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Government, Politics, and Law

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SIGNIFICANT EVENTS IN AMERICAN LAW AND POLITICS

The early years of the nation were devoted to devising the best form of government. Once that was established, attention was turned to forging and protecting individual and collective rights.

The Colonial Era

- 1619 The first colonial legislature, the House of Burgesses, meets at Jamestown, Virginia. This house, and its present-day successor, the Virginia General Assembly, is the oldest representative government in the Western Hemisphere.
- 1620 The Mayflower Compact, establishing self-government for the Plymouth Colony, is signed aboard the *Mayflower*.
- 1639 The first American constitution, the Fundamental Order of Connecticut, is written.
- 1641 In an early gesture of colonial independence, the Massachusetts Bay Colony establishes its own legal code, the Body of Liberties.
- 1647 Rhode Island's code of laws guarantees freedom of conscience: "Otherwise than . . . what is herein forbidden, all men may walk as their consciences persuade them, everyone in the name of his God."
- 1774 With a war for independence now on the horizon, the First Continental Congress meets in Philadelphia and draws up a list of grievances to give to the king of England.
- 1775 The Revolutionary War begins.
- 1776 Thomas Jefferson drafts the Declaration of Independence, which asserts the colonies' independence from England and defines the natural rights of Americans. The Continental Congress adopts it.

The Early Republic

- 1776 States begin writing state constitutions.
Virginia adopts a Declaration of Rights, asserting that "all men are by nature free and independent" and outlining rights and freedoms, such as the free exercise of religion, that will eventually be written into the U.S. Constitution and the Bill of Rights.
- 1777 The Continental Congress adopts the Articles of Confederation, which provide for a loose union of states and a weak central government with virtually no power to tax. It goes into effect in 1781.
The Continental Congress drafts the Articles of Confederation.
- 1786 Virginia adopts a statute of religious freedom, written by Thomas Jefferson.
- 1786-1787 Shays's Rebellion, a tax protest, is the first internal challenge to the new nation's power.
- 1787 Beset by financial and diplomatic crises, Congress endorses a plan for a convention to revise the Articles of Confederation. Delegates write a new Constitution instead, one that significantly strengthens the central government. Federalists support this Constitution, while Anti-Federalists oppose it.

Written by James Madison, Alexander Hamilton, and John Jay, *The Federalist Papers* present a masterly interpretation and analysis of the Constitution, and argue for its ratification.

- 1788 The new Constitution takes effect when nine states ratify it.
- 1789 George Washington becomes the first president, and John Adams the first vice president. Congress adopts the Bill of Rights, ratified as the first ten amendments to the Constitution in 1791.

A federal judiciary is organized.

Three federal departments—State, War, and Treasury—are formed, and the office of the attorney general is established. A postmaster general is also named, under the secretary of the treasury. When Washington consults with these heads, he sets a precedent for cabinet meetings, well established by the time he leaves office.

EXECUTIVE BRANCH DEPARTMENTS

The creation of departments—the responsibility of Congress—reflects the changing nature and concerns of the Union. The First Congress created only the State Department, the War Department, and the Treasury Department. The attorney general was a cabinet member, but the Justice Department that he heads today wasn't officially created until 1871. A postmaster general was also named, at this time under the secretary of the treasury. The following table lists the executive departments in order of their creation. Secretaries are listed in the chapter specified. A table of attorneys general follows.

Department	Year	Chapter
State	1789	Chapter 8
War	1789	Chapter 5
Treasury	1789	Chapter 9
Navy	1798 (consolidated with Defense in 1947)	Chapter 5
Interior	1849	Chapter 3
Agriculture	1862 (raised to cabinet status in 1889)	Chapter 7
Justice	1871 (with attorney general as head)	Chapter 6
Commerce	1913 (originally Commerce and Labor, 1903)	Chapter 9
Labor	1913 (originally Commerce and Labor, 1903)	Chapter 9
Defense	1947 (consolidates War, Navy, and other military units)	Chapter 5
Housing and Urban Development	1965	Chapter 7
Transportation	1966	Chapter 12
Energy	1977	Chapter 9
Health and Human Services	1979 (originally Health, Education, and Welfare, 1953)	Chapter 11
Education (originally Health, Education, and Welfare, 1953)	1979	Chapter 10
Veterans Affairs	1988	Chapter 5

Attorneys General

<i>Attorney General</i>	<i>President</i>	<i>Year Appointed</i>	<i>Attorney General</i>	<i>President</i>	<i>Year Appointed</i>
Edmund Randolph	Washington	1789	William H. H. Miller	Harrison, B.	1889
William Bradford	Washington	1794	Richard Olney	Cleveland	1893
Charles Lee	Washington	1795	Judson Harmon	Cleveland	1895
	Adams, J.	1797	Joseph McKenna	McKinley	1897
Levi Lincoln	Jefferson	1801	John W. Griggs	McKinley	1898
John Breckinridge	Jefferson	1805	Philander C. Knox	McKinley	1901
Caesar A. Rodney	Jefferson	1809		Roosevelt, T.	1901
	Madison	1797	William H. Moody	Roosevelt, T.	1904
William Pinkney	Madison	1811	Charles J. Bonaparte	Roosevelt, T.	1906
Richard Rush	Madison	1814	George W. Wickersham	Taft	1909
	Monroe	1817	J. C. McReynolds	Wilson	1913
William Wirt	Monroe	1817	Thomas W. Gregory	Wilson	1914
	Adams, J. Q.	1825	A. Mitchell Palmer	Wilson	1919
John M. Berrien	Jackson	1829	Harry M. Daugherty	Harding	1921
Roger B. Taney	Jackson	1831		Coolidge	1923
Benjamin F. Butler	Jackson	1833	Harlan F. Stone	Coolidge	1924
	Van Buren	1837	John G. Sargent	Coolidge	1925
Felix Grundy	Van Buren	1838	William D. Mitchell	Hoover	1929
Henry D. Gilpin	Van Buren	1840	Homer S. Cummings	Roosevelt, F. D.	1933
John J. Crittendon	Harrison, W. H.	1841	Frank Murphy	Roosevelt, F. D.	1939
	Tyler	1841	Robert H. Jackson	Roosevelt, F. D.	1940
Hugh S. Legare	Tyler	1841	Francis Biddle	Roosevelt, F. D.	1941
John Nelson	Tyler	1843	Thomas C. Clark	Truman	1945
John Y. Mason	Polk	1845	J. Howard McGrath	Truman	1949
Nathan Clifford	Polk	1846	J. P. McGranery	Truman	1952
Isaac Toucey	Polk	1848	Herbert Brownell, Jr.	Eisenhower	1953
Reverdy Johnson	Taylor	1849	William P. Rogers	Eisenhower	1957
John J. Crittendon	Filmore	1850	Robert F. Kennedy	Kennedy	1961
Caleb Cushing	Pierce	1853		Johnson, L. B.	1963
Jeremiah S. Black	Buchanan	1857	Nicholas Katzenbach	Johnson, L. B.	1964
Edwin M. Stanton	Buchanan	1860	Ramsey Clark	Johnson, L. B.	1967
Edward Bates	Lincoln	1861	John N. Mitchell	Nixon	1969
James Speed	Lincoln	1864	Richard G. Kleindienst	Nixon	1972
	Johnson, A.	1865	Elliot L. Richardson	Nixon	1973
Henry Stanbery	Johnson, A.	1866	William B. Saxbe	Nixon	1974
William M. Evarts	Johnson, A.	1868		Ford	1974
Ebenezer R. Hoar	Grant	1869	Edward H. Levi	Ford	1975
Amos T. Akerman	Grant	1870	Griffin B. Bell	Carter	1977
George H. Williams	Grant	1871	Benjamin R. Civiletti	Carter	1979
Edwards Pierrepont	Grant	1875	William French Smith	Reagan	1981
Alphonso Taft	Grant	1876	Edwin Meese 3d	Reagan	1985
Charles Devens	Hayes	1877	Richard Thornburgh	Reagan	1988
Wayne MacVeagh	Garfield	1881		Bush	1989
Benjamin H. Brewster	Arthur	1881	William P. Barr	Bush	1991
Augustus Garland	Cleveland	1885	Janet Reno	Clinton	1993

1790 Congress meets in Philadelphia and votes to establish a new capital on the Potomac.

1791 Although there is not a national currency, Congress charters a national bank. It is responsible in part for regulating state banks.

The Bill of Rights becomes the first ten amendments to the Constitution.

THE BILL OF RIGHTS

When the Constitution was ratified, many objected that it contained no specific guarantees of rights or liberties. So in the First Congress, James Madison proposed a series of amendments; by 1791 ten had been added to the Constitution as the Bill of Rights. They are:

First: Freedom of speech, press, assembly, and religion.

Second: The right to bear arms.

Third: No requirement to quarter troops in peacetime.

Fourth: No unreasonable searches and seizures.

Fifth: No arrest without a grand jury indictment; no double jeopardy; no taking of life, liberty, or property without due process of law or of private property for public use without just compensation.

Sixth: Right to a public and speedy trial; right to counsel.

Seventh: Right to a trial by jury.

Eighth: No excessive bail or fines or cruel or unusual punishment.

Ninth: The rights of the people are not to be understood as limited to those enumerated.

Tenth: All powers not delegated to the federal government are reserved to the states, or to the people.

For additional amendments, see pages 183–184.

1792 The Democratic-Republican party, led by Thomas Jefferson, takes shape in opposition to the Federalists. It advocates strong states' rights.

Kentucky is admitted to the Union with universal manhood suffrage. Other states drop property qualifications in the following decades.



Thomas Jefferson

- 1793 Regional issues arise early; one such issue is solved by passage of the first Fugitive Slave Act, which makes it illegal to aid runaway slaves or to interfere with their arrest.
- 1794 The federal government uses force to quell the Whiskey Rebellion by frontier farmers who refuse to pay an excise tax on their whiskey.
- 1796 John Adams, a Federalist, is elected president, and Thomas Jefferson, a Democratic-Republican, is elected vice president.

Presidents and Vice Presidents of the United States

<i>President</i>	<i>Term</i>	<i>Birth and Death</i>	<i>Party</i>	<i>Vice President</i>
1. George Washington	1789-1793 1793-1797	1732-1799	F	John Adams
2. John Adams	1797-1801	1735-1826	F	Thomas Jefferson
3. Thomas Jefferson	1801-1805 1805-1809	1743-1826	D-R	Aaron Burr George Clinton
4. James Madison	1809-1813 1813-1817	1751-1836	D-R	George Clinton Elbridge Gerry
5. James Monroe	1817-1821 1821-1825	1758-1831	D-R	Daniel D. Tompkins
6. John Quincy Adams	1825-1829	1767-1848	D-R	John C. Calhoun
7. Andrew Jackson	1829-1833 1833-1837	1767-1845	D-R	John C. Calhoun Martin Van Buren
8. Martin Van Buren	1837-1841	1782-1862	D	Richard M. Johnson
9. William Henry Harrison	3/4-4/4 1841	1773-1841	W	John Tyler
10. John Tyler	1841-1845	1790-1862	W	—
11. James K. Polk	1845-1849	1795-1864	D	George M. Dallas
12. Zachary Taylor	1849-1850	1784-1850	W	Millard Fillmore
13. Millard Fillmore	1850-1853	1800-1874	W	—
14. Franklin Pierce	1853-1857	1804-1869	D	William R. King
15. James Buchanan	1857-1861	1791-1868	D	John C. Breckinridge
16. Abraham Lincoln	1861-1865 3/4-4/15 1865	1809-1865	R	Hannibal Hamlin Andrew Johnson
17. Andrew Johnson	1865-1869	1808-1875	NU	—
18. Ulysses S. Grant	1869-1873 1873-1877	1822-1885	R	Schuyler Colfax Henry Wilson
19. Rutherford B. Hayes	1877-1881	1822-1893	R	William A. Wheeler
20. James Garfield	3/4-9/19 1881	1831-1881	R	Chester A. Arthur
21. Chester A. Arthur	1881-1885	1829-1886	R	—
22. Grover Cleveland	1885-1889	1837-1908	D	Thomas A. Hendricks
23. Benjamin Harrison	1889-1893	1833-1901	R	Levi P. Morton
24. Grover Cleveland	1893-1897	1837-1908	D	Adlai E. Stevenson
25. William McKinley	1897-1901 3/4-9/14 1901	1843-1901	R	Garret A. Hobart Theodore Roosevelt
26. Theodore Roosevelt	1901-1905 1905-1909	1858-1919	R	— Charles W. Fairbanks
27. William H. Taft	1909-1913	1857-1930	R	James S. Sherman
28. Woodrow Wilson	1913-1917 1917-1921	1856-1924	D	Thomas R. Marshall
29. Warren G. Harding	1921-1923	1865-1923	R	Calvin Coolidge
30. Calvin Coolidge	1923-1925 1925-1929	1872-1933	R	— Charles G. Dawes
31. Herbert C. Hoover	1929-1933	1874-1964	R	Charles Curtis

