

Civics

Grade 7 Social Studies

Week 2

Your Week at a Glance

- Day 1 - Preamble
- Day 2 - Limits on Government Power
- Day 3 - Federalists and Anti-Federalists
- Day 4 - Rule of Law
- Day 5 - Citizenship



FLORIDA JOINT CENTER FOR CITIZENSHIP

THE PREAMBLE OF THE U.S. CONSTITUTION SS.7.C.1.6 Interpret the intentions of the Preamble of the Constitution.

Directions: Use the Content Vocabulary and Content Background Information to complete the attached Activities.

Civics Content Vocabulary

Word/Term	Part of Speech	Definition
defense	noun	method of protecting oneself
domestic	adjective	referring to something at home, not foreign
insure	verb	ensure, to make sure
justice	noun	a system of establishing what is legal and illegal by fair rules
ordain	verb	to establish something by law
posterity	noun	future generations
Preamble	proper noun	the introduction to the U.S. Constitution
tranquility	noun	peace
union	noun	something formed by combining parts, such as states into one country
welfare	noun	well-being

The Preamble of the U.S. 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.

1. union		6. defense	
2. justice		7. welfare	
3. insure		8. posterity	
4. domestic		9. ordain	
5. tranquility			

Goals and Purposes						

Essential Content Background Information

This section addresses the following issues:

1. What is the purpose of the Preamble of the U.S. Constitution?
2. Dissecting the Preamble of the U.S. Constitution.

1. What is the purpose of the Preamble of the U.S. Constitution?

The Preamble of the U.S. Constitution provides information as to why the U.S. Constitution was being written; it does not form or specify any power of government. The U.S. Constitution was written in order to take the goals of government and create a workable structure reflecting the goals of government outlined in the Preamble.

2. Dissecting the Preamble of the U.S. Constitution

The matrix that follows takes each phrase in the Preamble of the U.S. Constitution and clarifies its deeper meaning. The clarifications explain how the Preamble establishes the goals and purposes of government.

Phrase	Deeper Meaning	Modern Application or Example
we the people	The people grant the powers to the government in this clause. The creators of the U.S. government were, by definition, an elite group that understood that they were creating a nation where the majority of the population were not elites, but common people. This majority's approval was necessary; one way to gain their approval was to confirm that the people were forming the government, and it was not being handed down by a god or a king.	In elections, the people decide who will govern. One of the results of the Progressive Movement (1890s-1920s) was the direct election of U.S. Senators who had been elected by state legislatures up to the ratification of the 17 th Amendment.
form a more perfect union	The U.S. Constitution was intended to improve on the Articles of Confederation, the government in place at the time. The Articles of Confederation had worked well to a point, and was the best that the colonists could come up with when the Articles were created. The Framers understood that the Constitution would not be "perfect", but "more perfect".	Amendment process in the Constitution allows for change in order to respond to issues that emerge such as concerns about presidential abuse of power reflected in term limits.
establish justice	The purpose of establishing justice is to maintain public order. Maintaining public order requires that the government follows the rule of law and treats the law as supreme. After the experiences of the people as colonists and new Americans, they wanted a level playing field where courts were established with uniformity and would treat the people with fair and equal treatment.	The Bill of Rights extends protections to persons accused of crimes. Even though the nature of these crimes is unpopular and may be especially heinous, the Bill of Rights guarantees to all citizens a level playing field when they are brought to trial.

Phrase	Deeper Meaning	Modern Application or Example
insure domestic tranquility	The purpose of insuring domestic tranquility was to protect citizens from internal conflict. Internal conflict creates instability. Avoiding instability, such as Shays’s Rebellion (1786-1787) was needed in order for a new nation to take hold.	The president and governors may call in the National Guard to address concerns that may or have resulted in violence in a state or area. For example, the National Guard was called in to maintain order in New Orleans after Hurricane Katrina in 2005 and to New York and New Jersey after Superstorm Sandy in 2012.
provide for the common defense	The purpose of this phrase is to present the goal of protecting citizens from external attacks, which was a problem under the Articles of Confederation. No one state was really capable of fending off an attack from land or sea on its own so the states needed each other to survive attacks, especially from Britain or Spain, or by Native Americans.	The terrorist attacks of September 11, 2001 were deemed by the federal government to be a terrorist attack on the nation even though New York City and Washington, DC were the prime targets of the attacks. As a federal concern, the federal government took action on behalf of victims.
promote the general welfare	Government focuses on the “public interest” which allows every state and citizen to benefit from what the government could provide. The point of having tranquility, justice, and defense was to promote the general welfare which reinforces the concept of “we the people”.	Public policies focusing on environmental protection promote the public interest.
secure the blessings of liberty to ourselves and our posterity	The “public interest” is intended to work to the people’s benefit and not to their detriment for now and forever. In essence, the U.S. would resemble a paradise for liberty.	There are occasions when First Amendment protections are offensive to some; however, in protecting free speech rights for some, free speech rights for all are protected. However, free speech exercises may not violate the public interest because they would compromise the people’s benefit.
do ordain and establish this Constitution for the United States of America	This phrase finishes the “we the people” approach by giving the document a name, naming the nation and summarizing the Preamble. There is a higher order involved here which is “the people”. The Constitution replaces the Articles of Confederation (“establish”) and creates one national government.	Since the U.S. Constitution was ratified, every state that has entered the union has also adopted a constitution.



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CONSTITUTIONAL LIMITS ON THE POWERS OF GOVERNMENT

SS.7.C.1.7 Describe how the Constitution limits the powers of government through separation of powers and checks and balances.

Directions: Use the Content Vocabulary and Content Background Information to complete the attached Activities.

