15TH EDITION

WE THE PEOPLE

ESSENTIALS

GINSBERG • TOLBERT • CAMPBELL • FRANCIS

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We the People

An Introduction to American Politics

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An Introduction to American Politics

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To:

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Dave, Marcella, Logan, and Kennah Campbell

Horace, Annette, Peter, and Kenny Francis

Brief Contents

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Preface

When we wrote the First Edition of this book, our concern was to explain to students why they should be interested in government and politics. But today our pedagogical priorities are different. After two years in which our nation has been confronted with steep inflation, new Supreme Court decisions on affirmative action and abortion, campus protests over the Israel–Hamas war, and a tumultuous presidential campaign and election, many, if not most, students know that politics can have a direct impact upon their lives. Indeed, they see every day that politics can be a matter of life and death, and that democracy itself may be in peril. Today's students are eager to learn what they need to know about politics and how they can affect the political world. In this book, we endeavor to provide students with a core of political knowledge and to show them how they can apply that knowledge as participants in the political process.

As events from the past several years have reminded us, "what government does" inevitably raises questions about political participation and political equality. The size and composition of the electorate, for example, affect who is elected to public office and what policy directions the government will pursue. Challenges to election administration, from the reliability of voting machines to the ability of local officials to handle the many complications of running a voting operation during a global pandemic, have become contentious issues. Questions have been raised about the integrity of the voting process, from fears of foreign attacks to concerns about mail-in voting. Fierce debates about the policies of the Trump and Biden administrations have heightened students' interest in politics. Other recent events have underscored how Americans from different backgrounds experience politics. Arguments about immigration have become heated as the nation once again debated the question of who is an American and who should have a voice in determining what the government does. Debates about whether pandemic-era expansions of the Child Tax Credit should be continued and whether federal student loans should be forgiven have raised questions about which interests have effective voices in government policy. And disagreements over the power of the Supreme Court to intervene in a number of hot-button issues including guns, abortion, and religion have underscored the relationship between political institutions and the ability of Americans to exercise their individual liberties.

Reflecting all of these trends, this new Fifteenth Edition shows more than any other book on the market (1) how students are connected to government, (2) why students should think critically about government and politics, and (3) how Americans from different backgrounds and political persuasions experience and shape politics.

What's New in the Fifteenth Edition

In order to highlight the book's emphasis on the citizen's role in government and politics, Professor Andrea Campbell continues to write and revise engaging chapter introductions that focus on stories of individuals and how government has affected them. Many Americans, particularly the young, have difficulty understanding the role of government in their everyday lives. The Fifteenth Edition features 13 new chapter openers that profile people from diverse walks of life and political persuasions and illustrate their interactions with government, from a 13-year-old testifying before her state legislature

about proposed limits on youth social media use (Chapter 7), to young Republicans working to mobilize youth voters to support their party's candidates (Chapter 8), to people raising questions about Chinese companies purchasing land around local military bases (Chapter 15).

Several other elements of the book also help show students why politics and government should matter to them. These include:

- **Who Are Americans? infographics**—many new and updated for the Fifteenth Edition—ask students to think critically about how Americans from different backgrounds experience politics. These sections use bold, engaging graphics to present a statistical snapshot of the nation related to each chapter's topic. Critical-thinking questions are included in each infographic. In the Norton Illumine Ebook, these features are offered as Who Are Americans? interactive exercises with additional context and more opportunities for students to delve into the data. The Who Are Americans? interactive exercises also include new assessment questions, with feedback, that ensure students both grasp the main ideas presented in the infographic and think critically about the data they present.
- **How To guides** feature interviews with political experts to provide students with concrete advice about how to participate in politics. These guides offer easy-to-follow instructions about getting involved in politics in effective ways.
- **America Side by Side boxes** in every chapter use data figures and tables to provide a comparative perspective. By comparing political institutions and behavior across countries, students gain a better understanding of how specific features of the American system shape politics.
- **Up-to-date coverage** has always been a hallmark of *We the People*. In the Fifteen Edition, this includes:

  Extensive coverage of the 2024 elections in the textbook and in the NEW 2024 Election Online Supplement. This unique supplement provides in-depth coverage and analysis of the run-up to the elections, the key issues at play, President Biden's decision not to run, the emergence of Kamala Harris, and the results.

  *A thoroughly revised chapter on Civil Liberties (*Chapter 4). In this chapter, coauthor Megan Ming Francis incorporates more contemporary examples emerging out of recent groundbreaking Supreme Court decisions.

  A sharper focus on political values. In Chapter 1 (Americans and Their Political Values), coauthor Megan Ming Francis highlights the contested nature of liberty, equality, democracy, and justice in the past and in today's contentious political environment.

  Extensive coverage of recent events throughout the book. This includes coverage of the Biden administration, and debates about abortion, student debt relief, immigration, inflation, and more.

- **For Critical Analysis questions** are incorporated throughout the text. These questions in the margins of every chapter prompt students' own critical thinking about the material in the chapter, encouraging them to engage with the topic.
- **What Do You Think? chapter conclusions** ask students to relate the chapter content and the personal profiles that begin each chapter to fundamental questions about the American political system and to reflect on the significance of government to the lives of individuals.
- **This Fifteenth Edition is accompanied by a new and expanded Norton Illumine Ebook** that offers students a rich and engaging reading experience online. Professor Campbell's

chapter introductions have been brought to life in a series of videos featuring the book's authors, offering students a compelling beginning to each chapter. The Who Are Americans? infographics have also been transformed into new interactive exercises that offer additional context, more opportunities for students to delve into the data, as well as assessment to help ensure students understand and retain the key ideas of this feature. Check Your Understanding questions conclude each chapter section, allowing students to test themselves and offer instructors valuable insight into student comprehension. Overall, the Norton Illumine Ebook allows readers of the book to have a much more interactive, engaging, and memorable experience with the text, all easily accessed through your LMS or through the book's website.

- **InQuizitive**, Norton's award-winning formative, adaptive online quizzing program, accompanies this Fifteenth Edition. The InQuizitive course for *We the People* guides students through questions organized around the text's chapter learning objectives to ensure mastery of the core information and to help with assessment. InQuizitive helps ensure students understand the key concepts of each chapter and how to apply them. Ample feedback for both correct and incorrect answers guides and reinforces learning, and images, charts, and data figures from the text offer rich and varied types of questions. Visit http://digital.wwnorton.com/wethepeople15ess for additional information and a demonstration.

We miss working with past contributors Theodore Lowi, Margaret Weir, and Robert Spitzer but continue to hear their voices and to benefit from their wisdom in the pages of our book. We also continue to hope that our book will itself be accepted as a form of enlightened political action. This Fifteenth Edition is another chance. It is an advancement toward our goal. We promise to keep trying.

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—B.G., C.J.T., A.L.C., M.M.F.

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1 Americans & Their Political Values

A black and white photo of a man holding the American flag. He's holding the flag pole with both hands and the flag is waving in the wind above his head.

CHAPTER GOALS

- **Differentiate among forms of government (pp. 5–10)**
- **Describe the rights and responsibilities that citizens have in a democracy (pp. 10–11)**
- **Describe the social composition of the American population and how it has changed over time (pp. 11–18)**
- **Describe how foundational values of liberty, democracy, equality, and justice influence the U.S. system of government (pp. 18–23)**
- **Summarize Americans' attitudes toward government (pp. 23–26)**

WHAT GOVERNMENT DOES & WHY IT MATTERS In 2023, Montana's Republican-led legislature passed a law that barred state agencies from considering climate impacts when issuing permits for coal and natural gas energy projects.[1] Critics claimed that ignoring climate impacts, such as greenhouse gas emissions, runs counter to the state's constitution, which proclaims that "the state and each person shall maintain and improve a clean and healthful environment in Montana for present and future generations." In an unusual case, 16 young people ages 5 to 22 sued the state, arguing that the new law violated their state constitutional right to a clean environment.

A judge in Montana's First Judicial District Court ruled in favor of the young people in summer 2023. The state had argued that its contributions to climate change are small in the global context and that the lawsuit was frivolous. But the judge said that the new law prohibiting even the consideration of the impacts of fossil fuel development was "unconstitutional on its face."

This ruling found that governments could be held responsible for worsening climate conditions, and it added climate data to the legal record (similar youth-led climate lawsuits are pending in Hawaii, Utah, Virginia, and Florida). Rikki Held, age 22, was the lead plaintiff in the case. Her family's ranch has been affected by some of the worst air quality in the country because of wildfires—worsened by climate change—and coal plant emissions. "For us to have this come to trial and have this science-based evidence in the court record and having decision-makers listen to us is just really amazing. The case can set a precedent for other legal cases outside of Montana's borders."

The Montana youth climate lawsuit illustrates the challenge of putting values into practice in American democracy. On one hand, the Montana legislature recognized the importance of coal production and fossil fuel development for the state economy and jobs. On the other hand, the state's constitution had previously ensured a clean living environment as a legal right. Values can sometimes conflict, and government must decide how to act, as when the freedom to pursue economic development runs against freedom from environmental damage.

While climate activism is often associated with political liberals and Democrats, the American Conservation Coalition, whose conservative and Republican members also work on climate issues, cheered the Montana ruling.

The Montana case also illustrates how, in a democracy, ordinary people can shape, facilitate, and challenge laws and policies. Individuals can vote, write letters to elected officials, participate at community meetings, and sign petitions. But often, participation is more effective when people work together. In Montana, ordinary people worked together and urged the law facilitating fossil fuel development, and ordinary people like Rikki Held worked together to challenge it.

More information

A photo of Rikki Held. She’s smiling and looking away from the camera.

After experiencing worsening air quality around her family’s ranch, Rikki Held led a group of young people who sued the state of Montana over environmental policies they said violated the state’s constitution. Montana’s First Judicial District Court agreed.

This episode raises many questions about the nature of American government and politics that this book will address. What are the responsibilities of the federal government versus the states? What values do Americans believe are important? How similar or different are Republicans’ and Democrats’ views on public policies? What are the roles ordinary citizens play in governance?

The purpose of this book is to show what government does, how, and why—and what you can do about it.

Endnotes

- Note 1: This account adapted from Nathan Rott and Seyma Bayram, “Montana Youth Climate Ruling Could Set Precedent for Future Climate Litigation,” NPR, August 23, 2023, www.npr.org; Hattie Holbart, “Youth Are Putting Climate First,” American Conservation Coalition blog, July 11, 2023, www.acc.eco; Amanda Eggert, “Bill Banning Greenhouse Gas Analysis from Permitting Decisions Heads to Governor,” *Montana Free Press*, April 28, 2023, https://montanafreepress.org.Return to reference 1

Government

Differentiate among forms of government

Government is the term generally used to describe the formal institutions through which a territory and its people are ruled. A government may be as simple as a town meeting in which community members make policy or as complex as the vast establishments found in many large countries today, with extensive procedures, laws, and bureaucracies. In the history of civilization, thousands of governments have been established. The hard part is establishing one that lasts.

Even more difficult is developing a stable government that is true to the core American political values of liberty, democracy, equality, and justice. Though in principle these values are endorsed by most Americans, in practice each of them means different things to different people, and they often seem to conflict with one another. This is where politics comes in. Politics refers to conflicts and struggles over the leadership, structure, and policies of governments.

Is Government Needed?

Government is needed to provide services, sometimes called public goods, that all citizens need but probably cannot provide adequately for themselves—such as defense against foreign aggression, maintenance of public order, a stable currency, enforcement of contractual obligations and property rights, and some measure of economic security. Government, with its powers to tax and regulate, is viewed as the best way to provide public goods. However, there is often disagreement about which public goods are essential and how they should be provided.

Much of what citizens take for granted every day is affected by government. Throughout the day, for example, a typical college student relies on a host of services and activities organized by national, state, and local government agencies (see Table 1.1).

TABLE 1.1The Presence of Government in the Daily Life of a Student at "State University"

TIME	SCHEDULE
7:00 A.M.	Wake up. Standard time set by the national government.
7:10 A.M.	Shower. Water courtesy of local government and supplied by either a public entity or a regulated private company.
7:30 A.M.	Have a bowl of cereal with milk for breakfast. "Nutrition Facts" on food labels are a federal requirement.
8:30 A.M.	Drive or take public transportation to campus. Airbags and seat belts required by federal and state laws. Roads and bridges paid for by state and local governments.
8:45 A.M.	Arrive on campus of large public university. Buildings are 70 percent financed by state taxpayers.
9:00 A.M.	First class: Chemistry 101. Tuition partially paid by a federal loan (more than half the cost of university instruction is paid for by taxpayers); chemistry lab paid for

TIME	SCHEDULE
	with grants from the National Science Foundation (a federal agency) and smaller grants from business corporations made possible by federal income tax deductions for charitable contributions.
Noon	Eat lunch. College cafeteria financed by state dormitory authority on land grant from federal Department of Agriculture.
2:00 P.M.	Second class: American Government 101 (your favorite class!). You may be taking this class because it is required by the state legislature or because it fulfills a university requirement.
4:00 P.M.	Third class: Computer Science 101. Free computers, software, and internet access courtesy of state subsidies plus grants and discounts from Apple and Microsoft, the costs of which are deducted from their corporate income taxes; internet built in part by federal government. Duplication of software prohibited by federal copyright laws.
6:00 P.M.	Eat dinner: hamburger and french fries. Meat inspected for bacteria by federal agencies.
7:00 P.M.	Work at part-time job at the campus library. Minimum wage set by federal, state, or local government.
8:15 P.M.	Go online to check the status of your application for a federal student loan (FAFSA) on the Department of Education's website at studentaid.gov.
10:15 P.M.	Watch TV. Networks regulated by federal government; cable public-access channels required by city law. Weather forecast provided to broadcasters by a federal agency.
Midnight	Put out the trash before going to bed. Trash collected by city sanitation department, financed by user charges.

Different Forms of Government

Two questions are of special importance in determining how governments differ: Who governs? And how much government control is permitted?

Some nations are governed by a single individual—a king or dictator, for example. This system is called autocracy. Where a small group—perhaps landowners, military officers, or the wealthy—controls most of the governing decisions, that government is an oligarchy. If citizens or the general adult population have popular sovereignty—the power to rule themselves—that government is a democracy.

Governments also vary considerably in terms of how they govern. In the United States and some other nations, such as the United Kingdom and France, constitutions and other laws limit what governments can do and how they go about it. Governments limited in this way are called liberal or constitutional governments.

