



FLORIDA...

The Story Continues

CHAPTER 2, Foundations of Government

PEOPLE

2006: Charlie Crist elected Florida governor.

Republican Charlie Crist was elected governor of Florida in 2006. Considered a political moderate, Gov. Crist favored tax cuts and easing gun restrictions. He also supported strong air pollution standards and low-cost health insurance. Crist was reportedly considered as John McCain's running mate in the 2008 presidential election. Though Crist lost a 2010 bid for the U.S. Senate, he is frequently mentioned as a possible future presidential candidate.

PLACES

1879: Jupiter Inlet weather observation site.

President Ulysses S. Grant established a weather service within the U.S. Army in 1870. Nine years later, an Army Signal Corps weather observation site was founded at Jupiter Inlet on Florida's east coast. The Jupiter Signal Service station was the forerunner of today's Miami National Weather Service offices. The National Hurricane Center in Miami is one of many services the federal government provides to keep citizens safe.

PEOPLE

1973: Maurice Ferré becomes mayor of Miami.

Maurice Ferré was the first U.S. mayor born in Puerto Rico and the first Hispanic mayor of a major American city. His political career began in 1966, when he became a Florida State Representative. He went on to serve as commissioner of Miami before being elected the city's mayor in 1973. Ferré, a Democrat, served six terms as Miami's mayor. He has also worked as a banker and business consultant. He has held a number of teaching positions.

EVENTS**1845: Florida is admitted to the Union as the 27th state.**

When Florida became a state in 1845, it had a population of only 70,000. Rapid economic growth followed, and by 1860, the state's population had more than doubled. Florida's principal exports were cotton and forest products. The cattle industry was also important to the state's economy.

EVENTS**1838: Constitutional Convention.**

For a U.S. territory to become a state, its constitution must be approved by Congress. So Florida governor Richard Keith Call ordered the election of delegates to a constitutional convention in 1838. The convention assembled at St. Joseph in December. It quickly ratified Florida's first constitution.

PEOPLE**1900–1989: Claude Pepper.**

One of Florida's most notable politicians, Claude Pepper served in the U.S. Senate from 1936 to 1951 and in the House of Representatives from 1963 to 1989. Senator Pepper was a staunch supporter of Franklin Roosevelt's New Deal policies. In the House, Pepper vigorously defended Social Security and the rights of seniors. In his later years, Pepper became known as the "grand old man of Florida politics."

Unpacking the Florida Standards <...

Read the following to learn what this standard says and what it means. See FL8-FL20 to unpack all the other standards related to this chapter.

Benchmark SS.7.C.1.1 Recognize how Enlightenment ideas including Montesquieu's view of separation of power and John Locke's theories related to natural law and how Locke's social contract influenced the Founding Fathers.

What does it mean?

Explain and give examples of how Enlightenment ideas influenced the Founding Fathers and shaped the foundation of American government. Describe specifically the influence of Montesquieu's ideas about the separation of powers and of John Locke's ideas about natural law and the social contract. Go to Chapter 2, Foundations of Government, for help.



CHAPTER 2

FOUNDATIONS OF GOVERNMENT

Essential Question What are the purposes and ideals of American government?



Florida Next Generation Sunshine State Standards

SS.7.C.1.1 Recognize how Enlightenment ideas including Montesquieu's view of separation of power and John Locke's theories related to natural law and how Locke's social contract influenced the Founding Fathers. **SS.7.C.1.2** Trace the impact that the Magna Carta, English Bill of Rights, Mayflower Compact, and Thomas Paine's "Common Sense" had on colonists' views of government. **SS.7.C.1.3** Describe how English policies and responses to colonial concerns led to the writing of the Declaration of Independence. **SS.7.C.1.4** Analyze the ideas (natural rights, role of the government) and complaints set forth in the Declaration of Independence. **SS.7.C.1.5** Identify how the weaknesses of the Articles of Confederation led to the writing of the Constitution. **SS.7.C.1.8** Explain the viewpoints of the Federalists and the Anti-Federalists regarding the ratification of the Constitution and inclusion of a bill of rights. **SS.7.C.2.4** Evaluate rights contained in the Bill of Rights and other amendments to the Constitution. **SS.7.C.2.5** Distinguish how the Constitution safeguards and limits individual rights. **SS.7.C.2.11** Analyze media and political communications (bias, symbolism, propaganda). **SS.7.C.2.13** Examine multiple perspectives on public and current issues. **SS.7.C.3.1** Compare different forms of government (direct democracy, representative democracy, socialism, communism, monarchy, oligarchy, autocracy). **SS.7.C.3.2** Compare parliamentary, federal, confederal, and unitary systems of government. **SS.7.C.3.3** Illustrate the structure and function (three branches of government established in Articles I, II, and III with corresponding powers) of government in the United States as established in the Constitution. **SS.7.C.3.4** Identify the relationship and division of powers between the federal government and state governments. **SS.7.C.3.5** Explain the Constitutional amendment process. **SS.7.C.3.6** Evaluate Constitutional rights and their impact on individuals and society. **SS.7.C.3.7** Analyze the impact of the 13th, 14th, 15th, 19th, 24th, and 26th amendments on participation of minority groups in the American political process. **SS.7.C.3.12** Analyze the significance and outcomes of landmark Supreme Court cases. **SS.7.C.3.14** Differentiate between local, state, and federal governments' obligations and services. **SS.7.C.4.1** Differentiate concepts related to United States domestic and foreign policy.



Declaration of
Independence

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WHY CIVICS Matters

Our government is based on ideals of freedom and liberty. In 1776 the Declaration of Independence was signed in the building we call Independence Hall. Tradition holds that the Liberty Bell rang to summon people to hear the first public reading of the Declaration. The freedoms you enjoy today began with those acts more than 235 years ago.

PROJECT  Citizen



STUDENTS TAKE ACTION

SAFE NEIGHBORHOODS? What if you and your friends found out that the man in the ice cream truck was selling toy guns to young children? As you read, think about how you can play a part in making your street safe.

FOCUS ON WRITING

A PAMPHLET Many U.S. citizens don't know the origins and purposes of our government as well as they should. In this chapter you will read about the foundations of our government and the rights it guarantees to citizens. Then you'll create a four-page pamphlet to share this information with your fellow citizens.

Reading Skills

In this chapter you will read about the different types and functions of government around the world. You will learn why the American colonies fought Great Britain for the right to govern themselves and about the ideals set forth in the

Declaration of Independence. You will learn how American leaders wrote a new plan of government for the United States. Finally, you will read how this plan created a stronger national government and Congress.

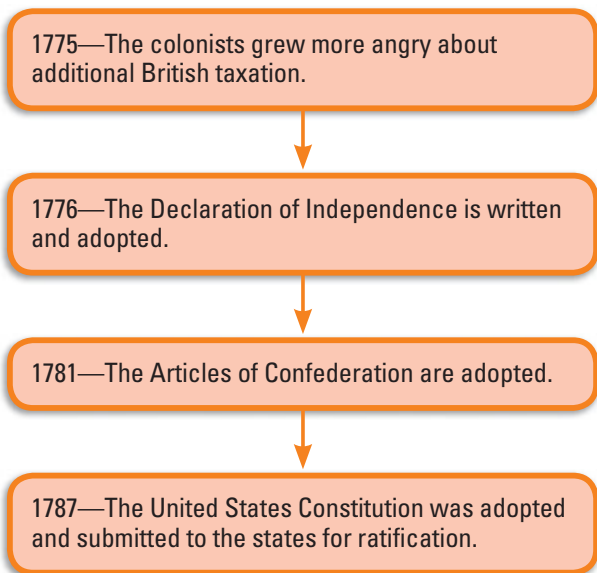
Chronological Order

FOCUS ON READING

History, just like our lives, can be seen as a series of events in time. To understand history and events, we often need to see how they are related in time.

Understanding Chronological Order The word **chronological** means “related to time.” Sometimes, events discussed in this Civics book are discussed in **sequence**, in the order in which they happened. To understand sequencing better, you can use a chain to take notes about events in the order in which they happened.

Sequence Chain



Helpful Hints for Sequencing Events

- Writers sometimes signal chronological order, or sequence, by using words or phrases like these:
- first, before, then, later, soon, after, before long, next, eventually, finally*



LA.7.1.7.1



You Try It!

Practice using the chronological note-taking format discussed on the previous page by using the steps outlined below the passage.

The Declaration of Independence [1776] was not a plan or a blueprint to provide a government for the new country. The Declaration was the colonists' statement of grievances against the king. It listed their reasons for creating their own new government. The next step came in 1777, when the Continental Congress adopted a plan of government—the Articles of Confederation. The Articles were approved in 1781 by the 13 states. The new government went into effect. When the Revolutionary War ended in 1783, the former colonies of Great Britain had won. They were now a confederation called “The United States of America.”

*From Chapter 2,
p. 35*

Refer to the passage to answer the following questions.

1. What step came between the Declaration of Independence and the approval of the Articles of Confederation?
2. Read the passage above again, pausing to stop and jot notes about dates and events. How many dates and events should you have in your notes?
3. Make a sequence chain based on the information in your notes.

KEY TERMS

Chapter 2

Section 1

monarch, (p. 30)
dictator (p. 30)
democracy (p. 31)
direct democracy (p. 31)
representative
democracy (p. 31)
republic (p. 31)
constitution (p. 32)

Section 2

human rights (p. 34)
confederation (p. 36)
sovereignty (p. 36)

Section 3

Parliament (p. 44)
federalism (p. 46)
compromise (p. 46)
ratification (p. 47)
Federalists (p. 47)
Antifederalists (p. 47)

Academic Vocabulary

Success in school is related to knowing academic vocabulary—the words that are frequently used in school assignments and discussions. In this chapter, you will learn the following academic word:
traditional (p. 30)

SECTION 1



SS.7.C.2.5; SS.7.C.2.11; SS.7.C.3.1;
SS.7.C.4.1; LA.7.1.6.1; LA.7.1.7.1

Why Americans Have Governments

BEFORE YOU READ

The Main Idea


Government plays an essential role in every country. A country's government affects the lives of its people. Often, it affects people around the world.

Reading Focus

1. What are two main types of government?
2. What are the purposes of government?
3. How does the U.S. government guarantee freedom to its citizens?

Key Terms

monarch, p. 30
dictator, p. 30
democracy, p. 31
direct democracy, p. 31
representative democracy, p. 31
republic, p. 31
constitution, p. 32

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TAKING NOTES
Use the graphic organizer online to take notes on why Americans have governments.



The U.S. government is more than just buildings and people. It is the system of laws and authority that acts on your behalf to protect your rights and your freedoms. Governments provide society with laws so that everyone knows what is expected and what is not acceptable from citizens. In the United States, every citizen has a voice in making the laws. That's what makes America and its government different from many other countries.

Types of Governments

Every country in the world has a government. However, these governments vary widely. Governments differ in the way their leaders are chosen and in the amount of power held by the people. Each country's government has been shaped by the traditional beliefs of its people and by their history. Governments generally fall into two different types: non-democratic and democratic governments.

Nondemocratic Governments

In a nondemocratic government, citizens do not have the power to rule. The following are several types of nondemocratic governments:

Monarchies A **monarch** is a person, such as a king or queen, who reigns over a kingdom or an empire. Monarchy is an example of autocracy, a form of government in which one person holds all the power. Saudi Arabia is one of a few countries where the monarch still has full control of the government. Today, most monarchies are constitutional monarchies. For example, the monarchs of Sweden and the United Kingdom serve as ceremonial heads of state and have limited powers. The real power lies elsewhere, such as in a legislative body.

Dictatorships A **dictator** is a person who rules with complete and absolute power. Dictators often take power by force. An oligarchy

SS.7.C.3.1 Compare different forms of government (direct democracy, representative democracy, socialism, communism, monarchy, oligarchy, autocracy).

