

Civics & Social Studies

Packet 1

Founding Documents

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Note: This packet was assembled from freely available information for purely educational purposes. It is ***not*** intended to yield a financial profit of any kind for any individual or institution.

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1. THE BRITISH COLONIES IN AMERICA

A colony is a country or area that is controlled by people from another, more powerful, country (Oxford University Press, 2021). Our nation originally started out as a colony controlled by Great Britain. That means the people living here in the 1600s and early 1700s considered themselves to be British citizens, and they looked to the King or Queen of Great Britain as their leader.



Figure 1. England, Scotland, and Wales are the three separate countries on the island of Great Britain. Today, all three of them are part of the same "United Kingdom."

Great Britain is the name of an island in Europe. It is divided into three countries: England, Scotland, and Wales. However, in the early 1700s, an agreement was reached that united these three countries into a single "country of countries." Since that time, the person we often refer to as the King or Queen¹ of England is really the King or Queen of Great Britain. This means they rule equally over the people in England, Scotland, and Wales. This is why the words "English" and "British" mean pretty much the same thing to an outsider.

¹ The word "***monarch***" refers to the ruler of the nation regardless of whether that person is a king or queen. Because Great Britain is ruled by a monarch, it is a "monarchy." However, the British monarch is limited by the nation's constitution. This is why we say the modern British form of government is a "Constitutional Monarchy."

Queen Anne was the first person to rule over all of Great Britain in this manner. Remember, as Queen of Great Britain, she also ruled over all the English colonies throughout the world including those in North America. After she died in 1714, this authority continued with the kings who succeeded (came after) her. These kings were George I, who ruled Great Britain and its colonies for twelve years; George II, who ruled another 33 years; and George III, who ruled for an incredible 59 years until his death in 1820.

By the late 1700's, King George III had become very unpopular in the thirteen British colonies in America. The new tax he placed on the colonists² (but not on his subjects living in Great Britain) was particularly annoying. He also upset the people in other ways such as ignoring most of the questions and requests he received from the representatives of the colonies. The situation became so bad the King sent soldiers to the colonies to keep the people there in line. Unbelievably, the people in the colonies took up arms and fought against the British soldiers who came into their colonies. They did this even though Great Britain was considered the strongest military force in the world at that time.

In 1775, this struggle between the colonists in America and the British Army became an actual war. This was the beginning of the American Revolutionary War. On one side were the colonists who were now being trained and organized, under the command of General George Washington, as a regular military force, which they called “the Continental Army.” (Remember, the United States was not a country yet, so there was no U.S. Army.) On the other side were the armed forces of Great Britain. This was truly an all-out war.



Figure 2. This portrait of King George III wearing a general officer's coat was painted in 1771 by Johann Zoffany. The King would have been about 33 years old at the time.

² A “**colonist**” is a person who lives in a colony. Most colonists recognize the authority of their home country over them even though they now live in some other land.

> REVIEW QUESTIONS

1. What is a colony?
2. How did the colonists in America in the 1600's think of themselves?
3. Why do we use the words "English" and "British" as if they were the same?
4. What war did we fight against Great Britain beginning in 1775?
5. Who was the commanding general of the Continental Army during the war?

2. TOWARD INDEPENDENCE

About a month after the Revolutionary War began, representatives from the thirteen colonies gathered in Philadelphia to coordinate their struggle against King George III. They called their gathering the Continental Congress. (Be careful not to confuse this with the *U.S. Congress*, which was not established until over a decade later in 1789.)

As the war progressed, debate arose among the colonists over what they were hoping to gain by fighting against the British Army. Some thought they should remain loyal to Britain³. They believed the war should just be used to convince the King to treat the people in his colonies more fairly. Others thought they should get out from under the King's rule altogether. This became a bitter debate, and the colonists soon became deeply divided over this issue.