In other nations, including some in Latin America, Asia, Eastern Europe, and Africa, governments do not recognize any formal limits to their power. These governments may nevertheless be kept in check by other political and social institutions that they cannot control—such as self-governing territories, organized religions, business organizations, or labor unions. Such governments are generally called authoritarian.

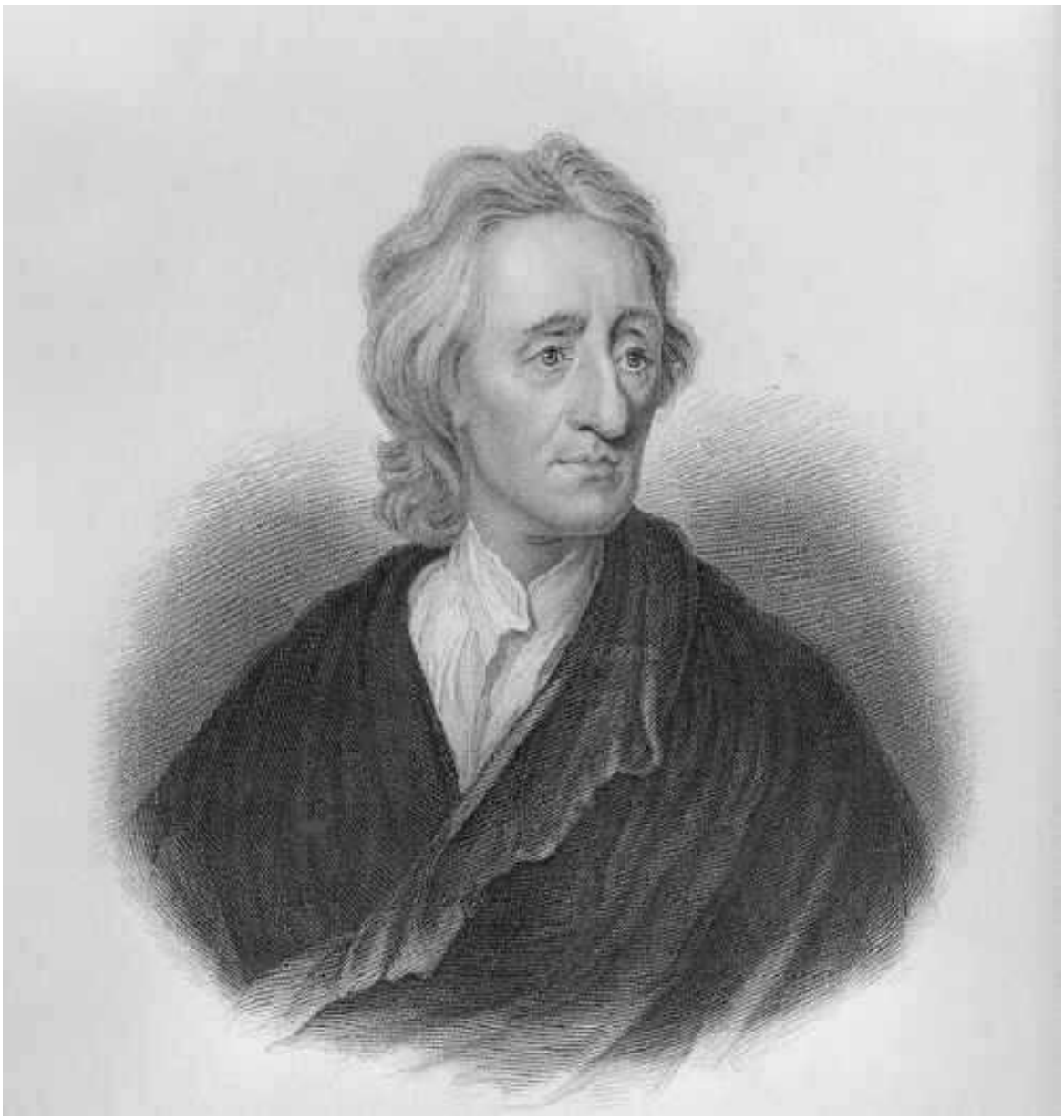
In a third group of nations, including the Soviet Union under Joseph Stalin, Nazi Germany, and North Korea today, governments not only lack legal limits but also try to eliminate institutions that might challenge their authority. Because these governments typically attempt to control all of a nation's political, economic, and social life, they are called totalitarian.

Today, by one measure, 72 percent of the global population lives in some form of autocracy, and only 13 percent enjoy true liberal democracy with free and fair elections, the rule of law, and constraints on the executive (president or prime minister).[2]

Limiting Government

The founding generation of the young United States established many of the principles that would come to define individual liberty for all citizens—freedom of speech, of assembly, and of conscience, as well as freedom from arbitrary search and seizure. Notably, the Founders generally did not favor democracy as we know it today. Despite calls for liberty and freedom, many of the delegates to the Constitutional Convention owned enslaved Black people and sought to protect the brutal system of slavery.[3] In addition, they supported property requirements and other restrictions on voting and holding office, in effect limiting political participation to the White male middle and upper classes. With time, however, it became increasingly difficult to limit political rights to the economic elite. Through mass movements that found political allies in Congress and the courts, voting rights have significantly expanded since the Founding era (see Chapters 2, 3, and 5).

Democracy in the United States



A black and white portrait drawing of John Locke. He has a high forehead and a long, straight nose. He wears a dark, loose-fitting robe over a loose-collared white shirt.

America's Founders were influenced by the English thinker John Locke (1632–1704). Locke argued that governments need the consent of the people.

What type of government exists in the United States? Most people respond with one word: democracy. Yet this is not the complete answer.

A system that permits citizens to vote directly on laws and policies is a direct democracy. However, Founders like James Madison were concerned that in a direct democracy, the "tyranny of the majority" could trample over the rights of the minority. So the Founders focused on creating a democracy based on the principle of majority rule with minority rights, where, for example, the

House of Representatives ensures that government follows majority preference but does not silence minority interests.

Today, the U.S. government is a representative democracy, or a republic, in which citizens elect top officials. At the national level, citizens select government officials but do not vote directly on legislation. Some states and cities, however, do provide for direct legislation through initiatives and referenda. These procedures allow citizens to collect petitions, or legislators to pass bills, requiring a direct popular vote on an issue. Recently, 160 statewide ballot measures have been certified for the ballot, many addressing hot-button issues such as abortion access, increasing the state minimum wage, and electoral system changes such as voting requirements and ranked-choice voting.[4]

Participation in Government Is How People Have a Say in What Happens

As political scientist Harold Lasswell once put it, politics is the struggle over "who gets what, when, how."[5] In this book, *politics* will refer to conflicts over who the government's leadership is, how the government is organized, or what its policies are. Having a say in these issues is called having political power or influence.

Participation in politics can take many forms, including voting, donating money, signing petitions, attending political meetings, posting and commenting online, sending emails to officials, lobbying legislators, working on a campaign, and participating in protest marches and even violent demonstrations.

Groups and organized interests also participate in politics. Their political activities include providing funds for candidates, lobbying, and trying to influence public opinion. The pattern of struggles among interests is called group politics, or pluralism. Americans have always had mixed feelings about pluralist politics. On the one hand, the right of groups to support their views and compete for influence in government is the essence of liberty. On the other hand, groups may sometimes exert too much influence, advancing their own interests at the expense of larger public interests (see Chapter 9).

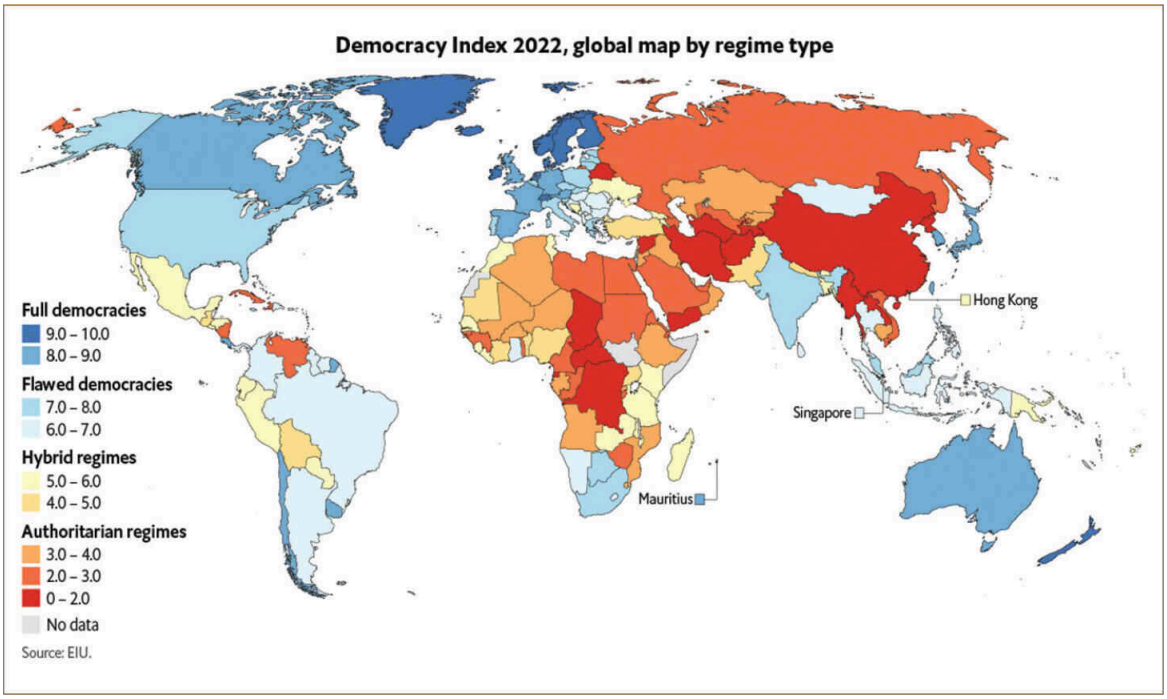
AMERICA | SIDE BY SIDE

Forms of Government

The question of whether a country is democratic or authoritarian is complex. Every year, countries are rated on a scale from "Full Democracies" to "Authoritarian" systems based on expert evaluations of five factors: electoral processes, political culture, respect for civil liberties, political participation, and functioning of government. In 2016, for the first time, the United States was classified as a "Flawed Democracy" in response to declines in public confidence in governance and a rise in polarization. In addition, in 2022, Russia recorded the largest democratic decline of any country in the world.

1. Is there a geographic pattern between the countries labeled "Full" or "Flawed" democracies and those that are labeled "Hybrid" or "Authoritarian" systems? What factors, historical, economic, geographic, or otherwise, might help explain this pattern?

2. What do you think separates a “Full Democracy” from a “Flawed Democracy”? The United States’ categorization as a “Flawed Democracy” happened during the Obama administration and persisted during the Trump and Biden administrations. What changes have you seen in the past few years that might explain this shift? How concerned should Americans be by this categorization?



A page titled “America Side by Side: Forms of Government” displays a color-coded world map with accompanying text. Text reads: The question of whether a country is democratic or authoritarian is complex. Every year, the Economist rates countries on a scale from “Full Democracies” to “Authoritarian” systems based on expert evaluations of five factors: electoral processes, political culture, respect for civil liberties, political participation, and functioning of government. In 2016, for the first time, the United States was classified as a “Flawed Democracy” in response to a rise in polarization. In addition, in 2022, Russia recorded the largest democratic decline of any country in the world. 1. Is there a geographic pattern between the countries labeled “Full” or “Flawed” democracies and those that are labeled “Hybrid” or “Authoritarian” systems? What factors, historical, economic, geographic, or otherwise, might help to explain this pattern? 2. What do you think separates a “Full Democracy” from a “Flawed Democracy”? The United States’ categorization as a “Flawed Democracy” happened during the Obama administration and persisted during the Trump and Biden administrations. What changes have you seen in the past few years that might explain this shift? How concerned should Americans be by this categorization? A color-coded world map is shown. The world map depicts forms of government for various countries in 2022. The countries are categorized as Full democracy, Flawed democracy, Hybrid regimes and Authoritarian Regimes. The data from the map are as follows. Full democracy, 9.0 to 10.0: Greenland, Iceland, Denmark, Sweden, Finland, Norway, Ireland, Switzerland, the Netherlands, and New Zealand. Full democracy, 8.0 to 9.0: Canada, Chile, Uruguay, French Guiana, Costa Rica, the U K, Spain, France, Germany, Austria, Greece, Mauritius, South Korea, Japan, and Australia. Flawed democracy, 7.0 to 8.0: the U S A, South Africa, Botswana, Belgium, Czech Republic, Slovakia, Poland, Portugal, Italy, Estonia, Latvia, Lithuania, India, Malaysia, and Taiwan. Flawed democracy, 6.0 to 7.0: the

Dominican Republic, Columbia, Guyana, Suriname, Brazil, Argentina, Lesotho, Namibia, Ghana, Croatia, Hungary, Romania, Moldova, Serbia, Bulgaria, Sri Lanka, Thailand, Indonesia, the Philippines, and Mongolia. Hybrid regimes, 5.0 to 6.0: Mexico, Belize, Honduras, Ecuador, Peru, Paraguay, Bosnia, Ukraine, Morocco, Tunisia, Senegal, Sierra Leone, Liberia, Kenya, Tanzania, Zambia, Madagascar, Ukraine, Georgia, Armenia, Bangladesh, Bhutan, Hong Kong, Papua New Guinea, and Solomon Islands. Hybrid regimes, 4.0 to 5.0: Guatemala, Bolivia, Turkey, Mauritania, Cote d'Ivoire, Benin, Nigeria, Uganda, Pakistan, and Nepal. Authoritarian Regimes, 3.0 to 4.0: Algeria, Mali, Niger, Burkina Faso, Gabon, Angola, Mozambique, Rwanda, Ethiopia, Oman, Lebanon, Jordan, Iraq, Kuwait, Kazakhstan, Kyrgyzstan, and Cambodia. Authoritarian Regimes, 2.0 to 3.0: Nicaragua, Cuba, Venezuela, Guinea-Bissau, Guinea, Togo, Cameroon, Republic of the Congo, Zimbabwe, Burundi, Eritrea, Sudan, Libya, Egypt, Saudi Arabia, the U A E, Russia, Azerbaijan, Uzbekistan, and Vietnam. Authoritarian Regimes, 0.0 to 2.0: Chad, Central African Republic, the Democratic Republic of Congo, Equatorial Guinea, Yemen, Syria, Belarus, Iran, Turkmenistan, Afghanistan, Tajikistan, China, Myanmar, Laos, and North Korea. No data: Panama, Western Sahara, South Sudan, and Somalia. The source line at the bottom of the page reads: "Democracy Index 2019," The Economist Intelligence Unit. SOURCE: "Democracy Index 2022," Economist Intelligence Unit.

