

farming methods, foods, folk literature, and folk art. African building traditions of multiple small dwellings, front porches, and decorative iron work influenced southern colonial architecture. Some African musical styles and instruments, such as the banjo, continued to be incorporated into religious music and work songs. African musical traditions later influenced many forms of American music.

## MAJOR HISTORICAL INFLUENCES ON AMERICAN GOVERNMENT

The government of each of the 13 colonies reflected ideas that came from the heritage of Western civilization. Those ideas were then modified by centuries of English thought and practice and by the American colonial experience.

### *Ideas from Ancient Greece*

The concept of democracy, or government by the people, began in the city-state of Athens (in what is now Greece) between 750 B.C. and 550 B.C. Athens had a direct democracy, one in which all eligible citizens participated in government.

### *Ideas from Ancient Rome*

The concept of republican government was established by the ancient Romans. In a **republic**, voters elect representatives who speak and act for other citizens in the business of government. These representatives

## KEY THEMES AND CONCEPTS

### Civic Values

American political rights and governmental institutions had three major sources:

1. British constitutional, political, and historical traditions
2. 17th- and 18th-century Enlightenment ideas
3. American colonial experience

What is an example of how each source influenced the political rights and governmental institutions in the United States?

## Foundations of American Rights

Rights	Sources of Rights			
	Magna Carta (1215)	English Bill of Rights (1689)	Virginia Declaration of Rights (1776)	Bill of Rights (1791)
Trial by jury	✓	✓		✓
Due process	✓	✓		✓
Private property	✓			✓
No unreasonable searches or seizures			✓	✓
No cruel punishment		✓	✓	✓
No excessive bail or fines		✓		✓
Right to bear arms		✓		✓
Right to petition		✓		✓
Freedom of speech			✓	✓
Freedom of the press			✓	✓
Freedom of religion			✓	✓



**PREPARING FOR THE EXAM**

Common law is law that developed from traditional and court decisions in England. It became the basis of English and then United States law.

- Why do you think that the colonists used English common law as the basis for United States law?

**READING STRATEGY****Problem Solving**

Why is the writ of *habeas corpus* called the “Great Writ of Liberty”?

**READING STRATEGY****Reinforcing Main Ideas**

Which two rights guaranteed in the U.S. Constitution can be traced directly to the English Bill of Rights?

are supposed to work for the common good. This form of government is sometimes called representative democracy.

***Influence of English Events and Documents***

Other basic concepts of government and law were established in England before or during the colonial period in America.

**MAGNA CARTA** In 1215, English noblemen forced King John of England to agree to the Magna Carta, or Great Charter, a document that placed limits on his power to rule. For example, this document established the right to a jury trial—but only for nobles.

**PETITION OF RIGHT** In 1628, King Charles I signed the Petition of Right. It put in writing certain basic rights and legal traditions, such as a writ of *habeas corpus*, which prevented people from being imprisoned without a trial.

**THE ENGLISH BILL OF RIGHTS** In 1689, the Glorious Revolution ended a decades-long power struggle between the English Parliament and the monarchy. Parliament overthrew James II and replaced him with William and Mary, who were required to agree to the English Bill of Rights. This established that representative government and the rule of law outweighed the power of any monarch.

***17th- and 18th-Century Enlightenment Thought***

The framers of the Constitution were also strongly influenced by the ideas of the philosophers of the **Enlightenment**. This intellectual movement held that reliance on reason and experience would lead to social progress.

**JOHN LOCKE** John Locke believed that people are born free with certain **natural rights**, including the rights to life, liberty, and property. Such rights predate any government and exist in the “state of nature.” Locke also wrote about the social contract theory. This theory holds that to protect their natural rights, people agree to form a state and grant to its government the powers necessary to protect those rights. When a government fails to do so, the contract has been broken and the people are free to change or replace that government. This means that governments exist with the consent of the governed.

**THE BARON DE MONTESQUIEU** The French philosopher Baron de Montesquieu believed that the British political system was successful because the power to govern was divided among the monarch and the two houses of Parliament. This division helped balance political power among the branches, so that no one branch had too much power.

**JEAN-JACQUES ROUSSEAU** Another French philosopher, Jean-Jacques Rousseau, developed further the idea of a social contract. His arguments in support of government by the consent of the governed influenced our Declaration of Independence.



## THE AMERICAN REVOLUTION AND THE DECLARATION OF INDEPENDENCE

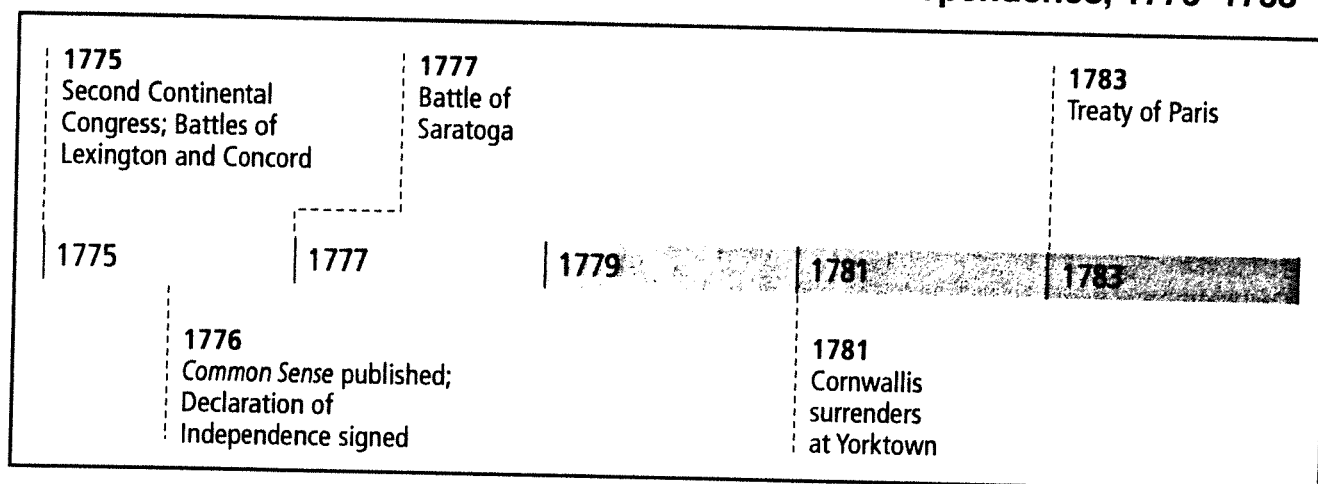
In 1773, the issue of taxation without representation rose again when Parliament passed the Tea Act, which made British tea less expensive than tea imported by colonial tea merchants. Colonists protested by destroying three shiploads of British tea in the Boston Tea Party. The British government reacted with the "Intolerable Acts" of 1774. These acts punished Massachusetts by closing the port of Boston, forbidding town meetings, and reducing the powers of the legislature. More British troops were sent to occupy the colony and enforce the acts.

### ANALYZING DOCUMENTS

Use the timeline to answer the following questions.

- How long did the American Revolution last?
- Was the Declaration of Independence issued before or after fighting began in the American Revolution?

### The American Revolution and the Declaration of Independence, 1775–1783



### Colonial Efforts at Union

In the late summer of 1774, twelve of the colonies sent representatives to Philadelphia to plan a response to these British actions. This meeting became known as the **First Continental Congress**. After the start of the American Revolution in 1775, a **Second Continental Congress** met and took charge of the war effort.

### Decision for Independence

In June 1776, Richard Henry Lee of Virginia presented a resolution to the Second Continental Congress calling for independence from Great Britain. The Congress appointed a committee (including Thomas Jefferson, Benjamin Franklin, and John Adams) to draft a formal declaration. The resulting **Declaration of Independence** was almost entirely the work of Thomas Jefferson. The delegates adopted the Declaration of Independence on July 4, which marks the birth of the United States of America. The key facts about this important document are listed on the next page:





## The Declaration of Independence

The PURPOSE of the Declaration:	The Declaration's KEY IDEAS OF GOVERNMENT:
<ul style="list-style-type: none"> <li>• To announce to the world that the colonies were now a new, independent nation</li> <li>• To explain and justify the reasons that the united colonies had decided to become the United States of America</li> </ul>	<ul style="list-style-type: none"> <li>• People have natural rights, including the rights to "Life, Liberty, and the pursuit of Happiness."</li> <li>• Governments receive their power to govern "from the consent of the governed" by social contract or compact in which the government agrees to protect the people's natural rights.</li> <li>• When a government fails to protect and respect those rights, it is the "Right of the People to alter or to abolish" that government.</li> </ul>
The THREE PARTS of the Declaration:	
<ul style="list-style-type: none"> <li>• A theory of government</li> <li>• A list of grievances against the King</li> <li>• A formal resolution declaring independence</li> </ul>	

### READING STRATEGY

#### Reading for Evidence

"We have boasted the protection of Great Britain, without considering, that her motive was *interest* not *attachment*; and that she did not protect us from *our enemies* on *our account*; but from *her enemies* on *her own account*. . . . A government of our own is our natural right; and . . . it is infinitely wiser and safer, to form a constitution of our own in a cool deliberate manner, while we have it in our power, than to trust such an interesting event to time and chance."

—Thomas Paine,  
*Common Sense*, 1776

- What is common sense to Paine?

### *The Ideals of the Declaration of Independence*

The ideals of the Declaration of Independence are still goals for the nation. They have also served to inspire others—during the French Revolution of the late 1700s, the South American independence movement in the early 1800s, and even twentieth-century independence movements in Africa and Asia.

Although few people noted it at the time, there was a fundamental contradiction between the Declaration's ideals of freedom and the institution of slavery. The colonists had looked to John Locke's compact theory (which stated that no person may rule another without the consent of the other person) as justification for choosing freedom. Few, however, advocated such freedom for slaves.

### *Fighting the War for Independence*

The American Revolution began in 1775 and ended with the British surrender at Yorktown, Virginia, in 1781. A peace treaty, the Treaty of Paris, was negotiated by John Adams, John Jay, and Benjamin Franklin and was signed in 1783.