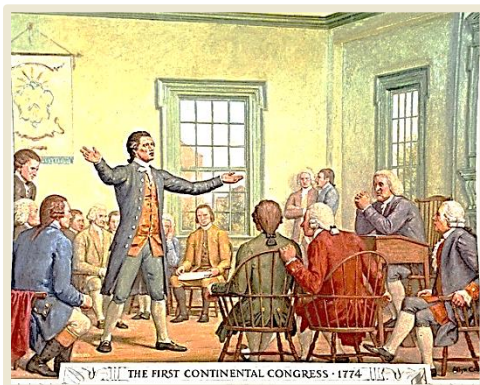


Figure 3. This 1974 mural by Allyn Cox, entitled "The First Continental Congress, 1774," depicts an oration by Patrick Henry in Carpenters' Hall.

The Continental Congress was beginning to realize it needed to answer this question one way or the other. The British authorities as well as the soldiers on both sides needed to understand what was at stake. But just as the people in the colonies could not agree, neither could their representatives agree about it.

³ British colonists in America who wanted to remain under the King's authority were called "**loyalists**."

As the months wore on, a man named Thomas Paine wrote a pamphlet⁴ called “Common Sense.” It openly and persuasively called for independence from Great Britain. Paine’s work was published in January of 1776. It convinced many colonists that breaking completely free from British rule was the only answer to their difficulties with the King of England.

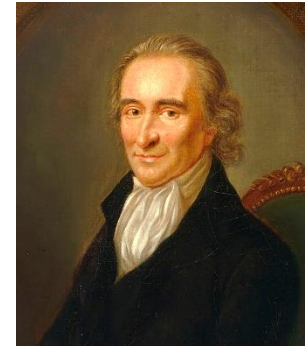


Figure 4. A portrait of Thomas Paine by Laurent Dabos (c. 1792).

As the mood of the colonies became more hostile toward the King, more and more of the representatives in the Continental Congress considered breaking away from Great Britain altogether. This would be a very big and dangerous decision, so they wanted to make sure everyone in Congress clearly understood what they would be voting on. Therefore, they appointed a “Committee of Five” to explain why the colonies might want to separate themselves from the British Empire and become truly independent states. The Committee consisted of John Adams, Benjamin Franklin, Thomas Jefferson, Robert Livingston, and Roger Sherman (Varsity Tutors, 2021).

Once formed, the Committee gave Jefferson the task of writing out a formal Declaration of Independence. This is how it happened that ***Thomas Jefferson wrote the Declaration of Independence*** more or less by himself.

As Congress waited for the Declaration to be completed, they agreed they would not publish it or pursue independence at all unless all thirteen colonies accepted it unanimously. In other words, if any one of the colonies voted against it, they would all give up on independence from the British “motherland.”

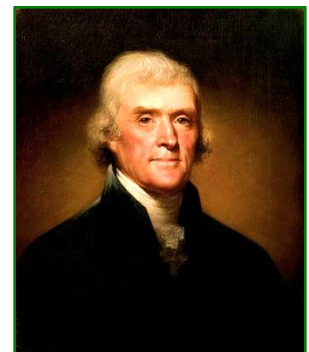


Figure 5. Thomas Jefferson was the sole author of the Declaration of Independence.

⁴ Although most sources categorize “Common Sense” as a “pamphlet,” it was nearly fifty pages long, so it was more like a short book.

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> REVIEW QUESTIONS

6. What was the 1775 gathering of representatives from the colonies called?
7. Who wrote the pamphlet called “Common Sense” urging independence?
8. Who wrote the Declaration of Independence?
9. What would have happened if one colony had voted against independence?

3. THE DECLARATION OF INDEPENDENCE

Jefferson completed the entire Declaration in the summer of 1776. As expected, there was a lively debate in the Continental Congress to decide whether to accept it or not. In the end, twelve of the colonies voted in favor of the Declaration while one colony abstained, which means its representatives refused to vote either for or against the measure.



Figure 6. This famous painting by John Trumbull (1818), simply called the “Declaration of Independence,” depicts Jefferson, together with the other men assigned to the drafting committee, as they present the completed document to the Continental Congress.

