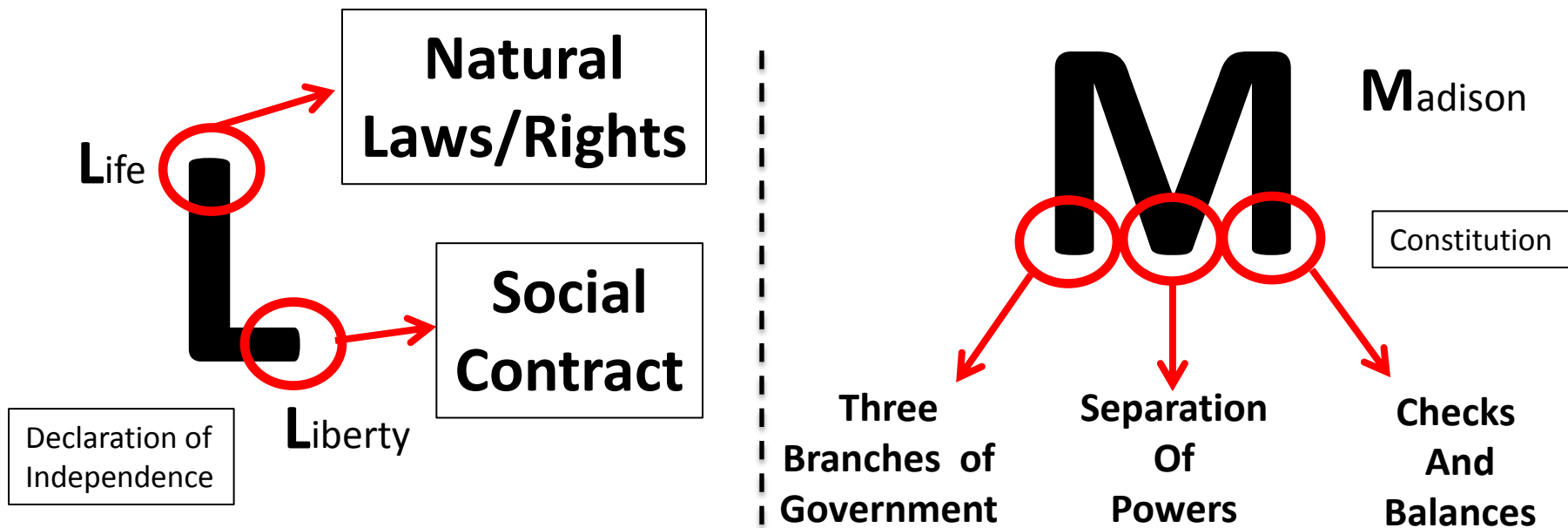


EOC Civics Unit #1 Review

Origins and Purposes of Law and Government

Unit #1 (25% of EOC)

Origins and Purposes of Law and Government



Constitution KNOW THE PREAMBLE!

Articles	→	I	II	III
Branches	→	L	E	J
Laws	→	M	E	I
Leads	→	C	P	J

LAW

- Civil
- Criminal
- Constitutional
- Military
- Juvenile

John Locke

- Enlightenment Philosopher
- Social Contract
- Natural Rights/Law
- Life, Liberty, and Property
 - Jefferson changed to Life, Liberty, and Pursuit of Happiness
- Influenced Jefferson in the writing of the Declaration of Independence

Baron de Montesquieu

- Enlightenment Philosopher
- Three Branches of Government
- Separation of Powers
- Checks and Balances
- Influenced the Constitution
 - 1st, 2nd, 3rd Articles
- Influenced James Madison in writing the Constitution

Magna Carta

- Limited Government
- Rule of Law
- Trial by Jury

English Bill of Rights

- Freedom of Speech
- No Cruel and Unusual Punishment
- No Taxes without Consent

Mayflower Compact

- Popular Sovereignty / Self-Government
- Rule of Law
- Social Contract

Common Sense

- Thomas Paine
- Pamphlet
- Influenced the Declaration of Independence

Events that led to the Declaration of Independence

- English Policies forced Colonists to declare independence
- Stamp Act
- Sugar Act
- Tea Act
- Quartering Act
- Boston Massacre
- Fighting at Lexington and Concord
- Taxation without Representation
- Ignored Colonial complaints

Declaration of Independence

- Natural Rights / Role of Government
 - Inspired by John Locke
 - Life, Liberty, and Property
 - Life, Liberty, and the Pursuit of Happiness (Jefferson)
- Consent of the Governed
 - Self-government
 - Popular sovereignty
 - Right to abolish government

Declaration of Independence

- List of GRIEVANCES against the KING
 - Taxation without representation
 - Suspending trial by jury
 - Limiting judicial powers
 - Did not allow colonists to trade with other nations
 - Quartering of soldiers
 - Dissolving legislatures
- Took away individual and collective rights
- EOC questions likely will have an excerpt or quote about the KING.

Articles of Confederation

- WHY it did NOT work
 - One Branch
 - No Executive or Judicial Branch
 - Too Rigid
 - 9/13 states required to pass LAWS
 - 13/13 states required to pass AMENDMENTS
 - Too Weak
 - **NO POWER TO COLLECT TAXES**
 - No regulation of trade
 - No power to enforce laws – **SHAYS' REBELLION**

Preamble

- **We the People**
- A more perfect union
- Establish justice
- Ensure domestic tranquility
- Provide for the common defense
- Promote the general welfare
- Secure the blessings of liberty
- To ourselves and our posterity
- **Popular sovereignty / self-government**
- Make a better country
- Fairness / equality – courts
- Keep the peace
- Military
- Help people
- Freedom
- Forever

Separation of Powers

Checks and Balances

SS.7.C.1.7

- Montesquieu (1.1)
- Focus on TYRANNY and the Fear of Power
- This is why the framers of the Constitution wanted Separation of Powers and Checks and Balances
- Branches Checks
 - Executive: VETO
 - Legislative: IMPEACH
 - Judicial: JUDICIAL REVIEW

Rule of Law

- Protects citizens from “tyranny” and abuse of power
- Leaders must follow the law
- Nobody is above the law

- US v. Nixon

- Look for a newspaper headline with a leader doing something wrong

Sources and Types of Law

- Sources
 - Code of Hammurabi (Civil Laws)
 - English Common Law (Precedents)
- Types
 - Civil: Between people
 - Criminal: Crimes
 - Constitutional: Rights and Powers
 - Military: Military personnel
 - Juvenile: People under 18 years of age