

CIVICS SUMMER INSTRUCTIONAL PACKET



DIRECTIONS:

- 1. Please complete the eight Civics lesson enclosed in the packet.**
- 2. Create and keep a Civics journal (notebook) to define terms to understand and answer the questions at the end of each lesson. You will complete some of the activities by writing answers in this packet and others in your Civics journal.**
- 3. Turn in your completed Civics Summer Packet and Civics journal to your Civics teacher.**

**-Department of Social Sciences-
-Miami Dade County Public Schools-**

Civics Lessons – Table of Content

- **Page 5: Lesson 1: Why did the Founders believe that people needed a government?**

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

- **Page 12: Extension Lesson 1: The Ideals of the Declaration: Which is Most Important?**

<Benchmarks addressed> 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.

- **Page 14: Lesson 2: What is a constitutional government?**

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

SS.7.C.1.7 Describe how the Constitution limits the powers of government through separation of powers and checks and balances.

- **Page 19: Extension Lesson 2: How Did the Constitution Guard Against Tyranny?**

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

- **Page 21: Lesson 3: What was the first national government like?**

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

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SS.7.C.1.7 Describe how the Constitution limits the powers of government through separation of powers and checks and balances.

➤ **Page 44: Extension Lesson 5: Should the Electoral College Be Abolished?**

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SS.7.C.1.7 Describe how the Constitution limits the powers of government through separation of powers and checks and balances.

➤ **Page 46: Lesson 6: What basic ideas about government are included in the Preamble to the Constitution?**

<Benchmark addressed> SS.7.C.1.6 Interpret the intentions of the Preamble of the Constitution.

➤ **Page 51: Lesson 7: How does the Constitution limit the powers of our government?**

<Benchmark addressed> SS.7.C.1.7 Describe how the Constitution limits the powers of government through separation of powers and checks and balances.

➤ **Page 57: Lesson 8: What are some important responsibilities of citizens?**

<Benchmarks addressed> SS.7.C.2.1 Define the term “citizen,” and identify legal means of becoming a U.S. citizen.

SS.7.C.2.2 Evaluate the obligations citizens have to obey laws, pay taxes, defend the nation, and serve on juries.

SS.7.C.2.4 Evaluate rights contained in the Bill of Rights and other amendments to the Constitution.

➤ **Page 65: Extension Lesson 8: Should Schools Be Allowed to Limit Students' Online Speech?**

<Benchmarks addressed> 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.2.13 Examine multiples perspectives on public and current issues.

SS.7.C.3.6 Evaluate constitutional rights and their impact on individuals and society.

SS.7.C.3.12 Analyze the significance and outcomes of landmark Supreme Court cases including but not limited to, Marbury v. Madison, Plessy v. Ferguson, Brown v. Board of Education, Gideon v. Wainwright, Miranda v. Arizona, In re Gault, Tinker v. Des Moines, Hazelwood v. Kuhlmeier, United States v. Nixon, and Bush v. Gore.

➤ **Page 67: Extension Lesson 8: Search and Seizure: Did the Government Go Too Far?**

<Benchmarks addressed> 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.2.13 Examine multiples perspectives on public and current issues.

➤ **Page 69: Extension Lesson 8: Is the American Jury System Still a Good Idea?**

<Benchmarks addressed> SS.7.C.2.2. Evaluate the obligation citizens have to obey law, pay taxes, defend the nation, and serve on juries.

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.2.13 Examine multiples perspectives on public and current issues.

SS.7.C.3.8 Analyze the structure, functions, and processes of the legislative, executive, and judicial branches.

➤ **Page 71: Extension Lesson 8: Should Americans Be Required to Vote?**

<Benchmarks addressed> SS.7.C.2.2. Evaluate the obligation citizens have to obey law, pay taxes, defend the nation, and serve on juries.

SS.7.C.2.4 Evaluate rights contained in the Bill of Rights and other amendments to the Constitution.

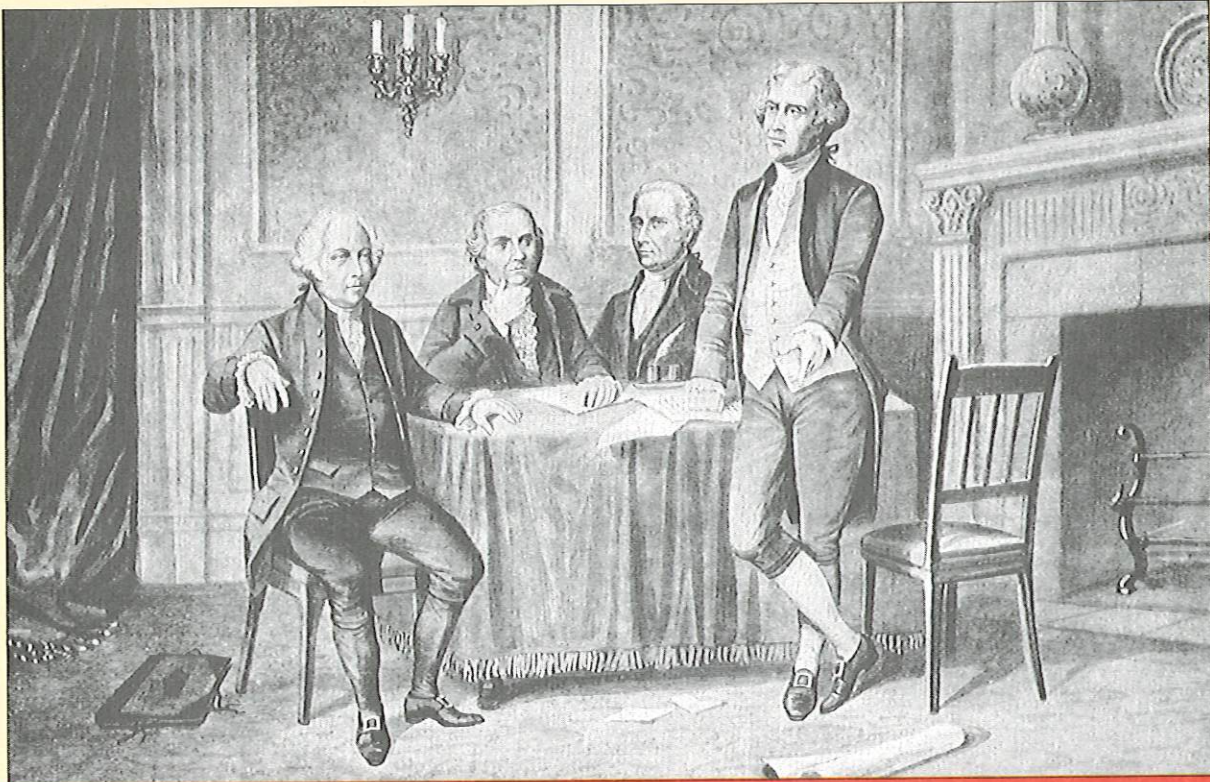
SS.7.C.2.13 Examine multiples perspectives on public and current issues.

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.

****Please note – These lessons are taken and adapted from *We the People – The Citizen and the Constitution, 2003, Center for Civic Education and from The DBQ Project Resource, 2012.***

Why did the Founders believe that people needed a government?

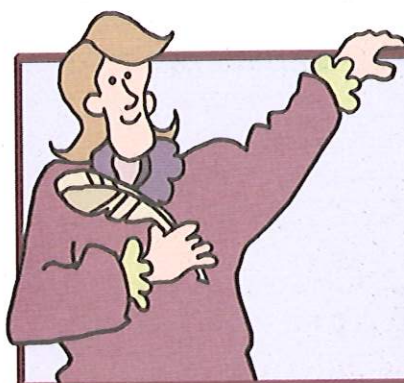


Purpose of the lesson

In this lesson, you will learn some of the Founders' most important ideas about our basic rights. You will learn the Founders' beliefs about where these rights come from. Finally, you will learn why the Founders believed that people must have government.

When you finish this lesson, you should be able to explain the Founders' ideas about our rights and the purposes of our government.

Directions: Identify/Define the following terms in your journal by writing them under the following title: Lesson 1 Terms



Terms to understand

<i>consent</i>	<i>natural rights</i>
<i>consent of the governed</i>	<i>property</i>
<i>liberty</i>	<i>social contract</i>
<i>life</i>	<i>state of nature</i>

What were the Founders' beliefs about rights?

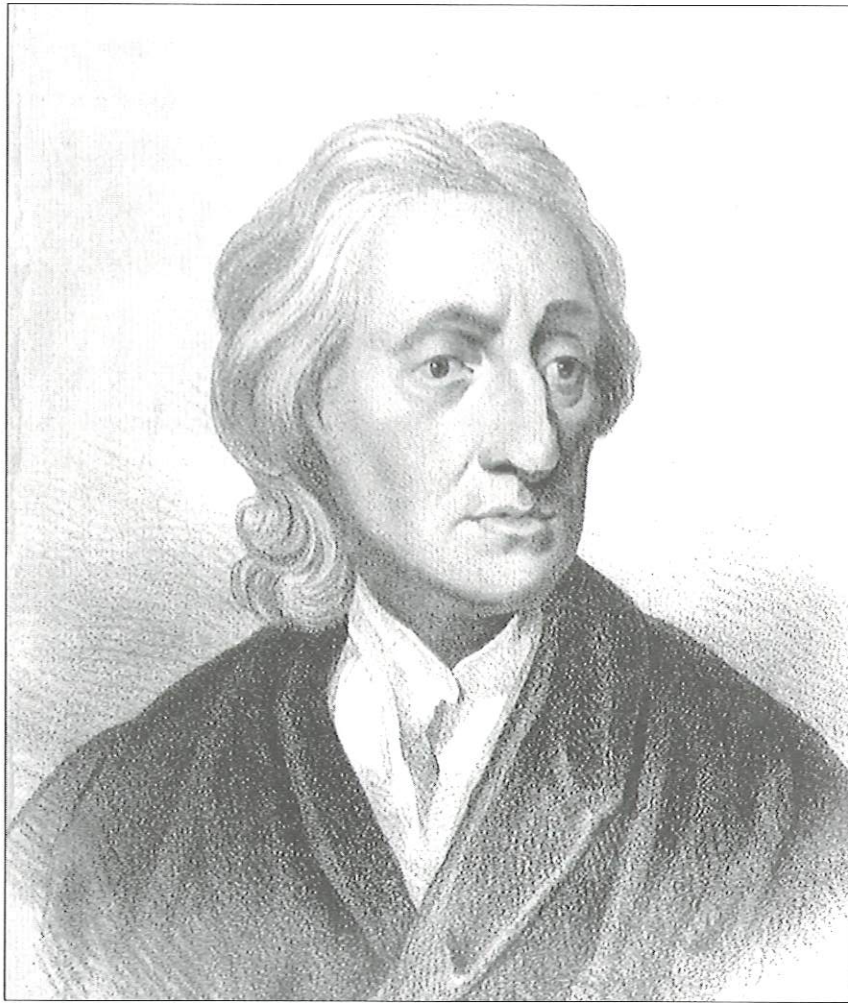
Most of the Founders believed that people have certain natural rights. Natural rights include the rights to life, liberty, and property. All persons have **natural rights** just because they are human beings. Everyone is born with these rights. No one can take these rights away. Here is what these natural rights mean.

- **Life** is the right to live without fear of being injured or killed by others.
- **Liberty** is the right to be free. Some examples of liberties are the rights to believe what you wish, to read what you want, to speak freely, and to travel wherever you want to go.

- **Property** is the right to own things such as books, a house, land, or a business. Your labor or work is also your property.



▶ What natural rights do all people have from the time they are born?



▶ Do you agree with John Locke's ideas? Why?

What problems might we have protecting our rights?

The Founders knew that protecting the rights of the people was not an easy thing to do. Sometimes people try to take the rights of others away from them. The Founders thought they should have a plan to protect their own rights and the rights of others.

Many Founders had read a book by John Locke. John Locke

was an Englishman. He lived from 1632 to 1704. Locke wrote about natural rights. His ideas help us to understand more clearly the problem of protecting the rights of people.

John Locke suggested that you imagine living in a state of nature. A **state of nature** is a situation where there is no government, no rules, no laws. Think about what your life might be like in a state of nature.



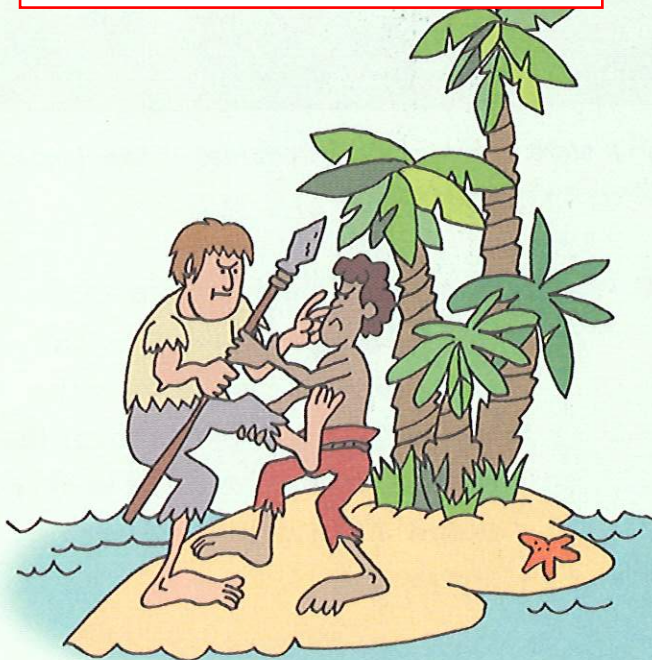
Ideas to discuss

What might happen if there were no rules, laws, or government?

Imagine that you live on an island far away. There are no rules, no laws, and no government. There is no one to tell you what to do.

Name your imaginary far away island:

Where in the world is your island located?



Answer the following questions in your journal under the following title:

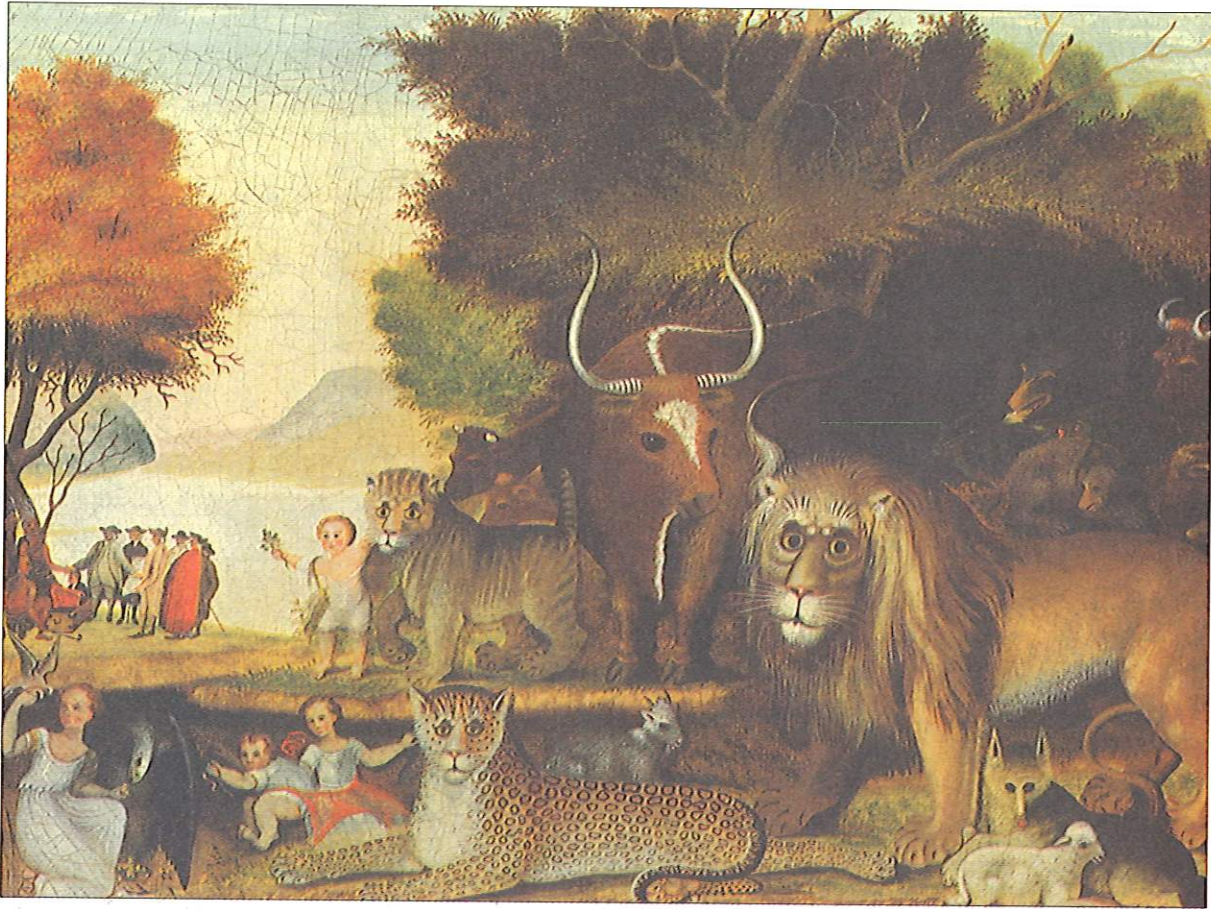
Lesson 1 Questions

1. Would anyone have the right to govern you? Would you have the right to govern anyone else? Why?
2. Would you have any rights? What might they be?
3. What might people who were smarter or stronger than others try to do? Why?
4. What might people who were not as smart as others or who were weaker than others try to do? Why?
5. What might life be like for you, your family, and everyone else in a state of nature?

