

Section 3

Documents of American History

STANDARD II: The student will understand the formation and development of the United States.

OBJECTIVE 2 Identify and comprehend the provisions of essential documents of the United States government, including the Declaration of Independence, the Constitution, Bill of Rights and the 13th, 14th, 15th, and 19th Amendments to the Constitution.

ELIGIBLE CONTENT QUESTIONS (THIS IS THE STUFF YOU MUST KNOW!)

What are the provisions of essential documents of the United States Government. Why are they so important?

What are the elements of the Declaration of Independence?
What is the philosophical background of the Declaration?
How does the document deal with the concept of equality?
What is the social contract theory?

What are the basic elements of the United States Constitution? What is the meaning of the Preamble? What is separation of powers? What does it mean to be a Federal System? What is the Elastic Clause? What is the Bill of Rights? What is the significance of the 13th, 14th, 15th, and 19th Amendments to the Constitution? What is the significance of the Black Codes and Jim Crow Laws?

How did the experience of the colonies influence the colonists desire for separation of powers, a federal System, and the Bill of Rights?

Terms and Concepts for

Section 3: Documents of American History

Adams, John	This persona was a Federalist and the 2nd president of the United States.
Amendment	This is a change to the Constitution. Twenty-seven Amendments have been added to the U.S. Constitution.
Anarchy	This is the absence of government and central control. The framers of the constitution were concerned about the possibility of this as a result of Shay's Rebellion.
Anti-Federalists	During the period of time after the American Revolution, these were people who opposed ratification of the U.S. Constitution.
Articles of Confederation	This was America's first national constitution which established a weak national government. It was ratified in 1781 but replaced after the states ratified the U.S. Constitution in 1788.
Bicameral Legislature	This is the term that describes a legislature of two houses or chambers (e.g., The U.S. Congress is made up of two houses--the U.S. Senate and the House of Representatives).
Bill	This is a proposed piece of legislation or a proposed law.
Bill of Attainder	This is a law that pronounces a person guilty without a trial.
Bill of Rights	This is the name for the first ten amendments to the Constitution; they insure basic rights and freedoms for American citizens.
Black Codes	These were laws which southern state legislatures passed immediately after the Civil War which deprived blacks of rights such as the right to vote and own a gun.
Census	This is the procedure related to the counting of United States Population.
Cheap or Soft Money	This terms describes currency or paper money which is not backed by specie or precious metals such as gold (also called "soft money").
Checks and Balances	These are a system established by the U.S. Constitution which gives each branch of the national government some power to check (control) the other two branches.
Chief Justice	This is a Justice of the Supreme Court who serves as

its administrative leader.

Civil Liberties

These are personal freedoms such as the freedom of speech and religion (similar to civil rights).

Civil Rights

These are rights of U.S. citizens such as the right to equal treatment under law (similar to civil liberties).

Compromise

This is a settlement of an issue which gives each side in the dispute part of what it wants.

Confederation

This concept refers to a union of states where, generally, members states retain their sovereignty and the unifying government (central government) may suggest national policies but cannot force its will upon member states.

Congress Under a Confederation

This concept refers to the national legislature under the Articles of Confederation. The Articles limited the effectiveness of the legislature and virtually made the Legislature worthless.

Congress, U.S.

This is the national legislature under the U.S. Constitution, a bicameral legislature divided into two houses, the House of Representatives and the Senate.

Constitutional Convention

This took place in 1787. It involved a group of delegates from various states which met in Philadelphia to write a new national constitution.

Constitutionalism

This term refers to a government in which power is divided among various groups, but all groups obey a system of laws typically called a Constitution. A government that is limited is a constitutional government however whether it has a constitution or not.

Creditor

This is a person who is owed money or one who loans money typically as an investment.

Critical Period (1781-1789)

This was a time when weak national leadership under the Articles of Confederation could not solve problems which threatened the future of the newly formed United States.

Currency

This refers to money, especially paper money.

Declaration of Independence

This is the document that Thomas Jefferson drafted in which he intertwined legal arguments from British Common Law and the philosophies of John Locke and others to explain the reasons for American Independence.

Debtor

This term refers to one who owes something, such as money, to another.

