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The American's Creed

Many people would be surprised to learn that the United States has an official national creed. William Tyler Page—a descendant of both Carter Braxton, a signer of the Declaration of Independence, and John Tyler, tenth president of the United States—wrote it in 1917 and submitted it in a national contest. His entry won over more than three thousand other entries. On April 3, 1918, the U.S. House of Representatives adopted Page's entry as the official creed of the nation. It captures and summarizes the basic philosophy of American patriotism and is sometimes used in the naturalization ceremony for new Americans.

As you study American government this year, look for reasons why Page might have included each phrase of his statement of Americanism. How has America lived up to (or failed to live up to) this statement of ideals? How can you fulfill your responsibilities as an American?

I believe in the United States of America as a government of the people, by the people, for the people, whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice, and humanity, for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my country to love it; to support its Constitution; to obey its laws; to respect its flag, and to defend it against all enemies.

*Blessed is the nation
whose God is the Lord.*

- Psalm 55:12

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*Scene at the Signing of the Constitution of the United States
by Howard C. Christy*

Constitutional Beginnings

- I. Confederation Crises**
- II. Constitutional Convention**
- III. Ratification Controversy**

*The Constitution is not neutral. It was
designed to take the government off the
backs of people.*

—William O. Douglas

The Constitution is a powerful, eloquent, yet immensely practical legal instrument. It was written as the result of real men grappling with real problems. The men who gathered in Philadelphia to draft the Constitution were an impressive lot; they had distinguished themselves on the battlefields and in the statehouses of the youthful nation. Two future presidents, Washington and Madison, were among them, as were twenty-eight future congressmen. Jefferson, who was in France during the Constitutional Convention, called these Constitution makers “an assembly of demi-gods.” Although their work was elevated, these men walked on the same plane as their fellow citizens. They argued among themselves, hammered out compromises, fretted over how history would remember them, and prayed for God’s direction and blessing on their efforts.

This chapter examines the historical context of the Constitution—the document’s authors, the national problems they struggled to solve, and the way their solutions produced a republic that has been a model of successful self-government for over two centuries.

I. Confederation Crises

Political Influence and Innovation

America was largely an English export. The men and women who crossed the Atlantic to settle the American wilderness generally transported political, social, and religious patterns and values from the Old World, especially from England, to the New World. Anne Bradstreet was America’s first poet. Her poems, first published in 1650 under the title *The Tenth Muse Lately Sprung Up in America*, provide interesting insight into the extent of English culture in early America. Bradstreet’s flowers are English flowers; the birds, English birds; and the landscape, Lincolnshire, England.

During its early development, American colonial government was also an English export. The mother country mainly influenced **local government, legislative government, and limited government**. Local governments were organized quickly in the New World, providing order and leadership for pioneer communities. The English influence on local government is still evident in American vocabulary, which includes terms such as *grand jury*, *sheriff*, *bailiff*, *township*, and *county*, all of which are rooted in English governance.

The legislatures established in the various seaboard colonies were influenced by the English Parliament. As early as 1619, for example, the Virginia colony organized the **House of Burgesses**—the first representative assembly in the New World. Legislatures were established in each of the colonies. These colonial assemblies reinforced the principle of representation, encouraged political participation, and provided leadership training in the difficult art of self-government.

The Virginia House of Burgesses met in the capital in Williamsburg.



Limited government was already a centuries-old principle in England when the first colonists waded ashore in America. Since the writing of the Magna Carta in the thirteenth century, Englishmen believed that they had certain rights that the government could not rightfully deprive them of. Government was limited by laws that everyone, including the king, was bound to obey.

While the English influence on colonial government was understandably extensive, Americans also placed their own stamp on their politics. For example, the representative assemblies throughout the colonies exercised increasing authority over the royal governors. It is no accident that this power shift followed the 1688 Glorious Revolution, in which Parliament firmly established its authority over the king. In retrospect, this event contributed to American independence in ways no one could have foreseen. Bolstered by the unparalleled strength that Parliament now commanded, the colonial legislatures assumed the right to levy taxes; alter colonial constitutions; and, in some cases, appoint or approve royal officers.

Britain's attitude toward the aggressive American colonial governments was quite lenient, especially during the first half of the eighteenth century. The growth in colonial political power and experience was gradual and was nurtured by official British neglect and America's geographic remoteness. Three thousand miles of ocean did much to assist the progress of self-government in America. Within the colonies, poor roads, swollen rivers, and slow transportation meant that distances between people were greater and that government was less centralized than in the old country. However, the growing confidence of the colonial legislatures, born out of political gains, was soon to meet its most formidable challenge as the winds of change blew from the distant shores of England.

