1. Complete each day's work.
Week 3 Day 1
MODERN CONNECTIONS: Federal Judges

The Framers gave us elected representatives and senators. However, federal judges are appointed for life. The Framers wanted judges free to make decisions based on law without having to worry about elections or other political pressures.

How much power should the states have? What about the national government?

The Constitution divided power between the federal government and the many states. The Constitution gave some powers in education and local government only to the states. States are sometimes called "laboratories of democracy" because they can try new programs.

The Constitution gave the federal government the job of doing what states could not do alone. For example, only the federal government can regulate trade with other countries. Otherwise each state could set up its own rules for trading with China or Cuba.

What about Slavery?

Slavery divided the leaders of our country. Almost half the delegates to the Constitutional Convention owned slaves. Some of the delegates who owned slaves, such as Thomas Jefferson and George Washington, hoped that slavery would end. But they kept their slaves.

The delegates who were against slavery did not demand that Constitution outlaw slavery. They knew this would mean the Southern states would never support the Constitution.

To get the states to support the Constitution, the delegates compromised on slavery.

Counting Slaves as Part of a State's Population

Remember that population and representation in Congress was an important issue. Southern states wanted to count their slaves as part of their population so they would have more representatives in the House of Representatives. Northern states had fewer slaves and argued that slaves should not count as part of the population. The decision about counting slaves would affect how much political power each state would have in Congress. If Northern or Southern states as a group had more members than the other group, they could outvote them in the House of Representatives.

The Three-Fifths Compromise

Again, delegates reached a compromise. The Three-Fifths Compromise stated that each slave would count as "three-fifths of a person." In other words, for every five slaves a state had, it would be given credit for having three people. In all states, free African Americans were counted as full persons.

The Fugitive Clause

To get the support of the Southern states, the delegates also included a Fugitive Clause. The Fugitive Clause required slaves to be returned to their owners. It stated:

No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

However, the clause does not use the word "slave."
The Slave Trade Compromise
Many delegates opposed the slave trade of buying slaves in Africa and bringing taking them across the Atlantic Ocean to sell in North and South America. Even some slave owners from the region called the Upper South (Maryland and Virginia) opposed the slave trade. They had plenty of slaves. But delegates from the Deep South insisted their economy could not survive without the slave trade. They wanted more slaves. They feared Congress would outlaw the slave trade.

Debate about the slave trade led to the Slave Trade Compromise. Under the **Slave Trade Compromise**, the Constitution allowed the slave trade to continue for twenty more years.

**Keeping Slavery Out of the Constitution**
The Slave Trade Compromise stated:

> ...Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight...

In fact, the words “slave” and “slavery” do not appear anywhere in the Constitution. Some historians believe the Framers wanted to keep slavery a state issue.

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**MODERN CONNECTIONS: How a Bill Becomes Law**

**How a Bill Becomes Law**

A bill is a proposed law. A bill must first be introduced in either the House of Representatives or the US Senate. The idea for the law can come from anyone, an elected official, an expert, or an ordinary person. However, spending bills can only be introduced in the House of Representatives.

The house of Congress where the bill was first introduced first vote on the bill. If it passes, the bill then moves to the other house for another vote. If a majority approves the bill in both houses, then the bill goes to the president. If the president signs it, the bill becomes a law.

However, if the president does not support the bill, he or she vetoes it. In a veto, the president sends the bill back to...
Chapter 4  The Constitution

Congress, with an explanation for his or her decision. If two-thirds of the members of each house vote in favor of the bill again, the president's veto is overridden and the bill becomes law anyway. If less than two-thirds in either house vote for the bill, then the bill dies and does not become a law.

Committees and Filibusters

How bills make their way through Congress has changed over time as Congress has grown in size. Today, Congressional committees play a key role. The committees study bills and vote on whether the bills should go before the House and Senate for debate and a vote. If a committee does not recommend (pass) a bill, the bill dies.

