



LOUISIANA HIGH SCHOOL CIVICS

Federalism



Foundations of Freedom

Teacher Guide, Volume 1



Declaration of Independence



Louisiana state government



Congress



U.S. Constitution



FOUNDATIONS OF FREEDOM



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Introduction

ABOUT THIS PROGRAM

Big Idea

The U.S. government developed from fundamental ideas and principles about the role of government in a society and how that government should carry out its role and responsibilities to the people.

The study of civics is essential to understanding the origin, purpose, and functions of the United States government. By learning about the philosophical, historical, and practical foundations of our constitutional republic, we can better understand how it functions on local, state, and national levels to represent and meet the needs of the people of the United States.

The most important ideas in Volume 1 are:

- As they developed the government of the United States, the Founders were heavily influenced by ancient governments, Enlightenment philosophies, and earlier governing documents, including the Magna Carta, the Mayflower Compact, and the Declaration of Independence.
- The drafting and ratification of the United States Constitution—which provides for a government built around the ideas of representative democracy, the separation of powers, checks and balances, and federalism—required much debate and many compromises.
- The Constitution is made up of a preamble and seven articles that establish the structure of the U.S. government, its functions and powers, and how the Constitution itself can be changed; the Bill of Rights, which guarantees many individual freedoms, was added to the Constitution not long after its ratification.
- The U.S. federal government is made up of a legislative branch, executive branch, and judicial branch, each of which has its own powers and the ability to check the powers of the other branches.
- The structure and functions of the three branches of the federal government have changed over time to reflect changing interpretations of the Constitution, national events, and the changing needs of the people of the United States.
- In the United States, federal, state, local, and tribal governments work together to meet the needs of the people they serve; in Louisiana, the state constitution reflects changes within the state over time and a long history of various legal traditions.

NOTE: The content provided in this program is meant as a jumping-off point, a beginning point, for a deeper understanding of American government. These materials are meant not as an end but as a beginning.

PROGRAM RESOURCES

Student Components

Foundations of Freedom, Student Volumes 1 and 2—five units (two in Volume 1, three in Volume 2)

The Student Volumes provide traditional narrative text and high-quality images that explain and discuss the foundations, development, structure, responsibilities, and processes of American government. Interspersed with the text and images are Primary Source Features and Think Twice boxes, which pose questions for students to answer, either in writing or in oral discussion. These questions prompt a deeper analysis of the text. Possible responses to the Think Twice questions are provided in the topic-level support in the Teacher Guide. Each Student Volume also includes a glossary of vocabulary terms and an appendix of the U.S. Supreme Court cases discussed in the text.

Foundations of Freedom DBQ Workbook Student Edition

The DBQ workbook that accompanies this program provides additional primary and secondary sources related to content in the Student Volume, including text excerpts, photographs, graphs and charts, and political cartoons. These supplementary sources build upon essential ideas within each unit. Each source in the workbook is followed by a set of questions designed to inspire students to apply their knowledge of civics to better analyze the source.

Teacher Components

Foundations of Freedom Teacher Guide, Volumes 1 and 2—five units (two in Volume 1, three in Volume 2)

The guide includes topic-level lessons aligned to each unit of the *Foundations of Freedom* Student Volumes that contain background and support notes, student activities, primary source analyses, discussion prompts, and questions designed to reinforce the topic content. Topic assessments, a document-based Performance Task Assessment, and activity pages are included in the Teacher Resources at the end of every unit.

- The topic assessments test knowledge of each topic using standard testing formats.
- The Performance Task requires students to apply the knowledge learned during the unit by responding in writing to a claim and supporting their answer with details from primary sources and their unit reading.
- The activity pages are designed to support, reinforce, and extend content and activities presented in the unit.

Foundations of Freedom DBQ Workbook Teacher Edition

The DBQ Workbook that accompanies this program provides additional primary and secondary sources related to content in the Student Volume, including text excerpts, photographs, graphs and charts, and political cartoons. These supplementary sources build upon essential ideas within each unit. Each source in the workbook is followed by a set of questions designed to inspire students to apply their knowledge of civics to better analyze the source. The Teacher Edition provides answers to these questions and prompts for class discussion and debate, as well as an optional Primary Source Analysis Activity Page and suggestions for implementation.

Foundations of Freedom Instructional Slide Deck—These individual images reinforce key concepts from the Student Volume. In addition to an image, each slide contains a caption, the Framing Question, and speaker notes designed to guide the teacher as they and students progress through a topic.

Online Resources



Use this link to download the Foundations of Freedom Online Resources, where the specific links to the Instructional Slide Decks may be found:

<https://www.coreknowledge.org/foundations-of-freedom>

The Online Resources for each unit also include links to resources mentioned in the topic-level support in the Teacher Guide, including maps, diagrams, images, and videos. You should check the links prior to using them in class to assess their suitability.

Pacing Guide

Foundations of Freedom can be implemented as a semester course or a full-year course. We have provided general pacing guides as guidance on how to use both volumes of *Foundations of Freedom* in a semester or full school year. You will find the Sample Pacing Guides in the Foundations of Freedom Online Resources. We recommend that you do not deviate from the number of instructional days indicated in the Pacing Guides to ensure that you have sufficient instructional time to complete all units and provide a review before the LEAP civics assessment. There are many options and ways that you may choose to individualize this program for your students based on their interests and needs. If you plan to create a customized pacing guide for your class, we strongly recommend that you preview the entire program and create your pacing guide before teaching the first unit.

Online Resources



To find the Sample Pacing Guides, download the Foundations of Freedom Online Resources:

<https://www.coreknowledge.org/foundations-of-freedom>

What Teachers Need to Know

Each topic of the Teacher Guide is accompanied by a brief What Teachers Need to Know document that provides background information related to the topic content. The background information will summarize the topic content and provide some additional details or explanation. These documents are not meant to be complete histories but rather memory refreshers to help provide context for what students are learning.

To find the What Teachers Need to Know documents, look for the link to download the Foundations of Freedom Online Resources at the beginning of each topic.



Talk It Over

Each topic includes multiple opportunities for discussion or debate in the Guided Reading and the DBQ Workbook. These opportunities will be marked with the debate icon shown above. Before implementing any of these discussions or debates, you may wish to review with students the rules for respectful conversation.

Online Resources



For more about classroom discussions and debates, including an evaluation rubric, download the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

Framing Questions

At the beginning of each Teacher Guide topic, you will find a Framing Question, also found at the beginning of each Student Volume topic. The Framing Questions are provided to help establish the bigger concepts and to provide a general overview of the topic. The Framing Questions in Volume 1, by topic, are:

Topic	Framing Questions
Unit 1	
1	How does the U.S. government differ from other systems of government?
2	What ideas and events influenced the formation of the U.S. government?
Unit 2	
1	How does the Constitution protect liberty?
2	What are the roles and responsibilities of each branch of the federal government?
3	How has the role of the government changed from 1789 to the present?
4	How does federalism affect all parts of government in the United States?

Core Vocabulary

Domain-specific vocabulary and phrases highlighted in each topic of the Student Volume are listed at the beginning of each Teacher Guide topic, in the order in which they appear in the Student Volume. Student Volume page numbers are also provided. The vocabulary terms in Volume 1, by topic, are:

Topic	Core Vocabulary
Unit 1	
1	liberty, governance, government, democracy, direct democracy, legislature, republic, monarchy, social contract, constitutional monarchy, autocracy, authoritarian, totalitarian, fascism, theocracy, representative democracy, constitutional republic, dictator, tyranny, oligarchy, unitary, federal, confederate, head of state, head of government, parliamentary system, presidential system, political party, bicameral, unicameral, capitalism, socialism, communism, separation of powers, checks and balances, mixed economy
2	baron, charter, natural rights, due process, pilgrim, precedent, depose, denomination, militia, mitigate, Electoral College, habeas corpus, bill of attainder, ex post facto law, treason, ratify

Unit 2

1	preamble, consent of the governed, popular sovereignty, apportionment, enumerated power, jurisdiction, veto, slander, libel, probable cause, warrant, eminent domain
2	constituent, congressional district, revenue, impeach, implied power, budget, appropriation, levy, oversight, hearing, "line of succession," caucus, filibuster, cloture, bully pulpit, executive order, judiciary, appeal, brief, original jurisdiction, judicial review
3	enumeration, franchise, "political machine," term limit, grassroots campaign, pocket veto, martial law, equal protection, prior restraint, executive privilege
4	infrastructure, reserved power, concurrent power, reservation, mandate, Black Code, civil law, county, parish, police jury, ordinance, home rule charter, zoning, sovereign

Activity Pages

The following activity pages can be found in the Teacher Resources for each unit. They are to be used with the topic specified either as reference, for additional classwork, or for homework. Be sure to make sufficient copies for your students prior to conducting the activities.

Activity Pages



AP 1.1
AP 1.2
AP 1.3
AP 1.4
AP 1.5
AP 2.1

Unit 1

- Topics 1 and 2—Primary Source Analysis (AP 1.1)
- Topic 1—Venn Diagram (AP 1.2)
- Topic 1—Comparing Social Contract Ideologies (AP 1.3)
- Topic 1—Comparing Government Types (AP 1.4)
- Topic 1—The Three Branches of Government (AP 1.5)
- Topic 2—Domain Vocabulary: Unit 1 (AP 2.1)

Unit 2

- Topics 1–4—Primary Source Analysis (AP 1.1)
- Topic 1—Articles I–III of the U.S. Constitution (AP 1.2)
- Topic 1—The U.S. Bill of Rights (AP 1.3)
- Topic 2—A Historic Executive Order (AP 2.1)
- Topic 2—Domain Vocabulary: Topics 1–2 (AP 2.2)
- Topic 3—Timeline Template (AP 3.1)
- Topic 4—Louisiana Agency Interactions (AP 4.1)
- Topic 4—Domain Vocabulary: Topics 3–4 (AP 4.2)

Activity Pages



AP 1.1
AP 1.2
AP 1.3
AP 2.1
AP 2.2
AP 3.1
AP 4.1
AP 4.2

Allen, Danielle. *Our Declaration: A Reading of the Declaration of Independence in Defense of Equality*. W. W. Norton, 2014.

Blumenthal, Karen. *Jane Against the World: Roe v. Wade and the Fight for Reproductive Rights*. Roaring Brook Press, 2020.

Bolden, Tonya. *Strong Voices: Fifteen American Speeches Worth Knowing*. Illustrated by Eric Velasquez. HarperCollins, 2020.

Creek, P. J., and Jamie Creek. *We the People and the President*. Roaring Brook Press, 2021.

Dillon, Molly, comp. *Yes She Can: 10 Stories of Hope & Change from Young Female Staffers of the Obama White House*. Random House, 2019.

Fleischer, Jeff. *Civic Minded: What Everyone Should Know About the U.S. Government*. Zest Books, 2024.

Goldstone, Lawrence. *Separate No More: The Long Road to Brown v. Board of Education*. Scholastic, 2021.

How to Be a Global Citizen. DK, 2021.

Leavitt, Hannalora. *The Disability Experience: Working Toward Belonging*. Illustrated by Belle Wuthrich. Orca Book Publishers, 2021.

Levinson, Cynthia, and Sanford Levinson. *Fault Lines in the Constitution: The Framers, Their Fights, and the Flaws That Affect Us Today*. Illustrated by Adela Pons. Peachtree Publishing, 2019.

Maier, Pauline. *American Scripture: Making the Declaration of Independence*. Vintage Books, 1998.

Maier, Pauline. *Ratification: The People Debate the Constitution, 1787–1788*. Simon & Schuster, 2011.

Marcus, Leonard S. *You Can't Say That! Writers for Young People Talk About Censorship, Free Expression, and the Stories They Have to Tell*. Candlewick Press, 2021.

Powell, Patricia Hruby. *Loving vs. Virginia: A Documentary Novel of the Landmark Civil Rights Case*. Illustrated by Shadra Strickland. Chronicle Books, 2017.

Zimet, Susan, and Tod Hasak-Lowy. *Roses and Radicals: The Epic Story of How American Women Won the Right to Vote*. Viking BYR, 2018.

Unit 1: Foundations of the United States Government

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TOPIC 1: Purpose and Types of Government

Framing Question: How does the U.S. government differ from other systems of government?

Primary Focus Objectives

- ✓ Explain the purpose of government and summarize major theories about why government is necessary. (C.8, C.8.a)
- ✓ Describe the ideas and influences that laid the foundation for modern democracies, including that of the United States. (C.4, C.8.d, C.8.g)
- ✓ Compare the various systems of government used worldwide in terms of their structure, leadership, and exercise of power. (C.8.b)
- ✓ Compare the U.S. government, in its structure and principles, to other governments past and present. (C.8, C.8.b)
- ✓ Compare economic systems and the role that different governments take within them. (C.13)
- ✓ Understand the meaning of the following domain-specific vocabulary: *liberty, governance, government, democracy, direct democracy, legislature, republic, monarchy, social contract, constitutional monarchy, autocracy, authoritarian, totalitarian, fascism, theocracy, representative democracy, constitutional republic, dictator, tyranny, oligarchy, unitary, federal, confederate, head of state, head of government, parliamentary system, presidential system, political party, bicameral, unicameral, capitalism, socialism, communism, separation of powers, checks and balances, and mixed economy.*

What Teachers Need to Know

Online Resources For background information, download the Foundations of Freedom Online Resource “About Purpose and Types of Government”:



www.coreknowledge.org/foundations-of-freedom

Materials Needed

Activity Pages



- individual student copies of Primary Source Analysis (AP 1.1), Venn Diagram (AP 1.2), Comparing Social Contract Ideologies (AP 1.3), Comparing Government Types (AP 1.4), and The Three Branches of Government (AP 1.5)

AP 1.1
AP 1.2
AP 1.3
AP 1.4
AP 1.5

Core Vocabulary (Student Volume page numbers listed below)

liberty, n. the state or quality of being free (3)

Example: The suffragists believed that women and men alike should have the liberty to take part in politics.

Variations: liberties

governance, n. the act of overseeing and directing the resources, actions, and responsibilities of a group or place (4)

Example: The company made popular products, but it suffered from poor governance.

government, n. the group or organization that makes decisions on behalf of the people in a political unit, such as a country, state, or city (4)

Example: The new mayor promised to make the city's government more responsive to its citizens and their needs.

Variations: governmental (adj.)

democracy, n. a government in which the people hold power (6)

Example: Voting is an essential civic duty in any democracy.

Variations: democracies, democratic (adj.)

direct democracy, n. a government in which citizens vote directly on the issues that affect them (7)

Example: Ancient Athens provides one of the most famous examples of a direct democracy, in which citizens voted against or in favor of city decisions.

legislature, n. the lawmaking body in a government (9)

Example: The legislature of the United States is called Congress.

Variations: legislator (n.), legislative (adj.), legislate (v.)

republic, n. a society governed by representatives of the people (10)

Example: The laws of the ancient Roman Republic were enacted by popularly elected assemblies.

Variations: republican (adj.)

monarchy, n. a form of government with a head of state who inherits the position and rules for life (11)

Example: In the British monarchy, the heir to the throne is normally the oldest child of the reigning king or queen.

Variations: monarchies, monarch (n.), monarchical (adj.)

social contract, n. the idea that a government is an agreement between those who are governed and those who govern (11)

Example: Locke argues that when the government breaks the social contract, the people no longer need to obey it either.

constitutional monarchy, n. a monarchy in which laws or customs significantly limit the monarch's power (15)

Example: A constitutional monarchy is a kind of democracy even under the rule of a king or queen.

autocracy, n. a form of government in which one person has unlimited power and authority (15)

Example: The North Korean government, where a member of the same family has held power for generations, is widely considered an autocracy.

Variations: autocracies, autocrat (n.), autocratic (adj.)

authoritarian, adj. characterized by the concentration of governmental authority in a leader not constitutionally accountable to the people (15)

Example: Under authoritarian rule, the people of a country have few if any legitimate ways to express their grievances.

Variations: authoritarianism (n.), authoritarian (n.)

totalitarian, adj. characterized by a centralized government that asserts total control over citizens and the national economy (15)

Example: A totalitarian government regulates everything from the jobs people hold to the television channels that are broadcast.

Variations: totalitarianism (n.), totalitarian (n.)

fascism, n. a form of totalitarian government characterized by dictatorship, political oppression, extreme nationalism, and bigotry against minority groups (16)

Example: The rise of fascism in 1930s Europe led many to flee their homes for fear of persecution.

Variations: fascist (n.), fascist (adj.)

theocracy, n. a form of government in which a religious leader, or leaders, holds power (16)

Example: The most powerful modern theocracy is the Islamic Republic of Iran, where a Muslim cleric serves as supreme leader.

Variations: theocrat (n.), theocratic (adj.)

representative democracy, n. a form of democracy in which people elect representatives instead of voting directly on laws (16)

Example: In the representative democracy of Botswana, the people elect members of the National Assembly.

constitutional republic, n. a government in which leaders are elected by the people and carry out their roles as outlined in the country's constitution, or set of principles and laws (16)

Example: The United States, whose constitution went into effect in 1790, is one of the oldest constitutional republics.

dictator, n. a head of government who has unlimited power and authority (17)

Example: None of the dictator's advisors dared to question his policies, even when they expected them to be disastrous.

Variations: dictatorship (n.), dictatorial (adj.)

tyranny, n. oppressive, harsh power (17)

Example: Her grandparents immigrated to the United States to escape the tyranny of the Nazi regime.

Variations: tyrant (n.), tyrannical (adj.), tyrannize (v.)

oligarchy, n. a government led and controlled by a small group of people (17)

Example: Extreme wealth inequality can lead to oligarchy when a handful of rich individuals "buy" government influence.

Variations: oligarchies, oligarch (n.), oligarchic (adj.)

unitary, adj. characterized by having a strong central government that exercises most of the political power (17)

Example: Japan's unitary government sets policy for the entire country.

federal, adj. characterized by sharing power between a central government and various smaller governments (17)

Example: In Canada's federal system, the provinces are granted significant power to make their own policies.

Variations: federation (n.), federalism (n.)

confederate, adj. formed out of smaller, highly independent members such as tribes or states (17)

Example: In the confederate government of the Haudenosaunee, each individual nation has significant influence in decision-making.

Variations: confederation (n.), confederacy (n.)

head of state, n. the symbolic and ceremonial leader of a country who may also exercise political power (18)

Example: The king of the Netherlands is a largely ceremonial head of state.

Variations: heads of state

head of government, n. the political leader of a country who oversees government policies at the highest level (19)

Example: As head of government, the president tasked the secretary of transportation with finding a way to advance the country's airline industry.

Variations: heads of government

parliamentary system, n. a system in which the people elect the legislature, whose members then choose a leader to head the government (19)

Example: Because the United Kingdom has a parliamentary system, it has a prime minister instead of a president.

presidential system, n. a system of representative democracy in which the people elect both the legislature and the head of government (19)

Example: Under the presidential system, people around the country vote to decide who the next head of government will be.

political party, n. an organized group whose members support candidates for political office based on shared ideals and goals (20)

Example: In Europe, political parties often form around issues such as the environment or government reform.

bicameral, adj. in a legislature, having two separate houses or chambers (20)

Example: The United States has a bicameral legislature consisting of two houses: the Senate and the House of Representatives.

unicameral, adj. in a legislature, having a single house or chamber (20)

Example: Denmark has a unicameral legislature called the *Folketing*, meaning the people's assembly.

capitalism, n. an economic system in which individuals and private companies own the means of production and operate for profit (21)

Example: Capitalism relies on competition, or rivalry between the producers of goods and services, within a market free from government regulation.

Variations: capitalist (n.), capitalist (adj.), capitalistic (adj.)

socialism, n. an economic system in which the government or community collectively owns and controls major industries (21)

Example: Under socialism, the government's robust involvement and regulation of major economic sectors is tied to the idea that such an approach will remove social inequalities.

Variations: socialist (n.), socialist (adj.)

communism, n. an economic system in which all property is publicly owned and the government makes all decisions about production and distribution (21)

Example: In the former Soviet Union, the government's adherence to communism meant that it decided how goods and services were produced and consumed.

Variations: communist (n.), communist (adj.)

separation of powers, n. division of government into different branches with distinct responsibilities (24)

Example: Without the separation of powers, the same people who make laws might get to decide whether they are constitutional.

checks and balances, n. ways in which different branches of government limit (or check) each other's powers (24)

Example: The system of checks and balances allows the Supreme Court to strike down new laws that violate the Constitution.

mixed economy, n. an economy that includes capitalistic elements of a free market as well as some government intervention in the interest of both economic stability and the public good (24)

Example: Although companies and individuals own the means of production in the United States, the country's mixed economy also allows government regulation of many industries, such as automobile manufacturing.

THE CORE LESSON

Introduce *Foundations of the United States Government*

Have students turn to the unit opener on page 1 or display Slide 3 in the Topic 1 Instructional Slide Deck, and invite them to identify the document shown on the title page and share its significance. Students will likely recognize that this is the preamble (opening) to the Constitution, though some may misidentify the document as the Declaration of Independence. Be prepared to discuss the distinction between these two documents and their roles in American government if any confusion arises. Confirm that the page shows the Constitution, and share that this is the fundamental law on which all other legislation and court decisions in the United States are based.

Invite students to reflect on the meaning of the Constitution's famous opening phrase, "We the People." Who are "the people" for the purposes of choosing the way the United States will be governed? How might the Constitution and its legacy be different if it had begun with "We the Leaders" or "We the Rulers"?

Introduce "Purpose and Types of Government"

Ask students to brainstorm what they know about the United States' system of government. What kinds of people work within it? What jobs or titles do they have, and how are they chosen for those jobs? Confirm or clarify statements offered by the students.

Emphasize that many roles in the U.S. government have counterparts worldwide; for example, many countries have congresses that make laws and high courts that decide important legal matters. What makes the U.S. government unique is not its individual parts but the way they fit together. To understand this, this topic will look at the history of democratic government. The next topic will then explore the specific circumstances and influences that made the early U.S. government what it was.

Call students' attention to the Framing Question. Tell students to be on the lookout for similarities and differences between the U.S. government and governments of other countries.

Guided Reading Supports for “Purpose and Types of Government”



“Individual Liberty and the Common Good,” pages 2–3

Scaffold understanding as follows:

Have students read the section on pages 2–3.

CORE VOCABULARY—Point out the vocabulary term *liberty*, and explain its meaning.

SUPPORT—Explain to students that the Anglican clergy were members of or associated with the Church of England.

SUPPORT—Invite students to examine the details of the painting of Patrick Henry on pages 2–3. Ask: What sorts of expressions do the listeners wear? (*Students may observe that some of the people listening to Patrick Henry look interested and attentive but that others seem distracted or even angry.*) Next, call attention to the man at the upper left drawing a sword and wearing a stern expression. Invite students to consider why Patrick Henry might have inspired a mixed reaction when he argued that the British Crown had overstepped its bounds. (*Students may note that some in the House of Burgesses may have felt more loyalty to the British government than Henry did.*) (C.6, C.6.c)

SUPPORT—Share with students that the phrase *common good* refers not just to things people all have, or own, in common but also to the things that a society is expected to provide or protect for everyone’s benefit. Provide a few examples of decisions that would serve the common good and decisions that would not. For instance, protecting freedom of speech serves the common good, but repressive censorship does not. Creating parks, museums, and other facilities for people to enjoy serves the common good; selling parkland to create a private resort does not.

After students read the text, ask the following questions:

LITERAL—Why did Patrick Henry disagree with the British government in the Parson’s Cause? (C.2, C.6.a)

- » Patrick Henry believed that the people of Virginia should be able to make their own laws about local matters, including how much Virginia clergy were paid.

ANALYTICAL—The decision to go to war was clearly very different from the Parson’s Cause. Knowing this, what does the text mean when it states that “Henry is arguing the same cause again”? (C.2)

- » In both cases, Henry was arguing that the American colonists should be able to make decisions for themselves. In the Parson’s Cause, the British government had tried to overrule colonial laws. Now, the British military was attempting to stop a revolution.

“What Is Government?,” page 4

Scaffold understanding as follows:

Have students read the section on page 4.

CORE VOCABULARY—Point out the vocabulary terms *governance* and *government*, and explain their meanings.

SUPPORT—Underscore that *governance* and *government* are related words. Elaborate that the verb *govern* has a very broad meaning: to regulate, control, or guide. Students with an interest in cars or who have family members who work in the automotive or trucking industry may know that a *governor* is a device that regulates engine speed. Explain that in a sense, much of what the government does is keep things—the economy, pollution, conflicts between people and groups—from getting out of control by regulating them. (C.4, C.8.a)

SUPPORT—Students may begin this unit with the impression that *government* and *politics* are different words for the same concept. Share that *politics* refers to the process of debate, compromise, and competition by which people decide what government will do and who will be in charge.


After students read the text, ask the following questions:

LITERAL—What is governance, and what kinds of groups does it apply to? (C.8.a)

- » Governance is any kind of leadership and decision-making for a group of people. Governance applies to almost any kind of group, from a youth basketball team to a large corporation. Leaders in charge make decisions and establish rules that all members of the group must follow.

LITERAL—What is a government? (C.8.a)

- » A government is an organization or group that makes decisions on behalf of the people in a country, state, or city.

 **THINK TWICE**—What does a government do?

- » A government makes and enforces laws and decisions for a group of people.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the U.S. government differ from other systems of government?” (C.9.a)

“Why Do We Need Government?” and “Two Views on the Role of Government,” pages 4–6

Have students read the section “Why Do We Need Government?” on pages 4–6.

SUPPORT—Invite students to examine the political cartoon on page 5. Point out that many people in the United States and in other countries rely on government services at various points in their lives. For instance, public education is a service that benefits young people and is provided mainly by state governments. Various government programs also help older people—for instance, by helping keep health care affordable as people age and their medical needs increase. Ask students to read the cartoon’s caption and reflect on why someone might prefer a government that provides fewer services. Then ask students to reflect on why someone else might prefer a government that provides more services. (C.8.b, C.8.c)

SUPPORT—Point out the short list of problems that a modern government must solve on page 5. Invite students to list other problems that we might expect a government to solve that did not exist in the ancient world. (C.6.c, C.8.b)

Next, have students read the sidebar “Two Views on the Role of Government” on page 5.

SUPPORT—Point out that although Plato’s dialogue is titled *The Republic*, the society he talks about is different from the republics in ancient times (such as Rome) or modern times (such as the United States). Today, the term *republic* generally refers to a country where the leaders are chosen by the people to represent them—examples of which are presented later in this topic. In Plato’s idealized system, the rulers are their own separate social class, and it is their wisdom and goodness that entitle them to rule. You may wish to discuss with students how good, wise leaders can be chosen.

SUPPORT—Clarify that although different levels of government often work together to solve problems, there may be instances of conflict and friction. Deciding what powers and responsibilities belong to the federal (national) government and which ones belong to the states was, and is, a challenge for the United States and any country with a federal system. The early history of this issue will be covered in detail in the next topic, and modern developments will be addressed in Unit 3. For now, students simply need to know that there is a balance to be struck between different levels of government and that there is a history of sincere and passionate disagreement about where that balance lies.

After students read the text, ask the following questions:

ANALYTICAL—Explain why people often disagree about the costs and benefits of services that governments may provide. **(C.8.g)**

- » A government that provides more services costs its citizens more (in taxes) but can provide more services for the common good. A government that provides fewer services costs less in taxes to operate but can do less to help or protect its people.

INFERENTIAL—Which levels of government (federal, state, local) would you expect to be involved in a town’s recovery from an earthquake, and why? **(C.7.c, C.8.g)**

- » Possible response: Because an earthquake can cause major, widespread damage to key services, including the water supply and road infrastructure, I would expect the federal government to help by sending people and money to ensure that people have the medical care, food, and shelter they need. The state government might also help with funding and resources from across the state, not just the area affected by the earthquake. And the local government would probably have its own plans for ways to help people rebuild and prevent similar damage in the future, especially if earthquakes are common in that town.

ANALYTICAL—How did Weber’s view of government differ from Plato’s view? **(C.6.c)**

- » Plato thought that the government’s job was to keep people from “meddling” in each other’s business so that they could live their lives in peace. Weber considered government to be a kind of “monopoly of . . . force,” meaning it alone was allowed to use physical violence to solve problems.

INFERENTIAL—Why might a government want or need to hold a “monopoly of the legitimate use of physical force”? **(C.8.g)**

- » If anyone were allowed to use physical force against anyone else, then potentially any dispute could turn into a violent one. On the other hand, if not even the government were allowed to use physical force, it would be unable to defend its borders or stop criminals. Therefore, a government might want or need to hold a “monopoly of . . . physical force.”

 **THINK TWICE**—How does government affect daily life?

- » Government affects daily life in many ways. It is involved in maintaining infrastructure like roads, ensuring the safety of food, and settling conflicts through the court system.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the U.S. government differ from other systems of government?” (C.7, C.8.a)

“Learning About Government from the Past” and “Ancient Greece and Rome,” pages 6–11

Scaffold understanding as follows:

Have students read the sections on pages 6–11.

CORE VOCABULARY—Point out the vocabulary terms *democracy*, *direct democracy*, *legislature*, *republic*, and *monarchy*, and explain their meanings.

SUPPORT—Clarify that the term *democracy* today applies to both *representative* and *direct* democracies. During the period of the American Revolution, when democratic systems of government were less widespread than they are today, *democracy* often referred to direct democracies specifically. Students will see an example of this usage in the final Primary Source Feature in this topic.

ACTIVITY—You may wish to have students fill in Venn Diagram (AP 1.2) to compare and contrast ancient Greek and Roman government. The completed diagram will be a useful resource for students to revisit as they learn more about the design of U.S. democracy in Topic 2. (C.2, C.4, C.8)

Note: For more on the definition of *democracy*, see the Foundations of Freedom Online Resource “About Purpose and Types of Government”:

www.coreknowledge.org/foundations-of-freedom

After students read the text, ask the following questions:

LITERAL—How did the citizens of ancient Athens participate in political decision-making? (C.4, C.8.b)

- » Athenian citizens voted directly on public issues in an assembly. They practiced direct democracy.

LITERAL—What was the official role of the Senate during the Roman Republic, and what was its role in practice? (C.8.b)

- » Officially, the Roman Senate’s role was to give advice to other parts of the government. However, in practice it was very powerful because much of its advice was followed by lawmakers.

ANALYTICAL—How did representation in government change in the later years of the Roman Republic and then again when Rome shifted from a republic to an empire? (C.8.b)

- » While only aristocrats functioned as representatives in the early Roman Republic, unrest among the lower classes eventually led to their increased representation in the lawmaking process. However, representation, via the Senate and other bodies,

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AP 1.2

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declined during the Roman Empire as emperors began to become more authoritative and claim more power over governmental decisions.

ANALYTICAL—How did the Principate differ from the Dominate? (C.8.b)

- » In the Principate, the earlier part of the Roman Empire, the emperor still respected the Senate's recommendations and followed many of the practices from the Republic. During the Dominate, however, the emperor seized more power and "dominated" other parts of the Roman government.

 **THINK TWICE**—How were the governments of ancient Rome and Greece similar and different?

- » Ancient Greece consisted of different city-states with different systems of government. Athens, one of the most powerful city-states, had a direct democracy in which citizens (only free adult males) could participate in the city's politics. Rome also had several different systems of government over time, going from a kingdom to a republic to an empire. During the Roman Republic, leaders were chosen to represent the people in creating laws and making decisions. Thus, Rome was closer to a representative democracy than to a direct democracy like the government of Athens.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, "How does the U.S. government differ from other systems of government?" (C.7, C.8.a, C.8.b)

Primary Source Feature: "Adapted from *The Athenian Constitution*, Aristotle, 322 BCE," page 8

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 8.

Introduce the source to students by reading the introductory text.

Have students read the source.

SUPPORT—Remind students that determining who was a citizen was important in ancient Athens because citizens had specific rights and responsibilities in the city-state.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner. (C.7)

After students have read the source, ask the following questions:

LITERAL—How did the people of ancient Athens decide who could participate in the Assembly? (C.7.a, C.8.b)

- » Boys whose parents were citizens became citizens at age eighteen. Then their fellow citizens voted on whether they had reached the legal age to be considered adults.

INFERENTIAL—Why might there be a vote to decide whether someone was of legal age? (C.6.a, C.8.c)

- » Possible response: Public recordkeeping might not have been as exact in ancient Athens as it is in modern times. Today, a person's age can be officially verified with a birth certificate. In ancient Greece, it may have been harder to prove in a convincing way that someone was eighteen years old.

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INFERENTIAL—What can you infer about ancient Athenian democracy from this constitutional excerpt? (C.6, C.7)

- » Possible response: Because a potential new citizen's age was formally checked before they could officially be named a citizen and participate in the government decisions that accompanied citizenship, I can infer that the Athenians closely protected their democracy and participation within it.

Primary Source Feature: “Adapted from Pericles’s Funeral Oration from the Peloponnesian War, 431 BCE,” page 8

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 8.

Introduce the source to students by reading the introductory text. Explain that the Peloponnesian War was a decades-long conflict between Athens and Sparta—a Greek city-state with very different political ideas from those of Athens—and their respective allies. Athens ultimately lost, paving the way for Sparta to gain greater regional influence. The war was a milestone development in the history of ancient Greece.

Have students read the source.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner. (C.7)

After students have read the source, ask the following questions:

LITERAL—What elements of Athenian society does Pericles praise? (C.6.a, C.8.b)

- » Pericles praises Athens for granting “equal justice” to all people and for having a constitution that other states want to imitate. He also cites the fact that in Athens, people can participate in politics whether or not they are rich or upper-class.

INFERENTIAL—Why did Pericles discuss Athens’s political system in the middle of a funeral speech for the war dead? (C.6.a, C.8.b)

- » Possible response: Pericles may have wanted to reassure listeners that those who died in the war did so while fighting for a noble cause. He may also have wanted his audience to believe that Athenian democracy was worth fighting for, as the war was not yet over.

Primary Source Feature: “Polybius on the Roman Republic,” page 9

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 9.

Introduce the source to students by reading the introductory text. Explain to students that in the Roman Republic, consuls were high-ranking political leaders with roles encompassing head of state responsibilities, including commanding the military and conducting diplomacy.

Activity Page



AP 1.1

Have students read the source.

SUPPORT—Clarify that “assemblies” includes the lawmaking bodies of Rome; remind students that the Senate’s role was simply to give advice. As Polybius points out, the people—acting through the assemblies—were the ones who approved or rejected laws.

SUPPORT—Explain that an *aristocratic* society is one in which *aristocrats*—a hereditary upper class—oversee the government. Students may recognize medieval lords and ladies as familiar examples of aristocrats.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

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AP 1.1

After students have read the source, ask the following questions:

ANALYTICAL—Polybius says that the Senate makes Rome seem like an “aristocratic” state. What does this suggest about the senators? (C.6.a)

- » The senators must have come from an upper-class background and possibly even from the same wealthy families. Although the common people were represented in Roman government, they may not have been part of the Senate.

ANALYTICAL—How does the system described by Polybius resemble the system of government in the United States? (C.8.b, C.6.c)

- » Answers will vary based on students’ background knowledge of U.S. government. Possible response: Both include different branches of government with different responsibilities. Polybius sketches out a system in which power is divided among three groups, as it is in the United States.

“The Social Contract,” pages 11–15

Have students read the section on pages 11–15.

CORE VOCABULARY—Point out the vocabulary term *social contract*, and explain its meaning.

SUPPORT—Explain Thomas Hobbes’s statement that life is “solitary, poor, nasty, brutish, and short.” By *solitary*, Hobbes means that people will in general not voluntarily band together but will fear and avoid each other—when they are not actively scheming against each other. *Poor* and *nasty* reflect the material conditions of a world in which many basic projects of civilization (construction, irrigation, possibly even agriculture) are off-limits because they would require a team effort. With *brutish*, Hobbes suggests that deprived of the benefits of society, humans would live more like animals. The lack of mutual aid and the material security it brings would combine with the threat and presence of violence to make life *short*. Tell students that as proverbial as this expression has become, it has not gone uncontested by later political philosophers. Over the centuries, Hobbes’s attitude has often been characterized as overly pessimistic, especially by those who see cooperation as part of human nature and not as an “extra” thing brought by government.

SUPPORT—Explain that a *frontispiece* is a page in a book that comes right before the title page and includes an illustration.

SUPPORT—In modern parlance, contracts are clear and detailed agreements that people deliberately make. Some examples students may be familiar with are employment agreements

and the contracts governing the provision of cell phone service. Be prepared to clarify that in using the phrase *social contract*, Jean-Jacques Rousseau does not mean people deliberately “opt in” to society the way that a person might agree to lease an apartment or pay X dollars a month for unlimited data. Rather, Rousseau and his predecessors are calling attention to the fact that (1) an informal agreement must exist for there to be a society at all and (2) this agreement is a two-way street. Under social contract theory, the government does not just hand down rules that people have to follow; it derives its ability to make rules from those same people. As the Student Volume notes, this idea is known as “consent of the governed.”


After students read the text, ask the following questions:

LITERAL—What is the social contract? (C.8.a)

- » The social contract is a way of talking about how governments come to exist. It is an unwritten agreement that people make to give up certain rights in exchange for certain protections.

INFERENTIAL—What did the Founders of the United States do to show that they wanted their new government to respect the social contract? (C.1, C.2)

- » By establishing a government by “consent of the governed,” the Founders showed that they wanted their new government to respect the social contract.

 **THINK TWICE**—How did the power of the governed vary according to Hobbes, Locke, and Rousseau? (C.6.d, C.7.d)

- » Hobbes argued that people basically need to form a social contract in order to have lives that are better than those of animals. In his view, the people do not have much power because they must obey their ruler. Locke viewed people as having more power, including the right to rebel against unfair governments. Rousseau went even further and said people have a duty to rebel in those cases.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the U.S. government differ from other systems of government?” (C.7, C.8.a)

Primary Source Feature: “Hobbes, Locke, and Rousseau on the Social Contract,” pages 12–13

Scaffold understanding as follows:

Direct students to the Primary Source Feature on pages 12–13.

Introduce the sources to students by observing that the three works excerpted here were written within the span of a century. The idea of the social contract was by no means new when the United States was founded, even if Rousseau was the first to coin the phrase.

Have students read the sources.

SUPPORT—The Student Volume mentions some of the three philosophers’ connections to the language of the United States’ founding documents. You may also wish to point out that the “natural rights” discussed by Locke are very similar to those deemed “unalienable” (incapable of being surrendered) in the Declaration of Independence. Locke says that people

have a natural right to life, liberty, and property; the Declaration of Independence uses the phrase “Life, Liberty and the pursuit of Happiness,” an idea that students will learn about in Topic 2 of this unit.

Activity Pages



AP 1.1
AP 1.3

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner. Students may complete one activity page per source or one activity page for all three sources collectively. Additionally, you may wish to have students complete Comparing Social Contract Ideologies (AP 1.3).

After students have read the sources, ask the following questions:

ANALYTICAL—What kind of war was Hobbes referring to, and how does it differ from the way we use that term today? (C.6.a, C.7.b)

- » Hobbes was referring to a conflict in which everyone is fighting for resources. This is very different from the wars fought between countries with organized militaries. There are no clear sides to the conflict that Hobbes talks about and no alliances.



TALK IT OVER—Prompt students to consider how Locke and Rousseau approach the idea of a society or a community. Have students debate or discuss the following question: Do you think that people can follow the will of their community and at the same time remain “free”? Why or why not? (C.6.b, C.6.c)

Online Resources



Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

“Modern Governments” and “Types of Governments,” pages 15–17

Scaffold understanding as follows:

Have students read the sections on pages 15–17.

CORE VOCABULARY—Point out the vocabulary terms *constitutional monarchy*, *autocracy*, *authoritarian*, *totalitarian*, *fascism*, *theocracy*, *representative democracy*, and *constitutional republic*, and explain their meanings.

SUPPORT—Students may be familiar with the concept of a ceremonial monarchy by way of the British royal family. Point out that there are many more European and Asian examples, such as the Japanese imperial family. Emphasize that today, monarchs who wield great power are the exception, not the rule.

SUPPORT—Clarify that although there have been many kinds of nondemocratic regimes throughout history, a feature of fascism has been an “us versus them” mentality in which national identity becomes supremely important. This leads to the rejection and oppression of people whom the government deems outsiders.

SUPPORT—Explain that the two examples of theocracy given in this section differ widely from each other in almost every way, apart from the basic principle that a religious leader wields some amount of secular power. The pope is the absolute monarch of Vatican City, a tiny enclave of Rome that is smaller in land area than the National Mall in Washington. His monarchical power extends over roughly a thousand people in Vatican City; he does not “rule” Catholics extraterritorially. The supreme leader of Iran wields much greater political influence than does the pope. Although both men are absolute leaders, Iran (with

a population of approximately ninety million) is a much larger country than Vatican City. Moreover, despite the appearance of the word *Republic* in “The Islamic Republic of Iran,” the supreme leader exercises much greater control of the country’s political, economic, and security decisions than do the elected president and legislature. His constitutional roles include the command of the military and appointment of high-ranking judges, but his control of the country’s electoral process and intelligence operations largely helps keep him in power.

SUPPORT—Draw students’ attention to the diagram “The Political Spectrum” on page 16. Explain that this diagram is a simplified version of the various ideologies governments follow when it comes to political, social, and economic equality. Ask: What differences in laws would you expect to find in an anarchy and autocracy? (*There would be no official laws in an anarchy because there would be no government to create and enact them. There would likely be many laws in an autocracy to ensure that the current leader’s power and authority remained unchallenged.*) What does the placement of democratic systems in the center of the spectrum indicate about democracies in general? (*Possible response: Democracies strive for a balance between too little and too much interaction between people and their government.*) **(C.8.a, C.9.a, C.9. b)**

Activity Page



AP 1.4

ACTIVITY—You may wish to have students fill in Comparing Government Types (AP 1.4) to identify characteristics of the various types of government described in this section.

After students read the text, ask the following questions:

LITERAL—What are two common kinds of democratic government today? **(C.8.b)**

- » Today, constitutional republics are one of the most common kinds of democracy, in which people elect leaders to carry out their roles as outlined in the constitution. Another common kind is a constitutional monarchy, in which the people’s representatives govern and the monarch has limited power.



TALK IT OVER—Review how the text mentions that modern countries, including the United States, do not operate as direct democracies. Have student discuss or debate this question: Does this mean that people today are less involved in government than they were in ancient times? Why or why not? **(C.7, C.8.b)**

Online Resources



Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom



THINK TWICE—What are key differences between autocratic and democratic governments?

- » In an autocratic government, political power is held by an individual or a small group. Their power is absolute, and there are severe restrictions on personal freedom. Dissent is not tolerated. In a democratic government, the people hold ultimate political power. They exercise this power through their elected representatives. Personal freedoms tend to be protected, and dissent is considered an important part of political life.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the U.S. government differ from other systems of government?” **(C.7, C.8.b)**

“Power Sharing,” pages 17–18

Scaffold understanding as follows:

Have students read the section on pages 17–18.

CORE VOCABULARY—Point out the vocabulary terms *dictator*, *tyranny*, *oligarchy*, *unitary*, *federal*, and *confederate*, and explain their meanings.

SUPPORT—Students have now seen the term *state* in a few different contexts. This is a good point at which to clarify that outside the United States, *state* often means a sovereign country. For example, the United Nations refers to different countries as “member states” or “sovereign states.” Likewise, the Greek city-states each governed themselves; they were not part of a single larger country.

SUPPORT—Clarify for students that *federal* is also often used to indicate the central or national government of the United States, as opposed to state and local governments.

SUPPORT—Explain to students that the Soviet Union (officially the Union of Soviet Socialist Republics, or U.S.S.R.) was established in 1922 following the Russian Revolution of 1917. It incorporated many of the territories of the former Russian Empire, restyled as Soviet socialist republics. For most of its existence, Soviet policymaking was nominally carried out by a large bicameral legislature elected by the people. In practice, a handful of executives and Communist Party officials made the decisions, and the legislature routinely approved them. Loyalty to the party was essentially a precondition for holding office. The degree of totalitarianism within the Soviet Union fluctuated with its leadership. From the late 1920s to his death in 1953, dictator Joseph Stalin oversaw an era of totalitarianism during which political dissidents were ruthlessly repressed. Under his successor, Nikita Khrushchev, the most extreme of Stalin’s policies, including strict censorship of the press, were relaxed or suspended. Leonid Brezhnev reversed these policies during his tenure (1964–82), building up the Soviet military during a period of economic stagnation. Mikhail Gorbachev, the last leader of the Soviet Union before its dissolution in 1991, undertook reforms intended to restructure the economy, restore freedom of the press, and cultivate friendlier relations with the West.

SUPPORT—Explain that while democracy existed in ancient Athens, tyranny and oligarchy were also common forms of government among the ancient Greek city-states. In fact, when Athens lost the Peloponnesian War, Sparta established an oligarchy to lead its occupation government, known to Athenians as the Thirty Tyrants. These leaders ruled for about a year (404–403 BCE) before Athenian rebels ousted them and restored the city’s democratic form of government.

After students read the text, ask the following questions:

ANALYTICAL—How is power both shared and limited within a federal system of government? **(C.8.g)**

- » In a federal system, power is shared because some powers belong to the state governments and some only to the federal, or central, government. Through this power sharing, both levels of government are limited to some extent in what they can do.


ANALYTICAL—Is every authoritarian government a dictatorship? Why or why not? **(C.8.b)**

- » In any authoritarian government, a small number of people hold power over the rest of the population. However, a dictatorship is not the only way this can happen.

An authoritarian country could also be a monarchy, where rule is hereditary, or an oligarchy, where a small number of people rule together as the central government.

INFERENTIAL—During the American Civil War, Southern states organized into a group called the Confederacy. Meanwhile, the Northern states referred to themselves as the Union. What do those two names imply about the way power was shared between them? (C.1, C.3, C.8.b)

- » By labeling themselves the Confederacy, the states in the South showed that they believed individual states should have more autonomy than they had under the federal government. Conversely, by calling themselves the Union, the states in the North emphasized their loyalty to the federal government and willingness to give up some power to that government.

 **THINK TWICE**—What are the different ways power can be shared in a government?

- » Governments can be unitary, meaning that the central government holds most of the power. They can be federal, meaning the central government and individual smaller governments (like the U.S. states) share power. They can also be confederate, in which case individual states or groups hold most of the power and the central government is less powerful.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the U.S. government differ from other systems of government?” (C.7, C.8.b)

“Head of State vs. Head of Government,” pages 18–20

Scaffold understanding as follows:

Have students read the section on pages 18–20.

CORE VOCABULARY—Point out the vocabulary terms *head of state*, *head of government*, *parliamentary system*, *presidential system*, and *political party*, and explain their meanings.

SUPPORT—Clarify as needed that in a government context, *secretary* and *minister* are two terms for the same role. *Secretary* is more common in presidential systems and *minister* in parliamentary systems, but they both refer to high-level executive officials who oversee broad policy areas. Likewise, what students know as *departments* (e.g., the Department of Defense) are often called *ministries* in countries with a parliamentary system.

SUPPORT—Guide students through each panel of the “Presidential and Parliamentary Governments” diagram on page 19. On the left, point out that when people go to the polls in America, they vote both for legislators who will represent them in Congress and for a presidential candidate. Emphasize that both of these decisions are voted on by the people, which is why there are two arrows pointing from “Voters.” Next, point out that under a parliamentary system, such as the United Kingdom, people vote only for the legislature (members of Parliament). Those legislators then decide who will be the head of government (the prime minister). This is why there is no arrow going directly from voters to “Head of Government.” In a country with a parliamentary system, when voters want to influence the choice of prime minister, they do so through the individuals they elect to serve in the parliament.


After students read the text, ask the following questions:

LITERAL—Is the president of the United States a head of state, a head of government, or both? (C.8.b)

- » The president of the United States serves as both the head of state and the head of government. This is typical of countries that follow the presidential system.

ANALYTICAL—Why might it be beneficial to have the same person as the head of state and the head of government? What are some reasons a country might have a separate head of state and head of government? (C.8.b)

- » Having the same person as the head of state and the head of government could allow a country to act more decisively in emergencies. It could also give voters confidence that they are choosing directly who will oversee the government, as they do in a presidential system. However, in places with monarchies, the head of state is not elected. There, it may make sense to have a symbolic head of state while the head of government is chosen by the people or their representatives.

 **THINK TWICE**—What roles do voters play in the selection of the head of government in presidential and parliamentary systems?

- » In a presidential system, voters directly elect the head of government (the president) separately from the legislature. In a parliamentary system, voters elect the legislature, whose members then choose the head of government (the prime minister).

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the U.S. government differ from other systems of government?” (C.7 C.8.b)

“Bicameral vs. Unicameral Legislature,” pages 20–21

Scaffold understanding as follows:

Have students read the section on pages 20–21.

CORE VOCABULARY—Point out the vocabulary terms *bicameral* and *unicameral*, and explain their meanings.

SUPPORT—Point out the prefixes *bi-* and *uni-* in the terms *bicameral* and *unicameral*. Explain that *bi-* means two and *uni-* means one. Invite students to share other words that use the same prefixes. (Possible answers: *bicycle, bilingual, biped, bilateral, unicycle, unicorn, unilateral*)

SUPPORT—The terms *upper* and *lower* are commonly used to refer to the two houses of a bicameral legislature in either a parliamentary or a presidential system. The concept appears in many legislative bodies around the world, but its popularization is usually attributed to the British Parliament. Explain that *upper house* and *lower house* do not necessarily mean that one chamber has more power than the other. In fact, it is often the opposite; in the United Kingdom, the House of Lords has a much more restricted set of powers than the House of Commons. In the United States, the two houses each have separate powers and responsibilities apart from the lawmaking work they do together.



SUPPORT—Call students’ attention to the world map on page 21. Ask a volunteer to identify the parts of the world in which presidential and parliamentary systems of government are most common. (*The presidential system is widespread in the Americas; the parliamentary system is most common in Europe, Asia, and Australia.*) As time allows, assign students a country marked as “Other Nondemocratic Regime” to research and report back on to the class. Instruct students to identify similarities and differences between the government they researched and the United States’ constitutional republic. **(C.5, C.8.b)**

After students read the text, ask the following questions:

LITERAL—Who serves longer terms in the United Kingdom: lords or members of Parliament? **(C.8.b)**

- » In the United Kingdom, lords serve longer than members of Parliament, as they are appointed to their positions for life.

INFERENTIAL—Why is there no House of Lords in the United States? **(C.8.b)**

- » The United States does not have a hereditary aristocracy, so there is no need for a special government body to represent it.



THINK TWICE—What is the difference between a bicameral legislature and a unicameral one? **(C.7.b)**

- » A bicameral legislature consists of two distinct “houses,” or parts, whereas a unicameral legislature consists of a single group.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the U.S. government differ from other systems of government?” **(C.7, C.8.b)**

“Economic Systems,” pages 21–22

Scaffold understanding as follows:

Have students read the section on pages 21–22.

CORE VOCABULARY—Point out the vocabulary terms *capitalism*, *socialism*, and *communism*, and explain their meanings.

SUPPORT—Note that three examples of economic systems are described in this section. Explain that while these are three of the primary types, every country has its own unique economic system shaped by a multitude of factors, including resources, laws, culture, history, and geography.

After students read the text, ask the following questions:

LITERAL—What are economic systems? **(C.13.b)**

- » Economic systems are different ways in which governments organize their economies to manage resources, produce goods, and distribute wealth.

LITERAL—Why is capitalism often called free enterprise? **(C.13.a, C.13.f)**


- » Capitalism is referred to as free enterprise because it contains a free market, in which buyers and sellers are free to make their own decisions.

ANALYTICAL—How does the government’s role in a socialist economic system compare to its role in a capitalist economic system? (C.13.b, C.13.c, C.13.d)

- » In a socialist economic system, the government controls major industries and redistributes wealth to reduce inequality. In a capitalist system, the government has minimal involvement, with private individuals and companies owning and operating businesses.

INFERENTIAL—Why might a country choose to implement a hybrid economic system rather than strictly following one of the three primary economic systems? (C.13.c, C.13.d, C.13.f)

- » A country might choose to implement a hybrid economic system to balance the benefits of different systems, allowing for economic freedom and innovation while also addressing social equality and public welfare.

 **THINK TWICE**—Explain the differences in government involvement in capitalism, socialism, and communism.

- » In capitalism, government involvement and regulation are minimal, with private individuals and companies owning and operating businesses. In socialism, the government controls major industries and redistributes wealth to reduce inequality. In communism, the government has complete control over all economic decisions, with all property and resources publicly owned.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the U.S. government differ from other systems of government?” (C.7, C.8.a, C.13.b)

“The United States,” pages 22–24

Scaffold understanding as follows:

Have students read the section on pages 22–24.

CORE VOCABULARY—Point out the vocabulary terms *separation of powers*, *checks and balances*, and *mixed economy*, and explain their meanings.

ACTIVITY—Students will learn the details of the three branches of government, including who serves within them, how these people are chosen, and the roles they fill, in the next unit. For now, you may wish to have students diagram the examples of checks and balances described in this section using The Three Branches of Government (AP 1.5). Encourage students to make notes about the powers of each branch and draw arrows between branches to illustrate how a check or balance is put into action. (C.4, C.9.g)

After students read the text, ask the following questions:

LITERAL—What does *tripartite* mean, and how does the term apply to the structure of the U.S. government? (C.8.g)

- » *Tripartite* means three parts, which in this case refers to the three branches of the U.S. government: executive, legislative, and judicial.

Activity Page



AP 1.5

ANALYTICAL—Is one branch of the U.S. government more important than the others? Explain. (C.8.g)

- » No. Each branch has its own responsibilities and powers, and by design, each branch can provide a check on what the other branches are doing. Separation of powers and the system of checks and balances exist so that no one branch can become too influential.


 **THINK TWICE**—What is the basic structure of the U.S. government?

- » The U.S. government is structured as three branches: legislative, executive, and judicial. The legislative branch makes the laws, the executive branch carries out the laws, and the judicial branch interprets the laws.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the U.S. government differ from other systems of government?” (C.7, C.8.a)

Primary Source Feature: “From *The Spirit of Laws*, Montesquieu, 1748,” page 23

Scaffold understanding as follows:

 **Background for Teachers:** France, like the United States, went from monarchical rule to a republic during the eighteenth century, as a result of the French Revolution. In his writing, Montesquieu, though he enjoyed a privileged position within France’s aristocracy, laid out principles that would help inspire the American Revolution and then the French Revolution.

Direct students to the Primary Source Feature on page 23.

Introduce the source to students by reading the introductory text. Share that the American Revolution (1775–83) and the French Revolution (1787–99) happened around the same time and that they drew on similar ideas about who should hold power and why.

Have students read the source.

SUPPORT—Point out as needed that Montesquieu defines the executive branch differently—and much more narrowly—than we think of it today. In the present-day United States and many other countries, the executive branch does much more than look after public security and handle war and diplomacy. Students will learn the many roles and responsibilities of all three branches in the next unit.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—What is the principle of the separation of powers as described by Montesquieu? (C.7, C.9.g)

- » Montesquieu describes how a government’s power should be separated into three different branches. He says that those who make the laws, those who handle public security and warfare, and those who judge legal cases should not be the same people or groups.

Activity Page



AP 1.1

ANALYTICAL—Why did Montesquieu consider the separation of powers important? (C.8.b, C.9.g)

- » Montesquieu believed that freedom requires the separation of powers. In other words, he thought that if different kinds of government power were wielded by the same person or group, it would lead to a loss of freedom and possibly to oppression.

Primary Source Feature: “The Founders’ Concerns About Direct Democracy,” page 25

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 25.

Introduce the source to students by reading the introductory text. Tell students that Madison and Adams are both describing direct, or “pure,” democracy.

Invite volunteers to read the source aloud.

SUPPORT—Some terms used in these excerpts may be unfamiliar to students; other words have changed in meaning over the past two hundred years. Point out to students that *mischievous* now often refers to harmless troublemaking, but in Madison’s day, it could also mean real harms and dangers. Likewise, in 1787, an *obnoxious* person would be not necessarily just an annoying one but someone hated by the public or by a specific political faction.

Note also Adams’s emphasis on *avarice* (greed) and his belief that because people are *avaricious*, they will fight one another for resources if given the chance.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

INFERENTIAL—One challenge democracies face is how to prevent the “tyranny of the majority.” Based on the problems that Madison warns about, what does this phrase mean? (C.8.g)

- » Tyranny is oppression by a ruler, so tyranny of the majority is when a political majority oppresses minority groups. Madison warns that in a democracy, it is possible for a majority faction to “sacrifice” the interests of the “weaker party,” meaning the group with fewer people.

ANALYTICAL—How could a democratic society prevent the problems that Madison and Adams identify? (C.7.d, C.8.g)

- » One way is to make rules that guarantee people certain rights that cannot be taken away, even by the majority. This is what it means for a right to be inalienable. Ensuring such rights is part of what the Constitution does, especially in the Bill of Rights. Other ways are to ensure that the same person cannot control all parts of the government at once or hold power for too long.

Note: For more primary source work related to this topic, see the Foundations of Freedom DBQ workbook.

Activity Page



AP 1.1



CHECK FOR UNDERSTANDING

Ask students to:

- Write a short answer to the Framing Question: “How does the U.S. government differ from other systems of government?”
 - » Key points students should cite include: the United States observes the separation of powers between three branches of government; these branches have a system of checks and balances among them; the U.S. system is presidential, not parliamentary; the United States is a representative democracy with a federal structure.
- Choose four Core Vocabulary words (*liberty, governance, government, democracy, direct democracy, legislature, republic, monarchy, social contract, constitutional monarchy, autocracy, authoritarian, totalitarian, fascism, theocracy, representative democracy, constitutional republic, dictator, tyranny, oligarchy, unitary, federal, confederate, head of state, head of government, parliamentary system, presidential system, political party, bicameral, unicameral, capitalism, socialism, communism, separation of powers, checks and balances, mixed economy*) and write a paragraph using the words.

To wrap up the lesson, invite several students to share their responses.

TOPIC 2: Principles and Events That Influenced the Formation of the U.S. Government

Framing Question: What ideas and events influenced the formation of the U.S. government?

