

Government and Law

Government is an organization that has the power to make and enforce laws. The Georgia constitution sets out the framework, powers, duties, and operation of our state government. The constitution also outlines the roles and rights of the state's citizens. Georgia's government works through its three branches: legislative (law-making), executive (law-enforcing) and judicial (law-interpreting). The state also gives some powers and responsibilities to local governments, which can be either county or city governments or a combination of the two.

Citizens of Georgia play a role in government. As individuals, citizens have both rights and duties. Citizens can also join organizations, including political parties, to influence government to make laws and policies that they believe will work best. As citizens and residents of the state, we all have responsibilities. At any age, we must obey the laws.

Studying Georgia government is useful because we all consume the services our governments provide. For example, we use roadways, bridges, and public school bus systems to get around our county. These are funded by local government and the state, with money from the national government added in. We have access to clean drinking water, and we eat meals at restaurants that must pass state inspections for clean and sanitary food preparation. At the age of eighteen, we also become shareholders in government because we can then legally vote for candidates for public office.

The chapters in this unit examine the structure, operation, and importance of government in Georgia under our present constitution, as well as the rights and the duties of being a citizen.

The flag of the United States of America, known also as the "Stars and Stripes" and "Old Glory," is the official flag of the United States government. It flies in front of all government buildings and military installations both here and overseas, as well as schools, and many homes and businesses.



Focus on Reading Skills

Comparing and Contrasting

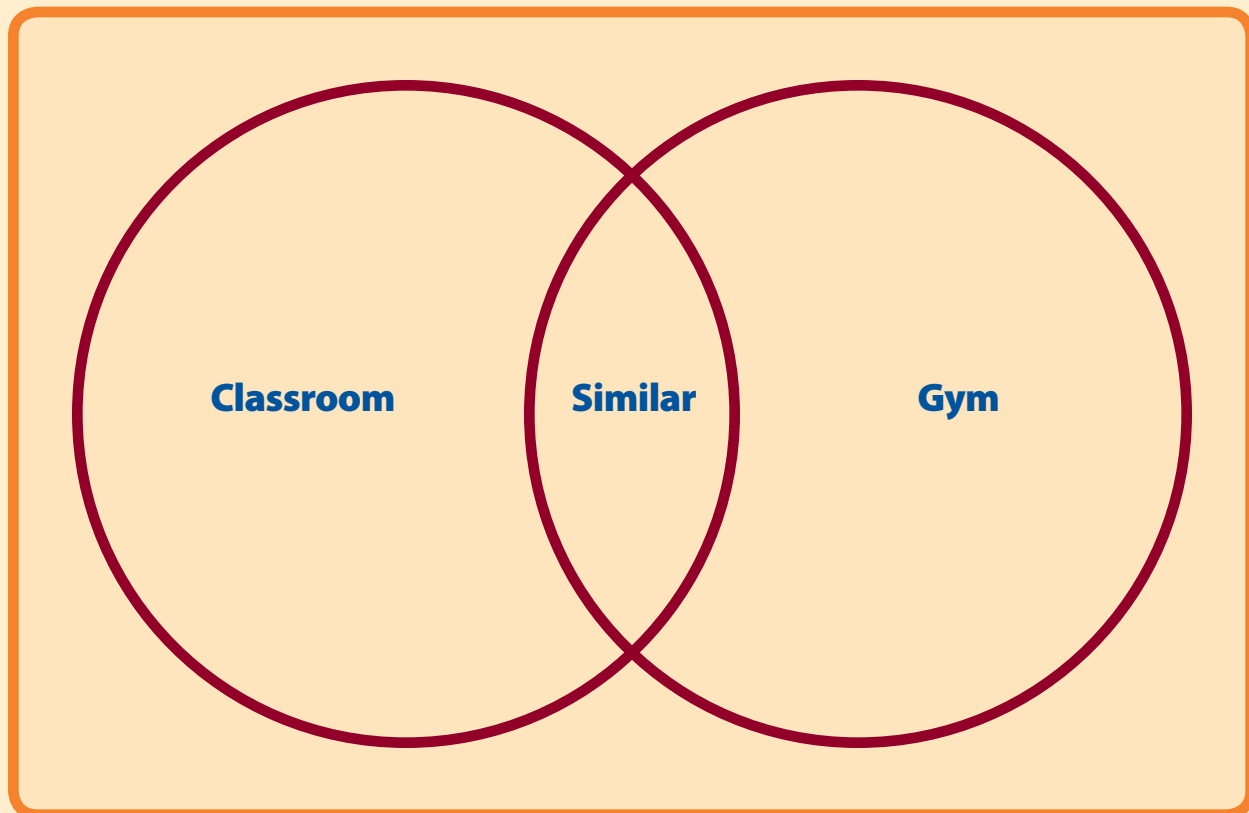
Defining the Skill

Comparing and contrasting is a reading strategy that enables you to identify similarities or differences between two or more events, people, places, or periods of time. When comparing or contrasting, writers often describe one event, person, place, or thing and then write about a second similar or different event, person, place, or thing. Sometimes, however, you might see words such as *and*, *same as*, *as well as*, *not only . . . but also*, *like*, *also*, *both*, and *at the same time* used to describe two things that are similar. When contrasting two or more items,

authors may use words like *however*, *on the other hand*, *but*, *on the contrary*, *in contrast*, *as opposed to*, and *different from*.