The House of Representatives and the Senate handle debate about bills differently. Due to its size, the House puts limits on how much time can be spent debating a bill. In the Senate, however, no such limits exist. Senators will sometimes use a filibuster to stop a vote on a bill. This is a strategy in which a senator will continue to talk until:

the bill is withdrawn

or other senators can convince their fellow senators to vote "no" on the bill

or three-fifths of the senators present vote in favor of closing the debate. Then the filibuster is ended and a vote can occur.

There have been many laws that changed US history. The Sedition Act led indirectly to Marbury v. Madison and judicial review when President Jefferson refused to give three judges who supported the Sedition Act their documents. Different acts by Congress such as the Kansas-Nebraska Act attempt to find a way to compromise on the issue of slavery in new states. Other acts opened up the West for pioneers, such as the Homestead Act. Taxes and tariffs are also laws. As you have learned, many taxes and tariffs have led to conflicts in our country.

If Congress is not in session (it usually takes August off) and the president does not sign it in those ten days, it does not become law. This is known as a pocket veto.

Activity: Count the Lives of a Bill

How many chances does a bill that requires a compromise bill for the House and Senate have to die before it is sent to the president?

Importance of Laws

There have been many laws that changed US history. As you read this book, you will learn more about them. Keep these names of laws in mind as you read. The Sedition Act led indirectly to Marbury v. Madison and judicial review. Different acts by Congress such as the Kansas-Nebraska Act attempted to find a way to compromise on the issue of slavery in new territories. Other acts opened up the West for pioneers, such as the Homestead Act. As you have learned, many taxes and tariffs have angered groups in the country. Taxation and tariffs affect how much money people can make and keep.

Constitutional amendments are also laws. As you have learned, the Bill of Rights provided protection for individual rights. The Thirteenth, Fourteenth, and Fifteenth Amendments were created to abolish slavery and protect the rights of freed slaves. The Fifteenth Amendment was ratified in 1870.
Research Activity: Important Laws
Research one of the laws or amendments described in this book. Choose from the Sedition Act; the Kansas-Nebraska Act; the Homestead Act the Fugitive Slave Act; the Tariff of 1828; or the Indian Removal Act. (They can be found in the index.)
Write one paragraph describing the law and another paragraph describing its impact.

Watson and the 27th Amendment
The 27th Amendment is the last amendment to the Constitution that has been ratified. It was sent to the states for ratification on Sept. 25, 1789. The amendment, which says Congress cannot raise its pay until after the next election, was ignored and forgotten until it was ratified on May 20, 1992, thanks to the efforts of one man.

...the 27th Amendment would never have made its way into the Federal Constitution were it not for the dogged persistence of... Gregory Watson. Back in March 1982, Mr. Watson was a 19-year-old student at the University of Texas at Austin... Watson wrote a paper for a course entitled "American Government"... He ended up choosing as the topic for that paper a still-pending proposed constitutional amendment that Congress had offered to the state legislatures for ratification some 192 years earlier. Intrigued, Watson argued in his paper that despite the proposed constitutional amendment having lingered before the nation's state legislators since the year 1789, it was still needed as a means of holding Congress accountable for its actions relative to Members' salary and he pointed out, in the paper, that the proposal had no deadline by which America's state lawmakers must have taken action. Hence, despite its age, the proposed amendment was still technically pending business before our country's state legislatures. Watson turned in the academic paper and was disappointed to get it back later with a grade of "C" on it. He also received a "C" in the course overall... Undaunted... Watson began in the spring of 1982 reaching out to seek sponsorship of the proposed constitutional amendment in the various state capitols across the United States.

*remarks by the Hon. Kenny Marchant in the House of Representatives, May 24, 2017*
Only nine states had ratified the amendment before Mr. Watson began his campaign. His grade was officially raised to an "A" in March 2017.

