

1990

## National Government Lecture Outline

Steven Alan Samson

*Liberty University*, [ssamson@liberty.edu](mailto:ssamson@liberty.edu)

Follow this and additional works at: [https://digitalcommons.liberty.edu/gov\\_fac\\_pubs](https://digitalcommons.liberty.edu/gov_fac_pubs)



Part of the [Other Social and Behavioral Sciences Commons](#), [Political Science Commons](#), and the [Public Affairs, Public Policy and Public Administration Commons](#)

---

### Recommended Citation

Samson, Steven Alan, "National Government Lecture Outline" (1990). *Faculty Publications and Presentations*. 311.

[https://digitalcommons.liberty.edu/gov\\_fac\\_pubs/311](https://digitalcommons.liberty.edu/gov_fac_pubs/311)

This Article is brought to you for free and open access by the Helms School of Government at Scholars Crossing. It has been accepted for inclusion in Faculty Publications and Presentations by an authorized administrator of Scholars Crossing. For more information, please contact [scholarlycommunications@liberty.edu](mailto:scholarlycommunications@liberty.edu).

## CHAPTER ONE: A PREFACE TO AMERICAN POLITICS

- A. "NOW WE SEE THROUGH A GLASS, DARKLY"
  - 1. We Are Like Fish in Water
    - a. Our Circumstances
  - 2. What Is Politics?
    - a. Power
    - b. Context: "I am I and My Circumstances"
  - 3. Purpose of the Course
- B. CITIZENS AND HOUSEHOLD STEWARDS
  - 1. Public and Private Distinction
    - a. Limited Liability Corporation
      - 1) Liability
      - 2) Who Should Pay?
  - 2. Politics and Economics
    - a. City
    - b. Household
    - c. Virtue vs. Corruption
    - d. Trustee or Steward
    - e. Proverbs 31
    - f. Property, Self-Government, and Liberty
  - 3. "Who Gets What, When, How?"
    - a. Private Benefit
    - b. Public Treasury
    - c. Albert Jay Nock on Modern Politics
  - 4. Political Economy
    - a. Ethical Issues
  - 5. Problem of the One and the Many
    - a. Cui Bono?
- C. DEVELOPING A CHRISTIAN WORLD-VIEW
  - 1. Epistemology
  - 2. Differing Perspectives
  - 3. The Archimedean Point
  - 4. By What Standard?
  - 5. Presuppositions
- D. BIBLICAL LAW
  - 1. The Bible
    - a. Latin Vulgate
    - b. John Wyclif and Johan Gutenberg
    - c. The Reformation
  - 2. General Revelation
- E. INESCAPABLE CONCEPTS
  - 1. Sovereignty (Ultimate Authority)
    - a. Biblical View: Creaton, Fall, and Redemption
    - b. Classical and Environmentalist View: Nature

- c. Secular Humanist View: The People
- d. "Divine Right of Kings"
- e. Individual Rights
- f. Character of a Political System
- 2. Law or Predestination (Formal Cause)
  - a. Biblical View: Providence
  - b. Secular View: Planning
  - c. Agenda
- 3. Salvation or Religion (Final Cause)
  - a. Biblical View: Redemption
  - b. Roman View: Health of the Body Politic
  - c. Epicureans
  - d. Manichean View
  - e. Doctrine of Selective Depravity
- 4. Liability (Obligation)
  - a. Biblical View: Forgiveness of Debts and Immunity
  - b. Limited Liability
  - c. Managerial Revolution
  - d. Gresham's Law
- 5. Infallibility (Faith)
  - a. Failures of the Church
  - b. Idols for Destruction
- F. PHILOSOPHICAL OVERVIEW
  - 1. Naturalism (Classical View)
  - 2. Christianity
  - 3. Cultural Dualism
  - 4. Scholastic Philosophy (Medieval Synthesis)
    - a. Realism
    - b. Nominalism
    - c. Antinomies
  - 5. Rationalism
    - a. Enlightenment Skepticism
    - b. Deism
    - c. Voltaire
    - d. Jean-Jacques Rousseau
    - e. Alexander Pope
    - f. David Hume
    - g. Immanuel Kant
      - 1) Categorical Imperative
      - 2) Human Conventions
  - 6. Atheist Humanism
    - a. Dichotomy
    - b. Charles Darwin
    - c. Secularism
    - d. Promethean Skeptics (Marx, Nietzsche, Freud, etc.)

