



UNIT 4

Government and Citizenship

KEY QUESTION

In order to be effective members of a free society, how can citizens, through their participation in government and civil society, demonstrate virtue and promote and protect their own rights and the rights of others?

OVERVIEW

As British subjects before the American Revolution, colonists were expected to comply with policies and laws established by the British monarch and Parliament, though the colonists had no voice in determining any of those policies and laws. With the signing of the Declaration of Independence, the people became participants in the building of a new nation as they decided how to govern themselves. Sovereignty is the ultimate power to rule. Once free of British control, Americans established a republic in which the people themselves are sovereign. Under the United States Constitution and Bill of Rights, citizens protect their rights from abuses by the government which they formed. Citizens participate in self-government by choosing and instructing their elected officials, by forming voluntary civic organizations, and by educating themselves regarding the rights and responsibilities

of citizenship. In this lesson, students will learn more about the history of inalienable rights, how rights are protected by the Constitution and the Bill of Rights, how incorporation changed the scope of the Bill of Rights, and how they can participate in the government as citizens. They will also research and analyze the virtues of George Washington and Cincinnatus to learn more about how acting as a virtuous citizen can help to promote freedom.

OBJECTIVES

- Students will compare the terms subject and citizen.
- Students will distinguish between the rights of Englishmen and the rights of the American colonists prior to the American Revolution.
- Students will analyze how the United States Constitution and Bill of Rights protect the rights of citizens.
- Students will explain the doctrine of incorporation and its implications regarding the Bill of Rights.
- Students will examine the value of participating in civil society as a citizen.
- Students will identify the value of education in citizenship.

IN THEIR OWN WORDS

“The best principles of our republic secure to all its citizens a perfect equality of rights.” —
Thomas Jefferson, 1809

“The most important political office is that of private citizen.” —**Louis D. Brandeis, 1903**

“Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it’s the only thing that ever has.” —**Margaret Mead, 1982**

RECOMMENDED TIME

125-180 minutes

MATERIALS LIST

- **Handout A: Background Essay: The Relationship Between Government and Citizenship**
- **Handout B: Excerpts from the Declaration of Independence**
- **Handout C: Excerpts from the U.S. Constitution**
- **Handout D: The U.S. Bill of Rights**
- **Handout E: Comparing the Declaration of Independence, the Constitution, and the Bill of Rights**
- **Handout F: Washington and Cincinnatus**
- **Handout G: The Virtues of Washington, Cincinnatus, and You**
- Computers, phones, or tablets for online research

STANDARDS

- **National Council for the Social Studies (NCSS):**

Themes:

- 2. Time, Continuity, and Change
- 4. Individual Development and Identity
- 5. Individual, Groups, and Institutions
- 6. Power, Authority, and Governance
- 10. Civil Ideals and Practices

- **Center for Civic Education (CCE)**

- III. A. Distribution of power and responsibility
- III. E. Choice and opportunities for participation
- V. B. Rights of citizens
- V. C. Responsibilities of citizens
- V. D. Civic dispositions and character traits
- V. E. Taking part in civic life

- **UCLA Department of History (NCHS)**

Era 3 (1754-1820s), Standard 1

Era 10 (1968 to present), Standard 1

.KEY TERMS

- Subject
- Sovereignty
- Citizen
- Republic
- Self-government
- Magna Carta
- Petition of Right
- English Bill of Rights
- Inalienable rights
- Natural rights
- United States Constitution
- Antifederalists
- Federalists
- Ratified
- United States Bill of Rights

- Ninth Amendment
- Tenth Amendment
- Thirteenth Amendment
- Fourteenth Amendment
- Fifteenth Amendment
- Incorporation
- Civil society
- Alexis de Tocqueville

Constitutional Principles

- Consent of the Governed/
Popular Sovereignty
- Freedom of religion
- Freedom of speech,
press, and assembly
- Liberty

- Limited Government
- Natural/inalienable rights
- Private property
- Representative/
Republican Government
- Rule of Law

Virtues

- Private virtue
- Civic virtue
- Contribution
- Humility
- Initiative
- Responsibility
- Resourcefulness
- Self-Governance

Lesson Plan

Activity 1: The Relationship Between Government and Citizenship

- A. Have students read **Handout A: Background Essay: The Relationship Between Government and Citizenship** in class or as homework the night before, and answer the questions that follow the essay.
- B. Hold a class discussion, using the Review Questions at the end of the essay as a guide.

