

The American political system

1. The American Constitution

The **Declaration of Independence** (1776) and the **Constitution** (1787) are the **two most fundamental texts** in the history of the United States.

Although the Constitution has been altered over centuries, it has stood the test of time : *the Framers* (the 55 delegates from 11 of the 13 colonies who attended the 1787 Constitutional Convention in Philadelphia and who crafted – or « framed » – the text) believed that its brevity was a way to guarantee its longevity. In the early 19th century, Chief Justice John Marshall wrote that the Constitution had been devised « to endure for ages to come ».

Besides the *Framers* made sure that the Constitution would remain **flexible**, by allowing it to be changed through an amendment process. Article V of the Constitution provides that amendments must pass both houses of Congress with a 2/3 majority, then be ratified by three-fourths of the state legislatures.

a) sources of inspiration

The works of Thomas Hobbes (16th -17th century), John Locke (17th century), Jean-Jacques Rousseau, as well as Montesquieu's theory of powers have influenced the *Framers*. For Hobbes, « *man is a wolf to man* », equality leads to insecurity and disorder, thus **power must be in the hands of a single individual**. For Locke, a government must be based on a **social contract** (or *social compact*), which must enable men to avoid the anarchy present in the state of nature, and to enjoy life, liberty, and property. **The source of a legitimate government is the people and the people should be able to overturn it in case of abuse**. Washington, Hamilton and Adams defended the idea of a strong central government, whereas Franklin remained wary of central government and supported the idea of a more liberal government.

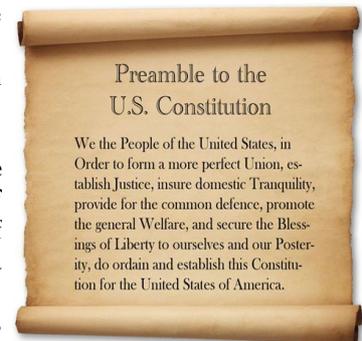
Other sources of inspiration are obviously the existing texts and types of government like the British *Magna Carta* and *Habeas Corpus*. *The Framers'* ambition is to create a **perfect union**.

b) Content of the constitution

The Constitution is divided into three parts : the preamble, the articles and the amendments.

The Preamble of the Constitution reaffirms **the sovereignty of the American people** – who is the source of all power – and encapsulates the values and principles that guided the Framers when drafting the Constitution.

The body of the American Constitution is composed of 7 articles. The **first article** is legislative ; it states that the Congress is bicameral – that is to say composed of the Senate and the House of Representatives. **Article 2** describes both the roles of the President and of the Vice-President : the President is Head of State (from a military, judicial and diplomatic point of view) and Head of Government. He is Commander-in-chief of the Army, and he shares the power with the Senate as far as appointments are concerned. He can initiate legislation and can bring the two houses together in a joined session. He is responsible for the execution of laws. **Article 3** lays out the powers of the Supreme Court, which is in charge of controversies between citizens of different states, or controversies between states. The 9 judges of the Supreme Court are appointed for their lifetime by the President, but their nomination needs an approval by the Senate. **Article 4** evokes the relationship between federal government and individual states, and establishes the basic principle of reciprocity between them. **Article 5** discusses how the Constitution can be amended. Finally, **article 6** establishes the national supremacy of the Constitution - « *the Supreme Law of the Land* ».



c) the *Bill of Rights*

The Antifederalists feared that the national government might become too powerful and infringe on the liberties won in the Revolution. They called for a « *Bill of Right* » that would **list the inalienable freedoms and rights of the American people** ; the ten amendments which make up the so-called *Bill of Rights* were therefore passed by the Congress in 1789 and ratified in 1791 ; they became a cornerstone of American freedom. Nowadays, the Constitution comprises 27 amendments ; the Civil Rights Amendments (13,14, 15) deal with the issue of National Citizenship, while Amendments 12, 20, 22, 25, modify Article 2.

The Amendments

1. Every citizen has the right to freedom of speech.
2. Every citizen has the right to bear arms.
3. No soldier in time of peace shall be quartered in a private citizen's home without consent.
4. Personal property cannot be searched without a warrant.
5. No person must testify against themselves in a court of law.
6. A defendant has the right to a fair and speedy trial.
7. Every trial has the right to a jury.
8. No excessive bail or cruel and unusual punishment.
9. No one shall be denied their basic constitutional rights.
10. Power is to be retained by the states and people.
11. A citizen from one state cannot sue another state in court.
12. Electors will vote for president.
13. Slavery is hereby abolished.
14. Former slaves are legal U.S. Citizens
15. African Americans have the right to vote.
16. Congress shall have the power to levy taxes.
17. Power for electing Senators is taken from state to state.
18. Prohibition - People cannot make, sell or transport liquor. (REPEALED)
19. Women can vote
20. Puts term limits on the president and congress.
21. Repeal of Prohibition
22. Limits President to two terms
23. Women can vote in the District of Columbia
24. Give right to Americans to vote in primaries for public officials.
25. In case president cannot perform duties, Vice-President takes over.
26. 18 year-olds have the right to vote.

2. The American political system

a) Federalism and the separation of power

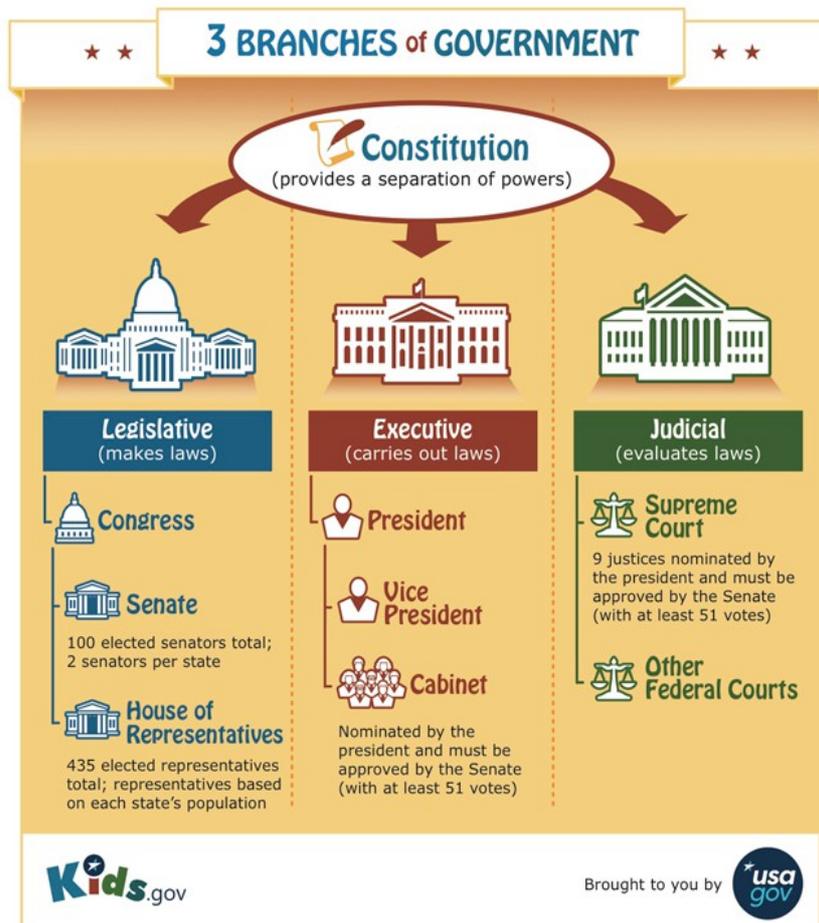
The American system is based on a **dual sovereignty** : the power is shared by the state governments and the federal government (each state has a government headed by a governor).