Civics Content Vocabulary

Word/Term	Part of Speech	Definition
checks and balances	noun	a principle of the federal government, according to the U.S. Constitution, that allows each branch of government to limit the power of the other branches
constitutional government	noun	a form of government based on a written set of laws that all citizens agree to; in this form of government, the constitution is the highest law of the land
judicial review	noun	the power of the judicial branch to review the actions of the executive and legislative branches and determine whether or not they are unconstitutional (this includes laws passed by Congress); the U.S. Supreme Court case <i>Marbury v. Madison</i> established this power
limited government	noun	a government that has been limited in power by a constitution, or written agreement
<i>Marbury v. Madison</i>	proper noun	U.S. Supreme Court case that established judicial review
separation of powers	noun	the structure of the federal government, according to the U.S. Constitution, that sets up three branches with their own distinct powers and responsibilities

Essential Content Background Information

This section addresses the following issues:

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| <ol style="list-style-type: none">1. Limited government and natural rights2. Separation of Powers and Checks and Balances |
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1. Limited government and natural rights

The founding fathers were deeply concerned about government abusing its power. It was reasoned that when a government abused its power, it deprived the citizens of their liberty. As liberty was a fundamental God given right, assurances had to be put in place to protect the people from government abusing its power.

The founding fathers consulted the works of many political philosophers, including John Locke (1632-1704), when they developed government structures that protected the people from government abusing its powers. According to Locke, men lived in a “state of nature” which meant that one is allowed to conduct one’s life as one best sees fit, free from the interference of others. There is no government in a state of nature, and people are assumed to be equally responsible for protecting each others’ “life, health, liberty and possessions”. The laws by which people lived were derived from God, and these laws included the notion that people were forbidden from harming one another. Thus, the state of nature is a state of liberty where persons are free to pursue their own interests provided that in doing so they do not harm one another.

Still, it is not uncommon for property disputes to arise. Under the state of nature there is no government to appeal one’s grievances against one person who has stolen property or liberty (i.e. making a person a slave). Under the law of nature, men are allowed to defend their lives and their property, which include the right to kill others who threaten their property or liberty. This meant that there was no civil authority to settle disputes, and put the community at risk for an outbreak of war due to the lack of a civil government.

According to Locke, civil governments were established for the sake of protecting property. Property is the basis for Locke’s argument for both a social contract and civil government because it is the protection of that property (property protection extends to a person so that one has dominion over their own bodies) that compels men to choose a civil government and abandon the notion of living in a state of nature. The social contract is a voluntary agreement between the people and the government.

These ideas show that people are born with God given (natural) rights that are protected by civil governments. Governments are created to protect that which belongs to the people. However, governments are limited in their regulation of human behavior to the extent to which the people themselves believe does not infringe on their God given freedoms. The people enter into a social contract voluntarily provided that the government is formed in a way that respects natural rights and is derived from the consent of the governed.

2. Separation of Powers and Checks and Balances

The U.S. Constitution is organized around a separation of powers system that utilizes checks and balances. The powers to legislate, enforce and adjudicate are separated into three different branches of government. These branches may not function with complete independence. The founding fathers feared that branches functioning independently might still abuse their power. Thus, while there are separate branches of government and each is vested with specific powers, this does not mean that each branch operates without some level of oversight from one or both other branches.

Charles de Secondat, Baron de Montesquieu’s (1689-1755) 1748 work, *The Spirit of the Laws* (French: *L’Esprit des Lois*), on the theory of separation of powers and checks and balances had a strong influence on the founding fathers. Montesquieu argued that “government should be set up so that no man need be afraid of another”, which was well received by the founding fathers, particularly James Madison, who believed that a clearly defined and balanced separation of powers system that utilized checks and balances would provide a stable foundation for the new government.

Montesquieu argued that government should be created to accommodate separate branches of government with equal but different powers. This way, power would not be concentrated with one individual or group of individuals. Liberty was threatened if power became concentrated in one place; thus, no branch of government could threaten the freedom of the people.

Excerpts of Articles I, II, III and V of the U.S. Constitution

Excerpts from Article I – The Legislative Branch

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. 2. The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION. 3. The Senate shall have the sole Power to try all Impeachments

SECTION. 7. All Bills for raising Revenue shall originate in the House of Representatives;...

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, ... If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION. 8. The Congress shall have Power To lay and collect Taxes, ... to pay the Debts and provide for the common Defence and general Welfare of 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 an 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 establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

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 exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government

of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings;-And

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.

Excerpts from Article II – The Executive Branch

SECTION. 1. The executive Power shall be vested in a President of the United States of America...

Oath or Affirmation:--"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

SECTION. 2. The President shall be Commander in Chief of the Army and Navy of the United States, ... and he shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.

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,

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION. 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Excerpts from Article III – The Judicial Branch

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.

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.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

Excerpts from Article V – The Amendment Process

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution

Adapted from: <http://constitutioncenter.org>

Who's Got The Power?

Directions: Complete the chart below by identifying which branch of government possesses each of the powers. To accomplish this task, find where the power is listed in the “Excerpts of Articles I, II, III and V of the U.S. Constitution” reading, highlight the power in the reading, mark the number from the activity sheet on the reading and then write on the activity sheet the Article and Section from the U.S. Constitution where they found the evidence to justify their answer.

	Power	Branch of Government Legislative, Executive or Judicial	Evidence from Reading List the Article and Section
1	Introduces laws		
2	Signs bills into law		
3	Coins money		
4	Nominates Supreme Court justices		
5	Declares war		
6	Vetoes bills		
7	Interprets/makes meaning of laws		
8	Serves as commander-in-chief of the military		
9	Issues a pardon		
10	Overrides presidential vetoes		
11	Borrows money on behalf of the United States		
12	Makes treaties		
13	Impeaches/removes the president		
14	Declares laws unconstitutional		
15	Approve treaties for ratification		

You Be The President!

As president, or the head of the executive branch, you have the power to:

- Propose laws to the Congress (the legislative branch);
- Sign bills into law;
- Veto bills from becoming laws;
- Negotiate treaties with foreign countries;
- Make executive appointments (to the Cabinet; to the Supreme Court; to federal agencies like the F.B.I.; etc.); and
- Grant pardons to federal offenders.

You can check the powers of the Congress by:

- Proposing new legislation; and
- Vetoing bills from becoming laws.

You can check the powers of the Supreme Court by:

- Appointing judges who share your political viewpoints; and
- Enforcing the Court's decisions.

