

We the People

THE CITIZEN & THE CONSTITUTION



LEVEL 2



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UNIT ONE

WHAT WERE THE FOUNDERS' BASIC IDEAS ABOUT GOVERNMENT?

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INTRODUCTION

Most history books tell the story of people and events of the past. This book is a history of ideas. It explains the most important ideas of our Constitution and how they were developed. It also highlights the people and events that were important in the history of these ideas.

The Constitution of the United States was created as a plan for the new government of our country. It was written in Philadelphia in 1787, more than 215 years ago. We study the Constitution and its history to understand our government and how it is supposed to work. Knowing our past will help us understand the rights and responsibilities that we have today.

In this book, you will discover what the people who wrote our Constitution thought the purposes of government should be. They believed govern-

ment should protect our lives, liberty, and property. They also believed government should promote the common good. You will also learn why they thought it was necessary to limit the powers of government.

You will learn about some of the things that have happened to the Constitution since it was written in 1787. You will study ways in which it has changed and how these changes came about. You will also learn about ways the Constitution has stayed the same.

This supplement will help you develop a good understanding of the Constitution and our system of government. It will also help you understand more about how our government affects your life and how you can influence your government.

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unit ONE

KEY CONCEPTS

checks and balances

civic virtue

common good

consent of the governed

constitution

constitutional government

natural rights

purpose of government

republican government

separation of powers

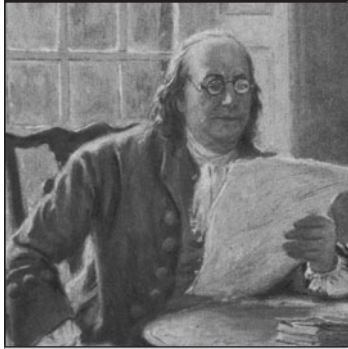
social contract

What Were the Founders' Basic Ideas about Government?

In the spring and summer of 1787, fifty-five men met in Philadelphia. These men knew a great deal about government. They wrote our Constitution. They and many other Americans gained their knowledge by reading and discussing books about history and political philosophy. Political philosophy is the study of basic ideas of government.

Americans also knew about government from their own experience. Many of the men who met in Philadelphia had been leaders in the American colonies when they were ruled by Great Britain. Many were leaders in the new state governments formed after the American Revolution.

The men who wrote the Constitution used their knowledge and experience to create the best kind of government they could. An understanding of their knowledge and experience will give you some insight into why they created the kind of government we have today. It will also help you discover and appreciate the most important ideas in our Constitution.

LESSON
PURPOSETERMS TO
UNDERSTAND

Founders
government
indentured servant
self-sufficient
subject

Why study the British
colonies in North America?

We begin our study of the U.S. Constitution by looking back in history. The period is the 1770s. By that time, there had been European colonies established in North America for more than 150 years. Some nations that had set up colonies in America included France, Great Britain, the Netherlands, and Spain. Our study will focus on the British colonies. It was these thirteen colonies that became the United States of America.

By the 1770s, the British colonies along the eastern coast of North America were well established. The British colonists were subjects of Great Britain. Being a **subject** in this case means being under the rule of a monarch. In 1770, King George III was the ruler of Great Britain. Our nation did not yet exist.

What were the British colonies in America like in the 1770s?

People living in the American colonies in the 1770s were in many ways quite different from the people living in Europe. The colonists had brought British laws and customs to America. But they were developing their own way of life as well.

When you finish this lesson, you should be able to explain how the average person in the American colonies lived in the 1770s. You should also be able to explain how life in the colonies influenced people's ideas about good government.

What did it mean to the colonists to be a subject of King George III?

Learning about how the people lived in the British colonies can help us to understand why they developed their ideas about government. When we talk about **government** we mean the people and institutions with authority to make and enforce the laws, and manage disputes about laws. People living in the 1770s in the British colonies held certain beliefs about good government that still affect our lives today.

How did American Indians live before the Europeans came?

The Europeans were newcomers to North America. Hundreds of different groups of Native American people had inhabited the continent for thousands of years. Along the eastern seacoast, where the British colonists settled, the native Indian people lived in well-organized tribes. They are known as the Eastern Woodland tribes. They lived by fishing, hunting, gathering wild plants, and tending small crops of corn.

The eastern tribes maintained loose political ties among themselves. In some cases, entire tribes formed leagues so that they could come together to discuss common problems. The best known league was the Iroquois League. The Iroquois League was made up of five tribes that lived in what today is the state of New York.

What was life like for American Indians along the Eastern coast of North America?

Where did the British colonists settle?

The British colonies in America occupied a large area of land. The colonies stretched twelve hundred miles along the coast of the Atlantic Ocean and ran two hundred miles inland. Between the settled area and the Mississippi River lay a vast, forested country. Few Europeans had explored beyond the area of settlement. The nations of Europe were small in area compared to America. Great Britain was only slightly larger than the colony of New York.

Although the land was expansive, there were few people living on it. In 1790, the population of the colonies was almost 4 million compared with more than 280 million people living in the United States today.

How did people in the colonies earn a living?

Boston, New York, and Philadelphia were the largest cities in the colonies. Each had a population of more than 25,000 people. Most people in cities or towns earned their living by working in professions, trades, crafts, or small factories.

Most colonists did not live in cities. They lived in small communities or villages or on farms. Ninety percent of the colonists were farmers. A typical farm was between 90 and 160 acres. Farm size varied from the small 30-acre plot of the poorest New England farmers to giant Southern plantations with thousands of acres. Not all colonists were independent farmers. Some were hired laborers or craftspeople working on the larger farms.

Outside the cities and small communities, people in the colonies might live as far as ten miles from their nearest neighbor. As a result, they had to develop the knowledge and skills to provide for themselves in order to survive.

The people became self-sufficient. **Self-sufficient** means that people had to provide for their own needs. Not only did the colonists grow their own food, but they also wove cloth to make their own clothing. They made their own medicines, built their own homes and barns, and made their furniture and tools. Colonists took the surplus produce from their farms and traded it for goods they could not make.

Although families worked independently, they traded among their neighbors and helped each other. Neighbors got together to build houses and barns. People rarely traveled more than fifty miles from their homes.

A farm family frequently included a hired laborer or an indentured servant. **Indentured servants** were men and women who sold their labor in exchange for the cost of the trip from Europe to the colonies. Farm families often relied on the labor of slaves, especially in the South.

The typical colonial family in the 1770s worked hard and had the highest standard of living in the world. The land was fertile and crops grew well. As a result, the colonists had diets rich in protein and tended to be healthier than people in Europe.

The colonists were also better educated than most Europeans. In fact, a greater percentage of people in the colonies were able to read and write than in any European nation. The most popular publications, other than the Bible, were newspapers. Four times as many newspapers were published in the colonies than in France.

While most colonists lived fairly well, this was not true of everyone. One-fifth of the population was held in slavery. The slaves were people who were brought as laborers to the colonies from different regions of Africa. Slavery was permitted in all the

colonies, North and South. Although the practice officially ended around 1799 in the Northern colonies, it actually continued until the end of the Civil War in 1865.

How was life on a small farm different from life on a large plantation?

How were the people living in the colonies different from one another?

Most colonists were descended from British or Irish settlers. Therefore, most people in the colonies spoke English. Some colonists did not come from English-speaking countries, however. Settlers came from France, Germany, the Netherlands, Spain, Sweden and other countries. All brought with them their own customs and ideas about government and rights.