Practicing the Skill

Think about two classrooms in your school—perhaps your social studies classroom and the gymnasium. Make a Venn diagram, like the one found here, on a separate sheet of paper. On your Venn diagram, list things that are unique (different) about each classroom in the two circles. Where the circles intersect, write things that are similar or alike.



Signs of the Times

POPULATION

9,687,653 by the 2010 census. Fulton County is the most populous county, while Taliaferro County is the least populous.

COST OF LIVING

Georgia median household income in 2010 was \$68,502.

TRANSPORTATION

Georgia has over 113,000 miles of federal, state, and local roads. Georgia has 5,000 miles of railroad track and over 100 airports, 8 of which are regional airports.

EDUCATION

Georgia has over 90 public and private colleges and universities, 179 public school systems, and 61 public library systems.

MUSIC

A number of songs have our state name in the song title including "Georgia On My Mind," "Rainy Night in Georgia," "Sweet Georgia Brown," "Midnight Train to Georgia," "The Night the Lights Went Out in Georgia," and "The Devil Went Down to Georgia."

SCIENCE/INVENTIONS

Electronic voting systems have replaced most older voting systems. Computerized state and regional records have made data available even to previously remote areas. The Internet facilitates access to information, services, goods, and products for Georgians in every community.

LITERATURE

As of 2010, thirty-two Georgia writers have been inducted into the Georgia Writers Hall of Fame. Some of those writers have written about politics and government, including Jimmy Carter, Henry Grady, and Martin Luther King, Jr.

A crowd estimated at 1.8 million attended the inauguration of President Barack Obama on January 20, 2010.

Chapter 2

Pillars of Government

Chapter Preview

TERMS

government, representative democracy, constitution, sovereignty, limited government, federalism, separation of powers, checks and balances, preamble, ratification, slander, libel, search warrant, probable cause, bail, felony, precinct, polling place, nonpartisan, majority, referendum, political party, political ideology, interest group, lobbyist



Government maintains order, provides services that keep society functioning, and protects its citizens. The founders of the United States decided early that the type of government of the new American nation was to be a republic or **representative democracy**. It is a government in which elected leaders make decisions on behalf of the people they represent. These leaders have the authority and the power to do so only by going before the voters and standing for election.

The document that set up that form of government is a **constitution**, which is the fundamental plan of operation for a government. It is also a written guarantee of the rights one has as a citizen. It outlines what government can do, and it spells out those actions that government may not do. The United States Constitution is based on certain principles that our founders believed would best allow our citizens to have life and liberty and to pursue happiness.

The state of Georgia is established on the same principles. All citizens of Georgia live under the government established by the U.S. Constitution as well as the government of Georgia established by the current Georgia constitution. In this chapter, you will examine the basic structure of Georgia state government and the basic operation of the political process, as well as the rights and the responsibilities of citizens.

This photograph looks straight up into the interior of the dome of the Georgia State Capitol. The State Capitol houses the Georgia General Assembly as well as the offices of the governor and lieutenant governor and other offices of the state government.

Section 1

Basic Pillars of Government

Below: The state government of Georgia is symbolized by the magnificent dome of the Georgia State Capitol in Atlanta. The dome is covered in gold from Dahlonega.



As you read, look for

- the concepts of sovereignty, limited government, and federalism,
- the concepts of separation of powers and checks and balances,
- the Georgia constitution and methods of amending the constitution,
- terms: **sovereignty, limited government, federalism, separation of powers, checks and balances, preamble, ratification.**

Our government at both the national and state levels is based on certain principles that have developed throughout human history. Among these are the ideas that power is given to government by the people, who then live by the rules or laws established; that government power is limited; that, to limit government, we separate it into different levels—national and state; and that, at those levels, we divide it into branches with different functions that overlap just enough to keep one branch from taking over another.

The national and state governments each have three branches through which they act. These different parts of government have separate powers to carry out their functions. Their powers have limits, however, and each has ways to keep the other two from becoming too powerful.

Sovereignty and Limited Government

One basic principle is sovereignty. **Sovereignty** is the idea of supreme power or the source of authority. When the United States became independent from Great Britain, it became a sovereign nation. It could decide upon its own internal government and its policies toward other countries. In our government, power rests with the citizens. The people of the United States are sovereign, and the power to govern comes from the people.

Within our sovereign nation, the power of government was limited by those creating it. This is the idea of **limited government**. Government only has the duties and powers granted to it by the people being governed.

The founders put limits on government in the supreme law of the land—the United States Constitution. The Constitution outlines government’s pow-

ers and functions. The first ten amendments—called the Bill of Rights—limit the government by guaranteeing certain rights to the people. For example, government cannot establish a religion or control the press. It cannot put someone in prison without a proper trial.

Having a written constitution establishes what is known as the *rule of law*. Nations that follow the rule of law abide by their constitutions rather than allowing public officials to do what they wish. No one in public office, including the president of the United States, is above the law. A saying that is often quoted is “Ours is a government of laws and not of men.”

Federalism

The U.S. Constitution also limits government power by dividing both powers and responsibilities between the national and the state governments. This division of powers and duties between the national and state governments is called **federalism**.

When the United States was founded, the colonies wanted to keep their boundaries and their identities and not be “swallowed up” in the merger that created the Union. Former colonies became states. When the U.S. Constitution was written, they remained states. In a federal system, the right of states to carry out laws and regulations for the benefit of their citizens is protected. States can and do make final decisions regarding some government activities. A citizen of Georgia lives under two governments (national and state) and is obligated to obey the laws of both.