⁵ The word “**unanimously**” means everyone agrees, or at least nobody in the group votes against the idea or otherwise actively opposes it.

Since no colony voted against the Declaration, it was accepted as a unanimous decision of all the colonies. ***The Continental Congress officially adopted the Declaration of Independence on July 4, 1776.*** A total of 56 men, representing all 13 colonies, signed the document. This made the declaration official.

The Declaration of Independence officially declared freedom from Great Britain for the American colonists. In other words,

when the Continental Congress published this formal statement, the King of England⁶ was being notified that he had lost his American colonies. On that day, the United States of America was born as a new nation.

The Declaration of Independence is obviously very important, but it is also a remarkably well written document. Its second sentence serves as an excellent example of the Declaration's power. It says, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness" (Jefferson, 1776). This was one of the first and greatest statements of the American ideal of human rights.

Unfortunately, the nation has sometimes fallen far short of this vision. Slavery is not the only example, but it is one of the most obvious cases of our nation failing to live up to Jefferson's concept of human equality. Many of our policies and actions regarding the Amerindian

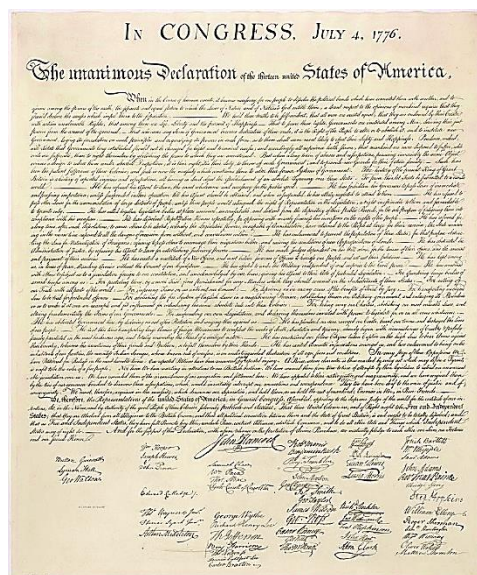


Figure 7. The Declaration of Independence is less than 1,500 words and was written on a single 24 x 30 inch sheet of paper.

⁶ The King of Great Britain and Ireland in 1776 was, of course, King George III. Many of the statements in the Declaration of Independence are direct, personal complaints about the ways King George had mismanaged, neglected, and abused his colonists in America.

peoples also serve as painful reminders of how we have not always followed these lofty principles.

Even so, the right of *all* people to life, liberty, and the pursuit of happiness has always been the American ideal. It may not always be what we have been, but it is at least what we have always thought we should be . . . and we have made progress.

> REVIEW QUESTIONS

10. What was the exact date when the Declaration of Independence was adopted?
11. What did the Declaration of Independence do?
12. What are some of the rights stated in the Declaration of Independence?

4. THE ARTICLES OF CONFEDERATION

After publishing the Declaration of Independence, the Continental Congress wrestled with its next problem. Although the Revolutionary War would go on for several more years, the colonists had to agree on how they would rule themselves now that they no longer accepted the king's authority.

They presented their solution in the form of a document called "The Articles of Confederation." This was a kind of experimental constitution that emphasized the independence of each of the thirteen

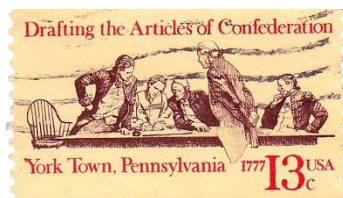


Figure 8. This stamp was issued by the U.S. Postal Service in 1977 to commemorate the bicentennial (200-year anniversary) of the Articles of Confederation.

states, yet it also united all the colonies together for certain limited and highly specific purposes. The Confederation did not create any executive or judicial positions, but it did establish a new Congress of the Confederation to replace the old Continental Congress as the legislative body for the states.

The Articles of Confederation were approved a year after the Declaration of Independence was published. It was then sent to the individual states for ratification. This took a few years, but the Articles

officially came into force in early 1781⁷ and remained the law of the land for the remainder of the decade.