The colonists also held different religious beliefs. There were many different groups of Protestants; there also were Catholics and Jews. Compared to most European nations of the time, the population of the colonies was diverse.

What evidence still exists of different people's contributions to the United States?

IDEAS FOR DISCUSSION

How did this colonial farmer compare life in America?

In the 1700s a French colonist who settled in New York wrote a book that contained a series of letters from a fictional Pennsylvania farmer to his friend in Great Britain. J. Hector St. John was the pen name that Jean de Crèvecoeur used for his book. The letters describe Crèvecoeur's views about life in America. Some sections of these letters follow. Read them and discuss the questions at the end.

Behold, Sir; a humble American Planter...addressing you from the farther side of the Atlantic....

[The English traveler to America] is arrived on a new continent; a modern society...different from what he had hitherto seen. It is not composed, as in Europe, of great lords who possess everything and of a herd of people who have nothing. Here are no aristocratical families, no courts, no kings.... The rich and the poor are not so far removed from each other as they are in Europe. Some few towns excepted, we are all tillers of the

earth... [Here we are] united by the silken bands of mild government, all respecting the laws, without dreading their power, because they are equitable [fair].

[Here the traveler] views not the hostile castle, and the haughty mansion, contrasted with the clay-built hut and miserable cabin, where cattle and men help to keep each other warm, and dwell in meanness [humility], smoke, and indigence [poverty].... The meanest [most humble] of our log-houses is a dry and comfortable habitation.

Lawyer or merchant are the fairest titles our towns afford.... We have no princes, for whom we toil, starve, and bleed: we are the most perfect society now existing in the world. Here man is free; as he ought to be....

Can a wretch... call England or any other kingdom his country? A country that had no bread for him, whose fields procured him no harvest, who met with nothing but the frowns of the rich, the severity of the laws, with jails and punishments; who owned not a single foot of the extensive surface of the planet? No! urged by a variety of motives here they came. Everything has tended to regenerate them; new laws, a new mode of living, a new social system.... Formerly they were not numbered in any civil lists of their country, except in those of the poor; here they rank as citizens.

1. What was it that Crèvecoeur liked about life in the colonies?
2. What rights did he enjoy?
3. Given what you know of Crèvecoeur's experiences, explain why he would or would not favor laws that
 - guarantee each individual the right to own property
 - limit an individual's right to buy and sell goods to anyone or she chooses
 - give people certain rights because they are wealthy or from a certain family background or group
4. How might people in Great Britain react to Crèvecoeur's comparisons of life in America and life in Europe? Explain.

Why were class differences not important in the colonies?

The colonies were not divided into a few rich people and a large mass of poor people as in most of Europe. In the colonies, there was no royalty and no titled nobility.

The difference between wealthy and poor people was less important in colonial society. A poor person could become wealthy by using knowledge, skills, and opportunities. In many cases, a man who was not part of the wealthy class could be elected to a government position.

Whose opportunities were limited?

Not all people shared the same opportunities to gain wealth or to become leaders. Usually, only adult white males who owned property could vote. In most colonies, a person had to own fifty acres of land to be qualified to vote. But land was easily available. Therefore, more people in the colonies had the right to vote than in any other country of that time.

Native Americans, blacks, white men without property, and women were typically not allowed to vote or hold office. Women usually were not allowed to own property. Under the law, married couples were considered one person and the husband controlled the property.

What rights did the colonists value?

Since most colonists were self-sufficient, they valued their freedom highly. The people in the colonies thought that their society was superior to the corrupt societies of Europe. Colonists considered themselves to be virtuous, hard-working, simple people.

As subjects of Great Britain, the colonists enjoyed the rights included in the British constitution. Many colonial governments also protected the rights of the colonists. For example, the Massachusetts Body of Liberties of 1641 included the right to trial by jury, free elections, and the right of free men to own property. The state of Pennsylvania guaranteed freedom of belief or conscience.

In the years before the American Revolution, the colonists were very sensitive to any attempts by the British government to limit their rights. After the Revolution, Americans were concerned with protecting the rights they had just fought for.

Who were the Founders?

Throughout this text, we refer to a group of people as the Founders. The Founders were the political leaders of the colonies. They had developed their own ideas about what might be the best kind of government. These ideas were formed from their own experiences and their studies of governments of the past. The Founders led the fight to free the American colonies from British rule. The Founders helped to create the state governments, and their ideas influenced the writing of the Constitution. Some of the Founders' names that you might recognize include John and Abigail Adams, Benjamin Franklin, Patrick Henry, Thomas Jefferson, Mercy Otis Warren, and George Washington.

John Adams, one of our nation's Founders, once said that "revolution was in the minds and hearts of the people before Lexington and Concord." What does this statement mean?

LESSON REVIEW

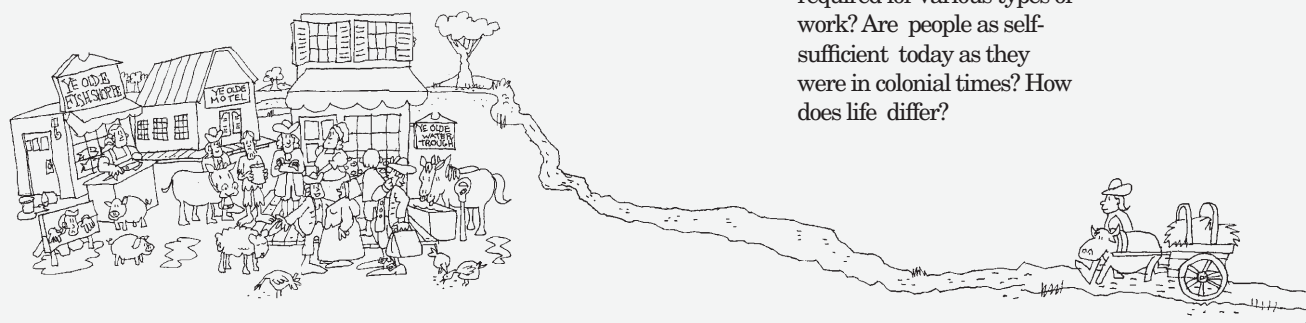
1. In what ways were people's lives in the British colonies of the 1770s different from those of people living in Europe?
2. What diversity of people and ideas existed in the British colonies in the 1770s?
3. What difference did gender, race and wealth make to people in colonial society?
4. What rights did the colonists value?
5. Who were the Founders?



What does this picture tell you about the right to vote in colonial America?

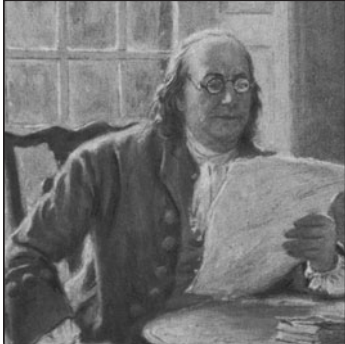
ACTIVITIES

1. Go to your library or search the Internet. Find information about what life in the colonies was like for one of the following groups:
 - children and adolescents
 - indentured servants
 - Native Americans
 - people held in slavery
 - women
2. The British colonies in America are generally divided into three regions, the New England Colonies, the Middle Colonies, and the Southern Colonies. Learn more about what life was like in each region. Write a brief summary for your class.
3. On an outline map of the United States, mark the British, French, and Spanish colonies with different colors. What states are these colonies now?
4. In the late 1700's the colonists were self-sufficient, able to grow their own food, make cloths, build homes, and thus sustain themselves. They were also well educated. Look at the help wanted ads in the newspaper. What kind of work do people do today? What educational levels are required for various types of work? Are people as self-sufficient today as they were in colonial times? How does life differ?
5. Life in colonial America was very different than life in England at that time. Read newspaper stories about countries around the world. Based on those stories, how does our life in America now compare with life in other countries? How do the rights we enjoy in America compare with the rights in those countries?
6. In colonial America only white men were allowed to own land and vote. Find articles in today's newspaper about minorities and women. Is there evidence that they have equal rights and freedoms? Do you believe that minorities and women have attained equality in our modern society? Write an essay explaining why or why not. Use facts from the newspaper articles and other sources to support your claim.