ACADEMIC VOCABULARY

traditional
customary,
time-honored

PRIMARY SOURCE

POLITICAL CARTOON

A History of Protest

Throughout history, groups of Americans have dissented—disagreed with and protested against—government policies. For example, protests played an important role in the civil rights movement. The Constitution protects people's right to assemble and speak out against the government and other groups, as long as they do so in a peaceful manner.



The man here is carrying a sign with a peace symbol on it to protest the U.S. invasion of Iraq in 2003.

Saddam Hussein, the dictator of Iraq in 2003, suppressed dissent in his own country and approved of punishing protesters.

ANALYSIS SKILL

ANALYZING POLITICAL CARTOONS

Make Inferences What is the cartoonist trying to say about those who wish to suppress peaceful protest?

is a type of dictatorship in which all power is concentrated in a small group of people. Dictatorships are authoritarian, which means that the rulers answer only to themselves, not to the people they rule. Some dictatorships are also totalitarian, which means that the rulers try to control every aspect of citizens' lives, including their religious, cultural, political, and personal activities.

Theocracy A theocracy is a government controlled by one or more religious leaders who claim to rule on behalf of God or the gods worshipped in their country. Citizens may elect a theocratic government, but the rulers respond to divine guidance and not to the wishes of the people.

Democratic Governments

Other countries have democratic governments. In a **democracy** the people of a nation either rule directly or they elect officials who act on their behalf. The word *democracy* comes from an ancient Greek term meaning "rule of the people."

There are two forms of democracy. In a **direct democracy**, all voters in a community

meet in one place to make laws and decide what actions to take. Historically, direct democracies have been suited only to small communities. In a **representative democracy** the people elect representatives to carry on the work of government for them. The people consent to be ruled by their elected leaders. This system of government is called a **republic**. The United States is a republic.

READING CHECK

Summarizing What are two main types of governments, and what are their characteristics?

Purposes of Government

Could we manage our own affairs without our government? Who would provide basic services, such as public roads or fire departments? What are the basic purposes of government?

Helping People Cooperate

Whenever groups of people have lived in a community, they have found it necessary and useful to have rules and work together. They have formed a government.

MEDIA INVESTIGATION

TELEVISION NEWS

East Coast Blackout

On August 14, 2003, a power outage cut electricity to about 50 million people in an area stretching from east of New York City, north to Toronto, Canada, and west to Detroit, Michigan. The outage began at about 4 p.m. Immediately, television news programs began carrying the breaking story.



Governments provide safety services, such as traffic lights on streets and roads. When the power goes out, government also provides traffic control by police officers.

ANALYSIS SKILL

ANALYZING MEDIA

How do television news programs keep people around the country informed about disasters?
What are television's limitations?

hmhsocialstudies.com **ACTIVITY**

Government provides a way for people to unite, solve problems, and cooperate. Even traditional forms of government, such as in a small clan or tribe, helped to make life safer and easier.

Providing Services

Over the years, government at all levels has grown more complex. Yet its basic purposes have remained the same. Governments provide expensive or important services to large groups of people who might otherwise have to do without the service. For example, by establishing schools, the government makes it possible for all children to receive a good education.

The federal government also protects people from attacks by foreign countries. Other governments provide police to protect lives and property and fire departments to protect homes and businesses.

Because of government, we can travel highways that stretch from border to border. We have a system of money that makes it easy for us to buy and sell things and to know the price of these things. Trash is collected, and health laws are enforced to protect us. We can go to public libraries. Government provides these and many more services.

Providing Laws

The basic plan under which Americans live is contained in a **constitution**, or a written plan of government. Americans have used constitutions to establish national and state governments. A constitution sets forth the purposes of the government and describes how the government is to be organized.

Governments also provide laws for society. Laws must be constitutional to be valid. Laws are recorded so that people can know and obey them. Laws are passed by the government to guide and protect all of us.

READING CHECK

Summarizing What purposes do laws and constitutions serve in governments?

Guaranteeing Freedom

The government of the United States has a fourth purpose—to guarantee the freedoms of its citizens. Remember, a democratic country’s government helps put into practice the ideals of the people—that is, the things in which they believe. The United States was founded on the belief that the people should rule themselves. Americans also believe that each person is important and that no one should be denied his or her rights. What are these rights? The Declaration of Independence describes these rights as “life, liberty, and the pursuit of happiness.”

To safeguard each citizen’s liberty, the laws of the United States guarantee certain freedoms, including freedoms of speech, the press, and religion. These freedoms can never be taken away from any U.S. citizen by the government. Nor can these rights be limited, except to keep people from using these freedoms to violate the rights of others.

For example, having free speech and a free press does not mean we are free to tell lies or write false statements about another person. Each citizen has the right to have his or her reputation protected.

Most Americans believe that if any citizen is denied his or her rights, the liberty of all citizens is endangered. Thus, the U.S. government passed and enforces laws that guarantee equal rights for all citizens. For example, U.S. laws require that all Americans have equal access to education and employment, and have the right to vote.

The U.S. Constitution and all state constitutions set out rights and freedoms that are guaranteed to all individuals. But those rights and freedoms do not take care of themselves. You, and all citizens like you, must take an active role in protecting and preserving those rights and freedoms.

SS.7.C.2.5
Distinguish how the Constitution safeguards and limits individual rights.

READING CHECK

Analyzing Information What are some of the freedoms guaranteed by U.S. laws?

SECTION 1 ASSESSMENT



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ONLINE QUIZ

Reviewing Ideas and Terms

- a. Define** Write a brief definition for the terms **monarch, dictator, democracy, direct democracy, representative democracy, and republic.**
b. Explain Why are governments important? Give examples to support your answer.
c. Evaluate What are two basic types of government, and what are advantages and disadvantages of each type?
- a. Define** Write a brief definition for the term **constitution.**
b. Summarize What are three purposes of government?
c. Elaborate How does having a constitution help a government fulfill its purposes for citizens? Give examples to support your answer.
- a. Summarize** How does the U.S. system of government guarantee each citizen’s freedoms?
b. Elaborate Why is it necessary to limit rights in some instances?

Critical Thinking

- Categorizing** Copy the chart below. Use it and your notes to identify three purposes of government in our society and to state how government fulfills each purpose.

The Purposes of Government		

FOCUS ON WRITING

- Supporting a Point of View** Write a three-paragraph essay explaining what you think are the most important functions of your local (city or town) government. Be sure to explain how these functions affect members of your community.

SECTION 2



SS.7.C.1.2; SS.7.C.1.3; SS.7.C.1.4; SS.7.C.1.5;
SS.7.C.3.2; LA.7.1.6.1; LA.7.1.7.1

The First Government

BEFORE YOU READ

The Main Idea


The American ideals that people should rule themselves and that government should protect human rights are clearly set forth in the Declaration of Independence.

Reading Focus

1. Why is the Declaration of Independence so important?
2. What were the Articles of Confederation, and what were their weaknesses?
3. What was the effect of a weak national government on the United States?

Key Terms

human rights, p. 34
confederation, p. 36
sovereignty, p. 36

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TAKING NOTES

Use the graphic organizer online to take notes on the beginnings of government in the United States.



SS.7.C.1.2 Trace the impact that the Magna Carta, English Bill of Rights, Mayflower Compact, and Thomas Paine's "Common Sense" had on colonists' views of government.

In January 1776, a 47-page pamphlet called *Common Sense* was distributed in Philadelphia. In it, author Thomas Paine encouraged colonists to demand their rights as citizens and to support independence for the colonies. Much of what Paine had to say in *Common Sense*, such as his demand for freedom from tyranny and his call for self-government, is echoed in the Declaration of Independence. The widely read pamphlet changed the way many colonists viewed their government.

The Declaration of Independence

SS.7.C.1.3 Describe how English policies and responses to colonial concerns led to the writing of the Declaration of Independence.

In 1775, angry about new taxes and actions of the British Parliament, the American colonies went to war with Great Britain. The next year the Continental Congress—representatives from the 13 colonies—met in Philadelphia. At this meeting, the delegates appointed a committee to draw up a Declaration of Independence. Thomas Jefferson wrote most of the Declaration of Independence. The Continental Congress approved it on July 4, 1776.

The Declaration and Human Rights

The Declaration of Independence lists the reasons the colonies decided to separate from Great Britain and to form an independent country. For example, colonists objected to being taxed without their consent. The colonists believed that the power of government comes from the consent of the governed—the people of the country. If any government ignores the will of those people, the people have a legitimate right to change the government.

Thus, the Declaration of Independence is much more than a document to justify independence. It is also a statement of American ideals. It explains to the world in clear language that the purpose of government is to protect **human rights**. These are the basic rights to which all people are entitled.

The Declaration clearly states these rights. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness." This passage is one of the most famous in American writing.

Declaration of Independence

This painting, "Declaration of Independence" by John Trumbull, is fictional. It does not show either the introduction of the draft of the Declaration of Independence on June 28, 1776, or the adoption of the Declaration on July 4, 1776. Trumbull's intention was to portray the images of the men who were the authors of the Declaration.

The man in the red vest is Thomas Jefferson, the principal author of the Declaration of Independence. In 1800 Jefferson was elected as third president of the United States.

The man seated at the table is John Hancock, a popular and respected leader of the American Revolution. His signature is one of the most recognizable on the Declaration of Independence.

Ideals of American Government

Over the years this language from the Declaration of Independence has come to mean that all Americans are equal under the law. Every person has an equal right to life, liberty, and the pursuit of happiness. The signers of the Declaration realized that these ideals would be difficult to achieve. Yet they believed such ideals were worth, as the Declaration states, "our lives, our fortunes, and our sacred honor."

The Declaration of Independence is considered one of the greatest documents in our country's history. Although it was written more than 235 years ago, it remains a lasting symbol of American freedom.

READING CHECK

Finding the Main Idea What was the purpose and significance of the Declaration of Independence?

The Articles of Confederation

The Declaration of Independence was not a plan or a blueprint to provide a government for the new country. The Declaration was the colonists' statement of grievances against the king. It listed their reasons for creating their own new government. The next step came in 1777, when the Continental Congress adopted a plan of government—the Articles of Confederation. The Articles were approved in 1781 by the 13 states. The new government went into effect. When the Revolutionary War ended in 1783, the former colonies of Great Britain had won. They were now a confederation called The United States of America.

The Thirteen Colonies

QUICK
FACTS

The thirteen original colonies were founded in the years from 1607 (Virginia) to 1732 (Georgia). After the Revolutionary War, these colonies became the original United States of America.

- Virginia 1607
- Massachusetts 1620
- New Hampshire 1623
- Maryland 1634
- Connecticut c. 1635
- Rhode Island 1636
- Delaware 1638
- North Carolina 1653
- South Carolina 1663
- New Jersey 1664
- New York 1664
- Pennsylvania 1682
- Georgia 1732



Government under the Articles

A **confederation** is a loose association, rather than a firm union, of states. The Articles of Confederation set up a “firm league of friendship” among the 13 states. Each state was to have equal powers and in most ways was to be independent of the other states. The central, or national, government had very limited powers. The majority of people in the 13 states feared that a strong central government, such as the one they were fighting, might limit the freedom of the separate states. As a result, under the Articles of Confederation, the national government consisted of a lawmaking body called Congress. Each state had one vote in Congress, regardless of the number of people living in the state.

The writers of the Articles wanted to preserve the states’ **sovereignty**, or absolute power. Thus, the Articles gave the power to enforce national laws to the states, rather than to the national government. The Articles also did not establish a national court system.

During the Revolutionary War, the new states had problems working together to achieve victory. After the war, many Americans experienced difficult times. Property had been destroyed. Trade with other countries had slowed. American businesses suffered. Moreover, the war left the country deeply in debt. The Articles of Confederation had not given the new government the powers it needed to solve all these problems.