**Activity: Write an Amendment**  
Write an Amendment you would like to see ratified.

---

**The Constitution is Completed**  
Finally, after much debate, delegates signed the Constitution on September 17, 1787. The Constitutional Convention presented a new set of national laws to the states for ratification: the **United States Constitution**. Our Constitution established the form, basic structure, powers, and limits of our government.

---

**Differences Between the Articles of Confederation and the US Constitution**

<table>
<thead>
<tr>
<th>Articles of Confederation</th>
<th>US Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Congress with one house</td>
<td>Congress with two houses: the Senate, with two Senators per state; and the House of Representatives, with the number of Representatives determined by the state's population</td>
</tr>
<tr>
<td>One vote per state</td>
<td>Varies with one vote per Senator and Representative</td>
</tr>
<tr>
<td>Members of Congress appointed by state legislatures</td>
<td>Members of Senate appointed by state legislatures; members of House of Representatives elected by voters</td>
</tr>
<tr>
<td>Term in office one year</td>
<td>Term in office two years for Representatives, six years for Senators</td>
</tr>
<tr>
<td>Term limits three out of every six years</td>
<td>No term limits</td>
</tr>
<tr>
<td>Congress paid by state</td>
<td>Congress paid by federal government</td>
</tr>
<tr>
<td>No executive</td>
<td>President as executive</td>
</tr>
<tr>
<td>No federal courts</td>
<td>Federal courts, including a Supreme Court</td>
</tr>
</tbody>
</table>
Week 3 Day 2
<table>
<thead>
<tr>
<th><strong>States and national government can coin (make) money</strong></th>
<th><strong>Only federal government can coin money</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>New states admitted by approval of 9 states</strong></td>
<td><strong>New states admitted by approval of Congress</strong></td>
</tr>
<tr>
<td><strong>Changes to Articles of Confederation must be approved by all states</strong></td>
<td><strong>Changes to Constitution must be approved by 3/4ths of states</strong></td>
</tr>
<tr>
<td><strong>Only states can tax</strong></td>
<td><strong>States and federal government can tax</strong></td>
</tr>
<tr>
<td><strong>Congress decides disputes between states</strong></td>
<td><strong>Supreme Court decides disputes between states</strong></td>
</tr>
</tbody>
</table>

**MODERN CONNECTIONS:** The Electoral College

**The Electoral College**

The president of the United States is not directly elected by the people. Instead, the president is elected by electors (delegates) who are elected by voters. Together, all the electors are called the **Electoral College**.

At first, state legislatures chose the electors. Today, all electors are directly elected by the voters in their states. But whether the ballots show the names of the electors is left up to the states. Some just show the names of the presidential candidates on the ballot. In Louisiana, the names of the electors are shown next to the names of the candidates.

The rules electors must follow are also left up to the states. In some states, electors must vote for the candidate who won the presidential vote in their states. In other states, like Louisiana, they can vote for someone else.

Each state has a delegation of electors in the Electoral College. The number of electors in a state equals its number of representatives and senators in Congress. Electors meet at their state capitals on the Monday after the second Wednesday in December to vote.

It is possible for a presidential candidate to win the popular vote but lose the election because he or she did not win the states necessary to win the Electoral College. This has happened five times in our nation’s history, most recently with the 2016 election of Donald J. Trump. After the election, the candidate with the majority of electoral votes wins. If there is no majority (271 votes), the election goes to the House of Representatives.
Pros and Cons of the Electoral College
Some people believe the Electoral College should be eliminated and the president should be elected by popular vote.

The main arguments against the Electoral College are that:

- it can elect the person who did not win the most electoral votes, thus ignoring the will of the people.
- it gives a great deal of electoral power to a few small states because the elector system includes two electors for the two senators from each state. For example, Wyoming's population is less than 600,000 people, about half the number of people who live in the New Orleans metropolitan area (the city and its suburbs). Yet Wyoming has three electoral votes because of its two senators. If the Electoral College was based on state population alone, Wyoming would have just one electoral vote.