Activity:

Draw a map of your imaginary island and include the following: physical features, a compass rose, a key/legend, and label your map with other features you imagine to exist on your island.

▶ *What would life be like without any government?
How would people protect their rights?*



▶ *How does this artist's view of life in a state of nature differ from that of John Locke?*

Edward Hicks, *The Peaceable Kingdom*, © 1840, Holger Cahill Collection

What did John Locke say might happen if there were no rules, laws, or government?

You just had a chance to think about your rights in a state of nature. Now, you might want to compare your thinking with that of John Locke. Locke thought that life would be very difficult without laws or government. He worried about the problems that might happen. He said:

1. Some people might try to take away other people's rights. The stronger people might force the weaker people to do the things the stronger people want. The weaker people might unite against the stronger people.
2. People would have natural rights, but their rights would not be safe.
3. It would be very hard to live a safe, peaceful, and happy life in a state of nature.

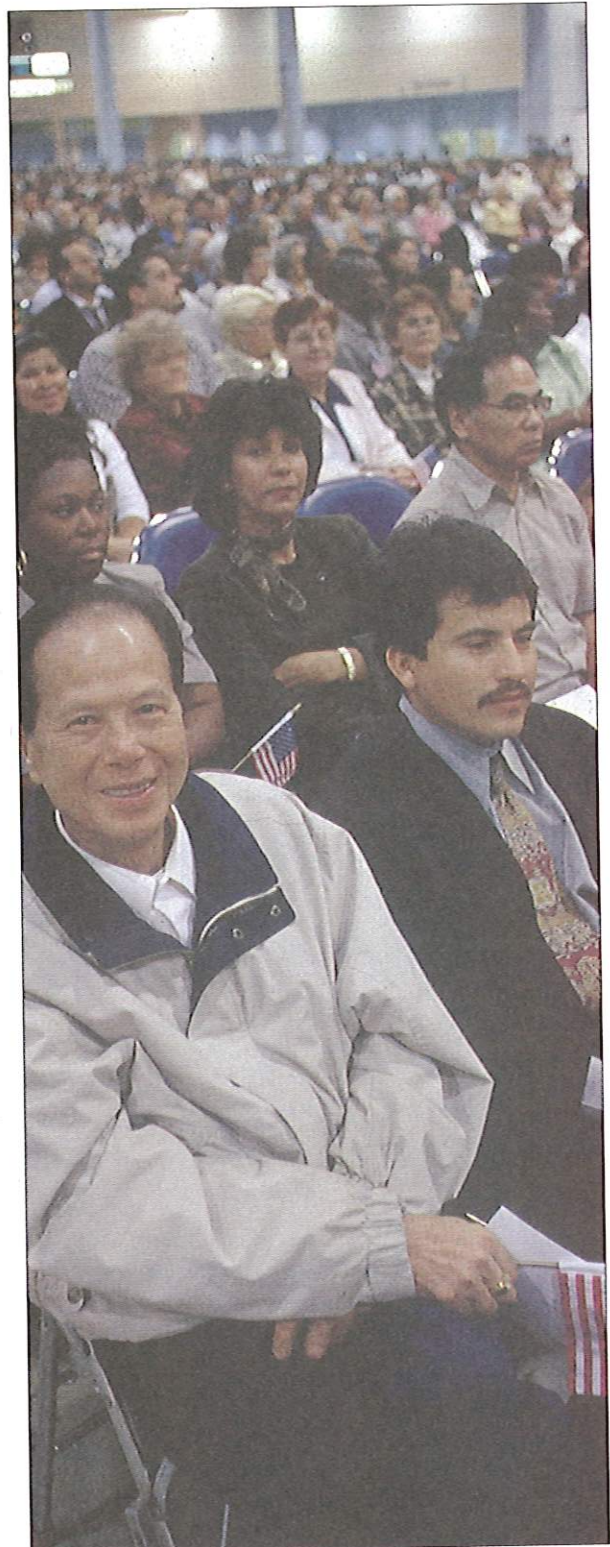
Why did the Founders believe we needed a government?

John Locke wrote about how to solve the problems of life in a state of nature. He said people could make a social contract. A **social contract** is an agreement among the people to set up a government. The people agree to give up something and then they receive something in return.

The people give up some of their freedom. They **consent**, or agree, to create a government and laws. The **consent of the governed** means that the people consent to obey the laws and the government they create. The people no longer will be able to do whatever they want.

What the people gain is protection for their rights. The government protects the rights of the people. It protects their rights to life, liberty, and property. People would feel safer than they did in a state of nature. The people might live more secure and happier lives.

The Founders believed that people need government to protect their rights. Therefore, the main purpose of government, they said, is to protect a person's rights to life, liberty, and property.



▶ *How do citizens show their consent to be governed?*

Directions: Answer the following questions in your journal under the following title:
Lesson 1 Review Questions.

Review the lesson

1. What basic rights did the Founders believe people should have?
2. What are natural rights? How do you get natural rights?
3. What might life be like if there were no rules, laws, or government?
4. What is a social contract?
5. What did the Founders think should be the main purpose of government?

Lesson Fun Activities To-Do

1. Draw a cartoon or picture below explaining what life might be like in a state of nature and why we need government.

2. Write a short story that tells how the rights of life, liberty, and property apply to you and your family.

3. Civics Online Fun: Visit the following website to learn more about this topic and Civics information: <http://games.sunnylandsclassroom.org/Preview/Default.aspx>

The Ideals of the Declaration: Which Is Most Important?

History and Structure of the Declaration

By early summer 1776 the Revolutionary War was already a year old. The Continental Congress meeting in Philadelphia had appointed a Committee of Five to write a statement explaining the colonists' arguments for **independence** from Great Britain. The Committee of Five asked one of its members, 33-year-old Thomas Jefferson, to take on the job of writing the first draft. After Jefferson prepared the draft, John Adams and Benjamin Franklin suggested some changes. The Committee approved the revised draft, and it was delivered to the Congress. Between July 2 and 4, the Congress made other changes, shortening the document by twenty-five percent. Jefferson was unhappy with these changes, but the structure and powerful words of the document are still his.

In the end, the Declaration would not only shape the government and culture of the United States; it would shape the thinking of the world.

The Declaration has a simple structure:

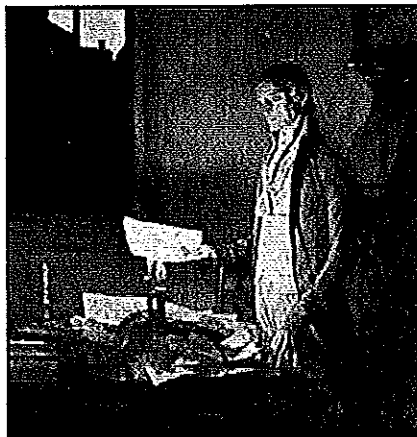
- An introduction saying that we owe the world an explanation for our separation;
- A statement of ideals about government;
- A long list of **grievances** against the British;
- A declaration of independence from Great Britain.

In the second paragraph of the Declaration, Thomas Jefferson focused on the following ideals.

“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.”

Many historians would argue that this is the most important passage in the most important document in American history. Historians also agree that the exact meaning of key words and phrases is open to interpretation. For example, in the first line Jefferson writes, “all men are



Painting: Thomas Jefferson writing the Declaration of Independence

created equal.” What did he mean by “men”? What did he mean by “equal”? And later in the same sentence, what did Jefferson mean by “Life”? Was he against taking a life? Was he therefore against warfare? And what did he mean by “Liberty”? Was he against slavery even though he owned slaves? Indeed, this passage in the Declaration is both powerful and open to interpretation.

Regardless of one's interpretation, these ideas provide the basis for our Constitution and government. They represent American **ideals** – that is, they reflect the full vision of what America should be. They are worthy of close inspection.

Directions: Complete the questions and vocabulary activity on the next page while thinking about the concepts and ideals of the Declaration of Independence.

Background Essay Questions

1. Who was the primary author of the Declaration of Independence?
2. What are the four parts of the Declaration of Independence?
3. Why is the second paragraph seen as such an important part of the Declaration?
4. What are unalienable rights? According to the Declaration of Independence, what rights fall into this category?
5. According to the Declaration of Independence, what is the purpose of government?
6. According to the Declaration of Independence, what should the people do when the government fails to fulfill its purpose?
7. Define these terms:
 - independence
 - grievances
 - ideals
 - self-evident
 - unalienable rights

Timeline

1754-1763 – French and Indian Wars

1773 – Tea Act, Boston Tea Party

1775 – Battles of Lexington and Concord

June 11-July 1, 1776 – Thomas Jefferson drafts the Declaration of Independence.

July 2, 1776 – The Continental Congress considers the Declaration of Independence.

July 4, 1776 – Continental Congress adopts the Declaration of Independence.

1783 – End of Revolutionary War

1787 – Constitution written and signed in Philadelphia

What is a constitutional government?



Purpose of the lesson

You have learned what the Founders believed about natural rights, the common good, and civic virtue. In this lesson, there are two other important things to study and understand. The first is a constitution and the other is constitutional government. You will learn to explain the difference between the two.

When you have finished this lesson, you should be able to explain what you can learn about a nation by studying its constitution. You should also be able to explain what constitutional government means. Finally, you should be able to explain the difference between a constitutional government and a dictatorial government.



Problem to solve

Which rules and laws are about government?

Activity:

Read the following Rules and Laws # 1-6.

Place a checkmark next to the rules and laws that explain how a government is to be run.

Place an "x" next to the rules and laws that do not explain how a government is to be run. Write locations and places in which these rules and laws would apply in society.

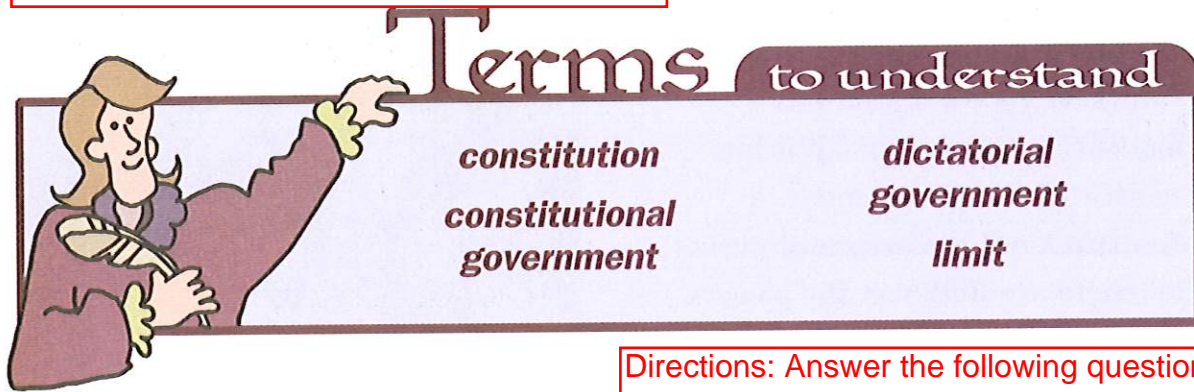
Rules and laws

1. Congress cannot make any laws that unfairly limit your right to speak freely.
2. Don't speak with your mouth full.
3. Take turns on the swings on the playground.
4. You must finish your assignment before you go out for recess.
5. The president must be elected every four years.
6. A person must be sixteen to get a driver's license.

▶ *Why is it important to know how a government is organized and how it operates?*



Directions: Identify/Define the following terms in your journal by writing them under the following title: Lesson 2 Terms



What is a constitution?

In the previous exercise, you should have found some rules and laws that explain how a government is to be run. You also should have found some rules that do not have anything to do with how a government should be run.

When you found the rules and laws that tell how a government should be run, you found parts of a constitution. A **constitution** is a set of rules and laws that explain how a government is organized and how it should be run. Most constitutions are written. Some are partly unwritten. Some are not written at all. According to our definition, every nation has a constitution. Fair governments and unfair governments have constitutions.

Studying the constitution of a government will help you answer certain questions about that government and its citizens. Here are some of the questions a constitution usually answers.

Directions: Answer the following questions in your journal under the following title: Lesson 2 Questions

Questions about the government

- What are the purposes of the government?
- How is the government organized? What parts does it have? What does each part do?
- How is the government supposed to carry out its business? How are rules made?
- How are people chosen to serve in the government?

Questions about citizens

- Who is a citizen?
- Are citizens supposed to have control over their government? If so, how do they control it?
- What rights and responsibilities, if any, are citizens supposed to have?

What is a constitutional government?

Just because a nation has a constitution does not mean it has a constitutional government. A **constitutional government** means that there are limits on the powers of government. A **limit** is a point beyond which someone or something cannot go. The United States Constitution says there are certain kinds of laws that Congress cannot make. The Constitution does not permit the president to do whatever he or she wants to do. In a constitutional government, the constitution sets limits on what the people who run the government are allowed to do.

It is not enough for a constitution to say what the limits on the powers



Why is it important to limit the power of those who run the government?

Hitler came to power legally in 1933. He disregarded the German Constitution and opened the first concentration camp within six weeks.



How do elections help limit the power of government?

of government are. The people who run the government must obey the constitution. A constitution also must provide ways to enforce the limits it sets forth. One way is to have regular and free elections. The citizens can vote to remove people from office if they do not obey the constitution.

What is a dictatorial government?

A **dictatorial government** means that there are no limits on the power of the people who run the government. They can do whatever they want to do.

Can you have a constitution and still have a dictatorial government? The answer is yes. A constitution might give a person unlimited power. The constitution might limit power but not have ways to enforce those limits. There might be ways to enforce the limits, but no one actually does.

Directions: Answer the following questions in your journal under the following title:
Lesson 2 Review Questions.

Review the lesson

1. What is a constitution?
2. What can you learn about a nation's government by studying its constitution?
3. Why did the Founders think that it is necessary to limit the power of government?
4. How did the Founders think the power of government could be limited?
5. Explain the difference between a constitution and a constitutional government.
6. Explain the differences between a dictatorial government and a constitutional government.

Activity: Design a constitution for your house. Include the laws and rules of how the government in your house should be run. Also, include the natural rights of the people living in your house and the limits to the constitution.

TITLE OF MY CONSTITUTION:

LAWS AND RULES:

- 1.
- 2.
- 3.
- 4.
- 5.

Natural Rights:

Limits:

How Did the Constitution Guard Against Tyranny?

In May of 1787 they began to drift into Philadelphia, 55 individuals all responding to the call for a Constitutional Convention. Most were wealthy, all were white, all were male. They came from eleven of the rather disunited states stretched along the eastern seaboard. New Hampshire delegates would not show up until July. Rhode Island would not show up at all.

The problem facing this remarkable group of men was that the existing **constitution**, the **Articles of Confederation**, just wasn't working. Under the Articles there was no chief executive, there was no court system, there was not even a way for the central government to force a state to pay taxes. A new constitution, creating a stronger central government, was necessary if the new nation was to hold together.