The Need for Change

The Articles of Confederation succeeded in establishing a new country. However, the residents of each state still tended to think of themselves as citizens of their particular state rather than as Americans. Under the Articles many of the states continued to have only limited contact with each other. This made it difficult for them to agree on the common interests and goals for the government.

The weaknesses of the national government became clear as the young country began to face new problems. The states quarreled over boundary lines. They became involved in disputes over trade. The national government was powerless to end these disagreements or to prevent new ones from arising. In addition to domestic troubles, the country looked weak to other nations. Many leaders began to favor strengthening the national government. As a result, in 1787 Congress asked the states to send representatives to a meeting where revisions to the Articles could be discussed.

READING CHECK

Analyzing Information What type of government did the Articles create?

Weaknesses of the Articles

The national government had several weaknesses under the Articles of Confederation. For example, Congress had trouble passing laws because a vote of 9 of the 13 states was needed to pass important measures. Getting 9 states to agree to any change was difficult. The Quick Facts in the next column explains some of the other weaknesses.

As a result of these weaknesses, states acted more like small, separate nations than as members of a confederation. The states often refused to obey the laws of Congress. Relations between the states and Congress worsened.

READING CHECK

Analyzing Information What were some of the weaknesses of the national government under the Articles of Confederation?

QUICK FACTS

Weaknesses of the Articles of Confederation

The overall weakness of the Articles of Confederation was in the structure of the relationship between the state governments and the national government. Problems included:

- Without a president or an executive branch, there were no officials to ensure that the laws passed by Congress were carried out.
- Without national courts, there was no means of interpreting laws or judging those who broke them.
- Without money, Congress could not pay the country's debts or carry on any government activities that might be needed. Congress also could not pay the soldiers who had fought in the Revolutionary War. These limitations harmed relations with foreign nations and endangered America's national security.

SECTION 2 ASSESSMENT



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ONLINE QUIZ

Reviewing Ideas and Terms

- a. Define** Write a brief definition for the term **human rights**.
b. Explain What was the importance of the Declaration of Independence to the people of the 13 colonies? Give examples to support your answer.
c. Elaborate You read that the Declaration of Independence is more than a document to justify independence from Great Britain. Why is the Declaration of Independence still considered one of the most important documents in American history?
- a. Define** Write a brief definition for each of the following terms: **confederation** and **sovereignty**.
b. Elaborate How did the fact that the Articles of Confederation protected states' sovereignty limit the success of the new nation? Give examples to support your answer.
- a. Summarize** What was the overall problem with the Articles of Confederation? Give four specific examples that illustrate the problem.
b. Evaluate With the improvements in transportation and communication, would the original Articles of Confederation work for all 50 states today? Explain your reasoning.

Critical Thinking

- Summarizing** Use your notes and a graphic organizer like this one to summarize each of the weaknesses of the Articles of Confederation.



FOCUS ON WRITING

- Analyzing Information** Imagine that you are a farmer living in Virginia in the 1780s. In a letter to the editor of your local newspaper, describe the effect of the Articles of Confederation on your life and community. Recommend what action must be taken to improve your situation.

The Declaration of Independence



SS.7.C.1.3;
SS.7.C.1.4;
LA.7.1.6.2

EXPLORING THE DOCUMENT

Thomas
Jefferson

wrote the first draft of the Declaration in a little more than two weeks. **How is the Declaration's idea about why governments are formed still important to our country today?**

Vocabulary

impel force

endowed provided

usurpations wrongful seizures of power

evinces clearly displays

despotism unlimited power

tyranny oppressive power exerted by a government or ruler

candid fair

SS.7.C.1.4 Analyze the ideas (natural rights, role of the government) and complaints set forth in the Declaration of Independence.

EXPLORING THE DOCUMENT

Here the
Declaration

lists the charges that the colonists had against King George III. **How does the language in the list appeal to people's emotions?**

In Congress, July 4, 1776

The unanimous Declaration of the thirteen united States of America,

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which **impel** them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are **endowed** by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and **usurpations**, pursuing invariably the same Object **evinces** a design to reduce them under absolute **Despotism**, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.—Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute **Tyranny** over these States. To prove this, let Facts be submitted to a **candid** world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would **relinquish** the right of Representation in the Legislature, a right **inestimable** to them and **formidable** to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of **Annihilation**, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and **convulsions** within.

He has endeavored to prevent the population of these States; for that purpose obstructing the Laws of **Naturalization of Foreigners**; refusing to pass others to encourage their migration hither, and raising the conditions of new **Appropriations of Lands**.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the **tenure** of their offices, and the amount and payment of their salaries.

He has erected **a multitude of** New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended legislation:

For **quartering** large bodies of armed troops among us:

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

Vocabulary

relinquish release, yield

inestimable priceless

formidable causing dread

annihilation destruction

convulsions violent disturbances

naturalization of foreigners the process by which foreign-born persons become citizens

appropriations of lands setting aside land for settlement

tenure term

a multitude of many

quartering lodging, housing



Mum Bett, a Massachusetts slave, believed that the words "all men are created equal" should apply to her and other enslaved Africans. She successfully sued for her freedom in 1781.

Vocabulary

arbitrary not based on law

render make

abdicated given up

foreign mercenaries
soldiers hired to fight for a
country not their own

perfidy violation of trust

insurrections rebellions

petitioned for redress
asked formally for a
correction of wrongs

unwarrantable jurisdiction
unjustified authority

magnanimity generous
spirit

conjured urgently called
upon

consanguinity common
ancestry

acquiesce consent to

EXPLORING THE DOCUMENT

Here the Declaration describes how the colonies attempted to resolve issues with Great Britain.

How did Great Britain's responses to colonial concerns lead to the writing of the Declaration of Independence?

For transporting us beyond Seas to be tried for pretended offences:

For abolishing the free System of English Laws in a neighboring Province, establishing therein an **Arbitrary** government, and enlarging its Boundaries so as to **render** it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislature, and declaring themselves invested with Power to legislate for us in all cases whatsoever.

He has **abdicated** Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of **foreign mercenaries** to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty & **perfidy** scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic **insurrections** amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have **Petitioned for Redress** in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

Nor have We been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an **unwarrantable jurisdiction** over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and **magnanimity**, and we have **conjured** them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of **consanguinity**. We must, therefore, **acquiesce** in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the **rectitude** of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

John Hancock	Benjamin Harrison	Lewis Morris
Button Gwinnett	Thomas Nelson, Jr.	Richard Stockton
Lyman Hall	Francis Lightfoot Lee	John Witherspoon
George Walton	Carter Braxton	Francis Hopkinson
William Hooper	Robert Morris	John Hart
Joseph Hewes	Benjamin Rush	Abraham Clark
John Penn	Benjamin Franklin	Josiah Bartlett
Edward Rutledge	John Morton	William Whipple
Thomas Heyward, Jr.	George Clymer	Samuel Adams
Thomas Lynch, Jr.	James Smith	John Adams
Arthur Middleton	George Taylor	Robert Treat Paine
Samuel Chase	James Wilson	Elbridge Gerry
William Paca	George Ross	Stephen Hopkins
Thomas Stone	Caesar Rodney	William Ellery
Charles Carroll of Carrollton	George Read	Roger Sherman
George Wythe	Thomas McKean	Samuel Huntington
Richard Henry Lee	William Floyd	William Williams
Thomas Jefferson	Philip Livingston	Oliver Wolcott
	Francis Lewis	Matthew Thornton

Vocabulary

rectitude rightness

EXPLORING THE DOCUMENT

Here is where the document declares the independence of the colonies. **Whose authority does the Congress use to declare independence?**

EXPLORING THE DOCUMENT

The Congress adopted the final draft of the Declaration of Independence on July 4, 1776. A formal copy, written on parchment paper, was signed on August 2, 1776.

EXPLORING THE DOCUMENT

The following is part of a passage that the Congress removed from Jefferson's original draft: "He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither." **Why do you think the Congress deleted this passage?**

Learning from Fine Art

Learn

Although most of history happened before the Internet, television, and photography, we can still see the past in paintings, drawings, and sculpture. Fine art can be “read” as if it were a letter from the artist who made it.

You can understand art in two ways—literally and symbolically. In the literal view, things are just as they appear. The uniform shown is what Washington wore when he posed for the painting. In the symbolic view, things are what they represent. The uniform also symbolizes his role as commander in chief.

Practice

- Determine the subject.** The piece to the right is titled *The Washington Family*, which tells us that we are looking at the family of George Washington.
- Notice small details.** Even a family portrait can be full of small but important symbols. Notice that Martha Washington is pointing to a map with her fan. She is actually pointing to the future site of the White House.
- Determine the point of view.** A piece of art expresses an artist’s feelings and ideas. The time and place of its creation, the kind of life the artist led, and how the artist felt about the subject all may affect the point of view.
- Use outside knowledge.** We know that Washington owned slaves. We also know that William Lee was Washington’s valet and was freed in his will. Most historians believe that William Lee is the man standing against the wall.

Apply



Granger Collection, New York

Answer the following questions with details from the painting.

- What seems to be the artist’s point of view about George Washington?
- Why do you think the artist included William Lee in *The Washington Family*? How does this part of the painting make you feel?
- George Washington did not have any children. The children shown are his step-grandchildren. For what literal and symbolic reasons might they have been included?
- What small details do you notice in the painting? What do they tell you about the subject?
- What does this painting tell you about George Washington?

SECTION 3



SS.7.C.1.1; SS.7.C.1.2; SS.7.C.1.5; SS.7.C.1.8;
SS.7.C.2.4; SS.7.C.2.5; SS.7.C.3.2; SS.7.C.3.6

A New Constitution

BEFORE YOU READ

The Main Idea

The framers of the U.S. Constitution drew upon a history of democratic ideals while developing a document that would establish a new, stronger federal government.

Reading Focus

1. What historical principles of government influenced the delegates to the Constitutional Convention?
2. How did the U.S. government become stronger under the Constitution?
3. When was the Constitution ratified?

Key Terms

Parliament, p. 44
federalism, p. 46
compromise, p. 46
ratification, p. 47
Federalists, p. 47
Antifederalists, p. 47



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TAKING NOTES

Use the graphic organizer online to take notes on how the Constitutional Convention made government stronger and how the Constitution was ratified.

The U.S. Constitution

This cartoon shows the steps from the Articles of Confederation to the Constitution of the United States.

In 1787, delegates from 12 states met in Philadelphia, Pennsylvania, to follow up on the Annapolis Convention. These delegates ended up writing the U.S. Constitution.

In 1786, 5 of the 13 states met at Annapolis, Maryland, to discuss commercial problems and the weaknesses of the national government.

In 1785, delegates from Maryland and Virginia met at Mt. Vernon, Virginia, to discuss navigation conflicts.

STEPS IN THE ESTABLISHMENT OF A MORE STABLE GOVERNMENT



CIVICS IN PRACTICE

By 1787 people in the new United States realized that the Articles of Confederation needed to be fixed. The states called a convention where the delegates wrote a completely new plan for government. The new plan became the Constitution. That Constitution, with a few amendments, describes the relationship between the national government and you as a citizen of the United States.

The Constitutional Convention and History

The delegates who attended the Constitutional Convention wrote a constitution that has endured for more than 220 years. It is the world's oldest written constitution still governing a country today. These delegates were familiar with history, and they had learned many important lessons from the past. The delegates wanted Americans to enjoy all of the rights the English people had fought for and won during past centuries.



Focus On John Locke (1632-1704)

English philosopher John Locke was one of the most influential thinkers of his time. Many of his ideas and theories are reflected in the Declaration of Independence. For

example, Locke believed that all people were born equal with the natural rights of life, liberty, and property. According to Locke, the purpose of government was to protect these rights.