President	Term	Birth and Death	Party	Vice President
32. Franklin D. Roosevelt	1933–1936 1936–1941 1941–1945 1/20–4/12 1945	1882–1945	D	John N. Garner Henry A. Wallace Harry S. Truman
33. Harry S. Truman	1945–1949 1949–1953	1884–1972	D	— Alben W. Barkley
34. Dwight D. Eisenhower	1953–1961	1890–1969	R	Richard M. Nixon
35. John F. Kennedy	1961–1963	1917–1963	D	Lyndon B. Johnson
36. Lyndon B. Johnson	1963–1965 1965–1969	1908–1973	D	— Hubert H. Humphrey
37. Richard M. Nixon	1969–1973 1973–1974	1913–1994	R	Spiro T. Agnew Gerald R. Ford
38. Gerald R. Ford	1974–1977	1913–	R	Nelson A. Rockefeller
39. James (Jimmy) Earl Carter, Jr.	1977–1981	1924–	D	Walter F. Mondale
40. Ronald Reagan	1981–1985 1985–1989	1911–	R	George Bush
41. George Bush	1989–1993	1924–	R	J. Danforth Quayle
42. William (Bill) Clinton	1993–1997 1997–	1946–	D	Al Gore

F = Federalist; D-R = Democratic-Republican; D = Democrat; W = Whig; R = Republican; NU = National Union party, a coalition of Republicans and War Democrats (Andrew Johnson was a Democrat)

1798 The Eleventh Amendment is ratified, in effect stating that a state cannot be sued by a citizen of another state.

With war against France seeming imminent, Congress passes the Alien and Sedition Acts, which extend the residency requirements for citizenship, authorize the president to deport aliens dangerous to the public peace or safety, and make it a crime to obstruct the execution of the national laws or to publish "any false, scandalous, or malicious writing" against the U.S. government, Congress, or the president. Targeted were newspaper editors aligned with Jefferson's Democratic-Republicans and supporting Revolutionary France.

The Kentucky (written by Thomas Jefferson) and Virginia (written by James Madison) Resolutions argue that the Alien and Sedition Acts are unconstitutional because the federal government was exercising powers not delegated to it. A second set of Kentucky Resolutions outlines the doctrine of nullification—that states can nullify actions of the U.S. Congress.

The Department of the Navy is established. In 1947 it will be consolidated with other military units in the Department of Defense.

The Rise of Sectionalism and States' Rights

- 1800 The seat of the federal government moves from Philadelphia to Washington, D.C.
The first election involving political parties is held, with Democratic-Republican Thomas Jefferson running against Federalist John Adams. Jefferson beats Adams, but thanks to party discipline, Jefferson receives the same number of votes as the vice presidential candidate Aaron Burr.
- 1801 The election is forced into the House of Representatives, where 36 ballots are required to elect Jefferson.

THE ELECTORAL COLLEGE

When the framers of the Constitution established the office of president, they hesitated to allow this powerful individual to be elected directly by the people. Instead they devised a system, known as the electoral college, whereby the president is actually elected by electors, who in turn are elected by the people. Each state has as many electors as its Senate and House members combined, and the electors usually vote as a block for the candidate who has received the greatest number of votes in the state.

This system has produced some erratic results. In 1800, Thomas Jefferson and Aaron Burr were tied for the electoral vote. As a consequence, the House of Representatives made the final decision, and passage of the Twelfth Amendment made sure this kind of tie would not occur again.

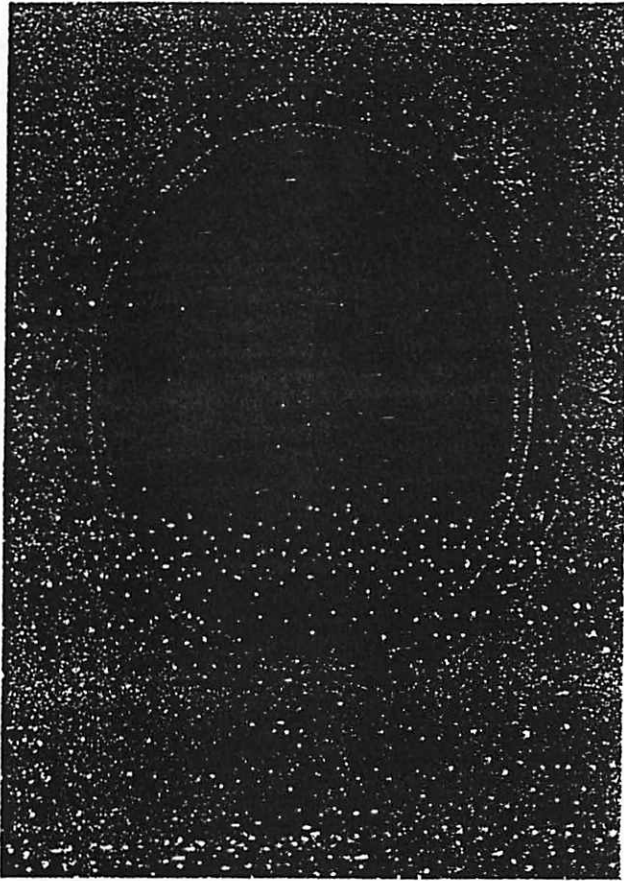
But there have been other problems. For example, a president with a larger popular vote majority can lose in the electoral college, as happened to Grover Cleveland in 1888. When there is no majority in the electoral college, the House of Representatives decides the outcome, each state's delegation voting as a block. Following the election of 1824 the House awarded the presidency to John Quincy Adams, even though he had received more than 38,000 fewer votes than contender Andrew Jackson. And following the election of 1876, with disputed returns in four states, the House appointed a commission that put Rutherford B. Hayes in office, even though Samuel J. Tilden had an edge, in the popular vote, of more than 264,000 votes.

Reformers say that the system is flawed and the electoral college should be abolished. But most of the time it has worked remarkably well to reflect the choice of the people and today is more of a tradition than the buffer against the people that the framers envisioned.

- 1803 In *Marbury v. Madison*, the Supreme Court establishes its right to review the constitutionality of acts of Congress.
- 1804 The Twelfth Amendment, which remedies the problem of the 1800 election by providing for the separate election of president and vice president, is ratified.
Thomas Jefferson is reelected president. His presidency is increasingly preoccupied with neutral rights, an embargo that hurts U.S. commerce, and increasing tensions with Britain.
- 1807 Aaron Burr becomes the first major public official to be tried for treason. Charged with trying to establish an independent country in the Southwest, he is acquitted.
- 1808 James Madison is elected president on the Democratic-Republican ticket.
Congress halts the slave trade but not slavery.
- 1812 James Madison is reelected president as the country is already at war against Britain.
The Second Bank of the United States is granted a charter.
- 1816 James Monroe is elected president on the Republican ticket. The Federalist party, in disarray, does not nominate a candidate. Monroe's election (he receives all electoral votes but one) ushers in the Era of Good Feeling, a period when the country is expanding its territory and settling its boundary disputes.

POLITICAL PARTIES

Political parties aren't written into the Constitution, and indeed some of the framers, especially James Madison, feared factionalism and parties. But Madison also recognized that "the causes of faction are . . . sown in the nature of man," and inevitably, even in George Washington's first term, political factions began to align around the differing positions of Thomas Jefferson and Alexander Hamilton. At issue was nothing less than the nature of the Union: Hamilton hoped for a stronger,



James Madison

more centralized federal government than Jefferson could tolerate. Jefferson's followers became known as the Republicans, or Democratic-Republicans, and Hamilton's as the Federalists.

By the time of the War of 1812 the Federalists were torn by internal strife and conservative Federalists in New England were so highly critical of the war that when it was successfully concluded the party practically self-destructed. James Monroe, a Democratic-Republican from Virginia, had no real opposition in the elections of 1816 and 1820: hence the Era of Good Feeling.

In 1824 there were five candidates for president, all Republicans: But that contest proved decisively divisive. Andrew Jackson won the popular vote but failed to get a majority of the electoral vote. Consequently the election was decided by the House of Representatives, which awarded the presidency to John Quincy Adams. Claiming that Adams had entered into a "corrupt bargain" to secure the presidency, Jackson's followers vowed revenge, and in 1828 Jackson—this time running as a Democrat—beat National Republican Adams in both the popular and electoral vote. There hasn't been an uncontested presidential election since.

Adams's National Republicans gave way to the Whigs by 1840, when William Henry Harrison was elected, and in 1856 the new Republican party, fusing various antislavery factions, set the stage for the familiar two-party races that have been an American political tradition since the Civil War.

Occasionally a third party has mounted a serious challenge. For a survey of third parties, see pages 186–187.

Supreme Court Justices of the United States

<i>Justice</i>	<i>Term</i>	<i>Justice</i>	<i>Term</i>
John Jay*	1789-1795	Melville W. Fuller*	1888-1910
John Blair	1789-1796	Lucius Q. C. Lamar	1888-1893
William Cushing	1789-1810	David J. Brewer	1890-1910
Robert H. Harrison	1789-1790	Henry B. Brown	1891-1906
John Rutledge	1789-1791	George Shiras, Jr.	1892-1903
James Wilson	1789-1798	Howell E. Jackson	1893-1895
James Iredell	1790-1799	Edward D. White	1894-1910
Thomas Johnson	1791-1793	Rufus W. Peckham	1896-1909
William Paterson	1793-1806	Joseph McKenna	1898-1925
John Rutledge*	1795 (Congress rejected his appointment as Chief Justice)	Oliver W. Holmes	1902-1932
Oliver Ellsworth*	1796-1799	William R. Day	1903-1922
Samuel Chase	1796-1811	William H. Moody	1906-1910
Bushrod Washington	1798-1829	Edward D. White*	1910-1921
Alfred Moore	1799-1804	Charles E. Hughes	1910-1916
John Marshall*	1801-1835	Horace H. Lurton	1910-1914
William Johnson	1804-1834	Joseph R. Lamar	1911-1916
Henry Livingston	1806-1823	Willis Van Devanter	1911-1937
Thomas Todd	1807-1826	Mahlon Pitney	1912-1922
Joseph Story	1811-1845	James C. McReynolds	1914-1941
Gabriel Duval	1812-1835	Louis D. Brandeis	1916-1939
Smith Thompson	1823-1843	John H. Clarke	1916-1922
Robert Trimble	1826-1828	William H. Taft*	1921-1930
John McLean	1829-1861	Pierce Butler	1922-1939
Henry Baldwin	1830-1844	George Sutherland	1922-1938
James M. Wayne	1835-1867	Edward T. Sanford	1923-1930
Roger B. Taney*	1836-1864	Harlan F. Stone	1925-1941
Philip P. Barbour	1836-1841	Charles E. Hughes*	1930-1941
John Catron	1837-1865	Owen J. Roberts	1930-1945
John McKinley	1837-1852	Benjamin N. Cardozo	1932-1938
Peter V. Daniel	1841-1860	Hugo L. Black	1937-1971
Samuel Nelson	1845-1872	Stanley F. Reed	1938-1957
Levi Woodbury	1845-1851	William O. Douglas	1939-1975
Robert C. Grier	1846-1870	Felix Frankfurter	1939-1962
Benjamin R. Curtis	1851-1857	Frank Murphy	1940-1949
John A. Campbell	1853-1861	Harlan F. Stone*	1941-1946
Nathan Clifford	1858-1881	James F. Byrnes	1941-1942
David Davis	1862-1877	Robert H. Jackson	1941-1954
Samuel F. Miller	1862-1890	Wiley B. Rutledge	1943-1949
Noah H. Swayne	1862-1881	Harold H. Burton	1945-1958
Stephen J. Field	1863-1897	Fred M. Vinson*	1946-1953
Salmon P. Chase*	1864-1873	Tom C. Clark	1949-1967
Joseph P. Bradley	1870-1892	Sherman Minton	1949-1956
William Strong	1870-1880	Earl Warren*	1953-1969
Ward Hunt	1873-1882	John Marshall Harlan	1955-1971
Morrison R. Waite*	1874-1888	William J. Brennan, Jr.	1956-1990
John M. Harlan	1877-1911	Charles E. Whittaker	1957-1962
Stanley Matthews	1881-1889	Potter Stewart	1958-1981
William B. Woods	1881-1887	Arthur J. Goldberg	1962-1965
Samuel Blatchford	1882-1893	Byron R. White	1962-1993
Horace Gray	1881-1902	Abe Fortas	1965-1969
		Thurgood Marshall	1967-1991
		Warren E. Burger*	1969-1986
		Harry A. Blackmun	1970-1994

Justice	Term	Justice	Term
Lewis F. Powell, Jr.	1971–1987	Anthony Kennedy	1988–
William H. Rehnquist*	1971–	David H. Souter	1990–
John Paul Stevens, III	1975–	Clarence Thomas	1991–
Sandra Day O'Connor	1981–	Ruth Bader Ginsburg	1993–
Antonin Scalia	1986–	Stephen G. Breyer	1994–

*Chief Justice

- 1818 Connecticut abolishes ownership of property as a voter qualification.
- 1820 Henry Clay engineers the Missouri Compromise, which admits Maine to the Union as a free state, Missouri as a slave state, and forbids slavery in the Louisiana Territory north of 36°30' (the southern boundary of Missouri).
President Monroe is reelected.
- 1824 Neither the populist war hero Andrew Jackson nor National Republican John Quincy Adams garners a majority in the electoral college, although John Calhoun is elected vice president.
- 1825 The presidential election is forced into the House of Representatives, and John Adams wins with the support of Henry Clay. Jackson supporters vow revenge.
- 1828 Andrew Jackson runs again, this time as a disaffected Democrat, as the Democratic-Republicans now call themselves. As the "new" party's first nominee, he is elected.
- 1829 Overturning the Jeffersonian precedent, Jackson introduces a spoils system to the federal bureaucracy, in which winners of elections reward their friends and party members with government jobs. The "kitchen cabinet," an informal group of advisors, are among the most powerful men in Washington.
- 1830 With South Carolina angered over high tariffs and promoting the doctrine of nullification, whereby a state may choose to nullify a federal law within its borders, South Carolina senator Robert Y. Hayne and Massachusetts senator Daniel Webster debate the power of the Union. Hayne takes the states' rights position, while Webster, an eloquent orator, defends the Union: "Liberty and Union, now and forever, one and inseparable."
Former president John Quincy Adams is elected to Congress.