- 7. Philosophical Hedonism
  - a. Sigmund Freud: Pleasure Principle
  - b. Jeremy Bentham: Utilitarianism
- 8. Biblical Critique
  - a. Theonomy
- G. IDEAS HAVE CONSEQUENCES
  - 1. Political Philosophy

## CHAPTER TWO: THE CONSTITUTIONAL SYSTEM

- A. CONSTITUTIONALISM
  - 1. Purpose
    - a. Sources
  - 2. Consent of the Governed
    - a. Covenant
    - b. Unalienable Rights
  - 3. Origins of Constitutionalism
    - Pilgrim Code of Law (1636)
    - Fundamental Orders of Connecticut (1638)
    - a. Church Covenants
    - b. Colonial Charters
  - 4. Declaration of Independence
  - 5. Constitution of 1787
  - 6. Articles of Confederation (1781)
  - 7. Subsequent Development
    - a. New Goals
    - b. Equalitarian and Individualistic Outlook
- B. COMPONENTS
  - 1. Guiding Principles
  - 2. Preamble
    - a. Invocation
      - 1) Mayflower Compact (1620)
  - 3. Bill of Rights
    - a. Body of Liberties (1641)
  - 4. Separation of Powers
    - a. Restraint on Power
      - 1) William Blackstone
    - b. System of Overlapping Powers
  - 5. Amendment
    - a. Constitutional Provision
      - 1) Constitutional Convention
      - 2) Individual Proposal
      - 3) Ratification
    - b. Interpretation
    - c. Treaties

- d. Popular Initiative (states)
- e. Popular Referendum (states)
- 6. Extraconstitutional Measures
  - a. Interposition
  - b. Nullification
  - c. Secession
  - d. Martial Law
- C. ORGANIZING PRINCIPLES
  - Division of Powers
  - 1. Federalism
    - a. Two Main Levels
      - 1) Divided Political Sovereignty
    - b. "Supreme Law of the Land"
      - 1) Magna Carta
      - 2) Sanctioning Land
      - 3) Common Law and Due Process
      - 4) Super-Legislation
    - c. Alternatives
      - 1) Monarchy
      - 2) Feudalism, or a League
  - 2. Bicameralism
    - a. Two Chambers
      - 1) Unicameral Legislature (Nebraska)
    - b. Senate
      - 1) Designed to Represent the States
      - 2) Two Senators
      - 3) Restraint on Presidency and Judiciary
    - c. House of Representatives
      - 1) Designed to Represent the People
      - 2) Population
      - 3) Money Bills
  - 3. Separation of Powers
    - a. Branches
      - 1) Legislative
      - 2) Executive
      - 3) Judicial
    - b. Constituencies
    - c. Modes of Selection and Terms of Office
      - 1) Representatives
      - 2) Senators
      - 3) Presidents (Electoral College)
      - 4) Justices
  - 4. Republican Principle
    - a. Enhances Stability
    - b. Wise and Capable Leaders