The main arguments for the Electoral College are that:

- it prevents presidential elections from being dominated by a few large states. Half of the United States lives in just nine states. Voters in those states could elect a candidate who would support their interests over other states. Candidates for president might not even bother to try to win elections in smaller states.
- it allows for a clear winner in the election when a candidate does not receive more than 50% of the vote. This happened with the first election of Abraham Lincoln.
- it encourages a two-party system because electors are choosing candidates who got the most votes.

The Framers called term limits “rotation in office.” Term limits limit the number of times a person can service in public office. Although the Constitution did not originally place limits on how many terms a president may serve, none served more than two terms until 1940. After Franklin Roosevelt was elected four times and died in office, the Twenty-second Amendment was passed in 1951 to limit presidents to two terms. Thomas Jefferson believed

“I apprehend that the total abandonment of the principle of rotation in the offices of president and senator will end in abuse. But my confidence is that there will for a long time be virtue and good sense enough in our countrymen to correct abuses.”

However, supporters of term limits thought, as one writer argued, when

“...few changes in the ordinary course of elections take place among the members; they become in some measure a fixed body, and often inattentive to the public good, callous, selfish, and the fountain of corruption.”
Activity: Elections and Terms
Fill in the chart below to show if a federal official is elected, and if so, for how long.

<table>
<thead>
<tr>
<th>Official</th>
<th>Elected: Yes or No?</th>
<th>Term in Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senator</td>
<td></td>
<td></td>
</tr>
<tr>
<td>President</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal court judge</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Challenge question: term limits
Are term limits good or bad? Write two sentences arguing for term limits and two sentences against term limits.

Practice 1

1. The major difference between the Articles of Confederation and the United States Constitution was that the
   A. Articles of Confederation governed the colonies before independence, while the Constitution was adopted after independence.
   B. Constitution was eventually ratified by the states, but the Articles of Confederation never were.
   C. Articles of Confederation gave most of the power to the states, but the Constitution placed more power in the hands of the federal government.
   D. Articles of Confederation required a loose interpretation, while the Constitution required a strict interpretation.

2. Why did the Southern states want slaves to be counted as part of their population?
   A. to get more Senators
   B. to get more Representatives
   C. to have more people who could vote
   D. to put slaves in government

3. About how many of the delegates at the Constitutional Convention owned slaves?
   A. about ten percent
   B. about 25 percent
   C. about half
   D. Almost all of the delegates owned slaves.
Chapter 4  The Constitution

4. What created the two-legislature system we enjoy today?
   A. the Virginia Plan
   B. the New Jersey Plan
   C. the Three-Fifths Compromise
   D. the Great Compromise

Examine the list below and answer question 5.

<table>
<thead>
<tr>
<th>Added to the Federal Government under the New Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>• President</td>
</tr>
<tr>
<td>• Supreme Court</td>
</tr>
<tr>
<td>• legislature with members based on the population of the states</td>
</tr>
<tr>
<td>• pay for Congress paid by federal government</td>
</tr>
<tr>
<td>• term limits</td>
</tr>
</tbody>
</table>

5. What does not belong on the list above?

6. What is the problem with having one legislature and each state having one vote?

7. Compare one difference between the Articles of Confederation and the US Constitution.
Chapter 4  The Constitution

8. Discuss one compromise made to create the Constitution, including how it is demonstrated in the constitution or the structure of our government.
Week 3 Day 3
The Constitution

The Constitution is a set of laws that sets out how our federal government works. It lists what the federal government can and cannot do and limits the power of the government. We have a limited government. The laws in the Constitution are “the supreme law of the land.” As you have learned, our government is divided in three branches that use separation of powers with checks and balances to keep the powers of the other branches under control.

The Preamble

The very first part of the Constitution is called its Preamble. It says:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, 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.