2

LESSON PURPOSE



TERMS TO UNDERSTAND

consent
natural rights
purpose of government
social contract
state of nature

How did the ideas of John Locke influence the Founders?

The Founders were students of history and philosophy. They studied books, read newspapers, and listened to sermons in church. The Founders discussed and exchanged ideas with each other and with other people.

One philosopher whose writings influenced the thinking of the Founders was John Locke. John Locke was a well-known English philosopher. He lived from 1632 to 1704. Locke published a book called *Two Treatises of Government* in 1689. In that book Locke explained his ideas about natural rights. Locke's book was widely read and discussed in the American colonies. Many of the Founders' ideas about government were based on Locke's philosophy.

Why do we need government?

Our form of government is based on a set of ideas. These ideas establish what the purpose of government should be and what kind of government is best. This lesson introduces you to some of the basic ideas that were of great importance to the Founders. In this lesson you will learn about the idea of natural rights.

When you finish this lesson, you should be able to explain what the Founders believed to be the natural rights of human beings. You should also be able to explain why the Founders believed that the people need a government and how people create governments.

John Locke arrived at his ideas by imagining what life might be like if people were living in a **state of nature**. By this, Locke did not mean necessarily that people lived in the wilderness. Locke simply saw a state of nature as a condition in which no governments or laws existed at all.

What did John Locke mean by a state of nature?

By imagining life in a state of nature, Locke was able to answer some important questions like these:

- What is human nature? For example, are all people mainly interested in their own welfare or do they tend to care for the good of others?
- What should be the main purpose of government?
- How do people who run government get the right to govern?
- What kinds of government should people support and obey?
- What kinds of government should people resist?

The Founders discussed and debated John Locke's answers to these questions. The ideas of Locke were used in the Declaration of Independence to explain why Americans were opposed to British rule in the colonies. After winning the Revolutionary War, the Founders used most of the same ideas to write their state constitutions. The ideas of the natural rights philosophy also are important to the kind of government that we have today.

What were Locke's ideas about natural rights?

John Locke believed that through reasoning we can deter-

mine what rights people would have in a state of nature.

Locke reasoned that in a state of nature all people seek to have the following rights:

- **Life.** People want to survive. People want to be as safe as possible from threats to their lives.
- **Liberty.** People want to be as free as possible. People want to be able to make their own decisions and to live as they please.
- **Property.** People want to own the things that are necessary to survive, such as food, houses, tools, or land. People want the freedom to work and to gain economic benefits.

Locke said that the rights to life, liberty, and property are **natural rights**. These rights are a part of the law of nature. This means that all people have the rights to life, liberty, and property just because they are human beings.

The Founders believed that such rights as those to life, liberty, and property are not manmade. Instead, our rights are based on the laws of nature, which were made by God. The Declaration of Independence, for example, speaks of "the Laws of Nature and of Nature's God." It says that people are "endowed by their Creator" with certain basic rights and that no one has the right to take away these rights.

What were some of John Locke's ideas about natural rights?

What did John Locke say might happen in a state of nature?

1. Locke believed that most people are reasonable and good.

Most people respect the rights of others because their conscience tells them that they have a duty to do so. But people are also driven by their self-interest. A few humans are not so reasonable and good. Sometimes people who are stronger or more skilled abuse those who are weaker or less skilled.

2. Locke believed that in a state of nature, people protect their natural rights by using their own strength and skill. People who are weaker or less skilled would find it very hard to protect their rights. Instead, weaker people would try to protect their rights by joining together against the strong.
3. Locke believed that in a state of nature, no one's life, liberty, or property would be safe. People would feel insecure. In a state of nature, there are no governments or laws to protect life, liberty, or property. This is why people agreed to form governments. According to Locke, governments do not exist until people create them.
4. Locke believed that in a state of nature, no one would have the right to govern you, and you would not have the right to govern anyone else. According to Locke, there is only one way that people get the right to govern anyone else. The people to be governed have to give their consent. **Consent** means to approve of something or allow something to take place. If the people have not given their consent to create a government, there is no legitimate government. In other words, the power of legitimate government comes from the consent of the people.

Why do people agree to form a social contract?

Although people agreed that certain natural rights existed, they worried about how those rights could be protected. In a state of nature, people might feel free to do anything they want to do. Their rights would not be protected, however, and that would make them feel insecure.

For John Locke and other natural rights philosophers, the great problem was to find a way to protect each person's natural rights so that everyone could enjoy them and live at peace with one another. Locke said that the best way to solve this problem in the state of nature is for each individual to agree with others to create and live under a government and give that government the power to make and enforce laws. Locke called this kind of agreement a **social contract**.

As in all contracts, to get something you must give up something. In a social contract everyone promises to give up the absolute right to do anything she or he wants to do in a state of nature. In return, everyone receives the security that can be provided by a government. Each person consents to obey the limits placed upon her or him by the laws created by the government. Everyone gains the security of knowing that their rights to life, liberty, and property are protected.

Is the better alternative to a state of nature where some people will not obey. According to Locke, the main **purpose of government** is to protect those natural rights that the individual cannot effectively protect in a state of nature.

In a later lesson, you will study the Declaration of Independence. You will see how the Founders included all the ideas that you have studied in this lesson. You will also learn to examine questions about what kind of government the people should support and obey and what kind they should resist.



Without government, how might one's life, liberty, or property be protected?

IDEAS FOR DISCUSSION

What rights do you think all people should have?

Most people would agree that there are certain rights all people should have. For example, you probably agree that everyone has the right to be protected from robbers and murderers. You probably also agree that a person's right to vote should be protected. Most people in the United States share the belief that everyone should have these rights.

Work with a partner or in a group of three students. Together answer the questions that follow. Be prepared to share your ideas with the class.

1. List five rights that you think all people in our nation should have. Why do you think that it is important that all people should have these rights?
2. Which of the rights on your list seem to be the most important? Arrange the rights you listed in the order of their importance. Explain why you ranked the rights on your list in this order.
3. What might you do in order to ensure that these rights are protected?



What might life be like in a state of nature?

It is now your turn to be a philosopher like John Locke. First, imagine that you and all the students in your school are living in a state of nature. You have plenty of food and other resources to maintain life and to live well. But there is no government and there are no laws or rules that you have to follow. There is no one to tell you what to do and no one to protect you.

With your partner or group discuss the following questions about your rights in a state of nature. Be prepared to share your ideas with your class. Finally, compare your ideas with those of John Locke after you read the section “What were Locke’s ideas about natural rights?”



