**ESSENTIAL QUESTION:** How do the principles of government influence the structure of government?

**PROCEDURES:**

**Day One** - Please read the article titled “Founding Documents”. You will need this reading for the first two assignments this week. Then complete Assignment #1 titled: *Comparing Founding Documents*

**Day Two** - Answer the questions to complete the table found in Assignment #2, “*Documents & Principles of Government*”.

**Day Three** - Answer the six questions that go with Assignment #3 “*Real World Principles*”

**WORK TO BE RETURNED:**

- **Assignment #1** - Complete the table and answer the four questions
- **Assignment #2** - Answer the 10 questions
- **Assignment #3** - Answer the six questions

**RESOURCES:**

- Founding Documents Article

**TIME ALLOCATED:**

- Assignment #1 - 20 minutes
- Assignment #2 - 25 minutes
- Assignment #3 - 15 minutes

---

**Founding Documents**

In the history of America there were many documents that influenced our system of government. Although the best-known founding documents are: the *Declaration of Independence*, the *US Constitution* and the *US Bill of Rights*, these documents draw on others in English and European history including the *Magna Carta*, English Petition of Right, and English Bill of Rights. The concept of *limited government*, as well as many other principles, was not new to the Founding Fathers; it was a concept that they took from English and the European Enlightenment.

In 1215 King John of England was forced by English nobles to sign the *Magna Carta*. This document was the first in a long line of documents that would increasingly limit the power of the English *Monarch*. The *Magna Carta* limited the power of the then *Absolute Monarch*, by requiring protections of the rights of nobles. These protections included: nobles were to be consulted on any new taxes, the King couldn’t take their land without *due process of law*, and they were entitled to a *trial by a jury of their peers*.

In the latter half of the 1600’s England experienced a Civil War. *Parliament* was unhappy with the King’s increasing power and disregard for their concerns. Two important documents came about during this time: The English Petition of Right, and the *English Bill of Rights*. Both documents extended the protection of rights to
English citizens. In the end, the Absolute Monarchy of England was replaced with a Constitutional Monarchy that severely limited the power of the king/queen.

The first government in the American colonies established on the principle of the consent of the governed was at Plymouth Colony. The Mayflower Compact was the first document in the colonies establishing a limited government. All decisions for the colony would be made by majority vote (of the men only).

Representative government was soon established throughout the American colonies. Each colony created a representative assembly using the concept of popular sovereignty, these assemblies were elected by the people. A royal governor was appointed to oversee each colony, and an independent judiciary was created. As the colonies grew economically and politically, they wanted to increase their power in government. Colonists were not directly represented in Parliament back in Britain (England), and as Britain increased its power over the colonies, the colonists grew more angry. The result was the American Revolution/War for Independence. The new United States government announced the creation of its own nation through the Declaration of Independence. The purpose of this document was to explain why the colonists felt they needed to break with Britain. The document not only declares the independence of the 13 colonies, it also declares that government is derived from the consent of the governed, that natural law requires that all men are created equal and have the natural rights of life, liberty and the pursuit of happiness from birth. This document also explained that the government’s primary purpose is to protect these rights and when a government doesn’t do this, it is the duty of the citizens to overthrow that government and establish a new government. This document did not set up a structure of government, only the basic principles upon which our government was to be founded.

The Articles of Confederation were used to establish the government structure and function during the early years of the United States. Under the Articles, the United States was a confederate form of government, where each state had sovereignty (self-rule), and a weak national government was created for economic purposes and collective protection. Due to the many weaknesses in the Articles they were replaced by the US Constitution in 1789. The Constitution created a federal form of government with a stronger national government. Although the Articles of Confederation and the Constitution used different forms of government (unitary & federal), the political system was the same – representative democracy. Under the Constitution, many principles from English documents were used, as well as new principles from the European Enlightenment. The Enlightenment was a time in Europe where much was written about how the government should work. The Baron de Montesquieu, a French nobleman, supported the idea of separation of power and checks and balances. Montesquieu especially liked the British system of separating powers of government into 3 branches and then creating powers that each branch had over the other to check and balance the power. John Locke and Thomas Hobbes, both Englishmen, wrote about the social contract that existed between the government and the people (that the government’s end of the contract was to protect the rights of the people), Locke also discussed the concept of natural rights – life, liberty and property. Jean Jacques Rousseau, a Swiss philosopher, discussed the role of the citizen in government, the concepts of popular sovereignty and direct democracy; that the power of the government to rule rests in the people. A final concept: rule of law, was incorporated to provide for
equality of all citizens. Under the **rule of law**, no matter who you are the law applies equally to all people. All of these concepts were incorporated into the Constitution.