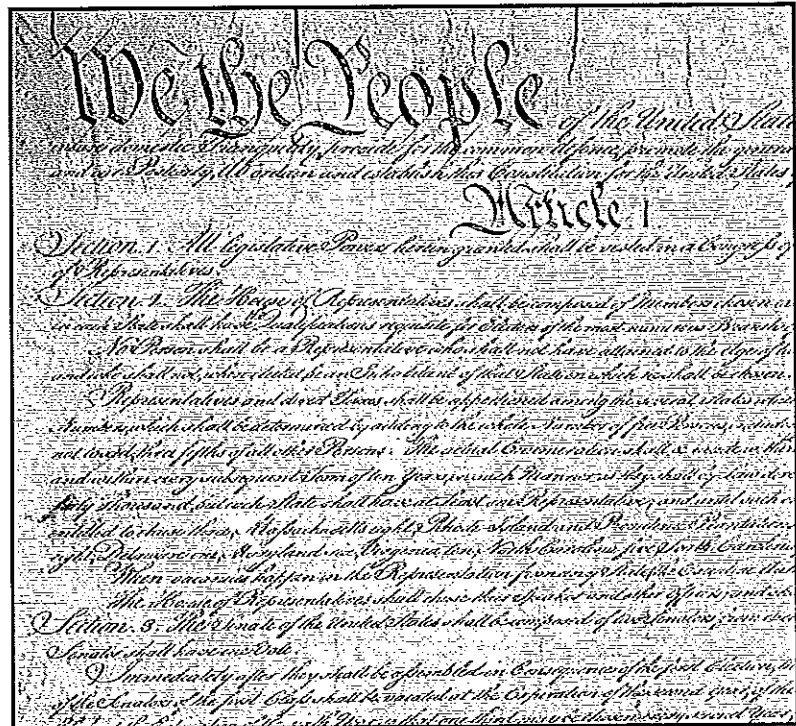
The decision to go forward with a new constitution presented a special challenge. Was it possible to **frame** a government that was strong enough to serve the needs of the new nation and yet which did not create any kind of **tyranny**? Just four years earlier, the thirteen states had concluded a long revolutionary war to rid themselves of control by a king. Could they create a government that was tyranny-free?

Tyranny is most often defined as harsh, absolute power in the hands of one individual – like a king or a dictator. Thus the colonists called King George III a tyrant. However, in this Mini-Q we will use a broader definition of tyranny, one provided by James Madison. In his support of the Constitution, Madison wrote as follows:

The accumulation of all powers ... in the same hands, whether of one, a few, or many (is) the very definition of tyranny.

Federalist Paper #47

What Madison was saying is that there are many kinds of tyranny. You can have a tyranny of one supreme ruler who takes all power for himself or herself. You can also have a tyranny of a few (when several generals or religious leaders seize control). You can even have tyranny by the many, as when the majority denies rights to a minority.



For Madison and his fellow delegates, the challenge was to write a Constitution that was strong enough to hold the states and the people together without letting any one person, or group, or branch, or level of government gain too much control.

Directions:

Complete the questions and vocabulary activity on the next page while thinking about how the Constitution guards against tyranny.

Background Essay Questions

1. In what city and in what year was the Constitution written?
2. What were two weaknesses of the Articles of Confederation?
3. What was James Madison's big worry about framing a new Constitution?
4. What is an example of tyranny by the few?
5. Define or explain these terms:

constitution

Articles of Confederation

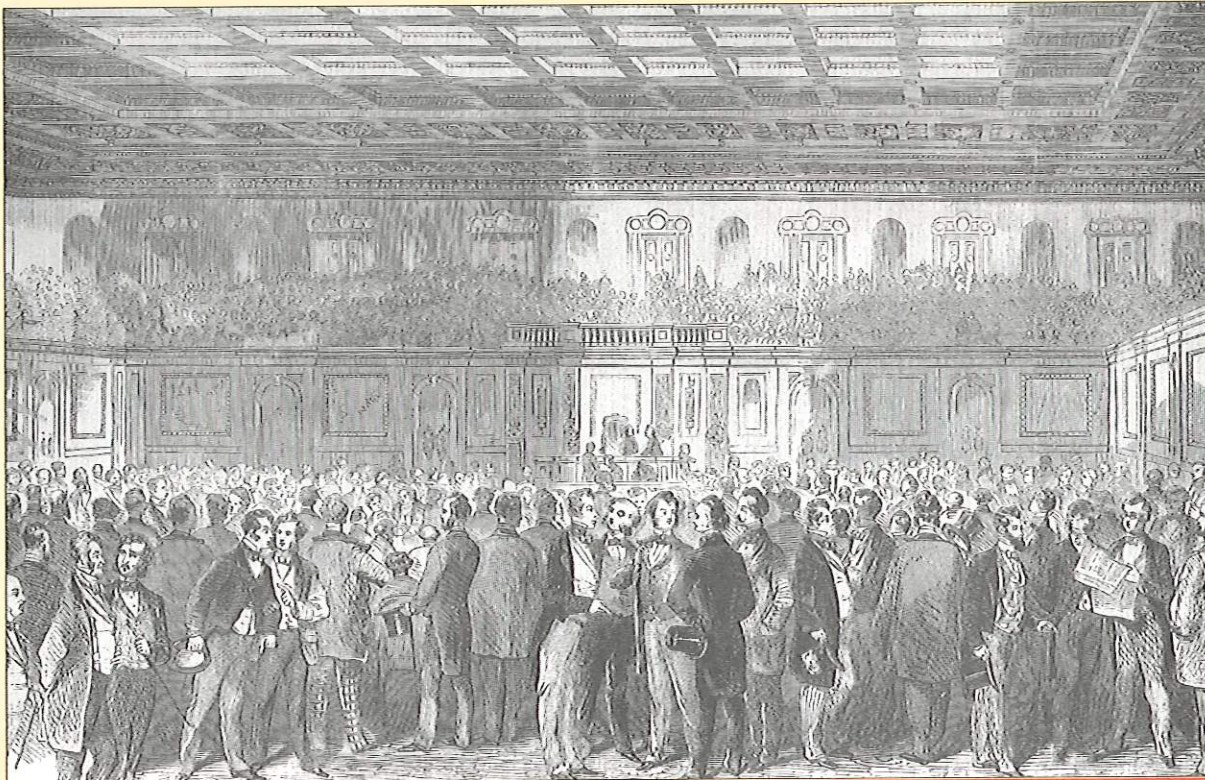
frame

tyranny

Timeline

- 1783 – Treaty of Paris ends American Revolution.
- 1784 – Ben Franklin invents bifocal glasses.
- 1787 – Constitutional Convention in Philadelphia
- 1789 – Thanksgiving first celebrated as a national holiday
- 1793 – Eli Whitney invents the cotton gin.

What was the first national government like?



Purpose of the lesson

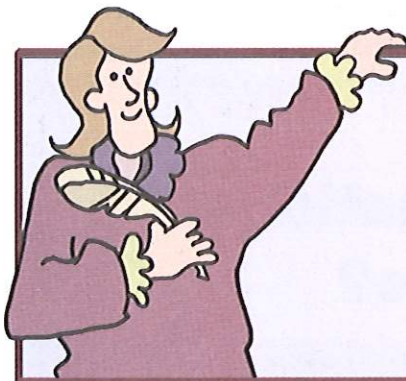
After the Declaration of Independence was signed, the Founders needed to create a new government for all the states of the new nation. They did this by creating our first constitution. It was called the Articles of Confederation.

When you finish this lesson, you should be able to describe the national

government under the Articles of Confederation. You should also be able to explain how the problems of the new government led the Founders to decide to write a new constitution.

Directions: Identify/Define the following terms in your journal by writing them under the following title: Lesson 3 Terms

Terms to understand



Articles of Confederation
confederation
delegate

Northwest Ordinance
ordinance
Shays' Rebellion

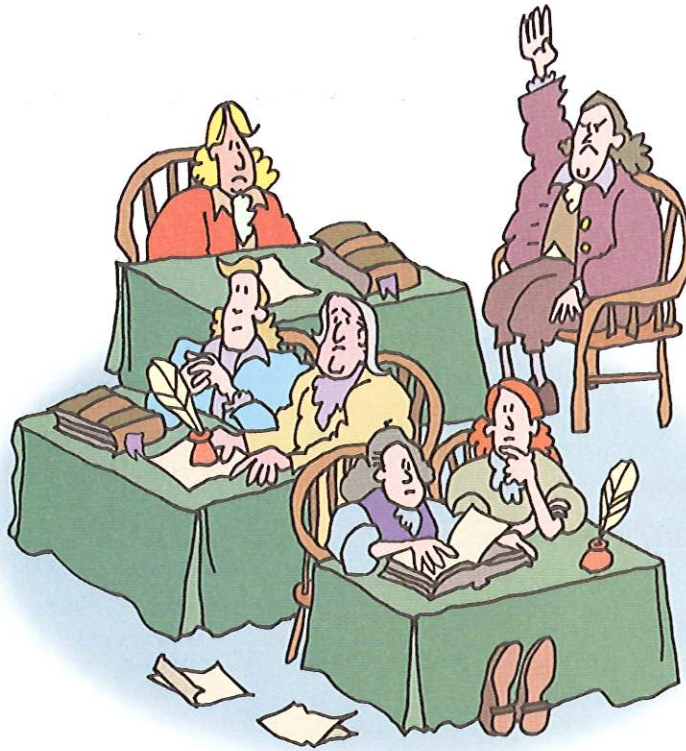
What kind of national government did the Founders create under the Articles of Confederation?

At the start of the Revolutionary War, the Second Continental Congress talked about a plan to set up a national government. At that time, the Congress was more concerned about fighting the war, so it took no action.

After the Declaration of Independence was signed, the Second Continental Congress sent the plan to the states. Congress asked the states to approve it. This first plan of government for the United States was the **Articles of Confederation**. The Articles set up a loose union of states with equal powers. We call such a union a **confederation**.



If you had been a member of the Second Continental Congress, which would have been more important to you: setting up a national government or fighting the war against Great Britain? Why?



How did the Articles of Confederation organize the first national government?

The Founders faced two main problems when they wrote the Articles of Confederation.

1. The people feared a strong national government. They just had a revolution to get rid of a strong British government. They did not want another one like it. They felt that a strong national government might take away the rights of the states and the people.
2. The people feared that some states would have more power than other states in the new government.

These fears influenced the Founders who wrote the Articles of Confederation. Therefore, they chose to set up a weak

national government. It was a government with very limited powers.

Under the Articles, there were neither national courts nor a president. The power of government was in the Congress. The Articles did not give Congress very much power, either. For example, Congress could not raise money to run the government by directly taxing the people. Congress had to ask the states for money. The states gave money if and when they wanted to. The states made sure they kept most of the power for themselves.

Each state had one vote in Congress. The size of a state's population did not matter. States with more people had the same vote as states with far fewer people. The Congress could not

do anything important without having the approval of all the state governments.

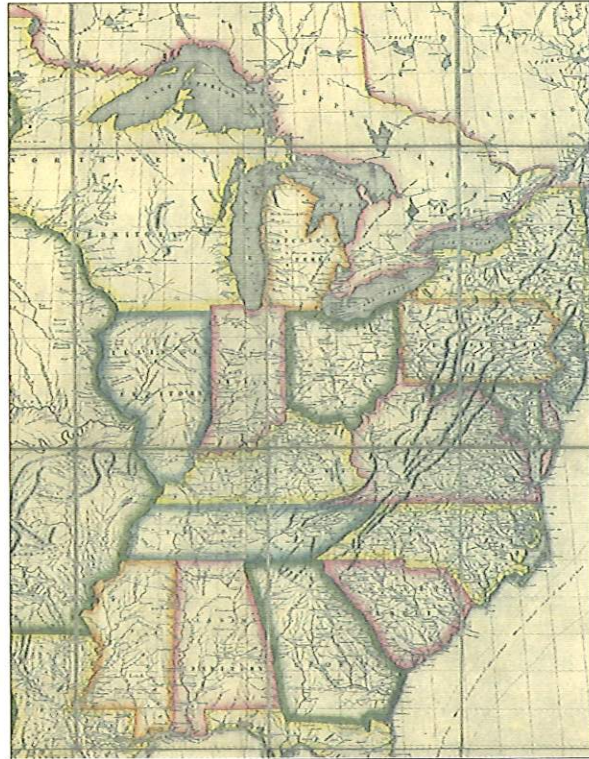
After much debate, the states approved the Articles of Confederation. The Articles were in effect for seven years. Let's look at what the people were able to do under the Articles.

What was accomplished under the Articles of Confederation?

Even with their weaknesses, the Articles of Confederation were useful to the new nation. The national government was able to accomplish the following tasks:

- keeping the states together during the war against Great Britain
- winning the war for independence
- making a peace treaty with Great Britain
- preventing each state from conducting its own foreign affairs, making treaties, and declaring war

The government under the Articles of Confederation passed the **Northwest Ordinance of 1787**. An **ordinance** is an order or law made by a government. This government order was a plan for adding new states. It



▶ *Which new states were created as a result of the Northwest Ordinance of 1787?*

allowed people living in the Northwest Territories—the land between the Mississippi River, the Great Lakes, and the Ohio River—to organize their own governments. When a territory had a large enough population, it could join the Union. The new states would be equals of the original states, not colonies. The Ordinance said that part of all public lands must be set aside for public schools. It declared slavery unlawful in any new state in the Northwest Territories. The Ordinance also guaranteed freedom of religion, speech, and press.

What problems did the national government have under the Articles of Confederation?

When the Revolution was over, each state acted as a separate country. Each had its own interests. People did not think of themselves as citizens of the United States. They thought of themselves as citizens of their own states, such as Virginians, New Yorkers, or Georgians. Often the state governments did not cooperate with each other to solve common problems.

The national government under the Articles was weak. It did not have the power to unite the states. It did not have money and it did not have the authority to get it. There were no courts to settle disputes among the states.

By 1786, there was little trade between the states or with other nations. It was hard for Americans to make a living. Many businesses were failing. Many people were in debt. Soldiers who had fought in the Revolutionary War still had not been paid.



▶ What was the function of Congress under the Articles of Confederation?



► *Why did Daniel Shays and his followers rebel? What did they hope to gain?*

Why was Shays' Rebellion an important event?

The states had their own problems. In Massachusetts, many farmers did not have any money. They could not trade their products in other states or countries. When they could not pay their bills, they lost their farms and homes. Some were put in prison because they could not pay their bills. Many people protested because they felt this situation was unfair.

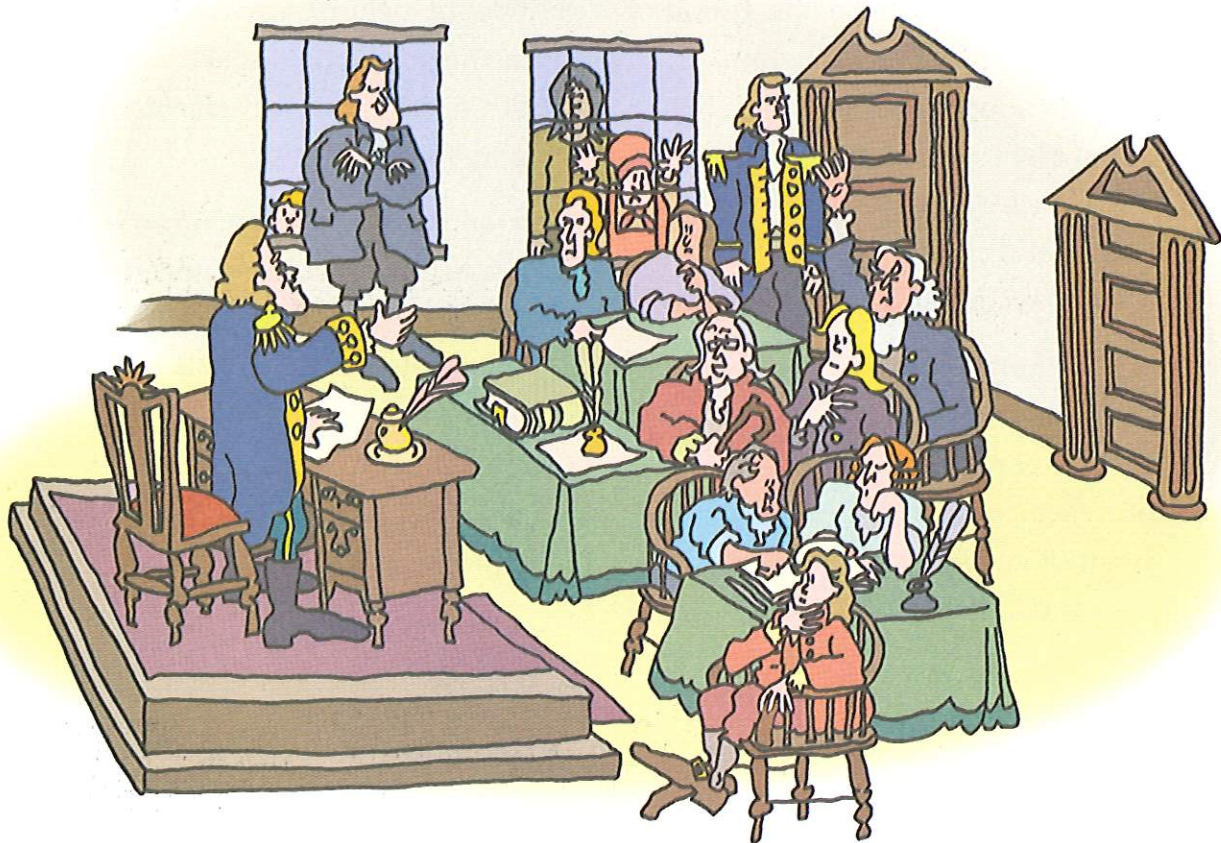
In November 1786, more than one thousand angry farmers gathered under a leader named Daniel Shays. They were ready to fight the Massachusetts government. They shut down the courts to prevent the government from taking their property and jailing them. They tried to capture weapons to use in their struggle.