5. Characteristics of a Desirable Constitution
  - a. Stability and Continuity
  - b. Division of Powers
  - c. Representativeness
  - d. Accountability
- D. CONSTITUTIONAL THEORY
  1. Federalist Papers
  2. Purpose: Break and Control Violence of Faction
  3. Two Methods
    - a. Remove the Causes
      - 1) Abolishing Liberty
      - 2) Creating Uniformity
    - b. Control the Effects
      - 1) Republican Principle
  4. Tyranny of the Majority
  5. Large Republic
    - a. Built-in Diversity of Interests
  6. Auxiliary Precautions
  7. Evaluation
    - a. Deliberation
    - b. Consensus or Unity
- E. CHECKS AND BALANCES IN PRACTICE
  1. Laws (Art. I, sec. 1)
    - a. Bills (Art. 1, sec. 7)
    - b. Executive Orders
    - c. Administrative Law
    - d. Executive Privilege
  2. Amendments (Art. V)
    - a. Validity
    - b. Treaties
    - c. Custom and Interpretation
  3. Treaties (Art. II, sec. 2)
    - a. Executive Agreements
    - b. Compacts (Art. I, sec. 10)
  4. States
    - a. Reserved Powers (Tenth Amendment)
    - b. Denied Powers (Art. I, sec. 10)
    - c. Electoral College (Art. II, sec. 1)
    - d. Guaranty Clause (Art. IV, sec. 4)
    - e. Territorial Integrity (Art. IV, sec. 3; Art. V)
    - f. Enclaves (Art. I, sec. 8; Art. IV, sec. 3)
    - g. Immunity (Art. II, sec. 2; Eleventh Amendment)
    - h. Extradition (Art. IV, sec. 2)
    - i. Election of Senators (Seventeenth Amendment)
  5. The People

- a. Elections (Art. I, sec. 2)
- b. Juries
- 6. Civil Liberties
  - a. Security from Discrimination
    - 1) Bills of Attainder and Ex Post Facto Laws (Art. I, secs. 9, 10; Art. III, sec. 3)
    - 2) Privileges and Immunities (Art. IV, sec. 2; Fourteenth Amendment)
  - b. Liberty of Conscience and Expression
    - 1) Religion, Speech, and Press
    - 2) Peaceable Assembly (First Amendment)
  - c. Security in Person and Estate
    - 1) Keep and Bear Arms (Second Amendment)
    - 2) Quartering of Soldiers (Third Amendment)
    - 3) Searches and Seizures (Fourth Amendment)
    - 4) Takings Clause (Fifth Amendment)
    - 5) Procedural Rights (Fifth-Eighth Amendments)
    - 6) Penal Limitations (Eighth Amendment)
  - d. Sanctity of Property
  - e. Martial Law
- 7. The Judiciary (Art. I, sec. 8; Art. III)
  - a. Original Jurisdiction (Art. III, sec. 2)
  - b. Restricted Appellate Jurisdiction (same)
  - c. Judicial Review
  - d. Judicial Legislation
  - e. Reversals (Art. V)
  - f. Shared Power of Interpretation
- 8. Appointments (Art. II, sec. 2)
  - a. Patronage and Partisanship
  - b. Senatorial Courtesy
  - c. Civil Service
  - d. Independent Counsel
- 9. Bureaucracy (Art. I, sec. 8; Art. II, sec. 2; Art. III, sec. 1)
  - a. Congressional Oversight
  - b. Quasi-Legislative and -Judicial Powers
- 10. Commerce
  - a. Regulation (Art. I, sec. 8)
  - b. Subsidies and Privileges
- 11. Fiscal and Monetary Policies (Art. I, secs. 7, 8)
  - a. Limits (Art. I, sec. 9)
  - b. Income Taxation (Sixteenth Amendment)
  - c. Money (Art. I, sec. 8, 10)
  - d. Salaries (Art. I, sec. 6)
  - e. Impoundment

12. Congress and the President
  - a. Legislative Powers of the President
  - b. Special Sessions (Art. II, sec. 3)
  - c. Tie-Breaking (Art. I, sec. 3)
  - d. Veto (Art. I, sec. 7)
  - e. Override
  - f. Pocket Veto (Art. I, sec. 7)
  - g. Setting the Agenda
  - h. Elections
    - 1) President
    - 2) Vice President
13. Affairs of State
  - a. Impeachment (Art. I, sec. 2)
  - b. Trial (Art. I, sec. 3)
  - c. Presiding Officer (Art. I, sec. 3; Art. II, sec. 4)
  - d. Qualifications; Punishments (Art. I, sec. 5)
  - e. Treason (Art. III, sec. 3)
  - f. Pardons and Reprieves (Art. II, sec. 2)
  - g. Amnesty
  - h. Contempt of Congress
14. War Powers (Art. II, sec. 2)
  - a. Conscription (Art. I, sec. 8)
  - b. Declaration of War (same)
  - c. Police Actions
  - d. Emergency Powers and Martial Law