Throughout the American Revolution, the Second Continental Congress served as the national government. The Congress had no constitutional basis but was created in a crisis and supported by popular opinion. It remained in place until 1781.

The British army was larger in number, better trained, and aided by the Creek, Cherokee, and Shawnee in the South and most Iroquois in the North. It was disadvantaged by its use of European military techniques in America and by the behavior of its troops, which alienated many colonists in the territories it occupied.



The continental army (the colonists' army) was the achievement of George Washington, the colonial commander in chief. The continental army was reinforced as it moved from region to region by an untrained militia or home guard defending their homes.

The colonists were aided by an alliance with France, negotiated by Benjamin Franklin. Motivated by its ongoing rivalry with Great Britain, France supplied the colonists with military arms, troops, and naval support and engaged Britain in war elsewhere in the world.

The American victory at Saratoga helped bring the French into the war. They saw that the colonists might possibly win the war. The victory also prevented the British from isolating New England from the rest of the colonies by taking control of the Hudson River valley and the area north of it to Canada.

### ***Slavery, African Americans, and the Outcome of the American Revolution***

Although African Americans fought on both sides during the American Revolution, more fought on the British side because of British promises of freedom from slavery. After first hesitating, Washington and the Continental Congress eventually recruited African Americans, as did state militias.

During the Revolution, some African slaves in the South successfully escaped. Others were freed in return for military service. Some left the country with the British army, while others settled in northern cities and became part of a growing free black population.

### **TURNING POINT**

Why is the Battle of Saratoga considered a turning point in the war?

### **ANALYZING DOCUMENTS**

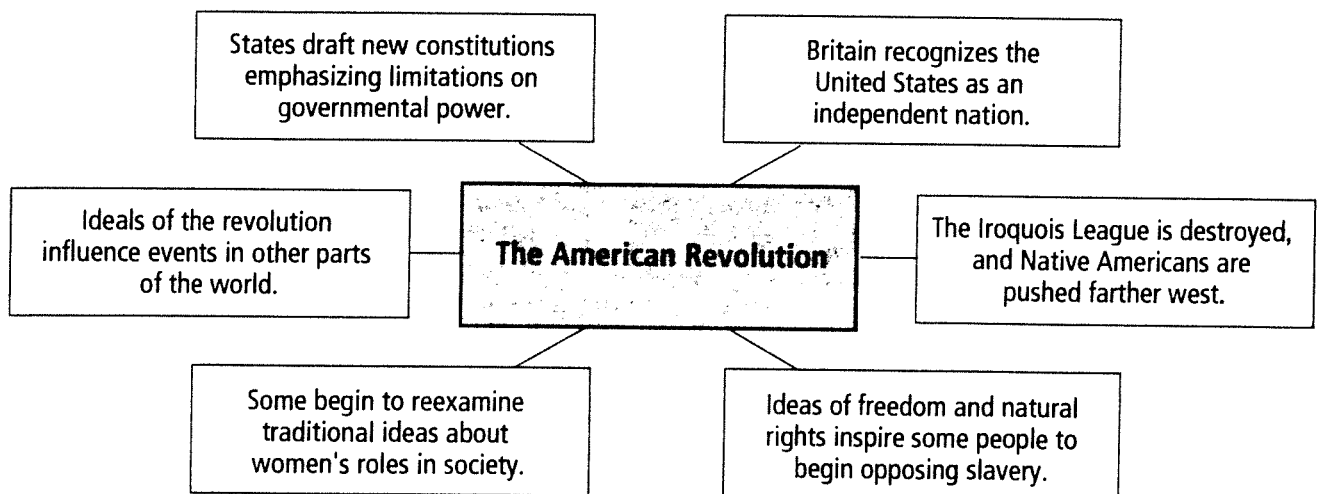
#### **Reading for Evidence**

"We have in common with all other men a natural and unalienable right to that freedom which the Great Parent of the Universe hath bestowed equally on all mankind, and which they have never forfeited by any compact or agreement whatsoever."

—From a petition of a group of slaves to the Massachusetts legislature, 1777

- What evidence is there that the writers knew about Enlightenment ideas and the Declaration of Independence?

### **Some Effects of the American Revolution**



The Revolution had important consequences for many groups of people.



**READING  
STRATEGY****Reinforcing Main Ideas**

Why did the Articles of Confederation create a weak national government?

**PREPARING FOR  
THE EXAM**

Why was the period under the Articles of Confederation called the “critical period”?

An antislavery movement led by Quakers started in the North before the Revolution. After the war, northern states passed laws that immediately or gradually abolished slavery. Although free, African Americans in the North still faced discrimination. Many were not allowed to vote, except in New England. There was segregation in public places, housing, and transportation.

## THE ARTICLES OF CONFEDERATION, 1781–1789

The first constitution of the United States was the **Articles of Confederation**. This constitution, proposed by the Second Continental Congress in 1777, went into effect in 1781 after all 13 states had ratified, or approved, it. The Articles of Confederation reflected the colonists’ fear of a strong central government and the desire of the individual states to protect their powers. As a result, the Articles created a weak national government.

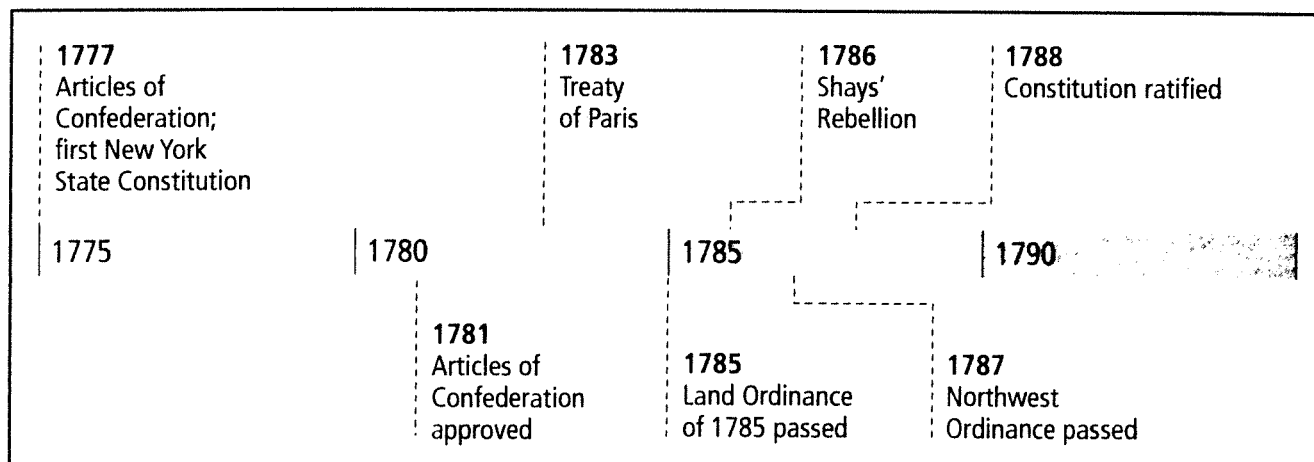
### *An Alliance of Independent States*

The Articles set up a confederation among the 13 states. A confederation is an alliance of independent states in which the states give as much power as they choose to the central government, while keeping the greater part of the power and remaining sovereign. The Articles were more like a treaty among the states than a plan of centralized government.

### *Achievements of the Confederation Government*

The government under the Articles of Confederation had the power to make treaties, declare war, and receive ambassadors. The Confederation also made some notable achievements:

### The Articles of Confederation, 1781–1789





1. Successful conclusion of the American Revolution
2. Negotiation of the Treaty of Paris of 1783, ending the war and setting the United States border at the Mississippi River
3. Passage of the Land Ordinance of 1785 and the Northwest Ordinance of 1787, which (a) set the pattern by which new states could join the nation, and (b) prohibited slavery in the Northwest Territory

### ***Weaknesses of the Confederation Government***

The Confederation government proved too weak to deal with the problems during the critical period of the 1780s. There was no single national currency, because the states could also coin money. The Congress could not tax the people directly but had to ask the states for funds. The government lacked a president to direct operations. The Congress did not have the money to raise an army without the consent of the states.

The new nation soon suffered severe economic problems, while its government was unable to command respect at home or abroad. However, all 13 states had to agree before the Articles could be changed, so it was nearly impossible to change this constitution.

## **STATE GOVERNMENTS BASED ON REPUBLICAN PRINCIPLES**

Between 1776 and 1787, 11 of the 13 states adopted new constitutions. State constitutions were based on republican principles creating a government grounded in representation of the people, the consent of the governed. Special state conventions were called so that the constitutions could be written by the people. When complete, they were ratified or approved by the voters.

Fears of a strong executive led the framers of the first state constitutions to emphasize limitations on power. The New York Constitution of 1777, which even included the text of the Declaration of Independence, gave most of the power to the legislature, rather than to a single person such as a governor. In New York as in most states, the legislature remained bicameral, rather than unicameral.

Some states granted more people the right to vote by lowering property qualifications. Some states gave the right to vote to property-owning African Americans and Native Americans. State constitutions, including the New York state constitution, protected some individual rights, such as the right to religious freedom. In addition, the state government could not give money to any religion. This was part of a national movement to disestablish churches, which meant the end of government endorsement and financial support of any single religious group.

### **ANALYZING DOCUMENTS**

#### **Reading for Evidence**

- How were the state constitutions that were adopted after the American Revolution affected by the conflict and war with Great Britain?
- What ideas and other features from New York's and other state's constitutions were eventually included in the U.S. Constitution?

### **PREPARING FOR THE EXAM**

What provision in the U.S. Constitution expressly supports disestablishment?



## KEY THEMES AND CONCEPTS

### Government

The purpose of the Constitutional Convention was to create a government which did not have the weaknesses of the Articles of Confederation while avoiding a national government so strong that it threatened the liberties of its citizens.

- How did the U.S. Constitution create a stronger national government than that of the Articles of Confederation?