During its nine years, the Congress of the Confederation had a number of achievements. The most noteworthy thing it accomplished was to sign ***the Treaty of Paris of 1783***. ***This document officially ended the American Revolutionary War***. Another well-known accomplishment was to convene a convention that would unexpectedly end up putting the Confederation itself out of business.

> REVIEW QUESTIONS

13. What document served as our “constitution” during the 1780s?
14. What treaty ended the American Revolutionary War?

5. THE CONSTITUTIONAL CONVENTION AND THE FEDERALIST PAPERS

In 1787, the Congress of the Confederation gathered in Philadelphia⁸. Twelve of the thirteen states were represented at this gathering by two or more delegates⁹. (Rhode Island was the one state that did not send anyone to represent them at the convention.)

Many of our nation’s founding fathers were to be found among the Convention’s delegates. George Washington, now retired from his military service, was selected to chair the convention. The oldest member of the convention was Benjamin Franklin. (This is just one of the many reasons Franklin has always been one of the best-known founding fathers of our nation).

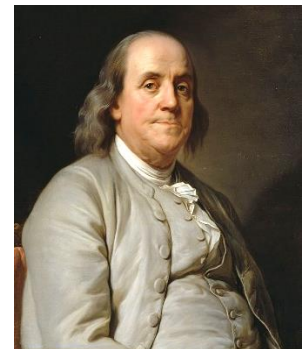


Figure 9. Benjamin Franklin was the oldest member of the gathering that became the Constitutional Convention.

⁷ Most of the 13 states ratified the Articles of Confederation in 1778, but Maryland did not get around to doing so until early 1781.

⁸ The place where they met in Philadelphia is now called Independence Hall. It is an important historical site that is preserved as a national park.

⁹ A “***delegate***” is a representative authorized to speak on behalf of his state.

The Convention's original purpose was to figure out how to run the country more smoothly. Everyone realized this might involve modifying the Articles of Confederation, but few of the delegates thought they would be getting rid of the old system and replacing it with something entirely new.

However, James Madison and Alexander Hamilton, two of the most important delegates at the convention, had already decided that

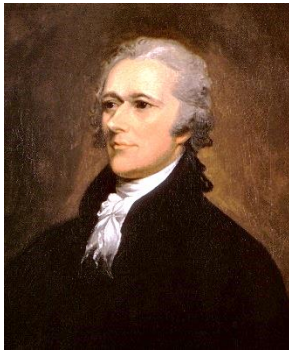


Figure 10. Alexander Hamilton was an important advocate for a new Constitution to replace the Articles of Confederation.

something more drastic needed to be done. They believed the Articles of Confederation made the federal government too weak. They insisted that an entirely new system was needed to govern the states.

As they presented their case and the convention progressed, more and more of the gathered members were persuaded to focus on forming a new system of government with an entirely new constitution. This is why ***the gathering itself came to be known as “The Constitutional Convention.”***

It is one of the most important events in American history and even in world history.

Several proposals were submitted, but the Convention eventually chose James Madison's plan as the best outline for a new federal constitution. Therefore, ***“James Madison is generally regarded as the father of the U.S. Constitution.”*** No other delegate was better prepared for the Constitutional Convention of 1787, and no one contributed more than Madison to shaping the ideas and contours of the document or to explaining its meaning” (C. Sheehan, 2016 The Heritage Foundation).

While his contribution to the Constitution was enormous, Madison certainly did not write the entire document single-handedly. In fact, Alexander Hamilton is widely credited with the initial ideology expressed in the Constitution. Beyond that, Thomas Jefferson and John Adams are also recognized as influential framers of the Constitution (laws.com,

2016). In other words, while James Madison took a leading role, the Constitution was very much a group project¹⁰.

The new Constitution was completed in late 1787, but it was not at all clear that it would be ratified¹¹. Some people thought the Articles of Confederation, which were adopted just a few years earlier, had not been given a fair chance yet. Others feared the stronger federal government described in Madison's new Constitution.

