

---

# The Foundations of Government

## Unit 1 Readings

Professor Joseph Carrier - American History and Culture (ENG 219)

---



---

## Reading 1: From Colonies to the United States

### The first settlers

Many people from Great Britain and other European countries began settling in Britain's North American colonies in the seventeenth century. They came for different reasons. Some came for religious freedom; most came because they wanted a better life. At that time, European society was divided into different classes. If you were born into the lower class, it was difficult to move up in the world. In the American colonies, the settlers hoped to have a brighter future: to own a farm, to start a small business, and to live among equals.



The Mayflower II, a replica of the Mayflower, one of the ships that brought the first English settlers to America.

---

## The road to independence

The settlers wanted to make their own economic and political decisions based on their own needs. The British king had a different view, however. He wanted the settlers to accept and obey British laws even though the settlers had no representatives in the British government. The king and the settlers disagreed about many things, especially about money. The king demanded that the settlers pay high taxes on stamps, sugar, and tea. When they protested against these taxes, the king sent his army to force them to obey. So, in 1775, the War for Independence (sometimes called the American Revolutionary War) began.

On July 4, 1776, the Continental Congress declared the thirteen American colonies independent from Great Britain in a document called The Declaration of Independence. It was written mainly by Thomas Jefferson, with input from other members of Congress.

The document begins by asserting that it is self-evident that all men are created equal and have certain unalienable rights, such as life, liberty, and the pursuit of happiness. The purpose of government, it argues, is to secure these rights, and if a government fails to do so, the people have the right to alter or abolish it.

The Declaration goes on to list several grievances against King George III and the British government, including the imposition of taxes without the colonists' consent, the quartering (housing) of troops in their homes, and the denial of the right to trial by jury. The colonists had attempted to address these grievances peacefully, but their efforts had been met with increased oppression.

The document concludes with the declaration that the thirteen colonies are "Free and Independent States," absolved from all allegiance to the British crown. The signers of the Declaration pledged their lives, fortunes, and sacred honor to defend this independence. The document became a rallying cry for the American Revolution and a key founding document of the United States of America.

## The War of Independence

The American War of Independence, also known as the American Revolutionary War, was a conflict fought between 1775 and 1783 between Great Britain and thirteen of its North American colonies, ultimately resulting in the colonies gaining their independence and forming the United States of America.

---

The war began with a series of battles and skirmishes, including the battles of Lexington and Concord in April 1775, and ultimately escalated into a full-scale military conflict. The American forces, led by figures such as George Washington, gained crucial victories at Saratoga in 1777 and Yorktown in 1781, leading to Britain's eventual recognition of American independence with the signing of the Treaty of Paris in 1783.

### **George Washington and the Rules of War**

George Washington was an officer in the American army during the War of Independence. He used some unusual military strategies. At that time, there were general practices, or rules, for war in Western countries: no fighting during the winter and no fighting at night or on holidays.



*Washington Crossing the Delaware* by Emanuel Leutze, 1851

Washington decided to break the rules in order to win the war. So, in 1776, when many of the British generals had gone home for the winter, Washington's men crossed the icy Delaware River on Christmas in the middle of the night and surprised the enemy troops.

The result was the first major American victory: the Battle of Trenton. Washington led the American military for the rest of the war and went on to become the first president of the United States.

---

## The United States Constitution



*The signing of the U.S. Constitution by 39 members of the Constitutional Convention on September 17, 1787; painting by Howard Chandler Christy.*

Winning the war was only the first step in becoming the United States. The Americans had to make some important decisions about their government: Should each of the old colonies be a separate country? Should all the states join to become one big country? Who should govern? Who should make the laws? They did not want a strong central government after their experiences of life under a king. Therefore, they tried a system with strong state governments and a weak central government for several years, but it failed.

Then, in 1787, a group of leaders met to discuss a new system of government. They wanted a republic, a government with an elected leader instead of a king. They wanted a democratic government, in other words, a system based on the idea that all men are equal and that the government should represent all of the nation's citizens. The result was the Constitution, adopted in 1789, which created the basic framework for the United States government. One of the most important points is establishing a federalist system, dividing power and responsibility between the states and the federal, or central, government.

