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## Understand the Benchmark

The United States of America was founded on principles that ensure freedom, fairness, and justice for all its citizens. Principles, such as due process of law, equality of mankind, limited government, natural rights, rule of law, and individual liberties, were so important that they were woven into the nation's founding documents. The two most important of the founding documents, the Declaration of Independence and the United States Constitution, are the foundation of the nation's government and laws.

The Declaration of Independence, adopted on July 4, 1776, is a historic document in which the thirteen American colonies declared their freedom from British rule, outlining their complaints against King George III and expressing their inherent, or undeniable, right to self-governance. (See Chapter 1, Lesson 4 for more about the Declaration of Independence.) The United States Constitution, established in 1788 after the American colonies defeated Britain in the Revolutionary War, serves as the supreme law of the land. It establishes the framework for the nation's government by defining its powers and responsibilities, and it safeguards the rights and freedoms of U.S. citizens. (See Chapters 2 and 3 for more about the U.S. Constitution.)



### Did You Know?

The Declaration of Independence was approved on July 4th, 1776. The following day, about 200 copies were made. Only 26 are known to exist today. One of these copies was sold for \$8.14 million in 2000.



*Declaration of Independence* shows the five authors of the Declaration of Independence, (left group, left to right) John Adams, Roger Sherman, Roger Livingston, Thomas Jefferson, and Benjamin Franklin presenting the document to John Hancock (seated). (Source: Architect of the Capitol)

## Influences on American Founding Principles

The **Founding Fathers**, or the men who wrote the founding documents and established the United States, based many of the concepts in these documents on the examples of ancient republics and on Enlightened philosophies of government.

**Ancient Influences** The ancient civilizations of Greece and Rome have significantly influenced the foundation of America's constitutional republic. In ancient Greece (at its height from c. 600 BCE to c. 300 BCE), the concept of democracy was pioneered in the city-state of Athens, where citizens participated directly in decision-making processes, a practice known as **civic participation**. This early form of democracy included legislative bodies and the idea of voting rights, allowing citizens a role in their governance. In Greek democracy, citizen participation was a necessity, much like with U.S. democracy today where citizen participation, such as jury duty, is vital to its success.

Additionally, the Greeks developed the concept of a **polis**, or city-state, which emphasized the importance of community and civic responsibility, similar to the role of state governments in United States today. These principles inspired the creation of America's democratic system, in which civic engagement and legislative bodies play critical roles. The Greeks also introduced the idea of a written constitution, laying the groundwork for America's own Constitution, which outlines the framework of the government and the rights of its citizens.

Ancient Rome (at its height from 27 BCE to 180 CE) influenced U.S. government in many ways. Rome's influence was primarily seen through the concepts of **republicanism** and **representative government**, in which officials are elected to serve the public's interest, as with representatives to the U.S. Congress and state legislatures. Rome introduced the rule of law and the separation of powers (both described in more detail below), foundational principles that ensure laws govern the land and maintain a balance of power within the U.S. government. Additionally, **Judeo-Christian values** of justice, individual worth, and personal responsibility have impacted America's constitutional framework, emphasizing the importance of ethics and morality in governance. These ancient principles of governance and ethical values continue to be integral to the American democratic system, highlighting the enduring legacy of Rome on the United States.

**The Enlightenment's Influence** The Enlightenment, a period during the 16th and 17th centuries that emphasized reason and individual rights, significantly influenced the formation of the United States. Central to the U.S. Constitution was Enlightenment philosopher Montesquieu's idea of **separation of powers**, which proposed dividing government power to prevent tyranny. John Locke's concepts of **natural law**, inherent (permanent and essential) rights that all people have, and the **social contract**, government by the people's consent, were also foundational in shaping American governance. The Founding Fathers integrated these principles into the U.S. Constitution and the Declaration of Independence, creating a government system that values democracy, checks and balances, and the protection of individual freedoms. This adoption of Enlightenment ideals underscores the era's lasting impact on the United States, reflecting a commitment to democracy and individual liberties.

## Due Process of Law

Due process of law is a fundamental principle that safeguards individual rights against unfair treatment by the government. The concept of due process of law was described in the Magna Carta (see Chapter 1, Lesson 2) and included in the United States Constitution. The Constitution and its amendments make it clear that laws must be applied fairly and consistently, and that citizens have the right to be heard, to defend themselves, and to be treated without discrimination in legal proceedings.

Due process defines the steps that government must take before it can deprive someone of life, liberty, or property. These steps include the right to a fair trial, the right to be informed of the charges made, and the right to a lawyer. For example, if a person is detained by the police for a potential crime, this individual must be told the reason he or she is being held and allowed to talk to a lawyer. Also, due process means the laws themselves must be fair and reasonable. Laws cannot be unjust or randomly applied.