1. What might be some advantages and disadvantages of living in a state of nature?
2. What rights, if any, might you expect to have in a state of nature?
3. What might people who are stronger and smarter than others try to do? Why?
4. What might people who are weaker or less skilled than others try to do? Why?
5. What might life be like for everyone living in a state of nature?
6. Would anyone have the right to govern you? Would you have a right to govern anyone else? Why?
7. What are some things the people could do to protect their lives, liberty, or property?

LESSON REVIEW

1. What are natural rights? How do people get their natural rights?
2. What might life be like for people living in a state of nature? Explain.
3. Where does government get its right to govern, according to the natural rights philosophy?
4. What is a social contract?
5. What is the main purpose of government according John Locke?

ACTIVITIES

1. In this lesson you learned about the social contract. Most passengers aboard the *Mayflower* signed the Mayflower Compact in 1620, before the ship landed in Plymouth. Read the Mayflower Compact below. Write a brief essay explaining how the Mayflower Compact is an example of a social contract.

Having undertaken, for the glory of God, and advancement of the Christian Faith and 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 of one another, Covenant and Combine ourselves together into a Civil Body Politic, for our better ordering and preservation and furtherance of the ends aforesaid; and by virtue hereof, to enact, constitute, and frame such just and equal Laws, Ordinances, Acts, Constitutions, and Offices, from time to time, as shall be thought most meet and convenient for the general good of the

Colony, unto which we promise all due submission and obedience....

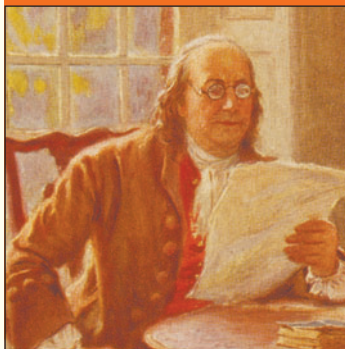
2. Study editorial cartoons in the newspaper. Then draw an editorial cartoon that illustrates what life might be like in a state of nature. Use your cartoon to illustrate why we need government.
3. Read *Lord of the Flies* by William Golding. It is a novel about what happened when a group of young boys found themselves in a situation where there were no

laws and no government. Share the story with your class. Does this story support Locke’s ideas? If so, which ones.

4. Read editorials in the newspaper to see how they are written. Then write an editorial that tells how the rights to life, liberty, and property apply to you and your family. Share your editorial with the class.
5. Use the entire newspaper including news articles, advertisements, editorials, and even the

comics, to search for examples of the “natural rights” to life, liberty, and property. Which are the most important rights to you? Create a chart and rank your most important rights from highest priority to lowest.

3

LESSON
PURPOSETERMS TO
UNDERSTAND

aristocrats
civic virtue
common good
delegate
direct democracy
factions
representative
representative democracy
republic
republican government

What did the Founders learn about government from the Romans?

Two thousand years before our own nation began, there was a republic that greatly influenced the ideas of the Founders. A **republic** is a country that has a government in which power is held by the people who elect representatives. These representatives manage the government for the people, for the sake of the common good.

The government that fascinated the Founders was the Roman Republic, which lasted nearly 500 years, from 509 BC to 27 BC. The capital of the Roman Republic was Rome, located in what today is Italy.

What is republican government?

This lesson introduces the ideas of republican government, the common good, and civic virtue. These were ideas the Founders learned from studying the government of the ancient Roman Republic. You will learn how these ideas shaped the Founders' thinking about the kind of government they believed to be best.

When you finish this lesson you should be able to explain the ideas of republican government, the common good, and civic virtue.

The Founders read what historians and the Romans themselves wrote about the people and government of the Roman Republic. The Founders learned that during the Republic, the Roman people governed themselves without a king. In the Roman Republic, both the common people and the **aristocrats**, or wealthy upper class, shared the power to govern.

The Founders called the government of Rome a **republican government**. Republican government is a type of government in which the

- citizens have the power to govern
- citizens **delegate** or entrust their power to leaders they elect to represent them and to serve their interests
- citizens and their representatives work cooperatively to promote the common good rather than their own interests. The term **common good**, or common welfare, means that which is good for the community as a whole.

What did the Founders learn about government from the Roman Republic?

What advantages did the Founders see in republican government?

The Founders thought a republican form of government was the best form of government they could create for themselves. They thought that they would have some of the same benefits that the ancient Romans had enjoyed. These are some of the benefits the Founders saw in republican government:

- **Representatives are elected to serve the common good.** A **representative** is a person elected to act and speak for others. The main purpose of republican government is to serve the common good. Representatives should not make laws to serve the interests of one person or one group. The representatives make laws that serve the entire community.
- **Having representatives make the laws is more efficient.** To make good and fair laws, you have to understand every problem well. But most people do not have the time to learn about every problem. Representatives can make laws faster and better because it becomes their responsibility to do so.
- **The people have a say in their government.** By delegating power to their representatives, the people do not give up their voice in government. The people still have to decide who will represent them. The people have to communicate their ideas and the actions they want taken to their representatives.
- **The representatives are responsible to the people.** The people hold their representatives responsible for making good and fair laws. If the representatives do not make good and fair laws, the people can vote them out of office and se-

lect new leaders to represent them.

What are the advantages of a republican government in a large and diverse society?

What were the disadvantages of republican government?

The Founders worried about whether republican government might work in the colonies. The Founders saw that republican government as practiced in the Roman Republic had a few disadvantages. These are some of the possible disadvantages:

- Republican government works best in small communities. In small communities, the people know and care for each other and the common good. The colonies, on the other hand, occupied a large territory.
- The people in a republic have to be very much alike. There cannot be a high degree of diversity. The people cannot be very different in their wealth, moral beliefs, or ways of life. In the colonies, however, the people had many different religious beliefs and ways of life.
- People in a large and diverse republic would naturally divide into **factions**, or interest groups. Such interest groups might work against other groups or the people as a whole, rather than work for the common good.

How can the common good be determined in a large and diverse society?

How did the Founders adapt the idea of republican government?

James Madison was one of the most important Founders. We often call him “the Father of the Constitution” because he played such an important role in creating our Constitution. Madison adapted the idea of republican government to the reality of American life.

Madison defined the difference between a direct democracy and republican government in the following ways:

- In a **direct democracy**, the people themselves control government. The people create the laws they need. Direct democracy works best in small communities. As communities grow larger, it becomes difficult for people to make the decisions that are needed for the good of all.
- In a **republican government**, the people's representatives make the laws and run government. This makes it possible for those in government to administer a much larger area.

Madison believed that America could and should have a republican form of government. Laws would be made and administered by representatives elected by the people. Madison said that members of government should be elected by a large number of the people rather than by a small number or a favored group. Such a government was a democracy in the sense that it received its right to govern from the people as a whole. This kind of government is now called a representative democracy. In a **representative democracy** the people choose leaders to make and administer laws for their country.

Madison also believed that you could organize government in a way that might help to avoid the abuse of power by any one person or faction. You will study these ideas in the next lesson.

IDEAS FOR DISCUSSION

Why should citizens promote the common good?

Examine the ideas of “common good” and “self-interest” in the story about Cincinnatus. Then respond to the questions that follow it.

You might want to work with a partner or in groups of three. A spokesperson for each group should explain its answers to the rest of the class.