AFTER THE PRESIDENCY

What else is there after you've been president? Many former presidents have simply retired, but a few have gone on to have surprising careers. John Quincy Adams, disappointed in losing his bid for reelection in 1828, was approached by a Massachusetts delegation who asked him to run for Congress. He agreed, and in 1830 was elected to the House of Representatives, where he served until the end of his life. In 1836 he opposed the "gag rule," which suppressed all petitions for the abolition of slavery, and in 1844 finally succeeded in getting it rescinded. He also defended the slave mutineers of the *Amistad* before the Supreme Court. On February 21, 1848, Adams suffered a stroke and collapsed in the House of Representatives. He was carried from his seat to the Speaker's Room, where he lay until he died two days later.

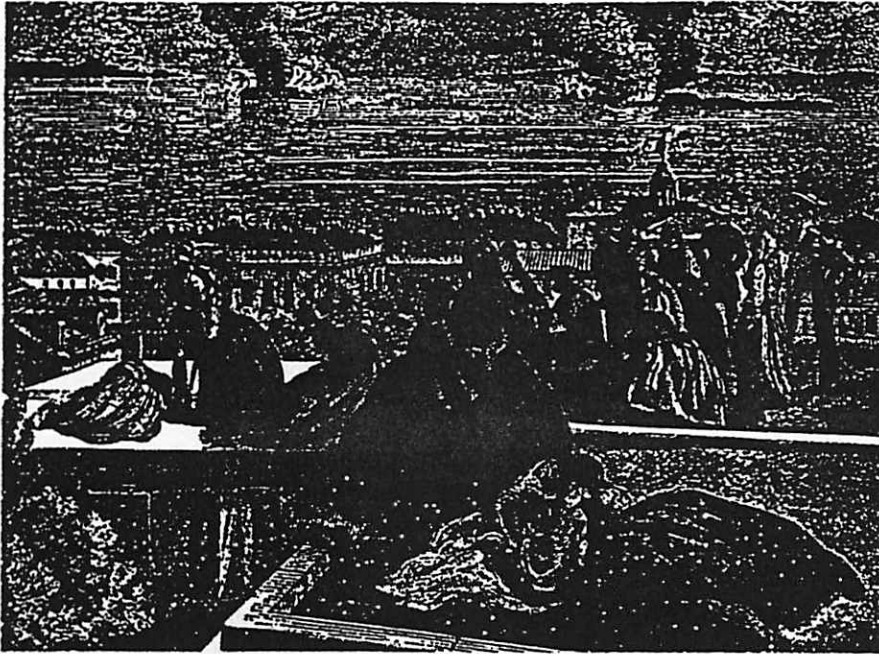
Andrew Johnson was the only other president to serve in Congress after his term of office. He ran for the House of Representatives in 1872, but lost. In 1875 he was elected to the Senate, perhaps relishing a return to the very institution that had given him so much trouble when he was president.

(continues)

- 1850 When President Zachary Taylor dies, Vice President Millard Fillmore becomes president. Congress engages in acrimonious debate over slavery and finally passes the Compromise of 1850, in which California is admitted as a free state and Utah and New Mexico residents are permitted to decide the slavery issue in their territories. The slave trade is abolished in the District of Columbia; a more stringent Fugitive Slave Law is enacted; and questions concerning the Texas boundary and debt are resolved. In this debate three men who have dominated U.S. politics for decades are heard for the last time: John C. Calhoun, Henry Clay, and Daniel Webster.
- 1852 Franklin Pierce, a compromise candidate in the deeply divided Democratic party, defeats the Whig candidate but does not fare well as president. His one accomplishment is to sign the Gadsden Purchase, but he also signs the Kansas-Nebraska Act, which leaves the issue of slavery up to settlers of various territories. This angers Northerners and leads to a bloody civil war in Kansas. Although opposed to slavery, Pierce also opposes the civil war in Kansas. His party denies him the nomination a second time.
- 1854 The Republican party, with a staunch antislavery platform, is founded in opposition to the Kansas-Nebraska Act.
- 1856 James Buchanan, a Democrat, is elected president. His administration reels from bad to worse, lacking the strength or wisdom to avert civil war.
- 1857 In the *Dred Scott* decision, the Supreme Court holds that blacks are not citizens and overrules the Missouri Compromise on grounds that Congress has no right to make any laws prohibiting slavery in the territories.
- 1858 The seven Lincoln-Douglas debates focus still more attention on the issue of slavery. Stephen Douglas, a brilliant debater, supports popular sovereignty. Lincoln takes the position that slavery is morally wrong and that the federal government should decide the slavery question in the territories. Douglas wins reelection to the U.S. Senate (elected, as are all senators at the time, by the state legislature, in this case Illinois).
- 1859 Abolitionist John Brown captures the federal arsenal at Harpers Ferry, intending to incite a slave revolt. Although Brown is hanged for treason, he is venerated as a religious martyr by many in the North.
- 1860 In a vote that severely divides the nation into pro- and antislavery camps, Abraham Lincoln, a Republican, is elected president. The Civil War follows. A major achievement of his administrations is the emancipation of the slaves.
- 1861 The Civil War begins when South Carolina forces fire on Union-held Fort Sumter in Charleston Harbor.

The Civil War and Reconstruction

- 1862 Slavery is abolished in the nation's capital.
- 1863 The Emancipation Proclamation is issued, freeing slaves in areas in rebellion. Lincoln delivers the Gettysburg Address.
- 1864 Lincoln wins reelection, largely because after four years of fighting, the tide has begun to turn in favor of the North.
- 1865 President Lincoln is assassinated at Ford's Theatre, and Andrew Johnson becomes president. His presidency is largely occupied with the Reconstruction, which wins him many enemies in Congress.
- The Thirteenth Amendment, abolishing slavery, is ratified.



The firing on Fort Sumter

CONSTITUTIONAL AMENDMENTS

Amendments are serious business. While many have been proposed, few have actually been passed by Congress (it takes a two-thirds vote of each house), and even fewer ratified by the states (three-quarters of the states must ratify before an amendment goes into effect).

Following the Civil War, several constitutional amendments were necessary to establish the status of the newly freed slaves. These are detailed below, together with the additional amendments that in the course of the nation's 200 years have been considered serious and important enough to be added to the Constitution.

- 1798 Eleventh: Forbids suits against a state by citizens of another state or nation.
- 1804 Twelfth: Provides for separate ballots for the president and vice president.
- 1865 Thirteenth: Abolishes slavery.
- 1868 Fourteenth: Defines citizenship; guarantees to all persons the equal protection of the laws.
- 1870 Fifteenth: Guarantees that the right to vote cannot be abridged on account of race, color, or previous condition of servitude.
- 1913 Sixteenth: Permits an income tax.
- 1913 Seventeenth: Provides for the direct election of senators (previously senators had been elected by state legislatures).
- 1919 Eighteenth: Prohibits the manufacture, sale, or transportation of intoxicating liquors.
- 1920 Nineteenth: Guarantees that the right to vote cannot be denied or abridged on account of sex.

(continues)

CONSTITUTIONAL AMENDMENTS (CONT.)

- 1933 Twentieth: Sets date for beginning of Congress (January 3) and presidential terms (January 20); provides for presidential succession.
- 1933 Twenty-first: Repeals the Eighteenth Amendment (Prohibition).
- 1951 Twenty-second: Limits the president to two terms.
- 1961 Twenty-third: Permits citizens residing in the District of Columbia to vote in presidential elections.
- 1964 Twenty-fourth: Prohibits poll taxes.
- 1967 Twenty-fifth: Provides for presidential disability.
- 1971 Twenty-sixth: Gives 18-year-olds the right to vote.
- 1992 Twenty-seventh: Prohibits Congress raising its own pay within a session.
-
- 1866 In an attempt to put some backbone into the Thirteenth Amendment, Congress passes the first Civil Rights Act, which decrees that all persons born in the United States (except Native Americans who are not taxed) are citizens. When President Andrew Johnson vetoes the bill, Congress overrides the veto. Congress also passes the Fourteenth Amendment.
- 1867 Congress passes a series of Reconstruction Acts initiating military rule of the former Confederate States, except Tennessee. When President Johnson realizes that his secretary of war, Edwin Stanton, is feeding information to the opposition, Johnson fires him—in violation of the newly passed Tenure of Office Act, which prohibits the president from firing high-ranking officials without Senate approval.
- 1868 The House of Representatives impeaches President Andrew Johnson for defying the Tenure of Office Act. He is tried in the Senate; he is acquitted by only one vote.
The Fourteenth Amendment, granting citizenship to former slaves, is ratified.
Ulysses S. Grant, a Republican, is elected president. A major achievement of his administration is civil-service reform.
- 1869 The temperance movement goes political when the Prohibition party is founded in Chicago.
- 1870 The Fifteenth Amendment, guaranteeing that the right to vote cannot be denied on account of race, color, or previous condition of servitude, is ratified.
The Ku Klux Klan Acts (1870, 1871) place congressional elections under federal control, and the militia is used to enforce the voting rights of blacks.
- 1871 President Ulysses S. Grant, in an attempt to clean up the spoils system, institutes civil service reforms.
The Department of Justice is established, with the attorney general named its head.
- 1872 President Grant ushers an amnesty bill for Southerners through Congress.
Women's rights activist Victoria Woodhull is the first woman presidential candidate, running on the People's Party ticket with Frederick Douglass as her running mate.
President Grant is reelected.
- 1873 In the *Slaughterhouse Cases*, the Supreme Court rules that the Fourteenth Amendment only protects the national rights of citizens, not the rights conferred—or withheld—by the states.
- 1875 A second major Civil Rights Act gives equal rights to African Americans in public accommodations and on jury duty. It is ruled unconstitutional in 1883.

- 1876 A crisis is precipitated when Samuel J. Tilden, a Democrat, wins the popular vote but not the electoral vote, as the returns in four states are disputed.
- 1877 An electoral commission gives Rutherford B. Hayes the electoral college majority by assigning all the disputed votes to him.
President Hayes orders federal troops withdrawn from the South.

