

-Patrick Henry

Chapter Objective, Essential Questions, & TEKS

- Objective:
 - Analyze and evaluate the text, intent, meaning, and importance of the Charters of Freedom and the important contributions of the Founding Fathers and Enlightenment individuals.
- Essential Questions:
 - What do the Declaration of Independence, U.S. Constitution, and the Bill of Rights say?
 - What has been the importance of these three documents to American history?
 - What qualities led to America's exceptional success as a democratic republic?
 - How did the characteristic of American culture found by John de Crevecoeur compare to those later identified by Alexis de Tocqueville?
- TEKS:
 - History: 1 (A), 1 (B), 1 (C), 9 (A)
 - Geography: 14 (C)
 - Government: 21 (B)
 - Citizenship: 22 (A), 23 (C)
 - Culture: 26 (E)

Chapter Vocabulary

- Declaration of Independence
- U.S. Constitution
- Bill of Rights
- John Trumbull Sr.
- John Peter Muhlenberg
- John Hancock
- Benjamin Rush
- Charles Carroll
- John Witherspoon
- John Jay
- Fifth Amendment
- Eminent Domain
- Alexis de Tocqueville
- Liberty
- Egalitarianism
- Individualism
- Populism
- Laissez-faire
- E Pluribus Unum
- In God We Trust

Important Ideas

- Americans won their independence during the American Revolution. Jonathan Trumbull was the only colonial governor to side with the colonists. John Peter Muhlenberg was a Protestant minister who recruited soldiers and rose to the rank of general.
- The Declaration of Independence stated the colonists' decision to separate from Britain. The Declaration listed colonial grievances against Britain and provided a theory of government: government's purpose is to protect individuals' unalienable rights to "life, liberty, and the pursuit of happiness." When a government oppresses citizens' rights, they have a right to overthrow it.
- Signers of the Declaration included John Hancock, Benjamin Rush, Charles Carroll, and John Witherspoon.

Important Ideas Con't

- The first national government established by the new United States was a weak association. Americans created a stronger federal government when they ratified the U.S. Constitution. The Constitution created a national executive, a two-house legislature known as Congress, and a national judiciary. John Jay was the nation's first Chief Justice of the Supreme Court. To ensure the national government would not challenge citizens' rights, the Constitution rested on certain key principles -- limited government, the separation of power, federalism, checks and balances, and popular sovereignty.
- The Bill of Rights was added to the Constitution in the form of the first ten amendments to further protect individual rights from government abuse.
- The First Amendment protects freedom of religion, speech, press, assembly and the right of citizens to petition their government.
- The Second Amendment protects the right of citizens to bear arms.
- The Third Amendment says government cannot "quarter" soldiers in private homes without their consent.

Important Ideas Con't

- The Fourth Amendment protects people from "unreasonable searches."
- The Fifth Amendment protects individuals from double jeopardy, and from being forced to incriminate themselves, and further guarantees citizens "just compensation" for property taken by government's right of eminent domain.
- The Sixth Amendment guarantees those accused of a crime a fair and public trial by a jury and the assistance of a lawyer.
- The Seventh Amendment guarantees jury trials in some civil cases.
- The Eighth Amendment prevents judges from setting bail that is too high, or from inflicting "cruel and unusual" punishments.
- The Ninth Amendment lists certain rights and does not deny other rights.
- The Tenth Amendment reserves powers not granted to the federal government to the state governments and the people.
- Alexis de Tocqueville observed five American values: liberty, egalitarianism, individualism, populism, and *laissez-faire*.