- **insure**: make safe or certain
- **domestic**: of the home or home country
- **tranquility**: peace
- **defence**: defense, protection
- **posterity**: our children or others who live after us
- **ordain**: order

The focus on liberty and on government having a purpose echoes the rights stated in the Declaration of Independence.

According to the Preamble, the United States government was established for these reasons:

- to form a more perfect Union: to improve on the Articles of Confederation.
- to establish justice: Justice means the fair and equal treatment of all people under the law.
- to insure domestic tranquility: The US government maintains peace and order.
- to provide for the common defense: Common means shared by all. The government is responsible for protecting US citizens and states from outside dangers and enemies that might attack the United States.
- to promote the general welfare: General means all or most everyone. The government passes laws and enacts policies that better the lives of citizens and improve US society.
- to secure the blessings of liberty: The US protects the freedom of US citizens both now and for
generations to come.

In the Preamble is another underlying idea of US government: popular sovereignty, which has greatly affected our history. Can you find it? It is "We the people."

Reading the Constitution
The Constitution is organized into seven numbered Articles. The first four articles have sections. Amendments are always added at the end of the Constitution. The amendments are numbered. There have been 27 amendments added to the Constitution so far. Amendments may also have sections. A sample of the Constitution is shown on the next page.

Article II
Section 4.
The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

MODERN CONNECTIONS:
Under the Constitution, the president may be impeached by the House of Representatives if he or she is suspected of treason, bribery, or "other high crimes and misdemeanors." If this occurs, the president then stands trial in the Senate. If two-thirds of the Senate finds him or her guilty, the president is removed from office. Impeachment is part of checks and balances.

The Amendment Process
The framers of the Constitution wanted to make sure leaders and citizens could correct political mistakes. They gave us an amendment process with two ways to add amendments to the Constitution:

Congress and Then the States Vote for an Amendment
If two-thirds of the members of both houses of Congress vote in favor of an amendment, the proposed amendment is presented to the states. State legislatures vote on the amendment. If three-fourths of the states approve the proposed amendment, it becomes part of the Constitution.

A Constitutional Convention
Two-thirds of the states can unite and call for a constitutional convention. Any amendments adopted by the convention must then be ratified by three-fourths of the states.

Since our constitution was ratified, no constitutional convention has ever been held and no amendments have been created using a constitutional convention.

A sample amendment is shown below. It is the famous 13th Amendment that abolished slavery.

Amendment XIII (1865)
Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.
Section 2. Congress shall have power to enforce this article by appropriate legislation.

Powers for the States and the Federal Government

In the United States, under the principle of federalism, the national and state governments each have authority over certain areas. According to the Constitution's Tenth Amendment, those powers that are not restricted by the Constitution nor delegated to the national government are reserved for the states. This limits the power of the federal government and gives states the freedom to try solutions for their local concerns.

At the same time, the federal government can act, and act quickly, for national defense and in those areas affecting the entire country or that states cannot handle themselves. Powers given only to the national government are called delegated powers or enumerated powers. Powers reserved (saved) for the states are called reserved powers. Powers that both the federal and state governments have are called concurrent powers.

Examples of Delegated Powers
- printing money
- establishing a post office
- negotiating and approving treaties with foreign nations
- declaring war
- raising an army

Examples of Reserved Powers
- establishing school systems
- organizing and conducting elections
- establishing counties, municipalities, and guidelines for local governments

Examples of Concurrent Powers
- passing and enforcing laws
- taxing citizens
- establishing courts
Chapter 4  The Constitution

Practice 2

1. What is domestic tranquility?
   A. welfare and equality
   B. peace and order
   C. protecting the US from outside dangers
   D. the blessings of liberty

2. How much of Congress must vote to approve an amendment?
   A. half
   B. two-thirds
   C. three-fourths
   D. all

3. Why does the Preamble use the words "common defense"?
   A. The federal government was elected by the common man.
   B. The federal army is called the common army.
   C. The army defends the country in common ways.
   D. The federal government protects all its citizens and all the states.

