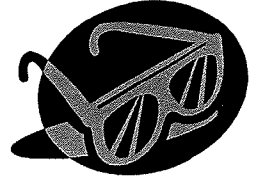


Name \_\_\_\_\_



## **Honors American Studies Summer Assignment**

**Directions:** Use the 2 documents about the Declaration of Independence and the Constitution as well as the *Price of Freedom* website (see below) to complete all parts of the American Studies Summer Assignment.

**Part I:** Actively read Document 1 & Document 2 by using the following techniques in the margins. You should be making at least 3 – 4 significant annotations per page, including:

- Summarize & clarify paragraphs, sections, and/or important themes/points
- Ask clarifying and/or thought-provoking questions
- Make connections to other periods in history and/or today
- Make comments, sharing your opinion about the content of the documents

**Part II:** Answer the questions related to each of the documents using specific examples from the text.

\* At the beginning of the school year, your summer reading work will be collected and you will be quizzed on your understanding of the documents.

### **Document 1: Declaration of Independence**

1. Why did the Second Continental Congress write the Declaration of Independence?

2. What rights do all men have? What is the purpose of government?

3. What do you think is the purpose of including a list of grievances in the Declaration of Independence? Mention specific grievances to support your points.

## **Document 2: The Constitution Handbook**

1. How does the Constitution divide responsibility for governing? Be sure to include the idea of *federalism* as well as the *separation of powers* and *checks and balances* (provide examples).

2. Why does the Constitution divide responsibility for governing?

3. What is the purpose of the Bill of Rights? In answering your question, give specific examples.

4. What are the most important responsibilities of the Legislative Branch?

5. What are the most important responsibilities of the Executive Branch?

6. What are the most important responsibilities of the Judicial Branch?

7. Identify 2 freedoms, duties, or responsibilities laid out in the Constitution that you feel are most essential for democracy to work. Explain why.

**Part III:** Complete The Civil War & Reconstruction Webquest below.

### **The Civil War & Reconstruction Webquest**

**Directions:** Use the Smithsonian National Museum of History website *The Price of Freedom* to complete the questions below.

- <http://americanhistory.si.edu/militaryhistory/exhibition/flash.html> -

1. Click on the *Civil War 1861-1865*. From the overview and the movie, identify and explain the differences between the North and the South that led to the Civil War.

2. What caused Southern states to rebel and eventually secede from the Union?

3. "Enter the Exhibit" and then click through sections 1 – 6 and 8 - 10 (at the top of your screen); read about the major events and figures of the war while checking out the artifacts. What are 2 words that you would use to describe the Civil War? Why did you choose those words?

4. Click on section 7 (Leaders). What was the Emancipation Proclamation and why did Lincoln issue it?

5. Click on section 11 (Legacy: Reconstruction). What was President Lincoln's vision for the period after the war? Why did some members of his party disagree with him?

6. What did the 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> amendments seek to achieve? Why did they fall short?

Name: \_\_\_\_\_

**Summer Assignment Rubric**

	<p align="center"><b>5</b></p> <p>-All parts of the assignment were turned in on time          -All questions were answered &amp; both documents were annotated          -Questions were answered very thoroughly using specific examples from the documents/website          -Each document includes at least 3 meaningful annotations using a wide variety of techniques</p>	<p align="center"><b>4</b></p> <p>- Assignment was turned in a day late          -All questions were answered &amp; both documents were annotated          -Most questions were answered thoroughly using examples from the documents/website          -Each document includes annotations using a variety of techniques</p>	<p align="center"><b>3</b></p> <p>- Assignment was turned in 2 days late          -Most questions were answered &amp;/or 1 document was not annotated          -Questions were not answered thoroughly and/or they lacked examples from the documents/website          -Each document includes a few annotations</p>	<p align="center"><b>2</b></p> <p>- Assignment was turned in 3 or more days late          -Some questions were answered &amp; 1 document was annotated          -Questions were not answered thoroughly and they lacked examples from the documents/website          -Each document includes some highlighting or underlining, but no written annotations</p>	<p align="center"><b>1/0</b></p> <p>Most of the requirements were not met / several parts of the assignment were not turned in          Questions were not answered and documents were not marked up</p>
<p align="center"><b>Content</b></p>					

**Score:** \_\_\_\_\_

# The Declaration of Independence

Document #1

In Congress, July 4, 1776. The unanimous Declaration of the thirteen united States of America,

## What It Means

**The Preamble** The Declaration of Independence has four parts. The Preamble explains why the Continental Congress drew up the Declaration.

*impel force*

## [Preamble]

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

## What It Means

**Natural Rights** The second part, the Declaration of Natural Rights, states that people have certain basic rights and that government should protect those rights. John Locke's ideas strongly influenced this part. In 1690 Locke wrote that government was based on the consent of the people and that people had the right to rebel if the government did not uphold their right to life, liberty, and property.

*endowed provided*

## [Declaration of Natural Rights]

We hold these truths to be self-evident, that all men are created equal, that they are **endowed** by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.

That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,

That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute **Despotism**, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.

*despotism unlimited power*

## What It Means

**List of Grievances** The third part of the Declaration lists the colonists' complaints against the British government. Notice that King George III is singled out for blame.