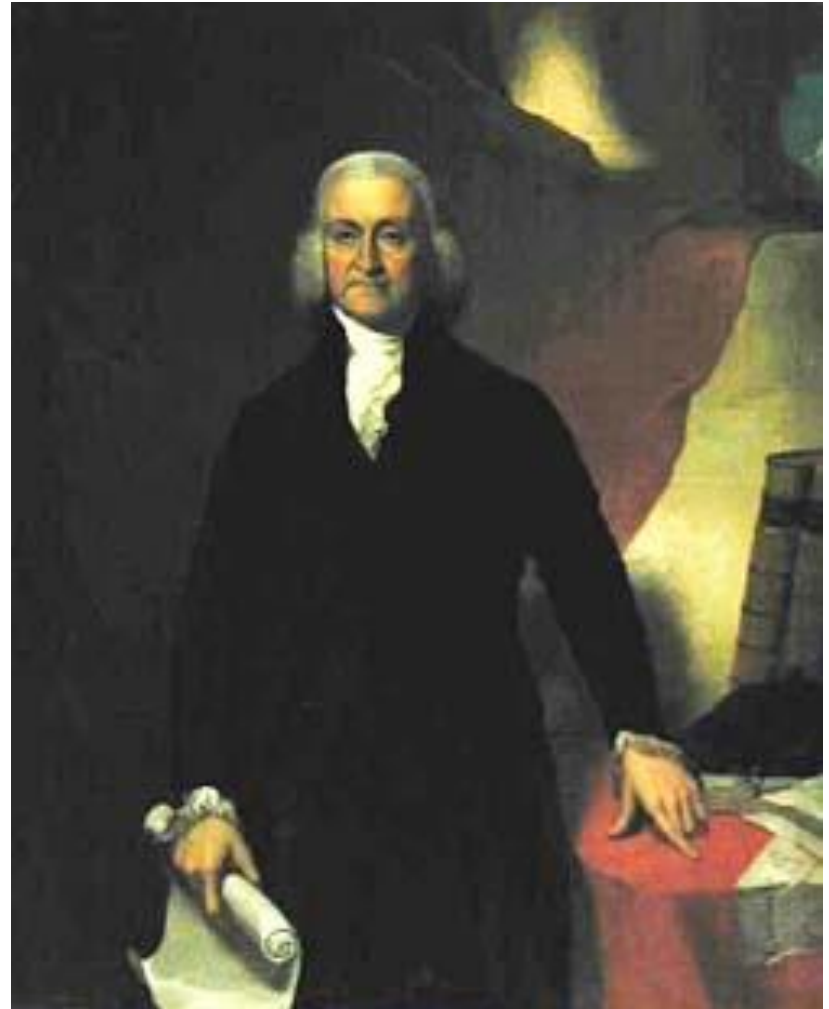
The American Revolution

- After the **French and Indian War** (1754-1763), the British government was left with a large debt. To help repay this debt, the British government imposed a series of new taxes on the colonists, including the Stamp Act, Townshend duties, and the tea duty. Parliament acted without consulting the colonists, and many colonists saw this "taxation without representation" as a violation of their rights as "freeborn" Englishmen.
- In 1773, a group of protesters, disguised as Indians, threw tea off British ships in Boston Harbor. The British government closed the harbor and banned public meetings until the tea was paid for. When British soldiers and colonists fired on one another at Lexington and Concord in 1775, they started the **American Revolution**. Other colonies quickly entered the war in support of Massachusetts. The **Second Continental Congress** appointed a Virginian, **George Washington**, to command the new Continental Army.



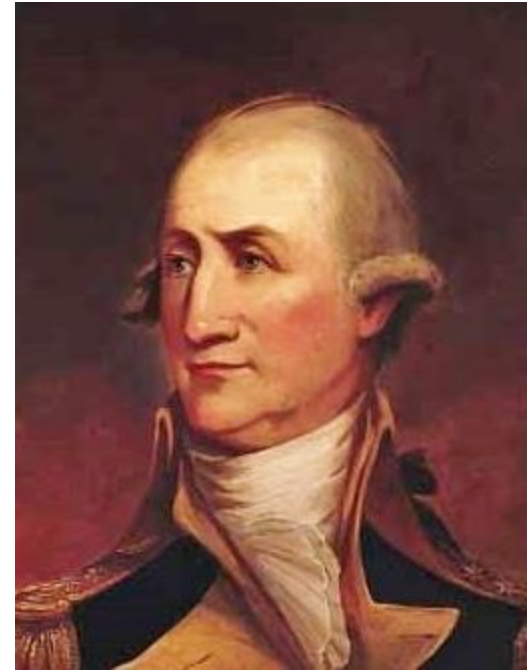
The American Revolution

- From Boston, British General Thomas Gage requested the assistance of Connecticut in support of the King. Governor **Jonathan Trumbull, Sr.**, however, refused to help, informing General Gage that he would act instead in support of the colonial patriots. A close friend of Washington, Trumbull was the only colonial governor to side with the colonists. He developed a reputation as one who spoke in favor of colonial rights and against English abuses. During the Revolutionary War, he supplied Washington's army with food, clothing, and munitions. Trumbull was also the only colonial governor to remain in office throughout the war, becoming Connecticut's last colonial governor and first state governor.



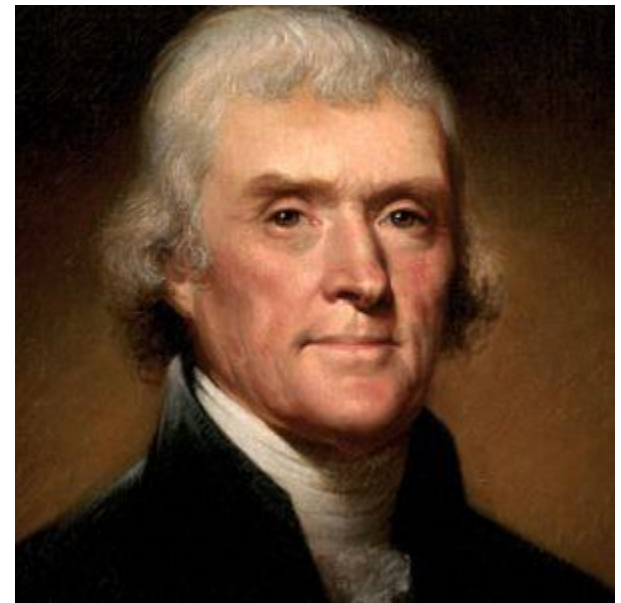
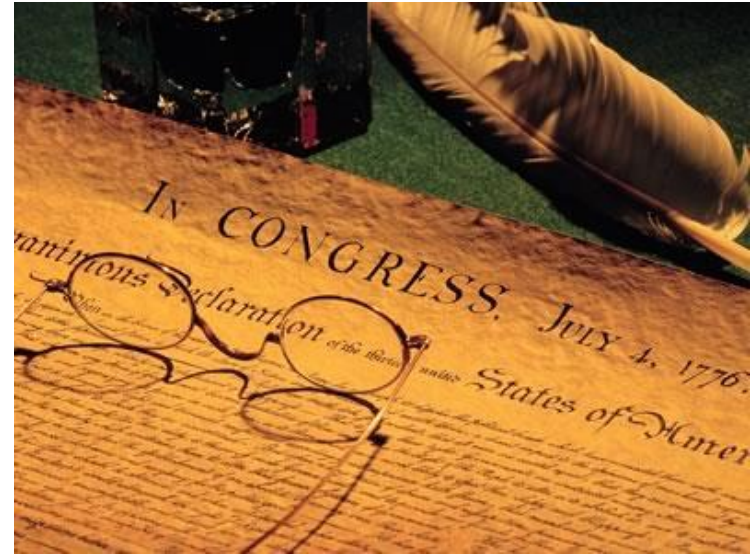
The American Revolution