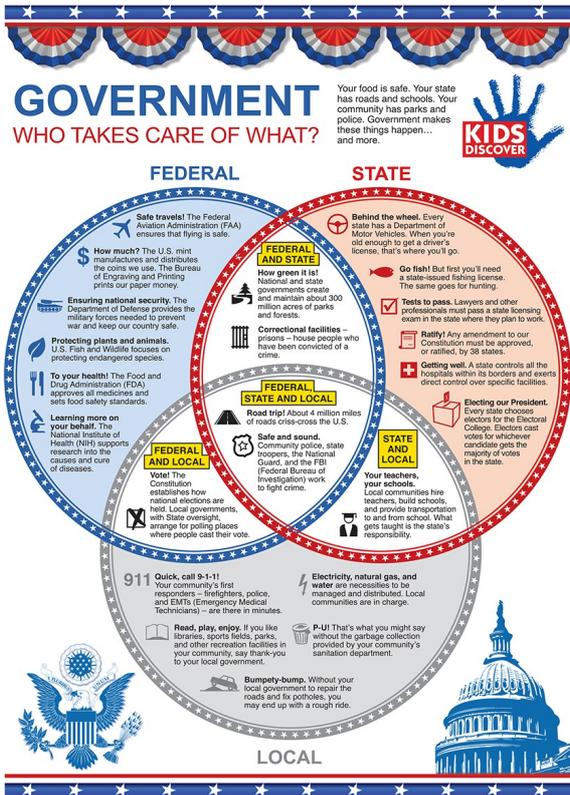
The **separation of power** is the second basic component of the federal government. The *Founding Fathers* had read Montesquieu and believed that the 3 powers (executive, legislative and judiciary) should not be vested in the same person ; they thought a separation of power was the

best way to limit abuses, to protect the country from tyranny and thus to guarantee Republican liberty.

The core idea of the **system of checks and balances** was that no branch of government should be able to get too far out of control without being put in check by the others. Therefore, under the system of *checks and balances*, each branch of government has the means to participate in and obstruct the functioning of the two other branches. To give but a few examples, **the House of Representatives may impeach the President**. The Congress also control appropriations, that is to say votes the budget. Concretely, despite the president being commander-in-chief of the armed forces, giving him an incredibly powerful position in times of war, **only the Congress has the power to fund wartime expenses**. The executive branch can also vet legislation passed by Congress, but also call a special session

of Congress. It checks the judiciary by appointing federal judges (Supreme Court justices) ; finally it can pardon federal crimes. The judiciary can issue search warrants and declare presidential acts unconstitutional. It is therefore a reciprocal system. However the balance has been disrupted : if throughout the 19th century the legislative branch had more power and Congress was preminent, **the president has gradually taken on more power since FD Roosevelt's time in office**.





b) The Supreme Court



It is **the highest court in the federal system**, and was created by Article III of the US Constitution. It consists of **one Chief Justice and eight Associate Judges appointed for life by the President**. The Supreme Court has power of judicial review : its task is to determine **whether an act is in keeping with the Constitution**. Supreme Court justices are the ultimate guardians and interpreters of the founding document. The Supreme Court is first and foremost an appellate court : its mission is to rule on cases that have already been examined in lower courts, and the judges can either choose to uphold or to strike

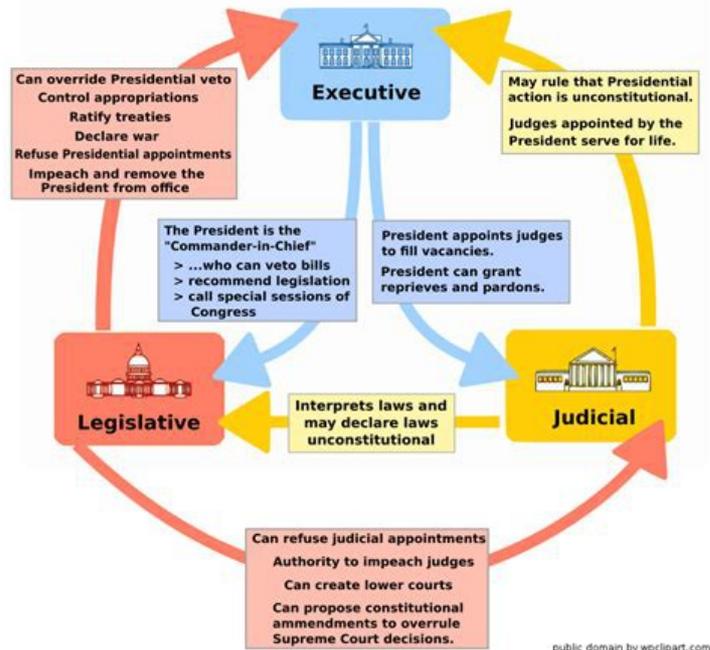
down a previous decision. The Supreme Court's interpretation of the constitution has been key in expanding the civil rights of American citizens. To give but a few examples, the Court ruled that schools should be desegregated (*Brown v. Board of Education*, 1954), legalized abortion (*Roe v. Wade*, 1973), struck down laws that stigmatized homosexuals (*Lawrence v. Texas*, 2003) or declared same-sex marriage legal in a landmark decision (*Obergefell v. Hodges*, June 2015).