Tension and War in America

Years after the War for Independence, John Adams concluded that the war began not in 1775 on the battlefields of Lexington and Concord but rather in 1760. In that year, two catalytic events shook an America ripe for independence.

In 1760 the French and Indian War ended after Montreal, the last French stronghold in North America, surrendered to the British. The French defeat removed a major obstacle from the path of American expansion. At the same time, the war left Britain strapped with a huge debt; Parliament soon demanded that the colonies help shoulder the burden. Also in 1760, a twenty-two-year-old prince named George III acceded to the throne. The young king fully intended to act on his mother's advice to "be a king" by reasserting the political strength of the Crown, which had been on the decline for more than a century. His brash efforts, however, combined with the ineptness of his advisors and parliamentary supporters, strained and eventually snapped the British hold on the American colonies.

Beginning with the **Stamp Act in 1765**, Parliament passed a series of taxes and trade restrictions on the colonies that produced more resentment than revenue

The stamp that caused so much trouble



from America. The British government also imposed a peacetime army on the colonies and passed a law forcing the colonials to provision the soldiers. This law directly violated the **Petition of Right**, a document guaranteeing basic civil liberties to all British subjects.

Over the next ten years, Britain continued to tighten its economic and military hold over the colonies. Having enjoyed years of self-government largely free of parliamentary interference, the colonies were alarmed that the taxes and troops were imposed without their consent. Naturally, tempers and violence flared on both sides. British customs officials were often tarred and feathered or burned in effigy by radical elements of the independence movement. British soldiers harassed and brawled with Bostonians and on March 5, 1770, opened fire on a group that was hurling snowballs and insults at the soldiers. When the smoke cleared, eleven citizens lay in the snow, five of them dead. The Boston Massacre strengthened American protests and fueled the growing Patriot movement.

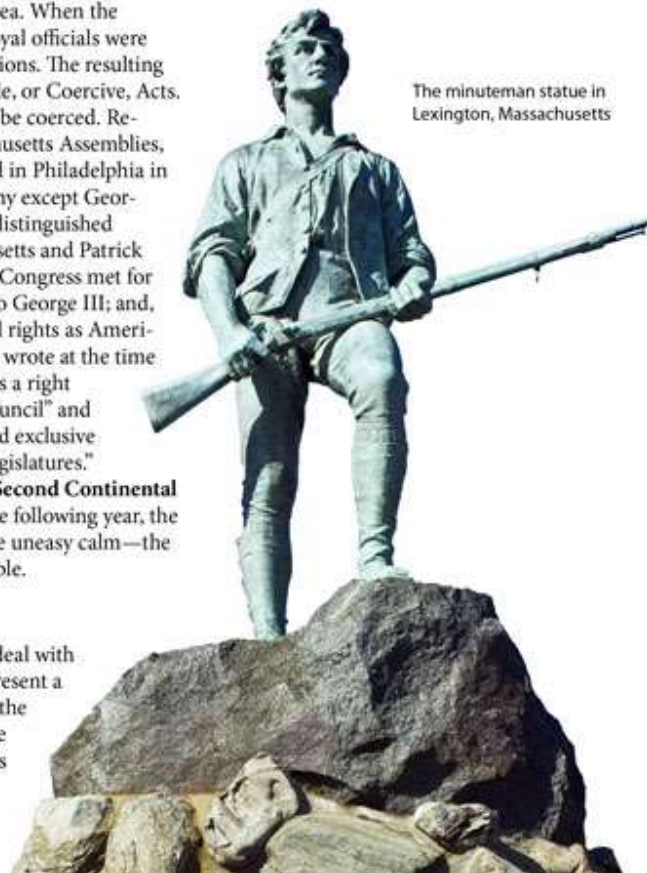
Organized colonial resistance, both military and political, came to a head—surprisingly enough—over tea. Britain's attempt to monopolize the tea trade was greeted with outrage and calls throughout the colonies for a **boycott** (an act of protest in which business is withheld or refused). Many homes and taverns banned the drink from their tables, and coffee became the Patriot's favored brew. A week before Christmas in 1773, a group of Bostonians shouting, "Boston Harbor a teapot tonight!" effectively ended the governor's attempt to distribute three shiploads of English tea. When the colonists dumped the chests of tea overboard, royal officials were infuriated and Parliament called for punitive actions. The resulting acts were known in the colonies as the Intolerable, or Coercive, Acts.