Industrialism and Imperialism

- 1878 The American Bar Association is established.
- 1880 James Garfield, a Republican, is elected president.
- 1881 President James Garfield is assassinated in a railroad station in Washington, D.C., and Vice President Chester A. Arthur succeeds him. Arthur's administration is marked by civil service reform and agrarian discontent.
- 1883 The Supreme Court finds most of the Civil Rights Act of 1875 to be unconstitutional; only the provision that black men may serve on juries survives. In reality, African Americans and other minorities and women neither serve on juries nor vote.
Congress passes the Pendleton Act, which establishes a Civil Service Commission to administer a merit-based civil service.
- 1884 Grover Cleveland, a Democrat, is elected president with a mandate to clean up machine politics.
- 1886 A Presidential Succession Act is passed, stipulating that cabinet members, in the order of the creation of their offices, will succeed to the presidency if both the president and vice president die or are removed or unable to serve.
- 1887 The Electoral Count Act authorizes states to certify their own electoral votes, thus avoiding the possibility of another disputed national election like the Tilden-Hayes contest.
- 1888 Benjamin Harrison, a Republican, is elected president with fewer popular votes but more electoral votes than Democrat Grover Cleveland.
The Bureau of Labor is made the Department of Labor but in 1903 it is reorganized as the Department of Commerce and Labor.
- 1891 Congress passes the Circuit Courts of Appeals Act, giving the Supreme Court the right to review all cases.
- 1892 President Grover Cleveland is reelected. His second administration is plagued by a money crisis and a deepening depression.
- 1893 Colorado becomes the first state to enact women's suffrage, but Wyoming Territory has permitted women to vote since 1869 and Utah Territory since 1870.
- 1894 Congress passes the first graduated federal income tax.
- 1895 The Supreme Court, in *Pollock v. Farmers' Loan and Trust Company*, finds the federal income tax unconstitutional.
- 1896 The Supreme Court in *Plessy v. Ferguson* rules that separate-but-equal facilities in railway facilities, and by implication in education and all public accommodations, are acceptable for blacks, thus legitimating segregation.
William McKinley, a Republican, is elected president. His administration reluctantly goes ahead with the short-lived Spanish-American War, passes the highest tariff in U.S. history, and initiates the Open Door policy with China.
- 1898 Labor leader Eugene V. Debs helps to organize the Social Democratic party, later renamed the Socialist party.

An Emerging World Power

- 1901 President William McKinley is shot by anarchist Leon Czolgosz on September 6. Eight days later McKinley dies, and Vice President Theodore Roosevelt becomes president. An energetic Progressive, he initiates 44 lawsuits to break up trusts and champions such social reforms as the Food and Drug Act. Through the force of his personality and his seemingly inexhaustible energy, Roosevelt expands the powers of the presidency. Through a series of forays into the foreign arena, he establishes the United States as a world power.
- 1903 The Department of Commerce and Labor is established.
- 1904 President Theodore Roosevelt is overwhelmingly reelected. In a statement that he will come to regret he promises not to run again.
- 1908 William Howard Taft, a Republican, is elected president. Groomed by Roosevelt to be his successor, Taft begins 90 antitrust actions and continues to press for the dissolution of the Standard Oil Trust. Nevertheless he alienates Progressives by supporting high tariffs and by becoming embroiled in a public lands controversy that pits him against Forest Service chief Gifford Pinchot.
- The Bureau of Investigation is established. J. Edgar Hoover becomes director in 1924 and over time, with the cooperation of Congress, greatly expands the bureau's duties and jurisdiction. It is renamed the Federal Bureau of Investigation in 1935.
- 1911 Wisconsin senator Robert La Follette helps found the National Progressive Republican League, which seeks to deprive President William Howard Taft of the Republican nomination in 1912.
- Congress submits an amendment providing for direct election of senators to the states. The House had passed such legislation in 1893, 1894, 1898, 1900, and 1902. The Senate had either not acted or defeated the legislation.
- 1912 Angry at Taft, Theodore Roosevelt organizes the Bull Moose party and runs against his protégé but succeeds only in splitting the vote. Woodrow Wilson, a Democrat, wins the presidency. Wilson initially works to keep the United States out of World War I but then enters the war in 1917. Throughout the war he works to establish the League of Nations, a forerunner to the United Nations.

THIRD PARTIES

Third parties in the American political system are possible but not likely. The high point may have been in 1912, when Theodore Roosevelt, disgusted with the conservatism of his hand-picked successor, William Howard Taft, bolted from the Republican party to form his own Progressive party, better known as the Bull Moose. He attracted 27 percent of the popular vote and 88 electoral votes, spoiling Taft's chances for a second term and putting Democrat Woodrow Wilson in the White House.

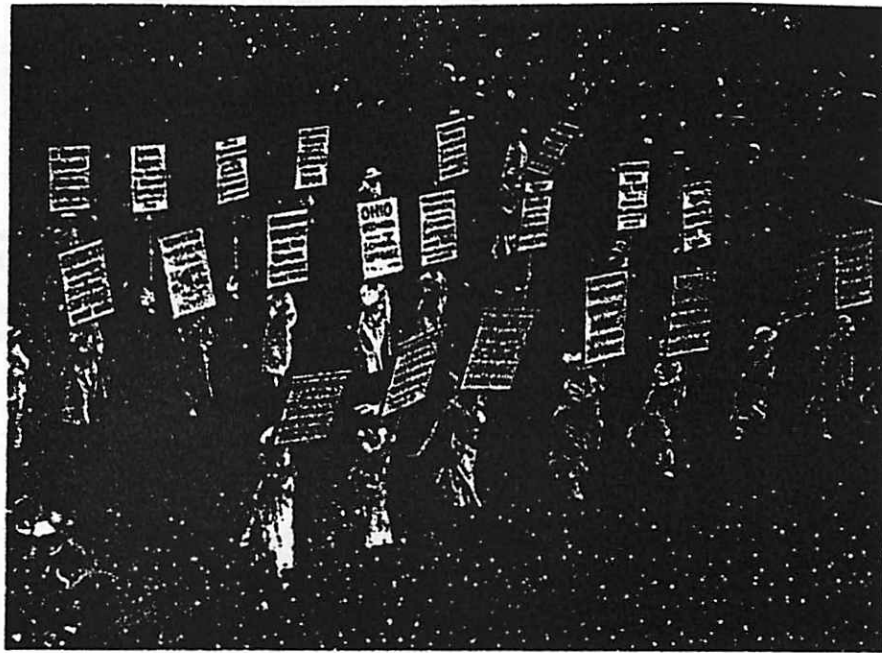
Before the Civil War the most significant third parties were the Free-Soil party, which in 1848 nominated ex-president Martin Van Buren and got 10 percent of the vote; and the American (or Know-Nothing) party, which in 1856 ran ex-president Millard Fillmore and got 22 percent. On the brink of war there were four serious contenders. In addition to Abraham Lincoln, the Republican, and Stephen A. Douglas, the Democrat, there was John C. Breckinridge, a southern Democrat, and John Bell of the Constitutional Union party, which attempted to unite the remnants of the Whig and American parties. But the nation seemed beyond a political solution, and when Abraham Lincoln won the presidency without a single electoral vote from a southern state, secession and civil war were inevitable.

Late in the 19th century, James B. Weaver's People's (or Populist) party made a strong showing in 1892, attracting 9 percent of the popular vote, but in 1896 the Democrats co-opted the Populists' message and candidate, William Jennings Bryan.

In the 1912 election, beside Roosevelt's spectacular showing with the Bull Moose party, Eugene V. Debs, running on the Socialist party ticket, got 6 percent of the vote. In 1924 Robert M. La Follette, running as a Progressive party candidate (not the same party as Roosevelt's) got 17 percent. In 1948 Strom Thurmond, leading a group of southern Democrats who found Harry Truman too strong on civil rights, got 2 percent of the vote with his States' Rights party, or Dixiecrats. Henry A. Wallace, running on yet another Progressive party ticket, also got 2 percent. In 1968, George C. Wallace, another southerner who balked at his party's civil rights stand, ran as an American Independent and picked up 14 percent of the vote. John Anderson, in 1980, ran as an independent and got 7 percent. Finally, in one of the strongest showings ever, Ross Perot, running for an organization called United We Stand, America, that he said was not a political party, garnered 19 percent of the vote. In 1996 he formed the Reform party but got less than 10 percent.

Third parties do not do very well in national elections. Their chief successes are in pushing issues onto the national agenda and getting major parties to adopt them as their own. The major parties, ever jealous of their priority, know that's one sure way to make a third party go away.

- 1913 The Sixteenth Amendment, giving Congress the power to impose federal income taxes, is ratified.
The Seventeenth Amendment, providing for the direct election of senators, is ratified.
The Department of Commerce and Labor is split into two departments.
- 1915 The House of Representatives restricts its membership to 435 to keep it from getting even more unwieldy.
- 1916 President Woodrow Wilson is reelected.
- 1917 The United States enters World War I.
Women picket in front of the White House for the right to vote.
Even though women cannot yet vote, Montana's Jeannette Rankin takes her seat in the House of Representatives to which she was elected the previous fall.
- 1918 For his opposition to the government's prosecution of citizens charged with sedition, Socialist party leader Eugene V. Debs is sentenced to ten years in prison under the Espionage Act. He will eventually receive a presidential pardon in 1921. While in prison Debs is the Socialist party candidate for U.S. president. He receives almost 1 million votes.
World War I ends.
- 1919 The Eighteenth Amendment, enacting Prohibition, is ratified.
The Supreme Court holds that in wartime rights and privileges that would have been considered normal may be curtailed when a "clear and present danger" exists.
The Communist party of America is founded; but it never becomes an important force in American politics.
Using the authority of the 1918 Alien Act, which permits the government to deport any alien who is, or has been, a member of a revolutionary organization, the Justice Department deports hundreds of aliens, among them anarchists Emma Goldman and Alexander Berkman.
- 1920 The Nineteenth Amendment is ratified, giving women the right to vote.
Republican Warren Harding is elected president. He pledges to return the nation to "normalcy" after the chaos of the war.



Women's suffrage march

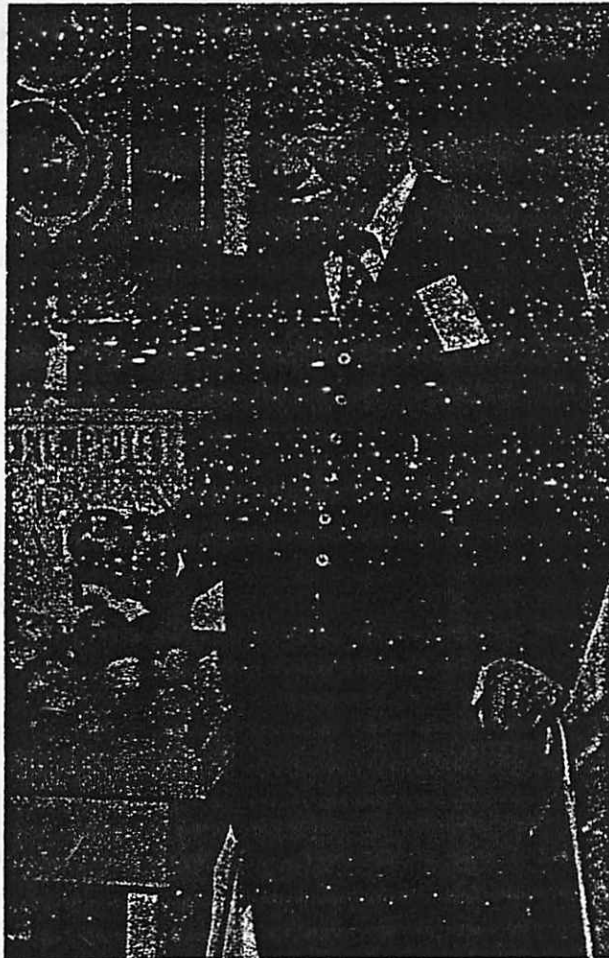
- 1920 The American Civil Liberties Union (ACLU) is founded by Jane Addams, Felix Frankfurter, Helen Keller, Judah Magnus, and Norman Thomas.
- 1921 Former President Taft becomes chief justice of the Supreme Court, the only person ever to hold both positions.

THANKS, WINNIE

In 1921 Winifred Huck dared to propose that she might fill out the unexpired congressional term of her father. When she was refused this honor, she ran and won the seat on her own in 1922. But she still deserves the credit for establishing this precedent, which was for many decades the only way a woman could make it to the House or Senate. As a result of Huck's suggestion, many of the women who came to Congress in the next years were filling the unexpired terms of fathers and husbands.

- 1923 President Warren Harding dies unexpectedly just as the Teapot Dome Scandal is about to break. Calvin Coolidge assumes the presidency.
- 1924 The Progressive party runs Senator Bob La Follette for president. President Coolidge is elected. Coolidge, who is laissez-faire about the government's role in regulating business, presides over an economic boom, although the speculation that occurs during this administration leads to the Great Depression.
- 1926 The Supreme Court in *Myers v. United States* supports the president's right to fire executive-branch employees, voiding the Tenure of Office Act of 1867 that was used to impeach Andrew Johnson.
- 1928 The Socialist party runs Norman Thomas for president. Herbert Hoover, a Republican, is elected.

- 1929 The stock market crashes, plunging the nation into the Great Depression. Convinced of the fundamental strength of the economy and that the deepening depression will run its course, Hoover keeps government intervention to a minimum. In foreign relations, he arranges for a one-year moratorium on the nation's World War I loans.
- 1932 Franklin Roosevelt, a Democrat, is elected president. Hattie Caraway of Arkansas is the first woman elected to the Senate.
- 1933 In the first few months of his term Roosevelt introduces a package of economic and social legislation designed to end the Great Depression; it becomes known as the New Deal. The Twentieth Amendment, changing terms of office for Congress, president, and vice president to prevent lame ducks, is ratified. As a result, Congress will now convene on January 3 and new presidents will be inaugurated on January 20. The Twenty-first Amendment, repealing Prohibition, is ratified. Roosevelt appoints Frances Perkins, the first woman to sit in a president's cabinet, to the post of secretary of labor.