## PART 2 WRITING AND RATIFYING THE CONSTITUTION, 1787-1789

By the late 1780s, it was clear that the national government created by the Articles of Confederation was too weak. The government faced increasing difficulty in regulating trade and dealing with the nation's debt.

The problems plaguing the national government led to a call for a Constitutional Convention in Philadelphia in May 1787 for "the sole and express purpose of amending the Articles of Confederation." The chart below shows how the delegates tried to correct the weaknesses of the Articles of Confederation.

## THE CONSTITUTIONAL CONVENTION

Fifty-five delegates, representing all the states except Rhode Island, met in the Pennsylvania State House (now known as Independence Hall) in Philadelphia in May 1787 at the Constitutional Convention. The delegates were prominent lawyers, planters, and merchants at a time when most of the population were small farmers.

**Governments of the United States: 1781 and 1789**

How the Weaknesses of the Articles of Confederation Were Corrected by the Constitution	
Articles of Confederation	Constitution of the United States
<ul style="list-style-type: none"> <li>• States have most of the power. The national government has little.</li> <li>• No executive officer to carry out the laws of Congress.</li> <li>• No national courts. Only state courts exist.</li> <li>• Congress is responsible to the states.</li> <li>• Nine out of 13 states have to approve a law before it can go into effect.</li> <li>• Congress has no power to tax.</li> <li>• Congress can not regulate trade among the states.</li> <li>• Each state coins its own money. There is no national currency.</li> </ul>	<ul style="list-style-type: none"> <li>• States have some power, but most power is given to the national government.</li> <li>• A President heads the executive branch of the government.</li> <li>• Both national and state courts exist.</li> <li>• Congress is responsible to the people.</li> <li>• Laws may be passed by a majority vote of both houses of Congress.</li> <li>• Congress given the power to tax.</li> <li>• Congress given the power to regulate interstate and foreign trade.</li> <li>• Only the national government has the power to coin money.</li> </ul>



The most famous delegate was George Washington, who was elected president of the Constitutional Convention. Another well-known figure was James Madison, whom some consider to have had the most influence on the Constitution. Also attending were Benjamin Franklin and Alexander Hamilton, a strong nationalist from New York.

Some famous Americans from the Revolution were noticeably absent. Thomas Jefferson and John Adams were serving the country as diplomats in Europe. A few patriots, such as Patrick Henry, refused to attend because they suspected that the convention would try to create a strong national government, which they opposed. Still others were not selected by their states.

In addition, no women, Native Americans, African Americans, or poorer white men attended the Constitutional Convention. At that time, these groups had limited political and legal rights.

## KEY COMPROMISES AT THE CONVENTION

The delegates agreed that discussions would be kept secret in order to debate freely without outside pressure. They also decided not to revise the Articles of Confederation, but to write a new constitution instead.

Most of what we know about the Convention comes to us from Madison's notes. The delegates' task was to create a government with enough authority to govern effectively while protecting individual liberties. The debates involved much conflict and much compromise. In fact, the United States Constitution has been called a "bundle of compromises." Three key compromises made the Constitution possible.

## KEY THEMES AND CONCEPTS

### Diversity

Certain groups of people were not represented at the Constitutional Convention. How does their absence explain some sections of the Constitution? Why were these groups absent?

## READING STRATEGY

### Organizing Information

- Which groups stood in opposition to each other on the major issues at the Constitutional Convention?
- Why did they take their particular positions?

## Major Compromises of the Constitutional Convention

Compromise	Issue	Solution
Connecticut	Representation in Congress	Bicameral legislature: States have equal representation in Senate; representation in the House depends on State's population.
Three-Fifths	Counting slaves within population to determine representation	Slaves were counted as if 3/5 of one person, both for representation and taxation.
Commerce and Slave Trade	Granting Congress the power to regulate foreign and interstate trade	Congress was forbidden to tax a State's exports or take action against the slave trade for 20 years.



## KEY THEMES AND CONCEPTS

### Individuals, Groups, Institutions

At the Constitutional Convention, three major compromises were achieved.

- For each issue, how did the compromise satisfy each side?
- Why were the compromises necessary?

## READING STRATEGY

### Problem Solving

Only nine states needed to ratify the U.S. Constitution to put it into effect.

- Why was it essential that Virginia and New York be among those states that ratified it?

## KEY THEMES AND CONCEPTS

### Government

In which states was there strong division of opinion about ratification?

## *The Great Compromise, or Connecticut Plan*

The first issue to be resolved was that of representation. The delegates from Virginia proposed the Virginia Plan, which called for a bicameral legislature. A state's representation in each house would be based on its population. Larger states supported this plan. The smaller states favored the New Jersey Plan. This plan called for a unicameral legislature in which each state had equal representation.

The Virginia Plan served as the basis for much of the new Constitution. However, the matter of representation had to be settled by what is known as the **Great Compromise** or the Connecticut Plan, which gave something to both large and small states. The compromise created the Congress, a bicameral legislature. The states had equal representation in the upper house, or the Senate. In the lower house, or the House of Representatives, representation was based on population. In addition, all bills dealing with money would have to start in the House, but would need the approval of the Senate.

## *The Three-Fifths Compromise*

Meanwhile, a bitter debate continued over slavery and power. Southerners wanted slaves to be counted for purposes of deciding representation in the House, but not for purposes of determining taxes. The compromise reached was that three fifths of the enslaved African Americans in a state were counted for both representation and taxation purposes.

## *The Commerce Compromise*

Northerners wanted a government that could regulate trade. Southerners, however, feared that the importing of African slaves would be prohibited and that their agricultural exports would be taxed. The delegates agreed that no export duties could be passed by Congress and that Congress could not prohibit the slave trade for 20 years.

## RATIFICATION OF THE CONSTITUTION

After months of debate in Philadelphia, delegates approved the Constitution of the United States. On September 17, 1787, thirty-nine of the delegates remaining in Philadelphia signed the Constitution. The fact that three, including George Mason, author of the Virginia Declaration of Rights, refused to sign gave an indication of the coming debate. The Framers had written that 9 of the 13 states must approve the Constitution for it to go into effect. Approval would be done through special conventions called in each state rather than through the state legislatures.

## *The Great Debate and Ratification*

Two groups formed in each state: the **Federalists**, who favored ratification, and the **Anti-Federalists**, who opposed it.



### The Great Debate

The Federalist Arguments:	The Anti-Federalist Arguments:
<ul style="list-style-type: none"> <li>• Wanted a strong national government to provide order and protect rights of people.</li> </ul>	<ul style="list-style-type: none"> <li>• Wanted a weak national government so that it would not threaten the rights of the people or the powers of the states.</li> </ul>
<ul style="list-style-type: none"> <li>• Claimed that a bill of rights was unnecessary because the new government's powers were limited by the Constitution.</li> </ul>	<ul style="list-style-type: none"> <li>• Wanted to add a bill of rights to protect the people against abuses of power.</li> </ul>

The first five states ratified the Constitution within a few months. By June 1788, nine states had given their approval—enough for ratification. But these did not include the states of Virginia and New York. The success of the new government depended upon acceptance of the Constitution by these two key states.

In Virginia, James Madison led the fight for ratification against the opposition of George Mason and Patrick Henry. Virginia approved the Constitution by 10 votes but with amendments suggested. New York was the next battleground. Here, *The Federalist*—a series of pro-ratification essays by Alexander Hamilton, John Jay, and James Madison—helped turn the tide against the Anti-Federalists, led by Governor George Clinton. Ratification was by a margin of three votes. *The Federalist* remains one of the finest statements on government and the Constitution ever written.

## PART 3 WHAT YOU NEED TO KNOW ABOUT THE U.S. CONSTITUTION AND GOVERNMENT

The Constitution of the United States includes a number of important basic principles, which are listed below.

### **Popular Sovereignty**

The Constitution is based on the idea of popular sovereignty—that the source of all power or authority to govern is the people. This type of government is considered a democracy.

### **Limited Government**

Governmental powers are defined by the Constitution. In this way, our government is limited by law. The Constitution places limits on state and national governments and government officials as well.

### **Separation of Powers**

The Constitution establishes the **separation of powers**, meaning that power to govern is divided among the legislative, executive, and

### ANALYZING DOCUMENTS

“Ambition must be made to counteract ambition . . . If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.”

—James Madison,  
*The Federalist No. 51*

- Based on this quote, what is James Madison's view of the relationship between human nature and good government?



### Three Branches of U.S. Government

Legislative	Executive	Judicial
Senate House of Representatives	President Vice President	Supreme Court Federal Courts
<b>Makes laws</b>	<b>Enforces laws and treaties</b>	<b>Explains and interprets laws</b>
<ul style="list-style-type: none"> <li>• Overrides presidential vetoes</li> <li>• Approves presidential appointments</li> <li>• Approves treaties</li> <li>• Taxes to provide services</li> <li>• Provides for defense, declares war</li> <li>• Regulates money and trade</li> <li>• Impeaches officials</li> </ul>	<ul style="list-style-type: none"> <li>• Can veto laws</li> <li>• Appoints high officials</li> <li>• Conducts foreign policy</li> <li>• Enforces laws and treaties</li> <li>• Commander in chief of the military</li> <li>• Recommends bills to Congress</li> <li>• Reports the state of the Union to Congress</li> </ul>	<ul style="list-style-type: none"> <li>• Settles legal disputes between states</li> <li>• Settles State and federal disputes</li> <li>• Settles disputes between States and foreign countries</li> <li>• Hears cases with ambassadors of foreign governments</li> <li>• Settles disputes between individuals and Federal Government</li> </ul>

Source: U.S. Department of Justice

#### ANALYZING DOCUMENTS

"We the People of the United States . . . do ordain and establish this Constitution for the United States."

—Preamble to the U.S. Constitution

- According to the Preamble, who is creating this Constitution?
- In what other documents have we seen a concept that is restated here?

judiciary branches to ensure that no single branch can dominate the government. Each branch takes its power directly from the Constitution, not from another branch.

#### Checks and Balances

The system of **checks and balances** gives each branch of the national government ways to check, or control, the other branches. This prevents too much power from falling into the hands of any one part of the government.