Directions for Part One: Read the role-play scenario below and familiarize yourself with your branch of government's goal. Then, brainstorm a list of actions/steps that your branch has the power to take in order to accomplish your goal. An example is provided for you.

Scenario/Goal:

After a stop at your favorite fast-food restaurant, you decide that, maybe, just maybe, the secret to world peace can be found in a hamburger, fries, and a vanilla milkshake. With a burst of energy, you sprint back to the White House and head straight for the Oval Office. Inside, you begin brainstorming a series of actions you can take to make your favorite restaurant a major part of your presidency.

Actions to Accomplish Your Goal:

- *You propose a law to the Congress requiring every school to replace the Pledge of Allegiance with the TV commercial jingle about your favorite restaurant.*
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Directions for Part Two: Think about the goals that the other two branches of government have presented to you. Given the ways in which you can check their powers, brainstorm a list of actions/steps you would take to check each branch's power and make it difficult for each branch to accomplish its goal.

Actions to Check the Congress' Goal:

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-

Action to Check the Supreme Court's Goal:

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You Be The Congress!

As a member of the Congress, or the legislative branch, you have the power to:

- Introduce new laws;
- Override a presidential veto;
- Coin money;
- Borrow money on behalf of the United States;
- Appropriate money to the executive branch;
- Declare war; and
- Impeach or remove the president.

You can check the powers of the president by:

- Overriding a presidential veto on a bill;
- Impeaching or removing the president;
- Approving (or not approving) treaties for ratification if you are in the Senate; and
- Approving presidential appointments to the Supreme Court, the Cabinet, and federal agencies (like the F.B.I.).

You can check the powers of the Supreme Court by:

- Confirming judiciary appointments to the Court;
- Impeaching or removing justices; and
- Proposing new amendments to the Constitution.

Directions for Part One: Read the role-play scenario below and familiarize yourself with your branch of government's goal. Then, brainstorm a list of actions/steps that your branch has the power to take in order to accomplish your goal. An example is provided for you.

Scenario/Goal:

After a very long debate, you and some of your fellow members of the Congress have decided that seatbelts should be removed from all cars because they tend to wrinkle your new suits and don't really protect you all that much anyway. You begin brainstorming actions you can take to accomplish this goal within a year's time.

Actions to Accomplish Your Goal:

- *You introduce a bill that bans seatbelts from all cars sold in the United States after 2013.*
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-

Directions for Part Two: Think about the goals that the other two branches of government have presented to you. Given the ways in which you can check their powers, brainstorm a list of actions/steps you would take to check each branch's power and make it difficult for each branch to accomplish its goal.

Actions to Check the President's Goal:

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Actions to Check the Supreme Court's Goal:

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You Be The Supreme Court!

As a member of the Supreme Court, or the highest court in the judicial branch, you have the power to:

- Declare laws unconstitutional through the power of judicial review; and
- Interpret meaning of laws.

You can check the powers of the president by:

- Declaring executive actions unconstitutional.

You can check the powers of the Congress by:

- Declaring laws unconstitutional.

Directions for Part One: Read the role-play scenario below and familiarize yourself with your branch of government's goal. Then, brainstorm a list of actions/steps that your branch has the power to take in order to accomplish your goal. An example is provided for you.

Scenario/Goal:

You and your fellow Supreme Court justices have been asked to hear several cases related to claims that the president and members of Congress are abusing their power through the privilege of "franking," which means they can send all of their business-related mail for free.

Actions to Accomplish Your Goal:

- *You rule in favor of Mr. Manic Mailman in *Manic Mailman v. United States (2011)*, a case in which a frustrated postal worker sues the U.S. government for theft of stamps.*

-
-

Directions for Part Two: Think about the goals that the other two branches of government have presented to you. Given the ways in which you can check their powers, brainstorm a list of actions/steps you would take to check each branch's power and make it difficult for each branch to accomplish its goal.

Action to Check the President's Goal:

-

Action to Check the Congress' Goal:

-

Adapted from: <http://constitutioncenter.org/learn/educational-resources/lesson-plans/separation-of-powers>



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FEDERALISTS, ANTI-FEDERALISTS AND THE CONSTITUTION

SS.7.C.1.8 Explain the viewpoints of the Federalists and the Anti-Federalists regarding the ratification of the Constitution and inclusion of a bill of rights.

Directions: Use the Content Vocabulary and Content Background Information to complete the attached Activities.

Civics Content Vocabulary

Word/Term	Part of Speech	Definition
Anti-Federalist Papers	proper noun	a series of essays written to oppose and defeat the proposed U.S. Constitution
Anti-Federalists	proper noun	a group of people in the early United States who opposed ratification of the U.S. Constitution because they feared a strong national government and a lack of protection for individual rights
Bill of Rights	proper noun	the first ten amendments to the U.S. Constitution
Federalist Papers	proper noun	a series of essays written to explain and defend the proposed U.S. Constitution
Federalists	proper noun	a group of people in the early United States who favored the establishment of a strong national government and who worked for ratification of the U.S. Constitution
ratification	noun	the process of formally approving something; ratification of the U.S. Constitution

Federalists and Anti-Federalists

During the period from the drafting and proposal of the Constitution between May and September, 1787, to its ratification in 1788 there was an intense debate on ratification. During this period, people basically divided into two groups, the Federalists and the Anti-Federalists.

People opposed to the ratification of the Constitution were called the Anti-Federalists. They were concerned that the Constitution gave too much power to the federal, or national, government at the expense of the state governments. They were also concerned that, within the federal government, the legislative and executive branches were too powerful. Specifically, the Anti-Federalists were concerned that the “necessary and proper” clause in Article I, Section 8 of the Constitution, which allows Congress to do what it believes is “necessary and proper” in order to carry out its other responsibilities, was too broad and would give Congress too much power.

