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Introduction

U.S. Government, Book 1: We the People is intended for use with average high school students. Students are required to process information in order to understand the content and use a variety of sources, including graphs, charts, cartoons, illustrations, and readings. These materials help students to understand the relationship between unit themes and concepts. The activities are interesting, developmental, skill-related, and promote critical thinking.

U.S. Government, Book 1 is divided into six parts, each focusing on a major aspect of the theory behind the structure and operation of our government. Part 1, Foundations, examines the principles upon which our democratic form of government is founded. Lessons show how the Founding Fathers used their understanding of political theory and the American experiences with government under the British—and, later, under the Articles of Confederation—to create a new democratic republic. Part 2, Human Rights, provides an overview of the Bill of Rights and deals in greater detail with the meaning of several of our most important freedoms. Part 3, The Legislative Branch, examines the structure and function of Congress. Part 4, The Executive Branch, covers the many roles of the president, and the checks and balances on the powers of the president as exercised by the Congress and the Supreme Court. The range of activities the national government controls today, including the Cabinet and executive departments, are also explored. Part 5, The Judicial Branch, examines the federal court system, beginning with an overview of the structure of the courts and their responsibilities. Part 6, Public Policy, helps students to define and understand the concept of public policy.

Goals

This approach uses concepts to teach American government and reflects these assumptions:

1. American government requires the active participation of its citizens. To understand how to function as responsible citizens, students need to examine how and why changes have occurred.
2. American government illustrates recurring themes. To understand the place these themes hold today, they must be analyzed and conclusions drawn about them.
3. Finally, government as a discipline requires skills of reading, writing, and critical thinking. Practice leading toward mastery in each of these skill areas is an integral part of learning the unit content.

Objectives

1. To understand the practical workings of the American political system
2. To study government and draw conclusions about it
3. To understand personal values and their relationship to governments
4. To practice writing skills in order to communicate ideas clearly to others
5. To explore our heritage as a means of understanding ourselves and our role in government today

Lesson 1

Government: Should It Be Limited or Absolute?

Objective

- To understand the relative merits of limited and absolute governments

Notes to the Teacher

English settlers in the New World brought with them an understanding of England's centuries of struggle for limited government and its long tradition of monarchy. A king was sworn to a coronation oath in which he would observe and honor his obligations to protect his subjects and provide them justice, and a tyrant king who broke such a bond had no constraints. A classic illustration of such a tyrannical leader is that of John (1199–1216), who quarreled with the Church, the papal hierarchy, Englishmen, clergy, and his nobles about his exercise of office. He waged reckless, failed military campaigns and lost valuable territory to France, costing England dearly. In reaction, petitioners organized against the king. In 1215, English nobles forced King John, who had imposed on the English nobility increasingly harsh and heavy personal tax burdens to pay for a lavish lifestyle and military failures, to sign the Magna Carta, which limited his authority and protected their feudal rights.

In England, during the first half of the seventeenth century, a government which was characterized by the divine right of kings with its fickle nature and arbitrary leadership developed. Many Englishmen emigrated to America's colonies. Attempts to limit the power of the king with the Petition of Right (1628) were ignored or circumvented by the monarch. England's monarchs acted according to the theory of divine right, in which God empowered the king to rule in all matters, and the king answered only to God for his actions.

In the seventeenth century, a volatile struggle developed in England between king and Parliament, between Anglicans and Puritans, and between upper and lower classes. This conflict led to civil war and resulted in the beheading of Charles I, the abolition of

Parliament, and the establishment of a Puritan dictatorship under Oliver Cromwell. Religious and political conflicts continued after Cromwell's death and eventually led to the restoration of the Stuart monarchy under Charles II.

James II, Charles II's successor, antagonized almost everyone by his contempt for Parliament and his announced intention to reestablish the Roman Catholic Church as the official state church. In 1688, the Glorious Revolution put William of Orange, a Protestant, and his wife Mary, daughter of James II, on the English throne. This bloodless revolution determined the character of modern English government by establishing limited powers for the monarchy. The rule of Parliament was supreme, the Anglican Church was the official state religion, and a Bill of Rights protected the rights of the people, although at first these rights applied only to wealthy, titled, or propertied males in the upper class. These ideas were seen first in early colonial America, where only propertied males could vote, and again later at the Constitutional Convention's debates. The Framers expressed deep concerns about representation by a large, uneducated rural populace versus the mercantile and propertied urban minority.

Not only were America's colonists aware of England's historic past, but also they were informed about the ideas of leading English political theorists. The writings of John Locke particularly inspired them. According to Locke, people create a government to protect their natural rights to life, liberty, and property. Thomas Jefferson, the author of the Declaration of Independence, commented that the great treatise was "pure Locke," having substituted the words "pursuit of happiness" for "property." Jefferson asserted that when the government failed to protect these rights, the people have a right and an obligation to alter or abolish it. Both English political tradition and political theory combined to convince the colonists that a government resting on consent of the governed was better suited to their needs than a distant, authoritarian ruler.

In this lesson, students read excerpts from documents dealing with the power of the monarchy and the rights of Englishmen, which became the basis for English common law. Students conclude by assuming the role of James I or John Locke and prepare a two-minute presentation supporting or opposing the theory of divine right.

Procedure

1. Ask students what should be the extent of a king's power. Ask them if they believe a monarchy would work in the United States today. Encourage discussion. Accept all reasonable answers.
2. Distribute **Handout 1**, and have students complete it individually. Review students' responses.

