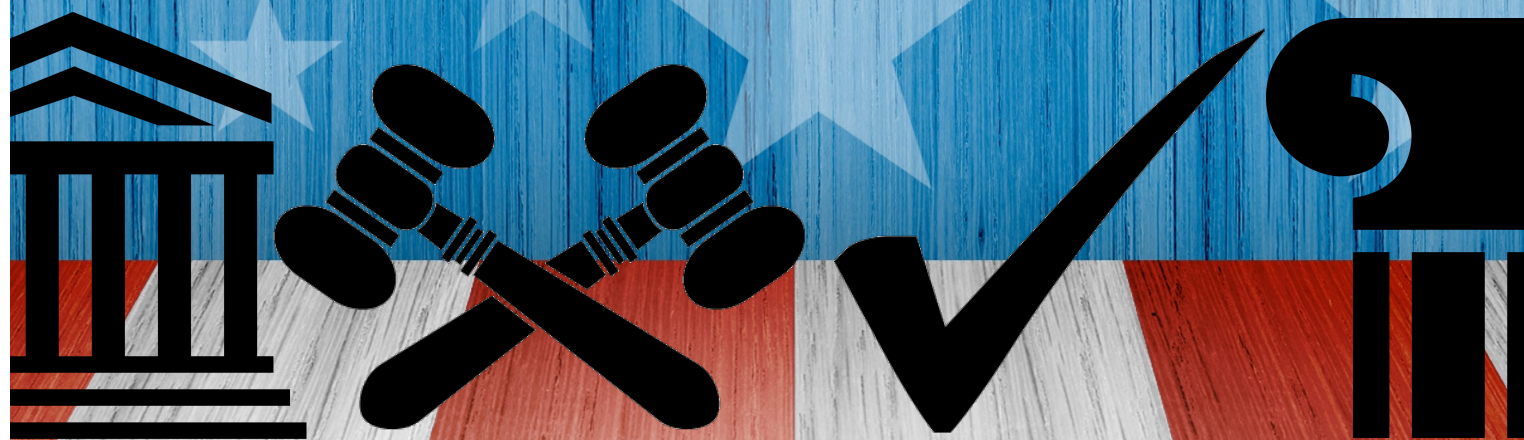


MI OPEN BOOK PROJECT

# CIVIC LIFE



Hillary Baker, Travis Balzer, Annemarie Conway, Kelly  
Dutcher, Katie Hintz, Kymberli Wregglesworth

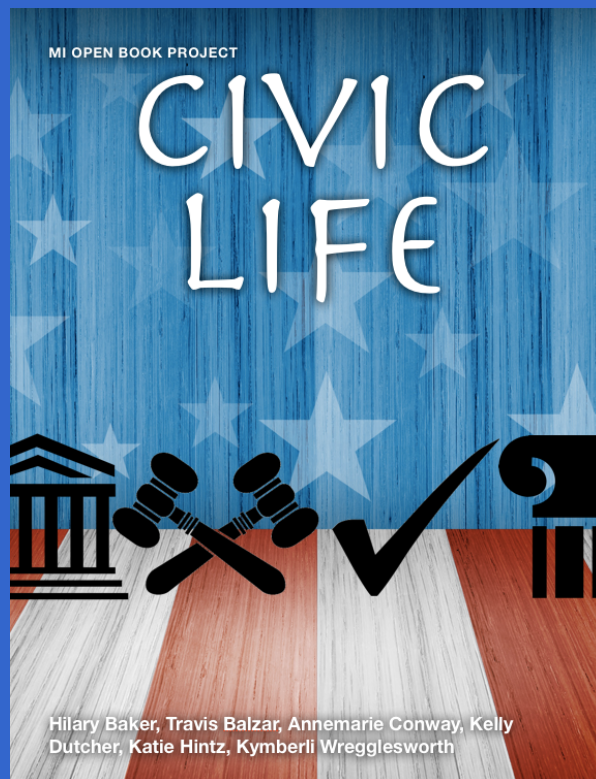


# About the Authors



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**OPEN BOOK PROJECT**





This is version 1.5.2 of this text, released August 2018

Information on the latest version and updates are available on the project homepage: <http://textbooks.wmisd.org/dashboard.html>



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## The Michigan Open Book Project

Project Manager: Dave Johnson, Wexford-Missaukee Intermediate School District

HS World Team Editors: Linda Start, the Michigan Center for Civic Education and Rebecca Bush, Ottawa Area Intermediate School District

### Authors

Hillary Baker - East Kentwood High School

Travis Balzar - Shepherd Public Schools

Annemarie Conway - Charlevoix Public Schools

Kelly Dutcher - Harbor Springs Public Schools

Katie Hintz - Gladwin Area Schools

Kymerli Wregglesworth - Onaway Consolidated School District



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### Hillary Baker

**East Kentwood High School**

**East Kentwood Public Schools**

*"Hillary Baker has spent twenty-two years teaching social studies in the high school setting. She has taught Civics, Criminal Law, Advanced Placement U.S. Government and Politics, U.S. History, Sociology, and Humanities. In addition, she has coached and advised various social studies co-curricular programs such as the We the People...The Citizen and the Constitution Congressional Hearing Simulation as well as Model United Nations. Baker has been recognized as the 2014 American Lawyer Alliance's Law-Related Education Teacher of the Year as well as the Michigan Civic Educator of the Year in 2014. She also has served in a leadership capacity for the College Board A.P. Reading since 2008. Baker began her teaching career in Traverse City Area Public Schools where for seven years she taught in an integrated, interdisciplinary Humanities Program as well as other social science courses such as A.P. U.S. Government and Politics and Sociology. She has spent the last fifteen years teaching at East Kentwood High School and currently also serves as an Instructional Coach in the building. She is a graduate from the University of Michigan where she earned a B.A. in Politi-*

### Travis L. Balzer

**Shepherd Public Schools**

*Shepherd Public Schools*

Travis L. Balzer is a Shepherd High School social studies teacher concentrating in Economics, Civics and History. Mr. Balzer (Mr. B) resides in Shepherd with his bride Haley, and daughters Makayla and Mia Jean. A Gladwin High School graduate. Parents Vicki and Teddy reside in Gladwin. Travis' sister, Kristal and two sons, Isaac and Adam reside in the Lansing area. Mr. Balzer earned an Economics and Management degree from Albion College and proceeded to obtain teaching certification from Saginaw Valley State University in Social Studies. In addition, obtaining a masters in Educational leadership from Grand Valley State University. Hunting, exercising including P90X, biking, running and outdoor activities are great ways that time



### Annemarie Conway

**Charlevoix Middle-High School**

*Charlevoix Public Schools*

Annemarie Conway teaches AP US Government, psychology, sociology, American Government, and economics for Charlevoix Middle High School. She graduated from Kalamazoo College with her bachelors degree in political science. She earned her Masters of Education with an emphasis in History from Grand Valley State University. Throughout her teaching career she has worked with AP College Board as a reader, table leader and question leader for the US Government & Politics AP exam. She also sponsors Charlevoix's Model United Nations program.







## **Kelly Dutcher**

### **Harbor Springs Public Schools**

#### *Harbor Springs High School*

Kelly teaches Economics, Civics, U.S. History, and College Readiness at Harbor Springs High School. Aside from teaching, she is also a Michigan Youth in Government advisor, and class of 2017 sponsor. Mrs. Dutcher is a graduate of Lake Superior State University where she received her BS in Social Studies and Secondary Education. She is currently working towards receiving her MA in American History and Government at Ashland University, and was awarded the James Madison Memorial Fellowship in 2014. Kelly loves teaching at the high school level, and helping bring social studies to life for her students. She shares her life with her husband Jordan and three young daughters: Daphne, Au-

## **Katie Hintz**

### **Gladwin Public Schools**

#### *Gladwin High School*

Katie is completing her seventh year as a teacher at Gladwin High School, where she has taught every Social Studies course available, including: American Government, Sociology, Current Events, World History, Economics, Social Problems in the United States, and Law. A graduate of Saginaw Valley State University's Secondary Education Program, she majored in History, minored in Sociology and earned a Social Studies Endorsement. As Social Studies Department Chair, she was inspired to participate to the Open Book Project because of the disjointed resources that most economics teachers are forced to scrape together to create a captivating curriculum.

Currently, she is working on completing her Masters in Global History at with American Public University. Her final thesis on the Food Industry is due to be published September, 2015.