CINCINNATUS: A MODEL OF CIVIC VIRTUE

In the year 460 BC, Rome was in great danger. An army from the east was burning and plundering the countryside. The enemy surrounded the defending Roman army on all sides. The leaders of the government of Rome decided to ask Cincinnatus, a skilled military leader, to help them during this crisis. The government leaders sent messengers asking Cincinnatus to serve as dictator of the country for as long as the crisis might last. Cincinnatus was a hard working farmer with only four acres of land. When the messengers found him, he was quietly plowing the fields. Because he loved his country, he left his plow to go to Rome to lead the army. In a battle that lasted two days, his army defeated the enemy and saved the country. In gratitude, the people of Rome honored and praised Cincinnatus. But when the crisis was over, Cincinnatus did not try to remain as dictator of his country. He did not want continued power. Instead, he returned

to his home and his life as a farmer and a citizen. By returning to his home, Cincinnatus showed that he valued being a good citizen of Rome more than he valued fame and personal power. He respected the government of Rome. He did not want to use his popularity to take power away from the representatives elected by the citizens.

1. What is the common good as represented in this story? What are the self-interests represented in the story? Do you agree with the actions taken by Cincinnatus? Why or why not?
2. Describe a person you know or a leader in our nation who you think has civic virtue. Give reasons for your opinion based on the person's life.
3. Explain some situations where you think you should put the common good above your own interests.
4. Explain some situations in which you might not want to put the common good above your own interests.
5. Explain some situations in which people might disagree about what is best for the common good. What should be done when there are such disagreements? Why?



Why is civic virtue necessary for republican government to work well?

The Founders thought that republican government was possible in Rome only because of the high degree of civic virtue of the Roman citizens. **Civic virtue** meant that both citizens and their leaders were willing to set aside their private interests and personal concerns for the common good.

The Founders thought that civic virtue was important to make a government work well. Citizens need to participate in their government to promote the common good.

Madison understood the importance of civic virtue to good government. In this way, he was like the other Founders. Madison also accepted Locke's view of human nature. He believed that people are prompted to act by their self-interest. He thought that the pursuit of self-interest could in its own way further the common good. For example, a statesman's desire for fame and admiration from others could lead him or her to practice civic virtue. The common good could be served by individuals pursuing their economic self-interest. Each would contribute to the general prosperity.

Madison also realized that as people pursue their own interests they sometimes act against the interests of the common good. He knew that civic virtue alone could not be relied upon. Madison wanted a government that would fit human nature as it is, not as one might wish it to be.

Do you agree with the view that a statesman's desire for fame and admiration can lead him or her to pursue the public good? Why or why not?

How did the colonists teach the values of republican government?

People living in the American colonies were taught the value of civic virtue and other values of republican government in many ways. Parents taught these values to their children. Teachers taught them in school. Clergy taught them in sermons and writings. Leading citizens of the country were expected to set good examples. The values of republican government were a part of the customs and traditions of the people.

The ideas and values of the

Roman Republic were promoted throughout the American colonies in the stories that people read. Public buildings designed to resemble the buildings of ancient Rome also reminded people of the ideas and values of the Roman Republic.

The Founders thought it was important to teach and promote civic virtue among citizens. They believed that the Roman Republic had failed in the end because its citizens lost their civic virtue. They had promoted their own interests at the expense of the common good.

By the time of the American Revolution, the Founders had come to believe strongly in the ideals of republican government. They thought that Great Britain was violating these ideals. They claimed the British government was guilty of serving selfish interests at the expense of the common good. It had violated those rights that good government was supposed to protect.

After the Revolution, the Founders were able to establish their own government. They tried to make sure this government would not violate their rights. An essential step, they thought, was to create a constitutional government. You will learn what a constitution and constitutional government are in the next lesson.

What ideals of republican government do you think our leaders should promote? Why?

LESSON REVIEW

1. What is republican government? What are the advantages and disadvantages of republican government?
2. What is the meaning of the term “common good”?
3. What is the difference between direct democracy and representative democracy?
4. What is civic virtue? Why is it important that citizens and their representatives have civic virtue?
5. How were the values of republican government promoted in the colonies? Why were these values promoted?

ACTIVITIES

1. His fellow Americans often referred to George Washington as “our Cincinnatus.” Find stories and works of art that illustrate the life of George Washington as a model of civic virtue. Share what you learned with your class.
2. Many government buildings in Washington, D.C., and state capitols across the country look like Greek or Roman buildings. Find photographs of government buildings. Compare them with drawings or photographs of ancient Greek or Roman buildings. Explain how this architectural style in our country symbolizes the influences of ancient Greece and Rome on the Founders.
3. In this lesson you learned about the values taught in colonial communities. The excerpts below are from the *BlueBack Speller*, a popular school text of the late 1700s. What values do the lessons stress? Draw a poster or cartoon illustrating one of the lessons.

Lesson 6:

I will not walk with bad men;
that I may not be cast off with them.

I will love the law, and keep it.

I will walk with the just, and do good.

Lesson 12:

Be a good child; mind your book;
love your school and strive to learn.

Tell no tales; call no ill names;
you must not lie, nor swear,
nor cheat, nor steal.

Play not with bad boys; use no ill words at play, spend your time well, live in peace, and shun all strife.

This is the way to make good men of you, and save your soul from pain and woe.

Lesson 15:

As for those boys and girls that mind not their books, and love not church and school, but play with such as tell tales, tell lies, curse, swear, and steal, they will come to some bad end, and must be whipped till they mend their ways.

4. Look through different issues of your local newspaper. Find articles that

concern the common good in your community. Share the articles with your class.

5. Find articles in the newspaper about elected officials enacting laws or acting on behalf of citizens. Are these elected officials local, state, or national representatives? Discuss the limits those elected officials may have based on what level of government they represent.

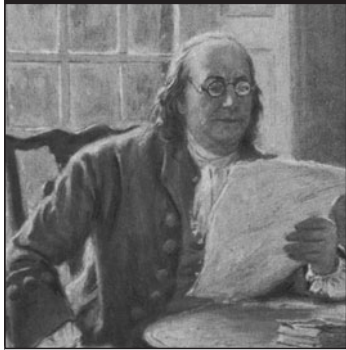
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LESSON PURPOSE

What is constitutional government?

This lesson introduces the ideas of a constitution and constitutional government. It also introduces the idea that a constitution is a higher law.

When you finish this lesson, you should be able to explain the ideas of a constitution, constitutional government, and higher law. You should also be able to explain some of the important differences between constitutional governments and autocratic or dictatorial governments.



TERMS TO UNDERSTAND

autocratic or dictatorial government
 constitution
 constitutional government
 higher law
 limits
 monarchy
 private domain

constitutions based on unwritten customs and traditions.

You can learn about a government and its citizens by studying a nation's constitution. Here are some of the questions a constitution usually answers:

QUESTIONS ABOUT GOVERNMENT

- What are the purposes of government?
- What is the organization of government? What parts does it have? What does each part do?
- How is government supposed to go about doing its business? For example, how does the government make its laws?
- How are people selected to serve in government?

QUESTIONS ABOUT CITIZENS

- Who is a citizen?
- Are citizens supposed to have control over their government? If so, how is this control supposed to work?
- What rights and responsibilities, if any, are the citizens supposed to have?

What is a constitutional government?

Having a constitution does not mean that a nation has a **constitutional government**. A constitutional government means that there are **limits** on the powers of the person or group running government. The word "limits," as used here, means things that government may not do or actions that it may not take.

Our Constitution limits the power of government. The limits are written into the Consti-

tution. For example, the courts cannot force a person to be a witness against himself. The courts cannot deny the accused the right to an attorney.

