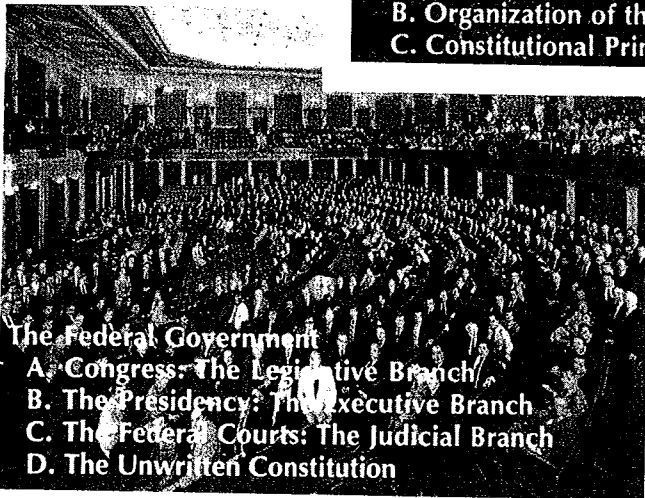
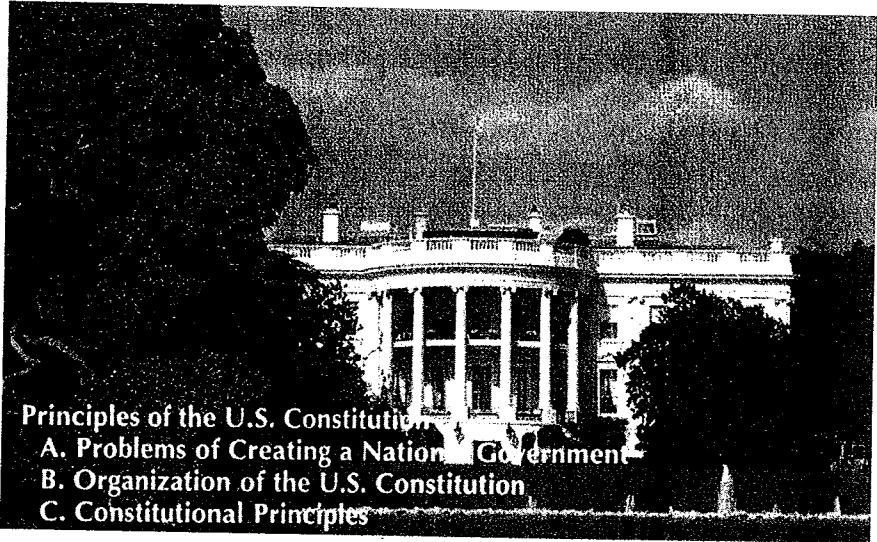


# OUR CONSTITUTIONAL SYSTEM OF GOVERNMENT



Constitutional Protection of Individual Rights  
A. The Bill of Rights  
B. The Fourteenth Amendment  
C. Other Important Rights



## WHAT YOU SHOULD FOCUS ON

In this chapter, you will learn about the basic ideas of the U.S. Constitution and how the American government is organized and operates.

The main challenge of the “Framers” (writers) of the new Constitution was to strike a balance between the powers of the federal and state governments without threatening the rights of individual citizens. To meet this challenge, the authors of the Constitution created a document that would help to delicately balance these two important goals.

As you read this chapter, you will learn about:



*With George Washington presiding, delegates sign the new U. S. Constitution.*

### **The Principles of the U.S. Constitution**

The new U.S. Constitution provided a strong government. This government was to be based on certain principles. Federalism, the separation of powers, and a system of checks and balances would assure that no one branch of government overpowered the others.

### **The Federal Government**

The federal (national) government created under the Constitution was divided into three branches: a legislature (Congress), an executive (the Presidency), and a judiciary (the Federal courts). Each was organized and operated differently.

### **Constitutional Protection of Individual Rights**

To protect the rights of individual citizens, the first Congress added ten amendments, which became known as the Bill of Rights. Later, other important protections of individual rights were added.

In studying this chapter, you should focus on the following questions:

- ❖ How did the Constitution create a strong central government without threatening individual liberties?
- ❖ How does our federal system of government work?
- ❖ How are individual rights protected by the Constitution and Bill of Rights?

## SECTION

## 1

## PRINCIPLES OF THE U. S. CONSTITUTION

In this section you will read about the basic ideas found in the U.S. Constitution.

## THINK ABOUT IT

Describe one way you have been affected by each level of government:

National Government: \_\_\_\_\_

State Government: \_\_\_\_\_

Local Government: \_\_\_\_\_

**Important Terms and Concepts:** As you read this section, look for the following:

- |                       |                        |
|-----------------------|------------------------|
| ◆ Popular Sovereignty | ◆ Concurrent Powers    |
| ◆ Preamble            | ◆ Separation of Powers |
| ◆ Federalism          | ◆ Checks and Balances  |
| ◆ Delegated Powers    | ◆ Elastic Clause       |
| ◆ Reserved Powers     | ◆ Amendments           |

To help you find these terms, this symbol ◆ appears in the margin where the term is first explained.

To correct the problems of the Articles of Confederation, the writers of the U. S. Constitution had to rethink the whole idea of what a government is supposed to be.

## THE PROBLEMS OF CREATING A NATIONAL GOVERNMENT

### WHAT IS A GOVERNMENT?

Human beings are social; they need to live with others in groups or communities. As a result, communities must make rules to settle disagreements among members, and to protect the community from those who violate the rules. The organization set up for these purposes is called a **government**. Just as a captain guides a ship, a government guides the members of a community in their dealings with each other and outsiders. All governments are given powers to carry out their authority over the members of society. These powers include:

a legislative power  
to make the laws

an executive power  
to carry out the laws

a judicial power  
to interpret the laws

## WHAT KIND OF GOVERNMENT SHOULD BE CREATED?

Creating a government is a matter of great concern to each of us. How much power can we give to a government without it threatening our liberties? This question helps you to appreciate the difficulty facing the people who established our system of government. The members of the Constitutional Convention in 1787 had several different types of government from which to choose:

One Person	<b>Monarchy</b> ( <i>rule by a king or queen</i> )
A Select Few	<b>Oligarchy</b> ( <i>rule by a few wealthy and powerful citizens</i> )
All Citizens	<b>Democracy</b> ( <i>rule by representatives chosen by the people</i> )

The delegates to the Constitutional Convention were committed to **democracy** — power would remain in the hands of the people, who would choose their own representatives. After making this decision, the delegates next had to concern themselves with how power was going to be shared between a national government and the state governments. Finally, the authors of the Constitution had to decide what the goals of the new national government would be, how the representatives would be chosen, and what their particular powers would be.

## THE GOALS OF THE UNITED STATES GOVERNMENT

The goals of our national government were made clear in two documents: the Declaration of Independence and the Constitution. The Declaration stated that the main goal of government should be to protect the rights of the members of the community, especially the rights to “life, liberty and the pursuit of happiness.” The **Preamble** of the Constitution spelled out the specific goals of our national government — to ensure internal peace, to promote the general welfare, to provide for the nation’s defense, and to establish justice.

## BALANCING GOVERNMENTAL POWER AND INDIVIDUAL LIBERTY

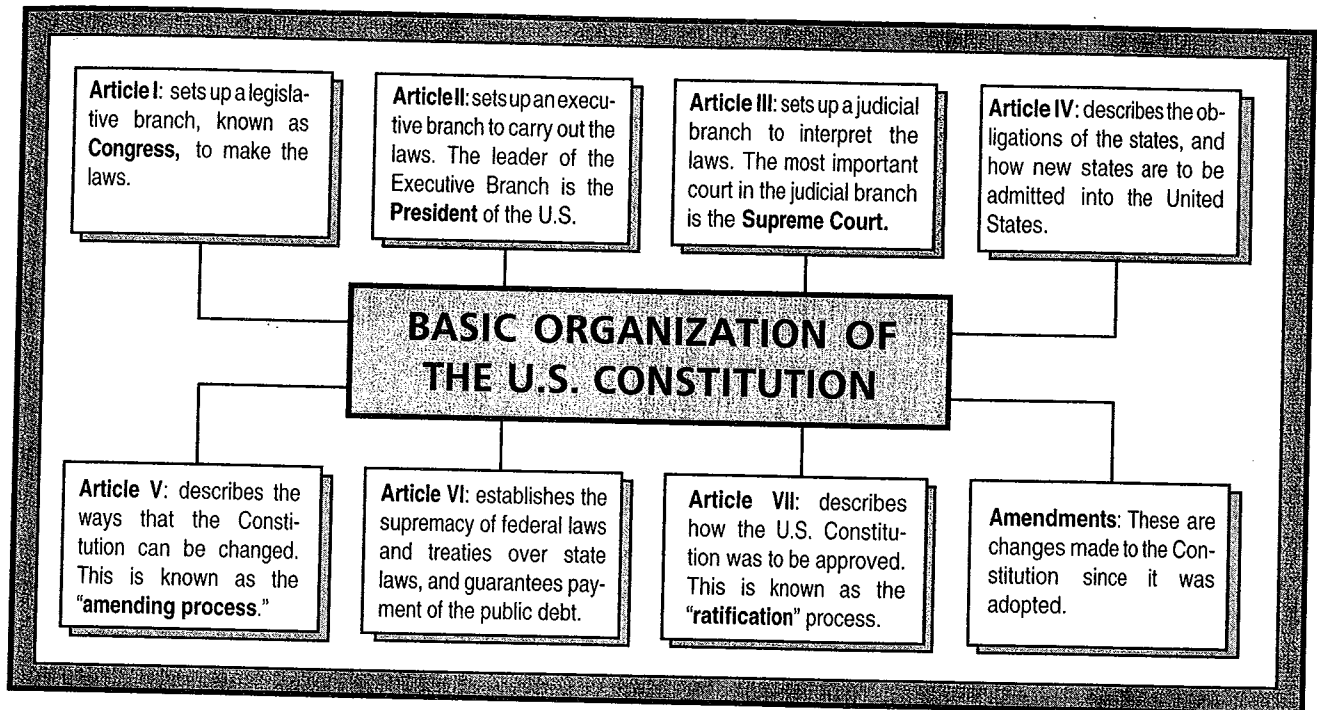
Once they had arrived at the goals of the government, the authors of the Constitution had to create a government that could fulfill those aims. They sought to strike a balance between the powers of government and the rights of the individual. The central problem in forming our government was:

