

2021 AP U.S. Government Summer Assignment - Due Friday, September 10, 2021 by 8am

AP U.S. Government and Politics is a course that focuses on the political processes in our governmental system. A key aspect of this study is the philosophy behind the creation of the U.S. Constitution and how the Supreme Court has interpreted the Constitution throughout our history. Throughout the curriculum, you will be learning 15 Supreme Court cases and 9 Foundational Documents. This assignment is intended to introduce you to 1 of those Supreme Court cases and 2 Foundational Documents, which will be used throughout the school year.

The AP U.S. Government and Politics summer assignment is due on Friday, 9/10/21 by 8AM. There will be a 10 point deduction for each day the assignment is late.

All questions and concerns related to this assignment should be directed to Mr. Hoffman on or before Monday, June 21, 2021.

If any questions or concerns should arise over the summer, please email your teacher and the content supervisor.

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Part 1: NY Times v. U.S.

[NY Times v. U.S.](#) - Read the case summary, court opinion, and concurring opinions. Please take notes on these sections in your notebook to prepare for discussion. I encourage you to use this [Hip Hughes video](#) to assist in your understanding. Be sure to highlight the facts and background of the case, the constitutional question, and the decision (majority opinion) of the Supreme Court. Additionally, formally answer these questions (to be turned in for a homework grade as a Google Doc):

- Identify the constitutional amendment and constitutional principle/clause that were used to decide *NY Times v. U.S.* (1971).
- Explain the facts of *NY Times v. U.S.* (1971) that caused this case to become a constitutional issue. In other words, explain the constitutional controversy of the Pentagon Papers.
- Explain the decision of the Supreme Court in *NY Times v. U.S.* (1971) in reference to the constitutional amendment and constitutional principle/clause identified in Part A.
- In the context of *NY Times v. U.S.*, describe the debate between security and liberty.

Part 2: Foundational Documents

Federalist 10 - Read *Federalist 10* (below) and formally answer these questions (to be turned in, along with Brutus, for a homework grade as a Google Doc. I encourage you to use this [Hip Hughes video](#) to assist in your understanding.

- In the first line of *Federalist 10*, why does Madison argue it is imperative to have a strong union (government)?
- Why is Madison opposed to the idea of a pure democracy?
- Identify and explain the two reasons that Madison argues a republic is a better form of government than a pure democracy.
- 'Elite' democracy is a theory that argues that a few "enlightened" and "wise" leaders best represent the interests of the people. He also mentions that in a large republic, it is more likely to find "fit choice(s)" to represent the people instead of "unworthy candidates." Find two quotes in *Federalist 10* that present this 'elite' theory and briefly explain their connections to the 'elite' theory.

- E. Personal Reflection: Spend some time thinking about the 'elite' theory that Madison is presenting. Explain your opinion on Madison's ideas of the 'elite' theory in the context of our current political and governmental realities.
- F. Madison explains that the new Constitution allows for a balanced approach to dealing with issues. With this in mind, what type of issues does Madison argue would be the responsibility of the national government? What type of issues does Madison argue would be the responsibility of state legislatures?
- G. Pluralist democracy is a theory that argues that varying groups compete to influence policy. Why does Madison argue that a large republic (as opposed to a small republic) best protects democracy?

Brutus - Read *Brutus* (below) formally answer these questions (to be turned in, along with *Federalist 10*, for a homework grade as a Google Doc. I encourage you to use this [AP video](#) to assist in your understanding.

- A. Using a quote from one of the first three paragraphs of *Brutus*, explain the criticism of the new Constitution.
- B. What does Brutus argue has historically occurred to governments as they become large (and growing) republics?
- C. Why does Brutus argue that pluralist democracy is ineffective in representing "the public good?"
- D. Locate and briefly explain a quote from *Brutus* that shows that he believes the new government would present an 'elite' democracy.
- E. 'Participatory' democracy is a theory where citizens are given greater authority over their lives, which is a type of government that Brutus endorses. Based on your understanding of *Brutus*, why does he believe that state governments should hold most of the governmental power?

Part 3: Personal Analysis

Personal Analysis: Formally answer these questions (to be turned in as a Google Doc for a writing grade).

- A. Explain this excerpt of the *NY Times v. U.S.* majority opinion and whether you agree or disagree.