In some nations, the power of government is not limited. It is possible for the constitution of a nation to provide for the unlimited use of power. In other cases, the constitution of a nation might say that the power of government should be limited. But, it might neglect to say how those limits are to be enforced.

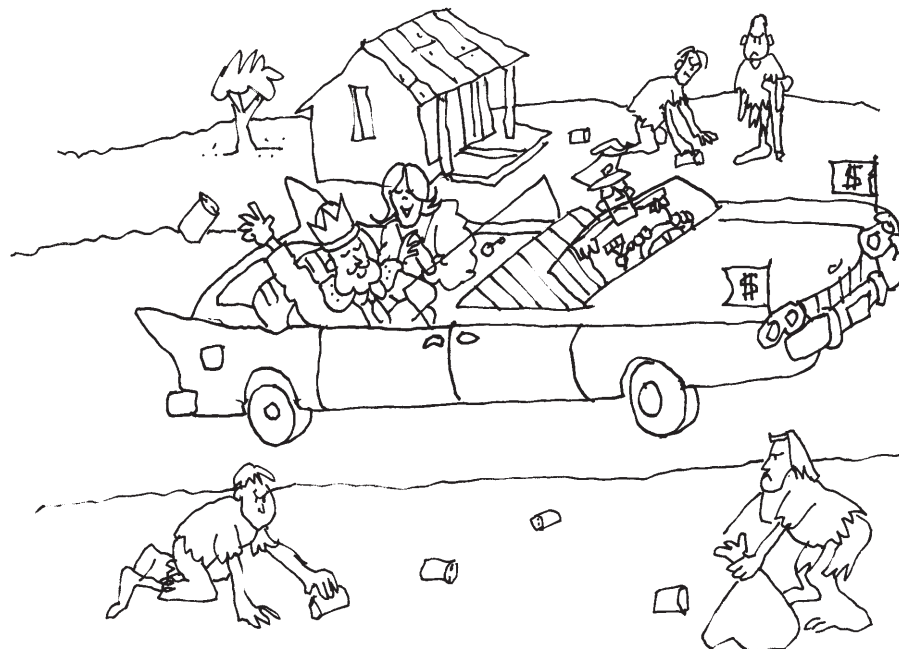
Suppose the constitution of a nation does not limit the powers of its government. On the other hand, suppose it limits the power, but those limits are not enforced. In either case, the government is not a constitutional government. We call government of unlimited power an **autocratic or dictatorial government**.

What is a higher law?

In a constitutional government, the constitution must effectively limit the use of power. The constitution is a higher law. A **higher law** is a set of laws that establish and limit the power of government. All the people, including government leaders, must obey the higher law of the land. The people running the government must do what the constitution says. The constitution describes ways to ensure that people in government obey the limits on their power.

In a constitutional government, the constitution has the following five important characteristics:

1. It lists the basic rights of citizens to life, liberty, and property.
2. It establishes the responsibility of government to protect those rights.
3. It places limits on how the people in government may use their powers. Some examples of how our Constitution limits the powers of government are
 - **Citizens' rights.** People in government cannot unfairly deprive a person of the right to freedom of speech.
 - **How resources are distributed.** People in government cannot take a person's property without paying the person a fair price for it.
 - **How conflicts are handled.** People in government must give all persons accused of a crime a fair trial.
4. It establishes the principle of a **private domain**. A private domain is that part of a person's life that is not the business of government.
5. It can only be changed with the widespread consent of citizens and according to certain set procedures.



What are the advantages of constitutional government?

What role does a Constitution play in a constitutional government?

PARTICIPATING IN A CLASS ACTIVITY

How would you solve this issue of power?

Read “The Tragedy of Antigone.” The story has been summarized and adapted from a Greek play written in 442 BC by Sophocles.

In the drama, Antigone disobeys her uncle, Creon, the ruler of Thebes. The government of Thebes was a monarchy. A **monarchy** is a form of government in which political power is held by a single ruler such as a king or queen. The king ruled the city; he made and enforced the laws and he de-

was destroyed. Finally, Polyneices and Eteocles killed each other.

The people of Thebes immediately elected Creon to be their next king. Creon decreed that Eteocles was to receive a hero’s funeral for defending the city. But Polyneices was to rot on the battlefield. Any person who tried to bury Polyneices would be put to death. “These are my laws!” Creon declared. “Only by these laws can our city be safe and prosper. Only by obedience to these laws can we avoid civil war and ruin.”

to this belief, unburied souls were doomed to wander alone throughout eternity. This group of people complained that Creon’s law violated their rights without a good reason for doing so.

Other citizens supported Creon. They believed that Creon’s law was justified because the city had suffered from rebels and lawbreakers. It was the king’s duty to decide what to do with people who violated the law. They felt that the fate of Polyneices could serve as an example to those who did not respect the laws of the king.

Antigone believed that the laws of the gods were more important than the laws of any ruler. So

far, exceeding the limits, when you do what the king has forbidden?” Ismene asked of Antigone. “I do not wish to dishonor our brother, but I have no strength to defy the king. If we defy Creon’s law, we will find ourselves alone against the powers of the king and we will perish! Since we must obey Creon’s law, we can ask the gods for forgiveness,” Ismene said.

“Obey the law if you must, Ismene. I will not urge you further to join me,” Antigone replied.

Later that day, a guard suddenly burst into the garden where Creon was resting. The guard brought the news that Polyneices had been buried. Creon angrily gave orders to find the guilty person. The guard returned with Antigone in custody.

“Tell me, did you not know that there is a law forbidding what you did? Why did you disobey it?” Creon asked. “You are my niece, how can this be?”

“I knew the law,” Antigone answered. “If I had allowed my brother to lie unburied, that would have disturbed me deeply. Your law is not part of eternal justice. I disobeyed your law. I am not sorry for what I did,” Antigone said to

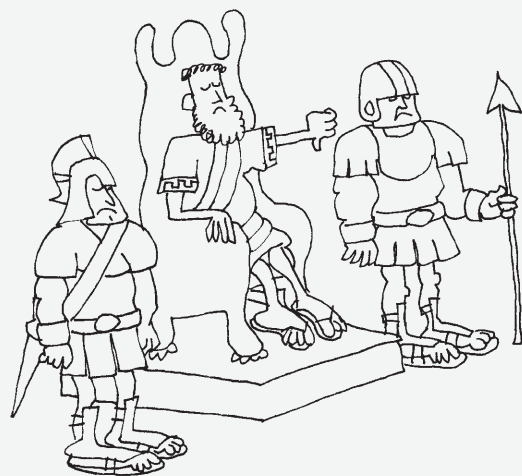
Creon.

“This brother of yours was attacking his own country,” Creon replied. “The gods require no such loyalty to evil doers. It is my duty to produce order and peace in this land. If I do not act, the citizens of Thebes will think me weak. The public order, the state itself will be in jeopardy. It is the laws of the state that hold this city together. If those who break the law go unpunished, we will be a lawless city. Even the innocent will suffer. You have thrown away your future happiness, Antigone,” Creon said. “You make it impossible for me to avoid putting you to death. Guards, take this woman and lock her away!”

As the guards escorted Antigone from the garden, she turned to Creon and said, “You further violate the rights of the people by passing sentence upon me without a fair and public hearing.”

PREPARING

As you were able to observe in the story, there were no laws that set reasonable limits on the power of the king. But, the king had a council of advisers, as in some other cities of ancient Greece. The role of the council was to investigate



cided on punishments for people who violated his laws. The story raises questions about limits on the power of government.