Primary Focus Objectives

- ✓ Compare previous systems of government, including those in England and the American colonies, to the one described in the U.S. Constitution. **(C.4)**
- ✓ Describe how the Constitution arose out of, and was built on, the principles of earlier founding documents such as the Declaration of Independence. **(C.9.d)**
- ✓ Explain the issues and conflicts that surrounded the adoption of the Constitution and identify the role of the Bill of Rights in addressing those issues. **(C.9.e)**
- ✓ Understand the meaning of the following domain-specific vocabulary: *baron, charter, natural rights, due process, pilgrim, precedent, depose, denomination, militia, mitigate, Electoral College, habeas corpus, bill of attainder, ex post facto law, treason, and ratify.*

What Teachers Need to Know

Online Resources For background information, download the Foundations of Freedom Online Resource “About Principles and Events That Influenced the Formation of the U.S. Government”:



www.coreknowledge.org/foundations-of-freedom

Materials Needed

Activity Pages



AP 1.1
AP 1.2
AP 2.1

- individual student copies of Primary Source Analysis (AP 1.1), Venn Diagram (AP 1.2), and Domain Vocabulary: Unit 1 (AP 2.1)

Core Vocabulary (Student Volume page numbers listed below)

baron, n. in medieval England, a broad term for a nobleman who answered to the king; now refers to a specific, usually lower, rank of nobility in the United Kingdom and elsewhere (26)

Example: Together, the barons used the power of their titles and income to raise an army that threatened the king's rule.

Variations: barons, baronial (adj.)

charter, n. a written document setting forth rights and privileges for a specific group or organization (27)

Example: According to the chess club's charter, a new club president is to be elected once a year.

Variations: charter (v.)

natural right, n. a right that is considered to be endowed by natural law, such as the rights of life, liberty, and property (28)

Example: In the Declaration of Independence, Thomas Jefferson added "the pursuit of Happiness" to the traditional list of natural rights.

due process, n. the principle that everyone is entitled to fair (due) consideration under the law, and specifically to a fair trial if accused of any wrongdoing (29)

Example: A person's right to be defended by a lawyer is an important part of due process in the United States.

pilgrim, n. a person who travels to foreign lands, often for religious reasons (30)

Example: A Muslim becomes a modern-day pilgrim when they travel to Mecca to fulfill the religious duty of *hajj*.

Variations: pilgrimage (n.)

precedent, n. an action or decision that serves as an example for the future (32)

Example: The judge cited precedent from earlier cases when she outlined her reasoning in the court's decision.

depose, v. to remove from a position suddenly and by force (32)

Example: The leaders of the revolution decided to depose the king and queen and install a new, elected government in their place.

Variations: deposes, deposing, deposed, deposition (n.)

denomination, n. a group within a religion that shares a common name, traditions, and beliefs (35)

Example: The interfaith food bank drew volunteers from several denominations.

militia, n. a group of citizens organized to perform military service who are not necessarily professional soldiers (36)

Example: During the Revolutionary War, many local and state militias fought alongside the Continental Army.

mitigate, v. to make less severe or harsh (42)

Example: We boarded up our windows to mitigate the damage caused by the hurricane.

Variations: mitigates, mitigating, mitigated, mitigation (n.)

Electoral College, n. in the United States, a body of electors that represents the voters of each state and elects the president and the vice president (49)

Example: Presidential candidates often spend much of their time and money in states with a large number of Electoral College votes.

habeas corpus, n. from Latin, meaning "you have the body": a legal mechanism that protects against unlawful or undue imprisonment (50)

Example: The prisoners filed a habeas corpus petition to appear before a judge.

bill of attainder, n. a law declaring people guilty and prescribing their punishment without granting them a trial (51)

Example: In centuries past, Parliament used a bill of attainder to round up people suspected of opposing the government.

Variations: bills of attainder

ex post facto law, n. a law that makes something illegal retroactively or increases the punishment for a past action (51)

Example: An ex post facto law may be considered unfair because the people committing the “crime” were not aware it would one day become illegal.

treason, n. the crime of betraying one’s country by trying to overthrow its government or supporting its enemies (51)

Example: Prosecutors argued that by joining the terrorist organization, the defendant had committed treason against the United States.

Variations: treasonous (adj.)

ratify, v. to officially validate a treaty or other agreement (51)

Example: Any new change to the Constitution must be ratified by three-fourths of the states.

Variations: ratifies, ratifying, ratified, ratification (n.)

THE CORE LESSON

Introduce “Principles and Events That Influenced the Formation of the U.S. Government”

Call students’ attention to the Framing Question. Remind them of the various forms of government they read about in Topic 1. Ask students to recall the purpose of government, including the relationship between the government and those who are governed and how this relationship is reflected in the tripartite, representative democracy the Founders designed for the United States. Next, tell students to keep in mind that different influences—some ancient, some modern—combined to create the U.S. government as it is today. As they read through this chapter, they should consider how the laws and customs of other times and places were adapted to form our system of government.

Guided Reading Supports for “Principles and Events That Influenced the Formation of the U.S. Government”



“A Great Charter of Rights and Liberties,” pages 26–27

Scaffold understanding as follows:

Have students read the section on pages 26–27.

CORE VOCABULARY—Point out the vocabulary terms *baron* and *charter*, and explain their meanings.

SUPPORT—Explain to students that to “recoup [one’s] losses” means to recover money that has been spent or lost.

SUPPORT—Explain to students that as the text briefly implies, the Magna Carta did not turn England into a constitutional monarchy overnight. Nor did future monarchs uniformly respect its provisions. After costly wars with France, King John faced the politically unpopular task of trying to recover his losses by implementing heavy taxation measures. This and his habit of jailing political enemies without a trial are among the reasons King John was disliked and distrusted by the nobility; his feuds with religious officials also led to his excommunication by the Church, which severely harmed his public image.

SUPPORT—Invite students to examine the image that accompanies the narrative. Explain that it was created long after the event it depicts and should be taken as symbolic. Ask students to identify the different participants in the scene and speculate on their roles in this historic event. (*The men on the left may be the barons; the robed figure standing just left of the king is likely a bishop or other Church official.*) Point out the rows of tents in the background, which indicate the attendance of a large—possibly armed—crowd of followers. (C.6.a, C.7.a, C.8.d)

After students read the text, ask the following questions:

LITERAL—What events forced King John to negotiate with the barons? (C.8.d)

- » John had to negotiate with the barons to stop their rebellion against him. A costly war in France and unrest over heavy taxes led the barons to rebel.

ANALYTICAL—Why was it important to the barons that disputes be settled “by the law of the land”? (C.8.d)

- » The barons wanted disputes to be resolved fairly and consistently. This meant following the same law for everyone and not just following the king’s personal whims or biases.

“Historical Influences on the U.S. Constitution and Government,” page 28

Scaffold understanding as follows:

Have students read the section on page 28.

CORE VOCABULARY—Point out the vocabulary term *natural right*, and explain its meaning.

SUPPORT—Invite students to compare the natural rights identified by John Locke (whose *Two Treatises of Government* is excerpted in Topic 1) and those identified by Thomas Jefferson (in the Declaration of Independence). Ask them to consider what other things we would consider essential rights today. (*Possible answers: access to education, freedom of speech*) Then ask: Would Locke or Jefferson have recognized these as basic rights? If not, what may have changed since their era? (*Possible response: No, I don’t think Locke or Jefferson would have recognized access to education as a right like we do in the United States today. In both of their times, only small segments of society had the time and resources to pursue an education, making it seem far less “basic” than it is today.*) (C.3, C.7.b, C.8.d, C.8.f, C.8.g)

After students read the text, ask the following questions:

LITERAL—Why did the Founders of the United States favor a republic, or representative democracy, as a government system? (C.8.g)

- » The Founders recognized that the United States was too large in geography and population for everyone to be able to vote on every issue.

ANALYTICAL—The Founders disagreed with the way the king of England treated the colonies. But did they completely reject the political and legal traditions of England when they founded the United States? Explain. (C.8.c, C.8.d)

- » The Founders did not totally reject England’s political and legal traditions. They used many ideas from English law that they considered beneficial, such as the right to a fair trial. However, they replaced the monarchical system with a representative government, which they thought could better limit leaders’ power.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What ideas and events influenced the formation of the U.S. government?” (C.6, C.8.d)

“Magna Carta,” page 29

Scaffold understanding as follows:

Have students read the section on page 29.

CORE VOCABULARY—Point out the vocabulary term *due process*, and explain its meaning.

SUPPORT—Remind students that the Magna Carta was written more than eight centuries ago; the U.S. Constitution was written nearly six centuries later. Yet both refer to due process and fair treatment under the law. What does this say about these principles? (*Possible response: The principles of due process and fair treatment under the law are meaningful across time and place and are not specific to one country or historical era.*) (C.4, C.9.b)


After students read the text, ask the following questions:

LITERAL—What is due process, and what amendments to the U.S. Constitution include similar guarantees? (C.9.g, C.10.a, C.10.d, C.11.a–b)

- » Due process is the principle that everyone deserves a fair trial before they are found guilty of or punished for any wrongdoing. Elements of due process appear in the Fifth, Sixth, and Fourteenth Amendments to the U.S. Constitution.

INFERENTIAL—The Magna Carta includes the phrase “sell . . . justice”. What do you think this may have meant, and why was it important to prohibit this behavior? (C.4, C.9.d)

- » To “sell . . . justice” could simply mean taking bribes. It could also involve other corrupt practices, such as letting wealthy donors decide who will serve as judges. When this behavior is tolerated, it undermines the right to a fair trial and equal treatment before the law.

 **THINK TWICE**—How did legal protections in the Magna Carta influence ideas in the U.S. Constitution?

- » The Magna Carta specified that the monarch must answer to someone, an idea the Founders detailed in the U.S. Constitution, where presidents can be impeached and legislators’ actions can be vetoed or struck down by judges. It also stated that people were entitled to a fair trial (due process), something also guaranteed by the Constitution. (C.8.d)

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What ideas and events influenced the formation of the U.S. government?” (C.6, C.8.d)

Primary Source Feature: “Magna Carta, 1215 CE,” page 29

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 29.

Introduce the source to students by explaining that this is just a small portion of the original Magna Carta. Many of the other articles were specific to issues that arose in a thirteenth-century monarchy, such as the rules and responsibilities of knighthood, details of medieval inheritance law, and management of the royal forests. Although society has changed a great deal since those days, some parts of the Magna Carta are still relevant to life in both the United Kingdom and the United States.

Have students read the source.

SUPPORT—Point out that “we” in the language of the Magna Carta refers to King John. This is an example of the royal *we*, technically known as the majestic plural. Long used by monarchs when speaking in an official capacity, the custom has continued to some extent even in modern times.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—What does it mean to “proceed with force against” a person? (C.7.a)

» This means to send armed people—knights or soldiers—to arrest or attack a person.

ANALYTICAL—Did the Magna Carta grant equal protection under the law to everyone in England? How do you know? (C.7.a)

» The Magna Carta did not extend equal protection to everyone. The phrase “free man” shows that land-bound peasants were excluded, and it suggests that women were not included either.

“The Mayflower Compact,” pages 30–32

Scaffold understanding as follows:

Have students read the section on pages 30–32.

CORE VOCABULARY—Point out the vocabulary terms *pilgrim* and *precedent*, and explain their meanings.

SUPPORT—Tell students that *compact* is another word for a formal and usually written agreement between two or more people or groups.

SUPPORT—Note for students that the term *pilgrims*, which often appears with a capital P, is customarily used specifically for the English Separatists who arrived aboard the *Mayflower*.

Activity Page



AP 1.1

The Separatists were members of a religious community that had fled England for the Netherlands and resettled there; later, their leaders did not wish to assimilate to Dutch society, which they found too worldly. They then sought to settle a colony overseas. Those who founded the Massachusetts Bay Colony (1628)—who had fled persecution by the Church of England, which deemed them too radical—are known in the context of American history not as Pilgrims but as Puritans. The two groups are often confused in popular accounts of New England colonial ventures. While both groups harbored disagreements with the Church of England, they approached those disagreements differently. The Pilgrims sought to separate from the Church, hence their being called Separatists. The Puritans sought to purify their practice, to eliminate what they saw as spiritual corruption of the church. That pursuit of purity led to their being called Puritans.

After students read the text, ask the following questions:

ANALYTICAL—Why did the *Mayflower* colonists need to draft a new agreement? (C.2, C.8.d)

- » They had a charter (royal authorization) to found a colony in Virginia but ended up landing farther north at modern-day Cape Cod, Massachusetts. As a result, many believed that the terms of the charter no longer applied.

LITERAL—What basic rules did the Mayflower Compact set for the colonists? (C.8.d)

- » The Mayflower Compact stated that the colonists would make their own local rules and elect—and then obey—their own leaders.

 **THINK TWICE**—How does the Mayflower Compact reflect what the pilgrims hoped for their life in North America?

- » The Mayflower Compact reflects the ideal of self-governance. As religious dissenters, those aboard the *Mayflower* wanted more control over the rules their community was expected to follow.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What ideas and events influenced the formation of the U.S. government?” (C.6, C.8.d)

Primary Source Feature: “Mayflower Compact, 1620,” page 31

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 31.

Introduce the source to students by sharing that the list of those who signed the Mayflower Compact (not provided in the Student Volume) included most of the *Mayflower’s* male passengers. They came from many different walks of life: merchants, mercenaries, sailors, and tradesmen.

Have students read the source.

SUPPORT—Some of the verbiage in this document is rarely used today except in highly formal and stylized writing such as proclamations and treaties. Students may need to be informed of the meaning of the following terms:

- *by these Presents*: hereby; by this document we are now signing
- *covenant*: formally agree
- *subscribed*: wrote [one’s name] below



ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—What were some of the reasons the Mayflower Compact signatories gave for their decision? (C.7.a)

- » The Mayflower Compact signatories said that they wanted to succeed in founding a colony as King James had authorized them to do and that they wanted to create rules that would promote their “better Ordering and Preservation”—their survival in an orderly colonial society.



TALK IT OVER—Have students debate or discuss the following question: Were the signatories of the Mayflower Compact rebels? Why or why not? (C.7.a, C.7.b, C.7.c, C.7.d)



Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

“English Bill of Rights,” pages 32–33

Scaffold understanding as follows:

Have students read the section on pages 32–33.

CORE VOCABULARY—Point out the vocabulary term *depose*, and explain its meaning.

SUPPORT—Share with students that Queen Mary II was the daughter of James II and, for a time, the heir presumptive to her father’s throne. The fact that Mary had been raised as and then married a Protestant (William of Orange, later William III) comforted English Protestants who were displeased with the religious reforms of James, a Catholic convert. The crisis that precipitated what is now known as the Glorious Revolution was the birth of a son who, under the rules of inheritance by the eldest son, would displace his older half sister as James’s heir. Parliament’s solution was to replace James with William and Mary, who were members of the royal family but had no intentions of restoring Catholicism to official status.

SUPPORT—The quartering of troops is an issue common to the English and U.S. Bills of Rights. Read to students the relevant part of the U.S. Constitution, the Third Amendment:

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

Tell students that many other ideas within the U.S. Bill of Rights, or first ten amendments to the Constitution, reflect ideas from the English Bill of Rights, including the right to trial by jury and a prohibition against cruel and unusual punishment.


After students read the text, ask the following questions:

LITERAL—What issue caused King James II to be deposed? (C.4, C.7.c, C.8.d)

- » King James II was a Catholic monarch of a majority-Protestant country. He sought to reform the country’s religion and reinstate Catholicism against the wishes of most of his subjects.

ANALYTICAL—Why was it unusual for Parliament to invite new monarchs to take over their country? (C.4, C.8.d)

- » Ordinarily, kings and queens inherited their titles; in some cases, monarchs named their own successors. The idea that a legislature could choose the monarch contrasts with the traditional process of royal succession not only in England but in most monarchies throughout history.

 **THINK TWICE**—Identify two ways the English Bill of Rights influenced the founding documents of the United States of America.

- » The English Bill of Rights spelled out rights British subjects were supposed to enjoy but which the American colonists could plainly see were being denied to them; some of these rights were reiterated in the Declaration of Independence. The English Bill of Rights also stipulated specific freedoms—such as freedom of speech—that were directly incorporated into the U.S. Constitution.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What ideas and events influenced the formation of the U.S. government?” (C.6, C.8.d)

Primary Source Feature: “English Bill of Rights, 1689,” page 34

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 34.

Introduce the source to students by reading the introductory text.

Have students read the source.

SUPPORT—Students may be confused by the reference to “the Protestant religion,” given that today there are many different denominations that identify as Protestant. (Protestantism first began in the early 1500s in northern Europe as people began resisting many of the practices and ideologies of the Roman Catholic Church.) The seventeenth century was also a time in which a variety of Protestant religious traditions existed, both in England and abroad; for example, the Separatists who sailed aboard the *Mayflower* practiced their faith differently from their mainstream Church of England compatriots. Narrowly speaking, “the Protestant religion” in this text refers to the Church of England, which had been reestablished during the Restoration (1660) after losing ground to Puritanism during the English Civil War. More broadly, however, it is a collective term for all Protestant traditions then practiced in England. Minority Protestant denominations such as Baptists were granted legal recognition with the Toleration Act, passed the same year as the English Bill of Rights (1689).

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—Who is allowed to bear arms under the English Bill of Rights, and who is not? (C.7.a, C.8.d)

- » The right to bear arms is granted to English “subjects which are Protestants.” This would have excluded Catholics, who at the time were a religious minority in England.

Activity Page



AP 1.1

ANALYTICAL—What are some phrases from the English Bill of Rights that are still used when we discuss U.S. government, law, and justice today? (C.7.a, C.8.d)

- » The English Bill of Rights promises “freedom of speech,” which is considered a fundamental right in the United States. It also prohibits “cruel and unusual punishments,” which are also banned by the U.S. Constitution.

“The Great Awakening,” pages 34–35

Scaffold understanding as follows:

Have students read the section on pages 34–35.

CORE VOCABULARY—Point out the vocabulary term *denomination*, and explain its meaning.

SUPPORT—Many of the “new denominations” that came about through the Great Awakening were offshoots of larger, more mainstream Protestant groups. For example, the movement produced evangelical branches of Presbyterianism, Congregationalism (the main denomination of North American Puritans), and the Baptist tradition. Methodism, one of the first truly transatlantic Christian traditions, also originated during the Great Awakening and is still practiced by millions of Americans today. It was promoted in the colonies by one of the Great Awakening’s most famous preachers, the English missionary George Whitefield.

SUPPORT—Jonathan Edwards, pictured on page 35, is one of the best-known preachers of the Great Awakening. His sermon “Sinners in the Hands of an Angry God,” excerpted in the DBQ Workbook, is widely studied both as a historical document and as literature. However, Edwards’s preaching was not exclusively fire-and-brimstone. Another of his sermons, well known in its time but little read today, bears the title “Heaven Is a World of Love.”

SUPPORT—Students may wonder what it meant for Great Awakening preachers to emphasize equality before God, as this is a tenet of many religious traditions, including Christian denominations that existed before the Great Awakening. The distinguishing feature of these preachers, and the political significance of their message, lies in the fact that they were anti-hierarchical. They held that individuals had a direct personal relationship with God and did not need the mediation of priests or ministers, the help of academic theologians, or the intervention of saints. By emphasizing individual competence in understanding the Bible and making moral judgments, Great Awakening preachers encouraged the view of equality in congregations, rejecting the idea that churches were top-down organizations beholden to an ordained leader.

After students read the text, ask the following questions:

LITERAL—Was the Great Awakening limited to North America? (C.8.c)

- » No. The Great Awakening was part of wider religious changes in England and across Europe.

LITERAL—How did the preachers of the Great Awakening seek to persuade their listeners? (C.8.c)

- » The preachers of the Great Awakening appealed directly to listeners’ emotions instead of trying to promote an academic or intellectual understanding of religion.

INFERENTIAL—Explain how key ideas and beliefs within the Great Awakening—as well as the reasons many colonists settled in North America—would have inspired support for the American Revolution. (C.8.c)

- » Many people had moved from Europe to the British colonies in North America to be able to practice a faith that was disallowed in their home country. As various religious communities grew in North America, people probably began to realize now more than ever that protecting the new religious freedom they enjoyed—as well as other liberties, such as the right to speak their minds freely—was worth officially fighting for.

✓ **THINK TWICE**—How did the Great Awakening develop ideas later found in the U.S. government?

- » The Great Awakening promoted the idea of equality as opposed to hierarchy in governing a community. It also created a situation in which many small groups, not just a few large denominations, had a stake in securing religious freedom.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What ideas and events influenced the formation of the U.S. government?” (C.6, C.8.c)

“U.S. Government Under the Articles of Confederation” and “Establishing the United States,” pages 35–40

Scaffold understanding as follows:

Have students read the sections on pages 35–40.

CORE VOCABULARY—Point out the vocabulary term *militia*, and explain its meaning.

SUPPORT—Tell students that Thomas Jefferson addressed the issue of slavery in a rough draft of the Declaration of Independence, in the section that outlines the colonists’ grievances against the king. Jefferson accused the British of forcing slavery on the colonies and described the slave trade as a “cruel war against human nature.” He then went on to criticize the British for encouraging enslaved people to “rise in arms” against the colonists. This is a reference to the proclamation by Britain’s Lord Dunmore that promised freedom to enslaved people in exchange for service in the British Army. This portion was ultimately removed from the final draft of the Declaration. While the reason is unknown, it was likely omitted because so many of the delegates to the Continental Congress benefited from slavery—Jefferson included.

SUPPORT—The Articles of Confederation faced many “bumps in the road,” as the cartoon on page 38 shows. Ask students: Why are the horses struggling? (*The horses are struggling to pull the country forward due to substantial gaps in the powers of Congress.*) What were specific challenges that Congress faced under the Articles of Confederation? (*Without the ability to enforce treaties or raise an army, Congress could not effectively manage relationships with other countries. The lack of an army was a threat to national security for a fledgling nation surrounded on many sides by European colonial possessions. The inability to make treaties meant that potential allies could not trust Congress to keep its word.*) (C.8.a., C.8.d)


After students read the text, ask the following questions:

LITERAL—What are two ways that the U.S. government under the Articles of Confederation differed from the government we have today? **(C.8.d)**

- » Possible responses: Congress had much less power than the current federal government; Congress was unicameral; each state got one vote in the national legislature; Congress met yearly instead of being in session for months at a time.

ANALYTICAL—Why didn't the creators of the Articles of Confederation make the national government stronger? What concerns might they have had? **(C.8.d, C.8.g)**

- » The creators of the Articles of Confederation were concerned about granting too much power to a national government at the expense of the states. They feared that national leaders for so large a country would become too powerful to be held accountable for their actions.

 **THINK TWICE**—How did the purposes of the Declaration of Independence and the Articles of Confederation differ?

- » The Declaration of Independence announced the United States' decision to become an independent country and explained why it had done so. The Articles of Confederation described how that new country was to be governed.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, "What ideas and events influenced the formation of the U.S. government?" **(C.6, C.8.d)**

Primary Source Feature: "Declaration of Independence, 1776," page 36

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 36.

Introduce the source to students by reminding them that they have already studied the concepts of natural rights and the social contract. Invite them to keep these concepts in mind as they read and identify where in the text those concepts are mentioned.

Have students read the source.

SUPPORT—Students will likely already know that July 4 is Independence Day. This is the day that the Declaration of Independence was formally adopted by the Continental Congress, and it is the date that appears at the top of the Declaration itself. The custom of celebrating the United States' independence on this day is an old one, but Independence Day itself did not become a federal holiday until 1870.

Some may be aware that the Continental Congress *voted* for independence on July 2. The Declaration had already been drafted by that point; the "extra" two days were spent finalizing the wording. A third date sometimes mentioned in connection with this much-studied document is August 2, the date it was signed.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

Activity Page



AP 1.1

After students have read the source, ask the following questions:

LITERAL—What are the “abuses” that the Declaration of Independence refers to? (C.2, C.9.d)

- » These were abuses of power by Parliament and the king. They included unfair taxes, the quartering of soldiers in colonists’ homes, and the lack of any representation of the colonists’ interests in Parliament.

ANALYTICAL—How does this part of the Declaration of Independence allude to the social contract? (C.2, C.9.c)

- » The authors imply that it is the government’s duty to protect—or at least not violate—people’s rights. They also say that people have the right and even the duty to “throw off” a government that abuses them. Both of these concepts are present in earlier writings about the social contract, including those of Locke and Rousseau.

Primary Source Feature: “The Articles of Confederation, 1777,” page 39

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 39.

Introduce the source to students by reminding them that the Articles of Confederation served the same role as the U.S. Constitution—establishing and formalizing a system of government—yet presented a much more limited role for the national government.

Have students read the source.

SUPPORT—Within a decade, the Articles of Confederation were replaced by a constitution that greatly expanded the federal government’s role. The description of the national government as a “league of friendship” may sound quaint compared to the extensive powers the federal government later acquired. While the differences between the Articles of Confederation and the U.S. Constitution are a worthy focus of discussion, it is also important to note that some of the provisions in the Articles of Confederation survive almost verbatim in the Constitution. One important example is the language about states’ rights in Article II, which foreshadows that of the Tenth Amendment:

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

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

ANALYTICAL—Who holds most of the power under the system outlined in the Articles of Confederation? How do you know? (C.2, C.8.d)

- » The states have most of the power. Article II guarantees their “sovereignty, freedom and independence,” while Article V describes Congress as an annual meeting “for the more convenient management” of the states’ shared interests.

Activity Page



AP 1.1

ANALYTICAL—How does the language in this source call back to the English Bill of Rights? What principles are important to both? (C.2, C.6.a, C.6.c, C.8.d)

- » The last paragraph of this excerpt mentions the freedom of speech that members of Congress are meant to enjoy, as well as their freedom from being arrested except for serious crimes. This echoes the English Bill of Rights, which mentioned freedom of speech for members of Parliament. The authors of both documents wanted to protect legislators from interference or mistreatment.

“Mutiny and Rebellion,” pages 40–42

Scaffold understanding as follows:

Have students read the section on pages 40–42.

CORE VOCABULARY—Point out the vocabulary term *mitigate*, and explain its meaning.

SUPPORT—The rebellions of the 1780s described in the Student Volume exposed three great flaws of the Articles of Confederation. Two are fairly self-explanatory: Under the Articles of Confederation, the national government could not raise an army to quell rebellions, nor could it levy adequate taxes to pay its debts. The third issue—struggles with the money supply—may require more explanation for students. Prior to the American Revolution, the thirteen colonies already lacked adequate coinage from England and were technically forbidden to mint their own money. The United States’ first experiments with issuing currency were hardly more successful. The Continental paper dollar, issued during the Revolutionary War, became subject to such huge inflation relative to silver that by 1779, it was worth only a penny or two for a face value of one dollar. States issued their own paper money with the same problems, resulting in an abundance of paper money that lacked trust or universal acceptance.

After students read the text, ask the following questions:

LITERAL—What major issue provoked Shays’s Rebellion? (C.2, C.4)


- » Shays’s Rebellion came about because Congress was unable to pay Continental Army veterans, who were in turn unable to pay their own debts.

ANALYTICAL—How did the rebellions of the 1780s lead to the decision to revise the Articles of Confederation? (C.2, C.8.d)

- » The rebellions arose because of a problem that people believed Congress should be able to solve: the payment of its debts, especially to veterans of the Revolutionary War. Then the rebellions became dangerous because of another problem: Congress’s inability to raise or pay an army. Both these issues were a by-product of the weak central government created by the Articles of Confederation.

INFERENTIAL—Recall that one purpose of the Declaration of Independence was to let the rest of the world know that the United States was an independent nation. How might events like Shays’s Rebellion have affected this message, and why would this have concerned U.S. leaders? (C.2, C.8.d)

- » Possible response: If the rest of the world heard of the rebellions, they might think that a country too weak to create or control its own army would be simple to conquer. The Founders might have therefore been concerned about the possibility of invasion, as the country did not yet have real financial or military means to defend itself.

 **THINK TWICE**—What were the major challenges of the Articles of Confederation?

- » The Articles of Confederation gave inadequate power to the central government to pay its debts, put down rebellions, or raise taxes.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What ideas and events influenced the formation of the U.S. government?” (C.6, C.8.d)

“Framing the U.S. Constitution” and “The Constitutional Convention,” pages 42–49

Scaffold understanding as follows:

Have students read the sections on pages 42–49.

SUPPORT—Draw students’ attention to the diagram “Two Plans for a New Federal Government” on page 45. Tell students that while each plan assumed that there would be a federal government, even this principle was up for debate in 1787. There were those at the Constitutional Convention who felt that the task of effectively governing the United States as one nation was impossible. Some presented yet another plan, not described in the Student Volume: splitting the former thirteen colonies into three nations that would then form a confederation. This proposal reflects a major problem faced by the convention delegates: overcoming the weaknesses of the Articles of Confederation without creating an overly powerful national government.



SUPPORT—Note that the map “State Support for the Virginia and New Jersey Plans” on page 45 also contains information that helps explain the Three-Fifths Compromise (summarized as a separate graphic on page 48). Have students identify those states with very small enslaved populations. (*New Hampshire, Massachusetts, Rhode Island, Connecticut, Pennsylvania*) Explain to students that the states differed dramatically in the extent to which slavery was practiced, with Pennsylvania and the New England states having 1 percent or less of their population enslaved in 1790. Meanwhile, in Virginia, a “no compromise” solution would have cut the state’s effective population by around three hundred thousand. (C.5, C.8.e)

Activity Page



AP 1.2

ACTIVITY—You may wish to have students fill in a Venn Diagram (AP 1.2) to compare and contrast the Articles of Confederation and the U.S. Constitution as they read the remainder of the topic. The completed diagram will be a useful resource for students to revisit as they learn more about the evolution of the U.S. government in Unit 2. (C.2, C.4, C.8)

SUPPORT—Explain to students that the Fourteenth Amendment granted citizenship to “all persons born or naturalized in the United States.” In 1868, when the amendment was ratified, most formerly enslaved persons would have been born in the United States; the importation of enslaved persons to the United States was outlawed as of 1808. Naturalization is the process by which someone born outside of the United States becomes a U.S. citizen, which students will read more about in later units.

After students read the text, ask the following questions:

LITERAL—What is one example of a foreign policy issue on which the states disagreed during the Constitutional Convention? (C.2, C.4, C.8.e)

- » One divisive foreign policy issue was how to handle Spain’s control of New Orleans and thus of the lower Mississippi River. Southern states relied on the Mississippi for commerce and transportation, so they cared more about having free access to the river. Northern states were less directly affected because they used the Atlantic Ocean for maritime trade.

ANALYTICAL—Why did the most populous states back a different plan for the federal government than the least populous states? (C.2, C.4, C.8.e)

- » States with more people would automatically have more power in the national government if representatives were allotted by population (as the Virginia Plan provided). In a system where states got an equal vote (like the New Jersey Plan), states with fewer people would have an outsize share of power.

LITERAL—What was the Three-Fifths Compromise? (C.2)

- » The Three-Fifths Compromise was a system in which the population of each state was calculated by adding its free population to a number that represented three-fifths of its enslaved population.

 **THINK TWICE**—Explain how the Great Compromise helped resolve disagreements over representation in the legislature.

- » The Great Compromise, also known as the Connecticut Compromise, reassured smaller states that they would still have a significant voice in Congress without completely diluting the influence of voters in larger states.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What ideas and events influenced the formation of the U.S. government?” (C.8.d, C.8.e)

Primary Source Feature: “James Madison’s Notes on the Constitutional Convention, May 29, 1787,” page 44

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 44.

Introduce the source to students by reading the introductory text.

Have students read the source.

SUPPORT—Explain to students that these notes are an important and unusually thorough record of the debates that took place to create the U.S. Constitution. They are significant because they show that there was extensive disagreement and debate on many issues before a constitution was finally presented to the states. Without looking at James Madison’s account of the convention, we might not recognize how many different ideas were proposed on the journey to the constitution that was ultimately adopted.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—What were the “defects” of the Articles of Confederation, according to Edmund Randolph? (C.2, C.8.d, C.8.e)

- » The main “defects,” or shortcomings, were that the Articles of Confederation gave the federal government no way to protect the country from foreign invasion, resolve disputes between states, or set a consistent commercial policy.

Activity Page



AP 1.1

ANALYTICAL—According to Madison’s notes, did Randolph blame the authors of the Articles of Confederation for doing a poor job? (C.2, C.8.d, C.8.e)

- » Randolph did not blame the authors of the Articles of Confederation. Instead, he praised them for doing their best given that they were working in the “infancy,” or early stage, of representative government. Creating a written constitution for a country was still a new and experimental venture.

Primary Source Features: “The Virginia Plan from James Madison’s Notes on the Constitutional Convention, May 29, 1787” and “The New Jersey Plan or Paterson Resolutions, 1787,” pages 46–47

Scaffold understanding as follows:

Direct students to the Primary Source Features on pages 46–47.

Introduce the sources to students by reminding them that these were two competing plans for the overall structure and responsibilities of the federal government. Ask them to keep an eye out for government practices that are still in use today, as well as ones that are no longer in effect.

Have students read the sources.

SUPPORT—Explain that *dernier*, used in Madison’s notes, is a version of *dernier*, the French word for *last*.



TALK IT OVER—Have students debate or discuss these questions: What are the merits of a system in which more populous states have more power versus one in which all states have an equal say in the federal government? Which one seems fairer? What are some potential drawbacks of each system? (C.6.a, C.6.b, C.7.b, C.7.d, C.8.e)

Online Resources



Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

Activity Page



ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner. You may also choose to have students complete a separate activity page for each source or analyze the sources collectively.

AP 1.1

After students have read the sources, ask the following questions:

ANALYTICAL—Were the Articles of Confederation actually “corrected & enlarged,” as Randolph suggested in the Virginia Plan? Why or why not? (C.2, C.8.d, C.8.e)

- » The Articles of Confederation were essentially replaced altogether with a new constitution. They were not merely revised, as Randolph seems to have suggested in his proposal.

ANALYTICAL—Why did the authors of the New Jersey Plan emphasize the “duties” that the U.S. Congress could impose “for raising a revenue”? (C.2, C.8.d, C.8.e)

- » Determining the ways that Congress could raise revenue was an important issue during the Constitutional Convention. The Articles of Confederation had left Congress unable to raise money, making it difficult for the government to pay its debts or raise an army if faced with a foreign threat.

Primary Source Feature: “Article I, Section 2: The Three-Fifths Compromise,” page 48

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 48.



Introduce the source to students by briefly pointing them back to the map “State Support for the Virginia and New Jersey Plans” on page 45. Invite them to analyze the map, then ask: In what ways did the states vary? (*The states varied not only in their size, shape, and overall population but also in the proportion of enslaved individuals*). (C.5)

Have students read the source.

SUPPORT—The compromise over the counting of enslaved persons was just part of a much more involved constitutional debate concerning slavery. Some delegates, including Benjamin Franklin, were former slaveholders who had since joined antislavery organizations. Others called for the slave trade to be banned by the new constitution even if, in the meantime, they remained slaveholders themselves.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

Activity Page



AP 1.1

After students have read the source, ask the following questions:

LITERAL—What were the two positions the Three-Fifths Compromise sought to reconcile? (C.2, C.9.d, C.9.e)

- » The first position, held mainly by Northern states with few enslaved people, was that enslaved persons should not be counted for purposes of assigning seats in Congress. The second position, held primarily by Southern states with large enslaved populations, was that enslaved persons should count the same as citizens.

INFERENTIAL—Why might the Founders have referred to enslaved people as “other Persons”? (C.2, C.9.d, C.9.e)

- » The institution of slavery and the slave trade were controversial issues addressed at the Constitutional Convention, even though many of the delegates practiced it or otherwise benefited from it. They may have used this language to avoid referring directly to these issues.

“The Electoral College,” page 49

Scaffold understanding as follows:

Have students read the section on page 49.

CORE VOCABULARY—Point out the vocabulary term *Electoral College*, and explain its meaning.



SUPPORT—Direct students’ attention to the map on page 50 and ask a volunteer to identify the number of electoral votes allotted to Louisiana. (*eight*) Then have a volunteer read the caption for the map. Highlight how both Nebraska and Maine follow a rule that mirrors the bicameral structure of Congress itself. They award two electoral votes (corresponding to two senators) to the winner of the state’s overall popular vote. Then an additional electoral vote is awarded to the winner in each congressional district (i.e., the district that elects each representative). (C.5, C.11.f)


After students read the text, ask the following questions:

LITERAL—How does the Electoral College system in the original version of the U.S. Constitution differ from that in our own time? (C.2, C.4, C.6.b, C.8.e, C.11.f)

- » In the original Electoral College system, the president and vice president were the winner and runner-up of the presidential race, respectively. There was no separate vote to elect the vice president until 1804, a practice that continues to this day.

ANALYTICAL—Why was the Twelfth Amendment introduced? (C.2, C.8.d, C.8.e, C.11.f)

- » The Twelfth Amendment was introduced to deal with the rise of organized political parties and to address the possibility of a tie between two presidential candidates. During the 1800 election, a polarized House of Representatives struggled to break a tie between Thomas Jefferson and Aaron Burr, revealing a flaw in the original electoral system.

 **THINK TWICE**—What is the relationship between voters and the electors in the Electoral College?

- » In general, electors from each state vote for the candidate who won the popular vote in their state. So, the voters are voting to decide which candidate their state will support.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What ideas and events influenced the formation of the U.S. government?” (C.8.d, C.8.e)

“Protecting Rights and Liberties,” pages 49–51

Scaffold understanding as follows:

Have students read the section on pages 49–51.

CORE VOCABULARY—Point out the vocabulary terms *habeas corpus*, *ex post facto law*, *bill of attainder*, and *treason*, and explain their meanings.

SUPPORT—The Latin legal terminology used in this section may be unfamiliar to students. However, they likely know some words that can help them appreciate and recall the meaning of these key phrases:

- *Habeas corpus* literally means “that you have the body,” in the sense of “We order *that you have* the imprisoned person *physically* brought before the court.” Students may know that *corporal* means physical or of the body and that a *corpse* is a dead body. They may also recognize that a *corps* and a *corporation* are bodies of people with a specific task or purpose.
- *Ex post facto* means “after the fact,” as in the law is made *after* the supposed crime is committed. The *facto* part of the phrase is fairly transparent, but students may need a reminder that *post* appears in such familiar English words as *postgame* and *postpone*.

After students read the text, ask the following questions:

INFERENTIAL—Why is habeas corpus important in terms of personal rights and liberties? (C.2, C.8.d, C.8.e)

- » Without habeas corpus, an authority—such as the police—could theoretically hold someone in jail indefinitely without providing a reason. They would in effect be


punishing that person without ever officially determining that they had committed a crime.

LITERAL—Why were the framers of the Constitution eager to create a clear and narrow definition of treason? (C.2, C.4, C.8.e)

- » The framers of the Constitution wanted to avoid repeating a problem they had had under colonial rule. Accusations of treason—a serious crime punishable by death—had been weaponized against dissenters and protesters who had not actually done real harm to the government. The framers wanted to ensure that charges of treason could not be politicized in this way.

ANALYTICAL—Recall what you read about the Mayflower Compact. What ideas from that document likely influenced the Founders when creating the Constitution? (C.8.d)

- » The Founders were probably influenced by the ideas of self-government and majority rule present in the Mayflower Compact.

 **THINK TWICE**—What rights and liberties were specifically protected in the Constitution as it was originally written?

- » The rights and liberties that were and are protected include the right to appear in court for a trial (habeas corpus) and the freedom from oppressive laws that deny a person a trial (bills of attainder) or declare them a criminal after the fact (ex post facto laws).

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What ideas and events influenced the formation of the U.S. government?” (C.8.e, C.8.f)

“The Struggle to Ratify the U.S. Constitution” and “Federalists vs. Anti-Federalists,” pages 51–54

Scaffold understanding as follows:

Have students read the sections on pages 51–54.

CORE VOCABULARY—Point out the vocabulary term *ratify*, and explain its meaning.

SUPPORT—Emphasize for students that the U.S. Constitution took effect in all states once nine of the thirteen (a supermajority) had ratified it. In other words, ratification was not a case of the states “opting in” to the Constitution individually. Rather, they were voting on whether it would become the law of the land for all of them—much as today, members of Congress vote on whether new federal statutes will become the law for the entire country. As students will learn in Unit 2, Article VII of the Constitution addresses this process of ratification:

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

Remind students that the Articles of Confederation required the approval of all thirteen states for ratification.


After students read the text, ask the following questions:

LITERAL—Why did it take so long for the Constitution to go into effect following the Constitutional Convention? (C.2, C.8.e)

- » Before the Constitution could take effect, it needed to be ratified by the states to show that the people of a majority of states accepted it as the law of the land. This entailed a long process of debate not only among state legislators but also among the public and in the press.

ANALYTICAL—What was the legacy of the Anti-Federalists in the laws of the United States? (C.2, C.8.d, C.8.e, C.8.f)

- » Although the Anti-Federalists did not successfully persuade people to reject the original version of the U.S. Constitution, they made a strong case for the inclusion of a Bill of Rights. That document, a set of early and important amendments, added to the Constitution guarantees for several specific rights sought by the Anti-Federalists.


 **TALK IT OVER**—Have students debate or discuss this question: Knowing what we do of the Articles of Confederation, is it surprising that the Founders did not include a bill of rights in the document that was adopted at the Constitutional Convention? Why or why not? (C.1, C.2, C.8.a, C.8.d, C.8.f)

Online Resources



Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

 **THINK TWICE**—Why were some people opposed to the ratification of the Constitution?

- » Some people, including those who adopted the name Anti-Federalists, feared that the Constitution had given too much power to the federal government and not reserved enough power for the individual states. They worried that the Constitution had “overcorrected” the flaws of the Articles of Confederation.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What ideas and events influenced the formation of the U.S. government?” (C.8.d, C.8.e, C.8.f)

Primary Source Features: “Federalist No. 10, 1787” and “Brutus I, 1787,” pages 53–54

Scaffold understanding as follows:

Direct students to the Primary Source Features on pages 53–54.

Introduce the sources to students by reading the introductory text.

Have students read the sources.

SUPPORT—Keen-eyed readers may notice that some of James Madison’s words in “The Founders’ Concerns About Direct Democracy” (Topic 1, page 25) also appear in *Federalist* No. 10. Once again, Madison broaches the idea of federalism and a republic in comparison to the theoretical “pure democracy” that was discussed by the Founders yet never seriously attempted in the United States. Point out to students that this gives us an alternative way to frame the Federalist–Anti-Federalist debate: as a question of whether federalism cures

the ills of democracy as envisioned by Madison and Adams—mob rule, partisanship, and tyranny of the majority. Madison clearly believed it did, as the problems he raises in “Founders’ Concerns” are, he says, cured by a republic. The Anti-Federalists demurred, worried that a government with a few strong leaders would not mitigate—and might even aggravate—these same problems.

Activity Page



AP 1.1

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner. You may also choose to have students complete a separate activity page for each source or analyze the sources collectively.

After students have read the sources, ask the following questions:

ANALYTICAL—How did the Federalists and Anti-Federalists differ in their views of elected politicians? (C.2, C.8.d, C.8.e)

- » The Federalists thought that as “a chosen body of citizens,” elected officials would be wise and patriotic enough to make good decisions. The Anti-Federalists worried that elected officials would naturally be “ambitious and designing men,” eager to accumulate power and then likely abuse it.

INFERENTIAL—Why might the authors of *The Federalist Papers* and Anti-Federalist writings have chosen to write using pseudonyms, or pen names? (C.2, C.8.d, C.8.e)

- » Possible responses: The authors wanted to focus on the issues rather than personal friendships, rivalries, or reputations; the Latin pseudonyms allowed the authors to identify with famous and respected classical figures; the authors were afraid they would face backlash or even violence if their ideas proved unpopular.

Note: For more primary source work related to this topic, see the Foundations of Freedom DBQ Workbook.



CHECK FOR UNDERSTANDING

Ask students to:

- Write a short answer to the Framing Question: “What ideas and events influenced the formation of the U.S. government?”
 - » Key points students should cite include: concepts inherited from English law, such as due process (Magna Carta) and freedom of speech (English Bill of Rights); early colonial experiences such as the Great Awakening; the creation of the Articles of Confederation and its inherent challenges; debates about the role, scope, and structure of the federal and state governments.
- Choose three Core Vocabulary words (*baron, charter, natural right, due process, pilgrim, precedent, depose, denomination, militia, mitigate, Electoral College, habeas corpus, bill of attainder, ex post facto law, treason, ratify*) and explain how they are related to each other.

To wrap up the lesson, invite several students to share their responses.

Activity Page



AP 2.1

NOTE: You may wish to assign Domain Vocabulary: Unit 1 (AP 2.1) for homework.

Teacher Resources

Topic Assessments: Unit 1

- Topic 1: Purpose and Types of Government 56
- Topic 2: Principles and Events That Influenced the Formation of the U.S. Government 61

Performance Task: Unit 1

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Activity Pages

- Primary Source Analysis (AP 1.1) 72
- Venn Diagram (AP 1.2) 73
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- Answer Key: Unit 1** 79

Assessment: Topic 1—Purpose and Types of Government

A. On your own paper, write the letter that provides the best answer.

Use the image to answer questions 1, 2, and 3.



1. Which political idea was this image made to illustrate? (C.6.c, C.8.a)
 - a) A sovereign derives their right to rule from the people.
 - b) Kings are like giants: They are monsters who terrorize their subjects.
 - c) Both cities and the countryside are important to a country's well-being.
 - d) Kings should be prepared to go to war at any time on behalf of their people.
2. Which principle of political philosophy does the sword most likely symbolize? (C.6.c, C.8.a)
 - a) Swords should only be wielded by aristocrats.
 - b) Monarchy is an inherently violent system of government.
 - c) Governments have the authority to exercise physical force.
 - d) It is the king's right—and only the king's—to confer knighthood.
3. Which term would be used by later writers to describe the relationship depicted in this illustration? (C.6.c, C.8.g)
 - a) separation of powers
 - b) checks and balances
 - c) divine right of kings
 - d) social contract

4. Use the quotation to answer the question.

Because men enter society to protect their natural rights, when the government tries to take away or destroy the people's life, liberty, or property, the government puts itself in a state of war with the people.

—John Locke, *Second Treatise of Government*, 1689

Which of the following did Locke believe about this “state of war”? Select the **two** correct answers. (C.7.b, C.8.a, C.8.c)

- a) The government had failed in its purpose.
- b) A foreign government would surely take over.
- c) The state of nature would replace civil society.
- d) The people would go to war with other nations.
- e) There would no longer be an obligation to obey the government.

Use the quotation to answer questions 5 and 6.

The people have made themselves masters of everything through decrees of the Assembly and decisions of the law courts, in which they hold the power.

—Aristotle, *The Athenian Constitution*, 322 BCE

5. Which term describes the political system that Aristotle describes here? (C.8.b)

- a) autocracy
- b) democracy
- c) oligarchy
- d) theocracy

6. Which people “held the power” under this system in ancient Athens? (C.8.b)

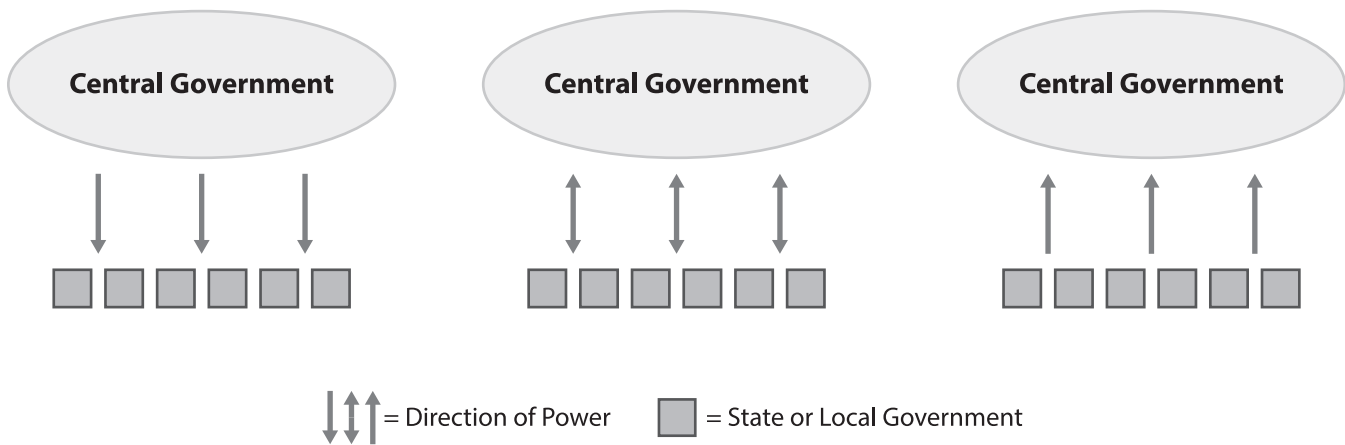
- a) all free men and women
- b) free men who were citizens
- c) residents of Athens age fourteen or older
- d) members of a small, hereditary ruling class

Use the image to answer questions 7 and 8.



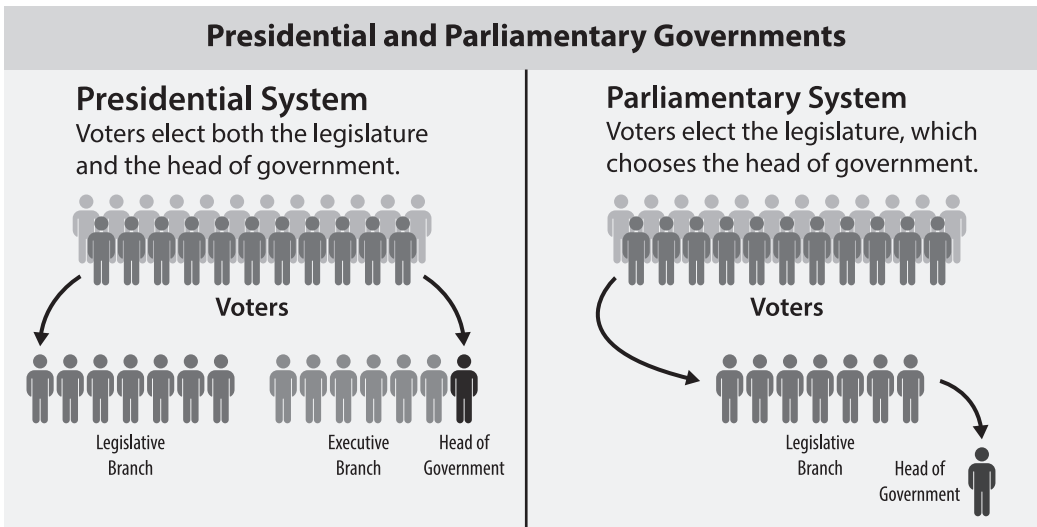
7. What was the official role in Roman society of the people depicted in this painting? (C.7.a)
- members of a ceremonial priesthood
 - oligarchs who directly made and enforced laws
 - advisors to other political leaders and lawmakers
 - judges who presided over lawsuits between private citizens
8. What does the change in the role of these people during the Roman Empire indicate about a larger shift in the government of ancient Rome? (C.7.a)
- Citizens now had a larger role in selecting leaders.
 - Government had become less representative of the people.
 - Democratic ideals had begun to play a more important role.
 - Power sharing had begun to take place across different levels of government.

Use the image to answer questions 9 and 10.



9. Which term describes the system of government shown at the left of the diagram? (C.8.b)
- confederate
 - federal
 - unicameral
 - unitary
10. Which part of the diagram matches the structure of the U.S. government? (C.8.b, C.8.g)
- the left panel, with downward arrows
 - the central panel, with bidirectional arrows
 - the right panel, with upward arrows
 - all of the panels

11. Use the diagram to answer the question.



The United Kingdom follows the parliamentary system of government. Based on this fact, which of these is a difference between the United Kingdom and the United States? **(C.8.b)**

- a) Parliament is popularly elected, but Congress is not.
- b) British voters have no say in who leads their government.
- c) The president is elected by citizens, but the prime minister is not.
- d) The United States has an executive branch of government; the United Kingdom does not.

Use the quotation to answer questions 12, 13, and 14.

In every government there are three kinds of power: legislative, executive, and judicial. The power of the first is to make or change laws. The power of the second is to ensure public security, including making peace or war and defending against invasions. The power of the third is to punish criminals and settle disputes between individuals. Freedom requires that these powers be separated among different people or groups, and not concentrated in the hands of a single person or group.

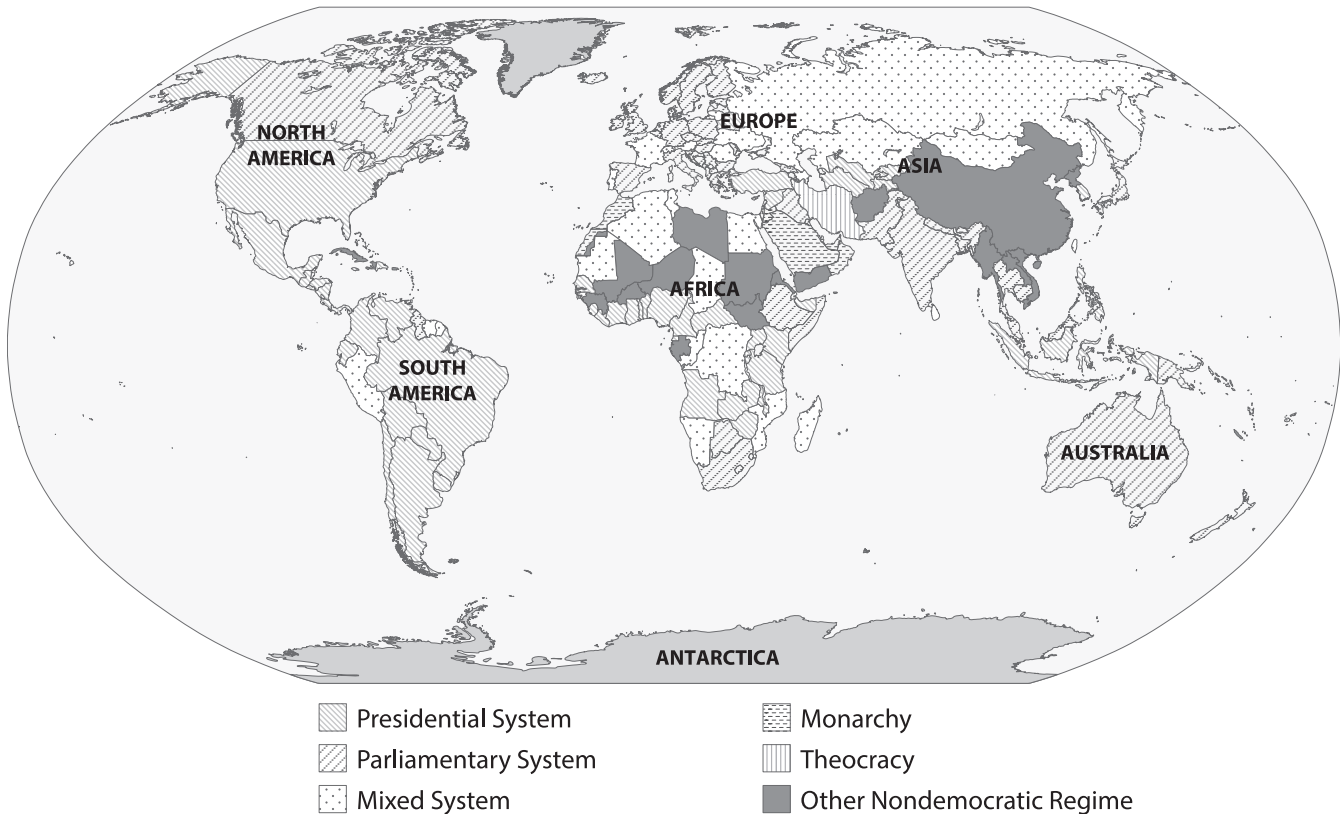
—Montesquieu, *The Spirit of Laws*, 1748

12. Which is an example of a U.S. government practice that differs from Montesquieu's description of the three branches? **(C.7.a, C.8.b, C.8.g)**
- a) The president must ask Congress to authorize a declaration of war.
 - b) The Supreme Court settles disputes, including some between private individuals.
 - c) An executive agency controls the flow of people and goods across the United States' borders.
 - d) Congress drafts and enacts new legislation to cope with the social effects of an emerging technology.
13. Which of these parts of the U.S. government corresponds to the second branch in Montesquieu's analysis? **(C.7.a, C.8.b, C.8.g)**
- a) the Senate
 - b) the president
 - c) the Supreme Court
 - d) the House of Representatives

14. Which of these terms describes the principle that Montesquieu says is necessary for freedom? (C.7.a, C.8.g)
- a) the separation of powers
 - b) the constitution principle
 - c) the Montesquieu doctrine
 - d) the three-branches theory

Use the map to answer question 15.

Systems of Government Around the World, 2024



15. Based on the categories used in the map, which continents have the greatest variety of systems of government? Select the **two** correct answers. (C.5, C.8.b)
- a) Asia
 - b) Africa
 - c) Australia
 - d) North America
 - e) South America

B. On your own paper, write a well-organized paragraph in response to the following prompt.

Evaluate this claim: The United States government is unique among the governments of the world. (C.8.b, C.8.g)

As you write, be sure to do the following:

- Provide a claim that answers all parts of the prompt.
- Support your claim with information and examples from your knowledge of civics **and** evidence from the sources.
- Provide explanations and reasoning that show how your knowledge and evidence support your claim.

Assessment: Topic 2—Principles and Events That Influenced the Formation of the U.S. Government

A. On your own paper, write the letter that provides the best answer.

Use the quotation to answer question 1.

39. No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land.

40. To no one will we sell, to no one deny or delay right or justice.

—Magna Carta

1. Which term describes the principle expressed in Clause 40 of the Magna Carta? (C.8.d, C.8.g)
- a) due process
 - b) habeas corpus
 - c) divine right of kings
 - d) separation of powers

Use the excerpt to answer question 2.