TIME REQUIRED

20-30 minutes

MATERIALS

- **Handout A: Background Essay: The Relationship Between Government and Citizenship**

Activity 2: Comparing the Declaration of Independence, the Constitution, and the Bill of Rights

Procedures

- A. Have students work in small groups or pairs to read **Handout B: Excerpts from the Declaration of Independence**, **Handout C: Excerpts from the U.S. Constitution**, and **Handout D: The U.S. Bill of Rights**. Then have them work together to complete **Handout E: Comparing the Declaration of Independence, the Constitution, and the Bill of Rights**.
- B. After students have completed the exercise, discuss as a class how the Framers of the Constitution and Bill of Rights used their experience with King George III to help them develop the framework of the United States government.

TIME REQUIRED

60-90 minutes

MATERIALS

- **Handout B: Excerpts from the Declaration of Independence**
- **Handout C: Excerpts from the U.S. Constitution**
- **Handout D: The U.S. Bill of Rights**
- **Handout E: Comparing the Declaration of Independence, the Constitution, and the Bill of Rights**

- C. Discuss the questions from the Directions on **Handout E: Comparing the Declaration of Independence, the Constitution, and the Bill of Rights**:
- How are connections among our Founding documents relevant today?
 - How does understanding the relationships among the Founding documents help inform your participation in civil society?

Activity 3: Comparing Washington and Cincinnatus

Procedures

- A. Have students read **Handout F: Washington and Cincinnatus**.
- B. Hold a class discussion using the Review Questions on **Handout F: Washington and Cincinnatus** as a guide.
- C. Then have students conduct online research on Washington and Cincinnatus and list the virtues of Washington, Cincinnatus, and themselves in the chart on **Handout G: The Virtues of Washington, Cincinnatus, and You**.
- Here are some possible online research sources:
George Washington’s Mount Vernon: <http://www.mountvernon.org/digital-encyclopedia/article/cincinnatus/>
Social Studiers: <http://www.thesocialstudiers.com/cincinnatus-and-george-washington/>
Roman Roads Media: <https://romanroadsmedia.com/2015/02/cincinnatus-washington/>
- D. Finally, have students answer the questions that follow the chart and discuss their answers with a partner.

TIME REQUIRED

45-60 minutes

MATERIALS

- **Handout F: Washington and Cincinnatus**
- **Handout G: The Virtues of Washington, Cincinnatus, and You**
- Computers, phones, or tablets for online research

Background Essay: The Relationship Between Government and Citizenship

Directions

Read the essay and answer the Review Questions at the end.

Is the individual a subject or a citizen?

Prior to the American Revolution, American colonists were considered subjects of the British crown. A subject is a person who is under the control of another. In a monarchy, the king or queen holds the sovereignty and authority of the nation, and the people living under his or her rule are subjects to the monarch's authority. Subjects of the crown are accountable for the decrees, orders, and laws of the crown. In a republic, like the United States, the people, or citizens, are sovereign. Citizens of a republic elect legislators to make laws and executives to enforce the laws, and judges are elected or appointed to interpret laws on their behalf. According to the U.S. Constitution, the national executive is indirectly chosen by the people and judges are appointed by the president, but the power of each branch of government ultimately lies with the citizens of the nation.

In modern times, a citizen is a legally recognized member of a state who is entitled to certain rights and bears certain responsibilities. Citizens of a constitutional republic like the United States participate in self-government rather than simply being ruled by a far-off monarch or legislature as was the case under British rule. In eighteenth-century Europe, the "divine right of kings" was the ruling philosophy in many nations. This was the belief that the

monarch and his family had been destined by God to rule over the people. Subjects began to challenge that philosophy as early as the writing of the Magna Carta in 1215. The Magna Carta, written by English barons who were protesting King John's violations of traditional rights enjoyed by the nobility, stated that the monarch's powers were limited by law. It listed certain essential rights of the barons, such as trial by jury and protection from arbitrary arrest. In the midst of a later power struggle between King Charles I and Parliament, the Petition of Right (1628) reasserted this understanding and inspired the English Bill of Rights of 1689, which further limited the power of the monarch and asserted certain inalienable rights of Englishmen. England was a constitutional monarchy with government power limited by law. Inalienable, or natural, rights are those liberties that are inherent in human beings. They are not gifts of the government, but a natural condition of human beings. According to the natural rights philosophy as explained by John Locke in his *Second Treatise of Government*, 1691, every human is born equally free and independent, entitled to life, liberty, and property.