Something Extra!

At the time the Constitution was written in 1787, federalism was a new idea. The United States was the first country to have a federal system of government.

Below: The government of the United States is symbolized by the dome of the U.S. Capitol in Washington, D.C. The design of the Capitol has served as a model for most state capitols, including that of Georgia.





The national (or federal) law takes priority over state law if there is a conflict. And, to be valid, any law must be constitutional. This comes from the Supremacy Clause (Article VI) of the Constitution: “This Constitution, and the laws of the United States . . . shall be the supreme law of the land.”

The easiest way to sort out the powers of government to know which ones belong to the national government and which ones belong to the states is to divide them into categories: (a) enumerated powers, (b) reserved powers, and (c) concurrent powers.

Enumerated powers are those powers given to the national government exclusively in the Constitution. These include the power to print or coin money, declare war, make treaties, conduct foreign affairs, call out the militia, support an army and a navy, and establish post offices.

Reserved powers are those intended for the states exclusively. Examples include the power to grant charters that create city and town governments, issue business licenses, operate public schools and colleges, enact traffic laws on public roads, and conduct elections.

Concurrent powers are shared by both national and state governments. The U.S. government *and* Georgia’s government collect taxes, build roads, borrow money, and operate a court system.

Separation of Powers and Checks and Balances

Government is also limited and controlled by dividing it among different branches, each of which has different functions. The founders wanted to limit the ability of one branch of government to control or weaken the other two branches.

The founders devised a system known as the **separation of powers**. Each branch of government would have its powers limited to its own area of interest, and each must cooperate with the other two branches in governing. Both the national government and our state government are structured this way.

The three branches of government are the *legislative branch*, which makes the laws; the *executive branch*, which carries out and enforces the laws;

and the *judicial branch*, which interprets how the laws apply to particular situations.

The powers of these separate branches of government have limits, however, and each has ways to keep the other two branches from becoming too powerful. This system is known as **checks and balances**. In the United States government, for example, Congress may pass a law, but the president may veto (refuse to approve) it. A countercheck that balances



Top: Among the national government’s enumerated powers is the power to mint coins. This coin is the Georgia quarter. **Above:** One of the most important powers of the national government is maintaining the armed forces to secure the nation’s defense.

Figure 3 Checks and Balances



this power is that Congress may override (reverse) the veto, but it takes an overwhelming percentage (2/3) of legislators to do so. The Supreme Court has the power to declare a law made by Congress to be unenforceable if it violates the Constitution. In turn, the U.S. Senate uses its confirmation power to accept or reject candidates for federal judgeships, including Supreme Court justices.

Because of this arrangement, the three branches must work together to make government operate smoothly. Georgia's government also has checks and balances. These checks and balances will be explored further in Chapters 3, 4, and 5.

Something Extra!

The U.S. Constitution contains only 4,543 words (7,591 if the 27 amendments are included). The U.S. Constitution has been amended only 17 times since the Bill of Rights was ratified in 1791.

Figure 4 Articles of Georgia's Constitution

- I. Bill of Rights
- II. Voting and Elections
- III. Legislative Branch
- IV. Constitutional Boards and Commissions
- V. Executive Branch
- VI. Judicial Branch
- VII. Taxation and Finance
- VIII. Education
- IX. Counties and Municipal Corporations
- X. Amendments to the Constitution
- XI. Miscellaneous Provisions

Georgia's Constitution

Soon after the new national government wrote and adopted the U.S. Constitution in 1788, Georgia responded with the Constitution of 1789, which made its government structure like the federal one. Over the state's history, its citizens have written and adopted ten constitutions. The current one was adopted in 1983.

In its **preamble** (introductory statement), Georgia's constitution states that its purpose is to "perpetuate the principles of free government, insure justice to all, preserve peace, promote the interest and happiness of the citizens and of the family, and transmit to posterity the enjoyment of liberty." (*Posterity* refers to descendants yet to be born.) These guarantees of government are meant for all future generations.

There are eleven articles (main subject areas) in Georgia's constitution (see Fig. 4). Article III, the legislative branch, will be described in Chapter 3. The executive branch and constitutional boards and commission will be explored in Chapter 4, and the judicial branch will be the subject of Chapter 5. Chapter 7 will address counties and municipal corporations.

By their very nature, state constitutions are longer than the U.S. Constitution. Georgia's constitution has about 40,000 words and has been amended dozens of times since 1984. There is a good reason for the difference. State constitutions are more detailed and specific in their directions on how to carry out government functions.

The method of amending (or altering) the Georgia constitution is also quite different from the method used in the federal constitution. First, a proposed change is voted upon by the General Assembly in the form of a resolution passed by both houses. The proposed change, or amendment, is then sent to the voters for **ratification** (official approval). The item appears in the form of a question ("Shall the Constitution be changed to allow . . .") on the ballot in the next general election. The process can take up to two years, with the resolution introduced and passed in one session and then held until the November election in the next even-numbered year.

Reviewing the Section

1. Define: sovereignty, federalism, checks and balances.
2. How can the Georgia constitution be amended?
3. Why is it important to have a system of checks and balances?