- Strong support for independence came from several colonial religious leaders. In colonial times, these religious leaders held great influence. Many colonists attended church on Sundays, where ministers made their views known in weekly sermons. **John Peter Muhlenberg** was born in Pennsylvania, studied in Germany and America, and became a Protestant minister.
- At one of his sermons, Muhlenberg pulled off his clerical robe to reveal a uniform underneath. Then he enlisted more than a hundred men into the Continental Army. Rev. Muhlenberg became part of a group known as the "**Black Regiment**" -- ministers who wore black clerical robes while preaching and who worked to recruit large numbers of volunteers for the Revolutionary cause. During the war, Muhlenberg rose to the rank of general under Washington. Later, he served as a U.S. Senator and Congressman.



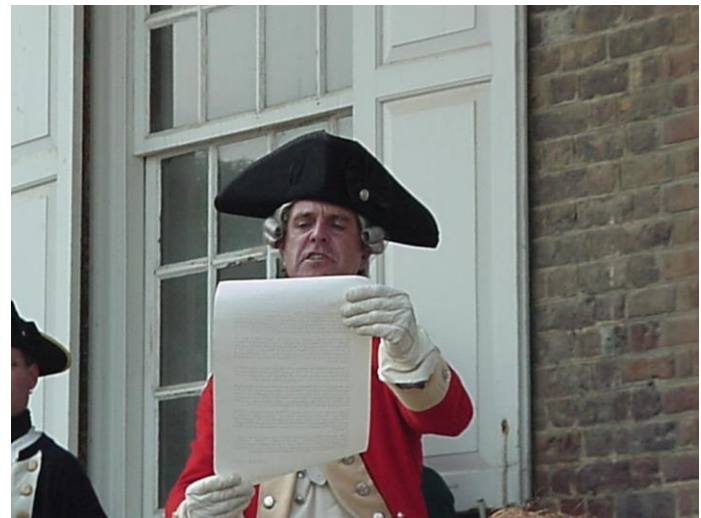
Declaration of Independence

- Representatives at the Second Continental Congress began discussing the issue of American independence early in 1776. After much debate, the delegates decided to go ahead and declare their independence from Britain. A "Committee of Five" was charged with the task of writing a draft for the **Declaration of Independence**. The members of the Committee decided that **Thomas Jefferson** should write most of the document.



Declaration of Independence

- The final Declaration of Independence, issued on **July 4, 1776**, explained the reasons why the colonists sought independence from Great Britain. The Declaration not only freed the colonists from Britain, but also put forward a theory of government. Many of its ideas were borrowed from **John Locke**. The Declaration explained that the purpose of government should be to protect citizens' **unalienable rights**. These were rights that cannot be taken away, such as the rights to "life, liberty, and the pursuit of happiness."
- The Declaration further argued that ordinary citizens had the right to overthrow an oppressive government that failed to protect these unalienable rights. The Declaration of Independence then went on to list the grievances of the colonists against King George III. Most of these grievances were based on the belief that the British Crown was threatening the colonists' rights in favor of tyrannical rule.



Declaration of Independence

Signers: John Hancock

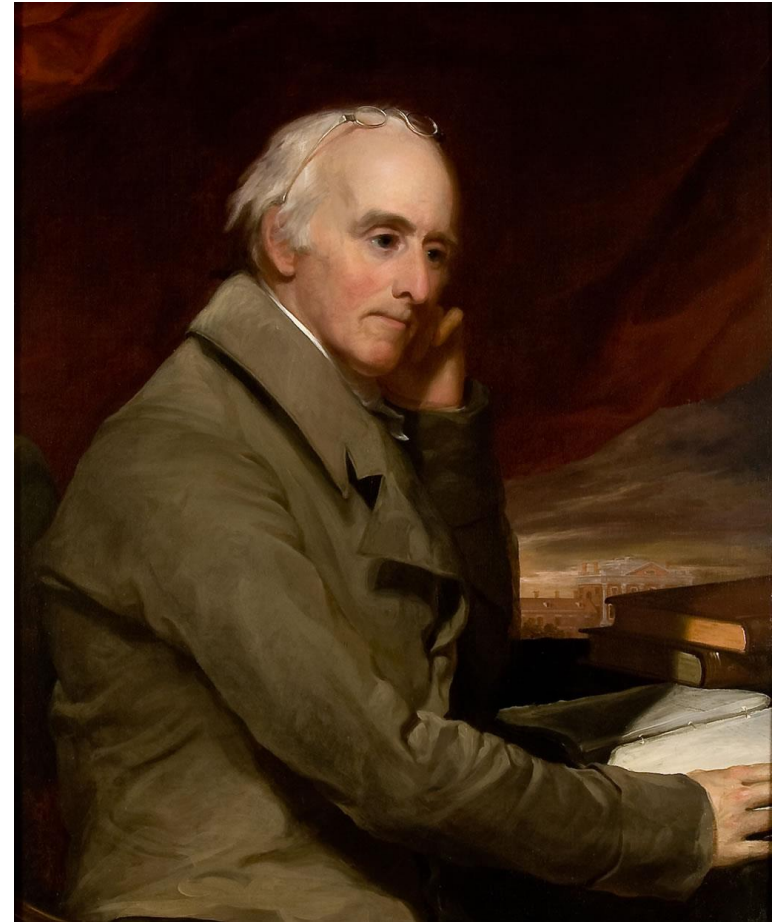
- The most recognizable signature on the Declaration of Independence was that of **John Hancock**, a prosperous merchant from Boston and the President of the Continental Congress. Hancock made his signature so large so that King George III could read it without his glasses. When the first version of the Declaration was printed and sent to each colony, it carried only John Hancock's signature, since the official document had not yet been drawn up for others to sign. Hancock's name quickly became second only to that of George Washington as a symbol of freedom in the colonies.