Along with other Enlightenment thinkers, Locke disagreed with the traditional claim that monarchs ruled by divine right, or by the will of God. Locke saw government as the product of a social contract built on the consent of the governed. He believed that if a government failed to protect its citizens' natural rights, they had the right to overthrow it. Locke's ideas became a foundation for modern democracy.

Making Inferences How did Locke's ideas about a social contract and natural law influence the framers of the Constitution?

SS.7.C.1.1 Recognize how Enlightenment ideas including Montesquieu's view of separation of power and John Locke's theories related to natural law and how Locke's social contract influenced the Founding Fathers.

SS.7.C.1.2 Trace the impact that the Magna Carta, English Bill of Rights, Mayflower Compact, and Thomas Paine's "Common Sense" had on colonists' views of government.

SS.7.C.3.2 Compare parliamentary, federal, confederal, and unitary systems of government.

British Principles Influence the Delegates

The delegates turned to their British heritage and adopted many principles of government from England. The delegates took principles from:

Magna Carta In 1215, English nobles forced King John to sign the Magna Carta, which means "Great Charter." The Magna Carta guaranteed that free people could not be arrested, put in prison, or forced to leave their nation unless they were given a trial by a jury of their peers. It guaranteed that the citizens of England were to be judged according to English law only. Magna Carta also protected the rights of Parliament against the monarch.

English Bill of Rights The delegates to the Convention in 1787 also wished to guarantee Americans the rights contained in the English Bill of Rights of 1689. One of these rights was the right to petition, or request, the government to improve or to change laws. Another was the right to a fair punishment if a citizen were to be found guilty of a crime.

Parliamentary Government The Convention delegates also carefully studied the example of parliamentary government in England. **Parliament**, the lawmaking body of Great Britain, is bicameral. It consists of two parts, or houses. The House of Lords is appointed by the monarch, and the House of Commons is elected by the people. Each house can check the work of the other house. Today, however, the House of Lords holds less power than it once did.

The head of the British government is the prime minister. The prime minister is usually chosen from the political party that holds the most seats in the House of Commons. The prime minister chooses the top administrative officials in the government. Both the prime minister and his or her appointees can be replaced if the prime minister loses a majority vote in Parliament. A new election is held and voters choose a new government.

Delegates Hold Their Meetings in Secret

The delegates to the Convention wanted to be able to discuss their ideas about government freely. For this reason, many delegates wanted to hold their meetings in secret. Also, some delegates feared that if they spoke publicly on an issue, they would be pressured by outsiders. Taking a public stand might also make it more difficult for delegates to change their minds after debate and discussion.

Some delegates favored open public debate and criticized the idea of secrecy. Yet without secrecy, agreement on difficult issues might not have been possible. The delegates voted to hold their meetings in secret.

Today we know what took place during the Convention because James Madison kept a journal of the proceedings. Because of the role Madison played in the proceedings, he is sometimes called the Father of the Constitution.

The Origins of the Constitution

The U.S. Constitution created a republican form of government based on the consent of the people. Its framers blended ideas and examples from the American colonies and England to write this lasting document.

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INTERACTIVE ART



King John signing Magna Carta

MAGNA CARTA, 1215

England's Magna Carta was the first document to check the power of the king. It declared that people could not be deprived of lives, liberty, or property "except by the lawful judgment of [their] peers, or by the law of the land." This idea is continued in the Fifth Amendment to the Constitution.

BRITISH PARLIAMENT, 1295

The two-chambered structure of the British Parliament was retained in the U.S. Constitution at Article I, Section 1.

THE MAYFLOWER COMPACT, 1620

The *Mayflower* sailed to the colonies from England. At the end of the journey, 41 men signed the Mayflower Compact, the first document to establish self-government in the colonies.

THE ENGLISH BILL OF RIGHTS, 1689

To strengthen the protections of Magna Carta, the English Bill of Rights established freedom from taxation without representation, freedom from cruel and unusual punishment, the right to bear arms, and many other rights that would eventually be included in the U.S. Constitution.

THE ENLIGHTENMENT, 1700s

Eighteenth-century philosophers, such as John Locke, Thomas Hobbes, and Jean-Jacques Rousseau, influenced the framers of the Constitution. Locke argued that government exists only by the "consent of the governed." This idea is echoed in the Preamble, which begins, "We the people..."

VIRGINIA STATUTE FOR RELIGIOUS FREEDOM, 1786

Thomas Jefferson wrote the Virginia Statute for Religious Freedom. It vigorously argued that government has no right to impose, coerce, or interfere with religious practice. This same principle is expressed in the First Amendment to the Constitution.



Thomas Jefferson

England

American Colonies

**ANALYSIS
SKILL**

ANALYZING INFORMATION

Which of the ideas listed here do you consider most important? Why?

SS.7.C.1.5 Identify how the weaknesses of the Articles of Confederation led to the writing of the Constitution.

SS.7.C.3.2 Compare parliamentary, federal, confederal, and unitary systems of government.

Writing the Constitution

The framers of the Constitution agreed that the central government needed greater power. At the same time, the framers agreed that the states should keep the powers needed to govern their own affairs. To achieve this balance, the framers established a system of government known as **federalism**, or a federal system.

Federalism divides a government's powers between the national government, which governs the whole country, and state governments, which govern each state. This system is much different from a unitary system, in which the national government possesses all legal power. Local governments have no independent power under either system. The Articles of Confederation created a confederal system, one in which a central government has less power than its sovereign states.

The delegates discussed many ideas and proposals for organizing the federal system. They eventually settled many differences of opinion by a series of compromises. A **compromise** is an agreement in which each side gives up part of its demands in order to reach a solution to a problem.

The most serious disagreement arose over the question of representation in the new national legislature, or lawmaking body. The larger states favored a legislature in which representation would be based on the size of a state's population. The smaller states wanted

each state to have an equal number of representatives in the legislature.

Finally, both sides agreed to a compromise. Their agreement provided for a bicameral lawmaking body called Congress. In one house, the Senate, the states were to have equal representation. In the other house, the House of Representatives, each state was to be represented according to the size of its population. This agreement became known as the Great Compromise.

READING CHECK **Contrasting** How do federal, unitary, and confederal systems differ?

Government Becomes Stronger

The framers increased the powers of the national government under the Constitution. Congress was given the powers to coin and print money, raise armed forces, regulate trade among the states and with foreign nations, and set taxes. Provision was also made for a president to carry out the country's laws. The framers also created the Supreme Court to interpret the laws made by Congress.

The Constitution Is Completed

By September 1787 the delegates had completed their work. Probably no delegate was satisfied with each and every part of the document. For example, Benjamin Franklin did not

The Constitution Strengthens the National Government



Strengths of the Constitution

- ✓ most power held by national government
- ✓ three branches of government
- ✓ legislative branch has many powers
- ✓ executive branch led by president
- ✓ judicial system an equal branch
- ✓ firm system of checks and balances

Weaknesses of the Articles of Confederation

- most power held by states
- one branch of government
- legislative branch has few powers
- no executive branch
- no judicial system
- no system of checks and balances

The Sixth Amendment: Right to a Jury Trial

Imagine that you are accused of a crime. Instead of having a trial, you are thrown into a pond to see if you will float or sink! In some places, this was once a way of determining guilt (floating) or innocence (sinking).

Our right to a jury trial comes from the English Magna Carta. In this document from the year 1215, King John agreed that “No freeman shall be taken, imprisoned . . . or in any other way destroyed . . . except by the lawful judgment of his peers, or by the law of the land.” For the first time, a person could not be jailed at the whim of the king or by a biased judge.

This English right spread to the American colonies. After the Revolutionary War, the right to a jury trial

was established permanently in the Bill of Rights: The Sixth Amendment provides that “In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury . . .”

In order for juries to be fair, or impartial, they must include a cross-section of people from the community. It is unconstitutional for a prosecutor to keep people off of a jury because of their race, gender, or national origin.

1. Why is trial by jury a fair way of deciding guilt or innocence?
2. What must lawyers consider when selecting members of a jury?

The right to a trial by jury is almost 800 years old.



approve of parts of the Constitution. Nevertheless, he believed that the framers had written the best constitution possible. For this reason, he urged the delegates to sign the document.

Most of the delegates shared Franklin's belief. On September 17 the Constitution was signed by 39 of the 42 framers present.

Approving the Constitution

The work of the members of the Constitutional Convention was not over when they left Philadelphia. The Constitution now had to be sent to the states for **ratification**, or approval. Before the Constitution could go into effect, it had to be ratified by 9 of the 13 states. Each state set up a special convention of delegates to vote on the Constitution.

People quickly took sides over whether or not to adopt the Constitution. Some people strongly supported the new plan of government. Others were opposed to it. The public was swamped with pamphlets, letters to newspapers, and speeches representing both sides of the debate.

Federalists, Antifederalists, and Ratification

Supporters of the Constitution, who favored a strong national government, were called **Federalists**. The Federalists argued that a strong national government was needed to keep the country united. Alexander Hamilton, John Jay, and James Madison were leading Federalists. They published a series of articles known as the *Federalist Papers* to help increase support for the Constitution.

People who opposed the new Constitution and the federal system of government were called **Antifederalists**. They feared that a constitution that established such a strong national government defeated the purpose of the Revolutionary War. The Antifederalists believed that the proposed Constitution would protect neither the states' power nor the people's freedom.

READING CHECK

Contrasting About what issues did Federalists and Antifederalists disagree?

SS.7.C.1.8 Explain the viewpoints of the Federalists and the Anti-Federalists regarding the ratification of the Constitution and inclusion of a bill of rights.

The Constitution Is Ratified

Gradually, Federalists gained support. However, many citizens were upset that the Constitution did not contain a list of the rights of the people. Some states suggested that such a list, or bill, of rights be added if the new Constitution was ratified.

Most of the states ratified the Constitution in 1787 and 1788. The required ninth state ratified it in June 1788. The new U.S. government began to operate in March 1789. Two states, North Carolina and Rhode Island, did not approve the Constitution until after it went into effect. On April 30, 1789, George Washington was sworn in as the first president of the United States. The country's new government was under way.

READING CHECK

Analyzing Information What did some citizens think was missing from the new Constitution?

Our Nation's Origins

In 1777 the Continental Congress adopted a design for the first flag. The Congress left no record to show why it chose the red, white, and blue colors for the flag. The 13 stars represent the 13 colonies. They are arranged in a circle so that no colony would be seen as being above another.



SECTION 3 ASSESSMENT



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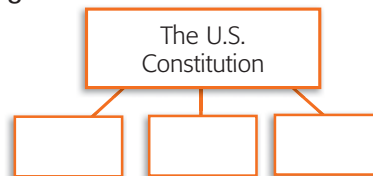
ONLINE QUIZ

Reviewing Ideas and Terms

- a. Define** Write a brief definition for the terms **Parliament**, **federalism**, and **compromise**.
b. Explain How are the three principles of government the framers adopted from English government relevant to citizens today? Give details to support your answer.
- a. Define** Write a brief definition for the terms **ratification**, **Federalists**, and **Antifederalists**.
b. Elaborate Identify three ways in which the Constitution strengthened the national government and explain why these changes were important to the new country.
- a. Finding the Main Idea** Briefly describe the ratification of the U.S. Constitution.
b. Draw Conclusions Why do you think that several states wanted a bill of people's rights added to the Constitution?

Critical Thinking

- Finding Main Ideas** Copy the graphic organizer. Use it to show some of the Constitution's main ideas, its influences, and a compromise that allowed for its passage.



