

HISTORICAL THINKING & SKILLS

Determine credibility of primary and secondary sources

- primary - original / secondary - made afterwards
- credible = believable / provable
- what are the qualifications of the author?
- agreement with other credible sources?
- is there bias?
- origins: when / where - does that show bias?

HISTORIC DOCUMENTS

Declaration of Independence and Enlightenment ideas: formal statement (written by Thomas Jefferson) declaring the freedom of the thirteen American colonies from Great Britain (1776). Argued that people had the right to overthrow their government when it abused their fundamental "natural rights." Listed 20 grievances when the king violated the rights of the American colonists such as imposing taxes without colonists consent, keeping a standing army, wouldn't allow colonies to write their own laws, his judges weren't using trial by jury

- "natural rights" entitled to by virtue of being human (born into them) - life, liberty, pursuit of happiness
- "social contract" agreement, between the ruled and their rulers, defining the rights and duties of each. If a leader violated these terms, he could be justifiably overthrown thus the colonies would break away
- precedents - an example used to guide later action (like laws / court cases)

Articles of Confederation: The Articles of Confederation was the first written constitution (1781). Under these articles, the states remained independent. Congress was also given the authority to make treaties and alliances, maintain armed forces and coin money. However, the central government lacked the ability to levy taxes and regulate commerce, and had difficult requirements for passing new legislation.

Northwest Ordinance (1787): IMPORTANT BECAUSE IT BECAME THE BASIS OF CONSTITUTION AND BILL OF RIGHTS. specified how parts of the Northwest Territory (including Ohio area) could become states. Once sixty thousand people resided in a territory, they could apply for statehood. The people could form a constitutional convention, draft a state constitution, and then submit the document to the United States Congress for approval. The state constitution had to guarantee basic rights to its people, including religious freedom, trial by jury, the right to bail except in capital cases, and several additional rights. Slavery also was outlawed in any of the states created from the Northwest Territory.

The Constitution: (1789) framework of America's system of government. Preamble explains why:

- "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, 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."
- REPRESENTATIVE GOV: puts the power in the hands of the people
- Separates the powers of government into three branches: the legislative branch, which makes the laws; the executive branch, which enforces the laws; and the judicial branch, which interprets the laws
- Sets up a system of checks and balances between branches (like president's veto power and congress controlling the budget) that ensures no one branch has too much power
- FEDERALISM: Divides power between the states and the federal government

- The Articles (7)
 - Article I (1) The Legislative Branch: Congress to make laws, divides Congress into a Senate and House of Representatives, makes rules for election of members, gives some powers to Congress, limits other powers
 - Article II (2) The Executive Branch: presidency and vice presidency to carry out or execute the laws, election rules, powers of the president, how to impeach
 - Article III (3) The Judicial Branch: Supreme Court, duties and powers of Supreme Court and federal courts
 - Article V (5) Making Amendments
 - Article VI (6) Supreme Law of the Land

Federalists and Anti-Federalists: An ideological battle in Federalist Papers and the Anti-Federalist Papers, (series of essays)

- Federalists: supported ratification of Constitution - their argument was the need for national taxation, strong national defense, safeguards in distribution of powers
 - Anti-Federalists: opposed ratification of Constitution because of threats posed by national taxation, a standing army, amount of national power vs. state power, inadequate protection of rights
- anti-federalists greatly influenced Constitution, pushing for strict checks and balances and certain limited political terms that would keep any one branch of the federal government from holding too much power for too long. The Bill of Rights was included partly to satisfy anti-federalists.

The Bill of Rights: (first 10 amendments to the Constitution)

Historical precedents for the Bill of Rights: Magna Carta (England 1215 deal with the king)- protection of rights and trial by jury; English Bill of Rights (1689) had some civil rights - protected against cruel punishment; Enlightenment ideas of "natural rights"

- #1: religion, freedom of speech, freedom of the press, freedom of assembly, and the right to petition the Government
- #2: citizen's right to bear arms.
- #4: prevents the government from unreasonable search and seizure of the property of US citizens without a warrant
- #5: the right to choose not to testify in court (self-incriminate) no criminal prosecution and punishment without due process.
- #6: speedy trial by a jury of one's peers, informed of the crimes with which they are charged, and have the right to confront the witnesses
- 8: prohibits excessive bail, excessive fines, and cruel and unusual punishments.