Other famous cases include *United States v. Texas* (2014) which was about Obama's executive orders concerning his plan to create a new program of deferrals for approximately 4 million undocumented parents of American citizens or legal permanent residents who had been in the country for at least 5 years, in order for them to avoid deportation while waiting for work authorization. However, Texas and 25 other states immediately filed a lawsuit. The Supreme Court was unable to reach a verdict, which prevented the programs from going into effect.

Utah v. Strieff (2016) is another case in point. On June 20th, 2016, the Supreme Court gave police forces more leeway by ruling that police evidence of a crime obtained illegally was now admissible in court under certain circumstances ; the so-called « *exclusionary rule* » that was limited by the decision stemmed from the 4th amendment which protects citizens against « unreasonable searches and seizures ». The ruling can therefore be viewed as a considerable encroachment upon citizen's constitutional rights.



US Government Checks and Balances

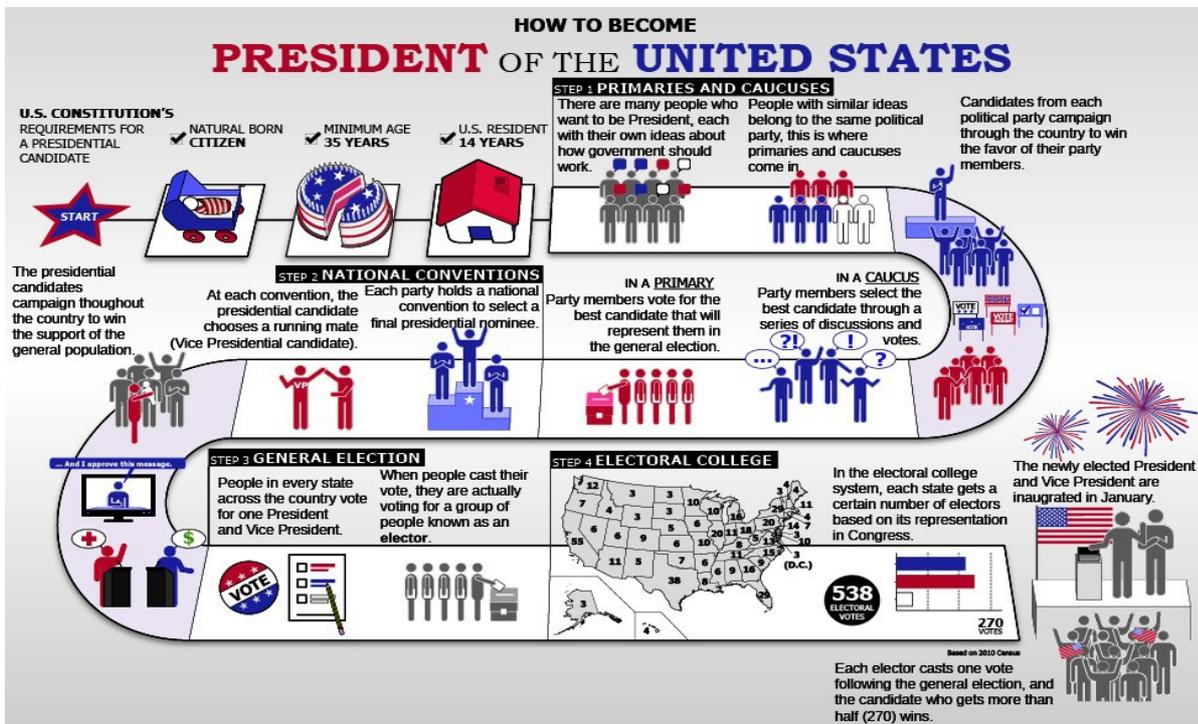


c) Elections

Elections take place every four years, on the Tuesday between November 2nd and 8th, but they are preceded by years of fundraising and careful planning. There are **three basic types of elections – primary, general and local**. A primary election is a state-level nominating vote specific to each party to choose a candidate for a later election. Some states rely on a caucus. Candidates are chosen from February to June. Twenty of the states hold their primaries or caucuses on the same day in March (*Super Tuesday*) which is considered as a major day in the elections. After a presidential campaign that lasts from September to November, on polling day, set on the first Tuesday after the first Monday of November since the federal law of 1845, voters cast their ballot for « electors », i.e. people selected for their dedication to their party. Each state has the same number of electoral votes as it has members of Congress. There are a **total of 538 votes, and a candidate must receive 270 to win**. In all but two states (Maine and Nebraska), the **winner-take-all system** gives the winning candidate all the electoral votes, however slim his margin ; as a result, in 17 presidential elections, the winner did not receive the majority of the popular votes. The electors of the party of the winning candidate are the ones who vote in the Electoral college. The Electors usually gather in their state capitals in December to cast their votes, which are then sent to Washington. In accordance with the Constitution, if no candidate to the presidency has a majority of the electoral vote, the House will elect the *President Elect*, each state and the District of Columbia having one vote only ; the senators will elect the *Vice President*.



On Election Day, voters also elect their Representatives, as well as the numerous elected State officials ; they may be asked to vote on referendums by popular initiative, called Proposition n°....Several of those initiatives took place in California : Prop. 13 limited taxation on real estate, Prop 215 legalized the sale of marijuana to critically ill patients. In Oregon, a popular initiative referendum legalized euthanasia. In the 2004 presidential elections, voters banned same-sex marriage in referendums held in 11 states. On November 6, 2012, Maine, Maryland and Washington became the first states to legalize same-sex civil marriage through popular vote.



Make sure you can define the following terms : Battleground states – Stump speeches
Swing States, caucuses, precinct, state-level conventions, national convention, primary elections
Mid-term elections, Senators, Governors

d) Congress

The Congress of the United States in Washington is **the legislative branch of the federal government** of the United States. It is **bicameral**, comprising the **House of Representatives** (the Lower House) and the **Senate** (the Upper House).

- The Senate (100 Senators)

Each state has two Senators, regardless of its population (= not in accordance with the number of people in the state). Senators serve **6-year terms**. In order to be elected to the Senate, there are some requirements a candidate must meet. These qualifications are established in Article 1, Section 3 of the Constitution. Every two years, one of the three groups defined by the Constitution (= one third of the Senate) is up for reelection. Both representatives and senators are directly reelected by the people, but in some states the governor may appoint a temporary replacement when a Senate seat is vacant. The Vice President of the United States is the presiding officer of the Senate but is not a Senator.