FOCUS ON WRITING

- Contrasting** Write a speech that supports ratification of the Constitution. Compare the Constitution to the Articles of Confederation and explain how the Constitution will strengthen the national government. Consider:
 - taxes
 - interstate and international trade
 - the power of the national government

STUDENTS TAKE ACTION

PROJECT Citizen



Keeping Students Safe

Around the country, many students keep an eye out for neighborhood ice cream trucks. Students in Modesto, California, however, are thinking about something other than ice cream. Ice cream trucks in their town have also been selling BB guns and toy guns. Concerned students are studying this issue. By working cooperatively with government officials and educating community members, this Project Citizen class is making sure that people are hearing their message.



Students in Modesto, California, want to stop the sale of toy guns from ice cream trucks.

Community Connection A young student in Modesto was shot in the eye with a pellet fired from a toy gun that was bought from an ice cream truck. Older students took notice. The extent of the problem became clear when three students were suspended from school and a second student was injured in BB gun incidents. Student Leela Lowe, who was the second person shot, said, "When they sell the guns, kids just buy them like they are nothing. They just shoot people."

Taking Action Now students in Nicholas Kellner's and Patty McLean's classes are researching the problem as part of the Project Citizen program and are working on a policy to help prevent future accidents. These students are trying to develop different ways to stop ice cream trucks from selling toy guns. The Modesto students have held a student public awareness assembly within their school. They have reached out to the community through local public television and newspapers. They have also organized a protest and planned a meeting with the city council. They hope their actions will get more people involved in creating solutions to the toy gun problem.

SERVICE LEARNING



1. Why do the Modesto students think that selling toy guns from ice cream trucks is a problem?
2. If you were a student in Modesto, what are some of the ways you could address the issue of toy gun sales?

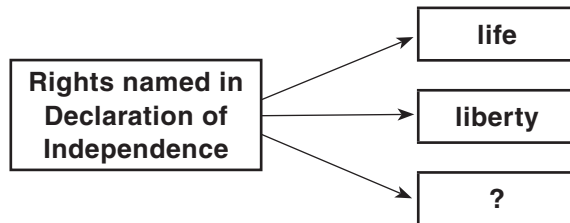
 hmsocialstudies.com **ACTIVITY**

CHAPTER 2 REVIEW



FLORIDA CIVICS EOC PRACTICE

1. The chart below identifies rights that the American colonists claimed in the Declaration of Independence.



Which phrase correctly completes the diagram?

- A. freedom of speech
- B. against self-incrimination

- C. against quartering troops
- D. pursuit of happiness

2. One of Montesquieu's ideas in particular influenced the Founding Fathers. Which of the following statements most closely resembles that idea?

- A. People and rulers are partners in a social contract.
- B. There should be separation of powers within a government.
- C. Natural laws are more important than a government's laws.
- D. Ideas of the Enlightenment philosophers should form the basis for American education.

Reviewing Key Terms

For each term or name below, write a sentence explaining its significance to the foundations of American government.

- 1. monarch
- 2. dictator
- 3. democracy
- 4. direct democracy
- 5. representative democracy
- 6. republic
- 7. constitution
- 8. human rights
- 9. confederation
- 10. sovereignty
- 11. Parliament
- 12. federalism
- 13. compromise
- 14. ratification
- 15. Federalists
- 16. Antifederalists

Comprehension and Critical Thinking

SECTION 1 (Pages 30–33)

- 17. a. Describe** What are two main types of government, and which type better protects and reflects the wishes of its citizens? Explain your answer.
- b. Explain** What are three purposes of government? Use examples from the United States to illustrate your answer.
- c. Elaborate** How does the U.S. government guarantee the freedoms of U.S. citizens? Give examples to support your answer.

SECTION 2 (Pages 34–37)

- 18. a. Describe** What were the key purposes of the Declaration of Independence?
- b. Elaborate** What were the Articles of Confederation and why did they need to be changed?

Active Citizenship video program

Review the video to answer the closing question:
What are some ways young people can make their community safer?



SECTION 3 (Pages 43–48)

- 19. a. Identify** In what ways did the colonists' English political heritage influence American ideas about government and individual rights?
- b. Explain** What was the outcome of the Constitutional Convention?
- c. Elaborate** What were the arguments of the Federalists and Antifederalists?

Civics Skills

Learning from Fine Art Review the painting on the Civics Skills page in this chapter, then answer the questions below.



Granger Collection, New York

- 20.** To what aspect of Washington's life does his uniform refer?
- His military career
 - His ownership of a plantation
 - His time spent as a surveyor
 - His presidency
- 21.** To what aspect of his life do the official papers on which Washington's arm rests refer?
- His military career
 - His ownership of a plantation
 - His time spent as a surveyor
 - His presidency
- 22.** The children in the painting are Washington's step-grandchildren. What might they symbolize?
- Other children Washington had known at Mount Vernon
 - The future generations of America
 - Washington's own childhood
 - The new nation of the United States

Reading Skills

Chronological Order Use the Reading Skill taught in this chapter to answer the question below.

- 23.** Organize the following events chronologically according to the chapter.
- Federalist Papers* are published.
 - Constitution is ratified.
 - Articles of Confederation is ratified.
 - Constitutional Convention meets in Philadelphia.

Using the Internet

- 24.** Through your online textbook, research the Constitutional Convention. Then imagine you are one of the delegates. Create a series of journal entries outlining what you thought and how you voted. Make sure you reflect on the different plans for government and give your own view on which plans would have been best for the nation.

FOCUS ON WRITING

- 25. Creating a Pamphlet** Use the information you have gathered about the foundations of the U.S. government. Use that information to create your pamphlet. On the first page, write a title for your pamphlet and a phrase or sentence that will get the attention of your audience. On each of the following pages, you can use this format: (1) a heading and sentence at the top of the page identifying the topic of the page, and (2) the list of most important points for that topic. At the end of page four, write one sentence that summarizes the importance of the Constitution to the government and to citizens.

LAW 101



FOUNDATIONS
of DEMOCRACY

Fourth Amendment Protection in Today's Electronic World

When the authors of the Bill of Rights wrote the Fourth Amendment, they were thinking of the violations of privacy they had suffered as colonists. British officers had been allowed to search inside any building where they suspected smuggled goods might be hidden. The writers of the amendment made sure to protect “persons, houses, papers, and effects against unreasonable searches.” They could not have foreseen that one day those words would be interpreted to also include e-mail, instant messages, and cellular phone calls.

Why it Matters

Technology has changed greatly since the late 1700s. The courts have been required to revisit the Fourth Amendment throughout the years to see how it currently applies. In 1928, for example, Roy Olmstead was imprisoned for selling liquor during Prohibition. Alcohol was then illegal. Federal law enforcement agents had wiretapped Olmstead's telephone lines without a search warrant to prove his guilt. Olmstead sued the government in *Olmstead v. United States*. He claimed that wiretaps violated his right to privacy. The Supreme Court upheld wiretaps as legal. There was no physical entrance of the suspect's home or office. However, in a 1967 case, *Katz v. United States*, the Court reversed this decision. It ruled that a wiretap is a search that requires a warrant.

Telephones are not the only form of technology involved in Fourth Amendment debates in the digital age. In 1986 Congress passed the Electronic Communications Privacy Act. Its purpose is to protect the transmission of e-mails and instant messaging. However, the law provides less protection for messages stored on computers.

The debate over how to apply the Fourth Amendment continues in the 21st century. For example, the USA PATRIOT Act of 2001 was passed in response to the terrorist attacks of September 11. It expanded the government's ability to monitor certain individuals' phone calls and e-mails without a warrant. In 2005, Congress voted to reauthorize the act. Portions of the act had been set to expire. Congress required that several new clauses intended to protect Americans' civil liberties be added. Even years later, however, debate continues over whether the privacy limits of the act should be expanded or further limited.



Your right to privacy extends to your e-mails and cellular phone calls in most—but not all—cases.

ANALYSIS SKILL

EVALUATING THE LAW

1. Do you think the government should be allowed to read people's e-mails without a search warrant? How might this help with national-security concerns? How could it affect your privacy?
2. Do you think the authors of the Fourth Amendment would write it differently today? Explain your opinion.

hmhsocialstudies.com **ACTIVITY**

THE UNITED STATES CONSTITUTION

PREAMBLE 54

ARTICLE I

The Legislature 55

ARTICLE II

The Executive 62

ARTICLE III

The Judiciary 65

ARTICLE IV

Relations Among States 66

ARTICLE V

Amending the Constitution 68

ARTICLE VI

Supremacy of National
Government 68

ARTICLE VII

Ratification 69

CONSTITUTIONAL AMENDMENTS

AMENDMENTS 1–10

The Bill of Rights 70

AMENDMENTS 11–27 72

An Uncle Sam mechanical bank

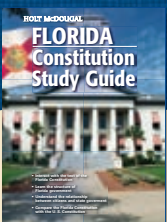


The Constitution of the United States

Preamble

The short and dignified preamble explains the goals of the new government under the Constitution.

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.



Compare the U.S. Constitution and the Florida Constitution using Holt McDougal's *Florida Constitution Study Guide*.

Note: The parts of the Constitution that have been lined through are no longer in force or no longer apply because of later amendments. The titles of the sections and articles are added for easier reference.

SS.7.C.3.3 Illustrate the structure and function (three branches of government established in Articles I, II, and III with corresponding powers) of government in the United States as established in the Constitution.

Article I The Legislature

Section 1. Congress

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives

1. Elections The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

2. Qualifications No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

3. Number of Representatives Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, ~~which shall be determined by adding to the whole Number of free Persons, including those bound to Service¹ for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.²~~ The actual **Enumeration³** shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; ~~and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.~~

4. Vacancies When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

5. Officers and Impeachment The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of impeachment.

Legislative Branch

Article I explains how the legislative branch, called Congress, is organized. The chief purpose of the legislative branch is to make laws. Congress is made up of the Senate and the House of Representatives.

The House of Representatives

The number of members each state has in the House is based on the population of the individual state. In 1929 Congress permanently fixed the size of the House at 435 members.

Vocabulary

¹ **those bound to Service** indentured servants

² **all other Persons** slaves

³ **Enumeration** census or official population count

Section 3. The Senate

1. Number of Senators The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

2. Classifying Terms Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

3. Qualifications No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

4. Role of Vice President The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

5. Officers The Senate shall choose their other Officers, and also a President **pro tempore**,⁴ in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

6. Impeachment Trials The Senate shall have the sole Power to try all **Impeachments**.⁵ When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

7. Punishment for Impeachment Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

The Vice President

The only duty that the Constitution assigns to the vice president is to preside over meetings of the Senate. Modern presidents have usually given their vice presidents more responsibilities.

EXPLORING THE DOCUMENT

If the House of Representatives charges a government official with wrongdoing, the Senate acts as a court to decide if the official is guilty. **How does the power of impeachment represent part of the system of checks and balances?**

Vocabulary

⁴ **pro tempore** temporarily

⁵ **Impeachments** official accusations of federal wrongdoing

Federal Office Terms and Requirements

QUICK FACTS

Position	Term	Minimum Age	Residency	Citizenship
President	4 years	35	14 years in the U.S.	natural-born
Vice President	4 years	35	14 years in the U.S.	natural-born
Supreme Court Justice	unlimited	none	none	none
Senator	6 years	30	state in which elected	9 years
Representative	2 years	25	state in which elected	7 years

Section 4. Congressional Elections

1. Regulations The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

2. Sessions ~~The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.~~

Section 5. Rules/Procedures

1. Quorum Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a **Quorum**⁶ to do Business; but a smaller Number may **adjourn**⁷ from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

2. Rules and Conduct Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

3. Records Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

4. Adjournment Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6. Payment

1. Salary The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

2. Restrictions No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the **Emoluments**⁸ whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his **Continuance**⁹ in Office.