The American colonists, however, refused to be coerced. Responding to calls from the Virginia and Massachusetts Assemblies, the **First Continental Congress (1774)** gathered in Philadelphia in September with representatives from every colony except Georgia. Numbered among this assembly were such distinguished leaders as Samuel and John Adams of Massachusetts and Patrick Henry and George Washington of Virginia. The Congress met for two months; issued a declaration of grievances to George III; and, more importantly, defined the colonists' political rights as Americans, not simply as British subjects. John Adams wrote at the time that "the foundation . . . of all free government, is a right in the people to participate in their legislative council" and added that Americans were "entitled to a free and exclusive power of legislation in their several provincial legislatures."

By the time the assembly reconvened as the **Second Continental Congress (1775–89)** during the late spring of the following year, the shots fired on Lexington Green had shattered the uneasy calm—the demand for complete independence was inevitable.

American Independence—1776

Two major tasks lay before the Congress: to deal with the military emergency around Boston and to present a formal declaration of independence. To address the military emergency, Congress dispatched George Washington to forge the ragtag volunteer militias around Boston into a Continental army. As



The minuteman statue in Lexington, Massachusetts



Franklin, Adams, and Jefferson were the main members of the Declaration committee.



The lap desk on which Jefferson wrote the Declaration

Division of Political History, National Museum of American History, Smithsonian Institution

for the formal **Declaration of Independence**, its basis was a resolution proposed by Virginia delegate Richard Henry Lee: "These United Colonies are, and of right ought to be, free and independent states." The task of creating the formal Declaration of Independence was left to a committee of five appointed by Congress: Benjamin Franklin, John Adams, Robert Livingston, Roger Sherman, and **Thomas Jefferson**. The committee unanimously agreed that its youngest member, thirty-three-year-old Jefferson, would do the actual writing.

Jefferson drafted the Declaration and submitted it to the other committee members. Franklin and Adams made minor changes, and the committee submitted the document to Congress on June 28, 1776. On July 2, Congress approved the Declaration. Late in the afternoon of July 4, the final draft was ready. It would take several days, even weeks, for news to spread throughout all the colonies. Although the document had been approved, the official copy was not prepared and signed until August 2. As president of the Continental Congress, **John Hancock** signed first with a large, bold signature. He reportedly said, "There, King George will be able to read that without his spectacles."

What Jefferson penned in elegant fashion was nothing new. Rather, he brought together established "self-evident" principles of government that he thought justified the colonies' break with England. Indeed, without such a clear statement the colonies would appear to be in lawless rebellion—something European governments would certainly not stand for. The result was a document that reflected both the **Age of Enlightenment** in which it was written and Christian political thought tracing back to the Puritan and Scottish dissenters.

Consistent with the Enlightenment, the Declaration stressed the importance of natural laws that govern the universe—and, in this case, government. In the introduction, Jefferson presented four major laws, or truths:

1. All humans "are created equal."
2. All humans "are endowed by their Creator with certain unalienable Rights," which include "Life, Liberty and the pursuit of Happiness."
3. Governments are instituted "to secure these rights."
4. If governments become "destructive of these ends," they may rightfully be abolished.

Why Not Adams?

After the Declaration of Independence was approved, committee member John Adams wrote a letter to Timothy Pickering revealing how Thomas Jefferson, not Adams, became the primary author of the document.

When Adams was suggested as the logical author, he demurred, preferring Jefferson, and would not relent. Finally Jefferson demanded, "What can be your reasons [for declining]?"

Adams patiently replied, "Reason first, you are a Virginian, and a Virginian ought to appear at the head of this business. Reason second, I am obnoxious, suspected, and unpopular. You are very much otherwise. Reason third, you can write ten times better than I can."

"Well," said Jefferson, "if you are decided, I will do as well as I can."

A list of grievances followed, showing how King George had not only neglected the colonists' rights but also sought actively to destroy them.

The idea of natural law has a long history. The apostle Paul refers to it in Romans 2:14–16 (cf. Rom. 1:32), and Paul's readers, whether Roman, Greek, or Jewish, would have understood the concept. As Christian theology developed into a system, Thomas Aquinas distinguished between divine law (law found in Scripture) and natural law (law discovered through conscience or observation of the world). According to Aquinas, divine law directs people toward their spiritual good and natural law directs people toward their natural good; human laws are therefore to be based on natural law, not Scripture. The Reformers also believed in natural law, and they thought it explained why pagan nations would often enact just laws. But they tended to deny that a person or a nation can consistently understand natural law rightly apart from Scripture. As the Reformation gave way to the Enlightenment, however, natural law took center stage. Enlightenment philosophers emphasized natural law because it provided a rationalistic way for people with different religious backgrounds to agree about morals and legislation.