Katie spends her time outside of the education world raising her two boys, Connor and



## **Kymberli Wregglesworth**

### **Onaway Area Consolidated Schools**

#### *Onaway High School*

Kymberli has a BA in history and political science from Alma College, a MA in education from Michigan State University, and will be completing her MA in American History and Government from Ashland University this spring upon completion of her thesis on suffragist and equal rights activist Alice Paul. She was named a James Madison Fellow in 2011 and was chosen as the Michigan Council for the Social Studies High School Educator of the Year in 2015. Kymberli returned to her high school alma mater where she teaches Civics, World History, Current Events, Women's Studies, and World Cultures, as well as serving as National Honor Society adviser and executive director of the Miss Onaway Scholarship Program. When not doing history geek stuff, she enjoys spending time in the



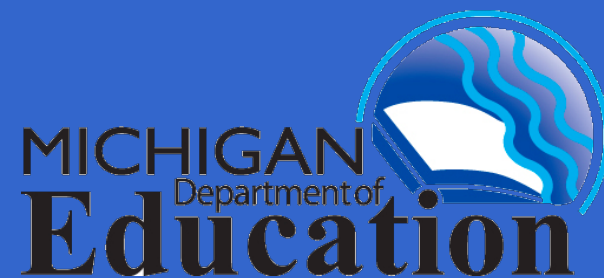


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Jim Cameron, Michigan Department of Education

Melissa Kieswetter, Michigan Department of



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## **Linda Start**

### **Michigan Center for Civic Education**

*Former Executive Director*

Linda Start has served as the Executive Director of the Michigan Center for Civic Education for more than twenty-five years. Start has presented at hundreds of school districts across Michigan and is sought out as a speaker for many national civic education conferences. As the Executive Director of the Michigan Civic Education Center, Start served on the Committee to draft the Michigan Civics Standards and presented the Civics Standards and Benchmarks to the Michigan State Board of Education. Start served on a Review Committee for the National Standards in Civics and Government. Start represents Michigan in several national networks of civic educators. In addition, Start was asked to join a group of civic education experts in the United States to work with emerging democracies in Eastern Europe. Start has worked closely with civic educators in Poland, Ukraine, the Czech Republic, and Slovakia. A

## **Rebecca Bush**

### **Instructional Consultant**

*Ottawa Area Intermediate School District*

Rebecca Bush is currently the Social Studies Consultant at the Ottawa Area Intermediate School District (OAISD), where she assists K-12 social studies teachers in developing curriculum, modeling instructional strategies in social studies literacy, and designing district-level formative and summative assessments. Additionally, as Project Director, she has written and received multiple Teaching American History grants, working with teachers throughout an eight-county radius. She has presented at various national conferences on multiple topics surrounding social studies instruction as well as innovative techniques and topics in formative and summative assessment design. Currently she is Co-Project Director of The Performance Assessments of Social Studies Thinking (PASST) Project and assists with the professional development of teacher writers for the MI Open Book Project where she serves as an editor of several of the project's texts. Rebecca currently leads the Michigan Social Studies Supervisors Association and is a member of the National Social Studies Supervisors Association Executive Board of Directors. She is also an adjunct professor at Hope College in Holland, MI



## **David A. Johnson**

### **Project Manager**

*Michigan Open Book Project*

Dave began his career teaching 8th grade United States History in Mesick, Michigan. After almost a decade in the classroom, he took a job at Wexford-Missaukee Intermediate School District (WMISD) as an Instructional Consultant for Social Studies. He is shared across 11 ISDs in Northern Michigan that form the Northern Michigan Learning Consortium. He completed his Masters in Educational Leadership through Central Michigan University in 2011 and is Co-Project Director of the Performance Assessments of Social Studies Thinking (PASST) Project in addition to his duties as the Project Manager for MI Open Book.



## Chapter 4

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# How Has the Meaning of Citizenship Changed Over Time?

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What does it mean to be a citizen?

What changes in the laws have impacted citizenship in the United States?

What is dual citizenship?



# The Meaning of the Constitution

## QUESTIONS TO GUIDE INQUIRY

1. What does it mean to be a citizen?
2. What changes in the laws have impacted citizenship in the United States?
3. How has citizenship been expanded to include more groups of Americans than ever before?

### Terms, Cases, and People:

citizen  
Dred Scott v. Sandford  
dual citizenship  
Fourteenth Amendment  
Indian Citizenship Act  
jus soli  
jus sanguines  
permanent resident  
undocumented immigrant



Kofi Annan once remarked, "No one is born a good citizen; no nation is born a democracy. Rather, both are processes that continue to evolve over a lifetime..."

As you learned in the beginning chapters, the Framers' ideas about government were influenced by their study of history, political philosophy and their own experiences. The concept of **citizenship** was not a new one in the United States.

In the ancient city-state of Athens, citizenship was granted to property owning men of certain classes and even freed slaves. While women, slaves and some foreigners were protected under the law, they did not enjoy the rights of those granted full citizenship. Check out this video about Athenian citizenship.

Citizenship was also important in ancient Rome, where almost all men, except slaves, were considered citizens and participated actively in their government...at least until the fall of Rome.

Unlike Athenians, American citizens have the right to determine

### **Interactive 4.1** Athenian Citizenship



*Learn more about citizenship in Athens in this video. (Requires internet connection)*



what role, if any, they will play in our political process. But what exactly does it mean to be a citizen in the United States? Why is citizenship so important to the American political tradition? How has the meaning of citizenship evolved in the United States?

A citizen is someone who is entitled to the legal rights granted by a state, and who is obligated to obey its laws and to fulfill certain duties. Living in the United States does not mean that someone is automatically a citizen. Permanent residents, people who have been lawfully admitted to the United States, are also granted certain legal rights and protections even if they are not citizens. For example, residents can live and work anywhere in the United States, attend public schools, join our armed forces and can also qualify for some Social Security benefits as well.

Typically, people who are granted permanent resident status are immigrants who are related by birth or marriage to U.S. citizens or possess important job skills needed in the United States. Unlike citizens, permanent residents may not be able to hold public office or vote in elections. Why should someone consider becoming a citizen if they are not? Check out a list of all of the privileges of citizenship in the United States.

#### **Interactive 4.2** Roman Citizenship



*Learn more about Roman Citizenship at this website.*

Except for voting or holding public office, permanent residents in the United States enjoy all the rights of American citizens. Residents were guaranteed constitutional rights under the due process and equal protection clauses of the Fourteenth Amendment, because these two key provisions apply not only to citizens, but to all persons. In fact, in *Yick Ho v. Hopkins*, a unanimous Court held that equal protection clause did apply to resident aliens.

Undocumented immigrants, those who do not have legal status to live or work in the United States, currently number about 11.5 million people and have ignited public debate about immigration reform in the United States. These immigrants still have legal responsibilities, such as obeying the law and paying taxes and males still need to register for military service. In 2014, thousands of unaccompanied minors fled Central America, crossing over into the United States. Find out more about why children were making this difficult journey on their own by watching this

#### **Interactive 4.3** Citizenship



*Check out a list of all the privileges of citizenship in the United States.*

#### **Interactive 4.4** Voice of America



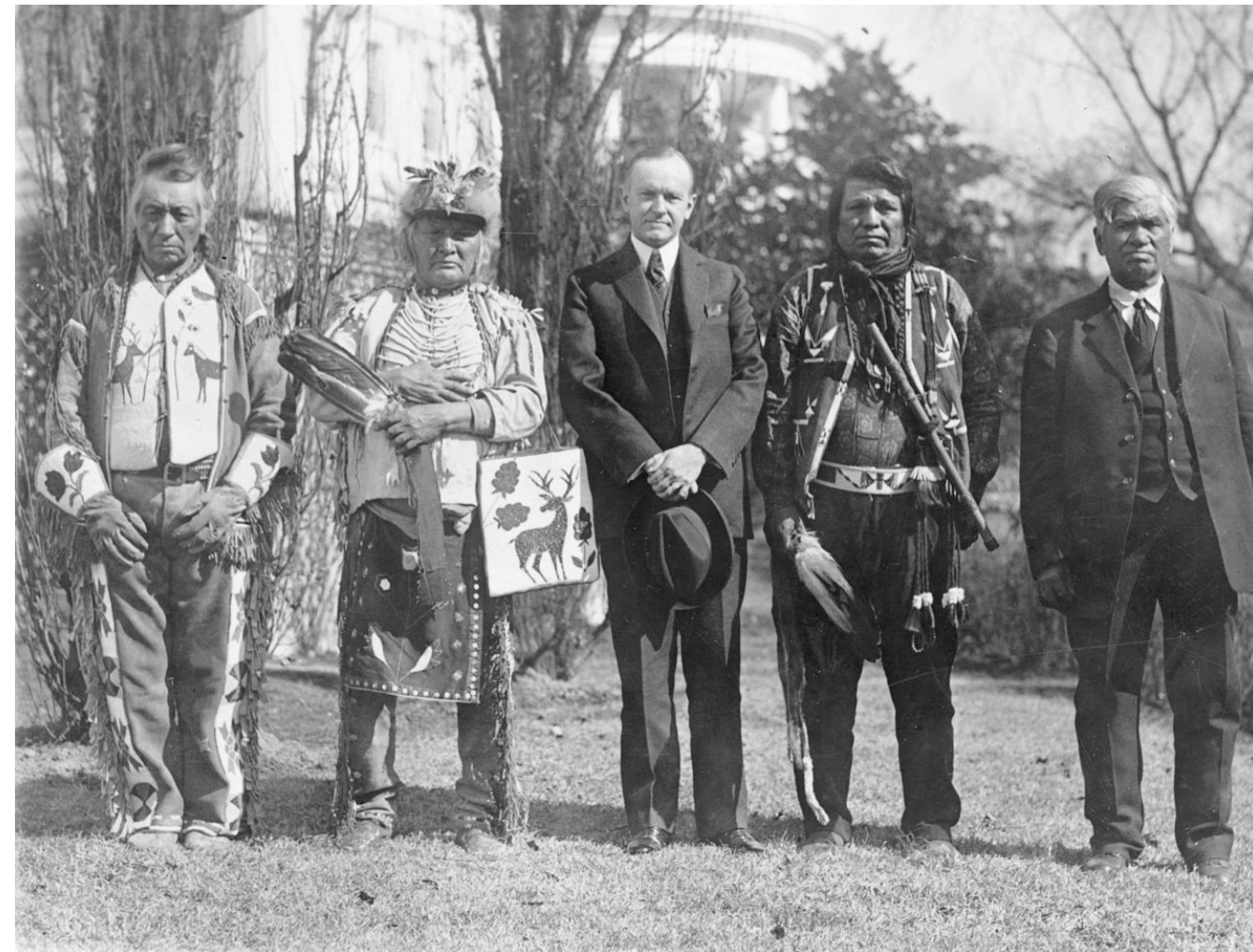
*Find out more about why children were willing to make this difficult journey on their own by watching this video.*

video. As a result, President Obama approved a plan to allow these children to apply for refugee status requiring that undocumented children must receive a court hearing before being deported.