"In the First Amendment, the Founding Fathers gave the free press the protection it must have to fulfill its essential role in our democracy. The press was to serve the governed, not the governors. The Government's power to censor the press was abolished so that the press would remain forever free to censure the Government. The press was protected so that it could bare the secrets of the government and inform the people. Only a free and unrestrained press can effectively expose deception in government."

- B. In your view, which democratic theory is best - elite, pluralist, or participatory (based on *Federalist 10* and *Brutus*)? Use 2 quotes to support your decision.

Federalist 10

The Same Subject Continued: The Union as a Safeguard Against Domestic Faction and Insurrection

From the *New York Packet*

Friday, November 23, 1787.

Author: **James Madison**

To the People of the State of New York:

AMONG the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. . . . Complaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty, that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority. . .

...It is in vain to say that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases, can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another or the good of the whole.

...A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the Union.

...The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is ... to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose. On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests, of the people. The question resulting is, whether small or extensive republics are more favorable to the election of proper guardians of the public weal; and it is clearly decided in favor of the latter by two obvious considerations:

In the first place ... however small the republic may be, the representatives must be raised to a certain number, in order to guard against the cabals of a few; and that, however large it may be, they must be limited to a certain number, in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the two constituents, and being proportionally greater in the small republic, it follows that, if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practice with success the vicious arts by which elections are too often carried; and the suffrages of the people being more free, will be more likely to centre in men who possess the most attractive merit and the most diffusive and established characters.

It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representatives too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures.

The other point of difference is, the greater number of citizens and extent of territory which may be brought within the compass of republican than of democratic government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens...

Hence, it clearly appears, that the same advantage which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic,--is enjoyed by the Union over the States composing it...

In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans, ought to be our zeal in cherishing the spirit and supporting the character of Federalists.

Brutus No. 1

To the Citizens of the State of New-York.

We have felt the feebleness of the ties by which these United-States are held together, and the want of sufficient energy in our present confederation, to manage, in some instances, our general concerns. Various expedients have been proposed to remedy these evils, but none have succeeded. At length a Convention of the states has been assembled, they have formed a constitution which will now, probably, be submitted to the people to ratify or reject...

The first question that presents itself on the subject is, whether a confederated government be the best for the United States or not? Or in other words, whether the thirteen United States should be reduced to one great republic, governed by one legislature, and under the direction of one executive and judicial; or whether they should continue thirteen confederated republics, under the direction and control of a supreme federal head for certain defined national purposes only?

...This government is to possess absolute and uncontrollable power, legislative, executive and judicial, with respect to every object to which it extends ...

...The powers of the general legislature extend to every case that is of the least importance — there is nothing valuable to human nature, nothing dear to freemen, but what is within its power. It has authority to make laws which will affect the lives, the liberty, and property of every man in the United States; nor can the constitution or laws of any state, in any way prevent or impede the full and complete execution of every power given...

...Let us now proceed to enquire, as I at first proposed, whether it be best the thirteen United States should be reduced to one great republic, or not?

...History furnishes no example of a free republic, any thing like the extent of the United States. The Grecian republics were of small extent; so also was that of the Romans. Both of these, it is true, in process of time, extended their conquests over large territories of country; and the consequence was, that their governments were changed from that of free governments to those of the most tyrannical that ever existed in the world.

...The territory of the United States is of vast extent; it now contains near three millions of souls, and is capable of containing much more than ten times that number. Is it practicable for a country, so large and so numerous as they will soon become, to elect a representation, that will speak their sentiments, without their becoming so numerous as to be incapable of transacting public business? It certainly is not.

In a republic, the manners, sentiments, and interests of the people should be similar. If this be not the case, there will be a constant clashing of opinions; and the representatives of one part will be continually striving against those of the other. This will retard the operations of government, and prevent such conclusions as will promote the public good...

...In so extensive a republic, the great officers of government would soon become above the controul of the people, and abuse their power to the purpose of aggrandizing themselves, and oppressing them.

These are some of the reasons by which it appears, that a free republic cannot long subsist over a country of the great extent of these states. If then this new constitution is calculated to consolidate the thirteen states into one, as it evidently is, it ought not to be adopted.