*usurpations unjust uses of power*

## [List of Grievances]

Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and **usurpations**, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

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



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

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

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

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

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

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

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

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

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

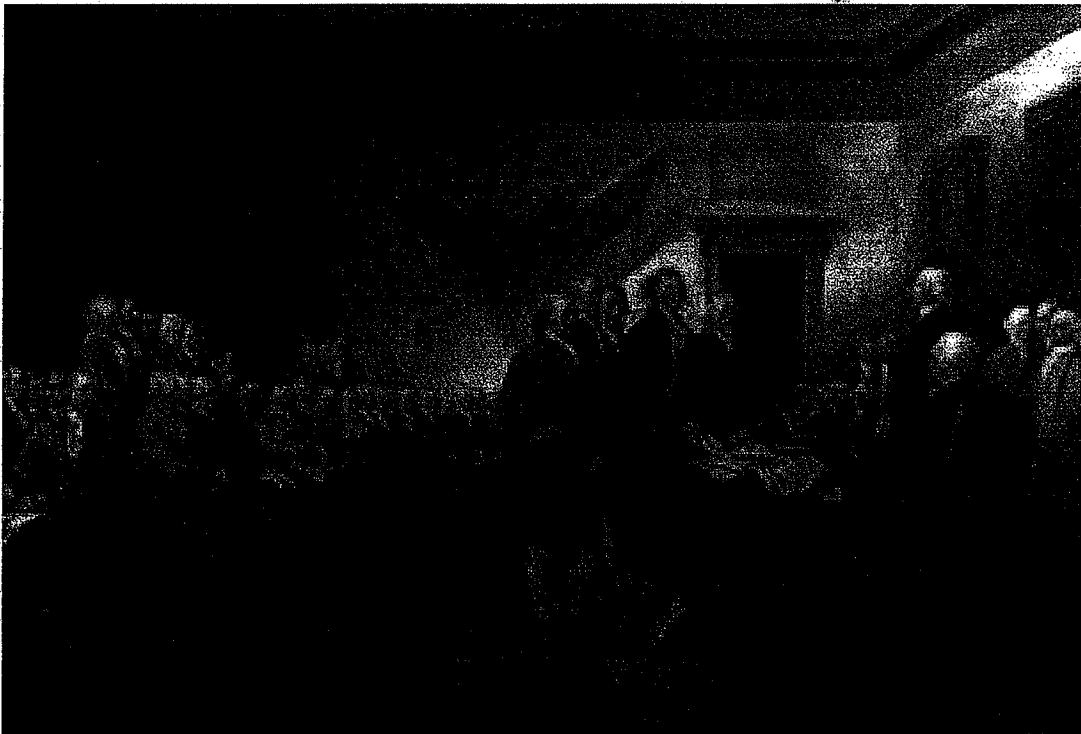
**relinquish** *give up*  
**inestimable** *priceless*

**annihilation** *destruction*

**convulsions** *violent disturbances*

**Naturalization of Foreigners** *process by which foreign-born persons become citizens*

**tenure** *term*





**quartering lodging**

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

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

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

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

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

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

For imposing taxes on us without our Consent:

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

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

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

**render make**

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

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

**abdicated given up**

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

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

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

**perfidy violation of trust**

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

**insurrections rebellions**

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

**petitioned for redress asked formally for a correction of wrongs**

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

**unwarrantable jurisdiction unjustified authority**

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

**consanguinity originating from the same ancestor**



## [Resolution of Independence by the United States]

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

And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

**John Hancock**  
President from  
Massachusetts

**Georgia**  
Button Gwinnett  
Lyman Hall  
George Walton

**North Carolina**  
William Hooper  
Joseph Hewes  
John Penn

**South Carolina**  
Edward Rutledge  
Thomas Heyward, Jr.  
Thomas Lynch, Jr.  
Arthur Middleton

**Maryland**  
Samuel Chase  
William Paca  
Thomas Stone  
Charles Carroll  
of Carrollton

**Virginia**  
George Wythe  
Richard Henry Lee  
Thomas Jefferson  
Benjamin Harrison  
Thomas Nelson, Jr.  
Francis Lightfoot Lee  
Carter Braxton

**Pennsylvania**  
Robert Morris  
Benjamin Rush  
Benjamin Franklin  
John Morton  
George Clymer  
James Smith  
George Taylor  
James Wilson  
George Ross

**Delaware**  
Caesar Rodney  
George Read  
Thomas McKean

**New York**  
William Floyd  
Philip Livingston  
Francis Lewis  
Lewis Morris

**New Jersey**  
Richard Stockton  
John Witherspoon  
Francis Hopkinson  
John Hart  
Abraham Clark

**New Hampshire**  
Josiah Bartlett  
William Whipple  
Matthew Thornton

**Massachusetts**  
Samuel Adams  
John Adams  
Robert Treat Paine  
Elbridge Gerry

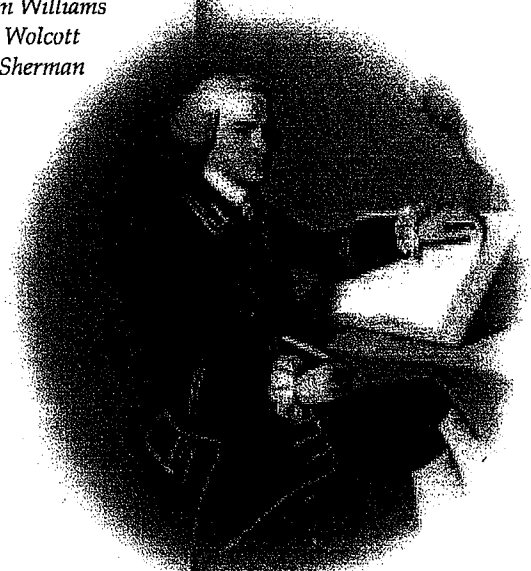
**Rhode Island**  
Stephen Hopkins  
William Ellery

**Connecticut**  
Samuel Huntington  
William Williams  
Oliver Wolcott  
Roger Sherman

**What It Means**  
**Resolution of Independence**  
The Final section declares that the colonies are "Free and Independent States" with the full power to make war, to form alliances, and to trade with other countries.