While the United States' Constitution included phrases regarding "citizens of the State" and a "citizen of the United States" when drafted in 1787, it did not define what a citizen is or what citizenship would mean. The delegates at the Constitutional Convention could not agree on the definition of national citizenship, because they would have had to determine whether slaves and free African-Americans were citizens of the United States. So, the definition of national citizenship was to be decided not by the national government, but by the states.

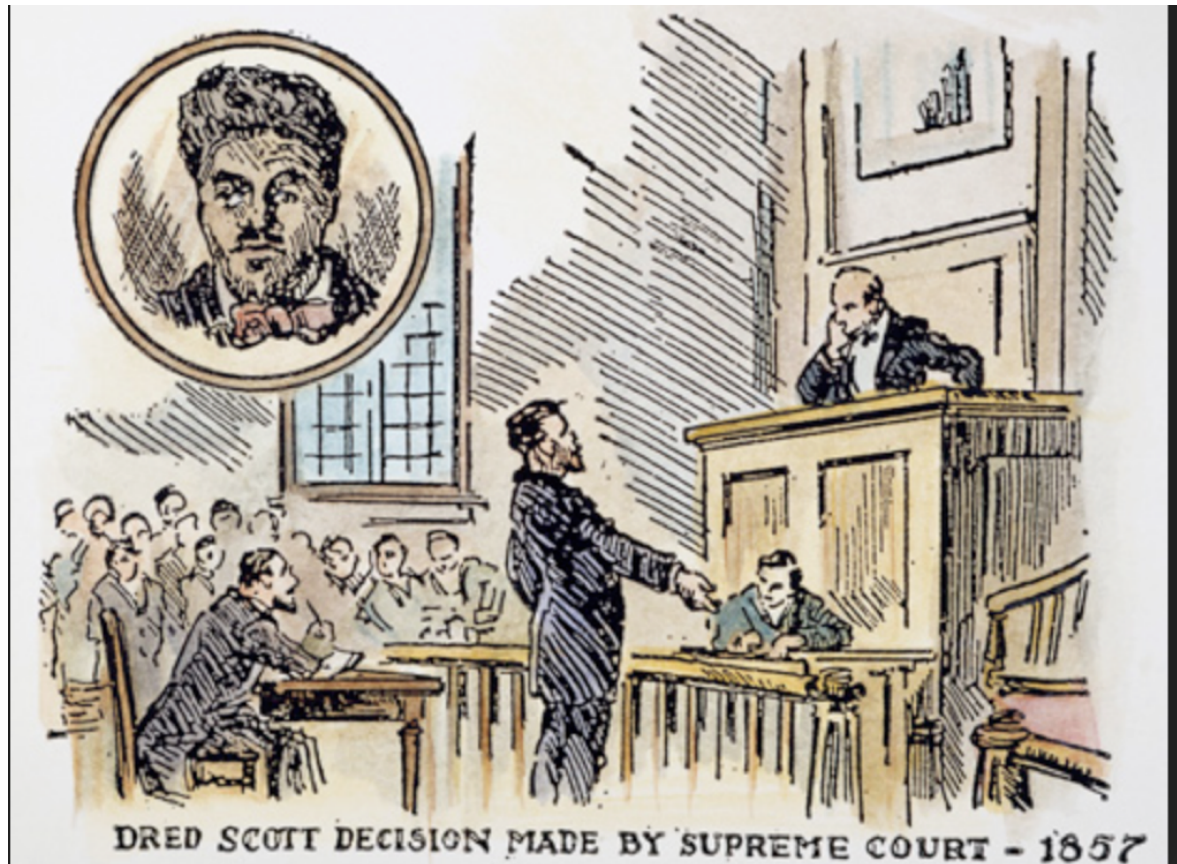
In the time between the American Revolution and the writing of the Constitution, some states required property ownership or religious qualifications for citizenship. Most states also passed residency requirements while some only allowed "free whites" to become citizens. Native Americans were not recognized as citizens, but rather wards of the government until the Indian Citizenship Act was passed in 1924. This law granted Native Americans citizenship to both the United States and to the states where they lived; however, most were still denied the right to vote by many state laws until 1957. For example, Arizona denied tribal members the right to vote because they argued that they were "wards of the government," and Utah denied voting rights

because they claimed that tribal members were only residents of their own nations and not residents of the State of Utah.



As early as 1850, the Michigan Constitution contained provisions that would allow tribal members to become citizens of the State of Michigan as long as they could demonstrate they were "civilized." Regrettably, it was still easy to exclude Native Americans from state citizenship, because the criteria was still discriminatory.





The national government's first real test regarding citizenship came in 1857. In *Dred Scott v. Sandford*, Scott, an enslaved African American born in Virginia, was declared not to be a citizen and therefore could not sue for his freedom in federal court. Chief Justice Roger Taney argued that the Framers never meant to include slaves under the protections of the Constitution.

Not until the passage of the Fourteenth Amendment in 1868 would the Constitution define national citizenship. Written by Senator Jacob M. Howard from Michigan, Section 1 states: "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." The citizenship clause provides

for two types of citizenship: national and state.

The Fourteenth Amendment is based on the concept of **jus soli**, a Latin term meaning "law of the soil" or "right of birthplace." This idea means that any child born in the United States, no matter the citizenship status of his or her parents, is a citizen of the United States. Since Congress was granted the delegated power "to establish a uniform rule of naturalization" in Article I, Section 8, Clause 4, Congress has also passed laws that U.S. territories, such as Puerto Rico and the Virgin Islands, are also considered part of U.S. soil. Children born of foreign diplomats living in the United States are excluded from citizenship, because they are "not subject to the jurisdiction of the United States" as stated in the Fourteenth Amendment. They can be considered permanent residents.

**Interactive 4.5** Study.Com  
- Dred Scott



*For a more in depth overview of the facts related to this case watch this video.*



The United States is not the only nation that gives citizenship to people simply by being born on the nation's soil.

Citizenship in the United States is also determined by the concept of jus sanguinis - "law of the blood" which means that a child inherits the citizenship of its parents. In 1898, in *United States v. Wong Kim Ark* the Supreme Court was asked to determine whether a child born in the United States to parents of Chinese descent was a U.S. citizen by birth. The court ruled that the government cannot deny citizenship to anyone born within the United States, including Wong Kim Ark.

Still, the Fourteenth Amendment does not define all of the details regarding citizenship in the United States. Congress has passed additional laws clarifying birthright citizenship in Title 8 of the U.S. Code.

#### **Interactive 4.6** Citizenship Rights Around the World



*The United States is not the only nation that gives citizenship to people simply by being born on the nation's soil. Check out this interactive map to see what other countries also confer birthright citizenship:*

#### **Interactive 4.7** Supreme Court Cases



*Learn about other Supreme Court cases that have ruled on issues regarding citizenship by clicking here to see cases ranging from 1875 to 2008.*

#### **Interactive 4.8** Ways to Become a Citizen



*Read this to learn more about the various ways a person can be born a citizen.*





Although the law seems simple, it can get complicated. Senator Ted Cruz, a candidate who sought the Republican Presidential nomination, faced criticisms about whether he would meet the Constitutional requirement of being a "natural-born" citizen to qualify as President of the United States if elected to office.

Although Senator Ted Cruz renounced his Canadian citizenship, **dual citizenship** is possible. It means that someone may be a citizen of two or more countries. The following countries permit dual citizenship: Canada, France, Mexico, Australia and the United Kingdom to name a few. Japan requires that a Japanese national holding dual nationality to choose when they turn twenty years old. Germany and India do not permit dual citizenship.

Check out the following regional maps to see which countries around the world allow dual citizenship.

At one time the United States banned dual citizenship until the ban was struck down by the Supreme Court in 1967.

So, let us move on to learn how people become citizens if they are not born in the United States or are not granted automatic citizenship through their parents.

### Interactive 4.9 Dual Citizenship Around the World



Infographic courtesy of MoveHub. <http://www.movehub.com/blog/dual-citizenship-around-the-world-map>

*View this interactive infographic to learn more about dual citizenship around the world.*

# Becoming a Citizen of the United States

## QUESTIONS TO GUIDE INQUIRY

1. How does someone become a citizen in the United States?
2. What requirements must be met to become a citizen?
3. Should the naturalization process be changed?
4. Can citizenship be taken away?