Of Special Interest

Direct versus Representative Democracy

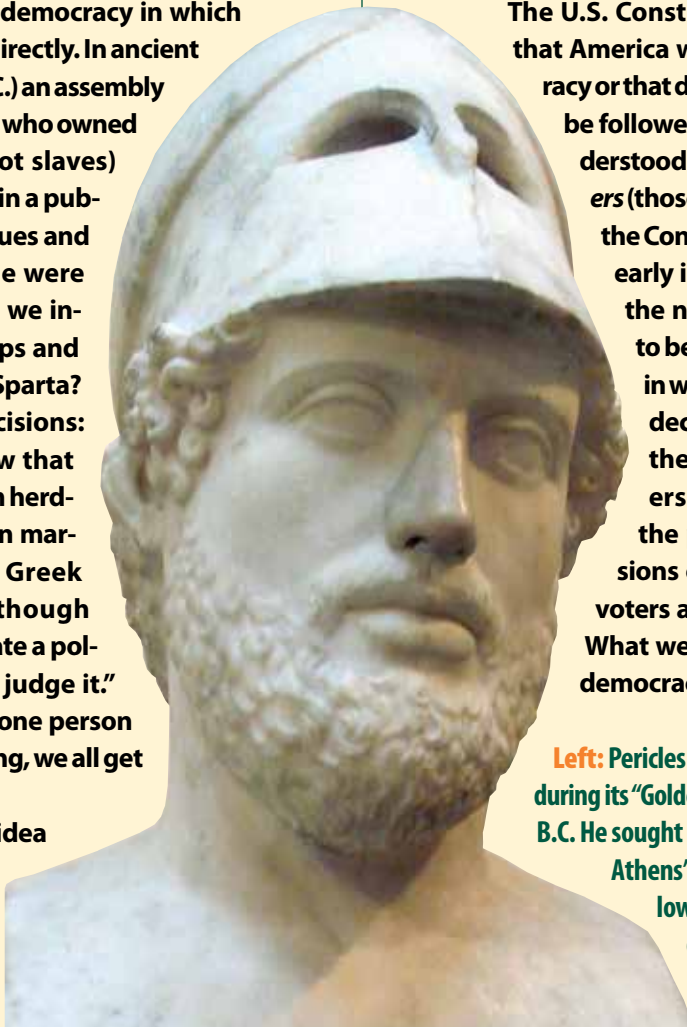
Democracy is a system of government that places power in the hands of the people, either directly or indirectly through elected representatives. The Greek philosopher Aristotle believed that the collective judgment of the many was preferable to that of a few. The city-state of Athens operated under a direct democracy, a form of democracy in which the citizens take part directly. In ancient Greece (around 450 B.C.) an assembly of citizens (adult males who owned property and were not slaves) gathered periodically in a public forum to debate issues and make decisions. Some were big decisions: Should we increase our fleet of ships and prepare for war with Sparta? Some were minor decisions: Should we make a law that prohibits farmers from herding goats in the city on market days? Pericles, a Greek statesman, said, "Although only a few may originate a policy, we are all able to judge it." In other words, while one person may propose something, we all get to decide on it.

In U.S. history, the idea of direct democracy took root in the tradition of town meetings in the New Eng-

land states. At those meetings, all voting-age citizens could come and vote yes or no on issues concerning their town. They might pass ordinances, approve the town budget, or settle other matters brought before the town meeting. Each citizen had a vote on each issue.

The U.S. Constitution does not declare that America was founded as a democracy or that democratic principles must be followed. Instead, it is simply understood that it will be so. The *framers* (those who designed and wrote the Constitution in 1787) decided early in their deliberations that the new American nation was to be a *republic*, a government in which elected leaders make decisions on behalf of those they represent. These leaders have the authority and the power to make the decisions only by going before the voters and standing for election. What we have is a representative democracy.

Left: Pericles was the leader of Athens during its "Golden Era" in the fifth century, B.C. He sought to extend participation in Athens' direct democracy to the lower classes. Many of Athens' great monuments were built at this time.



Section 2

Citizens and Government

As you read, look for

- the rights and responsibilities of citizens,
- qualifications for voting,
- how elections are conducted,
- the role of political parties in government,
- terms: **slander, libel, search warrant, probable cause, bail, felony, precinct, polling place, nonpartisan, majority, referendum, political party, political ideology, interest group, lobbyist.**

Something Extra!

With the adoption of a constitutional right to fish and hunt in 2006, Georgia's Bill of Rights has 29 provisions.



Under the United States and Georgia constitutions, citizens have both rights and responsibilities. Rights guarantee certain individual freedoms and protections, as well as citizens' ability to take part in the political system. Citizens also have responsibilities to their state and the nation. Sometimes it is a responsibility to exercise a right that is guaranteed, such as voting or serving on a jury.

Citizens often do not agree on what policies and laws government should enact. To have their own viewpoints heard and to try to elect public officials who will put their views into action, citizens form groups to influence government and to support certain candidates and actions. This includes political parties, special interest groups, fund-raising groups, and other types of organizations. This section examines the rights and duties of citizens, along with the ways citizens can support the direction of government.

Rights under the U.S. and Georgia Constitutions

Georgia's constitutions (since 1861) have placed a Bill of Rights—its own version—at the beginning of the document. It is a very important part of the document and is listed as Article I.

Along with the fact that people have rights that government cannot take away is the idea that government should stand up for its citizens' rights. A *civil right* is a legal right a person has simply by being a citizen.