State troops stopped **Shays' Rebellion**. Many people were frightened by the rebellion. They worried that it might spread to other states.

How might the national government under the Articles of Confederation be improved?

The Founders knew that the Articles of Confederation had many weaknesses. The national government under the Articles was not effective. It was time to make improvements. Congress agreed and called for a meeting to be held in Philadelphia in 1787.

Each state was asked to send delegates. A **delegate** is someone whom you trust to represent your interests. The delegates were supposed to suggest ways to improve the Articles. Once they all got together, something else happened. They decided to put the Articles aside and start over again. The delegates then began to write a new constitution.



- What did the delegates to the Philadelphia Convention decide to do about improving the Articles of Confederation?

Directions: Answer the following questions in your journal under the following title:

Lesson 3 Review Questions.

Review the lesson

1. Why did the Founders create a weak national government?
2. What did the first national government accomplish under the Articles of Confederation?
3. What were some problems under the Articles of Confederation?
4. Describe Shays' Rebellion. Why was it important?
5. What did the Northwest Ordinance of 1787 require of new states?
6. Why did the Founders decide to have a meeting?

Fun Lesson Activities:

1. Create a short rap, song or poem that shows one of the problems under the Articles of Confederation. Perform your completed assignment for your friends and family.

2. Draw a picture or cartoon of a farmer in protest during Shay's Rebellion. Label your cartoon or picture and describe the events.

How was the Philadelphia Convention organized?



Purpose of the lesson

In this lesson, you will learn about some important Framers who attended the Philadelphia Convention. You will also learn about some decisions that were made at the beginning of the convention.

When you have finished this lesson, you should be able to explain the purpose of the Philadelphia Convention. You should also be able to explain what decisions the Framers made before writing the Constitution.

Directions: Identify/Define the following terms in your journal by writing them under the following title: Lesson 4 Terms



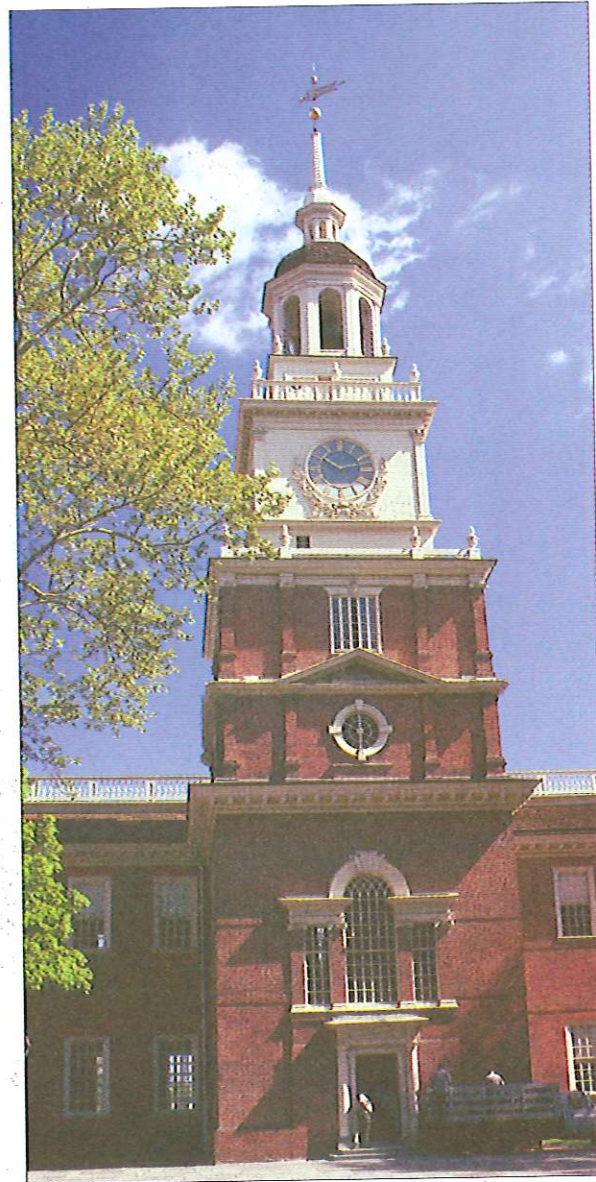
Terms to understand

Framers
Philadelphia Convention

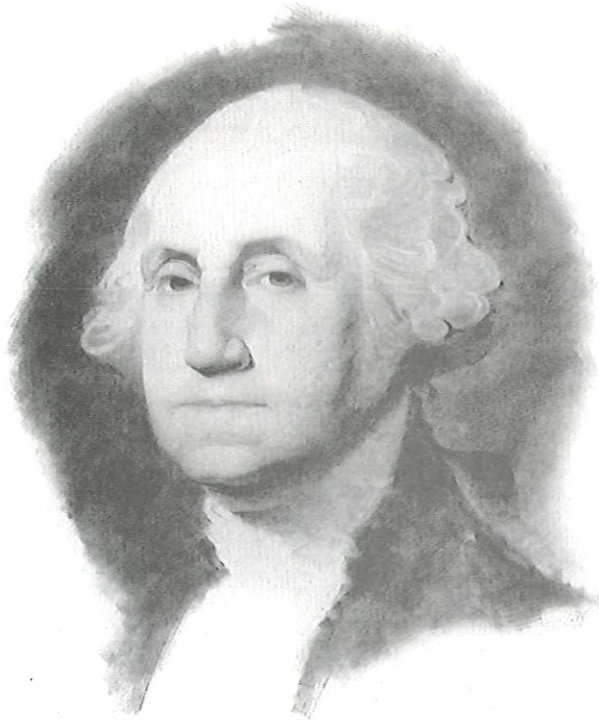
Who were the Framers?

The delegates to the Philadelphia Convention are known as the **Framers** of the United States Constitution. They are called the Framers because they organized and wrote our Constitution. Many of the Framers had been leaders during the American Revolution. About three-fourths had served in Congress. Most were leaders in their states.

The delegates were not chosen from all parts of the American population. Some were rich, but most were not. There were no poor people, no indentured servants, or young people. All the Framers were men. Their average age was forty-two. There were no women among the delegates. There were no free black men or slaves. There were no American Indians. Poor farmers—such as those who took part in Shays' Rebellion—were not present, nor were the citizens of Rhode Island. People in Rhode Island were so much against changing the Articles of



▶ Who were the delegates to the Philadelphia Convention?



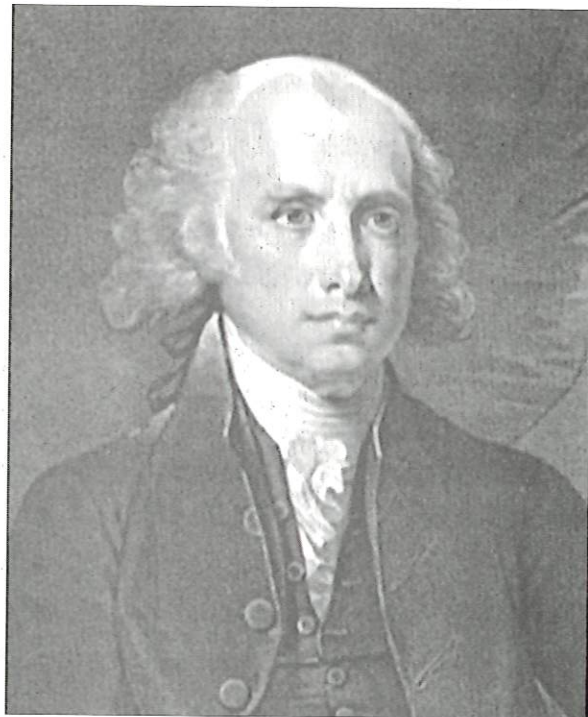
▶ *What type of government did George Washington think the country needed?*

Confederation that they refused to send any delegates!

Three important delegates to the convention were George Washington, James Madison, and Benjamin Franklin. George Washington was from Virginia. He was probably the most respected man in the country. As commander in chief of the American army during the Revolution, he was a great hero to most people. By 1787, he had retired to his plantation and would have liked to remain there. His friends urged him to attend the convention. They said his support was necessary to get a new constitution accepted by the people. Because

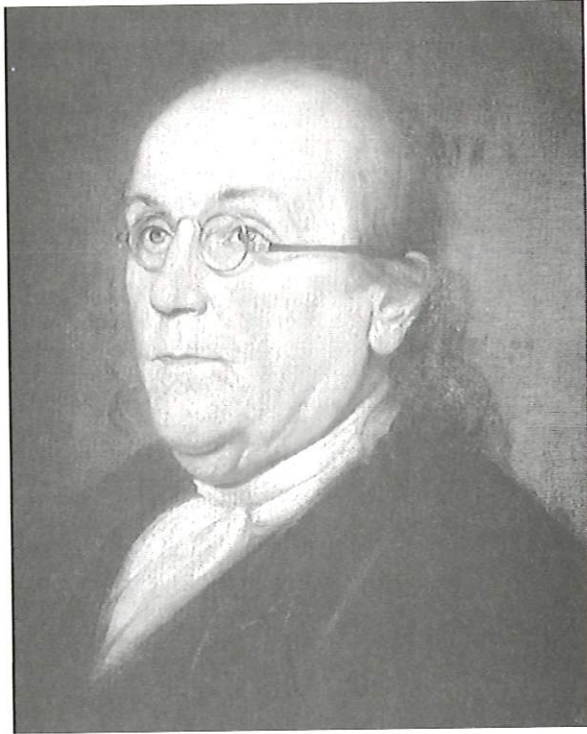
Washington thought a stronger national government was necessary, he went to Philadelphia.

James Madison is often called the “Father of the Constitution.” His ideas about government greatly influenced the other delegates. He had already developed a written plan for the new government that he brought to Philadelphia. It was known as the Virginia Plan, and it called for a strong national government. He helped put together compromises that solved some of the disagreements among the Framers. Madison took notes during the meetings. Much of what we know about the Philadelphia Convention is based on his notes.



▶ *Why is James Madison called the “Father of the Constitution”?*

Benjamin Franklin attended the convention as a delegate from Pennsylvania. He was 81 years old and in poor health. Like Washington, he was highly respected by Americans. He had been a printer, inventor, and writer. He had also helped our country develop good relations with other nations. At the convention, he encouraged the delegates to cooperate with each other and work hard to settle their differences. His support of the Constitution was important to the other delegates.



▶ *What role did Benjamin Franklin play at the Philadelphia Convention?*



▶ *If you had been a delegate to the Philadelphia Convention, what role might you have played? Why?*

Who were some important Founders who were not at the convention?

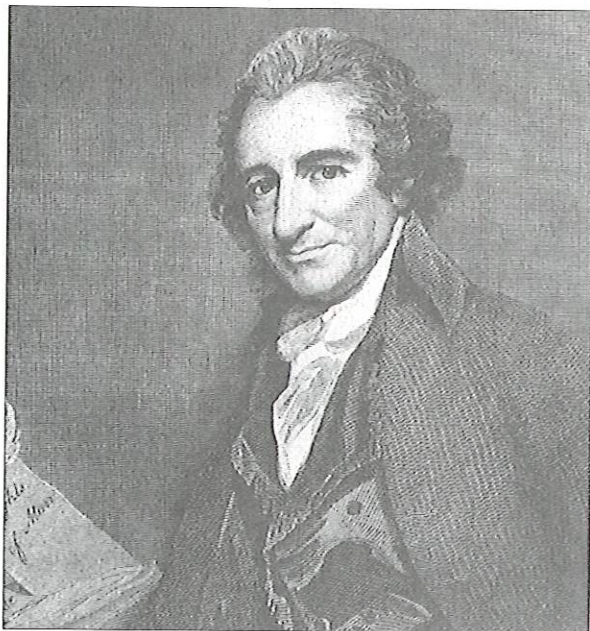
At the time of the **Philadelphia Convention**, Thomas Jefferson and Thomas Paine were in France. Jefferson had written the Declaration of Independence. Paine had written *Common Sense*, an important book that helped get support for the Revolution. John Adams, a leader during the Revolution, was in Great Britain.

Other well-known Americans refused to go to the convention. Patrick Henry of Virginia was one of them. He feared that the delegates would try to create a strong national

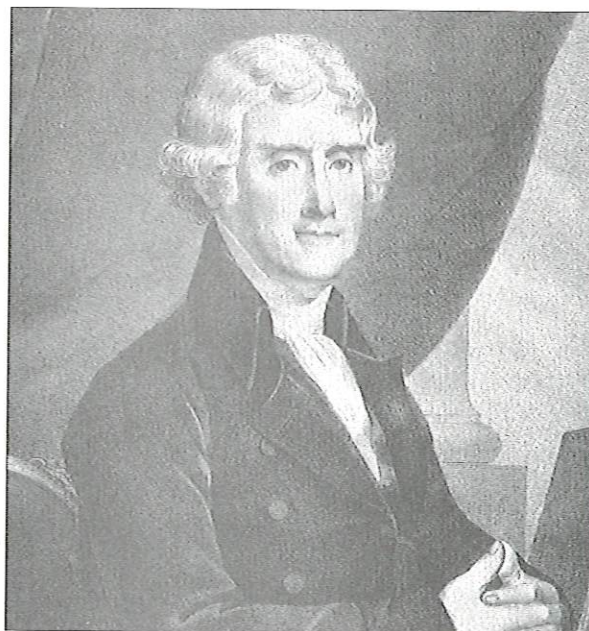


▶ *Why did Patrick Henry not support the new Constitution?*

government. After the convention, Henry worked hard to convince the people to reject the Constitution.



▶ *What did Thomas Paine contribute to the struggle for independence?*



▶ *Why did Thomas Jefferson not attend the Philadelphia Convention?*

What decisions did the delegates make at the start of the convention?

At the start of the convention, the Framers agreed on four things.

1. George Washington would serve as president of the convention.
2. Each state, large or small, would have one vote at the convention.
3. They would not do what Congress had asked them to do. They would not try to improve the Articles of Confederation. The Articles had too many weaknesses. They decided to write an entirely new constitution.
4. They would keep their discussions private. They decided that whatever was said at the meeting would remain a secret for thirty years.

There were good reasons for secrecy. The Framers believed they needed to speak freely. If people told others what they said, they would not feel as free to discuss their ideas. They would be less likely to change their minds during debate.

The Framers wanted the people to accept the new constitution. They feared that the people might not if they knew all the disagreements the Framers had during the writing.

Once the Framers reached these agreements, it was time to get down to work. It was time to create a constitution. In the next lessons, you will learn about some of the disagreements the Framers had and how they solved them.



► *Why did the delegates to the Philadelphia Convention decide to keep their discussions private?*

Directions: Answer the following questions in your journal under the following title:

Lesson 4 Review Questions.