**rectitude** *rightness*

**What It Means**  
**Signers of the Declaration**  
The signers, as representatives of the American people, declared the colonies independent from Great Britain. Most members signed the document on August 2, 1776.



*John Hancock*

# Document # 2

## Guide to Reading

### Main Idea

The Constitution was designed to provide the United States with a stronger national government while remaining flexible enough to meet the changing circumstances of the growing nation.

### Key Terms and Names

popular sovereignty, federalism, enumerated powers, reserved powers, concurrent powers, override, appropriate, impeach, constituent, bill, standing committee, select committee, joint committee, conference committee, cabinet, judicial review, due process

### Reading Strategy

**Taking Notes** As you read about the Constitution, use the major headings of the handbook to fill in an outline similar to the one below.

- I. Major Principles
  - A.
  - B.
  - C.
  - D.
  - E.
  - F.
  - G.
- II.

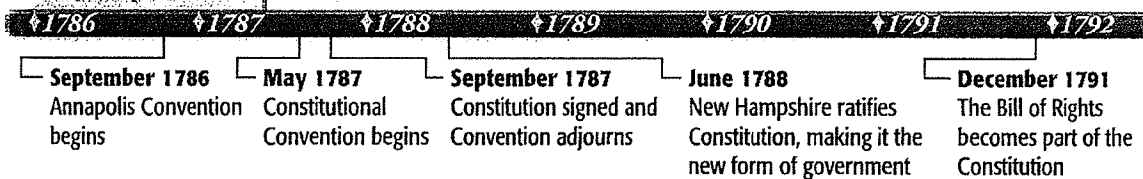
### Reading Objectives:

- **Identify** the branches of the federal government and their separate areas of power.
- **Understand** and describe the responsibilities that American citizens share.

### Section Theme

**Civic Rights and Responsibilities** The success of the American system of government depends on citizens being informed. An understanding of the Constitution is key to understanding how the American government operates.

### Preview of Events



## An American Story

In 1987 the United States began a four-year celebration commemorating the Constitution's bicentennial. In a series of ceremonies that lasted to 1991, the nation reflected on the writing and ratifying of the document providing the country's foundation of government. Proclaiming the creation of Citizenship Day and Constitution Week in August 1990, President George Bush quoted the words of Daniel Webster:

“We may be tossed upon an ocean where we can see no land—nor, perhaps, the sun or stars. But there is a chart and a compass for us to study, to consult, and to obey. That chart is the Constitution.”

Serving as the framework of national government and the source of American citizens' basic rights, the Constitution is the United States's most important document. As President Bush reminded the nation in his proclamation: “[I]f we are to continue to enjoy the blessings of freedom and self-government, each of us must understand our rights and responsibilities as citizens.”

—adapted from *Proclamation of Citizenship Day and Constitution Week*

## Major Principles

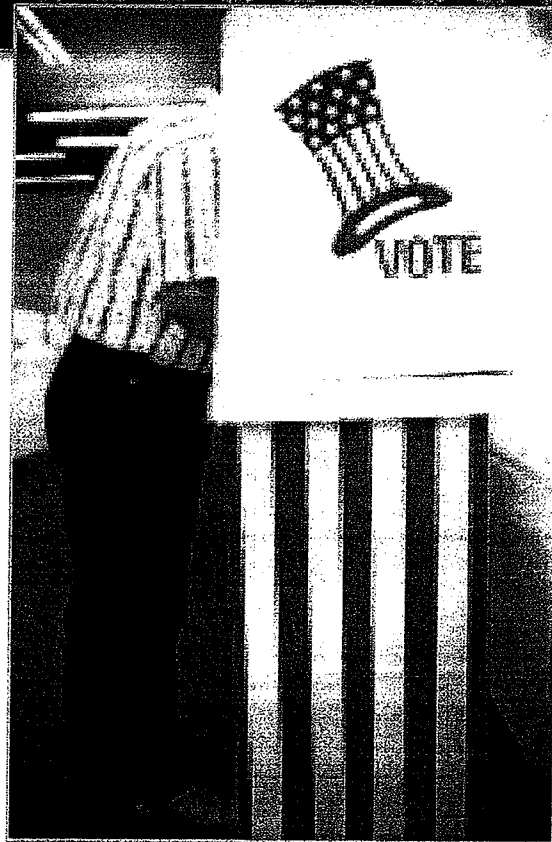
The principles outlined in the Constitution were the Framers' solution to the complex problems of a representative government. The Constitution rests on seven major principles of government: (1) popular sovereignty, (2) republicanism, (3) limited government, (4) federalism, (5) separation of powers, (6) checks and balances, and (7) individual rights.

**Popular Sovereignty** The opening words of the Constitution, "We the people," reinforce the idea of popular sovereignty, or "authority of the people." In the Constitution, the people consent to be governed and specify the powers and rules by which they shall be governed.

The Articles of Confederation form of government had few powers, and it was unable to cope with the many challenges facing the nation. The new constitutional government had greater powers and influence, but it also had specific limitations. A system of interlocking responsibilities kept any one branch of government from becoming too powerful.

**Republicanism** Voters hold sovereign power in a republican system. The people elect representatives and give them the responsibility to make laws and conduct government. For most Americans today, the terms *republic* and *representative democracy* mean the same thing: a system of limited government where the people are the final source of authority.

**Limited Government** Although the Framers agreed that the nation needed a stronger central authority, they feared misuse of power. They wanted to prevent the government from using its power to give one group special advantages or to deprive another group of its rights. By creating a limited government, they restricted the government's authority to specific powers granted by the people.