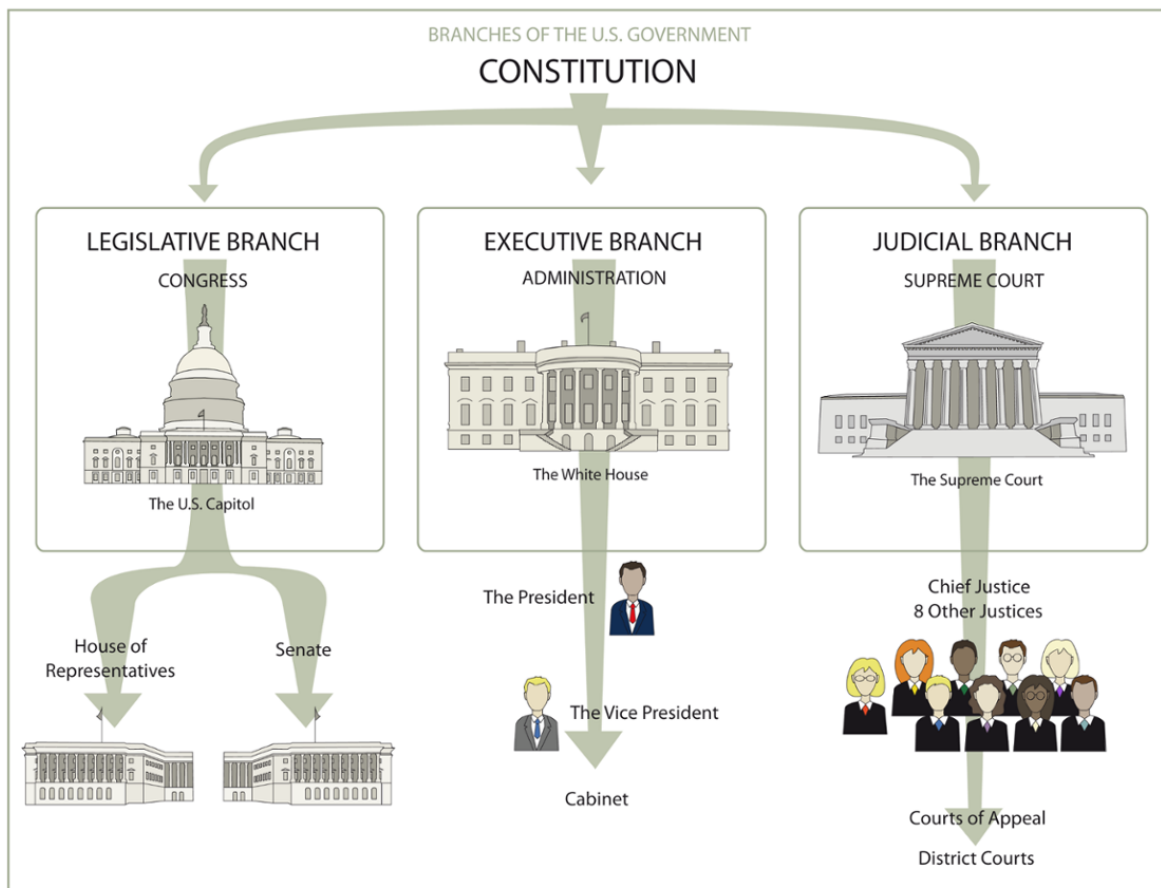
## Reading 2: A Balance Of Power

### Designing a new form of government

The men who met to write the United States Constitution had a difficult task. They wanted a strong leader but also wanted a representative government. They wanted judges who would be independent of politicians. Most importantly, they did not want any single part of the government to have too much power. Therefore, they divided power among three branches of government: legislative, executive, and judicial.