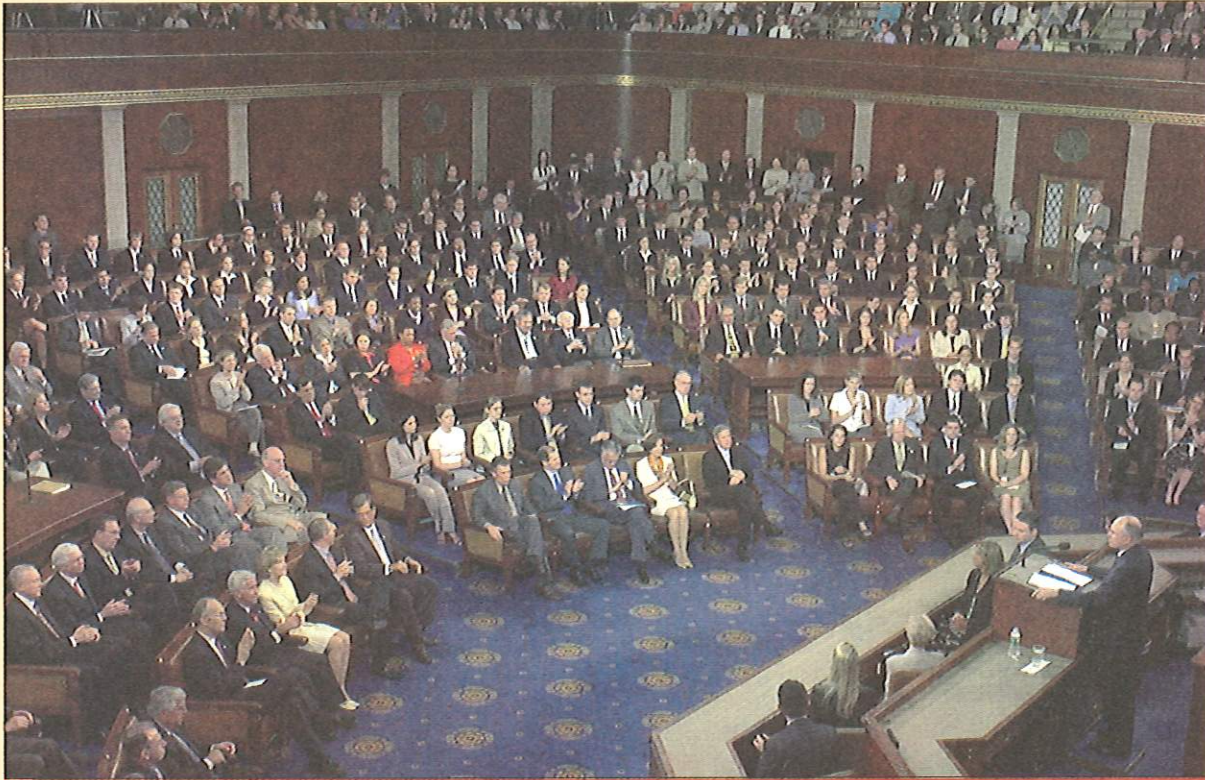
Review the lesson

1. Why did Congress call for the Philadelphia Convention?
2. Describe the members of the Philadelphia Convention as a group.
3. Who were some of the important Framers? Why are they called Framers?
4. At the start of the meeting, what important decisions did the Framers make? Why?

CIVICS FUN LESSON ACTIVITIES TO DO

1. After learning about the Framers and their role during the lesson, list some characteristics that describes a Framer during the Philadelphia Convention.
2. Should the debates that took place between the Framers been conducted in secret? Explain your answer.
3. Draw a political cartoon of Benjamin Franklin's role during the Constitutional Convention.

How many representatives should each state have in Congress?



Purpose of the lesson

The delegates to the Philadelphia Convention agreed to write a new constitution. They wanted the new constitution to provide a stronger national government. One difficult thing they had to decide was how many representatives each state would be allowed to send to

Congress. In this lesson, you will discuss this question. You will learn how the Framers solved the problem.

When you have finished this lesson, you should be able to explain why the Framers organized our Congress the way they did.

Directions: Identify/Define the following terms in your journal by writing them under the following title:
Lesson 5 Terms



What was the conflict between the large states and the small states?

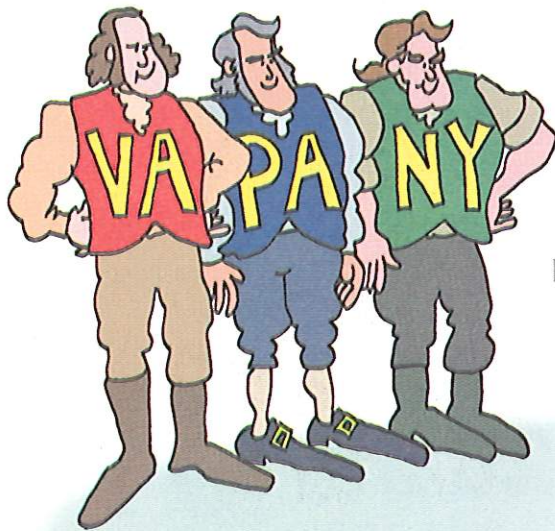
How many representatives should each state be able to send to Congress? This was one of the hardest questions that the Framers had to answer.

Delegates from states with small populations were afraid. They did not want the larger states to have more votes in Congress than they had. If that happened, the large states

would have more power. They would control the new national government.

Delegates from small states argued that each state should have the same number of representatives in Congress. Delegates from states with large populations said that was not fair. A state with more people should have more votes in Congress.

During the long debates, the Framers could not reach a decision on this issue. Neither side was willing to give in. The delegates were almost ready to quit and go home. Finally, they formed a special committee to try to find a solution. One delegate from each state was on the committee.



Why were states with small populations afraid of states with large populations?





Problem to solve

How many representatives in Congress should each state have?

Directions:

Pretend you are a delegate. Study the bar graph on the next page and complete the chart on page 5. Read the questions and write your answers on the chart.

Step 1 There are seven small states and six large states. Which states are they? Write their names in column one on your chart.

Step 2 Look at the graph and figure out the population of each state. Write these numbers in column two on your chart.

Step 3 Suppose each state sends only one representative to Congress, write the number one in column three on your chart.

Step 4 Now, suppose it is decided that each state would have one representative for every 30,000 people in the state. How many representatives would each state have? Divide the population by 30,000. Write these numbers in column four on your chart.

Step 5 Add the numbers in each column. Put your answers in the total boxes.

Discuss and answer the following questions.

- A. If it were decided that there should be one representative for each state, how many representatives would all the small states have together? How many would all the large states have together?
- B. If it were decided that representation should be based on the population of each state, how many representatives would the small states have together? How many would the large states have together?
- C. In each state, how many people would each representative represent?
- D. Why would the small states favor the idea of having one representative for the whole state?
- E. Why would the large states favor the idea of having one representative for every 30,000 people in the state?



Problem to solve

Make a decision based on the lesson.

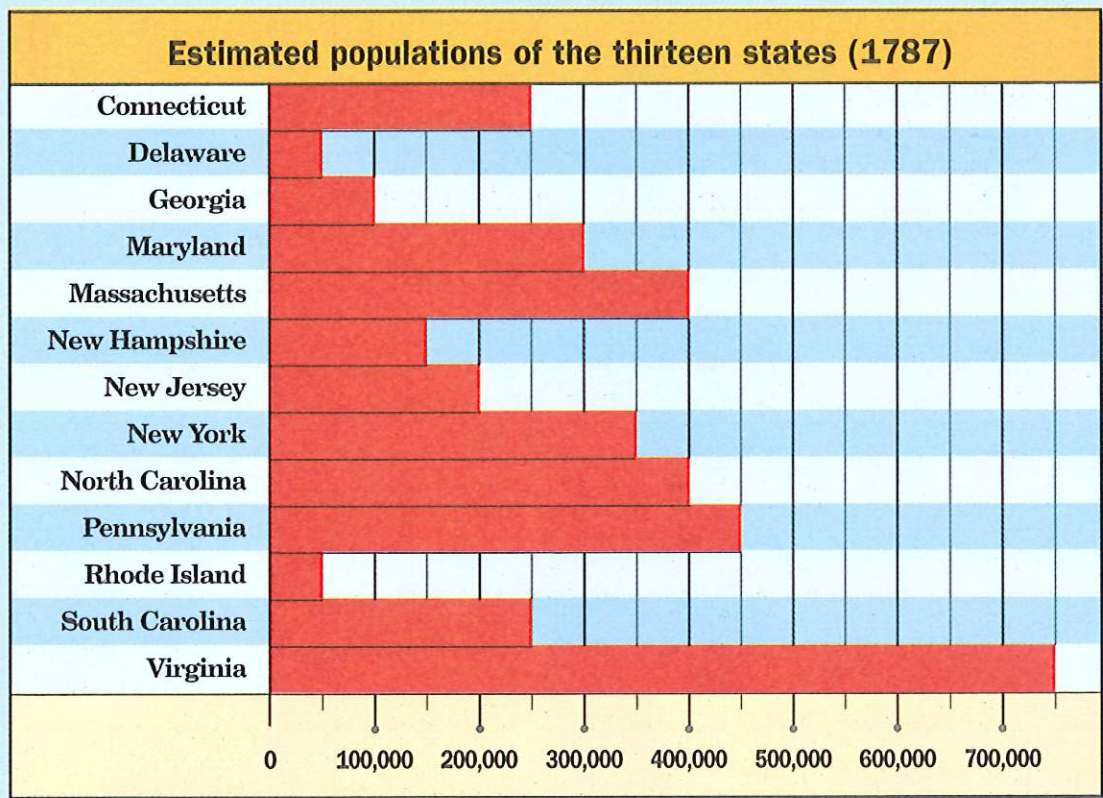
1. Should the number of representatives that each state sends to Congress be based population? Or, should each state send one representative?
2. What would happen if you divide Congress into two parts or houses, so that in one house, each state would have one representative, and in the other house, each

state would have representatives based on its population?

3. What might be the advantages of dividing Congress into two houses as described above? What might be the disadvantages?

Directions: Answer the questions in your journal under the following title:

Lesson 5, Problem to Solve Questions



HOW MANY REPRESENTATIVES SHOULD A STATE HAVE?

Small States			
Step 1	Step 2	Step 3	Step 4
List the small states	List the population	List one representative for each state	List the number of representatives by population (30,000 people = 1 representative)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
Step 5 TOTALS			

Large States			
Step 1	Step 2	Step 3	Step 4
List the large states	List the population	List one representative for each state	List the number of representatives by population (30,000 people = 1 representative)
1.			
2.			
3.			
4.			
5.			
6.			
Step 5 TOTALS			

What was the Great Compromise?

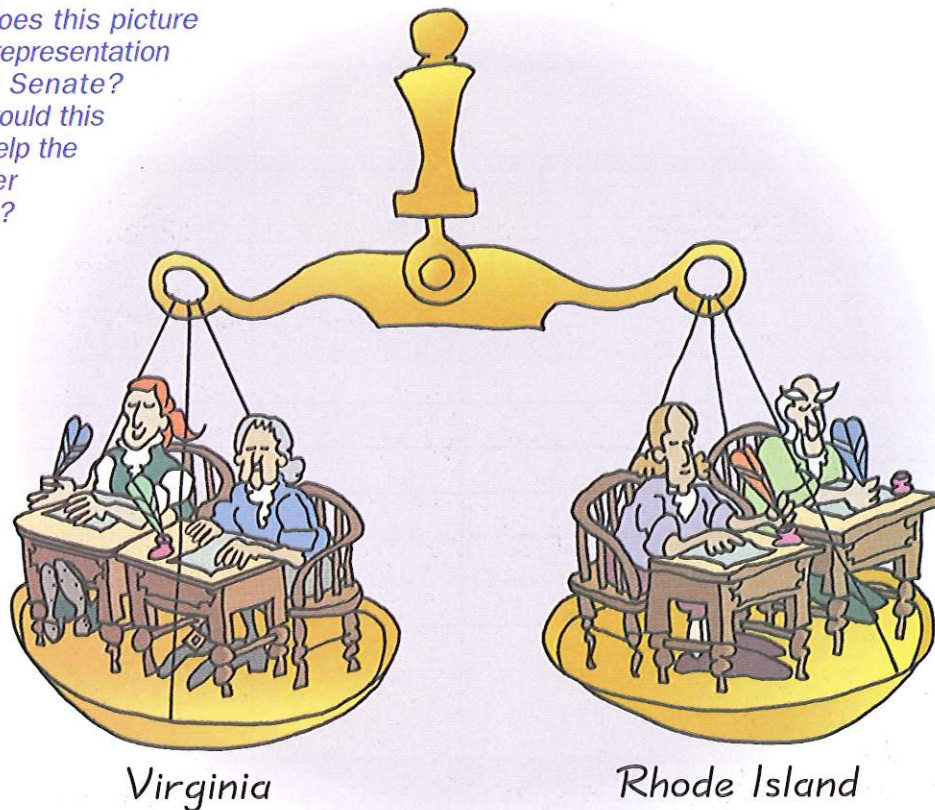
Compromise is a way of dealing with a problem. Each side must be willing to give up something in order to solve the problem. Both sides have to agree on the solution. The Framers knew that they had to find a way to solve the problem of representation. They wanted a compromise the delegates would accept.

They appointed a committee to make a plan. The result of the committee's work is known as the **Great Compromise**.

It is the plan the delegates accepted for representation in Congress. These are the main parts of the Great Compromise.

- Congress would have two parts, or houses: the **Senate** and the **House of Representatives**.
- Each state, large or small, would have two representatives in the Senate.
- In the House of Representatives, the number of representatives from each state would be based on the number of people living in that state.

How does this picture show representation in the Senate?
How would this plan help the smaller states?

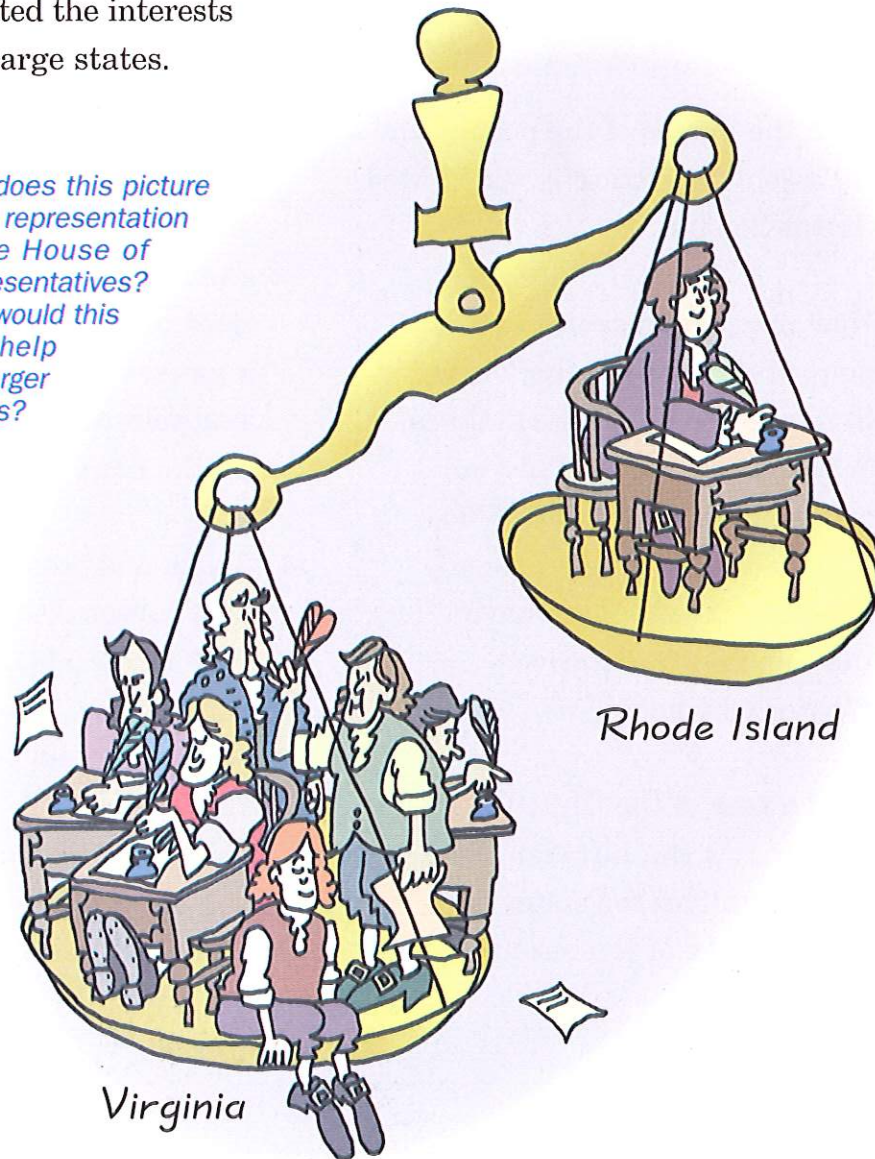


Senate

This agreement meant that each state would have equal power in the Senate. The states with more people would have more power in the House of Representatives. A law could not be passed unless a majority in both houses voted for it. This meant that large and small states could check each other's power. The Great Compromise protected the interests of both small and large states.

Some Framers did not like the compromise. It was hard for them to give up what they wanted. Nevertheless, the delegates voted and the Great Compromise was agreed upon.

▶ How does this picture show representation in the House of Representatives? How would this plan help the larger states?



House of Representatives

Directions: Answer the following questions in your journal under the following title:
Lesson 5 Review Questions.

Review the lesson

1. Why was it hard for the Framers to agree on how many representatives a state should be able to send to Congress?
2. How did the Great Compromise solve the problem of representation in Congress?

CIVICS FUN LESSON ACTIVITIES TO-DO

1. Think of a problem in your school or with your classmates or friends that causes disagreements. Make a list of things to consider when you compromise or negotiate. What things should you do? What things should you not do? Then, try working out a compromise that your classmates would agree to.