SOURCE: "Democracy Index 2022," Economist Intelligence Unit.

Glossary

government
: institutions and procedures through which a territory and its people are ruled

politics
: conflict over the leadership, structure, and policies of governments

autocracy
: a form of government in which a single individual—a king, queen, or dictator—rules

oligarchy
: a form of government in which a small group—landowners, military officers, or wealthy merchants—controls most of the governing decisions

popular sovereignty
: a principle of democracy in which political authority rests ultimately in the hands of the people

democracy
: a system of rule that permits citizens to play a significant part in the governmental process, usually through the election of key public officials

constitutional governments
: a system of rule in which formal and effective limits are placed on the powers of the government

authoritarian government
: a system of rule in which the government recognizes no formal limits but may nevertheless be restrained by the power of other social institutions

totalitarian government
: a system of rule in which the government recognizes no formal limits on its power and seeks to absorb or eliminate other social institutions that might challenge it

direct democracy
: a system of rule that permits citizens to vote directly on laws and policies

majority rule

the democratic principle that a government follows the preferences of the majority of voters but protects the interests of the minority

minority rights
: the democratic principle that a government follows the preferences of the majority of voters but protects the interests of the minority

representative democracy (republic)
: a system of government in which the populace selects representatives, who play a significant role in governmental decision-making

representative democracy (republic)
: a system of government in which the populace selects representatives, who play a significant role in governmental decision-making

political power
: influence over a government's leadership, organization, or policies

pluralism
: competition among groups and organized interests for influence in the government

Endnotes

- Note 2: V-Dem Institute, "Autocratization Turns Viral: Annual Democracy Report 2021," March 2021, www.v-dem.net.Return to reference 2
- Note 3: Steven Mintz, "Historical Context: The Constitution and Slavery," The Gilder Lehrman Institute of American History, www.gilderlehrman.org.Return to reference 3
- Note 4: "2024 Ballot Measures," Ballotpedia, https://ballotpedia.org.Return to reference 4
- Note 5: Harold Lasswell, *Politics: Who Gets What, When, How* (New York: Meridian Books, 1958).Return to reference 5

Citizenship: Participation, Knowledge, and Efficacy

Describe the rights and responsibilities that citizens have in a democracy

In a democracy, citizenship can be defined as membership in a political community that provides legal rights and carries participation responsibilities.[6] Civil liberties and rights such as freedom of speech, freedom of worship, and trial by jury are identified in the Constitution—particularly in the Bill of Rights (see Chapters 2 and 4). Citizens also have responsibilities, such as upholding the Constitution; obeying federal, state, and local laws; paying taxes; serving on juries when called; and being informed about issues.[7]

One key ingredient for political participation is political knowledge. Democracy functions best when citizens have the knowledge needed to engage in political debate. It is important for citizens to know the rules, processes, and principles of political institutions and to know them in ways that relate to their own interests.

Without political knowledge, citizens cannot be aware of their stakes in political disputes. For example, during the 2017 debate about whether to repeal the health care reform enacted in 2010, one-third of Americans did not know that "Obamacare" and the "Affordable Care Act" (ACA) are the same thing.[8] Therefore, some people who had enrolled in "Obamacare" didn't realize their access to health insurance would be affected if the ACA were repealed.

Surveys show that most Americans get political information online, although inequalities in internet access by income, education, geographic region, race, and age remain. Despite the internet making it easier than ever to learn about politics, actual political knowledge in the United States remains spotty. Even with greater access to information, most Americans know little about current issues or debates, or even the basics of how government works. For example, in 2021 only 56 percent of those surveyed could identify all three branches of the federal government, and only 35 percent knew the term of office for a senator is six years.[9] In addition, disinformation—false information shared intentionally to reach a political goal—complicates the process of acquiring valid political information (see also Chapter 7).[10]

People wearing masks carry signs related to gun control. One sign reads: We all have the right to free speech (without fear of being censored or prosecuted) and peacefully assemble. Another reads: Being armed is not an indication of threat. It is our right. A man walking behind the sign holders carries a large gun with a scope.

Political participation sometimes involves rallies or protests to draw attention to issues like gun rights, seen here.

Another ingredient in participation is political efficacy, the belief that ordinary citizens can affect what government does. In 1960 only 25 percent felt shut out of government. In 2019, 71 percent of survey respondents said that elected officials don't care what ordinary people think.[11] Moreover, 52 percent disagreed with the idea that the "government is really run for the benefit of all the people."[12] Research shows that efficacy and participation are related: a feeling that one can make a difference leads to participation, and joining in can increase one's efficacy.[13]

Glossary

citizenship
: membership in a political community that confers legal rights and carries participation responsibilities

political knowledge
: information about the formal institutions of government, political actors, and political issues

disinformation
: false information that is shared intentionally to reach a political goal

political efficacy
: the belief that one can influence government and politics

Endnotes

- Note 6: Thomas H. Marshall, *Citizenship and Social Class*, vol. 11 (New York: Cambridge University Press, 1950).Return to reference 6
- Note 7: U.S. Citizenship and Immigration Services, "Citizenship Rights and Responsibilities," https://my.uscis.gov.Return to reference 7
- Note 8: Kyle Dropp and Brendan Nyhan, "One-Third Don't Know Obamacare and Affordable Care Act Are the Same," *New York Times*, The Upshot, February 7, 2017, www.nytimes.com.Return to reference 8
- Note 9: 2021 and 2019 Annenberg Constitution Day Civics Survey, www.annenbergpublicpolicycenter.org.Return to reference 9
- Note 10: Joan Donovan, "Deconstructing Disinformation's Threat to Democracy," *Fletcher Forum of World Affairs* 44, no. 1 (Winter 2020); Joe Heim, "'Disinformation Can Be a Very Lucrative Business, Especially if You're Good at It,' Media Scholar Says," *Washington Post*, January 19, 2021, www.washingtonpost.com; Media Manipulation Casebook, https://mediamanipulation.org.Return to reference 10
- Note 11: Pew Research Center, Global Attitudes & Trends, "Attitudes toward Elected Officials, Voting, and the State," February 26, 2020, www.pewresearch.org.Return to reference 11
- Note 12: Pew Research Center, "Attitudes toward Elected Officials, Voting, and the State."Return to reference 12
- Note 13: Sydney Verba and Norman H. Nie, *Participation in America* (New York: Harper & Row, 1972).Return to reference 13

Who Are Americans?

Describe the social composition of the American population and how it has changed over time

While American democracy aims to give the people a voice in government, the meaning of "we the people" has changed over time. Who are Americans?

Immigration Has Changed American Identity

The U.S. population has grown from 3.9 million in 1790, the year of the first official census, to 336 million in 2024.[14] It has also become more diverse on nearly every dimension imaginable.[15]

In 1790, when the nation consisted of 13 states along the Eastern Seaboard, 81 percent of Americans traced their roots to Europe, mostly Britain and elsewhere in northern Europe, and nearly 20 percent, the vast majority of whom were enslaved, were of African origin.[16] Only 1.5 percent of the Black population were free. There were also an unknown number of Native peoples, the original inhabitants of the land, not counted by the census because the government didn't consider them Americans. The first estimates of Native Americans and Latinos in the mid-1800s showed that each group made up less than 1 percent of the total population.[17]

By 1900, the country stretched across the continent, and waves of immigrants, mainly from Europe, had boosted the population to 76 million. It still predominantly comprised people of European ancestry, but it now included many from southern and eastern Europe as well as more immigrants from northwestern Europe; the Black population stood at 12 percent. Residents who traced their origin to Latin America or Asia each accounted for less than 1 percent of the population.[18] The proportion of foreign-born people peaked at 14.7 percent in 1910.[19] As immigrants from southern and eastern Europe crowded into the nation's cities, anxiety mounted among those of British and other northwestern European ancestry, who feared losing their long-dominant position in American society and politics.

After World War I, Congress responded to nativist fears about immigration with new laws that sharply limited how many people could enter the country each year. It also passed the Immigration Act of 1924, which used a national origins quota system, based on the nation's population in 1890, before the wave of eastern and southern European immigrants arrived.[20] Supporters of these measures hoped to restore an earlier America in which northern and western Europeans dominated. The new system set up a hierarchy of admissions: northern and western European countries received generous quotas for new immigrants, whereas eastern and southern European countries were granted very small quotas. And almost all immigrants from Asia and Africa were banned.[21] By 1970 these guidelines had reduced the foreign-born population in the United States to an all-time low of 5 percent.

The use of ethnic and racial criteria to restrict the country's population and to draw boundaries around "American" identity began long before the national origins quota system, however. Most people of African descent were not deemed citizens until 1868, when the Fourteenth Amendment to the Constitution granted citizenship to formerly enslaved people (see Chapter 2). Native Americans weren't officially recognized as citizens until the Indian Citizenship Act of 1924, but this did not

include voting rights. Efforts to limit nonwhite immigration and citizenship dated back to the Naturalization Act of 1790—a law stating that only free White people could become naturalized citizens, a ban not lifted until 1870. Even then, different restrictions applied to Asians: the Chinese Exclusion Act of 1882 outlawed the entry of Chinese laborers to the United States, a limit lifted only in 1943, when China became America's ally during World War II. And after the Japanese attack on Pearl Harbor in 1941, virtually all Japanese Americans were denied their basic rights of citizenship and were incarcerated for the duration of the war.

With laws about citizenship linked to "whiteness," questions arose about how to classify people of Latino origin. In 1930, for example, the census counted people of Mexican origin as nonwhite, but a decade later it reversed this decision after protests by those affected and by the Mexican government. Then, in 1960, the census classified immigrants from Latin America as White. Only after a lengthy campaign by Latino activists and business leaders did the census adopt a "Hispanic" classification category in 1970, noting also that people identifying as Hispanic could be of any race.[22] (The census uses the term *Hispanic*, but we will generally use the term *Latino* to refer to people of Spanish or Latin American descent.)

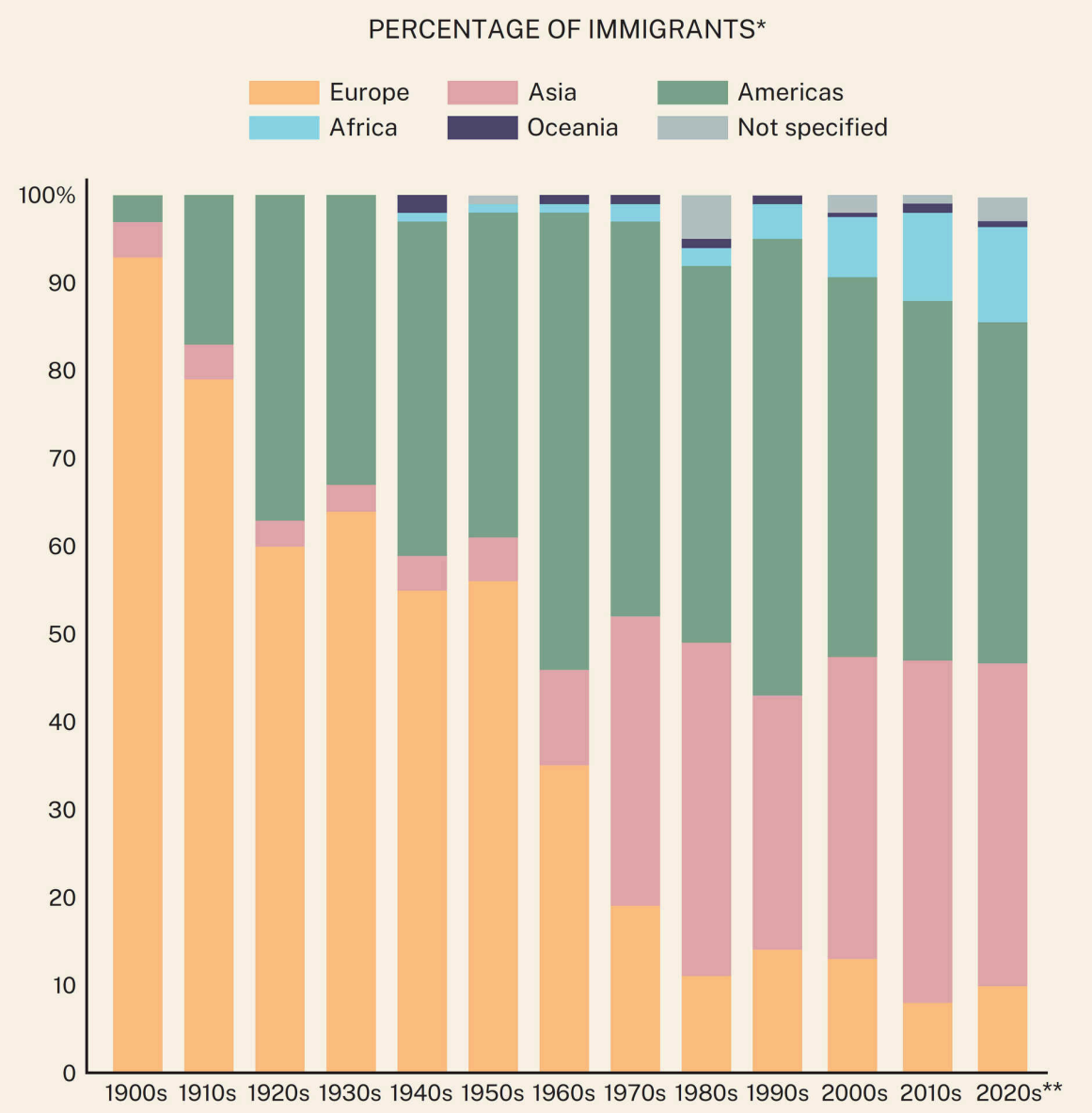
Who Are Americans Today?