4. What is one thing that only the federal government can do and why?

5. What best describes the role of government in working for the health, safety, and well-being of US citizens?
   A. securing the blessings of liberty
   B. promoting the general welfare
   C. insuring domestic tranquility
   D. making laws
6. Where are amendments found in the Constitution?
   A. at the beginning
   B. in front of the section they are changing
   C. at the end of the Constitution
   D. in a separate document called the Amendment Process

7. A law that gave people who work for the federal government the right to go to the front of voting lines would go against what in the preamble?
   A. establishing justice
   B. promoting the general welfare
   C. providing for the common defense
   D. insuring domestic tranquility

8. How do these powers add to the ideal of popular sovereignty and limited powers? Describe how one relates to popular sovereignty.
Week 3 Day 4
Ratifying the Constitution

After the delegates signed the Constitution, nine of the 13 states had to ratify (approve) it for it to become the law of the land. Their legislatures voted “yes” or “no” on whether to approve it. Five states quickly ratified the Constitution. But not everyone was pleased with the Constitution. Some states refused to ratify it, claiming it did not do enough to protect individual rights.

The Federalists

The people who supported the Constitution were called Federalists. They wrote about how the Constitution would create a good government. As you might guess, the Anti-Federalists were the people against the Constitution.

The Federalists mostly lived in cities. They were businesspeople who wanted the federal government to lead the economy. The Anti-Federalists were often farmers. They lived in the South or on the frontier. They wanted the states to have more power. They were especially worried the Constitution did not do enough to protect the rights of people.

To make the case for ratifying the Constitution, Alexander Hamilton and James Madison wrote a series of essays known as The Federalist Papers. The Federalist Papers were written to persuade the legislature of the hold-out state of New York to ratify the Constitution. We would call them a public-relations (PR) campaign today. Today, people most often read The Federalist Papers to get an idea of how the Framers thought the new government should work.
For example, James Madison explained why the United States had to be a republic:

It is that in a democracy, the people meet and exercise the government in person: in a republic, they assemble and administer it by their representatives and agents. A democracy, consequently, must be confined to a small spot. A republic may be extended over a large region."
Federalist #14

He reassured people concerned about threats to the powers of the states:

The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite.
Federalist #45
delegated: given, assigned

Activity: Tweet the Federalist Papers
A tweet can have no more than 280 characters. Rewrite one of the two Federalist Papers above in a modern tweet style.

The Promise of the Bill of Rights
To get the Constitution ratified, Congress promised to add amendments to the Constitution to protect people’s freedom. Thomas Jefferson argued:

“ I do not like... the omission of a bill of rights providing clearly and without the aid of sophisms for freedom of religion, freedom of the press, protection against standing armies, restriction against monopolies... and trials by jury in all matters of fact triable by the laws of the land....”

However, some anti-Federalists opposed these amendments, including Alexander Hamilton, who wrote in The Federalist #84:

bills of rights, in the sense and in the extent in which they are contended for, are not only unnecessary in the proposed constitution, but would even be dangerous. They would contain various exceptions to powers which are not granted; and on this very
account, would afford a... pretext to claim more than were granted.
Then, finally, in late 1788, the last of the nine states needed for ratification approved
the Constitution. Only North Carolina and Rhode Island refused to ratify the
Constitution until after the amendments were actually presented to Congress. When
Congress met in 1789, one of its first acts was to pass the ten amendments that
became known as the **Bill of Rights**. These amendments protect the rights of citizens
and limit the powers of government.