The American colonists asserted in the Declaration of Independence that King George III had violated the rights of Englishmen and their natural rights. The colonists claimed they were deprived the right of trial by jury, colonial legislatures were illegally suspended, and taxes

were imposed without their consent. Further, the British government violated natural rights like life, liberty, and property. These violations limited the colonists' liberty and right to self-government, and the colonists determined that they would dissolve their allegiance to the British government and create their own republic that would protect the rights of citizens.

The Declaration of Independence held that the purpose of government was to secure the rights of the people. American colonists believed that the British king was violating their rights to life, liberty, and the pursuit of happiness. The Declaration of Independence asserted: "That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed – That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or abolish it." In the United States, American citizens are the source of power, and the republican government was created to protect against the infringement of inalienable rights. Thus, the Americans established a limited government.

What framework of self-government did the people develop?

After declaring of their independence, the now United States began their experiment in self-government. Their first attempt at a consolidated union, the Articles of Confederation, saw them through the Revolution but proved a less effective framework for government in the peace that followed. In 1787, a new constitution was drafted in Philadelphia and submitted to popular conventions in the states for ratification, or approval.

The United States Constitution protected inalienable rights by specifically listing the powers of the national government, and by implementing such principles as separation of powers, checks and balances, and federalism to guard against abuse of power. However, some members of the new nation did not believe these protections were adequate. Antifederalists, those who opposed a strong national government during the ratification of the Constitution, asserted that the document was not specific enough in its protection of inalienable rights. Many Antifederalists called for the addition of a bill of rights to ensure that citizens' rights were protected. They believed the strongest repository for the protections of rights was in the states, and feared that a strong central government would become tyrannical. Federalists, those who supported the stronger national government, argued that a Bill of Rights was unnecessary because the Constitution already protected individual rights and the government was limited. They were also afraid that listing only a few specific rights would not account for all the inalienable rights held by citizens. In addition, they believed that the vigilance of the sovereign people over their rights was the greatest protection of individual liberties. Publius states in *Federalist No. 84*, that, "whatever fine declarations may be inserted in any constitution respecting [our rights], must altogether depend on public opinion, and on the general spirit of the people and of the government."

After the Constitutional Convention concluded, several states ratified the Constitution with the stipulation that a bill of rights be added later. After ratification, Congress agreed upon twelve amendments and sent them to the states, which ratified ten of the amendments. These ten amendments

became the United States Bill of Rights. The amendments in the Bill of Rights guarantee that the federal government will not infringe on the freedom of conscience, speech, press, assembly, the right to trial by jury, and the rights of life, liberty, and property, among others.

Many of the Antifederalists' concerns were addressed by the addition of these amendments to the Constitution. The Ninth Amendment, which states, "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people," helped to assuage concerns that by listing only a few specific rights, the document could not encompass all rights held by citizens. The Tenth Amendment, which states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people" assured citizens that the states and the sovereign people would retain any powers not enumerated in the Constitution to the three branches of the national government.

How did the Fourteenth Amendment extend the reach of the federal government?

For nearly one-hundred years, only two additional amendments were made to the Constitution. Following the Civil War in 1865, three more amendments were ratified. The Thirteenth Amendment outlawed slavery in the nation, the Fourteenth Amendment guaranteed that all persons born or naturalized in the United States, including former slaves, would be citizens, and the Fifteenth Amendment assures that no citizen will be denied the right to vote based on race, color, or previous condition of servitude.

The Fourteenth Amendment led to many Supreme Court cases related to inalienable rights in the twentieth century. Prior to this amendment, it had been understood that the Bill of Rights restricted only the actions of the federal government, but starting in 1925, the Supreme Court interpreted the Fourteenth Amendment to mean that the Bill of Rights also limited certain actions of state and local governments. The amendment states that "nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." These are called the Due Process and Equal Protection clauses, respectively. Through a series of Court cases in the twentieth century, most of the protections in the Bill of Rights have been applied to state and local governments through the Due Process Clause in a process called incorporation.