Declaration of Independence

Signers: Benjamin Rush

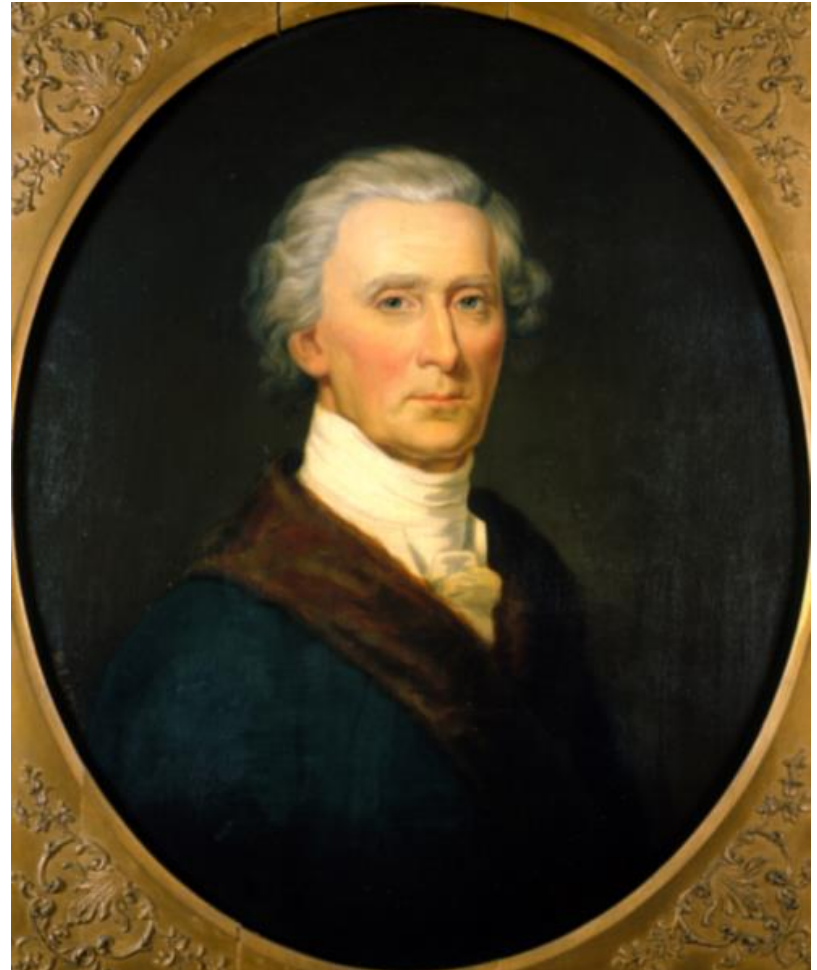
- Another signer of the Declaration, Rush was a physician, educator, and humanitarian. Dr. Rush is sometimes known as the "Father of American Medicine." He was a pioneer in the fields of physiology and psychiatry. Rush is also known for his proposal to establish a national public university to train public servants. He favored the education of women, and helped to establish and finance the oldest African-American church in the country (the African Methodist Episcopal Church) in Philadelphia. His son later became U.S. Ambassador to England.



Declaration of Independence

Signers: Charles Carroll of Carrollton

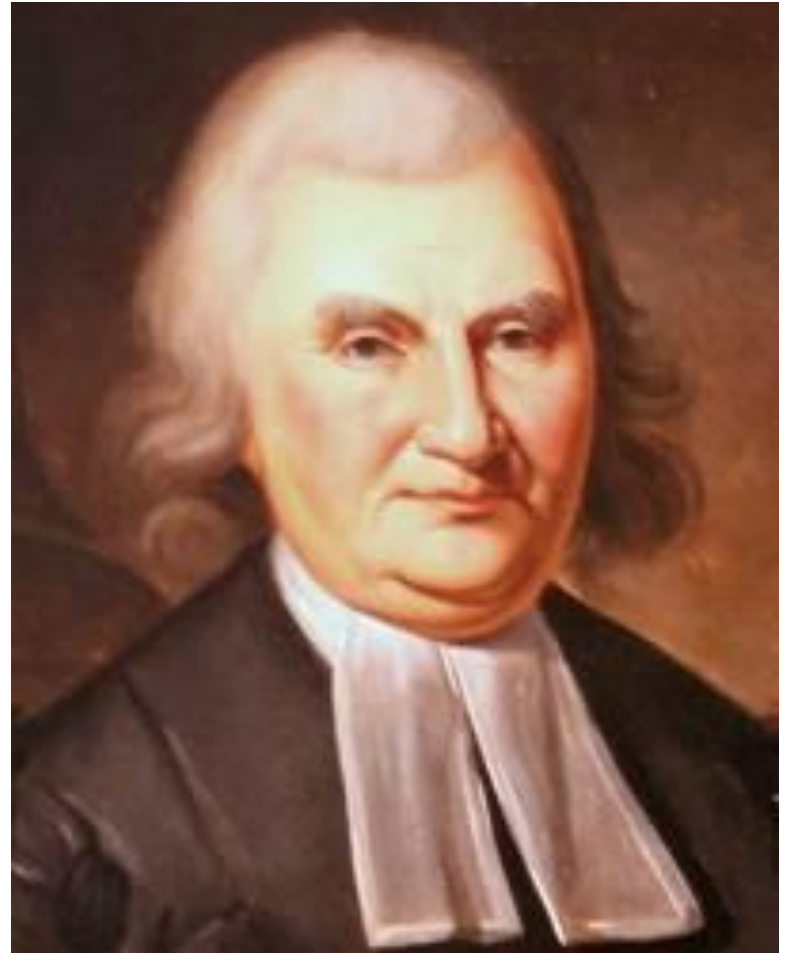
- One of the wealthiest men in the colonies, Carroll helped finance the Revolution with his own money. Carroll was one of the first to recognize the necessity for independence from Britain and strongly argued for armed resistance to Britain. From Maryland, Carroll was a Catholic. At that time, Catholics made up less than two percent of the colonial population and lacked political rights. Carroll helped in the struggle for the acceptance of the Roman Catholic religion in America.