Delegate	This is a person who is sent to act for others--a representative.
Delegated Powers	These are powers specifically granted the national government by the Constitution, especially those powers granted to Congress in Article 1, Section 8.
Democratic-Republican	This political party, Led by Thomas Jefferson, supported strong state governments.
Disenfranchise	This means to take away the right to vote.
Elastic Clause	This is the term describing the area of the Constitution that gives Congress the power to pass legislation that is "necessary and proper" for doing its job.
Elector	This refers to a person who elects. We might call an elector a qualified voter. IN our system, the electors actually cast votes for our president.
Electoral College	This refers to a group of people chosen by each state who are authorized to elect the President and Vice-President. Originally state governments chose the electors but nowadays citizens of each state choose their state's presidential electors.
Enumerated Powers	These are powers granted the national government by the Constitution especially those powers listed in Article 1, Section 8. They are also called delegated powers.
Ex Post Facto Law	This is a law that would punish a person for an act even though that act was not illegal when it was done. The Constitution prohibits Congress and the states from making ex post facto laws.
Executive	This is a person who enforces or carries out laws.
Executive Branch	This is the part of a government which carries out or enforces the laws.
Federalism	This term refers to the practice of dividing power among national and state governments. In this system of government however, the national government typically is more powerful than the states.
Federal System	This refers to a system which divides power between the national government and state government. Under federalism, the national government has power to act for the nation as a whole while state governments have power to govern the internal affairs of their state.
Federalist	This is a person who favored ratification of the new U.S. Constitution.
Federalist Papers	These were a series of influential articles written by

Federalists such as James Madison, Alexander Hamilton, and John Jay stating the advantages of a federal union under the Constitution.

Federation

This refers to a union of political units, such as states, into a single nation wherein the national government exercises major powers but member states retain certain powers and rights.

Fifteenth Amendment

This amendment provides that governments in the United States may not prevent a citizen from voting because of his race, color, or previous condition of servitude (slavery).

Filibuster

This is an attempt by opponents of a bill to block its passage by refusing to stop debate or speech making on the bill.

Founding Fathers

This is a name given to members of the Philadelphia Convention (1787) who wrote the U.S. Constitution; they were also called Framers.

Fourteenth Amendment

This amendment is one of the post-Civil War amendments (known as the Reconstruction Amendments), intended to secure rights for former slaves. It includes the Due Process and Equal Protection Clauses among others.

Framers

This is a name given to members of the Philadelphia Convention (1787) who wrote the U.S. Constitution; they were also called the Founding Fathers.

Fugitive Slave

This refers to a slave who ran away.

Gibbons vs. Ogden

In this case, the Supreme Court ruled that Congress alone had the power to regulate interstate commerce. This decision allowed the building of roads and canals to increase without the restrictions of state monopolies.

Great Awakening

This is the term for the general revival of evangelical Christianity in the American colonies; this intercolonial movement contributed to a sense of American nationality before the Revolution.

Great Compromise

This is the name of the agreement that the framers of the Constitution made during the Philadelphia Convention regarding the arguments of several states. Under the Virginia Plan, delegates wanted to base representation in Congress on a state's population. In the New Jersey Plan, each state would have an equal voice in Congress. The Great Compromise divided Congress into two houses: the Senate, in which each state was represented by two senators, and the House of Representatives, in which each state had representatives in proportion to its population.

Habeas Corpus

This is the right of an arrested person to go before a

judge to find out what crimes he or she has been charged with.

Hamilton, Alexander

This person was a Federalist. He was the first Secretary of the Treasury under George Washington. His goal was to build a strong economy and a strong central government.

Hard Money

This term refers to money which is backed by gold or some other precious metal.

House of Burgesses

This was the first colonial assembly established in 1619 in Jamestown to represent the colonists in the state of Virginia. It symbolized the authority of the people to limit the power of the king.

Impeach

This concept means to bring charges of illegal conduct against an official such as the President.

Implied Powers

These are powers which are "suggested" by the Constitution but not directly stated.

Indirect Democracy

This is a system in which voters elect representatives who in turn elect certain government officials. American voters elect members of the Electoral College and these electors in turn elect the President.

Interstate Trade

This refers to trade between states.

Jefferson, Thomas

This person was the author of the Declaration of Independence and the first Secretary of State appointed by George Washington.

Jim Crow Laws

These are laws passed by southern state governments which segregated blacks from whites in schools, parks, and other public places.

Judicial Review

This term describes the ability or right belonging to the Supreme Court to declare whether laws passed by Congress are constitutional or not.

Judiciary

This is a body of judges. The judiciary is responsible for interpreting the meaning of laws.

Land Ordinance of 1785

This refers to a law that set up a system of surveying the Northwest Territory into one square mile sections and offering that land for sale at \$640 per section; the law also set aside one section of every 36-square-mile township for the support of public education.