Many people praise incorporation because the process has limited the actions of states and local government from infringing upon the peoples' rights. However, others believe that states and local governments should have greater voice in determining how to protect the liberties of their citizens through their own state constitutions. Incorporation of the Bill of Rights through the Fourteenth Amendment continues to be a contentious issue.

How can people participate in civil society?

While individual rights are protected by the constitutional rule of law, people must continue to help protect the rights they enjoy in their daily lives. There are many ways that citizens can promote and protect inalienable rights. Many people think about voting or campaigning

for candidates as a part of their civic duties, but civic involvement should not be limited to politics. Community members help clean up a neighborhood park, donate time or money to a cause that is important to them, deliver meals to senior citizens, or help families take care of their homes, in addition to many other voluntary activities that help build strong community.

One of the ways that citizens help protect their own rights and those of others is to be involved in civic organizations. Civic organizations include community initiatives, volunteer organizations, religious institutions, clubs, nonprofits, charities, or other non-government groups. As noted by Alexis de Tocqueville in *Democracy in America*, Americans have been involved in associations since the founding of the United States. Tocqueville, a French historian and sociologist who toured the United States in 1831 and wrote about his observations, believed that these associations, or civil society, were the backbone of the American identity. Through Americans' participation in voluntary associations, Tocqueville believed that power would be decentralized and that more decisions would be left to local communities rather than resting in the hands of the government. By being involved in one or more of these civic groups, people can help to promote and protect the rights, laws, and customs of their communities.

Why is education essential to self-government?

Another way to promote and protect inalienable rights is for people to continue to educate themselves. The Founders believed that civic education was a way to ensure that principles of the American republic would endure from one generation to another. People must understand their rights, why they have them, and how they should be protected. As Thomas Jefferson stated, "Educate and inform the whole mass of the people, enable them to see that it is their interest to preserve peace and order, and they will preserve it, and it requires no very high degree of education to convince them of this. They are the only sure reliance for the preservation of our liberty." (Thomas Jefferson to Uriah Forrest, 31 December 1787). By educating themselves, people are better prepared to hold elected officials and fellow citizens accountable, as well as participating effectively in self-governance and civil discourse.

Americans have a long history of fighting for their rights from the colonial era as subjects of a monarch, to the Civil War, the women's suffrage movement, and the civil rights movement, as well as many different current issues. To protect these rights, people can participate in government by holding elected officials accountable, by participating in civic organizations and education to improve their lives and the lives of others. By being active citizens, people can uphold the principles of the Declaration of Independence, U.S. Constitution, and Bill of Rights.

REVIEW QUESTIONS

1. What is the difference between a subject and a citizen?
2. Why did the Americans write the Declaration of Independence? What rights are outlined in the document? Why are they called inalienable?
3. How do the Constitution and Bill of Rights protect liberty? Why was it important to the Framers to protect liberty with these documents?
4. Why are the Due Process and Equal Protection clauses of the Fourteenth Amendment important?
5. What is incorporation? What effect did it have on the Bill of Rights? Why might it be considered a contentious issue?
6. In what ways can you be an active civic participant? Which civic organizations are you participating in currently?
7. Give an example of how civic organizations or voluntary associations have helped to improve the lives of people in your community.

Excerpts from the Declaration of Independence

...He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations

hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power....

For Quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences:

...For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever...

...He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian

Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people...

Excerpts from the United States Constitution

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, 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.

ARTICLE I

Section 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 3. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the concurrence of two thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

Section 4. The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day

Section 8. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

...To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;

To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

...To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Section 9. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or ex post facto Law shall be passed.

No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any state.

No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another: nor shall vessels bound to, or from, one state, be obliged to enter, clear or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

ARTICLE II

Section 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term...

Section 2. The President shall be commander in chief of the Army and Navy of the United States, and of the militia of the several states...

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States...

... he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

ARTICLE III

Section 1. The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Section 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more states;—between a state and citizens of another state;— between citizens of different states;—between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects...

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Section 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid

and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

ARTICLE VI

Section 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

Section 3. New states may be admitted by the Congress into this union; but no new states shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the Congress. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Section 4. The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

The United States Bill of Rights

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment II

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

Amendment III

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

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty,

or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

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

HANDOUT E

Comparing the Declaration of Independence, the Constitution, and the Bill of Rights

Directions:

Read **Handout B: Excerpts from the Declaration of Independence**, **Handout C: Excerpts from the U.S. Constitution**, and **Handout D: The U.S. Bill of Rights**. Read the list of the indictments of King George III in the Declaration of Independence on the left column of the chart below. Then indicate in the empty columns the locations where the issues were addressed by the Constitution or the Bill of Rights.

