism and checks and balances.*

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## USA is a vast Country

- The entire UK would fit into the state of Oregon. Coast to coast is 3000 miles - with four time zones and 50 states.
- Tropic landscapes of Florida balance with the frozen arctic wastes of Alaska.
- The people of America have a variety of ancestral ethnic backgrounds - spanning many cultures and religions.

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## Federal system of government

- The very nature and size of the USA means that a unitary system could not work. Even in the UK we have trouble maintaining a unitary state (SNP, Plaid Cymru, IRA, etc).
- A vast country the size of the USA needs decentralised government - a federal system was established by the Founding Fathers in 1787.

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## Diversity in US Politics

- At the start of each day children swear a pledge of allegiance to the flag of the US.
- Despite such an allegiance to the flag, life often differs from state to state.
- Indeed, laws differ from state to state on matters such as elections, crime and punishment.

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## Federal system

- Laws differ because of a federal system of government that allows and encourages diversity.
- Diversity and respect for it is endemic within the US system of government - by comparison in the UK we struggle to come to terms with the actuality of diversity (e.g. tuition fees in Scotland).

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## Break up into pressure groups

- One group to research and present to class the backdrop to the US Constitution.
- A second group to explain the Constitution and what it provided.
- A third group to explain how the constitution can be amended.
- A fourth to explain the Bill of Rights and subsequent amendments.

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## Separation of Powers

- Philadelphia Convention of 1787 divided the national government into three separate branches based upon the separation of powers. Framers greatly influenced by Montesquieu they established 3 separate areas of power: *legislature, executive and judicial* in order to avoid tyranny.
- Question: Why would a fusion of these powers establish tyranny?

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## Separation of Powers

- Students should re-produce Figure 1.4 - using coloured pens to highlight the different branches and the separation of powers.
- One of the students will be selected to explain the diagram to their classmates.

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## Checks and balances

- The class is to break into four pressure groups: (1) Legislature - (2) Executive - (3) Judiciary and (4) Balancing.
- Groups 1-3 will research and then explain who they check and why. Group (4) will research and then explain the political importance of checks and balances.

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## Teacher talk ...

Your Laws teacher will explain to class Federalism and the changing federal-state relationship. This will include:

- Federalism and the Constitution
- The changing federal-state relationship
- Phases of federalism- including G. Bush
- Consequences of federalism

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## Pro's of federalism

- Permits diversity
- Creates more access points to Govt
- Better protection of individual rights
- States become 'policy laboratories'
- Well suited to a large geographical nation

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## Cons of federalism

- Can mask economic and racial inequalities
- Frustrates the national will
- Federal-state relationship is a continual source of conflict and controversy
- Overly bureaucratic and therefore resistant to change.

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## Reflection ...

- In the UK in the 1980's Mrs Thatcher - upset by the antics of Ken Livingstone and the GLC - decided to introduce legislation to abolish the GLC. In a democracy she has that right.
- Could Bush do the same if he was unhappy with say a Left-wing US state and its activities?

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## Further reflection ...

- Does the federal system of government enhance the rights of citizens in terms of access to government?
- Does the US system encourage open government?
- Do US citizens have rights - established by the Bill of Rights - that help enhance the principles of democratic government? What are they?

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## Discussion time ...

- Break up into three small groups. Each student member of the group then draws out of a hat a number (out of a selection of 1-17) which relates to one of the exercises on page 34 of '*US Govt & Politics*'. The student then leads a discussion within their group on that topic.
- A member of each group finally summarises each of the discussions for the whole class.

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