The First Amendment to the U.S. Constitution prohibits Congress or the federal government from establishing a national church or religion. It cannot favor (give preference to) one religion over another in any way. It also recog-

nizes the freedom to hold religious beliefs. Georgia's Bill of Rights adds two additional provisions regarding religion. Paragraph III describes freedom of conscience. "Each person has the natural and inalienable right to worship God, each according to the dictates of that person's own conscience." Paragraph IV prohibits the harming of someone or his or her property because of that person's religion and says that no one can be prevented from holding public office because of his or her expressed religious opinions.

The U.S. Constitution guarantees freedom of speech. The Georgia constitution has a similar guarantee: "Every person may speak, write, and publish sentiments on all subjects but shall be responsible for the abuse of that liberty" (Article I, Paragraph V). That guarantee includes the right to express a political opinion. Those who speak out against or for a government policy are likely to carry signs, march as a group, and try to enlist bystanders

to their cause. This is democracy in action. The courts have recognized, however, that not all forms of free speech are legally protected. There are limits on the use of slander, libel, and forms of obscenity. **Slander** is a false spoken statement and **libel** is a false written or printed statement that harms a person's reputation.

Both constitutions guarantee the right to "petition for redress of grievances." This means that citizens have the right to ask government to right a wrong or correct a problem. For example, parents of schoolchildren being assigned to a new school district may attend an open meeting of the local board of education and present petitions signed by those who object to the transfer of their children to another school. Under both constitutions, citizens have the right to assemble peacefully, or meet together, to discuss or demonstrate for causes.

As with the Fourth Amendment of the U.S. Constitution, Paragraph XIII of the Georgia Bill of Rights protects people from unreasonable searches and seizures. What is protected? "Persons, houses, papers, and effects" are protected from improper searches. Law enforcement certainly has the right to investigate a criminal act and to search for certain items within an accused person's property or residence that may become evidence in a trial. Before a search, however, police must obtain a **search warrant**, which is an order from a judge allowing the search and describing what may be searched and removed. The judge can issue the warrant only if there is **probable cause** (a reasonable expectation that evidence will be found).

The Fifth Amendment of the U.S. Constitution states: ". . . nor shall any person be subject for the same offense to be twice put in jeopardy of life or



Above: The freedom of speech and the freedom of assembly were both included in the First Amendment to the U.S. Constitution as part of the Bill of Rights. This group is rallying in front of the Georgia State Capitol.

Something Extra!

To “plead the Fifth” is to refuse to answer a question because the answer may provide evidence of an illegal act.



Above: Voting is the most basic responsibility of citizenship. This old-style ballot box from Ben Hill County is on display in the Georgia State Capitol.

limb; nor shall be compelled in any criminal case to be a witness against himself.” To be “a witness against oneself” means to confess to an unlawful action. To be forced to do so would be self-incrimination. Through television and film crime dramas, you are probably familiar with the warning: “Anything you say can and may be used against you in a court of law.” Each suspect must be read his or her rights.

Double jeopardy is the term used to describe the situation where a person found not guilty of a crime is prosecuted again for the same crime in the same jurisdiction. This is prohibited under both the Fifth Amendment of the U.S. Constitution and Paragraph XVIII of the Georgia Bill of Rights.

In addition to the rights outlined in the Fourth, Fifth, and Sixth Amendments, the Eighth Amendment protects against cruel and unusual punishment. It also forbids excessive fines or **bail** (property or money deposited to ensure that a person released from jail will return for a court appearance). The Georgia constitution also outlaws abusive treatment during one’s arrest or imprisonment. A person cannot be imprisoned as a punishment for having debts (owing money).

Both constitutions also address the right to bear arms (have weapons), to have a trial by jury in criminal cases, to have a trial that is open rather than secret, to have an attorney if charged with a crime, and to know what crime he or she has been charged with. Attorneys for the accused person must be allowed to confront (cross-examine) witnesses and call witnesses who testify for the accused. Each constitution forbids holding people in slavery and guarantees that the law treats all people equally.

Voting and Other Responsibilities of Citizens

Citizenship implies that people have a civic duty or obligation to follow laws that are made and to take part in civic and political affairs. One important civic duty is to learn about the issues, proposals, and controversies of the time by reading news accounts, asking questions at public meetings, and researching the pros and cons of government proposals. In other words, citizens should stay informed.

Today, ordinary Americans have better access to news reporting and analysis than at any other time. But a citizen must be careful to listen to all sides and weigh an issue carefully. In this era of blogs and twitter, opinions and reports may or may not be based on accurate facts. It is more important than ever for citizens to take the time and effort to educate themselves about complex issues being debated.

Voting

Being informed is especially important in preparing to vote. To be eligible to vote in elections held in Georgia, a person must be:

- a citizen of the United States
- eighteen years old by the day of the election
- a legal resident of Georgia and the county where the citizen wishes to vote

In addition, no person who has been convicted of a **felony** (a serious crime punishable by time in prison) may vote unless the person has completed the sentence. Someone who has been judged mentally incompetent also may not vote.

A citizen who is eligible to vote may register any time up to thirty days before an election. Voters can register at county or municipal voter registration offices, military recruitment offices, and offices of state agencies that provide assistance through programs such as food stamps, Medicaid, or TANF (Temporary Assistance to Needy Families).

When you become eighteen years old, you will be asked if you wish to register to vote at the same time you renew your driver's license. As an eighteen year old, you also have an opportunity to register to vote when you apply for a public library card. In addition, college students have the opportunity to register at voter registration drives on their university campuses.