Finally, make notes at the end or on the back of the chart to reflect your class discussion of these questions:

- How are connections among our Founding documents relevant today?
- How does understanding the relationships among the Founding documents help inform your participation in civil society?

Declaration of Independence	Constitution	Bill of Rights
He has refused his Assent to Laws, the most wholesome and necessary for the public good.		
He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.		
He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.		
He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.		

Declaration of Independence	Constitution	Bill of Rights
<p>He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.</p>		
<p>He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.</p>		
<p>He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.</p>		
<p>He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.</p>		
<p>He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.</p>		
<p>He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.</p>		
<p>He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.</p>		
<p>He has affected to render the Military independent of and superior to the Civil power.</p>		

Declaration of Independence	Constitution	Bill of Rights
For Quartering large bodies of armed troops among us:		
For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:		
For cutting off our Trade with all parts of the world:		
For imposing Taxes on us without our Consent:		
For depriving us in many cases, of the benefits of Trial by Jury:		
For transporting us beyond Seas to be tried for pretended offences:		
For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:		
For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.		
He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.		
In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people...		

Washington and Cincinnatus

Directions:

Read the brief background on Washington and Cincinnatus and answer the questions below.

Well-known to the Founders was the story of an ancient Roman hero named Cincinnatus. According to the Roman historian Livy, Cincinnatus was a hero who rescued Rome in the fifth century B.C. Rome's government was a republic, but the law allowed the Senate to choose a dictator who would have absolute power for up to six months in times of extreme crisis. Cincinnatus was a well-respected former senator, retired from public life and happy running his farm just outside the city. The Senate called on him to become temporary dictator due to danger from an enemy army. Cincinnatus agreed to serve his country in this way and within sixteen days he created an ingenious plan to defeat the enemy and led the Roman troops to victory. Then he promptly relinquished power and returned to his farm. Cincinnatus was a true model of republican selfless service, humility, and responsibility. It was not uncommon during George Washington's life for his contemporaries to call him, "our Cincinnatus."

Following the victory in the American Revolution, Washington marched the remnants of the army into New York to cheering crowds. He said a tearful farewell to his officers at Fraunces Tavern and then departed for Annapolis, Maryland, where Congress was then assembled. He was honored by citizens and public officials at dinners and balls as he traveled. Finally, on December 23, Washington appeared before Congress to perform one of

the most important actions in all of American history – surrendering his military commission.

With his voice trembling, Washington humbly told the Congress, "Happy in the confirmation of our independence and sovereignty, and pleased with the opportunity afforded the United States of becoming a respectable nation, I resign with satisfaction the appointment I accepted with diffidence." Having successfully completed his mission to win the Revolutionary War and secure American independence from Great Britain, Washington surrendered his commission. It was an act that was unprecedented, and established that in the United States, the civilian republican government superseded the military. Washington was following the example of the legendary Roman Cincinnatus, rather than countless historical figures like Caesar who sought their own glory and aggrandizement while seizing power. Washington stated, "Having now finished the work assigned me, I retire from the great theater of action; and bidding an affectionate farewell to this august body under whose orders I have so long acted, I here offer my commission and take my leave of all the employments of public life."

With that, Washington reached into his pocket and withdrew the yellowed parchment containing his 1775 commission. He stepped forward and handed it solemnly to the president of Congress. Everyone in the hall wiped tears from their eyes. He left the hall and traveled to Mount Vernon,

which he reached on Christmas Eve to celebrate the holiday with his wife, Martha Washington. British King George III reportedly said that if Washington voluntarily surrendered power, he “will be the greatest man in the world.”

Over the next two decades, Washington would only reluctantly come out of retirement to serve the republic. He demonstrated his commitment to duty by pushing aside his plans for a comfortable retirement – first, at the Constitutional Convention in 1787, and second, to assume the presidency for two terms. Again, though he could

have been president for life, Washington retired from the presidency to establish a precedent of rotation in office. Washington was continually called into service by his country and accepted the grave responsibilities with which he was entrusted, and he consistently saw it as his responsibility to exercise that power wisely and then surrender it. In doing so, General and President George Washington established that the American republic was, as John Adams had described a system under the rule of law, “a government of laws, not of men.”

