

# **Civics EOC Review 1**

Enlightenment SS.7.C.1.1

Founding Documents SS.7.C.1.2

Rule of Law SS.7.C.1.9

Citizenship SS.7.C.2.1 and 2.2

# Enlightenment SS.7.C.1.1

- Recognize how Enlightenment ideas including Montesquieu's view of separation of powers and John Locke's theories related to natural law and how Locke's social contract influenced the Founding Fathers.
  - Students will identify and describe the Enlightenment ideas of separation of powers, natural law, and social contract.
  - Students will examine how Enlightenment ideas influenced the Founders' beliefs about individual liberties and government.
  - Students will evaluate the influence of Montesquieu's and Locke's ideas on the Founding Fathers.

# Higher Law and Natural Rights

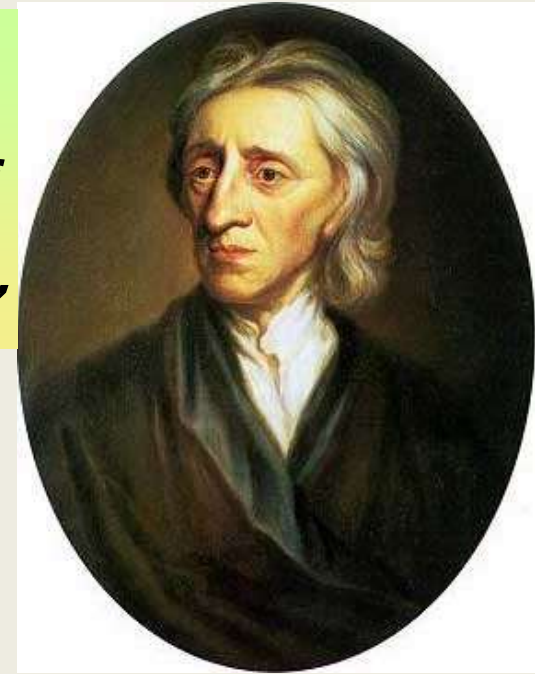
During the Enlightenment, philosophers such as John Locke (1632-1704) and Charles-Louis Montesquieu (1689 -1755) considered new ideas about the relationship of the governed to the government.

***“The end of law is not to abolish or restrain, but to preserve and enlarge freedom. For in all the states of created beings capable of law, where there is no law, there is no freedom.”***



Montesquieu

***“In a true state of nature, indeed, all men are born equal, but they cannot continue in this equality. Society makes them lose it, and they recover it only by the protection of laws.”***



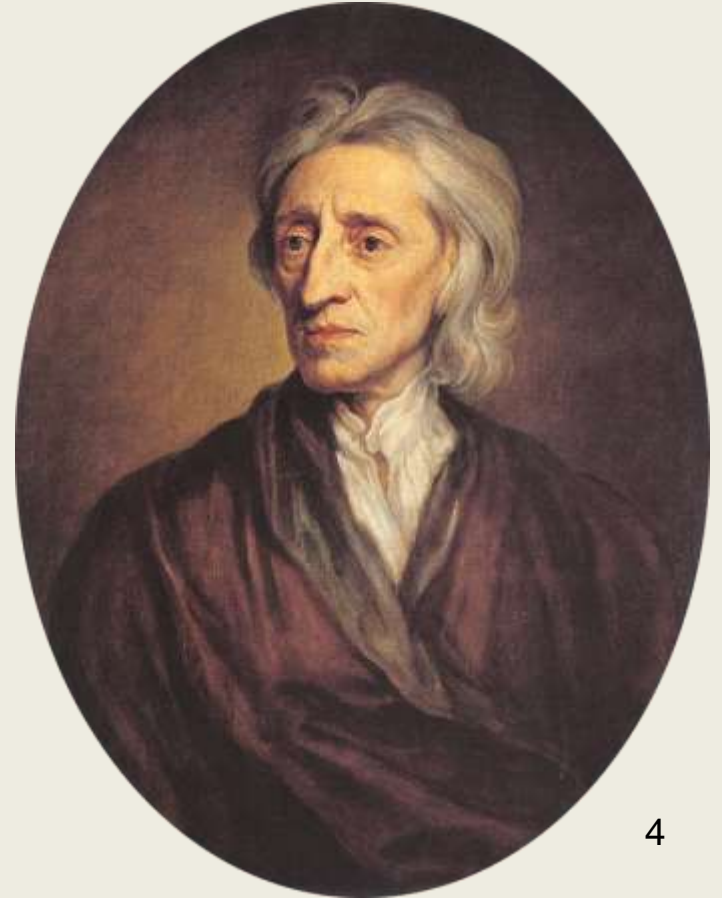
Locke

# Natural Rights

**Thomas Hobbes** believed that if people want to live peacefully they have to give up some natural rights.



**John Locke** thought that the three most important natural rights are life, liberty, and property.

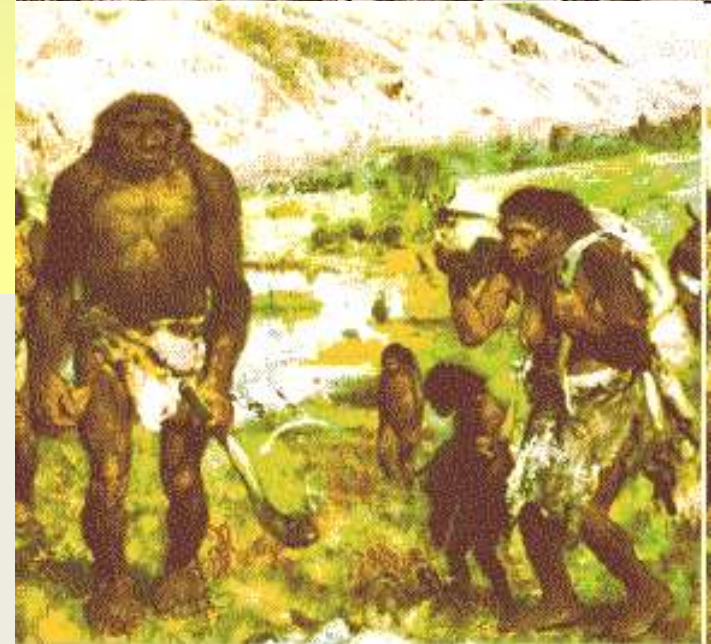


# Social Contract Theories

**Social contract theories attempt to explain the ways in which people create states to govern and maintain social order.**

**A social contract is an agreement between the government and the governed that people will surrender certain liberties and freedoms to establish a peaceful society.**

**Without a social contract, human beings would be forced to live in a “state of nature”, without the rule of law, survival of the fittest.**