Depression-era businessman forced to sell apples for a living

- 1936 Franklin Roosevelt is reelected.
- 1938 The House of Representatives establishes a committee to investigate "un-American activities." In 1945 it is renamed the House Committee on Un-American Activities. Its task is to investigate Socialists, Communists, and other individuals and organizations deemed un-American.
- 1940 The Alien Registration Act, also known as the Smith Act, requires all aliens to register with the government and be fingerprinted and makes it illegal to advocate the overthrow of the federal government.
- With the nation on the verge of entering World War II, Franklin Roosevelt wins an unprecedented third term.
- 1941 After African Americans press the issue, President Roosevelt issues an executive order creating the Fair Employment Practices Committee and barring war manufacturers from racial discrimination in hiring workers.
- The United States enters World War II.
- 1944 President Franklin Roosevelt is reelected for a fourth term.
- Congress passes the first GI Bill of Rights, which provides benefits for veterans.
- 1945 Franklin Roosevelt dies and Harry Truman becomes president. His administration will oversee the conclusion of the war, the development of the Marshall Plan, and the establishment of NATO.
- 1946 The Atomic Energy Commission is formed to monitor and control all research on atomic energy.
- 1947 The Presidential Succession Act establishes the Speaker of the House as next in line for the presidency following the vice president, followed by the president *pro tempore* of the Senate and then the cabinet members according to the date on which each cabinet department was established.
- 1948 President Harry Truman, a Democrat, is reelected president.
- 1950 Senator Joseph McCarthy accuses State Department employees and many members of the American literary, film, and theatrical communities of being members of the Communist party. His accusations cast a shadow no one wishes to stand in.
- 1951 The Twenty-second Amendment is ratified, limiting the president's service to two terms. In New York, a federal judge finds husband and wife Julius and Ethel Rosenberg and their friend Morton Sobell guilty of selling atomic secrets to the Soviet Union; the couple is executed in 1953. Sobell is sentenced to 30 years in prison.
- 1952 Dwight David Eisenhower, a World War II leader, president of Columbia University, and Republican, is elected president. A dedicated moderate, Eisenhower takes a *laissez-faire* approach to the economy, and only when pressed, sends the military to enforce civil rights for blacks in the South.
- 1954 Congress censures Senator Joseph McCarthy for behavior during hearings conducted by his subcommittee on Investigations of the Senate Committee on Governmental Operations.
- 1956 Eisenhower is reelected president.
- 1957 Under the Civil Rights Act, the first legislation on the rights of minorities to be passed since the Reconstruction, the Civil Rights Commission is set up and in the Justice Department the Civil Rights Division is established to investigate cases in which people are prevented from voting.
- 1960 John F. Kennedy, a Democrat, is elected president. Although he is most interested in domestic affairs, Kennedy is forced to attend to foreign policy for much of his presidency.

He initiates the space exploration program, establishes the Peace Corps, stands up to the Soviets in Berlin, and organizes the Alliance for Progress to provide aid to Latin America. He is a strong voice for civil rights just as civic unrest is growing over this issue. His most notable foreign-affairs disaster is the Bay of Pigs invasion of Cuba. At the same time one of his greatest successes also involves Cuba: the Cuban missile crisis, in which he forces the Soviets to remove their missiles from the island nation.

- 1961 The Twenty-third Amendment, granting voting rights in presidential elections to citizens residing in the District of Columbia, is ratified.
The Peace Corps is established.
- 1963 President Kennedy is assassinated, and Lyndon Johnson becomes president. The Warren Commission finds that there was no conspiracy to assassinate Kennedy and that Lee Harvey Oswald was the sole assassin. The report is greeted skeptically by many.
Congress passes the first Clean Air Act.
- 1964 Lyndon Johnson, a southern Democrat, is elected president. Vowing to win the "war on poverty," Johnson works with Congress to develop a network of social programs more expansive than any since Franklin Roosevelt's New Deal. Johnson also works to guarantee civil rights for minorities. Despite his unprecedented efforts at home, his administration is weakened by his inability to extricate the United States from the increasingly unpopular Vietnam War, and Johnson does not run for a second term.
Congress passes a powerful Civil Rights Act.
The Twenty-fourth Amendment prohibits poll taxes.
The Wilderness Act becomes law.
- 1965 The Voting Rights Act, a major piece of civil rights legislation, makes the federal government responsible for ensuring that all citizens are able to vote.
The Department of Housing and Urban Development is created.
Medicare, which pays the health-care expenses of senior citizens, is enacted.
- 1966 The National Organization for Women (NOW) is formed to push for greater political power and civil rights for women.
The Department of Transportation is established.
- 1967 Thurgood Marshall becomes the first black Supreme Court justice.
Edward Brooke of Massachusetts becomes the first black senator since Reconstruction.
In re Gault is handed down by the Supreme Court. In this landmark ruling for youth, the Court finds that juveniles have the same constitutional rights as adults in legal proceedings.
The Twenty-fifth Amendment is ratified, providing for presidential disability.
- 1968 In a campaign marked by violence and unrest, Senator Robert Kennedy, a presidential candidate and the brother of President John Kennedy, is assassinated hours after a California-primary victory.
Even after protesters disrupt the televised Democratic National Convention, revealing the deep divisions with the Democratic party, Richard Nixon, a Republican, has a difficult time getting elected. Alabama governor George Wallace mounts a creditable third-party effort. Hubert Humphrey does much better than anyone expects; less than 1 percentage point divides the two when all votes are counted. Nixon, like Johnson, will spend much of his term in office mired in the Vietnam War. His accomplishments are in foreign affairs; he establishes relations with China and detente with the Soviet Union. Domestically, he creates the Office of Management and Budget, an oversight agency for the federal budget.
Shirley Chisholm is the first black woman elected to Congress.

- 1923-1924 Teapot Dome affair. Warren G. Harding's presidency was also plagued by scandal and corruption, the worst being the last. Secretary of the Interior Albert Fall accepted a \$100,000 interest-free loan and additional "loans" for oil-leasing rights to a site called Teapot Dome. Convicted of bribery, Fall paid a fine and spent a year in jail. Harding died unexpectedly just as the scandal was breaking.
- 1972-1974 Watergate scandal. The granddaddy of all political scandals, this affair toppled the presidency of Richard Nixon, who was the only U.S. president ever to resign. It began when some low-level political operatives in the employ of the Committee to Re-elect the President (CREEP) burglarized the Democratic National Committee's headquarters. What started as an attempt to sabotage the Democratic challengers soon led to an illegal cover-up. Nixon resigned the presidency the day after the House Judiciary Committee voted three articles of impeachment.
- 1980 Abscam scandal. Under Jimmy Carter's presidency, members of Congress were caught in a "sting" operation. FBI agents posing as sheiks offered bribes in exchange for introducing legislation. Six representatives and one senator were found guilty of bribery.
- 1986-1988 Iran-Contra affair. President Ronald Reagan's National Security Council undertook a series of covert operations in which they traded arms for American hostages with Iran, and then diverted the profits, in defiance of Congress, to contra forces in Nicaragua, seeking to topple a Marxist government.
- 1991 Keating Five. Charles H. Keating, a wealthy banker, had asked five senators, all of whom had received large campaign contributions from him, to convince federal regulators not to examine his savings and loan, which eventually failed. The affair highlighted the connection between money and influence in Congress.
- 1995 Robert Packwood became the first senator since the Civil War to resign his office. His resignation was prompted by numerous charges of sexual harassment, coupled with tampering with files subpoenaed by the Senate Ethics Committee. Had he not resigned, he would have been expelled.
- 1973 President Nixon signs the Endangered Species Act, more wide-ranging than its 1966 predecessor.
- Passed over President Richard Nixon's veto, the War Powers Resolution limits presidential war-making power by establishing guidelines for military emergencies.
- Charged with tax evasion, Vice President Spiro Agnew resigns and is replaced by Gerald Ford, the first person ever to hold his office without being elected.
- The Supreme Court rules that women have a legal right to obtain abortions.
- The Watergate hearings begin.
- 1974 The Budget and Impoundment Control Act strengthens the role of Congress in budget making.
- When asked to turn over tape recordings that could implicate him in the Watergate crime, President Nixon claims executive immunity, but the Supreme Court finds that his privilege is not unlimited, as he claims. The House Judiciary Committee institutes impeachment proceedings against President Nixon, who then becomes the first person to resign the presidency. Gerald Ford, a Republican, assumes the office. One of his first acts is to pardon Nixon. Ford is mostly a caretaker president, although he vetoes 66 bills in fewer than two years in office. Twelve of the vetoes are overridden.

- 1968 The Kerner Commission cites widespread racial discrimination as the cause for racial unrest and riots of the 1960s.
- 1969 The Chicago Seven trial takes place as the leaders of the protest at the Democratic National Convention are tried on charges of conspiracy to riot. They will be found not guilty, although five are convicted of lesser charges.
- 1970 The Environmental Protection Agency is established.
Congress passes the Occupational Safety and Health Act (OSHA).
- 1971 The Twenty-sixth Amendment lowers the voting age to 18.
- 1972 President Richard Nixon is reelected, but a burglary at Democratic National Headquarters, staged by persons representing the Republican party, ultimately mars his victory; this affair and its subsequent cover-up, known as the Watergate scandal, eventually bring down his presidency.
The Supreme Court declares capital punishment unconstitutional.
The Equal Rights Amendment, banning discrimination on the basis of gender, is submitted to the states.

TEN SCANDALS IN AMERICAN POLITICS

Political corruption is nothing new, predating the country itself. Colonial governors were involved in land, customs, and military scams. In contemporary times, only the administrations of Franklin Roosevelt, John Kennedy, and Lyndon Johnson have been, relatively speaking, among the most scandal-free.

- 1797-1798 XYZ affair. The new nation encountered a foreign affairs scandal when President John Adams sent three prominent envoys to France, with a mandate to establish trade and amity between the two nations. The envoys were told by French agents (later designated in documents X, Y, and Z) that they would need to pay bribes to achieve their ends. The American envoys refused. When word of the requested bribe became public knowledge in the United States, Americans were scandalized and the trade talks collapsed. "Millions for defense, not one cent for tribute!" was the slogan that helped galvanize anti-French feeling.
- 1807 Aaron Burr's trial. Burr, brilliant but bristly, seemed to annoy everyone. His career in politics appeared over after he killed political foe Alexander Hamilton in a duel, but when Burr became involved in a scheme to carve an independent nation out of the American Southwest, President Thomas Jefferson, another political foe, ordered him arrested for treason. Burr's trial was a highly partisan event, although Burr was eventually acquitted.
- 1871 Tammany Hall. The quintessential political machine, Tammany Hall won elections for New York City Democrats by paying voters and then rewarding them with jobs. Boss William Marcy Tweed was arrested in 1871 and eventually imprisoned for graft. Although the Tweed Ring was gone, Tammany survived until the 1940s when Mayor Fiorello La Guardia's attack finally ended its power.
- 1872-1873 Crédit Mobilier scandal. Ulysses Grant's administration was wracked with major and minor corruption scandals. The worst revolved around an attempt to divert funds for building the Union Pacific Railroad into public officials' hands. A dummy company called Crédit Mobilier was created to hold the funds, in the form of stocks, for high-level Republicans and other government officials. The scandal ended the political career of Vice President Schuyler Colfax and led to the reprimand of two congressmen.