REVIEW QUESTIONS

1. George Washington’s contemporaries often compared him to Cincinnatus. In what ways did Washington’s story parallel that of Cincinnatus?
2. George Washington understood what it meant to be a responsible leader to protect freedom. How does acting responsibly protect freedom?
3. Why is surrendering power so important in a republic?
4. Do you think that current politicians would surrender power like Washington or Cincinnatus? Give examples and explain your opinion.
5. Are there current public figures in politics, business, sports, or entertainment who demonstrate the same kind of virtue as George Washington? What leads you to believe they are virtuous?
6. Are there people in your community that demonstrate virtue like Washington or Cincinnatus? Give examples and explain.
7. Describe a situation in which you (or someone in your personal experience) have worked hard on an important project and become tired of it, ready to consider it finished, when someone asks you to come back to it and invest a great deal of energy once again. How did you respond? What was the result?
8. Give two or three examples of ways you can act with virtue as a member of your local community.
9. How can being a virtuous individual contribute to freedom for yourself and others?
10. In what ways in your own life do you have opportunity to enhance freedom for yourself and others by demonstrating virtue in your school or community?
11. How can you help others demonstrate virtue in the school or community?
12. What does it mean to say that the American republic is “a government of laws, not of men”?

The Virtues of Washington, Cincinnatus, and You

Directions

Conduct online research to determine what virtues were espoused by Washington and Cincinnatus. Complete the chart below to list some of the virtues of Washington, Cincinnatus, and yourself. There is a list of virtues included. Then answer the questions about the chart.

Possible online sources for research:

- George Washington’s Mount Vernon: <http://www.mountvernon.org/digital-encyclopedia/article/cincinnatus/>
- Social Studiers: <http://www.thesocialstudiers.com/cincinnatus-and-george-washington/>
- Roman Roads Media: <https://romanroadsmedia.com/2015/02/cincinnatus-washington/>

Washington	Cincinnatus	You

Washington	Cincinnatus	You

Virtues:

- Civil Discourse
- Contribution
- Courage
- Honor
- Humility
- Integrity
- Initiative
- Justice
- Moderation
- Perseverance
- Respect
- Responsibility
- Resourcefulness
- Self-Governance
- Vigilance

QUESTIONS TO CONSIDER

1. What virtues do you, Washington, and Cincinnatus have in common? Where do you differ?
2. Which of Washington's or Cincinnatus's virtues do you wish you could improve upon in yourself?
3. How might your current virtues help your community?
4. How might the virtues you want to improve upon help your community in the future?

MyImpact Challenge Lesson 4 Answer Key

Handout A: Background Essay: The Relationship Between Government and Citizenship Answer Key

1. A subject is a person who is under the control of another and is answerable to the decrees, orders, and laws of the monarch. A citizen is a person who holds the power and, in a republic, elects representatives to act on their behalf in the government.
2. The Declaration was written to King George III to assert American colonists' inalienable rights, provide a list of grievances against the king, and declare independence from Britain. Americans believed that their natural rights such as life, liberty and property and inalienable rights like right to trial by jury and self-government were being infringed upon by the king. The rights are called inalienable because they are an inherent feature of being human, not gifts of the government, and government cannot legitimately take them away.
3. The Constitution incorporates several constitutional principles like separation of powers, checks and balances, limited government, and federalism to protect citizens from an overreach of government power. The Bill of Rights lists specific rights that will not be infringed upon by the government, including freedom of speech, press, assembly, religion, private property rights, and right to trial by jury. The Framers did not want rights infringed upon by government as they had been under British rule.
4. The Due Process clause limited states from depriving any person of life, liberty, or property without due process. The Equal Protection clause asserted that states could not deny equal protection under the laws to any person in their state.
5. Incorporation is when rights in the Bill of Rights are applied to state or local governments through Supreme Court cases. Originally, the limitations in the Bill of Rights only applied to the federal government. It is contentious because some believe that states and local governments should be able to make up their own minds, but others believe that states and local governments should not be allowed to infringe upon the rights in the Bill of Rights.
6. Answers will vary. Examples may include: volunteering, joining a club, voting, participating in elections, etc.
7. Answers will vary. Students may list community improvement projects, nonprofit organizations, or people who donate time or money to causes important to them.