### The three branches of government

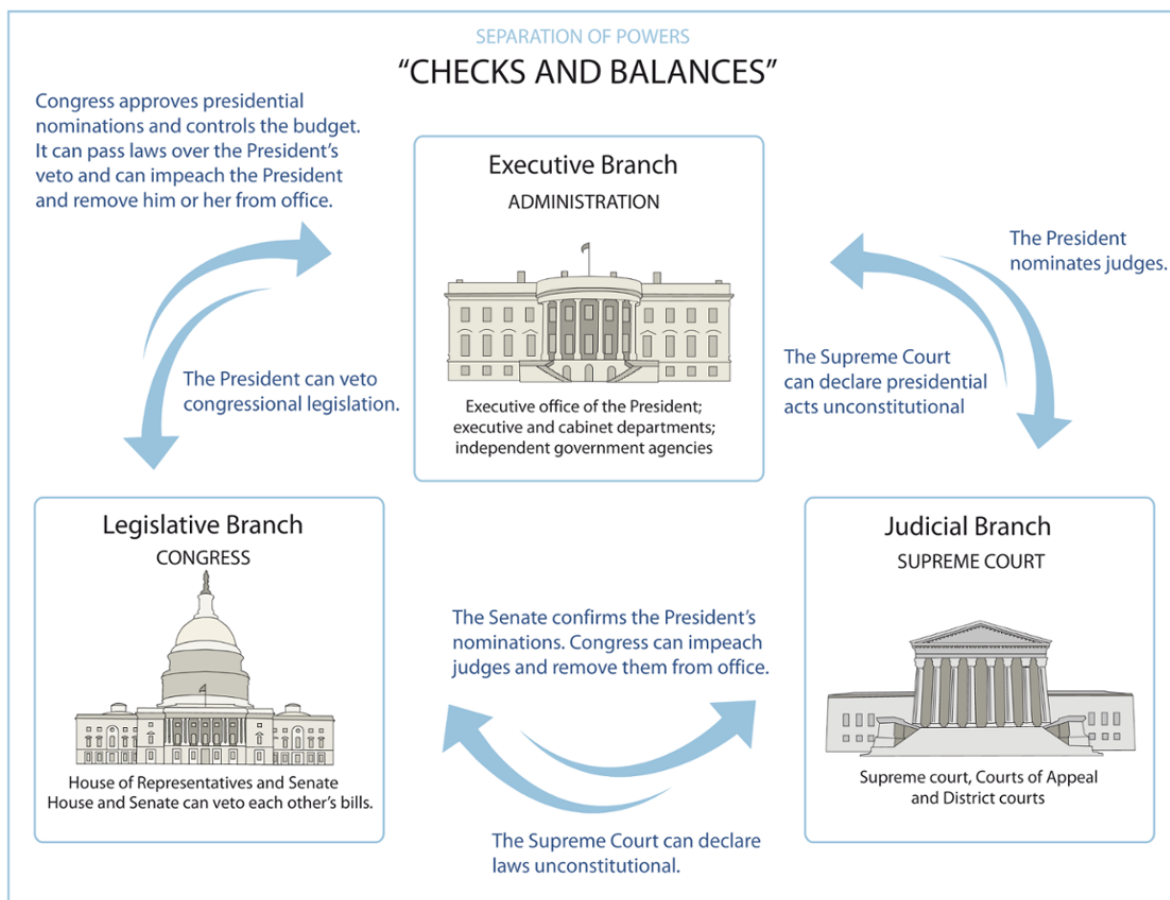
Although people often consider the president the center of government, the Constitution lists the legislative branch first. The legislative branch is called Congress. It has two parts: the Senate and the House of Representatives. The Senate has 100 members, two from each of the country's 50 states. The House of Representatives has more - 435. The



number of members from each state in the House of Representatives depends on the states' population. The Constitution names just two executive branch members - the president and vice president. In the judicial branch, the Constitution establishes the Supreme Court, the highest court, and gives Congress the power to create other courts.

## Balancing power among the branches

The Constitution gives each branch ways to limit the power of the other two branches. For example, the president can veto, or block, laws passed by the legislative branch (Congress). However, if two-thirds of the members in both the Senate and the House of Representatives disagree, they can override, that is, reject, the president's veto. Congress can even vote to remove the president from office if the president does something illegal. Neither of these things happens very often. Finally, the Supreme Court can reject both the laws passed by Congress and the actions of the president if the judges think that the laws and actions are unconstitutional, that is, not permitted by the Constitution.