The Founding Fathers also included some basic protections within the Constitution as well. No **Bills of Attainder** were allowed under the new **Constitution**. This meant that Congress could not pass a law that specifically punished a person or a group of people (this was the power of the judicial branch only). Also, the **writ of habeas corpus** (the ability of prisoners to petition the government for a hearing) could not be suspended unless it was a national crisis or time of war. **Ex post facto laws** were also not permitted; these laws make an action illegal after the fact – it was legal at the time you engaged in the behavior. The final specific protection was against requiring a **religious test for office**. The government could not require public officials to be a specific religion.

Many Americans, especially in the south did not trust the **federal** form of government created under the new **Constitution** even with the protections explained above. This group, known as the **Anti-Federalists**, refused to sign the document unless a **Bill of Rights** was added. Eventually the **Federalists**, those who supported the **Constitution**, agreed to add this **Bill of Rights** in order to get the **Constitution** ratified, but instead of a listing of rights, it was a listing of the limits of the power of government. The first 10 Amendments to the **Constitution** became known as the **Bill of Rights**. Within these amendments are protections of basic rights of Americans.

**Assignment #1: Comparing Founding Documents**

**Directions:** Using the previous reading, complete the chart and activities that follow.

<table>
<thead>
<tr>
<th>Document</th>
<th>Description/Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Magna Carta</td>
<td></td>
</tr>
<tr>
<td>Declaration of Independence</td>
<td></td>
</tr>
</tbody>
</table>
1. Which document set up the structure and function of the United States Government?

2. Which document lists the limits on the powers of the United States Government in order to protect the rights of citizens?

3. Which document was the first one to limit the power of the English King?

4. Which document explained why the American colonies wanted to break with Britain, and explained the concept of natural rights?

Assignment #2: Documents & Principles of Government

**DIRECTIONS:** Look at the excerpt and determine from the list below what principle(s) of government is illustrated by the quote.

- Federalism
- Limited Government
- Majority Rule
- Popular Sovereignty
- Checks & Balances
- Separation of Powers
- Individual Rights
- Rule of Law
- Consent of the Governed

<table>
<thead>
<tr>
<th>EXCERPT/EXAMPLE</th>
<th>PRINCIPLE(S) OF GOVERNMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.</td>
<td>Declaration of Independence</td>
</tr>
<tr>
<td>— That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed…</td>
<td>Declaration of Independence</td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>In the future no bailiff shall upon his own unsupported accusation put any man to trial without producing credible witnesses to the truth of the accusation.</td>
<td>Magna Carta</td>
</tr>
<tr>
<td>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.</td>
<td>U.S. Constitution</td>
</tr>
<tr>
<td>Section. 2. - The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.</td>
<td>U.S. Constitution</td>
</tr>
<tr>
<td>The Senate shall have the sole Power to try all Impeachments.</td>
<td>U.S. Constitution</td>
</tr>
<tr>
<td>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.</td>
<td>U.S. Constitution</td>
</tr>
<tr>
<td>All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.</td>
<td>U.S. Constitution</td>
</tr>
</tbody>
</table>
Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States: If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it.

U.S. Constitution

Section. 10. - No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

U.S. Constitution

Assignment #3: Real World Principles

Directions: Read each headline below and identify which principle of the Constitution is best illustrated. Write the correct answer in the space provided; there may be more than one principle that correctly fits the answer. Possible choices: Popular Sovereignty, Judicial Review, Checks and Balances, Federalism, Individual Rights.

Maryland Elects New Governor - ____________________________

Supreme Court to Review New Anti-Terrorism Law - ____________________________

State Law Conflicts With Federal Civil Rights Act - ____________________________

House Set to Vote on Articles of Impeachment - ____________________________

President Vetoes Congressional Spending Bill - ____________________________

Teen Released From Jail After Police Coerced Confession - ____________________________