

Chapter 2

Rights and Responsibilities of American Citizens

At the conclusion of this chapter, students will be able to:

1. Explain how a person becomes an American citizen.
2. Feel positive about the role(s) of citizens in the United States, and
3. Describe the influence of political parties.

Methods of Becoming an American Citizen

Citizens by Birth

1. The Law of the Soil

This is the most common way people become American citizens at birth.

Any person born on American soil, either in the United States or in one of its territories, automatically becomes an American citizen. This is true even if the child's parents are not American citizens.

An exception to the law of the soil affects children of foreign diplomats working in the United States. While here, the diplomats are representatives of other countries.

2. The Law of Blood

Any person born outside the United States to parents who are American citizens automatically becomes an American citizen at birth. The only requirement is that one of the parents once lived in the United States.

If only one of the child's parents is an American citizen, the law of blood still applies.

Citizens by Naturalization

Those people who come to the United States as citizens of other countries. Those who desire to stay here permanently are called **immigrants**.

Rights of American Citizens

Most rights we have fall into one of three general categories: **security, equality, and liberty.**

Security

Security means protection from unfair and unreasonable actions by the government. The government, for example, cannot arrest, imprison, or punish people or search or seize their property without good reason and without following certain rules. The principle of "due process of law" protects these rights for all Americans.

The **due process clause**, which is found in the Fifth and Fourteenth Amendments, states that no person shall be deprived of "life, liberty, or property, without due process of law." Due process means that the laws must be fair and reasonable, must be in accordance with the Constitution, and must apply to everyone equally. Due process also applies to property rights. If a state takes property to build a highway, it must pay the property owner(s) a fair amount for their losses.

Equality

The right of equality means that everyone is entitled to the equal protection of all the laws in the United States. That is, all people have a right to be treated the same, regardless of race, religion, or political beliefs.

This right is found in the Fourteenth Amendment.

Liberty

Our fundamental freedoms fall into this category. Most of them are spelled out in the Bill of Rights and the so-called "Civil War Amendments."

Duties and Responsibilities of American Citizens

We have an obligation to carry out certain duties and responsibilities.

Duties are things we are required to do; if we fail to perform them, we are subject to legal penalties, such as fines or imprisonment. **Responsibilities** are things we should do. We fulfill these obligations voluntarily. Fulfilling both our duties and our responsibilities helps ensure that we have good government and that we continue to enjoy our rights.

Duties include:

1. Obeying the laws,
2. Paying taxes
3. Defending the nation
4. Serving in court
5. Attending school
6. Voting

Responsibilities include:

1. Being informed about the government and knowing your rights in order to preserve them
2. Participating in government
3. Respecting the rights of others
4. Respecting diversity

The Two-Party System of the United States

The United States is an example of a nation with a two-party system. The two major parties found are the Democratic and the Republican parties. Smaller political parties have also been formed, but these minor parties generally have had little impact on national elections. Some of them, however, are becoming more prominent in the political realm.

One of the most important advantages of a two-party system over a one-party system is that it gives voters a choice. If the voters are dissatisfied with the way one party is running the nation, they can elect candidates from the other party. The same process works on the state and local government levels.

The two-party systems are not without disadvantages. The most important is that a two-party system can extinguish the views of minority groups. For a minority viewpoint to be heard, it generally must be accepted and championed by one of the major parties.



Third Parties

In the United States, the minor parties are called **third parties** because they challenge the two major parties rather than each other. No third party has ever won a presidential election. Third parties have, however, affected the outcome of some elections and influenced government and social policy.

**** Discuss H. Ross Perot in the 1992 and 1996 elections and Ralph Nader in the 2000 election.



Voting and Elections in the United States

Registering is only one part of getting ready to vote. People should exercise their right to vote for several reasons. Voting gives citizens a chance to choose their government leaders. It also gives them an opportunity to voice their opinion on the past performance of public officials. If the voters are dissatisfied, they can elect new leaders. Voting also allows citizens to express their opinions on public issues.

Upon entering the polling places, the locations where votes are cast, voters give their names to an election worker, who checks the names against a master list. The voters are then given a ballot and directed to a voting booth.

Voters cast their ballots in one of three ways - by computerized machine, by mechanical machine, *or* by paper ballot. With a computerized voting machine, votes are cast by touching certain spots on the screen, by pushing certain buttons or by marking a ballot. With a mechanical voting machine, votes are cast by pulling small levers next to the names of the candidates chosen. With a paper ballot, a square is marked or a hole punched next to the names of the candidates chosen.

****** Discuss the advantages and disadvantages of each voting method. You may want to include the 2000 Florida Presidential election results in your discussion.**

The Electoral College

(Explain to students that the electoral college remains a mystery to most people.)