## TERMS, PLACES, PEOPLE

naturalization

Naturalization Act of 1790

Alien and Sedition Acts

denaturalization

expatriation

green card

Oath of Allegiance

If you have always lived in the United States, you might not have thought about what it would be like to come here as an immigrant and navigate the path to citizenship.

To get a feel for how young immigrants might feel about coming here, visit this site. Read the stories of these young immigrants and watch their videos to hear firsthand about how they feel about being here in the United States. What new understandings might you have after hearing their stories?

Let's bring this closer to home. Who is coming to Michigan? Open this link, click on Michigan and look at the immigration data for our own state.

The goal in this section will help you gain a greater understanding of how people become citizens of the United States, the criteria they must meet to apply for citizenship and how citizenship might be taken away.

Congress passed its first rule for **naturalization** in the Naturalization Act of 1790. This rule simply stated that "free white persons" living in the United States for two

**Interactive 4.11** Meet Young Immigrants - Scholastic.com



**Interactive 4.10** State Migration Policies



*Let's bring this closer to home. Who is coming to Michigan? Open this link, click on Michigan and look at the immigration data for our own state.*



years could be granted citizenship as long as they exhibited good moral character and swore allegiance to the Constitution.

Five years later, Congress changed the rule to increase residency to five years, and tweaked the wording to read that the person applying must be “attached to the principles of the Constitution...”, and renounce all allegiance to any foreign nation.

Naturalization laws became stricter in 1798. The Alien and Sedition Acts declared that noncitizens had to reside in the United States for at least fourteen years to qualify for naturalization and even authorized the President to deport noncitizens who were citizens of foreign countries with which the United States was at war. Eventually, the 14-year residency requirement was dropped to five years where it has remained. Recent changes in the laws now make it easier for non-citizens serving in the military to become naturalized citizens.

For a more complete timeline of the different laws regarding naturalization and immigration from 1790 to the 21st century, check out this resource by the Migration Policy Institute.

Today, most foreign citizens become citizens of the United States by making their way through the multi-step naturalization process. Let’s examine the criteria that a noncitizen must meet before they even can apply for naturalization. An applicant must meet all of the following criteria:

- Be at least 18 years of age;
- Be a lawful permanent resident (green card holder);
- Have resided in the United States as a lawful permanent resident for at least five years;
- Have been physically present in the United States for at least 30 months;
- Be a person of good moral character;
- Be able to speak, read, write and understand the English language;
- Have knowledge of U.S. government and history; and
- Be willing and able to take the *Oath of Allegiance*.

#### **Interactive 4.12** Major US Immigration Laws, 1790-Present



*For a more complete timeline of the different laws regarding naturalization and immigration from 1790 to the 21st century, check out this resource by the Migration Policy Institute.*

In the previous section, you learned that a permanent resident is someone who is lawfully in the United States and has applied for this status. No person can qualify for naturalization unless they hold permanent resident status and possess a green card: a legal document showing a permanent resident has the right to live and work legally in the U.S.

After reviewing the criteria for

naturalization, do you think any of the criteria should be changed? Why or why not?



**Interactive 4.13**  
Immigration Nation



*To learn more about the different ways that people can legally reside in the United States, play the interactive game Immigrant Nation created by ICivics here. (NOTE: Requires Flash)*

**Interactive 4.14**  
Immigration Nation



*To learn more about the different ways that people can legally reside in the United States, play the interactive game Immigrant Nation created by ICivics here. (NOTE: Requires Flash)*

Once a person meets the above criteria they can formally apply for naturalization by filling out the 21-page application from the USCIS, the N-400 form. Take a look at the form and pay attention to what needs to be completed. What information must someone share to apply for citizenship?

With the application, an applicant must pay a \$700.00 filing fee.

To help non-citizens through the naturalization process, the USCIS has produced a video. Watch the video to learn about the entire process.

As you learned in the video, part of the process includes an interview. During the interview, officials need to determine that the applicant can read, write and speak English. This is also the time when the applicant for citizenship takes the Citizenship Test demonstrating their knowledge of U.S. government and history. The USCIS officer can ask up to 10 questions from a list of 100 questions. To pass the exam, 6 of the 10 must be answered correctly.

**Interactive 4.15** N-400 Form



**Interactive 4.16** Becoming a US Citizen - A Video Overview from USCIS





A 2012 survey by Xavier University concluded that only one-third of Americans could pass the civics portion of the U.S. citizenship test, while the immigrant pass rate is 97.5%.



The Oath of Allegiance is as follows:

"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."

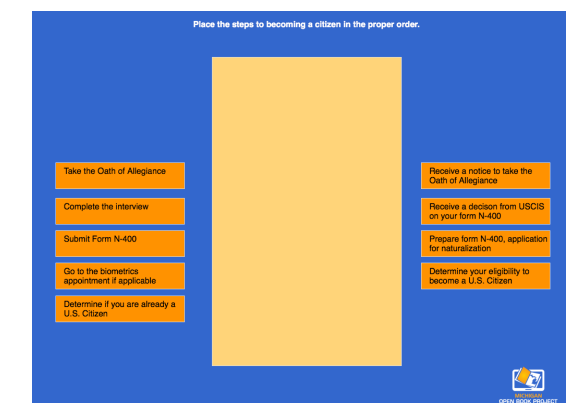
Some argue that the wording of the Oath should be changed while others believe that all Americans should be required to take the Oath of Allegiance when they register to vote. Would you support any of these changes? Why or why not?

Here's the 10-Step process. Pretend you have to go through the naturalization process. Put the following 10 steps in the correct order so that you can become a naturalized citizen.

Once you are a citizen- either through birthright or through naturalization - it is something that is guaranteed. Chief Justice Earl Warren, writing in a dissenting opinion in 1958, stated:

"Citizenship is man's basic right, for it is nothing less than the right to have rights" and that "a government of the people cannot

### Interactive 4.17 Becoming a Citizen



*Place the steps in the correct order.*

take away their citizenship simply because one branch of that government can be said to have a conceivably rational basis for wanting to do so.” (Perez v. Brownell). In other words, he reminds us that citizenship status is so important that government must not be able to strip people of their citizenship without good reason.

A person can, however, lose their citizenship status. How? Government can denaturalize, or revoke, a person’s citizenship if they commit certain actions. A person can also voluntarily give up their American citizenship if they do one of the following actions:

1. Become a naturalized citizen in another country
2. Take an oath of allegiance for another country
3. Serve in the armed forces of another country that is at war with the United States
4. Accept a job with a foreign government if (a) one has the nationality of that foreign state or (b) a declaration of allegiance is required in accepting the position;
5. Formally renounce U.S. citizenship
6. Be convicted of an act of treason.

Giving up American citizenship is a very serious thing to do and once you do it, you won’t get it back. Congress passed a law in

1868 that provided Americans with the right to voluntarily give up their citizenship. This process is called **expatriation**.

In 2015, the United States saw a record number of people who renounced their American citizenship. Can you think of reasons why someone might be willing to renounce their citizenship?

Citizenship can also be revoked if a naturalized citizen commits fraud or misrepresents facts during the naturalization process. In these instances, people are guaranteed due process rights and a federal court must determine if a violation of the law has occurred. Read this story about Grace Li whose citizenship was revoked in 2014.

Now that you understand how one becomes a citizen, there are important rights and responsibilities that come with citizenship. You will find out what those are in the next section.

## Interactive 4.18

### Relinquished Nationality



*Check out the list of Americans who have renounced their citizenship. What trends, if any, do you see when you look at Americans who have given up their American citizenship?*



## Section 3

# Rights and Responsibilities of Citizenship

### QUESTIONS TO GUIDE INQUIRY

1. What are the personal, political, and economic rights of citizens in the United States?
2. What are the responsibilities connected with citizenship? Why are they important?