Handout E: Comparing the Declaration of Independence, the Constitution, and the Bill of Rights Answer Key

Declaration of Independence	Constitution	Bill of Rights
He has refused his Assent to Laws, the most wholesome and necessary for the public good.	Preamble	
He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.	Article I, Section 1; Article I, Section 8	
He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.	Article I, Section 1; Article I, Section 2; Article I, Section 3	
He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.	Article I, Section 4	
He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.	Article I, Section 4; Article II, Section 3	

Declaration of Independence	Constitution	Bill of Rights
<p>He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.</p>	<p>Article I, Section 4; Article I, Section 5</p>	
<p>He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.</p>	<p>Article I, Section 8</p>	
<p>He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.</p>	<p>Article I, Section 8; Article III, Section 1; Article III, Section 2</p>	
<p>He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.</p>	<p>Article III, Section 1; Article III, Section 2</p>	
<p>He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.</p>	<p>Article II, Section 2; Article II, Section 4</p>	

Declaration of Independence	Constitution	Bill of Rights
He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.	Article I, Section 8; Article II, Section 2	
He has affected to render the Military independent of and superior to the Civil power.	Article I, Section 8; Article II, Section 2	
For Quartering large bodies of armed troops among us:		Amendment III
For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:	Article III, Section 1	
For cutting off our Trade with all parts of the world:	Article I, Section 8	
For imposing Taxes on us without our Consent:	Article I, Section 8	
For depriving us in many cases, of the benefits of Trial by Jury:	Article III, Section 2	Amendment VI and VII
For transporting us beyond Seas to be tried for pretended offences:	Article I, Section 8	Amendment IV, V, VI, VII

Declaration of Independence	Constitution	Bill of Rights
For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:	Preamble; Article I, Section 1	
For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.	Article I, Section 4	
He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.	Article VI, Section 4	
In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people...		Amendment I

Regarding how the connections among Founding documents are relevant today, and help inform participation in civil society, accept reasoned responses.

Handout F: Washington and Cincinnatus

Review Questions

- Washington's story paralleled that of Cincinnatus in the following ways (among others):
 - Both leaders had demonstrated their courage and devotion to duty before their contemporaries called upon them to exercise leadership in times of crisis.
 - Both leaders voluntarily relinquished their positions at times when they could have extended their control in the interest of personal gain.
- Acting responsibly protects freedom because people look to their leaders to model appropriate decision-making and good judgment, applying justice, moderation, and other virtues in times of crisis.

3. Surrendering power is important in a republic because the essence of a republican form of government is the power of individuals to elect their representatives. A failure to surrender power at an appropriate time, (for example, at the end of one’s term of office) would be a step toward tyranny and it would threaten, rather than protect, the rights of the people.
4. Student responses will vary; accept reasoned responses that supply examples and explanation.
5. Student responses will vary; accept reasoned responses that supply examples and explanation of the relevant virtues discussed. Encourage students to see beyond celebrity or “being famous just for being famous,” and look for genuine, praiseworthy virtue.
6. Student responses will vary regarding their own communities; accept reasoned responses that supply examples and explanation.
7. Student responses will vary regarding their own experiences with persistence in the face of difficulty. Accept reasoned responses that address all parts of the question.
8. Student responses will vary; accept reasoned responses that supply examples and explanation.
9. Student responses will vary; accept reasoned responses that supply examples and explanation.
10. Student responses will vary; accept reasoned responses that supply examples and explanation.
11. Student responses will vary; accept reasoned responses that supply examples and explanation.
12. To say that the American republic is “a government of laws, not of men,” means that the law applies equally to all; no one is above the law. This phrase is another way to refer to rule of law or due process.

Handout G: The Virtues of Washington, Cincinnatus, and You

Washington	Cincinnatus	You
Examples of all of the virtues listed may be located. Accept answers that students can justify through research.	Examples of all of the virtues listed may be located. Accept answers that students can justify through research.	Accept answers that are thoughtful and can be explained by the student.

1. What virtues do you, Washington, and Cincinnatus have in common? Where do you differ?
 - Answers will vary based on students’ charts.
2. Which of Washington’s or Cincinnatus’s virtues do you wish you could improve upon in yourself?
 - Answers will vary based on students’ charts.

3. How might your current virtues help your community?
 - Accept reasoned answers.
4. How might the virtues you want to improve upon help your community in the future?
 - Accept reasoned answers.