#### Flexibility

The Constitution is a flexible document that can meet changing conditions over time.

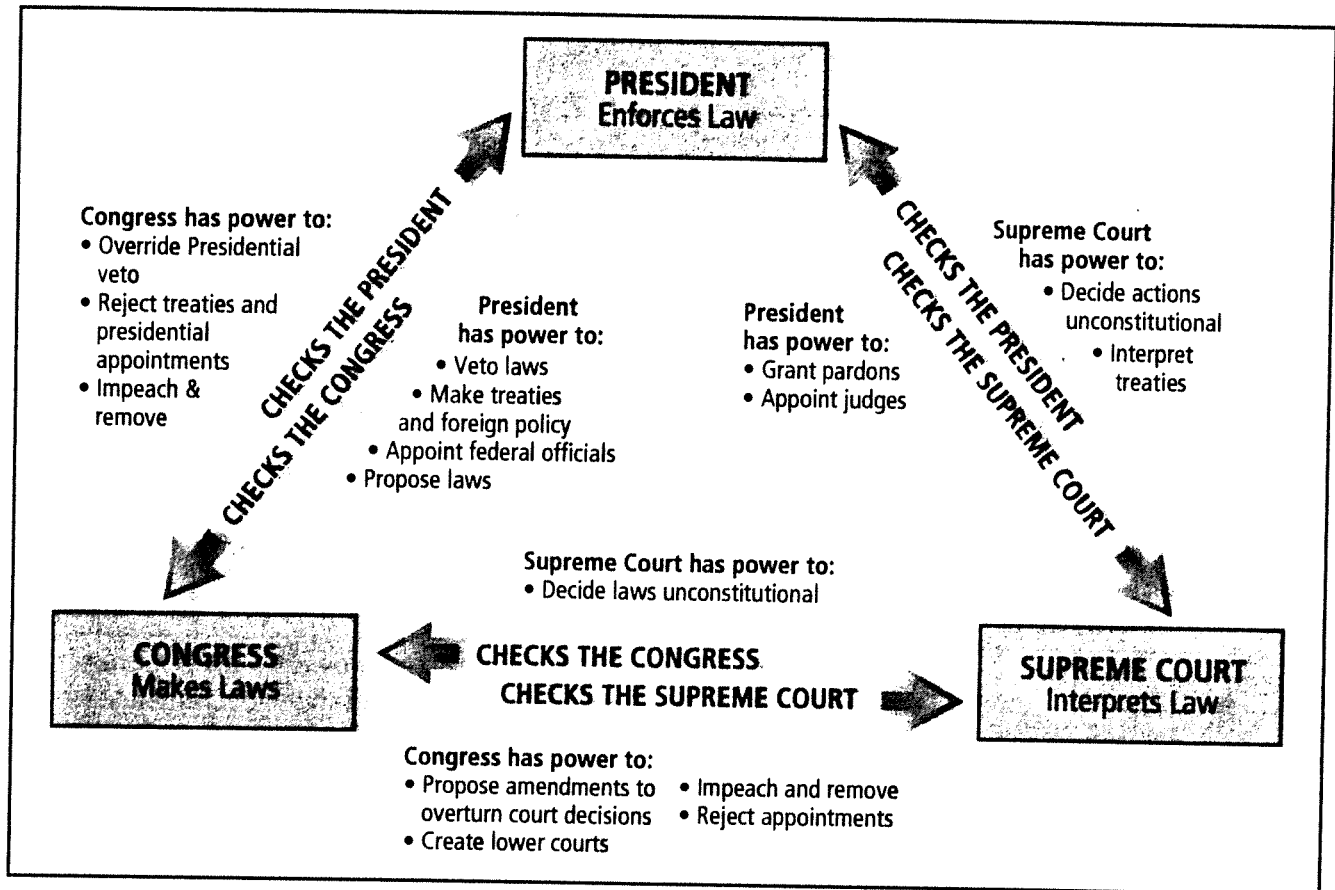
**THE ELASTIC CLAUSE** Article I, Section 8, Clause 18, states that Congress can make all laws "necessary and proper" for carrying out the tasks listed in the Constitution.

**THE AMENDMENT PROCESS** Article V describes how the Constitution may be formally amended. Both Congress and the states must agree to such changes.

**JUDICIAL INTERPRETATION** The Supreme Court and lower federal courts review cases which involve possible conflicts with the Constitution and federal laws. This involves interpreting local, state, and federal laws, as well as executive actions.



## The Checks and Balances System



## FEDERALISM IN THE CONSTITUTION

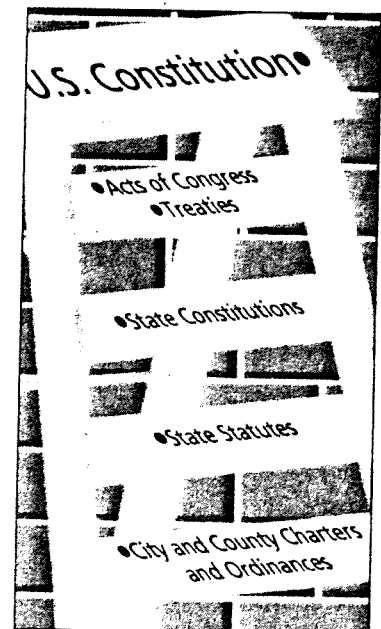
The Constitution divides the power to govern between the national and the state governments. Disputes between the national and state governments are settled by the courts, but the Supremacy Clause of Article VI of the Constitution makes the Constitution, federal laws, and treaties superior to state laws.

**DELEGATED POWERS** Certain powers of the national government are spelled out in the Constitution. Most of these delegated powers are listed in Article I, Section 8. One example is the power of the national government to declare war.

**IMPLIED POWERS** Certain powers of the national government are not stated in writing. Their existence is implied by the Elastic Clause. One example of an implied power is the regulation of child labor; this power is implied by the delegated power to regulate interstate commerce.

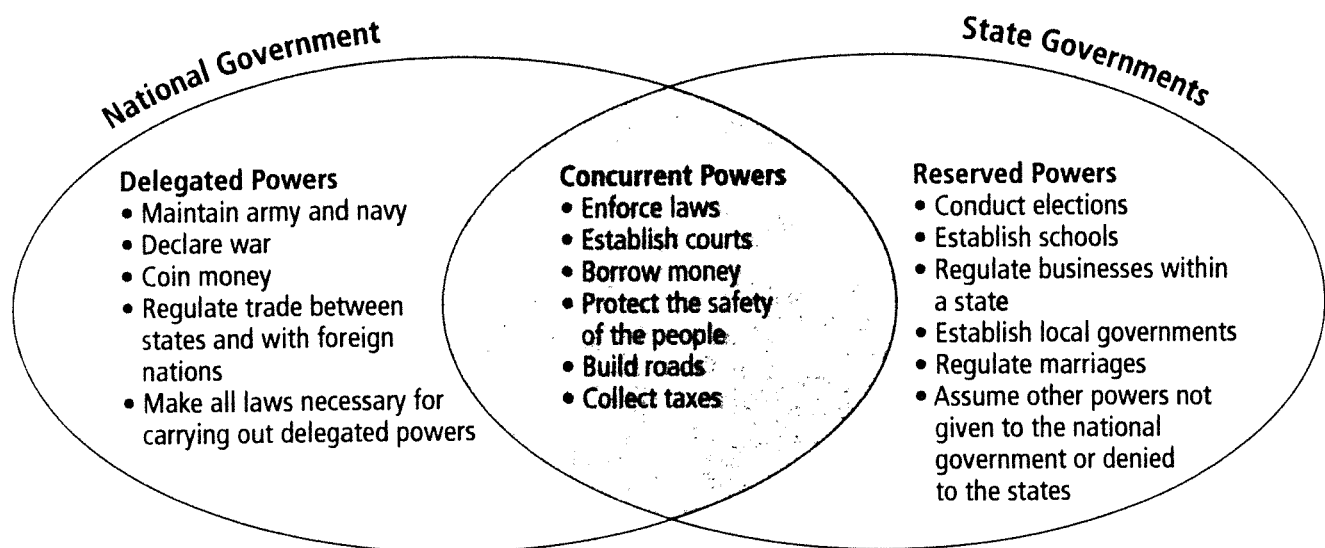
**DENIED POWERS** Certain powers are denied to the national government, for example, the power to pass an export tax. Other powers

## The Supremacy Clause





## System of Federalism



### KEY THEMES AND CONCEPTS

#### Government

What do you call a power that is shared by both national and state governments?

Name two examples:

- 1.
- 2.

What do you call a power that is held only by the national government?

Name two examples:

- 1.
- 2.

What do you call a power that is held only by the states?

Name two examples:

- 1.
- 2.

are denied to the states, for example, the power to print money. Still other powers are denied to both national and state governments, for example, the power to deny the right to vote because of sex or race.

**CONCURRENT POWER** Certain powers belong to both national and state governments. One example of such a concurrent power is the power to tax.

**RESERVED POWERS** The reserved powers are neither delegated to the national government nor denied to the states. One example is the power to make divorce laws.

Article IV of the Constitution describes relations among the states and lists guarantees that the national government makes to the states. Article VII, which describes ratification of the Constitution, serves as a reminder that the new national government had to be approved by the individual states.

## THE BASIC ORGANIZATION AND FUNCTIONS OF GOVERNMENT UNDER THE CONSTITUTION

The first three articles of the Constitution describe and define the powers of the legislative, executive, and judicial branches of the national government. These articles detail the separation of powers, while showing how each branch can check and balance the others.