Provide the following explanation (with necessary audience adjustments) to illustrate how the electoral college works.

Each State is allocated a number of Electors equal to the number of its United States Senators (always 2) plus the number of its United States Representatives (which may change each decade according to the size of each state's population as determined in the census).

The political parties (or independent candidates) in each state submit to the state's chief election official a list of individuals pledged to their candidate for president and equal in number to the state's electoral vote. Usually, the major political parties select these individuals either in their state party conventions or through appointment by their state party leaders while third parties and independent candidates merely designate theirs.

After their caucuses and primaries, the major parties nominate their candidates for president and vice president in their national conventions traditionally held in the summer preceding the individual state laws. The names of the duly nominated candidates are then officially submitted to each state's chief election official so that they might appear on the general election ballot.

On the Tuesday following the first Monday of November in years divisible by four, the people in each state cast their ballots for the party slate of Electors representing their choice for president and vice president. Whichever party slate wins the most popular votes in the state becomes that state's Electors - so that, in effect, whichever presidential ticket gets the most popular votes in a state wins all the Electors of that state. (The two exceptions to this are Maine and Nebraska where two Electors are chosen by statewide popular vote and the remainder by the popular vote within each Congressional district.)

On the Monday following the second Wednesday of December, each state's Electors meet in their respective state capitals and cast their electoral votes - one for president and one for vice president. In order to prevent Electors from voting only for "favorite sons" of their home state, at least one of their votes must be for a person from outside their state. The electoral votes are then sealed and transmitted from each state to the President of the Senate who, on the following January 6, opens and reads them before both houses of the Congress.

The candidate for president with the most electoral votes, provided that it is an absolute majority (one over half the total), is declared president. Similarly, the vice-presidential candidate with the absolute majority of electoral votes is declared vice president.

In the event that no one obtains an absolute majority of electoral votes for president, the United States House of Representatives (as the chamber closer to the people) selects the president from among the top three contenders with each State casting only one vote and an absolute majority of the States being required to elect. Similarly, if no one obtains an absolute majority for vice president, then the United States Senate makes the selection from among the top two contenders for that office.

At noon on January 20, the duly elected president and vice president are sworn into office.



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DEMOCRACY
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Election Glossary

Complete the sentences below by inserting the correct word from the glossary of U.S. political terms.

Conservative-A person who believes in a limited government that should act only when individuals and private groups cannot. Conservatives favor limits on all taxes and social spending.

Convention- A gathering of a political party's leaders, delegates, and supporters. The biggest is a national convention, which takes place before presidential elections. A national convention nominates both presidential and vice-presidential candidates and presents a platform (see definition at right).

Democrat-Member of the Democratic Party, one of two major parties that dominate U.S. politics. Democrats generally support social reform and international cooperation in foreign affairs.

Electoral College-The group of representatives, called electors, who cast the official votes for President and Vice President. Each state's number of electors equals the number of its Senators and Representatives. The District of Columbia has three electors. The presidential candidate with the most popular votes in a state usually wins all that state's electors (Maine and Nebraska use slightly different systems). Candidates must receive a majority of the 538 electoral votes- at least 270 - to become President or Vice President.

General election-An election in which voters choose from the candidates nominated by each political party.

Inauguration-The ceremony that takes place when an official is sworn into office.

Independent-Someone who is not registered with a political party, or who votes for candidates from any party.

Liberal-A person who believes government should take direct responsibility for solving social problems such as providing health care and helping the needy.

Majority-Greater than half

Minority-Less than half

Moderate-A person who tends to compromise between liberal and conservative beliefs.

Platform-A political party's written statement of goals and beliefs.

Plurality-Getting the most votes among three or more candidates without winning a majority.

Republican-Member of the Republican Party, one of two major parties that dominate U.S. politics. Republicans generally support business and financial interests and a limited government role in social and economic life.

Third party-Any party other than one of the two major parties.

Questions

- The two political groups that dominate American politics today are the _____ and _____ parties.
- Any political group other than those two is a _____.
- Each state's total electoral votes is equal to the _____.
- A formal ceremony that marks the beginning of an official's term in office is an _____.
- Before a presidential election, each political party holds a _____ to officially choose its candidates.

- A special group of elected representatives called _____ cast the official votes for President and Vice President.
- A _____ sets forth a political party's philosophy and goals.
- To be elected President, a candidate must win a _____ of the 538 electoral votes.
- Someone who does not support any political party is an _____.
- Someone who finds both liberal and conservative policies too extreme is likely to be a _____.

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Campaign Countdown: Road to the White House

Every four years, the United States elects a President and Vice President. Follow the steps in this year's presidential election.