Vocabulary

⁶ **Quorum** the minimum number of people needed to conduct business

⁷ **adjourn** to stop indefinitely

⁸ **Emoluments** salary

⁹ **Continuance** term

Vocabulary

- ¹⁰ **Bills** proposed laws
- ¹¹ **Duties** tariffs
- ¹² **Imposts** taxes
- ¹³ **Excises** internal taxes on the manufacture, sale, or consumption of a commodity
- ¹⁴ **Rule of Naturalization** a law by which a foreign-born person becomes a citizen
- ¹⁵ **Securities** bonds

EXPLORING THE DOCUMENT

The veto power of the president is one of the important checks and balances in the Constitution. **Why do you think the framers included the ability of Congress to override a veto?**

Section 7. How a Bill Becomes a Law

1. Tax Bills All **Bills**¹⁰ for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

2. Lawmaking Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States: If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

3. Role of the President Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

How a Bill Becomes a Law

- 1** A member of the House or the Senate introduces a bill and refers it to a committee.
- 2** The House or Senate Committee may approve, rewrite, or kill the bill.



- 3** The House or the Senate debates and votes on its version of the bill.
- 4** House and Senate conference committee members work out the differences between the two versions.
- 5** Both houses of Congress pass the revised bill.



Section 8.

Powers Granted to Congress

1. Taxation The Congress shall have Power To lay and collect Taxes, **Duties**,¹¹ **Imposts**¹² and **Excises**,¹³ to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

2. Credit To borrow Money on the credit of the United States;

3. Commerce To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

4. Naturalization and Bankruptcy To establish an uniform **Rule of Naturalization**,¹⁴ and uniform Laws on the subject of Bankruptcies throughout the United States;

5. Money To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

6. Counterfeiting To provide for the Punishment of counterfeiting the **Securities**¹⁵ and current Coin of the United States;

7. Post Office To establish Post Offices and post Roads;

8. Patents and Copyrights To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

9. Courts To constitute Tribunals inferior to the supreme Court;

10. International Law To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

LINKING TO TODAY

Native Americans and the Commerce Clause

The commerce clause gives Congress the power to “regulate Commerce with . . . the Indian Tribes.” The clause has been interpreted to mean that the states cannot tax or interfere with businesses on Indian reservations, but that the federal government can. It also allows American Indian nations to develop their own governments and laws. These laws, however, can be challenged in federal court. Although reservation land usually belongs to the government of the Indian group, it is administered by the U.S. government.

Drawing Conclusions How would you describe the status of American Indian nations under the commerce clause?

EXPLORING THE DOCUMENT

While the president is considered the country’s foreign policy leader, Congress is chiefly responsible for creating U.S. domestic policy. Domestic policy deals with issues directly related to a nation. Examples of domestic policies include laws and programs related to education, health care, and law enforcement.

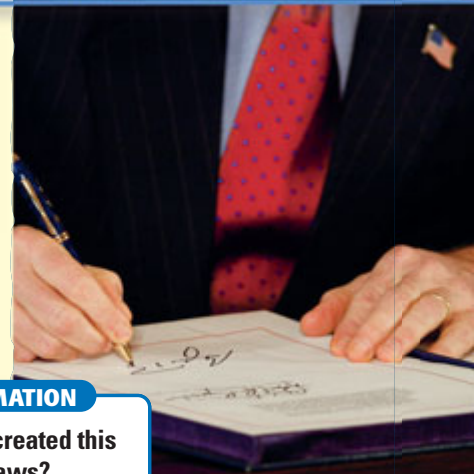


- 6 The president signs or vetoes the bill.
- 7 Two-thirds majority vote of Congress is needed to approve a vetoed bill. Bill becomes a law.

ANALYSIS SKILL

ANALYZING INFORMATION

Why do you think the framers created this complex system for adopting laws?



Vocabulary

¹⁶**Letters of Marque and Reprisal** documents issued by governments allowing merchant ships to arm themselves and attack ships of an enemy nation

The Elastic Clause

The framers of the Constitution wanted a national government that was strong enough to be effective. This section lists the powers given to Congress. The last portion of Section 8 contains the so-called elastic clause.

11. War To declare War, grant **Letters of Marque and Reprisal**,¹⁶ and make Rules concerning Captures on Land and Water;

12. Army To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

13. Navy To provide and maintain a Navy;

14. Regulation of the Military To make Rules for the Government and Regulation of the land and naval Forces;

15. Militia To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

16. Regulation of the Militia To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

17. District of Columbia To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

18. Necessary and Proper Clause To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

The Elastic Clause

The elastic clause has been stretched (like elastic) to allow Congress to meet changing circumstances.

Section 9. Powers Denied Congress

1. Slave Trade The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight; but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

2. Habeas Corpus The Privilege of the **Writ of Habeas Corpus**¹⁷ shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

3. Illegal Punishment No **Bill of Attainder**¹⁸ or **ex post facto Law**¹⁹ shall be passed.

4. Direct Taxes No **Capitation**,²⁰ or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.

5. Export Taxes No Tax or Duty shall be laid on Articles exported from any State.

6. No Favorites No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

7. Public Money No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

8. Titles of Nobility No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section 10. Powers Denied the States

1. Restrictions No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

2. Import and Export Taxes No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

3. Peacetime and War Restraints No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

EXPLORING THE DOCUMENT

Although Congress

has implied powers, there are also limits to its powers. Section 9 lists powers that are denied to the federal government. Several of the clauses protect the people of the United States from unjust treatment. **In what ways does the Constitution limit the powers of the federal government?**

Vocabulary

¹⁷Writ of Habeas Corpus a court order that requires the government to bring a prisoner to court and explain why he or she is being held

¹⁸Bill of Attainder a law declaring that a person is guilty of a particular crime

¹⁹ex post facto Law a law that is made effective prior to the date that it was passed and therefore punishes people for acts that were not illegal at the time

²⁰Capitation a direct uniform tax imposed on each head, or person

Executive Branch

The president is the chief of the executive branch. It is the job of the president to enforce the laws. The framers wanted the president's and vice president's terms of office and manner of selection to be different from those of members of Congress. They decided on four-year terms, but they had a difficult time agreeing on how to select the president and vice president. The framers finally set up an electoral system, which varies greatly from our electoral process today.

Presidential Elections

In 1845 Congress set the Tuesday following the first Monday in November of every fourth year as the general election date for selecting presidential electors.

Article II The Executive

Section 1. The Presidency

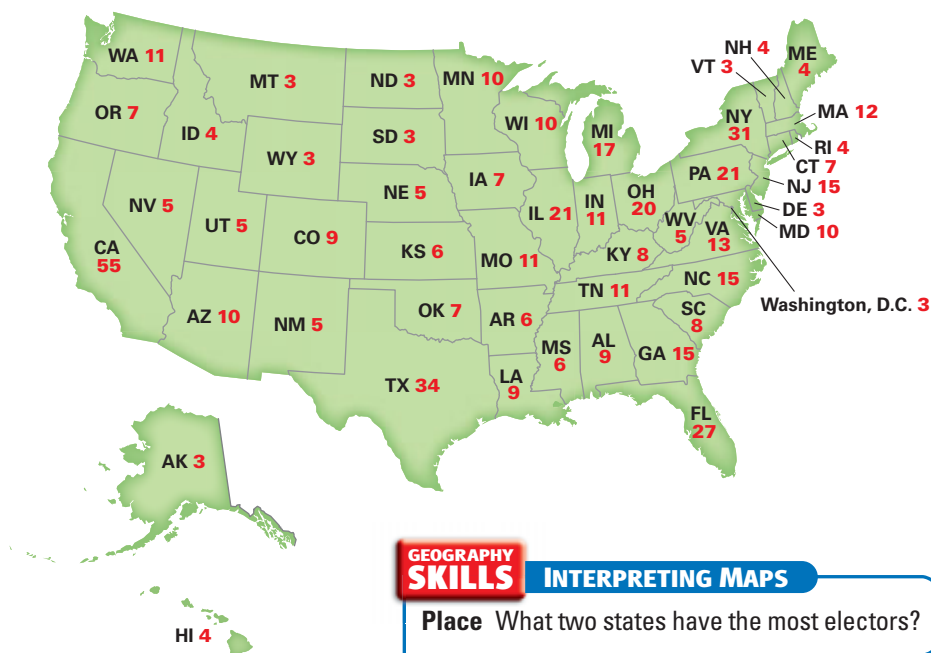
1. Terms of Office The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

2. Electoral College Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

3. Former Method of Electing President The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall

The Electoral College

11 Number of Electors



GEOGRAPHY SKILLS

INTERPRETING MAPS

Place What two states have the most electors?

then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately choose by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner choose the President. But in choosing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall choose from them by Ballot the Vice President.

4. Election Day The Congress may determine the Time of choosing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

5. Qualifications No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

6. Succession In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

7. Salary The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

8. Oath of Office Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

EXPLORING THE DOCUMENT

The youngest elected

president was John F. Kennedy; he was 43 years old when he was inaugurated. (Theodore Roosevelt was 42 when he assumed office after the assassination of McKinley.)

What is the minimum required age for the office of president?

Presidential Salary

In 1999 Congress voted to set future presidents' salaries at \$400,000 per year. The president also receives an annual expense account. The president must pay taxes only on the salary.

Commander in Chief

Today the president is in charge of the army, navy, air force, marines, and coast guard. Only Congress, however, can decide if the United States will declare war.

Appointments

Most of the president's appointments to office must be approved by the Senate.

Vocabulary

²¹**Reprieves** delays of punishment

²²**Pardons** releases from the legal penalties associated with a crime

The State of the Union

Every year the president presents to Congress a State of the Union message. In this message, the president introduces and explains a legislative plan for the coming year.

Section 2. Powers of Presidency

1. Military Powers The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant **Reprieves**²¹ and **Pardons**²² for Offences against the United States, except in Cases of Impeachment.

2. Treaties and Appointments He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

3. Vacancies The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3. Presidential Duties

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section 4. Impeachment

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Article III The Judiciary

Section 1. Federal Courts and Judges

The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

Section 2. Authority of the Courts

1. General Authority The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States ~~—between a State and Citizens of another State;~~ —between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, ~~and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.~~

2. Supreme Authority In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

Judicial Branch

The Articles of Confederation did not set up a federal court system. One of the first points that the framers of the Constitution agreed upon was to set up a national judiciary. In the Judiciary Act of 1789, Congress provided for the establishment of lower courts, such as district courts, circuit courts of appeals, and various other federal courts. The judicial system provides a check on the legislative branch: it can declare a law unconstitutional.

Federal Judicial System

QUICK
FACTS

Supreme Court

Reviews cases appealed from lower federal courts and highest state courts

Courts of Appeals

Review appeals from district courts

District Courts

Hold trials

SS.7.C.3.11
Diagram the levels, functions, and powers of courts at the state and federal levels.

Vocabulary

²³ **Corruption of Blood**
punishing the family of a
person convicted of treason

The States

States must honor the laws, records, and court decisions of other states. A person cannot escape a legal obligation by moving from one state to another.

EXPLORING THE DOCUMENT

The framers wanted to ensure that citizens could determine how state governments would operate. **How does the need to respect the laws of each state support the principle of popular sovereignty?**

3. Trial by Jury The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section 3. Treason

1. Definition Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

2. Punishment The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work **Corruption of Blood**,²³ or Forfeiture except during the Life of the Person attainted.

Article IV Relations among States

Section 1. State Acts and Records

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section 2. Rights of Citizens

1. Citizenship The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

2. Extradition A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

3. Fugitive Slaves No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Federalism

QUICK FACTS

SS.7.C.3.3 Illustrate the structure and function (three branches of government established in Articles I, II, and III with corresponding powers) of government in the United States as established in the Constitution.