### TERMS, PLACES, PEOPLE

Buckley v. Valeo (1976)

Inalienable rights

Personal rights

Political rights

Economic rights

Positive rights

Negative rights

Texas v. Johnson (1989)

Universal Declaration of Human Rights

West Virginia v. Barnette (1943)

Personal responsibilities

Civic responsibilities

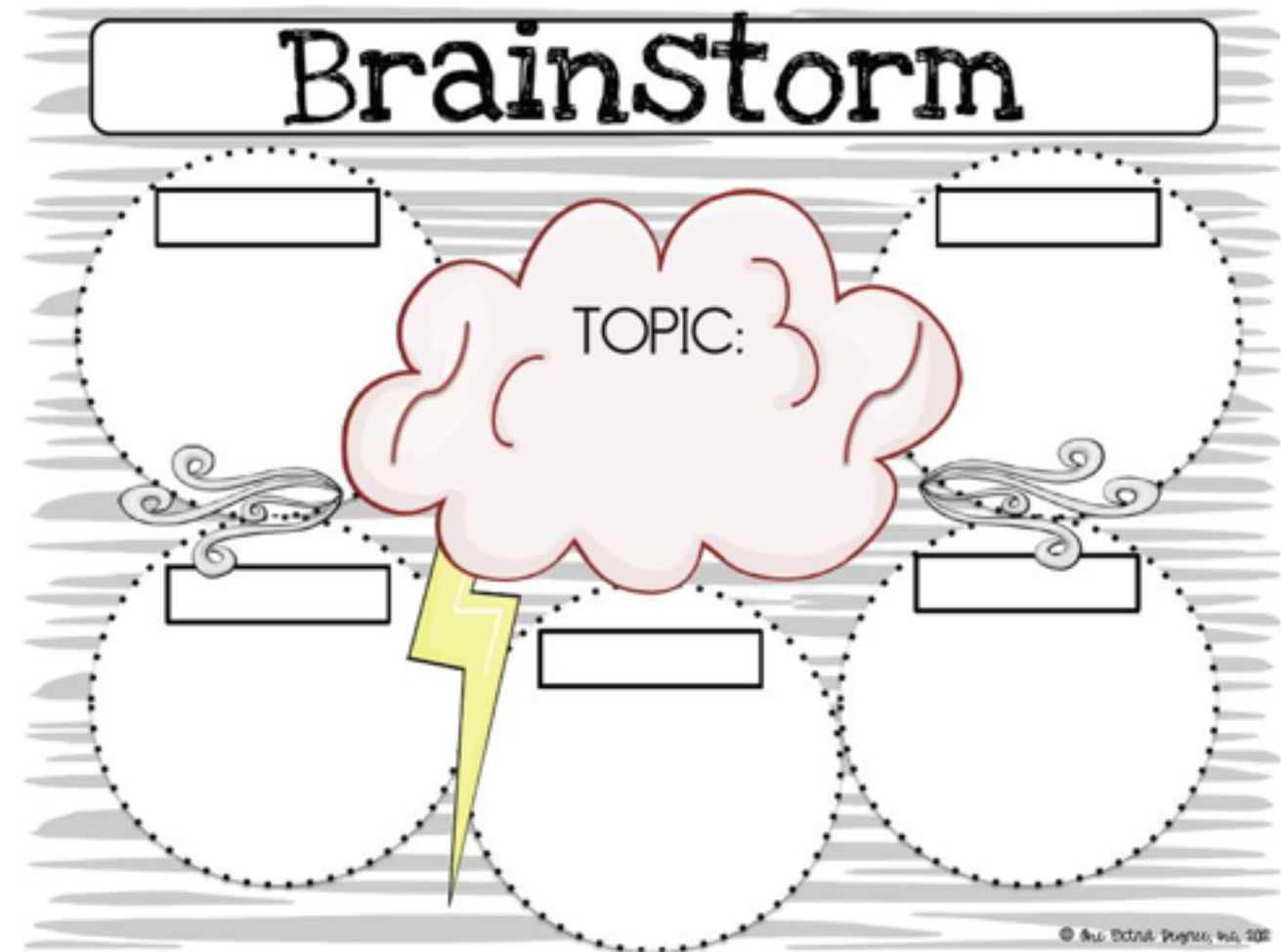


“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.”

These iconic words, expressed in the Declaration of Independence and influenced by natural rights philosopher, John Locke, remind us of the social contract that people have with their government. It is government's duty to secure rights, and if it fails, then "...it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security." You learned that the rights listed in the excerpt above are considered inalienable rights - rights that you are inherently born with and cannot be given up or taken away.

It is essential today for citizens to understand their specific rights in order not only to benefit from exercising those rights, but also to recognize and to resist when those rights might be infringed upon by government at all levels. Additionally, it is also important for us to understand that there is a relationship between both rights and responsibilities. How can we have the right to a trial by jury if we don't meet our obligation and serve on a jury when that jury summons comes in the mail?

In this section we will explore not only the types of rights that Americans possess, but the different obligations and responsibilities that come with these rights.



Before we begin, take a moment and brainstorm a list of all of the rights that you believe people have in the United States today.

How might these rights be categorized or grouped together? Are some rights more important than others? Where do these rights come from? Which of these rights, if any, are protected in the U.S. Constitution? The Michigan Constitution?



In order for American constitutional democracy to work, citizens must have an understanding of the origin and evolution of our rights if we are expected to continue to make sure our rights are protected. But, the idea of rights can mean different things. This section traces the different types of rights that exist and how they might apply to your life right now.

Back in Chapter Two you were introduced to some documents that were created to try to prevent the abuse of power on government's part and to protect the rights of people. Both the Magna Carta (1215) and the English Bill of Rights (1689) are examples of documents that listed specific rights of individuals and groups that were to be recognized by government leaders. Need a refresher? Watch this video on the Magna Carta.

#### **Interactive 4.19** The Magna Carta



*Need a refresher? Watch this video on the Magna Carta.*

Once the American colonies issued the Declaration of Independence, these new states also wrote their own constitutions. Almost all of the states began their constitutions with bills or declarations of rights. They felt that the guarantee of rights was so important that they put them at the front of their constitutions. Take some time now and visit this interactive chart.

Roll your mouse over the different state documents. You will then see which specific rights were listed in each state's declaration of rights.

One way of looking at rights is through the lens of whether a right can be classified as a negative right or a positive right. Negative rights can be described as rights that expressly limit the power of government. They tell government what they cannot do to limit people's rights. The rights found in Magna Carta and in our Bill of Rights, are, for the most part, negative rights. They restrict government action instead of encouraging it. Where there is wording that says, "Congress cannot..." that's a good indication that it is a negative right. For example, Congress cannot make a law to establish religion as written in the First Amendment.

On the other hand, positive rights are rights that require government to do something - to take positive action to guarantee rights. Rather than restricting government from doing something, positive rights require government to do something.

The Fourth Amendment requires government to protect us from unlawful searches and seizures by requiring government officials to have valid warrants based on probable cause. Positive rights can also go beyond requiring government to take steps to protect our rights, but also take positive action to help promote the

#### **Interactive 4.20** Declaration Interactive



wellbeing of its people. Unlike the earlier documents, the Universal Declaration of Human Rights contains examples of positive rights, such as the right to marry or the right to an education.

In 2012, U.S. Supreme Court Justice Ruth Bader Ginsburg went to Egypt on a trip and was interviewed about whether Egypt should use the U.S. Constitution as a model to develop their new Constitution. Her response, which caused some controversy, was that a better document to look to might be the South African Constitution because it was ...”a deliberate attempt to have a fundamental instrument of government that embraced basic human rights,...” She claimed that South Africa had included positive rights, such as freedom from discrimination - rights that the U.S. Constitution had not included.

Another way to categorize rights focuses on their types.

The first type of rights are often described as personal rights.

Personal rights, generally, are those rights that allow a person to choose to do what he or she wants as long as it does not infringe on the rights of others. These rights are usually within our private

realm where government should not intrude. Revisit your list from earlier in this section. Which rights would you consider personal rights?

The most commonly acknowledged personal rights include rights such as freedom of belief and conscience, right to privacy, the right to live where you want, and the right to travel where you want. They also include freedom to associate, or hang out, with whomever you choose. You can choose your friends without government

officials interfering with your choices.

In other words, these rights can be summarized as the right to be let alone.

An example of the Court protecting students’ rights to believe what they

want can be seen in the case *West Virginia v. Barnette* (1943).

The West Virginia State Board of Education passed a policy that required teachers and students to salute the flag, and if they did not, they could be deemed “insubordinate” and punished. The Supreme Court struck down the policy and decided that requiring

#### Interactive 4.21 Positive and Negative Rights

The diagram is a blue rectangle divided into two yellow boxes. The left box is titled 'Positive Rights (Drag all here)' and contains four orange text boxes: 'The people shall have the right to freely assemble together.', 'No soldier shall, in time of peace, be quartered in any house without the consent of the owner.', 'No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment.', and 'Every person has a right to bear arms for the defense of himself and their state.' The right box is titled 'Negative Rights (Drag all here)' and contains four orange text boxes: 'Everyone has the right to rest and leisure, including the reasonable limitation of working hours.', 'Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.', 'No one shall be subjected to arbitrary arrest, detention, or exile.', and 'Everyone has the right to leave any country, including his own and return to his country.' At the bottom right of the diagram is a small logo for 'OPEN BOOK PROJECT'.

*Can you tell the difference?*





students and teachers to recite the Pledge of Allegiance was unconstitutional. The Court claimed that government could not “force citizens to confess by word or act their faith in matters of opinion.”

Political rights, or those rights that guarantee our freedom to engage in the political process in the United States, are also important to our understanding of rights in the United States.

Without these rights, we would not be allowed to participate in our representative democracy. Some political rights include:

- Freedom to vote
- Freedom to exercise political speech and attend rallies
- Freedom to run for public office
- Right to petition government
- Freedom to support political candidates



The United States Supreme Court has decided cases clarifying our political rights. For example, in *Texas v. Johnson* (1989) the Court ruled that Mr. Johnson’s burning of the American flag was considered a form of political expression and protest and was protected under the First Amendment - even if the audience disagreed with the message Mr. Johnson was portraying.

Another way in which the Supreme Court has protected our political rights is by ruling on issues related to campaigns. In 1976 in *Buckley v. Valeo*, the Supreme Court said that government did not have the right to determine how much money someone running for political office could spend on their own campaign. Restricting someone’s ability to spend money was considered a violation of their freedom of speech rights under the First Amendment.