- 1. Candidates announce they are running for President.** This usually happens more than a year before the election. Candidates need time to raise money, meet voters, and tell what they would do if elected President.
- 2. January – June during election year: Primaries and caucuses are held.** In each state, voters name their favorite candidate in primary elections or caucuses (party meetings). Voters are actually choosing delegates pledged to vote for that candidate at the national party conventions.
- 3. Summer: National party conventions.** The delegates who were elected in primary elections and caucuses attend their party's national convention. There they officially nominate their party's candidates for President and Vice President.
- 4. Fall: Election Campaign.** By Labor Day, the candidates are off and running. The major candidates hold televised debates on issues in the campaign. They crisscross the country, meeting voters and explaining how they would solve the country's problems.
- 5. November 3: Election Day 2020.** Voters cast ballots for President, Vice President, members of Congress, and state and local offices.
- 6. December 14: Electoral College vote.** When voters cast ballots for President and Vice President, they actually are choosing electors pledged to vote for that candidate. In December, the chosen electors meet in each state to cast that state's official electoral votes for President and Vice President.
- 7. January 6, 2020: Congress counts the electoral votes.** In January, Congress counts the electoral votes. If no candidate wins a majority (270) of the electoral vote, the House elects the President and the Senate elects the Vice President.
- 8. January 20, 2020: Inauguration Day.** On January 20, 2020, the President and Vice President take their oath of office.

Write your answers on a separate sheet of paper.

Questions



- 1. When do candidates announce they are running for President?**
- 2. What is a caucus?**
- 3. In primary elections and caucuses, whom are voters actually electing?**
- 4. What official role do national party conventions play in choosing a President?**
- 5. When is Election Day in 2020?**
- 6. When voters cast ballots for President and Vice President, whom are they actually choosing?**
- 7. Who chooses the President if no candidate wins a majority (270) of the electoral votes?**
- 8. Who chooses the Vice President if no candidate wins a majority (270) of the electoral votes?**
- 9. Is the Electoral College actually a college? Explain.**
- 10. Do you think the U.S. voting system should be changed to have citizens vote directly for President and Vice President? Explain.**

Voting Requirements

In order to vote, an individual must satisfy the following requirements:

1. Be a citizen of America
2. Be registered to vote
3. Be age 18
4. Be a resident of a state (most states require 30 days of residency of that state.)



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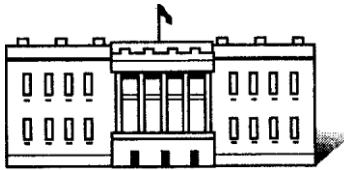
How We Choose Our Leaders

The United States is a democracy, in which the people choose their leaders. But when the Founding Fathers wrote the U.S. Constitution, they specified different ways for choosing the leaders of our three branches of the federal government.

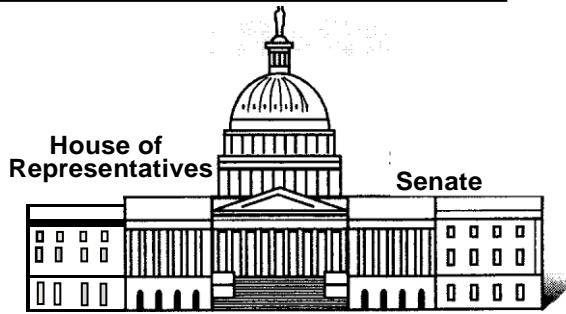
The people directly elect the members of one branch of government. But voters indirectly choose the leaders of the Second branch of government. Members of the third branch are not elected at all, but are appointed. Study the diagram to see how our most important leaders are chosen.

Voters in each state elect members of ...

ELECTORAL COLLEGE
which elects ...



Executive Branch
PRESIDENT
and **VICE PRESIDENT**



Legislative Branch
CONGRESS

President appoints
Supreme Court Justices
and federal judges ...



Judicial Branch
FEDERAL COURTS

... Senate approves or
rejects Supreme Court
Justices and federal judges

Questions



1. U.S. voters directly elect members of which branch of the federal government? _____
2. This branch of government has two houses, or chambers, called the _____ and _____.
3. The Framers of the U.S. constitution created a two-step process for electing the leaders of which branch of government? _____.
4. Which two officials head that branch of government?
6 _____ and _____
5. When voters cast ballots in November for those Leaders, they will actually be electing a group of representatives called _____.

6. What do these representatives do?

7. Top officials of which branch of government are appointed? _____
8. Who appoints the top officials of that branch?

9. Which government body has the power to approve or reject these appointments?

10. Why do you think the Founding Fathers gave that body the power to approve or reject those appointments?
