

QUESTIONS AND EXPLANATIONS

1. What are two rights of everyone living in the United States?

The first ten amendments to the US Constitution are called the Bill of Rights. The Bill of Rights sets forth some basic rights held by all those living in the United States. The first amendment is probably the most well-known. It declares these five rights:

- **Freedom of speech**
- **Freedom of the press**
- **Freedom of religion**
- **The right to peaceably assemble**
- **The right to petition the government**

2. What is freedom of religion?

*Freedom of religion is **the right of any American to practice any religion they would like or to practice no religion at all**. Freedom of religion includes the right to not have the government establish or support a religion. (1st Amendment, establishment and free exercise clauses)*

3. Who is in charge of the executive branch?

The President (Article II, Section 1) *“The executive Power shall be vested in a President of the United States of America.” His duties are outlined in Article II of the Constitution.*

4. Name one branch or part of the government.

*The Constitution set up the government with three branches: **Legislative** (Congress – the House of Representatives and the Senate); **Executive** (the President); and **Judicial** (the Supreme Court). (Articles 1, 2, and 3 of the Constitution.)*

5. What do we call the first ten amendments to the Constitution?

The Bill of Rights. *At the Constitutional Convention of 1787, George Mason, a delegate from Virginia, said that he wished the plan had been prefaced by a bill of rights.*

6. Under our Constitution, some powers belong to the states. What is one power of the states?

The Constitution describes a concept called “reserved powers.” (“The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” Amendment X.) Any specific power that is not expressly granted to the federal government by the Constitution is “reserved” for the states. Therefore, the states have a great number of powers. Some of these “reserved powers” are:

- **To provide schooling and education**
- **To provide protection and safety (police and fire departments)**
- **To grant licenses (business licenses, driver’s licenses, professional licenses, etc.)**
- **To approve zoning and land use**

7. Who is the Commander in Chief of the military?

The President (Article II, Section 2) *"The President shall be Commander in Chief of the Army and Navy of the United States..."*

8. If both the President and the Vice President can no longer serve, who becomes President?

Speaker of the House – *Presidential Succession Act of 1947*

9. Who vetoes bills?

The President (Article I, Section 7- *"Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections..."*)

10. What does the President's Cabinet do?

Advises the President (Article II, Section 2) *"[The President] may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any subject relating to the Duties of their respective Offices."* Without saying so directly, the Constitution created the Cabinet with those words. Note, however, that the Constitution does not go into what the executive departments will be, how many there will be, or what their duties should be. The Cabinet consists of several people, though primarily the members are as the Constitution suggests: the principal officer in each of the executive departments. We call these people Secretaries. In other countries, they are typically called Ministers. (See Question 38 for a list of members of the Cabinet.)

11. We elect a U.S. Senator for how many years?

Six (Article 1 Section 3) *"The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years..."*

12. What stops one branch of government from becoming too powerful?

*Dividing the different roles of government – legislative, executive, and judicial – into separate bodies is one way. This is called **separation of powers**. Then, the system of **checks and balances** is used to keep any one branch from becoming too powerful. For example, the Executive Branch can veto bills from the Legislative Branch, but the Legislative Branch can override the veto. The Executive Branch nominates justices to the Supreme Court, but the Legislative Branch must approve them. The Legislative Branch creates laws, but the Judicial Branch determines their constitutionality. (See also Question 33.)*

13. We elect a President for how many years?

Four (Article II, Section 1) *"The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years..."*

14. The idea of self-government is in the first three words of the Constitution. What are these words?

We the People (The Preamble) *These words clearly indicate that it is the people of the United States who have created the government. It derives its power from them.*

15. Who makes federal laws?

Congress (Article I, Section 1) "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." Legislative means law-making.

16. What is the highest court in the United States?

Supreme Court (Article III, Section 1) "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish."

17. What is the "rule of law"?

All people and institutions are subject to the law and the law is applied and enforced with fairness to all.