The last category of rights are economic rights. Economic rights are enshrined in our American political culture. The Fifth Amendment’s provision - “No person shall...be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation” - shows how important our economic rights are to our liberty in the United States.

Economic rights include the right of people to buy property and sell property, and use their private property as they see fit without unreasonable government interference. People also have the right to seek a job where they please and to change jobs if they

want. Also, people have the right to join labor unions if they choose, and can enter into contracts with others.

State and federal governments have passed laws that protect people's intellectual property, such as copyrights and patents.

When we illegally download music, movies or video games, we are hurting the economic rights of those who created these products. The Supreme Court in *MGM Studios v. Grokster* (2005) ruled that companies that distributed file-sharing software allowing others to infringe on copyright could be held liable.

Generally, we have the right to participate in any lawful economic activity without government restriction. However, some believe that the government should take a more active role in promoting economic equality in the U.S. Congress passed the Equal Pay Act of 1963 (EPA) to try to erase wage disparities based on gender. The EPA provides that the employer may not pay lower wages to employees of one gender than it pays to employees of the other gender, employees within the same establishment for equal work at jobs that require equal skill, effort, and responsibility, and that are performed under similar working conditions. Fifty-three years later, a woman still makes 79 cents for every dollar made by a man. Should government take more action to ensure equal pay? Should equal pay be considered an economic right?

President Barack Obama signed into law on January 29, 2009 the Lilly Ledbetter Fair Pay Act, which extended the amount of time



that people could bring a lawsuit against an employer for employment discrimination in compensation. This law is also another example of checks and balances in action since this presidential action overturned a 2007 Supreme Court ruling in *Ledbetter v. Goodyear Tire and Rubber Company* which put strict time restrictions on filing complaints for persons who might have suffered pay discrimination in the workplace.

Now that you have a better understanding of the different kinds of rights, we will explore the responsibilities that come with citizenship. As citizens, we cannot simply focus on our rights without recognizing that there are certain obligations that accompany our rights.



Influenced by philosophers such as Montesquieu and Rousseau, the Founders emphasized the idea that citizens need to contribute to the society and exercise civic virtue. To the Founding generation, becoming an American was primarily a matter of allegiance to the political ideas of the nation. Good citizenship implied a moral responsibility for good conduct and an acceptance of the nation's political principles. This is our implicit consent to the social contract; there are times when we need to set aside our own personal interests to exercise our obligations as citizens.

Citizens have both personal and civic responsibilities. Personal responsibilities can generally be described as those obligations that a person assumes for themselves - taking on responsibilities based on the choices we make in life. These are obligations we make to ourselves and our families. Here are some examples of personal responsibilities:

- Taking care of oneself
- Accepting the consequences of one's decisions and actions
- Acting on moral principles
- Considering the rights of others
- Behaving in a civil manner

- Supporting one's family

On the other hand, civic responsibilities are those duties that each person has to society. They are the responsibilities of being a good citizen. Here are some examples:

- Obeying the law
- Paying taxes
- Respecting the rights of others
- Being informed & paying attention to issues
- Monitoring political leaders
- Deciding whether and how to vote
- Participating in civic groups
- Serving as a juror
- Serving in the Armed Forces

Are these responsibilities legal or moral? Some of them are required by law, or statute, while others might simply be considered moral duties that good citizens should practice.

While many countries, such as Israel, Italy, Russia, and Finland, require some of their citizens to participate in military service, the United States does not require military service unless during a military draft. However, all males in the United States are legally required to register for selective service as dictated by the Selective Service Act when they turn 18 years old. Visit the Selective Service System's website to find out more about this law and how you (if you are male) register for Selective Service.

This may soon include females as well. In April 2016, the House Armed Services Committee approved an annual defense bill that included a provision requiring women to also register with Selective Service.

Some nations, such as Australia and Belgium, legally require all citizens to vote, but there is no legal requirement to vote in the United States. Since we have the right to vote, however, it is our responsibility to vote intelligently, informing ourselves of the issues and candidates. Thomas Jefferson once wrote that "information was the currency of democracy," and without information, we cannot cast a thoughtful ballot. Jefferson was also a strong proponent of a public education system so people could become an informed electorate.

Some of the responsibilities listed above do not only apply to those who are legal citizens, but also are required of all people who live in the United States. For example, a person must be a citizen to participate on a jury in the United States. However, if a

noncitizen is summoned for jury duty, the person is still required to appear to the court to explain his or her citizenship status or risk facing penalties that might include deportation out of the United States.

Many claim that for our representative democracy to survive and thrive, citizens must understand the system and find their place in it. However, sometimes, these personal and civic responsibilities can conflict with each other. One example is jury duty. While a person is legally required to report for jury duty, doing so might interfere with his or her ability to go to work and make money to provide for his or her family.

Review the two types of responsibilities above. Write about a situation or scenario that illustrates how these two types of responsibilities might come into conflict with each other.



# THE DIVERSITY OF YOUTH ENGAGEMENT

## Section 4

Despite references to a single “youth vote,” CIRCLE’s analysis of American youth reveals diverse backgrounds and experiences, leading to a variety of forms and levels of political engagement. This infographic explores the results of a cluster analysis of American youth in 2008 and 2010. Graphs show each cluster’s level of engagement across five forms of participation.

# Participating in Civic Life

VOTED

VOLUNTEER

DONATE

DISCUSS POLITICS

COMMUNICATE VIA  
INTERNET OFTEN

## QUESTIONS TO GUIDE INQUIRY

1. Does constitutional democracy require citizen participation?
2. What are the different ways people can participate in civic life?
3. Are all forms of participation effective?

## TERMS, PLACES, PEOPLE

Civic virtue

Common good

Civic engagement

Civil disobedience

Social capital

Former U.S. Ambassador to the United Kingdom, Walter Annenberg, once remarked that “citizenship is every person’s highest calling.” Americans have a right to determine what level of involvement, if any, they want to play in the political processes in their communities, states and national governments.

In Chapter Two, you explored various civil rights movements to extend the rights of various groups, such as women, Native Americans, and African Americans. You were asked to consider how well America is living up to the ideals and principles established at the nation’s founding. Now, it is time to consider the different ways that people might participate in the American experiment of self-government. So why ARE some people more involved than others in participating in civic life? How might people participate and are some forms of participation more effective than others?

## Interactive 4.22 The 10 Commandments of Citizenship



*Let’s begin by listening to this podcast by former U.S. House of Representatives member Lee Hamilton. In 2008, he shared what he calls The Ten Commandments of Citizenship.*

Hamilton insists that for any real change to occur in government it must begin with us, and that being a responsible citizen takes commitment on our part to be civically engaged.



Many people who hear terms like civic engagement or civic duty, think of voting. Many teenagers express that they do not believe they

can make any difference in their communities, state or nation, because they are simply too young to vote. This, however, could not be further from the truth. Civic engagement refers to the ways in which people participate in the life of their communities or improve the conditions and quality of life for others using political and non-political processes. Given this definition, anyone - no matter their age- can join groups to make their community a better place.

Americans have a rich history of being involved and working with others to improve their society. Classical republicanism emphasized people exhibiting **civic virtue**, or putting aside their

own personal interests to work toward the common good. French historian Alexis de Tocqueville visited the United States in the 1830s and was impressed that Americans formed voluntary associations to solve community problems and take care of one another.

In his book, *Democracy in America*, he described how freedom of association helped Americans to organize themselves into groups to address concerns rather than relying on the government to solve problems. He observed that Americans were “public spirited” and aware they were responsible for helping to achieve the common good.



#### Interactive 4.24 Tocqueville



*Want to retrace his journey across America? Go [here](#) and follow the CPAN School Bus that stopped at the same locations he did to explore issues he raised.*

#### Interactive 4.23 The Common Good



*To review the philosophical origins of the concept of common good, [click here](#).*



## Interactive 4.25 Reflection



*What do you decide?*

Many Americans are actively engaged in civic life by belonging to various groups and organizations in their communities. Look at the table to see the different types of groups people can join that contribute to civic engagement:

<b>Service &amp; business organizations</b>	<ul style="list-style-type: none"><li>• Address a variety of interests from business networking to community service</li><li>• Ex: Rotary, Lions Club, Kiwanis</li></ul>
<b>Religious organizations</b>	<ul style="list-style-type: none"><li>• Churches are involved in various community service, such as caring for the sick, elderly or poor. Many sponsor youth activities and advance civil rights in the U.S.</li><li>• Ex: Catholic Charities, Habitat for Humanity, mission trips</li></ul>
<b>Social organizations</b>	<ul style="list-style-type: none"><li>• Primarily provide opportunities to socialize with others and to assist one another. Many perform community service activities, such as athletic events for youth, offering scholarships to students in need.</li><li>• Ex: Boy/Girl Scouts, sports clubs, book clubs, Little League, 4H Clubs</li></ul>
<b>Nongovernmental organizations (NGOs)</b>	<ul style="list-style-type: none"><li>• Nonprofit organizations that depend on volunteer service to address issues of concerns to their members. These groups also influence policy making through lobbying and public education</li><li>• Ex: Amnesty International, Mothers Against Drunk Drivers, Athletes for Peace</li></ul>

Joining organizations allows people to work together toward a common goal, which helps them to become attached to their communities and more politically engaged. In 2000, Robert Putnam, a professor at Harvard University, wrote a book *Bowling Alone: The Collapse and Revival of the American Community*, documenting how much more disconnected people are becoming. He found in his research that people are less apt to join community organizations, engage with their neighbors and even sign fewer petitions. He contends that this decline in social capital is damaging our communities.