## Federal Officeholders

Office	Number	Term	Selection	Requirements
Representative	at least 1 per state; based on state population	2 years	Elected by voters of congressional district	<ul style="list-style-type: none"> <li>• Age 25 or over</li> <li>• Citizen for 7 years</li> <li>• Resident of state in which elected</li> </ul>
Senator	2 per state	6 years	Original Constitution- elected by state legislature Amendment 17-elected by voters	<ul style="list-style-type: none"> <li>• Age 30 or over</li> <li>• Citizen for 9 years</li> <li>• Resident of state in which elected</li> </ul>
President and Vice-President	1	4 years	Elected by electoral college	<ul style="list-style-type: none"> <li>• Age 35 or over</li> <li>• Natural-born citizen</li> <li>• Resident of U.S. for 14 years</li> </ul>
Supreme Court justice	9	Life	Appointed by President with approval of the Senate	<ul style="list-style-type: none"> <li>• No requirements in Constitution</li> </ul>

## ARTICLE I: THE LEGISLATIVE BRANCH

Article I establishes the United States Congress with its two houses—the Senate and the House of Representatives. Congress is the legislative branch of government. Article I gives the qualifications for election to Congress, the rights and privileges of members of Congress, and some basic operating procedures of both houses. The article also lists the powers delegated to Congress. Each house of Congress also has special duties that it alone can perform.

Article I briefly outlines how a bill becomes a federal law. This process requires the approval of each house and of the President. A presidential veto, or rejection, of a bill can be overridden by a two-thirds vote of each house. As the diagram on page 57 shows, the process today is quite complex, and a bill must pass through numerous committees before becoming a law.



## PREPARING FOR THE EXAM

Some examination questions require you to read and interpret charts. Study the chart above and answer this question.

- How does the term of a Supreme Court justice differ from those of other federal officeholders?



### The Powers of Congress as Stated (by Clause) in Article I, Section 8 of the United States Constitution

Expressed Powers	
Peace Powers	
<ol style="list-style-type: none"> <li>1. To lay taxes               <ol style="list-style-type: none"> <li>a. Direct (not used since the War Between the States, except income tax)</li> <li>b. Indirect (customs [tariffs], excise for internal revenue)</li> </ol> </li> <li>2. To borrow money</li> <li>3. To regulate foreign and interstate commerce</li> <li>4. To establish naturalization and bankruptcy laws</li> <li>5. To coin money and regulate its value; to regulate weights and measures</li> <li>6. To punish counterfeiters of federal money and securities</li> <li>7. To establish post offices and post roads</li> <li>8. To grant patents and copyrights</li> <li>9. To create courts inferior to the Supreme Court</li> <li>10. To define and punish piracies and felonies on the high seas; to define and punish offenses against the law of nations</li> <li>17. To exercise exclusive jurisdiction over the District of Columbia; to exercise exclusive jurisdiction over forts, dockyards, national parks, federal buildings, and the like</li> </ol>	
War Powers	
<ol style="list-style-type: none"> <li>11. To declare war; to grant letters of marque and reprisal; to make rules concerning captures on land and water</li> <li>12. To raise and support armies</li> <li>13. To provide and maintain a navy</li> <li>14. To make laws governing land and naval forces</li> <li>15. To provide for calling forth the militia to execute federal laws, suppress insurrections, and repel invasions</li> <li>16. To provide for organizing, arming, and disciplining the militia, and for its governing when in the service of the Union</li> </ol>	
Implied Powers	
<ol style="list-style-type: none"> <li>18. To make all laws necessary and proper for carrying into execution the foregoing powers, such as:               <ul style="list-style-type: none"> <li>To define and provide punishment for federal crimes</li> <li>To establish the Federal Reserve System</li> <li>To improve rivers, canals, harbors, and other waterways</li> <li>To fix minimum wages, maximum hours of work</li> </ul> </li> </ol>	

### Special Powers of the House and Senate

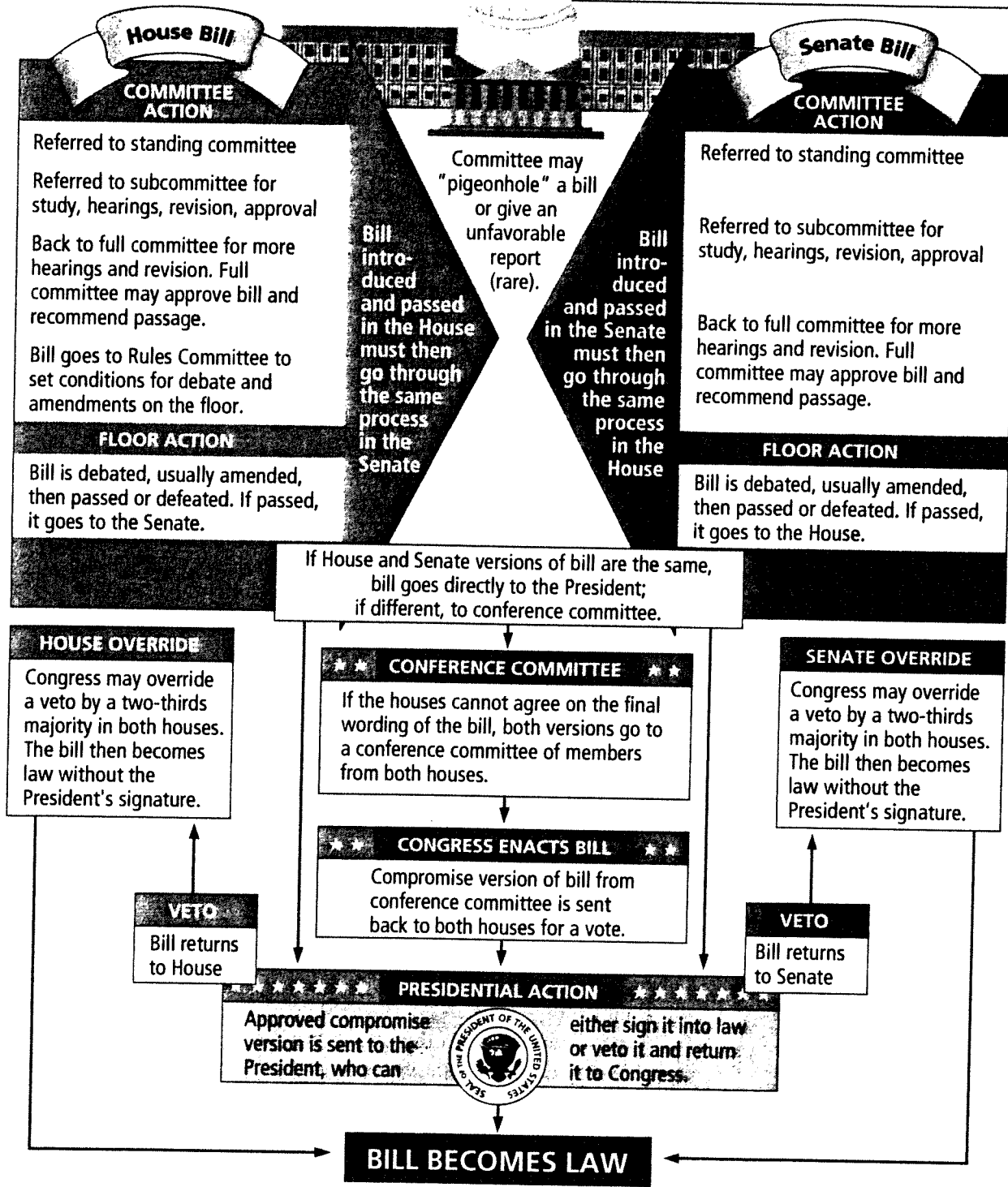
House	Senate
• To select the President if no candidate receives a majority of the electoral vote	• To select the Vice President if no candidate has a majority of the electoral vote
• To bring impeachment charges	• To act as jury in cases of impeachment
• To originate all revenue (money) bills	• To ratify treaties (by a two-thirds vote)
	• To approve presidential appointments (by a majority vote)



## How Bills Become Laws

The diagram shows the major steps through which a typical bill passes from its introduction, in either the Senate or the House, to final action on it by the President.

Before a bill is sent to the White House, the Senate and the House must pass it in exactly the same form. Note: Most bills never become law.





**READING  
STRATEGY****Analyzing Cause  
and Effect**

The U.S. Constitution requires that a census of the population be taken every 10 years. The census is used to determine how many representatives each state will send to the House.

- What impact does the census have on the electoral college?

**KEY THEMES AND  
CONCEPTS****Government**

A precedent is an action or decision which serves as a basis for later actions or decisions. For example, George Washington set a precedent when he decided not to run for President after completing two terms. No President served for more than two terms until Franklin D. Roosevelt was elected to a third and fourth term in 1940 and 1944.

**ARTICLE II: THE EXECUTIVE BRANCH**

Article II outlines the workings of the executive branch, including the method of electing the President as well as the powers and duties of the office.

***Electing the President***

Article II describes the process by which the president is elected. Amendments 12, 20, 22, and 25 have changed this process.

A key compromise of the Constitutional Convention involved the method of electing the President. Under the resulting **electoral college** system, voters cast their ballots for electors. Those electors cast the actual votes for President and Vice President. Each state was granted as many presidential electors as it had senators plus representatives.

The Constitution requires that a census, or counting of the population, be taken every 10 years. Changes to reflect shifts in population are then made in the number of representatives per state, which in turn affects the electoral vote. Today, data from the census is also used to make decisions about other national needs.

Customs and precedents influenced how the President is elected. After Washington's two terms, the formation of political parties forced changes in the election process. No longer did electors exercise their own judgments. Rather, they pledged in advance to vote for the presidential candidate of their party. Today, while the names of the presidential candidates appear on the ballot, voters are actually casting their ballots for electors chosen by each candidate's party.

By 1832, national conventions had become the method of selecting party candidates. Today more than half the delegates to such national conventions are selected through party presidential primaries. Such primaries are only one step in today's complex path to the presidency. The chart on the next page summarizes key steps along that path.