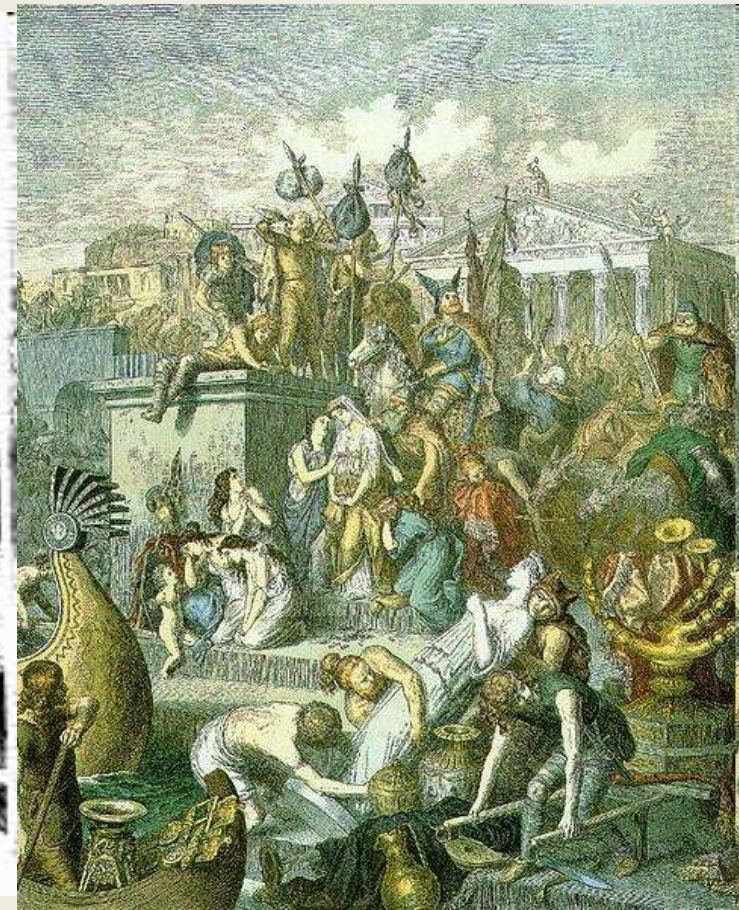


# State of Nature

**State of nature is a hypothetical condition used to describe humanity before civilization and law.**

**State of nature may also be considered anarchy, a condition without government or rule of law.**


**The state of nature is devoid of protected human rights, since it is up to individuals to regulate themselves.**

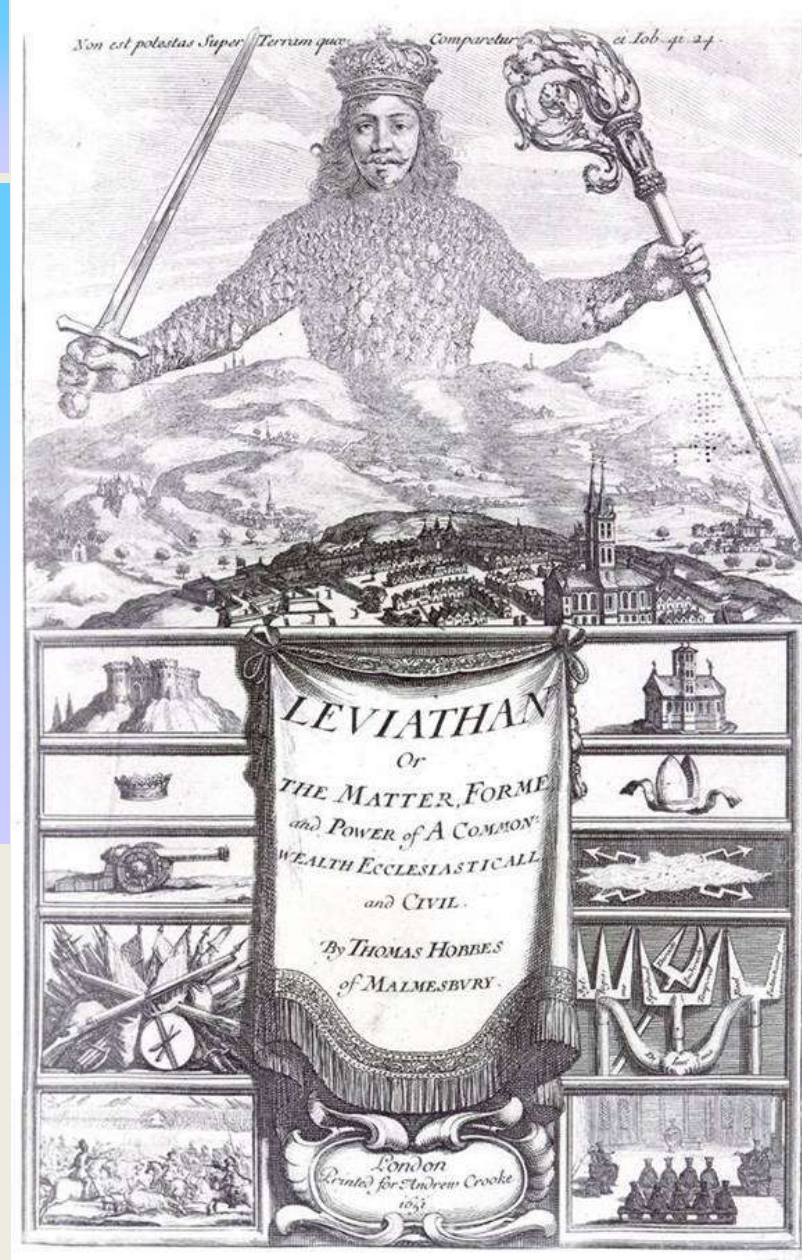


# Thomas Hobbes of the Scottish Enlightenment

 Thomas Hobbes wrote Leviathan in 1651.

 Hobbes suggested that humanity, without government, would be warlike, brutish, and short lived.

 To escape the misery of nature, humanity accepts a social contract with a sovereign authority for protection and peace.

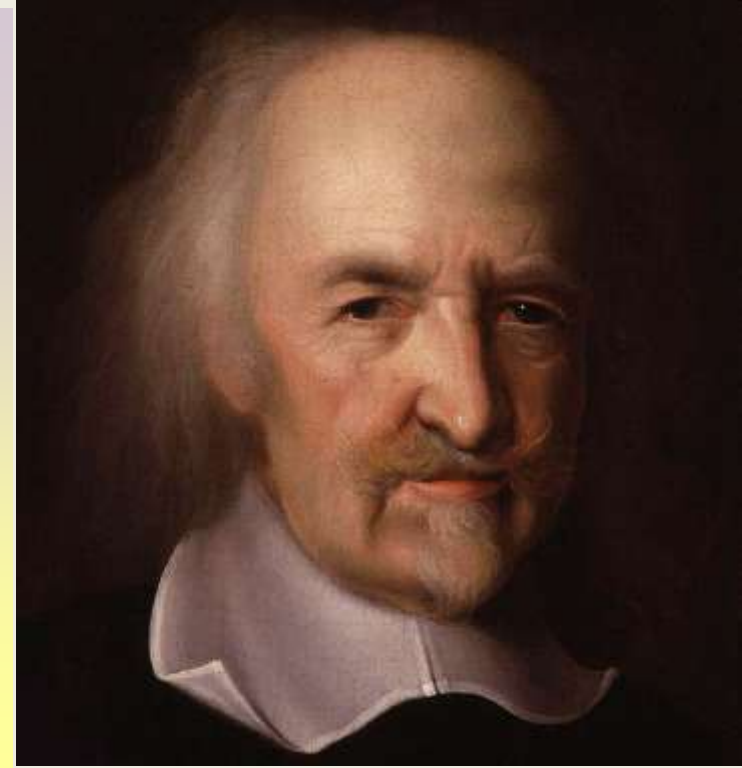


■ Thomas Hobbes conceived of the **state of nature** in Leviathan.