- The House of Representatives (435 Representatives)

Each state is represented in the House in accordance with the size of its population. Each state is entitled to at least one Representative member (for two-year terms). In order to be elected to the House of Representatives, the candidates must meet some requirements established in Article 1 Section 2 of the Constitution. The total number of Representatives is fixed by law at 435. Since representation in the House is based on a state's population, every ten years the US Bureau of the Census counts how many people live in each state of the United States. Each state is broken into congressional districts. Every state has at least one congressional district. With each new census, the number of districts in each state is then adjusted. For example, the 1990 Census increased the number of California representatives from 45 to 52 and the 2000 census from 52 to 53 (it remained so in 2020).

Research the following terms and phrases : Filibustering, Talking out a Bill, Cloture, Impeachment

3. Political parties

a) structure

The American political system is a **two-party system**. Throughout history, power has alternated between two major parties, even though minor parties have always existed on the sidelines. Today they are termed the Democratic Party and the Republican Party (referred to as GOP, Grand Old Party). **Both are based on a compromise between conservatism and liberalism** (very broadly speaking, the right and the left of European politics), and are equally attached to democratic principles and individual liberties. However, the means differ : **the Democratic party is more attached to active federal intervention in all areas of public life, whereas the Republican Party favours more autonomy and limited central control.**

Both parties meet every four years to define their political line (their platform) and choose their spokespersons at national conventions. They also choose the parties' presidential candidates.

Conventions

b) The two-party system

A political party is generally led by a party leader or spokesperson, and other members of the party executive, the leading organization which sets policy for the entire party at the national level. In the USA, **the structure of the major parties is decentralized** as a consequence of the separation of powers, the specificities of federalism and the various economic interests of the fifty states.

Broadly speaking, the political life in the USA is dominated by a two-party system. The structure is organised around the Democratic Party and the Republican Party. However, there are other political tendencies that deserve mentioning, because they occasionally elect a representative to local office. Other political representations are termed *grass-root organisations*, even though they may not be considered fully-fleshed political parties. The Tea Party is one of those organizations.

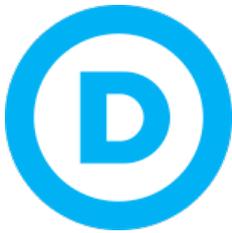
The modern division between the Democratic Party (founded by Andrew Jackson in 1828) and the Republican Party (created by Abraham Lincoln in 1854) remains to this day, even though the political lines have changed. At the time, the Republicans aimed at the preservation of the Union, the end of slavery and the provision for all men after the Civil War (1861-1965), while the Democrats remained pro-slavery in majority, against the concentration of political and economic power. Their humanitarian views would be a reason for further splits during the Civil War.

The three major third parties worth mentioning are :

- **The Libertarian Party** created in 1971, which aims to reduce the importance of central government in size, in political influence and in cost, in order to foster deregulated markets, strengthen individual liberties and remain neutral in diplomatic affairs.

- **The Green Party** is left-wing oriented, very progressive in social terms and form in terms of economic regulation. Environmentalism, protection of the planet and control of the natural resources, social justice and non-violence are among its priorities.
- **The Constitution Party** is an ultra-conservative party, with a political stance that defends pro-life positions, defends gun rights and protectionism, not to mention a strong opposition to immigration.

c) The Democratic Party



One of the oldest voter-based political parties in the world, the American Democratic Party was founded in 1928. There have been 15 Democratic presidents so far (among which Franklin D. Roosevelt, J.F.Kennedy, Barack Obama for example).

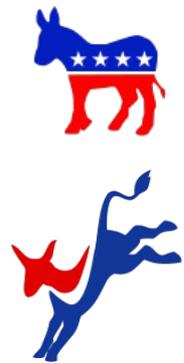
It might seem difficult to understand today, but the Democratic party used to support or at least tolerate slavery back in the 19th century. Consequently it opposed the civil rights reforms before and after the Civil War. However, a major readjustment occurred in the early 20th century, which made Democrats support progressive measures as well as the protection of minorities. During the First World War, President Woodrow Wilson, implemented a great deal of social measures that were to redefine the party line. Today, the Democrats support a **strong**

central government with powers to regulate both industry and business. They are also **in favour of public services and assistance to the sick, the elderly, the unemployed and the poor.** They also foster a **clear separation between church and state.** They fear isolationism and unilateralism and therefore **encourage international cooperation.** Last, the modern Democratic Party **emphasizes egalitarianism and social equality through liberalism.**

After President Franklin D.Roosevelt's New Deal reforms, the party tended to encourage federal governmental intervention in economic affairs because strong measures were made necessary after the Great Depression of 1929, but it also refused interventionism on citizen's private matters. Social security and minimum wage were encouraged by the party back then, and this political line remained after World War Two. This heritage made the Democratic Party what it has become since then.

The Civil Rights Movement of the 1960s and the success of John F.Kennedy's and Lyndon B.Johnson's policies led to the Civil Rights Act (1964), but it cost the party support from many Southern senators. In 1972, the Democrats lost the election partly because they did not encourage the war in Vietnam, but after Richard Nixon's Watergate scandal and subsequent resignation, they could defeat the Republicans.

It was not until the 1990s that the Democrats gained power again, with Bill Clinton's two terms. Shortly after their defeat, on September 11, 2001, terrorist attacks on the American soil initiated long years of diplomatic turmoil and wars in the Middle-East, during which Democrats regained control of the Senate and the House of Representatives. Barack Obama was elected in 2008 and reelected in 2012, but the Democratic Party lost control of both chambers of Congress during the mid-term elections and after. The unexpected defeat of Hillary Clinton in 2016 led to a new era of uncertainty and division in US politics with the presidency of Donald Trump. Democrats won the elections again in 2020, with the election of Joe Biden, the oldest president in office so far.



Democrats are generally in favour of equality, social protection of employees and workers, abortion, euthanasia, decriminalization and legalization of soft drugs, universal health care, same-sex marriage, LGBTQI+ rights, immigration, gun control, and the abolition of the death penalty. They favour a progressive taxation system, economic equity and trade unions.

Symbole du parti, l'âne est vu comme humble, aimable et courageux par les Démocrates. Les Républicains le décrivent au contraire comme stupide, têtu et lent. L'éléphant, qui symbolise les Républicains est perçu comme fort, intelligent et digne, tandis que ses adversaires le décrivent comme énorme, pompeux et maladroit.

d) The Republican Party

The Grand Old Party (GOP) has existed since 1854, and it originally fought with the Democratic Party mainly about the issue of



slavery and the role of the federal government. The political line has changed a lot since then, and today the party is more associated with **the laissez-faire economic approach,**

deregulation and support for a weak federal government, as well as a limit in the public assistance and social services. So far, there have been 18 Republican presidents.