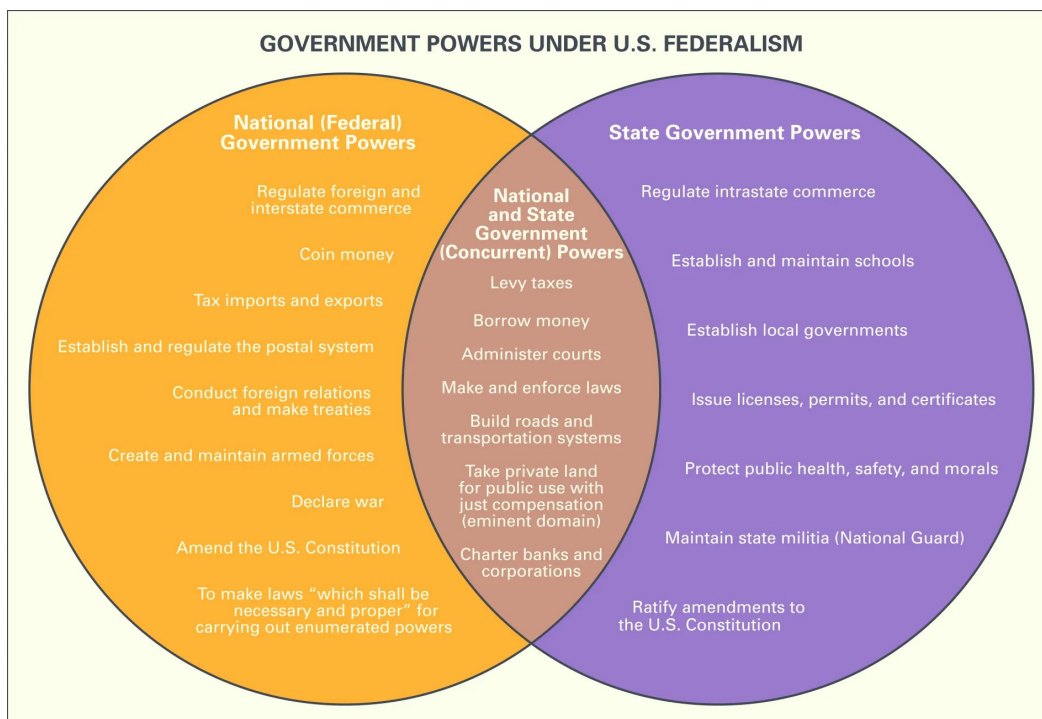
---

## The election of the president

Electing a national leader is an important process. Only a small part of this process is described in the U.S. Constitution; other details have to developed over the past 225 years. The Constitution specifies that the president must be at least 35 years old and must be born in the United States. It also states that the president serves a four-year term and then can run for reelection. Since 1951, there has been a limit of two terms. Although the Constitution does not establish political parties, there have been two strong parties in the United States throughout most of its history. This two-party system also helps maintain another kind of balance of power.

## A federalist system

The U.S. Constitution establishes a government based on federalism, a balance of power between the federal, or central, government and the state governments. The federal government is responsible for issues that affect U.S. citizens as a nation. The state governments are responsible for issues that relate to the states. In addition, some powers, such as building roads and paying for public education, are shared by both state and federal governments. Each state also has a leader, called the governor who, like the president of the country, is elected by the people. In addition, both governments share certain powers.



---

## Reading 3: The Bill of Rights

### Protecting citizens from government oppression

In 1787, the U.S. Constitution established most of the systems and rules to form a new government. However, many leaders thought that something was missing. They wanted to include a completely new idea: guaranteeing individual rights and

freedoms and protecting citizens against the government's power. As a result, In 1791, the Bill of Rights was passed in the form of 10 amendments, or changes, to the Constitution.

The Bill of Rights is one of the most important documents in U.S. history. Its ideas are essential to American culture. Although only 462 words long (a little shorter than this text), it establishes many fundamental rights and freedoms. When people say, "America is a free country, they are thinking of the Bill of Rights.

The Bill of Rights consists of 10 amendments, most of which can be divided into three basic categories. Some amendments guarantee the rights and freedoms of individuals. Other amendments protect citizens against the misuse of power by the government. Another category of amendments protects the rights of criminal suspects, that is, people who have been accused of crimes.

### Category 1: Guarantee of the rights of individuals

The First Amendment guarantees freedom of religion, freedom of speech, and freedom of the press. This means that everyone in the United States is free to practice any religion or no religion at all. The government may not establish or support any religion. The amendment also guarantees all citizens the freedom to say or write what they believe, even if it is unpopular. There are limits, however. The First Amendment does not protect libel: lies about someone that would harm that person, nor speech or writing that could be dangerous to others. For example, it does not protect speech that encourages people to burn down a building or kill people. However, perhaps most importantly, the First Amendment allows



---

people to protest against the government if they think it is doing something wrong. It permits them to criticize the government in speech or writing.

## **Category 2: Protection against the misuse of government power**

The Second and Fourth Amendments help protect all citizens against the misuse of power by the government and, especially, the police. The Second Amendment permits states to form a militia or army of citizens, and citizens to keep guns for their own protection. The Fourth Amendment forbids police searches without permission from a judge. To get a judge's permission to search a person's home or possessions, the police must give very good reasons.

## **Category 3: Protection of the rights of criminal suspects**

The Fifth, Sixth, and Seventh Amendments provide protection for people who are accused of crimes. The police may not arrest people for a crime without sufficient cause and cannot put them in prison. Criminal suspects have a right to a speedy and public trial and a lawyer's assistance. They also have a right to a trial decided by a jury of 12 peers, that is, ordinary people just like them, instead of a judge.

## **The Constitutional Evolution of Individual Rights: Expanding Suffrage**

Since the Bill of Rights, there have been 17 more amendments to the Constitution. Three of them expanded suffrage, or the right to vote. At the nation's founding, only white men who owned land had the right to vote in most states.

- Until 1821, many states restricted voting to landowners.
- Before the Fifteenth Amendment (1870), states could ban African Americans from voting.
- Before the Nineteenth Amendment (1920), most states prohibited women from voting.
- In some states, Native Americans were not granted citizenship and the right to vote until 1924.
- Until 1965, many states required voters to show they could read and write. This prevented many people with little education from voting, particularly African Americans.
- Until the Twenty-sixth Amendment (1971), only people 21 or older could vote.