18. What does the Constitution do?

The Preamble describes several distinct purposes for the Constitution. They include: **defining and setting up the government**, and **providing peace and security for citizens**, and **protecting the rights of citizens**. The Preamble states: "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

19. How many justices are on the Supreme Court?

Nine (9), but there haven't always been. The Constitution doesn't specify a number which left that decision to Congress. Various Congressional laws have changed the number over the years. There have been as few as 5 and as many as 10. The Judiciary Act of 1869 set the number at 9 and it hasn't changed since then.

20. When is the last day you can send in your federal income tax forms?

April 15. The 16th Amendment was ratified on Feb. 3, 1913 and allowed Congress to institute an income tax. Congress chose March 1 as the deadline for filing returns, and the first official tax day was March 1, 1914. In 1918 the date was officially moved to March 15. In 1955, the date was moved again –this time to April 15 where it has remained since.

21. What are the two major political parties in the United States today?

Democrat and Republican. The Constitution did not create political parties. They formed as part of the struggle over ratification and have been a part of politics ever since. There have been many other parties through history.

22. Under our Constitution, some powers belong to the federal government. What is one power of the federal government?

The Constitution describes many powers that belong expressly to the federal government and declares (Amendment X) that any it does NOT describe as belonging to the federal government belong to the states. The powers that are expressly given to the federal government are called the “enumerated powers of Congress” and are found in Article I, Section 8. Some of them are:

- *To collect taxes*
- *To borrow money*
- *To coin money*
- *To grant patents*
- *To declare war*
- *To establish post offices and roads*
- *To provide and maintain Armies and a Navy*
- *To make treaties*

23. Who does a U.S. Senator represent?

***All people of the state in which (s)he was elected.** Everyone in the state votes in elections for senators. This is different from a Representative. Members of the House of Representatives are elected and represent only the portion (district) within the state that voted for them. Utah, for example, has four separate districts and each Representative is elected only by people in his or her district. Consequently, those are the people they represent.*

24. How old do citizens have to be to vote for President?

***Eighteen (18) or older.** (26th Amendment) “The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.”*

25. What happened at the Constitutional Convention?

***The Constitution was written.** The original purpose of the convention was not to draft a new document, but rather to fix problems with the Articles of Confederation under which the country was being operated. The original 13 states, except Rhode Island, collectively appointed 70 individuals to the Constitutional Convention, but a number did not accept or could not attend. In all, 55 delegates attended the Constitutional Convention sessions, but only 39 actually signed the Constitution. The delegates ranged in age from Jonathan Dayton, aged 26, to Benjamin Franklin, aged 81.*

26. How many amendments does the Constitution have?

***There are 27.** The first 10 – called the “Bill of Rights” can be considered part of the original Constitution. And Amendment 18 was repealed by Amendment 21, which means that in a span of more than two centuries, there have been only 15 amendments.*

27. Name one U.S. Territory.

Territories of the United State include (from largest in population to smallest): Puerto Rico, Guam, US Virgin Islands, the Northern Mariana Islands, American Samoa, and Wake Island.

28. What does the judicial branch do?

*The judicial branch has the responsibility to interpret and apply laws as described in Article II, Section 2. As part of this responsibility, judges are tasked with **reviewing laws and explaining laws, resolving disputes about laws, and determining whether or not laws are constitutional** if they are challenged.*

29. Name one American Indian Tribe in the United States?

*A federally recognized tribe is an American Indian or Alaska Native tribal entity that is recognized as having a government-to-government relationship with the United States. Federally recognized tribes possess certain inherent rights of self-government and are entitled to receive certain federal benefits, services, and protections because of their special relationship with the United States. At present, there are 566 federally recognized American Indian and Alaska Native tribes. The largest in terms of population are: **Navajo, Cherokee, Sioux, Chippewa, Choctaw, Apache, Pueblo, Iroquois, Creek, and Blackfeet.***

30. Who wrote the Declaration of Independence?

***Thomas Jefferson** was the primary author and is generally cited as the person who “wrote” it. Representatives from the 13 colonies selected him because of general agreement that he was the best writer.*

31. What are two ways that Americans can participate in their democracy?

Americans can participate in government in many ways. Here are a few of the most common:

- **Vote**
- **Contact elected officials to give an opinion**
- **Join a community group**
- **Write to a newspaper with their opinion**

32: There are four amendments to the Constitution about who can vote. Describe one of them.