Declaration of Independence

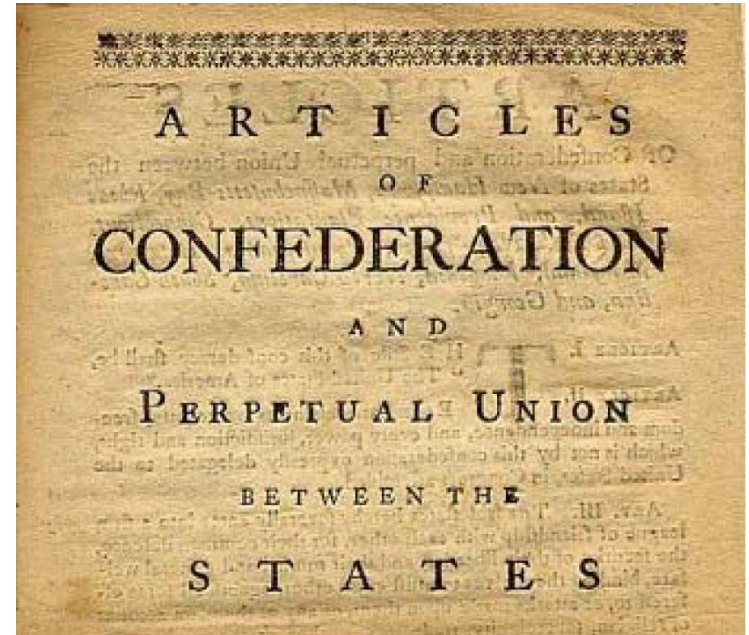
Signers: John Witherspoon

- A Scottish immigrant, Witherspoon became a leading member of the Continental Congress and took part in more than a hundred of its committees. Shortly after signing the Declaration of Independence, he responded to a person who argued that the colonies were not ready for independence. Witherspoon commented that it "was not only ripe for independence, but in danger of rotting for the want of it." He was a Presbyterian clergyman, and he became President of the College of New Jersey, later known as Princeton University. Under his leadership, the college rose to become a leading institution of learning in America.



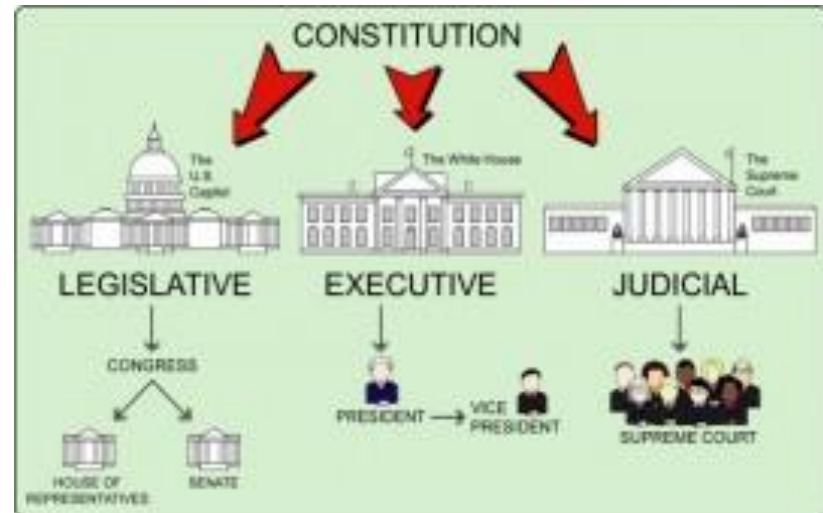
The U.S. Constitution

- The Constitution was not the first central government that the colonies established after independence. The colonies originally set up a very weak national association under an agreement known as the **Articles of Confederation**. This association was an experiment in government that failed. In 1786, American leaders met at Annapolis, Maryland, and decided that a stronger government was needed.
- They decided to meet again and invited delegates to Philadelphia to revise the Articles. The **Constitutional Convention**, meeting in Philadelphia in 1787, quickly decided to abandon the Articles altogether and to write an entirely new constitution.



U.S. Constitution Principles

- The **U.S. Constitution**, written by the Constitutional Convention, established the basic structure of our national government. It established a government in which power rested with the people, who elect their own representatives. The framers of the Constitution sought to create a national government strong enough to defend the nation's interests and to promote its general welfare. They gave the new national government many important powers, and made federal law supreme over state law.
- The new Constitution created an elected President, a Congress with two houses, and a Supreme Court. To ensure that this new national government was not too strong, the new Constitution also adopted a number of important principles:



U.S. Constitution Principles

Limited Government. The powers of the federal government were limited to those specifically provided in the Constitution.

Republicanism. Americans created a republican form of government — a democratic government of representatives elected by the people.

Popular Sovereignty. The people are “sovereign” — they hold supreme power. The powers of the government thus come from the consent of the governed.