Race and Ethnicity

Recent immigration patterns have profoundly shaped the nation's current racial and ethnic profile. In 1965, with strong public pressure to end discriminatory immigration policies, Congress lifted the tight restrictions of the 1920s, allowing expanded immigration from Asia and Latin America (see Figure 1.1). Census figures for 2020 show that Latinos (who can be of any race) constitute 18.7 percent of the total population, and Asians make up 6 percent. The Black, or African American, population is 12.4 percent of the total, while the non-Hispanic White population accounts for 61.6 percent. More than 33 million Americans, about 1 in 10, now identify as being of "two or more races," a category that was added in 2000.[23] Notably, in 2019, for the first time, more than half of Americans under age 16 identified as a member of a racial or ethnic minority group. The United States is continuing to diversify and is projected to become a majority-minority country by 2050.

FIGURE 1.1 **Immigration by Continent of Origin**

Where did most immigrants come from at the start of the 1900s? How does that compare with immigration in the 2000s?



A graphic showing Immigration by Continent of Origin for every decade after 1900. Text reads, Where did most immigrants come from at the start of the 19 hundreds? How does that compare with immigration in the two thousands? A series of vertical bars shows that in the first decade of the 20th century, well over 90% of immigrants were from Europe. The percentage from the Americas grew steadily from then on, however, and in the 1960s, slightly more than half of immigrants were from the Americas. At that point, immigration from Asia began to grow, as well, and Africa also started to become a significant contributor to overall immigration. In the 20 twenties, about 35% of immigrants were from the Americas, another 35% from Asia, roughly 10% from Africa, 1 percent from Oceana, and about 10% from Europe. The remaining immigrants' countries of origin were not specified. Information for the 2010s is up through 2023. NOTE: Figure shows those who have obtained "lawful permanent resident status" by continent of origin. SOURCE: Department of Homeland Security, www.dhs.gov.

*Less than 1 percent not shown.

**Through 2023.

NOTE: Figure shows those who have obtained "lawful permanent resident status" by continent of origin.

SOURCE: Department of Homeland Security, www.dhs.gov.

Large-scale immigration means that many more residents now are foreign-born. In 2024, 13.9 percent of the population were born outside the United States, a figure comparable to that in 1900.[24] About half of today's foreign-born population came from Latin America and the Caribbean—just over one-third from Central America (including Mexico), 1 in 15 from South America, and almost 1 in 10 from the Caribbean.[25] Those born in Asia made up 31.3 percent of foreign-born residents.[26] In sharp contrast to the immigration patterns of a century earlier, just 10.9 percent came from Europe.[27]

Estimates are that 12 million immigrants live in the country without legal authorization—the majority from Mexico and Central America.[28] This unauthorized population has become a flashpoint for controversy. Several decades ago, some states tried to exclude undocumented immigrants from public services such as education and emergency medical care, but in 1982 the Supreme Court ensured access to K–12 education in its *Plyler v. Doe* ruling, and Congress guaranteed access to emergency medical care in a 1986 law.[29] Today, undocumented immigrants remain ineligible for most federal public benefits, but some states allow them to obtain driver's licenses or in-state tuition at public colleges and universities.[30]

Religion

New patterns of immigration have combined with differences in birth rates and other social changes to alter the balance of Americans' religious affiliations. By 2023, only 33 percent of Americans identified as Protestant, 22 percent as Catholic, 13 percent as Christian (nonspecific), 2 percent Jewish, 1 percent Mormon, and 6 percent "Other" (this includes Muslims, who constitute nearly 1 percent of the population). Moreover, a growing number identify with no organized religion: 22 percent of the population in 2023.[31] Although many Americans think of the United States as a "Judeo-Christian" nation—and indeed it was 95 percent Protestant, Catholic, or Jewish as recently as 50 years ago—by 2021 this number had fallen to 69 percent of the adult population.[32]

Age

As the population has grown and diversified, the country's age profile has shifted. In 1900 only 4 percent of the population was over age 65. As life expectancy increased, so did the number of older Americans: by 2020, 16 percent of the population was over 65. During the same period, the percentage of children under age 18 fell, from 44 percent in 1900 to 22.4 percent in 2020.[33] However, the population of racial and ethnic groups is younger than the American population overall: 32 percent of the Latino population and 26 percent of the Black population are under 18, compared to 19 percent of the White population. As a group, Americans are still younger than the populations of many other industrialized countries. The share of the population age 65 and over is 21 percent in the

European Union and 28 percent in Japan.[34] But an aging population poses challenges. As the elderly population in the United States grows relative to those of working age, the funding of "safety-net" programs such as Social Security becomes more difficult.

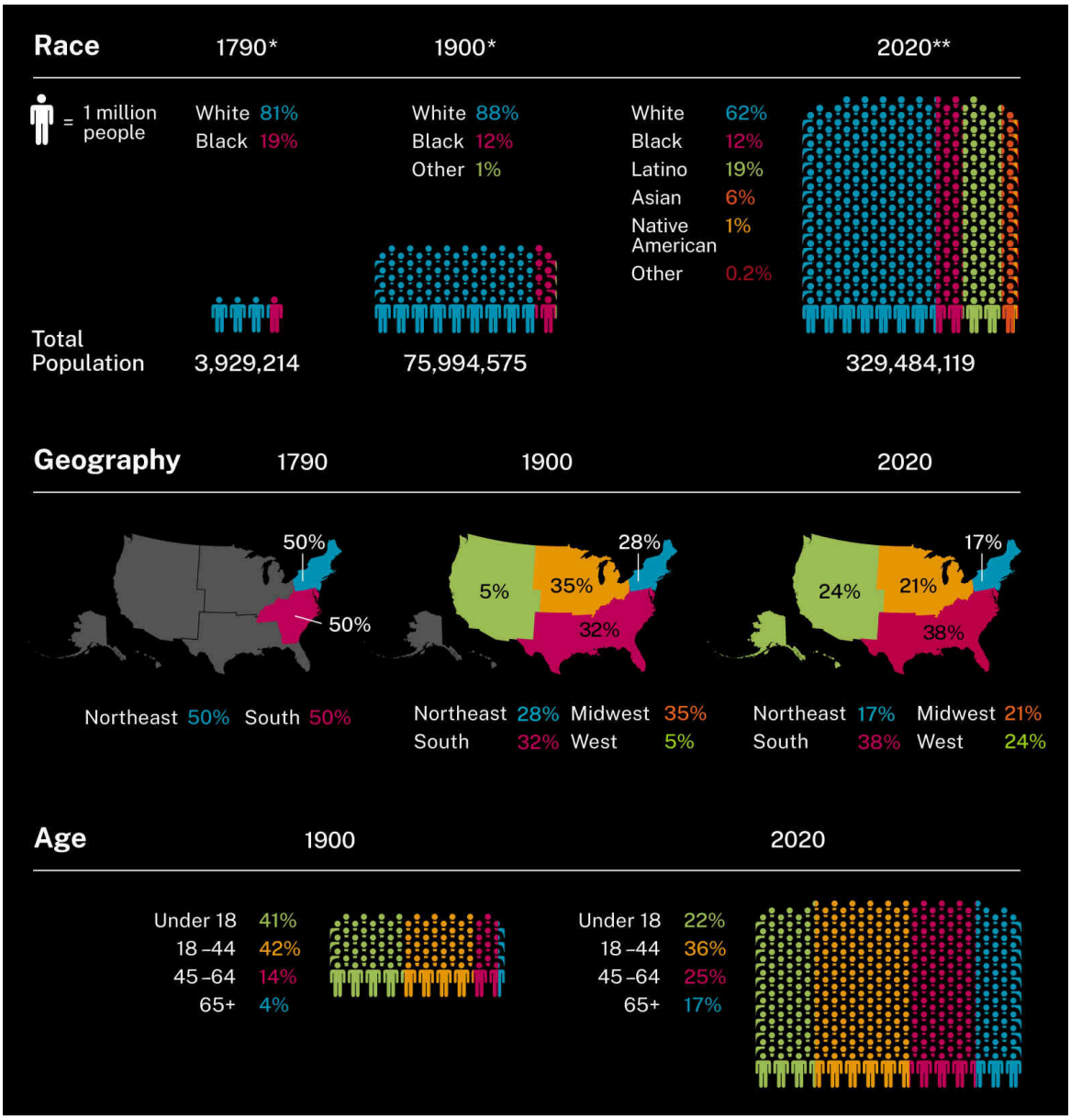
Geography

Over the nation's history, Americans have mostly moved from rural areas and small towns to large cities and suburbs. Before 1920 less than half the population lived in urban areas; today over 80 percent does.[35] As a result, the national political system created when the population was still largely rural underrepresents urban Americans. Providing each state with two senators, for example, overrepresents sparsely populated rural states and underrepresents those with large urban populations (see Chapter 2).

The population has also shifted regionally. During the past 50 years especially, many Americans have left the Northeast and Midwest and moved to the South and Southwest, with congressional seats being reapportioned to reflect the population shift.

WHO ARE AMERICANS?

An Increasingly Diverse Nation



A Who are Americans infographic titled An Increasingly Diverse Nation. Text reads, Since the Founding, the U S population has grown rapidly and people living in the United States have become increasingly diverse. Dramatic changes in population, demographics, and geography often drive changes in American Government and politics. Three figures are shown that demonstrate this. There are two For Critical Analysis Questions. 1. The most recent census estimates show that the population of the South and West continued to grow more rapidly than the Northeast and the Midwest. What are some of the political implication of this trend? 2. Today, Americans over age 38 outnumber Americans under 38, and older adults are more likely to participate in the political process. What do you think this means for the kinds of issues and policies considered by the governemnt?

A graphic shows percentages of people by race in 1790, 1900, and 2020. In 1790, there were 3,929,214 people. 81 percent were white and 19 percent were black. In 1900, there were 75,994,575 people. 88 percent were white, 12 percent black, and 1 percent other. In 2020, there

were 329,484,119 people. 62 percent were white, 12 percent black, 19 percent latino, 6 percent asian, 1 percent native american, and 0.2 percent other. Note the 1790 census does not accurately reflect the population because it only counted Black people and White people. It did not include Native Americans or other groups. The 1900 census did not count Latino Americans. Numbers may not add up to 100 percent due to rounding.

A graphic shows percentages of people by geography in 1790, 1900, and 2020. In 1790, 50 percent of the population were in the Northeast and 50 percent were in the South. In 1900, 28 percent of the population were in the Northeast, 32 percent in the South, 35 percent in the Midwest, and 5 percent in the West. In 2020, 17 percent of the population were in the Northeast, 38 percent in the South, 21 percent in the Midwest, and 24 percent in the West.

A graphic shows percentages of people by age in 1900 and 2020. In 1900, 41 percent were under 18, 42 percent between 18 and 44, 14 percent between 45 and 64, and 4 percent over 65. In 2020, 22 percent were under 18, 36 percent between 18 and 44, 25 percent between 45 and 64, and 17 percent over 65.

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* The 1790 census does not accurately reflect the population because it only counted Black people and White people. It did not include Native Americans or other groups. The 1900 census did not count Latino Americans.

** Numbers may not add up to 100 percent due to rounding.

SOURCE: U.S. Census Bureau, American Community surveys, data.census.gov (accessed 12/6/21).

Since the Founding, the U.S. population has grown rapidly and people living in the United States have become increasingly diverse. Dramatic changes in population, demographics, and geography often drive changes in American government and politics.

* The 1790 census does not accurately reflect the population because it only counted Black people and White people. It did not include Native Americans or other groups. The 1900 census did not count Latino Americans.

** Numbers may not add up to 100 percent due to rounding.

FOR CRITICAL ANALYSIS

1. The most recent census estimates show that the population of the South and the West continued to grow more rapidly than the Northeast and the Midwest. What are some of the political implications of this trend?
2. Today, Americans over age 38 outnumber Americans under 38, and older adults are more likely to participate in the political process. What do you think this means for the kinds of issues and policies considered by the government?

Socioeconomic Status

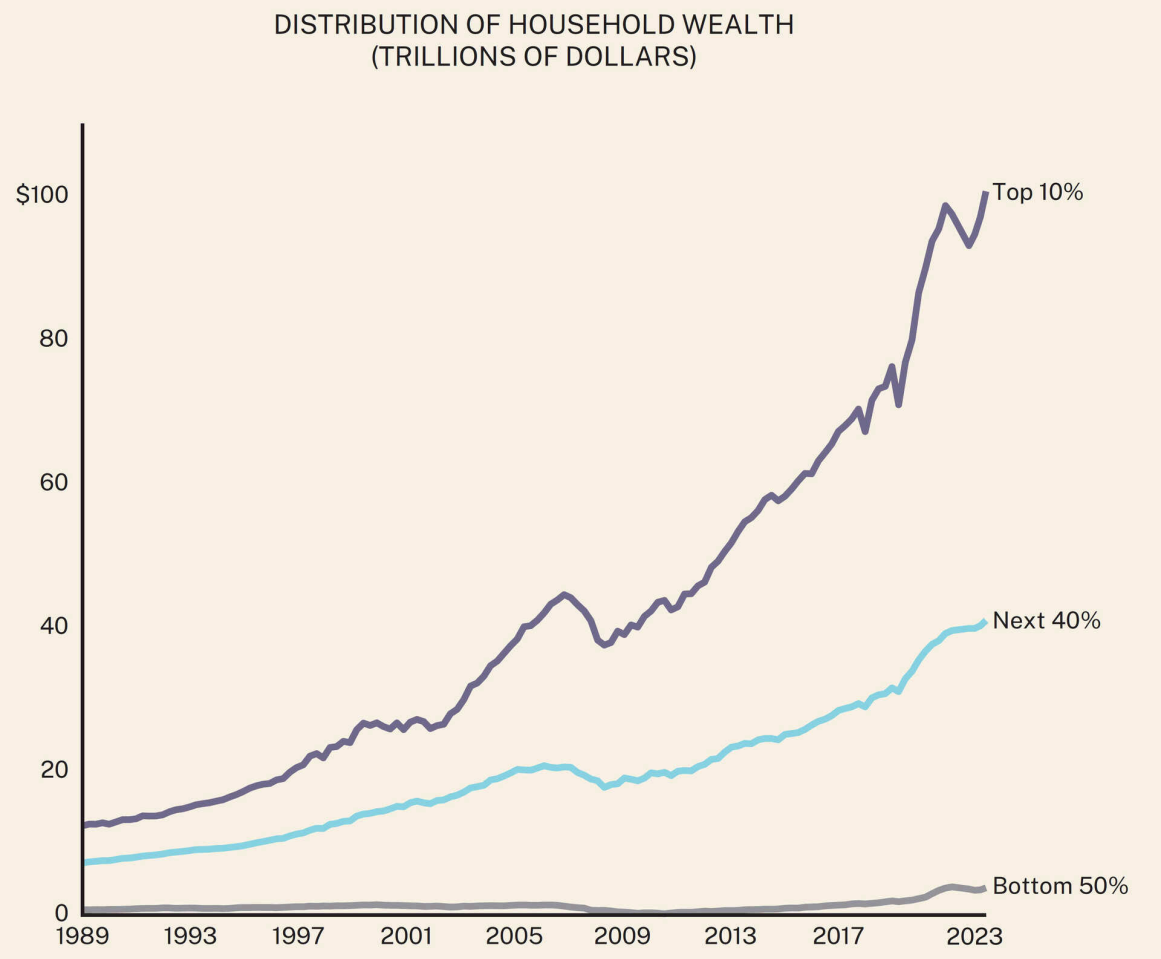
For much of U.S. history, most Americans were relatively poor working people, many of them farmers. A new, extremely wealthy elite emerged in the late 1800s, a period called the Gilded Age. By 1928 nearly one-quarter of total annual national income went to the top 1 percent of earners; the

top 10 percent took home 46 percent of the total. In the mid-1900s, the distribution of income and wealth shifted away from the top. A large, predominantly White middle class grew after New Deal programs helped counteract the Great Depression of the 1930s, and it grew further with the postwar economic boom of the 1950s and '60s.