Unwilling and unable to fight against the consequences of the 1929 crisis, either on an economic or a social perspective, the Republicans lost all credibility and failed to unite, at least until World War Two was over.

In the end, they had almost agreed on all Democratic social measures and increased federal powers implemented in the 1940s. After Franklin D.Roosevelt's and Harry Truman's terms, Dwight D.Eisenhower, a war hero and moderate Republican, was elected president but the political stance of the party became very conservative. It encouraged a weakened federal government in economic affairs, violently anticommunist measures in diplomatic affairs and



action against the civil rights legislations.

Richard Nixon's Watergate scandal in the 1970s weakened the party, and only Ronald Reagan in the 1980s allowed Republicans to gain more political influence in both Houses of Congress. Reagan's implementation of tax cuts and increased military powers soon became the priority. This policy was strengthened with George Herbert W. Bush's term, during which the Cold War came to an end with the fall of the USSR. The Republicans regained total control of Congress for the first time in 40 years, which led to several government shutdowns during Bill Clinton's terms. In the early 2000s, George W. Bush, the former president's son, was in charge when America was attacked by terrorists in New York and Washington D.C. 9/11 dramatically increased the US military interventionism around the world in the following years. Barack Obama, elected in 2008, implemented more moderate military schemes for the country. After a gradual loss of power of the Democrats in both houses of Congress, populist Donald Trump was elected in 2016 after a harsh campaign that divided the American population as well as politicians.

Trump's influence on the party is still hard to encompass, but it is clear that the party lines have shifted and the party is more divided than ever. A common concern has emerged — that a host of national and statewide Republicans are either leaving office or may not choose to pursue it for fear that they can't survive politically in the current GOP. The worry, these Republicans say, is that the party is embracing personality over policy, and that it is short sighted to align with Trump, who lost the general election and continues to alienate a large swath of the voting public with his grievances and false claims that the 2020 election was stolen.

For Trump and his allies, this is a positive development. Establishment Republican politicians, in their estimation, were out of touch with the popular sentiment of Republican voters. And the degree to which Trump helped with that reorientation has been a good thing: realigning the party with working-class voters and encouraging a new cohort of non-traditional politicians to run for office.

Republicans are generally socially conservative and oppose abortion rights, euthanasia, decriminalization and legalization of soft drugs, universal health care, gun control, and the abolition of the death penalty. They favour Big Business, entrepreneurship, tax cuts to encourage commerce and investment, the free market and individual achievement.

4. Politics between 1980 and 2008

a) Ronald Reagan

The former Hollywood actor and Union leader entered politics in the 1950s first as a member of the Democratic Party, then as a member of the Republican Party in 1962. He was elected governor of California in 1966 and 1970, then President in 1980. He began implementing sweeping new political and economic initiatives. His supply-side economic policies, dubbed "Reaganomics", advocated tax rate reduction to spur economic growth, economic deregulation, and reduction in government spending.

In his first term, he survived an assassination attempt, spurred the War on Drugs, invaded Grenada, and fought public sector labor unions. Over his two terms, the economy saw a reduction of inflation from 12.5% to 4.4% and an average real GDP annual growth of 3.6%. Reagan enacted cuts in domestic discretionary spending, cut taxes, and increased military spending, which contributed to increased federal debt overall. Foreign affairs dominated his second term, including the bombing of Libya, the Iran–Iraq War, the Iran–Contra affair, and the ongoing Cold War. In June 1987, four years after he publicly described the Soviet Union as an "evil empire", Reagan challenged Soviet General Secretary Mikhail Gorbachev to "tear down this wall!", during a speech at the Brandenburg Gate. He transitioned Cold War policy from détente to rollback by escalating an arms race with the USSR while engaging in talks with Gorbachev. The talks culminated in the INF Treaty, which shrank both countries' nuclear arsenals. Reagan began his presidency during the decline of the Soviet Union, which ultimately collapsed nearly three years after he left office. His tenure constituted a realignment toward conservative policies in the United States, and he is an icon among conservatives.



b) G.H.W. Bush

G.H.W. Bush was vice president from 1981 to 1989, then elected president from 1989 to 1993. Foreign policy drove the Bush presidency, as he navigated the final years of the Cold War and played a key role in the reunification of Germany. Bush presided over the invasion of Panama and the Gulf War, ending the Iraqi occupation of Kuwait in the latter conflict. Though the agreement was not ratified until after he left office, Bush negotiated and signed the North American Free Trade Agreement (NAFTA), which created a trade bloc consisting of the United States, Canada, and Mexico. Bush lost the 1992 presidential election to Democrat Bill Clinton following an economic recession and the decreased emphasis of foreign policy in a post-Cold War political climate.

After leaving office in 1993, Bush was active in humanitarian activities, often working alongside Bill Clinton, his former opponent. He was hostile to Donald Trump's candidacy, even supporting Hillary



Clinton, the Democrat candidate.

c) Bill Clinton

Clinton was elected president in 1992, defeating incumbent Republican President G.H.W. Bush. At age 46, he became the third-youngest president in history.

Clinton presided over the longest period of peacetime economic expansion in American history. He signed into law the North American Free Trade Agreement (NAFTA) and the Violent Crime Control and Law Enforcement Act, but failed to pass his plan for national health care reform. In the 1994 elections, the Republican Party won unified control of Congress for the first time in 40 years. In 1996, however, he was reelected in a landslide. He passed welfare reform and the State Children's Health Insurance Program, as well as financial deregulation measures. He also appointed Ruth Bader Ginsburg and Stephen Breyer to the U.S. Supreme Court. During the last three years of Clinton's presidency, the Congressional Budget Office reported a budget surplus—the first such surplus since 1969. In foreign policy, Clinton ordered U.S. military intervention in the Bosnian and Kosovo wars, signed the Dayton Peace agreement, signed the Iraq Liberation Act in opposition to Saddam Hussein, participated in the Oslo I Accord and Camp David Summit to advance the Israeli–Palestinian peace process, and assisted the Northern Ireland peace process. In 1998, Clinton was impeached by the House of Representatives, becoming the second U.S. president to be impeached. The impeachment was based on accusations that Clinton committed perjury and obstruction of justice for the purpose of concealing his affair with Monica Lewinsky, a 22-year-old White House intern. He was acquitted by the Senate and completed his second term in office.



d) G.W. Bush

G.W. Bush is the son of former president H.W. Bush. He was President of the United States from 2001 to 2009. He was elected governor of Texas in 1994 and became the running candidate for the Republican Party in 1998. Bush was elected president in 2000 when he defeated Democratic incumbent Vice President Al Gore after a narrow and contested win that involved a Supreme Court decision to stop a recount in Florida. He became the fourth person to be elected president without a popular vote victory.