Anti-Federalists were also concerned that the Constitution lacked a specific listing of rights. They believed that a bill of rights was essential to protect the people from the federal government. The Revolutionary War had just been fought because the American people needed to defend their rights. With the war experience still in mind, the Anti-Federalists did not want a powerful national government taking away those rights. The lack of a bill of rights became the focus of the Anti-Federalist campaign against ratification. To communicate their concerns, Anti-Federalists such as Patrick Henry wrote essays and newspaper articles to spread their point of view and these writings became known as the Anti-Federalist Papers.

The supporters of the proposed Constitution called themselves Federalists. For the Federalists, the Constitution was necessary in order to protect the liberty and independence that was gained from the American Revolution. The main arguments in favor of ratifying the Constitution were stated in a series of essays published in newspapers written by James Madison, Alexander Hamilton, and John Jay called the Federalist Papers.

They believed that the three branches of the national government separated the powers and protected the rights of the people. Each branch represents a different aspect of the people, and because all three branches are equal, no one group can assume control over another. They also believed that a listing of rights can be a dangerous thing. If the federal government were to protect specific listed rights, what would stop it from violating or abusing rights that were not listed? Since they cannot list all the rights, the Federalists argued that it is better to list no rights at all.

Overall, the Federalists were more organized in their efforts. By June of 1788, the Constitution was close to ratification. Nine states had voted to ratify it (eight voted “yes” and New York at first voted “no”), and only one more (New Hampshire) was needed. To achieve this, the Federalists agreed that once Congress met, it would draft a bill of rights. Finally, New York and Virginia approved, and the Constitution was a reality. Interestingly, the Bill of Rights was not originally a part of the Constitution, and yet it has proved to be highly important to protecting the rights of the people.

Adapted from: <http://www.ushistory.org/us/16b.asp>, <http://www.thefederalistpapers.org/anti-federalist-papers> and <http://library.thinkquest.org/11572/creation/framing/feds.html>, Accessed May 16, 2013

Federalists and Anti-Federalists Guiding Questions

Directions: Read Federalists and Anti-Federalists in order to answer the following questions, by identifying evidence and writing responses in complete sentences.

Guiding Question	Evidence from text	Answer in Complete Sentences
What was the viewpoint of the Anti-Federalists concerning the ratification of the Constitution?		
What were the Anti-Federalist Papers?		
Why did the Anti-Federalists want to include a bill of rights in the Constitution?		
What was the viewpoint of the Federalists concerning the ratification of the Constitution?		
What were the Federalist Papers?		
Additional Notes from Class Discussion:		

Comparing Viewpoints: Federalists and Anti-Federalists

	Anti-Federalists Arguments	Federalists Responses
1.	Under the Constitution as written, too much power is given to the federal government, and too much power is taken away from the states.	The only tasks the federal government may address are those that affect the nation as a whole, such as defense, trade, and currency. A strong central government is necessary in order to complete those tasks. The Constitution will protect the governments of the individual states.
Write a summary in your own words.		
How do these viewpoints compare?		
2.	There is no list of rights held by the people and states in the Constitution. Such a list is necessary to protect the people from abuses by the federal government.	There is no need for a list of rights guaranteed to the individual and the states. The powers of the federal government are limited, and to include such a listing would suggest that the individual can only expect to have those rights listed protected.
Write a summary in your own words.		
How do these viewpoints compare?		
3.	The Necessary and Proper (elastic) Clause is too vague, and can be interpreted in too many ways. This clause gives too much power to the federal government – there are many dangers of the federal government using this clause to gain more power over the states and individuals.	The Necessary and Proper (elastic) Clause is needed, so that the federal government is able to address the tasks for which it is responsible.
Write a summary in your own words.		
How do these viewpoints compare?		

Adapted from: <http://const4kids.forums.commonground13.us/?p=72%20-%20compare%20and%20contrast> Accessed May 18, 2013

Essential Content Background Information

This section addresses the following issues:

1. The Federalists, Anti-Federalists and the Bill of Rights
2. Key Arguments Favoring the New Federal Constitution
3. Key Arguments Opposing the New Federal Constitution
4. The addition of the Bill of Rights as compromise

1. The Federalists, Anti-Federalists and the Bill of Rights

It is a common misconception that the Framers of the U.S. Constitution were united in their efforts and desires to move past the Articles of Confederation and form a federal system that protected the nation from foreign and internal aggressors, and united the nation in their efforts to experience representative democracy, separation of powers, checks and balances and federalism.

In fact, those who attended the 1787 Constitutional Convention were divided along three dimensions in their opinion as to the best direction for government to take. The dominant perspective sought to retain the Articles of Confederation with some modification to address the concerns that weakened the Articles of Confederation. The year before the Constitutional Convention, in 1786, the Annapolis Convention included 12 delegates from five states (New Jersey, New York, Pennsylvania, Delaware, and Virginia) that unanimously called for a constitutional convention. That convention, which began in May 1787 and ended the following September 17, was originally called the “Meeting of Commissioners to Remedy Defects of the Federal Government.” Most of those who attended the May 1787 convention did so because they wanted to “remedy defects” and not restructure the government. A second, smaller (and, at first, secret) group were those who supported a restructuring of government that would shift power from the states to a shared power system between the national and state governments. This second group was led by Virginia delegate James Madison who was soon joined by fellow Virginian, General George Washington and Alexander Hamilton, the New York delegate who drafted the resolution calling for the constitutional convention in the first place. This third, and smallest group, were those who supported returning to status as British subjects. Their memories of the stability they experienced living under British rule were fresh enough that they preferred returning to a known system than pursuing an unknown system (proposed federal system) or fixing an unworkable system (Articles of Confederation).

The dominant conflict at the convention was between the Federalists (those supporting a new federal system) and the Anti-Federalists (those who wanted to retain the structure of the Articles of Confederation). One of the key dimensions of conflict was whether the new federal constitution should include a listing of rights that protected individuals from government abuse of power. The resolution of this conflict, discussed in detail below, was achieved with the Bill of Rights.

2. Key Arguments Favoring the New Federal Constitution

The group that favored the new federal Constitution was the Federalists. They made the following arguments favoring the new federal Constitution:

- a) The separation of powers and checks and balances system protected the people. No one group could control the other two.
- b) The Constitution lacked a specific enumeration of rights. This approach actually protected the people because a list of protected rights might suggest that rights that were not on the list could then be violated.