To answer these critics of the proposed Constitution, a series of influential essays was published arguing for its ratification. The authors of these articles were Alexander Hamilton, James Madison, and John Jay. Although the documents were originally released individually, they were later collected into an anthology. Today, it is simply known as "The Federalist Papers." These 85 essays are among the most cherished founding documents of our nation.

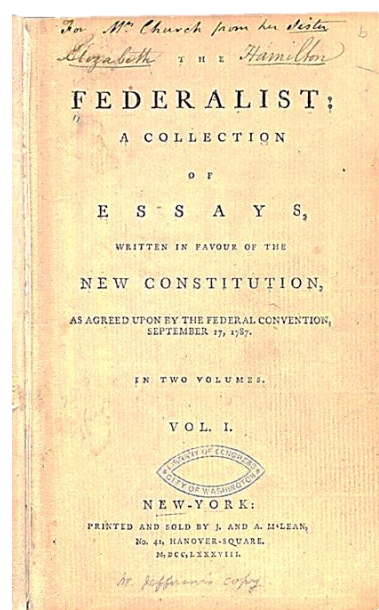


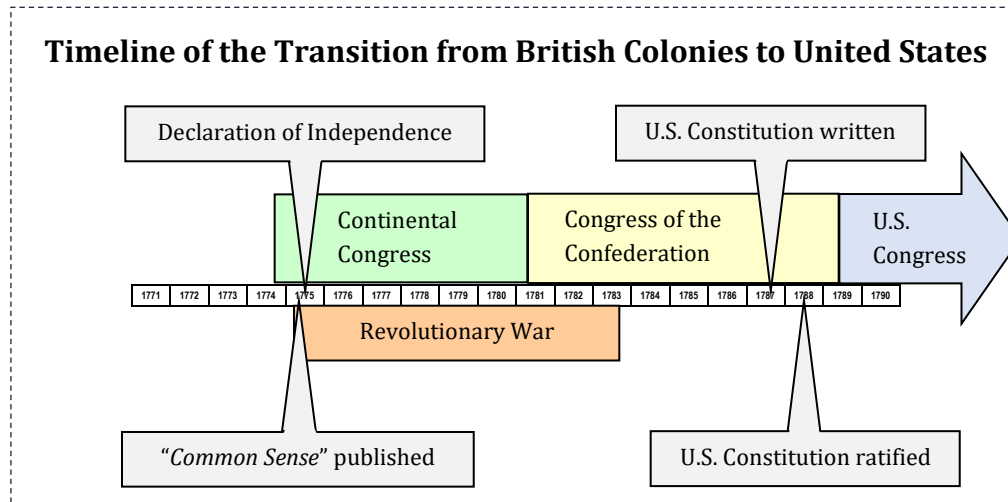
Figure 11. The image above shows the title page of the first collection of The Federalist (1788).

> REVIEW QUESTIONS

15. Where (in what city) was the Constitutional Convention held?
16. What is one thing Benjamin Franklin is famous for?
17. What happened at the Constitutional Convention?
18. Who is sometimes called "the Father of the U.S. Constitution"?
19. Did James Madison single handedly write the Constitution?
20. When was the U.S. Constitution written?
21. What are the Federalist Papers?
22. Who were the three authors of the Federalist Papers?

¹⁰ George Washington also deserves some credit for the document since he was the man responsible for overseeing the Constitutional Convention itself.

¹¹ To "**ratify**" something means to make it official or legally valid by voting for it or signing it (Oxford, 2021).



6. THE CONSTITUTION OF THE UNITED STATES OF AMERICA

Nearly a year after it was written, the U.S. Constitution was finally ratified in the summer of 1788. It would come into force the following year. It has served as the supreme law of the land ever since. That is a span of over 230 years, making ours the oldest constitution still in effect in the world today (www.oldest.org).

Perhaps no other document is as vital to who and what we are as Americans than the Constitution of the United States. This is why ***defending the Constitution is one of the promises made by immigrants when they become citizens of the United States.*** Defending the Constitution is also a promise made when a person joins the military, becomes a U.S. Congressperson, or assumes the Office of the President of the United States.