■ He describes it as *"during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war as is of every man against every man"*

■ The state of nature is a condition where any person has a natural right to do anything to preserve his own liberty or safety, and life.

■ The state of nature is *"solitary, poor, nasty, brutish, and short."*



Hobbes wrote that humans developed mutual contracts to establish peace within the state of nature, *"that every man ought to endeavor peace, as far as he has hope of obtaining it... that a man be willing, when others are so too, as far forth as for peace and defense of himself he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against other men as he would allow other men against himself."*



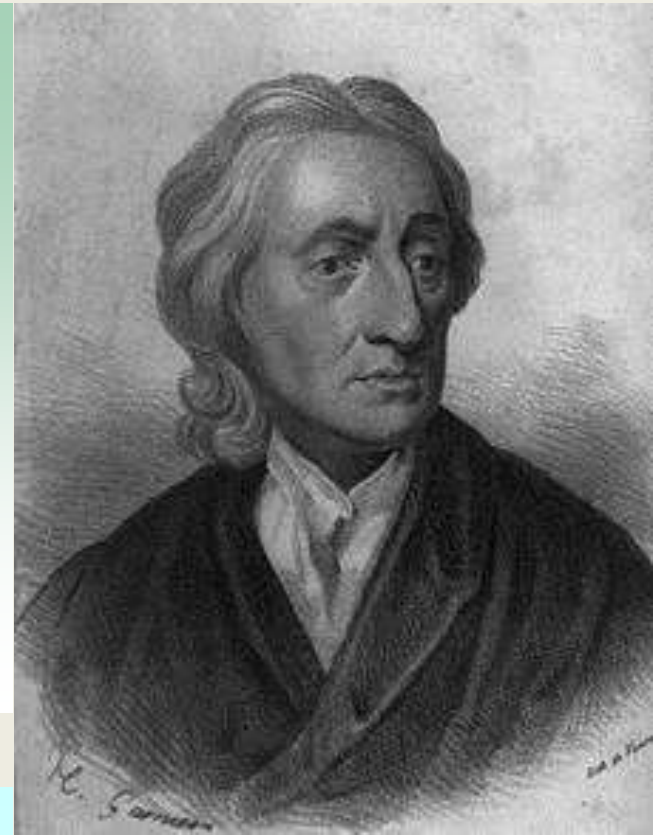
# John Locke, 17<sup>th</sup> century English philosopher

**Ideas attributed to John Locke:**


- **Social contract theory**
- **Theory of toleration**
- **Belief that all men are created free and equal**
- **Belief in the separation of church and state**
- **The use of empiricism by using experience to find truth**


**John Locke's ideas are known to have directly influenced French, American, and Latin American Revolutions.**

**His ideas can be found in the Declaration of Independence and the Constitution of the United States.**





# John Locke's Social Contract

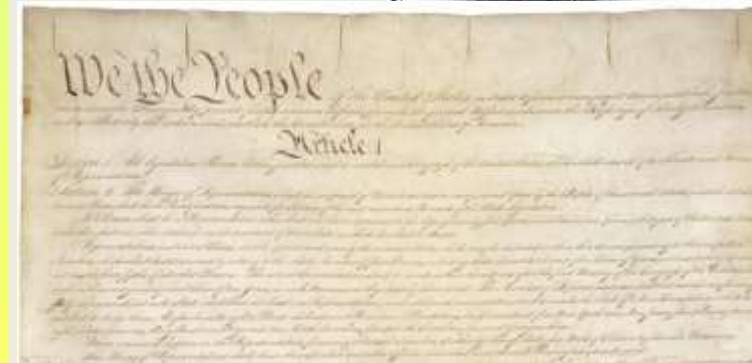
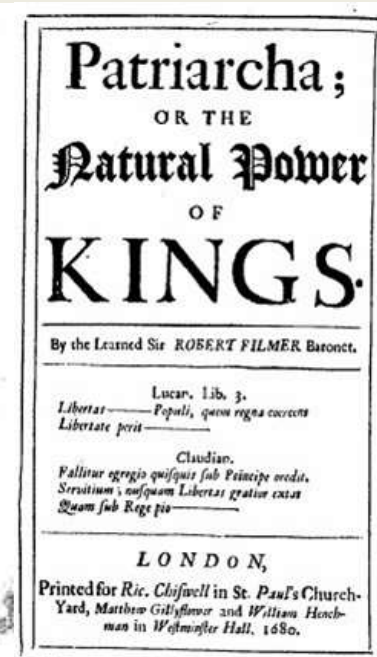
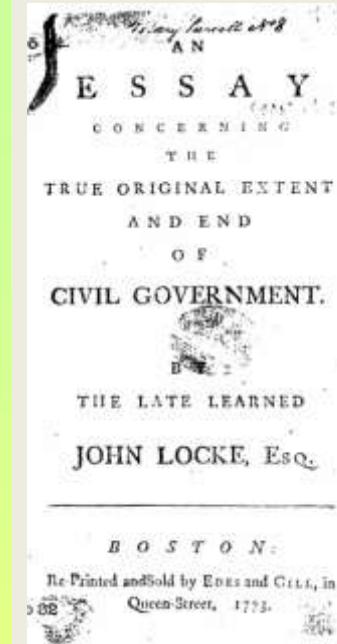
 John Locke proposed that people have the natural right to life, liberty, and property.

 In his book, Two Treatises of Government, Locke states that if a government fails to uphold these natural rights then people have the right to rebel and overthrow the government.

 Locke's social contract suggests that people and government are bound to each other by consent.

 Locke's theory of the “*consent of the governed*” (the people give permission to the government to rule) is in contrast to the “*divine right of kings.*”

 The concept of social contract underlies the principles of the United States Constitution.



# John Locke's Theory of Toleration

In 1689, John Locke wrote A Letter Concerning Toleration which stated that government should tolerate different religions and called for the separation of church and state.