*How much power should be given to government officials — so that they can carry out their duties — without taking away the people’s liberties?*

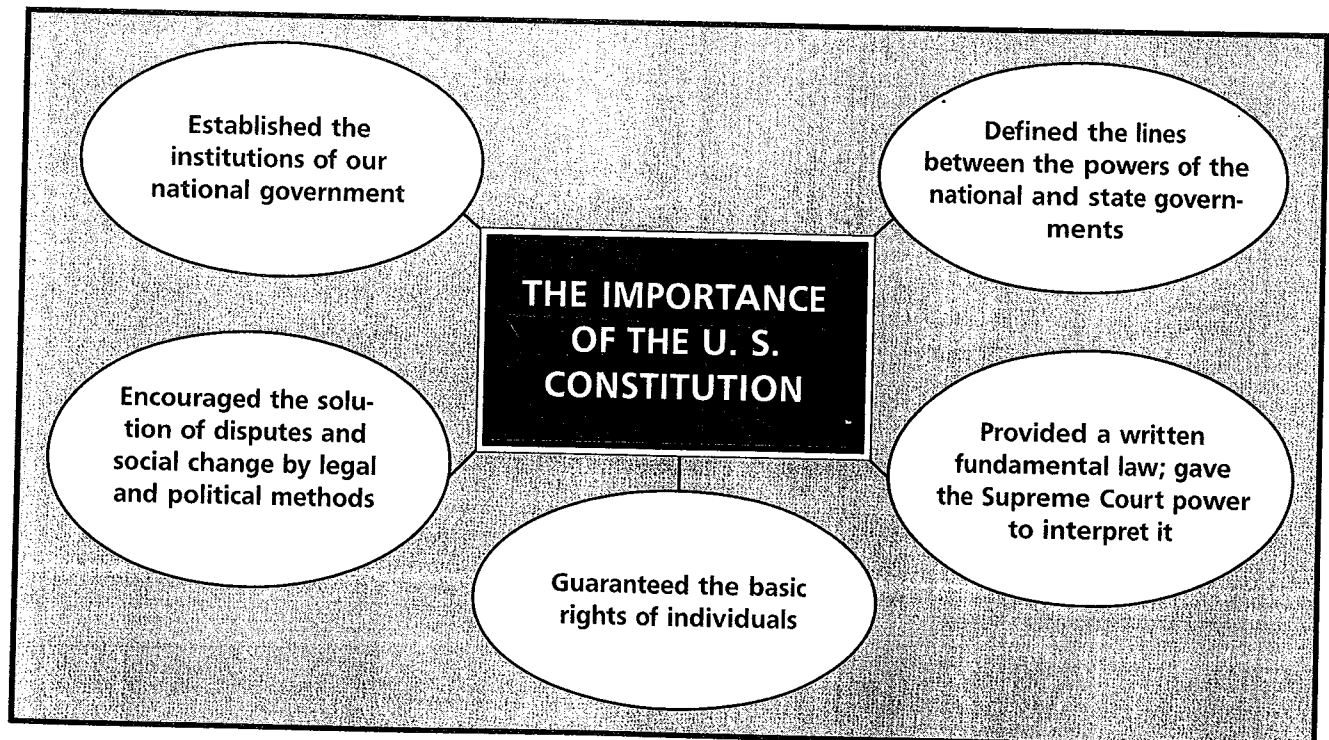
## THE ORGANIZATION OF THE U.S. CONSTITUTION

The final plan of government reached by the delegates at the Constitutional Convention is contained in a document called the U. S. Constitution. It opens with a Preamble which lists the major goals of the government. The rest of the Constitution is divided into seven Articles: think of them as chapters in a book. In addition, 27 amendments (*additions*) have been ratified since the

Constitution was adopted. The **Twenty-seventh Amendment**, dealing with raising the salaries of members of Congress, was proposed nearly 200 years ago and was only recently ratified by the states.



It would be hard to exaggerate the significance that the Constitution has had on American life.



## CONSTITUTIONAL PRINCIPLES

The system of government set up by the U.S. Constitution rests on a number of important principles.

### POPULAR SOVEREIGNTY

- ◆ The Constitution is considered the supreme law of the nation.
- ◆ It is based on the idea of **popular sovereignty** (*the will of the people*) in which the people decide, by majority rule, what they want. This principle is stated in the first section of the Constitution, called the **Preamble** (*introduction*). Its opening words, "We the People ..." tell us that the right to form a government comes from the people and that the authors of the Constitution were acting as the representatives of the American people. The rest of the Preamble states what the authors believed should be the goals of the new government.

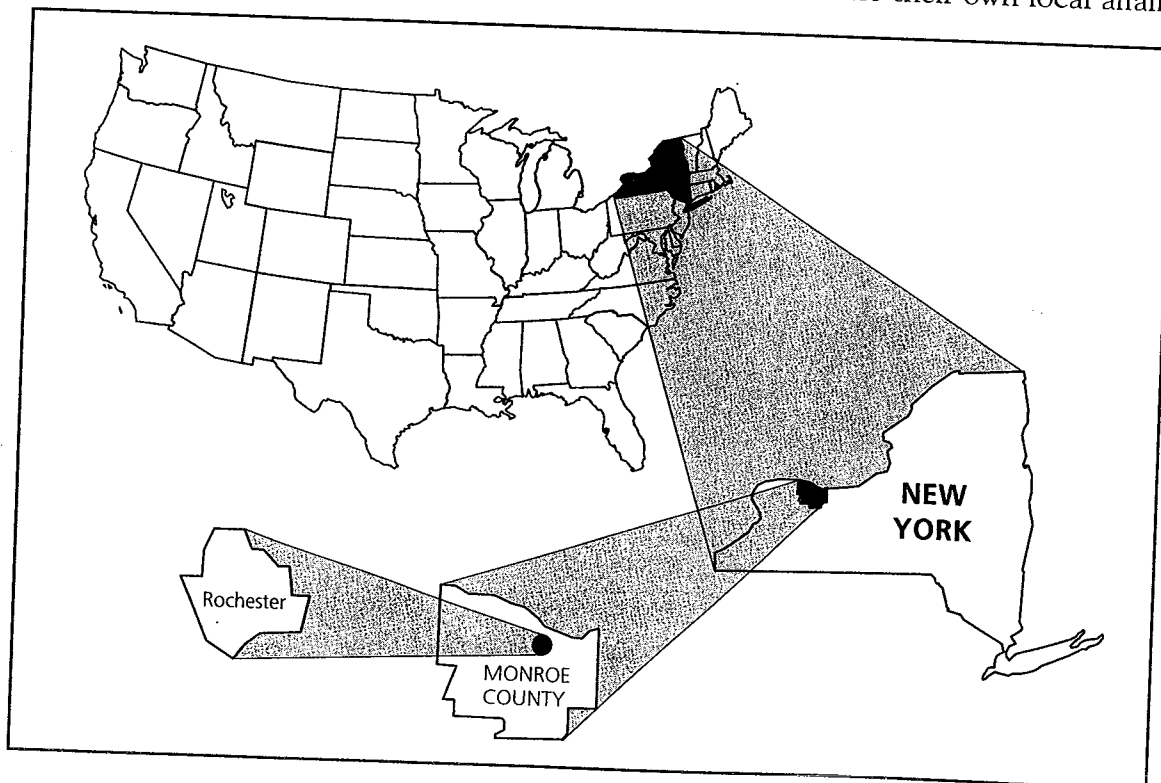
*We, the people of the United States, in order to form a more perfect Union,*

- *establish justice,*
- *insure domestic tranquillity,*
- *provide for the common defense,*
- *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.*

### FEDERALISM

The writers of the Constitution knew that under the Articles of Confederation the national government was too weak. However, they still feared giving it too much power because of their bitter experience with the powerful British government, which had taxed them without their consent. They decided to create a system where power was *shared* between the national government and the state governments. This division of powers is called **federalism**. The national government deals with matters that affect the whole country, as well as relations among the states. The terms "national," "federal," and "central" government all refer to the government in Washington, D. C. The state governments handle their own local affairs.