The first three words of the Constitution proclaim the American idea of self-government. Those famous three words are, "We the People." Most Americans are familiar at least with these words, but we would do well to learn the full opening sentence of the 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.

The Constitution is important because it sets up and defines the government of the United States. It describes the U.S. Congress, the office of the President, and the federal court system. It also outlines the relations among the states as well as the relation between individual states and the federal government. It even provides a process for amending the Constitution itself.

One unique feature of the U.S. Constitution is the balance between centralized federal powers and decentralized state powers. For example, ***one power of the federal government is to make treaties with, or declare war on, other nations.*** Another power that belongs to federal government alone is to print money. By law, individual states cannot do these things.

On the other hand, ***one power of the state governments is to provide public education.*** State governments also have the power to approve and regulate protection and safety services such as police and fire departments.

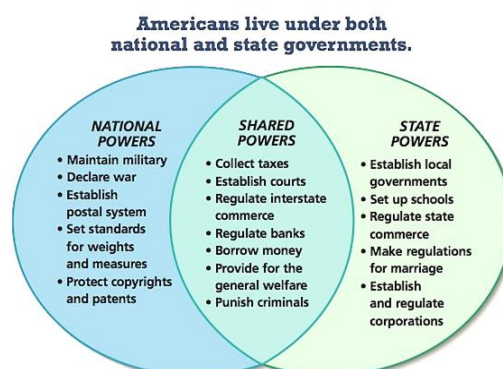


Figure 12. This chart lists major powers of the federal government to the left, major powers reserved to state governments on the right, and powers shared between federal and state governments in the center.

> REVIEW QUESTIONS

23. What is the “supreme law of the land”?
24. What is one promise made when becoming a citizen of the U.S.A.?
25. The idea of self-government is in the first three words of the Constitution. What are these words?
26. What does the Constitution do?
27. What is one power of the federal government under our Constitution?
28. What is one power of the states under our Constitution?

7. CONSTITUTIONAL AMENDMENTS

A Constitutional amendment is a change to the Constitution itself. Article Five of the Constitution outlines the process for making amendments. The procedure is not easy. Ultimately, three-quarters of the states must approve a proposed amendment before it is adopted¹². Perhaps that is why only 27 amendments have ever been added to the Constitution in over 230 years.

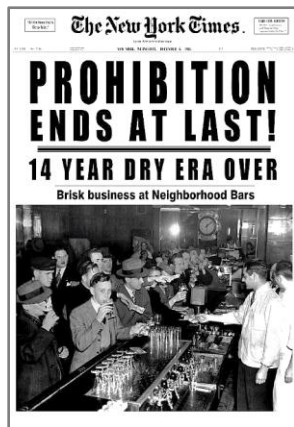


Figure 13. The 21st Amendment abolished the 18th Amendment, thereby ending fourteen years of prohibition in the United States of America.

Surprisingly, an amendment *can* be eliminated once it has been passed. It simply takes a new amendment to undo the earlier amendment. ***The best example of reversing a Constitutional amendment is the case of Prohibition.*** In 1919, the 18th Amendment was ratified. It established the prohibition of alcoholic beverages in the United States by declaring the production, transport, and sale of alcohol to be illegal¹³. However, in 1933, the 21st Amendment was ratified; it repealed the prohibition of alcohol in this country. In other words, it eliminated the effects of the 18th Amendment.

¹² With our current fifty states, a proposed Constitutional Amendment would need the State Legislatures of at least 38 states to approve that Amendment before it was incorporated into the U.S. Constitution.

¹³ Private ownership and consumption of alcohol were not illegal under federal law of that time, but some state and local laws prohibited possession of alcohol as well.