### CHAPTER THREE: AMERICAN POLITICAL CULTURE

- A. THE AMERICAN CHARACTER
  1. Individualism
    - a. Contrast with Selfishness
    - b. Effects
    - c. Loss of Community
  2. Character Types
    - a. Tradition-Directed
    - b. Inner-Directed
    - c. Other-Directed
  3. Absence of a Feudal Tradition
    - a. Pilgrims and Puritans
    - b. Frontier Society
    - c. Social Contract Theory
  4. Status vs. Contract
    - a. Meritocracy
    - b. Privileges and Entitlements



- B. THE LIBERAL TRADITION
  - 1. Absence of a Revolutionary Tradition
  - 2. Equality
  - 3. John Locke
  - 4. Social Compact
    - a. Limited Government
    - b. Principle of Majority Rule
    - c. Minority Rights
    - d. Preservation of Property
    - e. Right to Resist
  - 5. Enlightenment
    - a. Condorcet
    - b. Jean-Jacques Rousseau: the General Will
    - c. G. W. F. Hegel: the Spirit of the Age
    - d. Revolutionary Ideologies
  - 6. American Adaptations
    - a. Transcendentalism
    - b. Progressivism
- C. STAGES OF POLITICAL DEVELOPMENT
- D. BIBLICAL TRADITION
  - 1. The Protestant Ethic
  - 2. Absence of Free Enterprise
    - a. Dependency
    - b. Mercantilism
  - 3. Holy Commonwealth
    - a. Biblical Law
    - b. Self-Discipline
  - 4. The Great Awakening
  - 5. Independence
- E. REPUBLICAN TRADITION
  - 1. Frontier Individualism
  - 2. Evangelical Christianity
    - a. Voluntary Associations
  - 3. Period of Democratic-Republican Party Dominance
  - 4. Advancing Frontier and Immigration
    - a. Equalizing Influences
  - 5. Free Enterprise Capitalism
    - a. Industrial Revolution
  - 6. Emergence of Ocean and River Port Cities
  - 7. Limited Government
    - a. Chartering of Banks
    - b. Long Ballot
    - c. Property Restrictions Abolished
    - d. Medical Regulation Loosened
  - 8. States' Rights Doctrine

- a. Nullification and Secession
- 9. Subsidies and Obstructions
  - a. Trade Embargo
  - b. Protective Tariffs
  - c. American System
  - d. State-Supported Public Education
- 10. Transcendentalism
- F. ECONOMIC TRADITION
  - 1. Industrial Individualism
  - 2. Intellectual Revolution (Darwin, Secularism)
    - a. Universities and Graduate Schools
    - b. Professions
    - c. Social Sciences
    - d. Social Darwinism and Progressivism
  - 3. Period of Republican Party Dominance
  - 4. Reconstruction
  - 5. Era of Steam and Rail Technology
    - a. Railroad Subsidies
    - b. Westward Shift in the Population
    - c. Immigrants
  - 6. Populism
    - a. Grange
    - b. People's Party
  - 7. Corporations and Trusts
    - a. Substantive Due Process
    - b. Limited Liability
    - c. Captains of Industry and Political Bosses
  - 8. Corruption
    - a. Political Machines
  - 9. Progressive Reform Movement
    - a. Secret Ballot
      - 1) Sinecures
    - b. Merit System
    - c. Short Ballot
    - d. Recall
    - e. Oregon System
      - 1) Initiative
      - 2) Referendum
    - f. Direct Primary Elections
    - g. Proportional Representation
  - 10. Managerial Revolution
  - 11. Era of Mixed Rail and Automotive Technology
- G. THERAPEUTIC TRADITION
  - 1. Social Service State
  - 2. Popular Psychotherapies