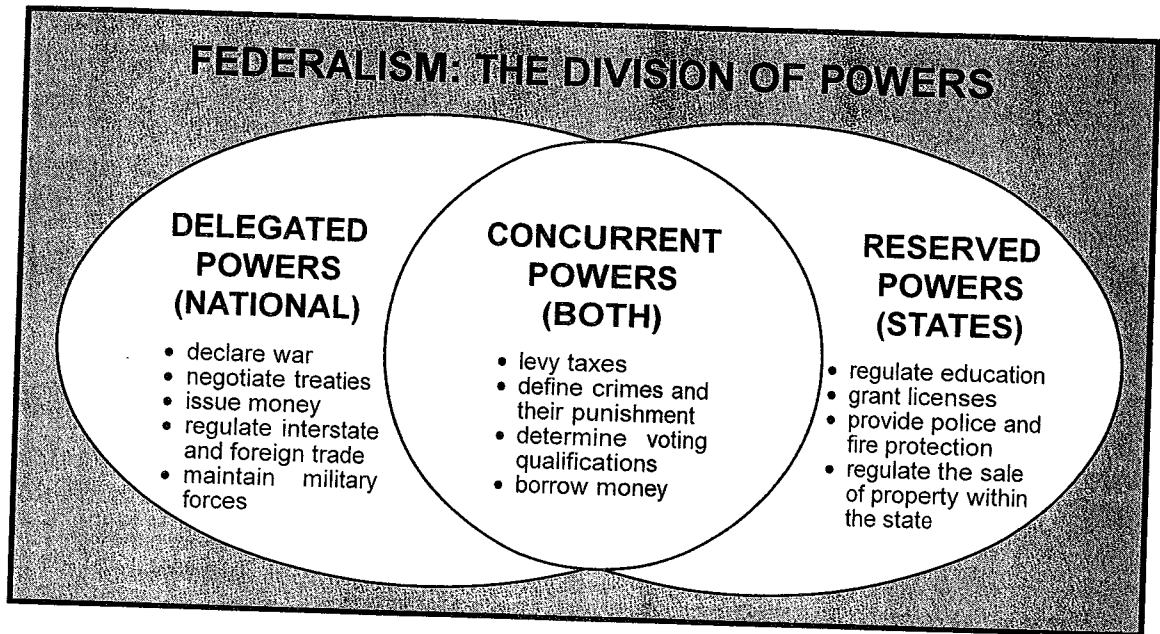


The powers to govern are shared as follows:

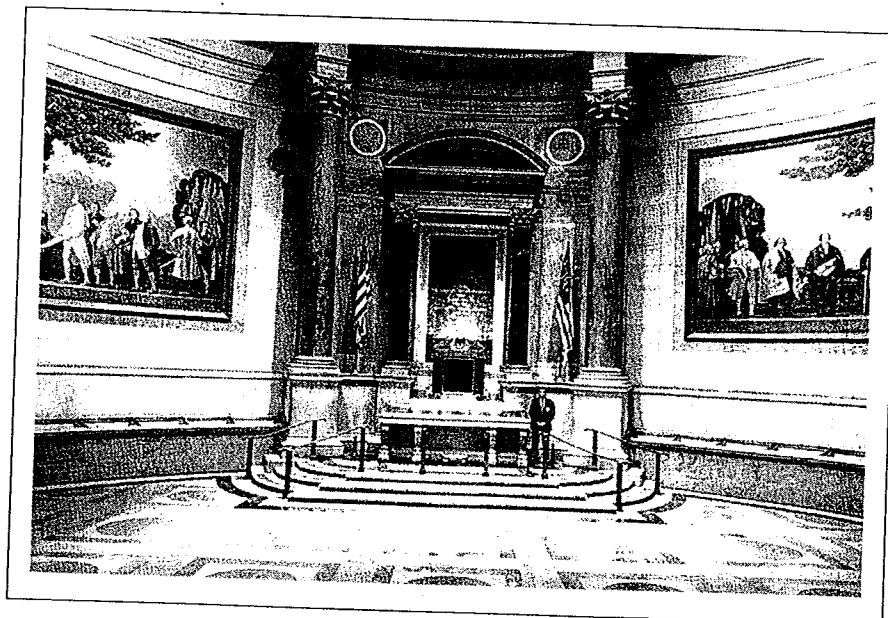
**Delegated Powers:** powers which the Constitution gives exclusively (*only*) to the national government.

**Reserved Powers:** powers which were reserved (*kept*) by the states and belong exclusively to the state governments.

**Concurrent Powers:** powers shared by both the state governments and the national government.



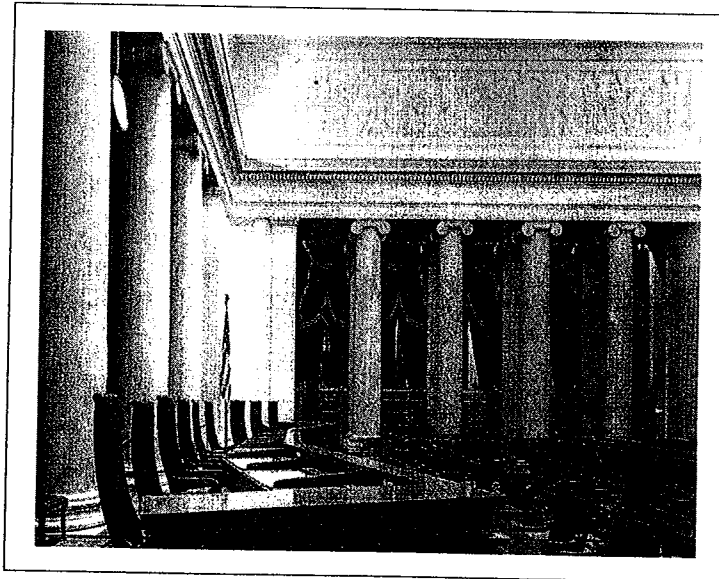
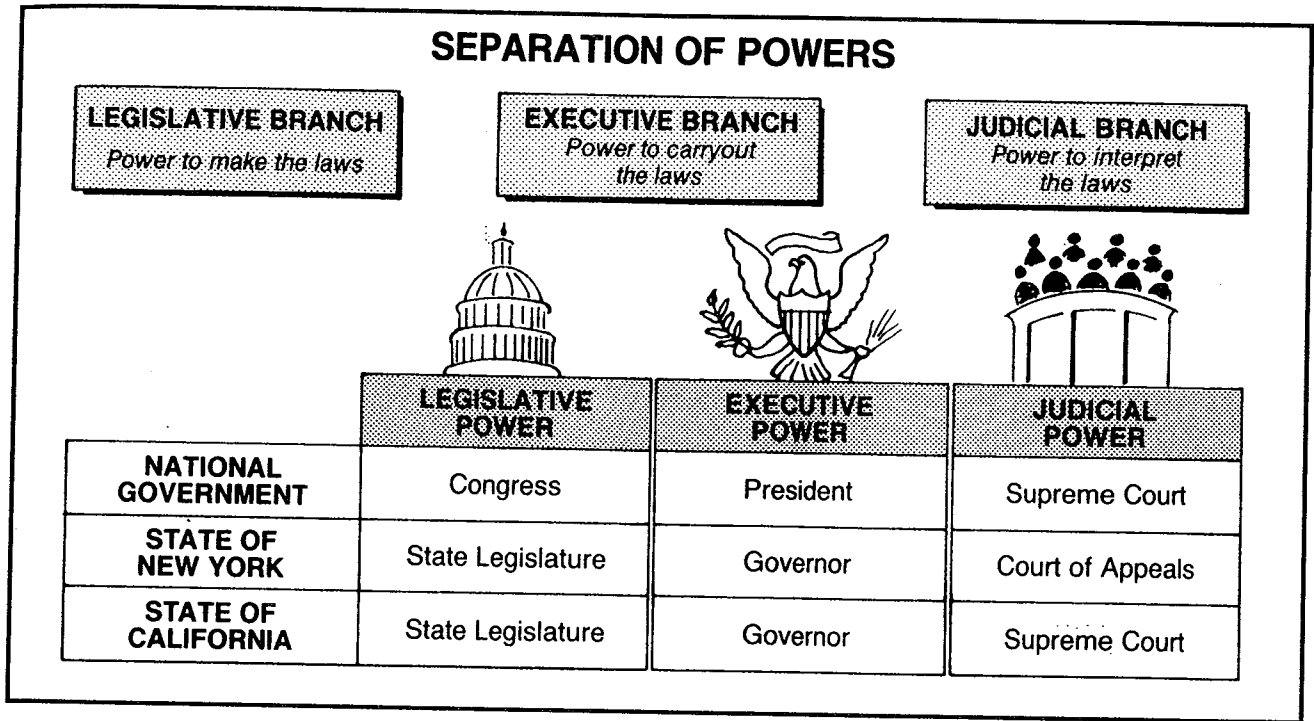
The Framers of the U.S. Constitution realized that in creating a new government, there were bound to be conflicts between the national government and the various state governments. Anticipating such conflicts, they added Article VI, known as the **Supremacy Clause**. This article states that the Constitution is the law of the nation. It was on the basis of this clause that the Supreme Court declared that national laws were supreme over state laws.



