**Attention you will only get one copy of this rubric and it must be turned in with the final copy of the assignment, a digital copy is available on the mrkevberad.weebly.com**

Directions: you will write an essay explaining the United States Constitution your essay should address the following topics

* Government's purpose and principles
  + Why humans create government and what does good government do? (John Lock, State of Nature, Natural Law, Natural Rights, Consent of the Governed, Social Contract, U.S. Constitution)
* How power and authority are used in U.S. government structure,
  + What are the three branches of government, what are the powers of each branch and how are the powers of each branch checked and balanced? (Legislative = Congress, Executive = President, Judicial = Supreme Court, Separation of Powers, Checks and Balances, relationship between states and the federal government)
* U.S. civic rights and responsibilities.
  + What are the rights granted by the government in the Constitution and what are the citizens’ responsibilities in protecting these rights. (Bill of Rights, 14th, 15th, 19th, 26th amendments, popular sovereignty = participation in elections, consent, supreme court cases)

In addition to these requirements you will be required to accurately use academic vocabulary and cite textual evidence from primary and secondary sources to support your answers (Possible sources to use are included in the source packet). You will also be assessed on your ability to adhere to academic writing conventions.

Your final essay will be assessed using the following rubric:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Criteria | Advanced | Proficient | Partial Proficient | Unsatisfactory |
| Government's purpose and principles | Thoroughly explains the relationship between John Lock, State of Nature, Natural Law, Natural Rights, Consent of the Governed, Social Contract, and the U.S. Constitution | Explains the relationship between John Lock, State of Nature, Natural Law, Natural Rights, Consent of the Governed, Social Contract, and the U.S. Constitution | Explains some of the relationship between John Lock, State of Nature, Natural Law, Natural Rights, Consent of the Governed, Social Contract, and the U.S. Constitution, but needs more details | Does not explain any of the relationship between John Lock, State of Nature, Natural Law, Natural Rights, Consent of the Governed, Social Contract, and the U.S. Constitution |
| How power and authority are used in U.S. government structure | Thoroughly explains the three branches of government, their powers and how the powers of each branch checked and balanced | Explains the three branches of government, their powers and how the powers of each branch checked and balanced | Explains some of the branches of government, their powers and how the powers of each branch checked and balanced, but needs more detail | Does not explain the branches of government, their powers and how the powers of each branch checked and balanced |
| U.S. civic rights and responsibilities | Thoroughly explains the 4 rights granted by the government in the Constitution as well as the citizens’ responsibility is in protecting these rights | Explains 3 rights granted by the government in the Constitution as well as the citizens’ responsibility is in protecting these rights | Explains 2 of the rights granted by the government and explains some of the citizens’ responsibility is in protecting these rights, but could use more details | Explains 1 or none the rights granted by the government in the Constitution does not explain some of the citizens’ responsibility in protecting these rights, but could use more details |
| Use of Academic Vocabulary | Uses 10 or more examples of academic vocabulary correctly | Uses 8-10 examples of academic vocabulary correctly | Uses 3 - 7 examples of academic vocabulary correctly | Uses fewer than three examples or uses examples incorrectly |
| Use of Textual Evidence From Primary and Secondary Sources | Uses four or more examples of textual evidence from primary and secondary sources | Uses three examples of textual evidence from primary and secondary sources | Uses two examples of textual evidence from either primary or secondary sources | Uses less than two examples of textual evidence from either primary or secondary sources |
| Adherence to Academic Writing Conventions | Well written contains no major spelling, grammar, mechanic or format errors | Contains spelling, grammar, mechanic or format errors but they do not detract from overall meaning | Contains spelling, grammar, mechanic or format errors that sometimes detracts from overall meaning | Contains spelling, grammar, mechanic or format errors that interfere with overall meaning |

**Sources to help explain government's purpose and principles**

John Locke ***Two Treatises of Government (1690)***

*John Locke published Two Treatises of Government in 1690. Locke was trying to justify the Glorious Revolution and England's new government. His work later supplied the philosophical support for revolutions in both the American colonies and in France.*

Excerpt 1

To understand political power, we must consider the condition in which nature puts all men. It is a state of perfect freedom to do as they wish and dispose of themselves and their possessions as they think fit, within the bounds of the laws of nature. They need not ask permission or the consent of any other man.

The state of nature is also a state of equality. No one has more power or authority than another. Since all human beings have the same advantages and the use of the same skills, they should be equal to each other. The state of nature has a law of nature to govern it. Reason is the law. It teaches that all men are equal and independent, and that no one ought to harm another in his life, liberty, or possessions. All men are made by one all-powerful and wise Maker. They are all servants of one Master who sent them into the world to do His business. He has put men naturally into a state of independence, and they remain in it until they choose to become members of a political society.

Excerpt 2

If a man in the state of nature is free, if he is absolute lord of his own person and possessions, why will he give up his freedom? Why will he put himself under the control of any person or institution? The obvious answer is that the rights in the state of nature are constantly exposed to the attacks of others. Since every man is equal and since most men do not concern themselves with equity and justice, the enjoyment of rights in the state of nature is unsafe and insecure. Hence each man joins in society with others to preserve life, liberty, and property.

Excerpt 3

Since men hope to preserve their property by establishing a government, they will not want that government to destroy this objective. When legislators *(lawmakers)* try to destroy or take away the property of the people, or try to reduce them to slavery, they put themselves into a state of war with the people who can then refuse to obey the laws. When legislators try to gain or give someone else absolute power over lives, liberties, and property of the people, they abuse the power which the people had put into their hands. It is then the privilege of the people to establish a new legislature to provide for their safety and security. These principles also hold true for the executive who helps to make laws and carry them out.

*Preamble U.S. 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 to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

*TCI History Alive*

Chapter 8 section 8.4 pages 107-108 (Shared beliefs clashing views) Chapter 9 Section 9.2 page 120

**Sources to help explain how power and authority are used in U.S. government structure**

*TCI History Alive*

Chapter 9 Section 9.3 (Legislative) pages 121-122, Section 9.4 (Executive) pages 123-124, Section 9.5 (Judicial) pages 124-125, Section 9.6 (Checks and Balances) pages 126, Section 9.6 (Federal System) pages 128-129.

*U.S. Constitution*

Article. I. (Legelative)

**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.

**Section. 1.**

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

**Section. 3.**

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

**Section. 7.**

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

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 to that House in which it shall have originated,…

**Section. 8.**

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

**Section. 9.**

The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

**Section. 10.**

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Article. II. (Executive)

**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, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

**Section. 2.**

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he 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, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

**Section. 4.**

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

**Article III. (Judicial)**

**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. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

**Section. 2.**

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;--to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the United States shall be a Party;--to Controversies between two or more States;-- [between a State and Citizens of another State](http://www.archives.gov/exhibits/charters/constitution_amendments_11-27.html#11),--between Citizens of different States,--between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Article. IV. (Federal System)

**Section. 1.**

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

**Section. 2.**

The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

[No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due](http://www.archives.gov/exhibits/charters/constitution_amendments_11-27.html" \l "13).

**Sources to explain U.S. civic rights and responsibilities**

***Bill of Rights***

**Amendment I**

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

**Amendment II**

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

**Amendment III**

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

**Amendment IV**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

**Amendment V**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

**Amendment VI**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

**Amendment VII**

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

**Amendment VIII**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**Amendment IX**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

**Amendment X**

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.

*TCI History Textbook*

Chapter 10 sections 10.3 – 10.6 pages 135-142 (Bill of Rights)

Chapter 9 section 9.9 Participation in Popular government page 130