In the Name of God, Amen. We, whose names are underwritten, the Loyal Subjects of our dread Sovereign Lord King James, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, etc. Having undertaken for the Glory of God, and Advancement of the Christian Faith, and the Honour of our King and Country, a Voyage to plant the first Colony in the northern Parts of Virginia; Do by these Presents, solemnly and mutually, in the Presence of God and one another, covenant and combine ourselves together into a civil Body Politick, for our better Ordering and Preservation, and Furtherance of the Ends aforesaid . . .

—Mayflower Compact

2. Part A

What idea within the Mayflower Compact influenced the foundational documents of the U.S. government?

- a) respect due to a monarch
- b) support for self-government
- c) significance of organized religion
- d) importance of expanding territory

Part B

Which evidence from the excerpt best supports the answer to Part A?

- a) "We, whose names are underwritten, the Loyal Subjects of our dread Sovereign Lord King James"
- b) "Having undertaken for the Glory of God, and Advancement of the Christian Faith, and the Honour of our King and Country"
- c) "a Voyage to plant the first Colony in the northern Parts of Virginia"
- d) "Do by these Presents, solemnly and mutually, in the Presence of God and one another, covenant and combine ourselves together into a civil Body Politick, for our better Ordering and Preservation"

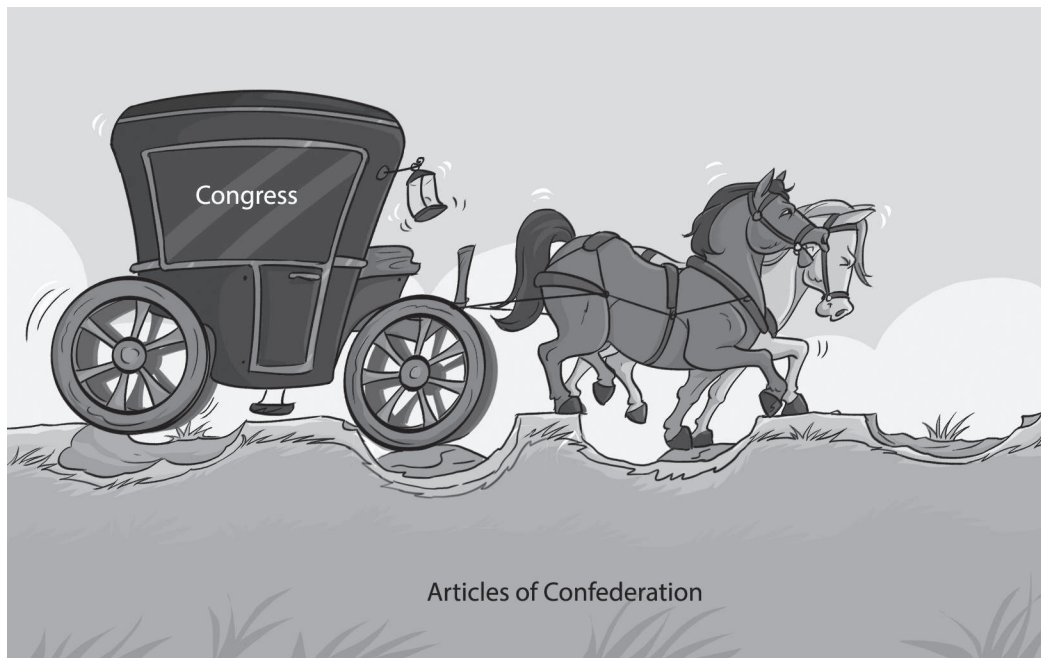
Use the excerpt and image to answer questions 3, 4, and 5.

Each state retains its sovereignty, freedom, and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

For the more convenient management of the general interests of the united states, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress on the first Monday in November. . . .

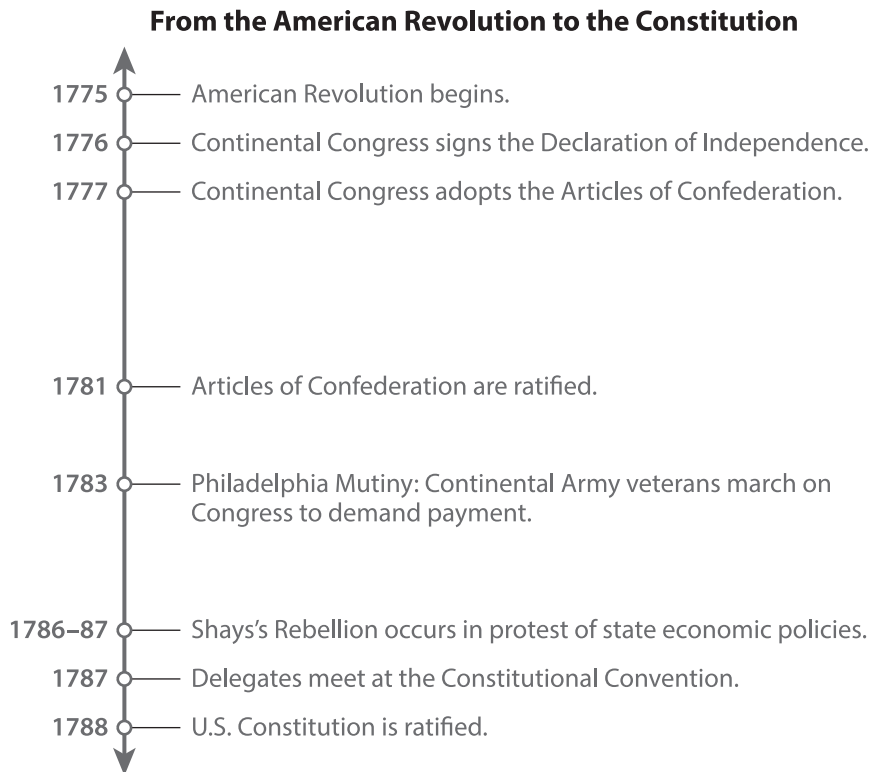
In determining questions in the united states, in Congress assembled, each state shall have one vote.

—Articles of Confederation, Articles II and V



3. Which of these best describes the intended destination of the cart in the illustration? (C.2, C.8.d, C.8.e)
- a) a country with greater respect for individual rights and freedoms
 - b) a better relationship between the colonies and their king
 - c) a successful start to the revolution against British rule
 - d) a governing union among the former colonies
4. Which of the following, indicated by the excerpt, best characterizes the “bumps in the road” that the Articles of Confederation created for the new U.S. government? (C.2, C.8.d, C.8.e)
- a) inability to exert power over the states
 - b) frequent attacks by hostile foreign powers
 - c) excessive federal interference in state affairs
 - d) inadequate transportation for delegates to visit Philadelphia
5. Which statement best describes the connection between the Articles of Confederation and the Constitutional Convention? (C.2, C.8.d, C.8.e)
- a) The convention was held to make minor revisions to the Articles of Confederation.
 - b) The convention resulted in the replacement of the Articles of Confederation with a new constitution.
 - c) The convention’s debates around the Articles of Confederation led delegates to seek reconciliation with Great Britain.
 - d) The convention’s results led delegates to recommend dissolving the American republic into thirteen independent states.

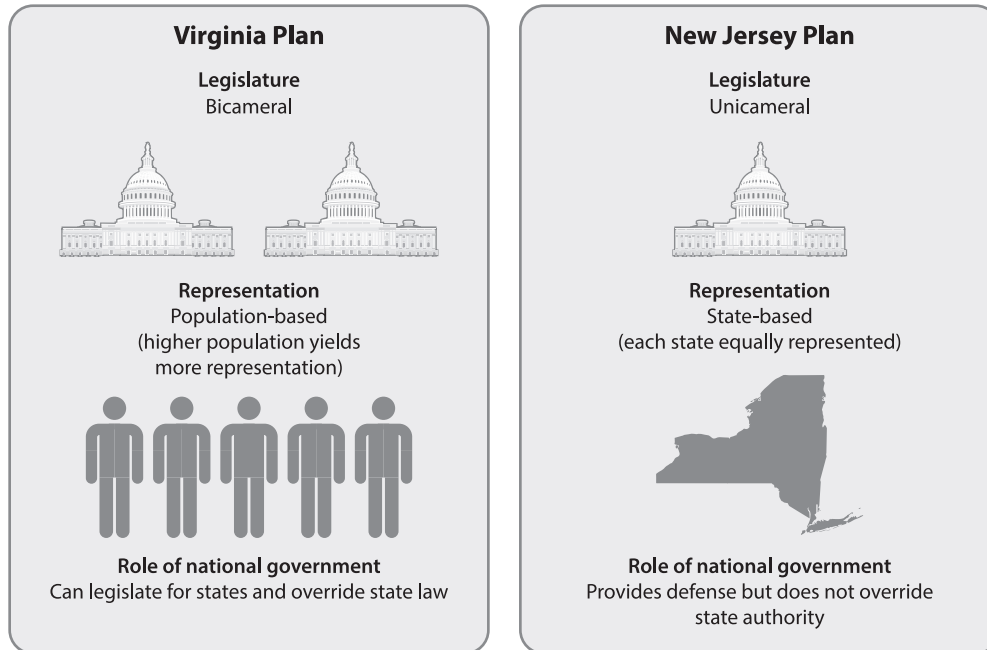
Use the image to answer questions 6 and 7.



6. What did the events of 1783 and 1786 in this timeline have in common? **(C.2, C.8.d, C.8.e)**
- a) Both led to considerable bloodshed.
 - b) Both took place in the then-capital city of Philadelphia.
 - c) Both stemmed, in part, from Congress's inability to pay its debts.
 - d) Both ultimately showed the strengths of the Articles of Confederation.
7. Based on this timeline, which best explains why the Continental Congress acted so quickly in adopting the Articles of Confederation? **(C.2, C.8.d, C.8.e)**
- a) The American Revolution was ongoing, and a plan of government was urgently needed.
 - b) The original U.S. Constitution had serious flaws revealed during the war.
 - c) The Founders of the United States wished to suppress rebellions.
 - d) The Continental Army needed a source of tax revenue.

Use the image to answer questions 8 and 9.

Two Plans for a New Federal Government



8. What was the result when these two competing plans were presented to the Constitutional Convention? (C.1, C.2, C.8.d, C.8.e)
- a) The Virginia Plan was adopted in its entirety.
 - b) The New Jersey Plan was adopted in its entirety.
 - c) A third, unrelated plan put forth by Rhode Island was adopted.
 - d) A compromise was enacted between the Virginia and New Jersey Plans.
9. Which aspects of contemporary U.S. government practice reflect the principles of the Virginia Plan? Select the **two** correct answers. (C.1, C.2, C.8.d, C.8.e)
- a) Two senators are elected for each state.
 - b) The number of representatives varies by state.
 - c) Almost all individual states have bicameral legislatures.
 - d) The president can veto laws passed by the U.S. Congress.
 - e) The Supremacy Clause governs the relationship between federal and state law.

Use the quotation to answer questions 10, 11, and 12.

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. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct.

—U.S. Constitution, Article I, Section 2

10. The principle articulated in this section of the Constitution is known as _____. (C.1, C.2, C.8.d, C.8.e, C.8.g)
- a) the Three-Fifths Compromise
 - b) the Connecticut Compromise
 - c) the Great Compromise
 - d) the Great Refusal
11. In the above excerpt, to whom does the phrase “all other Persons” refer? (C.1, C.2, C.8.d, C.8.e, C.8.g)
- a) enslaved persons
 - b) freeborn colonists
 - c) immigrants from southern Europe
 - d) Indigenous people not subject to taxation
12. In the above excerpt, which is a purpose of the “Enumeration”? (C.1, C.2, C.8.d, C.8.e, C.8.g)
- a) determining who is a citizen
 - b) determining who is eligible to vote
 - c) determining who will be exempt from taxes
 - d) determining how states will be represented in Congress

Use the quotation to answer questions 13 and 14.

From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction . . . A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking . . .

—*Federalist* No. 10, 1787

13. Which statement most accurately describes the event that the *Federalist* authors wished to prevent? (C.1, C.2, C.8.d, C.8.e, C.8.g, C.9.b)
- a) They wanted to preempt an increase in lawlessness and mischief in U.S. society.
 - b) They wished to prevent the division of the country into rival political groups.
 - c) They aimed to counteract the rapidly changing attitudes of U.S. leaders toward federalism.
 - d) They resisted the idea that Congress would only represent a small percentage of the country’s people.
14. Why did the *Federalist* authors believe a republic was likely to “cure” this problem? (C.1, C.2, C.8.d, C.8.e, C.8.g, C.9.b)
- a) It banned any official recognition of political factions.
 - b) It brought the United States closer to a pure democracy.
 - c) It ensured that all political factions would be represented.
 - d) It provided an effective system of representative government.

Use the quotation to answer questions 15, 16, and 17.

In so extensive a republic, the great officers of government would soon become above the control of the people, and abuse their power to the purpose of aggrandizing [boosting] themselves, and oppressing them. . . . When these are attended with great honor and emolument [payment], as they always will be in large states, so as greatly to interest men to pursue them, and to be proper objects for ambitious and designing men, such men will be ever restless in their pursuit after them. They will use the power, when they have acquired it, to the purposes of gratifying their own interest and ambition, and it is scarcely possible, in a very large republic, to call them to account for their misconduct, or to prevent their abuse of power.

—Brutus I, 1787

15. What was the main purpose of this document? (C.1, C.2, C.8.d, C.8.e, C.8.g, C.9.b)
- a) to persuade people against the ratification of the Constitution
 - b) to criticize specific candidates for office in the American republic
 - c) to demand that the United States be governed as a pure democracy
 - d) to call for an investigation of corruption in the Constitutional Convention
16. Which best characterizes a different viewpoint between Brutus and the *Federalist* No. 10 authors? (C.1, C.2, C.8.d, C.8.e, C.8.g, C.9.b)
- a) The *Federalist* authors considered “republic” and “democracy” to be synonyms; the Brutus authors thought republics were undemocratic by their very nature.
 - b) The *Federalist* authors believed it was impossible for American officials to abuse their power; the Brutus authors thought it was very likely to happen.
 - c) The *Federalist* authors warned against concentrating political power in the hands of a few; the Brutus authors considered this desirable.
 - d) The *Federalist* authors described elected officials as wise and patriotic; the Brutus authors saw them as potentially oppressive.
17. Which development in U.S. law and government addressed Brutus’s concern that “the great officers of government would . . . oppress” the people? (C.1, C.2, C.8.d, C.8.e, C.8.g, C.9.b)
- a) the Constitution
 - b) the Bill of Rights
 - c) the Charter of Congress
 - d) the Articles of Confederation

B. On your own paper, write a well-organized paragraph in response to the following prompt. Be sure to include evidence from the reading and activities to support your claim.

Evaluate this claim: The framers of the U.S. Constitution mainly drew from existing English legal traditions. (C.1, C.2, C.8.d, C.8.e, C.8.g)

As you write, be sure to do the following:

- Provide a claim that answers all parts of the prompt.
- Support your claim with information and examples from your knowledge of civics **and** evidence from the sources.
- Provide explanations and reasoning that show how your knowledge and evidence support your claim.

Performance Task: Foundations of the United States Government

Teacher Directions: The Founders of the United States acknowledged influences reaching back to classical Roman and Greek times, yet they faced unique challenges as a newly independent country with an extensive territory and a large population.

Ask students to respond to the following prompt. Encourage students to use information from their Student Volume in their responses.

Prompt:

Analyze how the U.S. Constitution, including the Bill of Rights, adapted principles and practices from several different times and places. (C.1, C.2, C.3, C.4, C.6, C.7, C.9.d, C.9.e)

As you write, be sure to do the following:

- Provide a claim that answers all parts of the prompt.
- Support your claim with information and examples from your knowledge of civics **and** evidence from the sources.
- Provide explanations and reasoning that show how your knowledge and evidence support your claim.

A sample table, completed with possible notes, is provided below to serve as a reference for teachers, should some prompting or scaffolding be needed to help students get started.

Sample claim:	The U.S. Constitution and Bill of Rights drew on a long heritage of rule by the people and respect for basic rights. They combined ideas from ancient Athenian democracy, prior English law, and the Founders’ experiences with colonialism and early self-rule.
Reason:	Many parts of the U.S. Constitution can be traced directly to earlier documents or traditions that were also important in their time.
Evidence:	<p>Ancient Athens was ruled by a democracy. Although the Founders of the United States were wary of direct democracy, they adopted the idea that the people should rule the country.</p> <p>The Magna Carta and the English Bill of Rights both introduced ideas that appear almost word-for-word in the U.S. Constitution. For example, the Magna Carta spelled out the principle of due process, and the English Bill of Rights mentions free speech.</p> <p>Several specific provisions in the U.S. Constitution deal with abusive laws and legal practices. They guard against bills of attainder, ex post facto laws, and imprisonment without trial, and they define <i>treason</i> very precisely. These come from the colonists’ experiences with a punitive legal system under British rule.</p>
Counterclaim and answer:	The U.S. Constitution dealt with unprecedented issues or created structures of government that had never been attempted before. Some details—such as the way seats in Congress are apportioned—are specific to the United States and cannot be traced directly to earlier documents or traditions.

Name _____

Date _____

Performance Task Activity: *Foundations of the United States Government*

Prompt:

Analyze how the U.S. Constitution, including the Bill of Rights, adapted principles and practices from several different times and places.

As you write, be sure to do the following:

- Provide a claim that answers all parts of the prompt.
- Support your claim with information and examples from your knowledge of civics **and** evidence from the sources.
- Provide explanations and reasoning that show how your knowledge and evidence support your claim.

Write your answer on separate sheets of paper.

Source 1

from Pericles's Funeral Oration from the Peloponnesian War, 431 BCE

Our constitution does not copy the laws of neighboring states; we are rather a pattern to others than imitators ourselves. Its administration favors the many instead of the few; this is why it is called a democracy. If we look to the laws, they afford equal justice to all in their private differences; . . . class considerations not being allowed to interfere with merit [worthiness]; nor again does poverty bar [prohibit] the way, if a man is able to serve the state, he is not hindered by the obscurity [unknownness] of his condition. . . .

Source 2

from Magna Carta, 1215 CE

39. No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land

40. To no one will we sell, to no one deny or delay right or justice.

Source 3

from English Bill of Rights, 1689

. . . That the pretended power of suspending of laws or the execution of laws by regal [royal] authority without consent of Parliament is illegal. . . .

That levying money [raising taxes] for or to the use of the Crown by pretense of prerogative without grant of Parliament . . . is illegal. . . .

That the raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of Parliament, is against law.

That the subjects which are Protestants may have arms for their defense suitable to their conditions and as allowed by law. . . .

That the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place out of Parliament.

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. . . .

Source 4

Federalist No. 10, 1787

by James Madison, writing as “Publius”

From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. . . .

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. . . .

The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. . . .

Hence, it clearly appears, that the same advantage which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic,—is enjoyed by the Union over the States composing it.

Source 5

Brutus I, 1787

In so extensive a republic, the great officers of government would soon become above the control of the people, and abuse their power to the purpose of aggrandizing [boosting] themselves, and oppressing them. . . . When these are attended with great honor and emolument [payment], as they always will be in large states, so as greatly to interest men to pursue them, and to be proper objects for ambitious and designing men, such men will be ever restless in their pursuit after them. They will use the power, when they have acquired it, to the purposes of gratifying their own interest and ambition, and it is scarcely possible, in a very large republic, to call them to account for their misconduct, or to prevent their abuse of power.

Performance Task Scoring Rubric

Note: Student essays should be evaluated on the basis of the rubric.

Score	Scoring Description
4	Response includes a correct claim about how the Constitution adapted principles and practices from different times and places. Response includes a correct explanation that addresses the prompt and includes at least one reference to a given source and relevant content knowledge that is not directly provided in the given source.
3	<p>Response includes a correct claim about how the Constitution adapted principles and practices from different times and places. Response includes a correct explanation that addresses the prompt and includes at least one reference to a given source or relevant content knowledge that is not directly provided in the given sources, but not both.</p> <p>OR</p> <p>Response includes a correct claim about how the Constitution adapted principles and practices from different times and places. Response includes at least one reference to a given source and relevant content knowledge that is not directly provided in the given source, but does not explain the evidence.</p> <p>OR</p> <p>Response includes a correct explanation to address how the Constitution adapted principles and practices from different times and places. The explanation includes at least one reference to a given source and relevant content knowledge that is not directly provided in the given source.</p>
2	<p>Response includes a correct claim about how the Constitution adapted principles and practices from different times and places with at least one reference to a given source or relevant content knowledge that is not directly provided in the given source.</p> <p>OR</p> <p>Response includes a correct explanation to address how the Constitution adapted principles and practices from different times and places. The explanation includes at least one reference to a given source or relevant content knowledge that is not directly provided in the given source.</p>
1	<p>Response includes a correct claim about how the Constitution adapted principles and practices from different times and places.</p> <p>OR</p> <p>Response includes correct information that is not directly relevant to the prompt but that demonstrates some student content knowledge about how the Constitution adapted principles and practices from different times and places.</p>
0	Response does not include any elements described above.

Name _____

Date _____

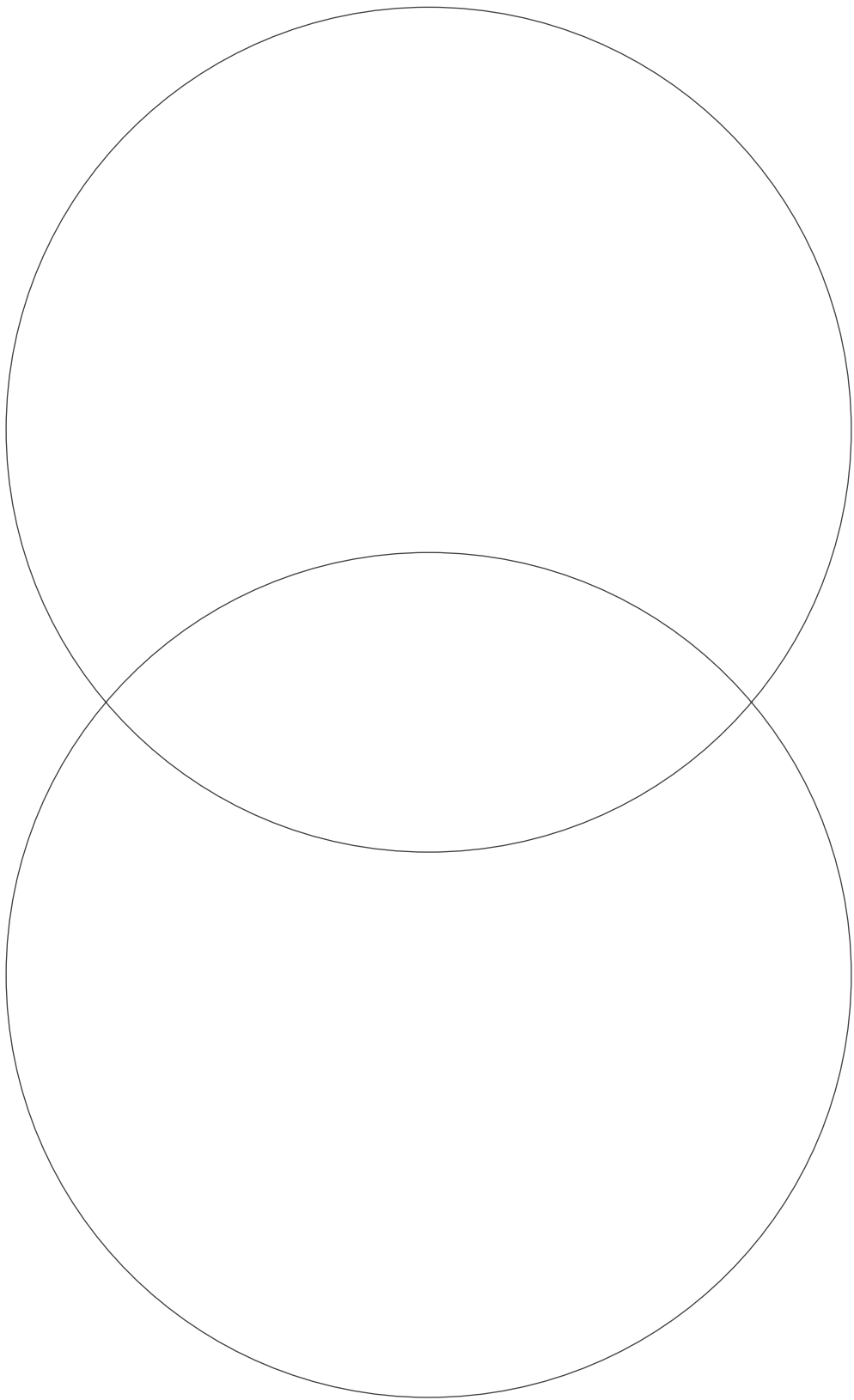
Activity Page 1.1

Primary Source Analysis

SOURCE:	
CONTENT What type of document is it? What does it say? Briefly summarize it.	
CREATION Who created this source? When?	
COMMUNICATION What is the purpose of the source? Who is the intended audience?	
CONTEXT What was going on where and when this was created?	
CONNECTION How does this source relate to the context? How does it relate to what you already know?	
CONSIDERATION What point of view is being expressed? What examples of bias or judgment does it include, if any?	
CONCLUSION Draw a conclusion about the source. How does it help answer the Framing Question? How does it contribute to your understanding of history?	

Activity Page 1.2

Venn Diagram



Name _____

Date _____

Activity Page 1.3

Comparing Social Contract Ideologies

Philosopher	Ideas About the Role of the Government	Ideas About the Role of the Governed

Name _____

Date _____

Activity Page 1.4

Comparing Government Types

Government Type	Characteristics
Constitutional monarchy	
Autocracy	
Theocracy	
Constitutional republic	

Name _____

Date _____

Activity Page 1.5

The Three Branches of Government



Legislative

Purpose:

**How it can check
the power of the
other branches:**



Executive

Purpose:

**How it can check
the power of the
other branches:**



Judicial

Purpose:

**How it can check
the power of the
other branches:**

Name _____

Date _____

Activity Page 2.1

Domain Vocabulary: Unit 1

On your own paper, write the term from the word bank that correctly completes each sentence.

liberty	governance	legislature
social contract	direct democracy	constitutional monarchy
tyranny	unitary	confederate
bicameral	unicameral	head of government
parliamentary system	head of state	presidential system
communism	separation of powers	mixed economy
charter	natural rights	pilgrim
precedent	depose	militia
mitigate	treason	Electoral College
habeas corpus	bill of attainder	ratify

1. The writer of the controversial pamphlet had committed no crime, but he was arrested on a _____.
2. Patrick Henry said, "Give me _____ or give me death!"
3. California has the largest population and the most votes in the _____.
4. The _____ traveled to a famous shrine in Spain.
5. The leaders of the French Revolution sought to _____ the monarchs.
6. In a(n) _____, the government intervenes in the market but does not control it.
7. Germany uses a(n) _____ where the country's chief executive is elected by the legislature.
8. *Congress* is the term for the United States _____.
9. Life and liberty are considered examples of _____.
10. The colonists considered the heavy taxes imposed on them an act of _____.
11. The National Guard is the organized _____ of the United States.

Name _____

Date _____

Activity Page 2.1 (Continued)

Domain Vocabulary: Unit 1

12. Rhode Island was the last state to _____ the U.S. Constitution.
13. In the _____ government of Japan, the national legislature holds almost all the power.
14. The ancient Athenians practiced _____ where citizens met and voted directly on issues facing the city.
15. Before the Constitution was adopted, the United States had a(n) _____ system of government.
16. Proponents of _____ wish to abolish private property altogether.
17. The King of England is the _____ but not the head of government.
18. The legislature of the United States is _____, with a House and a Senate.
19. Jailing someone indefinitely would violate their _____ rights.
20. In a(n) _____, the person who wears the crown does not make all the rules.
21. _____ legislatures are more common in very small countries.
22. With its ruling, the Supreme Court set an important _____ for future cases.
23. According to their _____, the colonists were supposed to settle in Virginia.
24. Good _____ is important not just to states and countries but to companies and nonprofit organizations.
25. The people vote directly for their chief executive in a(n) _____ of government.
26. The revolutionaries were accused of _____ for rebelling against the king.
27. Because of the _____, different people make, enforce, and interpret our country's laws.
28. The prime minister is the _____ but not the head of state.
29. The _____ may not be a signed piece of paper, but it is an agreement nonetheless.
30. Congress enacted a law to _____ the harm caused to farmers by drought.

Answer Key: Foundations of the United States Government

Topic Assessments

Topic 1

A. 1. a 2. c 3. d 4. a, e 5. b 6. b 7. c 8. b 9. d
10. b 11. c 12. a 13. b 14. a 15. a, b

B.

Score	Scoring Description
4	Student makes a claim about the uniqueness of the U.S. government and correctly supports it with an explanation of two different pieces of evidence.
3	Student makes a claim about the uniqueness of the U.S. government and correctly supports it with an explanation of one piece of evidence. AND Student correctly identifies a second piece of evidence without explaining it.
2	Student makes a claim about the uniqueness of the U.S. government and identifies two different pieces of evidence without explaining either. OR Student makes a claim about the uniqueness of the U.S. government and correctly explains one piece of evidence.
1	Student makes a claim about the uniqueness of the U.S. government and correctly identifies one piece of evidence. OR Student includes correct information related to the prompt that demonstrates some student content knowledge about the uniqueness of the U.S. government.
0	The response contained only incorrect or irrelevant information or the item is left blank.

Topic 2

A. 1. a 2. b, d 3. d 4. a 5. b 6. c 7. a 8. d 9. b, e
10. a 11. a 12. d 13. b 14. d 15. a 16. d 17. b

B.

Score	Scoring Description
4	Student makes a claim about the degree of influence of existing English legal traditions and correctly supports it with an explanation of two different pieces of evidence.
3	Student makes a claim about the degree of influence of existing English legal traditions and correctly supports it with an explanation of one piece of evidence. AND Student correctly identifies a second piece of evidence without explaining it.
2	Student makes a claim about the degree of influence of existing English legal traditions and identifies two different pieces of evidence without explaining either. OR Student makes a claim about the degree of influence of existing English legal traditions and correctly explains one piece of evidence.
1	Student makes a claim about the degree of influence of existing English legal traditions and correctly identifies one piece of evidence. OR Student includes correct information related to the prompt that demonstrates some student content knowledge about the degree of influence of existing English legal traditions.
0	The response contained only incorrect or irrelevant information or the item is left blank.

Activity Pages

Topic 1

Primary Source Analysis (AP 1.1): Adapted from *The Athenian Constitution*, Aristotle, 322 BCE

Content: This is a description of how the government worked in the ancient Greek city-state of Athens. It tells how young men became citizens and thus eligible to help make laws and decide court cases.

Creation: The text was written around 2,300 years ago by the Greek philosopher Aristotle or by one of his students.

Communication: Aristotle was trying to explain what made the Athenian democracy unique and how it operated.

Context: Aristotle lived when Athens was a powerful city-state with a large population. There were not a lot of democratic societies in the ancient world, so Aristotle may have thought that Athens was special in that regard.

Connection: This source shows that democracy has a very long history—more than two millennia. It makes me wonder how the United States is similar to and different from ancient democracies.

Consideration: Aristotle seems to be taking a neutral tone when he reports how things worked. He does not find it unusual that only boys were eligible to become citizens when they turned eighteen.

Conclusion: This source helps me understand where key democratic ideas in the United States might have come from.

Primary Source Analysis (AP 1.1): Adapted from *Pericles's Funeral Oration from the Peloponnesian War*, 431 BCE

Content: This is part of a funeral speech—a eulogy—for those who died in a major war between Athens and Sparta. This part of the speech praises the way Athens governs itself democratically.

Creation: The speech was given in the year 431 BCE by the Athenian political leader Pericles. It was probably written down soon after.

Communication: Pericles was trying to remind his listeners about what made Athens great and unique compared to “neighboring states.”

Context: Athens was at war with Sparta. Thus, Pericles may have been trying to show that Athens was better than Sparta because it was a democracy.

Connection: Pericles says that other city-states looked to Athens and wanted to imitate its form of government. This makes sense because the Founders of the United States also looked to past democratic governments and tried to do something similar.

Consideration: Pericles is very proud of Athens and claims that it has a leading position among the Greek city-states. I would have to do more research to know whether he is exaggerating here.

Conclusion: This source helps me understand that Athenians were a lot like Americans in one important way: They were proud of their democracy.

Primary Source Analysis (AP 1.1): Polybius on the Roman Republic

Content: This is part of a longer history of ancient Rome, written by a Greek historian who lived in Rome and was interested in Roman culture. It explains how power was divided among different groups in the ancient Roman Republic.

Creation: This document must have been written sometime in the last five centuries BCE, since that is when the Roman Republic existed. Polybius describes things in the present tense, so it sounds like he lived during the period of the Republic.

Communication: Polybius must have been writing for other Romans and Greeks who were curious about how Rome had become so powerful.

Context: Other civilizations of the period must have had different forms of government. As a Greek, Polybius likely knew about the many ways that the Greek city-states governed themselves. He expected his readers to know about democracies, monarchies, and aristocracies, because he says that Rome has features of each of these.

Connection: This text explains how Rome's government was unique in its time. It also outlines how power was split between different branches of government, similar to the United States today.

Consideration: Polybius sounds very neutral and actually kind of academic in the way he discusses the topic. He explains how Rome looks to outsiders by saying that even native Romans have trouble seeing the big picture.

Conclusion: This source shows another stepping stone on the path to modern democracies like the United States. It helps me see where some parts of the government, like the presidency and the Senate, may have originated.

Primary Source Analysis (AP 1.1): Hobbes, Locke, and Rousseau on the Social Contract

Content: These are short passages from three books about the relationship between people and government. They all say that a government is formed when people agree to give up some rights in exchange for protection.

Creation: The books were written by Thomas Hobbes, John Locke, and Jean-Jacques Rousseau between 1651 and 1755 CE.

Communication: These three writers were likely trying to explain their theories about the way government works to other educated people of their time.

Context: All three authors lived in times and places in which monarchies were very common. They were all familiar with governments led by kings.

Connection: These sources show that the idea of government representing the people is not new. It was debated more than a century before the United States was founded. But I also know that during the American Revolution, people wanted more representation in their government. So, governments can be better or worse at representing the people they govern.

Consideration: All the authors write about “man” or “men” because in their time and place, men were the only ones allowed to take part in politics. If these books were written today, they would probably talk about “people” in general.

Conclusion: This source helps me understand where some basic ideas of the U.S. government came from. It also helps explain why England and France eventually revolted against their monarchs.

Primary Source Analysis (AP 1.1): From *The Spirit of Laws*, Montesquieu, 1748

Content: This is part of a longer book on how law and government work, both in France and around the world. The excerpt explains how there are three branches of government and argues that they must be separated to protect people’s freedom.

Creation: This document was written by a legal expert and noble named Charles-Louis de Secondat. We know him by his noble title, the Baron de Montesquieu. It was published in 1748.

Communication: Montesquieu seems to have been writing for very educated people—maybe for law students or other judges and lawyers.

Context: When this book was written, France was still a monarchy, and the French Revolution was decades away. So, people might have been happier with the French government than they were during the Revolution. Or Montesquieu may have been trying to warn about problems with the French government. To decide, I would need to find out whether France followed the separation of powers the way Montesquieu recommended.

Connection: This text explains the importance of the separation of powers. It points out that a government needs to do many different kinds of things but that if the same person or group holds all the power, it will limit people’s freedom. I know that the U.S. government also separates the powers of different parts of government for this same reason.

Consideration: Montesquieu sounds like he is cautioning against a problem with governments—either a problem that already exists or one that could easily occur.

Conclusion: This source shows that European writers, before the American and French Revolutions, were thinking a lot about political freedom and how to protect it. When they wrote documents like the Declaration of Independence and the Constitution, the Founders of the United States probably knew about and took inspiration from theories like Montesquieu’s.

Primary Source Analysis (AP 1.1): The Founders’ Concerns About Direct Democracy

Content: Part of this text is from an essay written soon after the American Revolution, and part is from a letter written decades later. Both parts warn that a direct (“pure”) democracy will end in violence and chaos.

Creation: Both authors were U.S. presidents at one point. James Madison became president after he wrote his essay in 1787, and John Adams had already served as president when he wrote his letter in 1814.

Communication: Madison was trying to convince the public of the dangers of a direct democracy. Adams was giving his opinion privately, perhaps to a friend, but he warned about the same basic problems.

Context: At the time of Madison's writing, the United States had not decided what its government would look like, and the Constitution had not been ratified. Adams wrote decades after the Constitution was ratified, so his motives aren't immediately as clear to me. He may have been warning against changing the United States into more of a "pure" democracy.

Connection: This source shows what political thinkers were worried about around the time of the country's founding. It helps explain why we have a more complicated system than the "pure" democracy that Madison warned of.

Consideration: Both men take a strong stance against a simple, direct democracy. They use harsh words to describe the fate of this kind of government, saying that it will die a "violent . . . death" or "commit suicide." So they must have felt very strongly about this issue.

Conclusion: This source helps explain why things like the Electoral College exist and why we have two houses of Congress. It also helps explain the Bill of Rights, which is a list of personal freedoms that no faction can take away.

Comparing Social Contract Ideologies (AP 1.3)

Philosopher: Thomas Hobbes; **Ideas About the Role of the Government:** Government can decrease fear and violence and enforce rules and boundaries for people to help them live more securely and cooperatively; **Ideas About the Role of the Governed:** People are naturally fearful and hostile and can benefit from allowing the government to have authority over them.

Philosopher: John Locke; **Ideas About the Role of the Government:** Government should enter a contract with the people, taking authority over some areas to achieve well-being for a community; if it does not achieve this goal, it should end and/or be replaced; **Ideas About the Role of the Governed:** People are reasonable and want to avoid conflict, but they can and should rebel against overly authoritative governments.

Philosopher: Jean-Jacques Rousseau; **Ideas About the Role of the Government:** It is in a "social contract" with the people, in which, ideally, it would exchange people's individual rights for full well-being; since this is not possible, it should try to benefit people as equally as possible; **Ideas About the Role of the Governed:** While people would ideally give up all individual rights in exchange for full comfort and security, they should at least commit themselves to their community; they should rebel against government that does not adequately provide for them.

Comparing Government Types (AP 1.4)

Government Type: Constitutional monarchy; **Characteristics:** Monarchy is part of a democratic government; Monarchs' powers are often more ceremonial than authoritative

Government Type: Autocracy; **Characteristics:** Authoritarian; Led by one person with unlimited power and authority; The governed are not part of lawmaking process; Individual and political freedoms are very limited or nonexistent

Government Type: Theocracy; **Characteristics:** Led by one religious leader or a group of religious leaders

Government Type: Constitutional republic; **Characteristics:** Includes representative democracy, in which people choose leaders to represent their needs; Government functions according to the country's constitution, or set of laws; Example of indirect democracy

Topic 2

Primary Source Analysis (AP 1.1): Magna Carta, 1215 CE

Content: This is part of the Magna Carta, an agreement between King John and the barons (noblemen) of his kingdom. It says that people will be given a fair trial under the "law of the land."

Creation: It was created by the English barons and King John or possibly by people who worked for the king. This version was signed in 1215 CE.

Communication: The king and the barons are the main audience, since it is an agreement between them. Other people in England and around Europe

might also want to know what the king and the barons had agreed to.

Context: England was in a war with France, and the barons were rebelling. King John needed to bring the barons back to his side.

Connection: This part of the Magna Carta shows some of the things the barons were worried about, such as fair treatment and the rule of law. I know that these concerns were also important when the United States was founded.

Consideration: The document is written as if King John is saying it, but the barons made him agree to it. Thus, I think it reflects their point of view.

Conclusion: These clauses of the Magna Carta describe *due process*. The fact that the colonists did not have due process under King George III was partly why they revolted. When they wrote the U.S. Constitution, they made sure to include their own guarantees about due process.

Primary Source Analysis (AP 1.1): Mayflower Compact, 1620

Content: This is the Mayflower Compact, an agreement among most of the men who sailed aboard the *Mayflower*. It says that they will govern themselves and elect their own leaders for their colony.

Creation: The men on board the ship wrote the Mayflower Compact as they were already approaching North America in 1620.

Communication: The Mayflower Compact lays down very basic rules for the colony but states that the colonists are still loyal to King James. It was meant for the colonists themselves, but it might also have been intended to inform people back in England of what the colonists had decided to do.

Context: The *Mayflower* had landed far away from Virginia, where the colony was meant to be founded. Thus, some on the ship argued that the charter (the rules) for the Virginia colony did not apply. This led those on board to make a new agreement.

Connection: The source shows that the colonists agreed to create their own laws and elect their own leaders and then to follow them with “submission and obedience.” They must have been concerned about everyone going off and doing their own thing if the original charter was not followed.

Consideration: The Mayflower Compact is written from the viewpoint of all the people who signed it. However, this does not mean everyone who signed felt the same way about it. Some might have thought it was important, while others went along with it reluctantly.

Conclusion: The Mayflower Compact is an example of self-government in colonial times. The key idea was that if the people make the rules and elect leaders together, then they must follow those rules and listen to those leaders. This is similar to the way representative democracy works under the U.S. Constitution.

Primary Source Analysis (AP 1.1): English Bill of Rights, 1689

Content: This is part of the English Bill of Rights. It explains why King James II was deposed and states the rights that Parliament wanted for itself and the people.

Creation: The English Bill of Rights was created in 1688 after King James II was deposed. Members of Parliament wrote it as a set of conditions that the new monarchs, William and Mary, would have to agree to.

Communication: This source formally guarantees basic rights for the English people. This suggests that these rights were not being respected before. The audience includes Parliament and the new monarchs as well as other people in England. It might also have been interesting to people in other European countries who were curious or concerned about the revolution in England.

Context: The English Bill of Rights came about because King James II was trying to impose his religion on the English people. He was forced to flee England in a revolution, and his relatives were invited to rule instead. However, they had to agree to this bill of rights.

Connection: Looking at the individual rights in this list, we can guess what kinds of problems Parliament—and perhaps the English people—had with King James II. For instance, Parliament says that it gets to decide when to raise an army, so it must have disagreed with the king about this.

Consideration: The point of view is that of Parliament, speaking for the people. There may be some anti-Catholic bias here, since some of the rights are granted only to Protestants.

Conclusion: Several of the rights listed here also show up in the U.S. Constitution, which was written by people who had broken free from British rule. Thus, this document seems to have had a strong influence on the content of the Constitution.

Primary Source Analysis (AP 1.1): Declaration of Independence, 1776

Content: This is the beginning of the Declaration of Independence. The authors of this document explained what they saw as everyone's basic rights. They also stated why they were breaking away from Britain.

Creation: The Declaration of Independence was written in the summer of 1776. Thomas Jefferson was the main author, but others, including Benjamin Franklin, helped.

Communication: The Declaration of Independence tells the world that the people of the former Thirteen Colonies are planning to form an independent country. It says that they have been subject to too many abuses not to rebel.

Context: Conflict between the colonists and their British rulers had been escalating for years. After Parliament passed a series of laws designed to punish and suppress the colonists, colonial leaders decided that they should become independent from Britain.

Connection: This document shows that the people who founded the United States knew they were doing something unusual and probably very controversial—breaking away to form their own country. They were concerned about what others around the world might think, so they explained that they had been treated unjustly and that their rights had been violated.

Consideration: The point of view is that of the Founders of the United States. Although Thomas Jefferson drafted the actual words, he was expressing what many people felt, including those who signed the Declaration of Independence. British leaders might have thought that the claims of "abuses" and "despotism" were excessive, but they did not seem that way to the colonists.

Conclusion: The Declaration of Independence explains why the United States became an independent country. Thus, it is a kind of key to the decisions that were made in writing the Articles of

Confederation, the U.S. Constitution, and the Bill of Rights. In those later documents, we can see what kind of rules were made to protect "Life, Liberty, and the pursuit of Happiness."

Primary Source Analysis (AP 1.1): The Articles of Confederation, 1777

Content: This is a portion of the Articles of Confederation, the "first constitution" of the United States that was used during the 1780s.

Creation: The Articles of Confederation were written in 1777 by a committee led by John Dickinson.

Communication: The Articles of Confederation explain that "the United States of America" will be a confederacy between thirteen sovereign states and that the states will have an equal say in matters that concern all of them. The audience is the people of the United States, including the leaders of the various states.

Context: In 1776, the United States had declared its independence from Britain. The next step was to decide how the newly independent country would be organized.

Connection: The Articles of Confederation show that originally, the states wanted to be more independent from one another than they are today. There were problems with the Articles of Confederation that eventually led them to be replaced with the Constitution. One problem was that Congress did not have enough power to do things like collect taxes and raise an army.

Consideration: It looks like the authors of the Articles of Confederation wanted to reassure people that the states would not lose too much of their power. Article II says the states keep their "sovereignty, freedom, and independence" and Article III calls the United States a "league of friendship."

Conclusion: The Articles of Confederation show that the United States used to be a confederacy before it adopted a federal system of government. It shows that the current form of government is not the only one we have tried as a nation.

Primary Source Analysis (AP 1.1): James Madison's Notes on the Constitutional Convention, May 29, 1787

Content: These are notes that James Madison made in his journal about the Constitutional Convention,

in which he took part. They record a speech that another delegate, Edmund Randolph, made during the convention.

Creation: Madison wrote these notes down in May 1787, toward the beginning of the Constitutional Convention.

Communication: The notes were probably made for Madison's own reference. He may have used them to prepare other documents, such as letters or speeches, where he shared his observations and ideas with others.

Context: The Constitutional Convention began as an attempt to revise the Articles of Confederation. However, it soon changed into an effort to replace the Articles of Confederation completely.

Connection: Madison shows that early in the Constitutional Convention, delegates were already arguing that the Articles of Confederation were fundamentally flawed. Their reasons included the inability to prevent foreign invasions or to conduct international trade.

Consideration: Madison seems to be neutrally recording what he heard at the Constitutional Convention. He doesn't appear to be putting his own "spin" on it. However, Randolph, whose speech is summarized in the notes, was clearly very critical of the Articles of Confederation.

Conclusion: These notes show some of the basic criticisms of the Articles of Confederation. By looking at these criticisms, we can see what problems the U.S. Constitution was created to solve.

Primary Source Analysis (AP 1.1): The Virginia Plan from James Madison's Notes on the Constitutional Convention, May 29, 1787

Content: These are more notes that James Madison made in his journal about the Constitutional Convention, in which he took part. They record some resolutions that Edmund Randolph proposed to the other delegates during the Constitutional Convention.

Creation: Madison wrote these notes down in May 1787, toward the beginning of the Constitutional Convention.

Communication: The notes were probably made for Madison's own reference. He may have used them to prepare other documents, such as letters or speeches,

where he shared his observations and ideas with others.

Context: The Constitutional Convention began as an attempt to revise the Articles of Confederation. A key issue was how the national legislature, Congress, would be reorganized.

Connection: Madison describes one of the two main plans that were put forth for reorganizing the government: the Virginia Plan, with a bicameral legislature. It sounds like part of the plan was to have legislators in the House elect those in the Senate, which didn't end up happening.

Consideration: Madison seems to be reporting what he heard without judging the proposals.

Conclusion: These notes show that not all of the ideas proposed at the Constitutional Convention actually made their way into the Constitution. Some of the proposals even seem a little strange today, such as having one legislature elect another. The Constitutional Convention really was an experiment in government.

Primary Source Analysis (AP 1.1): The New Jersey Plan or Paterson Resolutions, 1787

Content: This is an official record of a plan that was put forward for the powers the U.S. Congress would have.

Creation: The author is not given, but it appears to be either a transcript or summary of what William Paterson proposed in his New Jersey Plan. It was created in the summer of 1787 while the U.S. Constitution was being developed.

Communication: This record was likely intended for lawyers, historians, or other people who might want to look back at the proceedings of the Constitutional Convention.

Context: A major issue brought up during the Constitutional Convention was how much power the federal government should have. In particular, the delegates debated how and to what extent Congress should be able to override state legislatures.

Connection: This source represents the New Jersey Plan, which called for a weaker federal government than the Virginia Plan. Reading it, we can see that there must have been wide agreement about some powers that the federal government should have, such as the ability to regulate commerce and collect taxes.

Consideration: Paterson’s plan is presented without criticism or commentary. This seems like a neutral statement of the plan that is not intended to promote or challenge it.

Conclusion: By comparing this source with the Virginia Plan, we can understand the issues that were debated before the Constitution was finalized. The balance between “big” and “small” government seems to have been part of those debates, and it remains an important issue in the United States today.

Primary Source Analysis (AP 1.1): Article I, Section 2: The Three-Fifths Compromise

Content: This is part of the original articles of the U.S. Constitution. It explains how populations of states will be counted for various purposes of the federal government.

Creation: Like the rest of the Constitution, this was created in 1787 by members of the Constitutional Convention.

Communication: This part of the Constitution was meant to settle the issue of whether enslaved people would be counted in a state’s population. As part of the law of the land, its audience presumably included all Americans.

Context: There was a debate during the Constitutional Convention about whether to count enslaved people when apportioning representatives. States with many enslaved people wanted them to be counted even though they were not technically citizens; states with smaller enslaved populations wanted the opposite.

Connection: This passage shows how this issue of representation was resolved. I know that after the Civil War, this was no longer an issue because slavery was abolished. I see that the text also mentions “direct Taxes,” but I didn’t know that there were taxes based on a state’s population. I wonder whether there still are. [Teacher’s note: Such direct taxes were tried in the nineteenth century, but the Sixteenth Amendment was passed to authorize the collection of an income tax.]

Consideration: The point of view here is, in a sense, that of the entire Constitutional Convention. Together, they agreed to accept this compromise and present it to their states for ratification.

Conclusion: Seeing the Three-Fifths Compromise in writing reminds me that slavery was once widely

practiced in this country, to the extent that it became a main issue of debate. The reference to “free Persons” and “other Persons” is very indirect and seems kind of like a compromise itself.

Primary Source Analysis (AP 1.1): *Federalist No. 10*, 1787

Content: This is a passage from *The Federalist Papers*, essays written anonymously in support of ratifying the U.S. Constitution. In this particular essay, the author explains that having elected representatives will prevent the country from being swayed by “temporary or partial considerations.”

Creation: This was written in 1787 by James Madison, who later became president.

Communication: The purpose was to urge state legislatures to ratify the Constitution as it then existed. The audience was people who were considering whether it should be ratified, including state lawmakers and the voters who influenced those lawmakers.

Context: The Federalists went back and forth with the Anti-Federalists, who opposed ratification and wanted greater protection for individual rights. The ratification process took the better part of a year, and there was a lot of debate in the meantime.

Connection: Madison makes an interesting point here. He says that elected leaders can actually slow down the process of political change in America but in a good way. They can stop to think about whether a popular idea is actually a good one for the country.

Consideration: The point of view is Madison’s, personally, but it was probably shared for the most part by the other Federalists. The Federalists were writing to persuade people, so they probably didn’t dwell on any problems or dangers of the Constitution even if they saw them.

Conclusion: This essay brings up a good point about the “advantages of a republic.” It reminds me of the debate about the problems with a “pure democracy.” I can see that some people needed to be persuaded that a republic was a good idea, even after a direct democracy had been ruled out.

Primary Source Analysis (AP 1.1): *Brutus I*, 1787

Content: This is a part of an essay written by an Anti-Federalist. It was written anonymously to persuade

people that the Constitution should not yet be ratified. The author explains that elected officials will have a chance to abuse their power and will be tempted to do so.

Creation: The anonymous author wrote this essay in 1787, as the states were getting ready to decide on ratification.

Communication: The purpose was to urge state legislatures to reject the Constitution. The audience was the legislators themselves and any citizens who might influence their decisions.

Context: The Anti-Federalists were one side of a long and energetic debate with the Federalists, who supported ratification. The two sides wrote many essays outlining why the Constitution should or should not be ratified.

Connection: This essay argues basically the opposite of *Federalist* No. 10. It points to a downside of having elected officials—that they could become too powerful to be controlled if they start to become oppressive.

Consideration: The point of view is that of the individual author but also of the Anti-Federalist faction in general. Since they oppose ratification, they are focusing on the downsides of the Constitution without paying too much attention to the benefits.

Conclusion: This essay shows a real problem that the framers of the Constitution had to face: How could people be given great political power without the risk of turning into tyrants? It seems that even with checks and balances and the separation of powers, some were still worried about the potential for abuse.

Domain Vocabulary: Unit 1 (AP 2.1)

- | | |
|-------------------------|-----------------------------|
| 1. bill of attainder | 17. head of state |
| 2. liberty | 18. bicameral |
| 3. Electoral College | 19. habeas corpus |
| 4. pilgrim | 20. constitutional monarchy |
| 5. depose | 21. unicameral |
| 6. mixed economy | 22. precedent |
| 7. parliamentary system | 23. charter |
| 8. legislature | 24. governance |
| 9. natural rights | 25. presidential system |
| 10. tyranny | 26. treason |
| 11. militia | 27. separation of powers |
| 12. ratify | 28. head of government |
| 13. unitary | 29. social contract |
| 14. direct democracy | 30. mitigate |
| 15. confederate | |
| 16. communism | |



Unit 2: Government Structures, Powers, Functions, and Interactions



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TOPIC 1: The U.S. Constitution and the Bill of Rights

Framing Question: How does the Constitution protect liberty?

Primary Focus Objectives

- ✓ Explain the historical and philosophical influences on the U.S. Constitution. (C.8.c)
- ✓ Analyze the purposes and principles of the U.S. Constitution and Bill of Rights. (C.8.d, C.8.f, C.8.g)
- ✓ Explain the structure of the U.S. Constitution and Bill of Rights. (C.9.b)
- ✓ Explain how the amendment process makes the U.S. Constitution a “living” document. (C.9.b, C.9.g)
- ✓ Understand the meaning of the following domain-specific vocabulary: *preamble, consent of the governed, popular sovereignty, apportionment, enumerated power, jurisdiction, veto, slander, libel, probable cause, warrant, and eminent domain.*

What Teachers Need to Know

Online Resources For background information, download the Foundations of Freedom Online Resource “About The U.S. Constitution and the Bill of Rights”:



www.coreknowledge.org/foundations-of-freedom

Materials Needed

Activity Pages



AP 1.1
AP 1.2
AP 1.3

- individual student copies of Primary Source Analysis (AP 1.1), Articles I–III of the U.S. Constitution (AP 1.2), and The U.S. Bill of Rights (AP 1.3)
- individual student copies of the National Archives Analyze a Cartoon worksheet (optional)
- map of the ratification of the Eighteenth Amendment from *The New York Times*

Online Resources



Use this link to download the Foundations of Freedom Online Resources for this unit, where the specific links to the worksheet and map may be found:

www.coreknowledge.org/foundations-of-freedom

Core Vocabulary (Student Volume page numbers listed below)

preamble, n. an introduction or preface (58)

Example: Thomas Jefferson began the Declaration of Independence with a preamble that introduced its purpose to readers.

consent of the governed, n. the idea that a government's authority is lawful only when citizens agree to it (59)

Example: The philosophers believed that without the consent of the governed, leaders and governments lacked legitimate authority to rule.

popular sovereignty, n. the principle that people create the government and the government is subject to the people's will (59)

Example: One way citizens exercise popular sovereignty is by voting representatives into and out of office.

apportionment, n. the act of allocating representatives to states or voting districts based on their population (62)

Example: The federal government conducts a census every ten years to ensure that apportionment in the House of Representatives reflects population changes within the states.

Variations: apportion (v.), reapportion (v.)

enumerated power, n. a power of the U.S. government that is specifically listed in the Constitution (62)

Example: Enumerated powers of Congress include the abilities to pass legislation and declare war.

Variations: enumerated powers

jurisdiction, n. the power or authority of a court or legal system over certain geographic areas, groups, or types of action (62)

Example: Federal courts have jurisdiction when a citizen or noncitizen is charged with violating federal laws.

veto, v. to reject (65)

Example: The president chose to veto the bill because he believed it was unconstitutional.

Variations: vetoes, vetoing, vetoed, veto (n.)

slander, n. an oral statement that unfairly harms a person's reputation (72)

Example: The senator accused his opponent of slander for claiming without proof in a debate that he had broken a law.

Variations: slander (v.), slanderous (adj.), slanderously (adv.)

libel, n. a written or printed statement that unfairly harms a person's reputation (72)

Example: The politician accused the newspaper of printing libel that threatened his chances of being reelected.

Variations: libel (v.), libelous (adj.), libelously (adv.)

probable cause, n. a legal standard that gives officials a reason to obtain a warrant to search a private property and to seize property and individuals (73)

Example: The judge issued a warrant for investigators to search the warehouse after finding that there was probable cause to believe they would find evidence of a crime there.

warrant, n. a legal document authorizing officials to conduct a search, collect evidence, or make an arrest (73)

Example: After a judge issued a warrant, the police officers seized the vehicles that were thought to have been used in committing a crime.

eminent domain, n. the government's right to take private property for government use (73)

Example: Several people lost their homes when the federal government used eminent domain to acquire land needed to expand the highway from two lanes to four.

Introduce *Government Structures, Powers, Functions, and Interactions*

Have students turn to the unit opener on page 55, and direct them to take a few minutes to review the opening image, the unit title, and the headings, sidebars, primary sources, and images in Topic 1. Invite students to share what they notice; you may choose to record this information in a list on the board or chart paper. Students will likely mention the variety of government and military officials they see in the unit opener image, purposes of the Constitution, primary sources like John Adams's letter to John Penn, articles of the Constitution, and the Bill of Rights. Point out that the unit opener image shows President George W. Bush giving a State of the Union address, one of his constitutional responsibilities as president. Students will read more about the president's responsibilities—as well as the responsibilities of other members of government—throughout this unit.

Introduce “The U.S. Constitution and the Bill of Rights”

Introduce the topic by reminding students that during the Constitutional Convention, the Founders worked to create a new government for the United States. The document they created was heavily influenced by their experiences as British colonists and by the ideas of Enlightenment thinkers like John Locke, Jean-Jacques Rousseau, and the Baron de Montesquieu. Their efforts culminated in the creation of the U.S. Constitution, while debate over its ratification led to the Bill of Rights.

Call students' attention to the Framing Question. Ask them to define *liberty*. (Possible response: *Liberty is freedom*.) Tell students to look for how the Constitution protects liberty as they read the text.