Upon taking office, Bush pushed through a \$1.3 trillion tax cut program and the No Child Left Behind Act, a major education reform bill. He also pushed for socially conservative efforts, such as the Partial-Birth Abortion Ban Act and faith-based welfare initiatives. In response to the September 11 terrorist attacks, Bush created the Department of Homeland Security and launched a "War on Terror" that began with the war in Afghanistan in 2001. He also signed into law the controversial Patriot Act in order to authorize surveillance of suspected terrorists. In 2003, Bush ordered an invasion of Iraq, beginning the Iraq War, with his administration arguing that the Saddam Hussein regime possessed an active weapons of mass destruction (WMD) program, and that the Iraqi government posed a threat to the U.S. Some administration officials falsely claimed that Hussein had an operational relationship with Al-Qaeda, the perpetrators of the 9/11 attack. No stockpiles of WMDs or an active WMD program were ever found in Iraq. Bush was re-elected to a second term in the 2004 presidential election. During his second term, Bush reached multiple free trade agreements and successfully nominated John Roberts and Samuel Alito to the Supreme Court. Bush received criticism from across the political spectrum for his handling of [Hurricane Katrina](#) and for the midterm dismissal of U.S. attorneys. In the midst of it, the Democratic Party regained control of Congress in the 2006 elections. In December 2007, the U.S. entered the Great Recession, prompting the Bush administration to obtain congressional approval for multiple economic programs intended to preserve the country's financial system, including the Troubled Asset Relief Program (TARP) to buy toxic assets from financial institutions. Lastly, he decided the withdrawal of the USA from the Kyoto Protocol.

Cronyism, Cronies

5. The Obama period

1. Election

Barack Obama is the first Afro-American president in American history. He won a landslide election with 52.8% of the popular vote and 365 Electors against the Republican John McCain in 2008. His political career drew the interest of people as well as that of the media all around the world. During his mandate, he had to deal with the war in Iraq, in Afghanistan, the crisis in the Middle-East and a major recession due to the worldwide financial and economic crisis. In

October 2009, he was named the 2009 Nobel Peace Prize laureate.

2. First mandate

Obama signed many landmark bills into law during his first two years in office. The main reforms that were passed include the [Affordable Care Act](#) (commonly referred to as ACA or "Obamacare"), although without a public health insurance option, the Dodd–Frank Wall Street Reform and Consumer Protection Act, and the Don't Ask, Don't Tell Repeal Act of 2010. The American Recovery and Reinvestment Act of 2009 and Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, served as economic stimuli amidst the Great Recession. After a lengthy debate over the national debt limit, he signed the Budget Control and the American Taxpayer Relief Acts. In foreign policy, he increased U.S. troop levels in Afghanistan, reduced nuclear weapons with the United States–Russia New START treaty, and ended military involvement in the Iraq War. He ordered military involvement in Libya for the implementation of the UN Security Council Resolution 1973, contributing to the overthrow of Muammar Gaddafi. He also ordered the military operation that resulted in the killing of Osama bin Laden.



3. Second mandate

After winning re-election by defeating Republican opponent Mitt Romney, Obama was sworn in for a second term in 2013. During this term, he promoted inclusion for LGBT Americans. His administration filed briefs that urged the Supreme Court to strike down same-sex marriage bans as unconstitutional (*United States v. Windsor* and *Obergefell v. Hodges*); same-sex marriage was legalized nationwide in 2015 after the Court ruled so in *Obergefell*. He advocated for gun control in response to the Sandy Hook Elementary School shooting, indicating support for a ban on assault weapons, and issued wide-ranging executive actions concerning global warming and immigration. In foreign policy, he ordered successful military interventions in Iraq and Syria in response to gains made by ISIL after the 2011 withdrawal from Iraq, continued the process of ending U.S. combat operations in Afghanistan in 2016, promoted discussions that led to the 2015 Paris Agreement on global climate change, initiated sanctions against Russia following the invasion in Ukraine and again after interference in the 2016 U.S. elections, brokered the JCPOA nuclear deal with Iran, and normalized U.S. relations with Cuba. Obama nominated [three justices to the Supreme Court](#) but only [Sonia Sotomayor](#) and [Elena Kagan](#) were confirmed as justices.

Even he was increasingly popular in the last months of his presidency, he was replaced in office by the Republican Donald Trump in 2016 who won the election against Hillary Clinton, who had received Obama's support.

6. Donald Trump

1. An unprecedented campaign

Opinion polls carried out during the campaign revealed that both Hillary Clinton and Donald Trump were the most unpopular candidates in modern history.

A large number of those surveyed considered the Democratic candidate was unfit to become POTUS on account of her alleged untrustworthiness. Such perception can be mainly accounted for by the so-called e-mail scandal. During her tenure as The Secretary of State under Obama, Hillary Clinton reportedly used a private e-mail rather than the official State Department account to send classified information. Likewise, The Clinton Foundation (the family's charity fund) was put under close scrutiny following revelations to the effect that Clinton made a string of State Department decisions that appeared as a way of granting favours to international donors. She also became the target of wild conspiracy theories circulated by the social media and culminating in the pizzagate scandal¹.

As for Donald Trump, his unfavourable ratings can be ascribed to his disparaging remarks directed against not only ethnic minorities, but also women and some foreign



¹In March 2016, the personal email account of John Podesta, Hillary Clinton's campaign manager, was hacked in a spear-phishing attack. WikiLeaks published his emails in November 2016. Proponents of the Pizzagate conspiracy theory falsely claimed the emails contained coded messages that connected several high-ranking Democratic Party officials and U.S. restaurants with an alleged human trafficking and child sex ring. One of the establishments allegedly involved was the Comet Ping Pong pizzeria in Washington, D.C. Members of the alt-right, conservative journalists, and others who had urged Clinton's prosecution over the emails, spread the conspiracy theory on social media outlets such as 4chan, 8chan, and Twitter. In response, a man from North Carolina traveled to Comet Ping Pong to investigate the conspiracy and fired a rifle inside the restaurant to break the lock on a door to a storage room during his search. The restaurant owner and staff also received death threats from conspiracy theorists. Pizzagate is generally considered a predecessor to the QAnon conspiracy theory. Pizzagate resurged in 2020, mainly due to QAnon.

political leaders. Indeed, during a rally, he went as far as to describe Mexicans settling in the USA as rapists, drug dealers and criminals. He also pledged to ban all Muslims from entering the country. On top of it, a leaked 2005 video featured him boasting about harassing women sexually. Lacking any political experience and having held no elective office in his lifetime, he was viewed as incompetent.