As a result of this work, the British parliament passed the Toleration Act of 1689 which granted a limited freedom of religion.


Locke's theories of toleration were later incorporated into the Bill of Rights.





## A Letter Concerning Toleration, John Locke




# Jean-Jacques Rousseau was a Swiss Philosopher of the Enlightenment

 Rousseau believed that direct democracy, where people voted direct without representation, was the best form of government.

 Rousseau believed that citizens should submit to a government supported by the general will of the people.

 Locke believed that an individual's natural rights could not be abandoned as they are "*inalienable.*"

 Rousseau believed that the primary role of government is to enforce law.



# Charles-Louis Montesquieu, French philosopher

Montesquieu popularized the idea that a democracy should be governed by a separation of powers.

Montesquieu was inspired by ancient Greek and Roman models of government and the constitutional government of Britain.

James Madison was influenced by Montesquieu when he included the separation of powers and the principle of checks and balances in the U.S. Constitution.



*The statements below are from the 1776 Virginia Declaration of Rights.*

- 1) That in all capital or criminal prosecutions a man hath a right to demand . . .evidence in his favor, and to a speedy trial by an impartial jury . . .
- 2) That the legislative, executive, and judiciary department shall be separate and distinct . . .
- 3) That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained . . .
- 4) That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state . . .

*Source: Public Domain / U.S. National Archives and Records Administration*

Which statement reflects the Enlightenment ideas of government as expressed by Montesquieu?

- A. 1
- B. 2
- C. 3
- D. 4

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The statements below are from the Declaration of Independence.

- A) All men...are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness...
- B) He has...obstruct[ed] the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither...
- C) Mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed.
- D) The history of the present King of Great Britain is a history...having in direct object the establishment of an absolute Tyranny over these States.

Which statement reflects the Enlightenment ideas of natural law as expressed by Locke?

- A. A
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- D. D



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Founding fathers like Thomas Jefferson were influenced by many Enlightenment ideals. These ideas were incorporated in important founding documents like the Declaration of Independence. The statement, “All men...are endowed by their Creator with certain Unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness” reflects the Enlightenment ideals as expressed by John Locke. Locke wrote at length about natural law and natural rights.

His writings argued that all people are born with natural rights to life, liberty and property.

He Believed these rights were independent of any government or social laws.

# Founding Documents SS.7.C.1.2

- Trace the impact that the Magna Carta, English Bill of Rights, Mayflower Compact, and Thomas Paine's Common Sense had on colonists' views of government.
  - Students will identify the important ideas contained in the Magna Carta, English Bill of Rights, Mayflower Compact, and Common Sense.
  - Students will evaluate the impact that the Magna Carta, English Bill of Rights, Mayflower Compact, and Common Sense had on the purposes of government.
  - limited monarchy and self-government.

# The Magna Carta

In 1215, the Magna Carta limited the power of the English sovereign and granted fundamental rights of English citizens, such as trial by jury and due process of law.



King John of England signing the Magna Carta

One of the original copies of the Magna Carta




**The full name Latin name is the *Magna Carta Libertatum*, translated to English as the Great Charter of Freedoms.**


**The Magna Carta proclaimed certain rights to freemen and specifically allowed for an appeal to unlawful imprisonment, which today is known as a writ of habeas corpus.**



**XXIX. “NO Freeman shall be taken or imprisoned, or be disseised (wrongfully take) of his Freehold, or Liberties, or free Customs, or be outlawed, or exiled, or any other wise destroyed; nor will We not pass upon him, nor condemn him, but by lawful judgment of his Peers, or by the Law of the land. We will sell to no man, we will not deny or defer to any man either Justice or Right.”**

# Writ of Habeas Corpus

 A writ of habeas corpus is a summons by a court to bring the defendant before the court to determine if the defendant is being legally detained.

 The purpose of habeas corpus is to prevent illegal detention and allow the due process of law to determine innocence, guilt, and punishment.






 Habeas corpus is Latin for “You (shall) have the body.”

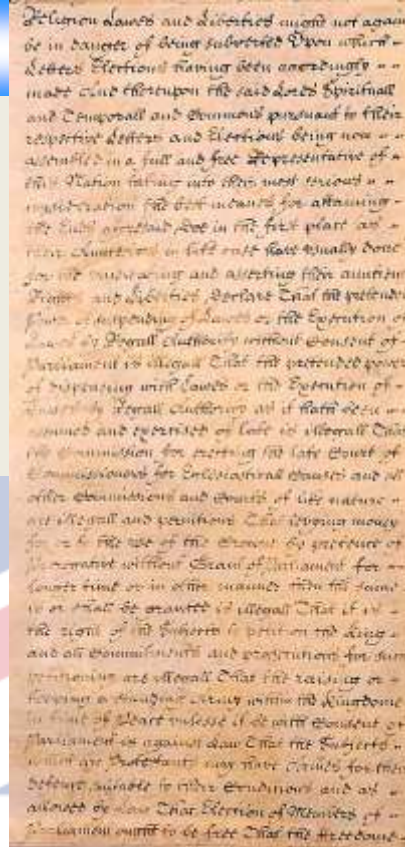
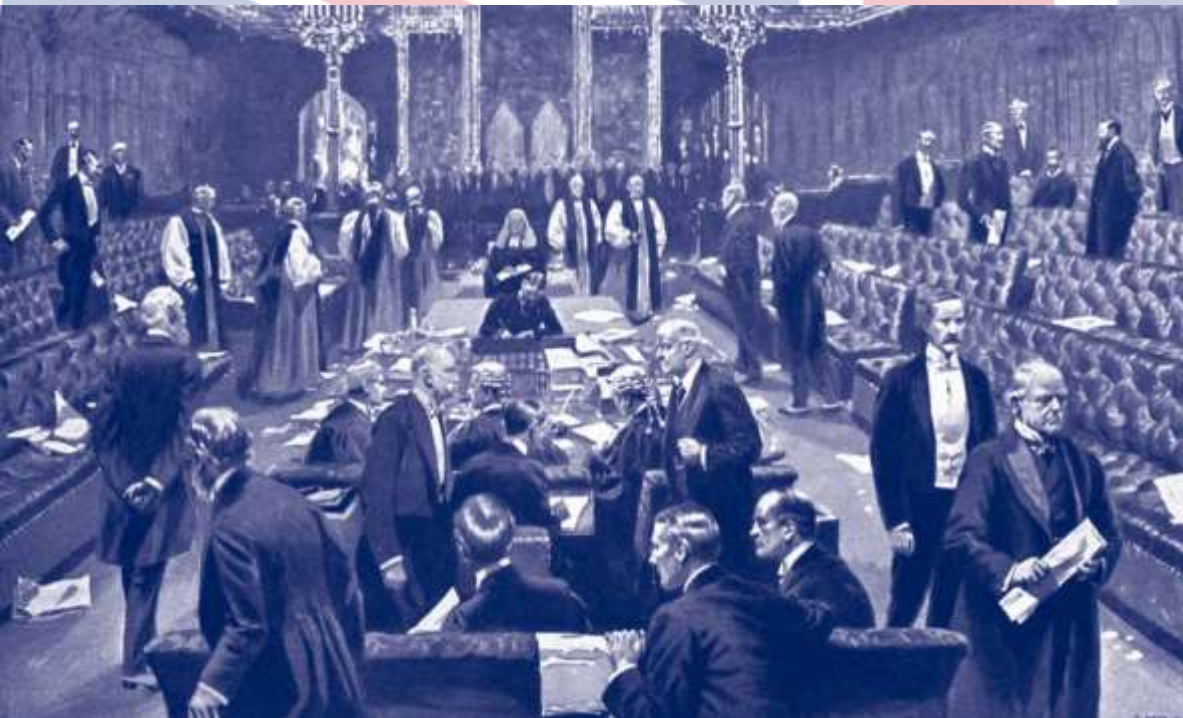
## Federal Prison Facility