Beyond belonging to different organizations, there are many ways citizens can participate in their local, state and national governments. Individuals may formally participate by voting for

Here is a list of some of the ways that people can participate in civic life:

- Writing, circulating or signing a petition
- Writing letters or sending emails to elected representatives
- Voting in local, state and national elections
- Donating money to a political party or candidate
- Joining or starting an interest group around an issue or policy
- Running for public office
- Serving the country through military or other service
- Discussing civic problems and issues with friends and neighbors
- Becoming informed by reading, watching programs or doing research about public problems by yourself or with others
- Attending public meetings about an issue to gain information, discuss issues or lend support (school board, city commission, etc.)
- Using social media to follow elected representatives
- Organizing or participating in a boycott or protest
- Working on a campaign for a candidate or an issue
- Attending "town hall" meetings
- Joining a political party
- Create an issue ad or a website to bring attention to an issue
- Testifying in front of a public body

representatives or voting directly on legislation through referendums, holding office, serving as an election official and doing jury duty. More informal ways of participating include writing letter or articles on public policy issues, participating in initiative, referendum and recall campaigns, or attending public meetings.

While this is not an exhaustive list, it shows the many different ways that people can get involved in government. Here are some examples of people are exercising their civic engagement in various ways in our own state of Michigan.

- In April 2016, singer Bruce Springsteen warned Michigan fans at his concert that if the Michigan legislature passed anti-LGBT legislation he would boycott the state like his band recently did in North Carolina. This simple act of bringing attention to a public issue can be effective at mobilizing people to put pressure on a government to pass or not pass a law, especially when there may be an economic consequence.

- In 2015 and 2016, not only did thousands of people donate money, bottled water and water filters to help with the Flint Water Crisis, but residents of Flint organized community groups, such as Flint Rising, to mobilize the community.

- Over concerns of an aging oil pipeline under the Straits of Mackinac citizens and organizations have teamed up to create a movement, and are urging citizens in Michigan to sign a petition to shut down Line 5 to prevent an oil spill. To find out more, visit their website: <http://www.oilandwaterdontmix.org>

- After the sudden death of her teenage son playing a high school basketball game, Jocelyn Leonard has been active in donating AEDs to high schools around Michigan, and she will be testifying in Lansing to support a bill that would require high school students to learn CPR as a graduation requirement.

Read the scenarios below and identify which methods of civic participation would have the greatest impact. Consider the advantages and disadvantages of each method.

1. A group of parents of school-aged children are opposed to the increased use of standardized testing in their children's schools and they want to make changes to the policy.

2. A group of high school students are upset by a new school policy that requires 25 hours of community service as a graduation requirement.

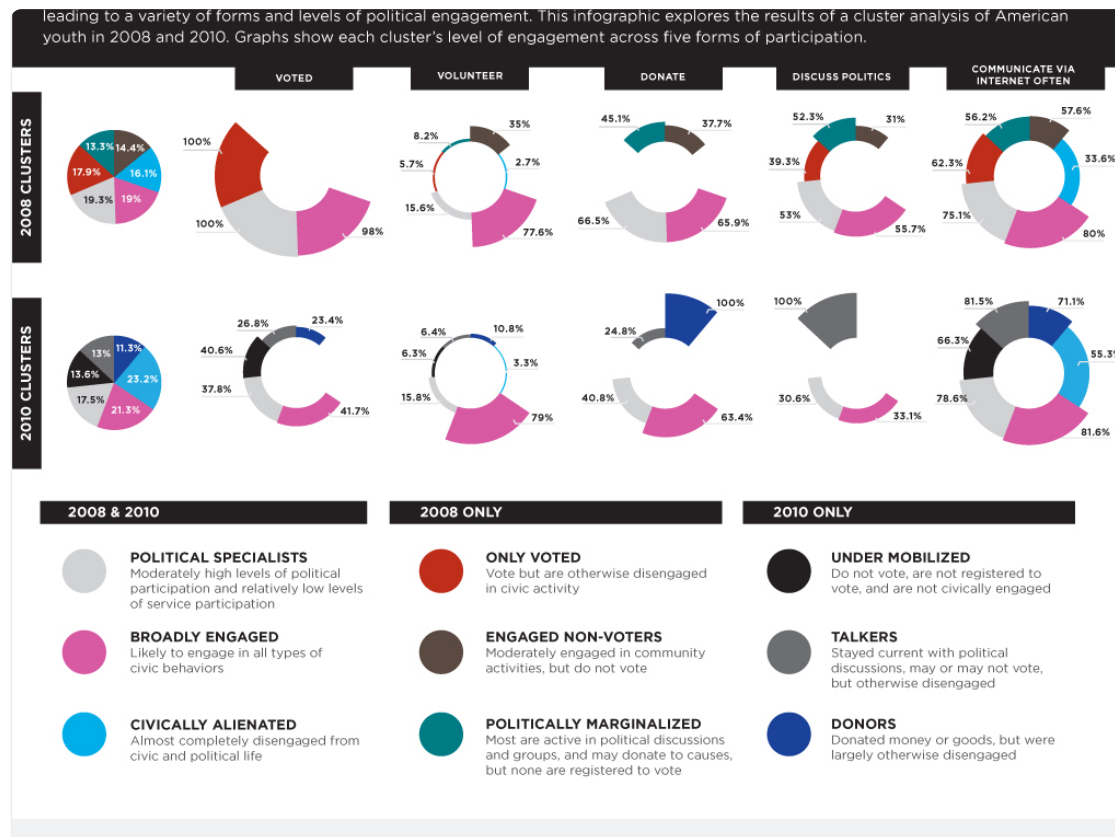
3. A group of college students in Michigan are concerned about the rising tuition rates and are afraid of leaving college with student loan debt that they won't be able to repay.

How civically engaged are young people in the United States?

Many studies have been done to explore political participation of American youth. Check out this infographic created by CIRCLE which shows youth engagement in 2008 and 2010.

Reflect on your own current activities across these five forms of participation. Which of the nine descriptions might best represent you? Why?

## Gallery 4.1 Infographic



Click to make larger Source: <http://civicyouth.org/wp-content/uploads/2011/11/clusters-infographic-web.jpg>

## Interactive 4.26 The Importance of Civic Participation



*In an attempt to educate young people about their importance in our governmental system, the Center for Congress at Indiana University created an E-learning Module on the importance of civic engagement. Take some time right now and work your way through the nine parts of the module. As described on their website, you will have a better understanding of how to participate and make a difference:*



Sometimes acting alone is not as effective as working with others to bring attention to important public policy issues. People can join political parties, interest groups, labor unions and other organizations who can put political pressure on lawmakers.

These groups can lobby public officials directly or indirectly, engage in civic writing, attend meetings and solicit contributions.

You learned in Chapter Two about how Native Americans, women and African-Americans used a variety of tactics to push for change in the United States. These groups engaged in **civil disobedience** as a strategy to affect change. This section will explore the role of civil disobedience as a form of political participation.

Civil disobedience is a deliberate, open, non-violent action which breaks the law. It involves the willingness to accept the punishment for the lawbreaking. It is not the same thing as rebellion or revolution, but rather an action that is based on a moral conscience and a recognition of a higher law.

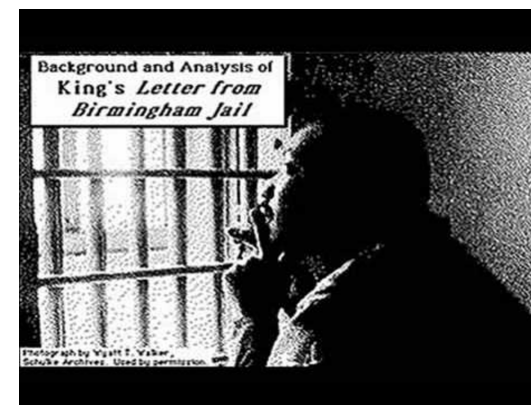
Civil disobedience has been used throughout US history to achieve political goals. During the pre-Revolutionary colonial period, the Boston Tea Party was an act of civil disobedience against the British Crown. Later, women were arrested when they attempted to vote to bring attention to being disenfranchised. Abolitionists also disregarded the law to push for the end slavery in the United States. It is important to note that these groups resorted to civil disobedience only after their

use of their freedoms under the First Amendment - right to petition, free speech and assembly- proved unsuccessful.

For example, Henry David Thoreau explained in an essay in 1848 why he preferred going to jail rather than paying taxes to a government that was at war with Mexico and enforced slavery as an institution. Read his original essay titled “Resistance to Civil Government.” This web-text version created by Virginia Commonwealth University allows you to click on phrases and parts of the text to learn more about the meaning behind the text.