Guided Reading Supports for “The U.S. Constitution and the Bill of Rights”



“‘Rogue’ Island,” pages 56–58

Scaffold understanding as follows:

Have students read the section on pages 56–58.

SUPPORT—Before students read the feature, explain that *perverse* means improper or cranky. Also, explain that when something is the *quintessence*, it is the most typical example of something, including an idea (such as *villainy*, which means evil or morally unacceptable behavior).

SUPPORT—Remind students that ratification of the Constitution occurred between December 1787 and May 1790. Eleven of the states voted to ratify by July 1788; North Carolina did not ratify until November 1789, and Rhode Island took until May 1790. Ask: What does this timeline suggest about people living in North Carolina and Rhode Island? (*They were less comfortable with the U.S. Constitution than people living in other states.*) (C.8.e)

SUPPORT—Explain that three states did not ratify the Bill of Rights in 1791: Massachusetts, Connecticut, and Georgia. In 1939, these states ratified the amendments to honor the 150th anniversary of Congress's approval of them.

SUPPORT—Direct students to the political cartoon on pages 56–57, and invite a volunteer to read the caption aloud. Ask: What message does the creator of this political cartoon communicate? (*The creator of this political cartoon is communicating the message that for the United States to work, it needs all thirteen states to agree to operate under the Constitution.*) (C.6, C.6.a, C.8.e)



ACTIVITY—You may wish to have students complete a National Archives Analyze a Cartoon worksheet about the political cartoon. The worksheet is available in English and in Spanish.

See the Foundations of Freedom Online Resources for this unit for the link to the worksheet: www.coreknowledge.org/foundations-of-freedom

After students read the text, ask the following questions:

LITERAL—How did Rhode Island get the nickname “Rogue” Island? (C.8.e)

- » Rhode Island was founded in the mid-1600s by Roger Williams, a pastor who was exiled from the Massachusetts Bay Colony for his rogue, or unconventional, religious beliefs.

ANALYTICAL—Why were people in Rhode Island resistant to ratifying the Constitution? (C.8.e)

- » They were concerned that the Constitution lacked explicit protections for religious freedom, and they disliked that it ended the states’ power to print money.

“The Purposes of the Constitution,” pages 58–60

Scaffold understanding as follows:

Have students read the section on pages 58–60.

CORE VOCABULARY—Point out the vocabulary terms *preamble*, *consent of the governed*, and *popular sovereignty*, and explain their meanings.

SUPPORT—Direct students to the term *preamble* in the second paragraph of the section. Note that the Declaration of Independence also includes a preamble. The purpose of a preamble is to introduce the document’s purpose to readers. Call attention to the image of the preamble to the Constitution on page 59, and invite a volunteer to read the caption aloud. Ask: Why do you think the Committee of Style made the phrase “We the People” larger than the surrounding text? (*Possible response: They wanted to emphasize who held the power in the United States and who the government represented.*) (C.6, C.6.a, C.8.d)

SUPPORT—Ask: Which natural rights did Thomas Jefferson identify in the preamble to the Declaration of Independence? (*Possible response: Jefferson identifies the rights to life, liberty and the pursuit of happiness.*) (C.8.f)

SUPPORT—Direct students to the graphic of constitutional principles on page 60. Ask: What does the graphic suggest about these ideas, and how do you know? (*Possible response: The graphic suggests that these principles carry equal weight in helping shape the government; this is shown by having all four ideas on the same level below the Constitution.*) (C.7, C.7.a, C.8.d)

After students read the text, ask the following questions:

LITERAL—What constitutional principle is introduced in the preamble to the U.S. Constitution? (C.8.d)

- » The preamble introduces the constitutional principle of popular sovereignty, or the right of the people to govern themselves.

LITERAL—How are the ideas of Enlightenment philosophers reflected in the U.S. Constitution? (C.8.c, C.8.f)

- » The ideas of Enlightenment philosophers are reflected in the U.S. Constitution’s dependence on natural rights and consent of the governed.

LITERAL—What principles did the Founders include in the Constitution to create a government for and by the people? (C.8.g)

- » The Founders included the principles of representative democracy, separation of powers, checks and balances, and federalism.

✓ **THINK TWICE**—What are the purposes of the U.S. Constitution?

- » The purposes of the U.S. Constitution are to create a framework for the government and to explain the government's role and its values, particularly its duty to protect the rights and liberties of the people it serves.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the Constitution protect liberty?” (C.8.c, C.8.d)

Primary Source Feature: “Preamble to the U.S. Constitution,” page 59

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 59.

Introduce the source to students by reading the introductory text.

Have students read the source.

SUPPORT—Point out the word *Posterity*; explain that this refers to all future people living in the United States.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—According to the preamble, who is the U.S. Constitution for? (C.6, C.6.a, C.6.b)

- » The preamble uses the phrase “We the People” to indicate who the U.S. Constitution is for—the people of the United States.

ANALYTICAL—What evidence suggests that the Founders knew that the U.S. government would need to be improved over time? (C.6, C.6.a, C.6.b)

- » The preamble uses the phrase “a more perfect Union,” meaning that while they saw this government as an improvement upon the existing government, they still did not expect it to be perfect.

ANALYTICAL—How is the preamble to the U.S. Constitution similar to and different from the preamble to the Declaration of Independence, which you read in Unit 1? (C.3, C.4, C.7, C.7.a, C.7.b)

- » Both preambles introduce the intentions and purposes of each document. The preamble to the U.S. Constitution is much shorter and explains the Founders' ideas of what the government should do. By contrast, the preamble to the Declaration of Independence explains the broader context for the document: the tyranny of King George III.

Activity Page



AP 1.1

Primary Source Feature: “John Adams’s Letter to John Penn, 1776,” page 61

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 61.

Introduce the source to students by reading the introductory text.

Have students read the source.

SUPPORT—Direct students to the word *happiness* in the first paragraph of the source. Explain that when Adams discusses happiness, he does not mean joy; rather, he is referring to general well-being, which to him includes ample liberty.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

Activity Page



AP 1.1

After students have read the source, ask the following questions:

LITERAL—According to Adams, what is the purpose of government? (C.6, C.6.a)

- » Adams says the end, or purpose, of government is the happiness of the people.

ANALYTICAL—What does Adams mean when he says that a true republic is “An Empire of Laws and not of Men”? (C.6, C.6.a)

- » He means that good government requires that officials be bound by the laws and that the people be accountable only to the laws, not to the beliefs or desires of government officials.

ANALYTICAL—Why does Adams argue in favor of a republican form of government? (C.6, C.6.a)

- » He explains that the country is too populous and too large for all citizens to meet to make laws for the country; instead, they should elect representatives to do so on their behalf.

INFERENTIAL—According to Adams, should judges be elected or appointed, and by whom? Why do you think Adams believed this? (C.6, C.6.a)

- » Adams believes that the governor should appoint judges. Possible response: Adams viewed the executive leader, the governor, as being the most powerful part of the state government. Adams believed that judges were more likely to stay above political conflicts if they were not chosen by the people.

INFERENTIAL—What events likely influenced Adams’s views about the importance of rotating offices and having term limits for officers? (C.2, C.7, C.7.a, C.7.c)

- » Possible response: Adams’s views were likely influenced by the tyranny of British rule; he wanted to make sure that many different individuals would have the opportunity to hold office so as to prevent any individual or small faction from aggrandizing power over time.

"A Plan for Government" and "Articles I–III," pages 60–63

Scaffold understanding as follows:

Have students read the sections on pages 60–63.

CORE VOCABULARY—Point out the vocabulary terms *apportionment*, *enumerated power*, and *jurisdiction*, and explain their meanings.

ACTIVITY—You may wish to have students complete Articles I–III of the U.S. Constitution (AP 1.2) as they read the section "Articles I–III."



TALK IT OVER—Have students discuss the following questions: Why do you think the Founders chose to include the three branches of government in the first three articles of the Constitution? Why do you think the legislative branch appears in Article I?

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource "About Class Discussions and Debates":

www.coreknowledge.org/foundations-of-freedom

SUPPORT—Call attention to the table on page 63; invite volunteers to read the bullet points aloud.

After students read the text, ask the following questions:

LITERAL—How does the U.S. Constitution serve as a blueprint for a government with separation of powers? (C.8.g, C.9)

- » It establishes three branches of the government and defines the functions and powers of each branch.

LITERAL—What is the responsibility of the legislative branch? (C.9, C.9.b)

- » The legislative branch is responsible for creating the nation's laws and deciding how to raise and spend money.

LITERAL—Which two bodies make up the legislature, called Congress? (C.9, C.9.b)

- » Congress is made up of the House of Representatives and the Senate.

LITERAL—What is the purpose of Article II, Sections 2 and 3? (C.9, C.9.b)

- » Article II, Sections 2 and 3, establish the powers and responsibilities of the president.

ANALYTICAL—How does Section 3 of Article III differ from the first two sections? (C.9, C.9.b)

- » Article III, Section 3, discusses acts of treason; this differs from the first two sections, which relate specifically to the establishment and jurisdiction of the judicial branch.

INFERENTIAL—How is the legacy of the Articles of Confederation reflected in the U.S. Constitution? (C.8.d, C.8.e)

- » The Constitution provides a framework for three branches that form a strong central government; this was a reaction to the roadblocks that the country faced under the weak central government of the Articles of Confederation. Not only does the Constitution outline three powerful branches, but it also assigns specific powers to

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AP 1.2

Online Resources



each, indicating that the Founders were determined to let each branch play a key role in the workings of U.S. government.

 **THINK TWICE**—What is the purpose of Articles I–III of the Constitution?

- » The purpose of Articles I–III of the Constitution is to establish and define the powers and structures of the three branches of government.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the Constitution protect liberty?” (C.8.c, C.8.d, C.9, C.9.b)

Primary Source Feature: “U.S. Constitution, Article I, Section 2,” page 63

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 63.

Introduce the source to students by reminding them that they just read about Article I, Section 2. This section explains the frequency of elections to the House of Representatives and who is eligible for office.

Have students read the source.

SUPPORT—Direct students to the word *attained* in the second paragraph; in this instance, the word means reached.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—According to Article I, Section 2, how often are elections to the House of Representatives held? (C.6, C.6.a, C.9, C.9.b)

- » Elections to the House of Representatives are held every two years.

LITERAL—According to Article I, Section 2, what are the requirements to serve in the House of Representatives? (C.6, C.6.a, C.9, C.9.b)

- » To be a representative, an individual must be at least twenty-five years old, have been a citizen of the United States for at least seven years, and, at the time of election, live in the state they will represent.

ANALYTICAL—How does Article I, Section 2, differ from the preamble to the U.S. Constitution? (C.6, C.6.a, C.6.c, C.9, C.9.b)

- » Possible response: Unlike the preamble, which states the Constitution’s overall purposes, Article I, Section 2, states detailed rules regarding one particular type of officer.

“Articles IV–VII,” pages 63–65

Scaffold understanding as follows:

Have students read the section on pages 63–65.


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AP 1.1

SUPPORT—Explain that Louisiana, like other new states admitted to the Union, was subject to the requirements in Article IV, Section 3, of the Constitution. Emphasize that this part of the Constitution gives Congress the power to make the rules and regulations for admitting new states, and it did so with the Northwest Ordinance of 1787. The Northwest Ordinance established minimum requirements for population before a territory could have a territorial legislature and before it could apply for statehood. It also prohibited the institution of slavery in the territories. Wealthy planters in Louisiana demanded to be admitted to the United States as a slave state in 1804, prior to meeting the minimum population requirements; Congress did not approve Louisiana’s statehood at this time, but it did allow the Territory of Orleans to have an elected legislature.

SUPPORT—Explain that a republican form of government describes a democratically elected representative government, not a government dominated by the Republican Party. The United States is called a republic because it uses this form of government.

 **TALK IT OVER**—Direct students to the explanation of Article IV, Section 4, and point out the sentence that begins, “The final section says that every state is guaranteed ‘a Republican Form of Government.’” Explain that this means that each state must have a government run by representatives elected by the people. Have students discuss or debate this question: Was it necessary to include this provision in the Constitution? Why or why not?

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

SUPPORT—Call attention to the table on page 65. Invite volunteers to read the bullet points aloud. Ask: If Congress wants to change the Constitution, which article governs that process? (*Article V*) Which article explains how debts from the American Revolution would be settled? (*Article VI*) Which article reinforces the idea of separation of church and state? How? (*Article VI, by banning religious tests for holding office*) **(C.9, C.9.b)**

After students read the text, ask the following questions:

LITERAL—What is the purpose of Article IV, Section 2? **(C.9, C.9.b)**


- » Article IV, Section 2, explains that the laws of every state must treat all citizens equally, regardless of what state they reside in.

INFERENTIAL—Why do you think the Founders included Article IV, Section 3? **(C.9, C.9.b)**

- » The Founders likely assumed that the United States would continue to grow over time and recognized the need for a process to add new states.

LITERAL—What is the supremacy clause? **(C.9, C.9.b)**

- » The supremacy clause makes the U.S. Constitution “the supreme Law of the Land.” This means that all citizens and judges of every state, and all state governments, are bound by federal law.

 **THINK TWICE**—What principles and processes are explained in Articles IV–VII?

- » Article IV details the relationship among the states; Article V describes the amendment process; Article VI covers a variety of topics, including the idea that the Constitution is “the supreme Law of the Land”; and Article VII outlines the ratification process.

Online Resources



CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the Constitution protect liberty?” (C.8.c, C.8.d, C.9, C.9.b)

Primary Source Feature: “U.S. Constitution, Article IV, Section 4,” page 64

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 64.

Introduce the source to students by reminding them that Article IV, Section 4, states obligations the federal government owes to the states.

Have students read the source.

SUPPORT—Explain that the word *domestic* in the final clause means within a state (or “at home” and not in a foreign country), and that “domestic Violence” refers to situations such as riots or violent uprisings or rebellions. When such an event happens and the state is unable to control it and protect its people, the state legislature or the executive can ask the federal government to help.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

ANALYTICAL—What power of the federal government does Article IV, Section 4, reinforce? (C.9, C.9.b)

» It reinforces the federal government’s power to provide for the common defense.

INFERENTIAL—Why do you think it was important to the Founders to have the federal government protect the states against invasion? (C.2, C.6, C.6.a)

» Possible response: They wanted to establish the authority of the federal government and create a sense of trust between the federal government and the states.

“Checks and Balances,” pages 65–67

Scaffold understanding as follows:

Have students read the section on pages 65–67.

CORE VOCABULARY—Point out the vocabulary term *veto*, and explain its meaning.

SUPPORT—Explain that a major power of the judicial branch is judicial review, or the power to review laws and determine whether they are in accordance with the Constitution. The judiciary claims this power based on an interpretation of the supremacy clause and Article III, but it is not explicitly stated in the Constitution.

SUPPORT—The checks and balances described in the Constitution don’t happen automatically. Like everything outlined in the Constitution, they rely on people holding office to exercise their constitutional powers and responsibilities. If people in power violate these provisions, there won’t be checks and balances. Ask: What branch or branches of government would gain more power if the judicial branch didn’t exercise its responsibility

Activity Page



AP 1.1

to determine the constitutionality of laws? (*The executive and legislative branches would gain more power because they would feel empowered to pass and sign into law legislation that might violate the Constitution.*) (C.8.d, C.9, C.9.b)

SUPPORT—Call attention to the diagram of checks and balances on page 67. Note that an arrow pointing from one branch to another branch represents a check that the first branch has on the second branch. For example, the diagram shows that the executive branch’s power to appoint Supreme Court justices is a check on the power of the judicial branch. (C.8.d, C.9, C.9.b)

SUPPORT—After students have read about the president’s veto power and what it involves, explain that overall, the frequency of vetoes has been much higher in recent decades than it was in the past. Early U.S. presidents did not exercise their veto power regularly, if at all. George Washington vetoed just two bills, while six of the next fifteen presidents did not veto any. Presidential vetoes became more common after the Civil War, with presidents vetoing as many as a few hundred bills during their time in office. Congressional overrides are much less common than presidential vetoes; it is very difficult to get a two-thirds majority in either house, let alone in both. President Franklin D. Roosevelt holds the record for the greatest number of vetoes, at 635. Congress succeeded in overriding just nine of his vetoes.

After students read the text, ask the following questions:

LITERAL—Where did the idea of the value of separation of powers come from? (C.8.d, C.9, C.9.b)

- » The idea that separating powers was important for limiting the power of government came from Enlightenment thinkers, especially the Baron de Montesquieu.

ANALYTICAL—Why did the Founders create a system of checks and balances? Explain. (C.8.d, C.9, C.9.b)

- » They created a system of checks and balances to help maintain the coequal status of the branches. They assumed that each branch would try to increase its power; checks and balances are a way to prevent any one branch from gaining too much power.

 **THINK TWICE**—Why are separation of powers and checks and balances important?

- » Separation of powers and checks and balances are two ways to limit the power of the government.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the Constitution protect liberty?” (C.8.c, C.8.d, C.9, C.9.b)

Primary Source Feature: “*Federalist No. 51*, 1788,” page 66

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 66.

Introduce the source to students by reading the introductory text.

Have students read the source.

SUPPORT—Remind students that *The Federalist Papers* is a collection of essays that were written to build public support for the ratification of the Constitution.

SUPPORT—Explain that the phrase “such devices” refers to checks and balances in the Constitution; this connects to an earlier sentence in the essay: “But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others.”

SUPPORT—Explain that in the last sentence of the source, “State” refers to the national government.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

Activity Page



AP 1.1

After students have read the source, ask the following questions:

LITERAL—According to James Madison, why are controls on the government necessary? (C.6, C.6.a, C.6.b)

- » Madison believes that because government must be “administered by men over men” and because human nature is likely to lead some people to abuse their power at the expense of others, mechanisms are needed to control the government.

ANALYTICAL—What idea is Madison trying to express when he states, “If men were angels, no government would be necessary”? How does he then continue with this idea? (C.6, C.6.a, C.6.b)

- » Madison is explaining that because humans are not angels, or beings with perfect behavior, they cannot be counted on to govern themselves and need some oversight. He then writes, “If angels were to govern men, neither external nor internal controls on government would be necessary,” indicating that government also cannot be counted on to function well or fairly because of human weaknesses; the imperfect behaviors of those running government must be accounted for.

ANALYTICAL—To what does Madison compare the checks and balances in the Constitution? Why is this comparison effective? (C.6, C.6.a, C.6.b)

- » Madison compares the checks and balances in the Constitution to structures of government that existed at the time that divided power at the lower levels across multiple offices. This is an effective comparison because it gives readers a point of reference for how and why this system will work.

“The Bill of Rights,” “A Precursor to the Bill of Rights,” and “Freedom of Expression,” pages 67–72

Scaffold understanding as follows:

Have students read the section “The Bill of Rights” on pages 67–72.

SUPPORT—Explain to students that when the states ratified the Constitution following Madison’s promise that a bill of rights would be added, they proposed 124 amendments.

ACTIVITY—You may wish to have students complete The U.S. Bill of Rights (AP 1.3) as they read the section.

SUPPORT—Direct students to the table summarizing the Bill of Rights on page 68. Ask: Which amendments in the Bill of Rights are related to court proceedings? (*Fifth, Sixth, Seventh, Eighth*) (C.6, C.6.a, C.8.e)

Activity Page



AP 1.3

SUPPORT—Explain that the Twenty-Seventh Amendment, ratified in 1992, allows Congress to give the next Congress a pay raise. No congressional pay raise can go into effect until after an intervening election.

Have students read the sidebars “A Precursor to the Bill of Rights” on page 67 and “Freedom of Expression” on page 70.

SUPPORT—Invite a volunteer to read the text of the sidebar “Freedom of Expression” aloud. Ask: What conclusions can you draw about the First Amendment based on this paragraph? (Possible responses: First Amendment protections apply to people of all ages; First Amendment protections apply in different settings, including school; the First Amendment protects expression of many types, including speaking, writing, and performing.) **(C.8.d)**


After students read the text, ask the following questions:

LITERAL—Why were some Americans opposed to ratifying the Constitution? **(C.8.e)**

- » They thought it gave the national government too much power.

ANALYTICAL—In what way was the ratification process similar in Delaware, Pennsylvania, and New Jersey? **(C.8.e)**

- » Each had a strong Federalist presence, which led them to ratify the Constitution before the end of 1787.

 **THINK TWICE**—Why were many Americans concerned about the lack of a bill of rights in the U.S. Constitution?

- » The lack of a bill of rights caused many Americans to fear that the federal government would have too much power.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the Constitution protect liberty?” **(C.8.d, C.8.e)**

Primary Source Feature: “The U.S. Bill of Rights,” pages 69–70

Scaffold understanding as follows:

Direct students to the Primary Source Feature on pages 69–70.

Introduce the source to students by reminding them that the Bill of Rights is made up of the first ten amendments to the Constitution. Note that James Madison originally proposed twelve amendments, though they were not ratified as a part of the document.

Have students read the source.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

INFERENTIAL—What other sources would help explain the context for the Second and Third Amendments? **(C.6, C.6.d)**

- » Possible response: Primary and secondary sources about life in the American colonies under British rule could help explain the context for these amendments.

Activity Page



AP 1.1

ANALYTICAL—How does the Fourth Amendment protect the right to privacy? (C.6, C.6.a, C.8.d)

- » The Fourth Amendment protects the right to privacy by prohibiting the government from conducting unreasonable searches and seizures.

LITERAL/INFERENTIAL—What protections are provided by the Eighth Amendment? Why might the Founders have included this in the Bill of Rights? (C.2, C.4, C.8.d)

- » The Eighth Amendment protects people from excessive fines and bail and from cruel and unusual punishments. Possible response: The American colonists were subjected to cruel and unusual punishments under British rule, and the Founders wanted to prevent this from happening under the new U.S. government.

Primary Source Feature: “Thomas Jefferson’s Letter to the Danbury Baptist Association, 1802,” page 71

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 71.

Introduce the source to students by reading the introductory text.

Have students read the source.

SUPPORT—Explain that the Danbury Baptist Association, a group of twenty-six member churches in Connecticut and New York, worked to protect religious liberty. Roger Williams, who fled Massachusetts and founded Rhode Island due to persecution from the Puritans for his religious views, was a Baptist. Persecution of Baptists by other Protestant sects continued through the 1600s and 1700s.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—What does Jefferson believe about religion? (C.6, C.6.a)

- » Jefferson believes religion is a matter between an individual and their God.

ANALYTICAL—What does Jefferson think is the ultimate effect of the First Amendment? Cite evidence to support your response. (C.6, C.6.a, C.6.b)

- » Jefferson thinks that the First Amendment creates “a wall of separation between Church & State.” In other words, it prevents the federal government from taking any actions regarding religion.

Note: For more primary source work related to this topic, see the Foundations of Freedom DBQ Workbook.

“Understanding the Bill of Rights” and “Eminent Domain,” pages 72–74

Scaffold understanding as follows:

Have students read the section “Understanding the Bill of Rights” on pages 72–74.

Activity Page



AP 1.1

CORE VOCABULARY—Point out the vocabulary terms *slander* and *libel*, and explain their meanings.

SUPPORT—Explain to students that libel and slander are false statements that damage a person's reputation. Libel is defamation that occurs through written words, and slander is defamation that occurs through spoken words. An example of slander would be a candidate for political office spreading false rumors about an opponent. If that candidate wrote a letter to the editor of a newspaper to spread those rumors, they would be engaging in libel.

SUPPORT—Explain to students that the “marketplace of ideas” is the concept that ideas, beliefs, and opinions compete with each other in public discourse, much like businesses compete in the economy. Justice Oliver Wendell Holmes (1841–1935) cited this idea in 1919, explaining that “the best test of truth is the power of the thought to get itself accepted in the competition of the market, and . . . truth is the only ground upon which their wishes safely can be carried out.” In other words, free speech is inherently self-regulating; the good ideas rise to the top, and the bad ones are weeded out. Other Supreme Court justices have referenced the marketplace of ideas when opposing censorship of free speech.



TALK IT OVER—Have students discuss this question: Has social media affected how self-regulating free speech is within the “marketplace of ideas”? If so, how?

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

SUPPORT—Note that the Bill of Rights calls for a well-regulated militia in the Second Amendment because the United States did not have a standing army at the time. Modern usage of the word *militia* differs. Today's militias are made up of armed groups of private citizens and are often formed to rebel against a government, whereas the amendment refers to militias that essentially formed the U.S. military.

SUPPORT—The 2008 Supreme Court case that ruled that the Second Amendment protects the rights of individuals to bear arms was *District of Columbia v. Heller*. In a 5–4 decision concerning the constitutionality of the District of Columbia's regulations on handgun registration and home storage, the court ruled that the inclusion of the word *militia* in the Second Amendment did not preclude the individual right to possess and carry weapons.

SUPPORT—Point out that the understanding of what makes a punishment “cruel and unusual” is open to interpretation. Punishments considered cruel and unusual by some people might be acceptable to others. Most scholars agree that punishments that were common in the past, such as the guillotine, would now be considered cruel and unusual. However, there is more disagreement about punishments that continue to be used.

SUPPORT—Explain that bail is the amount of money that a person accused of a crime pays to avoid spending time in jail while awaiting trial. Bail payment is returned to the accused after the trial ends.

CORE VOCABULARY—Point out the vocabulary terms *probable cause*, *warrant*, and *eminent domain*, and explain their meanings.

SUPPORT—Point out the term *non-enumerated rights* in the last paragraph of the section. Remind students that *enumerated powers* are the powers of Congress that are specifically listed in the Constitution. Ask: Why do you think the Founders would have

Online Resources



made a point to address non-enumerated rights in the Bill of Rights? (Possible response: They did not want to inadvertently limit the rights of Americans by listing some and not others.) (C.8.d)

Have students read the sidebar “Eminent Domain” on page 73.

SUPPORT—Explain that the term *market value* describes the price that a property would most likely sell for based on the sale price of similar properties.

After students read the text, ask the following questions:

LITERAL—What protections are included in the First Amendment? (6.8.d)


- » The First Amendment includes protections for the freedoms of religion, speech, the press, petition, and assembly.

ANALYTICAL—How are the Fifth and Sixth Amendments similar? (6.8.d)

- » Both amendments relate to the rights of the accused.

LITERAL—Why is the Tenth Amendment significant? Which group supported the inclusion of this amendment? (6.8.d, 6.8.e)

- » The Tenth Amendment is significant because it helps limit the power of the federal government by increasing the power of the states. This amendment was supported by Anti-Federalists.

 **THINK TWICE**—How does the Bill of Rights protect the rights of individuals, the accused, and the states?

- » The Bill of Rights protects the rights of individuals by guaranteeing the freedoms of speech, religion, petition, assembly, and the press; by guaranteeing the right to bear arms; and by making it illegal for the federal government to quarter soldiers in private homes without permission. It protects the rights of the accused in several ways, including by protecting people from arbitrary searches and from having to bear witness against themselves and by requiring a fair and speedy trial by a jury of one’s peers. It limits the power of the federal government by prohibiting the federal government from usurping state powers.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the Constitution protect liberty?” (C.8.d)

“Legacy of the Bill of Rights,” pages 74–75

Scaffold understanding as follows:

Have students read the section on pages 74–75.

After students read the text, ask the following questions:

LITERAL—How did the Bill of Rights demonstrate that the Constitution was a living document? (C.8.d)

- » The Bill of Rights showed that the Constitution could be changed to meet the will and needs of citizens.

LITERAL—What effect has the Bill of Rights had over time? (C.8.d)

- » The Bill of Rights has helped define and expand individual rights in the United States.



THINK TWICE—Why was the adoption of the Bill of Rights significant?

- » The adoption of the Bill of Rights was significant because it showed that the Constitution could be changed to meet the will and needs of citizens, because it inspired other countries and international organizations to codify similar rights, and because it helped define and expand rights in the United States over time.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the Constitution protect liberty?” (C.8.d)

“The Amendment Process,” “Expanding Voting Rights,” and “The Twenty-First Amendment,” pages 75–77

Scaffold understanding as follows:

Have students read the section “The Amendment Process” on pages 75–77.

SUPPORT—Remind students that the amendment process is outlined in Article V of the Constitution.

SUPPORT—Direct students to the amendment process diagram on page 75, and have a volunteer read the caption aloud. Note that there are four ways an amendment can become law: (1) proposal by Congress and ratification by state legislatures, (2) proposal by Congress and ratification by state conventions, (3) proposal by national convention and ratification by state legislatures, and (4) proposal by national convention and ratification by state conventions. Guide students through the different methods, indicating the role of the arrows in the diagram.



SUPPORT—Share with students the *New York Times* ratification map of the Eighteenth Amendment. Give students a few minutes to examine the map. Ask: What conclusion about the Eighteenth Amendment is supported by the map? (*It was popular across the country.*) Which region of the country showed the most opposition to the amendment? (*the Northeast*)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the map: www.coreknowledge.org/foundations-of-freedom

Have students read the sidebar “Expanding Voting Rights” on page 76.

SUPPORT—Explain that amendments that address voting rights—the Fifteenth, Nineteenth, Twenty-Fourth, and Twenty-Sixth Amendments—do not give the right to vote to different groups. Instead, they prohibit the states from finding reasons to deny voting rights to these groups. Ask: To which groups have constitutional amendments expanded voting rights? (*Constitutional amendments have expanded voting rights to people who are not white, who were previously enslaved, who are not male, and who are age eighteen and above.*) (C.9.b)

Have students read the sidebar “The Twenty-First Amendment” on page 77.

SUPPORT—Ask: What makes the Twenty-First Amendment unique compared to other amendments? (*It is the only amendment ratified to repeal another amendment, and it is the only amendment that was ratified by state conventions instead of state legislatures.*) (C.9.b)

After students read the text, ask the following questions:

LITERAL—Why did the Founders include a process to amend the Constitution? (C.9.b)

- » They recognized that they could not predict the future or think of every eventuality; the amendment process is a way for the Constitution to continue to meet the changing will and needs of the people through time.

INFERENTIAL—How many amendments have been ratified since the Constitution was adopted? What does this suggest about the amendment process? (C.9.b)

- » Only twenty-seven amendments, including the first ten amendments in the Bill of Rights, have been ratified since the Constitution was adopted. Possible response: This suggests that the amendment process is challenging.

 **THINK TWICE**—What is the process for amending the Constitution?

- » The Constitution can be changed through the amendment process. Amendments can be proposed by two-thirds of both houses of Congress or by a constitutional convention called by two-thirds of the states. Proposed amendments are then sent to the states for ratification, which requires either three-fourths of state legislatures or three-fourths of state ratifying conventions.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does the Constitution protect liberty?” (C.9.b)



CHECK FOR UNDERSTANDING

Ask students to:

- Write a short answer to the Framing Question: “How does the Constitution protect liberty?”
 - » Key points students should cite include: The Constitution divides the federal government into three branches, each with its own powers and responsibilities; the Constitution includes checks and balances to prevent any of the branches from becoming too powerful; the Bill of Rights includes specific protections for individual rights and freedoms and also specifies that the list of protected rights and freedoms is not exhaustive; the Bill of Rights also reserves powers for the states; the Constitution includes an amendment process to make sure the government continues to meet the needs of people over time; the amendment process has been used to expand rights and liberties over time.
- Choose three Core Vocabulary words (*preamble, consent of the governed, popular sovereignty, apportionment, enumerated power, jurisdiction, veto, slander, libel, probable cause, warrant, and eminent domain*) and explain how they are related to one another.

To wrap up the lesson, invite several students to share their responses.

TOPIC 2: Structures, Powers, and Functions of the U.S. Government

Framing Question: What are the roles and responsibilities of each branch of the federal government?

Primary Focus Objectives

- ✓ Analyze the structures, roles, responsibilities, and powers of the legislative branch. (C.9, C.9.b)
- ✓ Analyze the structures, roles, responsibilities, and powers of the executive branch. (C.9, C.9.b)
- ✓ Analyze the structures, roles, responsibilities, and powers of the judicial branch. (C.9, C.9.b)
- ✓ Explain how a bill becomes a law. (C.9.b)
- ✓ Understand the meaning of the following domain-specific vocabulary: *constituent, congressional district, revenue, impeach, implied power, budget, appropriation, levy, oversight, hearing, "line of succession," caucus, filibuster, cloture, bully pulpit, executive order, judiciary, appeal, brief, original jurisdiction, and judicial review.*

What Teachers Need to Know

Online Resources For background information, download the Foundations of Freedom Online Resource "About Structures, Powers, and Functions of the U.S. Government":



www.coreknowledge.org/foundations-of-freedom

Materials Needed

Activity Pages



AP 1.1
AP 2.1
AP 2.2

- individual student copies of Primary Source Analysis (AP 1.1), A Historic Executive Order (AP 2.1), and Domain Vocabulary: Topics 1–2 (AP 2.2)
- diagram of the impeachment process from Northeastern University
- video "David Hawkings' Whiteboard: What's a Whip?" from Roll Call
- video "Court System Structure: Crash Course Government #19" from PBS
- video "Marbury v. Madison" from the Bill of Rights Institute

Online Resources



Use this link to download the Foundations of Freedom Online Resources for this unit, where the specific links to the diagram and videos may be found:

www.coreknowledge.org/foundations-of-freedom

Core Vocabulary (Student Volume page numbers listed below)

constituent, n. a person who lives and votes in an area (80)

Example: The elected official met with the constituent to discuss concerns about traffic safety in the precinct.

Variations: constituency (n.)

congressional district, n. a division of a state that is represented by and elects a member of the House of Representatives (80)

Example: Each congressional district in Louisiana elects one member to the House of Representatives every two years.

revenue, n. income (81)

Example: Income tax is a major source of revenue for the federal government and the states.

impeach, v. to charge an officeholder with misconduct (82)

Example: After the House of Representatives impeached the president, the Senate held a trial to determine guilt or innocence.

Variations: impeaches, impeaching, impeached, impeachment (n.)

implied power, n. a power granted to the federal government that is not directly written in the Constitution (83)

Example: Hamilton argued that Congress has an implied power to charter a national bank based on its enumerated powers to manage the country's finances.

budget, n. an amount of money available for spending based on a plan for how it will be spent (83)

Example: The committee met to discuss how much funding to request in the budget for the upcoming year.

Variations: budget (v.)

appropriation, n. money set aside for specific use (85)

Example: Congress sets an annual budget for the federal government that includes the appropriations that make up the funding for many executive agencies.

Variations: appropriations

levy, v. to impose (85)

Example: Under the Articles of Confederation, the national government lacked the power to levy taxes, making it difficult to pay its debts.

Variations: levies, levying, levied, levy (n.)

oversight, n. the action of watching over something (85)

Example: One way in which the legislative branch exercises oversight over the other two branches is by conducting investigations.

Variations: oversee (v.)

hearing, n. a meeting in which testimony is heard from witnesses (85)

Example: During the hearing, the witness answered questions and described the events of the accident in vivid detail.

“line of succession” (phrase) the sequence of individuals who are eligible to take a title, position, or property if something happens to the person currently holding it (86)

Example: Should the president become unable to fulfill the duties of office, the vice president is next in the line of succession, followed by the Speaker of the House of Representatives.

caucus, n. a group of people who belong to the same political party (86)

Example: The Republican caucus in the House met to select leaders for the upcoming session of Congress and to discuss legislative priorities for the coming year.

Variations: caucus (v.)

filibuster, n. an action, such as a lengthy speech, undertaken to delay a vote on a bill or other legislative action (89)

Example: During her filibuster, the senator spoke continuously for twelve hours, ultimately preventing a vote on the defense spending bill.

Variations: filibuster (v.)

cloture, n. the process of closing debate on a bill or other legislative action currently being delayed (89)

Example: The filibuster came to an end following a motion of cloture supported by sixty members of the Senate.

Variations: cloture (v.)

bully pulpit, n. an informal power of the president to influence the national agenda by virtue of their visibility and popular respect (92)

Example: Theodore Roosevelt's powerful speeches about environmental conservation and social reform made him an effective user of the bully pulpit.

executive order, n. a directive by an executive head of government, such as a president, that has the force of law (92)

Example: In 1941, President Franklin D. Roosevelt issued an executive order that prohibited federal agencies from employing discriminatory hiring practices.

judiciary, n. the judicial branch of government (100)

Example: The judiciary exists alongside the legislative and executive branches and interprets the laws they pass and enact.

Variations: judiciary (adj.)

appeal, v. to bring a legal case in front of a higher court to review the decision of the lower court (100)

Example: After the defendant lost the case in district court, his attorney began preparing to appeal the decision to the U.S. Court of Appeals.

Variations: appeals, appealing, appealed, appeal (n.)

brief, n. a written argument that lays out main points, legal precedents, and evidence (100)

Example: The attorney stayed up late researching and writing a brief arguing that a new trial was needed.

Variations: brief (v.)

original jurisdiction, n. the power to review a legal case and apply the law without the case going through an appeals process first (102)

Example: The Supreme Court has original jurisdiction over all cases involving disputes between the states.

judicial review, n. the authority of the Supreme Court to decide whether laws or actions by the government are constitutional (106)

Example: After exercising the power of judicial review, the justices unanimously voted to uphold the law.

THE CORE LESSON

Introduce “Structures, Powers, and Functions of the U.S. Government”

Introduce the topic by reminding students that the Constitution is both an ideological document and a functional one. It serves as the blueprint for our government. Review with students the purposes of Articles I–III of the Constitution. Explain that in this topic, they will learn details about the three branches of the federal government.

Call students' attention to the Framing Question. Tell students to look for the roles and responsibilities of each branch of the federal government as they read the text.

Guided Reading Supports for “Structures, Powers, and Functions of the U.S. Government”



“The Impeachment of a President,” pages 78–79

Scaffold understanding as follows:

Have students read the first three paragraphs of the section on pages 78–79.

SUPPORT—Note for students that Andrew Johnson and Abraham Lincoln belonged to different political parties. Johnson was a Democrat, and his predecessor was a Republican.

SUPPORT—Explain to students that impeachment is a multistep process that involves both houses of Congress and, in some instances, the Supreme Court. Display the diagram of the impeachment process from Northeastern University. Impeachment begins in the House of Representatives; members bring official charges of wrongdoing, called articles of impeachment, against an official. The official is impeached if a simple majority of the members of the House vote to adopt the articles. Next, the Senate holds a trial for the impeached official. Impeachment trials involving presidents are overseen by the chief justice of the Supreme Court. A two-thirds majority vote in the Senate is required to find an impeached official guilty and remove them from office.

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the diagram: www.coreknowledge.org/foundations-of-freedom

SUPPORT—Explain to students that President Andrew Johnson blocked the enforcement of the Reconstruction Acts passed by Congress. Note that “high-ranking government officials” was defined by the Tenure of Office Act as “every person holding any civil office to which he has been appointed by and with the advice and consent of the Senate.” This included positions such as cabinet secretaries, heads of federal departments and agencies, ambassadors, and federal judges.

Have students read the remainder of the section on page 79.

SUPPORT—Direct students to the image of Andrew Johnson’s impeachment on pages 78–79, and read the caption aloud. Call attention to Chief Justice Salmon P. Chase, seated on the dais on the left side of the image. Explain that during the Senate portion of the impeachment process, the Senate acts as a grand jury. It collects evidence, hears testimony, and reaches a verdict.

After students read the text, ask the following questions:

LITERAL—Why did the House of Representatives impeach President Andrew Johnson? (C.9, C.9.b)

- » Johnson interfered with the enforcement of laws passed by Congress during Reconstruction, and he violated the Tenure of Office Act.

LITERAL—How many articles of impeachment against Johnson did the House adopt? (C.9, C.9.b)

- » The House adopted eleven articles of impeachment.

ANALYTICAL—Why was the impeachment of Andrew Johnson significant? (C.9, C.9.b, C.9.c)

- » It was the first time a U.S. president had been impeached. Even though Johnson was not found guilty by the Senate, the trial demonstrated that the checks and balances among the three branches of government were effective.

“The Legislative Branch,” page 80

Scaffold understanding as follows:

Have students read the section on page 80.

CORE VOCABULARY—Point out the vocabulary terms *constituent* and *congressional district*, and explain their meanings.



SUPPORT—Direct students to the Louisiana Congressional Districts map on page 80, and read the caption aloud. Ask: How many congressional districts are there in Louisiana? (*six*) Have students identify their own congressional district. Then ask: What do you notice about the shape of the districts in comparison to one another? Why is this the case? (*Districts 1, 2, and 3 seem less segmented, or broken up, than the other three districts. Districts 4, 5, and 6 must have been drawn that way to make sure they are as equal in population as possible to Districts 1, 2, and 3.*) (C.1, C.5)

After students read the text, ask the following questions:

LITERAL—How did the Founders view the legislative branch compared to the other two branches of government? (C.9, C.9.b, C.9.c)

- » The Founders viewed the legislative branch as more likely to reflect the will of the people than the other two branches.

LITERAL—Which powers does Article I specifically assign to the legislative branch? (C.9, C.9.b, C.9.c)

- » Article I enumerates Congress’s powers to make laws, declare war, regulate commerce, and spend and borrow money.

ANALYTICAL—How are members of the House of Representatives and the Senate similar and different? (C.9, C.9.b, C.9.c)

- » Both representatives and senators represent constituents. Members of the House of Representatives represent congressional districts; by contrast, members of the Senate represent their entire state. (Because some states—such as Wyoming, Delaware, and Alaska—have only one congressional district, in those states, the representative also represents the entire state.)



THINK TWICE—What are the functions and duties of the legislative branch of government?

- » The main responsibility of the legislative branch is to enact legislation for the country. Other duties include representing constituents, declaring war, regulating commerce, and spending and borrowing money.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (C.9, C.9.b, C.9.c)

“The House of Representatives,” pages 81–82

Scaffold understanding as follows:

Have students read the first four paragraphs of the section on page 81.

CORE VOCABULARY—Point out the vocabulary term *revenue*, and explain its meaning.

SUPPORT—Remind students that the Founders drew inspiration from a variety of sources when structuring the U.S. government. One source was the British Parliament’s bicameral legislature. The Founders also borrowed numerous laws and legal protections from English law. Ask students to recall from Unit 1: What foundational documents from Great Britain influenced the Founders? (*the Magna Carta and the English Bill of Rights*) **(C.8.d)**

Have students read the remainder of the section on pages 81–82.

CORE VOCABULARY—Point out the vocabulary term *impeach*, and explain its meaning.

SUPPORT—Clarify how the origination clause represented a concession to states with larger populations. Remind students that as a part of the Great Compromise, the Founders created a bicameral legislature with equal representation in the Senate (two senators for each state) and proportional representation in the House of Representatives (where the number of representatives is based on the state’s population). Note that under the Virginia Plan, representation in Congress would have been based strictly on population; this would have given states with larger populations more sway over the laws that Congress enacts. Having a Senate with equal proportion, however, limits the dominance of large states over small states in the federal legislature. The origination clause helped ease this concession by large states by giving the important power to originate tax bills to the house of Congress where they had the greatest influence.

SUPPORT—Clarify for students that impeachment is the process of bringing charges; an official can be impeached without being removed from office, as occurred with Andrew Johnson.

After students read the text, ask the following questions:

LITERAL—How many members are in the House of Representatives? **(C.9, C.9.b, C.9.c)**

- » There are 435 members in the House of Representatives.

LITERAL—How many nonvoting delegations are there, and what duties do they perform? **(C.9, C.9.b)**

- » There are six nonvoting delegations. They may sit on and vote in committees, propose legislation, and participate in debate.


ANALYTICAL—Why is the origination clause significant? **(C.9, C.9.b, C.9.c)**

- » The origination clause gives the House of Representatives the sole power to originate bills that impose taxes. This is significant because tax bills can affect both taxpayers and the available revenue the government has to operate and provide services.

ANALYTICAL—Why is the House of Representatives considered the “People’s House”? **(C.9, C.9.b, C.9.c)**

- » The House of Representatives is considered the “People’s House” because members are elected for shorter terms, meaning that voters can change the House membership more often to better meet their needs and remove ineffective leaders.

For this reason, the House is thought to be more responsive to the needs and wishes of the people than the Senate. (Some students may know and/or recall that senators serve six-year terms and that the Constitution originally called for senators to be appointed by the state legislatures—two features that made them less susceptible to the voters' will.)

 **THINK TWICE**—Why does the Constitution give the House of Representatives the sole power to originate “Bills for raising Revenue”?

- » The Constitution gives the House of Representatives the power to originate “Bills for raising Revenue” because at the time the Constitution was adopted, the House was considered most accountable to the people because its members were directly elected. In theory, this makes them more attuned and responsive to the will and needs of the people.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (C.9, C.9.b, C.9.c)


“The Senate,” page 82

Scaffold understanding as follows:

Have students read the section on page 82.

SUPPORT—During the Constitutional Convention, delegates proposed several different terms for the Senate, ranging from four years with a quarter of seats up for election each year to seven years with staggered election cycles. North Carolina delegate Hugh Williamson suggested six years because six was easier than seven to divide into election cycles.

ACTIVITY—Have students research Louisiana’s current two senators. Ask them to identify how long each person has been in office, when they are next up for reelection, and any leadership or committee positions they hold in the Senate. (C.9.c)

 **TALK IT OVER**—Have students debate or discuss this question: Which—if either—chamber of Congress is more powerful, and why?

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

Online Resources



www.coreknowledge.org/foundations-of-freedom

After students read the text, ask the following questions:

LITERAL—How many seats are in the Senate? (C.9, C.9.b, C.9.c)

- » There are one hundred seats in the Senate—two for each state in the Union.

LITERAL—What are the requirements to be a U.S. senator? (C.9, C.9.b, C.9.c)

- » A senator must be at least thirty years old, have been a U.S. citizen for a minimum of nine years, and reside in the state they represent at the time of election.

LITERAL—What is the role of the vice president in the Senate? (C.9, C.9.b, C.9.c)

- » The vice president presides at meetings of the Senate. The vice president has no legislative power but may cast a tiebreaking vote as needed.

LITERAL—When do executive appointments and treaties require approval by both houses of Congress? (C.9, C.9.b, C.9.c)

- » Both houses of Congress must approve a president’s nomination of a new vice president and any treaty that involves foreign trade.

✓ **THINK TWICE**—Which powers does the Constitution give to the U.S. Senate?

- » The Constitution gives the Senate the powers to confirm or reject presidential appointments and to approve or reject treaties that the executive branch negotiates with foreign governments. The Senate also has the power to try officials who have been impeached by the House of Representatives

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (C.9, C.9.b, C.9.c)

“Other Powers and Responsibilities of Congress,” pages 83–86

Scaffold understanding as follows:

Have students read the first three paragraphs of the section on page 83.

CORE VOCABULARY—Point out the vocabulary term *implied power*, and explain its meaning.

SUPPORT—Explain that the word *Congress* properly refers to both houses jointly but is often used to refer only to the House of Representatives, whose members are sometimes called congressmen or congresswomen.

SUPPORT—Explain that the necessary and proper clause is sometimes called the elastic clause because it gives Congress flexibility to pass laws beyond its enumerated powers, generally regarding topics the Founders did not anticipate.

SUPPORT—Direct students to the image of Alexander Hamilton on page 85, and read the caption aloud. Remind students that under the Articles of Confederation, the fledgling United States struggled to raise and manage revenue, and it also had a difficult time paying off its wartime debts to countries like France. Hamilton believed that a national bank could help manage the country’s finances, including paying its debts and using its revenues to strengthen the economy. The First Bank of the United States was established in 1791 and was chartered for twenty years. The first branch was opened in Philadelphia, Pennsylvania, that same year, followed by branches in other cities, including Boston, New York City, Baltimore, Washington, D.C., and New Orleans. The bank was responsible for collecting and holding tax revenues, loaning money to the government, making transfers and deposits from one branch to another, and paying the country’s bills and debts.

SUPPORT—Note that people who interpret the Constitution strictly are called strict constructionists, while people who interpret the Constitution loosely are called loose constructionists. Ask: At the time the Constitution was adopted, would Anti-Federalists have been more likely to be strict or loose constructionists? Explain. (*Anti-Federalists would probably have been considered strict constructionists because they were generally opposed to the expansion of the federal government’s power.*) (C.8.e, C.9.g)

Have students read the remainder of the section on pages 83–86.

CORE VOCABULARY—Point out the vocabulary terms *budget*, *appropriation*, *levy*, *oversight*, and *hearing*, and explain their meanings.

After students read the text, ask the following questions:

ANALYTICAL—Is chartering a national bank an enumerated power or an implied power? Why? (C.9, C.9.b, C.9.c)


- » Chartering a national bank is not an enumerated power because it is not specified in the Constitution. Those favoring formation of a national bank argued that Congress's power to charter a bank is permitted by the necessary and proper clause because it is implied by Congress's enumerated powers to manage the nation's finances.

LITERAL—What powers related to money does Congress have? (C.9, C.9.b, C.9.c)

- » Congress has the power to set a budget for the national government; it dictates how much the government may spend, what it may spend on, and how it will collect revenue. Congress also has the power to levy taxes, impose duties, coin money, and authorize the Department of the Treasury to borrow money.

ANALYTICAL—How are legislative and confirmation hearings similar and different? (C.9, C.9.b, C.9.c)

- » Both types of hearings permit Congress to hold the other branches of government and itself accountable. Legislative hearings, held by either house, are specifically for listening to subject matter experts about topics related to a bill or resolution, while confirmation hearings are held in the Senate to question and learn about presidential nominees before approving or rejecting nominations.

 **THINK TWICE**—What is the necessary and proper clause, and why did the Founders include it in the Constitution?

- » The necessary and proper clause is a section of Article I, Section 8, of the U.S. Constitution, from which Congress derives its implied powers. The Founders included the necessary and proper clause in the Constitution to give Congress the flexibility to pass laws that are “necessary and proper” for carrying out its enumerated powers.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (C.9, C.9.b, C.9.c)

Primary Source Feature: “U.S. Constitution, Article I, Section 8,” page 84

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 84.

Introduce the source to students by reading the introductory text.

Have students read the source.

SUPPORT—Note that in the first clause of Article I, Section 8, the Founders use the phrase “provide for the common Defence.” Remind students that similar language appears in the preamble to the U.S. Constitution.

SUPPORT—Call attention to the third clause, which is known as the commerce clause. Explain that interpretation of the reference to “Indian Tribes” in the commerce clause has shaped the federal government’s relationship with and its treatment of Native Americans over time. Students will learn more about this in Topic 4.

SUPPORT—Explain that the power to “fix the Standard of Weights and Measures” means to determine agreed-upon units for measuring distances, volumes, and weights. Inches, gallons, and pounds are all standard weights and measures; the size of each is the same in every part of the country. Ask: Why is this an important responsibility of Congress? (*Possible response: Having standard weights and measures helps improve the consistency and accuracy of measurements from one place to another.*)

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

Activity Page



AP 1.1

After students have read the source, ask the following questions:

INFERENTIAL—How does Section 8 empower Congress to “promote the Progress of Science and useful Arts”? Why might the Founders have included this provision? (C.6, C.6.a, C.9, C.9.b, C.9.c)

- » By having the power to give authors and inventors exclusive rights to their discoveries for a period of time, Congress can provide these people a chance to profit from their work without competition. The Founders included this provision to encourage people living in the United States to design and create things that could benefit the country.

ANALYTICAL—What does the phrase “to constitute Tribunals inferior to the supreme Court” mean? What constitutional principle does this represent? (C.6, C.6.a, C.9, C.9.b, C.9.c)

- » *Constitute* means to create, a tribunal is a court, and courts inferior to the Supreme Court are courts whose work can be reviewed by the Supreme Court. This clause means that Congress has the power to expand the judicial branch beyond the single court that the Constitution creates. By giving Congress the power to establish courts, the clause represents the constitutional principle of checks and balances.

ANALYTICAL—What powers over the military does Section 8 give to Congress? (C.6, C.6.a, C.9, C.9.b, C.9.c)

- » Section 8 gives Congress the powers to raise and support armies and a navy, to govern how the navy deals with other countries’ military and commercial ships at sea, to call up the military to put down insurrections and defend the country against invasions, and to declare war.

“Leadership in Congress,” pages 86–88

Scaffold understanding as follows:

Have students read the section on pages 86–88.

CORE VOCABULARY—Point out the vocabulary terms “line of succession” and *caucus*, and explain their meanings.

SUPPORT—Explain that Article I, Section 3, of the Constitution gives the Senate the power to choose the president pro tempore when the vice president is not able to preside over the Senate. The president pro tempore is necessary because the vice president is often unavailable to preside in the Senate.

SUPPORT—Direct students to the Congressional Leadership diagram on page 87. Walk students through the leadership structures in both houses, noting the similarities and differences. Ask: What does the hierarchy in the diagram indicate about the responsibilities of leadership in Congress? (*Possible response: The diagram shows that the leaders depend on the whips to align members of their party to pass legislation.*) Check that students understand that each of the two party caucuses elects its leadership, then the full body elects its leaders in a vote that is nearly always strictly along party lines so that the majority party gets to fill all the leadership roles. (C.6, C.6.a, C.9, C.9.b, C.9.c)

SUPPORT—Show students the “David Hawkings’ Whiteboard: What’s a Whip?” video from Roll Call. Ask: What are the four central parts of being a party whip? (*keeping track of the physical whereabouts of party members before a vote; conveying the leadership’s wishes and demands; keeping counts of the votes at hand, in play, and undetermined; and being persuasive*) (C.9.c)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video:
www.coreknowledge.org/foundations-of-freedom

After students read the text, ask the following questions:

LITERAL—What are some responsibilities of the Speaker of the House? (C.9, C.9.b, C.9.c)

- » The Speaker of the House is responsible for administering the oath of office to other representatives, permitting representatives to speak on the floor, counting and declaring votes, assigning representatives to committees, and signing the bills and resolutions that the House passes.

ANALYTICAL—How is the selection process for leadership similar in the House of Representatives and the Senate? (C.9, C.9.b, C.9.c)

- » In each house, members of each party meet separately and vote to choose their caucus leadership at the start of each Congress.

LITERAL—What are some responsibilities of the president pro tempore of the Senate? (C.9, C.9.b, C.9.c)

- » The president pro tempore of the Senate is responsible for working with the Speaker of the House to appoint the director of the Congressional Budget Office, making appointments to national advisory boards, receiving reports from federal agencies, administering the oath of office to other senators, and signing the bills and resolutions the Senate passes.

ANALYTICAL—How are the positions of the House and Senate floor leaders different from the position of the president pro tempore? (C.9, C.9.b, C.9.c)

- » Unlike the president pro tempore, the House and Senate floor leader positions are not constitutional offices; their existence and authority come from traditions that have developed over time.

✓ **THINK TWICE**—How are the leadership structures in the House of Representatives and the Senate similar and different?

- » Floor leaders in both houses are chosen by members of their party. Both houses have a majority and minority leader and a majority and minority whip. The Speaker is an elected member of the House who is also elected by the members to preside over the House, while the vice president—who is not a senator—presides over the Senate. When the vice president is unable to preside, the Senate is led by the president pro tempore, a senator elected by the members of the Senate.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (**C.9, C.9.b, C.9.c**)

“The Legislative Process” and “Committees vs. Commissions,” pages 88–91

Scaffold understanding as follows:

Have a volunteer read the first paragraph of the section “The Legislative Process” on page 88 aloud.

SUPPORT—Direct students to the How a Bill Becomes a Law diagram on page 91. Encourage students to refer to the diagram as they read the section.

Have students read the next two paragraphs of the section and the sidebar “Committees vs. Commissions” on pages 88–89.

SUPPORT—Explain to students that when talking about Congress, *house* indicates either chamber of Congress, while *House* indicates the House of Representatives.

SUPPORT—Direct students to the Congressional Committees table on page 90, and ask volunteers to read each type of committee, its description, and its examples aloud. Explain that a subcommittee is a smaller group of members within a larger committee. Subcommittees have more granular responsibilities or areas of focus than the overall committee.

Have students read the next two paragraphs of the section on page 89.

CORE VOCABULARY—Point out the vocabulary terms *filibuster* and *cloture*, and explain their meanings.

SUPPORT—On June 12, 1935, Huey Long, a U.S. senator from Louisiana, set the record for the second-longest filibuster in history at the time. Long spoke for fifteen hours and thirty minutes with the intention of forcing Democrats in the Senate to maintain a provision on a piece of New Deal legislation. He began by reading from and analyzing each part of the Constitution; when he was finished, he invited fellow members of the Senate and reporters sitting in the press gallery to ask him for advice. When Long ran out of requests, he began sharing some of his favorite recipes. Long’s filibuster came to an end when he left the Senate to use the restroom. In the 1970s, the Senate changed the cloture rules in order to enable the Senate to work around a filibuster and continue working on other bills. As a result, today a senator can conduct a “silent filibuster,” which puts work on a specified bill on indefinite hold.

Have students read the remainder of the section on pages 89–91.

SUPPORT—Direct students back to the How a Bill Becomes a Law diagram on page 91. Walk students through the pathways described in the text. Note the arrows pointing in different directions, indicating the possible pathways of bills originating in the House versus the Senate. Ask: Which step is unique to the House of Representatives? (*Bills are sent to the Rules Committee before moving to floor action.*) (C.9, C.9.b, C.9.c)

SUPPORT—Share with students that in the 113th Congress (2013–14), 10,637 bills were introduced to Congress, but only 354 passed both chambers and just 296 were enacted into law—fewer than 3 percent of those introduced. Explain that bills that are not enacted are considered “dead.” Most bills die in committee or subcommittee as a result of limited time or resources, misalignment with legislative priorities, impracticality, or unpopularity.

After students read the text, ask the following questions:

LITERAL—What is the difference between a committee and a commission? (C.9, C.9.b, C.9.c)

- » A committee is internal—that is, made up of members of Congress—while a commission is external. Commissions are independent of Congress and are made up of experts to aid Congress in some way.

LITERAL—Where do bills originate? (C.9, C.9.b, C.9.c)

- » Bills can originate in either house of Congress.

LITERAL—What are standing committees? (C.9, C.9.b, C.9.c)

- » Standing committees are permanent committees that focus on particular policy areas.

ANALYTICAL—What impact does the cloture rule have in the Senate? (C.9, C.9.b, C.9.c)

- » Cloture ends filibusters and enables the Senate to proceed with its business. At the same time, the cloture rule also influences what legislation can be enacted; because of the filibuster and cloture rules, legislation requires sixty votes to pass instead of a simple majority.