If you meet the qualifications, an easy way of registering is to go to the website of the Georgia Secretary of State, Elections Division. There, you can download a voter registration form. After completing the form, mail it to your local county board of elections office. (The website lists the address.) Voter registration is a county function. After reviewing and processing applications, Georgia counties issue precinct cards. This card lists your voting **precinct** (district) and directs you to the correct place to vote, called a **polling place**.

When a Georgia voter goes to the polls, it is possible that he or she may be voting in one of three different types of elections: a primary election, a general election, or a special election. There are other types of elections, but these are the most common. In a *primary election*, voters in a political party select the candidate for a particular office for the general election. Georgia has an open, direct primary. This means that a voter is not required to choose a party affiliation when registering to vote. In the primary election, the voter may choose a Democratic or a Republican ballot, or request a nonpartisan ballot. (**Nonpartisan** means not tied to a political party.) All candidates for offices that are nonpartisan (judges and county commissioners, for example) will be listed on the party ballots as well as on the nonpartisan ballot. Primary elections are held during the summer (July or August) in even-numbered years.

After the list of candidates is narrowed to one nominee from each party for an office, the ballots are printed for the general election. The *general election* determines who will hold a particular office. The general election takes place the second Tuesday of November in even-numbered years, about four months after the primary.

A *special election* is usually held to fill a vacancy in an elective office or to present an issue to voters. Special elections are sometimes scheduled to place

Something Extra!

Early voting begins at least 45 days before a general election or 21 days before a municipal general election. Mail-in ballots must be received by the county registrar no later than the close of the polls on election day.



Below: In order to cast your ballot, you must know where your polling place is. If you are away on election day, you can vote with a mail-in ballot.



before the voters a revenue issue, such as whether to enact a local sales tax.

For the general elections, Georgia voters have a variety of methods from which to choose in casting their ballots. They can take advantage of early voting by visiting the early voting site in their county or town. Voters can also request a mail-in ballot when they are not able to vote in person at their home precinct. Voting by one of these methods before election day cuts down on long lines and wait times at the polls on the day of election. However, on the day of the election, all voters must go to the polling place assigned to them.

Those voting in person must present an approved identification card with a photograph. This can be a U.S. passport, a driver's license, or a state-issued identification card. The poll worker will verify that the voter is the person pictured on the identification and is in the correct polling place. The poll worker will then give the voter a card magnetically encoded with the ballot, which lists the offices up for election and the names of candidates for each office. In a voting station, the voter makes his or her choices.

The State of Georgia requires a **majority** of the votes to win the election for a constitutional office. This translates into 50 percent of the votes plus (at least) one vote. If a candidate does not receive more than 50 percent of the vote, a *run-off election* is held. As an example, in a field of six candidates in a primary, no one may receive 50 percent or more of the votes. The two candidates who receive the highest and second-highest number of votes will face each other in a run-off election, which is held twenty-one days after the primary. The run-off (or special primary) is considered to be a continuation of the primary. Voters who return to vote in the run-off must stay with the same party and not “cross over” to vote in a different party's run-off.

The same situation could arise in the general election. If there is a third-party candidate in the race and none of the major party nominees reaches a majority vote total, a run-off is held.

Voters are sometimes asked to vote directly on a law or proposal. A direct vote by the people is called a **referendum**. For example, a referendum on a tax issue may be placed on a ballot for a special or regular election. If a member of the U.S. House of Representatives from Georgia dies or resigns before the end of his or her term in Congress, the governor authorizes the secretary of state to set the date for a special election to fill the vacancy.

Other Citizen Responsibilities

Voting is not the only right and responsibility. Since both the Georgia constitution and the U.S. Constitution guarantee the right to a trial by a jury, fellow citizens must serve on juries. A summons to appear for jury duty requires that citizens set aside all other business. A judge, or a person designated by a judge, may excuse a citizen from jury duty only for very significant reasons.

The money to pay for government and the services it provides generally comes from taxes. For state government, those services may include roads,



Above: In the 2008 general election for the U.S. Senate, the Republican incumbent, Saxby Chambliss, received 49.8 percent of the vote. Democratic challenger Jim Martin received 46.8 percent of the vote. Neither candidate had a majority (over 50 percent) because the Libertarian Party candidate in the race, Allen Buckley, received 3.4 percent. Senator Chambliss went on to beat Jim Martin in a run-off election.

schools, prisons, and other activities. Georgia citizens pay various kinds of taxes, including federal and state income taxes, federal social security and Medicare taxes, sales taxes, and local property taxes.

Citizens can also choose to run for a political office or work on behalf of a candidate or a political cause. Activities that rise from people at the local level are called “grassroots” actions. Grassroots actions may also take the form of nonpolitical activity that benefits a community. For example, volunteer carpenters can help repair hurricane or flood damage to the homes of low-income families. Business owners can donate supplies or a rent-free facility so that parents can organize a safe and age-appropriate function for pre-teens. Middle school students can collect toys and toiletries for young children who are placed in protective custody in family emergencies. Everyone can change their habits to reduce energy consumption, stop littering the streets and highways, and end the pollution of rivers and streams. Citizens can also serve on the boards and committees of charities that perform good works.

Political Parties

A **political party** is an organized group of people who share common ideals and who work to elect members of their party to public office. Early in the history of the United States, a two-party system arose. The only two national parties that have dominated and lasted since the 1860s are the Democratic Party and the Republican Party. Third parties have formed at times when enough people were concerned that the major parties of the day were not going in a good direction. Examples include the Populist Party of the 1890s, the “Bull Moose” or Progressive Party of 1912, and the States’ Rights Democratic Party or “Dixiecrats” of 1948.