- 1975 Several top advisors to former President Richard Nixon are found guilty in the Watergate trial. Two unsuccessful attempts are made to assassinate President Gerald Ford.
- 1976 Jimmy Carter, a Democrat, is elected president. He makes human rights part of American foreign policy and pardons approximately 10,000 draft evaders from the Vietnam War. Although Carter negotiates the first important breakthrough in Middle East peace, this one-term president's administration is plagued by foreign policy problems and a troubled economy. The Supreme Court reverses itself and rules that the death penalty is legal.
- 1977 The Department of Energy, a cabinet-level post, is created, partly in response to concerns over fuel resources.
- 1978 The Supreme Court decides that reverse discrimination is illegal.
- 1979 The Department of Education is established.
Iranian Islamic militants seize the U.S. embassy in Tehran and hold 52 embassy employees hostage for 444 days. The humiliation contributes to Carter's defeat in the 1980 election.
- 1980 Republican Ronald Reagan is elected president. At 69, he is the oldest president when elected. Reagan presides over some of the largest tax cuts in U.S. history as well as the biggest buildup of the deficit, but neither this nor a scandal in which some of his top aides are found guilty of trading arms for hostages tarnishes the personal popularity of this president. Reagan wins passage of a major tax-reform bill. He survives an assassination attempt, though seriously wounded.
- 1981 Sandra Day O'Connor becomes the first woman Supreme Court justice.
President Ronald Reagan appoints conservatives who oppose quotas to the Civil Rights Commission and stirs up a controversy that nearly leads to the commission's demise. Congress renews its mandate in 1983, with the added provision that members have fixed terms.
- 1982 Three-fourths of the states having failed to ratify it even with an extended deadline, the proposed Equal Rights Amendment dies.
- 1984 Ronald Reagan is reelected.
- 1988 George Bush, a Republican, is elected president. His administration is beset by an ailing economy after the boom of the early 1980s comes to an abrupt end. Unable to jump-start the economy, Bush is also seen by many Americans as uncaring on domestic issues. Despite this, his popularity does not plummet—largely due to the apparent success of the war against Iraq—until the very end of his presidency.
- 1992 Bill Clinton, a Democrat, is elected president, defeating incumbent George Bush. A notable feature of the campaign is the candidacy of Ross Perot, who wins 19 percent of the popular vote but no electoral votes. This is an achievement second only to Theodore Roosevelt's in 1912. Plagued by an uncooperative Congress, Clinton manages to bring down the deficit a small amount each year, largely by increasing taxes and cutting spending. He begins a national service program.
The Twenty-seventh Amendment, prohibiting Congress from raising its own pay within a session, is ratified—after 203 years! It was first proposed in 1789 as part of a package that became the Bill of Rights, ratified by only 6 of the 13 original states, then practically forgotten until revived in 1982 by a student at the University of Texas.
- 1994 Newt Gingrich becomes an unusually powerful Speaker of the House following a Republican landslide in the congressional elections.
- 1995-1996 The White House and the Republican-dominated Congress reach an impasse over the fiscal year 1996 budget. President Clinton refuses to agree to the cuts the Republicans want and takes his case to the country. The Republican leadership also refuses to negotiate, and the government shuts down for three weeks. Clinton's stand boosts his approval rating at the Republicans' expense.

- 1996 President Clinton is reelected.
- 1997 Speaker Newt Gingrich's financial arrangements are questioned, and he is fined.
In *Clinton v. Jones* the Supreme Court rules that a sitting president is not immune from prosecution.

A CHRONOLOGY OF PROTEST

Not surprisingly for a nation born out of revolution, Americans have resorted to organized civil disobedience—and rebellion—when they have felt abused by the government. In the early days of the nation, the reason was usually taxes, but since the turn of the century most protest has centered around the struggle for individual rights.

- 1712 **Slave Uprising.** About two dozen armed slaves march through lower Manhattan, killing at least nine whites, mostly women and children, before they are apprehended. About 20 of the rebels are sentenced to die and indeed are tortured to death, thus setting a precedent for punishment of slave revolts.
- 1786-1787 **Shays's Rebellion.** Led by Revolutionary War veteran Daniel Shays, farmers in Massachusetts protest high taxes and strict foreclosure laws. The rebellion triggers protests by farmers in other states and fuels public sentiment that a stronger central government is needed, which in turn leads to the convening of the Constitutional Convention in 1787.
- 1794 **The Whiskey Rebellion.** In the first test of the new government's power, Pennsylvania farmers are subdued with armed power when they protest a liquor tax.
- 1799 **Fries's Rebellion.** Among the militia who put down the Whiskey Rebellion is John Fries, who now finds himself on the other side when he leads Pennsylvania farmers in revolt against tax assessors. Later found guilty of treason and sentenced to die, his sentence is pardoned by the president.
- 1800 **Gabriel's Rebellion.** In one of several planned slave uprisings that don't happen but nevertheless have great psychological impact on slaveowners and slaves, Gabriel Prosser, an abolitionist preacher, makes plans to march on Richmond, Virginia. A storm on the night of the gathering washes out the roads and scatters his armed cohorts, but slaveowners who hear of the plan punish and restrict their slaves anyway.
- 1831 **Nat Turner's Rebellion.** Of the hundreds of slave rebellions, this is the one that most frightens whites and constricts the lives of slaves. In a region of small farms in southeastern Virginia, a band of five slaves, which soon expands to 80, is led by Nat Turner in a march through the countryside, killing 60 whites before they are finally stopped by the militia. To the utter terror of slaveowners, Turner himself remains at large for several weeks, but eventually he and about 20 of his followers are caught and executed. Most slave uprisings, like this one, take place not on plantations, where slaves are strictly guarded, but in towns and on small farms, where slaves are less constrained physically.
- 1859 **Harpers Ferry.** John Brown, a white abolitionist active in the Kansas border wars who is determined to keep slavery out of the state, gathers followers and moves to Harpers Ferry, Virginia, where his band seizes a government arsenal. His intention is to incite a slave rebellion and establish a slave sanctuary and stronghold that will end slavery in the South, but local militia and federal troops stop him. In a nation increasingly divided over slavery, Brown's rebellion is a pivotal event. He is a martyred hero to abolitionists.
- 1863 **Civil War draft riots.** The worst of these take place in New York City, where Irish and other new immigrants protest the fact that draftees can buy their way out of military service. Their rage is misdirected at blacks, and at least 40 people, mostly African Americans, die in the riot.

- 1955-1956 Montgomery Boycott. Following Rosa Parks's arrest for refusing to give up her seat to a white person on a city bus, the blacks of Montgomery, Alabama, boycott city buses for more than a year. The boycott produces a Supreme Court ruling outlawing segregation on buses and catapults Reverend Martin Luther King, Jr., into the leadership of the emerging civil rights movement.
- 1961 Freedom Riders Protest. An interracial group of protesters organized by the Congress of Racial Equality (CORE) rides buses throughout the South attempting to test the desegregation of bus station restrooms, waiting rooms, and restaurants. A mob attacks the buses in Alabama. The first bus is set on fire, and those who flee it are beaten—all in full view of television cameras covering the story.
- 1963 Birmingham Protest. Martin Luther King, Jr., and the Southern Christian Leadership Conference plan to desegregate Birmingham, Alabama, department stores. Violence erupts as the number of protesters swells. Bombs are set off at SCLC headquarters and in a black church, where four little girls die. Thousands are arrested, including King, who writes his eloquent Letter from Birmingham Jail outlining the justification for direct action.
- 1964 Freedom Summer. White college students converge on Mississippi to work with local blacks to mount a voter registration drive. Two white students, Michael Schwerner and Andrew Goodman, and one local black youth, James Chaney, are beaten to death. Their bodies are not found for six weeks.
- 1965 Selma Protests. Selma, Alabama, is targeted by Martin Luther King, Jr.'s organization for voter registration. Protesters and police clash, and the ensuing publicity draws attention to the need for a national voting rights act, which is soon passed.
- 1968 Chicago police riot. Thousands of youthful antiwar activists converge on the Democratic National Convention in Chicago, chanting, "The whole world is watching"—and indeed it is, for the first time, thanks to satellite television. Mayor Richard Daley orders 22,000 armed police officers, National Guard, and federal troops to deal with the protesters, and at least 1,000 are clubbed in what is termed a police riot. Seven antiwar leaders, known as the Chicago Seven, are tried on conspiracy and other charges, and five are found guilty of lesser charges. Black Panther Bobby Seale is tried separately.
- 1969 The Stonewall Riot. Protesting police raids and harassment, gay people take to the streets in anger in Greenwich Village, New York, and the gay rights movement is born.

THE ROAD TO CIVIL RIGHTS

Since the Civil War era the Supreme Court, Congress, and the presidency have variously led and impeded the process of ensuring and protecting equal rights and opportunities for all Americans. In addition to the entries listed here, see the following section on women's rights and the summary of amendments to the Constitution.

- 1866 Civil Rights Act grants citizenship to former slaves (but not Native Americans), but President Andrew Johnson vetoes it. Congress passes the bill over his veto.
- 1868 The Fourteenth Amendment confers citizenship on former slaves and guarantees all citizens "the equal protection of the laws."
- 1870 The Fifteenth Amendment makes it illegal to deprive any citizen of the right to vote on account of "race, color, or previous condition of servitude." In the following decades, states impose many restrictions, such as poll taxes and literacy requirements, that keep African-American men from voting.

- 1875 A Civil Rights Act guarantees equality in public places, especially places of public accommodation such as in hotels, on trains, and in public parks.
- 1883 The Supreme Court rules the Civil Rights Act of 1875 unconstitutional.
- 1896 In *Plessy v. Ferguson*, the Supreme Court endorses segregation when it finds "separate but equal" public facilities acceptable.
- 1940 The Supreme Court in *Hansberry v. Lee* outlaws discrimination in housing.
- 1954 The Supreme Court ruling *Brown v. Board of Education* overturns the "separate but equal doctrine," stating "separate educational facilities" are inherently unequal.
- 1957 A Civil Rights Act protects the right to vote and establishes the Civil Rights Commission.
- 1957-1965 The civil rights movement brings great pressure to bear on the federal government to pursue equality for all citizens (see Chapter 4).
- 1964 Congress passes its most important civil rights legislation. The Civil Rights Act bans discrimination in employment, public accommodations, and federally funded programs and establishes the Equal Employment Opportunity Commission (EEOC), which will become a powerful tool in stamping out job discrimination. Literacy tests of voters are banned.
- The Twenty-fourth Amendment bans the poll tax, which has been used to prohibit many blacks from voting.
- 1965 Voting Rights Act greatly strengthens federal enforcement of the rights of blacks and other minorities to vote.
- 1968 Legislation bans discrimination in housing and real estate.
- 1970 African-American legislators form the Congressional Black Caucus, which will work to advance the political interests of blacks and other minorities.
- 1991 The Americans with Disabilities Act prohibits discrimination based on disability.
- A new Civil Rights Acts counters Supreme Court limitations on civil rights interpretations and enforcement.

THE ROAD TO THE HOUSE (AND SENATE): WOMEN AND POLITICS

- 1776 Abigail Adams appeals to her husband, John Adams, and his colleagues in the Continental Congress to "Remember the Ladies" and consider granting women some rights in the new code of laws.
- The New Jersey Constitution grants the right to vote to "all free inhabitants," thus enfranchising women until 1807, when a new state constitution restricts suffrage to males.
- 1848 The Women's Rights Convention, the first public meeting to advocate for women's rights, is held in Seneca Falls, New York. Led by Elizabeth Cady Stanton and Lucretia Mott, participants issue a "Declaration of Sentiments" denouncing tyranny of men and demanding equal rights for women under the law and in public and private life. A series of similar meetings follow.
- 1864 Anna Elizabeth Dickinson, who addresses the House of Representatives on abolition and women's rights, is considered the first woman to speak before Congress.

- 1869 Susan B. Anthony and Elizabeth Cady Stanton found the National Woman Suffrage Association, whose goal is to obtain the vote for women.
The Wyoming Territory grants women the right to vote.
- 1872 Victoria Woodhull is the first woman to run for president.
- 1878 A Constitutional amendment to grant women the right to vote is introduced in Congress.
- 1890 Two rival suffrage organizations, the National Woman Suffrage Association and the American Woman Suffrage Association, unite to form the National American Woman Suffrage Association.
- 1912 When she is appointed director of the Children's Bureau, Julia Clifford Lathrop becomes the first woman to head a federal agency.
- 1916 The National Woman's Party is founded with the purpose of obtaining the vote for women.
- 1917 Jeannette Rankin becomes the first woman elected to the House of Representatives.
- 1920 The Nineteenth Amendment passes, granting women the right to vote.
The League of Women Voters is organized to educate women about politics and promote the status and rights of women.
- 1923 An Equal Rights Amendment is first introduced in Congress.
- 1924 Nellie Ross is elected governor of Wyoming, and Miriam ("Ma") Ferguson is elected in Texas, the first women to serve as state chief executives.
- 1929 Genevieve Cline is the first woman appointed to serve as a federal judge.
- 1932 Hattie Wyatt Caraway is the first woman elected to the Senate.
- 1933 Secretary of Labor Frances Perkins becomes the first woman appointed to a cabinet position.
- 1940 Elected to serve out her husband's term, Margaret Chase Smith serves in and is reelected to the House and is elected to the Senate in 1948, the first woman to serve in both chambers.
- 1945 Eleanor Roosevelt becomes the first former first lady to be appointed to a public position when she assumes the post of UN delegate.
- 1966 The National Organization for Women, the first powerful women's group to advocate for women's legal rights since the 19th century, is organized. Betty Friedan, author of *The Feminine Mystique* (1963), a book that changed women's consciousness about their personal and political status, is a founder and the first president.
- 1972 The Equal Rights Amendment is approved by Congress, although it must still be ratified by the states. The women's movement, headed by such figures as Betty Friedan and Gloria Steinem, have worked hard for equality on other fronts as well.
- 1979 Patricia Roberts Harris becomes the first woman ever to hold two cabinet posts. She is appointed to Housing and Urban Development in 1977 and in 1979 heads Health, Education, and Welfare.
- 1981 Sandra Day O'Connor is the first woman Supreme Court justice.
- 1982 The Equal Rights Amendment fails to achieve ratification.
- 1984 Democrat Geraldine Ferraro is the first woman ever nominated by a major political party to run for vice president.
- 1993 Newly inaugurated president Bill Clinton appoints his wife, lawyer Hillary Rodham Clinton, to head his task force on national health care.