# The English Bill of Rights of 1689

The English Bill of Rights set forward basic rights of the individual.

-  Right to petition the king.
-  Right to bear arms.
-  Freedom of speech in Parliament.
-  Freedom from fine or forfeiture without a trial.
-  Freedom from cruel or unusual punishment.



The English Parliament

# Mayflower Compact

- Written aboard the *Mayflower* in 1620 before the ship landed in Plymouth, Massachusetts in 1620.
- Signed by most passengers on the voyage



Image from  
<http://www.historyplace.com/unitedstates/revolution/revgfx/may-compact.jpg>

“...Having undertaken...a Voyage to plant the First Colony in the Northern parts of Virginia, do by these present solemnly and **mutually in the presence of...one another**, Covenant and **Combine ourselves together into a Civil Body Politic**, for our **better ordering and preservation...to enact constitute, and frame such just and equal Laws, Ordinances, Acts, Constitutions, and offices** from time to time , as shall be thought most meet and convenient for the general good of the colony...”



# Mayflower Compact

This document served as an example of *self government* and *consent of the governed*.

Why would government be necessary according to the Mayflower Compact?

Why would the colonists want to create a document establishing self government?

“...For our better ordering and preservation...”

# Thomas Paine's Common Sense

Thomas Paine's pamphlet titled Common Sense was first published anonymously on January 10, 1776.

It had immediate success, being sold throughout the colonies and in Europe.

In the pamphlet, Paine explains his idea of society, government, and the tyranny of the English system of government.

***“Society is produced by our wants, and government by our wickedness; the former promotes our happiness positively by uniting our affections, the latter negatively by restraining our vices.”***

## COMMON SENSE;

ADDRESSED TO THE *W. Hamilton*

### INHABITANTS

OF

### A M E R I C A,

On the following interesting

### S U B J E C T S.

- I. Of the Origin and Design of Government in general, with concise Remarks on the English Constitution.
- II. Of Monarchy and Hereditary Succession.
- III. Thoughts on the present State of American Affairs.
- IV. Of the present Ability of America, with some miscellaneous Reflections.

*By Thomas Paine*  
Man knows no Master save creating HEAVEN,  
Or those whom choice and common good ordain.

THOMSON.

PHILADELPHIA;

Printed, and Sold, by R. BELL, in Third-Street.

MDCCLXXVI.

# Thomas Paine's Common Sense

It blamed King George III for the problems in American Colonies

It also challenged the authority of the British government and monarchy.

He prompted the colonists to fight for their independence from England because the King had failed to protect the rights of the colonists.

The pamphlet "Common Sense" emphasized the right to and benefits of self-government.

It was widely read and encouraged support for independence from colonial rule among many colonists.

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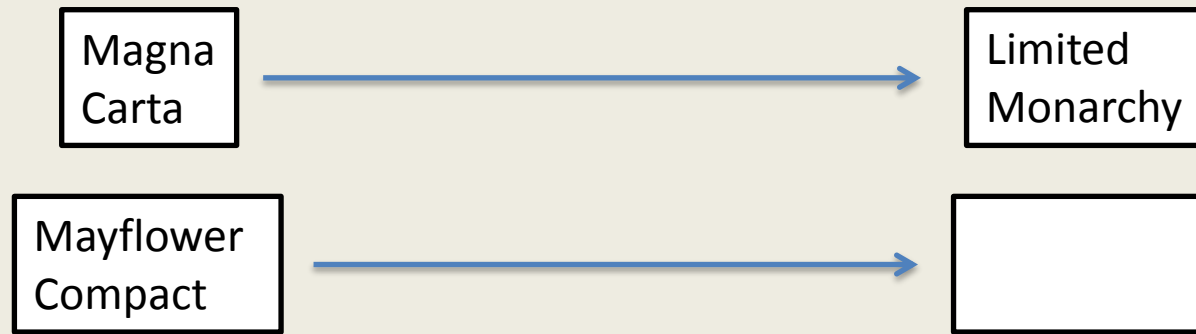
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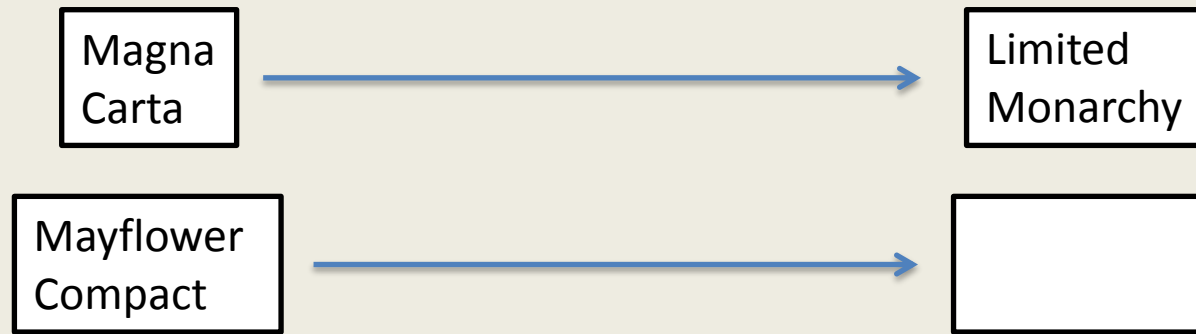
The diagram below shows that the colonists formed some of their political views from some historical documents.



Which phrase completes the diagram?

- A. Separation of powers
- B. Economic freedom
- C. Self-government
- D. Individual rights

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- C. Self-government**
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What did many American colonists use Thomas Paine's *Common Sense* to justify?