***Debating the Electoral College System***

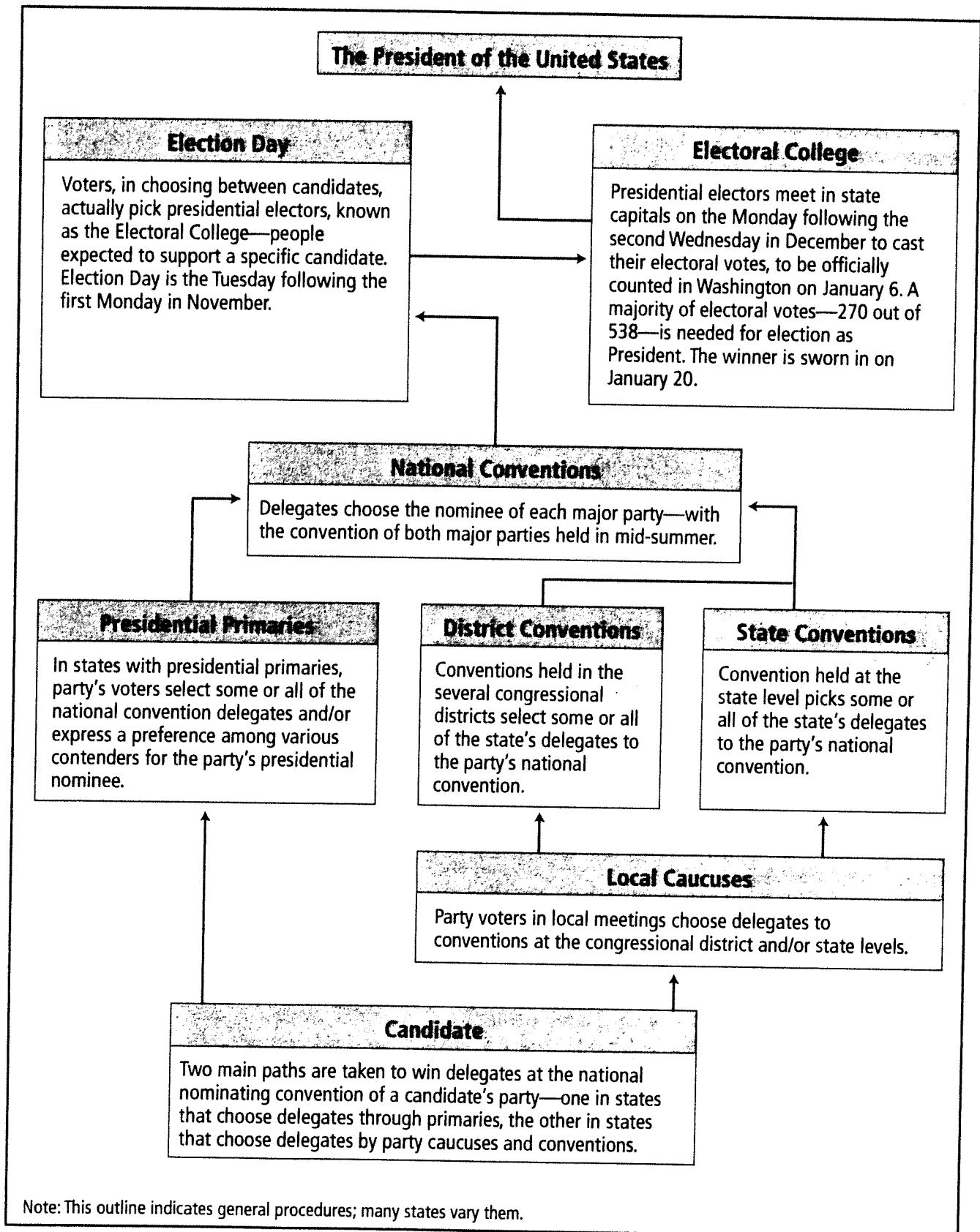
From the days of the Constitutional Convention, people have argued over the method of selecting the president.

**REASONS TO CHANGE THE SYSTEM** There are two major arguments against the electoral college system.

1. It is a "winner-take-all" system. A winning candidate gets all the electoral votes in a state, no matter how close the popular vote is. Four times—in 1824, 1876, 1888, and 2000—the winner of the popular vote has lost the presidency because he failed to win a majority of the electoral vote.
2. Generally, electors are not required by law to vote for the candidate who wins in their state.



## The Path to the Presidency





## KEY THEMES AND CONCEPTS

### Government

In the presidential election of 2000, George W. Bush became the fourth President to win the electoral college without winning the popular vote. The other Presidents were John Quincy Adams, elected in 1824; Rutherford B. Hayes, who ran in 1876; and Benjamin Harrison, elected in 1888.



### PREPARING FOR THE EXAM

A flowchart is a diagram that shows the different steps in a process. Study the flowchart of the route to the presidency on the previous page, then answer the question below:

What are three sources of delegates to a political parties national convention?

1.

2.

3.

**REASONS TO KEEP THE SYSTEM** Despite such criticisms, the electoral college system remains in use for three key reasons:

1. It is very difficult to amend the Constitution.
2. Small states would lose the advantage they now have of being over-represented in the electoral college; they would, therefore, oppose any change.
3. Changes in the electoral college system might threaten the two-party political system. The fact that a presidential candidate needs a majority of the electoral college vote, critics believe, prevents many small political parties from springing up.

### Presidential Roles and Powers

Article II describes the powers and duties of the President of the United States. Since power in the executive branch centers in one individual, a president can act swiftly in time of war and national crisis. In carrying out the duties of office, the president fills several different roles.

**CHIEF EXECUTIVE** In this role, the President has the power to

- enforce or put the laws into effect
- act as administrator of the huge federal bureaucracy
- issue executive orders that have the effect of laws
- appoint judges, diplomats, and other high government officials—some with Senate approval and others without
- remove appointed government officials within the executive branch

**CHIEF DIPLOMAT** In this role, the President has the power to

- make treaties
- make executive agreements with nations without Senate approval
- extend or withdraw diplomatic recognition to a nation

**COMMANDER IN CHIEF** In this role, the President has broad military powers that are shared with Congress. In times of war, these powers are even stronger.

**CHIEF LEGISLATOR** In this role of lawmaker, the President has the power to

- recommend legislation to Congress
- veto potential laws

**CHIEF OF STATE** In addition to being head of the government, the President is also chief of state, the ceremonial head of government, and the symbol of all the people of the nation. He fills this role in such ceremonies as the laying of a wreath on the Tomb of the Unknowns.

**JUDICIAL POWERS** The President can grant reprieves, pardons, and amnesties, or pardons extended to groups rather than individuals.



**HEAD OF THE PARTY** The President is also the leader of the political party in power. The duties of this role are not mentioned in the Constitution because the party system developed through custom.

### ***The Federal Bureaucracy***

The federal bureaucracy consists of the administrative agencies and staff that put the decisions or policies of the government into effect. Such a bureaucracy has developed through legislation, executive action, and custom.

Most of the bureaucracy is part of the executive branch and includes the White House staff, 14 executive departments, and more than 200 independent agencies. This bureaucracy is explained in more detail in the chart on the next page.

### **KEY THEMES AND CONCEPTS**

#### **Government**

The executive branch is the largest branch of the government, as shown in the chart on the next page.

- Why is the executive branch so large?
- How were the departments and agencies shown created?

## **ARTICLE III: THE JUDICIAL BRANCH**

Article III of the Constitution creates the Supreme Court and gives Congress the power to create lower federal courts. The role of this judicial branch is to interpret the law. In addition to this national court system, each of the 50 states has its own court system.

### ***Jurisdiction***

With two court systems—federal and state—the Constitution had to define the jurisdiction, or authority, of the federal courts in order to make clear which cases go to federal courts and which to state courts. The court that has the authority to hear a case is determined by two factors:

**SUBJECT MATTER** Federal courts hear cases involving federal laws, treaties, maritime law, and interpretation of the Constitution.

**PARTIES** Federal courts are directed to have jurisdiction if cases involve certain parties, or participants in a case. For example, cases involving representatives of foreign governments or states suing other states are tried in federal courts.

The Constitution states that in some types of cases, the Supreme Court will have original jurisdiction. This means the Supreme Court will hear the case first and make a decision. In most cases, the Supreme Court has appellate jurisdiction. This means that, in a lower court, if the losing side believes a judge made a mistake in applying the law in a case, that case may be appealed to a higher court. The Supreme Court hears only about 150 cases of the nearly 5,000 appealed to it each year.



## The United States Government

Legislative	Executive	Judicial
<b>THE CONGRESS</b> Senate    House <ul style="list-style-type: none"> <li>• Architect of the Capitol</li> <li>• General Accounting Office</li> <li>• Government Printing Office</li> <li>• Library of Congress</li> <li>• United States Botanic Garden</li> <li>• Office of Technology Assessment</li> <li>• Congressional Budget Office</li> <li>• United States Tax Court</li> </ul>	<b>THE PRESIDENT</b> Executive Office of the President <ul style="list-style-type: none"> <li>• White House Office</li> <li>• Office of Management and Budget</li> <li>• Council of Economic Advisers</li> <li>• National Security Council</li> <li>• Office of National Drug Control Policy</li> <li>• Office of the United States Trade Representative</li> <li>• Council on Environmental Quality</li> <li>• Office of Science and Technology Policy</li> <li>• Office of Administration</li> </ul> The Vice President	<b>SUPREME COURT OF THE UNITED STATES</b> <ul style="list-style-type: none"> <li>• Courts of Appeals</li> <li>• District Courts</li> <li>• Federal Claims Court</li> <li>• Court of Appeals for the Federal Circuit</li> <li>• Court of International Trade</li> <li>• Territorial Courts</li> <li>• Court of Appeals for the Armed Forces</li> <li>• Court of Veterans Appeals</li> <li>• Administrative Office of the United States Courts</li> <li>• Federal Judicial Center</li> </ul>



Executive Departments						
State	Treasury	Defense	Justice	Interior	Agriculture	Commerce
Labor	Health and Human Services	Housing and Urban Development	Transportation	Energy	Education	Veterans Affairs



Major Independent Agencies*		
<ul style="list-style-type: none"> <li>• Central Intelligence Agency</li> <li>• Commission on Civil Rights</li> <li>• Consumer Product Safety Commission</li> <li>• Corporation for National and Community Service</li> <li>• Defense Nuclear Facilities Safety Board</li> <li>• Environmental Protection Agency</li> <li>• Equal Employment Opportunity Commission</li> <li>• Export-Import Bank of the U.S.</li> <li>• Farm Credit Administration</li> <li>• Federal Communications Commission</li> </ul>	<ul style="list-style-type: none"> <li>• Federal Deposit Insurance Corporation</li> <li>• Federal Election Commission</li> <li>• Federal Housing Finance Board</li> <li>• Federal Maritime Commission</li> <li>• Federal Mediation and Conciliation Service</li> <li>• Federal Reserve System</li> <li>• Federal Trade Commission</li> <li>• General Services Administration</li> <li>• Merit Systems Protection Board</li> <li>• National Aeronautics and Space Administration</li> </ul>	<ul style="list-style-type: none"> <li>• National Labor Relations Board</li> <li>• National Transportation Safety Board</li> <li>• Nuclear Regulatory Commission</li> <li>• Office of Government Ethics</li> <li>• Securities and Exchange Commission</li> <li>• Selective Service System</li> <li>• Small Business Administration</li> <li>• Social Security Administration</li> <li>• Tennessee Valley Authority</li> <li>• U.S. Arms Control and Disarmament Agency</li> <li>• U.S. Postal Service</li> </ul>

\*There are more than 200 independent agencies in the executive branch.