Federalism. The authors of the U.S. Constitution created a “federal republic.” The powers of government were divided between the national government and the states. State governments continued to enjoy control over local matters, such as education and the passing of laws defining most crimes.

Checks and Balances. To prevent any one branch from becoming too powerful, the Constitution gave each branch ways to stop or “check” the other branches. The Supreme Court turned out to be especially important because it made sure that the other branches respected the Constitution.

Separation of Powers. The authors of the U.S. Constitution decided to divide the powers of the federal government among three separate branches: the **Congress**, the **President**, and the **Supreme Court**.

Amendments. The Constitution could be amended to take into account important changes. This allowed the Constitution to adjust to changing times and attitudes.

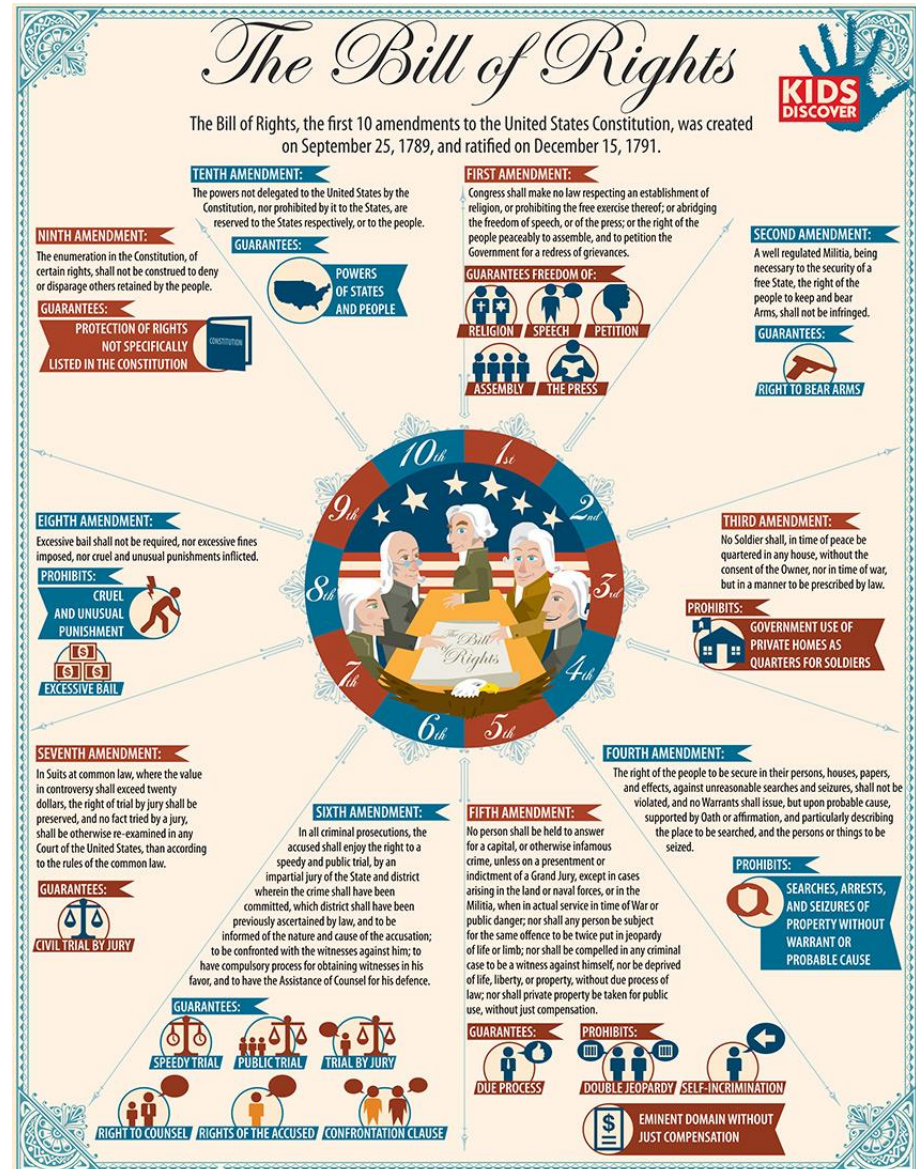
John Jay

- John Jay was a member of the Continental Congress who favored independence. He was absent at the time when the Declaration of Independence was signed. Later, he helped negotiate the peace treaty with England ending the Revolutionary War. After the new Constitution was written, it had to be ratified, or approved, by the states before it could be put into effect. Jay was the author of three essays in the *Federalist Papers*, which argued strongly in support of ratification.
- In 1789, Washington appointed Jay as the first Chief Justice of the Supreme Court. Five years later, he was appointed as envoy to Great Britain to resolve conflicts over certain territories. His appointment resulted in the Jay Treaty (1795). When he returned home, Jay found that his friends had worked to get him elected Governor of New York. He was a popular Governor who introduced many changes, such as penal reform and the abolition of slavery. He also undertook extensive road and canal projects.



The Bill of Rights

- The original Constitution contained few specific guarantees of individual rights. Ratification of the Constitution was only obtained when its supporters promised to add a Bill of Rights to protect individual liberties. As soon as the first Congress assembled in 1789, it began deciding which rights to include in the "**Bill of Rights.**" A list of possible rights was reduced to ten, which were approved by the members of Congress. They were then sent to the states for approval. Two-thirds of the state legislatures approved these amendments by 1791, when they came into effect.