2. Find the names of the people who represent your state in the United States Senate.

Go online to the following website to get your answers for the Senate.
http://www.senate.gov/general/contact_information/senators_cfm.cfm

3. How many representatives does your state have in the United States House of Representatives? What is the number of your congressional district? Who is your representative?

Go online to the following website to get your answers for the House of Representatives.
<http://www.house.gov/representatives/>

Should the Electoral College Be Abolished?

Several years after the United States was founded, the Constitutional Convention met to decide how the new nation would govern itself. Government had been based on the Articles of Confederation, which had virtually no executive branch—that is, no single leader, such as the president. It was clear that such a leader was necessary. The Convention created the offices of president and vice president. But the delegates bitterly remembered how Britain had abused its power when it ruled the American colonies. They knew the leader's power needed limits. They also knew that the leader must be chosen in an informed process that would consider the wishes of every citizen without giving too much weight to any one group.

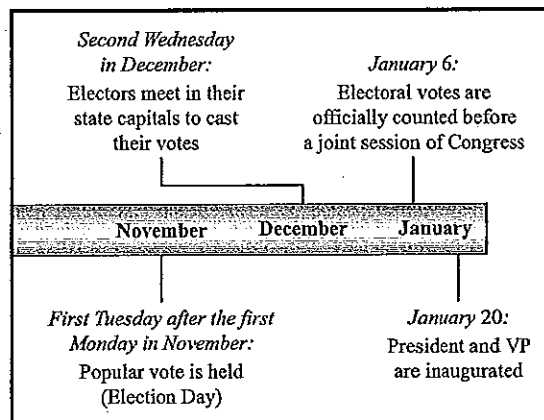
In general, the delegates did not believe the president and vice president should be chosen by a **direct popular vote** of the people. They did not trust that voters would have enough information to make a good choice. Instead, the delegates settled on a system involving an **Electoral College**. In this system, the president and vice president are chosen indirectly. The Electoral College system works like this:

- All states and the District of Columbia get one electoral vote for each of their US senators and representatives. For example, California, the most populous state, has 53 members in the House of Representatives and 2 senators, so it has 55 electoral votes.
- Each state has a **slate** of **electors** for each presidential candidate. When citizens vote in the presidential election, they are really voting for the slate of electors.
- In 48 states and the District of Columbia, whichever candidate wins the most votes in the state wins the state's electoral votes. This is called the **winner-take-all** method.

- A candidate must receive a majority (one more than half) of the electoral votes to be declared president. If no one obtains a **majority**, the US House of Representatives selects the president from the top three contenders. In that case, each state gets one vote.

There are no set qualifications for being an elector. Members of Congress and certain other federal officeholders are not allowed to be electors. The Constitution lets state legislatures decide how the electors are chosen. In many states, the legislature leaves the decision up to the political parties or the candidates themselves. The political parties use the job of elector as a reward for important people in the party.

Following the popular vote, the electors cast their votes, one for president and one for vice-president. Electors are required to cast at least one of these votes for someone from outside their state. Since electors are chosen by the political parties, they are usually loyal to their party in their votes.



As with many compromises, the Electoral College solution leaves many people unhappy. Some people believe the Electoral College system undercuts the basic principle of representative government—that one person should have one vote. Other people believe that, like many other legacies of the founders, the Electoral College may be flawed, but it's still the best system for our democracy.

Is the Electoral College a good system for electing the president and vice president in the 21st century? Some people think it is still a workable approach for our federal system.

Directions: Complete the following questions on the next page that corresponds to this reading.

EV

Background Essay Questions

1. Why do you think delegates to the Constitutional Convention might have had a difficult time deciding how to choose the president and vice president?
2. How did the Electoral College help to overcome the delegates' concerns about uninformed voters?
3. How many electors does each state have? How does that help the small states?
4. According to the time line, when is the President of the United States really chosen?
5. What happens if no one gets a majority of the electoral votes?
6. Define these terms:

direct popular vote

Electoral College

slate

electors

winner-take-all

majority

Timeline

1787 – Constitutional Convention approves Electoral College system.

1788 – Constitution ratified.

1800 – Thomas Jefferson and Aaron Burr tie in the Electoral College. The election is decided in the House of Representatives.

1824 – Election decided by House of Representatives. John Quincy Adams, who was second in the popular vote, elected.

1860 – Abraham Lincoln wins less than 40 percent of the popular vote but wins in the Electoral College.

1876 – Rutherford B. Hayes loses the popular vote but wins the electoral vote.

1888 – Benjamin Harrison loses the popular vote but wins the electoral vote.

2000 – George W. Bush loses the popular vote but wins the electoral vote.

What basic ideas about government are included in the Preamble to the Constitution?



Purpose of the lesson

The Framers wrote an introduction, also called a **preamble**, to the Constitution. The Preamble states the purposes of our Constitution. It includes some basic

ideas about government that you have studied in this book. When you finish this lesson, you should be able to explain these ideas.



Ideas to discuss

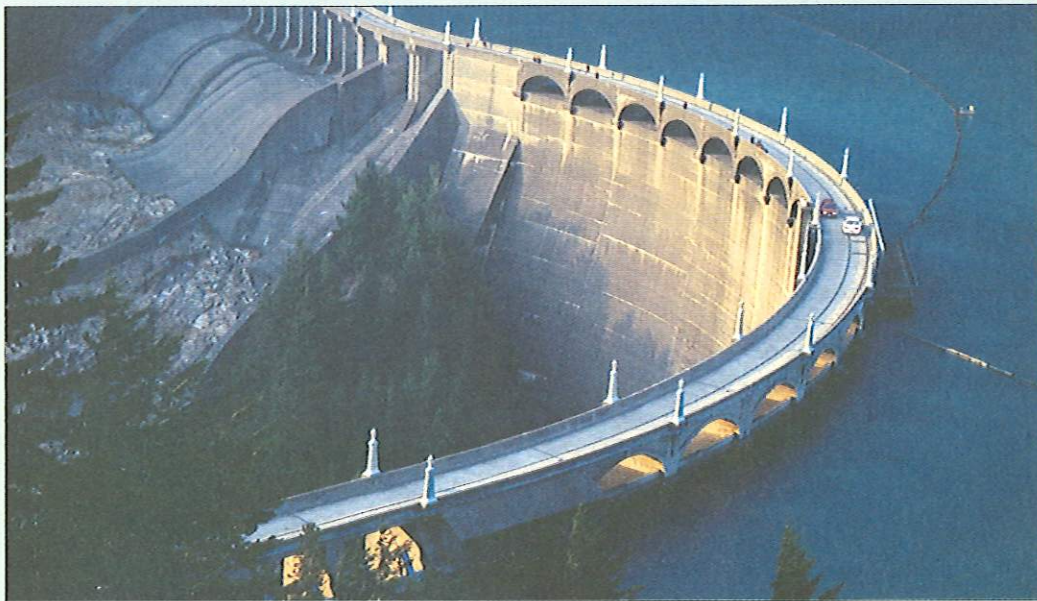
What do you think should be the purposes of government?

Before you learn about the purposes stated in the Preamble, let's examine your own ideas. Then you can compare your ideas with those in the Constitution. You might find that you and the Framers have many of the same ideas.

Brainstorm and Identify:
Read the following questions and write your thoughts in your Civics journal under the following title:

Lesson 6 - Ideas to Discuss

1. What is a purpose?
2. Why is it important to know what your own purposes are?
3. Why is it important to know what the purposes of a government are?
4. List five or six purposes that you think a government should have.
5. Explain why you think each of the purposes you have listed for government is important.



- ▶ *The Federal Power Commission approved the construction of the Diablo Dam in Washington in 1927. Do you think government should regulate this type of project? Why or Why not?*

Directions: Identify/Define the following terms in your journal by writing them under the following title:
Lesson 6 Terms

Terms to understand



<i>a more perfect union</i>	<i>general welfare</i>
<i>blessings of liberty</i>	<i>justice</i>
<i>common defense</i>	<i>ordain</i>
<i>domestic tranquility</i>	<i>preamble</i>
<i>establish</i>	

Why does the Preamble say “We the People... do ordain and establish this Constitution for the United States of America”?

In 1787, the Framers wrote and signed the Constitution. The Preamble to the Constitution says that “We the People of the United States... do **ordain** (give official approval) and **establish** (accept) this Constitution for the United States of America.” This means that the Constitution was approved by the people of the United States and that they agreed to live under the government it created. Each generation of Americans—including yours—must give its approval or consent to live under the government created by the Constitution.

- How do you and other Americans show that you consent to be governed under the Constitution?
- How do you, as one of the people, ordain and establish the Constitution?

There are many ways of answering these questions. One way is by willingly obeying the laws. Another way to show your consent is by repeating the Pledge of Allegiance. When you are older, you can give your consent by voting, serving on a jury, or holding public office. You also give consent when you take part in solving your community’s problems. Taking your place as a citizen, one of “We the People,” means that you consent to live under the Constitution.



How can citizens show that they give approval to be governed by the Constitution?



Problem to solve

What ideas are expressed in the Preamble?

The Preamble to the Constitution explains who created the Constitution and the basic purposes of our government. "We the People..." are the first words in the Preamble. These words are very important. They show that the power to govern belongs to the people. The people established the Constitution. They used it to create a government to protect their rights and their welfare.



► **Why are the first words of the Constitution, "We the People," so important?**

The ideas in the Preamble are so important that you should study them carefully. To do this, first read the entire Preamble.

Preamble to the Constitution of the United States

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.

The Preamble is made up of many words that might be hard to understand when you first read them. But if you study them, you will find they are not that difficult.

Let's examine the basic ideas in the Preamble to see how important they are to all of us. To do this, your class may work in small groups. Each group should study one part of the Preamble.

Directions: Answer the following questions
in your journal under the following title:

Lesson 6 Review Questions.

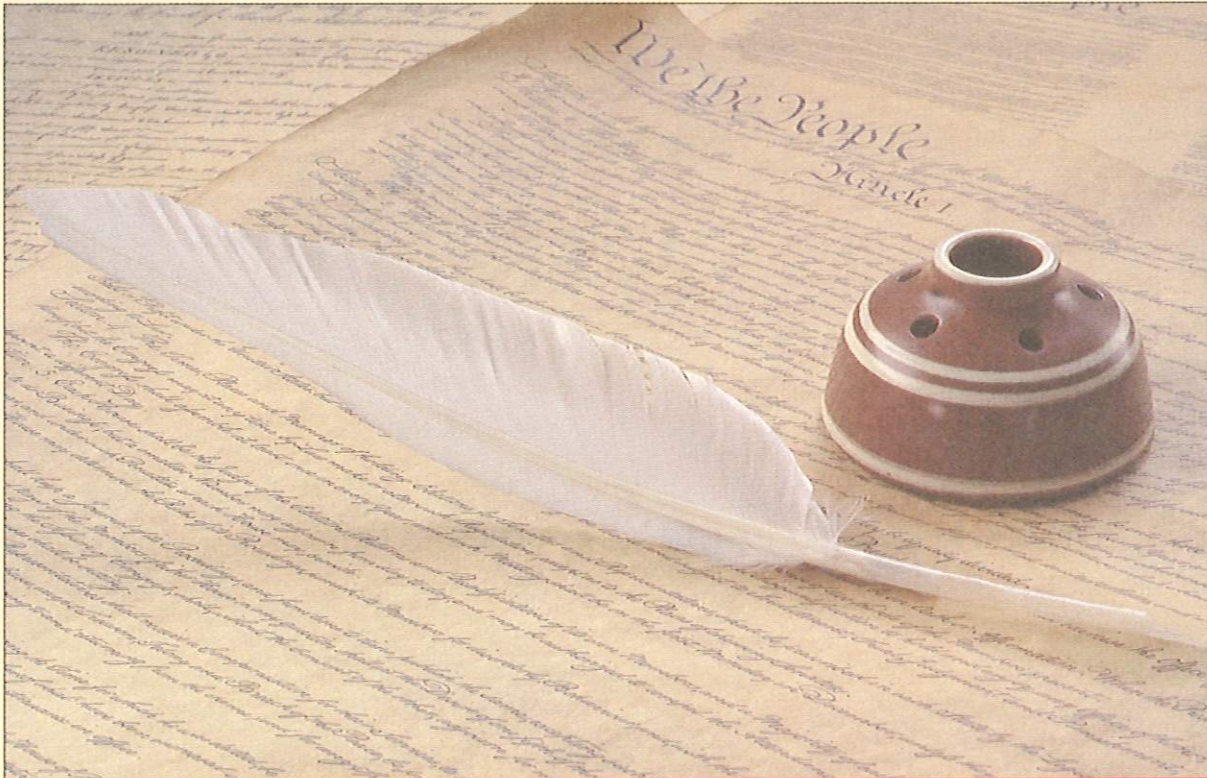
Review the lesson

1. Some people have said the most important words in our Constitution are the first three words of the Preamble. These are the words, "We the People." Explain why you agree or disagree with this opinion.
2. In your own words, explain what establishing justice means. Why is this an important purpose of government?
3. Explain the difference between ensuring domestic tranquility and providing for the common defense.
4. What is the general welfare? What are some ways to promote the general welfare?
5. What are some of the blessings of liberty that you enjoy? How can you help to make sure that future generations will also enjoy them?
6. How can you and other Americans show that you consent to live under the Constitution?

CIVICS FUN LESSON ACTIVITIES TO-DO

1. Create six symbols to represent each of the six parts of the Preamble. In your own words, write a sentence that tells what each symbol means. Use the six symbols to create a poster or dividers in your journal.

How does the Constitution limit the powers of our government?



Purpose of the lesson

The Framers wanted to limit the powers of our national government. They wanted to be sure that no one group of people in government would have too much power. So, they divided the powers of government among three groups or branches. In this lesson, you will learn more about the separation of powers and checks and balances.

When you have finished this lesson, you should be able to explain why the Framers separated the powers of our government. You should also be able to explain how the Constitution balances and checks the powers of each branch of government.



Ideas to discuss

How would you organize your government?

Suppose you want to create a government for your class. Think how you might organize that government. It would need to have the following powers:

1. Power to make rules. This is called **legislative power**.
2. Power to carry out and enforce the rules. This is called **executive power**.
3. Power to settle disagreements about the rules. This includes the power to say what the rules mean. This is called **judicial power**.

Directions:

Think about how you might distribute these powers in your class or home government. Answer the following questions in your Civics journal under the following title:

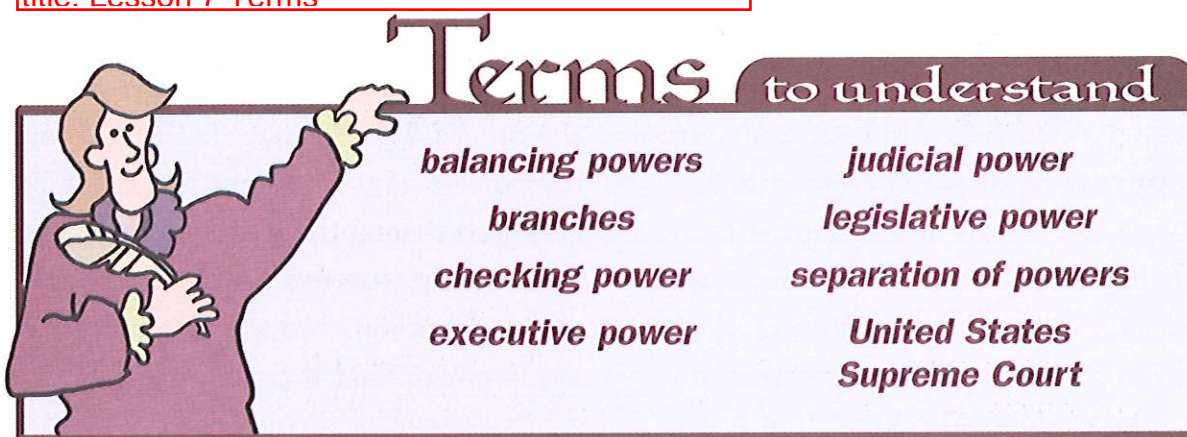
Lesson 7 Idea Questions

1. Suppose you decide to give all the powers of your class government to one group of students. What would be the advantages and disadvantages of doing this?
2. Suppose you decide to give the power to three different groups of students. You divide the powers of your government among them. What would be the advantages and disadvantages of doing this?



▶ *How might you use the idea of separation of powers to organize a school government?*

Directions: Identify/Define the following terms in your journal by writing them under the following title: **Lesson 7 Terms**



What ideas did the Framers use to limit the power of government?

When the Framers organized our national government, they knew they needed to limit its powers. The Framers did this by dividing the government into three parts. They called these parts the three **branches** of government. They gave certain powers to each branch.