3. Collectivism
4. Period of Democratic Party Dominance
  - a. Interest Groups
5. Subsidies
6. Search for Psychological Security
  - a. Sigmund Freud
  - b. Human Potential Movement
  - c. Abortion and Euthanasia
  - d. Growing National Budget
7. Unsettled Job Market
8. Government Services
9. Era of the Automotive City
10. Radical Social Reformers
11. Transitional Period
12. Conclusion

#### CHAPTER FOUR: POLITICAL PARTICIPATION

- A. THE ELECTORATE
  1. Suffrage
    - a. Early Restrictions
  2. Extension of the Franchise
  3. Act of Toleration
  4. Freehold Property Requirement
    - a. Constitutional Debates
    - b. Relaxation in the 1820s
    - c. Cultural Dualism
  5. Fifteenth Amendment
  6. Women's Suffrage and the Nineteenth Amendment
  7. Immigrants
  8. Progressivism
  9. Twenty-Sixth Amendment
  10. Disfranchisement
  11. Earlier Obstacles
    - a. Literacy Requirements
    - b. Property Ownership
    - c. Poll Tax and the Twenty-Fourth Amendment
  12. Racial Discrimination
    - a. Jim Crow Laws
    - b. Grandfather Clause
  13. Group Patterns
  14. Registration
  15. Participation
    - a. Decision-Making Costs
      - 1) Information Cost

- 2) Opinion Leaders
    - b. Responsibility Costs
    - c. Costs of Errors
  - 16. Apathy
    - a. Incumbents
    - b. Voter Dissatisfaction
  - 17. Consequences
- B. LEGITIMATION
  - 1. Legitimacy
  - 2. Succession Problems
  - 3. Revolutions
  - 4. Collapsing Empires
  - 5. Nomenklatura
- C. THE MACHINERY OF ELECTIONS
  - 1. Methods of Nomination
    - a. Caucus
    - b. Convention
    - c. Direct Primary Election
  - 2. Types of Primaries
    - a. Presidential Preference Primary
    - b. Nonpartisan Primary
    - c. Open vs. Closed Primary
    - d. Blanket Primary
    - e. Runoff Primary
  - 3. Criticisms of the Primary
  - 4. Congressional Elections
    - a. Incumbents
  - 5. Electoral College
    - a. Federalist, no. 68
    - b. Twelfth Amendment
    - c. Twenty-Third Amendment
    - d. Unit Rule
    - e. Election by the House
    - f. Swing States
- D. PARTY ORGANIZATION
  - 1. Purpose
  - 2. The American Pattern
    - a. Politics of Consensus
  - 3. Political Machines
  - 4. Party Discipline
    - a. Issues
  - 5. Electoral Appeal
  - 6. The Weber Model
  - 7. Electoral Representation
- E. PATTERNS OF PARTISAN POLITICS

1. Two-Party Competition
  - a. Twelfth Amendment
2. Periods of Party Dominance
3. Jefferson Republicans
  - a. Era of Good Feelings
4. Jackson Democrats
  - a. Tammany Hall and the Albany Regency
  - b. Whig Party
  - c. Democratic Split
5. Lincoln Republicans
  - a. Civil War
  - b. Reconstruction
  - c. Political Machines
  - d. William McKinley
  - e. Populists and Progressives
6. Roosevelt Democrats
  - a. Mass Media
  - b. Lyndon Johnson
7. Current Pattern