- A. Acts of sabotage against British merchants
- B. Declaring independence from Britain
- C. Joining the army instead of the militia
- D. Supporting the British monarchy

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D. Supporting the British monarchy

- **The pamphlet “Common Sense” was written by Thomas Paine in 1776. It blamed King George III for the problems in American Colonies.**
- **It also challenged the authority of the British government and monarchy.**
- **Thomas Paine argued that the colonists should declare their independence from Britain.**
- **The pamphlet “Common Sense” emphasized the right to and benefits of self-government.**
- **It was widely read and encouraged support for independence from colonial rule among many colonists.**



# 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.
  - Students will distinguish between the characteristics of a society that operates under the rule of law and one that does not.
  - Students will assess the importance of the rule of law in protecting citizens from arbitrary and abusive uses of government power.
  - Students will evaluate the impact of the rule of law on governmental officials and institutions (accountability to the law, fair procedures, decisions based on the law, consistent application, enforcement of the law, and transparency of institutions).

## Equality Before the Law

Each individual is subject to the same laws, no individual or group is given special legal privileges.

**According to the United Nations:**

***“All are equal before the law and are entitled without any discrimination to equal protection of the law.”***



# Lady Justice

a symbol of a goddess who wields:

a **sword** that represents the *court's coercive power*  
**scales** that symbolize the *weighing of competing claims*  
a **blindfold**, which shows *impartiality*.



# The Rule of Law

**The rule of law is a legal maxim stating that no individual or group is above the law.**

**The rule of law safeguards individuals from arbitrary decisions of the government as well as holds leaders accountable for their actions.**



Which characteristic serves as a long-term protection against tyranny and is a foundation of liberty in the United States?

- A. the commerce clause
- B. the elastic clause
- C. the right to trial
- D. the rule of law

**WHY?**

Which characteristic serves as a long-term protection against tyranny and is a foundation of liberty in the United States?

A. the commerce clause

B. the elastic clause

C. the right to trial

**D. the rule of law**

No one is above the law, not even the rulers of a country.

How does rule of law affect U.S. government officials and institutions?

A. It holds government officials and institutions accountable to the law.

B. It requires government officials and institutions to create new laws.

C. It prevents government officials and institutions from making their work public.

D. It ensures government officials and institutions are exempt from laws.

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**Rule of law is the principle that both those who govern and those who are governed must obey the law and are subject to the same laws.**

**Rule of law affects government leaders and groups in many ways. Everything they do must be based on the law, and they are accountable for their decisions.**

# Citizenship SS.7.C.2.1

- Define the term “citizen,” and identify legal means of becoming a U.S. citizen.
  - Students will define citizenship as stated in the Fourteenth Amendment.
  - Students will describe the process of becoming a naturalized citizen.
  - alien, immigrant, law of blood, law of soil, and resident

# Citizenship

- A **citizen** is one who has *specific rights and obligations within a country*.
- 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. Still, the original U.S. Constitution fails to define who is a citizen.
- It was not until 1868 that the U.S. Constitution defined citizenship with the 14th amendment.

# The Fourteenth 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...**

**Naturalized** is the legal process of becoming a citizen.

**Jurisdiction** means legal authority.



# Natural Born Citizenship is based on two “laws”:

## 1. Place of birth, or “Law of the Soil”

1. Children born in the United States or Territories/Possessions

## 2. Parents, or “Law of the Blood”

1. Children born to a parent or parents who are United States citizens.



# “Law of the Soil”



- Any child born in the United States is a citizen of the United States, even if the child's parents are not citizens.
- Soil of the US includes Puerto Rico, Guam, the Virgin Islands, and the Northern Mariana Islands.

# “Law of the Blood”

- Principle in which citizenship is determined by parentage rather than by place of birth.
- US recognizes as citizens children born abroad to American citizens.

# Being and becoming a naturalized U.S. citizen

- ***In order to become a naturalized citizen***, one must meet the following conditions:
  1. ***The person is over 18 years old***
  2. Must have lived in the United States for ***five years***, without leaving for more than 30 months combined, and no more than 12 consecutive months throughout the five year period.
  3. Must file a petition for naturalization
  4. 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.
  5. Must be able to prove that they are ***of good moral character***
  6. Two U.S. citizens must confirm that the citizenship applicant will be a good citizen and will ***be loyal to the U.S***
  7. **Take the Oath of Citizenship**



# Exceptions to the naturalization process

- ***The Child Citizenship Act of 2000***
  - It allows non-U.S. citizen children under 18
  - who have at least one U.S. citizen parent
  - 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.

What is the term used in the Fourteenth Amendment to describe persons who are born or naturalized in the United States?

- A. Aliens
- B. Citizens
- C. Immigrants
- D. Residents

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A. Aliens

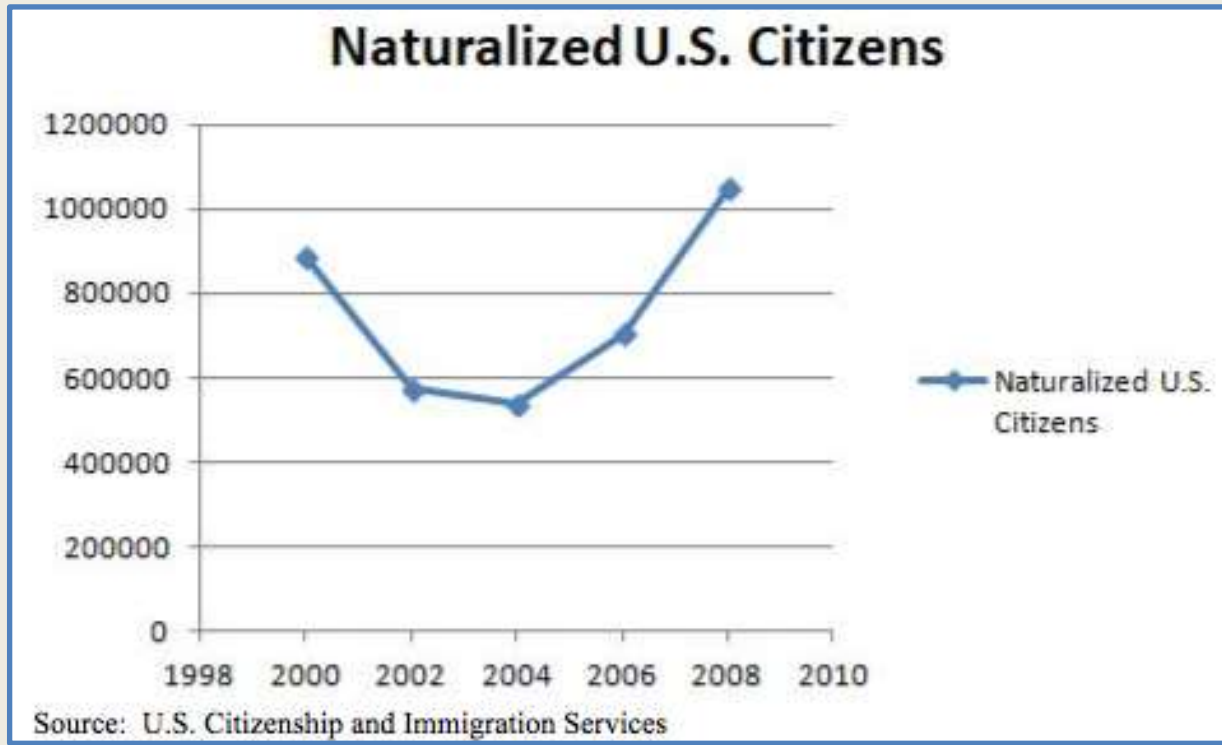
**B. Citizens**

C. Immigrants

D. Residents

A citizen is a legal member of a state or country. The 14th Amendment to the U.S. Constitution defines U.S. citizens as people who are “born or naturalized in the United States”.