*The Shrine at the National Archives contains the Declaration of Independence, the Constitution, and the Bill of Rights.*

## SEPARATION OF POWERS

Because the authors of the Constitution feared leaving too much power in the hands of one government, they also **separated** the three main powers of the national government into different branches — the **legislative** (*the power to make laws*), the **executive** (*the power to carry out laws*), and the **judicial** (*the power to interpret laws*). This separation made it difficult for any one person or branch of government to become too powerful. State governments, like New York State, also follow the same model of separating powers among three branches.



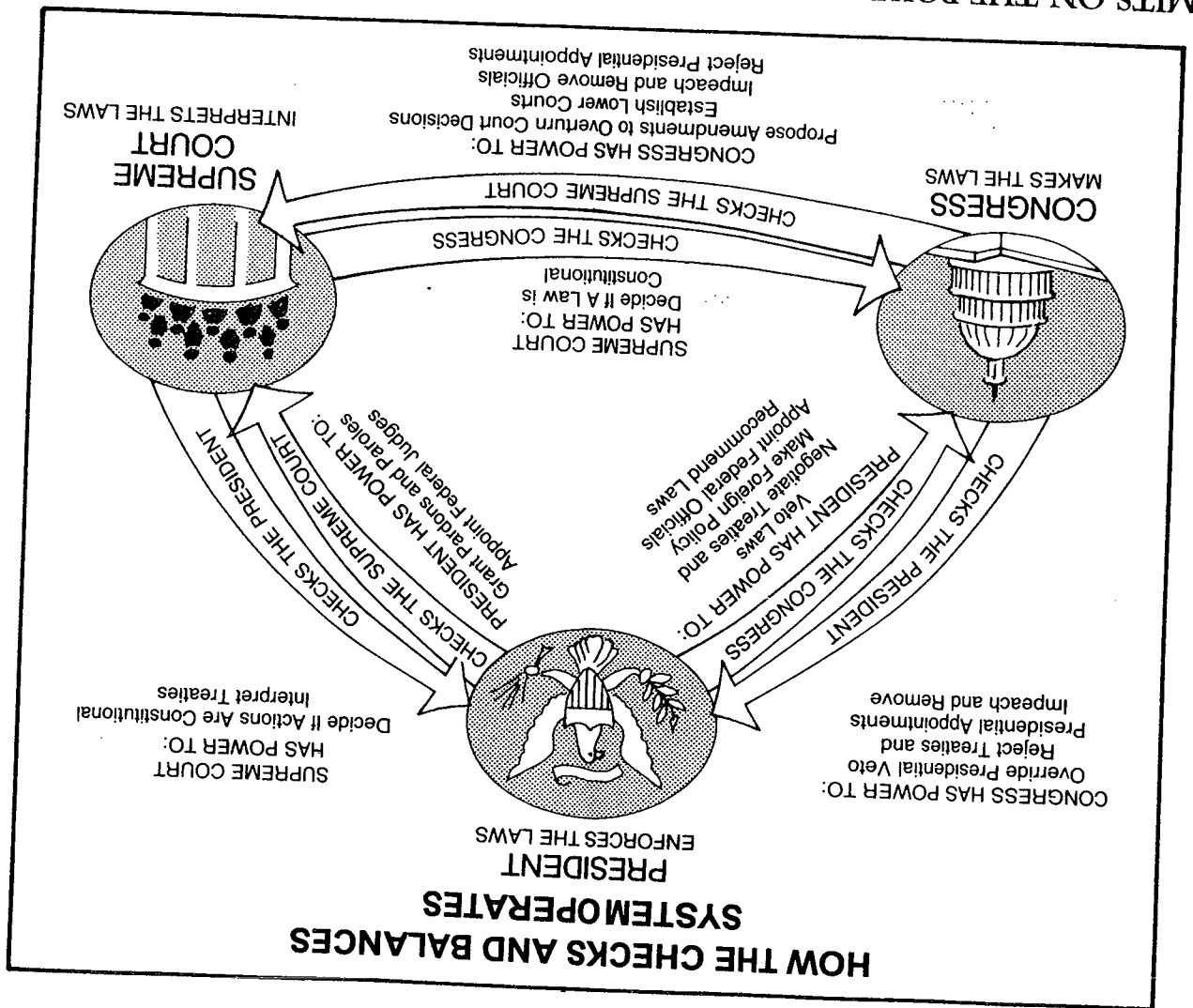
*The courtroom  
in which the nine  
Supreme Court  
Justices hear  
cases*

## CHECKS AND BALANCES

In order to prevent any one of the three branches from becoming too powerful, the Constitution gave each branch ways to stop or “check” the other branches. For example, the Senate must approve most Presidential appointments, while the President may veto bills passed by Congress. In this way, power is kept in “balance” among the branches.



## HOW THE CHECKS AND BALANCES SYSTEM OPERATES



**LIMITS ON THE POWER OF GOVERNMENT**  
The authors of the Constitution took great care to spell out the specific powers of the federal government.

■ The federal government can only use those powers that are **delegated** (specifically given to it by the Constitution). For example, some of the major powers of the legislative branch (Congress) are as follows:

Congress Has the Power to:	
Regulate interstate commerce	Congress can control trade among the states
Impose and collect taxes	Congress can create and collect taxes
Coin money	Congress can print money and issue coins

The Constitution allows the federal government to "stretch" its delegated powers to some degree. The government may take additional unlisted actions that are "necessary and proper" for Congress to carry out its delegated powers. This "necessary and proper" clause is sometimes called the **Elastic Clause** because it "stretches" the powers of Congress. For ex-

ample, the Constitution does not specifically give Congress the power to set up a national bank. But the Constitution does give Congress the power to collect taxes and to regulate interstate commerce (*trade*). In order to exercise these powers, Congress might decide that it is “necessary and proper” to establish a national bank, even though the power to establish a national bank is not specifically mentioned in the Constitution.

### ANALYSIS

What other powers can you name that Congress uses that are “necessary and proper” to carry out its delegated powers in the Constitution? \_\_\_\_\_

\_\_\_\_\_

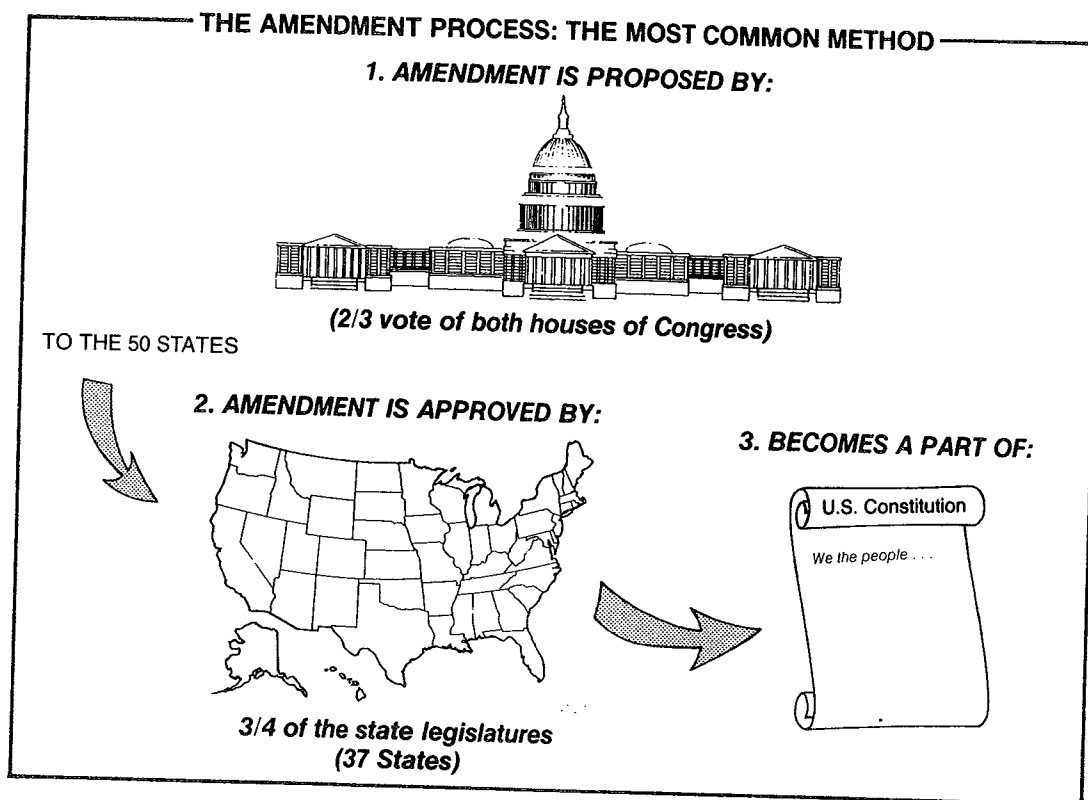
\_\_\_\_\_

- The Constitution also says that both the national and state governments are prevented from taking certain actions. These are called the **Denied Powers**