***15th Amendment** gave African-American men the right to vote by removing any restrictions based on “race, color, or previous condition of servitude.”*

***19th Amendment** gave women the right to vote.*

***23rd Amendment** gave residents of Washington, DC the right to vote.*

***26th amendment** gave all citizens 18-years of age and older the right to vote.*

33. Who signs bills to become laws?

*Article I, Section VII states that the **President** must sign a bill in order for it to become a law.*

“Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections...” Note, however, that the same section describes how Congress can override a president’s decision to not sign a law. (See question 12 on Checks and Balances.)

34. The House of Representatives has how many voting members?

*Under Article I, Section 2 of the Constitution, seats in the House of Representatives are divided among the states by population, as determined by the census conducted every ten years. Each state, however, is entitled to at least one Representative. The only rule relating to the size of the House states: "The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative." Congress regularly increased the size of the House to account for population growth until it fixed the number of voting House members at **435** in 1911. The Constitution did not provide for Washington, DC or any US territories to receive voting members of the House of Representatives.*

35. Why do some states have more Representatives than other states?

Representation is based on the population of each state (Article I, Section 2). Large states have more Representatives than small ones, but each representative represents approximately the same number of US citizens.

36. What is an amendment?

An addition or a change to the Constitution (Article V) "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments..."

37. What is the capital of the United States?

Washington DC. Congress declared Washington DC the capital of the United States on July 16, 1790 and the government moved there in 1800 after the city had been built. Previous capitals had been New York City and Philadelphia.

38. What are two Cabinet-level positions?

The current Cabinet includes the Vice President and the heads of 15 executive departments — the **Secretaries of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Homeland Security, Housing and Urban Development, Interior, Labor, State, Transportation, Treasury, and Veterans Affairs**, as well as the **Attorney General**. (See Question 10 for a description of what the Cabinet does.)

39. What is the economic system in the United States?

Capitalist economy. This means that the economic system is based on private ownership rather than on public (government) ownership. The opposite of this system is called a Communist (or Command) economy which is based on government ownership.

40. How many US senators does Utah have?

All states, including Utah, have **2 senators**.

41. How many U. S. Representatives does Utah have?

The number of Representatives in each state is based on their total population. States with larger populations have more Representatives than states with smaller populations. Utah has **4 Representatives**.

42. What are the two parts of the U.S. Congress?

*The **Senate and House of Representatives**. Article I, Section 1 creates them with these words: "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."*

43. What is the supreme law of the land?

***The Constitution** (Article VI) "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof...shall be the supreme Law of the Land."*

44. We elect a U.S. Representative for how many years?

***Two** (Article I, Section 2) "The House of Representatives shall be composed of Members chosen every second Year..."*

45. What are two rights in the *Declaration of Independence*?

*The Declaration of Independence identifies three: "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**." The use of the word "among" indicates the belief that there are other unalienable rights.*

46. What did the *Declaration of Independence* do?

***Declared our freedom and independence from Great Britain and its government** with the following words: "...it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station..."*

47. What is one right or freedom granted by the *First Amendment*?

*The first amendment specifically grants freedom in five areas: **religion, speech, the press, assembly** (the right to gather), and to **petition the government**.*

48. What did the *Emancipation Proclamation* do?

***Freed slaves in Confederate (southern) states and allowed black men to join the armed forces in the Union (northern) states.** The proclamation stated that "all persons held as slaves within said designated States, and parts of States, are, and henceforward shall be free; and that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons." It also stated that "such persons of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service."*

49. How many U.S. senators are there?

***100, 2 representing each state** (Article I, Section 3) "The Senate of the United States shall be composed of two Senators from each State..." Of course, when there were fewer states, there were also fewer senators.*

50. What is the title of the highest political official in a US state?

*The **governor** of the state is the highest political official in every US state.*