**The Right to Vote** The voting booth is a symbol of one of the Constitution's major principles—popular sovereignty. What does popular sovereignty mean?

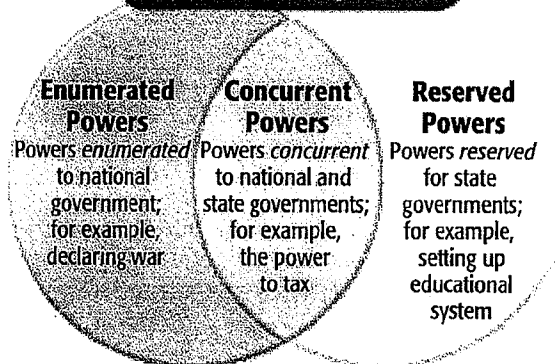
The members of the Constitutional Convention wished to list the range of powers granted to the new government as specifically as possible. Their decision to write down the governmental outline also served as a clear record of what they intended. Article I of the Constitution states the powers that the government has and does not have. Other limits on government appear in the Bill of Rights, which guarantees certain rights and liberties to the people.

**Federalism** In establishing a strong central government, the Framers did not deprive states of all authority. The states would give up some powers to the national government while retaining others. States could no longer print their own money or tax items imported from other states, but mostly, each state continued to govern itself much as it had in the past.

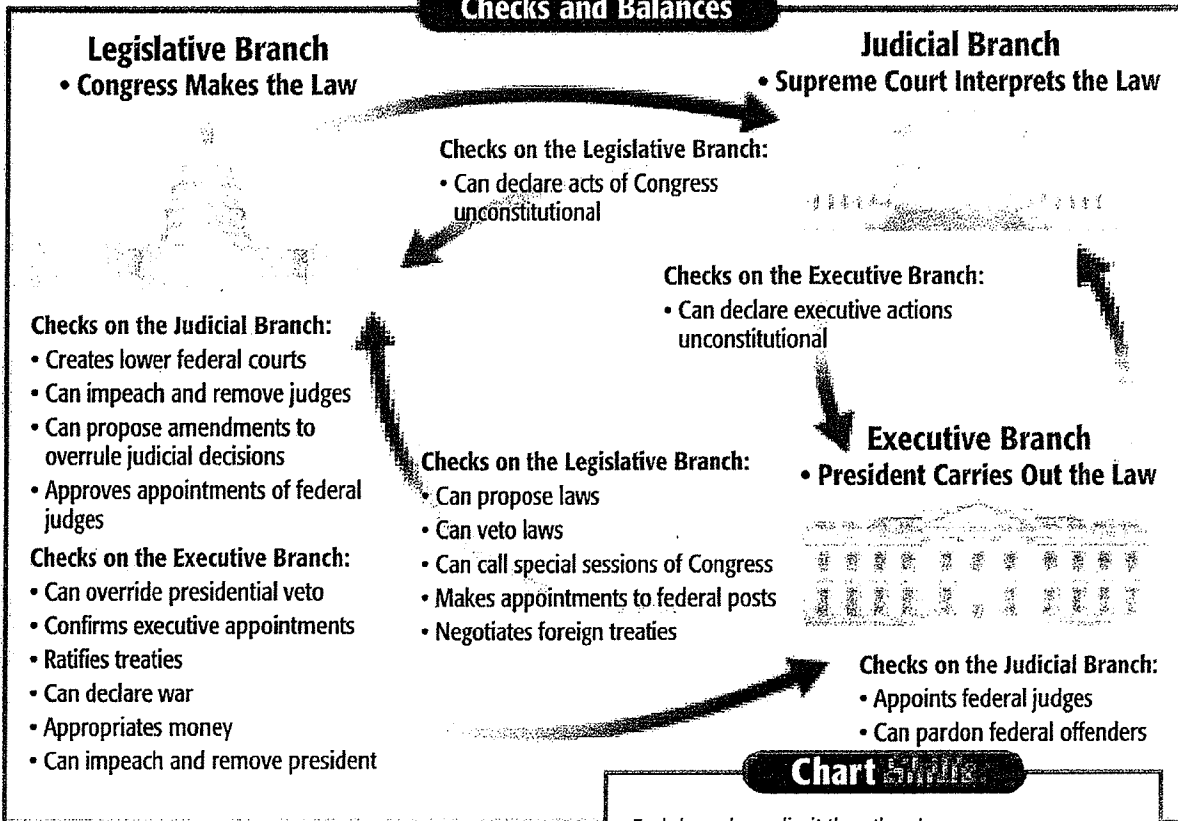
This principle of shared power is federalism. Our federal government allows the people of each state to deal with their needs in their own way. At the same time, it lets the states act together to deal with matters that affect all Americans.

The Constitution defines three types of government powers. Certain powers belong only to the

## The Federal System



## Checks and Balances



### Chart

Each branch can limit the others' power.

**Analyzing Information** How can the president help control the judiciary?

federal government. These enumerated powers include the power to coin money, regulate interstate and foreign trade, maintain the armed forces, and create federal courts (Article I, Section 8).

The second kind of powers are those retained by the states, known as reserved powers, including the power to establish schools, pass marriage and divorce laws, and regulate trade within a state. Although specific reserved powers are not listed in the Constitution, the Tenth Amendment says that all powers not specifically granted to the federal government "are reserved to the States."

The third set of powers defined by the Constitution are concurrent powers—powers the state and federal governments share. They include the right to raise taxes, borrow money, provide for public welfare, and administer criminal justice.

Conflicts between state law and federal law must be settled in a federal court. The Constitution declares that it is "the supreme Law of the Land."