Legislature

This is the law-making body of government.

Living Constitution

This term is used to describe how Americans have adapted or changed the Constitution over the past 200 years to meet the needs of a growing, changing nation.

Locke, John

This man was an English philosopher who believed that

government should derive its power from the people whom it governed.

Lower House

This refers to the chamber of a bicameral legislature which is generally larger and more representative than the upper house; the legislative body whose members are directly elected by all citizens including commoners (e.g., House of Commons).

Magna Carta (1215)

This is the name of the written document protecting the rights of English nobles that influenced the formation of the U.S. Constitution. It set the precedent that a king's power was not absolute.

Marbury vs. Madison

This court case established the Supreme Court's right of Judicial Review.

Marshall, John

This person was appointed by John Adams to be the Chief Justice of the Supreme Court. He became one of the most influential people to hold that office. During his years in office, the Supreme Court decided on many cases and strengthened the Federal Government through their decisions.

Militia

This refers to a military group made up of volunteer citizen-soldiers.

Minister, Foreign

This is a person sent to another country to represent his or her government.

Montesquieu, Baron de

This person published *The Spirit and the Laws* in 1748 in which he expressed that government must make laws (legislate), enforce laws (executive) and interpret laws (Judicial). These ideas are the foundation of our government.

New Jersey Plan

This was a plan for a new constitution presented by William Paterson of New Jersey which, among other things, proposed a national Congress in which all states would be equally represented.

Nineteenth Amendment

This amendment established women's suffrage or the right to vote.

Northwest Ordinance of 1787

This is the law which banned slavery in the Northwest Territory and allowed each territory to apply for statehood after its population reached 60,000.

Ordinance

This is a law or statute enacted by a government.

Override

This means to overrule. Congress can override the President's veto of a bill by reapproving that bill by a two-thirds vote in each house of Congress.

Parliament

This is the law-making body of England first established in 1295.

Parliamentarian Government	This is a government composed primarily of a legislature and one of its members who is elected to serve as executive (this executive is typically called a prime minister).
Pigeonhole	This term means to put aside with the intention of not taking action.
Property Qualification for Voting	This was actually enacted by some states during the late 1700s and as late as the mid-1800s that required a citizen to own a certain amount of property before he was allowed to vote.
Ratify	This is the term that means to adopt the Amendment addition or correction. It generally implies the adoption of a federal policy or law by the states.
Representative Government	This is a government made up of officials who are elected by the citizens. These officials speak for, or represent, the citizens who elected them to office.
Republic	This refers to a nation in which voters choose representatives as leaders in government. We sometimes refer to republics as representative democracies.
Republican Form of Government	This is a form of government whose leaders are regularly elected. It is also called a representative form of government.
Reserved Powers	These are powers which are not granted the national government but are instead reserved to the states.
Residency Requirement	This the specific requirement that a person live in a state for a certain period of time (30 days or less depending on the state) before that person be allowed to vote.
Rousseau, Jacques	This person was a French philosopher who wrote The Social Contract in 1762; this theory, which expressed the idea that there should be an agreement between the people and the government the limits the rights and duties of each, also influenced the U.S. Constitution.
Sectionalism	This is a sense of loyalty to one's section of the country instead of to the nation as a whole.
Separation of Powers	This is a system in which legislative (law-making), executive (law-enforcing), and judicial (law-interpreting) powers were granted to different members (branches) of the government.
Shays' Rebellion (1786)	This was a rebellion of Massachusetts farmers, led by Daniel Shays, which attempted to force the government of that state to inflate the money supply and enact other laws to help debtors.

Sovereignty	This concept refers to having the highest political authority. It means not having to obey the laws of any other authority. It means being totally independent and self-governing.
Tariff	This is a tax on imported goods.
Thirteenth Amendment	This amendment officially abolished, and continues to prohibit slavery and, with limited exceptions (those convicted of a crime), prohibits involuntary servitude.
Three-Fifths Compromise	This was an agreement at the Constitutional Convention which resolved the argument between southern delegates who wanted slaves counted in a state's population and northern delegates who didn't by having slaves count as three-fifths of a person.
Unitary Government	This is a system of government in which one body of government has major powers as opposed to a government with separation of powers.
Upper House	This term refers to that chamber of a bicameral legislature which is generally smaller and less representative than the lower house.
Veto	This is the refusal of the President or the governor of a state to approve a bill.
Virginia Plan	This was a plan for a new constitution presented by Edmund Randolph of Virginia which proposed a Congress wherein each state would be represented according to the size of the state's population.