## Judicial Review

The most important power of the federal courts is the right to **judicial review**. This power enables the courts to hear cases involving the application and interpretation of law. Laws that are judged not in keeping with the Constitution's intent are declared unconstitutional and void.

The Supreme Court is the final voice in interpreting the Constitution. The right of judicial review strengthened the power of the judiciary against the other two branches of government. Chief Justice John Marshall first stated the right of judicial review in the 1803 case of *Marbury v. Madison*.

## READING STRATEGY

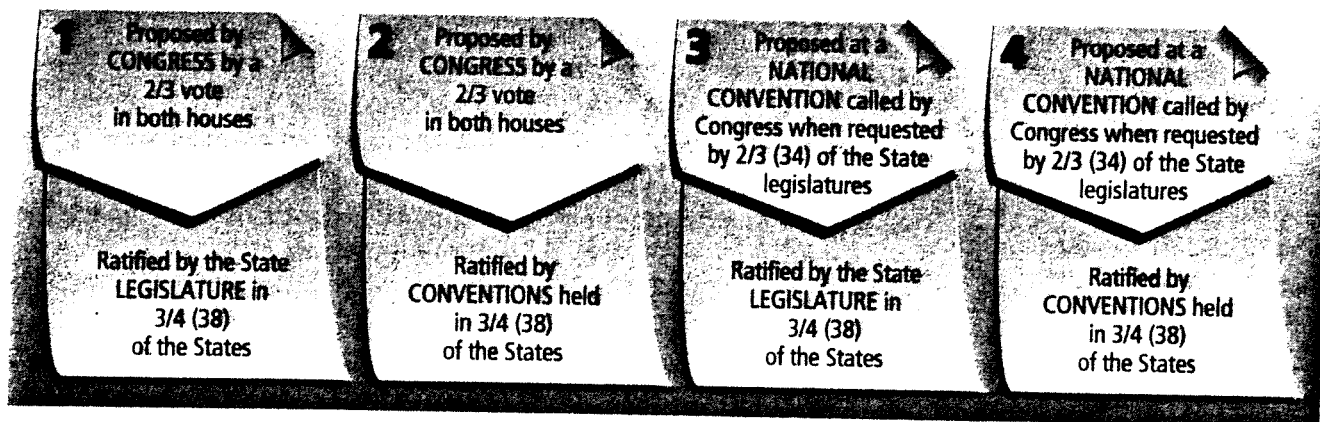
### Problem Solving

The process of amending the Constitution is an excellent example of federalism in practice. Why?

## AMENDING THE CONSTITUTION

Article V describes methods of amending, or formally changing, the Constitution. In the most common method of amendment, Congress approves a proposed amendment by a two-thirds vote in each house. The amendment then goes to the state legislatures. If three quarters of them ratify it, the amendment becomes part of the Constitution. Twenty-six amendments have been adopted by this method. To date, only the Twenty-first Amendment has been ratified by special conventions called in the states.

### The Formal Amendment Process (Four Methods)





### ***The Bill of Rights***

The Bill of Rights is the name given to the first 10 amendments to the Constitution adopted in 1791. These amendments guarantee certain basic or fundamental rights of the people against the power of the federal government.

#### **The Bill of Rights**

<b>Amendment</b>	<b>Subject</b>
<b>1st</b>	Guarantees freedom of religion, of speech, and of the press; the right to assemble peacefully; and the right to petition the government.
<b>2nd</b>	Protects the right to possess firearms.
<b>3rd</b>	Declares that the government may not require people to house soldiers during peacetime.
<b>4th</b>	Protects people from unreasonable searches and seizures.
<b>5th</b>	Guarantees that no one may be deprived of life, liberty, or property without due process of law.
<b>6th</b>	Guarantees the right to a trial by jury in criminal cases.
<b>7th</b>	Guarantees the right to trial by jury in most civil cases.
<b>8th</b>	Prohibits excessive bail, fines, and punishments.
<b>9th</b>	Declares that rights not mentioned in the Constitution belong to the people.
<b>10th</b>	Declares that powers not given to the national government belong to the states or to the people.

### ***Extending Constitutional Protections***

In the 200 years since the Bill of Rights was added to the Constitution, the rights of the people have been expanded by court decisions and by other amendments. The Fourteenth Amendment contains the equal protection clause. Court interpretations have held that the Fourteenth Amendment extends the protections of most of the Bill of Rights against the states as well as the national government.

The courts have held that civil rights (as defined in the Bill of Rights and other amendments) are relative, not absolute. The courts have thus tried to balance an individual's rights against the rights of society and other individuals. Sometimes basic civil rights conflict with each other. For example, the Fifth Amendment right of the accused to confront witnesses might clash with a reporter's First Amendment, freedom-of-the-press right to protect news sources. In such conflicts, the courts must decide the issue.



### Additional Constitutional Amendments

Between 1795 and 1992, an additional 17 amendments have been added to the Constitution. Note that the Thirteenth, Fourteenth, and Fifteenth Amendments were passed after the Civil War to make citizens of former slaves, and to give them the right to vote.

#### Amendments 11–27

Amendment	Year Ratified	Subject
11th	1795	Lawsuits against the states
12th	1804	Separate voting for President and Vice President
13th	1865	Abolition of slavery
14th	1868	Citizenship and civil rights
15th	1870	Voting rights for African American men
16th	1913	Income tax
17th	1913	Direct election of senators
18th	1919	Prohibition of alcoholic beverages
19th	1920	Voting rights for Women
20th	1933	Terms of the President, Vice President and Congress
21st	1933	Repeal of Eighteenth Amendment
22nd	1951	President limited to two terms
23rd	1961	Electoral votes for the District of Columbia
24th	1964	Abolition of poll taxes
25th	1967	Presidential disability and succession
26th	1971	Voting age lowered to eighteen
27th	1992	Changing congressional salaries

#### The Right to Vote

Year	People Allowed to Vote
1789	White men over age 21 who meet property requirements (state laws)
Early 1800s–1850s	All white men over age 21 (state laws)
1870	Black men (15th Amendment)
1920	Women (19th Amendment)
1961	People in the District of Columbia in presidential elections (23rd Amendment)
1971	People age 18 or over (26th Amendment)

#### ANALYZING DOCUMENTS

Based on the chart at left, what has been the most common way of extending the right to vote to more people?



# Questions for Regents Practice

For online Questions for Regents Practice,  
visit the Prentice Hall Web site at [www.phschool.com](http://www.phschool.com).

## MULTIPLE CHOICE

### Directions

Review the Test-Taking Strategies section of this book. Then answer the following questions, drawn from actual Regents examinations. Each question is followed by four choices. Read each question carefully. Decide which choice is the correct answer. Then on a separate piece of paper, mark your answer for each question.

- 1 "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

This quotation reflects beliefs mainly derived from

- 1 the Magna Carta
- 2 the divine right monarchs of Europe
- 3 John Locke's theory of natural rights
- 4 Marxist philosophy

Base your answers to questions 2 and 3 on the quotation below and on your knowledge of social studies.

"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 those ends, it is the right of the people to alter or abolish it, and to institute new government. . . ."

- 2 This quotation presents a justification for
- 1 anarchy
  - 2 revolution
  - 3 despotism
  - 4 laissez faire

- 3 According to the quotation, governments get their authority from

- 1 the people
- 2 powerful leaders
- 3 the justice system
- 4 political parties

- 4 "The individual can be free *only* when the power of one governmental branch is balanced by the other two."

—Baron de Montesquieu, 1735 (adapted)

The idea expressed in this quotation is best illustrated by which aspect of the United States government?

- 1 existence of a Cabinet
  - 2 separation of powers
  - 3 elastic clause
  - 4 executive privilege
- 5 In the colonial era, developments such as the New England town meetings and the establishment of the Virginia House of Burgesses represented
- 1 colonial attempts to build a strong national government
  - 2 efforts by the British to strengthen their control over the colonies
  - 3 steps in the growth of representative democracy
  - 4 early social reform movements



- 6 "The only representatives of the people of these colonies are persons chosen therein by themselves; and that no taxes ever have been, or can be constitutionally imposed on them but by their respective legislatures."

—Statement by the Stamp Act Congress, 1765

What is a valid conclusion that can be drawn from this quotation?

- 1 The colonial legislatures should be appointed by the English King with the consent of Parliament.
  - 2 Only the colonists' elected representatives should have the power to levy taxes.
  - 3 The English King should have the right to tax the colonists.
  - 4 The colonists should be opposed to all taxation.
- 7 One way in which the United States Constitution differed from the Articles of Confederation was that the Constitution
- 1 created a national government having three branches
  - 2 provided for the direct election of the President by the voters
  - 3 made the amendment process more difficult
  - 4 increased the powers of the states

Base your answers to questions 8 and 9 on the discussion below and on your knowledge of social studies.