**Separation of Powers** To prevent any single group or institution in government from gaining too much authority, the Framers divided the federal government into three branches: legislative, executive, and judicial. Each branch has its own functions

and powers. The legislative branch, Congress, makes the laws. The executive branch, headed by the president, carries out the laws. The judicial branch, consisting of the Supreme Court and other federal courts, interprets and applies the laws.

In addition to giving separate responsibility to separate branches, the membership of each branch is chosen in different ways. The president nominates federal judges and the Senate confirms the appointments. People vote for members of Congress. Voters cast ballots for president, but the method of election is indirect. On Election Day the votes in each state are counted. Whatever candidate receives a majority receives that state's electoral votes, which total the number of senators and representatives the state has in Congress. Electors from all states meet in December after the November election to formally elect a president. A candidate must receive at least 270 of 538 electoral votes to win.

**Checks and Balances** The Framers also established a system of checks and balances in which each branch of government can check, or limit, the

## The Bill of Rights: The First Ten Amendments

<b>Amendment 1</b>	Guarantees freedom of religion, of speech, and of the press, and the right to assemble peaceably and to petition the government
<b>Amendment 2</b>	Guarantees the right to organize state militias and bear arms
<b>Amendment 3</b>	Prohibits quartering soldiers in private homes in peacetime and limits it in time of war
<b>Amendment 4</b>	Prohibits the unreasonable search and seizure of persons and property without a valid warrant
<b>Amendment 5</b>	Requires a grand jury for serious criminal charges; prohibits double jeopardy; prohibits forcing accused persons to testify against themselves; guarantees that no one may be deprived of life, liberty, or property, without due process of law; prohibits government taking private property for public use without just compensation
<b>Amendment 6</b>	Guarantees suspects the right to a speedy trial by jury in criminal cases; to know all charges; to question and obtain witnesses; and to have counsel
<b>Amendment 7</b>	Guarantees a jury trial in most civil cases
<b>Amendment 8</b>	Prohibits excessive bail and fines and cruel and unusual punishment
<b>Amendment 9</b>	Assures people that they may have other basic rights in addition to those mentioned in the Constitution
<b>Amendment 10</b>	Guarantees that rights not given to the federal government, nor denied to the states, are reserved to the states or to the people

### Chart

Antifederalists demanded a specific list of individual rights and freedoms.

**Analyzing Information** Why did the Framers include Amendment 4, prohibiting unreasonable searches?

power of the other branches. This system helps balance the power of the three branches. For example, imagine that Congress passes a law. Then the president can reject the law by vetoing it. However, Congress can override, or reverse, the president's veto if two-thirds of the members of both the Senate and the House of Representatives vote again to approve the law.

**Individual Rights** The Bill of Rights became part of the Constitution in 1791. These first 10 amendments protect basic liberties and rights that some Americans may take for granted—including freedom of speech, freedom of the press, freedom of assembly, freedom of religion, and the right to a trial by jury.

The 17 amendments that follow the Bill of Rights expand the rights of Americans and adjust certain provisions of the Constitution. Included among them are amendments that abolish slavery, define citizenship, guarantee voting rights, authorize an income tax, and set a two-term limit on the presidency.

## The Legislative Branch

The legislative branch includes the two houses of Congress: the House of Representatives and the Senate. Congress's two primary roles are to make the nation's laws and to control federal spending.

**The Role of Congress** The government cannot spend any money unless Congress appropriates, or sets aside, funds. All tax and spending bills must originate in the House of Representatives and gain approval in both the House and the Senate before moving on to the president for signature.

Congress also monitors the executive branch and investigates possible abuses of power. The House of Representatives can impeach, or bring formal charges against, any federal official it suspects of wrongdoing or misconduct. If an official is impeached, the Senate acts as a court and tries the accused official. Officials who are found guilty may be removed from office.



The Senate also holds certain special powers. Only the Senate can ratify treaties made by the president and confirm presidential appointments of federal officials such as department heads, ambassadors, and federal judges.

All members of Congress have the responsibility of representing their constituents, the people of their home states and districts. As a constituent, you can expect your senators and representative to promote national and state interests.

**Congress at Work** Thousands of bills—proposed laws—are introduced in Congress every year. Because individual members of Congress cannot possibly study all these bills carefully, both houses use committees of selected members to evaluate proposed legislation.

Standing committees are permanent committees in both the House and the Senate that specialize in a particular topic, such as agriculture, commerce, or veterans' affairs. These committees are usually divided into subcommittees that focus on a particular aspect of an issue.

The House and the Senate sometimes form temporary select committees to deal with issues requiring special attention. These committees meet only until they complete their task.

Occasionally the House and the Senate form joint committees with members from both houses. These committees meet to consider specific issues, such as the system of federal taxation. One type of joint committee, a conference committee, has a special function. If the House and the Senate pass different versions of the same bill, a conference committee tries to work out a compromise bill acceptable to both houses.