THE WELFARE OF CHILDREN

During the colonial era and for many years afterward, as in most parts of the world children were permitted to work, if not on the family farm or in the shop, then as apprentices. Gradually, however, the United States joined other progressive nations in outlawing child labor and even eventually turned its attention to child welfare. The United States still lags behind the other Western nations in providing child care and universal medical coverage. For an account of education, see Chapter 10.

- 1886 The Knights of Labor, at the height of its membership and power, advocates the abolition of child labor.
- 1904 The National Child Labor Committee is organized to eliminate child labor.
- 1912 The Children's Bureau is established in the Labor Department to monitor and enforce child labor laws, issue reports, and promote the protection of children.
- 1916 Congress passes the Child Labor Act, also known as the Keating-Owen Act, which bars any company involved in interstate commerce from employing a child under age 14.
- 1918 In *Hammer v. Dagenhart*, the Supreme Court rules that the Keating-Owen Act is unconstitutional.
- 1924 Congress passes a constitutional amendment making child labor illegal, but it fails to be ratified by the states.
- 1935 Title V of the Social Security Act provides the nation's first maternal and child health services, including Aid to Families with Dependent Children.
- 1938 The Fair Labor Standards Act prohibits manufacturing and mining businesses involved in interstate commerce from employing anyone under age 16.
- 1941 The Supreme Court upholds the constitutionality of the Fair Labor Standards Act.
- 1949 The Fair Labor Standards Act is amended to cover more industries.
- 1950 With only 26 states having ratified the 1924 constitutional amendment to outlaw child labor (36 are needed), the bill is dropped.
- 1964 Head Start, primarily an educational program for disadvantaged preschool children, provides some emergency health and social services.
- 1965 The Elementary and Secondary School Act provides aid to schools based on the number of poor children.
The Medicaid program, enacted under a new extensive federal welfare law, provides medical services to indigent children and is later expanded to include preventive health services.
- 1972 The Special Supplemental Food Program for Women, Infants, and Children (WIC) is the first major support for mothers and children. It grows out of nutrition programs and does not exist initially as a separate program.
- 1990s Because of mounting budget deficits, Congress debates cuts in programs that may affect women and children.

ACTS OF CONGRESS AFFECTING INDIVIDUAL AND COLLECTIVE RIGHTS

- 1866 **Civil Rights Act.** This initial civil rights act grants the rights of citizenship to all persons born in the United States, and is specifically intended to cover former slaves. Native Americans are excluded.
- 1875 **Civil Rights Act.** This is the first act to address the issue of equality on a broader scale, by ordering that public places and accommodations be open to all. In 1883 the Supreme Court rules this legislation unconstitutional.
- 1957 **Civil Rights Act.** This first important piece of civil rights legislation since Reconstruction signals renewed government interest in protecting the rights of minorities. The most important element of the act is the establishment of the Civil Rights Commission. Although intended to be temporary, the commission has survived to the present day.
- 1964 **Civil Rights Act.** The most comprehensive piece of legislation on civil rights, this act prohibits discrimination in public places, in public spending or government contracts, and in employment. The latter clause is enforced by the Equal Employment Opportunity Commission (EEOC), which is also created by the act.
- 1965 **Voting Rights Act.** The right to vote is enforced by the federal government, which is also given the right to review state voting laws. Literacy tests as a requisite to voting are banned.
- 1967 **Age Discrimination in Employment Act.** This act prohibits job discrimination against employees aged 40 to 65. An amendment in 1986 eliminates mandatory retirement.
- 1968 **Fair Housing Act.** The act prohibits discrimination in sales and rentals on the basis of race, color, religion, or national origin.
- 1988 **Civil Rights Restoration Act.** This act counters a Supreme Court decision by affirming that antibias provisions apply to an entire institution even if only one department in it is receiving federal funds.
- 1991 **Americans with Disabilities Act.** This act prohibits discrimination based on disability in employment, public accommodation, and public services and requires that facilities be made accessible to people with disabilities.
- Civil Rights Act.** This act strengthens civil rights enforcement by countering the specifics of nine Supreme Court decisions.

SUPREME COURT DECISIONS AFFECTING LAW AND POLITICS

- 1803 ***Marbury v. Madison.*** The Supreme Court establishes the right to review the constitutionality of acts of Congress.
- 1810 ***Fletcher v. Peck.*** The Court, for the first time, overturns a state law violating the Constitution. In this case an act of the Georgia legislature is held to impair "the obligation of contracts."
- 1816 ***Martin v. Hunter's Lessee.*** The Supreme Court establishes the right of the federal judiciary to review state court decisions involving constitutional issues.

- 1819 *McCulloch v. Maryland*. The Supreme Court, in deciding that the federal government has a right to charter a national bank, establishes that the federal government has implied powers beyond those expressly stated in the Constitution. The case greatly enhances the power of the federal government to do what is "necessary and proper" to run the country.
- Dartmouth College v. Woodward*. The Court rules that a charter issued to a private corporation is a contract protected by the Constitution.
- 1842 *Prigg v. Pennsylvania*. The Court rules that state laws obstructing the capture and return of slaves are unconstitutional.
- 1857 *Dred Scott v. Sandford*. The Court declares that Congress cannot prohibit slavery in the territories and that African Americans are not citizens and have no legal standing. The Court also rules that the federal government cannot deprive a person of his property, including slaves.
- 1883 *Civil Rights Cases*. The Court strikes down the Civil Rights Act of 1875, saying that "social rights" are beyond federal control but blacks cannot be excluded from juries.
- 1896 *Plessy v. Ferguson*. The Supreme Court accepts the principle of "separate but equal" facilities for blacks and whites public transportation and by implication other public facilities and education, thus instituting an era of legal segregation that will last until 1954.
- 1919 *Schenck v. United States*. In its first major First Amendment decision, the Court sustains the Espionage Act and finds that free speech can be constrained if the words used "present a clear and present danger."
- 1925 *Gitlow v. New York*. The Court decides that states cannot interfere with free speech any more than the federal government can. This decision also establishes that the Fourteenth Amendment, guaranteeing all citizens the right of due process, extends to state as well as federal actions.
- 1951 *Dennis et al. v. United States*. The Supreme Court upholds the Smith Act of 1940, which made it a crime to advocate the overthrow of the government by force.
- 1957 *Yates v. United States*. The Court modifies its earlier ruling in *Dennis et al. v. United States* to protect free speech advocating the overthrow of the government in the abstract so long as it is not connected to any actions.
- 1961 *Mapp v. Ohio*. In the first of several decisions extending the rights of those accused of crimes, the Court finds that evidence obtained through illegal search and seizure is inadmissible in court.
- 1962 *Baker v. Carr*. The Court rules that arbitrarily drawn federal districts violate constitutional rights and voters have the right to challenge reapportionment. This overturns an earlier decision that found such issues to be political rather than constitutional.
- 1963 *Gideon v. Wainwright*. The Supreme Court decides that free legal counseling must be provided to indigent persons accused of felonies.
- 1964 *Griswold v. Connecticut*. The Court rules that a ban on the use of contraceptives and on medical advice concerning them is unconstitutional and reinforces the notion of privacy as a constitutional right.
- 1966 *Miranda v. Arizona*. The Court decides that before those accused of a crime can be interviewed by the police, they must be informed of their rights, which include the right to remain silent, the fact that anything they say can be used against them, and the right to counsel.
- 1973 *Roe v. Wade*. The Court rules that the right to privacy protects a woman's decision whether to bear a child. State laws that make abortion a crime are overturned.
- 1975 *Goss v. Lopez*. The Court finds that suspended students are entitled to notice and a hearing before any disciplinary action can be taken against them.

- 1978 *University of California Regents v. Bakke*. The Court declares that affirmative-action programs with required racial quotas are unconstitutional, thus undermining one of the major strategies that has been used for several decades to equalize opportunity.
- 1986 *Bowers v. Hardwick*. In upholding a Georgia law prohibiting sodomy that was enforced only against same-sex couples, the Court declines to extend to same-sex couples the same rights of privacy extended to heterosexual couples.
- 1992 *R.A.V. v. St. Paul*. The Court upholds the right to "symbolic speech," including burning crosses.

SIGNIFICANT PEOPLE IN AMERICAN LAW AND POLITICS

Adams, Abigail (1744–1818). The wife of the second U.S. president, John Adams, Adams is best remembered for admonishing her husband and his fellow delegates at the Constitutional Congress in 1776 to "Remember the Ladies" and "Do not put such unlimited power into the hands of the Husbands" when they wrote laws for the new nation.

Adams, John (1735–1826). The second U.S. president and a signer of the Declaration of Independence, Adams also helped negotiate the peace with Britain and served as a minister to that country. His son, John Quincy Adams, was the sixth president.

Anthony, Susan B. (1820–1906). A feminist reformer, Anthony co-founded, along with Elizabeth Cady Stanton, the National Woman Suffrage Association, the first major organization to work in behalf of women's right to vote. She is also the first woman to be depicted on a U.S. coin, the Susan B. Anthony silver dollar.

Black, Hugo (1886–1971). As a Supreme Court justice Black was a strong advocate of unfettered civil liberties, free speech, and the Fourteenth Amendment, which guarantees all due process to all persons.

Brandeis, Louis (1856–1941). A Supreme Court justice, Brandeis was the first person to use statistics, demographics, and other sociological factors, in addition to the traditional legal analysis, to shape legal arguments, and his strategy became the model for what is known as the Brandeis brief. He showed a remarkable understanding of industrialization and its effects on the law and helped to shape business law. He was an advocate of judicial liberalism and social reform.

Bryan, William Jennings (1860–1925). This Democratic party leader and three-time presidential candidate is best remembered for his "Cross of Gold" speech in favor of free silver. He served as secretary of state under Woodrow Wilson and resigned rather than abandon his isolationist policy in the face of World War I. Bryan supported women's suffrage and women's rights but, as a religious fundamentalist, increasingly opposed the evolution theory, eventually serving on the prosecution team in the Scopes Monkey trial.

Burr, Aaron (1756–1836). One of the more irascible persons ever to cross the American political landscape, Burr was a New York attorney general, a senator, and vice president under Thomas Jefferson. An ongoing political feud with Alexander Hamilton led to a duel and Hamilton's death. The incident ended his political career. When he became involved in a scheme to carve a new nation out of the American Southwest, he was arrested for treason, but acquitted in 1807.

Calhoun, John C. (1782–1850). With Henry Clay, Daniel Webster, and Andrew Jackson, Calhoun was one of the powerful political figures of his time. A secretary of war, vice president, senator from South Carolina, secretary of state, and political theorist, he defended the institution

of slavery, promoted nullification, and predicted the demise of the Union if the slave states were not permanently protected.

Cardozo, Benjamin (1870–1938). Known as a lawyer's lawyer, Cardozo worked in contract and commercial law before becoming a judge. He sat on the supreme court of New York, the court of appeals in New York, which he single-handedly turned into one of the great courts of its era, and finally on the U.S. Supreme Court. His most famous opinions emanated from the court of appeals, since he only served on the Supreme Court six years before he died. He was an advocate of sociological jurisprudence.

Catt, Carrie Chapman (1859–1947). As president of the National American Woman Suffrage Association (NAWSA) from 1900 to 1904 and then from 1915 to 1920, Catt, a superb strategist and organizer, helped gain the vote for women in 1920. She also helped organize the League of Women Voters.

Chisholm, Shirley (1924–). The first black woman elected to Congress (in 1968), Chisholm was an advocate for minority and women's rights and the urban poor. She retired from Congress in 1982, and in 1984 organized the National Political Congress of Black Women.

Clay, Henry (1777–1852). For more than 40 years, Clay, a Kentuckian and the leader of the Whig party, was a dominant force in American politics. He served as secretary of state, was Speaker of the House of Representatives, and then became the most powerful member of the Senate during his time. A nationalist, Clay was called "the Great Compromiser" for his role in bringing about the Missouri Compromise of 1820, the Tariff Compromise of 1833, and the Compromise of 1850. Clay is also identified with the American System, a program of economic development.

Darrow, Clarence (1857–1938). One of the greatest lawyers of his time, Darrow achieved notoriety in a series of sensational first-degree murder trials. He is most famous for his defense of schoolteacher John Scopes, who was charged with violating a Tennessee state law against teaching evolution in public schools. The so-called Monkey trial in 1925 pitted Darrow against William Jennings Bryan, who had joined the prosecution. His withering examination of Bryan was intended to show how literal interpretation of the Bible revealed scientific ignorance.