 **THINK TWICE**—What is the process for creating new laws?

- » First, a member of Congress introduces a bill to their respective chamber. The proposed law is then sent to the relevant committee, which can assign it to one of its subcommittees for review, amendments, and/or approval. The bill is then returned to the full committee, where it is reviewed, investigated, and debated before the committee votes to approve or reject the bill. If the bill is approved by the committee, it is sent to the House or Senate majority leadership to determine whether and when the bill will be brought for consideration by all members of their chamber. In both houses, a bill is passed by a simple majority. Once the bill passes one house, it is sent to the other chamber to go through the committee process again before making it to the floor for a vote. If both houses pass different versions of the bill, they are sent to a committee to reconcile the language before the final bill is sent back to both houses for a final vote. Bills that pass both houses are sent to the president, who may choose to enact the bill into law or veto the legislation.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (C.9, C.9.b, C.9.c)

“The Executive Branch,” “The President,” and “From Legislator to Executive,” pages 91–97


Scaffold understanding as follows:

Have students read the section “The Executive Branch” and the first two paragraphs of the section “The President” on pages 91–94.

SUPPORT—Explain that even though the legislative branch has the exclusive and enumerated power to declare war, presidents do have the power to deploy U.S. troops without congressional approval. For example, the president may deploy troops to put down domestic insurrections and rebellions and to restore civil order. One example of this was President Dwight D. Eisenhower’s use of the Arkansas National Guard and federal troops to maintain order and protect students integrating Little Rock Central High School during the Civil Rights Movement. Note that presidents have consistently taken military action without a formal declaration from Congress. Students will learn more about this gradual expansion of executive power in Topic 3. Presidents have also deployed troops in foreign countries without congressional approval.

CORE VOCABULARY—Point out the vocabulary terms *bully pulpit* and *executive order*, and explain their meanings.

SUPPORT—Direct students to the image of President Theodore Roosevelt on page 93, and read the caption aloud. When describing his approach to the presidency, Roosevelt said, “I suppose my critics will call that preaching, but I have got such a bully pulpit!” Explain that the word *bully* is an adjective that means excellent.

 **TALK IT OVER**—Have students debate or discuss this question: How do you think social media has changed the influence of the bully pulpit? What are the pros and cons of these changes?

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

Online Resources



Have students read the next three paragraphs of “The President” on pages 94–96.

SUPPORT—Explain that in addition to executive orders, presidents may issue proclamations and statements, too. Proclamations are official announcements made by the president, typically to mark a celebration. For example, since 1863, each president has proclaimed a day of Thanksgiving in November. In some instances, proclamations may carry the force of law, like an executive order, but only if the proclamation relates directly to one of the president’s enumerated powers. Note that students will analyze a proclamation by Abraham Lincoln in the Foundations of Freedom DBQ workbook.

ACTIVITY—Point out the chart of historic executive orders on page 93. Ask students to predict the short-term and long-term impact of each order. Then have students research another executive order that impacted American life in some way. Distribute A Historic Executive Order (AP 2.1), and have students record their findings and observations there. **(C.9.d)**

SUPPORT—Refer students back to the unit opener image of President George W. Bush on page 55. Note that presidents may give their State of the Union address as a speech or as a written message to Congress. While both George Washington and John Adams delivered

their State of the Union addresses as speeches, from 1801 to 1912, presidents sent their State of the Union addresses as written messages. The last president to submit a written State of the Union address to Congress was Jimmy Carter in 1981. Only two presidents—William Henry Harrison and James Garfield—have not given State of the Union addresses; this is because they died during their first year in office.

Have students read the remainder of “The President” and the sidebar “From Legislator to Executive” on pages 96–97.

SUPPORT—Refer students to the diagram of the executive branch on page 92. Explain that the Executive Office of the President (EOP) was created in 1939 to help the president govern the nation. The EOP has a wide array of responsibilities, including advising the president on things like the economy and the environment, promoting U.S. interests overseas, and informing the American people about the president’s actions and policies.

SUPPORT—Direct students to the four images of presidents fulfilling various responsibilities of the office on page 95. Ask students to examine each image without reading the caption. Ask them to determine whether each image shows the president in his capacity as head of state, commander in chief, head of government, or chief executive. Then have students read the caption aloud. (C.9, C.9.d)

After students read the text, ask the following questions:

LITERAL—What is the bully pulpit? (C.9, C.9.b, C.9.d)


- » The bully pulpit is the ability of the president to use their visibility and influence to set and shape the agenda for the United States.

LITERAL—How does the president fulfill their role as chief diplomat? (C.9, C.9.b, C.9.d)

- » The president meets with foreign leaders and dignitaries to forge international partnerships, promote trade, and advance U.S. goals around the world.

LITERAL—Which positions does the president have the power to appoint? How does the Senate check this power? (C.9, C.9.b, C.9.d)

- » The president has the power to appoint ambassadors, the heads of the executive departments, federal judges (including Supreme Court justices), certain military officials, and U.S. attorneys. The Senate checks this power by confirming or denying the president’s nominations.

 **THINK TWICE**—What are the functions and duties of the executive branch of government?

- » The primary duty of the executive branch is to carry out the laws enacted by Congress. The president is executive in chief but also has other functions and duties, including acting as head of state, as head of government, and as commander in chief of the military. The president is responsible for giving a State of the Union address and has the power to appoint various officials.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (C.9, C.9.b, C.9.d)

Primary Source Feature: “U.S. Constitution, Article II, Section 2,” page 94

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 94.

Introduce the source to students by reading the introductory text.

Have students read the source.

Activity Page



AP 1.1

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner for both Sections 2 and 3 of Article II.

After students have read the source, ask the following questions:

LITERAL—According to the source, what powers does the president have concerning the military? (C.6, C.6.a, C.9, C.9.b, C.9.d)

- » The president is the commander in chief of the United States Armed Forces when they are called into service.

LITERAL—What does Article II of the Constitution say about the president’s authority in making treaties and appointments? (C.6, C.6.a, C.9, C.9.b, C.9.d)

- » Article II of the Constitution grants the president the power to negotiate and enter into treaties, provided that two-thirds of the senators present in the Senate agree. Furthermore, the president has the responsibility to nominate various government officials with the advice and consent of the Senate.

Primary Source Feature: “U.S. Constitution, Article II, Section 3,” page 96

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 96.

Introduce the source to students by reading the introductory text.

Have students read the source for both Sections 2 and 3 of Article II.

Activity Page



AP 1.1

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner for both Sections 2 and 3 of Article II.

After students have read the source, ask the following questions:

INFERENTIAL—In Article II, Section 3, what does it mean when it says, “He shall from time to time give to the Congress Information of the State of the Union”? Why do you think the Founders included this clause? (C.6, C.6.a, C.9, C.9.b, C.9.d)

- » Article II, Section 3, says that the president must appear before or send a written statement to Congress explaining the major issues that the country faces, as well as any advice or ideas they may have about policies to address those issues. The Founders included this clause as a way to help keep the executive branch accountable to the legislative branch and to the people, and to encourage communication between the branches of government.

LITERAL—How does Article II of the Constitution address the president’s role in the execution of laws? (C.6, C.6.a, C.9, C.9.b, C.9.d)

- » Article II mandates that the president ensure the faithful execution of laws. In other words, the president must faithfully carry out and enforce the laws passed by Congress.

“The Vice President,” pages 97–99

Scaffold understanding as follows:

Have students read the section on pages 97–99.

SUPPORT—Tell students that in 1789, John Adams, George Washington’s vice president and the eventual second president, said of the vice presidency, “I am nothing, but I may be everything.” In short, Adams meant that he had very little power or responsibility, yet he was but a heartbeat away from tremendous power and responsibility. Explain that the role and perception of the vice president have changed over time; modern vice presidents are a much more active part of the executive branch than in the past. While most vice presidents will never have to assume the presidency, it is important for them to understand domestic and foreign policy as well as matters related to national security. For example, when President Franklin D. Roosevelt died in office, Harry S. Truman was completely unaware that the United States was secretly developing atomic bombs. Just months later, he was responsible for making the decision to use those weapons against Japan. For this reason, presidents now ask their vice presidents to sit on the National Security Council.

SUPPORT—As of 2020, fifteen U.S. vice presidents have become president—six were elected to the presidency, eight took office after the death of the president, and one, Gerald Ford, became president following the resignation of his successor, Richard Nixon.


After students read the text, ask the following questions:

ANALYTICAL—How do the offices of vice president and president differ? (C.9, C.9.b, C.9.d)

- » Compared to the president, the vice president has very few constitutionally identified roles and responsibilities.

LITERAL—What does the Twenty-Fifth Amendment do? (C.9, C.9.b, C.9.d)

- » The Twenty-Fifth Amendment gives the vice president and the cabinet joint power to determine if the president is unfit for duty.

 **THINK TWICE**—What are the primary responsibilities of the vice president?

- » The vice president is responsible for presiding over sessions of the Senate and casting tiebreaking votes. They are also responsible for stepping into the role of president if the president becomes unable to fulfill the duties of office.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (C.9, C.9.b, C.9.d)

“The Cabinet,” page 99

Scaffold understanding as follows:

Have students read the section on page 99.

SUPPORT—Direct students to the table that lists the executive departments of the cabinet on page 98, and read the footnote and caption aloud. Explain that Washington’s first cabinet had just four advisors: the secretaries of state, treasury, and war and the attorney general.

After students read the text, ask the following questions:

LITERAL—What is the head of each executive department called? (C.9, C.9.b, C.9.d)


- » With the exception of the Department of Justice, the heads of executive departments are called secretaries. The head of the Department of Justice is the attorney general.

LITERAL—What are the responsibilities of the Department of State? (C.9, C.9.b, C.9.d)

- » The Department of State oversees foreign policy and diplomacy.

LITERAL—What are the responsibilities of the Department of Transportation? (C.9, C.9.b, C.9.d)

- » The Department of Transportation maintains and promotes U.S. transportation systems.

 **THINK TWICE**—Who makes up the cabinet, and what is its purpose?

- » The cabinet is made up of the heads of the departments and some agencies of the executive branch. The cabinet advises the president on policy. Many members of the cabinet are also in the presidential line of succession.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (C.9, C.9.b, C.9.d)

“The Judicial Branch” and “Judicial Structure and Process,” pages 99–102

Scaffold understanding as follows:

Have students read “The Judicial Branch” and “Judicial Structure and Process” on pages 99–102.

CORE VOCABULARY—Point out the vocabulary term *judiciary*, and explain its meaning.

SUPPORT—Invite volunteers to recall the differences between criminal cases and civil cases. (*In a criminal case, the government prosecutes a person or group of people who are accused of committing a crime. In a civil case, the court settles a dispute between two or more parties.*) (C.9)

CORE VOCABULARY—Point out the vocabulary terms *appeal* and *brief*, and explain their meanings.

SUPPORT—While a writ of certiorari is commonly associated with the U.S. Supreme Court, this petition to a lower court to share their records of a case exists within state court systems as well.

SUPPORT—Direct students to the U.S. court system diagram on page 101, and read the caption aloud. Explain to students that the court system is made up of a number of parts and tiers. Invite volunteers to read each of the boxes aloud, noting the position of each tier. Ask: Which courts only hear cases involving federal laws? (*Federal courts hear cases involving federal laws: U.S. district courts, U.S. courts of appeals, and special federal courts.*) (6.a, 6.9, C.9.b, C.9.e)

SUPPORT—Explain to students that U.S. district courts are trial courts. In a trial court, parties present evidence to make their case, and the court makes a determination based on the facts at hand. Federal courts of appeals do not rule on matters based on facts; rather, their job is to rule on matters of procedure (whether the original trial was conducted fairly) and legal interpretation (the meaning of the law).

ACTIVITY—Show students the PBS video “Court System Structure: Crash Course Government #19.” After students finish the video, invite volunteers to help you diagram on the board or large chart paper the path a case takes through the federal court system up to the Supreme Court. (C.9.e)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video: www.coreknowledge.org/foundations-of-freedom

After students read the text, ask the following questions:

LITERAL—How does Congress check the power of the judicial branch? (C.9.b, C.9.e)

- » Congress has the power to shape and structure the judicial branch by creating and abolishing courts, determining court jurisdictions, and changing the number of judges in the federal system.

LITERAL—What is the lowest level of the federal court system? What kinds of cases do these courts hear? (C.9.b, C.9.e)

- » Federal district courts make up the lowest level of the federal court system; these courts hear cases that involve federal law.

ANALYTICAL—How do U.S. courts of appeals differ from U.S. district courts? (C.9.b, C.9.e)

- » U.S. courts of appeals are responsible for reviewing how the law was applied in cases heard in the lower U.S. district courts. The district courts hear the facts and evidence of a case and issue a decision for one party involved in a legal dispute.

LITERAL—What does it mean to petition for a writ of certiorari? (C.9.b, C.9.e)

- » Petitioning for a writ of certiorari means asking an appellate court to review a case.

ANALYTICAL—How is the Louisiana Supreme Court similar to and different from the U.S. Supreme Court? (C.9.b, C.9.e)

- » Both the Louisiana Supreme Court and the U.S. Supreme Court hear appeals cases; however, the Louisiana Supreme Court hears cases specific to the laws of Louisiana, and its rulings can be overturned by the U.S. Supreme Court based on federal laws.

 **THINK TWICE**—What are the functions and duties of the judicial branch of government?

- » The functions and duties of the judicial branch of government include hearing civil and criminal cases and appeals and interpreting, applying, and determining the constitutionality of laws.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (C.9.b, C.9.e)

Primary Source Feature: “U.S. Constitution, Article III, Section 1,” page 99

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 99.

Introduce the source to students by reading the introductory text.

Have students read the source.

SUPPORT—Explain that “good Behaviour” is not defined in Article III, Section 1; however, this is understood to mean that judges are held to the same standard as presidents and vice presidents and can be removed from office for “Treason, Bribery, or other high Crimes and Misdemeanors” (Article II, Section 4). Students will further consider the idea of judicial behavior when analyzing *Federalist* No. 78 later in this topic.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—According to the source, what is the relationship between the U.S. Supreme Court and other federal courts? (C.6, C.6.a, C.9, C.9.b, C.9.e)

» All other federal courts are inferior to the U.S. Supreme Court.

LITERAL—How long do federal judges remain in office? (C.6, C.6.a, C.9, C.9.b, C.9.e)

» Federal judges of the Supreme Court and of lower courts hold office “during good Behaviour,” meaning indefinitely or until they are impeached and removed.

“The Supreme Court of the United States” and “How Many Justices?,” pages 102–104

Scaffold understanding as follows:

Have students read the section “The Supreme Court of the United States” on pages 102–104.

SUPPORT—Direct students to the image of the Supreme Court building on page 102. Explain that the Supreme Court building was completed in 1935. Before that, the Supreme Court met at the Exchange Building in New York City, then at Independence Hall and City Hall in Philadelphia, and then in the U.S. Capitol building in Washington, D.C.

CORE VOCABULARY—Point out the vocabulary term *original jurisdiction*, and explain its meaning.

SUPPORT—Note that the Constitution does not specify any qualifications for justices—not age, education, or citizenship.

SUPPORT—Note that *Brown v. Board of Education* overturned the “separate but equal” doctrine of the court’s 1896 decision in *Plessy v. Ferguson*, which students will read about in Unit 3.

Activity Page



AP 1.1



TALK IT OVER—Review what students have read about stare decisis. Then have them discuss the following questions: What are the pros and cons of using legal precedent to make a ruling on cases? What other factors, if any, do you think should be taken into consideration?

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

Online Resources

www.coreknowledge.org/foundations-of-freedom



Have students read the sidebar “How Many Justices?” on page 104.

SUPPORT—Explain that a tenth Supreme Court justice was added during the Civil War. Remind students that Congress has the power to reshape the judicial branch, including the Supreme Court, through the exceptions clause in Article III, Section 2, of the Constitution. This is an important check on judicial power. While the structure of the federal court system has not changed for decades, trends in Supreme Court rulings encourage discussions and debates about if, when, and how to use the exceptions clause to curb the power of the court. Note that during the Great Depression, the Supreme Court overturned many parts of President Franklin D. Roosevelt’s New Deal. Buoyed by his November 1936 reelection to a second term as president, in early 1937, Roosevelt proposed legislation to “pack the court” by adding an additional justice to the Supreme Court for each justice older than seventy. Under his proposal, the court could have grown from its traditional nine to as many as fifteen justices, many of whom Roosevelt hoped would vote in favor of his New Deal legislation. Americans from across the political spectrum were appalled by the president’s proposal. They saw it as an attack on the Constitution’s checks and balances, in which the three branches of the federal government balance and check one other.

After students read the text, ask the following questions:

ANALYTICAL—Why is the U.S. Supreme Court important? (C.6, C.6.a, C.9, C.9.b, C.9.e)

- » The Supreme Court is the highest court in the United States and has final say over whether or not state and federal laws adhere to the Constitution.

LITERAL—What does it mean for a court to have original jurisdiction? (C.6, C.6.a, C.9, C.9.b, C.9.e)

- » Original jurisdiction means that the court has the power to hear a case and rule on it without it first going through the appeals process.

LITERAL—What does it mean when the Supreme Court sets a precedent? (C.6, C.6.a, C.9, C.9.b, C.9.e)

- » A Supreme Court ruling sets a precedent when it is based on a newly discovered or created legal or judicial principle, which becomes binding on all future federal and state courts.



THINK TWICE—What is stare decisis, and how does it influence the Supreme Court’s decision-making process?

- » *Stare decisis* is Latin for “to stand by things decided.” The Supreme Court follows the doctrine of stare decisis by following precedents—that is, by following past legal decisions.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (C.6, C.6.a, C.9, C.9.b, C.9.e)

Primary Source Feature: “U.S. Constitution, Article III, Section 2,” page 103

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 103.

Introduce the source to students by reading the introductory text.

Have students read the source.

Activity Page



AP 1.1

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—Which line from the source explains that the judicial branch’s jurisdiction applies to events that happen at sea? (C.6, C.6.a, C.9, C.9.b, C.9.e)

- » The phrase “to all Cases of admiralty and maritime Jurisdiction” indicates that the judicial branch has jurisdiction regarding events that happen at sea.

LITERAL—According to the source, in which areas does the Supreme Court have original jurisdiction? (C.6, C.6.a, C.9, C.9.b, C.9.e)

- » The source states that the Supreme Court has original jurisdiction in cases that involve ambassadors, diplomats, and the states.

ANALYTICAL—What do the jurisdictions outlined in the Constitution suggest about how the Founders viewed the priorities and roles of the Supreme Court compared to other levels of the federal judiciary and state courts? (C.6, C.6.a, C.9, C.9.b, C.9.e)

- » Possible response: Compared to other levels of the federal judiciary and state courts, the Founders saw the Supreme Court focusing on high-level issues that impact the entire country or the functioning of the federal government, rather than addressing day-to-day disputes.

“Their Necessary Independence,” pages 104–107

Scaffold understanding as follows:

Have students read the section on pages 104–107.

SUPPORT—Direct students to the image of Chief Justice John Marshall on page 104, and read the caption aloud. Explain that John Marshall served in all three branches of the federal government in quick succession: He was elected to the House of Representatives in 1798 and took office in 1799, served in President John Adams’s cabinet as secretary of state starting in 1800, and was nominated by Adams to the Supreme Court in 1801.

CORE VOCABULARY—Point out the vocabulary term *judicial review*, and explain its meaning.

ACTIVITY—Show the video “Marbury v. Madison” from the Bill of Rights Institute. After, have students work in pairs to create a fictional text message exchange between Chief Justice John Marshall and a legislator from that time, discussing the details and outcomes of the case. Encourage pairs to share their messages with the rest of the class. (C.7, C.9.e, C.9.f)



See the Foundations of Freedom Online Resources for this unit for the link to the video:

www.coreknowledge.org/foundations-of-freedom

After students read the text, ask the following questions:

LITERAL—Why did the Founders establish life appointments for federal judges? (C.9, C.9.b, C.9.e)

- » The Founders wanted judges to decide cases based solely on their understanding of the laws, rather than make decisions with an eye to popularity or reelection.

ANALYTICAL—Which fact suggests the Founders intended the judicial branch to have the power of judicial review? (C.9, C.9.b, C.9.e)

- » The Founders knew that state courts had the power to overturn laws that conflicted with state constitutions.

ANALYTICAL—Why was the Supreme Court’s ruling in *Marbury v. Madison* significant? (C.9, C.9.b, C.9.e, C.9.f)

- » It established the power of judicial review, and it made the Supreme Court more of a coequal branch with the legislature and executive. The decision strengthened the role of the court in the system of checks and balances.

 **THINK TWICE**—How did the Supreme Court’s ruling in *Marbury v. Madison* help define the power of the judicial branch?

- » The Supreme Court’s ruling in *Marbury v. Madison* helped define the power of the judicial branch by establishing judicial review. The court asserted its power to determine the constitutionality of laws and executive actions.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “What are the roles and responsibilities of each branch of the federal government?” (C.9, C.9.b, C.9.e)

Primary Source Feature: “*Federalist No. 78, 1788*,” page 105

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 105.

Introduce the source to students by reading the introductory text.

Have students read the source.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

ANALYTICAL—Why does Hamilton argue in favor of permanent, rather than temporary, judicial appointments? (C.6, C.6.a, C.9, C.9.b, C.9.e)

- » Hamilton argues that it is important for judges to maintain their independence. He says that if judges are subject to frequent changes, they may be more likely to be swayed by political pressure or popular opinion.



LITERAL—According to the source, how do strict rules and precedents contribute to the fairness of the courts? (C.6, C.6.a, C.9, C.9.b, C.9.e)

- » Adhering to strict rules and precedents helps maintain consistency and fairness in the courts' rulings.

LITERAL—According to the source, what qualifications are essential for judicial offices? (C.6, C.6.a, C.9, C.9.b, C.9.e)

- » The source states that judges must be knowledgeable about laws and precedents, have integrity, and be able to apply laws with impartiality.

INFERENTIAL—What would Hamilton have thought if federal judges were elected for ten-year terms? Cite evidence from the source to support your response. (C.6, C.6.a, C.7, C.7.a, C.9, C.9.b, C.9.e)

- » Possible response: Hamilton would have disagreed with elected justices, regardless of the length of their terms. This is evidenced by his assertion that if the people chose justices, "there would be too great a disposition to consult popularity, to justify a reliance that nothing would be consulted but the Constitution and the laws."

Note: For more primary source work related to this topic, see the Foundations of Freedom DBQ Workbook.



CHECK FOR UNDERSTANDING

Ask students to:

- Write a short answer to the Framing Question: "What are the roles and responsibilities of each branch of the federal government?"
 - » Key points students should cite include: The legislative branch is responsible for enacting legislation for the country; other roles and responsibilities of the legislative branch include declaring war, establishing post offices, establishing the size and jurisdiction of the judicial branch, confirming presidential nominations, ratifying treaties, and funding and maintaining the military; the executive branch is responsible for carrying out laws enacted by Congress; the president is the head of the executive branch and acts as head of state, head of government, chief executive, and commander in chief of the armed forces; the president is advised by the cabinet, which is made up of the heads of federal departments and agencies; the judicial branch is responsible for interpreting, applying, and reviewing the constitutionality of laws; federal courts hear both civil and criminal cases related to federal laws, while state courts hear cases related to state laws; the Supreme Court is the highest court in the United States and has final say on the constitutionality of laws in the country.
- Choose five Core Vocabulary words (*constituent, congressional district, revenue, impeach, implied power, budget, appropriation, levy, oversight, hearing, "line of succession," caucus, filibuster, cloture, bully pulpit, executive order, judiciary, appeal, brief, original jurisdiction, and judicial review*) and write a paragraph using the words.

To wrap up the lesson, invite several students to share their responses.

Activity Page



AP 2.2

NOTE: You may wish to assign Domain Vocabulary: Topics 1–2 (AP 2.2) for homework.

TOPIC 3: The U.S. Government over Time

Framing Question: How has the role of the government changed from 1789 to the present?

Primary Focus Objectives

- ✓ Analyze how the legislative branch of government has changed over time. (C.9, C.9.b, C.9.c)
- ✓ Analyze how the executive branch of government has changed over time. (C.9, C.9.b, C.9.d)
- ✓ Analyze how the judicial branch of government has changed over time, including the role of Supreme Court decisions. (C.9, C.9.b, C.9.e, C.9.f)
- ✓ Understand the meaning of the following domain-specific vocabulary: *enumeration*, *franchise*, “political machine,” *term limit*, *grassroots campaign*, *pocket veto*, *martial law*, *equal protection*, *prior restraint*, and *executive privilege*.

What Teachers Need to Know

Online Resources For background information, download the Foundations of Freedom Online Resource “About The U.S. Government over Time”:



www.coreknowledge.org/foundations-of-freedom

Materials Needed

Activity Pages



AP 1.1
AP 3.1

- individual student copies of Primary Source Analysis (AP 1.1) and Timeline Template (AP 3.1)
- individual student copies of the National Archives Analyze a Cartoon worksheet (optional)
- videos “Gibbons v. Ogden,” “U.S. v. Lopez,” “McCulloch v. Maryland,” “Plessy v. Ferguson,” “Brown v. Board of Education,” “New York Times Co. v. United States,” “US v. Nixon,” “Bush v. Gore,” and “Citizens United v. FEC” from the Bill of Rights Institute
- text of the Thirteenth, Fourteenth, and Fifteenth Amendments
- video “How Loving v. Virginia Led to Legalized Interracial Marriage” from the History Channel
- video “President Richard Nixon’s April 1974 Address to the Nation” from CBS News
- video “President Richard Nixon’s August 1974 Resignation Address” from the Richard Nixon Presidential Library

Online Resources



Use this link to download the Foundations of Freedom Online Resources for this unit, where the specific links to the worksheet, videos, and text of the amendments may be found:

www.coreknowledge.org/foundations-of-freedom

Core Vocabulary (Student Volume page numbers listed below)

enumeration, n. the act of listing or counting something, as in the population of a country (110)

Example: Every ten years, the federal government makes a detailed enumeration of the population to determine how to apportion congressional seats.

Variations: enumerate (v.), enumerative (adj.)

franchise, n. the constitutional right to vote (111)

Example: During the 1800s and early 1900s, activists worked to expand the franchise to women, who were denied the right to vote until 1920.

Variations: enfranchise (v.), enfranchisement (n.)

“political machine” (phrase) a political party organization run by a single leader or small group of leaders that works to control a city, county, or state, often by providing goods, services, and favors to voters (112)

Example: The Tammany Hall political machine built election support for its leaders by aiding recent immigrants to New York City.

term limit, n. the maximum amount of time an elected official is allowed to serve in that position (115)

Example: After Franklin D. Roosevelt was elected to his fourth presidential term of office, the Twenty-Second Amendment was passed to establish a term limit for presidents.

grassroots campaign, n. a movement beginning with and coming from ordinary people (119)

Example: The grassroots campaign to reduce water pollution began with high school students before growing into a statewide movement.

pocket veto, n. the act of rejecting a bill by choosing not to sign it into law while Congress is no longer in session (121)

Example: James Madison became the first president to exercise the pocket veto when instead of sending a bill back to Congress without his signature, he held it until Congress adjourned and then allowed it to expire.

martial law, n. temporary by military officials in place of civilian authorities in a designated area (122)

Example: Once martial law was established during the Civil War, many Confederate sympathizers were arrested and detained with no regard for due process.

equal protection, n. the Fourteenth Amendment guarantee that states apply the same treatment to individuals or groups of individuals when they face the same circumstances (128)

Example: During the Civil Rights Movement, activists challenged the legality of racially segregated public schools on the grounds that they violated equal protection by treating African Americans and white people differently.

prior restraint, n. a government ban on expression before it happens (131)

Example: The First Amendment generally prohibits prior restraint, but the government has sometimes been permitted to use it to block publication of information that would harm national security if released.

executive privilege, n. the power of the president and other members of the executive branch to withhold certain confidential information from the other two branches of government (132)

Example: President Richard Nixon invoked executive privilege to try to keep some executive department conversations secret from the other branches.

Introduce “The U.S. Government over Time”

Introduce the topic by reminding students that the federal government is divided into three branches, each with its own roles and responsibilities. Explain that over time, these roles have expanded and evolved. In some instances, roles have changed to meet the changing needs of the country; other changes were driven by individuals or by unprecedented circumstances.

Call students’ attention to the Framing Question. Tell students to look for how the role of the government has changed from 1789 to the present as they read the text.

Guided Reading Supports for “The U.S. Government over Time”



“Changing Times,” pages 108–109

Scaffold understanding as follows:

Have students read the section on pages 108–109.

SUPPORT—Direct students to the images on pages 108–109, and read the caption aloud. Explain that the original Federal Hall in New York City was built between 1699 and 1703 as New York City Hall. It was renamed Federal Hall after serving temporarily as the country’s seat of government. In 1812, it was torn down and replaced by the larger City Hall building that still stands today.

SUPPORT—Tell students that Native Americans became citizens in 1924 with the signing of the Indian Citizenship Act. In the decades that followed, some states still prevented Native Americans from participating in elections, leading to federal protection of Native voting rights in the 1965 Voting Rights Act.

After students read the text, ask the following questions:

LITERAL—How did the size and population of the United States change from 1789 to 1990? (C.1, C.3)

- » In 1789, the country was made up of just thirteen states and a few territories; by 1990, the country had fifty states and reached from the Atlantic to the Pacific. The population grew from about 3.9 million to about 250 million people.

INFERENTIAL—How do you think these changes affected the priorities of the government? Provide examples to support your response. (C.1, C.3)

- » Possible response: The government had to dedicate more resources to developing infrastructure to connect the country, including providing funding for things like interstate highways and airports.

ANALYTICAL—How did participation in the government change from 1789 to 1990? (C.1, C.3)

- » The electorate was expanded from white, landowning men to include all citizens over the age of eighteen, regardless of their sex, race, or property ownership.

“The Legislative Branch over Time” and “More People, More States, More Legislators,” pages 110–111

Scaffold understanding as follows:

Have students read the sections on pages 110–111.

CORE VOCABULARY—Point out the vocabulary term *enumeration*, and explain its meaning.

SUPPORT—Remind students that *apportionment* is the act of allocating representatives to states or voting districts based on their population.

SUPPORT—Direct students to the sample math equations on page 110. Explain that these are very simplified models of how early apportionment was actually calculated. Emphasize that this is the old way of determining state representation. The current method of apportionment, called the method of equal proportions, was adopted in 1941. It guarantees a representative to each state. Then this method uses a “priority” value, a number that is multiplied by the total population of each state. The fifty-first seat in the House is assigned to the state with the highest priority value, the fifty-second seat is assigned to the state with the second-highest priority, and so on. This process continues until all 435 seats are assigned.

SUPPORT—Explain that members of Congress capped membership in the House of Representatives at 435 because they thought this number was both budget conscious and still manageable for congressional proceedings. Note that when Alaska and Hawaii were admitted to the Union during the 1950s, they were each given one seat in the House. This brought total membership in the House to 437 for two years, until the 1960 census triggered reapportionment.

ACTIVITY—Have students work independently or with a partner to find the U.S. representatives for the state of Louisiana and for their district. Have students determine how they can get in touch with their district representative to express concerns about or support for government policies. **(C.9.c)**


After students read the text, ask the following questions:

LITERAL—How many members did the House of Representatives have in 1787? How many does it have today? **(C.1, C.3, C.9, C.9.c)**

» The House had 65 members in 1787; it has 435 members today.

ANALYTICAL—How has the process of apportionment and representation changed over time? **(C.1, C.3, C.9, C.9.c)**

» At first, apportionment and representation were based on a fixed ratio of residents to representatives; Congress determined the size of the population first and the number of representatives in the House second. Later, Congress set the total number of representatives and then used population data to calculate the number of representatives for each state.

 **THINK TWICE**—How and why has the size of the House of Representatives changed?

» Through changes to methods of apportionment, the size of the House has grown to reflect increases in the country’s population. Membership has grown from 65 to 435.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How has the role of the government changed from 1789 to the present?” (C.1, C.3, C.9, C.9.c)

“Expanding Representation,” pages 111–112

Scaffold understanding as follows:

Have students read the section on pages 111–112.

CORE VOCABULARY—Point out the vocabulary terms *franchise* and “political machine,” and explain their meanings.

SUPPORT—Explain that while the Fourteenth Amendment granted citizenship to formerly enslaved women, this did not include voting rights; likewise, while the Fifteenth Amendment prohibited the denial of voting rights on the basis of race, this only applied to men. While denying the right to vote to women was prohibited by the Nineteenth Amendment in 1920, many states still prevented women of color from voting in the same ways they prevented men of color from voting—behavior that continued in some Southern states until the passage of civil rights legislation in the 1960s.

SUPPORT—Remind students that they read about the purpose and ratification of the Twenty-Sixth Amendment in Topic 1.

SUPPORT—Direct students to the image of the suffragist on page 112, and read the caption aloud. Note that suffragists were torn over the Fifteenth Amendment; some, like Elizabeth Cady Stanton and Susan B. Anthony, opposed it because it failed to extend voting rights to women, while others saw it as a step forward for all marginalized groups. Ask: Where do you think this photograph was taken? What evidence supports your conclusion? (Possible response: This photograph probably was taken in front of the White House. This conclusion is supported by the text on the sign, which is directed to the president.) (C.6, C.6.a, C.6.b, C.7, C.7.a)

After students read the text, ask the following questions:

ANALYTICAL—How did the Fifteenth Amendment affect representation? (C.1, C.3, C.9, C.9.c)

- » The Fifteenth Amendment prohibited states from denying voting rights based on race or previous condition of servitude; in theory, it extended voting rights to African American men and gave them representation.

LITERAL—How did the Seventeenth Amendment make Congress more accountable to voters? (C.1, C.3, C.9, C.9.c)

- » The Seventeenth Amendment made Congress more accountable to voters by enabling them to elect their U.S. senators.

 **THINK TWICE**—How has the legislative branch become more representative over time?

- » The legislative branch has become more representative over time as more Americans have been permitted to vote. This helped change Congress’s priorities, resulting in the passage of legislation that better reflects the needs and wishes of all people.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How has the role of the government changed from 1789 to the present?” (C.1, C.3, C.9, C.9.c)

“Changes to Legislative Power,” pages 113–114

Scaffold understanding as follows:

Have students read the first four paragraphs of the section on page 113.

SUPPORT—Direct students to the third paragraph of the section. Ask: Is a “strict constructionist” or a “loose constructionist” more likely to view social interactions that occur across state lines—for example, accessing social media content posted by someone in another state—as interstate commerce? How do you know? (*Possible response: If social interactions that occur across state lines are considered interstate commerce, then they are subject to regulation by Congress under the commerce clause. Thus, a loose constructionist is more likely to view social interactions that occur across state lines as interstate commerce, as this will have the effect of expanding Congress’s regulatory scope.*) (C.9.g, C.9.f)

Have students read the remainder of the section on pages 113–114.

ACTIVITY—Show the video “Gibbons v. Ogden” from the Bill of Rights Institute. After, present the following question to students: Would the United States have developed a strong national economy if Congress’s power to regulate interstate commerce under the commerce clause did not exist? Allow students a few minutes to prepare their arguments, then hold a class debate on the question. (C.7, C.9.c, C.9.e, C.9.f)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video: www.coreknowledge.org/foundations-of-freedom

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

Online Resources



ACTIVITY—Show the video “U.S. v. Lopez” from the Bill of Rights Institute. After, discuss with students the idea that the commerce clause cannot be used as a “blank check” for congressional powers. Then ask partners to research another case in which the commerce clause has come into play, such as the case of *Carter v. Carter Coal Company*, discussed in the video. Have students report back their findings and interpretations in a brief slideshow presented to the rest of the class. (C.7, C.9.e, C.9.f)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video: www.coreknowledge.org/foundations-of-freedom

After students read the text, ask the following questions:

LITERAL—What is the commerce clause? (C.9, C.9.c)

- » The commerce clause is Article I, Section 8, of the Constitution, which gives Congress the power to regulate interstate commerce.

ANALYTICAL—Why was the ruling in *Gibbons v. Ogden* significant? (C.9, C.9.f)

- » The ruling in *Gibbons v. Ogden* gave Congress the power to regulate interstate navigation and reinforced the supremacy clause. This ruling became the basis for federal regulation of railroads, highways, and broadcasters as well as some intrastate commerce that affects interstate commerce.

INFERENTIAL—Based on Chief Justice John Marshall’s opinion in *Gibbons v. Ogden*, is he a strict constructionist or a loose constructionist? (C.9.f, C.9.g)

- » Based on the opinion, Chief Justice John Marshall is a loose constructionist because he applied the definition of commerce to include navigation, which is more than just trade between the states.

 **THINK TWICE**—In what ways have the legislative branch’s powers expanded or narrowed throughout U.S. history?

- » In 1824, *Gibbons v. Ogden* expanded the legislative branch’s powers to regulate interstate and intrastate commerce under the commerce clause. In 1995, *United States v. Lopez* narrowed Congress’s power under the commerce clause, prohibiting Congress from regulating where people can carry guns. Overall, the power of the legislative branch to enact policy has decreased as executive power has increased.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How has the role of the government changed from 1789 to the present?” (C.1, C.3, C.9, C.9.c)

Primary Source Feature: “United States v. Lopez, Chief Justice William Rehnquist, 1995,” page 115


Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 115.

Introduce the source to students by reading the introductory text.

Have students read the source.

SUPPORT—A Louisiana state law prohibits firearms in school zones with the exception of specific circumstances.

 **TALK IT OVER**—Have students discuss this question: Do you agree with Justice Rehnquist’s reasoning? Why or why not?

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

Online Resources



Activity Page



AP 1.1

After students have read the source, ask the following questions:

LITERAL—What was the Gun-Free School Zones Act of 1990, and what action did it make a federal offense? (C.6.a, C.9.e, C.9.f)

- » The Gun-Free School Zones Act of 1990 made it a federal offense for an individual to knowingly possess a firearm within a school zone.

LITERAL—Why did the Supreme Court rule that the Gun-Free School Zones Act exceeded Congress’s authority? (C.6.a, C.9.e, C.9.f)

- » The court ruled that the act went beyond Congress’s authority to regulate commerce among states because the possession of a gun in a local school zone was not an economic activity connected to interstate commerce.

LITERAL—What conclusion did the Supreme Court suggest would result from upholding Congress’s argument regarding the act? (C.6.a, C.9.e, C.9.f)

- » According to the source, if the Supreme Court upheld the Gun-Free School Zones Act, it might lead to Congress making laws that have nothing to do with commerce, thus increasing federal government oversight over the states.

ANALYTICAL—How did the effects of the ruling in *United States v. Lopez* differ from the effects of the ruling in *Gibbons v. Ogden*? (C.6.c, C.9.f)

- » Unlike the ruling in *Gibbons v. Ogden*, which expanded the power of Congress to exercise the commerce clause to regulate the economy, the ruling in *United States v. Lopez* struck down a federal law on the grounds that it exceeded Congress’s constitutional authority under the commerce clause.

“The Executive Branch over Time,” pages 115–116

Scaffold understanding as follows:

Have students read the section on pages 115–116.

CORE VOCABULARY—Point out the vocabulary term *term limit*, and explain its meaning.

SUPPORT—Reiterate that at the time of the Constitutional Convention, only white men who owned land could vote and hold office in the United States. The debate by the Founders was from the perspective that only a man would hold the office of president; hence, they used male-gendered pronouns and referred to a king. Remind students that they just read about some of the constitutional amendments that have made the government, and by extension the executive branch, more inclusive.

After students read the text, ask the following questions:

LITERAL—What questions did the Founders have to answer when shaping the executive branch? (C.8.e, C.9, C.9.d)

- » They had to answer questions like whether the executive branch should be headed by one or multiple people, whether there should be term limits, and who should elect the executive leader.

LITERAL—On what two points did many of the Founders agree? (C.8.e, C.9, C.9.d)

- » Many of the Founders agreed that they did not want to create an American monarchy and that the leader of the executive branch would not be a king.

Primary Source Feature: “Federalist No. 69, 1788,” page 116

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 116.

Introduce the source to students by reading the introductory text.

Have students read the source.

SUPPORT—Direct students to the last sentence of the first paragraph; note that Hamilton argues that the president would have less power than “either the monarch or the governor.” Remind students that this essay is intended to persuade readers to support the new Constitution. Ask: What was Hamilton’s intention in making this point? (*The point is directed to Anti-Federalists, who worried about a strong federal government overpowering the states.*) (C.6.a, C.6.b., C.7.a)

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

ANALYTICAL—How does Hamilton compare the president’s role as commander in chief to that of the British king? (C.6.a, C.9.c, C.9.d)

- » Hamilton explains that while the president is the commander in chief of the U.S. military, this role is much weaker than that of the British king. The president’s role in the military mainly involves commanding and directing the military once war is declared; the British king has this power as well as the power to declare war and to raise and control fleets and armies.

ANALYTICAL—What distinction does Hamilton draw between the president’s authority and the powers of Congress concerning war-related matters? (C.6.a, C.9.c, C.9.d)

- » According to the source, the president’s role as commander in chief involves overseeing military forces, whereas the Constitution grants Congress the power to declare war and control the raising and regulation of fleets and armies.

“Setting Precedents,” pages 117–118

Scaffold understanding as follows:

Have students read the section on pages 117–118.

SUPPORT—Explain that the office of president existed under the Articles of Confederation, but the role was much different from that of the president under the U.S. Constitution. Under the Articles of Confederation, the president presided over Congress—the role the Constitution gives to the vice president—instead of acting as an independent executive leader.

Activity Page



AP 1.1

SUPPORT—Direct students to the image of Washington’s first cabinet on page 117, and read the caption aloud. Explain that this image is an engraving, or a print that is made by etching images onto a surface and applying ink. Share with students that the first attorney general (the head of the Department of Justice), Edmund Randolph, would later (and briefly) become secretary of state under Washington in 1794.



TALK IT OVER—Note for students that many of the Founders who signed the Constitution were involved in the country’s first few presidential administrations. Invite students to recall what they already know about the disagreements between individuals like Alexander Hamilton and Thomas Jefferson. Then have students debate or discuss this question: How do you think the involvement of the Founders in early presidential administrations affected the early direction of the presidency?

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

Online Resources



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SUPPORT—Remind students that Franklin D. Roosevelt’s effort to restructure the Supreme Court did not succeed.

SUPPORT—Point out to students the reference to *delegates* in the fourth paragraph. Explain that these delegates came from other countries. Note that Native American tribes are considered sovereign nations with the power to rule over their own people. Ask: By meeting with Native American delegates, how was George Washington acting differently than a king? (*Possible response: By meeting with Native American delegates, George Washington signaled that he did not rule over Native American nations and tribes like a king. Instead, he acknowledged their sovereignty and independence from the U.S. government and treated them as he would delegates from other countries.*) **(C.9.d)**

After students read the text, ask the following questions:

ANALYTICAL—How were George Washington’s decisions about how a president should act of special importance? **(C.1, C.9.d)**

- » As Washington recognized, as the first president under the Constitution, he was shaping and defining the role of president. Later presidents would look to his actions as precedents for how they should act.

LITERAL—Who made up Washington’s cabinet? **(C.9.d)**

- » Washington’s cabinet was made up of Alexander Hamilton, secretary of the treasury; Thomas Jefferson, secretary of state; Henry Knox, secretary of war; and Edmund Randolph, attorney general.

ANALYTICAL—Why is the modern cabinet much larger than Washington’s first cabinet? **(C.1, C.3, C.9.d)**

- » The country is much larger and has more complex needs that are met by a larger number of agencies and departments.

LITERAL—What did Washington emphasize in his Farewell Address? **(C.9.d)**

- » Washington emphasized national unity and warned against the formation of political parties.

✓ **THINK TWICE**—What precedents did George Washington set as the first president of the United States?

- » George Washington set a variety of precedents as the first president under the U.S. Constitution, including establishing the first cabinet, suggesting legislation to Congress, helping define the role of the country's chief diplomat, and limiting his tenure to two terms in office.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How has the role of the government changed from 1789 to the present?” (C.1, C.9.d)

“Political Parties and the Veto,” pages 118–121

Scaffold understanding as follows:

Have students read the first two paragraphs of the section on pages 118–119.

SUPPORT—Explain that while serving as president, Andrew Jackson appointed nine hundred of his supporters to government offices; this practice is called a patronage system, or more colloquially the spoils system—a term that comes from the saying “To the victor belong the spoils.” The spoils system Jackson started persisted in U.S. government through the late 1800s, until Congress passed the Pendleton Act in 1883, creating a system for hiring government employees based on merit determined by civil services exams.

CORE VOCABULARY—Point out the vocabulary term *grassroots campaign*, and explain its meaning.



SUPPORT—Call attention to the maps about the presidential elections of 1824 and 1828 on page 119, and read the caption aloud. Walk students through interpreting the two maps, as follows:

- Ask how the parties participating in the election changed from 1824 to 1828. (*In 1824, all the candidates were from one party; in 1828, that party no longer existed.*)
- Explain that *D-R* (Democratic-Republican) under the 1824 map and *D* (Democratic) and *N* (National Republican) under the 1828 map are abbreviations for the political parties with which candidates were affiliated.
- Explain that the color-coding in the maps show that some states split their electoral votes; for example, in 1824 in New York, Andrew Jackson won a single electoral vote, John Quincy Adams won twenty-six, William H. Crawford won five, and Henry Clay won four.
- Ask volunteers to explain how many electoral votes were needed to win the 1824 election. (*131 out of 261*)
- Explain that although Jackson won more electoral votes than any other candidate, he did not win the required majority of 131, so the election was decided by the House of Representatives.
- Note that in the 1828 presidential election, Adams won about the same number of electoral votes as he had in 1824, but Jackson picked up nearly all the votes that had previously gone to other candidates. Ask: How were the election outcomes in 1824 and 1828 similar? (*Possible response: During both elections, Andrew Jackson was supported by both Southern and Mid-Atlantic states, while Adams's support was mostly limited to the Northeast.*) (C.5)

Have students read the remainder of the section on pages 119–121.

SUPPORT—Discuss with students some background to the Bank War. Explain that rechartering the Second Bank two years early was a political move. The Second Bank was especially popular in the North, which was a center for commerce and manufacturing. Clay believed that going into the 1832 election, Jackson would sign the bank bill in order to maintain support in the North.

ACTIVITY—Show the video “McCulloch v. Maryland” from the Bill of Rights Institute. After, organize students in small groups and have them role-play the post-decision reactions of various parties related in some way to the case, including Alexander Hamilton, Thomas Jefferson, James Madison, and James McCulloch. (C.7, C.9.e, C.9.f)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video: www.coreknowledge.org/foundations-of-freedom

SUPPORT—Note that Andrew Jackson also disagreed with—and disregarded—decisions by the Supreme Court other than *McCulloch v. Maryland*, including *Worcester v. Georgia*, a case students will read more about in Topic 4. In this case, the court ruled that the Cherokee Nation had sovereignty, and as such, the state of Georgia did not have legal authority to regulate Cherokee lands. Jackson refused to uphold the court’s ruling and later signed the Indian Removal Act, which Jackson used to force the Cherokee and other tribes onto reservations west of the Mississippi River.

SUPPORT—Direct students to the political cartoon of Andrew Jackson on page 120, and read the caption aloud. Read the text in the cartoon, and point out how Jackson is depicted in the image (*like a king*) and what he’s standing on (*the Constitution*). Ask: What is the perspective of the cartoon’s creator? What point is he making? (*Possible response: The perspective of the cartoon’s creator is that Andrew Jackson is acting like a king rather than like a president of a republic. The cartoonist depicts Jackson standing on a shredded version of the Constitution, suggesting that Jackson sees himself as above the laws of the country.*) (C.6.a, C.6.b)

Note: You may wish to have students complete a National Archives Analyze a Cartoon worksheet about the Andrew Jackson cartoon. The worksheet is available in English and in Spanish.

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the worksheet: www.coreknowledge.org/foundations-of-freedom



TALK IT OVER—Have students discuss this question: Based on what you know about George Washington, how do you think he would respond to Andrew Jackson’s actions as president? Give some examples.

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

Online Resources



CORE VOCABULARY—Point out the vocabulary term *pocket veto*, and explain its meaning.

After students read the text, ask the following questions:

ANALYTICAL—What was a lasting effect of the election of 1828? (C.9.d)

» Possible response: The election of 1828 helped solidify the two-party system in the United States.

ANALYTICAL—What did the Supreme Court decide in *McCulloch v. Maryland*, and what was one long-term effect of this decision? (C.9.f)

- » Possible response: The Supreme Court ruled that Congress had the power to create a national bank, which expanded a power of Congress and the federal government’s role in monetary policy.

LITERAL—Why did Jackson oppose the Second Bank? (C.9, C.9.d)

- » He believed that the Second Bank was too powerful and corrupt and that it served the interests of the wealthy and the business class at the expense of farmers. He also worried that the national bank infringed on the states’ right to charter their own banks.

✓ **THINK TWICE**—Why were President Andrew Jackson’s actions to kill the Second Bank significant?

- » Andrew Jackson’s actions to kill the Second Bank were significant because they led to the formation of the Whig Party. The Whig Party adopted political practices of Jackson’s Democratic Party that even today shape the way political parties operate and how presidents are elected.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How has the role of the government changed from 1789 to the present?” (C.1, C.9, C.9.d)

“Unprecedented Crises” and “Fireside Chats,” pages 121–124

Scaffold understanding as follows:

Have students read the first five paragraphs of the section “Unprecedented Crises” on pages 121–122.

CORE VOCABULARY—Point out the vocabulary term *martial law*, and explain its meaning.

SUPPORT—Explain that the Emancipation Proclamation only applied to Confederate states that were still rebelling against the Union. It did not apply to Confederate states that were under Union control, and it did not apply to border states like Kentucky and Maryland that permitted slavery but had remained in the Union. The Emancipation Proclamation also did not abolish the institution of slavery; recall that this happened after the Civil War with the ratification of the Thirteenth Amendment.

SUPPORT—Direct students to the image of Abraham Lincoln on page 122, and read the caption aloud. Note that this is a presidential portrait of the president. Ask: What is Lincoln’s demeanor in the image? (*He appears calm yet capable.*) What would be the benefit of taking this kind of photograph while in office? (*Possible response: There was no radio, television, or Internet at this time, so few people could see the president in action. Photographs like this could help communicate the steadiness and capability of the president.*) (C.6.a, C.6.b)

Have students read the remainder of the section and the sidebar “Fireside Chats” on pages 122–124.

SUPPORT—Direct students to the image of Franklin D. Roosevelt on page 123, and read the image’s caption aloud. Tell students they will learn more about the role of the media in politics in Unit 5, then explain that the period of time during which Roosevelt delivered his fireside chats is known as the “golden age of radio”—a period that ended with the

invention and ensuing popularity of television. Ask: How did Roosevelt’s choice to use a popular medium for both news and entertainment likely affect the way his messages were received by the listening public? *(If most Americans owned a radio, they had likely grown to depend on it—along with newspapers—for news and entertainment. Roosevelt knew that he had a set audience who would listen to his addresses, even if they didn’t always agree with him.)* (C.2., C.11.h)

SUPPORT—Explain that an amendment to place term limits on the presidency was proposed in 1803; by 1947, some two hundred similar amendments had been introduced.

After students read the text, ask the following questions:

LITERAL—How did Abraham Lincoln reshape the role of commander in chief? (C.1, C.9.d)

- » At the start of the Civil War, Lincoln moved quickly to call up state militias and institute a blockade of Southern ports before asking Congress for a declaration of war. He also ignored Congress’s fiscal authority by appropriating funds from the U.S. Treasury to pay for the war.



TALK IT OVER—Have students debate these questions: Why was Lincoln’s decision to suspend habeas corpus and institute martial law significant? Was this an appropriate use of his executive power, given the historical context? (C.7, C.9.d)

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

ANALYTICAL—How did the contexts in which Abraham Lincoln and Franklin D. Roosevelt took office differ? (C.3)

- » Abraham Lincoln became president during a time of war, while Roosevelt became president during a time of economic crisis.

ANALYTICAL—How and why did Franklin D. Roosevelt expand the size and reach of the executive branch? (C.1, C.9.d)

- » Roosevelt expanded the size and reach of the executive branch with a combination of executive orders and legislation. The government created emergency and work relief programs, reformed the American banking system, and created a new social welfare system. These new programs resulted in the creation of new executive departments and agencies.



THINK TWICE—What role did unprecedented crises play in expanding executive power?

- » Presidents expanded executive power during unprecedented crises in several different ways. During the Civil War, Abraham Lincoln mobilized the state militias, instituted a blockade, and appropriated federal funds without congressional approval. He later suspended habeas corpus and imposed martial law. During the Great Depression, Franklin D. Roosevelt expanded the responsibilities and size of the executive branch to regulate the economy and provide various social safety nets for citizens.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How has the role of the government changed from 1789 to the present?” (C.1, C.9.d)

Online Resources



“Executive Power During the Cold War,” pages 124–126

Scaffold understanding as follows:

Have students read the section on pages 124–126.

SUPPORT—Explain that one reason the United States got involved in Vietnam was the domino theory, or the idea that if one country fell to communism, the countries around it would become communist as well. In this instance, the United States worried that if Vietnam, influenced by China, became communist, then neighboring Laos and Cambodia would also fall to communism.

SUPPORT—Emphasize for students that Lyndon B. Johnson’s administration misled Congress about the attack in the Gulf of Tonkin. Note that the resulting Gulf of Tonkin Resolution, which was not a declaration of war, passed unanimously in the House of Representatives and by an 88–2 vote in the Senate. Although Congress never declared war on North Vietnam, the United States committed millions of troops to the conflict, including 2.7 million who served within Vietnam itself.

SUPPORT—Direct students to the image of protestors at the U.S. Capitol on page 124, and read the caption aloud. Ask: What do you notice about the protestors in the image? (*Possible response: Many of them appear to be young.*) Why might this be? (*Possible response: Most of the soldiers being drafted for the war were probably also young; the protestors were angry and upset by what was expected of their peers, friends, and siblings, and perhaps themselves.*) **(C.6.a)**

After students read the text, ask the following questions:

LITERAL—Why did members of Congress pass the Gulf of Tonkin Resolution? **(C.9, C.9.b, C.9.d)**

- » They were misled by the Johnson administration about the nature of an alleged attack by the North Vietnamese on a U.S. spy ship.

LITERAL—What was the goal of the War Powers Resolution? How has it worked in practice? **(C.9, C.9.b, C.9.d)**

- » The goal of the War Powers Resolution was to check executive power and prevent “future Vietnams” from happening. Most presidents since Richard Nixon have ignored or worked around it.

 **THINK TWICE**—How did the Gulf of Tonkin Resolution change executive power?

- » The Gulf of Tonkin Resolution changed executive power by giving the president the power to “take all necessary measures” against North Vietnam during the Vietnam War; in effect, this gave the president the ability to wage full-scale war without the consent of Congress, which represented a cession of power by the legislature to the executive.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How has the role of the government changed from 1789 to the present?” **(C.1, C.9, C.9.d)**

Primary Source Feature: “The War Powers Resolution of 1973,” page 125

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 125.

Introduce the source to students by reading the introductory text.

Have students read the source.

ACTIVITY—Have students work independently or with a partner to research the number of times Congress has formally declared war (*eleven times*). Then, have students research other military conflicts the United States has been involved in that did not involve a declaration of war. Ask: How does the number of declarations of war compare to the number of military conflicts the U.S. has been involved in? (*Possible response: The United States has been involved in far more military conflicts than formally declared wars.*)

SUPPORT—Explain that bills are proposed laws or proposed changes to existing laws, while resolutions are ways for Congress to express its views or to take a specific action. Simple resolutions are passed by one chamber of Congress, while concurrent resolutions are passed by both houses of Congress; neither of these types of resolutions requires the president’s signature. A joint resolution is passed by both chambers of Congress the way a bill is and requires the signature of the president. Joint resolutions can be used to propose constitutional amendments and make changes to existing laws.

ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—According to the source, what must the president do before introducing U.S. Armed Forces into hostilities, and what are the three conditions under which the president can exercise this power? (**C.6.a, C.9.c, C.9.d**)

- » According to the source, the president must consult with Congress in every possible instance before introducing the U.S. Armed Forces into hostilities. The president can only introduce U.S. Armed Forces into hostilities following a declaration of war, when specifically authorized by statute, or in a national emergency created by an attack on the United States or its armed forces.

LITERAL—Per the resolution, what actions must the president take when introducing U.S. Armed Forces into hostilities in the absence of a declaration of war? (**C.6.a, C.9.c, C.9.d**)

- » According to the source, when introducing armed forces into hostilities in the absence of a declaration of war, the president must submit a report within forty-eight hours to both the House of Representatives and the Senate. The report should provide specific details of the circumstances necessitating the action.

LITERAL—What is the time limit imposed on the president by the War Powers Resolution for the use of U.S. Armed Forces in hostilities without congressional authorization? (**C.6.a, C.9.c, C.9.d**)

- » Per the resolution, the president must remove the U.S. Armed Forces from hostilities within sixty calendar days if Congress has not declared war or enacted a specific authorization for such use.

Activity Page



AP 1.1

ANALYTICAL—Using the source and your knowledge of social studies, what was the purpose of the War Powers Resolution? (C.6.a, C.9.c, C.9.d)

- » The War Powers Resolution was a response to concerns about the balance of power between the executive and legislative branches in matters of war. It sought to limit the president’s ability to involve the United States in prolonged military conflicts without congressional approval or oversight.


Note: For more primary source work related to this topic, see the Foundations of Freedom DBQ Workbook.

“The War on Terror,” pages 126–127

Scaffold understanding as follows:

Have students read the section on pages 126–127.

SUPPORT—Al-Qaeda and other terrorist groups are examples of groups that practice stateless terrorism. These groups are not affiliated with the government of any one country, though they may receive funding or other types of assistance from one or more governments. They often move between countries to avoid capture. This means that traditional diplomacy and policies, such as trade sanctions, are not viable means of dealing with threats from these organizations.