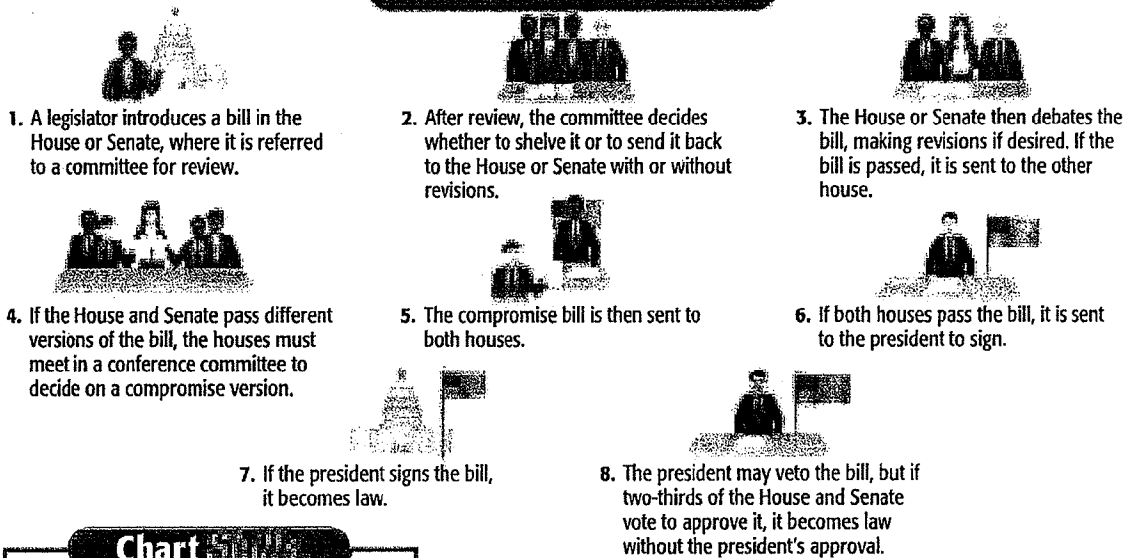
Once a committee in either house of Congress approves a bill, it is sent to the full Senate or House for debate. After debate the bill may be passed, rejected, or returned to the committee for further changes.

When both houses pass a bill, it goes to the president. If the president approves the bill and signs it, the bill becomes law. If the president vetoes the bill, it does not become law unless Congress overrides the veto.

## The Executive Branch

The executive branch of government includes the president, the vice president, and various executive offices, departments, and agencies. The executive branch carries out the laws that Congress passes. The president plays a number of different roles in government, each of which has specific powers and responsibilities. These roles include the nation's

### How a Bill Becomes Law

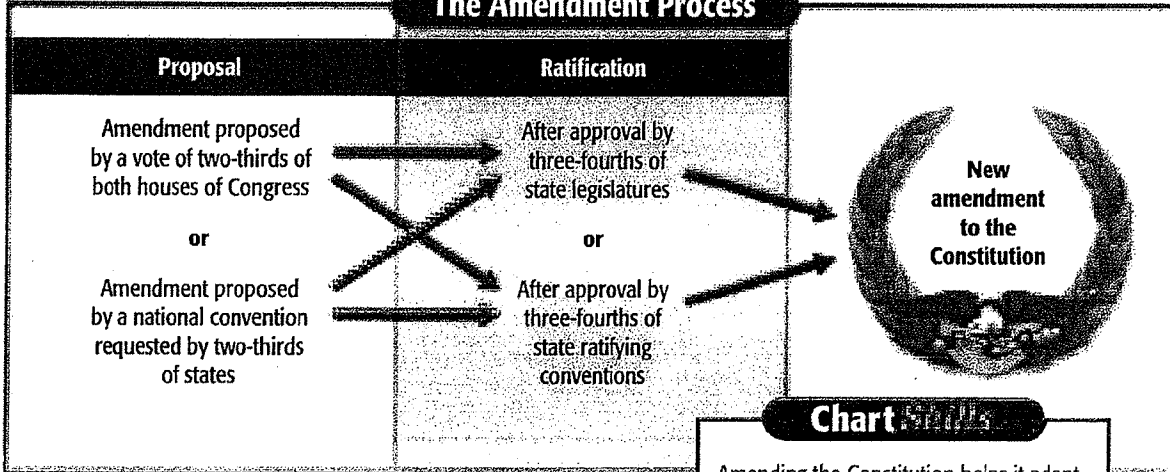


#### Chart

The legislative process is complex.

**Analyzing Information** What is the role of a conference committee?

## The Amendment Process



### Chart Skills

Amending the Constitution helps it adapt to changing times.

**Analyzing Information** What role do the states play in the amendment process?

chief executive, chief diplomat, commander in chief of the military, chief of state, and legislative leader.

### The President's Roles

- **Chief Executive and Chief Diplomat** As chief executive, the president is responsible for carrying out the nation's laws. As chief diplomat, the president directs foreign policy, appoints ambassadors, and negotiates treaties with other nations.
- **Commander in Chief** As commander in chief of the armed forces, the president can use the military to intervene or offer assistance in crises at home and around the world. The president cannot declare war; only Congress holds this power. The president can send troops to other parts of the world for up to 60 days but must notify Congress when doing so. The troops may remain longer only if Congress gives its approval or declares war.
- **Chief of State** As chief of state, the president serves a symbolic role as the representative of all Americans. The president fulfills this role when receiving foreign ambassadors or heads of state, visiting foreign nations, or honoring Americans.
- **Legislative Leader** The president serves as a legislative leader by proposing laws to Congress and working to see that they are passed. In the annual State of the Union address, the president presents goals for legislation.

**The Executive Branch at Work** Many executive offices, departments, and independent agencies help the president carry out and enforce the nation's laws. The Executive Office of the President (EOP) is made up of individuals and agencies that directly assist the president. Presidents rely heavily

on the EOP for advice and for gathering information needed for decision making.

The executive branch also includes 15 executive departments, each responsible for a different area of government. For example, the Department of State plans and carries out foreign policy, and the Department of the Interior manages and protects the nation's public lands and natural resources. The heads of these departments, who have the title of secretary, are members of the president's cabinet. This group helps the president make decisions and set government policy.