Douglas, William O. (1898–1980). As a Supreme Court justice from 1939 to 1975, Douglas had the longest tenure of the any Supreme Court justice and also wrote more opinions—and dissents—than any other justice in history. Douglas's judicial philosophy was to keep government "off the backs of the people," and to achieve this he wrote many opinions defending free speech, especially during the protest era of the late 1960s and early 1970s. He defended civil liberties, civil rights, and conservation.

Ferraro, Geraldine (1935–). A New York Democratic congresswoman, in 1984 she was the first woman ever nominated by a major political party to run as vice president.

Frankfurter, Felix (1882–1965). This law professor and Supreme Court justice was appointed by Franklin Roosevelt and was one of the great legal defenders of the New Deal legislation and civil liberties. Born in Austria, he was also the only naturalized citizen ever to sit on the Supreme Court. He helped found the American Civil Liberties Union (ACLU).

Hamilton, Alexander (1755–1804). An aide to George Washington during the Revolution, Hamilton was a delegate to the Constitutional Convention and a strong advocate of the new Constitution, defending it in *The Federalist Papers*. As the first secretary of the treasury, he advocated a strong central government and decisively shaped economic policy. Hamilton was killed by Aaron Burr in a duel.

Harris, Patricia Roberts (1924-). After an early career devoted to civil rights activism, in 1965 Harris became the first African-American woman appointed to the rank of ambassador, when President Lyndon Johnson sent her to Luxembourg. In 1976 President Jimmy Carter named her the first female African-American Secretary of Housing and Urban Development.

Holmes, Oliver Wendell (1841-1935). A legal scholar, Civil War veteran, and Massachusetts judge before sitting on the Supreme Court, Holmes was most influential in shaping what is known as a "loose" interpretation of the Constitution. He believed the law should keep pace with social change and toward that end was reluctant to dismantle what he considered to be good social legislation, especially minimum wage and maximum hours laws. He enunciated the "clear and present danger doctrine" for interpreting free speech.

Hughes, Charles Evans (1862-1948). This former governor of New York was also chief justice of the Supreme Court, secretary of state, a Republican presidential candidate who nearly won the election of 1916, and a World Court judge. Hughes wrote several landmark opinions involving the free press and free speech. He presided over the Court during the transitional New Deal era.

Jackson, Andrew (1767-1845). A military hero before he ran for president, Jackson had a popular appeal among Westerners, farmers, working men, and artisans. He attacked privilege, especially the U.S. Bank, introduced the spoils system to the federal bureaucracy, and preferred his "Kitchen Cabinet," an informal group of friends and advisors, to the official elite.

Jay, John (1745-1829). With Hamilton and Madison, Jay wrote *The Federalist Papers* (see Madison). This delegate to the first Continental Congress really made his mark negotiating the truce after the end of the Revolutionary War and was, throughout his career, an effective diplomat. George Washington persuaded him to become the first chief justice of the Supreme Court, a post he later resigned because he thought it would be an ineffective vehicle of government.

Jefferson, Thomas (1743-1826). Jefferson was the author of the Declaration of Independence, minister to France, secretary of state under Washington, vice president under Adams, and the third president of the United States. Opposed to Hamilton in the first administration, he advocated a limited federal government. Jefferson was a scientist, an architect, the author of Virginia's statute of religious freedom, and founder of the University of Virginia.

Johnson, Lyndon Baines (1908-1973). A powerful leader in the Senate, Johnson was John F. Kennedy's vice president, becoming president following Kennedy's assassination, and then elected in 1964. Although the war in Vietnam overshadowed his accomplishments, this Democratic president pushed hard to forge a federal program of economic and social welfare, collectively known as the Great Society, that would end poverty. A southerner, he was also a strong supporter of civil rights, pushing the Civil Rights Act of 1964 and the Voting Rights Act of 1965 through Congress.

Jordan, Barbara (1936-1995). Best known for her eloquent speeches, this stateswoman was the first black law student at Boston University, the first and only black legislator in the Texas senate, and served in Congress for six years. A defender of the poor, Jordan was often consulted by presidents on civil rights issues. She is the only black and the only woman to have given the keynote speech at the Democratic National Convention.

Kennedy, John F. (1917-1963). A charismatic Democrat, whose presidency ended prematurely with his assassination in 1963, Kennedy is best remembered for his contribution to civil rights, for starting the Peace Corps, and for facing down the Soviets, who had moved missiles into the Western Hemisphere, during the Cuban Missile Crisis.

Lincoln, Abraham (1809–1865). The 16th president of the United States, Lincoln was elected president on the Republican ticket, then led the nation through the Civil War. He is known as the Great Emancipator, for signing the Emancipation Proclamation that freed the slaves. A fine writer and rhetorician, he is also remembered for his speeches, especially the Gettysburg Address and the Second Inaugural Address.

Madison, James (1751–1836). Known as the Father of the Constitution, Madison brought a scholarly voice to the Constitutional Convention of 1787. With Alexander Hamilton and John Jay, he co-authored *The Federalist Papers*, a brilliant series of essays defending the Constitution. He also worked to add the Bill of Rights to the Constitution. As the fourth president, he oversaw the War of 1812.

Marshall, John (1755–1835). The second chief justice of the United States, Marshall took over a foundering Court and turned it into a respected institution. His court laid the groundwork for federalism. In his most famous ruling, *Marbury v. Madison*, he invoked the right of the Court to review state and federal laws. He also instituted joint opinions. In addition, he served as a diplomat, congressman, and secretary of state.

Marshall, Thurgood (1908–1993). A Supreme Court justice and a prominent civil rights lawyer, Marshall helped to lay out the strategy for *Brown v. Board of Education*, the Supreme Court decision that desegregated schools. The first black Supreme Court justice, he was one of the most egalitarian persons ever to sit on the Court.

Mason, George (1725–1792). A political theorist, he wrote the Virginia Declaration of Rights, a brilliant document that helped to establish individual rights. It formed the basis of many state constitutions and, as the Bill of Rights, was later incorporated into the U.S. Constitution.

Monroe, James (1758–1831). The fifth U.S. president, he was also governor of Virginia, secretary of state, and secretary of war. He issued the Monroe Doctrine, a cornerstone of U.S. foreign policy that warned European nations not to interfere in political affairs in the Western Hemisphere.

Nixon, Richard (1913–1994). A congressman, senator, and vice president, Nixon was also the only president ever to resign, facing certain impeachment for obstructing justice and abusing presidential authority. His administration's successes included opening diplomatic relations with China and extricating the nation from Vietnam.

O'Connor, Sandra Day (1930–). As the first woman ever to sit on the Supreme Court, O'Connor has been considered a swing vote in cases involving gender discrimination and sexual harassment. She is considered a centrist.

Perkins, Frances (1882–1965). The first woman to serve in a president's cabinet, Perkins was secretary of labor under Franklin Roosevelt. She fought for many lasting pieces of legislation, such as unemployment insurance, child labor laws, and public works.

Rangel, Charles (1930–). Rangel has served the Harlem and upper Manhattan community in the House of Representatives since 1971 and is the first black person to hold the chairmanship of the powerful House Ways and Means Committee.

Rankin, Jeannette (1880–1973). The first woman ever elected to Congress (1917), Rankin was a dedicated pacifist and cast one of 50 votes against entry into World War I. She was returned to Congress in 1941, where she cast the only vote against entry into World War II. An advocate of women's rights, Rankin's last official antiwar gesture was to lead the Jeannette Rankin Brigade in the 1968 march on Washington to oppose the Vietnam War.

Rehnquist, William (1924–). Present chief justice of the United States, Rehnquist was named to the Court by President Nixon. A strong advocate of law and order, he has guided the Court toward a more conservative orientation.

Roosevelt, Franklin D. (1882–1945). As 32nd president of the United States, Roosevelt, a Democrat, guided the country through the Great Depression. His primary vehicle was the New Deal, a package of social and political programs that restored economic health to the nation. He also served as president during World War II and was the only president ever elected to four terms.

Roosevelt, Theodore (1858–1919). When he took over the presidency after McKinley's assassination in 1901, Roosevelt was at 43 the youngest person ever to hold the office. An active reformer, he was known as a trust-buster and a proponent of conservation. Dissatisfied with the conservatism of his successor William Howard Taft, Roosevelt formed the Progressive (Bull Moose) party in 1912, splitting the vote of his party and ensuring the election of Woodrow Wilson.

Roosevelt, Eleanor (1884–1962). One of most influential first ladies in history, Eleanor Roosevelt served as FDR's "ears and eyes" as she traveled around the country. She was a strong supporter of civil rights, women's issues, and programs for the poor. After Roosevelt's death, she was delegate to the United Nations.

Stanton, Elizabeth Cady (1815–1902). Along with Lucretia Mott, Stanton was one of the organizers of the 1848 Seneca Falls Women's Rights Convention, the first public meeting ever held to advocate women's rights. A leader in the women's suffrage movement, she co-founded, with Susan B. Anthony, the National Woman Suffrage Association, serving as its president and later also as president of the National American Woman Suffrage Association. As a lecturer, she spoke around the country, advocating not only voting rights for women but full legal and social equality.

Truman, Harry (1884–1972). This Democratic president (1945–1953) is remembered for authorizing the use of the atomic bomb on Japan in order to end World War II, instituting the Marshall Plan to rebuild Europe, and at home sponsoring the Fair Deal and civil rights legislation.

Warren, Earl (1891–1974). Like John Marshall, Warren was one of two or three Supreme Court justices whose name personifies an era. The Warren Court will be remembered for such decisions as *Brown v. Board of Education*, which reversed the "separate but equal doctrine" and ordered that public schools be desegregated; *Gideon v. Wainwright*, which established that poor persons were entitled to free legal counsel; and *Miranda v. Arizona*, which expanded and protected the rights of crime suspects. During the late 1950s and early 1960s, under the guidance of this chief justice, the Court became known for its liberal interpretation of the Constitution and for taking on social and racial issues.

Washington, George (1732–1799). Commander of the Continental Army and the first president of the United States, Washington was elected to a second term as president but refused a third. He was one of the architects of the present federal system of government and set precedents for the presidency that have lasted to this day.

Webster, Daniel (1782–1852). The highest-paid lawyer of his time, Webster, also known for his skill as an orator and his defense of the Constitution, won several significant, precedent-setting cases before the Marshall Court. Originally a supporter of states' rights, he later became a unionist. As a secretary of state and senator, he was a leading political figure of his time.

Willard, Frances (1839–1898). One of the most famous women of the 19th century, Willard is best remembered for her work in temperance. She organized the Women's Christian Temperance Union and worked with women's suffrage activists to combine the two causes.

Wilson, Woodrow (1856–1924). As president during World War I, Wilson was an advocate for world peace and a supporter of the League of Nations, the forerunner to the present-day United Nations.

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GLOSSARY OF TERMS

administration The organized apparatus of the state for the preparation and implementation of legislation and policies, also called bureaucracy.

agenda-setting Controlling the focus of attention by establishing the issues for public discussion.

anarchic order Order resulting from mutual coordination in the absence of a higher authority.

anarchism A stateless society that allows total individual freedom.

anomic group Spontaneously formed interest group with concern over a specific issue.

aristocracy A form of government in which a minority rules under the law.

associational group Formally organized group which articulates the interests of its members over long periods of time.

asymmetrical federalism A federal system of government in which powers are unevenly divided between provinces, i.e. some provinces have greater responsibilities or more autonomy than others.

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auction politics A danger in democratic politics in which state power may be "sold" to the highest bidding groups.

auditor general The official of Parliament whose staff audit the expenditures of government departments and who provides an annual report on instances of funds being unlawfully or unwisely spent.

authoritarianism A system of government in which leaders are not subjected to the test of free elections.

authority A form of power based on consensus regarding the right to issue commands and make decisions.

backbencher Members of Parliament on the government side who sit on the backbenches and are not in cabinet, or those similarly distant from shadow cabinet posts in opposition parties.

balance of payments A state's running account of economic transactions (exports and imports) with the rest of the world.

balance of power policy The active prevention of any one state becoming too strong by the major powers in the system.

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balance of power The distribution of power in a system such that no one state may overwhelm others.

behavioural revolution The introduction of more empirical analysis into the study of government and politics.

bicameralism A system of government in which the legislature is divided into two chambers, an upper and lower house.

bill A piece of legislation under consideration by a legislative body.

binational state Two nations co-existing within one state.

bipolar An international system in which there are two dominant nation-states. bourgeoisie. A Marxist term referring to those who own the means of production.

bureaucracy A type of administration characterized by specialization, professionalism, and security of tenure.

cabinet solidarity A convention that all cabinet ministers publicly support whatever decisions the cabinet has taken, regardless of their personal views.

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