- Legislative branch. The Framers gave this branch the power to make laws. They called our national legislature Congress. Congress has two parts or houses. They are the Senate and the House of Representatives.
- Executive branch. The Framers gave this branch the power to carry out and enforce the laws made by Congress. The president is the head of this branch.
- Judicial branch. The Framers gave this branch the power to

settle disagreements about what the laws mean. The **United States Supreme Court** is the highest court in this branch.

What else did the Framers do to limit the power of government?

The Framers knew that governments often gain too much power. When they do, they can violate the rights of the people. They work for the selfish interests of a few people instead of for the common good. They do not treat people fairly.

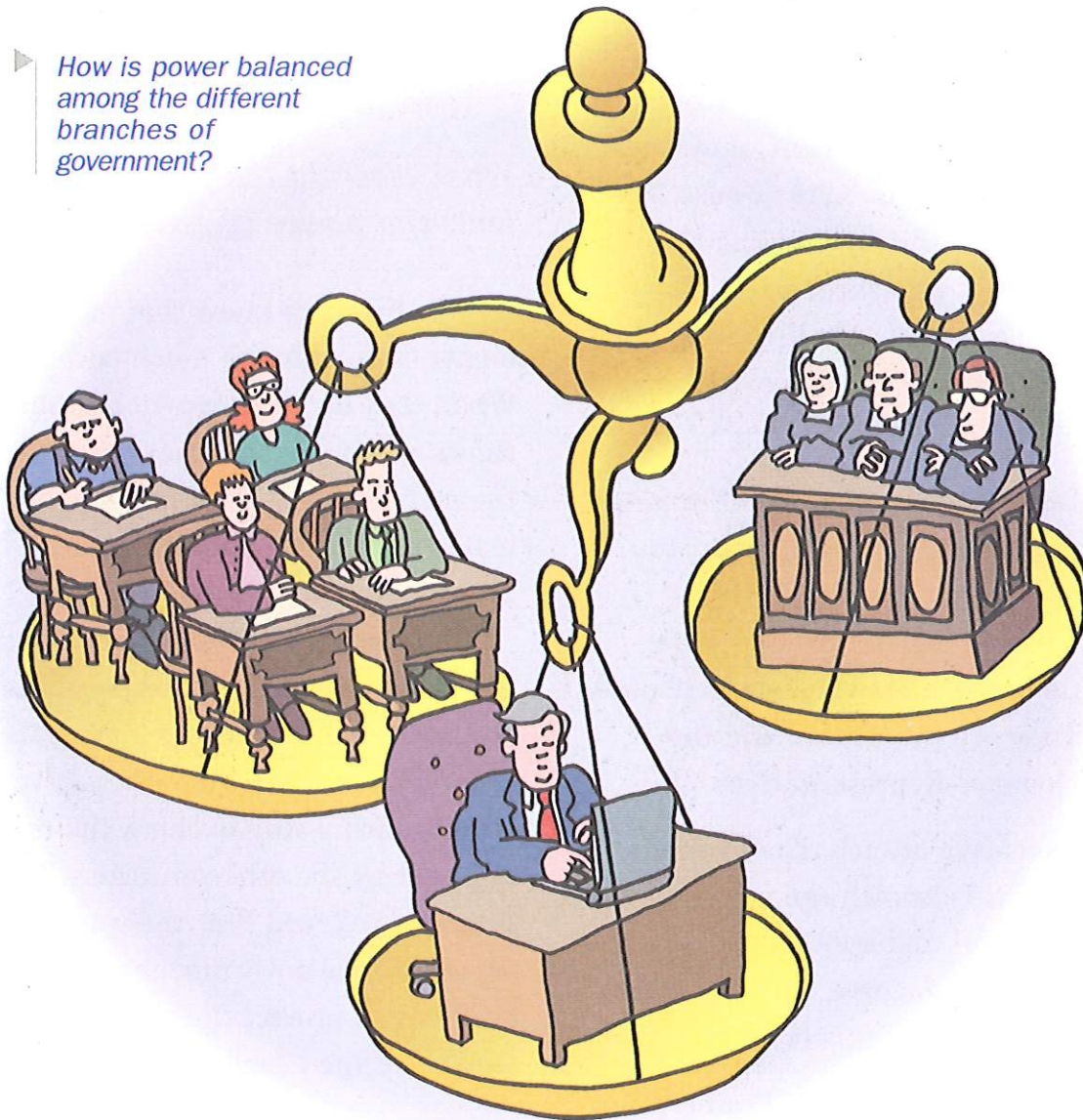
The Framers wanted to make sure this could not happen. They separated and balanced the powers among the different branches. Then they gave each branch a way to check the use of power by the other branches. The Framers believed that the way they organized the government was the best way to protect the rights and welfare of the people.

The Framers knew from history that constitutional governments are often divided into different branches. **Separation of powers** means to divide the power of government among its branches. The Framers used the idea of separation of powers as one way to limit the power of government.

The Framers also knew that it was not enough just to separate the powers

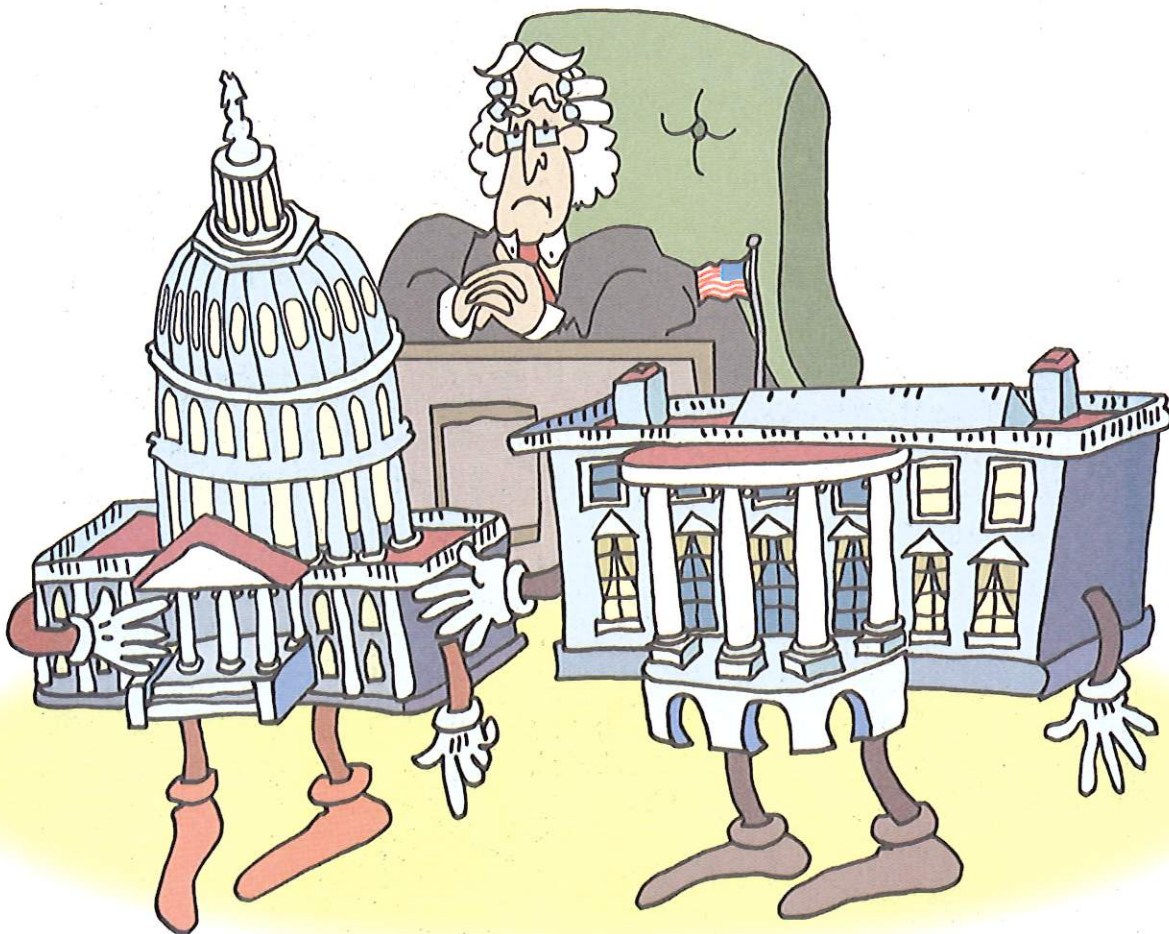
of government. If you gave too much power to one branch, it might control the others. The Framers believed that the powers of government needed to be balanced among the different branches. **Balancing powers** means that no one government branch is given so much power that it can completely control the other branches.

▶ *How is power balanced among the different branches of government?*



The Framers used one more way to limit the power of government. They gave each branch ways to check the other branches. **Checking powers** means that each branch can stop the other branches from making final decisions or from taking certain actions. For example, Congress has the power to make laws. The president can stop or control this power by refusing to approve a bill passed by

Congress. But, the bill might still become law. Two-thirds of the members of Congress would have to vote to make it a law. Suppose the bill does become law. The judicial branch has the power to check Congress and the president. If a case is brought before them, the courts have the power to say that a certain law is not allowed by the Constitution.



▶ *How does the judicial branch check the power of the executive and legislative branches?*

Directions: Answer the following questions in your journal under the following title:
Lesson 7 Review Questions.

Review the lesson

1. What are the three branches of our government? What power does each branch have?
2. Why did the Framers separate the powers of our government? How are they separated?
3. Why did the Framers balance the powers of our government?
4. Why did the Framers provide ways for each branch of our government to check the powers of the other branches? Give an example of how one branch can check the power of another.

CIVICS FUN LESSON ACTIVITIES TO-DO

1. Draw a diagram showing your understanding of the separation of powers and checks and balances
2. Watch the news or read an article that is about one of the branches of government. Detail below which branch of government it is discussing and summarize in a short paragraph the article or news story in your own words. Include information about where the Constitution delegates this power to the branch of government mentioned in your article or news story.

What are some important responsibilities of citizens?



Purpose of the lesson

Suppose your government does everything it can to protect your rights. Is this enough? Will your rights be protected? Do we have any responsibility to protect not only our own rights, but each other's as well? In this lesson, you will discuss some important questions about the responsibilities of citizens. You must develop your own answers to these

questions. We hope this lesson helps you develop good answers.

When you have finished this lesson, you should be able to explain some of the responsibilities related to important rights. You should also be able to evaluate a situation in which the rights of individuals conflict with the common good, and take and defend a position on the issue.

Directions: Identify/Define the following terms in your journal by writing them under the following title: Lesson 8 Terms



Who is a citizen of the United States?

A **citizen** is a member of an official political body, such as a nation or a state. Citizens of the United States are those who are



▶ What rights do resident aliens have?
What rights don't they have?

- born in the United States
- born to United States citizens living in another country
- born elsewhere, living legally in the United States, and have passed a test on the Constitution and history of the United States to become **naturalized citizens**
- children of naturalized citizens who were under the age of 18 when their parents became citizens

The national government protects the rights of all people who live in the United States. People who are not citizens, but who live legally in the United States, are called resident aliens. **Resident aliens** enjoy most of the rights of citizens. They have the same right to due process of law as citizens.

Resident aliens do not have the right to vote, serve on a jury, or run for public office. Like citizens, resident aliens have a responsibility to obey the law.

Is a good constitution enough to protect your rights?

The Framers planned our government carefully. They organized it so its powers were limited. They separated the powers of our government among three different branches. They balanced the powers among these branches. They provided ways each branch could check or limit the powers of the other branches. Finally, they added a Bill of Rights. The Bill of Rights now protects our rights from unfair treatment by our national, state, and local governments.

Some of the Framers believed they had organized the government very well. They believed the way they planned the government was enough to make sure our rights and the common good would be protected.

Other Framers did not agree. They believed that the government would only work well if there were good people running it. They also believed it would only succeed if the citizens were good citizens.

Today, most people agree that a well-written constitution is not enough to protect our rights. We need to elect leaders who will make and enforce laws that protect our rights and promote our welfare.

Even a good constitution and good leaders may not be enough. If we want

to protect our rights and welfare, we, the people, have certain responsibilities to fulfill. Let's examine what some of these responsibilities might be.



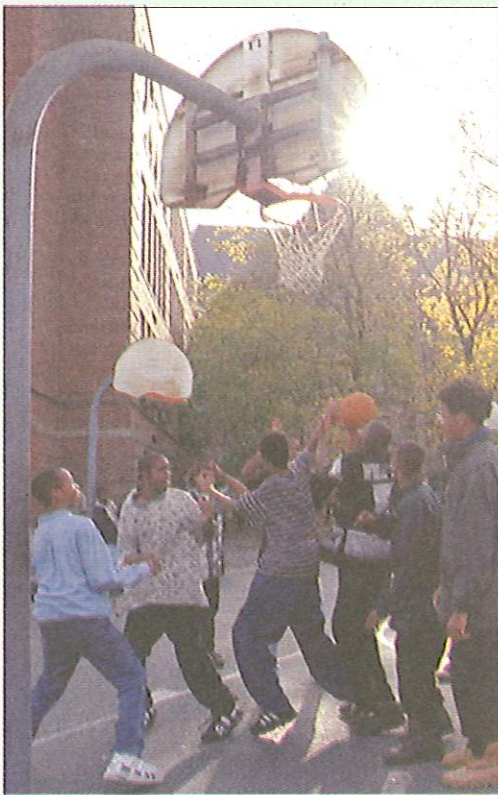
► *What might happen if people did not exercise their rights?*



Ideas to discuss

What responsibilities go along with these rights?

Activity: Let's examine some responsibilities that might go along with your basic rights. Design a small booklet (with five pages), and answer the following sets of questions for each right in each of the five pages of your booklet.



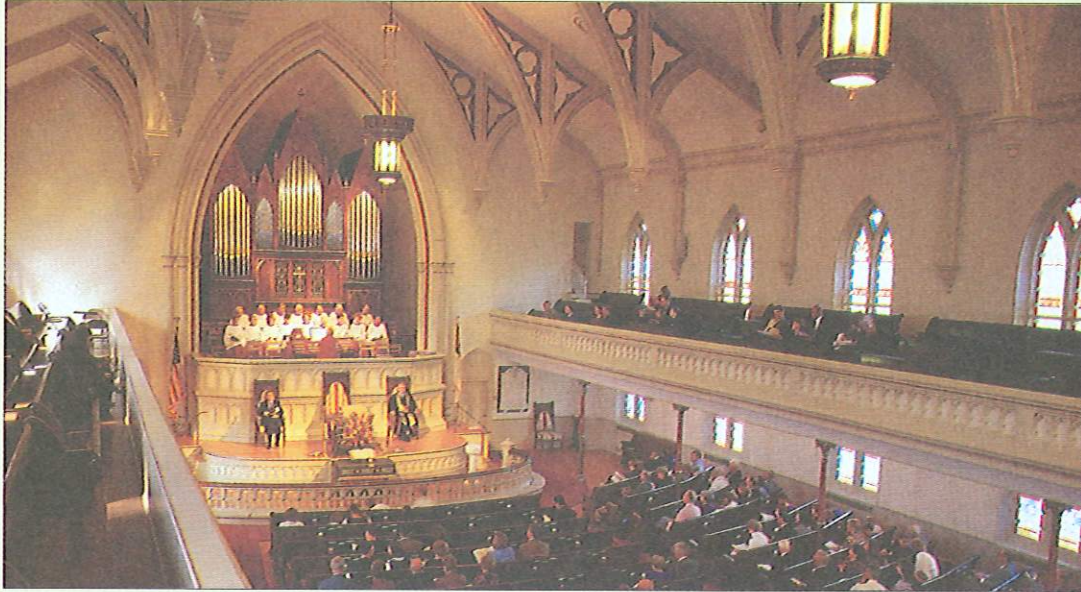
► *Why might people have different ideas about new playground rules? How can we handle different opinions?*

**Booklet
Page 1**

The right to freedom of expression

Suppose you attend a meeting of students in your school. The purpose of the meeting is to suggest rules for the playground. Every student has the right to speak and to make suggestions.

1. What should be your responsibilities for the way you speak and what you say?
2. What should be your responsibilities toward the right of others to speak?
3. What responsibilities should the other students have to you and your right to speak?
4. Government may not unfairly limit your right to express your ideas freely. What responsibilities should you have that might go along with this right?
5. Suppose no one fulfilled the responsibilities that you have discussed. What might happen to our right to freedom of expression?



▶ *What does it mean to practice religion responsibly?*

**Booklet
Page 2**

The right to freedom of religion

Suppose you believe in a particular religion. You attend a church, meeting hall, mosque, or temple in your community.