As part of due process, a Border Patrol agent informs a detainee of his rights.  
(Source: Wikimedia Commons)

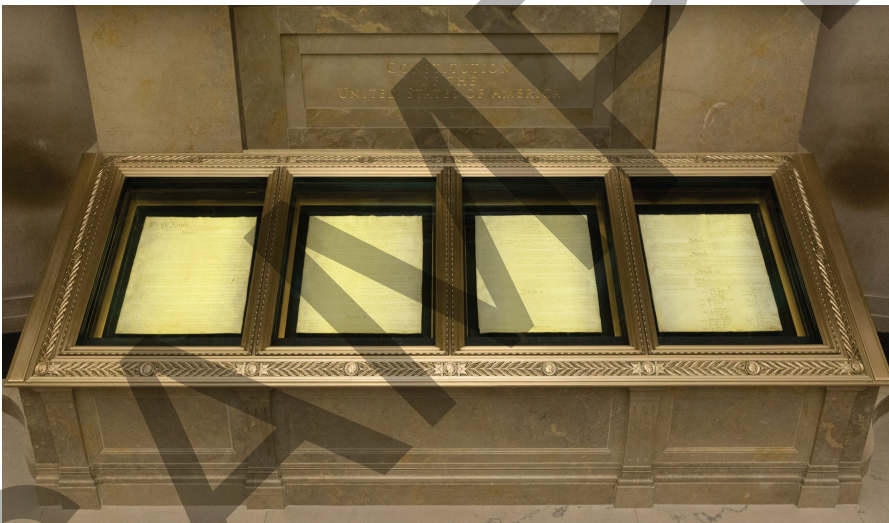
## Equality of Mankind

The idea of the equality of mankind emphasizes the principle that all people are born with the same fundamental rights and deserve equal treatment under the law. This principle is rooted in Enlightenment philosophy (see Chapter 1, Lesson 2) and at the heart of the Declaration of Independence, which famously states that “all men are created equal,” setting a standard for the nation to strive towards fairness and justice for all. It is a core value that continues to inspire movements for social and legal change, shaping the American pursuit of equality and justice.

## Limited Government

Limited government is a key idea in America's founding documents, meaning that the power of government and elected officials is restricted to protect individual freedom. This principle ensures that the government must follow the rules set out in the Constitution as to what it can and cannot do. Among the limits to government power are separation of powers and a system of checks and balances. Separation of powers refers to the dividing power among different branches of government—executive, legislative, judicial—to prevent any one group from having too much control. (See Chapter 3, Lessons 1–4 for more about branches of government.) The system of checks and balances is another limit to government power by allowing each branch to respond to or regulate the actions of the other branches. (See Chapter 2, Lesson 3 for more about separation of powers and checks and balances.)

The Founding Fathers believed strongly in the idea of limited government because they had experienced unfair treatment under British rule, in which the king had too much power. By limiting the government's power, the Constitution ensures that citizens have the freedom to live their lives without unnecessary interference from the government. This concept is fundamental to the American way of life, promoting a balance between order and personal freedom.



Four sheets of parchment with the U.S. Constitution are on display at the National Archives in Washington, DC. (Source: National Archives)

## Natural Rights

Natural rights are fundamental freedoms with which every person is born. These rights are not granted by the government but are inherent and cannot be taken away. The idea of natural rights in U.S. government was influenced by Enlightenment thinkers, such as John Locke, who argued that life, liberty, and property are natural human rights.

The idea of natural rights is a cornerstone of the Declaration of Independence, which declares that everyone has the right to “life, liberty, and the pursuit of happiness.” The Founding Fathers included the concept of natural rights in the founding documents to ensure that the government would protect these basic human freedoms. They believed that the main role of the government should be to safeguard



these rights for all its citizens. This principle shapes the way the government and laws work in the United States, aiming to create a society where everyone's basic freedoms are respected and protected.

### **Rule of Law**

The rule of law is a fundamental principle that means everyone must follow the laws of the land. This concept ensures that laws are clear and publicized, and they are applied equally to everyone, including those who are in positions of power. In the United States, this principle is a cornerstone of democracy and outlined in the Constitution. It means that decisions should be made based on the law, not on the whims of powerful individuals. This helps prevent abuse of power and guarantees that everyone is treated fairly by the legal system.