Political parties are organized around basic ideas of how government should operate, including the roles of national and state governments and the relationship between government and business. Political parties are well-organized institutions that support their candidates with money and workers. A person who describes himself or herself as a Republican or a Democrat is usually someone who has a particular **political ideology** (a consistent set of beliefs about what policies government ought to follow).

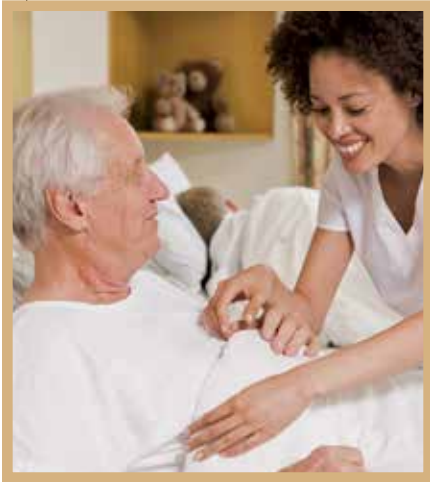
The four most common classifications, or types, of ideologies are: liberal, conservative, libertarian, and populist. Democrats tend to be more *liberal*, which in the early twenty-first century means that they see the national government as having a strong role in solving the country’s economic and social problems, including regulating business and protecting freedom of choice on personal issues. Republicans tend to be more *conservative*, which means they put more trust in state and local government than in the federal government. They generally believe in limited government and a free market economy. *Libertarians* are conservative on economic matters and liberal on social matters (personal conduct issues). They demand a small government, with little interference in the personal lives of citizens. *Populists* agree with the conservatives on social issues. However, populists agree with liberals on the positive role of government in reducing the gap between rich and poor. They distrust big business. Most Americans are in the middle on many issues

Something Extra!

American political parties developed separately from the U.S. Constitution. Nowhere in the Constitution are they mentioned or even anticipated.



The Democratic donkey, top, and the Republican elephant, above, have been the respective symbols of their parties since the nineteenth century.



Above: As the members of the “baby boom” generation have grown older and started to retire, they have become one of the most powerful interest groups. The most influential group lobbying on behalf of the elderly is the AARP.

and may vote for different parties depending on the particular problems or issues of the time. For example, they may support more government regulation at some times and oppose it at others.

Interest Groups

There are other ways to participate in addition to working under the banner of a political party. An **interest group** is an association of people who share a common goal or interest that they hope to achieve by influencing public policy. They find ways to promote their issues by lobbying Congress and state legislatures. Interest groups hire **lobbyists** to contact elected officials hoping to influence them to vote for laws that the interest group supports and defeat laws that the interest group opposes.

Interest groups exist in all occupations and economic groups. Farmers, truckers, teachers, steelworkers, medical personnel, realtors, trial lawyers, textile manufacturers, electric and gas utility suppliers, and beverage distributors are trade groups that hire lobbyists in Washington and Atlanta. Many of these groups are interested in laws that affect their business or occupation.

Other associations hoping to influence public policy include nonprofit groups who have a different agenda from the trade groups. They carefully watch for legislation that affects the groups they champion: senior citizens (AARP); African Americans (NAACP); and Hispanic/Latino Americans (LULAC). In national campaigns, emotional debates over gun regulation are waged by groups for and against gun control. Some groups seek “good government” reform measures (League of Women Voters, Common Cause). Since the 1960s, successful lobbying strategies have been developed by the environmental movement, the civil rights movement, and the women’s movement. They have used research and statistics, policy studies, and grassroots contacts by legislators’ constituents to influence political decision makers.

For all who are citizens or who hope to become citizens, understanding the principles, the structure, and the operation of government is crucial. Only when all citizens are informed and actively participate does representative government function in the way that it is ideally meant to work. Then it is, in the words of President Abraham Lincoln, “government of the people, by the people, and for the people.”

Reviewing the Section

1. Define: probable cause, felony, referendum.
2. List three rights and three responsibilities of citizens under the Georgia constitution.
3. Why do you think it is important for a citizen to vote?

Of Special Interest

Becoming a U.S. Citizen

Immigrants are those who move into a new country to settle there. The United States has a long history of immigrants and the Constitution provides a way for immigrants to become citizens of the country.

Those individuals who are born in the United States as well as individuals born in U.S. territories abroad are citizens at birth. In addition, persons born outside the United States may be citizens at birth if their parent or parents were citizens at the time of their birth. For those who are not natural-born citizens, taking the steps to become a citizen is one of the most important decisions they can make. *Naturalization* refers to the process by which a person not born in the United States voluntarily becomes a U.S. citizen. In this process, they are asked to pledge their commitment to the United States and loyalty to its Constitution. In return, they are rewarded with all the rights and privileges that are part of U.S. citizenship.

The steps and qualifications to become a citizen are as follows.

- The person must have been a permanent resident for at least five years (three years if married to a U.S. citizen). A *permanent resident* is someone who is authorized to live and work in the United States on a permanent basis. A permanent resident has what is commonly called a “green card.”
- The person must file an application through the U.S. Citizenship and Immigration Services (USCIS).
- The person will be fingerprinted and interviewed. A USCIS officer will ask questions based on the application.
- During the interview, the USCIS officer will test

the person’s ability to read, write, and speak English. The applicant will be given an oral civics test on U.S. history and government. To pass, the person must answer 6 out of 10 questions correctly.