- c) The Constitution would more closely unite the states as one nation.
- d) A strong central government would foster the commercial growth of the new country.

3. Key Arguments Opposing the New Federal Constitution

The group that opposed the new federal Constitution was called the Anti-Federalists. They made the following arguments against the new federal Constitution.

- a) The Constitution gave too much power to the national government at the expense of the state governments.
- b) The Constitution lacked a specific enumeration of rights which was needed in order to protect the people from the national government.
- c) The Constitution would allow the national government to maintain an army in peacetime.
- d) The “necessary and proper” clause (also called the “elastic clause”) gave too much power to Congress. The “necessary and proper” clause is found in Article I, Section 8 of the U.S. Constitution. It allows Congress to do what it believes is “necessary and proper” in order to carry out its other responsibilities.
- e) The executive branch held too much power.
- f) The new constitution created a new and untested form of government
- g) The method selected for ratifying the Constitution violated the Articles of Confederation (the decentralized, state-centered government in place at the time that the Constitution was being debated)
- h) A country as large as the United States could not be controlled by one national government

4. The addition of the Bill of Rights as compromise

The most effective argument presented by the Anti-Federalists was the lack of a specific enumeration of rights. The American Revolution, in which the American people fought to defend their rights, had ended just 10 years earlier, and remained fresh in the minds of Americans. Americans feared that the newly formed and empowered national government might withhold those rights. The lack of a bill of rights became the centerpiece of the Anti-Federalists’ arguments against the new federal Constitution.

Article VII of the new constitution required that nine of the existing 13 state legislatures (or their conventions) ratify the document. This meant that several state governments, elected under a state-centered political system, had to be convinced that a shift in power to a shared system was in their best interests. The Anti-Federalists could take advantage of these circumstances, as it was the original purpose of the Second Continental Congress that began in May 1787, to retain the Articles of Confederation (provided that some fixes were made). However, the result of that process was a federal system. Put another way, most current state legislators expected that the Articles of Confederation would be retained, and likely supported the decentralized system, at least in principle. Anti-Federalists could capitalize on these state legislators’ concerns.

Concerns about a shared power system were especially experienced by farmers and tradesmen who were less likely to be a part of the wealthy elite that was overrepresented at the Second Continental Congress (A convention of representatives from the original 13 colonies that met beginning 1775 soon after the Revolutionary War began. The Second Continental Congress disbanded in 1781). The most vocal Anti-Federalists included Patrick Henry, the American Revolutionary War hero best known for the phrase “Give Me Liberty or Give Me Death” who later served as Governor of Virginia, and George Mason, another Virginian and American Revolutionary War hero who later served as a delegate to the U.S. Constitutional Convention.

While the first nine states ratified the new Constitution in 1788, within the first nine months of its completion in September 1787, it was not until 1790 that Rhode Island agreed to support the new document. Still, the Anti-Federalists’ concerns did have an impact, as in 1791, state legislatures voted to add the first 10

amendments to the Constitution. These 10 amendments are, together, called the Bill of Rights. Together, this means that the new federal Constitution was ratified without a bill of rights; soon after all states ratified the document, and not just the minimum nine needed per Article VII of the U.S. Constitution, the Bill of Rights was added to the Constitution. Both the Federalists' desires for a federal system, and the Anti-Federalists' concerns about the absence of a bill of rights, were both addressed by 1791. The Bill of Rights represents a compromise between the Federalists and the Anti-Federalists in that it enumerated the specific protections that the Anti-Federalists were so concerned were missing from the Constitution. The Bill of Rights also demonstrates that the Federalists kept their promise to the Anti-Federalists by insuring that the new Congress of the federal government considered enumerating specific protections.

The Bill of Rights was intended to protect the people from the federal government abusing its power, specifically as to the rights of political expression, the rights and protections accorded individuals accused of crimes, private property protection, and the rights of the people as they relate to federal and state laws. The original Bill of Rights had 17 amendments. These 17 amendments were voted on by the first House of Representatives. The first Senate voted on the amendments on June 8, 1789, but ratified 12 of these on September 25, 1789. The 12 amendments were reduced to 10 after Congress' vote. The 13 states voted on these provisions between November 1789 and December 1791 at which time the Bill of Rights was formally added to the U.S. Constitution.

The first word of the Bill of Rights, "Congress", speaks to the focus of the Bill of Rights on the federal government. Under the Bill of Rights, citizens are guaranteed the right to free speech and religious exercise, assembly, and the right to petition the government. Citizens are also guaranteed that Congress will not establish a religion, which is a right related to, though different from, freedom of religious exercise. The Bill of Rights also protects those accused of a crime in that they are entitled to due process of law, and are protected from incriminating themselves, "cruel and unusual" punishment, unreasonable search and seizure and being tried twice for committing the same crime. The concept of "due process" also includes the right to legal representation in criminal trials, the right to face one's accuser, and the right to trial by jury. The Bill of Rights also protects property rights in that citizens may not be forced to house military personnel during peacetime and only during wartime by an act of Congress. Further, citizens' property may only be taken with "just compensation".



FLORIDA JOINT CENTER FOR CITIZENSHIP

THE RULE OF LAW

SS.7.C.1.9 Define the rule of law and recognize its influence on the development of the American legal, political, and governmental systems.

Directions: Use the Content Vocabulary and Content Background Information to complete the attached Activities.

Civics Content Vocabulary

Word/Term	Part of Speech	Definition
citizen	noun	a legal member of a state and/or country
law	noun	a rule established by government or other source of authority to regulate people's conduct or activities
rule of law	noun	the idea that those who govern must follow the laws; no one is above the law

Essential Content Background Information

This section addresses the following issues:

1. The role of the rule of law in a democracy
2. The forms that the rule of law takes in a democracy

1. The role of the rule of law in a democracy

The principle of the rule of law dominates the formation of government institutions in democracies. The concept of democracy is the notion that the people rule through their government. There are several ways that the people rule through their government including, but not limited to, electing their legislators and chief executives, using their protected freedoms such as speech, peaceable assembly and petitioning the government, and exercising their responsibilities as citizens.