The 1st Amendment

- The **First Amendment** actually covers five separate rights at the same time. Let's look at each of these rights more closely.
- **Freedom of Religion:**
 - The First Amendment guarantees freedom of worship. It also prohibits Congress from establishing an official, or "state" religion. This is sometimes called the separation of church and state.
- **Freedom of Speech:**
 - The First Amendment protects our freedom to say or write most things in public. Americans cannot be put in jail just for criticizing the government or for expressing unpopular beliefs. This does not mean, however, that we can say whatever we want. In some circumstances, our speech can be limited. For example, a person cannot yell "fire" in a crowded movie theater as a joke, since this might threaten other people's lives. The Supreme Court has ruled that government can limit speech when that speech creates a "clear and present danger."
- **Freedom of the Press:**
 - The First Amendment allows newspapers, radio, and television to write or announce what they want without fear of punishment. This freedom is essential in a democratic society since people need to be well-informed to vote.
- **Right of Assembly:**
 - The First Amendment states that Congress cannot deny individuals the right to "peacefully assemble."
- **Right to Petition:**
 - Congress also cannot deny individuals the right to write to government officials to change the law, known as the **right to petition**.

The 2nd & 3rd Amendments

- **The Second Amendment:**

- Americans recognized the important role played by the militia in winning the Revolutionary War. A **militia** is a "citizen's army," or force made up of ordinary citizens, who take up arms. The **2nd Amendment** states that "a well-regulated militia" is "necessary to the security of a free state." For this reason, it says people should have the right to "bear arms" (*carry weapons*). Some Americans question whether this right is still necessary today and whether it encourages violence.



- **The Third Amendment:**

- In the period before the American Revolution, the British government "quartered" its soldiers in colonists' homes. The **3rd Amendment** prohibits government from placing troops in people's homes without their permission.



The 4th Amendment

- In colonial times, people protested against British customs officers randomly entering their homes. The **Fourth Amendment** was added to protect individuals from "unreasonable" searches and seizures by government officials.
- If there is a reasonable expectation of privacy, a judge must sign a "**search warrant**," presented by a police officer, before the search can be conducted. Our laws provide that only in exceptional circumstances can the police make a search without a warrant.



The 5th Amendment

- A citizen cannot be deprived of life, liberty, or property without "**due process of law.**" This means that certain legal procedures must be carried out according to established rules before a person can be punished.
- A person cannot be tried for a serious federal crime, which could lead to imprisonment or execution, without an **indictment** by a grand jury - a formal accusation before a person is arrested. A **grand jury** is a group of citizens that meet to review if there is enough evidence available to even hold a trial.
- No person can be subject to **double jeopardy**-- being tried twice for the same crime.
- An accused person cannot be forced to say things that will be used against him or herself (**self-incrimination**). Under the Supreme Court decision of *Miranda v. Arizona* (1966), a person's confession of a crime is not valid if he or she was not first informed of the right to have a lawyer present during police questioning.
- **Eminent domain** refers to the power of a government over property in its territory. Sometimes the government needs to take over private property for public use. For example, the government may need to build a highway or construct a school where private homes are located. The government has the right to do so under the power of **eminent domain**. According to the Fifth Amendment, "private property [shall not] be taken for public use without just compensation." In other words, before the government can exercise its power of eminent domain, it must provide the owner with "just compensation."



The 6th & 8th Amendments

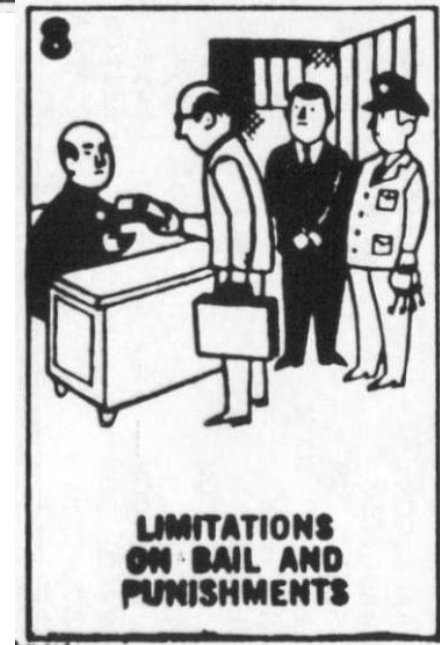
- **The Sixth Amendment:**

- This amendment guarantees a fair and impartial trial to all persons accused of a crime: they must be told of the charges against them; they have the right to a trial by a jury; and they have the right to be represented by a lawyer.



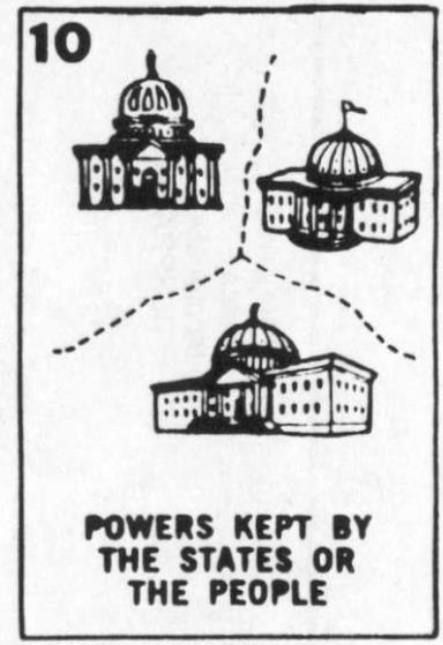
- **The Eighth Amendment:**

- Federal courts cannot require unusually high bail. Bail is the money an accused person pays a court as security so that he or she need not remain in jail while awaiting trial. This amendment also bans a court from punishing someone in a cruel or unusual way.