See Donald Trump's use of the poem 'The Snake' during his rallies.
https://www.huffpost.com/entry/donald-trump-the-snake_n_5905330ae4b05c3976800aa5
<https://www.voanews.com/usa/trump-recites-inflammatory-anti-immigrant-snake-song>

The campaign was particularly bruising and the televised debates heated. During the first showdown, for instance, Donald Trump threatened to send his rival to jail and indulged in personal attacks against her. He was extremely aggressive and repeatedly uttered falsehoods, exaggerations and controversial ideas.

The candidates' electoral Promises (from Substance and Style, Ellipses)

COMPLEMENTARY INFORMATION	
Donald Trump's Main Electoral Promises	Hillary Clinton's Electoral Programme
<ul style="list-style-type: none"> • Repealing Obamacare (his predecessor's attempt to extend healthcare to the estimated 15 percent of Americans who are not covered.) • Building a wall against the US-Mexican border • Banning Muslims from terror-prone countries from entering the US • Deporting all illegal immigrants • Cancelling payments to US climate change programmes • Appointing pro-life judges to the supreme court • Withdrawing from the TTP and bringing jobs back to America • Doing away with restrictions on gun ownership 	<ul style="list-style-type: none"> • Eliminating tuition fees for families making less than \$125,000 a year at public colleges • Passing an immigration reform with a path to citizenship that keeps families together • Extending Obamacare • Overturning citizens united and unlimited super pac spending on electoral campaigns • Fighting for equal pay for men and women • Avoiding raising middle-class taxes • Increasing federal minimum wage • Expanding background checks to more gun sales

2. Analyzing Trump's victory

The outcome of the 2016 race for US Presidency came as quite a surprise to many commentators not only because as a business mogul, Donald Trump had no prior political experience, but also on account of national polls, all of which had forecast a Clinton lead of 3-4% over Trump. In the days following Election Day, many pollsters and political data analysts sought to understand what had actually happened.

In fact, most commentators agreed to say that late deciders had played a crucial rôle in the result of the Presidential race – it was a narrowly contested election, there was a great deal of floating voters and Donald Trump won the latter by ten points. It has often been claimed too that Democrats should not have assumed that middle-class voter would back their candidate because of their historically pro-Democratic leanings, while many of them felt Hillary Clinton failed to embody the change they expected. They felt disenfranchised and left behind and decided to turn their backs on the Donkeys. On top of it all, women as well as ethnic minority demographics were expected to support Hillary Clinton, but the former did not necessarily vote for the female candidate and the turnout among the latter was historically low, which may have also tipped the scales in Trump's favour. Quite importantly too, the turnout in rural America was to a large extent underestimated and there is no denying that Donald Trump garnered considerable support among white, working class, non-college educated voters.

The American Dream appears to lie in tatters and blue-collar workers have borne the brunt of its demise. Indeed, non-college educated white men feel they have been trampled by globalization insofar as it has precipitated the decline of the country's traditional manufacturing strongholds. Therefore, DT struck a sensitive chord in particular with the working class (and part of the lower middle-class) in downtrodden regions of America when pledging to reinvigorate the American Dream with his slogan « Let's make America great again. » The order Donald Trump pledged to reinstate during his campaign rallies is that of the 1960S, when provided that a person was white, they did not have to hold a university degree to have comfortable living conditions. It is therefore no wonder that Trump's staunchest supporters tend to live in parts of the country marked by racial resentment insofar as black people and ethnic minorities used to be excluded from this founding tale and all the more so as, being disdainful of political correctness, the Republican candidate vowed to restore « majority rule ». Last but not least, he repeatedly lambasted the political establishment and claimed he would give the rains of power back to « the man in the street, » which can explain why he gathered support among those who felt voiceless and had the impression that the country's forefront politicians were all talk and no action.

3. the first months of Donald Trump's mandate

As a self-described man of action, Donald Trump was quick to take the first measures showing that he was bent on

departing from the Obama administration's policies, mainly by undoing the former administration's core measures. Indeed, as promised during the race to the White House, his first step as President consisted in tackling the Obamacare, otherwise known as ACA. Shortly after taking the Presidential oath of office, he issued an executive order whose goal was to roll back as many provisions of the ACA as possible, which he claimed was only the first stage in his attempt to scrap the healthcare law. Hardly did he expect that cancelling Obamacare as going to be an uphill struggle and that he was to face opposition from his own camp. Indeed, Trump's efforts suffered a major setback in June 2017, when for want of support from either moderate or hardline Senate Republicans, majority leader Mitch McConnell was compelled to put off the vote until after the Fourth of July recess. The former were deterred by the news that 22 million would lose health insurance coverage while the latter considered the bill did not go far enough and wished states were granted the possibility to waive the ban on insurance companies charging sick people more.

The first executive action actually opened the way to a string of measures, many of which immediately sparked controversy. To begin with, quickly after he took over from the outgoing president, Donald Trump reinstated the ban (scrapped by Obama in 2009) on providing federal funds to international groups that conduct abortions in the presence of his main aides, all of whom were older white men. The step was yet another irritant in the already troubled relationship between Mr. Trump and women rights activists – following his election, the latter had taken to the streets to decry the President's misogynist stance on a variety of gender-related topics, only to be slammed by the nation's leader.

Last but not least, as a climate change denier, the incumbent President had every mention of global warming removed from the White House website. The move was consistent with his commitment to undo Barack Obama's climate plan whose goal was to cut US carbon dioxide emissions, by preserving forests and encouraging the use of renewable fuels. President Trump described the measure as an obstacle to the country's economic development, while vowing to boost the American gas and oil sector. Even more importantly, in June 2017, claiming that he « was elected to represent Pittsburgh, not Paris », Trump announced his decision to pull America out of the Paris Climate Deal supposedly to reclaim the country's sovereignty on the matter. In practical terms, it means the world's second largest carbon dioxide emitter will no longer make contributions to the UN Green Climate Fund or report on its carbon data. Meanwhile, the steps provoked an outcry among environmentalists and scientists. The state of California, for example, claimed that was poised to circumvent the federal policy via state legislation. Former NY Mayor and billionaire Michael Bloomberg pledged that he would make sure the UN would get the funds it needed and that he was willing to foot the bill.