THE TRAGEDY OF ANTIGONE

Thebes was an important city in ancient Greece. Antigone lived there with her sister, Ismene, her two brothers, Polyneices and Eteocles, and their uncle Creon.

The citizens of Thebes had chosen Eteocles, the younger brother, to be their king. Polyneices believed that since he was older it was his right to rule the land. The two brothers quarreled and Eteocles banished Polyneices from the city.

Polyneices left Thebes and gathered a large army to fight his brother for the throne. It was a long and bitter civil war; many people died and much property

The citizens of Thebes debated the wisdom of Creon’s law. On one side, many people were opposed to it. These people believed it was the duty of the living to bury the dead. According

Antigone decided to bury the body of her brother. “I will never be false to my brother,” she said. Antigone attempted to convince Ismene to help her.

“Are you not going too





problems and to advise the king on what he might do to solve them.

Let us imagine that Antigone has asked the Council of Advisers to investigate the unlimited power of the king. Further, imagine that Creon agreed to permit the council to study the issue and to make recommendations. The Council of Advisers will conduct a hearing and then decide what recommendations, if any, to give the king.

Your class will work in six groups. Five of the groups should prepare to make a presentation that explains its ideas about limiting the power of the king. The sixth group is the Council of Advisers, who will listen to the presentations.

In preparing your presentations, use what you learned in the lesson as well as the ideas in the story. Each group also should prepare to answer questions from the council.

Creon. Prepare arguments against any limits on the power of the king. Base your arguments on what you read about Creon in the story. During your presentation, be sure to explain the reasons why you believe the power of the king should remain as is.

Citizens Who Support the King. Prepare arguments against limiting the power of the king. Present specific reasons why you support the actions of the king.

Antigone. Prepare arguments in favor of limiting the power of the king. Base your arguments on what you read about Antigone in the story. During your presentation, propose specific limits on the king's power that you would like the council to recommend to Creon.

Citizens Who Support Antigone. Prepare arguments that favor limiting the power of the king. Present specific reasons why you support Antigone's point of view.

Ismene. Prepare arguments that represent Ismene's point of view. Present specific reasons why you hold this opinion.

Council of Advisers. Reread the story and study the role of each group. Then prepare questions to ask each group during the hearing. Select a member of your group to be the president.

PRESENTING

The president of the Council of Advisers will call the session to order and explain the purpose of the meeting.

Each group has four minutes to make a formal presentation to explain its position to the council.

After each presentation, council members may ask questions of the group. Every member of the group should help answer the council's questions.

After the hearing, the Council of Advisers will

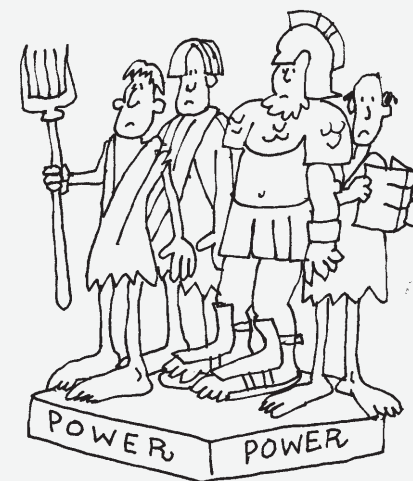
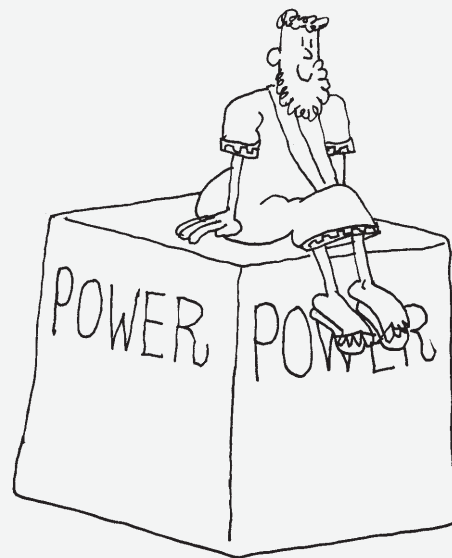
meet to decide what recommendations, if any, to make to the king. The council will then share its decision with the class.

EVALUATING

After the council has made its decision the class as a whole should evaluate the decision. Each student should answer the evaluation questions below and share their conclusions with the class.

- What were the strongest arguments made against limiting the power the

- king? Which arguments were the weakest?
- What were the strongest arguments made in favor of limiting the power of the king? Which arguments were the weakest?
- What did you learn about the importance of constitutional government as a result of this activity?



LESSON REVIEW

1. What is a constitution? What can you learn about a nation's government by studying its constitution?
2. Explain the differences between a constitutional government and an autocratic or dictatorial government.
3. What are the characteristics that define a constitution as a "higher law"?
4. Identify two areas of private life in which you think government should not interfere. Explain why you think government should not intrude in these areas.

ACTIVITIES

1. In the history of the world, there have been governments that ignored the limits on their power. Conduct research on one of these governments and give examples of how it violated the natural rights of the people.
2. Read the play *Antigone*. Research how the play was rewritten during World War II to inspire resistance to Nazi rule. Write a short report on your findings and share it with your class.
3. Review editorial cartoons in the newspaper to see how they are done. Then draw an editorial cartoon for your class bulletin board that illustrates the difference between a constitutional government and a dictatorial government.
4. In the newspaper find stories about countries that have a limited government and countries that have unlimited government. Paste the articles about either limited or unlimited government on a poster. On the poster list the rights and responsibilities of the citizens, or lack of them, you can infer from the articles selected.

5

LESSON
PURPOSE

How can we organize government to prevent the abuse of power?

Constitutional governments are designed to protect the people from abuses of government power. In this lesson you learn how people might organize government to make the abuse of power less likely.

When you finish this lesson, you should be able to explain the ideas of separation of powers and checks and balances; know the Founders' reasons for creating a system that limits governmental power; and list some powers of the three branches of government.

IDEAS FOR DISCUSSION

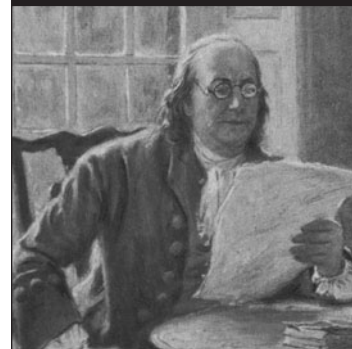
Why did the Founders fear the abuse of power?

The Founders knew that throughout history many governments had used their power unfairly. This is why they created the system of limits on power described in this lesson. To understand their thinking, read the quotations below. Then, with a partner, discuss the questions that follow.

1. What does each quotation mean?
2. What view of human nature did Alexander Hamilton, Benjamin Franklin, and George Mason share?
3. Do you agree or disagree with these views of human nature? Why or why not?
4. If you do agree with these views of human nature, how would you organize our government to protect your rights?



Why did the Founders believe that all governments need limits on their power?



TERMS TO UNDERSTAND

bill
checks and balances
executive branch
judicial branch
legislative branch
separation of powers

How might people organize a government to prevent the abuse of power?

Constitutional governments are organized in such a way that one person or group cannot get enough power to dominate the government. Two common ways to do this are

- **Separate the powers of government.** Divide the powers of government among different branches, or parts. Doing so would prevent any one person or group from having all the power.
- **Balance the powers among the branches of government.** Divide the powers of government in such a way that no one branch controls the other branches. Give each branch methods to check the use of power by the other branches.