Powers Denied to the Federal Government	Powers Denied to Both the Federal & State Governments	Powers Denied to the State Governments
<ul style="list-style-type: none"> <li>• To suspend the <i>writ of habeas corpus</i></li> <li>• To spend money without Congressional approval</li> <li>• To give preference to one state over another</li> </ul>	<ul style="list-style-type: none"> <li>• To pass <i>ex post facto</i> laws</li> <li>• To pass <i>bills of attainder</i></li> <li>• To grant titles of nobility</li> <li>• To tax exports</li> <li>• To deny people due process of law</li> </ul>	<ul style="list-style-type: none"> <li>• To print money</li> <li>• To enter into treaties</li> <li>• To tax imports</li> <li>• To tax the federal government</li> <li>• To declare war</li> </ul>

### FLEXIBILITY

Although it was written over 200 years ago, the Constitution has been able to keep up with the changing needs of the country. Changing interpretations of the Constitution, especially by the U.S. Supreme Court, have helped adapt the Constitution to new conditions. For example, the delegated power to regulate interstate commerce has been interpreted to mean that Congress can pass a minimum wage law, since products made by workers in one state can be sold in another state. Another way the Constitution keeps pace is through the process of **amendment** (*an addition to or change in the text of the Constitution*). To prevent changes for unimportant reasons, the amending process was made far more difficult than passing an ordinary law. It is only when there is a general demand for fundamental change that amendments get ratified. One example was the widespread public demand in the 1970s for 18-year-olds to have the right to vote. ♦



### SUMMING UP: PRINCIPLES OF THE CONSTITUTION

The U.S. Constitution contains a number of important principles. These principles include popular sovereignty, federalism, separation of powers, checks and balances, limiting the powers of government, and having the flexibility to adapt to new conditions.

#### THINKING IT OVER

Now that you have read this section, are there any additional jobs you think each level of government should have?

National Government: \_\_\_\_\_

State Government: \_\_\_\_\_

Local Government: \_\_\_\_\_

## CHECKING YOUR UNDERSTANDING

**Directions:** Complete the following cards. Then answer the multiple-choice questions.

### FEDERALISM

Definition: \_\_\_\_\_

Give an example: \_\_\_\_\_

### SEPARATION OF POWERS

Definition: \_\_\_\_\_

Give an example: \_\_\_\_\_

### CONCURRENT POWERS

Definition: \_\_\_\_\_

Give an example: \_\_\_\_\_

### CHECKS AND BALANCES

Definition: \_\_\_\_\_

Give an example: \_\_\_\_\_

- 1 According to the principle of "popular sovereignty," political power rests with the
  - 1 Supreme Court                      3 President
  - 2 Congress                              4 people
- 2 Which is an example of a "delegated power" of the national government?
  - 1 setting speed limits on state roads
  - 2 building schools
  - 3 regulating interstate commerce
  - 4 determining the price of goods
- 3 An example of a "reserved power" held by the state governments is the power to
  - 1 establish post offices              3 coin money
  - 2 set marriage qualifications      4 raise an army
- 4 An example of a "concurrent power" of both the state and national governments is to
  - 1 collect taxes                      3 establish foreign policy
  - 2 declare war                        4 print money
- 5 The "elastic clause" of the U.S. Constitution refers to powers of
  - 1 the states                          3 Congress
  - 2 the President                      4 the Supreme Court
- 6 The basic purpose of constitutional checks and balances is to
  - 1 protect the states from invasion by foreign governments
  - 2 prevent any one branch of the federal government from becoming too strong
  - 3 enable the federal government's power to grow
  - 4 provide a written guarantee of the rights of each citizen
- 7 State laws that govern teenage driving in different parts of the United States provide an example of
  - 1 checks and balances
  - 2 popular sovereignty
  - 3 a reserved power
  - 4 a delegated power
- 8 A basic feature of a "federal" system of government is that it
  - 1 punishes citizens who break the law
  - 2 divides power between the national and state governments
  - 3 has an elected national court system
  - 4 makes sure all minorities receive equal pay

# SECTION 2

## THE FEDERAL GOVERNMENT

In this section you will read about the three branches of the U.S. government and how they are organized.

### THINK ABOUT IT

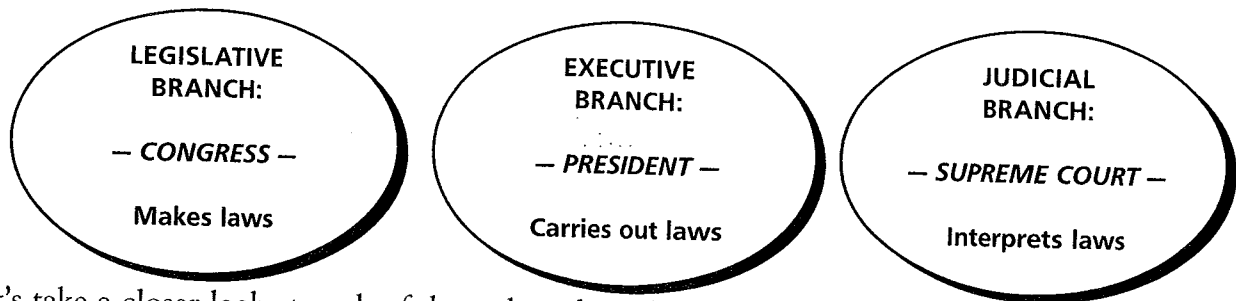
The Constitution divides the power of government into separate parts or branches: the legislative, executive, and judicial. What do you think is the major job of each?

Legislative: \_\_\_\_\_ Executive: \_\_\_\_\_ Judicial: \_\_\_\_\_

**Important Terms and Concepts:** As you read this section, look for the following:

- ◆ Branches of Government
- ◆ Electoral College
- ◆ Judicial Review
- ◆ Unwritten Constitution

◆ The federal government is divided into three **branches** (*parts*):



Let's take a closer look at each of these three branches of government.

## CONGRESS: THE LEGISLATIVE BRANCH

The legislative branch of the federal government is called **Congress**. Congress consists of two parts, called "houses" — the **Senate** and the **House of Representatives**.

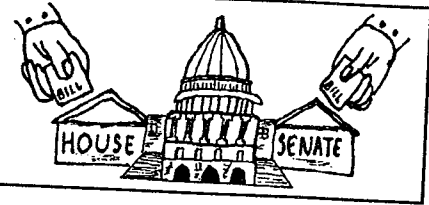
	HOUSE OF REPRESENTATIVES	SENATE
<b>Total Members</b>	435 members	100 members
<b>Determined by</b>	Population: the more people living in the state, the more Representatives the state has	Two from each state, no matter what the size of the state's population
<b>Length of Term</b>	2 years	6 years
<b>Special Powers</b>	<ul style="list-style-type: none"> <li>introduces spending bills</li> <li>selects a President if the Electoral College fails to do so</li> </ul>	<ul style="list-style-type: none"> <li>conducts impeachment trials</li> <li>approves Presidential appointments</li> <li>ratifies (approves) treaties</li> </ul>

## POWERS OF CONGRESS

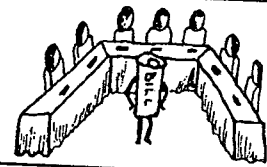
Congress has the power to make laws. All laws start out as **bills** (*proposed laws*).

### HOW A BILL BECOMES A LAW

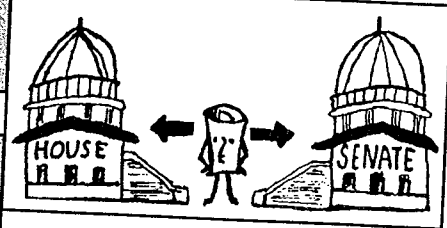
**Introduction of a Bill.** Bills can start in either house of Congress. All *spending* bills must start in the House of Representatives. Once proposed, the bill is sent to a committee (*group of legislators dealing with specific issues such as foreign affairs*).