In a democracy, the government is responsible for protecting all citizens through the rule of law. The rule of law is the notion that all citizens are protected from arbitrary and abusive uses of government power. The rule of law applies to non-citizens as well although not all aspects of the rule of law guaranteed to citizens are guaranteed to non-citizens. There are certain aspects of the rule of law that are applied differently to certain citizens such as minors (juveniles) and the mentally disabled.

In the U.S., the rule of law is found in the U.S. Constitution, the Bill of Rights, and other amendments to the U.S. Constitution. The U.S. Constitution provides for separation of powers and checks and balances, which are meant to protect citizens from government abusing its power. Separation of powers separates the three aspects of the lawmaking process (legislative, executive, judicial) from one another. Individuals are not allowed to hold more than one public office at the same time while only U.S. citizens may hold public office.

Still, separation of powers alone does not prevent arbitrary and abusive uses of government power. Tempering the potential for abuse of government power is achieved with checks and balances. Other aspects of the rule of law are also addressed through the separation of powers and checks and balances systems.

2. The forms that the rule of law takes in a democracy

The terms associated with various aspects of the rule of law may vary based on the organization or institution using them. Below is a matrix that clarifies potential sources of confusion.

Term in EOCA Item Specifications	Meaning	Alternative Term/Term used by iCivics
Accountability to the law	Accountability refers to the processes, norms, and structures that hold the population and public officials legally responsible for their actions and that impose sanctions if they violate the law. Accountability is essential if systemic threats to the rule of law are to be corrected. This involves ensuring there are consequences for criminal behavior; ...and horizontal accountability (state institutions overseeing the actions of one another) and vertical accountability (citizens overseeing the actions of the state)...The concentration of power in any one branch, institution, or level of government often leads to abuse of power and corruption that horizontal and vertical accountability mechanisms can help prevent. Adapted from "What is accountability to the law?" available at U.S. Institute of Peace (www.usip.org)	Checks and balances
Fair procedures	Procedural fairness includes that decisions will be made on the basis of a set of established rules that are known. For example, if there were no laws about wearing hats in public, it would be unfair for a person who wore hats in public to be punished by the legal system. Adapted from HSC Legal Studies available at the State Library of New South Wales (http://www.sl.nsw.gov.au/)	Procedural fairness

Term in EOCA Item Specifications	Meaning	Alternative Term/Term used by iCivics
Decisions based on the law	<p>A person who is affected by a decision made by the legal system has a right to present their views and facts that support that view (evidence) to the decision maker before the decision is made. It also means that a person who is accused of doing something wrong has a right to be told what it is they are said to have done wrong and to be shown the evidence against them so that they can defend themselves against the accusation.</p> <p>Adapted from HSC Legal Studies available at the State Library of New South Wales (http://www.sl.nsw.gov.au/)</p>	Legitimacy
Consistent application	<p>Equality before the law is the notion that each person should be treated in the same way by the legal system no matter who they are. For example, the legal system must not make a different decision because a person is richer or poorer than another person, or because a person comes from another country. It means that everyone should be able to access the law and the legal system equally. It also means that the law applies equally to everyone. No person is above the law, no matter what position they hold in society.</p> <p>Adapted from HSC Legal Studies available at the State Library of New South Wales (http://www.sl.nsw.gov.au/)</p>	Equal application of the law
Enforcement of the law	<p>Human security is one of the defining aspects of any rule of law society. Protecting human security, mainly assuring the security of persons and property, is a fundamental function of the state. Not only does violence impose wounds on society, it also prevents the achievement of other aims, such as exercising fundamental human rights, and ensuring access to opportunities and justice. In extreme situations, violence might become the norm if legal rules are not enforced. Under the rule of law, the state must effectively prevent crime and violence of every sort, including political violence and vigilante justice. It encompasses three dimensions: absence of crime; absence of civil conflict, including terrorism and armed conflict; and absence of violence as a socially acceptable means to redress personal grievances.</p> <p>Adapted from “Order and Security” available at the World Justice Project (www.worldjusticeproject.org).</p>	Order and security
Transparency of institutions	<p>Transparency is what happens in the legal system can be seen and understood by the general public, that courts and tribunals are open to the public, rather than their decisions being made behind closed doors.</p> <p>Adapted from HSC Legal Studies available at the State Library of New South Wales (http://www.sl.nsw.gov.au/)</p> <p>Access to justice is more than improving an individual’s access to courts or guaranteeing legal representation. Access to justice is defined as the ability of people to seek and obtain a remedy through formal or informal institutions of justice for grievances in compliance with human rights standards. There is no access to justice where citizens (especially marginalized groups) fear the system, see it as alien, and do not access it; where the justice system is financially inaccessible; where individuals have no lawyers; where they do not have information or knowledge of rights; or where there is a weak justice system.</p> <p>Adapted from “What is access to justice?” available at U.S. Institute of Peace (www.usip.org)</p>	Access to justice

Rule of Law

Name: _____

Rule of Law—Where Does It Come From? Our nation was built on the rule of law. Read each statement below and decide which Rule of Law factor it describes.