The first ten amendments to the Constitution were submitted all at once, primarily by Congressman James Madison. These were all ratified by Congress in 1791. ***We call these first ten amendments “the Bill of Rights.”***

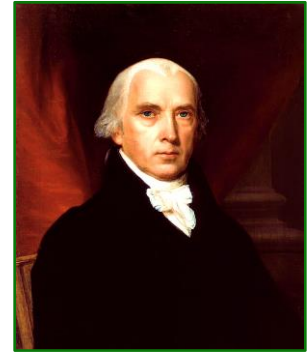


Figure 14. James Madison persuaded Congress to add the Bill of Rights to the Constitution.

The 1st Amendment is probably the best-known portion of the Bill of Rights and therefore the best-known Constitutional amendment in general. It reads as follows:

I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

This one amendment ensures several important rights for all people living in this nation. For example, freedom of speech is one well-known right or freedom from the 1st Amendment. Another is freedom of religion. This means ***people may choose to practice a religion—any religion of their choice—or to refrain from practicing any religion whatsoever***¹⁴. It also means the federal government cannot establish any particular religion as an official or preferred creed of our nation or any of its states. Generations of Americans have cherished these rights.

The 2nd Amendment is also worth mentioning. It is part of the Bill of Rights. It is also widely seen as one of the most puzzling passages of the entire Constitution. It reads as follows:

II. A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

¹⁴ Although the establishment clause of the First Amendment clearly prohibits the creation of a national church, when the amendment was ratified in 1791 it did not eliminate established churches in those [individual] states where they still existed (Vile, 2009).



Figure 15. The Arizona National Guard is an example of a "state militia."

The confusion arises from two phrases in this one-sentence Amendment that seem to conflict with one another. The first phrase ("a well-regulated militia") suggests the point is to let each state form its own citizen army . On the other hand, the third phrase ("the right of the people to keep and bear arms") seems to say citizens have a basic right to own personal weapons. So, is it a right for states to form militias¹⁵, so they need to allow at least some people have weapons; or is it an individual right to have weapons, and therefore it will be easy for states to form militias?

Beyond the Bill of Rights, there are many other important amendments to the Constitution. Several address who can vote in national elections. For example, the 15th Amendment ensures all citizens have the right to vote regardless of their race, color, or previous condition of servitude. The 19th Amendment, which was passed fifty years later, ensures everyone has the right to vote regardless of their sex. The 26th Amendment ensures all U.S. citizens who have reached the age of eighteen years have the right to vote and cannot be exclude on account of age. Each of these amendments moved toward including even more Americans in the democratic process of our government.

Finally, one of the most interesting examples of a Constitutional amendment is the most recent one. ***The 27th Amendment delays laws affecting Congressional salary from taking effect until after the next election of representatives.*** That may sound rather boring, but the interesting thing is that it was proposed in 1789 and then signed into law over 202 years later in 1992 (Wikipedia, 2021).

¹⁵ A "**militia**" is an army composed of citizen volunteers.

> REVIEW QUESTIONS

29. What is a Constitutional amendment?
30. How many amendments does the Constitution have?
31. Once a Constitutional amendment is passed, is there any way to eliminate it?
32. What do we call the first ten amendments to the Constitution?
33. What are some of the rights or freedoms from the First Amendment?
34. What is freedom of religion?
35. What is the legal voting age currently set by amended U.S. Constitution?

8. STATE CONSTITUTIONS

Arizona wrote its state constitution prior to entering the Union in 1912. Just as the U.S. Constitution sets up and defines the government of the United States, the Arizona Constitution sets up and defines the government of Arizona. In fact, each of the fifty states of the United States has a state constitution for precisely the same reason. The 1912 Arizona Constitution is still in force in the Grand Canyon State today.

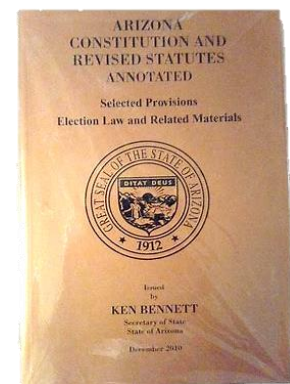


Figure 16. The Constitution of the State of Arizona is the governing document and framework for the State of Arizona.

> REVIEW QUESTIONS

36. Does the state of Arizona have its own state Constitution?