Jefferson might be accurately labeled a deist. **Deism**—a religious outgrowth of the Enlightenment—regards God as something of a heavenly clockmaker who started the world in motion, established natural law, and then had little else to do with the affairs of humans. The American deists of the founding era seemed to believe in the providence of God but rejected Scripture as revelation, the existence of the Trinity, and the incarnation and deity of Jesus Christ. However, many Founding Fathers—including Roger Sherman, who was on the committee that wrote the Declaration—testified to the personal and active nature of God. While by no means a perfect document, the Declaration of Independence, by God's grace, helped establish America on Christian principles.

As the War for Independence raged, two developments shaped America's emerging politics. First, the Second Continental Congress, born of necessity and shaped by emergency, functioned as the national government. The various roles of government, such as controlling finance and foreign relations, were largely managed by committees. Second, by 1777 new state governments were formed that superseded colonial administrations. Since local representative government was viewed as a check against tyranny, the power of state legislatures was enhanced and executive power was weakened. Also, the states resisted yielding their taxing power to the Continental Congress. Having removed Parliament's interference in their local affairs, they were not eager to submit to another "outside" government, though they would cooperate when it was in their best interest to do so. These two factors—a weak legislative central government and strongly independent state governments—molded the nature of United States government during the formative years following the American victory at Yorktown.

Who Were the Signers of the Declaration of Independence?

Occupations

Lawyer	24
Merchant	15
Farmer/landowner	10
Physician	5
Printer	1
Preacher	1

Religious Affiliations

Episcopal	14
Presbyterian	11
Congregational	10
Deist	3
Anglican	2
Quaker	1
Roman Catholic	1
Unitarian	1
Unknown	13

John Locke's Views

One of the most significant philosophers of the Enlightenment was Englishman John Locke (1632–1704). His writings on the theory of **social contract** influenced America's Founding Fathers, including Thomas Jefferson. In *Second Treatise on Civil Government*, Locke explains a natural-law basis for government and justifies political revolution. Locke's Enlightenment views were similar to views of government developed by covenant theologians in the sixteenth and seventeenth centuries. They developed both the theological categories of the covenants of works and grace and the idea that nations exist in the context of a covenant between God and each nation and a covenant between the people and their rulers. While these groups held that government is established by compact among God, subjects, and the ruler(s), Locke focused more on a government contract between the latter two. For the most part, his social-contract theory seems to be a secularization of seventeenth-century Christian political thinking.

Comparing the ideas and wording of Locke's *Second Treatise* with Jefferson's Declaration gives some indication of Locke's influence on Jefferson.

Declaration of Independence—1776

The Declaration of Independence truly embodies the “Spirit of ’76.” There is a plucky streak running throughout the document. Each sentence draws a determined battle line around which Patriots would rally.

The Declaration, largely the work of Thomas Jefferson, opens with one of the most powerful and eloquent statements of personal liberty, proceeds to enumerate the “repeated injuries and usurpations” that George III committed against his American subjects, and concludes that separation from Britain is necessary. Serious men debated, wrote, and signed the Declaration—men who pledged to each other and to future generations their “Lives, [their] Fortunes, and [their] sacred Honor.”

The actual document has had a fascinating history all its own. During the early years of the Republic, the Declaration, though valued, was not viewed as a national treasure. The youthful country, lacking a sense of history and pressured by the demands of war and peace, gave little thought to the parchment. When the British burned Washington during the War of 1812, the document was spirited away in a linen sack and stored overnight in a barn in northern Virginia.

Following the War of 1812, however, America’s growing appreciation for its

heritage brought the Declaration into the national spotlight—a position it has retained ever since. But, as historian Dumas Malone noted about the Declaration, “While immortal in spirit, it was by no means imperishable in form.” Handling, temperature changes, and the fading effects of light greatly harmed the old parchment. Even restoration attempts sometimes did damage. In 1940 a detached corner of the document was crudely repaired with tape that turned the color of molasses within a few years.

However, new technology has increased the Declaration’s long-term survival chances. In 1952, shortly before being moved to the National Archives in Washington, the document was placed in a helium-filled case with sensors to monitor humidity and other atmospheric conditions. Nearly fifty years later the Declaration was moved again to an even more sophisticated case, as were the Constitution and the Bill of Rights. Perhaps



the most interesting evidence of the value Americans place on their Declaration of Independence came after the Japanese attacked Pearl Harbor in 1941. The Declaration was transferred from Washington and stored with the gold in a vault at Fort Knox, Kentucky, for three years.

A Declaration by the Representatives of the United States of America, in General Congress Assembled

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature’s God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

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.—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 to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which

they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.—Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.