Rule of law also means that the laws are made in a way that everyone can understand and access them, allowing all people to know what is expected of them and what they can expect from the government. The United States Constitution highlights the importance of the rule of law, setting up a government structure that supports this principle, with laws that are created, interpreted, and enforced in a systematic way. This principle is important because it is the foundation for justice and equality in society, ensuring that laws are not just tools for those in power but shields for the rights and liberties of all citizens. (See Chapter 2, Lesson 5 for more about rule of law.)

### **Religious Liberty**

Religious liberty is a fundamental right protected in the United States, allowing people to follow their beliefs and practice their religion freely, without government interference. Many of the people who left Britain to settle in the colonial America did so to practice religion in the way they felt to be correct—not how the British government directed them to practice. Several American colonies were founded as havens for those fleeing religious persecution in Britain, where the Church of England (or Anglican Church) was the established religion, and differing beliefs were often suppressed. For instance, the Pilgrims were Separatists, or those seeking to break away from the Church of England, who established the Plymouth Colony in 1620 to practice their faith freely. Similarly, the Massachusetts Bay Colony was founded by Puritans in 1630, who wanted to purify and reform the Church of England from within but faced harassment and punishment in England. Maryland was established in 1634 as a refuge for Catholics who were experiencing religious oppression in Protestant England. Pennsylvania, founded by Quaker William Penn in 1682, served as a sanctuary for Quakers, who were persecuted for their beliefs, pacifism, and toleration of other religions.

The Founding Fathers were troubled by the history of the British Crown forcing certain religious beliefs on the population or punishing people for freely exercising their religious beliefs. Therefore, religious freedom is safeguarded by the First Amendment to the Constitution, which prohibits the government from establishing a national religion or interfering with religious practices. This right also means that the government cannot favor one religion over another, nor can it force anyone to follow a particular faith. The Founding Fathers wanted to ensure that the new nation would be a place where everyone could worship, or not worship, according to their own conscience. This principle of religious freedom is a cornerstone of American democracy, reflecting the nation's commitment to diversity and individual rights.



## Practice

Read and answer each question carefully.

- 1** Which best illustrates a violation of natural rights by government?
- (A) requiring all citizens to participate in national elections to ensure democratic processes
  - (B) providing public services, like healthcare and education, funded by income taxes
  - (C) enforcing laws that protect individuals from harm and fraud in business transactions
  - (D) monitoring personal communications without consent, claiming national security as the reason

- 2** The U.S. Constitution's structure with three branches of government exemplifies which principle?
- (A) religious liberty
  - (B) equality of mankind
  - (C) rule of law
  - (D) separation of powers

- 3** The diagram below shows principles with the United States government.



Which democratic principle completes the diagram?

- (A) Life, liberty, and property
- (B) Limited government
- (C) Natural rights
- (D) Due process

- 4** The scenario below describes events at a middle school.

Numerous cell phones were found damaged in the locker room at Lincoln Middle School. The school administration decided to review surveillance footage. The footage showed several students entering the locker room, including Casey, who was the last to enter. Based solely on this, Casey was immediately suspended from school activities without being able to defend himself.

Which of Casey's rights were disregarded by school administration?

- (A) reviewing surveillance footage without clear evidence of theft
- (B) suspending Casey based on inconclusive footage
- (C) not providing specific evidence against Casey before taking action
- (D) failing to allow Casey to defend himself before decisions were made

- 5** How does civic participation in U.S. democracy resemble that of the Greek model of democracy?

- (A) All citizens vote on laws and policies.
- (B) Public officials are chosen through a lottery system.
- (C) Citizens participate in government through elected representatives.
- (D) One individual holds absolute power in government.



- 6** Why did religious oppression in Britain during the 16th and 17th centuries lead to a search for religious freedom in the American colonies?
- (A) Persecuted groups sought to establish communities with their own religious freedoms.
  - (B) Religious minorities looked for better economic opportunities in America.
  - (C) Religious groups wanted political independence from Britain to ensure religious freedom.
  - (D) Minorities aimed to create educational institutions in America based on their beliefs.

- 
- 7** How did John Locke's theory of natural law influence the U.S. government?
- (A) by advocating for a powerful central government to enforce laws
  - (B) by emphasizing the protection of individual rights to life, liberty, and property
  - (C) by inspiring the principle of checks and balances in the Constitution
  - (D) by promoting the idea of direct democracy in government decision-making

- 8** The excerpt below is from the First Amendment to the U.S. Constitution.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . .

Why did the founders put a clause about religious freedom in the First Amendment?

- (A) to avoid the British practice of favoring one religion and persecuting others
- (B) to prevent the government from imposing taxes to support a specific religion
- (C) to encourage people of all religions to adopt similar beliefs and practices
- (D) to prevent religious practices that conflict with federal laws