- The final step is to attend a ceremony and take the oath of allegiance to the United States. It is not *until* the person takes the oath of allegiance that he or she actually becomes a U.S. citizen.

The Oath of Allegiance

I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God.

Chapter Review

Chapter Summary

Section 1 Basic Pillars of Government

- Our representative democracy is based on five principles. Sovereignty is the idea of supreme power or source of authority; in our nation and state, power rests with the people. A limited government only has the duties and powers granted to it by the people being governed. Federalism occurs when powers and duties are divided between the national and state governments. With separation of powers, each branch of government has certain powers. A system of checks and balances ensures that no one branch becomes too powerful.
- A constitution outlines government's powers and functions. The first ten amendments to the U.S. Constitution (the Bill of Rights) limit the government by guaranteeing certain rights to the people.
- The U.S. Constitution is the supreme law of the land. That means national law takes priority over state law if there is a conflict. To be valid, any law must be constitutional.
- Government powers may be (a) enumerated, powers given to the national government exclusively in the Constitution; (b) reserved, powers intended for use by states exclusively; or (c) concurrent, powers shared by both national and state governments.
- Because powers are divided among the three branches, each must cooperate with the other two branches in governing.
- The three branches of government are the legislative branch, which makes the laws; the executive branch, which carries out and enforces the laws; and the judicial branch, which interprets how the laws apply.
- Georgia has had ten constitutions. The current one was adopted in 1983.

- There are eleven articles in Georgia's constitution that establish the way government is structured and how it operates.
- To amend the state constitution, a proposed change, in the form of a resolution, must be first passed by both houses of the General Assembly. The amendment must then be ratified by the voters in the next general election.

Section 2 Citizens and Government

- Under the U.S. and Georgia constitutions, citizens have both rights and responsibilities.
- The Georgia constitution has its own Bill of Rights in Article I. There are currently twenty-nine provisions in Article I.
- Among the rights guaranteed by both the U.S. and Georgia constitutions are (a) freedom of religion and speech; (b) the right to petition for redress of grievances; (c) protection from unreasonable searches and seizures; (d) protection from being prosecuted for the same offense more than once; (e) protection from cruel and unusual punishment and excessive bail; (f) the right to bear arms; and (g) rights for those accused of crimes, such as the right to an attorney and a trial by jury.
- Before a search, police must obtain a search warrant, which describes what may be searched and removed. A judge can issue a search warrant only if there is probable cause.
- Citizenship implies that people have an obligation to follow laws that are made and to participate in civic and political affairs.
- To be eligible to vote in elections held in Georgia, a person must be (a) a citizen of the United States, (b) eighteen years of age by the day of the election, and (c) a legal resident of Georgia and the county where the citizen wishes to vote.
- The county issues a precinct card that lists the citizen's voting precinct and correct polling place.

- In Georgia, there are three different types of elections: primary elections, general elections, and special elections. In a primary election, a voter may choose a Democratic or Republican ballot or may request a nonpartisan ballot.
- Georgia voters can take advantage of early voting or use a mail-in ballot.
- To win an election, a candidate must have a majority of the votes (at least one more than half). If not, a run-off election is held.
- Voters may sometimes vote directly on a law or proposal; this direct vote by the people is called a referendum.
- In addition to voting, citizens have the responsibility to serve on juries and pay taxes. They also may choose to perform civic works, such as running for a public office or working for a candidate or a cause.
- A political party is an organized group of people who share common ideals and who work to elect members of their party to public office. Today, the two major national parties are the Democratic Party and the Republican Party.
- The four most common types of political ideologies are: liberal, conservative, libertarian, and populist.
- An interest group is an association of people who share a common goal or interest that they hope to achieve by influencing public policy. Many interest groups hire lobbyists to convince elected officials to support their issues or oppose issues that the interest group opposes.



Understanding the Facts

1. Define *constitution* and explain how constitutions (state and federal) form the underpinnings of our government.
2. Explain *democracy*. Think of a country or region in the world where citizens do not have a say in their government. How do you think their life is different from yours?
3. Identify the criteria that make someone eligible to vote in Georgia.
4. Define *political party* and explain the ways that parties assist with campaigns and governing.



Developing Critical Thinking

Review the Bill of Rights (the first ten amendments to the U.S. Constitution). Pick the one amendment or right that you think is most important. Write a persuasive essay that defends your choice.



Writing Across the Curriculum

Review the preamble to the U.S. Constitution. Think about what these words mean very carefully. Now, rewrite the preamble using your own words and terms to make it easier for you to understand.



Extending Reading Skills

Draw a Venn diagram on a separate sheet of paper. Label one circle "U.S. Bill of Rights" and the other circle "Georgia Bill of Rights." Read pages 60-61 and record in the two circles ways in which these two documents are different concerning religion. Where the circles intersect, record how the two documents are alike.



Exploring Technology

Use a search engine to look up all the amendments to the U.S. Constitution. Record the date when each amendment was ratified (approved) by the states. Calculate the current age of our constitution and then the average number of years between amendments. Build a bar chart to graphically depict the amendments over the history of our nation.



Practicing Your Skills

Review the explanations of liberal and conservative in the chapter. Look up your current U.S. House of Representatives member on the web. Read the summary of his or her political positions and compare it to the descriptions in the textbook.