ALEXANDER HAMILTON

“Give all power to the many, they will oppress the few. Give all power to the few, they will oppress the many.”

BENJAMIN FRANKLIN

“There are two passions which have a Powerful influence on the affairs of men. These are ambition and avarice [greed]; the love of power and the love of money.”

GEORGE MASON

“From the nature of man, we may be sure that those who have power in their hands...will always, when they can...increase it.”

How is the separation of powers different from the balance of powers?

How does separation of powers work?

A study of constitutional governments shows that they are often divided into three different groups or branches. The power of government is not given to any one branch. Instead, some of the power is given to each branch. This is called **separation of powers**. For example, we divide our government into the following three branches:

- the **legislative branch** has the power to make laws
- the **executive branch**

has the power to carry out and enforce laws

- the **judicial branch** has the power to manage conflicts about the meaning, application, and enforcement of laws.

How does a system of checks and balances work?

The phrase **checks and balances** means that the powers of the different branches of government are balanced. No one branch has so much power that it can completely dominate the others. Although each branch of government has its own special powers, the powers are checked because some pow-

ers are shared with the other branches.

According to our Constitution, Congress is the legislative branch. It has the power to make laws. The power of Congress is divided between two houses, the House of Representatives and the Senate. Each house can check the power of the other by refusing to pass a law proposed by the other house.

In addition, our Constitution gives the executive and judicial branches ways to check and control the power of Congress to make laws.

For example:

- A **bill** is a proposed law. When Congress passes a bill, the president must sign it before it can

become law. The president has the right to refuse to sign a bill. If this happens, the bill cannot become a law unless Congress votes again and passes the bill by a two-thirds majority of both houses.

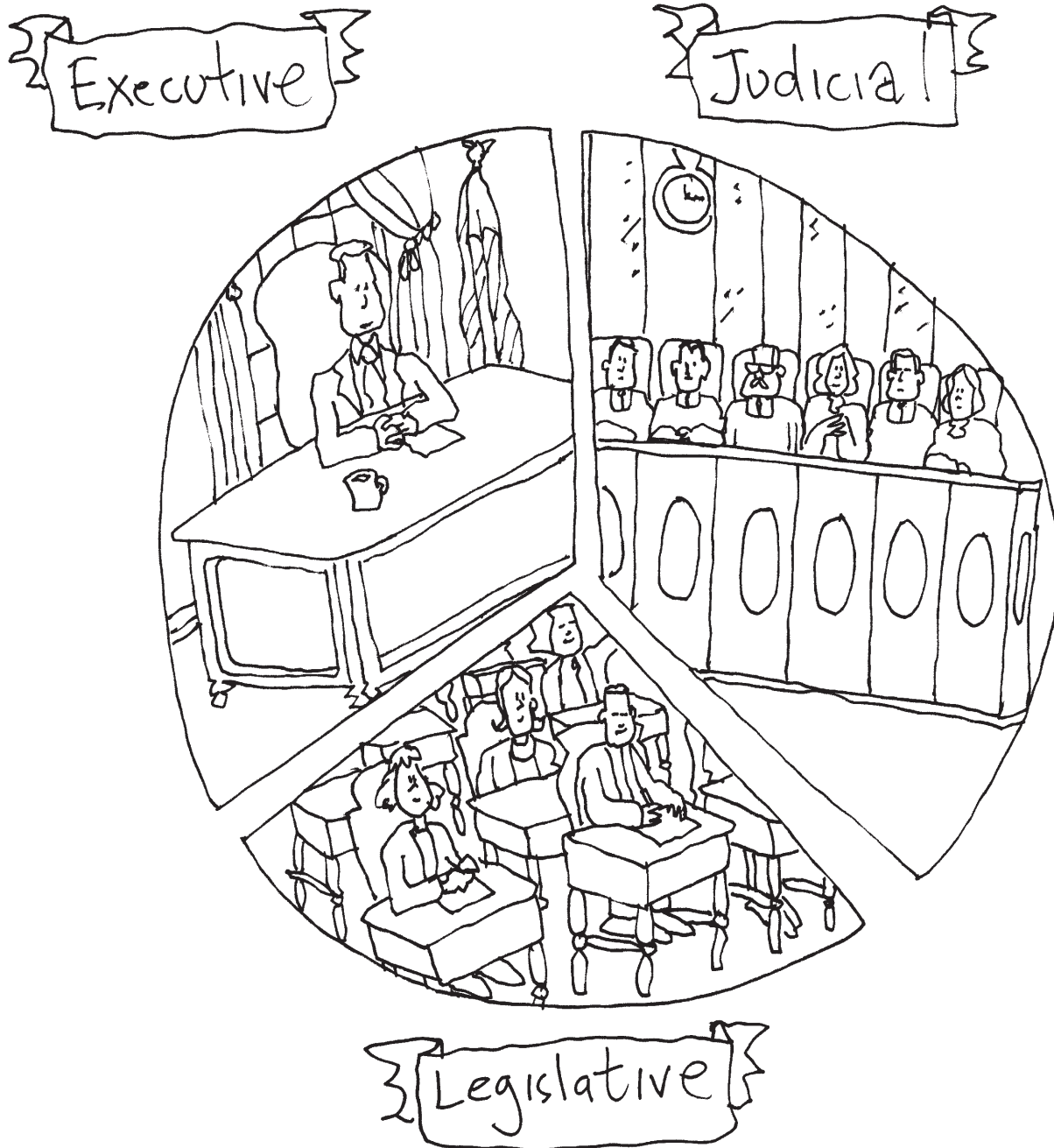
- The U. S. Supreme Court can check the power of Congress. The Court can declare a law to be in violation of the Constitution and, therefore, invalid.

There are similar ways to check the powers of the president and U.S. Supreme Court. You will learn more about the system of checks and balances in a later lesson in a future supple-

ment.

This system of separation of powers and checks and balances helps ensure that government power is limited. Because constitutional governments are organized in complicated ways, getting things done may take time. Although it might seem strange, this is often considered an advantage. Many people think that these complications make it more likely that when government does finally make a decision, it will be a well thought out one.

Which branch of government has the final say about whether a law is constitutional?



Why are the powers of government separated and balanced?

LESSON REVIEW

1. How does a system of separation of powers work?
2. What are the three branches of our government and what power does each hold?
3. How does a system of checks and balances work? Give some examples.
4. The separation and sharing of powers means that government cannot reach decisions quickly. Why might this be an advantage? Why might it be a disadvantage?

ACTIVITIES

1. Read Articles I, II, and III of the U.S. Constitution. Then, examine the constitution of your state.

Create two charts that illustrate the process of checks and balances, one for in your state government and one for the U.S. government. Share your charts with the class.
2. Find newspaper or news magazine articles that illustrate our system of separation of powers and checks and balances. Use the articles to create a bulletin board for your classroom.
3. Collect a series of articles from the newspaper in which the two houses of the U.S. Congress are exercising their powers. Select an issue in which there is disagreement between the Senate and the House of Representatives. Draw a Venn diagram that illustrates each house's position on the issue. Show the places the two bodies differ within their own circle and show where they agree in the overlapping portion of the diagram.
4. Find newspaper stories where the executive or judicial branches of government are using their power to carry out, enforce, or deliberate a law enacted by Congress. Which cabinet office of the executive branch or what level of the judicial branch is taking the action? Write a summary of what occurred and how the branch was involved.

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