Suggested Responses:

Reading 1

1. *God*
2. *Government is the monarchy; the king is God's lieutenant, and he is to follow God's commands.*
3. *The people have no legal recourse; it was blasphemy and sedition to disagree with the king.*

Reading 2

4. *desperately poor, few rights, no liberty to move*
5. *The king prevented concentration of power by distributing estates over a wide area.*
6. *It showed the power of every tenant and how much could be extracted in taxes.*
7. *They resented this limitation of their power.*
8. *They looked for the opportunity to assert their rights.*

Reading 3

9. *No one is to harm the life, liberty, or property of another.*
10. *uncertainty of protection of one's rights; preservation of property*

11. *established law, indifferent judge, power to back up and execute law*
12. *war; absolved from obedience, refuge against established government*

3. Divide the class into groups of three or four, and assign each group either the role of James I or John Locke. Explain that students are to prepare a two-minute role-play illustrating the position of their character regarding the theory of divine right. After small-group discussion, have each group present its conclusion in a large-group session.

Suggested Response:

Divine right theory may be efficient in decision making, but it does not necessarily take into account the needs or rights of the people, and the people have no legal right to demand changes. In Locke's social contract theory, while the procedure may be more cumbersome, the source of power resides in the people, and they have the right to alter or abolish a government they find objectionable.

Enrichment/Extension

1. Have students research and report on the interaction of one of the Stuart or Tudor kings or queens with Parliament.
2. Have students research and report on one of the early royal, proprietary, or charter colonial governments and how the colony conducted affairs.

U.S. Government, Book 1
Lesson 1
Handout 1 (page 2)

Name _____

Date _____

Reading 2

The Domesday Book surveyed the property and land of medieval England. Its purpose was to maximize the revenues collected by the king's royal commissioners. It caused widespread resentment and protests that were often violent.

. . . It was a harsh and rigid system, for the villein was desperately poor, had few rights against his superiors, and was unable to leave the manor; yet he was secure in his tenure, and there was no unemployment. . . .

[T]he feudal system depended on the king's ability to control his great vassals, and to strengthen his position (King) William distributed their estates over various parts of the kingdom, so that there should be no great concentration of power. . . . William also separated church courts from secular courts so that the clergy should not come under feudal jurisdiction, a move of immense significance. Finally, he ordered the compilation of the Domesday Book of 1086: a detailed survey of all the manors of England, showing who held them, their size, number of villeins, amount of stock and value. This showed at a glance the power of every tenant and, equally important, how much could be extracted from him in taxes.

It was an order certainly, far better than disorder, but an imposed order, a despotism, with liberty for the king, a limited liberty for his great subjects, and servitude for the great majority. The barons resented this limitation of their power . . . and were ever watchful for the opportunity to assert what they considered to be their rights.²

4. Describe the life of the villein.
5. How did the king solidify his own power?
6. What was the ultimate purpose of the Domesday Book?
7. What was the reaction of noblemen at this time?
8. How might this economic system have contributed to a nobleman or commoner's desire for more political rights?

²F. E. Halliday, *A Concise History of England* (New York: Thames and Hudson, 1991), 41–45.

U.S. Government, Book 1
Lesson 1
Handout 1 (page 3)

Name _____

Date _____

Reading 3

. . . The *State of Nature* has a Law of Nature to govern it, which obliges every one; And Reason, which is that Law, teaches all Mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his Life, Health, Liberty, or Possessions. . . .

If Man in the State of Nature be so free, as has been said; If he be absolute Lord of his own Person and Possessions, equal to the greatest, and subject to no Body, why will he part with his Freedom? . . . To which 'tis obvious to Answer, that though in the state of Nature he hath such a right, yet the Enjoyment of it is very uncertain, and constantly exposed to the Invasion of others. . . . This makes him willing to quit a Condition, which however free, is full of fears and continual dangers: And 'tis not without reason, that he seeks out, and is willing to joyn in Society with others who are already united, or have a mind to unite for the mutual *Preservation* of their Lives, Liberties and Estates, which I call by the general Name, *Property*.

The great and *chief end* therefore, of Mens uniting into Commonwealths, and putting themselves under Government, is the *Preservation of their Property*. To which in the state of Nature there are many things wanting.

First, There wants an *establish'd*, settled, known *Law*, received and allowed by common consent to be the Standard of Right and Wrong. . . .

Secondly, In the State of Nature there wants a *known and indifferent Judge*, with Authority to determine all differences according to the established Law. For every one in that state being both Judge and Executioner of the Law of Nature, Men being partial to themselves. . . .

Thirdly, In the state of Nature there often wants a *Power* to back and support the Sentence when right, and to *give* it due *Execution*. . . .

. . . [W]henever the *Legislators endeavour to take away, and destroy the Property of the People*, or to reduce them to Slavery . . . they put themselves into a state of War with the People, who are thereupon absolved from any farther Obedience, and are left to the common Refuge, which God hath provided for all Men, against Force and Violence.³

9. What is law in the state of nature?
10. According to Locke, why does one leave the state of nature and seek a government?
11. What are three things the state of nature wants or needs?
12. What recourse do the people have if they are dissatisfied with the government?

³John Locke, "The Second Treatise of Government," in *Two Treatises of Government*, ed. Peter Laslett, rev. ed. (New York: Cambridge University Press, 1963), 311, 395–96, 460–61.