National

- Declare war
- Maintain armed forces
- Regulate interstate and foreign trade
- Admit new states
- Establish post offices
- Set standard weights and measures
- Coin money
- Establish foreign policy
- Make all laws necessary and proper for carrying out delegated powers

Shared

- Maintain law and order
- Levy taxes
- Borrow money
- Charter banks
- Establish courts
- Provide for public welfare

State

- Establish and maintain schools
- Establish local governments
- Regulate business within the state
- Make marriage laws
- Provide for public safety
- Assume other powers not delegated to the national government nor prohibited to the states

ANALYSIS SKILL

ANALYZING INFORMATION

Why does the power to declare war belong only to the national government?

Section 3. New States

1. Admission New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

2. Congressional Authority The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section 4. Guarantees to the States

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.

EXPLORING THE DOCUMENT

In a republic, voters elect representatives to act in their best interest. **How does Article IV protect the practice of republicanism in the United States?**

EXPLORING THE DOCUMENT

America's
founders

may not have realized how long the Constitution would last, but they did set up a system for changing or adding to it. They did not want to make it easy to change the Constitution. **By what methods may the Constitution be amended? Under what sorts of circumstances do you think an amendment might be necessary?**

National Supremacy

One of the biggest problems facing the delegates to the Constitutional Convention was the question of what would happen if a state law and a federal law conflicted. Which law would be followed? Who would decide? The second clause of Article VI answers those questions. When a federal law and a state law disagree, the federal law overrides the state law. The Constitution and other federal laws are the "supreme Law of the Land." This clause is often called the supremacy clause.

SS.7.C.3.5 Explain the Constitutional amendment process.

Article V Amending the Constitution

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Article VI Supremacy of National Government

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Amending the U.S. Constitution

QUICK
FACTS

Amendments can be proposed by

Congress



with a two-thirds
vote in each house

National
Convention



called by Congress
at the request of
two-thirds of the
state legislatures

or

Ratified by

Legislatures
of three-fourths
of the states

Conventions
in three-fourths
of the states

or

Amendment is added
to the Constitution.

Article VII Ratification

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

George Washington—

President and deputy from Virginia

Delaware

*George Read
Gunning Bedford Jr.
John Dickinson
Richard Bassett
Jacob Broom*

Maryland

*James McHenry
Daniel of
St. Thomas Jenifer
Daniel Carroll*

Virginia

*John Blair
James Madison Jr.*

North Carolina

*William Blount
Richard Dobbs Spaight
Hugh Williamson*

South Carolina

*John Rutledge
Charles Cotesworth
Pinckney
Charles Pinckney
Pierce Butler*

Georgia

*William Few
Abraham Baldwin*

New Hampshire

*John Langdon
Nicholas Gilman*

Massachusetts

*Nathaniel Gorham
Rufus King*

Connecticut

*William Samuel Johnson
Roger Sherman*

New York

Alexander Hamilton

New Jersey

*William Livingston
David Brearley
William Paterson
Jonathan Dayton*

Pennsylvania

*Benjamin Franklin
Thomas Mifflin
Robert Morris
George Clymer
Thomas FitzSimons
Jared Ingersoll
James Wilson
Gouverneur Morris*

Attest:

*William Jackson,
Secretary*

Ratification

The Articles of Confederation called for all 13 states to approve any revision to the Articles. The Constitution required that 9 out of the 13 states would be needed to ratify the Constitution. The first state to ratify was Delaware, on December 7, 1787. Almost two-and-a-half years later, on May 29, 1790, Rhode Island became the last state to ratify the Constitution.

Constitutional Amendments

Note: The first 10 amendments to the Constitution were ratified on December 15, 1791, and form what is known as the Bill of Rights.

Bill of Rights

One of the conditions set by several states for ratifying the Constitution was the inclusion of a bill of rights. Many people feared that a stronger central government might take away basic rights of the people that had been guaranteed in state constitutions.

EXPLORING THE DOCUMENT

The First Amendment forbids Congress from making any “law respecting an establishment of religion” or restraining the freedom to practice religion as one chooses. **Why is freedom of religion an important right?**

Rights of the Accused

The Fifth, Sixth, and Seventh Amendments describe the procedures that courts must follow when trying people accused of crimes.

Vocabulary

²⁴ **quartered** housed

²⁵ **Warrants** written orders authorizing a person to make an arrest, a seizure, or a search

²⁶ **infamous** disgraceful

²⁷ **indictment** the act of charging with a crime

Amendments 1–10. The Bill of Rights

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III

No Soldier shall, in time of peace be **quartered**²⁴ in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no **Warrants**²⁵ shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise **infamous**²⁶ crime, unless on a presentment or **indictment**²⁷ of a Grand Jury, except in

Fundamental Liberties

Freedom of Religion

Freedom of Speech



cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously **ascertained**²⁸ by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Trials

The Sixth Amendment makes several guarantees, including a prompt trial and a trial by a jury chosen from the state and district in which the crime was committed.

Vocabulary

²⁸ **ascertained** found out

EXPLORING THE DOCUMENT

The Ninth and Tenth Amendments were added because not every right of the people or of the states could be listed in the Constitution. **How do the Ninth and Tenth Amendments limit the power of the federal government?**



Freedom of the Press



Freedom of Assembly



Freedom to
Petition the
Government

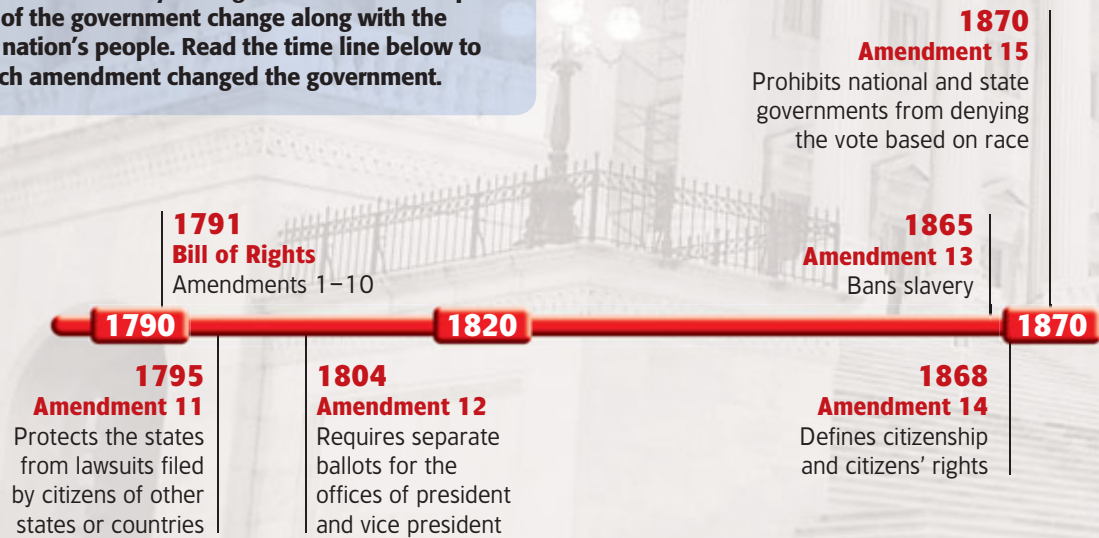
ANALYSIS SKILL

ANALYZING INFORMATION

Which amendment guarantees these fundamental freedoms?

Amendments to the U.S. Constitution

The Constitution has been amended only 27 times since it was ratified more than 200 years ago. Amendments help the structure of the government change along with the values of the nation's people. Read the time line below to learn how each amendment changed the government.



Amendments 11–27

Amendment XI

Passed by Congress March 4, 1794. Ratified February 7, 1795.

The Judicial power of the United States shall not be **construed**²⁹ to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

Amendment XII

Passed by Congress December 9, 1803. Ratified June 15, 1804.

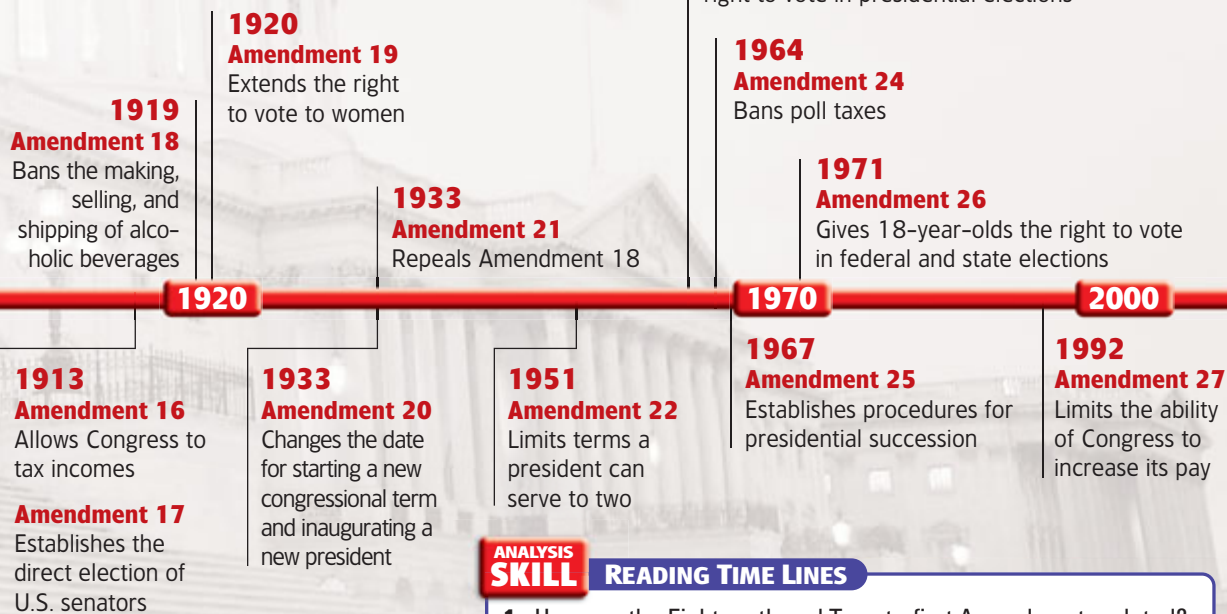
The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—the President of the Senate shall, in the presence of the

Vocabulary

²⁹ **construed** explained or interpreted

President and Vice President

The Twelfth Amendment changed the election procedure for president and vice president.



ANALYSIS SKILL

READING TIME LINES

1. How are the Eighteenth and Twenty-first Amendments related?
2. Which amendments relate to the right to vote?

Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death or other constitutional disability of the President.—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

Abolishing Slavery

Although some slaves had been freed during the Civil War, slavery was not abolished until the Thirteenth Amendment took effect.

Protecting the Rights of Citizens

In 1833 the Supreme Court ruled that the Bill of Rights limited the federal government but not the state governments. This ruling was interpreted to mean that states were able to keep African Americans from becoming state citizens and keep the Bill of Rights from protecting them. The Fourteenth Amendment defines citizenship and prevents states from interfering in the rights of citizens of the United States.

Vocabulary

³⁰ **involuntary servitude**
being forced to work against one's will

Amendment XIII

Passed by Congress January 31, 1865. Ratified December 6, 1865.

1. Slavery Banned Neither slavery nor **involuntary servitude**,³⁰ except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

2. Enforcement Congress shall have power to enforce this article by appropriate legislation.

Amendment XIV

Passed by Congress June 13, 1866. Ratified July 9, 1868.

1. Citizenship Defined All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

2. Voting Rights Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, ~~excluding Indians not taxed~~. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the ~~male~~ inhabitants of such State, ~~being twenty-one years of age~~, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such ~~male~~ citizens shall bear to the whole number of ~~male~~ citizens ~~twenty-one years of age~~ in such State.