**Committee Stage.** Committee members investigate the bill and debate whether to approve, amend, or "kill" it. If approved, the bill is sent to the floor for debate.



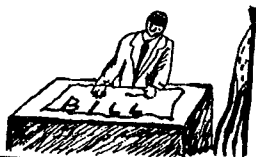
**Consideration of the Bill.** On the floor of the house, the bill is debated. Then it is either approved or "killed." If approved, the bill is sent to the other legislative body, where it is sent to a committee. If approved by the committee, the bill is sent to the other house.



**Consideration by the Other House.** On the floor of the second house, the bill is again debated. Then it is either approved or "killed." If the same version of the bill is approved by both houses, it is then sent to the President.

OR

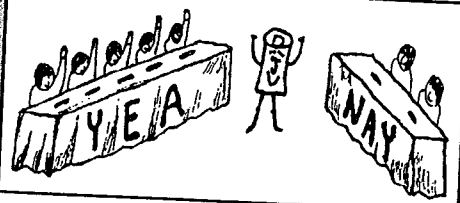
**The President.** If the President signs the bill, it then becomes the law of the land. If the bill is **vetoed** (*rejected*) by the President, the veto can be overridden.



**Conference Committee.** If differences exist between the Senate and House versions, a Conference Committee, made up of members of both houses, "iron out" differences between the versions. Then they send the bill to the President.



**Overriding A Veto.** Congress can override a Presidential veto; it requires two-thirds of the members of each house to vote again in favor of the bill. The bill then becomes law even though the President opposed it.





The law-making process was deliberately made complicated, so that only well-supported bills would become laws. Once a bill is passed and is signed by the President, it becomes part of the law of the land. All citizens must obey it. Those who do not may face fines and even imprisonment.

## THE PRESIDENCY: THE EXECUTIVE BRANCH

The **executive power** — the power to carry out laws — is given to the President.

### QUALIFICATIONS AND TERM OF OFFICE

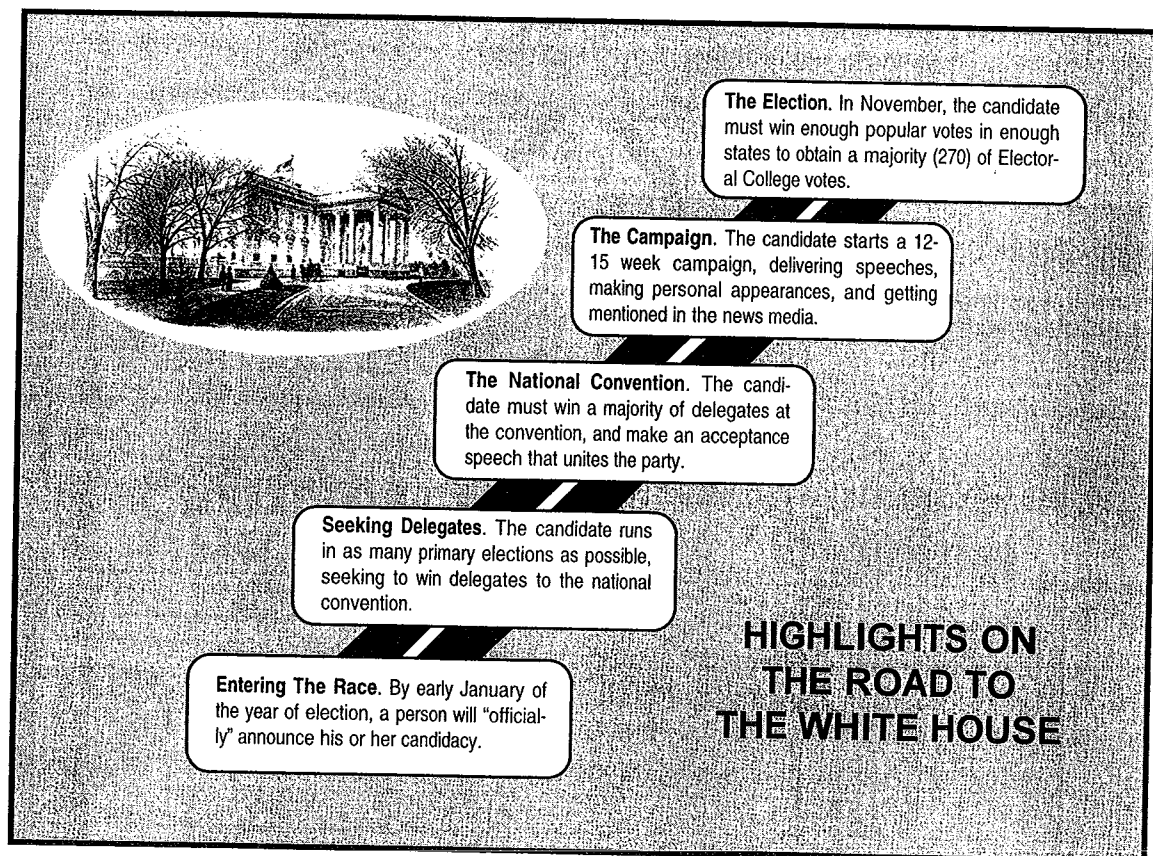
The President must either be born in the United States or have parents who are U.S. citizens, and must be at least 35 years old. The President is elected for a four-year term. As a result of the **Twenty-second Amendment**, adopted in 1951, the President is limited to two terms in office.

### CHOOSING PRESIDENTIAL CANDIDATES

The road to the Presidency is long and difficult. Usually a person must first win the nomination of one of the two major political parties — the Democrats or Republicans. To do this, candidates enter **primaries** (*state-wide elections between rivals from the same political party*). The more primaries a candidate wins, the more delegates will vote for him or her at the party's **national convention**. To be nominated, a candidate must win a majority of delegates at the national convention.

### THE PRESIDENTIAL CAMPAIGN

The candidates give speeches and get exposure on television, radio and newspapers in a wide-ranging **campaign**. The campaign ends on Election Day, the first Tuesday in November, when citizens go into voting booths throughout the country to elect the next President.



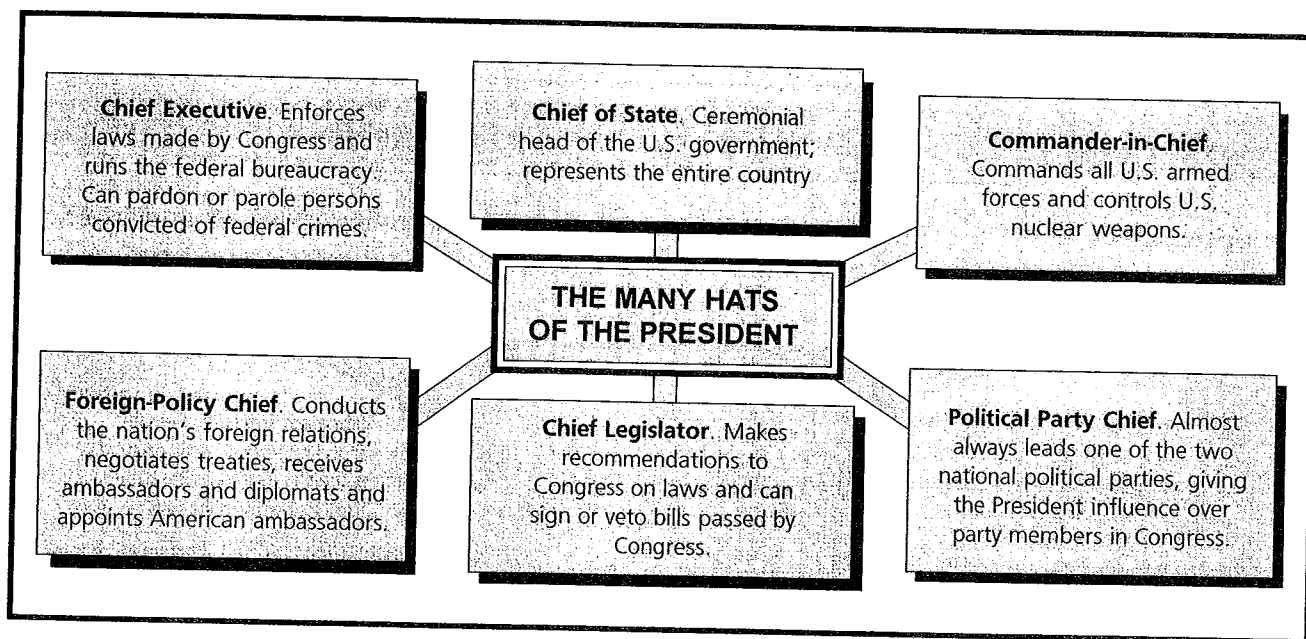
## THE ELECTORAL COLLEGE ELECTS THE PRESIDENT

In 1787, the Framers of the Constitution did not trust the common people enough to let them elect the President directly. Instead, they turned the selection of the President over to a group known as **electors**. Electors chosen from each state make up the **Electoral College**. On Election Day, when citizens vote for a President, they are really voting for electors. The candidate who gets the most votes in each state gets all of that state's electors — a “winner take all” arrangement. ♦

- The number of electors from each state is equal to the numbers of its Representatives in the House combined with the number of its Senators. To become President, a candidate must win a majority (270 votes) of the votes in the Electoral College.
- If no candidate receives a majority of electoral votes, the election is then decided in the House of Representatives, where the winner must receive a majority of state votes (26). Each state has only one vote.