In the 1960s, the enactment of civil rights legislation and new social programs helped shrink the income disparity between those at the bottom and those at the top. Since then, however, economic inequality has again widened in what some call a "new" Gilded Age.[36] Factors like deindustrialization, globalization, slow growth in wages, technological change, and the Great Recession of 2007–09 have accelerated this trend.[37] After a period of recovery, the Covid-19 pandemic contributed to a widening of long-standing economic divides. By 2023 the top 10 percent earned 66.9 percent of total household wealth. During that same time, the next 40 percent of households saw their wealth drop to 30.6 percent. In other words, the top 10 percent hold more than twice the wealth of America's middle class.[38] At the same time, there has been an increase of people who live below the poverty line, to 11.5 percent of the population (see Figure 1.2).[39]

FIGURE 1.2 **Wealth in the United States**

While the wealth of most Americans has risen only slightly since 1989, the wealth of the richest Americans (the top 10 percent) has increased dramatically. In 2023, the top 10 percent of Americans had more than double the total amount of combined wealth held by the middle 40 percent and bottom 50 percent of Americans. Does the growing economic gap between the richest groups and most other Americans conflict with the political value of equality?



A line graph titled, Wealth in the United States graph depicts the Distribution of Household Wealth for the years 1989 to 2023. Over that time period, the total wealth of the top 10 percent of American households rose from about 13 trillion dollars in 1989 to just over 100 trillion in 2023, the wealth of the next 40 percent rose from about 7 trillion to about 40 trillion, and the wealth of the bottom 50 percent of Americans rose from less than 1 trillion dollars to roughly 3 trillion. Text reads, While the wealth of most Americans has risen only slightly since 1989, the wealth of the richest Americans (the top 10 percent) has increased dramatically. In 2022, the top 10 percent of Americans had more than double the total amount of combined wealth held by the middle 40 percent and bottom 50 percent of Americans. Does the growing economic gap between the richest groups and most other Americans conflict with the political value of equality? SOURCE: Federal Reserve, "Distribution of Household Wealth in the U.S. since 1989," www.federalreserve.gov.

SOURCE: Federal Reserve, "Distribution of Household Wealth in the U.S. since 1989," www.federalreserve.gov.

There are significant racial differences among levels of income and wealth. Wealth is defined as the difference between a household's assets (what you own that contains economic value, like houses and stock) and debt. The term "racial wealth gap" refers to the disparity in assets of typical American

households across racial and ethnic groups. According to recent data, the median White household had $285,000 in wealth, compared to just $62,000 for the median Latino household and $44,890 for the median Black household.[40]

Population and Politics

Population growth and shifts have spurred politically charged debates about how to apportion the population among congressional districts and how to draw those districts. These conflicts have significant implications for the balance of representation among different regions of the country and between urban and rural areas. Representation of other demographic and political groups may also be affected, as evidence shows that Americans are increasingly divided from one another geographically according to education, income, marriage rates, and party voting.[41]

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Liberty, Democracy, Equality, and Justice Are American Political Values

Describe how foundational values of liberty, democracy, equality, and justice influence the U.S. system of government

The essential documents of the American Founding—the Declaration of Independence and the Constitution—proclaimed a set of principles about the purposes of the new Republic: liberty, democracy, equality, and justice. (See these documents in the appendix.) Most citizens still affirm these values, which form our political culture.

While liberty, democracy, equality, and justice anchor the American political system, these core values have not been equally applied over time. Despite the influence of the Founding principles on the practice of government, certain undemocratic traditions—nativism, racism, and sexism—have also been influential. Examining the impact of these traditions on American political culture allows a deeper understanding of how far this nation has come and the challenges that still lie ahead.

Liberty Means Freedom

Liberty is one of America's central political values. The Declaration of Independence identified three "unalienable" rights: "Life, Liberty and the pursuit of Happiness." The Constitution likewise identified the need "to secure the Blessings of Liberty." For Americans, liberty means both personal freedom and economic freedom. Both are closely linked to the idea of limited government.

The Constitution's first 10 amendments, known collectively as the Bill of Rights, delineate and guarantee individual personal liberties and rights, including freedom of speech and the press, the right to assemble freely, and the right to practice religious beliefs without interference from the government.

Throughout American history, the scope of personal liberties has expanded as laws have become more tolerant and individuals have successfully used the courts to challenge restrictions on their personal freedoms. Far fewer restrictions exist today on the press, political speech, and individual behavior than in the nation's early years. Even so, conflicts emerge when personal liberties violate a community's accepted standards of behavior. For example, a number of cities have passed "sit-lie" ordinances, which limit the freedom of individuals to sit or lie down on sidewalks. Designed to limit the presence of people who are homeless and to make city streets more attractive to pedestrians, the ordinances have also been denounced as restrictions on individual liberties.

Liberty also extends into the realm of economics. The American concept of economic freedom supports capitalism, free markets (including open competition and unrestricted movement of goods), and the protection of private property.[42] During the nation's first century, support for capitalism often meant support for the principle of *laissez-faire* (French for "allow to do"). Laissez-faire capitalism allowed the national government very little power to regulate commerce or restrict the use of private property. Today, however, federal and state governments impose many regulations to protect the public in such areas as health and safety, the environment, and the workplace.

Democracy Is a Principle and a Practice

Earlier in this chapter, we described the building blocks of American democracy, which include *popular sovereignty* and *majority rule* with *minority rights*. In the United States, democracy is more than a form of government; it is a deeply seated ideal that many Americans believe the country should strive for.

Emboldened by the belief that democratic government is granted legitimacy by the consent of the people, Americans have sought to make government more responsive by increasing political participation. Most notably, the right to vote has been significantly expanded over the last two centuries. Property restrictions on the right to vote were eliminated by 1828. In 1870, the Fifteenth Amendment to the Constitution guaranteed the vote to nonwhite men, although in practice, most of them were denied it for almost a century longer. In 1920, the Nineteenth Amendment guaranteed women the right to vote. And in 1965, the Voting Rights Act prohibited racial discrimination in voting, which paved the way for the enfranchisement of Black Americans. The Twenty-Sixth Amendment, ratified in 1971 during the Vietnam War, gave 18- to 20-year-olds the right to vote.

How elections are carried out can significantly affect who can actually vote or get elected. In the early 1900s, states and cities enacted many reforms, including strict registration requirements and inconvenient scheduling of elections. The stated goal was to rid politics of corruption, but the reforms only made it harder to vote and reduced participation. More recently, claims of voter fraud have eroded the public's trust in the election system, and disinformation campaigns have made it harder for citizens to make informed political decisions.

Economic power has always played a significant role in American elections and governance, but many argue that its pervasive influence in campaigns and lobbying activities today undermines democracy. With the decline of locally based political parties that depend on party loyalists to turn out the vote, and with the rise of political action committees (PACs), political consultants, expensive media campaigns, and court decisions reducing the government's regulatory power over campaign finance, money has become the central fact of life in American politics. It often determines who runs for office, it can exert a heavy influence on who wins, and some argue that it affects what politicians do once they are in office.[43]

Equality Means Treating People Fairly

The Declaration of Independence declares as its first "self-evident" truth that "all men are created equal." However, Americans make clear distinctions between social or economic equality and political equality—the right of a community's members to participate in politics on equal terms. During the Founding period, political equality meant that White men who owned a certain amount of property had equal rights in the political community, and political community was comprised of only these men.

The United States has moved much closer to an ideal of political equality that can be summed up as "one person, one vote." Although considerable conflict remains over whether the political system makes it harder for some people to participate than others, and whether money plays too large a role in politics, most Americans agree that all citizens should have an equal right to participate, and that government should enforce that right.

Few Americans have wholeheartedly embraced the ideal of full equality of results (that everyone deserves equal wealth and power), but most share the ideal of equality of opportunity (that everyone deserves a fair chance to go as far as their talents will allow). Yet it is hard to agree on what constitutes equality of opportunity. Furthermore, in contrast to liberty, which requires limits on the role of government, equality implies an *obligation* of the government to the people.[44] But how far does this obligation extend? Must a group's past inequalities be redressed to ensure equality in the present? Should legal, political, and economic inequalities all be given the same weight?

Demonstrators rallying for the 15 dollar minimum wage. They hold a banner that reads, Fight for $15 California, hashtag Fight For 15, website Fight For 15 dot org.

The Fight for $15—a nationwide effort to increase the minimum wage to $15 an hour—has increased public awareness of income inequality and dangerous working conditions in the United States. By 2024 many states had increased their minimum wage above the federal minimum wage ($7.25 an hour), but few had reached the $15 threshold.

Many Americans see economic inequality as largely due to individual choices, virtues, or failures, and so they tend to be more skeptical of government action to reduce it (compared to government action to reduce political inequality). Even when severe economic hardships, like the Great Depression of the 1930s, affect a large number of people, many Americans have supported only a limited response by government.

Justice Is an Unfinished Project

Justice is another central political value. Historically, justice meant the state of being fair and was often associated with the legal system. It was important to the Founders that government was just, so much so that it was the first of five political objectives highlighted in 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 defence, promote the general Welfare, and secure the Blessings of Liberty . . ." The value of justice also appears in *Federalist* 51 (see appendix), where James Madison writes, "Justice is the end of government. It is the end of civil society." For Madison, justice is the ultimate goal of good government.

The front of the U S Supreme Court building. A statue of the justice personified as a goddess sits enthroned beneath a frieze that features the slogan Equal Justice Under The Law.

Justice is one of America's most important political values. In fact, justice is so central to the mission of the Supreme Court of the United States that engraved in marble on its building is the famous phrase "Equal Justice Under Law."

According to English common law, a major influence on the Founders' conception of law and justice, natural justice was understood as the duty of the legal system to act fairly and without bias. The Founders saw the creation of a legal system centered on ensuring fairness as foundational to their new system. After all, such a pursuit of justice was central to the early colonists' decision to declare independence from Britain (see Chapter 2). Still, the Founders' understanding of justice was narrow. Numerous aspects of the period were unjust, such as the taking of land from Native nations, the enslavement of Black people, and the absence of voting rights for women and other groups.

The value of justice has endured and evolved, and Americans have clung to it as a way to push for more political and legal rights. Today, many disputes over the meaning of justice are decided in the Supreme Court. For example, in the landmark case *Obergefell v. Hodges* (2015), gay and lesbian couples argued that state laws preventing same-sex marriage were unjust and asked the Court for the

ability to marry. In its majority opinion, the Court ruled that banning same-sex marriage represented a grave injustice and that fairness required its legalization.[45]

Conceptions of justice arise from the people and take on many different forms. Recently, organized groups have used the language of justice—especially social justice—to advocate for change.[46] Examples include the disability justice movement, the environmental justice movement, and the criminal justice reform movement. Sometimes groups focus on present challenges, and sometimes on redressing past wrongs. The movement for racial justice inspired over 20 million people to take to the streets during the spring of 2020 to draw attention to persistent racism directed at Black people.[47] Protesters sought the transformation of policing, housing, and the economic system. In response, in many cases police reforms were instituted, cities provided help to families that needed housing, and corporations pledged resources to help improve race relations.[48] And as with other protests advocating for change, those who disagreed with the calls for racial justice held counter demonstrations.

Another recent example of a social justice movement is the landback movement led by Native nations.[49] Landback leaders point to centuries of land dispossession by the U.S. government and assert that justice will be achieved when government and private land are returned to the stewardship of Native Americans. However, because some of the land is now privately owned or part of national parks, detractors argue that the movement's goal is unfair to current landowners and to the public.

These examples show that despite Americans' reverence for justice, its meaning and practice are often deeply contested.[50] Some people understand justice as closely related to liberty in how it requires limitations on government intrusion. For others, justice relates more closely to equality as it requires government to intercede on behalf of citizens to address deep-seated inequalities. Just as we can say that the concept of justice is not static, we can consider all of American politics to be an unfinished project: the Founders established lofty guiding principles such as liberty, democracy, equality, and justice, but it has been the responsibility of successive generations of Americans to realize these ideals more fully.