1. What responsibilities should you have in the way you practice your religious beliefs?
2. What responsibilities should you have toward the right of other people to practice their religious beliefs?
3. What responsibilities should people who hold different religious beliefs have toward your right to practice your religious beliefs?
4. Government may not interfere with your right to believe as you wish. It may not unfairly limit your right to practice your religious beliefs. What responsibilities should you have that go along with these rights?
5. Suppose no one fulfilled the responsibilities that you have discussed. What might happen to our right to freedom of religion?



Ideas to discuss

**Booklet
Page 3**

The right to the equal protection of the law

Suppose your city government officials are planning a picnic for the people who live in your community.

1. What responsibilities should officials have to you regardless of your age, gender, race, or religion?
2. If you volunteer to help plan the city's picnic, what responsibilities should you have to others?
3. Government is not permitted to favor some people over others because of their age, gender, race, or religion. What responsibilities should you have that go along with this right?
4. Suppose no one fulfilled the responsibilities that you have discussed. What might happen to our right to the equal protection of the law?

**Booklet
Page 4**

The right to due process of law

Suppose someone accused you of doing something wrong in your school.

1. What responsibilities should the accuser have toward you?
2. If you were the one who accused another student of doing something wrong, what responsibilities should you have toward her or him?
3. Government must be fair to you when it is gathering information and making decisions. What responsibilities should you have that go along with this right?
4. Suppose no one fulfilled the responsibilities that you have discussed. What might happen to our right to due process of the law?



▶ *What ideas should people consider when deciding how to vote?*

**Booklet
Page 5**

The right to vote and run for public office

Suppose you are about to vote in a school election. You must choose between two people running for class president.

1. What responsibilities should you have?
2. You have decided to vote for Bill. Your friends want to vote for John. What responsibilities should you have about their right to vote?
3. What responsibilities should they have about your right to vote?
4. When you are 18, you will have the right to vote in government elections. You will also have the right to run for some public offices. What responsibilities should go along with these rights?
5. Suppose that no one fulfilled the responsibilities that you have discussed. What might happen to our right to vote?

Directions: Answer the following questions in your journal under the following title:
Lesson 8 Review Questions

Review the lesson

1. How does a person become a citizen of the United States?
2. What are some responsibilities of citizens? Why is fulfilling these responsibilities important?
3. What are some responsibilities that go along with your right to free expression, freedom of religion, equal protection of the laws, due process of the laws, and the right to vote?

CIVICS FUN LESSON ACTIVITIES TO-DO

1. Write a short story about what can happen in a community where people do not exercise their responsibility to be good citizens.
2. Create a poster that shows some rights of citizens and the responsibilities that those rights carry.
3. Draw a picture of someone famous or someone you know that is a naturalized citizen making an important contribution to the United States.

Should Schools Be Allowed to Limit Students' Online Speech?

Imagine that you are at home after school. You see a YouTube video of your teacher dancing at a wedding. She's terrible! Just for fun, you post a nasty comment. The next day, the teacher is absent. Over 100 people posted insulting comments about her dancing. The principal calls you and seven other students into her office. You are being suspended for **cyberbullying** and **disrupting** the school environment. Should the school be able to punish you for comments you posted at home? Or do you have the right to post online material – even mean or inappropriate material – on your own time?

The **First Amendment** to the Constitution says, "Congress shall make no law . . . abridging [limiting] the **freedom of speech** . . ." For many years, the First Amendment applied only to the federal government. But in 1925, in *Gitlow v. New York*, the Supreme Court said that it also applied to other levels of government. This applies to public schools which are a form of local government.

The right to free speech is not absolute, however. The Supreme Court has allowed certain limits on that freedom:

- **Clear and present danger.** Speech that creates immediate danger is not protected. Yelling "Fire" in a crowded theater is an example.
- **Fighting words.** Speech designed to start a fight can be punished.
- **Obscenity.** Speech that presents sexual content in an offensive way is not protected.
- **Conflict with other important interests.** For example, a school can protect young people from pro-drug messages.
- **Time, place, and manner.** When, where, and how speech occurs can be limited. If someone drove around in the middle of the night with a loudspeaker, that speech would not be protected.

Is school a place where speech can be limited? In the 1969 case *Tinker v. Des Moines Independent School District*, the Supreme Court ruled that students like Mary Beth and John Tinker have free speech rights that do not end at the schoolhouse door. However, the Court also said that if student conduct "materially disrupts classwork or involves substantial disorder or invasion of the rights of others," the First Amendment does not protect it. In another case, *Morse v. Frederick* (2007), the Court said that schools could punish speech at school events, even off school grounds.



Mary Beth and John Tinker display their protest armbands.

Today, many free speech issues center on use of technology. Teens frequently use a wide variety of technologies, including cell phones, text messages, Facebook, and email. New technologies allow speech to reach a much broader audience. Before the Internet and cell phones, if you

said something about a classmate, the information might have reached 20 or 30 people. Now, if you post something online, it could reach hundreds or even thousands.

The effects of online speech can spill over into schools. School officials are responsible for maintaining an environment in which everyone can learn. They also must protect the safety of all their students. Young people have hurt themselves because of cyberbullying. Thus, school administrators sometimes feel they must punish students for online activity, even if it happens off-campus, outside of school hours.

Directions:

Complete the questions on the following page that corresponds to this reading.

EV

Background Essay Questions

1. What does the First Amendment say about freedom of speech? What do these words mean to you?
2. Why was the case of *Gitlow v. New York* important? How does it apply to the question when should schools be able to limit students' online speech?
3. Why was the case of *Tinker v. Des Moines Independent School District* important? How does it apply to the question of when schools should be able to limit students' online speech?
4. Why was the case of *Morse v. Frederick* important? How does it apply to the question of when schools should be able to limit students' online speech?
5. Why are school officials concerned about students' online speech, even when it occurs outside of school hours and off school property?
6. Define these terms:
 - cyberbullying
 - disrupting
 - First Amendment
 - freedom of speech

Timeline

- 1791 – First Amendment is ratified.
- 1925 – *Gitlow v. New York*
- 1969 – *Tinker v. Des Moines Independent School District*
- 1992 – The Internet becomes available to the general public.
- 2002 – First social networking sites appear.
- 2007 – *Morse v. Frederick*
- 2011 – Facebook, the most popular social networking site, has 750 million members.

Search and Seizure: Did the Government Go Too Far?

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 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.

Those are the words of the Fourth Amendment to the US Constitution. But why are they important and what do they mean?

In colonial times, the British government often searched houses and businesses of American colonists. They were looking for goods that had been brought into the colonies without paying taxes. The colonists did not like these general searches, in which officials could look anywhere for anything. After independence, the Founders included the Fourth Amendment of the Bill of Rights to protect against such searches.

The Fourth Amendment says that you have an expectation of privacy in your home and person (body). The government cannot search you, your home, or your belongings without a good reason. Nor can it take any of your belongings without a good reason. Taking your belongings is called a **seizure**. A **warrant** – a legal paper authorizing a search – cannot be issued unless there is cause. **Probable cause** must be sworn to by a police officer or prosecutor and approved by a judge. The warrant must describe what is being searched and what will be seized.

But times are changing, and technology is raising new questions. Police officers have many new tools, like GPS systems, for gathering information. Use of these new tools raises constitutional questions, many related to the Fourth Amendment. For example, is use of a high tech tool to gather information a search? Should police officers have



a warrant before they can use such tools?

That is the question in the case of DLK. Federal agents suspected DLK was growing marijuana in his home. Agents scanned DLK's residence from outside with a **thermal imager**, a device that detects warmth within the home. The results were consistent with the use of the heat-intensive lights used in growing marijuana indoors. Based on the scan and other information, a judge issued a search warrant for the home. Agents found more than 100 marijuana plants in the home. They then arrested DLK.

DLK's attorneys argued that the agents needed a warrant to use the scanner. The government said they didn't. DLK's attorneys lost the argument at trial in federal district court, and again with the Court of Appeals. Eventually, the US Supreme Court agreed to hear the case.

As the DLK case shows, a person's Fourth Amendment rights may at times seem to hinder the work of law enforcement. Police

officers feel that they have strong evidence that a crime is occurring. They want to be able to act on that evidence without stopping to get a warrant. However, warrants serve an important function. They require that a neutral party, such as a judge, agree that there is a good reason for a search.

Courts have ruled that a warrant is not required in every case. Sometimes, the needs of law enforcement to be effective override privacy concerns. Four examples of this are:

- hot pursuit
- public safety
- danger of loss of evidence
- permission of the suspect.

Directions:

Complete the questions on the following page that corresponds to this reading.

EV

Background Essay Questions

1. Why did the British government conduct general searches of the colonists' homes and businesses?
2. How did Americans react to the British searches?
3. How does the Fourth Amendment protect the privacy of Americans?
4. What technology did the government use to gather evidence against DLK?
5. What constitutional question did the use of this technology raise?
6. Do you see a conflict between Fourth Amendment rights and the work of law enforcement? Why or why not?
7. Under what circumstances is a warrant not necessary?
8. Define these terms:

search

seizure

warrant

probable cause

thermal imager

appeal

Timeline

- 1700s – British officials in America conduct general searches.
- 1776 – Declaration of Independence lists general searches as a cause for independence.
- 1791 – Bill of Rights, including the Fourth Amendment, is adopted.
- 1925 – *Carroll v. United States*: Some warrantless searches are OK.
- 1967 – *Katz v. United States*: Using a secret electronic listening device (a “bug”) requires a warrant.
- 1992 – DLK is arrested.
- 2001 – *DLK v. United States*

Is the American Jury System Still a Good Idea?

It happens every year: A big trial is covered on television and in the newspapers. People across the country follow it. They discuss the trial with neighbors and friends. They say they know what the outcome ought to be.

But when all the witnesses, evidence, and arguments have been presented, the judge doesn't ask the television audience to decide the case. Instead, the judge charges a **jury** of twelve ordinary citizens to reach a **verdict** (decision) on the case.

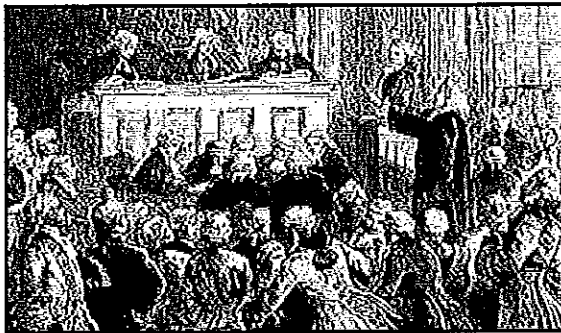
Most countries in the world today do not use juries, and only a small percentage of cases in the United States are decided by juries. So why do Americans have juries? What role do they play in our justice system? And does the jury make sense for modern America?

Origins of the Jury System

The jury system arose in England hundreds of years ago. If there was a crime in a community, the **accused** was brought to trial before a judge and a jury. The judge presided over the trial and served as the legal expert. The jury

was a group of twelve men who were from the area where the crime was committed. The jury heard the evidence and then they, not the judge, decided whether the accused was guilty or innocent.

The American colonists brought the jury system with them from Great Britain. A famous 1733 case in colonial New York involved John Peter Zenger, a printer. Zenger printed a newspaper critical of the British government. Zenger's attorney convinced a jury of New Yorkers to find in favor of Zenger because Zenger's criticisms were true. This was a triumph for press freedom, but it also was a victory for the jury system. It gave ordinary citizens the power to go against what the king wanted in court.



Trial of John Peter Zenger

To avoid this, the king created special courts where only royal judges made the decisions. This practice was listed in the Declaration of Independence as a reason to separate from England.

Americans later included the right to a criminal trial by jury in the US Constitution, and the Bill of Rights guarantees the right to a jury in the Fifth, Sixth, and Seventh Amendments for everyone in the federal court system. Every state has a jury system, too.

How Juries Work

A person who goes to trial has a choice between a jury of his peers or a bench (judge-only) trial. Juries are selected from **pools** of eligible adult citizens who are summoned to serve as jurors in court. **Jurors** are ordinary citizens,

drawn from the community, who are strangers to each other. Jurors must pledge to judge a case based only on the evidence presented in court.

The jury system has been controversial almost since it began. Juries have great power. Jurors make their decisions in secret. No officer of the court is permitted to be present when they decide, and no record is kept of their deliberations. If a jury **acquits** someone, that person is free and cannot be retried for the same crime. Because most juries in criminal cases must reach a **unanimous** decision, each individual juror has great power as well.

Directions:

Complete the questions on the following page that corresponds with this reading.

EV

Background Essay Questions

1. What are two reasons why people might support trial by jury?
2. Where did trial by jury come from? What system do some other countries use to decide the facts in a case?
3. Who serves on a jury?
4. What are three characteristics of juries? How does a jury reach its decision?
5. Define these terms:
 - jury
 - verdict
 - accused
 - pool
 - juror
 - acquit
 - unanimous

Timeline

- 1400s** -- Juries begin in England.
- 1735** -- John Peter Zenger trial
- 1776** -- Declaration of Independence cites lack of jury trials as a reason for independence.
- 1787** -- Article III, Section 2 of US Constitution includes right to jury trial.
- 1791** -- Bill of Rights guarantees jury system.

Should Americans Be Required to Vote?

The right to vote is a big deal. Whenever a government collapses or is overthrown, one of the first things people demand is the right to vote for their leaders. During the revolutions of the “Arab Spring” in 2011, people in Egypt and Tunisia and Libya all demanded free and fair elections. Voting is considered so important that most people equate it with democracy itself.

Elections in new democracies are very important, and voter turnout is usually high and enthusiastic. In 1994, when South Africa became a full democracy, people stood in line for more than eight hours in order to vote. In Iraq after the overthrow of Saddam Hussein, people proudly displayed their purple index fingers – proof that they had voted in the election.

The United States of America is also a democracy, but many Americans do not vote. Since World War II, no presidential election has ever involved 65% or more of registered voters! Turnouts for state and local elections are even lower. How does American democracy make decisions without an **electorate** to make them? And does the number of voters really make a difference?

Why Voting Matters

Voting is important for democracies in several key ways. A democracy functions with the **consent of the governed**. In other words, the people – either directly or through their representatives – decide who will lead the country and what the country will do.

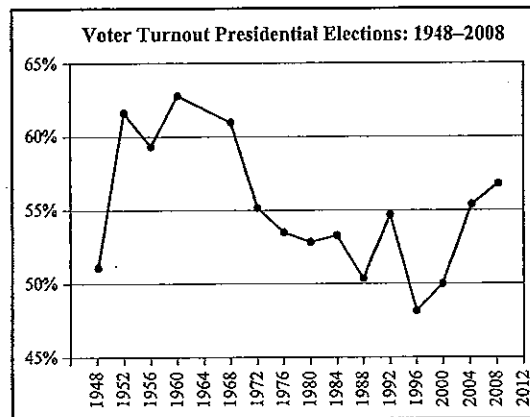
People express their consent or disapproval in many different ways. They can write letters or make visits to elected officials. They can demonstrate in favor of causes they support or protest against things they don’t like. They can take direct action to bring attention to problems. They can gather to learn and work together to persuade other people or to make improvements

in their communities. The most obvious way of expressing consent, however, is by voting in elections.

Voting also shows that a government has the support of the people. In dictatorships, governments also have elections, but often the ballot only features one candidate. Such elections demonstrate the power of the dictator to control the voting, not the power of voters to control their leaders.

Increasing Voter Turnout

Despite the importance of democracy in



America, voter turnout is still low, particularly with certain populations. This has led some people to worry about the **legitimacy** of our government. They have proposed many different ways to increase voter turnout.

One proposal suggests making the voting process more convenient by permit-

ting mail-in ballots, same-day voter **registration**, and early voting. Another idea is that the United States should make voting easier by turning Election Day into a national holiday so everyone has time to vote.

Some other democracies, such as Australia and Peru, deal with the problem of low voter turnout by requiring their citizens to vote. To have an effective **compulsory** voting system, a country usually needs three things: a national voter registration database (to keep information current), rewards to encourage voters, and punishments to discourage non-voting.

Directions:

Please complete the questions in the following page that corresponds to this reading.

EV

Background Essay Questions

1. What are three reasons why voting is important to democracy?
2. What are three ways that voter turnout might be increased?
3. What is compulsory voting?
4. Define these terms:

electorate

consent of the governed

legitimacy

registration

compulsory

Timeline

- 1790 – Only white male adult property-owners are allowed to vote.
- 1810 – Last religious voting restriction is removed.
- 1850 – By this date, almost all white males can vote.
- 1870 – 15th Amendment gives former slaves (males only) the right to vote.
- 1889 – Florida introduces poll tax. Other southern states follow.
- 1920 – 19th Amendment grants women's suffrage.
- 1964 – 24th Amendment bans poll tax.
- 1971 – 26th Amendment grants 18-year-olds the right to vote.