 **TALK IT OVER**—Reiterate that the USA PATRIOT Act—which expired several years ago but granted many authorities to law enforcement agencies that still remain in effect—allowed law enforcement to collect information without a warrant, something that is contrary to traditional law enforcement practices. Then read the Fourth Amendment to the U.S. Constitution to students:

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

Have students debate or discuss this question: Do you think the federal government’s ability to use warrantless wiretaps is a reasonable step to detect terrorist plans before they are enacted, or is it an unfair violation of the Fourth Amendment? (C.4, C.7, C.7.a, C.7.c, C.7.d, C.9.d)

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

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After students read the text, ask the following questions:

LITERAL—How did the USA PATRIOT Act expand the power of the federal government? (C.9.d)


- » The USA PATRIOT Act expanded the power of the federal government by giving it new powers of surveillance, including warrantless wiretaps that could be used to collect mass amounts of personal information about all communications in the United States.

ANALYTICAL—Why was the Department of Homeland Security (DHS) created? (C.9.d)

- » The DHS was created to coordinate the responsibilities of federal agencies in hopes of improving the gathering and sharing of information pertinent to national security.

ANALYTICAL—What does the creation of new cabinet departments demonstrate about the Constitution and federal government? (C.9.d)

- » Possible response: The creation of new cabinet departments demonstrates that the Constitution gives the federal government the flexibility to change over time, including using its powers in new ways, to meet the needs of the country.

 **THINK TWICE**—How has the role of the president expanded and changed over time?

- » The power of the president has increased since 1789, often in times of crisis. During the Civil War, President Abraham Lincoln expanded the powers of the president as commander in chief. During the Great Depression, Congress supported President Franklin D. Roosevelt's efforts to expand the size and responsibilities of the executive branch. During the Vietnam War, Congress gave President Lyndon B. Johnson unrestricted power to conduct military actions in Vietnam. After the terrorist attacks of September 11, 2001, President George W. Bush declared a "war against terrorism" and oversaw the creation of a new executive department and a reorganization of many federal agencies.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, "How has the role of the government changed from 1789 to the present?" (C.1, C.9, C.9.d)

"The Judicial Branch over Time," page 127

Scaffold understanding as follows:

Have students read the section on page 127.

SUPPORT—Invite students to recall what they read about judges, judicial appointments and lifetime terms, and the independent judiciary in *Federalist* No. 78 in Topic 2. (C.7.a)

SUPPORT—In 1987, President Ronald Reagan attempted to create a Supreme Court favorable to a strict constructionist viewpoint when he nominated Robert Bork to replace retiring justice Lewis F. Powell. Bork opposed many previous court decisions, like the idea that the Constitution contains an implied right to privacy, because he believed that they departed from a strict reading of the Constitution's text and meaning. Bork was rejected by the Senate. Note that constructionism is one of many different factors that presidents consider when using their power to nominate judges.

After students read the text, ask the following questions:

ANALYTICAL—How has membership on the Supreme Court compared to membership in Congress? (C.9.e)

- » From 1790 to 2024, the Supreme Court had just 17 chief justices and 104 associate justices; by contrast, the Senate had more than 2,000 members, and the House had more than 11,000.

LITERAL—What factors influence how justices make their rulings? (C.9.e)

- » Justices are influenced by their personal interpretation of the Constitution. They can also be influenced by major events and by pressure from officials, the public, and the media.

 **THINK TWICE**—Why is the Supreme Court slower to change than the other two branches?

- » The Supreme Court is slower to change than the other two branches because justices are appointed for lifetime terms; on average, Supreme Court justices serve for sixteen years, and a new justice is added about every two years.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How has the role of the government changed from 1789 to the present?” (C.1, C.9.e)

“Advancing Civil Rights,” pages 128–130

Scaffold understanding as follows:

Have students read the first five paragraphs of the section on page 128.

CORE VOCABULARY—Point out the vocabulary term *equal protection*, and explain its meaning.

Have students read the remainder of the section on pages 128–130.

ACTIVITY—Show the video “Plessy v. Ferguson” from the Bill of Rights Institute. After, have students work in small groups to reread the text of the Thirteenth, Fourteenth, and Fifteenth Amendments, encouraging them to paraphrase the amendments—and especially the equal protection clause—in their own words. Then have groups compare the findings of the Supreme Court in *Plessy* with their interpretation of the Fourteenth Amendment. (C.7, C.9.f, C.9.g)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video: www.coreknowledge.org/foundations-of-freedom

SUPPORT—Note that *Brown v. Board of Education* consolidated similar cases from Delaware, Kansas, South Carolina, and Virginia.

ACTIVITY—Show the video “Brown v. Board of Education” from the Bill of Rights Institute. After, write the following questions on three separate areas of the board or large sheets of chart paper: Can anything separate—segregated—ever be equal? How did the appointment of Chief Justice Warren affect the case? Should the Supreme Court look at the effects of an action when deciding its constitutionality? (C.7, C.9.e, C.9.f)

Allow students time to write their ideas about each question before discussing each one as a class.

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video: www.coreknowledge.org/foundations-of-freedom

SUPPORT—Direct students to the image of Thurgood Marshall on page 129, and read the caption aloud. Note that after working for the NAACP Legal Defense and Educational Fund on *Brown* and many other important civil rights cases, Marshall was appointed to the Supreme Court by Lyndon B. Johnson and served from 1967 until his retirement in 1991.

ACTIVITY—Show the video “How Loving v. Virginia Led to Legalized Interracial Marriage” from the History Channel. After, ask volunteers to recall their earlier work interpreting the equal protection clause when considering the case *Plessy v. Ferguson*. Then read the Fourteenth Amendment again to the class, this time highlighting the due process clause. Encourage students to explain how both clauses within the Fourteenth Amendment led to the Supreme Court’s decision in *Loving* and later cases involving marriage. (C.7, C.9.f, C.9.g)



See the Foundations of Freedom Online Resources for this unit for the link to the video:

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After students read the text, ask the following questions:

LITERAL—What is equal protection? (C.8.g)

- » Equal protection means that the law must be applied equally to every person the same as it would be to any other person in similar circumstances.

LITERAL/ANALYTICAL—What was the reasoning behind the Supreme Court’s decision in *Plessy v. Ferguson*? How did this ruling impact society? (C.9.f)

- » The Supreme Court stated that Louisiana’s segregation laws did not violate the Fourteenth Amendment’s equal protection clause because African Americans had access to facilities of equivalent quality. This ruling impacted society by leading to widespread segregation across the South, which deprived African Americans of their civil rights and reinforced their unequal status in the United States.

ANALYTICAL—Why is *Brown v. Board of Education* considered a landmark decision? (C.9.f)

- » *Brown v. Board of Education* is considered a landmark decision because it overturned the precedent of “separate but equal” established by the decision in *Plessy v. Ferguson*.

 **THINK TWICE**—How has the Supreme Court advanced civil rights over time?

- » The Supreme Court has advanced civil rights by enforcing the equal protection clause of the Fourteenth Amendment to desegregate public schools and to invalidate a Virginia law that banned interracial marriages.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How has the role of the government changed from 1789 to the present?” (C.1, C.9, C.9.e)

“Checking and Balancing,” pages 130–132

Scaffold understanding as follows:

Have students read the section on pages 130–132.

CORE VOCABULARY—Point out the vocabulary terms *prior restraint* and *executive privilege*, and explain their meanings.

SUPPORT—Explain that the Supreme Court has established standards to determine when the government may use prior restraint. Types of expression potentially subject to prior restraint include “low value” speech (like obscenity) and speech that threatens national security. Other permissible uses of prior restraint include so-called gag orders, or orders by a court that prevent participants from speaking publicly about an ongoing trial, and requirements to obtain permits in advance of protest events.

SUPPORT—Direct students to the image of Daniel Ellsberg on page 131, and read the caption aloud. Note that under the Espionage Act, Ellsberg faced a possible sentence of up to 115 years in prison. The charges were dismissed after a four-month-long trial.

ACTIVITY—Show the video “New York Times Co. v. United States” from the Bill of Rights Institute. After, have students work in pairs or small groups to research another major case involving prior restraint, identifying the First Amendment implications of the case and its outcome. Allow groups time to share their findings with the class. (C.7, C.9.f, C.9.g)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video:
www.coreknowledge.org/foundations-of-freedom

SUPPORT—Tell students that “subpoenaed materials” are those that an individual is ordered by a court to provide at a specific time and place. A subpoena is the legal document that requires this to happen; subpoenas are also frequently issued to compel individuals to give testimony, such as in court or in front of a congressional committee.

SUPPORT—Explain that one legacy of Watergate is that we often refer to political and even nonpolitical scandals and controversies with a *-gate* suffix.

ACTIVITY—Show the video “US v. Nixon” from the Bill of Rights Institute. After, have students work in pairs and take turns trying to dissent with the Supreme Court’s unanimous decision in the case. Encourage them to use what they have learned about executive powers and constitutional checks and balances to build their arguments. After a few minutes, bring the class back together, and ask students to share how successful they were arguing for Nixon’s use of executive privilege. Ask: Under different circumstances, would you feel differently about the limitations of executive privilege? Why? (C.7, C.8.g, C.9.f, C.9.g)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video:
www.coreknowledge.org/foundations-of-freedom

SUPPORT—Share with students clips from Richard Nixon’s April 1974 address to the nation (0:50–04:17) and from his August 1974 resignation address (0:00–03:32). Ask: How are the addresses similar? (*Possible response: In both addresses, Nixon avoids taking responsibility for or acknowledging his involvement in the Watergate scandal.*) What does Nixon say is his reason for resigning? (*He says that he no longer has enough support in Congress and that he believes an impeachment trial would undermine the interests of the country by demanding too much attention from the president and from Congress.*) (C9.d, C.9.f)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video clips:
www.coreknowledge.org/foundations-of-freedom

After students read the text, ask the following questions:

LITERAL—What were the Pentagon Papers? (C.9)

- » The Pentagon Papers were a classified study commissioned by the Department of Defense that proved that military leaders and the Johnson administration had believed the Vietnam War was unwinnable and intentionally misled the American people about it.

LITERAL—What action did the Nixon administration take after *The New York Times* and other newspapers began printing the Pentagon Papers? Why did the Supreme Court overrule this action? (C.9.d, C.9.e, C.9.f)

- » The Nixon administration obtained a temporary restraining order against the newspapers on the grounds that continuing to publish the documents would hurt national security. The Supreme Court overruled this action because the Nixon administration’s use of prior restraint violated the newspapers’ First Amendment rights.

ANALYTICAL—Why was the Supreme Court’s ruling in *United States v. Nixon* significant? (C.9.f)

- » The justices ruled unanimously that the president was not above the law and that there were limitations to executive privilege.

 **THINK TWICE**—How did the Supreme Court’s rulings in *New York Times Co. v. United States* and *United States v. Nixon* affect the power of the government?

- » The ruling in *New York Times Co. v. United States* limited the ability of the executive branch to restrict press freedom and keep secrets from the public. The ruling in *United States v. Nixon* limited the extent of executive privilege and made the president accountable to the law.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How has the role of the government changed from 1789 to the present?” (C.1, C.9.d, C.9.e, C.9.f)

“The Supreme Court and Elections,” pages 132–133

Scaffold understanding as follows:

Have students read the section on pages 132–133.

SUPPORT—Direct students to the image of Florida recount ballots on page 133, and read the caption aloud. Explain that the recount in Florida became increasingly complex as it went on. During hand recounts, workers had to look closely at each individual ballot to determine how the person had voted, which was not always clear with punch-card ballots. These are cards with small perforated blocks arrayed in rows and columns. People vote by punching out the block corresponding to their preferred candidate. Sometimes bits of paper were left attached, or the punch made an indent but did not fully pierce the card. It is also important to note that local election authorities have the power to choose the style of ballots they use; the ballot design used in one Florida county was deemed confusing, as it made it easy to accidentally vote for the wrong candidate or to vote for more than one candidate for the same office.

ACTIVITY—Show the video “Bush v. Gore” from the Bill of Rights Institute. After, have students work in small groups to research the various court decisions involved in this case. They should then create a timeline with their findings using the Timeline Template (AP 3.1). Tell students to annotate each event on the timeline with a brief explanation of its implications for the election’s results. (C.7, C.9.f, C.9.g)

Activity Page



AP 3.1

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video: www.coreknowledge.org/foundations-of-freedom

SUPPORT—Students will learn more about the processes and deadlines of the Electoral College in Unit 5. As students read this section, you may wish to preview the timeline of the Electoral College on p. 147 of *Foundations of Freedom* Student Volume 2.

SUPPORT—Students will learn more about campaign finance law in Unit 5.

ACTIVITY—Show the video “Citizens United v. FEC” from the Bill of Rights Institute. After, ask students to freewrite for ten minutes to answer the following prompt: What role did the First Amendment play in the *Citizens United* decision? Ask volunteers to share their responses or post them around the classroom. (C.7, C.9.f, C.9.g)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video: www.coreknowledge.org/foundations-of-freedom


After students read the text, ask the following questions:

LITERAL—What was the Supreme Court’s ruling in *Bush v. Gore*? (C.9.f)

- » The Supreme Court ruled that a constitutionally appropriate recount could not be conducted in the time remaining before the constitutionally mandated deadline for Electoral College voting.

ANALYTICAL—What was the effect of the court’s ruling in *Citizens United v. Federal Election Commission*? (C.9.f)

- » As a result of *Citizens United v. Federal Election Commission*, corporations and unions are allowed to spend unlimited funds on political ads.

 **THINK TWICE**—In what ways has the judicial branch’s role changed over time?

- » The judicial branch’s role has changed over time as it has expanded civil rights for Americans, restricted the power of the executive branch, and determined elections through rulings on election laws and procedures.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How has the role of the government changed from 1789 to the present?” (C.1, C.9.e)



CHECK FOR UNDERSTANDING

Ask students to:

- Write a short answer to the Framing Question: “How has the role of the government changed from 1789 to the present?”
 - » Key points students should cite include: The legislative branch has grown since 1789 to better meet the needs of Americans; the legislative branch has also become more representative over time as more Americans have been permitted to vote; *Gibbons v. Ogden* expanded the power of the legislative branch to regulate interstate and intrastate commerce under the commerce clause, while *United States v. Lopez* narrowed the power of Congress to use the commerce clause to regulate where people can carry guns; the power of the legislative branch to enact policy has decreased as executive power has increased; the power of the president has increased; during the Civil War, Abraham Lincoln expanded the powers of the president as the commander in chief, while Franklin D. Roosevelt expanded the size of the executive branch and its responsibilities during the Great Depression; Roosevelt also proposed and influenced legislation related to his New Deal; during the Vietnam War, Congress gave the president unrestricted power to wage war in Vietnam; during the War on Terror, George W. Bush oversaw the creation of a new executive department and a reorganization of federal agencies; the judicial branch’s role has changed over time as it has expanded civil rights for Americans, restricted the power of the executive branch, and influenced election laws.
- Choose two Core Vocabulary words (*enumeration, franchise, “political machine,” term limit, grassroots campaign, pocket veto, martial law, equal protection, prior restraint* and *executive privilege*) and write a sentence using both terms.

To wrap up the lesson, invite several students to share their responses.

TOPIC 4: Governments in the United States (Federal, State, Local, Tribal)

Framing Question: How does federalism affect all parts of government in the United States?

Primary Focus Objectives

- ✓ Analyze the structures, roles, responsibilities, and powers of federal, state, local and tribal governments in the United States. (C.8.g, C.9, C.9.h)
- ✓ Explain how the Louisiana State Constitution has changed and stayed the same over time. (C.9.i)
- ✓ Describe the connection between civil law, the Napoleonic Code, and Louisiana’s system of laws. (C.9.j)
- ✓ Describe local and parish governments in Louisiana. (C.11.k)
- ✓ Understand the meaning of the following domain-specific vocabulary: *infrastructure, reserved power, concurrent power, reservation, mandate, Black Code, civil law, county, parish, police jury, ordinance, home rule charter, zoning, and sovereign.*

What Teachers Need to Know

Online Resources



For background information, download the Foundations of Freedom Online Resource “About Governments in the United States (Federal, State, Local, Tribal)”:

www.coreknowledge.org/foundations-of-freedom

Materials Needed

Activity Pages



AP 1.1
AP 4.1
AP 4.2

- individual student copies of Primary Source Analysis (AP 1.1), Louisiana Agency Interactions (AP 4.1), and Domain Vocabulary: Topics 3–4 (AP 4.2)
- directory of Louisiana state agencies
- map of U.S. states and territories in late 1804 and early 1805
- list of amendments to the Louisiana Constitution of 1974
- video “The Cherokee Nation vs. Georgia” from NBC News Learn
- text of the Civil Rights Act of 1968

Online Resources



Use this link to download the Foundations of Freedom Online Resources for this unit, where the specific link to the directory, map, list of amendments, text, and video may be found:

www.coreknowledge.org/foundations-of-freedom

Core Vocabulary (Student Volume page numbers listed below)

infrastructure, n. public works systems, including roads, bridges, water, public transportation, etc. (135)

Example: Congress enacted a law to improve infrastructure across the United States, including providing funds to extend Internet and electrical service to rural areas.

reserved power, n. a power in the U.S. federal system of government that belongs to the states rather than the federal government (136)

Example: Under the U.S. Constitution, the states have a variety of reserved powers, including the powers to ratify constitutional amendments and establish local governments.

Variations: reserved powers

concurrent power, n. a power in the U.S. federal system of government that is shared by the state and federal governments (137)

Example: The federal government and the states have several important concurrent powers, such as the powers to levy taxes and to enact and enforce laws.

Variations: concurrent powers

reservation, n. an area of land set aside by the federal government for Native Americans (139)

Example: During the 1830s, the federal government forced Native Americans living in the Southeast to relocate from their ancestral lands to a reservation west of the Mississippi River.

Variations: reserve (v.)

mandate, n. a command; a responsibility given by an authority (139)

Example: To receive funding for highway and road maintenance, states had to comply with a federal mandate to impose stricter seat belt laws.

Variations: mandate (v.), mandated (adj.), mandatory (adj.)

Black Code, n. any of the laws enacted in 1865 and 1866 in former Confederate states that sought to preserve white supremacy through legal means (145)

Example: After the Confederacy lost the Civil War, Southern states enacted Black Codes to continue the legal oppression of African Americans.

civil law, n. a system of law in which codes and statutes carry greater weight than prior court decisions (148)

Example: Unlike most of the states, whose legal systems are based on English common law, Louisiana follows civil law, which is based on the legal system of the Roman Empire.

county, n. the largest civil division of local government in a state, comparable to a parish in Louisiana (150)

Example: Philadelphia County is the largest county by population in Philadelphia; its government meets the needs of more than 1.6 million people.

Variations: counties

parish, n. a civil division in Louisiana, comparable to a county in other states (150)

Example: Vernon Parish in Louisiana is the largest parish by land in the state; its government meets the needs of nearly fifty thousand people.

police jury, n. the governing body of a parish, made up of five to fifteen elected members (150)

Example: The police jury of Cameron Parish is made up of seven elected officials who enact and enforce the parish's laws.

ordinance, n. a law or government rule (150)

Example: The parish government passed a new ordinance requiring that all dogs be kept on a leash in public spaces.

home rule charter, n. a constitution adopted by citizens that establishes the government structures of a municipality (150)

Example: The town voted to adopt a home rule charter that gave it greater autonomy from the state government.

zoning, n. the act of organizing a place into different areas with specific purposes (153)

Example: Community members attended the town meeting to learn more about how the zoning regulations designating a new business district would impact their neighborhood.

Variations: zone (v.), zone (n.)

sovereign, adj. having supreme power and authority over a nation and its people (153)

Example: Under the commerce clause, Native American tribes are considered sovereign nations with individual governments and the right to control their own economies.

Variations: sovereign (n.), sovereignty (n.)

THE CORE LESSON

Introduce “Governments in the United States (Federal, State, Local, Tribal)”

Introduce the topic by explaining that the national government and the states are not the only levels of government in our country; we also have local and tribal governments. Explain that these four levels, or “layers,” of government each have their own roles and responsibilities and that they work together to meet the needs of the people.

Call students’ attention to the Framing Question. Tell students to look for how federalism affects all parts of the government in the United States—and their own lives—as they read the text.

Guided Reading Supports for “Governments in the United States (Federal, State, Local, Tribal)”



“Hurricanes Gustav and Ike,” pages 134–135

Scaffold understanding as follows:

Have students read the section on pages 134–135.

Note: When teaching this section, it is important to be sensitive to students’ own hurricane experiences.

SUPPORT—Direct students to the image of the U.S. Coast Guard Gulf Strike Team on pages 134–135, and read the caption aloud. Note that other federal agencies that assisted in recovery from Hurricanes Gustav and Ike included the Federal Emergency Management Agency (FEMA), the U.S. Army Corps of Engineers, and the Department of Housing and Urban Development.

SUPPORT—Direct students to the statement in the first paragraph that Gustav was a Category 2 hurricane. Inform students that there are five categories of hurricane. A Category 1 hurricane has “very dangerous winds” of 74 to 95 miles per hour (119 to 153 km/h). A Category 2 hurricane like Gustav has “extremely dangerous winds” of 96 to 110 miles per hour (154 to 177 km/h) that, as a rule, “cause extensive damage.”

After students read the text, ask the following questions:

LITERAL—What impact did Hurricanes Gustav and Ike have? (C.9.b)

- » The hurricanes uprooted trees, caused flooding and billions of dollars in property damage, and displaced thousands of families from their homes.

LITERAL—How did different levels of government work together to help Louisiana recover immediately after the storms? (C.9.b)

- » Local and state government agencies were the first to arrive on the scene to help people. The governor of Louisiana obtained federal aid in the form of emergency housing, grants, and low-interest loans to help people rebuild their homes and businesses, and assistance in rebuilding infrastructure.

LITERAL—How have the different levels of government continued to work together in the years after Hurricanes Gustav and Ike? (C.9.b)

- » In the years after the storms, state and local governments have worked together to reduce the impact of future storms.

“Federalism in the United States,” page 136

Scaffold understanding as follows:

Have students read the section on page 136.

SUPPORT—Note that “federal government” refers to the national government of the United States. The terms *federal government*, *national government*, and *central government* can be used interchangeably.

SUPPORT—Direct students to the diagram of the federal system on page 136, and ask a volunteer to read each of the labels aloud. Note the lines in the diagram that connect the federal, state, and local levels of government, indicating that this is a tiered system. Explain that tribal governments do not fit into the tiered system in the same way as local governments do; they operate within the federal system and work *with* the other levels of government, but they do not govern the states or localities, and the states and localities do not govern them.

After students read the text, ask the following questions:

LITERAL—Where does the word *federalism* come from? (C.9)

- » The word *federalism* comes from the Latin word *foedus*, which means league or pact.

LITERAL—What new meaning did the Constitution give federalism? (C.8.g, C.9)

- » In the U.S. Constitution, *federalism* means a system of government in which power is shared and divided among various levels of government.

ANALYTICAL—How did the Articles of Confederation influence the federal system? (C.8.g, C.9)

- » Government under the Articles of Confederation was considered a failure because the states had so much power and the national government had so little power that the states could act as independent nations. The Founders wanted to fix this by striking a better balance of power between these levels of government.

“Enumerated, Reserved, and Concurrent Powers,” pages 136–138

Scaffold understanding as follows:

Have students read the section on pages 136–138.

CORE VOCABULARY—Point out the vocabulary terms *reserved power* and *concurrent power*, and explain their meanings.

SUPPORT—Remind students that *enumerated powers* are those that are expressly given by the Constitution.

SUPPORT—Point out that *concurrent* means at the same time. Concurrent powers are “shared,” but not in the way a pencil might be shared (two people take turns using it) or like a sandwich might be shared (each person gets a part of it for their exclusive enjoyment). Concurrent powers are shared in the sense that both levels of government have the power equally, and their powers overlap. For instance, when a state government and the national government both levy an income tax, they tax the same income, and neither has a say regarding how much the other may tax.

SUPPORT—Direct students to the Venn diagram of enumerated, concurrent, and reserved powers on page 137, and read the caption aloud. Note the power of eminent domain in the Concurrent Powers column. Remind students that *eminent domain* is the government’s right to take private property for government use. Then point out the power of the federal government to regulate interstate commerce and the power of the states to regulate intrastate commerce. Explain that the prefix *inter-* means between or among (as in commerce between or among the states), while the prefix *intra-* means within (as in commerce within a state).

ACTIVITY—Have students research responses to the following questions:

- Who is responsible for funding and operating interstate and intrastate highways?
- How much funding does Louisiana receive from the federal government for highway construction and maintenance?
- Who is responsible for naming highways? What is the process for naming highways in Louisiana?
- How does the federal government influence things like speed limits on interstate highways? **(C.9.h)**

SUPPORT—Direct students to the phrase “emit Bills of Credit” in the excerpt from Article I, Section 10, of the Constitution. Explain that *emit* means to issue, and a *bill of credit* is a written promise to pay back a specified amount of money.



TALK IT OVER—Have students debate or discuss these questions: Why is it important that certain powers are reserved solely for the states? Are there other powers you think should be reserved for the states, and why?

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

Online Resources



After students read the text, ask the following questions:

ANALYTICAL—How do reserved powers differ from concurrent powers? (C.9, C.9.b)

- » Reserved powers are powers denied to the federal government; they are only for the states. By contrast, concurrent powers are powers held by both the federal government and the state governments.

LITERAL—What are some examples of concurrent powers? (C.9, C.9.b)


- » Some examples of concurrent powers are borrowing money, chartering and regulating banks and corporations, enacting and enforcing laws, establishing banks, levying taxes, maintaining law and order, exercising eminent domain, and providing for the general welfare.

ANALYTICAL—Why is the supremacy clause an important part of the federal system? (C.9, C.9.b)

- » The supremacy clause helps resolve conflicts between state and federal laws by giving federal laws precedence. This allows the federal government to act as an umpire in disputes between the states. It also prevents states from undermining and interfering with federal functions.

LITERAL—Which powers are denied to the states? (C.9, C.9.b)

- » States are prohibited from entering into treaties or alliances, coining money, emitting bills of credit, making laws that interfere with contracts, granting titles of nobility, placing tariffs on imports or exports, maintaining troops during times of peace, entering into agreements with foreign powers, and engaging in war.

 **THINK TWICE**—What is federalism, and how does it work in the United States?

- » Federalism is the division and sharing of power among federal, state, local, and tribal governments. It works by defining the roles and responsibilities of each type of government.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does federalism affect all parts of government in the United States?” (C.9, C.9.b)

“Cooperation Within the Federal System,” pages 138–140

Scaffold understanding as follows:

Have students read the section on pages 138–140.

CORE VOCABULARY—Point out the vocabulary term *reservation*, and explain its meaning.

SUPPORT—Direct students to the graph on federal funding to state and local governments on page 138, and read the caption aloud. Ask: How has federal funding to state and local governments changed over time? (*Federal funding to state and local governments has continually increased from the 1950s to the present.*) Based on what you read earlier in the unit, what might account for this trend? (*During and after the Great Depression, the federal government took on a greater role in Americans’ lives, including providing safety nets like health insurance and income security programs. This eventually led to increased funding for state and local governments to pay for these benefits.*) (C.1, C.2, C.4, C.6, C.6.a)

CORE VOCABULARY—Point out the vocabulary term *mandate*, and explain its meaning.

SUPPORT—The No Child Left Behind Act was repealed in 2015 and replaced with the Every Student Succeeds Act.

ACTIVITY—Distribute copies of Louisiana Agency Interactions (AP 4.1). Share with students the directory of Louisiana state agencies. Have students work in pairs to choose one of the agencies and identify how it interacts with other levels of government within the federal system, using the activity page.

Activity Page



AP 4.1

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the directory: www.coreknowledge.org/foundations-of-freedom


After students read the text, ask the following questions:

LITERAL/ANALYTICAL—How does the federal government generate revenue? How does this revenue impact the states and local governments? (C.9.h)

- » The federal government generates revenue through federal taxes. A portion of this revenue is then allocated to the states and to local governments to pay for the programs that the federal government requires them to operate.

LITERAL—What is a mandate? How are mandates used to distribute funding to state and local governments? (C.9, C.9.b, C.9.h)

- » A mandate is a command, or a responsibility given by an authority. In some instances, receiving federal funds is contingent upon state and local governments complying with a mandate from the federal government.

 **THINK TWICE**—How do different levels of government work together to achieve goals and enact policies?

- » Different levels of government work together to achieve goals and enact policies in many different ways. One example is how federal agencies in the Department of Homeland Security work with state and local law enforcement to gather and share information. Another example is collaboration between state and local governments, such as how Louisiana Economic Development (a state agency) works with a local government initiative in New Orleans to bring movie and television projects to the city. The state of Louisiana and the Natchitoches Tribe of Louisiana have worked together to improve the tribe's Heritage Center.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does federalism affect all parts of government in the United States?” (C.9, C.9.b)

“Louisiana State Government,” page 140

Scaffold understanding as follows:

Have students read the section on page 140.



SUPPORT—Share with students the map of the United States from 1804 to 1805. Reiterate that the Territory of Orleans became the state of Louisiana.



See the Foundations of Freedom Online Resources for this unit for the link to the map:

www.coreknowledge.org/foundations-of-freedom



TALK IT OVER—Remind students that the Constitution guarantees the states “a Republican Form of Government,” but it does not require the states to have governments that mirror the structure of the federal government. Have students discuss this question: Why do you think Louisiana’s leaders structured their state government similarly to the federal government? What are the pros and cons of this decision?

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom



After students read the text, ask the following questions:

LITERAL—What effect did the Louisiana Purchase have on the United States? **(C.2)**

- » It doubled the size of the country.

LITERAL/ANALYTICAL—Which important event occurred in 1811? Why was this event significant? **(C.2)**

- » The Territory of Orleans had enough people to become a state. This event was significant because the now-large-enough population could enjoy the benefits of statehood.



THINK TWICE—What did the Louisiana Constitution of 1812 do?

- » The Constitution of 1812 enabled Louisiana to become a state in the Union. It also created a bicameral legislature and gave voting rights to only white, landowning men who paid taxes.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does federalism affect all parts of government in the United States?” **(C.9, C.9.b)**

Primary Source Feature: “Excerpt from the Preamble to the Constitution of Louisiana (1812),” page 140

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 140.

Introduce the source to students by reading the introductory text.

Have students read the source.

Note: The Foundations of Freedom DBQ Workbook includes a comparison between the preamble to the U.S. Constitution and the preamble to the Louisiana State Constitution of 1974. You may choose to have students also include this source, the preamble to the Constitution of Louisiana of 1812, in their comparison.



ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

After students have read the source, ask the following questions:

LITERAL—What primary objectives are outlined in the excerpt from the preamble to the 1812 Louisiana Constitution? (C.6, C.6.a)

- » The primary objectives outlined in the 1812 preamble are to establish a constitution and state government for Louisiana; to secure the rights of life, liberty, and property for the people of Louisiana; and to form Louisiana into a free and independent state.

ANALYTICAL—Using the source and your knowledge of social studies, what specific rights are emphasized in the 1812 preamble? How are these rights significant? (C.6, C.6.a)

- » The preamble to the 1812 Louisiana Constitution emphasizes the rights of life, liberty, and property, mirroring the principal rights claimed in the Declaration of Independence. These rights are significant because they protect fundamental freedoms for the people of Louisiana.

“Structure of Louisiana’s State Government” and “Louisiana’s Primary and General Elections,” pages 141–144

Scaffold understanding as follows:

Have students read the section “Structure of Louisiana’s State Government” and the sidebar “Louisiana’s Primary and General Elections” on pages 141–144.

SUPPORT—Explain to students that although Louisiana legislators can serve a maximum of three consecutive terms, they can run and serve again if they take a break from office after the third term.

SUPPORT—Explain to students that when several candidates contend for a single office, it is common that none receives more than half of the votes. Different states have different rules for handling these situations. In some jurisdictions, the candidate who gets the most votes wins, even if it is only with 20 or 30 percent of the votes. In Louisiana, a new election is held between the two top vote-getters; the other candidates are eliminated.

SUPPORT—Note that Louisiana mandates that judges retire at age seventy; however, judges may finish their term past that age if the term is not yet over. Ask: Why do you think Louisiana includes such a law? (*Possible response: Legislators may have wanted to make sure there was flexibility in allowing new generations of legal scholars and professionals to serve in the court system.*)



SUPPORT—Direct students to the Louisiana’s Courts maps on page 142, and read the caption aloud. Explain that the Louisiana Constitution requires that each judicial district be composed of at least one entire parish and be served by at least one judge. Ask: Which circuit district is geographically largest? (*region 3*) Which is smallest? (*region 5*) Why do you think this is the case? (*Possible response: The population of region 5 is much denser than the population of region 3.*) (C.5)

After students read the text, ask the following questions:

LITERAL—How many members are in the Louisiana House of Representatives and in the Louisiana Senate? (C.9, C.9.b)

- » The Louisiana House of Representatives has 105 members, and the Louisiana Senate has 39 members.

LITERAL—What are the requirements to serve in the Louisiana State Legislature? (C.9, C.9.b)

- » Candidates for both houses must be eighteen years old and have lived in the state for two years and in the district they represent for one year

LITERAL—How is the power of the governor like the power of the president? (C.9, C.9.b)


- » Both can veto laws passed by the legislature and appoint people to government agencies, and both are charged with enforcing and carrying out the laws passed by the legislature.

ANALYTICAL—Why might it be said that among the three branches of the Louisiana state government, the executive branch has the closest relationship with the state’s residents? (C.9, C.9.b)

- » Possible response: Arguably, Louisiana’s executive branch has the closest relationship with the state’s residents because it provides services and functions that are of immediate importance to people every day.

LITERAL—How do the terms for Louisiana district judges compare to those of Louisiana court of appeals judges and Louisiana Supreme Court justices? (C.9, C.9.b)

- » District judges are elected for six-year terms; court of appeals judges and Louisiana Supreme Court justices are elected for ten-year terms.

 **THINK TWICE**—How is the Louisiana government similar to and different from the U.S. government?

- » Like the U.S. government, Louisiana has three branches of government, a bicameral legislature made up of a House of Representatives and a Senate, and a judicial system that includes district courts, appellate courts, and a state supreme court. The Louisiana Constitution, like the U.S. Constitution, includes checks and balances. Unlike the U.S. government, Louisiana sets lower age requirements for members of the legislature; all members of the state legislature serve four-year terms, not two-year terms like U.S. representatives or six-year terms like U.S. senators; the executive branch is headed by a governor, not a president; and heads of some executive departments are elected, unlike heads of the federal executive departments, who are all appointed.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does federalism affect all parts of government in the United States?” (C.9, C.9.b)

“State Programs and Policies,” page 144

Scaffold understanding as follows:

Have students read the section on page 144.

SUPPORT—Direct students to the photo collage on page 143. Invite students to identify the state program or programs depicted in each image. If they have difficulty, have them read the caption for hints. (C.7.a)

After students read the text, ask the following questions:

LITERAL—How does the Louisiana state government impact people’s daily lives? (C.9, C.9.b)


- » The Louisiana state government impacts people’s daily lives by fixing bridges and roads, issuing licenses, creating and maintaining parks and libraries, helping during natural disasters, and providing economic aid and health services.

ANALYTICAL—Which services do states perform in order to exercise their concurrent powers? (C.9, C.9.b)

- » Possible response: Maintaining a state police force is an example of how states exercise the concurrent powers of enforcing laws and maintaining law and order.

LITERAL—How does Louisiana raise revenue to fund state programs? (C.9.h)

- » Louisiana raises revenue through income and sales taxes, by collecting fees from toll roads and bridges, and by issuing licenses.

 **THINK TWICE**—What kinds of programs is the Louisiana state government responsible for?

- » The Louisiana state government has many, many responsibilities, including fixing bridges and roads, issuing licenses, creating and maintaining parks and libraries, helping during natural disasters, distributing aid to the economically disadvantaged, providing medical coverage to the uninsured, and operating a police force to enforce the laws and maintain law and order.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does federalism affect all parts of government in the United States?” (C.9)

“Louisiana’s Constitutions” and “The Louisiana Constitution and Slavery,” pages 144–145

Scaffold understanding as follows:

Have students read the sections on pages 144–145.

SUPPORT—Note that the decision in 1845 to write a new constitution instead of amending the old one became a trend for the next 130 years.

SUPPORT—Inform students that the 1845 constitution prohibited the creation of new banks or the renewal or extension of existing ones, which over time would have resulted in the elimination of banks in the state. This prohibition reflected the anti-bank populism popularized by President Andrew Jackson.

SUPPORT—Direct students to the timeline on page 145, and read the caption aloud. Ask: How many constitutions did Louisiana adopt between 1812 and the start of the Civil War? (three) (C.9.i)

After students read the text, ask the following questions:

LITERAL—How was Louisiana’s 1812 constitution like other state constitutions of the time? (C.9.i)

- » It created three branches of government and a bicameral legislature; it also limited voting rights to white, landowning men.

LITERAL—Which issues led Louisianans to call a constitutional convention in 1844? (C.9.i)

- » Issues that led to the 1844 constitutional convention included concerns about limitations on the voting rights of white men, the influence of New Orleans, and an overly powerful legislature.

ANALYTICAL—How did the 1845 constitution differ from the 1812 constitution? (C.9.i)

- » The 1845 constitution was significantly longer than the 1812 constitution. It also extended voting rights to all white men living in the state for at least a year and in their home parish for at least six months, placed new limitations on the legislature and Louisiana Supreme Court justices, and restricted banking and business in the state.

ANALYTICAL—How did Louisianans change the state constitution leading up to the Civil War? (C.9.i)

- » The 1852 constitution placed significant emphasis on defending slavery and the rights of slaveholders. It also included new rules for apportionment that gave slaveholders more political power.

“The Post–Civil War Era,” pages 145–147

Scaffold understanding as follows:

Have students read the section on pages 145–147.

CORE VOCABULARY—Point out the vocabulary term *Black Code*, and explain its meaning.

SUPPORT—Direct students to the illustration of Louisiana’s Reconstruction constitution on page 147, and read the caption aloud. Ask: Why do you think the artist chose to commemorate this event? (*About half of the delegates at the 1868 constitutional convention were African American, which was unprecedented in Louisiana’s history.*) (C.6)

SUPPORT—Explain that Black Codes were enacted in the Southern states after the Civil War ended. The purpose of these laws was to restrict the rights of formerly enslaved people by limiting where they could work and their ability to own property. Later, the Supreme Court ruling in *Plessy v. Ferguson* established the principle of “separate but equal,” which gave rise to Jim Crow laws that enforced racial segregation throughout the South. Both sets of laws subjected African Americans not only to inferior facilities and services but also to constant reminders of their low status and deprived them of many benefits of the prospering country.

After students read the text, ask the following questions:

ANALYTICAL—Why did Black Louisianans and Republicans in the U.S. Congress oppose the Louisiana Constitution of 1864? (C.9.i)

- » The 1864 constitution allowed the state legislature to give voting rights only to African American men who could read, owned property, or had fought for the Union during the Civil War; provided for segregated public education; and restored former Confederates to positions of power in the state. Both African Americans in the state and Republicans in Congress opposed the racial discrimination toward and restrictions on formerly enslaved persons; they also were opposed to what they considered forgiveness of officials formerly affiliated with the Confederacy.

LITERAL—What did the Constitution of 1868 do? (C.9.i)

- » The Constitution of 1868 got rid of Black Codes, gave property rights to women, and integrated public education.

ANALYTICAL—How was the Constitution of 1879 like the Constitution of 1864? (C.9.i)

- » Both documents upheld segregated public schooling, restricted the civil rights of Black Louisianans, and made it difficult for African American men to vote.

ANALYTICAL—What effect did the Constitution of 1898 have on voter registration in Louisiana? (C.9.i)

- » The Constitution of 1898 caused the number of African American men registered to vote in the state to drop from 130,000 to 13,000.

“The Progressive Era,” “The Civil Rights Era,” and “Louisiana’s Amendment Process,” pages 147–148

Scaffold understanding as follows:

Have students read the sections “The Progressive Era” and “The Civil Rights Era” and the sidebar “Louisiana’s Amendment Process” on pages 147–148.

SUPPORT—Explain that Article VIII of Louisiana’s current constitution deals with education. Section 5 establishes the Board of Regents, which oversees public postsecondary education; this section says that “the board should be representative of the state’s population by race and gender to ensure diversity.” Section 7.1.(B) has a similar statement regarding the Board of Supervisors of Community and Technical Colleges.

SUPPORT—Explain to students that the Supreme Court of Louisiana overturned many parts of the 1913 constitution because the delegates to the constitutional convention were instructed to amend the existing state constitution, not create a new one altogether. As a result, the Supreme Court of Louisiana determined that the delegates had overstepped the intended purpose of the convention.

ACTIVITY—Show students the list of amendments to the Louisiana Constitution of 1974. As a class, analyze the information in the document. Ask: Which part of the Louisiana Constitution has been amended the most times? (*Article VII: Revenue & Finance*) Why do you think this is the case? (*Possible response: Revenue and finance relate to the taxes Louisianans pay and how their tax dollars are spent; as a result, this is an important issue to people in the state.*) Are there any articles that have not been amended? (*Article II: Distribution of Powers*) Do most amendments pass or fail? (*Most pass.*) Have students work independently or with a partner to explore some of the types of amendments that have been made to the state’s constitution over time, allowing them time to share their findings with the class. (C.6.a, C.9.i)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the list of amendments:

www.coreknowledge.org/foundations-of-freedom

After students read the text, ask the following questions:

ANALYTICAL—Why were the Constitutions of 1913 and 1921 adopted? (C.9.i)

- » The Constitution of 1913 was adopted during the Progressive Era and reflected many social reforms popular during that time. The Constitution of 1921 was adopted after the Supreme Court of Louisiana overturned many parts of the 1913 constitution.

LITERAL—When was Louisiana’s current constitution adopted? (C.9.i)

- » Louisiana’s current constitution was adopted in 1974.

ANALYTICAL—How does the Constitution of 1974 compare to earlier state constitutions? (C.9.i)

- » The Constitution of 1974 is much more streamlined than past versions. It reduced the state’s 250 agencies to 25 departments, placed term limits on the governor, and expanded civil rights protections.

LITERAL—How many times has Louisiana’s current constitution been amended? (C.9.i)

- » The current constitution has been amended more than three hundred times since it was adopted.

 **THINK TWICE**—How have Louisiana’s constitutions reflected changes in both the state and the nation?

- » Louisiana’s constitutions have reflected changes in both the state and the nation in many ways. In 1845, state leaders adopted a constitution that attempted to minimize the influence of New Orleans. Leading up to the Civil War, state leaders adopted and amended the 1852 constitution, which defended slavery and strengthened the rights of slaveholders at the state level. Louisiana’s post–Civil War constitutions reflected resistance to Reconstruction and to the civil rights gains of Black Louisianans. The 1913 constitution reflected Progressive Era reforms that were popular in Louisiana and around the country, and the 1974 constitution was largely shaped by the Civil Rights Movement.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does federalism affect all parts of government in the United States?” (C.9, C.9.b)

“A Distinctive Legal Tradition,” pages 148–150

Scaffold understanding as follows:

Have students read the section on pages 148–150.

CORE VOCABULARY—Point out the vocabulary term *civil law*, and explain its meaning.

SUPPORT—Direct students to the image of Napoleon Bonaparte on page 149, and read the caption aloud. Note that Bonaparte initially intended to use the Louisiana Territory to expand his empire into North America. The Haitian Revolution and ongoing wars in Europe disrupted this plan, leading him to sell the territory to the United States instead.

SUPPORT—Reiterate if necessary that the Territory of Orleans is the part of the Louisiana Territory that became the state of Louisiana.

After students read the text, ask the following questions:

LITERAL—Why did the system of civil law, rather than common law, develop in Louisiana? (C.9.j)


- » Civil law was a part of the French legal tradition and was introduced to the territory during the 1600s with the arrival of French trappers, explorers, and missionaries.

LITERAL—What was the Napoleonic Code? (C.9.j)

- » Adopted by France in 1804, the Napoleonic Code was a collection of more than two thousand articles focused on the rights of people, property rights, and legal transactions.

LITERAL/ANALYTICAL—Which legal traditions and documents influenced the Digest of 1808? Why did territorial governor William C. C. Claiborne approve this document? (C.9.j)

- » The Digest of 1808 included laws from Louisiana’s time as a French and Spanish colony; it also included elements of the Napoleonic Code. Even though the Digest of 1808 was very different from the common law that governed the rest of the United States, Claiborne approved the document because he believed it would be easier for people already familiar with civil law to follow.

 **THINK TWICE**—Which factors have influenced Louisiana’s system of laws?

- » Civil law developed in Louisiana under French and Spanish colonial rule. After Louisiana was purchased by the United States, the territorial governor began introducing elements of common law, but then in 1808, Louisiana leaders adopted the Digest of 1808, which included colonial laws and parts of the Napoleonic Code. This document helped shape the Louisiana Civil Code of 1825. As a result, Louisiana blends both civil law and common law and is the only U.S. state to use civil law today.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does federalism affect all parts of government in the United States?” (C.9, C.9.b)

“Local Governments in Louisiana,” pages 150–153

Scaffold understanding as follows:

Have students read the first four paragraphs of the section on page 150.

CORE VOCABULARY—Point out the vocabulary terms *county*, *parish*, *police jury*, *ordinance*, and *home rule charter*, and explain their meanings.



SUPPORT—Direct students to the Louisiana Parishes map on page 152, and read the caption aloud. Have students identify the parish where they live and the parishes to the north, south, east, and west. (C.5)

SUPPORT—Have students determine the government structure of their parish, including whether it has a police jury or home rule charter and the makeup of its elected bodies and their responsibilities. Then have students determine the structure of their school’s municipality. (C.11.k)



TALK IT OVER—Have students discuss or debate this questions: What are the pros and cons of police juries and home rule charters in Louisiana? Which government structure do you think is most effective, and why?

Note: For tips about organizing and managing class discussions and debates, see the Foundations of Freedom Online Resource “About Class Discussions and Debates”:

www.coreknowledge.org/foundations-of-freedom

Online Resources



Have students read the remainder of the section on pages 151–153.

CORE VOCABULARY—Point out the vocabulary term *zoning*, and explain its meaning.

After students read the text, ask the following questions:

ANALYTICAL—What do the parish system and the police jury system have in common? (C.11.k)

- » Both the parish system and the police jury system are carryovers from Louisiana’s colonial past.

ANALYTICAL—How do police juries differ from federal and state government? (C.11.k)

- » Both federal and state government in the United States separate the executive and legislative functions into distinct branches. In contrast, police juries perform both executive and legislative functions.

LITERAL—What are the three types of municipalities in Louisiana, and how do they differ? (C.11.k)


- » The three types of municipalities in Louisiana are villages, towns, and cities. They are categorized based on the size of their populations and vary in government structure.

LITERAL—How do local governments provide avenues for citizen involvement? (C.11)

- » Citizens can become involved in local government by serving on local boards to help make decisions for their communities.

LITERAL—What types of issues do local boards work on? (C.11)

- » Local boards develop zoning regulations, build new parks, plan neighborhood improvement projects, organize pest control, and regulate parking, among other functions.

 **THINK TWICE**—What makes local governments in Louisiana distinct from local governments in other states?

- » Louisiana is the only U.S. state to have parishes, a unit of local government equivalent to a county. Some parishes are governed by police juries, a form of parish government that performs both executive and legislative functions.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does federalism affect all parts of government in the United States?” (C.9, C.9.b)

“Tribal Governments in Louisiana,” pages 153–156

Scaffold understanding as follows:

Have students read the first paragraph of the section on page 153.

CORE VOCABULARY—Point out the vocabulary term *sovereign*, and explain its meaning.

SUPPORT—Explain that Native Americans lived in North America long before the United States was created; their sovereignty existed in the past, and it still exists today.

SUPPORT—The Bureau of Indian Affairs within the Department of the Interior (part of the president’s cabinet) is the federal agency that works with tribal governments. The tribal governments of Louisiana have varying structures and forms of leadership, developed to best address the needs of their people.

ACTIVITY—Show the video “The Cherokee Nation vs. Georgia” from NBC News Learn. After, ask students for their reactions to what the video described, including President Jackson’s reported comment about Chief Justice Marshall’s power—or lack thereof—to enforce the Supreme Court’s decision. Guide the class in a discussion of how Native groups have faced challenges to their sovereignty and how that might influence their relationship with federal and state governments today. (C.7, C.9.a, C.9.e, C.9.f)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the video: www.coreknowledge.org/foundations-of-freedom

Note: Students have the opportunity to analyze *Cherokee Nation v. Georgia* and *Worcester v. Georgia* in the Foundations of Freedom DBQ workbook.

Have students read the next five paragraphs of the section on pages 153–155.

SUPPORT—Explain that like states, tribal governments have the authority to levy taxes, but not all choose to exercise this power.



SUPPORT—Direct students to the Federally Recognized Tribes in Louisiana map on page 154. Explain that Louisiana also recognizes eleven other tribes that are not recognized by the federal government. Ask: Which tribe is located farthest north in the state? (*Jena Band of Choctaw Indians*) Where is the Chitimacha Tribe of Louisiana located in relation to the Coushatta Tribe of Louisiana? (*southeast*) Which tribe is located closest to where you live? (*Responses will vary.*)

Have students read the remainder of the section on pages 155–156.

SUPPORT—Explain that the Coushatta, Jena Band of Choctaw, and Tunica-Biloxi tribes all support ongoing efforts to preserve their unique linguistic heritages. The Tunica-Biloxi hold youth language camps for members of the tribe each year, while the Chitimacha work with tribal elders, linguists, and educators to teach their language in tribal schools. They have also partnered with the Rosetta Stone company to make Chitimacha language education available to tribal members around the world.

After students read the text, ask the following questions:

ANALYTICAL—Which level of government do tribal governments have the most in common with, and why? (C.9, C.9.b)

- » Possible response: Tribal governments have the most in common with state governments. They both work directly with the federal government, receive federal funding, provide for the well-being of their citizens, enact and enforce laws, establish courts, manage land, manage social programs, and oversee law enforcement.

LITERAL—How do tribal governments generate revenue? (C.9.h)


- » In addition to federal resources, tribal governments generate revenue through taxes and by operating tribal-owned businesses.

LITERAL—What sets the Chitimacha apart from the other federally recognized tribes in Louisiana? (C.9, C.9.b)

- » The Chitimacha are the only federally recognized tribe in Louisiana that still lives on their ancestral lands.

ANALYTICAL—How is the tribal government of the Tunica-Biloxi tribe different from the tribal governments of the Jena Band of Choctaw Indians, Chitimacha, and Coushatta tribes? (C.9, C.9.b)

- » The Tunica-Biloxi tribal government is made up of an elected seven-person council, while the governments of the Jena Band of Choctaw Indians, Chitimacha, and Coushatta tribes each have a five-person council headed by a council chief.

 **THINK TWICE**—Compare the relationship between tribal governments and the state government of Louisiana to that between tribal governments and the federal government.

- » Tribal governments are sovereign nations; however, they are still limited by the federal government. They also receive funding from the federal government, like state and local governments do. The relationship between the state government of Louisiana and tribal governments is different; these two parts of the federal system have similar responsibilities and often share physical jurisdictions, which means that they must work closely together to address areas like disaster response and recovery, economic development, education, law enforcement, and health care.

CONNECT TO THE FRAMING QUESTION—Have students discuss how the information in this section helps answer the Framing Question, “How does federalism affect all parts of government in the United States?” (C.9, C.9.b)

Primary Source Feature: “From the Constitution and Bylaws of the Chitimacha Tribe of Louisiana,” page 157

Scaffold understanding as follows:

Direct students to the Primary Source Feature on page 157.

Introduce the source to students by reading the introductory text. Explain that the Chitimacha tribal government formed through the adoption of this document consists of a chairman, vice chairman, secretary/treasurer, and two councilmen-at-large. Each of these offices is elected by voters within the tribe.

SUPPORT—Show the text of the Civil Rights Act of 1968 (historically known as the Indian Civil Rights Act). Explain that Congress passed this legislation to provide protections to Native Americans that reflect many of the protections within the U.S. Constitution. As students examine Title II, ask them to identify many of the protections against tribal government listed in that section and explain any similarities to the U.S. Bill of Rights. (C.6.a, C.9.b)

Online Resources



See the Foundations of Freedom Online Resources for this unit for the link to the text of the act: www.coreknowledge.org/foundations-of-freedom

Have students read the source.

Activity Page



ACTIVITY—You may wish to have students complete the Primary Source Analysis (AP 1.1) independently or with a partner.

AP 1.1

After students have read the source, ask the following questions:

LITERAL—What are some of the powers specifically granted to the Chitimacha tribal government? (C.6.a, C.9.b)

- » Possible response: The Chitimacha tribal government may negotiate with all three levels of U.S. government, manage and sell tribal lands and assets, and pass laws relating to tribal lands and assets.

ANALYTICAL—In which ways is the Chitimacha constitution connected to the federal government of the United States? (C.6.a, C.9.b)

- » The Chitimacha constitution reflects some governing powers of the federal branches of the U.S. government, such as making appropriations (a power of Congress) and negotiating with foreign countries (a power of the executive branch). It also directly references relationships with the U.S. government, including how its own governing power may be limited by the U.S. Constitution; how it works with federal groups, including the secretary of the interior, the Office of Management and Budget, and Congress; and how its own bill of rights is influenced by protections within a U.S. law, the Civil Rights Act of 1968.

ANALYTICAL—What approach does Article IX take in guaranteeing individual freedoms of the Chitimacha people of Louisiana? (C.6.a, C.9.b)

- » Article IX confirms that the Chitimacha tribal government will ensure that the rights of tribal members, as described in a U.S. law designed to protect all Native Americans, are guaranteed.

Note: For more primary source work related to this topic, see the Foundations of Freedom DBQ Workbook.



CHECK FOR UNDERSTANDING

Ask students to:

- Write a short answer to the Framing Question: “How does federalism affect all parts of government in the United States?”
 - » Key points students should cite include: Our federal system includes multiple levels and layers of government, including the national or federal government, state governments, and local governments; the federal system establishes the roles and responsibilities of each level of government by allocating enumerated, reserved, and concurrent powers; within the federal system, levels of government work independently to meet the needs of different populations; at the same time, levels interact with one another and work together to achieve larger goals; the federal government allocates funds to state, local, and tribal governments to provide various services; state governments and local governments work together to bring about new economic opportunities; state governments and tribal governments work together to achieve policy goals in overlapping jurisdictions.
- Choose four Core Vocabulary words (*infrastructure, reserved power, concurrent power, reservation, mandate, Black Code, civil law, county, parish, police jury, ordinance, home rule charter, zoning, and sovereign*) and write a paragraph using the words.

To wrap up the lesson, invite several students to share their responses.

Activity Page



AP 4.2

NOTE: You may wish to assign Domain Vocabulary: Topics 3–4 (AP 4.2) for homework.

Teacher Resources

Topic Assessments: Unit 2

- Topic 1: The U.S. Constitution and the Bill of Rights **175**
- Topic 2: Structures, Powers, and Functions of the U.S. Government **183**
- Topic 3: The U.S. Government over Time **191**
- Topic 4: Governments in the United States (Federal, State, Local, Tribal) **198**

Performance Task: Unit 2

- Performance Task Activity **207**
- Performance Task Scoring Rubric **211**

Activity Pages

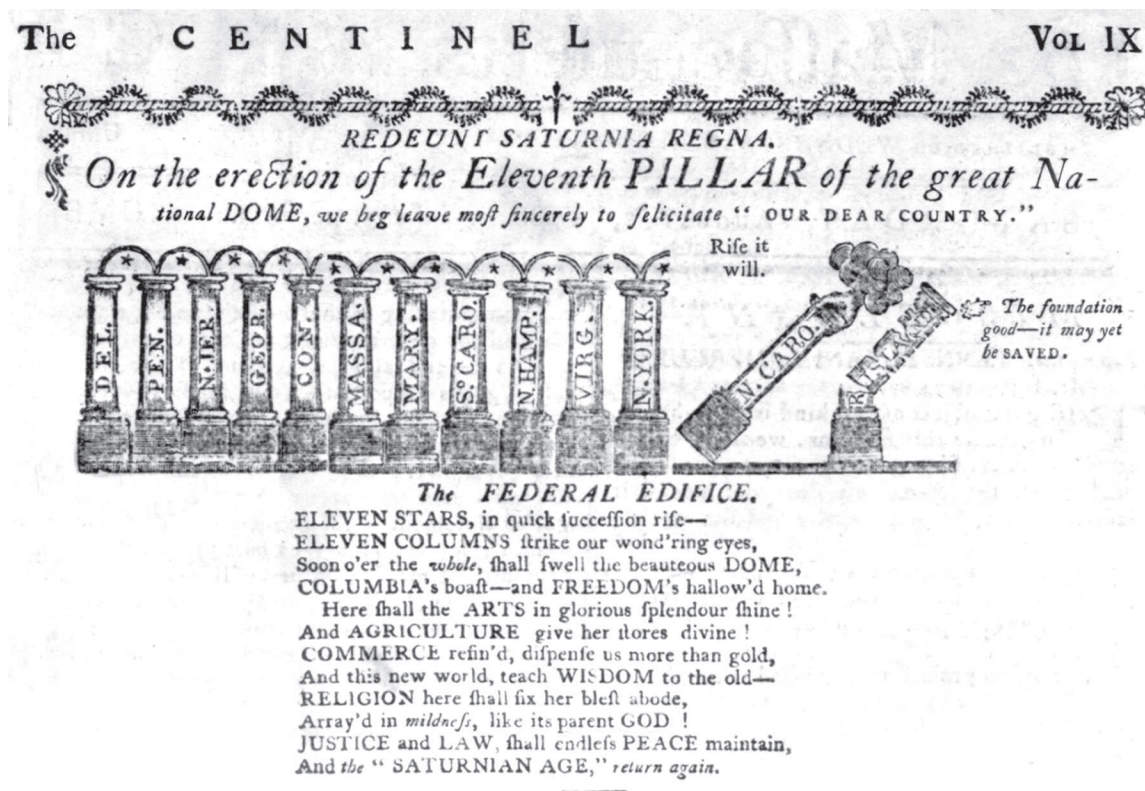
- Primary Source Analysis (AP 1.1) **212**
- Articles I–III of the U.S. Constitution (AP 1.2) **213**
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- Domain Vocabulary: Topics 1–2 (AP 2.2) **216**
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Answer Key: Unit 2 **224**

Assessment: Topic 1—The U.S. Constitution and the Bill of Rights

A. On your own paper, write the letter that provides the best answer.

Use the political cartoon to answer the question.