## THE PRESIDENT'S ROLES

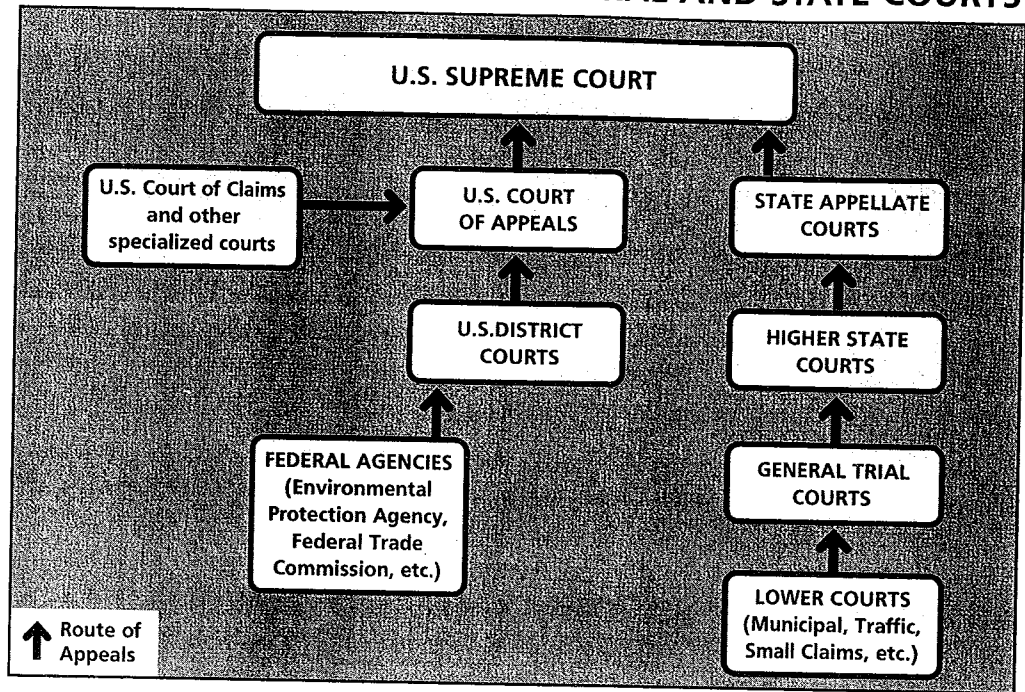
Today, the President has many responsibilities. **Political scientists** (*people who study government*) say that the President “wears many hats, one for each job.”



## THE FEDERAL COURTS: THE JUDICIAL BRANCH

The **Supreme Court** and the other federal courts make up the judicial branch. It is their responsibility to interpret the laws. They try cases involving federal laws. The President nominates all federal judges, but they must be approved by the Senate. The highest court in the nation, the Supreme Court, has nine members. Like all federal judges, Supreme Court Justices hold office for life, to protect their decisions from political interference. The Supreme Court's most important power is known as **Judicial Review**, which allows the Court to decide whether laws or government actions go against what is written in the Constitution. If the Supreme Court decides that a law is not constitutional, the law becomes void and can no longer be enforced. ♦

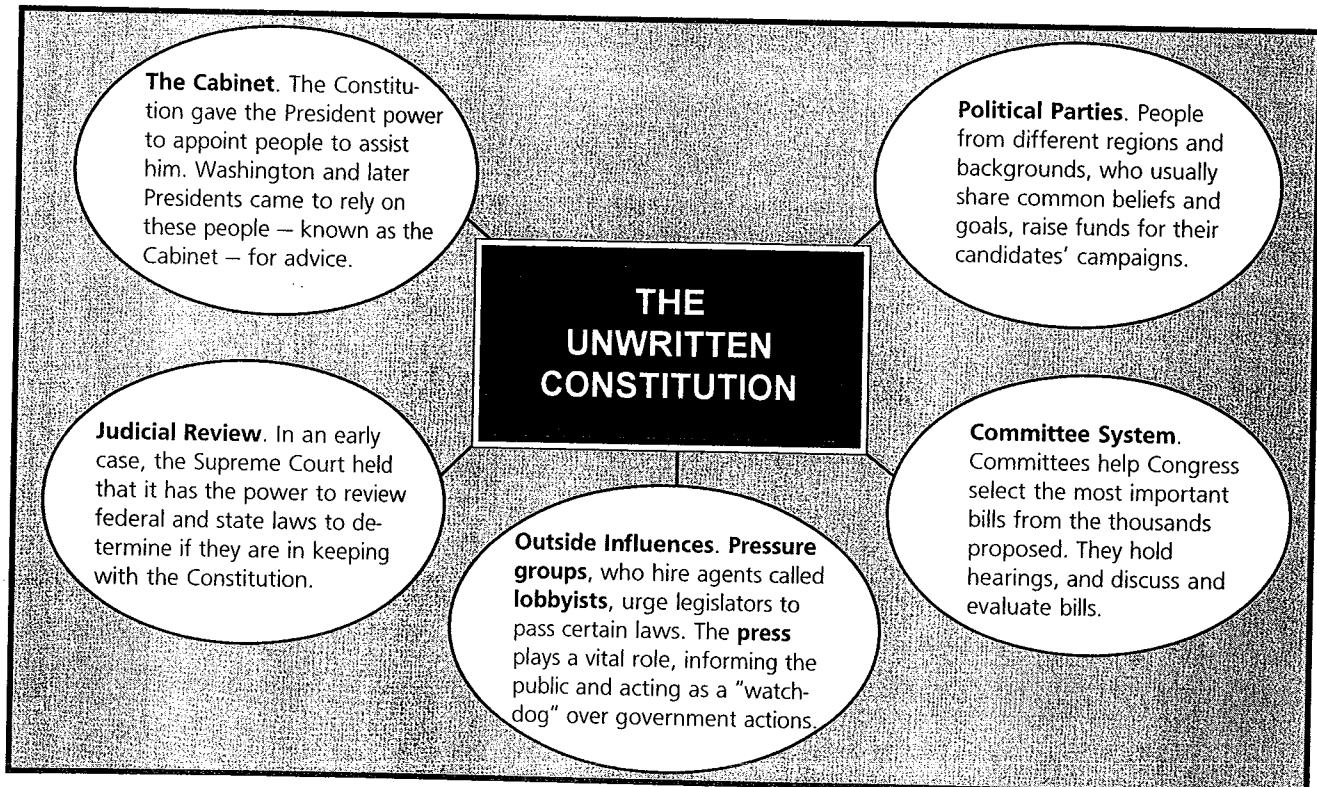
## THE ORGANIZATION OF THE FEDERAL AND STATE COURTS



Appeals to the U.S. Supreme Court from state courts can only be made on federal issues, such as a denial of constitutional rights.

## THE UNWRITTEN CONSTITUTION

◆ The operation of the U.S. government today is based on many customs, traditions and practices that were not written into the Constitution. These are called the **unwritten constitution**, and make up an important part of our present-day system of government.



**SUMMING UP: THE FEDERAL GOVERNMENT**

The government of the United States is made up of three branches. The legislative branch, **Congress**, makes the laws. The executive branch, headed by the **President**, carries out the laws. The judicial branch, headed by the **Supreme Court**, interprets the laws.

**THINKING IT OVER**

Were you correct in identifying the jobs of each branch of government? \_\_\_\_ If not, make your corrections on the lines below.

Legislative: \_\_\_\_\_

Executive: \_\_\_\_\_

Judicial: \_\_\_\_\_

**CHECKING YOUR UNDERSTANDING**

**Directions:** Complete the following cards. Then answer the multiple-choice questions.

**BRANCHES OF GOVERNMENT**

How many are there? \_\_\_\_\_

What is the job of each? \_\_\_\_\_

\_\_\_\_\_

**JUDICIAL REVIEW**

What is it? \_\_\_\_\_

Why is it important? \_\_\_\_\_

\_\_\_\_\_

**ELECTORAL COLLEGE**

What is its main job? \_\_\_\_\_

What happens if no candidate gets a majority  
vote in the Electoral College? \_\_\_\_\_

\_\_\_\_\_

**UNWRITTEN CONSTITUTION**

What is it? \_\_\_\_\_

List 3 examples: 1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

## THE BILL OF RIGHTS

One of the most important features of the Constitution is the protection it provides to individuals. Individual liberties are specifically spelled out and guaranteed in the Constitution.