3. Rebels Banned from Government No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

4. Payment of Debts The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and

The Reconstruction Amendments

The Thirteenth, Fourteenth, and Fifteenth Amendments are often called the Reconstruction Amendments. This is because they arose during Reconstruction, the period of American history following the Civil War. The country was reconstructing itself after that terrible conflict. A key aspect of Reconstruction was extending the rights of citizenship to former slaves.

The Thirteenth Amendment banned slavery. The Fourteenth Amendment required states to respect the freedoms listed in the Bill of Rights, thus preventing states from denying rights to African Americans. The Fifteenth Amendment gave African American men the right to vote.



African Americans participate in an election.

ANALYSIS SKILL

ANALYZING INFORMATION

Why was the Thirteenth Amendment needed?

bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, ~~or any claim for the loss or emancipation of any slave~~; but all such debts, obligations and claims shall be held illegal and void.

5. Enforcement The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Amendment XV

Passed by Congress February 26, 1869. Ratified February 3, 1870.

1. Voting Rights The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

2. Enforcement The Congress shall have the power to enforce this article by appropriate legislation.

EXPLORING THE DOCUMENT

The
Seventeenth

Amendment requires that senators be elected directly by the people instead of by the state legislatures. **What principle of our government does the Seventeenth Amendment protect?**

Prohibition

Although many people believed that the Eighteenth Amendment was good for the health and welfare of the American people, it was repealed 14 years later.

Amendment XVI

Passed by Congress July 2, 1909. Ratified February 3, 1913.

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

Amendment XVII

Passed by Congress May 13, 1912. Ratified April 8, 1913.

1. Senators Elected by Citizens The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

2. Vacancies When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

3. Future Elections This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Amendment XVIII

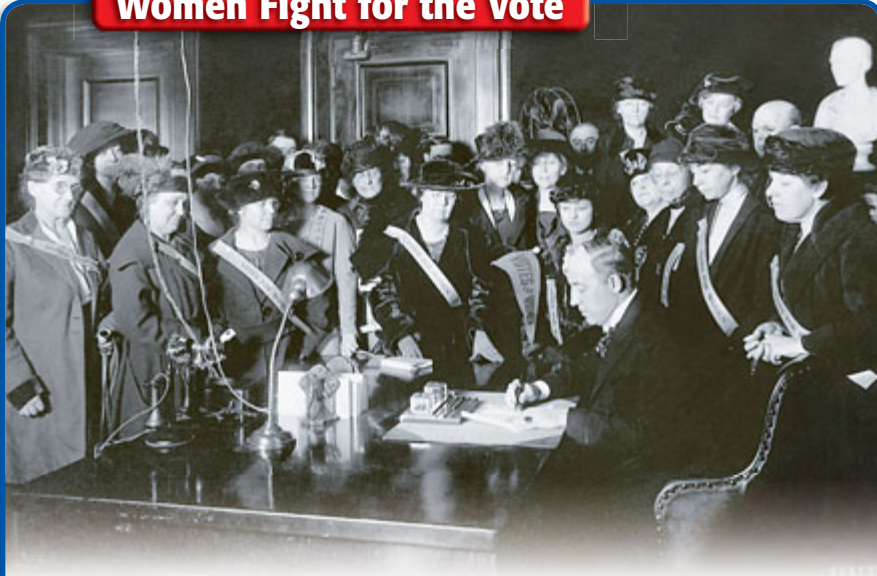
Passed by Congress December 18, 1917. Ratified January 16, 1919. Repealed by Amendment XXI.

1. Liquor Banned After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

2. Enforcement The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

3. Ratification This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Women Fight for the Vote



To become part of the Constitution, a proposed amendment must be ratified by three-fourths of the states. Here, suffragists witness Kentucky governor Edwin P. Morrow signing the Nineteenth Amendment in January 1920. By June of that year, enough states had ratified the amendment to make it part of the Constitution. American women, after generations of struggle, had finally won the right to vote.

ANALYSIS SKILL

ANALYZING INFORMATION

What right did the Nineteenth Amendment grant?

Amendment XIX

Passed by Congress June 4, 1919. Ratified August 18, 1920.

1. Voting Rights The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

2. Enforcement Congress shall have power to enforce this article by appropriate legislation.

Amendment XX

Passed by Congress March 2, 1932. Ratified January 23, 1933.

1. Presidential Terms The terms of the President and the Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Women's Suffrage

Abigail Adams and others were disappointed that the Declaration of Independence and the Constitution did not specifically include women. It took many years and much campaigning before suffrage for women was finally achieved.

Taking Office

In the original Constitution, a newly elected president and Congress did not take office until March 4, which was four months after the November election. The officials who were leaving office were called lame ducks because they had little influence during those four months. The Twentieth Amendment changed the date that the new president and Congress take office. Members of Congress now take office during the first week of January, and the president takes office on January 20.

2. Meeting of Congress The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

3. Succession of Vice President If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

4. Succession by Vote of Congress The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

5. Ratification Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

6. Ratification This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

Amendment XXI

Passed by Congress February 20, 1933. Ratified December 5, 1933.

1. 18th Amendment Repealed The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

2. Liquor Allowed by Law The transportation or importation into any State, Territory, or Possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

3. Ratification This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Amendment XXII

Passed by Congress March 21, 1947. Ratified February 27, 1951.

1. Term Limits No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

2. Ratification This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

After Franklin D. Roosevelt was elected to four consecutive terms, limits were placed on the number of terms a president could serve.



Amendment XXIII

Passed by Congress June 16, 1960. Ratified March 29, 1961.

1. District of Columbia Represented The District constituting the seat of Government of the United States shall appoint in such manner as Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

2. Enforcement The Congress shall have power to enforce this article by appropriate legislation.

EXPLORING THE DOCUMENT

From the time
of President

George Washington's administration, it was a custom for presidents to serve no more than two terms in office. Franklin D. Roosevelt, however, was elected to four terms. The Twenty-second Amendment restricted presidents to no more than two terms in office. **Why do you think citizens chose to limit the power of the president in this way?**

Voting Rights

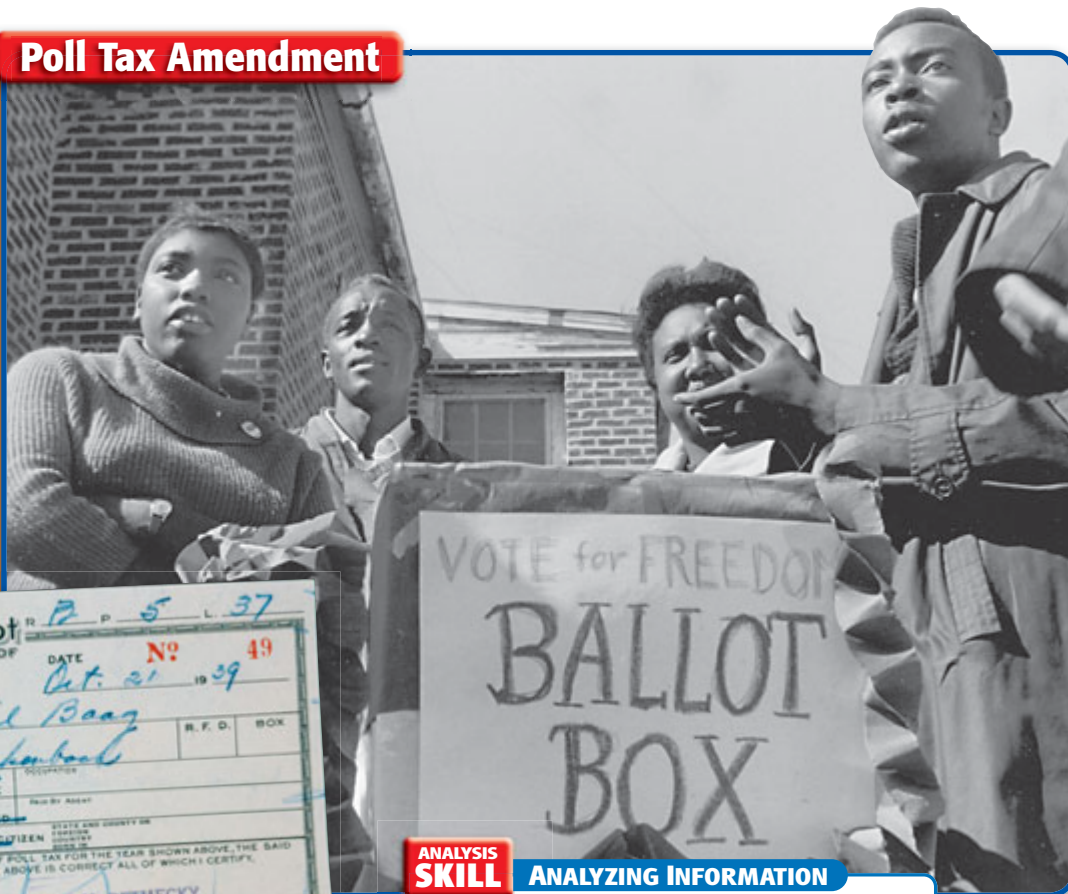
Until the ratification of the Twenty-third Amendment, the people of Washington, D.C., could not vote in presidential elections.

Poll Tax Amendment

Poll taxes were used to deny many poor Americans, including African Americans and Hispanic Americans, their right to vote. These taxes were made unconstitutional by the Twenty-fourth Amendment.

The American GI Forum
Says:  BUY
YOUR
POLL TAX

1939 Poll Tax Receipt R 12 P 5 L 37
STATE OF TEXAS - COUNTY OF GILLESPIE
DATE Oct. 21 1939 N^o 49
PRECINCT NUMBER 3
WARD No. 3
RECEIVED OF Mrs. Emil Baag
ADDRESS Street and House No. Luchanbach
R. F. D. BOX
LENGTH OF RESIDENCE
AGE STATE COUNTY CITY
59 59 59 -
SEX: MALE FEMALE
RACE: WHITE COLORED
NATIVE-BORN CITIZEN
NATURALIZED
THE SUM OF ONE AND 75/100 DOLLARS IN PAYMENT OF POLL TAX FOR THE YEAR SHOWN ABOVE, THE SAID TAXPAYER BEING DULY SWORN BY ME THAT THE ABOVE IS CORRECT ALL OF WHICH I CERTIFY.
BY Milton C. Hunt DEPUTY W. M. PETMECKY



ANALYSIS
SKILL

ANALYZING INFORMATION

How did poll taxes deny poor Americans the opportunity to vote?

Presidential Disability

The illness of President Eisenhower in the 1950s and the assassination of President Kennedy in 1963 were the events behind the Twenty-fifth Amendment. The Constitution did not provide a clear-cut method for a vice president to take over for a disabled president or upon the death of a president. This amendment provides for filling the office of the vice president if a vacancy occurs, and it provides a way for the vice president—or someone else in the line of succession—to take over if the president is unable to perform the duties of that office.

Amendment XXIV

Passed by Congress August 27, 1962. Ratified January 23, 1964.

1. Voting Rights The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay poll tax or other tax.

2. Enforcement The Congress shall have power to enforce this article by appropriate legislation.

Amendment XXV

Passed by Congress July 6, 1965. Ratified February 10, 1967.

1. Succession of Vice President In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

2. Vacancy of Vice President Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

3. Written Declaration Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

4. Removing the President Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

Amendment XXVI

Passed by Congress March 23, 1971. Ratified July 1, 1971.

1. Voting Rights The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

2. Enforcement The Congress shall have power to enforce this article by appropriate legislation.

Amendment XXVII

Originally proposed September 25, 1789. Ratified May 7, 1992.

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of representatives shall have intervened.

Expanded Suffrage

The Voting Rights Act of 1970 tried to set the voting age at 18. However, the Supreme Court ruled that the act set the voting age for national elections only, not for state or local elections. The Twenty-sixth Amendment gave 18-year-old citizens the right to vote in all elections.