### The Judicial Branch

Article III of the Constitution calls for the creation of a Supreme Court and "such inferior [lower] courts as Congress may from time to time ordain and establish." Today the judicial branch consists of three main categories of courts, including:

- **District Courts** United States district courts are the lowest level of the federal court system. These courts consider criminal and civil cases that come under federal authority, including such criminal offenses as kidnapping and federal tax evasion. Civil cases cover claims against the federal government and cases involving constitutional rights, such as free speech. There are 91 district courts, with at least one in every state.
- **Appellate Courts** The appellate courts, or appeals courts, consider district court decisions in which the losing side has asked for a review of the



verdict. If an appeals court disagrees with the lower court's decision, it can either overturn the verdict or order a retrial. There are 14 appeals courts in the United States, one for each of the 12 federal districts, a military appeals court, and an appellate court for the federal circuit.

- **The Supreme Court** The Supreme Court, the final authority in the federal court system, consists of a chief justice and eight associate justices. Most of the Supreme Court's cases come from appeals of lower court decisions. Only cases involving foreign ambassadors or disputes between states can begin in the Supreme Court.

**Supreme Court Independence** The Supreme Court is the least public of the government's branches. The president appoints the Court's justices for life, and the Senate confirms the appointments. The public has no input. The Framers hoped that because judges were appointed rather than elected, they would be free to evaluate the law with no consideration of pleasing a group of electors.

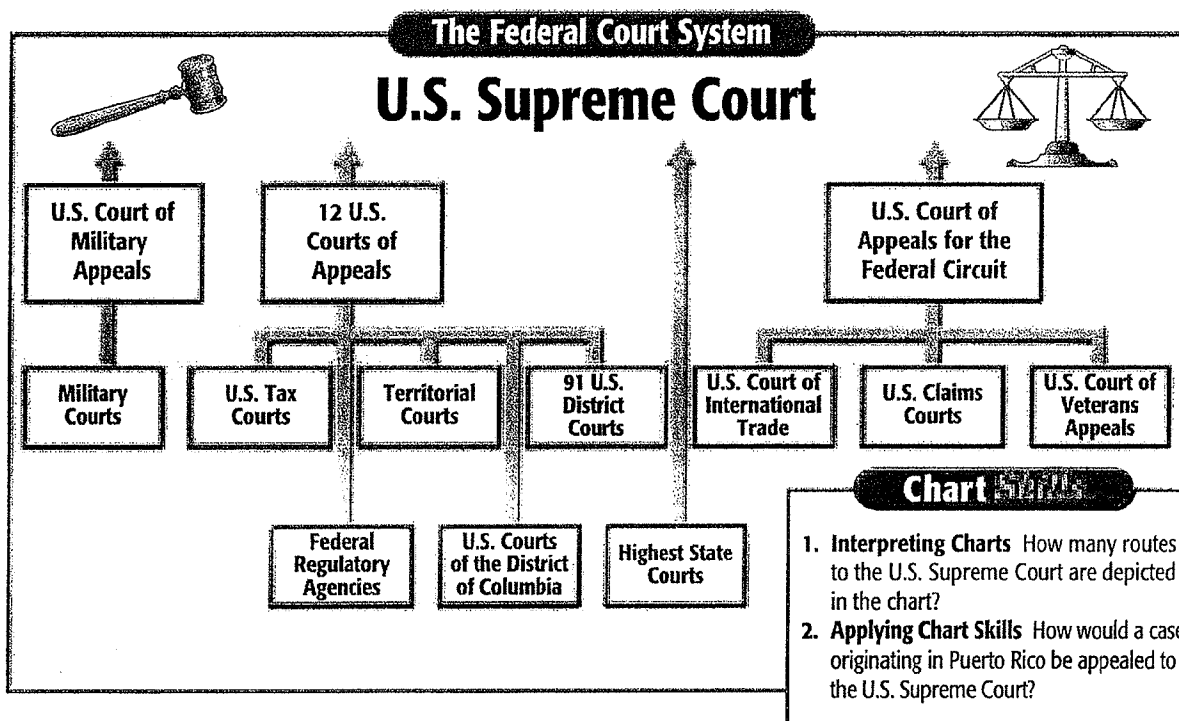
**Judicial Review** The role of the judicial branch is not described in very much detail in the Constitution, but the role of the courts has grown as powers implied in the Constitution have been put into practice. In 1803 Chief Justice John Marshall expanded the powers of the Supreme Court by

striking down an act of Congress in the case of *Marbury v. Madison*. Although not mentioned in the Constitution, judicial review has become a major power of the judicial branch. Judicial review gives the Supreme Court the ultimate authority to interpret the meaning of constitutional provisions and explain how the words of this 200-year-old document apply to our modern nation. (See page 1081 for more information on *Marbury v. Madison*.)

## The Rights of American Citizens

The rights of Americans fall into three broad categories: the right to be protected from unfair actions of the government, to receive equal treatment under the law, and to retain basic freedoms.

**Protection from Unfair Actions** Parts of the Constitution and the Bill of Rights protect all Americans from unfair treatment by the government or the law. Among these rights are the right to a lawyer when accused of a crime and the right to trial by jury when charged with a crime. In addition, the Fourth Amendment protects us from unreasonable searches and seizures. This provision requires police to have a court order before searching a person's home for criminal evidence. To obtain this, the police must have a very strong reason to suspect the person of committing a crime.





**Democracy in Action** Town meetings in New England give local residents the chance to express their views. It is a responsibility of American citizens to remain informed about the actions of their local, state, and national government.

**Equal Treatment** All Americans, regardless of race, religion, or political beliefs, have the right to be treated the same under the law. The Fifth Amendment states that no person shall “be deprived of life, liberty, or property, without due process of law.” Due process means that the government must follow procedures established by law and guaranteed by the Constitution, treating all people equally. The Fourteenth Amendment requires every state to grant its citizens “equal protection of the laws.”