*Speaker A:* States must be represented in the national government solely on the basis of population. It is indeed the only fair situation.

*Speaker B:* The national legislature must be based on equal representation of the states to protect the interests of the small states.

*Speaker C:* States must accept the supremacy of the national government on all issues; otherwise, the system will fail.

*Speaker D:* The national Congress should

consist of two houses: one in which representation is based on population, and one in which states are equally represented.

- 8 Which document was being written when this discussion most likely occurred?
- 1 Declaration of Independence
  - 2 United States Constitution
  - 3 Covenant of the League of Nations
  - 4 Charter of the United Nations
- 9 Which speaker's idea about representation was actually included in the document that was written?
- 1 A
  - 2 B
  - 3 C
  - 4 D
- 10 "We should consider we are providing a constitution for future generations of Americans, and not merely for the particular circumstances of the moment."
- Delegate at the Constitutional Convention of 1787
- The writers of the Constitution best reflected this idea when they provided that
- 1 Senators should be elected directly by the people
  - 2 Three-fifths of the slaves should be counted as part of the total population
  - 3 Congress shall make all laws necessary and proper to carry out its constitutional powers
  - 4 Political parties should be established to represent various viewpoints
- 11 During the debates over the ratification of the United States Constitution, Federalists and Anti-Federalists disagreed most strongly over the
- 1 division of powers between the national and state governments
  - 2 provision for admitting new states to the Union
  - 3 distribution of powers between the Senate and the House of Representatives
  - 4 method of amending the Constitution



- 12 The main purpose of the Bill of Rights is to
  - 1 prevent governmental abuse of power
  - 2 increase the power of the Federal judiciary
  - 3 provide for separation of powers
  - 4 create a bicameral legislature
- 13 The fact that the United States Constitution provided for federalism and a system of checks and balances suggests that
  - 1 the original thirteen states sought to dominate the national government
  - 2 its writers desired the national government to rule over the states
  - 3 its writers feared a concentration of political power
  - 4 the American people of that time supported a military government
- 14 The United States Supreme Court is sometimes said to fulfill a legislative function because
  - 1 its members are appointed by the President
  - 2 its judgments may determine the effect of the law
  - 3 its members serve only so long as Congress approves
  - 4 it meets regularly with Congress to advise on the appropriateness of proposed laws
- 15 Which quotation taken from the United States Constitution provides for limiting the power of government?
  - 1 "All persons born or naturalized in the United States . . . are citizens of the United States . . ."
  - 2 "This Constitution . . . shall be the supreme law of the land . . ."
  - 3 "The President shall be commander in chief of the army and navy . . ."
  - 4 "Congress shall make no law respecting an establishment of religion . . . or abridging the freedom of speech, or of the press . . ."
- 16 Which action is an example of lobbying by a special interest group?
  - 1 labor union members threatening to strike if their company opens a factory in a foreign nation
  - 2 members of Congress introducing a bill that will provide for low-interest college loans
  - 3 a congressional committee investigating the activities of organized crime
  - 4 several lumber companies asking Senators to allow logging on Federal lands
- 17 If the President has vetoed a bill, the United States Constitution provides that the bill will become a law when the bill is
  - 1 declared constitutional by the Supreme Court
  - 2 passed again by two-thirds of both houses of Congress
  - 3 approved by three-fourths of the State legislatures
  - 4 approved by a joint committee of Congress
- 18 In the United States, the electoral college system affects the campaigns of major-party presidential candidates by influencing candidates to
  - 1 concentrate upon the states with large populations
  - 2 place more emphasis on controversial issues than on personality
  - 3 focus upon the states where winning by a large plurality is likely
  - 4 appeal to the electoral college members rather than to the general public



- 19 The decision of President George Washington to use the state militia to put down the Whiskey Rebellion in 1794 demonstrated that the
  - 1 states were still the dominant power in the new nation
  - 2 President was becoming a military dictator
  - 3 Federal Government had no authority to impose an excise tax
  - 4 new National Government intended to enforce Federal laws
- 20 In United States history, which statement best represents the political ideology of Alexander Hamilton and the Federalists?
  - 1 Only the wealthy will survive in the economic system.
  - 2 A strong central government is essential for the economic growth of the nation.
  - 3 No one should have to pay taxes to the National Government.
  - 4 Elected officials should give public jobs to those who helped them into office.
- 21 The major role of political parties in the United States is to
  - 1 protect the American public from corrupt public officials
  - 2 insure that free and honest elections are held
  - 3 nominate candidates for public office and conduct campaigns
  - 4 meet constitutional requirements for choosing the President
- 22 The term "judicial review" refers to the power of the
  - 1 Supreme Court to determine the constitutionality of laws
  - 2 Congress to pass laws over the veto of the President
  - 3 states to approve amendments to the Constitution
  - 4 President to veto bills passed by Congress
- 23 In deciding to purchase the Louisiana Territory, President Thomas Jefferson had to overcome the problem of
  - 1 obtaining the support of Western settlers
  - 2 passing the constitutional amendment necessary to authorize the purchase
  - 3 avoiding a possible war with England over the purchase
  - 4 contradicting his belief in a strict interpretation of the Constitution
- 24 "The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations to have with them as little *political* connection as possible."

—George Washington, Farewell Address, 1796

This statement helped establish the United States foreign policy called

  - 1 containment
  - 2 internationalism
  - 3 imperialism
  - 4 neutrality
- 25 The Monroe Doctrine declared that the United States would
  - 1 prevent the establishment of new European colonies anywhere in the world
  - 2 help colonies in North and South America adopt a democratic form of government
  - 3 view European interference in the Americas as a threat to the national interest of the United States
  - 4 prevent other nations from trading with South American nations



- 26 "Many, if not most, of our Indian wars have had their origin in broken promises and acts of injustice on our part."
- The author of this statement would most likely agree that the history of United States treatment of Native Americans was primarily the result of
- 1 prejudice toward Native American religions
  - 2 the desire for territorial expansion
  - 3 a refusal of Native Americans to negotiate treaties
  - 4 opposing economic and political systems
- 27 Which was the most important reason for the social mobility that existed in the English colonies of North America during the 18th century?
- 1 absence of racial prejudice among the colonists
  - 2 existence of a strong cultural heritage
  - 3 early emphasis on rapid industrialization
  - 4 availability of land
- 28 Under mercantilism, the thirteen American colonies were expected to provide Great Britain with
- 1 finished American-manufactured goods
  - 2 raw materials and markets for British products
  - 3 officials to represent colonial interests in Parliament
  - 4 laborers to work in British factories
- 29 Which feature of the United States government is based upon principles found in the Magna Carta and the Petition of Right?
- 1 the levying of a personal income tax
  - 2 the power of Congress to declare war
  - 3 the power of the House of Representatives to originate all revenue bills
  - 4 Presidential veto power
- 30 In the 18th century, the British colonies in North America were most similar to Great Britain in their
- 1 common law legal system
  - 2 countrywide established church
  - 3 opportunities for social mobility
  - 4 dependence upon manufacturing as the economic base
- 31 Which was most influential in making the idea of separation of church and state a part of the United States political tradition?
- 1 the democratic heritage of ancient Athens
  - 2 the Roman Republic's principles of religious freedom
  - 3 practices of European colonial governments
  - 4 the diversity of the new nation's population
- 32 Which idea had a major influence on the authors of the Articles of Confederation?
- 1 A strong central government threatens the rights of the people and the states.
  - 2 All of the people must be granted the right to vote.
  - 3 Three branches of government are needed to protect liberty.
  - 4 The central government must have the power to levy taxes and to control trade.
- 33 At the Constitutional Convention of 1787, the Three-fifths Compromise and the Great Compromise dealt with the issue of
- 1 amendments to the Constitution
  - 2 women's rights
  - 3 representation in Congress
  - 4 the rights of the accused



- 34 In the 1780s, the publication of *The Federalist* papers was intended to
- 1 justify the American Revolution to the colonists
  - 2 provide a plan of operation for the delegates to the Constitutional Convention
  - 3 encourage ratification of the United States Constitution
  - 4 express support for the election of George Washington to the Presidency
- 35 Under the United States Constitution, those powers not delegated to the federal government are
- 1 exercised only by state governors
  - 2 concerned only with issues of taxation
  - 3 reserved to the states or to the people
  - 4 divided equally between the states and the national government
- 36 "The accumulation of all powers, legislative, executive, and judicial, in the same hands . . . may justly be pronounced the very definition of tyranny."
- The writers of the United States Constitution intended to prevent the situation described in this quotation by
- 1 developing a system of checks and balances
  - 2 relying on an electoral college
  - 3 establishing political parties
  - 4 including the implies powers clause
- 37 Only a small number of amendments have been added to the United States Constitution mainly because the
- 1 executive branch has feared a loss of power
  - 2 Constitution has been broadly interpreted and applied
  - 3 public has not objected to the government's use of its power
  - 4 Constitution is clear in its original intent and seldom needs amending

- 38 "The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it."

This provision is evidence that the writers of the United States Constitution

- 1 wanted the President to have unlimited power during wartime
- 2 wanted to balance individual liberty with the needs of the nation
- 3 did not trust the common people to obey the laws
- 4 expected the American people to oppose most government policies

Four statements dealing with the formation of a new government are given below. Base your answers to questions 39 and 40 on these statements and on your knowledge of social studies.

*Statement A:* Each person must be able to voice his or her concerns on all issues that involve this new nation and bear the responsibility for the decisions made.

*Statement B:* The power of this new nation must rest in a strong, stable group that makes important decisions with the approval, but not the participation, of all.

*Statement C:* There must be several governments within one nation to ensure adequate voice and responsibility to all.

*Statement D:* Individuals must not allow their freedoms to be swallowed by an all-powerful government.

- 39 Which statement best shows the desire for safeguards such as those in the Bill of Rights?
- |     |     |
|-----|-----|
| 1 A | 3 C |
| 2 B | 4 D |
- 40 Which statement best represents the ideas of federalism?
- |     |     |
|-----|-----|
| 1 A | 3 C |
| 2 B | 4 D |