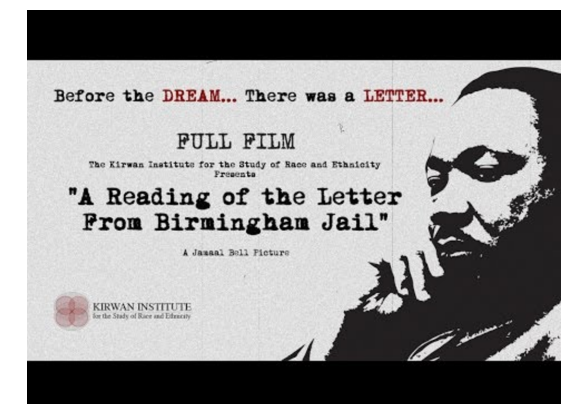
Another example of civil disobedience to affect policy change was the efforts of Dr. Martin Luther King, Jr in promoting civil rights. Beginning with the Montgomery Bus Boycott until his death in 1968, he was a living testament to non-violent civil disobedience. While jailed in Birmingham, Alabama in 1963, he wrote his Letter from Birmingham Jail, where he argued his case

#### Interactive 4.27 Letter from Birmingham Jail



To hear Dr. King read the first couple of pages of the Birmingham Letter, [click here](#).

#### Interactive 4.28 Full Film Birmingham Jail



For a more complete reading of the entire text with compelling images, please take some time and watch this full documentary.

for direct nonviolent action when other efforts to change unjust laws failed.

Dr. King's work led to sweeping changes in civil rights legislation, including the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

#### **Interactive 4.29** U of M Teach In +50



*In 2015 to commemorate the teach-ins, this video was made showing actual footage as well as interviews of those who attended and organized the event and how this strategy is now being used to bring attention to current issues regarding the environment and climate change.*

We can look at Michigan for historical examples of civil disobedience. Students and professors at the University of Michigan staged “teach-ins” in 1965 to protest U.S. involvement in the Vietnam War. In 2015 to commemorate the teach-ins, this video was made showing actual footage as well as interviews of those who attended and organized the event and how this strategy is now being used to bring attention to current issues regarding the environment and climate change.

Today, civil disobedience is still being used . The NAACP called for civil disobedience in Flint because of the Flint Water Crisis.

We also just witnessed over a thousand people getting arrested

in Washington, D.C. protesting a variety of issues - namely voting rights, and the influence of big money in political campaigns in the United States. Numerous groups have united and formed a coalition known as Democracy Awakening that is working to propel a movement focused on reforming politics as we know it.

Pericles, an Athenian statesman, once remarked: “We do not say that a man who takes no interest in politics is a man who minds his own business; we say that he has no business here at all.”

Although this is not ancient Greece, our representative democracy functions best when people take interest in politics. It is up to you to make a conscious choice to get involved in your communities and to affect change in government. If you do not, others certainly will. It will be up to you to determine the actions and strategies that you will feel comfortable using to have your voice heard in the political process. If the American experiment of self-government is going to work, then it is up to us to take responsibility in participating in civic life.

# Current Issues in Civic Life

## QUESTIONS TO GUIDE INQUIRY

1. What reforms can be made to increase voter turnout?
2. Are voter ID laws hurting democracy?
3. Should felons be allowed to vote once they have completed their sentences?



Now that you have learned about citizenship in the United States and the various ways to participate in civic life, it is time for you to demonstrate how you would address this text's compelling question: How can you participate and make a difference in our representative democracy?

In this section you will to consider two current issues that connect to our ideas of political participation and the nature of what it means to be a citizen. You will



consider current reforms regarding voting in the United States and immigration. Then, the challenge is to put into practice the various skills connected to civic life.

## Voting

In 1964 Chief Justice Earl Warren in *Reynolds v. Sims* commented, “The right to vote freely for the candidate of one’s choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government.” Over fifty years later our nation is still becoming that “more perfect union” where we continue to extend opportunities for people to have a voice and a vote in our government.

You learned previously that voting is one of the rights and responsibilities of citizenship in the United States.

However, it has been a long journey to guarantee suffrage for different groups of people over the course of our nation’s history. Review this timeline that documents actions related to voting since 1776 up to 2009.

One of the obstacles African-American voters had to overcome was passing a literacy test to vote in elections. How would you have fared on

### Interactive 4.30 CivicEd.Org - Election Timeline



*Review this timeline that documents actions related to voting since 1776 up to 2009.*



Alabama Literacy Test given in 1965?

### Interactive 4.31 Voting Test



*How would you have fared on the Alabama Literacy Test given in 1965? Download it here and take the 68-question test.*

Not only have five formal Amendments (15th, 19th, 23rd, 24th and 26th) been made to the U.S. Constitution to expand suffrage, Congress has also passed laws regarding voting in the United States. Our history of suffrage is a complicated one.

Watch this succinct TED-ed presentation summarizing the expansion of voting rights in the United States.

Over the years, specific laws have been passed to make it easier to vote. Here are some of those laws:

- 1965: Voting Rights Act
- 1984: Voting Accessibility for the Elderly and Handicapped Act
- 1993: National Voter Registration Act (Motor-Voter Act)
- 2002: Help America Vote Act (HAVA)

Today, states can better inform voters of voting procedures through the use of the internet.

#### **Interactive 4.32** TEDed The Right to Vote



*Watch this succinct TED-ed presentation summarizing the expansion of voting rights in the United States.*

Voter ID laws have been criticized by some as a barrier to voting while others claim they prevent voters from committing fraud.

#### **Interactive 4.33** Pro/Con Voter ID Laws



*Research this issue to learn more.*

What can be done to increase voter turnout in the United States? Many proposals have been introduced to increase the likelihood that voters will take a more active part in our representative democracy. Some believe that simply making an Election Day Holiday would do wonders to increase voter turnout.

Watch the video demanding a 2016 Election Day Holiday through a presidential executive order.

#### **Interactive 4.34** Voter Day Holiday



*Watch the video demanding a 2016 Election Day Holiday through a presidential executive order.*

FairVote, a non-partisan, non-profit organization, has been investigating issues around voting and has presented several proposals that would strengthen the right to vote in the United States

#### **Interactive 4.35** Fairvote



Another current issue related to voting is whether felons should be allowed to vote in the United States. In 1974,

*Read through the different proposals that they believe would make elections “more responsive, reflective and accessible.”*

the United States Supreme Court granted states the right to deny convicted felons of their right to vote in the case *Richardson v. Ramirez*. Today, estimates show that roughly 6 million people with felony convictions are not allowed to vote in elections. Different states take different approaches when it comes to felons and voting. Vermont and Maine allow felons to vote while still in prison, while other states restrict them forever from voting. Recently, the Governor of Virginia issued an executive order to restore voting rights to 200,00 convicted felons in his state.

Some claim this was a needed step since 1 in 5 African-American Virginians were being denied the right to vote. Others claim it is an important step in reintegrating ex-felons back into society by allowing them to exercise their right to vote. Critics, on the other hand, see it as a political move by simply increasing the

number of potential voters that might benefit one political party over the other.

#### **Interactive 4.36** Felon Voting



*Watch this video outlining both sides of whether felons should be allowed to vote.*

Which reforms do YOU support? Why? Take a stand on one of the proposals and make a persuasive, reasoned argument on a voting reform and support using evidence, constitutional principles, and fundamental values of American constitutional democracy. Consider how you might then take action to help inform others and help advocate for this policy change.

Immigration policy is another issue currently being debated in the United States. In 2016, the Supreme Court recently heard oral arguments in *U.S. v. Texas* where 26 states tried to stop President Obama’s 2014 executive order deferring deportation of undocumented immigrants with children who are U.S. citizens or



legal residents. On June 23, 2016, the decision of the Supreme Court resulted in a 4-4 tie. (The vacancy created by Justice Antonin Scalia's death brought the number of justices to 8.) Because of the tie, the decision of the lower courts remained in place. Because the Fifth Circuit Court of Appeals ruled that the district court order blocking the implementation of DACA+ and DAPA should remain in place, the two initiatives would remain blocked.

Presidential candidates in the 2016 election cycle made immigration a key issue for their campaigns. President Donald Trump believes that a wall needs to be built to secure the Southern border. When it comes to whether Syrian refugees should be allowed to come to the United States, both Democratic and Republican candidates have made their stances on this policy known.

In the first section of this chapter you learned about the unaccompanied immigrant children who fled violence in Central America to come to the United States in 2014. Some children were locked up in detention centers. Read the story about Pablo Aguilar and others like him who made the journey to the United States without his parents. If you prefer, listen to the podcast instead.

#### **Interactive 4.37** The Story of Pablo Aguilar



*Read the story about Pablo Aguilar and others like him who made the journey to the United States without his parents. If you prefer, listen to the podcast instead.*

These are just some of the questions connected with immigration policy today.

Here is your opportunity to take on one of the current issue related to immigration.

- Visit ProCon.org site exploring various solutions to illegal immigration in America. Explore other nonpartisan sources to gather more information.

Then, write a “Call to Action Letter” about an issue related to immigration that includes your position on the issue supported by evidence and information, why individuals should act on this issue and three things they should do to help the cause.

Take it a step further. Research a nonprofit/interest group that shares your position on the issue, and contact them directly to

see if they could use your “Call to Action Letter”. Or, contact one of your elected representatives to share your position on the issue and why they should be compelled to take action in either the state or national legislature.