President Trump also vowed to launch the construction of the border wall between the USA and Mexico as soon as possible and said he would have America's Southern neighbour foot the bill for it, which pushed the Mexican President to call off a long-planned bilateral meeting and drove a further wedge between the two countries.

Generally speaking, immigration appears to have been one of Trump's core preoccupations since he came to power. On January 25, 2017, he signed an executive order calling upon US Immigration and Customs Enforcement (ICE) to tighten its deportation policy. The new guidelines target undocumented immigrants convicted of « any » criminal offense, whereas the Obama administration singled out those convicted of serious crimes. Donald Trump also tried to implement the so-called « Muslim travel ban », whereby he blocked travel for immigrants from seven « terror prone » Muslim-majority countries (Syria, Iraq, Iran, Libya, Somalia, Sudan and Yemen). The step sparked mass protests nationwide and was effectively suspended by US District Judge James Robart, who ruled it was unlawful.

4. Assessment of Donald Trump's mandate

He was the oldest and the first U.S. president without prior military or government service and his governing style was unusual, with aggressive communication on social networks (Twitter in particular) leading to heated national or international controversies. His election and policies sparked numerous protests. Trump made many false and misleading statements during his campaigns and presidency, to a degree unprecedented in American politics. Many of his comments and actions have been characterized as racially charged or racist. His opponents also blamed him for spending a lot of time watching TV or posting messages on social media.

He enacted the Tax Cuts and Jobs Act of 2017 which cut taxes for individuals and businesses and rescinded the individual health insurance mandate penalty of the Affordable Care Act. He appointed Neil Gorsuch (who opposes assisted suicide), Brett Kavanaugh (a man who was accused of sexual assault and sexual misconduct which he denied) and Amy Coney Barrett (a conservative and fiercely pro-life judge) to the Supreme Court as well as more than 200 federal judges. In foreign policy, Trump pursued an America First agenda: he renegotiated the North American Free Trade Agreement as the United States-Mexico-Canada Agreement and withdrew the U.S. from the Trans-Pacific Partnership trade negotiations, the Paris Agreement on climate change and the Iran nuclear deal. He imposed import tariffs that triggered a trade war with China and met three times with North Korean leader Kim Jong-un, but negotiations on denuclearization eventually broke down. Trump reacted slowly to the COVID-19 pandemic, ignored or contradicted many recommendations from health officials in his messaging, and promoted misinformation about unproven treatments and the availability of testing.

- Russiagate

Russia interfered in the 2016 election to help Trump's election chances, but the [special counsel investigation](#) of that interference led by [Robert Mueller](#) did not find sufficient evidence to establish [criminal conspiracy](#) or coordination of the Trump campaign with Russia. Mueller also investigated Trump for [obstruction of justice](#) and neither indicted nor exonerated him. After Trump [pressured Ukraine to investigate](#) his political rival Joe Biden, the [House of Representatives impeached him](#) for [abuse of power](#) and [obstruction of Congress](#) on December 18, 2019. The [Senate acquitted him](#) of both charges on February 5, 2020.

Donald Trump was a populist president, with conservative and neo-liberal positions, and some academics see him as a neo-fascist president who could have led the world to a Third World War. His conspiracist, xenophobic and sexist statements, his propensity to lie in public and his individualism bring him close to conspiracy theory and far-right movements.

5. Campaign for a second mandate

Donald Trump declared as early as 2017 that he would run for reelection and unveiled his slogan « *Keep America Great* ! ». He was nominated candidate with no major opposition with Mike Pence as his fellow candidate. From the beginning of 2019 through July 2020, the Trump campaign and Republican Party raised \$1.1 billion but spent \$800 million of that amount, losing their cash advantage over the Democratic nominee, former vice president Joe Biden. The cash shortage forced the campaign to scale-back advertising spending. Starting in spring 2020, Trump began to sow doubts about the election, repeatedly claiming without evidence that the election would be "rigged" and that the expected widespread use of mail balloting would produce "massive election fraud." On July 30, Trump raised the idea of delaying the election. When in August the House of Representatives voted for a US\$25 billion grant to the U.S. Postal Service for the expected surge in mail voting, Trump blocked funding, saying he wanted to prevent any increase in voting by mail. Trump became the Republican nominee on August 24, 2020. He repeatedly refused to say whether he would accept the results of the election and commit to a peaceful transition of power if he lost. Trump campaign advertisements focused on crime, claiming that cities would descend into lawlessness if his opponent, Biden, won the presidency. Trump repeatedly misrepresented Biden's positions during the campaign. Trump's campaign message shifted to appeals to racism in an attempt to reclaim voters lost from his base.

Trump lost the 2020 presidential election to Joe Biden, but refused to concede. Attempting to overturn the results, he falsely claimed electoral fraud, pressured government officials, mounted scores of unsuccessful legal challenges and obstructed the presidential transition. On January 6, 2021, Trump urged his supporters to march to the Capitol, which hundreds stormed, interrupting the electoral vote count. The House impeached Trump for incitement of insurrection on January 13, making him the only federal officeholder in American history to be impeached twice. The Senate acquitted Trump for the second time on February 13 2021.

Trump did not attend Biden's inauguration, leaving Washington for Florida hours before.

7. Joe Biden's presidency

1. Election

Biden won the election on November 3, receiving 81.3 million votes (51.3 percent) to Trump's 74.2 million (46.8 percent) and winning the [Electoral College](#) by 306 to 232.

A member of the Democratic Party, he served as the 47th vice president from 2009 to 2017 under Barack Obama and represented [Delaware](#) in the United States Senate from 1973 to 2009.

Biden is the oldest elected president, the first to have a female vice president, the first from Delaware, and the second Catholic after John F. Kennedy.

2. First months as president

His early presidential activity centered around proposing, lobbying for, and signing into law the American Rescue Plan Act of 2021 to speed up the United States' recovery from the COVID-19 pandemic and the ongoing recession, as well as a series of executive orders. Biden's orders addressed the pandemic and reversed several Trump administration policies, which included rejoining the Paris Agreement on climate change and reaffirming protections for Deferred Action for Childhood Arrivals (DACA) recipients. In April 2021, Biden announced the withdrawal of all U.S. troops from Afghanistan by September 2021.



American Institutions and Government

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2. What landmark documents and ideas was it inspired by ?
3. What form of government did it establish ?
4. What is known as the *Bill of Rights* ?
5. What are the three branches of power called ?
6. What is known as *checks and balances* ?
7. How is Congress structured ? Be specific.
8. Name three main powers vested in Congress.
9. What is the highest federal court in the country ?
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