## CHAPTER FIVE: INTEREST GROUPS

- A. ROLE IN AMERICAN POLITICAL HISTORY
  1. Voluntary Associations
    - a. Alexis de Tocqueville
    - b. Labor Unions and Public Interest Lobbies
- B. THE ROLE OF INTEREST GROUPS
  1. Lobbying
    - a. Representation
    - b. Participation
    - c. Education
    - d. Agenda Building
    - e. Program Monitoring
  2. Funding
    - a. Dues
    - b. Publications and Conferences
    - c. Government
    - d. Tax Exempt Status
    - e. Political Action Committee
  3. Regulation
    - a. Federal Regulation of Lobbying Act of 1946
    - b. Campaign Financing
  4. Mass Media
  5. Market Research
    - a. Public Opinion Poll

- C. PUBLIC OPINION POLLING
  - 1. Purpose
    - a. Discovery
    - b. Manipulation
    - c. Planning
  - 2. Origins
    - a. Sources
    - b. Plebiscite
  - 3. Straw Votes
    - a. Two Forms
    - b. Sample Bias
  - 4. Market Research
    - a. Business Bourse
    - b. Public Relations
      - 1) Ivy Lee
    - c. Census of Distribution
    - d. Elmo Roper and George Gallup
  - 5. Social Survey
- D. THE FORMATION OF PUBLIC OPINION
  - 1. Ethnic or Religious Homogeneity
  - 2. Diversity
    - a. Federalist, no. 10
  - 3. Consensus
  - 4. Three Methods
    - a. Patronage and Pork
    - b. Terror and Obedience
    - c. Voluntary System
  - 5. Manipulating Public Opinion
    - a. George Creel
    - b. Edward Bernays
    - c. Woodrow Wilson
    - d. Poll-Taking
  - 6. Conclusion
- E. TRENDS
  - 1. Decline of Liberalism

## CHAPTER SIX: CONGRESS

- A. HISTORICAL ORIGINS
  - 1. Ancient Practice
  - 2. Representative Assemblies
    - a. Petition
    - b. Consent
    - c. Parliamentary Supremacy
    - d. Colonial Resistance

3. Legislative Dominance
    - a. Parliamentary System
  4. Continental Congress
    - a. Articles of Confederation
  5. Congress
    - a. Great Compromise
    - b. House
    - c. Senate
    - d. Federalist, no. 39
  6. Decline of Federalism
    - a. Fourteenth Amendment
    - b. Seventeenth Amendment
  7. Control of the Purse
    - a. Legislative Budget
    - b. Executive Budget
    - c. Sixteenth Amendment
    - d. Fiscal Policy
- B. STRUCTURE
1. Size
  2. Terms of Office
  3. Eligibility
  4. Salary and Benefits
  5. Bicameralism
- C. ORGANIZATION
1. Presiding Officers
    - a. President of the Senate
    - b. President Pro Tempore
    - c. Majority and Minority Leaders
    - d. Speaker of the House
  2. Support System
    - a. Committees
    - b. Subcommittees
    - c. Special, Partisan, Joint, and Ad Hoc Committees
    - d. Staff
- D. PROCEDURE
1. Introduction
  2. Assignment to Committee
  3. Committee Action
    - a. Options
    - b. Logrolling
  4. Scheduling Bills for Floor Action in the Senate
    - a. Unanimous Consent
    - b. Rescue
    - c. By-Pass
    - d. Suspension of the Rules and Discharge

5. House Rules Committee
  6. Floor Debate
    - a. Filibuster
    - b. Cloture
    - c. Vote
  7. Conference Committee
  8. Action by the President
  9. Results
- E. FUNCTIONS
1. Lawmaking (Legislative)
    - a. Statute Law
  2. Ceremonial
  3. Constitutional (Constituent)
  4. Casework (Communication)
  5. Executive
    - a. Appointments
    - b. Oversight
    - c. Appropriations
  6. Judicial
- F. POWERS AND LIMITATIONS
1. Taxing and Spending (Fiscal Powers)
    - a. Federalist, no. 17
    - b. National Recovery Act
    - c. Fiscal Regulation
  2. Commerce Power
    - a. Gibbons v. Ogden (1824)
      - 1) Enumerated Powers
      - 2) Implied Powers
      - 3) Resulting Powers
    - b. Cooley v. Board of Wardens (1851)