1. Which phrase best describes the event shown in the political cartoon? (C.6, C.6.a, C.8.e)
 - a) creating a bicameral legislature
 - b) ratifying the U.S. Constitution
 - c) expansion of voting rights
 - d) passing the Bill of Rights

Use the excerpt to answer questions 2 and 3.

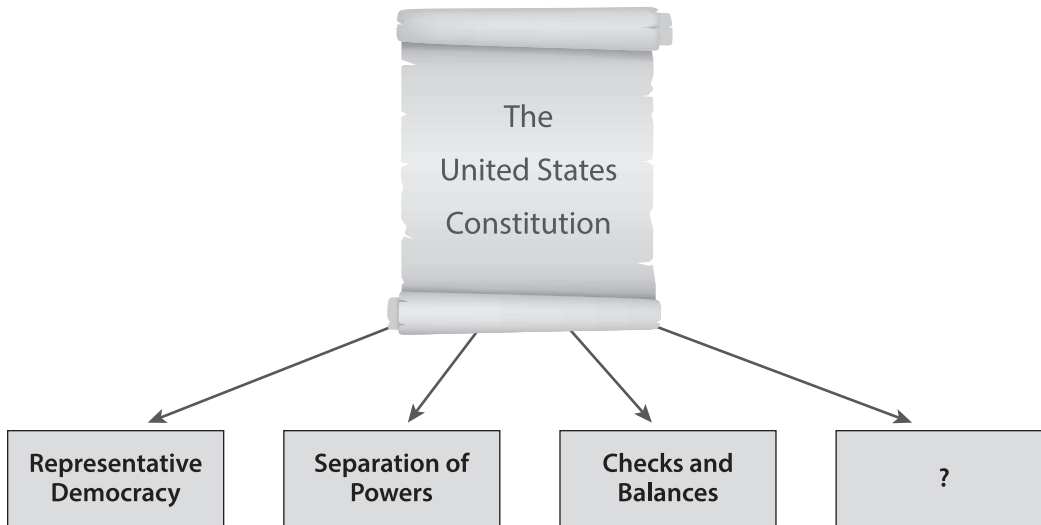
We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the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

—The Constitution of the United States

2. What is one purpose of this excerpt? (C.6, C.6.a, C.8.d)
 - a) to describe the need for a separate bill of rights
 - b) to explain whom the U.S. government is for and by
 - c) to show weaknesses of the Articles of Confederation
 - d) to celebrate the work of the Constitutional Convention

3. Which evidence from the excerpt supports your response in question 2? Select the **two** correct answers. (C.6, C.6.a, C.6.b, C.8.d)
- a) "We the People of the United States"
 - b) "in Order to form a more perfect Union"
 - c) "promote the general Welfare"
 - d) "and secure the Blessings of Liberty"
 - e) "do ordain and establish this Constitution"

Use the diagram to answer the question.



4. Which term **best** replaces the question mark? (C.6, C.6.a, C.8.d, C.8.g)
- a) Rights of the Individual
 - b) Self-Government
 - c) Natural Rights
 - d) Federalism

Use the excerpt to answer the question.

These great Writers however, will convince any Man who has the Fortitude to read them, that all good Government is Republican: that the only valuable Part of the British Constitution is so; for the true Idea of a Republic, is "An Empire of Laws and not of Men": and therefore as a Republic is the best of Governments so, that particular Combination of Power, which is best contrived for a faithfull Execution of the Laws, is the best of Republics. . . .

—from John Adams's Letter to John Penn, 1776

5. Which evidence from the excerpt supports the idea that government leaders should be accountable to the country's rules? (C.6, C.6.a, C.6.b, C.8.g)
- a) "all good Government is Republican"
 - b) "the true Idea of a Republic, is 'An Empire of Laws and not of Men'"
 - c) "and therefore as a Republic is the best of Governments so"
 - d) "which is best contrived for a faithfull Execution of the Laws"

Use the table to answer the question.

?
<ul style="list-style-type: none">• Defines the relationship between the states, their laws, and equal treatment of citizens• Explains how new states are added to the Union• ?

6. Which point completes the list? (C.6, C.6.a, C.8.d, C.9.b)
- a) Describes how the Constitution can be changed
 - b) Explains the process for adopting the Constitution
 - c) Guarantees a republican form of government in the states
 - d) Protects the states from invasion by the federal government

Use the excerpt to answer questions 7 and 8.

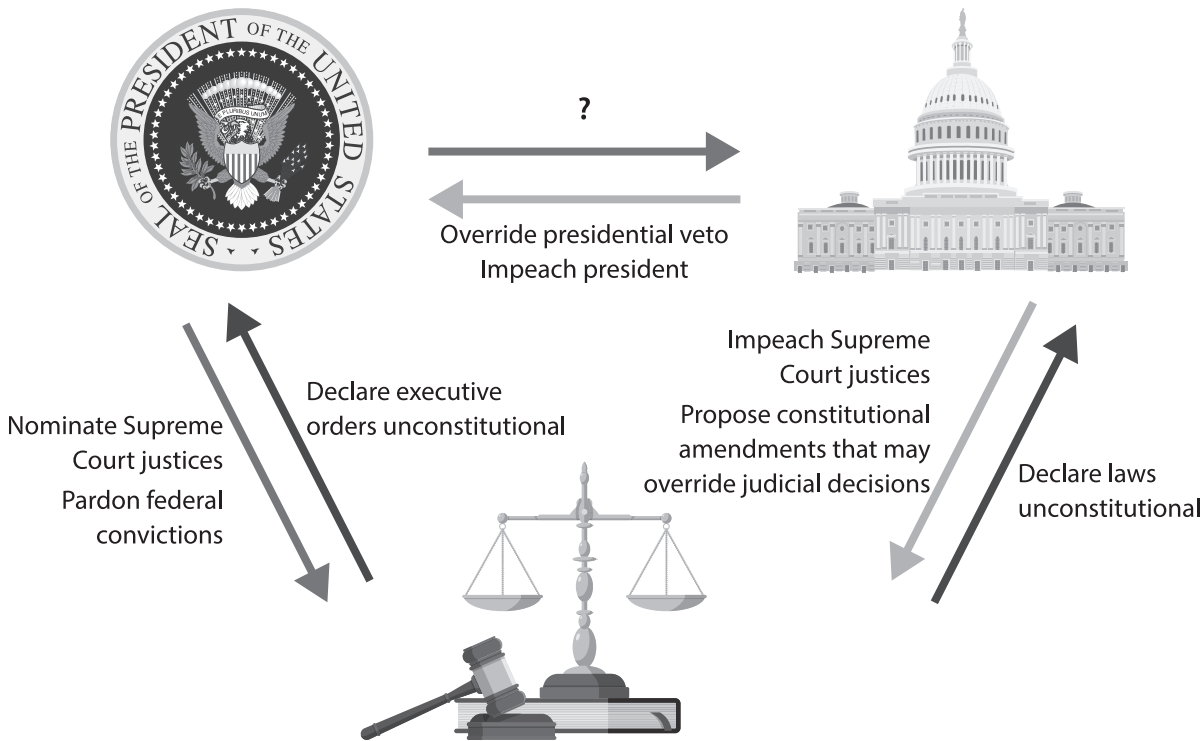
The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to control the abuses of government.

But what is government itself, but the greatest of all reflections on human nature? 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. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.

—*Federalist No. 51*

7. In comparing men to angels, what point is James Madison making? (C.6, C.6.a, C.8.g)
- a) that humans aspire to govern like angels
 - b) that humans mirror the perfect behaviors of angels
 - c) that humans can do away with government after reforming their nature
 - d) that humans cannot be fully depended on to govern themselves or each other
8. In the passage, what is meant by “such devices”? (C.6, C.6.a, C.8.g)
- a) unalienable rights
 - b) limited government
 - c) checks and balances
 - d) separation of powers

Use the diagram and excerpt to answer the question.



But what is government itself, but the greatest of all reflections on human nature? 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. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.

This policy of supplying, by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public. We see it particularly displayed in all the subordinate distributions of power, where the constant aim is to divide and arrange the several offices in such a manner as that each may be a check on the other that the private interest of every individual may be a sentinel over the public rights. These inventions of prudence cannot be less requisite in the distribution of the supreme powers of the State.

—*Federalist No. 51*

9. Which idea from the excerpt is reflected in this diagram?
- a) If men were angels, no government would be necessary.
 - b) Experience has taught mankind the necessity of precautions.
 - c) Government is the greatest of all reflections on human nature.
 - d) The distribution of state powers must necessarily reflect that of federal powers.

Use the excerpt to answer the question.

In a Community consisting of large Numbers, inhabiting an extensive Country, it is not possible that the whole Should assemble, to make Laws. The most natural Substitute for an Assembly of the whole, is a Delegation of Power, from the Many, to a few of the most wise and virtuous. . . . As the Representative Assembly, should be an exact Portrait, in Miniature, of the People at large, as it should think, feel, reason and act like them great Care should be taken in the Formation of it, to prevent unfair, partial and corrupt Elections. . . . That the Representatives may often mix with their Constituents, and frequently render to them an Account of their Stewardship, Elections ought to be frequent. . . .

The Governor, by and with and not without the Advice and Consent of Council, should appoint all Judges, Justices and all other Officers civil and military, who should have Commissions Signed by the Governor and under the Seal of the Colony.

—John Adams’s Letter to John Penn, 1776

10. Which constitutional principle is reflected in this excerpt? (C.6.a, C.8.g)

- a) limited government
- b) checks and balances
- c) separation of powers
- d) representative democracy

Use the excerpt to answer the question.

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

—U.S. Constitution, Article V

11. What does this article of the Constitution demonstrate? Select **two** correct answers. (C.6, C.6.a, C.8.d, C.9.b)

- a) The Constitution is a living document that can be modified.
- b) The Founders anticipated that the will of the people might change.
- c) Modifying the Constitution requires unanimous agreement among states.
- d) The federal government remains exactly the same since the country’s founding.
- e) The Constitution provides a framework for government that can be changed easily.

Use the excerpt to answer the question.

Believing with you that religion is a matter which lies solely between Man & his God, that he owes account to none other for his faith or his worship, that the legitimate powers of government reach actions only, & not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should “make no law respecting an establishment of religion, or prohibiting the free exercise thereof,” thus building a wall of separation between Church & State. adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights, convinced he has no natural right in opposition to his social duties.

—Thomas Jefferson’s Letter to the Danbury Baptist Association, 1802

12. Which is Thomas Jefferson referencing in this letter? Select **two** correct answers. (C.6, C.6.a, C.8.d)

- a) the freedom of a person to practice the religion the government has established
- b) the ability of religion to excuse humans from their duties to society
- c) the freedom of a person to practice the religion of their choice
- d) the freedom of a person to refrain from practicing religion
- e) the practice of religion to restore natural rights

Use the excerpt to answer the question.

Article the fifth... No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

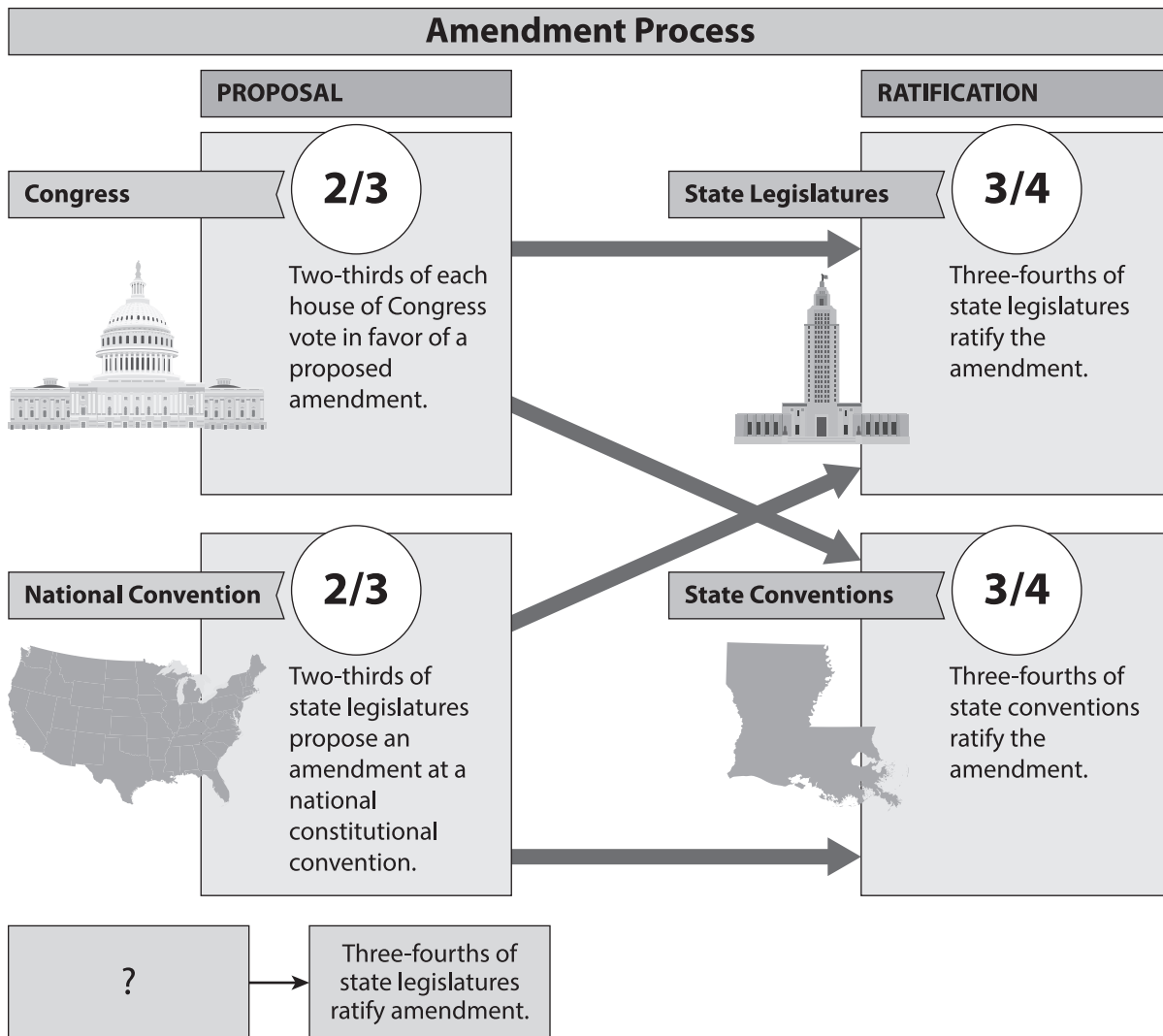
Article the sixth... In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature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

—The U.S. Bill of Rights

13. What do these constitutional amendments protect? (C.6, C.6.a, C.8.d)

- a) states’ rights
- b) individual rights
- c) citizens’ protections
- d) rights of the accused

Use the diagram of the amendment process to answer the question.



14. The bottom diagram shows one possible way for an amendment to be ratified. Which statement **best** replaces the question mark? (C.6, C.6.a, C.9.b)

- a) Three-fourths of state conventions propose an amendment.
- b) Three-fourths of state legislatures call a national constitutional convention.
- c) Two-thirds of each house of Congress vote in favor of a proposed amendment.
- d) A simple majority of each house of Congress votes in favor of a proposed amendment.

Use the excerpt to answer the question.

Amendment I

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

15. Which of the following is an example of an individual right protected by the First Amendment? Select **two** correct answers. (C.8.g, C.10.b)

- a) freedom to publish information critical of the government
- b) freedom to make unfounded accusations in a publication
- c) freedom to forcibly remove government officials
- d) freedom to wear a shirt with a political slogan
- e) freedom to practice the national religion

B. On your own paper, write a well-organized paragraph in response to the following prompt.

Evaluate this claim: The Bill of Rights was a necessary addition to the U.S. Constitution. (C.6, C.6.a, C.7, C.7.a, C.7.b, C.7.d, C.8.d, C.8.e)

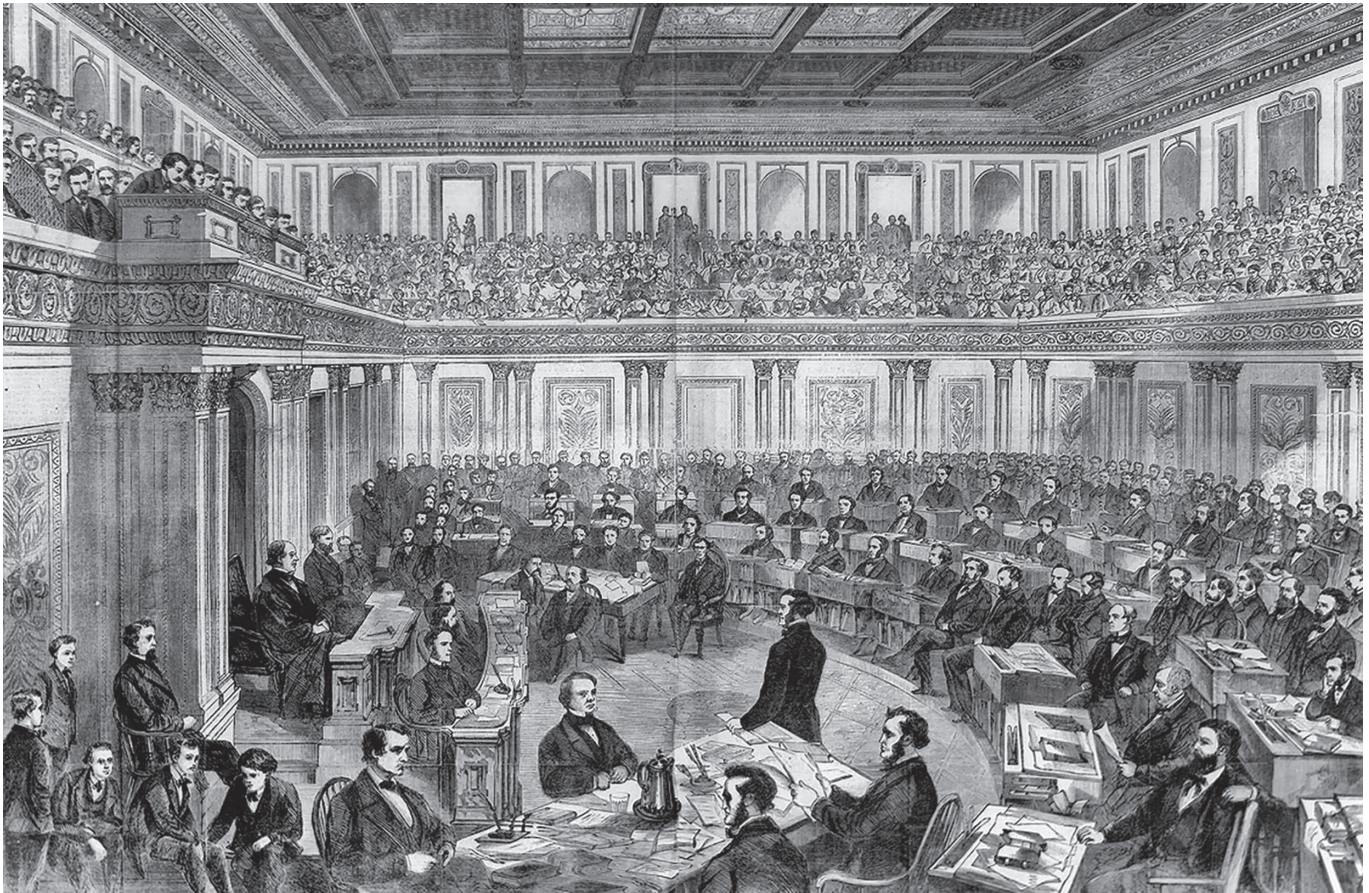
As you write, be sure to do the following:

- Provide a claim that answers all parts of the prompt.
- Support your claim with information and examples from your knowledge of civics **and** evidence from the sources.
- Provide explanations and reasoning that show how your knowledge and evidence support your claim.

Assessment: Topic 2—Structures, Powers, and Functions of the U.S. Government

A. On your own paper, write the letter that provides the best answer.

Use the image to answer the question.



1. This image shows the trial of Andrew Johnson in the Senate in 1868. Which of the following checks and balances does this event represent? **(C.6, C.6.a, C.8.g, C.9, C.9.b, C.9.c)**
 - a) a judicial check on legislative power
 - b) an executive check on judicial power
 - c) a legislative check on executive power
 - d) an executive check on legislative power

Use the excerpt from Article I, Section 8, of the Constitution to answer questions 2–4.

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

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

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

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

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

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

To constitute Tribunals inferior to the supreme Court;

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

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

2. According to the excerpt, why does Congress have the power to collect taxes? (C.6, C.6.a, C.9, C.9.c)
 - a) to determine standard weights and measures
 - b) to provide for the general welfare of citizens
 - c) to regulate trade with foreign countries
 - d) to establish post offices and roads
3. According to the excerpt, which are powers of Congress? Select the **two** correct answers. (C.6, C.6.a, C.9, C.9.c)
 - a) capturing pirates
 - b) declaring bankruptcy
 - c) creating federal courts
 - d) giving money to the states
 - e) issuing patents for inventions
4. What name is given to the final paragraph of the excerpt? (C.6, C.6.a, C.9, C.9.c)
 - a) the elastic clause
 - b) the exception clause
 - c) the commerce clause
 - d) the citizenship clause

Use the list to answer the question.

Roles of the President Pro Tempore of the Senate

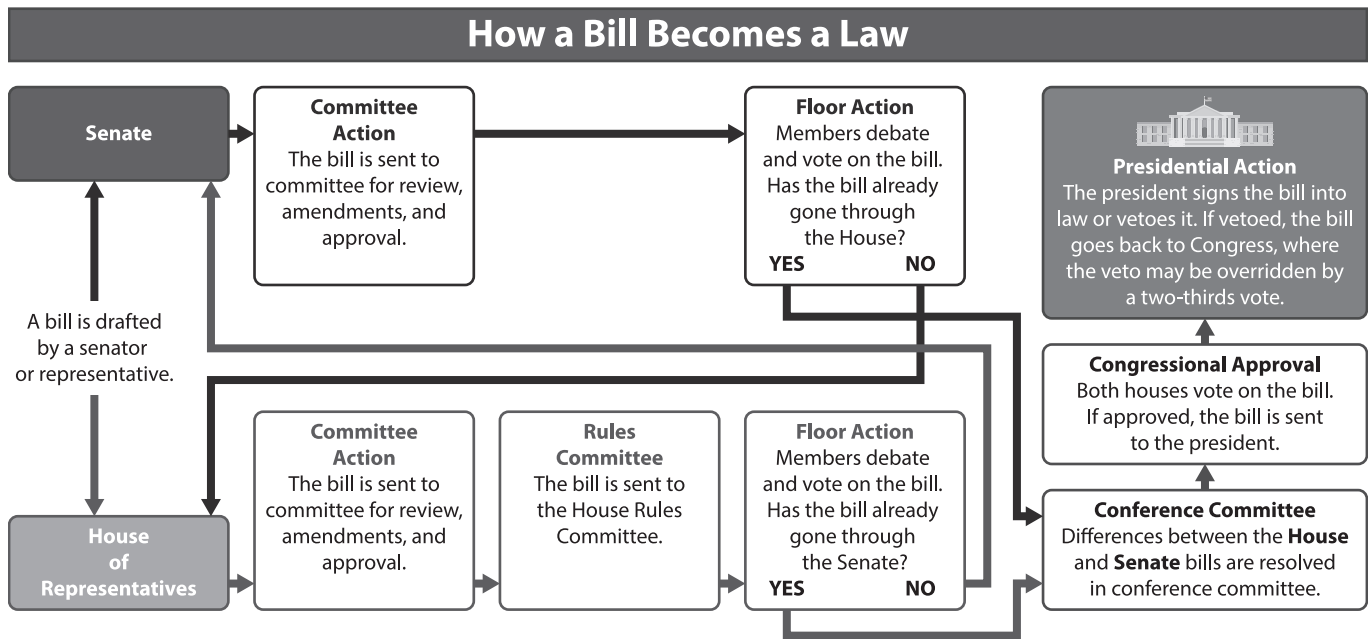
Administer the oath of office to other senators

Receive reports from federal agencies

?

5. Which role **best** replaces the question mark? (C.6, C.6.a, C.9, C.9.c)
 - a) count and declare votes
 - b) assign members to committees
 - c) permit members to speak on the floor
 - d) make appointments to national advisory boards

Use the diagram to answer the question.



6. According to the diagram, which step in the legislative process is unique to the House of Representatives? (C.6, C.6.a, C.9.b)
- A member introduces the bill.
 - The bill is assigned to a committee.
 - Members debate and vote on the bill.
 - The bill is approved by the Rules Committee.

Use the excerpt to answer the question.

The executive Power shall be vested in a President of the United States of America. . . he shall take Care that the Laws be faithfully executed . . .

—U.S. Constitution, Article II, Sections 1 and 3

7. This part of the Constitution is often used to justify the use of executive orders, which give presidents the ability to _____. (C.9.d)
- shape policy via agencies in the executive branch
 - create new legislation outside of Congress
 - declare war in times of crisis
 - circumvent judicial review

Use the excerpt from Article II, Section 2, of the Constitution and the picture to answer the question.

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



8. Which power of the president described in the excerpt is shown in this image? (C.6, C.6.a, C.9, C.9.d)
- a) granting pardons
 - b) impeaching criminals
 - c) nominating federal judges
 - d) serving as commander in chief

Use the excerpt from Article II, Section 2, of the Constitution to answer the question.

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States...

9. How does Congress check this responsibility of the president? (C.6, C.6.a, C.9, C.9.c, C.9.d)
- a) It has the power to declare war.
 - b) It has the power to institute a draft when necessary.
 - c) It has the power to grant letters of marque and reprisal.
 - d) It has the power to confirm or reject executive appointments.

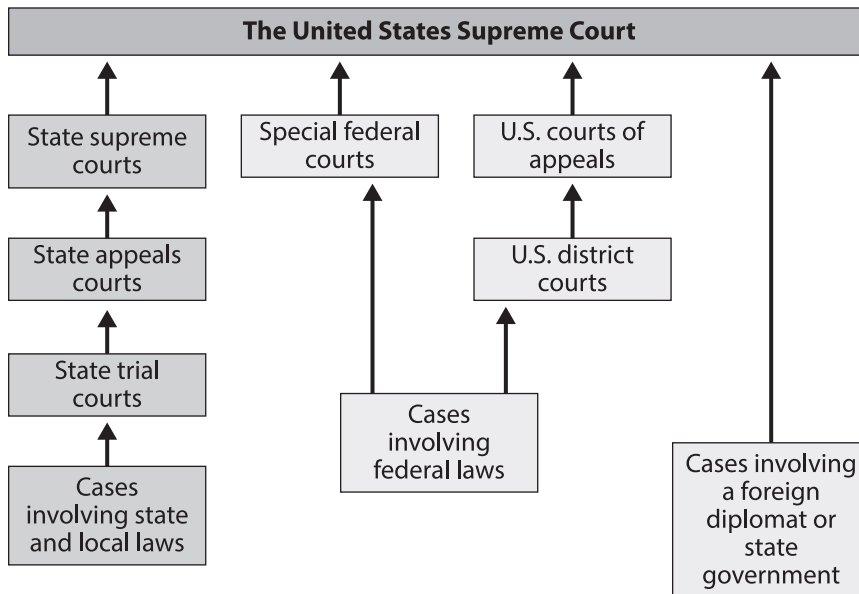
Use the table to answer the question.

Executive Department	Year Created	Responsibilities
?	1789	Oversee foreign policy and diplomacy

10. Which executive department replaces the question mark? (C.6, C.6.a, C.9, C.9.d)

- a) Commerce
- b) Interior
- c) Justice
- d) State

Use the diagram to answer questions 11 and 12.



11. According to the diagram, over which types of cases does the Supreme Court have original jurisdiction? (C.6, C.6.a, C.9, C.9.e)

- a) cases involving foreign diplomats
- b) cases involving federal laws
- c) cases involving state laws
- d) cases involving local laws

12. According to the diagram, which is a similarity between the federal and state court systems? (C.6, C.6.a, C.9, C.9.e)

- a) Both include special courts.
- b) Both include appeals courts.
- c) Both settle mostly civil disputes.
- d) Both settle disputes between states.

Use the excerpt from *Federalist* No. 78 to answer the question.

That inflexible and uniform adherence to the rights of the Constitution, and of individuals, which we perceive to be indispensable in the courts of justice, can certainly not be expected from judges who hold their offices by a temporary commission. Periodical appointments, however regulated, or by whomsoever made, would, in some way or other, be fatal to their necessary independence. If the power of making them was committed either to

the Executive or legislature, there would be danger of an improper complaisance to the branch which possessed it; if to both, there would be an unwillingness to hazard the displeasure of either; if to the people, or to persons chosen by them for the special purpose, there would be too great a disposition to consult popularity, to justify a reliance that nothing would be consulted but the Constitution and the laws.

13. According to the passage, why is it important for judges to serve lifetime appointments? (C.6, C.6.a, C.9, C.9.e)
- a) to adhere to strict rules and precedents
 - b) to check the power of the other branches
 - c) to avoid being swayed by political pressure
 - d) to better understand the laws of the country

Use the excerpt from a ruling of the U.S. Supreme Court to answer the question.

Certainly all those who have framed written Constitutions contemplate them as forming the fundamental and paramount law of the nation, and consequently the theory of every such government must be that an act of the Legislature repugnant to the Constitution is void.

It is emphatically the province and duty of the Judicial Department to say what the law is. Those who apply the rule to particular cases must, of necessity, expound and interpret that rule. If two laws conflict with each other, the Courts must decide on the operation of each.

—*Marbury v. Madison*

14. Why was this ruling significant? (C.6, C.6.a, C.9, C.9.e, C.9.f)
- a) It affirmed the power of judicial review.
 - b) It weakened the legislative branch.
 - c) It expanded executive authority.
 - d) It defined enumerated powers.

Use the excerpt from Article II, Sections 2 and 3, of the Constitution to answer the question.

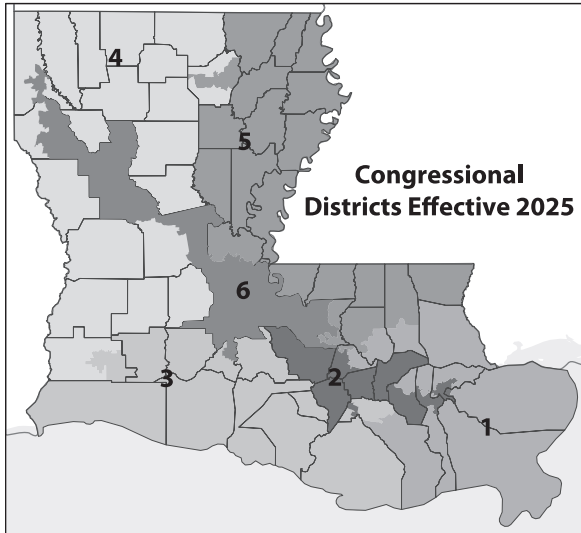
He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme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

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

15. According to the excerpt, which acts by the president require the consent of the Senate? Select the **two** correct answers. (C.6, C.6.a, C.9, C.9.c, C.9.d)
- a) making treaties
 - b) appointing ambassadors
 - c) executing the country's laws
 - d) convening a session of Congress
 - e) delivering a State of the Union address

Use the map and the chart to answer the question.

Louisiana Congressional Districts



State	Number of Representatives
Alabama	7
Arkansas	4
Florida	28
Georgia	14
Kentucky	6
Maryland	8
Mississippi	4
North Carolina	14
South Carolina	7
Tennessee	9
Texas	38
Virginia	11
West Virginia	2

16. What does the number of representatives in Louisiana suggest about the population of the state relative to other Southern states?
- a) It is one of the smaller states.
 - b) It is one of the larger states.
 - c) Its population is shrinking.
 - d) Its population is average.

B. On your own paper, write a well-organized paragraph in response to the following prompt.

Analyze this claim: Federal judges and justices should be elected by citizens. (C.6, C.6.a, C.7, C.7.a, C.7.b, C.7.d, C.9, C.9.b, C.9.e)

As you write, be sure to do the following:

- Provide a claim that answers all parts of the prompt.
- Support your claim with information and examples from your knowledge of civics **and** evidence from the sources.
- Provide explanations and reasoning that show how your knowledge and evidence support your claim.

Assessment: Topic 3—The U.S. Government over Time

A. On your own paper, write the letter that provides the best answer.

Use the excerpt from Article I, Section 2, of the Constitution to answer the question.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers. . . . The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

1. What was the significance of the process described in the excerpt? (C.6, C.6.a, C.9.c)
- a) It established a bicameral legislature in Congress.
 - b) It established the process of conducting an annual census.
 - c) It determined representation in the House of Representatives.
 - d) It determined the number of congressional districts in each state.

Use the image to answer the question.



2. Which constitutional amendment resulted from the actions shown in the photograph? (C.6, C.6.a, C.8.d, C.9.b, C.9.c)
- a) Fifteenth Amendment
 - b) Sixteenth Amendment
 - c) Nineteenth Amendment
 - d) Twenty-Sixth Amendment

Use the excerpt from *Gibbons v. Ogden* to answer questions 3 and 4.

But the framers of our constitution foresaw this state of things, and provided for it, by declaring the supremacy not only of itself, but of the laws made in pursuance of it. The nullity of any act, inconsistent with the constitution, is produced by the declaration, that the constitution is supreme law. The appropriate application of that part of the clause which confers the same supremacy on laws and treaties, is to such acts of the State Legislatures as do not transcend their powers, but, though enacted in the execution of acknowledged State powers, interfere with, or are contrary to the laws of Congress, made in pursuance of the constitution, or some treaty made under the authority of the United States. In every such case, the act of Congress, or the treaty, is supreme; and the law of the State, though enacted in the exercise of powers not controverted, must yield to it.

3. Which clauses from the Constitution were central to this decision? Select the **two** correct answers. (C.6, C.6.a, C.9.c, C.9.f)
- a) the elastic clause
 - b) the exclusion clause
 - c) the supremacy clause
 - d) the commerce clause
 - e) the establishment clause
4. Which was an effect of this decision? (C.6, C.6.a, C.9.c, C.9.f)
- a) It gave states the power to regulate interstate navigation.
 - b) It gave Congress the power to regulate trade with other nations.
 - c) It gave Congress more power over economic activities in a state.
 - d) It gave states more power over railroads, highways, and broadcasters.

Use the excerpt from *United States v. Lopez* to answer the question.

The possession of a gun in a local school zone is in no sense an economic activity that might, through repetition elsewhere, substantially affect any sort of interstate commerce. Respondent was a local student at a local school; there is no indication that he had recently moved in interstate commerce, and there is no requirement that his possession of the firearm have any concrete tie to interstate commerce.

To uphold the Government's contentions here, we would have to pile inference upon inference in a manner that would bid fair to convert congressional authority under the Commerce Clause to a general police power of the sort retained by the States.

5. How did this ruling differ from the ruling in *Gibbons v. Ogden*? (C.6, C.6.a, C.9.c, C.9.f)
- a) Unlike *Gibbons v. Ogden*, it limited the power of Congress.
 - b) Unlike *Gibbons v. Ogden*, it limited the power of the states.
 - c) Unlike *Gibbons v. Ogden*, it expanded the power of the president.
 - d) Unlike *Gibbons v. Ogden*, it expanded the power of the Supreme Court.

Use the excerpt from *Federalist No. 69* to answer the question.

First. The President will have only the occasional command of such part of the militia of the nation as by legislative provision may be called into the actual service of the Union. The king of Great Britain and the governor of New York have at all times the entire command of all the militia within their several jurisdictions. In this article, therefore, the power of the President would be inferior to that of either the monarch or the governor.

6. According to the passage, the president was _____. (C.6, C.6.a, C.6.b, C.9.d)
- a) weaker than a king
 - b) stronger than a governor
 - c) more important than Congress
 - d) less important than the Supreme Court

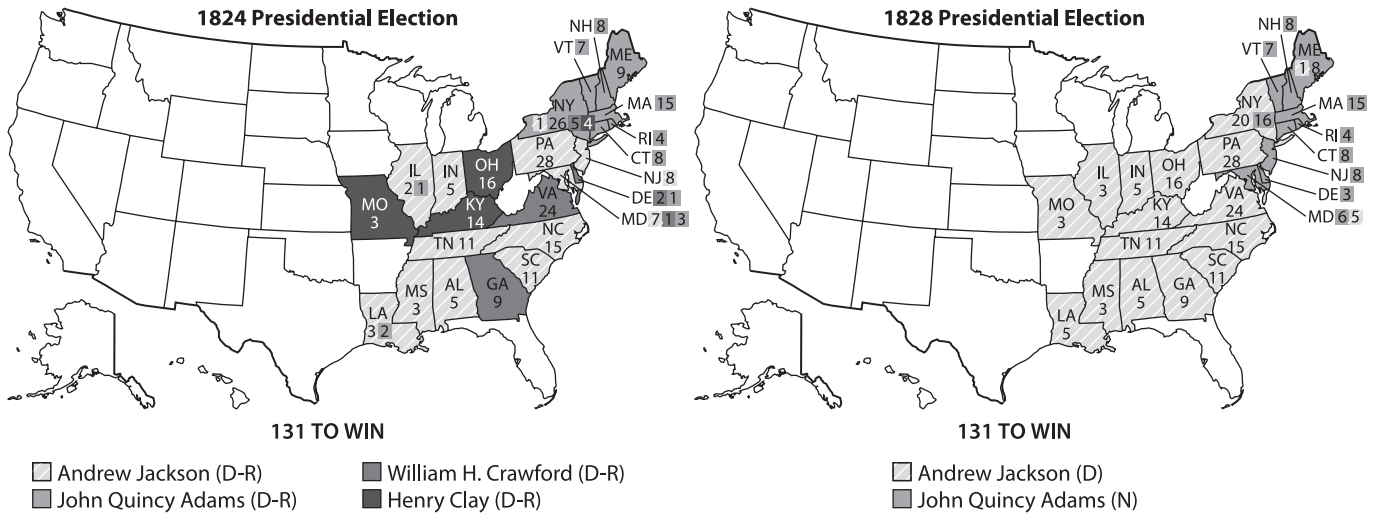
Use the image to answer the question.



7. The image commemorates which precedent set by George Washington? (C.6, C.6.a, C.9.d)
- a) the creation of the cabinet
 - b) giving a State of the Union address
 - c) hosting delegates from other countries
 - d) stepping down after serving two terms

Use the maps to answer the question.

Presidential Elections of 1824 and 1828



8. Which practice contributed to the changes shown in the maps? (C.5, C.6, C.6.a, C.9.d)

- a) grassroots campaigning
- b) ignoring rulings by courts
- c) relying on political elites for support
- d) giving government jobs to qualified candidates

Use the political cartoon to answer questions 9 and 10.



9. Which statement about President Andrew Jackson would the creator of the cartoon likely agree with? (C.6, C.6.a, C.9.d)
- a) He has weakened states' rights.
 - b) He should work with party bosses.
 - c) He is guilty of executive overreach.
 - d) He defends the interests of farmers.
10. Which of Jackson's actions influenced the creation of this cartoon? (C.6, C.6.a, C.9.d)
- a) his charters of state banks
 - b) his support of the Whig Party
 - c) his friendship with Henry Clay
 - d) his attacks on the Second Bank

Use the image to answer the question.



11. This photograph shows protesters outside of the U.S. Capitol in 1971. Which act of Congress reflected the protesters' concerns? (C.6, C.6.a, C.9.c, C.9.d)
- a) USA PATRIOT Act
 - b) War Powers Resolution
 - c) Gulf of Tonkin Resolution
 - d) Gun-Free Schools Zone Act

Use the excerpt from a U.S. Supreme Court ruling to answer questions 12 and 13.

The object of the amendment was undoubtedly to enforce the absolute equality of the two races before the law, but in the nature of things it could not have been intended to abolish distinctions based upon color, or to enforce social, as distinguished from political equality, or a commingling of the two races upon terms unsatisfactory to either. Laws permitting, and even requiring, their separation in places where they are liable to be brought into contact do not necessarily imply the inferiority of either race to the other, and have been generally, if not universally, recognized as within the competency of the state legislatures in the exercise of their police power.

—*Plessy v. Ferguson*

12. Which constitutional amendment does this excerpt reference? (C.6, C.6.a, C.8.d, C.9.f)

- a) Fifteenth Amendment
- b) Sixteenth Amendment
- c) Thirteenth Amendment
- d) Fourteenth Amendment

13. Why was this ruling significant? (C.6, C.6.a, C.9.e, C.9.f)

- a) It applied the Bill of Rights to the states.
- b) It stopped the passage of new Black Codes.
- c) It limited the extent of the commerce clause.
- d) It restricted the civil rights of African Americans.

Use the excerpt from a U.S. Supreme Court ruling to answer the question.

We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other “tangible” factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does.

—*Brown v. Board of Education*

14. Why was this ruling significant? (C.6, C.6.a, C.9.e, C.9.f)

- a) It ended state bans on interracial marriage.
- b) It reaffirmed the importance of due process.
- c) It ended the doctrine of “separate but equal.”
- d) It required the integration of public transportation.

Use the excerpt from a U.S. Supreme Court ruling to answer the question.

We conclude that when the ground for asserting privilege as to subpoenaed materials sought for use in a criminal trial is based only on the generalized interest in confidentiality, it cannot prevail over the fundamental demands of due process of law in the fair administration of criminal justice. The generalized assertion of privilege must yield to the demonstrated, specific need for evidence in a pending criminal trial.

—*United States v. Nixon*

15. How did this decision affect the power of the president? (C.6, C.6.a, C.9.d, C.9.e, C.9.f)

- a) It changed the process for impeachment.
- b) It limited the extent of executive privilege.
- c) It increased the requirements for prior restraint.
- d) It reduced the enforceability of executive orders.

Use the excerpt and the photo to answer the question.

The argument also assumes that social prejudices may be overcome by legislation, and that equal rights cannot be secured . . . except by an enforced commingling of the two races. We cannot accept this proposition. If the two races are to meet upon terms of social equality, it must be the result of natural affinities, a mutual appreciation of each other's merits, and a voluntary consent of individuals.

—Justice Henry Billings Brown in *Plessy v. Ferguson*



16. How does the photo attempt to demonstrate a flaw in Brown's reasoning?

- a) It indicates that multiracial marriages were allowed by the ruling.
- b) It indicates that that legislation had required interracial marriages.
- c) It indicates that the enforced comingling of the races later occurred.
- d) It indicates that laws were created to prevent the voluntary consent of individuals.

B. On your own paper, write a well-organized paragraph in response to the following prompt.

Form and support a claim to answer this question: What has been the most significant change to executive power since 1789? (C.7.a, C.7.b, C.7.c, C.7.d, C.9.b, C.9.d)

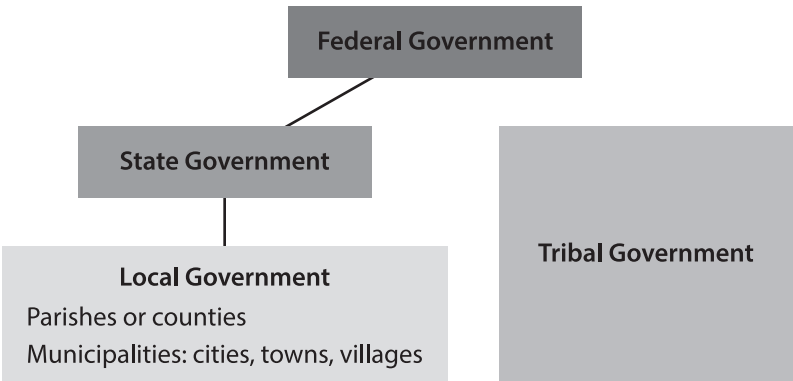
As you write, be sure to do the following:

- Provide a claim that answers all parts of the prompt.
- Support your claim with information and examples from your knowledge of civics **and** evidence from the sources.
- Provide explanations and reasoning that show how your knowledge and evidence support your claim.

Assessment: Topic 4—Governments in the United States (Federal, State, Local, Tribal)

A. On your own paper, write the letter that provides the best answer.

Use the diagram to answer the question.



1. What is the **best** title for this diagram? (C.6, C.6.a, C.9.b)
- a) The Federal System
 - b) The Concurrent System
 - c) The Separation of Powers
 - d) The Branches of Government

Use the chart to answer the question.

Concurrent Powers	Powers Reserved for the States

- A Borrow money
 - B Establish local governments
 - C Charter and regulate banks and corporations
 - D Ratify constitutional amendments
 - E Enact and enforce laws
2. Which answer shows the correct distribution of statements to complete the chart? (C.6, C.6.a, C.9.b)
- a) Concurrent Powers: A, B, C; Powers Reserved for the States: D, E
 - b) Concurrent Powers: A, C, E; Powers Reserved for the States: B, D
 - c) Concurrent Powers: B, C, E; Powers Reserved for the States: A, D
 - d) Concurrent Powers: C, D, E; Powers Reserved for the States: B, E

Use the excerpt to answer the question.

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

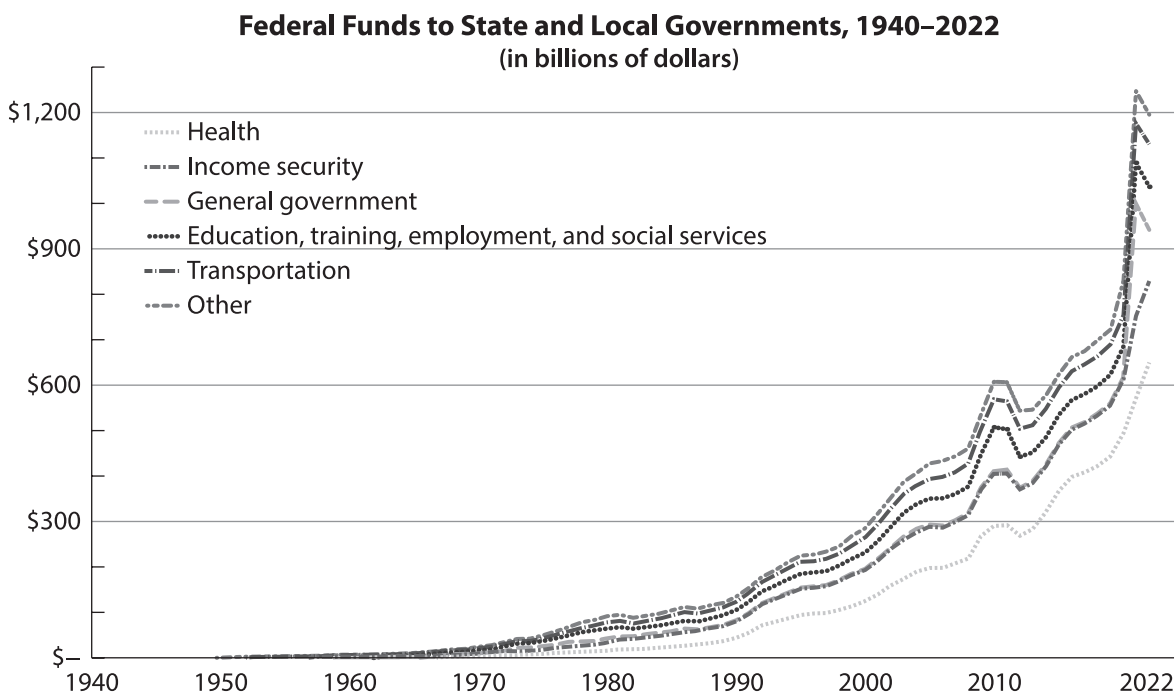
No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, . . .

No State shall, without the Consent of Congress, . . . keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded . . .

—U.S. Constitution, Article I, Section 10

3. According to the excerpt, what are states prohibited from doing? (C.6, C.6.a, C.8.d, C.9.b)
- a) importing goods
 - b) forming alliances
 - c) making contracts
 - d) borrowing money

Use the graph to answer questions 4 and 5.



4. According to the graph, on which of the following do state and local governments spend more of the funds they receive from the federal government? (C.6, C.6.a, C.9.b, C.9.h)
- a) general government
 - b) income security
 - c) transportation
 - d) health

5. Which statement about the categories of federal funding to state and local governments is supported by the graph? (C.6, C.6.a, C.9.b, C.9.h)
- a) They decreased slightly between 1970 and 1980.
 - b) They increased the most between 1940 and 1960.
 - c) They remained the same between 1990 and 2000.
 - d) They sharply increased between 2015 and 2020.

Use the excerpt to answer the question.

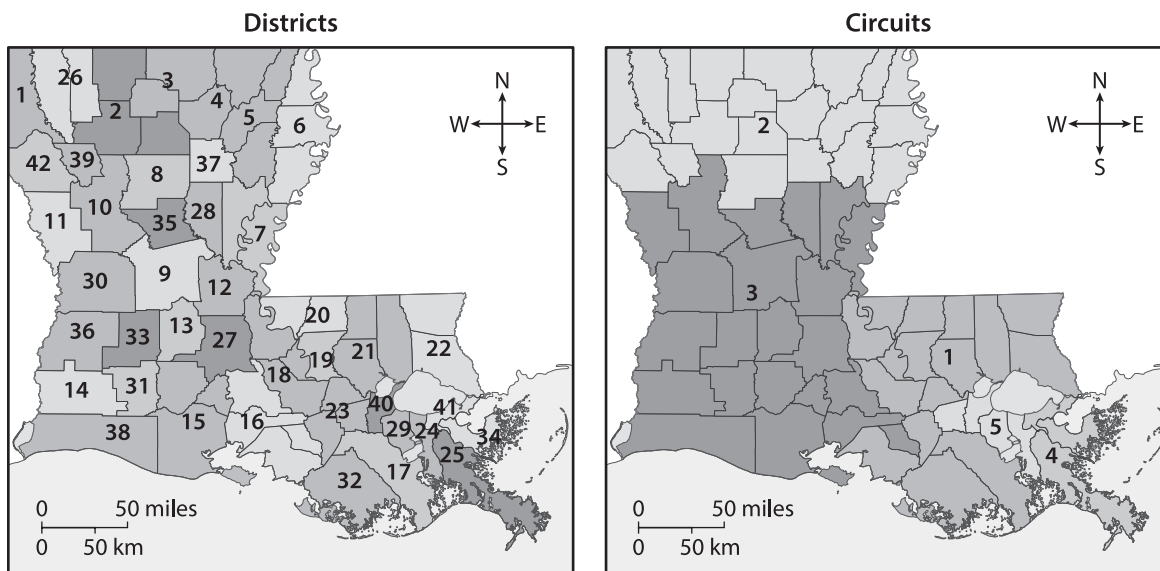
We, the Representatives of the People of [Louisiana] . . . In order to secure to all the citizens thereof the enjoyment of the right of life, liberty, and property, do ordain and establish the following constitution or form of government, and do mutually agree with each other to form ourselves into a free and independent State, by the name of the State of Louisiana.

—Preamble to the 1812 Constitution of Louisiana

6. Which event is associated with this document? (C.6, C.6.a, C.9.b)
- a) Civil War
 - b) Progressive Era
 - c) Louisiana statehood
 - d) Civil Rights Movement

Use the maps to answer the question.

Louisiana's Courts



7. How are the courts in the regions shown on the maps similar? (C.5, C.6, C.6.a, C.9.b)
- a) Judges serve lifetime terms.
 - b) Judges are elected by voters.
 - c) Judges can overturn earlier rulings.
 - d) Judges hear cases about federal laws.

Use the images to answer the question.



8. Which level of government is responsible for providing these services? (C.6, C.6.a, C.9.b)

- a) local
- b) state
- c) tribal
- d) federal

Use the image memorializing the 1868 Louisiana State Constitutional Convention to answer the question.



9. What was significant about the 1868 Louisiana State Constitution? Select the **two** correct answers. (C.6, C.6.a, C.9.b)

- a) It integrated public education.
- b) It attempted to modernize the government.
- c) It restored voting rights to former Confederates.
- d) It protected the civil rights of African Americans.
- e) It limited property rights for women and poor white men

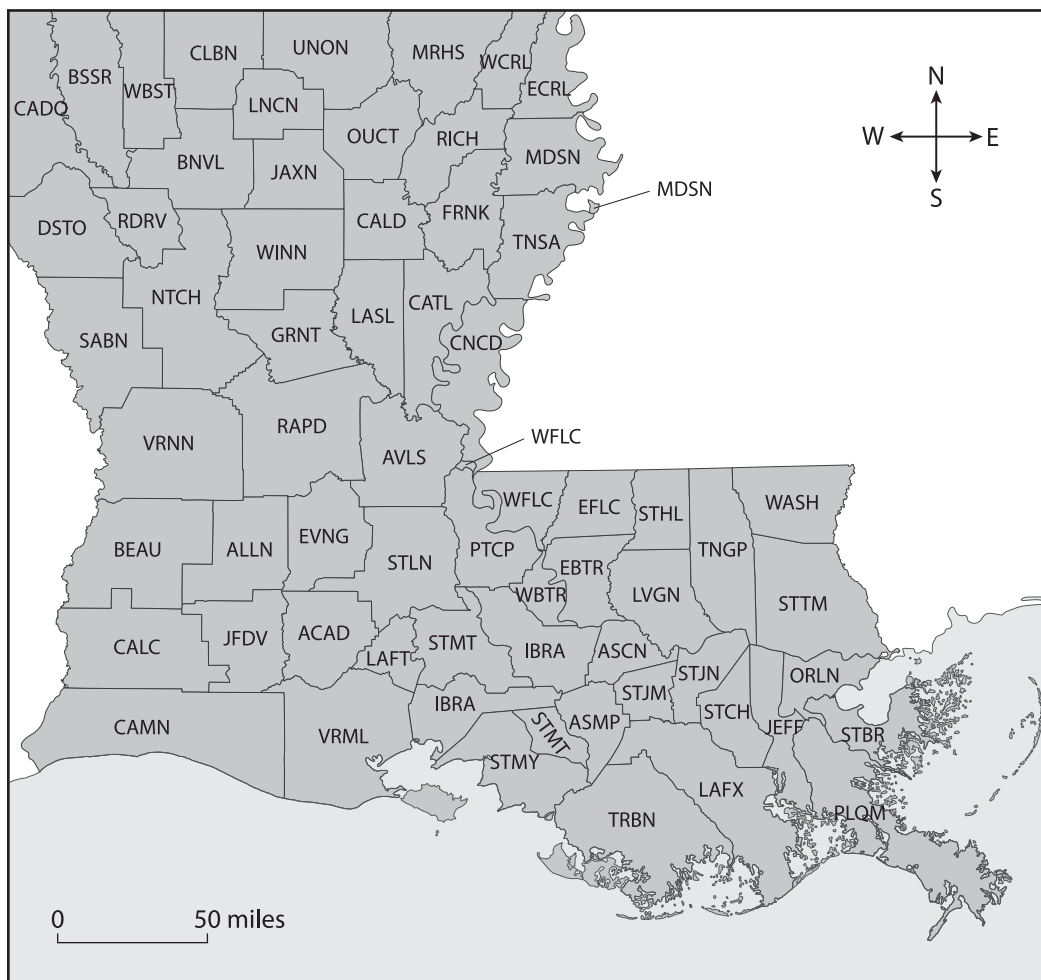
Use the description of the Civil Code of 1825 to answer the question.

- Includes laws from Spanish and French colonial rule
- Incorporates elements from the Napoleonic Code
- Includes aspects of common law

10. Why is this document significant? (C.6, C.6.a, C.9.b, C.9.j)

- a) It established Louisiana statehood.
- b) It shaped Louisiana's territorial period.
- c) It made Louisiana the only state with a civil law system.
- d) It created the framework for Louisiana's first constitution.

Use the map to answer questions 11 and 12.

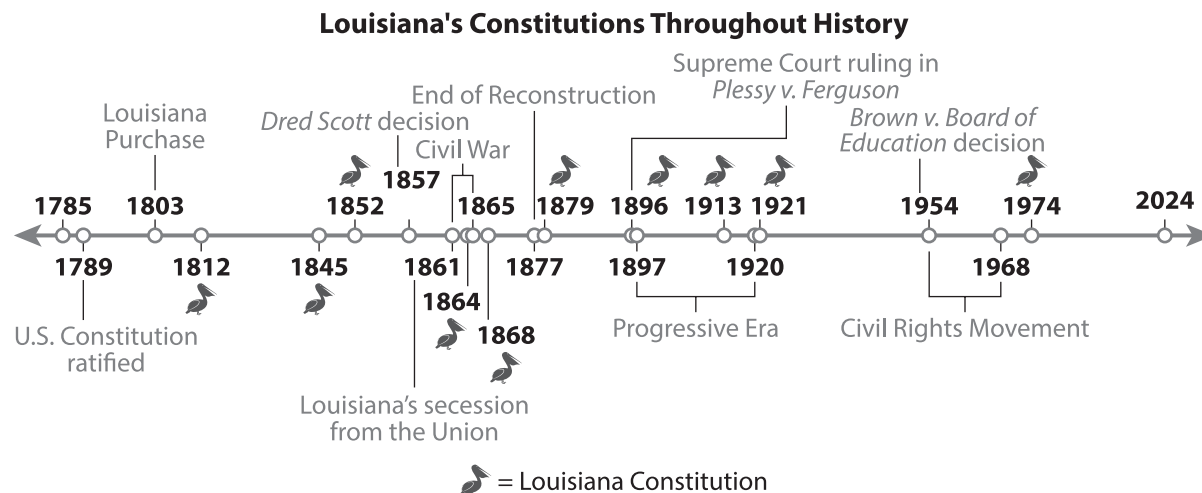


11. Which level of government is mapped? (C.5, C.6, C.6.a, C.9.b)

- a) cities
- b) villages
- c) parishes
- d) counties

12. Thirty-six of the government divisions shown on the map operate under a home rule charter, which is different from a police jury system in that it _____. (C.6, C.6.a, C.9.b, C.11.k)
- includes mostly appointed officials
 - allows for more independence from the state
 - more closely reflects Louisiana's colonial past
 - follows one particular governmental structure

Use the timeline to answer the question.