**Basic Freedoms** The basic freedoms involve the fundamental liberties outlined in the First Amendment—freedom of speech, freedom of religion, freedom of the press, freedom of assembly, and the right to petition. In a democracy, power rests in the hands of the people. Therefore, citizens in a democratic society must be able to exchange ideas freely. The First Amendment allows citizens to criticize the government, in speech or in the press, without fear of punishment.

In addition, the Ninth Amendment states that the rights of Americans are not limited to those mentioned in the Constitution. This has allowed basic freedoms to expand over the years through the passage of other amendments and laws. The Twenty-sixth Amendment, for example, extends the right to vote to American citizens who are at least 18 years of age.

**Limits on Rights** The rights of Americans have certain limitations, based on the principle of respecting everyone’s rights equally. For example, many cities and towns require groups to obtain a

permit to march on city streets. While such a law does limit free speech, it also protects the community by allowing the police to make provisions so that the march will not disturb the lives of other people. However, a law banning all marches would be unreasonable and would violate the First Amendment rights of free speech and assembly. Similarly, a law preventing only certain groups from marching would be unfair because it would not apply equally to everyone.

In this and other cases, the government balances an individual’s rights, the rights of others, and the community’s health and safety. Most Americans are willing to accept some limitations on their rights to gain these protections as long as the restrictions are reasonable and apply equally to all.

## Citizens’ Responsibilities

Participation in a democratic society involves certain duties and responsibilities. Duties are actions required by law. Responsibilities are voluntary actions. Fulfilling both your duties and your responsibilities helps ensure good government and protects your rights.

**Duties** One of the fundamental duties of all Americans is to obey the law. Laws serve three important functions. They help maintain order; they protect the health, safety, and property of all citizens; and they make it possible for people to live together peacefully. If you disobey laws, for example, you endanger others and interfere with the smooth functioning of society. If you believe a law



needs to be changed, you can work through your electoral representatives to improve it.

Americans also have a duty to pay taxes. The government uses tax money to defend the nation, provide health insurance for people over 65, and build roads and bridges. Americans benefit from services provided by the government.

Another duty of citizens is to defend the nation. All males aged 18 and older must register with the government in case the nation needs to call on them for military service. Military service is not automatic, but a war could make it necessary.

The Constitution guarantees all Americans the right to a trial by a jury of their equals. For this reason, you should be prepared for jury duty when you become eligible at the age of 18. Having a large group of jurors on hand is necessary to guarantee the right to a fair and speedy trial. You also have a duty to serve as a trial witness if called to do so.

Most states require you to attend school until a certain age. School is where you gain the knowledge and skills needed to be a good citizen. In school you learn to think more clearly, to express your opinions more accurately, and to analyze the statements and ideas of others. These skills will help you make informed choices when you vote.

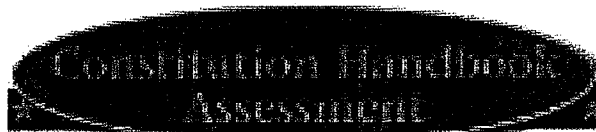
**Responsibilities** The responsibilities of citizens are not as clear-cut as their duties. Responsibilities are as important as duties, however, because they help maintain the quality of government and society.

One important responsibility is to become well informed. You need to know what is happening in your community, your state, your country, and the world. Knowing what your government representatives are doing and expressing your feelings about their actions can help keep the government responsive to the wishes of the people.

You also need to be informed about your rights and to exercise them when necessary. Knowing your rights helps preserve them. Other responsibilities include respecting diversity, accepting responsibility for your actions, and supporting your family.

**Vote, Vote, Vote!** Perhaps your most important responsibility as an American citizen will be to vote when you reach the age of 18. Voting allows you to participate in government and guide its direction. When you vote for people to represent you in government, you will be exercising your right of self-government. If you disapprove of the job your representatives are doing, it will be your responsibility to help elect other people in the next election. You can also let your representatives know how you feel about issues through letters, telephone calls, and petitions and by taking part in public meetings or political rallies.

To enjoy your rights to the fullest, you must be prepared to respect the rights of others. Respecting the rights of others also means respecting the rights of people with whom you disagree. Respecting and accepting others regardless of race, religion, beliefs, or other differences is essential in a democracy.



**HISTORY** *Quest* **Study Central™** To review this section, go to [tav.glencoe.com](http://tav.glencoe.com) and click on **Study Central™**.

**Checking for Understanding**

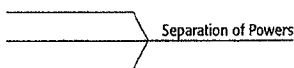
- 1. Define:** popular sovereignty, federalism, enumerated powers, reserved powers, concurrent powers, override, appropriate, impeach, constituent, bill, standing committee, select committee, joint committee, conference committee, cabinet, judicial review, due process.
- 2. Summarize** the provisions of the First Amendment.

**Reviewing Themes**

- 3. Civic Rights and Responsibilities**  
What is the difference between a duty and a responsibility?

**Critical Thinking**

- 4. Comparing** Some people want a limit on the number of terms one can serve in the legislature. What are some of the advantages of the present system, which does not limit the number of terms? What are some of the disadvantages? How would one make term limits an official part of the Constitution?
- 5. Organizing** Use a graphic organizer like the one below to list reasons why the Framers of the Constitution provided for separation of powers.



**Analyzing Visuals**

- 6. Analyzing Photographs** Study the photograph on page 180. How does the democratic voting process reflect our national identity?

**Writing About History**

- 7. History and Government** Working with a partner, choose one of the constitutional rights listed below. Write a report that traces the right's historical development, from the time the Constitution was ratified to the present.
  - suffrage
  - freedom of speech
  - freedom of religion
  - equal protection of law