The chart below shows the reason behind some of the amendments that form our Bill of Rights:

<table>
<thead>
<tr>
<th>Amendment</th>
<th>Rights</th>
<th>Background</th>
</tr>
</thead>
</table>
| First Amendment | **freedom of speech**
                 | (speaking, writing, movies, songs, and even some actions such as burning the US flag) | **Speech**: American colonists could be arrested and sent to jail for criticizing the government, the king, or even powerful people. |
|               | **freedom of religion**                                                |                                                                           |
|               | **freedom of the press** (the media including TV, radio, and online news) |                                                                           |
|               | **freedom to petition the government** to ask it to do or stop doing something | **Religion**: In Britain, there was an official state church, the Church of England. Many colonies had official state churches. Some colonies banned people from practicing their religion or from holding jobs in the government of the colony if they belonged to the “wrong” religion. |
|               | **freedom of assembly** to gather together peacefully.                 |                                                                           |
| Second Amendment | Americans have the right to bear arms (own weapons).                    | Many US communities relied on militias for protection. The first battle of the Revolutionary War happened because the British were marching to Concord to take militia weapons. |
| Third Amendment | Americans cannot be forced to let US soldiers live in their homes unless it’s an emergency. | The British angered colonists by forcing them to let British soldiers live in their homes. |
| Fourth Amendment | Government agents like the police cannot search or seize property without warrants (legal permission from a judge) or “probable cause” (a really good reason). | In Britain and in the colonies before the American Revolution, the king’s agents could search a person or a home without any reason. Lo and behold, they could find “evidence.” |
Fifth, Sixth, and Seventh Amendments

- The government must follow important rules when accused persons accused of crimes are arrested or tried in court. These rules are called due process.
- People accused of crimes have a right to be tried by a jury.
- Even people in civil trials who are suing each other have the right to a trial by jury.

These amendments were written to make sure the government did not bring back the bad old days of kings when people could be:
- arrested without evidence.
- thrown in jail forever.
- tried over and over again for the same crime.
- found guilty in secret trials with secret witnesses.
- threatened or tortured until they were willing to confess to anything.

Eighth Amendment

- The government must treat people in jail fairly.

In colonial America, prisoners were beaten, sometimes branded with a mark, or had their ears cut off. Many crimes like stealing were punished with death.

Ninth Amendment

- The rights in the Bill of Rights are not the only rights Americans have.

The Founders knew they were not perfect and might have left some rights out of the Constitution.

Tenth Amendment

- All government powers not given by the Constitution to the federal government belong to the states.

This is an important safeguard for our federal system.

The Early Effects of the Revolution

After the Second Continental Congress declared American independence, states started writing their own state constitutions. These constitutions were based on the principles in the Declaration of Independence. State constitutions called for local elections that established representative governments and guaranteed individual freedoms.

During the colonial era, usually only white men who owned property could vote. People of the time believed candidates running for office might be able to bribe voters without property. However, after the American Revolution, more states began to give all free men who paid taxes the right to vote (and almost all men paid some kind of taxes). In 1777, Vermont granted all men the right to vote.

George Washington was optimistic again about the new country. He wrote in 1790:

If we have wisdom to make the best use of the advantages with which we are now favored, we cannot fail, under the just administration of a good Government, to become a great and happy people.

Practice 3

1. Which amendment to the Constitution protects citizens’ freedom of speech?
   A. First Amendment
   B. Second Amendment
   C. Fifth Amendment
   D. Eighth Amendment
2. Which amendments spells out the rights of people in jail?
   A. First Amendment
   B. Fourth Amendment
   C. Fifth Amendment
   D. Eighth Amendment

3. Why do the police need a search warrant to search Jason’s cell phone?
   A. First Amendment
   B. Fourth Amendment
   C. Fifth Amendment
   D. Eighth Amendment

Look at the copy of part of the President’s website below.

\[\text{Petition the White House on the Issues that Matter to You} \]

\[\text{How Petitions Work} \]

1. Create a Petition
   Call on the White House to take action on the issue that matters to you.

2. Gather Signatures
   Share your petition with others, build a community for the change you want to make.

3. 100,000 Signatures in 30 Days
   Get an official update from the White House within 60 days.

\[\text{Sign a Petition} \]

Add your name to these petitions and help them reach their goal.