### RIGHTS PROTECTED IN THE ORIGINAL CONSTITUTION

Some rights were protected by the original Constitution. For example, the federal and state governments were prohibited from passing certain laws:

- **No Ex Post Facto laws.** Neither the federal nor the state governments may punish an individual for doing something that was not already a crime at the time it was committed. ◆
- **No suspension of the Writ of Habeas Corpus except during invasion or rebellion.** A writ of habeas corpus is a court order to release a prisoner who is being held without being properly charged with a crime. The government cannot stop such releases in ordinary times. ◆
- **No Bills of Attainder.** The Constitution prohibits Congress from passing laws convicting individual citizens of particular crimes.

### THE NEED FOR A BILL OF RIGHTS (1791)

When the Constitution was sent to the states for approval, many citizens feared the new national government would use its powers against the people. They demanded the addition of a "Bill of Rights" guaranteeing individual liberties. The Constitution was ratified without it, but shortly thereafter ten amendments were ratified and became part of the Constitution. Because many of our basic freedoms are protected by these amendments, they are called the **Bill of Rights**. ◆

#### *The Bill of Rights*

1st Amendment	Guarantees freedoms of religion, speech, and the press, and rights to peacefully assemble and petition
2nd Amendment	Guarantees the right to keep and bear arms
3rd Amendment	Prohibits the quartering of soldiers in one's home
4th Amendment	Prohibits "unreasonable" searches and seizures
5th Amendment	Contains guarantees and prohibitions: <ul style="list-style-type: none"> <li>• no citizen may be deprived of life, liberty or property without <b>due process of law</b> (<i>legal procedures carried out according to established rules, such as a fair trial</i>)</li> <li>• requires <b>grand jury</b> indictments (<i>formal charge for committing a serious crime</i>)</li> <li>• prohibits <b>double jeopardy</b> (<i>being tried twice for the same crime</i>)</li> <li>• prohibits <b>self-incrimination</b> (<i>individuals may not be forced to give evidence against themselves</i>)</li> </ul>
6th Amendment	Guarantees that those accused of a crime have the right to: <ul style="list-style-type: none"> <li>• a speedy trial by jury</li> <li>• confront accusers</li> <li>• be represented by a lawyer</li> </ul>
7th Amendment	Guarantees a jury trial in many civil cases
8th Amendment	Prohibits excessive bail and cruel and unusual punishment
9th Amendment	The listing of some Constitutional rights does not mean that people do not have other rights
10th Amendment	Reserves to the states and the people all rights not delegated to the federal government

## THE FOURTEENTH AMENDMENT

The Bill of Rights originally protected individuals only from the actions of the federal government. It had no effect on the state governments and provided no protection against their actions.

◆ After the Civil War, Congress proposed the **Fourteenth Amendment** (1868) to grant citizenship to former slaves, and also to protect all citizens from abuses by state governments. It has accomplished this in two ways:

- ◆ **■ Due Process Rights.** The state governments must follow the same procedures as the federal government when arresting, searching, and convicting persons accused of a crime. States cannot take away freedom of expression except for the same narrow reasons that the federal government can. Due process rights also include the “right to privacy.”
- ◆ **■ Equal Protection Rights.** The Fourteenth Amendment also guarantees “equal protection” of the laws. This means governments cannot treat some groups differently unless there is an overriding reason. For example, governments can refuse to give three-year-olds the right to vote because they are not mature enough, but cannot deny women the right to vote.

## OTHER IMPORTANT RIGHTS

Besides the Bill of Rights and the Fourteenth Amendment, several other amendments help to protect important individual rights. For example, the Thirteenth Amendment outlawed slavery in 1865. Other amendments that protect individual rights include the following:

### *Other Amendments Protecting Individual Rights*

<b>15th Amendment</b>	Guaranteed freed slaves the right to vote (1870)
<b>17th Amendment</b>	Changed the election of Senators from selection by state legislatures to direct election by voters (1913)
<b>19th Amendment</b>	Gave women the right to vote (1920)
<b>23rd Amendment</b>	Gave residents of Washington DC the right to vote for President (1961)
<b>24th Amendment</b>	Prohibited poll taxes in federal elections (1964)
<b>26th Amendment</b>	Gave individuals the right to vote upon reaching the age of 18 (1972)

### **SUMMING UP: CONSTITUTIONAL PROTECTION OF INDIVIDUAL RIGHTS**

The U.S. Constitution increased its protection of individual rights by adding a Bill of Rights. Over time, other amendments guaranteed additional rights to American citizens.



**THINKING IT OVER**

What do you think is your most important right? \_\_\_\_\_

Why? \_\_\_\_\_

\_\_\_\_\_

**CHECKING YOUR UNDERSTANDING**

**Directions:** Complete the following cards. Then answer the multiple-choice questions.

**BILL OF RIGHTS**

What is it? \_\_\_\_\_

Some rights it protects: 1. \_\_\_\_\_

2. \_\_\_\_\_ 3. \_\_\_\_\_

**FOURTEENTH AMENDMENT**

What is it? \_\_\_\_\_

How does it protect people? \_\_\_\_\_

- 1 The purpose of the first ten amendments to the U.S. Constitution was to
  - 1 provide a strong judicial branch
  - 2 protect the rights of individuals
  - 3 assure citizens of fair elections
  - 4 maintain a powerful army
- 2 The Bill of Rights was added to the U.S. Constitution in order to protect
 

1 corporations	3 states
2 individuals	4 foreign governments
- 3 Which right is guaranteed by the Bill of Rights of the U.S. Constitution?
 

1 voting in elections	3 attending school
2 working at a job	4 speaking freely
- 4 The expression "due process of law" refers to
  - 1 the right of the Supreme Court to declare laws to be unconstitutional
  - 2 the power of the police to arrest suspicious individuals
  - 3 protections given citizens against unfair government actions
  - 4 bills which have been passed by Congress
- 5 The Fourteenth Amendment was important because, in addition to granting citizenship to formerly enslaved peoples, it specifically
  - 1 guaranteed women the right to vote
  - 2 abolished the poll tax
  - 3 guaranteed equal protection under the law
  - 4 provided protection against illegal searches
- 6 After the Civil War, the adoption of the Fourteenth Amendment led to
  - 1 the protection of citizens against unfair actions by state governments
  - 2 the loss of equal rights for minorities
  - 3 an expansion of the power of the states to tax
  - 4 a narrowing of the role of the federal government
- 7 An important effect of the Fourteenth Amendment was that it
  - 1 extended Bill of Rights protections to include actions by state governments
  - 2 permitted states to define United States citizenship in their own state
  - 3 made state governments less democratic
  - 4 reduced the control of the federal government over the states

## SUMMARIZING YOUR UNDERSTANDING

**Directions:** Confirm your understanding of the important terms and concepts in this chapter. Check those you can explain. For those you are not sure of, find the ♦ symbol in the margin next to the term and review it.

### CHECKLIST

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Constitution        | <input type="checkbox"/> Concurrent Powers    | <input type="checkbox"/> Unwritten Constitution  |
| <input type="checkbox"/> Government          | <input type="checkbox"/> Supremacy Clause     | <input type="checkbox"/> Cabinet                 |
| <input type="checkbox"/> Legislative Power   | <input type="checkbox"/> Separation of Powers | <input type="checkbox"/> Political Parties       |
| <input type="checkbox"/> Executive Power     | <input type="checkbox"/> Checks and Balances  | <input type="checkbox"/> Ex Post Facto Laws      |
| <input type="checkbox"/> Judicial Power      | <input type="checkbox"/> Elastic Clause       | <input type="checkbox"/> Writ of Habeas Corpus   |
| <input type="checkbox"/> Popular Sovereignty | <input type="checkbox"/> Amendment            | <input type="checkbox"/> Bill of Rights          |
| <input type="checkbox"/> Federalism          | <input type="checkbox"/> National Convention  | <input type="checkbox"/> Fourteenth Amendment    |
| <input type="checkbox"/> Delegated Powers    | <input type="checkbox"/> Electoral College    | <input type="checkbox"/> Due Process Rights      |
| <input type="checkbox"/> Reserved Powers     | <input type="checkbox"/> Judicial Review      | <input type="checkbox"/> Equal Protection Rights |

**Directions:** Fill in the information called for in the following organizers.

**PRINCIPLES OF THE U. S. CONSTITUTION**

**Popular Sovereignty:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Federalism:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Checks and Balances:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Separation of powers:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**LIBERTIES PROTECTED BY THE BILL OF RIGHTS**

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