The Other Amendments

- The **Seventh Amendment** guarantees the right to a trial by a jury in many civil disputes - cases where one person sues another for injury or for breaking a contract.
- The **Ninth Amendment** states that just because the Constitution lists some specific rights, this does not mean that citizens do not also hold other rights.
- The **Tenth Amendment** states that the federal government has only those powers specifically given to it in the Constitution. All other powers are reserved to the states or the people.



What Are Americans?

- One of the first attempts to describe the new American culture was by a French immigrant, **Hector St. John de Crevecoeur**. In 1755, he moved to New France in North America and in 1759, he moved to New York. He was very intrigued by what he found in America. He tried to define what it meant to be an American in 1782. He was greatly impressed by the mixing of peoples of different nationalities, the rich resources of North America, the absence of kings and nobles demanding a share of the worker's labor, and the willingness of Americans to work hard out of their own self-interest.



What Are Americans?

- In 1831, Alexis de Tocqueville was sent to America by the French government to study its prisons in order to help the French government reform its own prison system. It was at a time when Andrew Jackson sat in the White House and reform was in the air.
- Like St. John de Crevecoeur, Tocqueville noticed that America was quite different from Europe, and he tried to identify the ways. The result was his book, *Democracy in America*, which was published in 1835. His book serves as a guide to measure how America has changed since it was written. It also allows us to gain some perspective on what aspects of American society have remained the same.



What Are Americans?

- Tocqueville asked how it was that the American system of democracy had survived so well, when France had undergone a series of revolutions and restorations during the same years and was still unable to find political stability. He looked for answers in America's social and cultural roots as well as in its political institutions.
- Tocqueville also found, however, that the system of democracy did not always place the best people in positions of leadership in government: "On my arrival in the United States, I was surprised to find so much distinguished talent among the citizens and so little among the heads of the government. It is a constant fact that at the present day the ablest men in the United States are rarely placed at the head of affairs." Indeed, Tocqueville came to the conclusion that by guaranteeing general prosperity and well-being, America did not necessarily promote the cultivation of excellence, as he believed Europe did.



Egalitarianism (Equality)

- Egalitarianism refers to a society of equals. In Europe, society was built around hereditary distinctions separating the nobles, middle classes, and peasants. In America, there were differences in wealth, power, and intelligence, but everyone was equal socially. The availability of free land also promoted equality. Owning land allowed Americans to view themselves as equal to their neighbors and further contributed to their feeling of equality. Tocqueville believed that the primary concern of the nation should be to safeguard liberty, since it created the conditions for Americans to become economically prosperous. Two exceptions to this were slavery and the treatment of Native Americans, which Tocqueville also wrote about.



Populism & Liberty

- **Populism (Popular Sovereignty):**

- Tocqueville wrote that democratic government, - "a government where the people more or less participate in their government," - is closely bound up with the idea of "political liberty." Populism refers to the participation of the common people in political life - another distinguishing characteristic that Tocqueville found in American society in the early nineteenth century. Since everyone in society was equal, everyone had the same right to participate in government. The goal of such a society was peace and prosperity for all.

- **Liberty:**

- By "liberty," Tocqueville meant protection against tyrannical government. The great danger in democratic government was the tyranny of the majority. He noted that Americans were devoted to the rule of law, and that America's federal system helped prevent the rise of an over-powerful government. Most important of all, American customs and manners were devoted to the spirit of liberty. In America, Tocqueville wrote, religious faith helped strengthen the belief in individual liberty.

Individualism & Laissez-faire

- **Individualism:**

- In American society, the government did not direct individual activity to the same extent as Tocqueville had seen in Europe. People in America were free to flourish without hereditary distinctions, and individuals believed they could rise in society. Individuals even organized themselves into their own private, voluntary associations, such as charities.

- **Laissez-faire:**

- Because the role of government was more limited in America than Europe, people had to rely on themselves. Government took a *laissez-faire*, or "hands off," approach to the economy. Tocqueville felt that a key value of Americans was that each individual was the best judge of his own interests. Americans should not allow government to become too protective. He feared if they relied too heavily on government, they would saddle it with a burden it was unable to perform.

The Evolution of Mid-19th Century America: 1830-1865

- After Tocqueville's visit, the United States continued to grow in both area and population. In the early nineteenth century, the three main sections of the country the North, South, and West- were affected very differently by the rise of industry. These differences eventually led to the great conflict known as the **Civil War** (1861-1865).
- Southern states attempted to secede under the theory that the Union was simply a compact of states. President Lincoln disagreed. After four years of bitter fighting, the North, with its greater population and resources, was able to defeat the South.



The Evolution of Mid-19th Century America: 1830-1865

- In the period following the Civil War, a group of amendments were passed. Slavery was abolished by the **Thirteenth Amendment**. Northern armies occupied the South during Reconstruction. The **Fourteenth Amendment** guaranteed all citizens "due process rights" and "equal protection" of the laws from state governments. The **Fifteenth Amendment** prohibited denying individuals their voting rights on the basis of race.
- The federal government secured its supremacy over the states, the Great Plains were opened to settlement, new railroad lines criss-crossed the nation, and the Northeast accelerated its industrial growth as people began to move from the countryside into cities. The stage was now set for future American expansion and prosperity.

The Evolution of Mid-19th Century America: 1830-1865

- The notion that Americans stand together is expressed by the motto on the Great Seal of the United States, "***E Pluribus Unum***." This motto means, "out of many [comes] one." Its intent is to show that several states have joined together as one nation. First adopted by the Continental Congress in 1782, it became official in 1956. That same year, Congress also adopted "**In God We Trust**" as our national motto. Found in the words of the *Star Spangled Banner* it has been used on coins since 1864. "In God We Trust" is now printed on all American money. Often challenged, the courts have ruled that its meaning is ceremonial, not religious.