O = Order and Security

E = Equal Application of the Law

L = Legitimacy

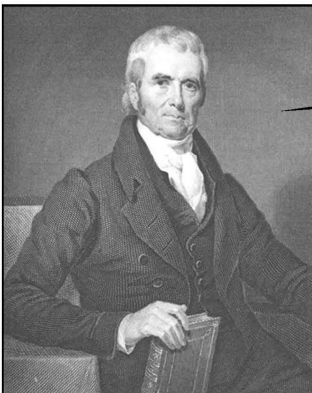
P = Procedural Fairness

C = Checks and Balances

A = Access to Justice

- ___ 1. Every state sent representatives to help write the U.S. Constitution, and all of those representatives signed the Constitution when it was finished.
- ___ 2. The 14th Amendment to the U.S. Constitution says that states must give everyone "the equal protection of the laws."
- ___ 3. The 6th Amendment to the U.S. Constitution says that people accused of a crime have the right to have a lawyer help them defend themselves.
- ___ 4. The Preamble to the U.S. Constitution says one goal of the Constitution is to make sure our country is secure and peaceful.
- ___ 5. The U.S. Constitution splits the government's power between a legislative, an executive, and a judicial branch.
- ___ 6. The U.S. Constitution says that people accused of a crime have the right to a "speedy" trial.
- ___ 7. Congress has created the Federal Rules of Criminal Procedure, which lists the procedures that must be followed in every criminal case.
- ___ 8. In the case *Marbury v. Madison* in 1803, the Supreme Court said that the judicial branch has the power to strike down laws that violate the Constitution, even though another branch of government passed that law.
- ___ 9. The U.S. Constitution did not become the law of our nation until nine states approved it.
- ___ 10. Every state has laws that say children must go to school until a certain age.
- ___ 11. In the case *Marbury v. Madison* in 1803, the Supreme Court said that the Constitution is superior to all other laws and even the government must follow it.
- ___ 12. The U.S. Constitution says that nobody can be "deprived of life, liberty, or property without due process of law."

Explain It to a 4th Grader. In 1803, Chief Justice John Marshall wrote the Supreme Court's decision in *Marbury v. Madison*. He had something to say about the rule of law. How would you explain it so a little kid could understand?



"The government of the United States has been ... termed a government of laws, and not of men."

Chief Justice Marshall was trying to say that...



Rule of Law

Name: _____

Fun with Rule of Law! Find 20 key words in the puzzle.



First, find the 6 factors of Rule of Law:

- _____ and _____
- _____
- _____ and _____
- _____ Application of the _____
- Procedural _____
- _____ to _____

Now find these other key terms:

- | | |
|--------------|-------------|
| INPUT | RESPECT |
| PROCEDURES | BRANCHES |
| SAFE | ENFORCE |
| CONSEQUENCES | INDEPENDENT |
| RULES | PEOPLE |



Would This Work? Debra doesn't think so, but she might be wrong. Look at each pair of Rule of Law factors. Would it be possible to have one without the other? If so, how? Watch out—this could be a brain twister! Use your graphic organizer for help.

<u>CHECKS & BALANCES / EQUAL APPLICATION OF THE LAW</u>	<u>ACCESS TO JUSTICE / PROCEDURAL FAIRNESS</u>
<input type="checkbox"/> You could have one without the other if... <input type="checkbox"/> They have to exist together because...	<input type="checkbox"/> You could have one without the other if... <input type="checkbox"/> They have to exist together because...



FLORIDA JOINT CENTER FOR CITIZENSHIP

CITIZENSHIP

SS.7.C.2.1 Define the term “citizen,” and identify legal means of becoming a U.S. citizen.

Directions: Use the Content Vocabulary and Content Background Information to complete the attached Activities.

Civics Content Vocabulary

Word/Term	Part of Speech	Definition
14th Amendment	proper noun	an amendment to the U.S. Constitution that defines citizenship, grants citizenship to former slaves, and defines voters as males at least 21 years of age
alien	noun	any person not a citizen or national of a country
citizen	noun	a legal member of a state and/or country
immigrant	noun	a person who comes to a country to live there permanently
law of blood	noun	a person's citizenship at birth is the same as that of his or her biological mother or father
law of soil	noun	a person's citizenship at birth is determined by the country where he or she was born
legal permanent resident	noun	someone who is legally and permanently living in the U.S., but not a citizen
naturalization	noun	the process by which an immigrant becomes a citizen
resident	noun	someone who lives in a place for a minimum period of time

Citizenship: Just the Facts

Name: _____

Becoming A Citizen

Citizenship means being a member of a nation or country and having full rights and responsibilities under the law. In the United States, there are three ways to become a citizen: being born in the United States, having parents who are citizens of the United States, and going through a process called naturalization.



Citizen Parents



Born in the U.S.



Naturalized



New citizens take the Oath of Allegiance at a naturalization ceremony in Boston.

Naturalization is the process that allows immigrants to become citizens. Most people who apply for citizenship fall into this category. To qualify, immigrants must be at least 18 years old and have been permanent residents of the United States for 5 years. They must also have good character, speak English, and pass a civics test and an interview. The last step involves taking an Oath of Allegiance to the United States and our Constitution. There is one shortcut: People who serve in the U.S. military for at least one year can become citizens sooner because they have demonstrated their commitment to the United States.

The Oath of Allegiance

I hereby declare, on oath,

potentate: ruler

that I absolutely and entirely renounce and **abjure** all **allegiance** and fidelity to any foreign prince, **potentate**, state, or sovereignty of whom or which I have **heretofore** been a subject or citizen;

heretofore: until now

that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic;

that I will *bear true faith* and **allegiance** to the same;

that I will bear arms on behalf of the United States when required by the law;

that I will perform **noncombatant service** in the Armed Forces of the United States when required by the law;

abjure: reject

noncombatant service: duties other than fighting

that I will perform work of national importance under *civilian direction* when required by the law;

and that I take this obligation freely without any **mental reservation** or purpose of **evasion**; so help me God.

reservation: doubt about something

evasion: avoiding the truth

allegiance: loyalty to a person, country, or belief

Citizenship: Just the Facts

Name: _____

A. Is it in the Oath? First, put an X next to the lines that are required by the Oath of Allegiance.

Then put a ☆ next to the three lines that you would include if you were writing your own oath. These can be the same or different than things in the U.S. Oath.



- _____ 1. Giving loyalty to the Constitution of the United States.
- _____ 2. Promising to be kind to other people.
- _____ 3. Protecting and supporting the Constitution and laws of the U.S. against any attack.
- _____ 4. Promising to always take care of the environment.
- _____ 5. Promising all these things without hesitation and without lying.
- _____ 6. Fulfilling duties other than fighting to support the Armed Forces.
- _____ 7. Serving both my new country and my old country.
- _____ 8. Swearing to say the Pledge of Allegiance every day.
- _____ 9. Doing things that are important to the nation when the law requires it.
- _____ 10. Serving in the military to protect the United States when the law says I need to.
- _____ 11. Promising to take care of my family and friends.
- _____ 12. Completely rejecting all loyalty that I have to another country or ruler.