Glossary

political culture
: broadly shared values, beliefs, and attitudes about how the government should function; American political culture emphasizes the values of liberty, democracy, equality, and justice

liberty
: freedom from governmental control

limited government
: a principle of constitutional government; a government whose powers are defined and limited by a constitution

laissez-faire capitalism
: an economic system in which the means of production and distribution are privately owned and operated for profit with minimal or no government interference

political equality
: the right to participate in politics equally, based on the principle of "one person, one vote"

equality of opportunity
: a widely shared American ideal that all people should have the freedom to use whatever talents and wealth they have to reach their fullest potential

justice
: the fairness of how rewards and punishments are delivered, especially by governments and courts, but also in society

fairness
: impartial decision-making; the quality of treating people equally, free from discrimination

social justice
: the just allocation of wealth, opportunities, and privileges within a society

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What Americans Think about Government

Summarize Americans' attitudes toward government

Since the United States was established as a nation, Americans have been reluctant to grant government too much power, and they have often been suspicious of politicians. But they have also turned to government for assistance in times of need and have strongly supported it in periods of war. In 1933 the government's power began to expand to meet the crises created by the stock market crash of 1929, the massive business failures and unemployment of the Great Depression, and the threatened failure of the banking system. Congress passed legislation that brought government into the businesses of home mortgages, farm mortgages, credit, and relief of personal financial distress. More recently, when the economy suffered a deep recession in 2008 and 2009, the federal government took action to stabilize the financial system, oversee the restructuring of failing auto manufacturers, and provide hundreds of billions of dollars in economic stimulus.

HOW TO

DEBATE RESPECTFULLY

A headshot of April Lawson. She has shoulder-length brown hair and is smiling at the viewer.

April Lawson, the director of debates for Better Angels

Government by the people functions best when individuals discuss ideas, share their preferences, and talk about what government is doing. But political discussion and debate can be uncomfortable, particularly among people who disagree or when politics is polarized, as it is in the current era. In order to have a productive discussion, it is important that people are respectful of others from different backgrounds, who might hold different political views.

To learn how to engage others and to debate respectfully, we spoke with April Lawson, the director of debates for Better Angels, a national organization that works with individuals from across the political spectrum to "combat polarization and restore civil dialogue across America." She offers these tips for successful and civil political conversations:

1	**The most important thing is the presumption of good faith.** If someone says something you can't stand, know that the other person is trying, just like you are, to address hard questions. Assume that the other person is smart and that they are moral.
2	**Say what you actually believe.** Genuineness and sincerity are crucial. You could debate either by making a case no one could disagree with or by sharing what you really feel about the issue. The latter will make for a more productive exchange of ideas.
3	**How can you launch such a conversation and set the tone?** A good technique is to start with a question of genuine curiosity for the other person, which reassures them that you want to know what they believe. Another tip is to paraphrase what they have said before you respond, to make sure the other person feels heard.
4	**When you respond, it helps if you express some doubt or nuance in your own argument,** or mention that you agree with some aspect of the other person's position. You do not need to agree with everything they have said, but you can pick something reasonable the other person said and affirm, "You said X, which makes sense because of Y."
5	**Know that you may need to be the bigger person in the conversation.** In order to be an ambassador of civility, you may need the patience to ask several genuine questions of curiosity before the other person believes that you are actually interested in what they have to say. And you need to control your own emotions and triggers, to manage your activation, because you know these rules for civil engagement, and they may not.
6	**Finally, realize that you have agency.** Prepare yourself for these tough conversations by telling yourself, "I will probably have feelings about this. But I can be patient and manage them." Remember, you're not trapped. You can take a break. You can change topics. Or you may want to have a conversational exit in mind. If it's Thanksgiving and you're speaking with your combative uncle, you might pivot to the football game.

Debating respectfully requires coming to the table with a posture of openness and helping the other person feel heard. In America, at the talking-point level, which is a surface level, we don't agree at all. But if you can go down even one level to political values, or even one more level to moral values, then there's a lot of common ground. With these conversations, we're not trying to change how you see the issue; we're trying to change how you see the other person.

Trust in Government Has Declined

A key characteristic of contemporary political culture is low trust in government. In the early 1960s, three-quarters of Americans said they trusted government "most of the time or always." By 2023, only 16 percent said they did.[51] Importantly, trust in government has been found to increase among members of the party that controls the presidency. For example, Republicans exhibited higher levels of trust when Trump was president (36 percent), while Democrats' trust fell (12 percent). In contrast, Democrats' trust in government increased to 36 percent during the Biden administration while Republicans' plummeted to 9 percent.[52]

Level of trust also differs across groups: Black people and Latinos express more confidence in the federal government than do White people. And there is a generational difference in levels of trust: baby boomers (those born between 1946 and 1964) express greater confidence in the federal government than those from Generation Z (born after 1996).[53]

Long-term distrust in government can result in opposition to the taxes that support crucial government services and protections; it can discourage political participation; and it can make it difficult to attract talented workers to public service.[54] Likewise, a weakened government can do little to help citizens during periods of tumultuous economic or technological change. Public confidence in government is vital for the health of a democracy.

WHAT DO YOU THINK?

AMERICANS AND THEIR POLITICAL VALUES

A photo of Rikki Held. She's smiling and looking away from the camera.

- Given your political values—your beliefs about liberty, democracy, equality, and justice—what do you think of the environmental issues raised by young people in Montana (featured at the beginning of this chapter)? If you were to contact an elected official about this issue, which American values would you emphasize? What values do you think Rikki Held underlined? What about the people and groups aligned against her?
- In what ways does the diversity of the American people represent a strength for American democracy? In what ways is it a challenge?
- How important do you think participation, knowledge, and efficacy are for the functioning of American democracy? What would make you more engaged in government? How do you imagine Rikki Held would answer these questions? Are your friends, family, or fellow students engaged in politics? Why, or why not?

Use  *to help you study and master this material.*

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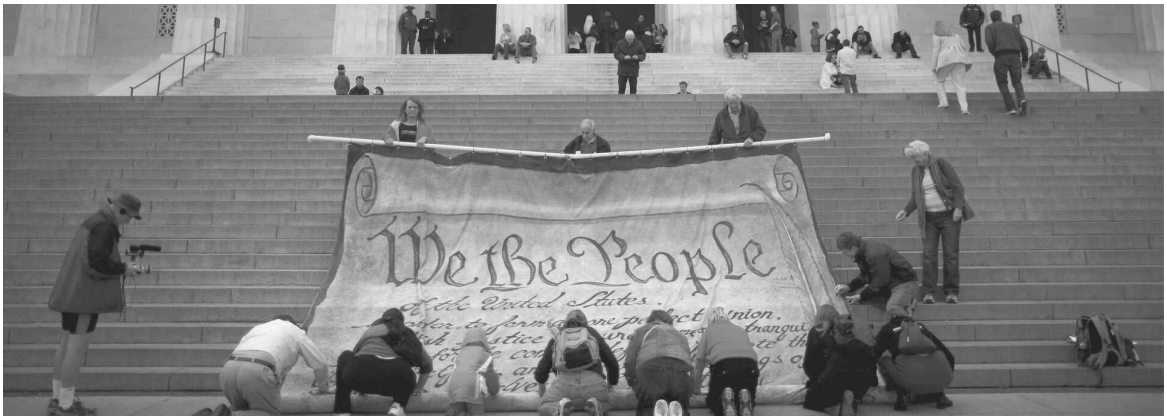
2 The Founding & the Constitution



A group of people hold a large banner displaying the United States constitution. They're standing near the base of a large stair case.

CHAPTER GOALS

- **Explain the interests and conflicts that led to the Declaration of Independence and the Articles of Confederation (pp. 31–36)**
- **Describe the political context of the Constitutional Convention and the compromises achieved there (pp. 36–43)**
- **Describe the principles of governance and the powers of the national government defined by the Constitution (pp. 43–54)**
- **Differentiate between the Federalists' and Antifederalists' stances on the ratification of the Constitution (pp. 54–57)**

WHAT GOVERNMENT DOES & WHY IT MATTERS For nearly 200 years—since 1834—a statue of Thomas Jefferson stood in New York City Hall, residing in the city's Council Chambers since 1915. For two decades, debate simmered about removing the statue. Many of the Founders, including Jefferson, owned enslaved people even as they were formulating the nation's founding documents such as the Declaration of Independence and the U.S. Constitution, which uphold the ideas of liberty, justice, equality, and the pursuit of happiness. On one side of the debate were members of the city council's Black, Latino, and Asian caucus, who described the statue as "oppressive" and "racist," and who, in a letter to the mayor, argued that it served as "a constant reminder of the injustices that have plagued communities of color since the inception of our country."[1] Council member Inez Barron said that Jefferson "felt that Blacks were inferior to Whites—in his own words," and that he had removed Native peoples from their ancestral lands.[2] Those urging that the statue remain in City Hall had a different view. In a letter to the city's Public Design Commission, Princeton historian Sean Wilentz argued that "the statue honors Jefferson for his greatest contribution to America, indeed, to humankind: the basic idea, radical then, radical now, that all men are created equal."[3] Raymond Lavertue, a historian from the University of Oxford, testified that "removal is a very simple solution that will erase the debate" and that, although Jefferson was "massively flawed," his ideas on equality should "be grappled with daily."[4]

In October 2021, the city's Public Design Commission decided to remove the statue. It was moved to the New-York Historical Society, whose president and chief executive, Louise Mirrer, planned to create an exhibition examining "the relationship between the founding ideals of freedom and equality set down by Jefferson and their lived experience, which included supporting slavery and owning enslaved people."[5]

The Declaration of Independence explained the American colonists' right to revolt against England. Abraham Lincoln called it a "rebuke . . . to tyranny and oppression." The U.S. Constitution lays out the purposes of government: to promote justice, to maintain peace at home, to defend the nation from foreign foes, to provide for the "general welfare" of Americans, and, above all, to secure the "blessings of liberty" for them. It also spells out a plan for achieving these objectives, including institutions to exercise legislative, executive, and judicial powers and a division of powers among the federal government's branches and between the national and state governments.

The debate over removing statues and monuments to Founders reminds us that these documents were written by men whose legacy is complex. The Constitution was the product of conflict and intense bargaining among competing interests. The values of liberty, democracy, equality, and justice encapsulated in it and in the Declaration were contested then, and they are contested now.

More information

City council members sit in session as a statue of Thomas Jefferson looks on. The figure is in an active pose, as if striding forward.

After a contentious debate about Thomas Jefferson's history as a slaveowner and one of the primary drafters of America's founding documents, a statue of Jefferson was removed from the city council chambers in New York's city hall.

Although many Americans believe strongly in the values of liberty, equality, and justice, the ways those values are defined and implemented by the institutions that the Constitution created have generated much controversy. As this chapter will show, the Constitution reflects high principles as well as political self-interest. How those principles have been realized over time—and which groups have benefited and which groups have suffered—is an enduring theme of American governance.

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The First Founding: Interests and Conflicts

Explain the interests and conflicts that led to the Declaration of Independence and the Articles of Confederation

To understand dynamic historical eras such as the Founding of the United States, it is helpful to focus on the different perspectives of the people who were present. In American politics, the Founders—people like James Madison, Thomas Jefferson, and Alexander Hamilton—usually take center stage and are revered for articulating American values and ideals such as individual liberty, democracy, equality, justice, and the pursuit of happiness.

However, recent scholarship has highlighted the importance of incorporating two additional processes in our understanding of the Founding: land removal from Native nations and enslavement of Africans.[6] In fact, both practices are directly connected to some of the crucial conflicts that led the 13 colonies to declare independence. While it may be difficult to reconcile the lofty ideals of the Founders with the unfair and inhumane treatment of two groups of people, it is necessary to acknowledge them as part of the Founding period's complexity.

Native Nations and Colonial Life

Before the first colonists arrived, the land that would come to be known as the United States was not empty.[7] Hundreds of independent Native nations and millions of Native peoples were already there. Colonists from England set up the first successful colony in America in 1607 in Jamestown, Virginia. In 1620 the second colony was established in Plymouth, Massachusetts. In both places, the colonists settled on land that was occupied at the time by powerful Native nations (among them the Pequot, Narragansett, and Algonquin), who were already practicing a form of democratic self-governance. In fact, there were 60,000 Native Americans living in what would become the New England colonies. The colonists brought desirable new goods to trade with the Native nations, but they also brought foreign diseases such as smallpox, to which the Native population had no immunity. Of an estimated 12,000 Native Americans when Jamestown was settled in 1607, only 1,000 were left by 1700.[8] For this reason and others, the initially cordial relations between colonists and Native peoples worsened steadily.

Subsequent waves of English settlers rejected Native land ownership and forcibly confiscated land for themselves, displacing Native nations in a process known as settler colonialism.[9] Land was the most valuable commodity in early America, and the colonies could not grow without it. Though Native peoples initially welcomed European newcomers with trade and diplomacy, as the settler populations swiftly grew, especially in the English colonies, land dispossession increased. Soon, lands once controlled by Native nations became bustling colonial merchant areas in the northeast and lucrative agricultural plantations in the southeast.

British Taxes and Colonial Interests

During the first half of the 1700s, British rule was light, especially outside the largest towns, and colonists avoided most taxes levied in London. Beginning in the 1760s, however, debts and other financial problems led the British government to see the North American colonies as a new revenue source. Here the colonists were divided into two groups: the radicals (small farmers, shopkeepers, and artisans) and the colonial elite (merchants, planters, and royalists). The radicals tended to have fewer economic resources and were distrustful of the British. In contrast, many elites benefited from British rule and supported the Crown. However, its aggressive new tax and trade policies split the elites, enhancing the radicals' political influence and setting off a chain of events that culminated in the American Revolution.[10]

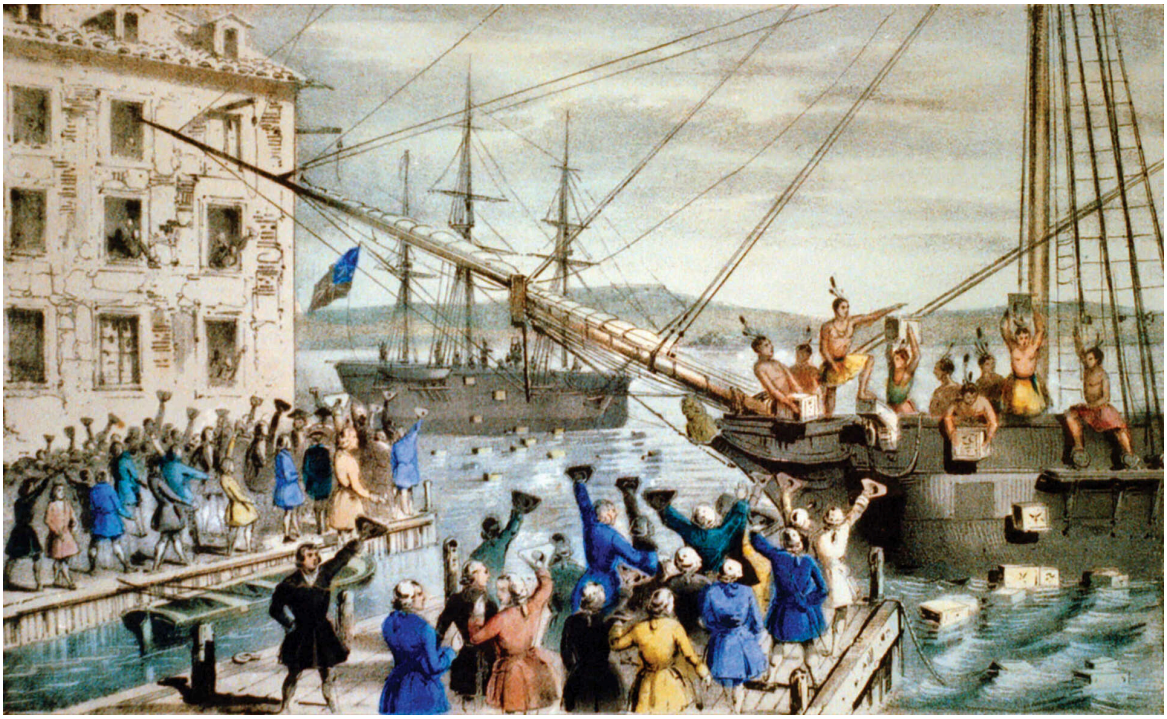
At that time, governments relied mainly on tariffs, duties, and other taxes on commerce to raise revenue. In particular, the Stamp Act of 1765 imposed taxes on many printed items in the colonies, and the Sugar Act of 1764 taxed sugar, molasses, and other commodities. To many colonists, these moves challenged their livelihoods and the colonies' autonomy. United under the slogan "No taxation without representation," they organized demonstrations and a boycott of British goods that ultimately forced the Crown to rescind most of its hated new taxes.