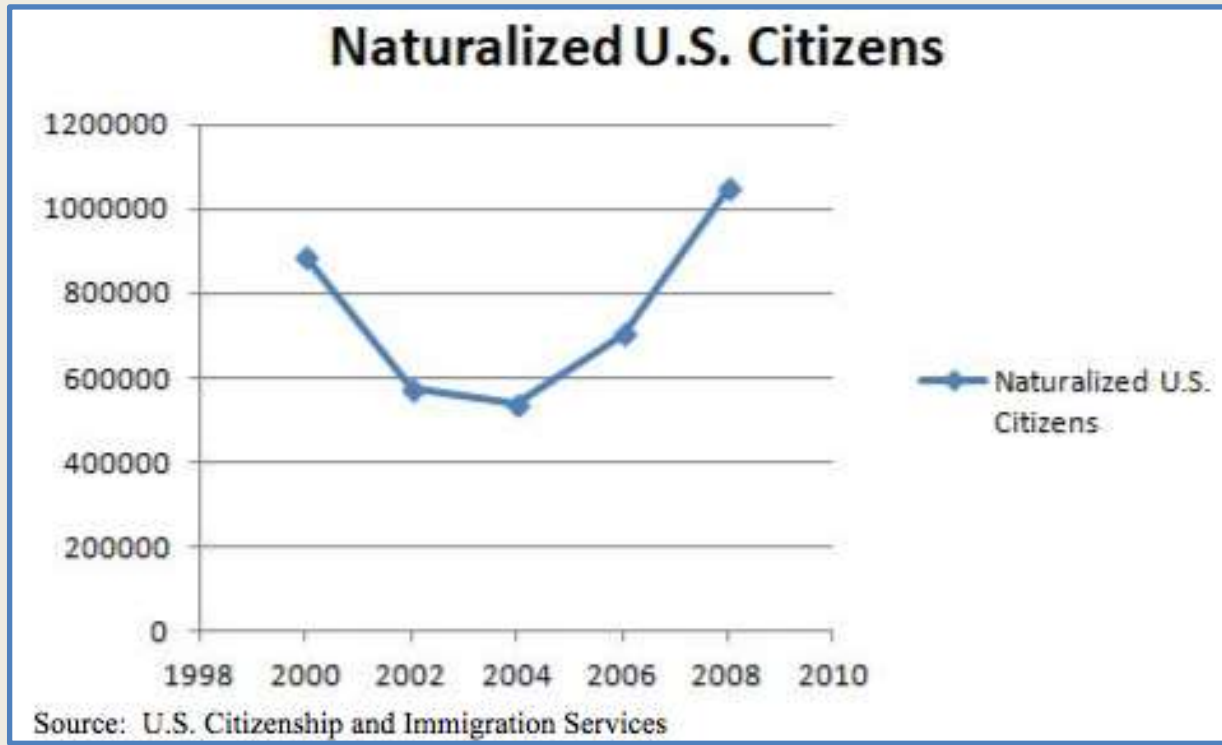
This graph shows the number of naturalized U.S. citizens from 2000 to 2008.



Which of the following statements can be inferred from this graph?

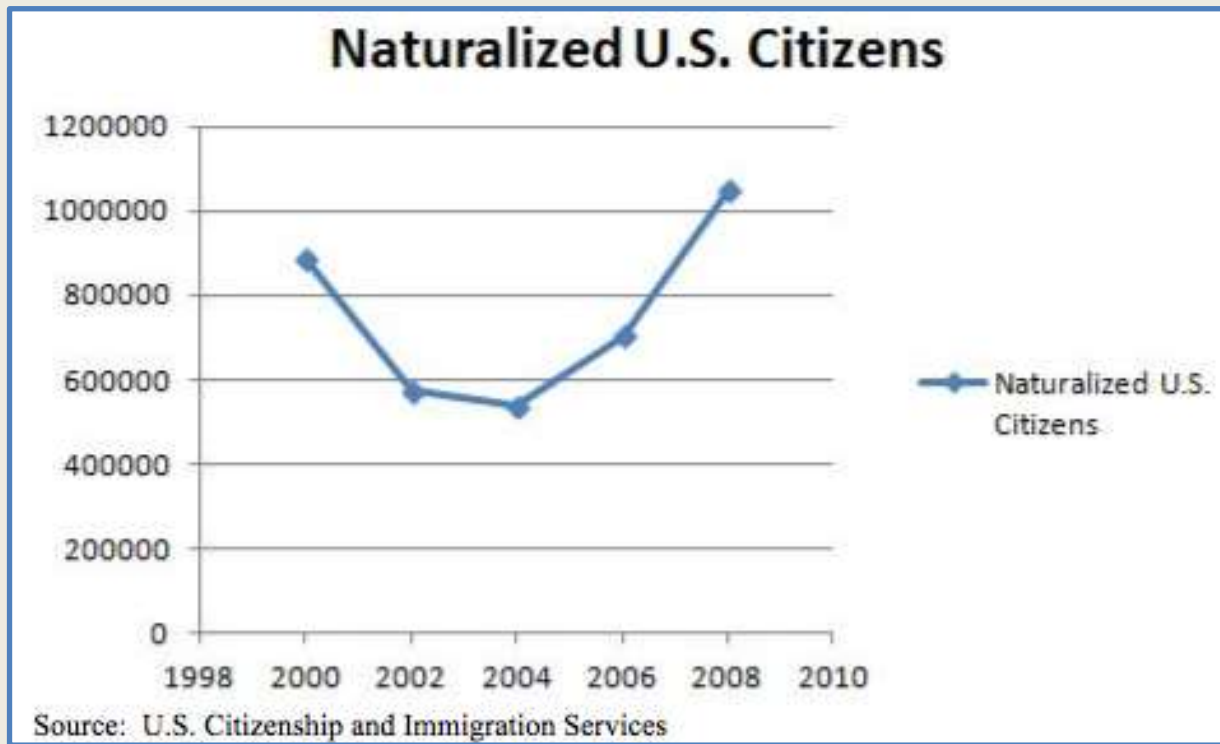
- A. Naturalization has become less popular than it was in the past.
- B. Naturalization has steadily increased voter turnout.
- C. Naturalization laws have become increasingly strict over time.
- D. Naturalization leads to a larger pool of voters

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Each year, thousands become naturalized U.S. citizens. In 2008, the number passed one million!