13. Based on the timeline, which event **most likely** influenced the 1898 Constitution that further restricted the rights of Black Louisianans? (C.2, C.6, C.6.a, C.9.b)
- Progressive Era
 - Civil Rights Movement
 - Louisiana's secession from the Union
 - Supreme Court ruling in *Plessy v. Ferguson*

Use the list to answer the question.

Similarities Between the Chitimacha and Coushatta Tribes of Louisiana

Federally recognized

Sovereign nations

?

?

14. Which phrases complete the list? Select the **two** correct answers. (C.6, C.6.a, C.9.b)

- a) earn revenue from tribal-owned businesses
- b) merged with other tribes to pool resources
- c) kinship traced through the mother's line
- d) governed by a five-person tribal council
- e) live in St. Mary's Parish

Use the list to answer the question.

Disaster response and recovery
Economic development
Health care
Infrastructure

15. This list shows some policy areas that the Louisiana Office of Indian Affairs and Louisiana tribal governments work together to address. Which policy areas could be added to the list? Select the **three** correct answers. (C.6, C.6.a, C.9.b)

- a) education
- b) Internet access
- c) workplace safety
- d) voter registration
- e) language preservation
- f) workforce development
- g) archaeological investigation

B. On your own paper, write a well-organized paragraph in response to the following prompt.

Form and support a claim to answer this question: Why is cooperation between state and tribal governments important? (C.6, C.6.a, C.6.b, C.6.c, C.7, C.7.a, C.7.b, C.7.c, C.9, C.9.b)

As you write, be sure to do the following:

- Provide a claim that answers all parts of the prompt.
- Support your claim with information and examples from your knowledge of civics **and** evidence from the sources.
- Provide explanations and reasoning that show how your knowledge and evidence support your claim.

Performance Task: Government Structures, Powers, Functions, and Interactions

Teacher Directions: Since the U.S. Constitution was adopted, the powers, roles, and responsibilities of the three branches of the federal government have evolved, expanded, and contracted over time.

Ask students to respond to the following prompt. Encourage students to use information from their Student Volume in their responses.

Prompt:

Identify how and to what degree the powers and roles of the three branches of the federal government have changed since 1789.

(C.1, C.2, C.3, C.4, C.5, C.6, C.6.a, C.6.b, C.6.c, C.6.d, C.7, C.7.a, C.7.b, C.7.c, C.7.d, C.8.d, C.8.g, C.9, C.9.b, C.9.c, C.9.d, C.9.e, C.9.f, C.9.g)

As you write, be sure to do the following:

- Provide a claim that answers all parts of the prompt.
- Support your claim with information and examples from your knowledge of civics **and** evidence from the sources.
- Provide explanations and reasoning that show how your knowledge and evidence support your claim.

A sample table, completed with possible notes, is provided below to serve as a reference for teachers, should some prompting or scaffolding be needed to help students get started.

Sample claim:	The powers and roles of the three branches of the federal government have greatly expanded since the Constitution was ratified in 1789.
Reason:	The United States has changed significantly since 1789. In navigating the country's constant growth and sometimes extraordinary circumstances over more than 235 years, Americans have amended and reinterpreted the Constitution in many ways, changing the powers and roles of the federal government to better meet the needs of the people.
Evidence:	<p>The Supreme Court decision in <i>Marbury v. Madison</i> affirmed the power of judicial review implied in the Constitution. This gave the judicial branch the power to determine the constitutionality of state and federal laws, resulting in decisions that expanded and limited the powers of Congress (as in <i>Gibbons v. Ogden</i> and <i>United States v. Lopez</i>) and limited the power of the executive (as in <i>United States v. Nixon</i>). It also increased the Supreme Court's ability to limit (<i>Plessy v. Ferguson</i>) and expand (<i>Brown v. Board of Education</i> and <i>Loving v. Virginia</i>) civil rights and influence elections (<i>Bush v. Gore</i> and <i>Citizens United v. Federal Election Commission</i>).</p> <p>The War Powers Resolution was an effort by Congress to limit the powers of the president to use the armed forces without the consent of the legislative branch. It demonstrated that control over matters of war and the military has shifted back and forth between the legislative and executive branches over time.</p> <p>The Fifteenth, Nineteenth, and Twenty-Sixth Amendments expanded suffrage to previously marginalized groups. These changes made the legislative branch more accountable to the people and affected its legislative priorities.</p>

**Counterclaim
and answer:**

Others may argue that the roles and powers of the government have stayed largely fixed over time. Articles I, II, and III of the U.S. Constitution very clearly define certain roles and powers. For example, only the House of Representatives can originate new tax bills, the president is the commander in chief of the armed forces, and the Supreme Court has original jurisdiction over disputes between the states.

While these enumerated powers help define the government, the fact remains that the Constitution includes the amendment process for the express purpose of changing the government over time. At the same time, varying interpretations of the roles of the three branches have also changed the nature of government. For example, both Andrew Jackson and Abraham Lincoln justified their expansion of executive power on the grounds that they were elected by all Americans to act on their behalf. Meanwhile, Congress has repeatedly relied on the elastic clause to expand the scope of legislative power.

Name _____

Date _____

Performance Task Activity: *Government Structures, Powers, Functions, and Interactions*

Prompt:

Identify how and to what degree the powers and roles of the three branches of the federal government have changed since 1789.

As you write, be sure to do the following:

- Provide a claim that answers all parts of the prompt.
- Support your claim with information and examples from your knowledge of civics **and** evidence from the sources.
- Provide explanations and reasoning that show how your knowledge and evidence support your claim.

Write your answer on separate sheets of paper.

Source 1

Marbury v. Madison

Majority Opinion by John Marshall

This original and supreme will organizes the government, and assigns to different departments their respective powers. It may either stop here, or establish certain limits not to be transcended by those departments.

. . . The powers of the legislature are defined and limited; and that those limits may not be mistaken, or forgotten, the constitution is written. . . .

Between these alternatives there is no middle ground. The constitution is either a superior, paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, and, like other acts, is alterable when the legislature shall please to alter it.

If the former part of the alternative be true, then a legislative act contrary to the constitution is not law: if the latter part be true, then written constitutions are absurd attempts, on the part of the people, to limit a power in its own nature illimitable.

Certainly all those who have framed written constitutions contemplate them as forming the fundamental and paramount law of the nation, and consequently, the theory of every such government must be, that an act of the legislature, repugnant to the constitution, is void.

This theory is essentially attached to a written constitution, and is, consequently, to be considered, by this court, as one of the fundamental principles of our society. . . .

It is emphatically the province and duty of the judicial department to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule. If two laws conflict with each other, the courts must decide on the operation of each.

Source 2

War Powers Resolution

U.S. Congress, 1973

The constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces. . . .

The President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities. . . .

In the absence of a declaration of war, . . . the President shall submit within 48 hours to the Speaker of the House of Representatives and to the President pro tempore of the Senate a report, in writing, setting forth—

- (A) the circumstances necessitating the introduction of United States Armed Forces;
- (B) the constitutional and legislative authority under which such introduction took place; and
- (C) the estimated scope and duration of the hostilities or involvement. . . .

Within sixty calendar days . . . the President shall terminate any use of United States Armed Forces . . . unless the Congress (1) has declared war or has enacted a specific authorization for such use of United States Armed Forces, (2) has extended by law such sixty-day period, or (3) is physically unable to meet as a result of an armed attack upon the United States. . . .

. . . At any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs.

Source 3

Selected Amendments from the U.S. Constitution

Fifteenth Amendment

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

Nineteenth Amendment

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

Twenty-Sixth Amendment

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

Performance Task Scoring Rubric

Note: Student essays should be evaluated on the basis of the rubric.

Score	Scoring Description
4	Response includes a correct claim about changes to the powers and roles of the three branches of the federal government. Response includes a correct explanation that addresses the prompt and includes at least one reference to a given source and relevant content knowledge that is not directly provided in the given source.
3	<p>Response includes a correct claim about changes to the powers and roles of the three branches of the federal government. Response includes a correct explanation that addresses the prompt and includes at least one reference to a given source or relevant content knowledge that is not directly provided in the given sources, but not both.</p> <p>OR</p> <p>Response includes a correct claim about changes to the powers and roles of the three branches of the federal government. Response includes at least one reference to a given source and relevant content knowledge that is not directly provided in the given source, but does not explain the evidence.</p> <p>OR</p> <p>Response includes a correct explanation to address changes to the powers and roles of the three branches of the federal government. The explanation includes at least one reference to a given source and relevant content knowledge that is not directly provided in the given source.</p>
2	<p>Response includes a correct claim about changes to the powers and roles of the three branches of the federal government with at least one reference to a given source or relevant content knowledge that is not directly provided in the given source.</p> <p>OR</p> <p>Response includes a correct explanation to address changes to the powers and roles of the three branches of the federal government. The explanation includes at least one reference to a given source or relevant content knowledge that is not directly provided in the given source.</p>
1	<p>Response includes a correct claim about changes to the powers and roles of the three branches of the federal government.</p> <p>OR</p> <p>Response includes correct information that is not directly relevant to the prompt but that demonstrates some student content knowledge about changes to the powers and roles of the three branches of the federal government.</p>
0	Response does not include any elements described above.

Name _____

Date _____

Activity Page 1.1

Primary Source Analysis

SOURCE:	
CONTENT What type of document is it? What does it say? Briefly summarize it.	
CREATION Who created this source? When?	
COMMUNICATION What is the purpose of the source? Who is the intended audience?	
CONTEXT What was going on where and when this was created?	
CONNECTION How does this source relate to the context? How does it relate to what you already know?	
CONSIDERATION What point of view is being expressed? What examples of bias or judgment does it include, if any?	
CONCLUSION Draw a conclusion about the source. How does it help answer the Framing Question? How does it contribute to your understanding of history?	

Name _____

Date _____

Activity Page 1.2

Articles I–III of the U.S. Constitution

Article I	Article II	Article III
Branch of Government It Describes:	Branch of Government It Describes:	Branch of Government It Describes:
Details It Provides About the Branch:	Details It Provides About the Branch:	Details It Provides About the Branch:

Name _____

Date _____

Activity Page 1.3**The U.S. Bill of Rights**

In your own words, describe the purpose of each amendment within the U.S. Bill of Rights.

First Amendment	Purpose:
Second Amendment	Purpose:
Third Amendment	Purpose:
Fourth Amendment	Purpose:
Fifth Amendment	Purpose:
Sixth Amendment	Purpose:
Seventh Amendment	Purpose:
Eighth Amendment	Purpose:
Ninth Amendment	Purpose:
Tenth Amendment	Purpose:

Name _____

Date _____

Activity Page 2.1

A Historic Executive Order

Research a historic executive order issued by a U.S. president. Organize your findings in the table below.

Executive Order # _____	
Date Issued	
President Who Issued the Order	
Summary of Order	
Reason for Order	
Impact of Order	

Activity Page 2.2**Domain Vocabulary: Topics 1–2**

Use the words in the word bank to complete the crossword puzzle. Leave out the space in multiple-word terms.

preamble	consent of the governed	popular sovereignty
apportionment	enumerated	jurisdiction
veto	slander	libel
probable cause	warrant	eminent domain
constituent	congressional district	revenue
impeach	implied power	budget
levy	oversight	hearing
line of succession	caucus	filibuster
cloture	bully pulpit	executive order
appeal	brief	original jurisdiction
judicial review		

Across:

3. an informal power of the president to influence the national agenda by virtue of their visibility and popular respect

6. a written or printed statement that unfairly harms a person's reputation

9. a decision made by an executive head of government, such as a president, that has the force of law

11. a written argument that lays out main points, legal precedents, and evidence

13. the authority of the Supreme Court to decide whether laws or actions by the government are constitutional

14. legal document authorizing officials to conduct a search, collect evidence, or make an arrest

17. the idea that a government's authority is lawful only when citizens agree to it

19. the action of watching over something

22. to impose

24. a meeting in which testimony is heard from witnesses

25. the type of power of the U.S. government that is specifically listed in the Constitution

27. an oral statement that unfairly harms a person's reputation

28. the act of allocating representatives to states or voting districts based on their population

29. the power or authority of a court or legal system over certain geographic areas, groups, or types of action

30. the process of closing debate on a bill or other legislative action currently being delayed

31. to reject

Name _____

Date _____

Activity Page 2.2 (Continued)

Domain Vocabulary: Topics 1–2

Down:

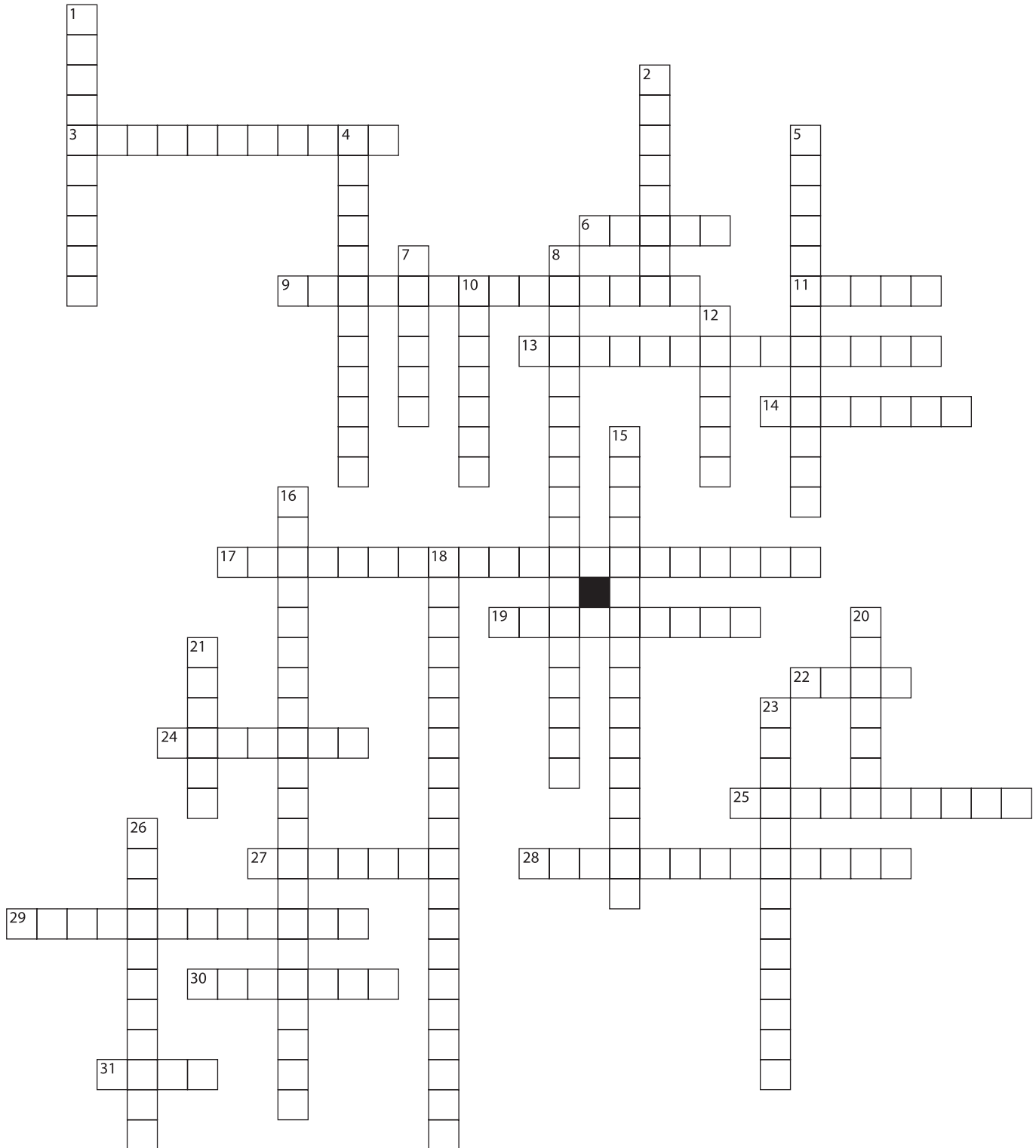
- | | |
|--|---|
| 1. an action, such as a lengthy speech, undertaken to delay a vote on a bill or other legislative action | 12. a group of people who belong to the same political party |
| 2. introduction or preface | 15. the sequence of individuals who are eligible to take a title, position, or property if something happens to the person currently holding it |
| 4. a power granted to the federal government that is not directly written in the Constitution | 16. a division of a state that is represented by and elects a member of the House of Representatives |
| 5. a legal standard that gives officials a reason to obtain a warrant to search a private property and to seize property and individuals | 18. the power to review a legal case and apply the law |
| 7. an amount of money available for spending based on a plan for how it will be spent | 20. income |
| 8. the principle that people create the government and the government is subject to the people's will | 21. to bring a legal case in front of a higher court to review the decision of the lower court |
| 10. to charge an officeholder with misconduct | 23. the government's right to take private property for government use |
| | 26. a person who lives and votes in an area |

Name _____

Date _____

Activity Page 2.2 (Continued)

Domain Vocabulary: Topics 1–2



Name _____

Date _____

Activity Page 3.1

Timeline Template

Use your research findings to note the sequence and effect of the various court decisions involved in *Bush v. Gore*.



Name _____

Date _____

Activity Page 4.1

Louisiana Agency Interactions

Select one of Louisiana’s executive agencies, and research how it interacts with other levels of government within the federal system. Record your responses in the spaces provided.

Louisiana agency:

Powers, roles, and responsibilities:

How does your chosen agency work with the federal government? Cite specific examples as applicable.

How does your chosen agency work with local governments in Louisiana? Cite specific examples as applicable.

Name _____

Date _____

Activity Page 4.1 (Continued)

Louisiana Agency Interactions

How does your chosen agency work with tribal governments in Louisiana? Cite specific examples as applicable.

Activity Page 4.2

Domain Vocabulary: Topics 3–4

On your own paper, write the term from the word bank that correctly completes each sentence.

prior restraint	political machine	pocket veto	civil law
reservation	term limit	infrastructure	reserved powers
equal protection	grassroots campaigns	concurrent powers	county
Black Codes	mandate	franchise	police jury
parish	ordinance	sovereign	enumeration
home rule charter	zoning		

- Every ten years, the U.S. government conducts a census for the purpose of _____.
- The Nineteenth Amendment prohibited the states from denying the right of _____ on the basis of gender.
- One way a(n) _____ can gain popular support is by helping people find housing and jobs in the city.
- The state set a single four-year _____ for the governor.
- The Democratic Party used _____ to help elect Andrew Jackson to the presidency in 1828.
- The president used a(n) _____ to kill a bill while Congress was no longer in session.
- The Fourteenth Amendment guarantees people in the United States have _____ of the laws.
- In *New York Times Co. v. United States*, the Supreme Court ruled that the Nixon administration's use of _____ was unconstitutional.
- Business leaders called for a(n) _____ bill that would pay for highway, bridge, and canal repairs.
- _____ for the states include the ability to issue licenses and to set up public schools.
- Under the Constitution, the federal government and the states have the _____ of levying taxes and chartering banks.
- Andrew Jackson used the military to force Native Americans off their ancestral lands to a(n) _____ in what is now Oklahoma.
- A federal _____ required states to create standardized testing for students in order to receive increased funding for public education.

Name _____

Date _____

Activity Page 4.2 (Continued)

Domain Vocabulary: Topics 3–4

14. Legislatures in the former states of the Confederacy enacted _____ to limit the voting rights of formerly enslaved people.
15. Unlike other states in the Union, Louisiana has a legal system that includes a mixture of common law and _____.
16. In all states but Louisiana the level of government immediately below the state is the _____.
17. In Louisiana, the _____ is the level of government above that of municipalities.
18. The _____ in Assumption Parish is made up of nine elected members.
19. A prohibition on parking cars on township roads between the hours of two and six in the morning is an example of a type of _____ common in many municipalities.
20. The Cherokee are a(n) _____ nation within the United States.
21. Towns in Louisiana can adopt a(n) _____ to gain greater autonomy from the state.
22. City councils use _____ laws to direct development and keep heavy industry away from residential areas.

Answer Key: Government Structures, Powers, Functions, and Interactions

Topic Assessments

Topic 1

A. 1. b 2. b 3. a, c 4. d 5. b 6. c 7. d 8. c 9. b
10. d 11. a, b 12. c, d 13. d 14. c 15. a, d

B.

Score	Scoring Description
4	Student makes a claim about the addition of the Bill of Rights to the U.S. Constitution and correctly supports it with an explanation of two different pieces of evidence.
3	Student makes a claim about the addition of the Bill of Rights to the U.S. Constitution and correctly supports it with an explanation of one piece of evidence. AND Student correctly identifies a second piece of evidence without explaining it.
2	Student makes a claim about the addition of the Bill of Rights to the U.S. Constitution and identifies two different pieces of evidence without explaining either. OR Student makes a claim about the addition of the Bill of Rights to the U.S. Constitution and correctly explains one piece of evidence.
1	Student makes a claim about the addition of the Bill of Rights to the U.S. Constitution and correctly identifies one piece of evidence. OR Student includes correct information related to the prompt that demonstrates some student content knowledge about the addition of the Bill of Rights to the U.S. Constitution.
0	The response contained only incorrect or irrelevant information or the item is left blank.

Topic 2

A. 1. c 2. b 3. c, e 4. a 5. d 6. d 7. a 8. d 9. a
10. d 11. a 12. b 13. c 14. a 15. a, b 16. a

B.

Score	Scoring Description
4	Student makes a claim about the selection of federal judges and correctly supports it with an explanation of two different pieces of evidence.
3	Student makes a claim about the selection of federal judges and correctly supports it with an explanation of one piece of evidence. AND Student correctly identifies a second piece of evidence without explaining it.
2	Student makes a claim about the selection of federal judges and identifies two different pieces of evidence without explaining either. OR Student makes a claim about the selection of federal judges and correctly explains one piece of evidence.
1	Student makes a claim about the selection of federal judges and correctly identifies one piece of evidence. OR Student includes correct information related to the prompt that demonstrates some student content knowledge about the selection of federal judges.
0	The response contained only incorrect or irrelevant information or the item is left blank.

Topic 3

A. 1. c 2. c 3. c, d 4. c 5. a 6. a 7. a 8. a 9. c
10. d 11. b 12. d 13. d 14. c 15. b 16. d

B.

Score	Scoring Description
4	Student makes a claim about a change to executive power and correctly supports it with an explanation of two different pieces of evidence.
3	Student makes a claim about a change to executive power and correctly supports it with an explanation of one piece of evidence. AND Student correctly identifies a second piece of evidence without explaining it.
2	Student makes a claim about a change to executive power and identifies two different pieces of evidence without explaining either. OR Student makes a claim about a change to executive power and correctly explains one piece of evidence.
1	Student makes a claim about a change to executive power and correctly identifies one piece of evidence. OR Student includes correct information related to the prompt that demonstrates some student content knowledge about changes in executive power.
0	The response contained only incorrect or irrelevant information or the item is left blank.

Topic 4

A. 1. a 2. b 3. b 4. c 5. d 6. c 7. b 8. b 9. a, d
10. c 11. c 12. b 13. d 14. a, d 15. a, b, f

B.

Score	Scoring Description
4	Student makes a claim about state and tribal cooperation and correctly supports it with an explanation of two different pieces of evidence.
3	Student makes a claim about state and tribal cooperation and correctly supports it with an explanation of one piece of evidence. AND Student correctly identifies a second piece of evidence without explaining it.
2	Student makes a claim about state and tribal cooperation and identifies two different pieces of evidence without explaining either. OR Student makes a claim about state and tribal cooperation and correctly explains one piece of evidence.
1	Student makes a claim about state and tribal cooperation and correctly identifies one piece of evidence. OR Student includes correct information related to the prompt that demonstrates some student content knowledge about state and tribal cooperation.
0	The response contained only incorrect or irrelevant information or the item is left blank.

Activity Pages

Topic 1

Primary Source Analysis (AP 1.1): Preamble to the U.S. Constitution

Content: This is an excerpt from a constitution, a type of government document. It introduces the U.S. Constitution and explains that the government was created by and for the people of the United States. It also explains that the purpose of the government is to promote peace and the general welfare of the country and to secure liberty.

Creation: The source was created by delegates to the Constitutional Convention in 1787.

Communication: The purpose of the source is to state the purposes of the larger document of which it is a part. The intended audiences are the governments of the states and the people.

Context: After the American Revolution, the United States operated under the Articles of Confederation. The Articles of Confederation created a weak central government that made it difficult for the young country to function. Delegates to the Constitutional Convention decided to create a new government for the country. The new Constitution was influenced by ideas such as consent of the governed, popular sovereignty, and natural rights.

Connection: This source is the result of the Constitutional Convention. It relates to what I already know about the influences of documents like the Declaration of Independence and the ideas of Enlightenment philosophers.

Consideration: This document expresses the view that a government should be formed by and for the people.

Conclusion: The preamble to the U.S. Constitution is important because it answers the questions of why the U.S. government exists, who created it, and who it is for. This source helps me answer the Framing Question by seeing that “liberty” is expressed directly in the beginning of the Constitution.

Primary Source Analysis (AP 1.1): John Adams’s Letter to John Penn, 1776

Content: This is a letter written from one colonial leader to another. It explains the author’s views

that a republican government is the best form of government. It also explains his view that the best form of government is a representative assembly and other opinions about representation, the powers of a governor, and term limits.

Creation: This source was created by John Adams in 1776.

Communication: The purpose of the source is for John Adams to share his ideas on how to organize a new government for his state, Massachusetts, with the governor of Pennsylvania.

Context: This letter was written shortly before the first battles of the American Revolution, a yearslong fight by American colonists for independence from Great Britain. Prior to the United States declaring its independence, the Continental Congress instructed the states to write new constitutions that would reflect their independent status.

Connection: This source demonstrates that the Founders were discussing the best way to structure governments as the Americans came closer to war with Great Britain.

Consideration: The letter expresses the point of view that representative government is in the best interest of the people and has the potential to do the most good. It is biased against monarchy and other forms of democratic government.

Conclusion: John Adams was a leader in the Constitutional Convention, and his ideas, including those stated in the source, influenced the creation of the U.S. Constitution; many are embodied in the government we have today. The source helps answer the Framing Question by explaining how representative government can meet the needs of the people and protect their interests. It also explains how rotating offices can prevent leaders from becoming tyrants and restricting liberties.

Primary Source Analysis (AP 1.1): U.S. Constitution, Article I, Section 2

Content: This is an excerpt from a constitution, a type of government document. It explains how people are chosen for membership in the House of Representatives. It also states the requirements for membership—age, citizenship, and residency.

Creation: The source was created by delegates to the Constitutional Convention in 1787.

Communication: The purpose of the source is to define the structure of the House of Representatives as the basis for actually creating a new government. The intended audiences are the states and citizens.

Context: During the Constitutional Convention, delegates were divided over how states should be represented in the national government. They decided to create a bicameral legislature. In the House of Representatives, representation would be proportional to population, while in the other house, the Senate, states would have equal representation.

Connection: This source is the result of the Great Compromise at the Constitutional Convention. It relates to what I already know about the debate over how to balance the power between large and small states.

Consideration: This document does not express a specific point of view, bias, or judgment.

Conclusion: The source represents an important compromise that shaped the structure of the legislative branch of government. This source helps me answer the Framing Question by explaining representation in the government, and by extension, how those representatives can protect the liberties of the people.

Primary Source Analysis (AP 1.1): U.S. Constitution, Article IV, Section 4

Content: This is an excerpt from a constitution, a type of government document. It guarantees each state a republican form of government and promises the national government will protect the states from invasions and domestic, or internal, violence.

Creation: The source was created by delegates to the Constitutional Convention in 1787.

Communication: The purpose of the source is to acknowledge that the national government is relieving the states of their responsibility to defend themselves and assigning states the responsibility of supporting the national government.

Context: Under the Articles of Confederation, the states operated like their own countries, including having no one other than themselves to defend them from a foreign invasion or an authoritarian coup. The new Constitution was intended to create a national government that was powerful enough to provide these defenses.

Connection: This source reflects how the responsibility for national defense shifted away from the states and to the national government.

Consideration: This document does not express a specific point of view, bias, or judgment.

Conclusion: The Constitution caused the balance of power between the states and national government to change. This source helps me answer the Framing Question by explaining how the federal government protects liberties by protecting the states against foreign invasion and authoritarian tendencies.

Primary Source Analysis (AP 1.1): *Federalist No. 51*, 1788

Content: This is an essay published in a newspaper. It explains why the Constitution includes checks and balances and how they work to prevent government abuses.

Creation: This source was created by James Madison in 1788.

Communication: The purpose of the source is to convince people to support ratifying the U.S. Constitution. The intended audience is citizens, especially white males and state leaders.

Context: The Constitutional Convention adopted the U.S. Constitution and sent it to the states for ratification. Federalists supported ratifying the Constitution, while Anti-Federalists opposed ratification because they worried the document gave the central government too much power and it lacked a bill of rights.

Connection: This source is a response to Anti-Federalist concerns about the central government becoming too powerful. It explains how each branch of government actively works to limit the powers of the others.

Consideration: The document expresses the point of view that the states should ratify the Constitution. It takes the position that the Constitution includes sufficient safeguards and limits on the power of the central government. This document is biased in favor of the Constitution.

Conclusion: Checks and balances are an effective way to limit the power of the government. The source helps me answer the Framing Question by explaining how the Constitution includes safeguards that stop the government from infringing on basic liberties.

Primary Source Analysis (AP 1.1): The U.S. Bill of Rights

Content: This excerpt is from a constitution, a type of government document. Twelve proposed amendments to the Constitution were included; ten were ratified by the states. The amendments protect individual rights like freedom of speech and freedom of religion, due process and other rights of the accused, and the rights of states.

Creation: This source was created by James Madison in 1789.

Communication: The purpose of the source is to protect the rights of individuals and the states and to help persuade states to ratify the Constitution. The intended audience is officers of the federal and state governments as well as citizens.

Context: The Constitutional Convention adopted the U.S. Constitution and sent it to the states for ratification. Federalists supported ratifying the Constitution, while Anti-Federalists opposed ratification because they worried the document gave the central government too much power and it lacked a bill of rights. Promises by Federalists to add a bill of rights helped persuade enough people to support the Constitution, and the document won ratification.

Connection: This source is a response to Anti-Federalist concerns about the power of the central government and the lack of explicit protections for individual rights. It includes rights that are a part of other foundational documents like the Magna Carta and the English Bill of Rights. The Bill of Rights encouraged the remaining states to ratify the Constitution.

Consideration: The document reflects a popular demand for express limits on government power and explicit protections for individuals and the states against the central government. It does not have direct examples of bias or judgment.

Conclusion: The Bill of Rights provides significant and necessary protections for individuals. It helps me answer the Framing Question by showing how the Constitution protects individual rights.

Primary Source Analysis (AP 1.1): Thomas Jefferson's Letter to the Danbury Baptist Association, 1802

Content: This is a letter written by Thomas Jefferson, the president of the United States, to a religious group.

It explains his view that the First Amendment creates "a wall of separation between Church & State."

Creation: This source was created by Thomas Jefferson in 1802.

Communication: The purpose of the source is for Thomas Jefferson to reassure the Danbury Baptist Association that their fears about the state interfering with their ability to practice their religion or sponsoring a state religion are unwarranted.

Context: This letter was written after the U.S. Constitution was ratified. The federal government was very young, and people were still determining exactly what the Bill of Rights protected and how.

Connection: This source relates to the context by showing the view of a prominent political leader about the impact of the First Amendment.

Consideration: The letter expresses the view that the First Amendment provides sufficient protection for all religious groups, including the Danbury Baptist Association, to be free to practice their religion and operate their churches. It is biased in favor of the Bill of Rights.

Conclusion: The First Amendment prohibits the government from supporting or hindering any religion or religious group; it creates a separation between religious institutions and the government. The source helps answer the Framing Question by explaining how the First Amendment protects religious liberty.

Topic 2

Primary Source Analysis (AP 1.1): U.S. Constitution, Article I, Section 8

Content: This is an excerpt from a constitution, a type of government document. It enumerates powers and responsibilities of Congress, including levying taxes to pay debts and provide for the country's defense and welfare, borrowing money, regulating commerce, establishing citizenship laws, coining money, establishing post offices, issuing patents, declaring war, raising and maintaining the military, and passing laws that are "necessary and proper" for carrying out its powers and responsibilities.

Creation: The source was created by delegates to the Constitutional Convention in 1787.

Communication: The purpose of the source is to establish the roles and powers of the legislative branch

of the federal government. The intended audience is officers of the federal government as well as the states and citizens.

Context: After the American Revolution, the United States operated under the Articles of Confederation. The Articles of Confederation created a weak central government that made it difficult for the young country to function. Delegates to the Constitutional Convention decided to create a new government for the country that had a much stronger central government that could more effectively serve the people. They adopted Montesquieu's idea of separation of powers by dividing power among three branches.

Connection: This source is the result of the Constitutional Convention. It relates to what I already know about the weakness of Congress under the Articles of Confederation and how the central government lacked the ability to do govern.

Consideration: This document does not express a specific point of view, bias, or judgment.

Conclusion: Congress was much stronger under the U.S. Constitution than under the Articles of Confederation. This source helps me answer the Framing Question by identifying the powers and roles of the legislative branch of the federal government.

Primary Source Analysis (AP 1.1): U.S. Constitution, Article II, Sections 2–3

Content: This is an excerpt from a constitution, a type of government document. It identifies powers and responsibilities of the president, including commanding the military, issuing pardons, making treaties, appointing officials, giving State of the Union addresses, and making recommendations to Congress. Some important functions require the approval of the legislature.

Creation: The source was created by delegates to the Constitutional Convention in 1787.

Communication: The purpose of the source is to establish the roles of the president, the leader of the executive branch of the federal government. The intended audience is officers of the federal government as well as the states and citizens.

Context: After the American Revolution, the United States operated under the Articles of Confederation. The Articles of Confederation created a weak central

government that made it difficult for the young country to function. Delegates to the Constitutional Convention decided to create a new government for the country that had a much stronger central government that could more effectively serve the people. They adopted Montesquieu's idea of separation of powers by dividing power among three branches.

Connection: This source is the result of the Constitutional Convention. It relates to what I already know about the need for an effective executive branch and executive leadership, which did not exist under the Articles of Confederation.

Consideration: This document does not express a specific point of view, bias, or judgment.

Conclusion: Article II, Section 2, of the Constitution identifies important checks and balances limiting the president's power. This source helps me answer the Framing Question by explaining some of the roles and responsibilities of the leader of the executive branch. It helps me better understand history by explaining where some of the president's powers come from.

Primary Source Analysis (AP 1.1): U.S. Constitution, Article III, Section 1

Content: This is an excerpt from a constitution, a type of government document. It creates the Supreme Court as the judicial branch of government, and authorizes Congress to create lower federal courts. It also explains that federal judges serve lifetime terms as long as they show "good Behaviour."

Creation: The source was created by delegates to the Constitutional Convention in 1787.

Communication: The purpose of the source is to establish a branch of the federal government. The intended audience is officers of the national government as well as the states and citizens.

Context: After the American Revolution, the United States operated under the Articles of Confederation. The Articles of Confederation created a weak central government that made it difficult for the young country to function. Delegates to the Constitutional Convention decided to create a new government for the country that had a much stronger central government that could more effectively serve the people. They adopted Montesquieu's idea of separation of powers by dividing power among three branches.

Connection: This source is the result of the Constitutional Convention. It relates to what I already know about the early history of the U.S. government, why the Constitution was created, and how it created three branches of government.

Consideration: This document does not express a specific point of view, bias, or judgment.

Conclusion: Article III, Section 1, is an important part of the Constitution because it explains the basic structure of the federal judicial branch. It helps answer the Framing Question by explaining the structures of one of the branches of government.

Primary Source Analysis (AP 1.1): U.S. Constitution, Article III, Section 2

Content: This is an excerpt from a constitution, a type of government document. It explains the types of cases the Supreme Court and federal judicial branch can hear.

Creation: The source was created by delegates to the Constitutional Convention in 1787.

Communication: The purpose of the source is to define the roles and responsibilities of a branch of the federal government. The intended audience is the states and citizens.

Context: After the American Revolution, the United States operated under the Articles of Confederation. The Articles of Confederation created a weak central government that made it difficult for the young country to function. Delegates to the Constitutional Convention decided to create a new government for the country that had a much stronger central government that could more effectively serve the people. They adopted Montesquieu's idea of separation of powers by dividing power among three branches.

Connection: This source is the result of the Constitutional Convention. It relates to what I already know about the early history of the U.S. government, why the Constitution was created, and how it created three branches of government. It also helps explain that the Supreme Court is the highest court in the land, which supports the idea that the federal government is supreme over the states.

Consideration: This document does not express a specific point of view, bias, or judgment.

Conclusion: Article III, Section 2, is an important part of the Constitution because it explains the jurisdiction of federal courts. It helps answer the Framing Question by describing responsibilities of one of the branches of government.

Primary Source Analysis (AP 1.1): *Federalist No. 78*, 1788

Content: This is an essay published in a newspaper. It explains why an independent judiciary is important, and it outlines the court's power of judicial review under the new Constitution.

Creation: This source was created by Alexander Hamilton in 1788.

Communication: The purpose of the source is to convince people to support ratifying the U.S. Constitution by educating them about its strong points, including who will be chosen to serve in the federal judiciary and how. The intended audience is citizens, especially white men and state leaders.

Context: The Constitutional Convention adopted the U.S. Constitution and sent it to the states for ratification. Federalists supported ratifying the Constitution, while Anti-Federalists opposed ratification because they worried the document gave the central government too much power and it lacked a bill of rights.

Connection: This source is a response to Anti-Federalist arguments about the central government being too powerful by explaining how the Constitution limits power by separating powers across branches and by giving the judicial branch checks on the powers of the other two branches.

Consideration: The document expresses the point of view that the states should ratify the Constitution. It takes the position that an independent judiciary with the power of judicial review will help limit the power of the other two branches, and in turn, limit the power of the central government. This document is biased in favor of the Constitution.

Conclusion: The source explains sound reasoning and gives examples of why the judicial branch is important. It helps me answer the Framing Question by describing the roles and responsibilities of the judicial branch.

Topic 3

Primary Source Analysis (AP 1.1): *United States v. Lopez*, Chief Justice William Rehnquist, 1995

Content: This is part of a written opinion explaining the majority decision of the Supreme Court in the case *United States v. Lopez*. It summarizes why the Gun-Free School Zones Act, passed by Congress, is an overreach of congressional power.

Creation: Chief Justice William Rehnquist wrote this opinion; he was one of the five justices to vote to overturn the act.

Communication: The purpose of this source is to explain why the Supreme Court reached the majority decision it did. It is directed at the parties involved in *Lopez* itself and probably legislators, whom the court feels applied Congress's power under the commerce clause in an unconstitutional manner.

Context: The Gun-Free School Zones Act was passed in 1990, and it would have taken years for the *Lopez* case to reach the Supreme Court. The context of this source is at least four years when some people would have questioned why the federal government believed enforcing gun possession laws in local school zones would have been a justifiable use of the Congress's power to regulate interstate commerce.

Connection: The majority opinion in *Lopez* connects to the larger and often-asked question of how broad Congress's power to regulate interstate commerce is—an issue I have learned is related to how the legislative branch has expanded over the years.

Consideration: The opinion expresses the views of Rehnquist, who is also representing the other four justices who joined him in the decision. I do not think he expresses any bias, though he is judging what he sees as legislative overreach.

Conclusion: The source gives me a specific example of how the legislative branch used one of its powers to justify legislation—as well as how another branch, the judiciary, used its own power of judicial review to overturn this legislation. It helps me answer the Framing Question by offering insight into the many ways government has changed—and why government sometimes has to evaluate these changes carefully.

Primary Source Analysis (AP 1.1): *Federalist No. 69*, 1788

Content: This is an essay published in a newspaper. It explains that the Constitution limits the president's power in different ways, making this leader weaker than both a king and a state governor.

Creation: This source was created by Alexander Hamilton in 1788.

Communication: The purpose of the source is to convince people to support ratifying the U.S. Constitution. The intended audience is citizens, particularly white males who can vote and state leaders.

Context: The Constitutional Convention adopted the U.S. Constitution and sent it to the states for ratification. Federalists supported ratifying the Constitution, while Anti-Federalists opposed ratification because they worried the document gave the central government too much power and it lacked a bill of rights.

Connection: This source is a direct response to Anti-Federalist arguments that the Constitution made the central government, including the executive branch, too strong.

Consideration: The document expresses the point of view that the states should ratify the Constitution. It takes the position that the Constitution does indeed do enough to limit the power of the central government and its officers. This document is biased in favor of the Constitution.

Conclusion: The source presents sound reasoning and gives examples of how the Constitution makes the president weaker than a king, including how checks and balances on the president's power will work. It helps me answer the Framing Question by explaining the original role and views of the president, so I can better compare how the position has changed over time.

Primary Source Analysis (AP 1.1): *The War Powers Resolution of 1973*

Content: This is a resolution passed by Congress. The source says that the president cannot engage the United States in a war or other conflict unless Congress declares war or if there is a national emergency caused by an attack on U.S. soil. The document also explains

rules the president must follow to get congressional approval to use the armed forces in a conflict.

Creation: The document was created by Congress in 1973.

Communication: The purpose of the source is to limit the powers of the president. The intended audience includes the president, Congress, and the people of the United States.

Context: The United States was involved in the Vietnam War during this time. The Gulf of Tonkin Resolution, passed several years earlier, gave the president unchecked power to escalate the conflict in Vietnam without further need for Congressional approval. The Pentagon Papers were leaked to the public, and there were many protests against the war in the years leading up to this 1973 resolution.

Connection: This source relates to the context because Congress wanted to prevent a “future Vietnam.” The document was a direct response to multiple presidents’ escalation of U.S. involvement in a foreign military conflict without Congress’s approval or oversight.

Consideration: The document expresses the point of view that the president should have less power to singlehandedly involve the country in war; it also reinforces the constitutional power of Congress—not the president—to declare war. The document is biased in favor of Congress’s powers over the president.

Conclusion: The source represents a check by the legislative branch on the executive branch. It helps answer the Framing Question by showing how the power of the executive branch has changed over time. It contributes to my understanding of history by showing how different events have influenced the power of and the relationship among the branches of government.

Topic 4

Primary Source Analysis (AP 1.1): Excerpt from the Preamble to the Constitution of Louisiana (1812)

Content: The excerpt is from Louisiana’s 1812 constitution, a government document. It states that the purpose of the constitution is to make Louisiana a state and to set up a government that protects natural rights for and by the people of Louisiana.

Creation: This source was created by state leaders in Louisiana in 1812.

Communication: The purpose of the source is to state the purposes of the larger document of which it is a part, which creates a new government for Louisiana upon statehood. The intended audience is members of Congress and Louisianans.

Context: The Territory of Orleans—a small section of the Louisiana Territory including the city and port of New Orleans—now had a large enough population to become a state and asked Congress to join the Union. The territory modeled its constitution on the constitutions of other states.

Connection: This source relates to the context because it was created as a part of the process of Louisiana becoming a state. Louisiana’s first constitution limited the rights of minorities and women, which was common in other states at the time.

Consideration: The source expresses the point of view of people in Louisiana who want to make their territory a state.

Conclusion: The source reflects some of the ideas stated in the preamble to the U.S. Constitution. It helps answer the Framing Question by explaining how states fit within the federal system. It contributes to my understanding of history by showing part of the process of how Louisiana became a state.

Primary Source Analysis (AP 1.1): From the Constitution and Bylaws of the Chitimacha Tribe of Louisiana

Content: This is a tribal constitution, a type of government document. It explains the powers of the tribal government and how the rights of tribal members are protected.

Creation: The Chitimacha Tribe created this source in September 1970.

Communication: The purpose of the source is to explain how the tribe is governed, including the powers its government has and the rights of the people of the tribe. The intended audience is members of the tribe.

Context: The document was adopted in 1970 and probably reflects how the size of the tribe and needs

of tribal members have changed since traditional ways of government were more common. This tells me that the tribe was working to blend modern and now familiar forms of governance (like having a written constitution) with their current way of life.

Connection: The source relates to what I already know about how many tribes adopted modern forms of government after Congress passed the Indian Reorganization Act of 1934.

Consideration: The document expresses how the Chitimacha want to govern themselves while also coexisting with U.S. federal laws and powers.

Conclusion: The source is an example of how tribal governments function within the federal system. It contributes to my understanding of history by showing how a tribe has adapted to work alongside the U.S. government while also preserving its cultural heritage and values.

The U.S. Bill of Rights (AP 1.3)

First Amendment: Protects freedom of speech, freedom of the press, freedom of religion, the right to peaceably assemble, and the right to petition the government

Second Amendment: Protects the right to keep and bear arms

Third Amendment: Prevents the government from housing soldiers in private property during peacetime without the owner's approval, nor during wartime, unless allowed by law

Fourth Amendment: Protects citizens from unreasonable searches and seizures by the government

Fifth Amendment: Protects citizens from being forced to testify against themselves, guarantees due process, requires grand jury trials, ensures appropriate compensation if the government takes private property, disallows two trials for the same offense, and guarantees equal protection before the law

Sixth Amendment: Protects the right to a speedy and public trial in front of a jury, the right to be informed of charges, the right to have witnesses appear and confront them, and the right to legal representation

Seventh Amendment: Protects the right to a jury trial in civil cases where the claim exceeds twenty dollars and generally prevents retrials

Eighth Amendment: Prevents excessive bail, excessive fines, and cruel and unusual punishments

Ninth Amendment: States that the listing of rights in the Constitution does not mean that other rights can be denied

Tenth Amendment: States that powers not given to the federal government in the Constitution are held by the states or the people

Domain Vocabulary: Topics 1–2 (AP 2.2)

Across

3. bully pulpit
6. libel
9. executive order
11. brief
13. judicial review
14. warrant
17. consent of the governed
19. oversight
22. levy
24. hearing
25. enumerated
27. slander
28. apportionment
29. jurisdiction
30. cloture
31. veto

Down

1. filibuster
2. preamble
4. implied power
5. probable cause
7. budget
8. popular sovereignty
10. impeach
12. caucus
15. line of succession
16. congressional district
18. original jurisdiction
20. revenue
21. appeal
23. eminent domain
26. constituent

Domain Vocabulary: Topics 3–4 (AP 4.2)

- | | |
|-------------------------|-----------------------|
| 1. enumeration | 12. reservation |
| 2. franchise | 13. mandate |
| 3. political machine | 14. Black Codes |
| 4. term limit | 15. civil law |
| 5. grassroots campaigns | 16. county |
| 6. pocket veto | 17. parish |
| 7. equal protection | 18. police jury |
| 8. prior restraint | 19. ordinance |
| 9. infrastructure | 20. sovereign |
| 10. reserved powers | 21. home rule charter |
| 11. concurrent powers | 22. zoning |

HIGH SCHOOL CIVICS

- C.1** Evaluate continuity and change in U.S. government, politics, and civic issues throughout U.S. history, including those related to the powers of government, interpretations of founding documents, voting trends, citizenship, civil liberties, and civil rights.
- C.2** Analyze causes and effects of events and developments in U.S. history, including those that influenced laws, processes, and civic participation.
- C.3** Compare and contrast events and developments in U.S. history and government.
- C.4** Explain connections between ideas, events, and developments related to U.S. history and government, and analyze recurring patterns, trends, and themes.
- C.5** Use geographic representations, demographic data, and geospatial representations to analyze civic issues and government processes.
- C.6** Use a variety of primary and secondary sources to:
 - a)** Analyze social studies content.
 - b)** Evaluate claims, counterclaims, and evidence.
 - c)** Compare and contrast multiple sources and accounts.
 - d)** Explain how the availability of sources affects historical interpretations.
- C.7** Construct and express claims that are supported with relevant evidence from primary and/or secondary sources, social studies content knowledge, and clear reasoning and explanations to:
 - a)** Demonstrate an understanding of social studies content.
 - b)** Compare and contrast content and viewpoints.
 - c)** Analyze causes and effects.
 - d)** Evaluate counterclaims.
- C.8** Analyze factors that influenced the Founding Fathers and the formation and development of the government of the United States.
 - a)** Describe the purpose of government and competing ideas about the role of government in a society.
 - b)** Compare different systems and structures of government, including constitutional republic and autocracy, direct democracy and representative democracy, presidential system and parliamentary system, unicameral and bicameral legislatures, and unitary, federal, and confederate systems.
 - c)** Explain historical and philosophical factors that influenced the government of the United States, including Enlightenment philosophers such as Thomas Hobbes, John Locke, Charles de Montesquieu, Jean-Jacques Rousseau, as well as the Great Awakening.
 - d)** Analyze the foundational documents and ideas of the United States government and its formation, including Magna Carta, the Mayflower Compact, Enlightenment philosophies, English Bill of Rights, Declaration of Independence, the Articles of the Confederation, the Constitution of the United States of America and the Bill of Rights, and the Federalist papers, and their role and importance in the origin and development of the nation.

- e) Analyze the issues related to various debates, compromises, and plans surrounding the drafting and ratification of the 1789 Constitution of the United States.
- f) Explain how the concept of natural rights that precede politics or government influenced the foundation and development of the United States.
- g) Evaluate the fundamental principles and concepts of the U.S. government including Creator-endowed unalienable rights of the people, due process, equal justice under the law, equal protection, federalism, frequent and free elections in a representative government, individual responsibility, individual rights, limited government, private property rights, popular sovereignty, right to privacy, rule of law, the supremacy clause, and the separation of powers with checks and balances.

C.9 Analyze the structure, roles, responsibilities, powers, and functions of governments in the United States.

- a) Compare and contrast the powers and responsibilities of local, state, tribal (including the Chitimacha Tribe of Louisiana, the Coushatta Tribe of Louisiana, the Jena Band of Choctaw Indians, and the Tunica-Biloxi Indian Tribe), and federal governments, and explain how each is financed, how they interact with each other, and how citizens interact with and within each of them.
- b) Explain the structure and processes of the U.S. government as outlined in the U.S. Constitution, including the branches of government; federalism; how a bill becomes a law at the federal level; and the process for amending the U.S. Constitution.
- c) Analyze the structure, powers, and functions of the legislative branch of the U.S. federal government, including rules of operations of Congress; checks on the other branches of government; powers of the legislative branch such as those to make laws, declare war, tax and spend; and duties of representatives, senators, leadership (Speaker of the House, the Senate President Pro Tempore, majority and minority leaders, party whips), committees, and commissions.
- d) Analyze the structure, powers, and functions of the executive branch of the U.S. federal government, including checks on other branches of government; powers of the executive branch such as those to carry out and enforce laws, issue executive orders, and conduct diplomacy with other nations; duties of the president, vice president, and Cabinet; presidential nominations, appointments, and confirmations; and the concept of the “bully pulpit.”
- e) Analyze the structure, powers, and functions of the judicial branch of the U.S. federal government, including checks on the other branches of government; powers of the judicial branch such as those to interpret laws and decide the constitutionality of laws; nomination and appointment process of federal judges, origin of judicial review; and significance of stare decisis.
- f) Evaluate the reasoning for Supreme Court decisions and their political, social, and economic effects, including *Marbury v. Madison* (1803); *McCulloch v. Maryland* (1819); *Cherokee Nation v. Georgia* (1831); *Dred Scott v. Sandford* (1857); *Plessy v. Ferguson* (1896); *Schenck v. United States* (1919); *Korematsu v. United States* (1944); *Brown v. Board of Education* (1954); *Baker v. Carr* (1962); *Engel v. Vitale* (1962); *Gideon v. Wainwright* (1963); *Miranda v. Arizona* (1966); *Loving v. Virginia* (1967); *Tinker v. Des Moines* (1969); *New York Times Co. v. United States* (1971); *Wisconsin v. Yoder* (1972); *Roe v. Wade* (1973); *United States v. Nixon* (1974); *Shaw v. Reno* (1993); *United States v. Lopez* (1995); *Bush v. Gore* (2000); *McDonald v. Chicago* (2010); *Citizens United v. Federal Election Commission* (2010).
- g) Analyze how the Constitution has been interpreted and applied over time by the legislative, executive, and judicial branches, including loose and strict constructionist interpretations.
- h) Analyze how federal, state, and local governments generate and allocate revenues to carry out the functions of government.
- i) Analyze continuity and change in the Louisiana State Constitution over time, and compare and contrast the Louisiana State Constitutions and the U.S. Constitution.
- j) Explain the historical connections between Civil Law, the Napoleonic Code, and Louisiana’s system of laws.

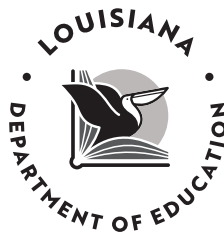
- C.10** Evaluate how civil rights and civil liberties in the United States have developed and been protected by the U.S. government over time.
- a) Explain how the U.S. Constitution protects individual liberties and rights.
 - b) Analyze the rights enumerated in the Bill of Rights and their application to historical and current issues.
 - c) Evaluate restrictions and expansions of civil liberties and civil rights in the United States and the role of the legislative, executive, and judicial branches of the government in related events and developments over time, including the Thirteenth, Fourteenth, and Fifteenth Amendments; *Plessy v. Ferguson* (1896); the Espionage and Sedition Acts; *Schenck v. United States* (1919); the Nineteenth Amendment; Executive Order 9066; Executive Order 10730; *Brown v. Board of Education* (1954); the Civil Rights Act of 1964; the Voting Rights Act of 1965; the Twenty-Fourth Amendment; and Twenty-Sixth Amendment.
 - d) Describe equal protection and due process as defined by the U.S. Constitution, and explain how states subverted equal protection during the Jim Crow era.
- C.11** Analyze political processes and the role of public participation in the United States.
- a) Analyze the duties and responsibilities of citizens in the United States, including paying taxes, serving on a jury, obeying the law, voting, and Selective Service registration.
 - b) Describe U.S. citizenship requirements and the naturalization process in the United States.
 - c) Explain historical and contemporary roles of political parties, special interest groups, lobbies/lobbyists, and associations in U.S. politics.
 - d) Explain rules governing campaign finance and spending and their effects on the outcomes of local, state, and federal elections.
 - e) Explain election processes at the local, state, and federal levels, including qualifications and procedures for voting; qualifications and terms for offices; the primary system; public hearings and forums; petition, initiative, referendum, and recall; and amendments related to elections and voting.
 - f) Evaluate the purpose, structure, and function of the Electoral College, including how it aims to ensure representation for less populated states.
 - g) Analyze issues and challenges of the election process, including gerrymandering; at-large voting; voter turnout; and voter access policies.
 - h) Evaluate how the media affects politics and public opinion, including how public officials use the media to communicate with the people.
 - i) Evaluate the advantages and disadvantages of technologies in politics and government and how they affect media, civic discourse, and the credibility of sources.
 - j) Evaluate the processes for drawing Louisiana's congressional districts and their effect on statewide and national elections.
 - k) Describe local and parish governments in Louisiana, including police juries and home rule charters.
- C.12** Analyze the issues of foreign and domestic policy of the United States.
- a) Distinguish between foreign and domestic policies, and analyze major U.S. foreign and domestic policies, including those in education; health care; immigration; naturalization; regulation of business and industry; foreign aid; and intervention abroad.
 - b) Analyze the development, implementation, and consequences of U.S. foreign and domestic policies over time, including how U.S. policies are influenced by other countries and how they influence political debates.
 - c) Analyze interactions between the United States and other nations over time and effects of those interactions.
 - d) Explain the origins and purpose of international organizations and agreements, including the United Nations, NATO, NAFTA, and USMCA; and analyze how the United States and member nations work to cooperate politically and economically.
 - e) Describe the development of and challenges to international law after World War II and the Holocaust.

- C.13** Explain elements of the United States economy within a global context and economic principles required to make sound financial decisions.
- a)** Explain ideas presented in Adam Smith's *"The Wealth of Nations,"* including his ideas about free markets and the "invisible hand."
 - b)** Compare and contrast capitalism and socialism as economic systems.
 - c)** Describe different perspectives on the role of government regulation in the economy.
 - d)** Analyze the role of government institutions in developing and implementing economic policies, and explain the effects of government policies on market outcomes, including both intended and unintended consequences.
 - e)** Explain the factors that influence the production and distribution of goods by individuals and businesses operating in a market system, including monopolistic competition, perfect competition, monopoly, and oligopoly; credit; currencies; economic indicators; factors of production (land, labor, capital, entrepreneurship); goods and services; price; roles of consumers and producers; rule of law; and supply and demand.
 - f)** Explain ways in which competition, free enterprise, and government regulation influence what is produced and allocated in an economy, including national and global consequences.
 - g)** Explain the effects of specialization and trade on the production, distribution, and consumption of goods and services for individuals, businesses, and societies.



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3_The Federal Pillars, a political cartoon from the 'Massachusetts Centinel' shows the New York column is in place, and the North Carolina column is being put into position; to the right is the crumbling Rhode Island column next to the notation, 'The foundation good - it may yet be SAVED.' Rhode Island did not ratify the Federal Constitution until May 18, 1790, then only with conditions and under threat of a trade embargo by the other states/Everett Collection / Bridgeman Images: 175

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President George H.W. Bush meets with his military advisors at the Pentagon, 1990-08-14 (photo)/Gary Cameron/REUTERS/Gary Cameron / Bridgeman Images: 186

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Title Page of 'Leviathan, or The Matter, Forme, & Power of a Common-Wealth Ecclesiasticall and Civill' by Thomas Hobbes, 1651 (engraving)/Fototeca Gilardi / Bridgeman Images: 56

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Women standing holding banners outside the White House Gate, Washington D.C. (b/w photo)/American Photographer, (20th century) / American/Schlesinger Library, Radcliffe Institute, Harvard University/© Schlesinger Library, Radcliffe Institute, Harvard / Bridgeman Images: 191



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