B. Fill in the blank. Fill in the blanks below with words from the word box.

allegiance	eighteen	naturalization	oath
military	five	one	three

- 1. There are _____ ways to become a citizen of the United States.
- 2. The process of becoming a U.S. citizen when you are not born in the United States or to parents who are U.S. citizens is called _____.
- 3. Most people who apply for citizenship are older than _____ and have lived in the United States for _____ years.
- 4. One way to become a citizen more quickly is to serve in the _____ for _____ year.
- 5. The last step in the process of becoming a U.S. citizen is taking the _____ of _____.

Essential Content Background Information

This section addresses the following issues:

1. Definition of citizenship
2. Citizenship in the United States
3. Becoming a naturalized U.S. citizen
4. Exceptions to the naturalization process
5. The naturalization examination (see “d” above)
6. The impact of naturalization on society, government and the political process.
7. Citizenship and residency in Florida

1. Definition of citizenship

A citizen is one who has specific rights and obligations within a political unit such as being a citizen of a country or a state. All countries have their own definitions and expectations of citizenship, although there are several similarities and differences across countries and types of government. For example, it is common for democracies to grant citizenship to all persons born within their jurisdictions although not all democracies have the same procedures for granting naturalization, nor do all democracies grant the same rights to naturalized citizens.

2. Citizenship in the United States

Citizenship in the United States may be achieved through two methods: citizenship by birth and citizenship by naturalization. Citizenship by birth may be achieved through the “jus sanguine”, which translates to “law of blood” or “jus solis”, which translates to “law of soil”. U.S. citizens who become citizens through “law of blood” are those whose biological parents are U.S. citizens, whether by birth or naturalization. Citizenship by “law of soil” is citizenship based on where one is born. A person born in the U.S. (or a location under U.S. control such as a U.S. military base overseas) is a citizen by “law of soil” even if that child’s biological mother (see footnote #1 for explanation) is not a U.S. citizen.

Both methods for achieving citizenship are mentioned in the 14th Amendment to the U.S. Constitution. The 14th Amendment was ratified in 1868 and is the first time that citizenship is defined in the U.S. Constitution.

The U.S. Constitution as ratified in 1788 mentions citizenship 13 times although it does not define it. For example, the U.S. Constitution limits office holding only to those who are U.S. citizens and requires that the president be a natural born citizen. The original U.S. Constitution fails to define who is a citizen.

Below is an excerpt of Section 1 of the 14th amendment:

“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.”

“Aliens” are persons living in the U.S. who are not citizens. Non-citizens include resident aliens, who live legally in the U.S., and illegal immigrants.

3. Becoming a naturalized U.S. citizen

A person who is not born a U.S. citizen may become a citizen through the naturalization process. The U.S. Congress has the power to make naturalization laws for the United States.

Immigrants seeking to become naturalized citizens, one must meet the following conditions:

- a) The person is over 18 years old
- b) Must have been a resident of the United States for five years, without leaving for more than 30 months combined and for no more than 12 consecutive months throughout the five-year period.
- c) Must file a petition for naturalization
- d) Must take an examination that shows that they can read, speak and write English, and demonstrate knowledge of American history and the U.S. Constitution.
- e) Must be able to prove that they are of good moral character
- f) Two U.S. citizens must confirm that the citizenship applicant will be a good citizen and will be loyal to the U.S.

Once a-f above has been met, the citizenship applicant must take the following Oath of Allegiance:

"I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by the law; and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God."

4. Exceptions to the naturalization process

The Child Citizenship Act of 2000 took effect on February 27, 2001. It allows non-U.S. citizen children under 18 who have at least one U.S. citizen parent, and who live in the legal and physical custody of that parent, to be granted automatic naturalized citizenship. The child must reside in the United States, and be a lawful permanent resident, at the time that citizenship is granted.

5. The naturalization examination (see “d” above”)

The Naturalization Examination:

The following materials will help citizen applicants prepare for the U.S. Citizen and Immigration Services

Naturalization Civics and History Examination:

Questions may be found at:

<http://www.uscis.gov/USCIS/Office%20of%20Citizenship/Citizenship%20Resource%20Center%20Site/Publications/100q.pdf>

6. The impact of naturalization on society, government and the political process.

The immigration debate has long been central to American politics. Concerns over who should be allowed to legally live in the U.S. without naturalizing (resident aliens), who is eligible to pursue naturalization, and who is at risk for deportation, has shaped conflict between and within political parties, Congress and the president, and between the national and state governments. This debate has also impacted campaigns as voter groups, such as Latinos, often hold immigration views that differ from those held by non-Latinos. Further, Latinos live in the four states with the largest populations, which enhances their political impact through representation in Congress and in the Electoral College, which elects the president.

The immigration debate focuses, in part, on the DREAM Act (“Development, Relief and Education for Alien Minors”) which was introduced in Congress in 2001 and did not pass. The Act targets non-citizen youth on a path to citizenship. Critics suggest that the DREAM Act would bring about meaningful reform for only a few eligible illegal immigrants who fear deportation.

7. Citizenship and residency in Florida

The 14th Amendment’s definition of citizenship includes the following:

1. National citizenship comes before state citizenship
2. Citizens are entitled to rights granted by the national government
3. Citizens are entitled to rights granted by their own state’s government

Citizenship does not exist at the state level; there are no Florida citizens.

There are rights reserved to Florida residents. Residency in Florida is established once a person has lived in Florida for six months. Persons who have established residency in Florida have the right to receive a homestead (residential property tax) exemption on their home provided that they live there at least six months per year, and to receive college scholarships and other financial assistance reserved for Florida residents. Persons who live in Florida, but who have not yet established Florida residency, do have certain rights, such as voting (29 days residency) and securing a driver’s license (no minimum residency). Florida, like all other states, may not grant citizenship to aliens.