Political Strife Radicalized the Colonists

Amid ongoing colonial strife, the British government passed the Tea Act of 1773, granting the politically powerful East India Company a monopoly on the export of tea from Britain and eliminating a lucrative trade for colonial business interests. Worse, the company planned to sell the tea directly in the colonies instead of working through the colonial merchants for whom tea had become an extremely important commodity.

In response, the radicals joined the elites to protest the Tea Act. In three colonies, antitax Americans blocked the unloading of taxed tea, and forced it back to Britain. The most dramatic protest came to be known as the Boston Tea Party. When the royal governor of Massachusetts refused to allow three shiploads of unsold tea to leave Boston Harbor, the colonists seized the opportunity: on the night of December 16, 1773, 50 of them, some "disguised" as Native Americans, boarded the vessels and threw all 342 chests of tea into the harbor. In response, Parliament closed the port of Boston to commerce, changed the colonial government of Massachusetts, and removed accused persons to Britain for trial. Most important, Parliament restricted colonists' movement to the west.

These acts of repression further radicalized the new Americans and set in motion a cycle of conflicts that in 1774 resulted in the convening of the First Continental Congress. An assembly of delegates from 12 colonies, the group called for a total boycott of British goods and, under the radicals' prodding, began considering the possibility of ending British rule. As relations with Britain further deteriorated, public pressure to declare independence mounted.



A painting shows people cheering as men dressed as Native Americans dump boxes into the water from ships anchored at a harbor. Many boxes already float in the water.

The British helped radicalize colonists through bad policy decisions in the years before the Revolution. For example, Britain gave the ailing East India Company a monopoly on the tea trade in the American colonies. Colonists feared that the monopoly would hurt colonial merchants' business and protested by throwing East India Company tea into Boston Harbor in 1773.

Enslaved Africans and the Colonial Economy

Crushing taxes, repressive measures, and representational concerns spurred calls to end British rule, but economic forces within the colonies were also at play. Key among these were issues related to enslavement—the system of holding people for forced labor so that slaveowners could extract profit. Profits gained through slavery were critical to the early development of the colonial economy and made it possible to imagine a future without the British. In 1619 a small group of 20 to 30 enslaved Africans was delivered to Jamestown, Virginia, beginning the transatlantic slave trade in the new colony. Though, at the time, slavery was much more significant in the West Indies, over time this dehumanizing system would grow throughout North America.[11]

Enslaved African men, women, and children had no legal rights. They were considered "property" that could be insured, bought, and sold.[12] Ultimately, enslaved labor was responsible for the major agricultural and mineral exports of the colonial period, including tobacco, rice, sugar, coffee, silver, and gold. Slavery was vital to manufacturers in places like New York, the largest slave-owning colony in the north. And enslaved labor was essential for the building of sprawling southern plantations, some of which were home to colonial leaders such as George Washington and James

Madison.[13] Although some argued that slavery should be restricted or abolished, it was widely accepted as essential to sustaining the colonial economy.

The Declaration of Independence Explained Why the Colonists Wanted to Break with Great Britain

As the slave trade took hold, mounting tensions between British soldiers and American militia led to violent skirmishes at Lexington and Concord that ultimately erupted into the Revolutionary War. In 1776, more than a year after the war started, the Second Continental Congress appointed a committee to draft a statement of American independence from British rule. Thomas Jefferson of Virginia, who drafted most of the document, had the daunting task of legitimizing separation from Britain and announcing the creation of a new nation to the rest of the world. On July 4, 1776, after revisions by other delegates, the Second Continental Congress voted to officially accept the document and declare independence. (The Declaration is reprinted in the appendix, p. A1.) Politically, the Declaration was remarkable because despite the colonists' differences along regional, economic, and philosophical lines, it focused on principles, goals, and grievances that might unify the various groups.

The first section begins with a sweeping statement of human rights: "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." In the world of 1776, in which some kings still claimed a God-given right to rule, the citizen-centered perspective of the Declaration was a dramatic statement. The Declaration then states that the purpose of governments is to secure the aforementioned rights and that governments derive "their just powers from the consent of the governed." Therefore, when governments violate these rights—when governments no longer have the support of the people—the people have a duty to overthrow them.

The second part of the Declaration lists 27 grievances against King George III. The long list of grievances made clear to the global community that the colonists could not reconcile with Britain.

Yet, even while the Founders extolled the importance of freedom and self-government, the burgeoning self-sovereign nation at the same time limited the sovereignty of Native nations. The colonists were particularly concerned with Native resistance to White settlers advancing on the frontier. They also worried about Native alliances with the British. In fact, the last grievance cited in the Declaration accuses the king of colluding with Native nations.

Just as many of the early colonists refused to acknowledge as valid the sovereignty, property, and rights of the Native peoples inhabiting the continent, they also refused to acknowledge as valid the personhood of Black people. Enslaved people were excluded from the Founders' belief that all men were created equal and were endowed with God-given rights. When the Declaration was signed, slavery was legal in all 13 colonies, and most of the signatories, including Thomas Jefferson, enslaved Black people.[14]

The final paragraph of the Declaration is an assertion of independence. Overall, the document both reviewed history and identified a set of principles that, together, would forge a new national identity.[15] Today, the Declaration is recognized as a key document from the Founding period, marking the transition from a group of colonies into an independent nation.

The European Enlightenment Influenced the Founders

In describing the expectations of good government in the Declaration, Jefferson drew heavily from philosophers associated with the European Enlightenment. Indeed, while America's leaders were first and foremost practical politicians, they also read political philosophy and were influenced by the important thinkers of their day, including Hobbes, Locke, and Montesquieu. In comparison to what the Americans experienced under British rule, the Enlightenment writings concerning the relationship between organized government and the people presented an exciting alternate future.

The British political thinker Thomas Hobbes (1588–1679) was no advocate of democratic government, but he wrote persuasively in *Leviathan* about the necessity of a government authority as an antidote to human existence in a government-less state of nature, where life was "solitary, poor, nasty, brutish, and short." He also believed that governments should have limits on the powers they exercised and that political systems are based on the idea of "contract theory"—that the people of a country voluntarily give up some freedom in exchange for an ordered society. The monarchs who rule that society derive their legitimacy from this contract, Hobbes argued, not from a God-given right to rule.

The British philosopher John Locke (1632–1704) advanced the principles of republican government by arguing not only that monarchical power was not absolute but that such power was dangerous and should therefore be limited. Locke held that the people retain rights despite the social contract they make with the monarch. Preserving safety in society is not enough; people's lives, liberty, and property also require protection. Further, Locke wrote in his *Second Treatise of Civil Government* that the people of a country have a right to overthrow a government they believe to be unjust or tyrannical. This key idea shaped the thinking of the Founders, including Jefferson, who said that the Declaration of Independence was "pure Locke." Locke advanced the important ideas of limited government and consent of the governed.

Baron de la Brède et de Montesquieu (1689–1755) was a French philosopher who advocated the idea that power needed to be balanced by power as a bulwark against tyranny. This could be achieved through the separation of governing powers. This idea was already in practice in Britain, where legislative and executive powers were divided between Parliament and the monarch. In *The Spirit of the Laws*, Montesquieu argued for the separation and elevation of judicial power, which in Britain was still held by the monarch. Montesquieu did not argue for a pure separation of powers; rather, basic functions would be separated, but there would also be some overlap of functions. These ideas were central in shaping the three-branch system of government that America's Founders would later outline in the Constitution of 1787.

The Articles of Confederation Created America's First National Government

Having declared independence, the colonies needed to establish a government. In November 1777, the Continental Congress adopted the Articles of Confederation—the United States' first written constitution. Eventually ratified by all the states in 1781, it functioned as the country's constitution until the final months of 1788.

The colonists' experience with the British government made them fearful of establishing a powerful central government of their own. Thus, the first goal of the Articles was to limit the powers of the central government; as provided under Article II, "each state retains its sovereignty, freedom, and independence." (These attributes define a confederation.) Without a president or other presiding officer, the entire national government consisted of a Congress with very little power. Its members were little more than messengers from the state legislatures: their salaries were paid out of the state treasuries; they were subject to immediate recall by state authorities; and each state, regardless of its population, had only one vote. After the Articles of Confederation were ratified, any amendment required agreement from all 13 states.

The Articles gave Congress the power to declare war and make peace, to negotiate treaties and alliances, to issue currency, to borrow money, and to regulate trade with the Native nations. Any laws it passed, however, could be carried out only by state governments. Congress could also appoint the senior officers of the U.S. Army—but, because the nation's armed forces consisted only of the state militias, there was no such army. Finally, Congress had no power to collect taxes. In effect, the Articles of Confederation were hopelessly impractical.[16]

Glossary

settler colonialism
: a form of colonialism that seeks to remove Native peoples from land and replace them with a new settler population

enslavement
: a system of slavery in which individuals are held as property for the purpose of forced labor so that profit can be extracted

Articles of Confederation
: America's first written constitution; served as the basis for America's national government until 1789

confederation
: a system of government in which states retain sovereign authority except for the powers expressly delegated to the national government

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The Failure of the Articles of Confederation Made the “Second Founding” Necessary

Describe the political context of the Constitutional Convention and the compromises achieved there

The Americans prevailed and won the Revolutionary War, thereby securing their independence. However, a series of developments in the 1780s highlighted the shortcomings of the Articles of Confederation in holding the former colonies together as an independent and effective nation-state. These shortcomings led to what was essentially a second founding.

First, because there was no national military, and because competition among the states for foreign commerce allowed the European powers to play them off against one another, the United States had great difficulty conducting its foreign affairs. This was clear, for example, when John Adams, a leader in the independence struggle, attempted to negotiate a new treaty with Britain that would cover disputes left over from the war. The British Parliament responded that since the Articles did not permit the United States to enforce existing treaties, it would not negotiate with Adams but with each of the 13 states separately.

Second, the power that states retained under the Articles of Confederation began to alarm well-to-do Americans—in particular, New England merchants and southern planters—when radical forces gained power in a number of state governments. As a result of the Revolution, one key segment of the colonial elite—the royal land, office, and patent holders—was stripped of its economic and political privileges. While the elites were weakened, the radicals had gained strength and now controlled key states, including Pennsylvania and Rhode Island, where they pursued policies that terrified business and property owners throughout the country. The central government under the Articles was powerless to intervene.

Continuing international weakness and domestic economic turmoil led many Americans to consider revising their newly adopted form of government. In the fall of 1786, the Virginia legislature invited representatives of all the states to a convention in Annapolis, Maryland. It was established at the Annapolis Convention that a future constitutional convention would need to address how to create a stronger central government.

Shays’ Rebellion

A painting shows a scene where Daniel Shays leads his makeshift army against a federal arsenal in Springfield, Massachusetts. Shays lifts a musket and calls his troops on as smoke billows in the distance.

Daniel Shays' rebellion proved the Articles of Confederation were too weak to protect the fledgling nation.

It's quite possible that the Constitutional Convention of 1787 in Philadelphia would never have taken place except for Shays' Rebellion. In the winter following the Annapolis Convention, Daniel Shays, a former army captain, led a mob of debt-ridden farmers in an effort to prevent foreclosures on their land in Massachusetts. A militia organized by the state governor and funded by a group of prominent merchants dispersed the mob, but Shays and his followers then attempted to capture the federal arsenal at Springfield. Within a few days, the state government regained control and captured 14 of the rebels. But later that year, a newly elected Massachusetts legislature granted some of the farmers' demands.

George Washington summed up the effects of the incident on the new nation's leaders: "I am mortified beyond expression that in the moment of our acknowledged independence we should by our conduct verify the predictions of our transatlantic foe, and render ourselves ridiculous and contemptible in the eyes of all Europe."[17] The Congress under the Articles had shown itself unable to act decisively in a time of crisis. In response to the escalating crisis surrounding the Articles, the states were asked to send representatives to Philadelphia to discuss constitutional revision. Delegates were eventually sent by every state except Rhode Island.

The Constitutional Convention and the Great Compromise

The delegates convened in Philadelphia in May 1787 with political strife, international embarrassment, national weakness, and local rebellion on their minds. Recognizing that these issues were symptoms of fundamental flaws in the Articles of Confederation, the delegates soon abandoned the plan to revise the Articles and committed themselves to a new founding—a transformative, and ultimately successful, attempt to create a legitimate and effective national system of government. This effort would occupy the convention for the next five months.

The Great Compromise

Supporters of a new government fired their opening shot on May 29, 1787, when Edmund Randolph of Virginia offered a resolution proposing sweeping corrections and additions to the Articles of Confederation. Randolph represented the Virginia delegation, which also included James Madison and George Washington. Their proposal provided for virtually every aspect of a new government.