Just like natural born citizens, naturalized citizens have the right to vote in elections.

The graph shows that many citizens have chosen to become naturalized citizens, therefore it can be inferred that naturalization leads to larger pool of voters.

# Citizenship SS.7.C.2.2

- Evaluate the obligations citizens have to obey laws, pay taxes, defend the nation, and serve on juries.
  - Students will distinguish between an obligation or duty and a responsibility as it relates to citizenship. Responsibilities may include, but are not limited to, voting, attending civic meetings, petitioning government, and running for office.
  - Students will recognize the concept of the common good as a rationale for fulfilling the obligations and/or responsibilities of citizenship

# Citizenship categories in the United States

- Citizenship in the United States may be determined by one or two principles.
  - “Citizenship by birth” is a form of citizenship where the person’s nationality is determined by the nationality of their parents.
  - If both of the person’s parents are U.S. citizens, this means that the child is a U.S. citizen, even if the person was born outside the United States.
  - This principle is called “jus sanguinis”, or “**LAW OF THE BLOOD**”.
- The second principle of citizenship, “jus soli”, or “**LAW OF THE SOIL**” means that citizenship is determined based on where a person is born.
  - If a person is born in the United States, then that person is a U.S. citizen; the nationality of that person’s parents is not considered when taking the “jus soli” approach.
- Most nations apply both of these rules.



## Native-born and Naturalized Citizens and Resident Aliens

- **Native-born citizen:** A member of an official political body, such as a nation or a state, who is born in the country of their citizenship. This person meets both “jus sanguinis” and “jus soli” requirements.
- **Naturalized citizens:** Citizens born elsewhere, live legally in the United States, and have passed a test on the Constitution and the history of the United States. This person meets only the “jus soli” citizenship requirement.
- **Resident Alien** (Also called: Lawful Permanent Resident): A persons who lives legally in the United States who is not a citizen

## RIGHTS OF US CITIZENS

Vote

Obtain a U.S. passport

Own Property

Serve in elected office

Serve in appointed public offices

Protection under the law

Use of the courts

Own property

Many countries waive visa requirements for U.S.citizens

May reside outside the United States for longer periods of time when compared with non-citizens living in the United States.

Eligible to receive assistance and services from U.S. embassies and consulates abroad.

Sponsor relatives so that they may immigrate to the United States

Many countries allow dual citizenship with the United States.

Cannot be removed, deported or denied entry to the United States

May apply for certain federal jobs, federal and state benefits, that require U.S. citizenship

## DUTIES OF US CITIZENS

Serve on juries

Obey the law

Pay taxes

Register for Selective Service (Males only, age 18-26)

Swear allegiance to support and defend the U.S. Constitution and the laws of the United States against all enemies.

# Rights and Obligations of Resident Aliens

Rights	Obligations
Protection under the law	Obey the law
Use of the courts	Pay taxes
Own property	Register with the U.S. government to obtain legal permission to stay for an extended length of time
Carry on business (Note: Some states may limit certain professions to citizens)	Register for Selective Service (Males only, age 18-26)
Attend public schools	

This box lists actions that citizens can take.

Source: Public Domain

- Attending public meetings
- Helping neighbors after a storm
- Following rules at landmarks
- Volunteering in the community

What will happen if a citizen does NOT perform these actions?

- A. The democracy will fail.
- B. The common good will suffer.
- C. The citizen will be charged with a crime.
- D. The citizen will be fined.

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**B. The common good will suffer.**

C. The citizen will be charged with a crime.

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Responsibilities of citizenship include community expectations. Good citizens choose to meet these expectations. Americans have specific ideas about what good citizenship means.

Influencing government, voting, showing support for troops, helping other people, showing respect for leaders and symbols and protecting rights are some of these expectations of citizenship.

Fulfilling these responsibilities helps secure the common good.

**1040** Department of the Treasury—Internal Revenue Service [99] **2013** U.S. Individual Income Tax Return CMR No. 1545-0074 IRB Use Only—Do not write or stamp in this space.

For the year Jan. 1–Dec. 31, 2013, or other tax year beginning \_\_\_\_\_, 2013, ending \_\_\_\_\_, 2013. See separate instructions.

Your first name and initial \_\_\_\_\_ Last name \_\_\_\_\_ Your social security number \_\_\_\_\_

If a joint return, spouse's first name and initial \_\_\_\_\_ Last name \_\_\_\_\_ Spouse's social security number \_\_\_\_\_

Home address (number and street). If you have a P.O. box, see instructions. \_\_\_\_\_ Apt. no. \_\_\_\_\_ **▲** Make sure the SSN(s) above and on line 6c are correct.

City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions).

Foreign country name \_\_\_\_\_ Foreign province/state/country \_\_\_\_\_ Foreign postal code \_\_\_\_\_ **Presidential Election Campaign**  
Check here if you, or your spouse if filing jointly, want \$3 to go to the fund. Checking a box below will not change your tax or refund.  you  spouse

**Filing Status** Check only one box.

1  Single

2  Married filing jointly (even if only one had income)

3  Married filing separately. Enter spouse's SSN above and full name here. ▶

4  Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here. ▶

5  Qualifying widow(er) with dependent child

**Exemptions**

6a  Yourself. If someone can claim you as a dependent, do not check box 6a.

b  Spouse

c Dependents:		(2) Dependent's social security number	(3) Dependent's relationship to you	(4) <input type="checkbox"/> If child under age 17 qualifying for child tax credit (see instructions)
(f) First name	Last name			
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

If more than four dependents, see instructions and check here ▶

d Total number of exemptions claimed \_\_\_\_\_

**Boxes checked on 6a and 6b**

No. of children on 6c who:

- lived with you \_\_\_\_\_
- did not live with you due to divorce or separation (see instructions) \_\_\_\_\_

Dependents on 6c not entered above \_\_\_\_\_

Add numbers on lines above ▶

Which of the following is one reason why citizens are required to file such documents with the government?

- A. To ensure that students can go to private schools
- B. To ensure the operation of international trade
- C. To provide a fair report of business practices
- D. To provide social programs for needy citizens



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Provisional Election Campaign

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This is an illustration of a citizen's tax return. Good citizens can support the common good at each level of government. Paying taxes is one way to help the government improve society for its citizens.

Federal taxes help pay for things like military defense, health care programs, and protecting national landmarks.

State taxes help pay for education, highways, environmental protection programs.

Local taxes help pay for things like roads, police and fire protection, local parks, and animal shelters.