View Petitions With Updates

4. Which amendment protects a citizen who starts a petition to have every member of Congress arrested?
   A. First Amendment
   B. Second Amendment
   C. Fifth Amendment
   D. Tenth Amendment
Chapter 4  The Constitution

5. The Supreme Court found a right to privacy in the Ninth Amendment because
   A. it was tired of using the First Amendment.
   B. privacy did not really exist in the Constitution.
   C. the Ninth Amendment says Americans have other rights not spelled out in the Constitution.
   D. the Tenth Amendment gave them that right.

6. Probable cause is
   A. what a jury needs to convict a criminal defendant.
   B. the reason for an assembly.
   C. evidence that a citizen has committed a crime.
   D. freedom of the press to speak freely.

7. Jonas owns a printing shop in Massachusetts. He was very upset by Shays' Rebellion. Jonas is most likely a(n) (select the two answers that are correct)
   A. Federalist.
   B. anti-Federalist.
   C. pioneer.
   D. supporter of Thomas Jefferson.
   E. supporter of James Madison.

8. Why was the Bill of Rights added to the Constitution?
Week 3 Day 5
Chapter 4 Using Sources to Answer Questions

Source 1

Section 2
The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

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

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons... each State shall have at Least one Representative...

Section 3
The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

—United States Constitution

Source 3
The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote.

...This amendment shall not... affect the election or term of any senator chosen before it becomes valid as part of the Constitution.
Chapter 4  The Constitution

1. What civic responsibility is shown in Source 1?
   A. military service
   B. serving in public office
   C. obeying laws
   D. staying informed

2. What statement best describes why the words “We the People” are shown in Source 1?
   A. They are the first words of the Declaration of Independence.
   B. They are the first words of the preamble of the Constitution.
   C. They are the first words of the Bill of Rights.
   D. They are the words on the American flag.

3. Source 2 demonstrates the division in Congress into two houses as outlined in which document?
   A. the Bill of Rights
   B. the Virginia Plan
   C. the New Jersey Plan
   D. the Great Compromise

4. The phrase “three fifths of all other Persons” refers to
   A. Indians.
   B. African Americans.
   C. slaves.
   D. women.

5. What two statements best describe Source 3?
   A. It gives senators one vote.
   B. It changed how senators are elected.
   C. It created term limits for Senators.
   D. It is the 17th Amendment.
   E. It is the 22nd Amendment.
Chapter 4 Key Term Activity

Fill in the blank with the correct word.

<table>
<thead>
<tr>
<th>Word Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>James Madison</td>
</tr>
<tr>
<td>Fugitive Clause</td>
</tr>
<tr>
<td>Virginia Plan</td>
</tr>
</tbody>
</table>

There were seven Framers from Virginia to the 1 __________________________ to replace the Articles of Confederation. James’ mother came from Virginia. He missed her. James was not a delegate. He was a slave. No one paid any attention to him, so he heard everything. He knew a man named 2 __________________________ had written the draft of the new constitution. He knew the delegates debated how to make a new and better Congress: one with one house, called the 3 __________________________, and another with two houses called the 4 __________________________, before deciding on two houses and two different ways of having representatives.

And they were going to count the slaves in a(n) 5 __________________________. Some situation for those who valued freedom, James thought. Maybe they could correct their wrong with the 6 __________________________ they built into the Constitution so it could be changed, but that would be a long struggle. Maybe freedom for everyone would come in the 7 __________________________ he heard some people already talking about. He heard Vermont had abolished slavery just a few years ago in 1777. He knew there was a 8 __________________________ in the Constitution. He looked up at the clear blue sky. Let them try to catch him.

Key terms are defined in the book’s glossary.

Answers to Key Term Activities and chapter reviews are found in the Teacher’s Guide.