The most controversial portion of Randolph's motion was called the Virginia Plan. It provided for representation in the national legislature to be based on the population of each state or the proportion of each state's revenue contribution to the national government, or both. Randolph also proposed a second chamber of the legislature, to be elected by the members of the first chamber. Therefore, Congress would have two chambers and take the form of a bicameral legislature. Since the states varied enormously in population and wealth, the Virginia Plan was heavily biased in favor of the large states.

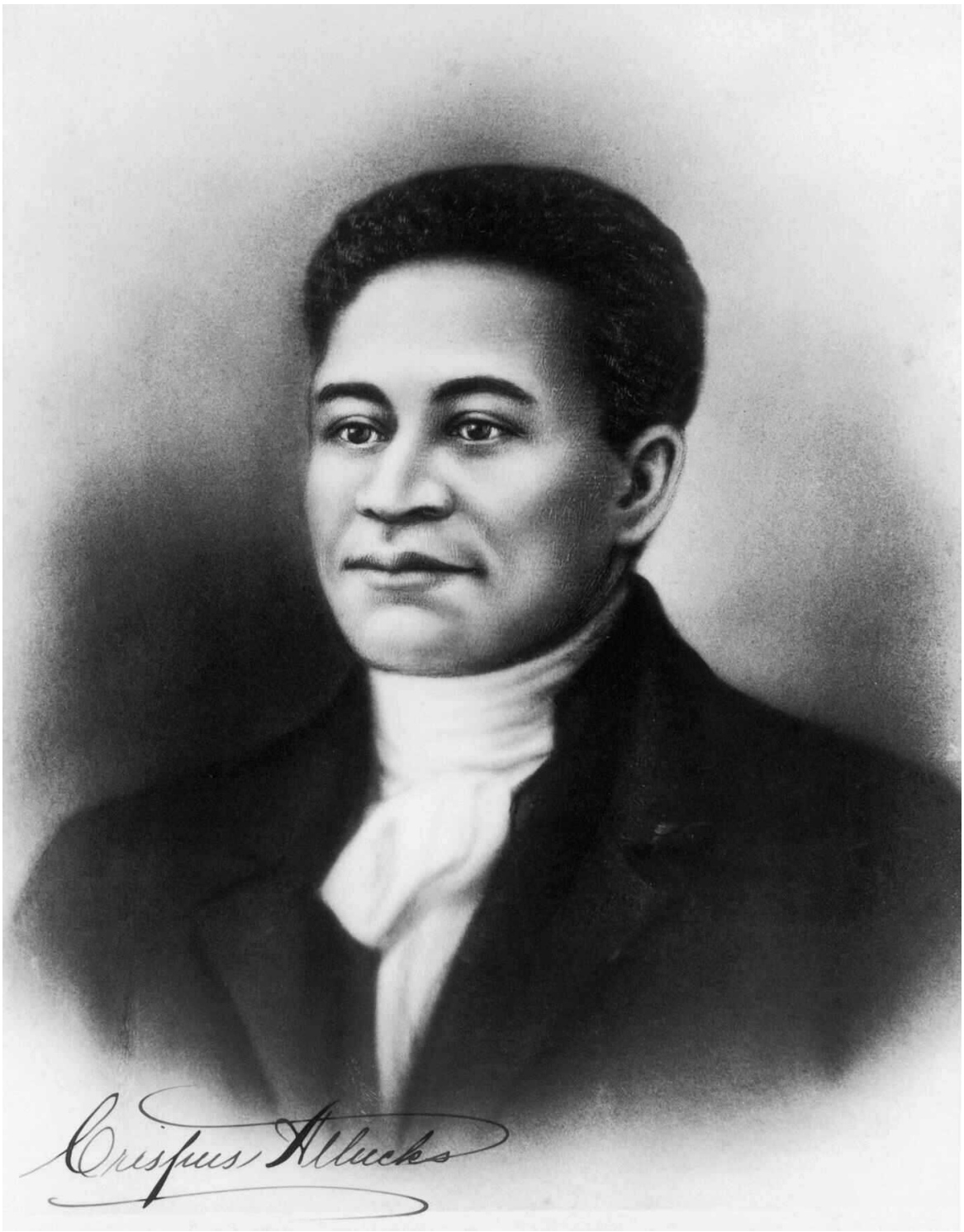
As more delegates arrived in Philadelphia, the convention continued to debate the Virginia Plan, and opposition to it increased. William Paterson of New Jersey introduced a competing resolution, the

New Jersey Plan. Its main proponents were delegates from the less populous states, including Delaware, New Jersey, Connecticut, and New York, who asserted that the more populous states—Virginia, Pennsylvania, North Carolina, Massachusetts, and Georgia—would dominate the new government if representation were determined by population. The smaller states argued that each state should be equally represented regardless of its population. Under the New Jersey Plan, there would be one chamber, a system known as a unicameral legislature.

As factions maneuvered and tempers flared around the issue of representation, the Union was on the verge of falling apart. Finally, the debate was settled by the Connecticut Compromise, also known as the Great Compromise. Under its terms, there would be a bicameral legislature. Yet in one chamber of Congress—the House of Representatives—seats would be apportioned according to population, as delegates from the large states had wished. But in a second chamber—the Senate—each state would have equal representation, as the small states preferred.

The Constitution and Slavery

The institution of slavery was crucial to the colonial economy. And the slave trade was violent. It involved forcibly removing people from their African homelands (often tearing them from their families), transporting them across the Atlantic Ocean in brutal, inhumane conditions, selling those who survived in slave auctions, and threatening them with violence and death if they attempted to escape. By the late 1700s, attitudes toward slavery, especially in northern cities, were shifting. And calls to end the transatlantic slave trade and slavery in America became louder after the Declaration of Independence declared that “all men are created equal.” But it’s important to recognize that pressure also came from enslaved people themselves.



A black and white drawing of Crispus Attucks. He wears a formal coat over a white formal shirt and cravat.

Crispus Attucks, a man of Native and African descent, is considered to be the first person killed by British forces in the American Revolution.

Enslaved Black people strategically resisted their treatment through both obvious and subtle ways. The more explicit forms of resistance included running away and armed mass uprisings. Other discreet acts of rebellion included secretly learning how to read, destroying tools, and slowing down work pace.[18] Together, these forms of resistance were instrumental in pointing out how the brutality of slavery contradicted the country's professed democratic ideals. In fact, persons who had escaped slavery and were working freely in the colonies would be pivotal actors in the early revolution. One of them, Crispus Attucks, who was of African and Native background, was the first person killed in the fight for independence.

The discomfort around slavery had become more pronounced with the onset of the Revolutionary War. After the British encouraged enslaved Black people to fight on the British side in exchange for their freedom, many of the 13 colonies countered that enslaved people who served in the Continental Army could have their freedom. The active involvement of thousands of Black soldiers, fighting alongside the colonists, weakened support for slavery.[19] Indeed, northern colonies such as Vermont, Rhode Island, Massachusetts, and Pennsylvania outlawed slavery after the war.

As the Founders drafted a new constitution, they faced a nation divided over slavery.[20] Many of the conflicts that emerged during the Constitutional Convention reflected fundamental differences between southern and northern states related to slavery. From an economic perspective, southerners wanted to protect slavery, and while it made northerners uneasy, many of them benefited from investments in the institution. From a moral perspective, the issue was more complicated. There was widespread acknowledgment that slavery was incompatible with democratic principles and should not be legitimized in the Constitution. Embarrassment about protecting the institution of slavery led to the omission of the words *slavery* and *slave* from the document. Despite this, the Constitution contains two important provisions related to slavery: the Three-Fifths Compromise and the extension of the slave trade.

Three-Fifths Compromise

Slavery was at the center of the debate about representation in the House of Representatives. More than 90 percent of the country's enslaved people lived in five states (Georgia, Maryland, North Carolina, South Carolina, and Virginia), where they accounted for 30 percent of the total population. Delegates from these states wanted enslaved people to be counted as free persons for the purposes of determining representation in the House of Representatives. Were they to be counted as part of a state's population even though they weren't citizens, thereby giving southern states increased representation in the House?

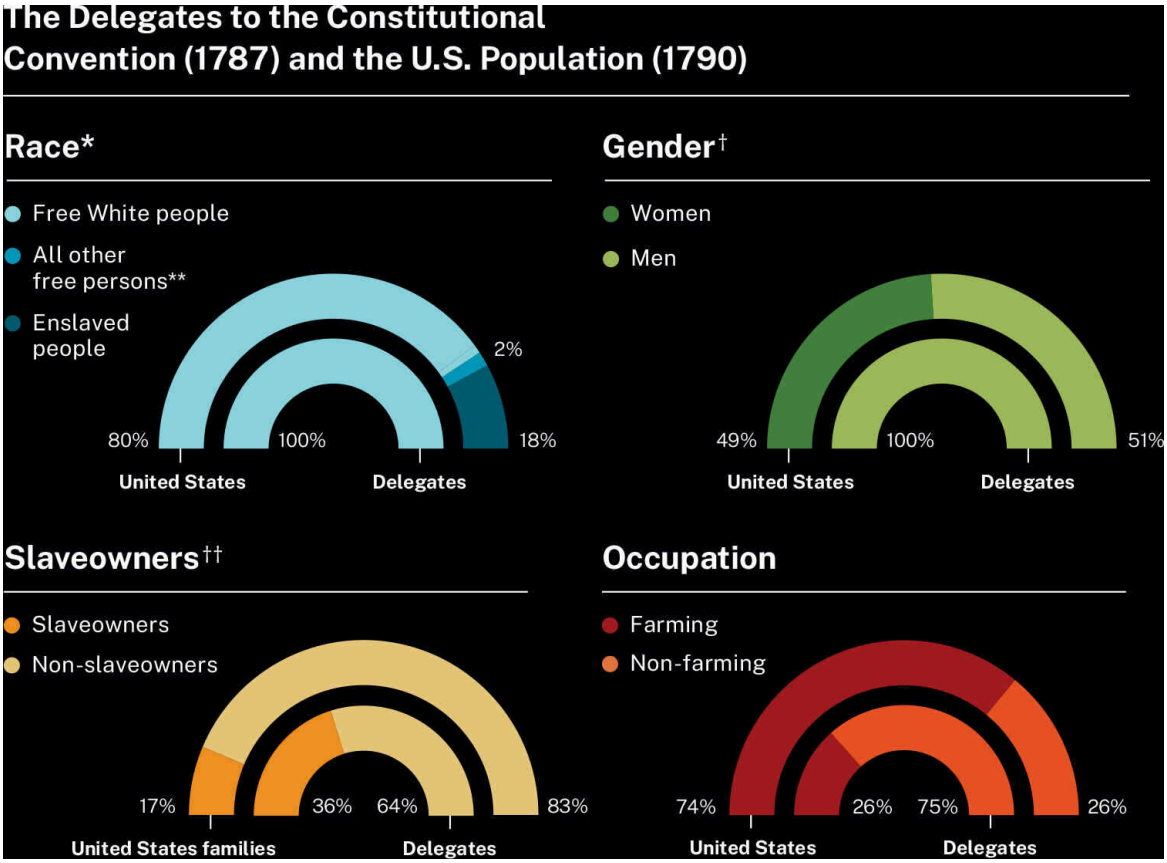
While delegates from the northern states held a range of opinions about the morality of slavery, most opposed counting the population of enslaved people in the apportionment of congressional seats, although this did not necessarily mean they opposed slavery itself. James Wilson of Pennsylvania, for example, argued that if enslaved people were counted for this purpose, other forms of property should be as well. But southern delegates insisted they would never agree to the new government if the northerners refused to give in. Northerners and southerners eventually reached agreement through the Three-Fifths Compromise: seats in the House of Representatives would be apportioned according to a "population" in which "three-fifths" of enslaved people would be counted (Article 1, Section 2). As a result, the southern states gained added influence in the House of Representatives, but not as much as they wanted and not as much as the northern states feared. The Three-Fifths Compromise would remain in effect until the Fourteenth Amendment repealed it in 1868.

A painting shows a group of slaves looking upon Lady Liberty, who is sitting amidst books, a globe, and other symbols of antiquity. She is lifting a book as if preparing to instruct the slaves.

Despite the Founders' emphasis on liberty, the new Constitution allowed slavery, counting three-fifths of all enslaved people in apportioning seats in the House of Representatives. In this 1792 painting, *Liberty Displaying the Arts and Sciences*, the books, instruments, and classical columns at the left contrast with the kneeling enslaved people at the right—illustrating the divide between America's rhetoric of liberty and equality and the reality of slavery.

WHO ARE AMERICANS?

Who Were the Framers of the Constitution?



A Who Are Americans? infographic titled Who Were the Framers of the Constitution? Text reads, Who Were the Framers of the Constitution? During the drafting and ratification of the Constitution, the demographics of the framers were quite different in comparison to the overall population of the United States. The 55 delegates to the 1787 Constitutional Convention were all White and male, whereas the American people were more diverse. The contrast between who was writing and designing the Constitution (a document that emphasized freedom, equality, and justice) and the composition of the U.S. population overall illustrates the contradictions in American political life and provides the foundation for conflicts and debates we have seen throughout American history. Graphics compare makeup of The Delegates to the Constitutional Convention of 1787 with the U.S. Population in 1790, with regard to race, slave-owning status, gender, and occupation. The population was 80% free whites, 2% other free persons, and 18% enslaved persons. The convention delegates were all free whites. Slaveowners represented 17% of the general population but 36% of the convention delegates. The population was 51% male, but all convention delegates were male. Farming was the occupation of 74% of the population but only 26% of the convention delegates. NOTES: The 1790 census had no category to count Native peoples living in the general population, even though an estimated 600,000 Native peoples lived in the United States. The 1790 census defined “all other free persons” as free Black people, people of mixed race, and a small number of Native peoples who lived among White people. For this graphic, slave-owning delegates are delegates who owned slaves at the time of the 1787 Constitutional Convention. The 1790 census only recorded gender data for the White population. There are two questions FOR CRITICAL ANALYSIS. 1. Compare the demographic data of the framers of the Constitution with the overall population data from the time. Do these data confirm or contradict what you know about the framers? Use the data to explain your answer. 2. Do you think the Constitution would be different if the framers were