



The GED Social Studies Test

Civics and Government



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California Distance Learning Project

www.cdldonline.org

GED

Video Partner



Passing the GED Social Studies Test

Whenever you have an efficient government you have a dictatorship.
Harry S. Truman

Video 20 Focus: civics and government

You Will Learn From Video 20:

- That the constitution's framers distrusted big government.
- That a compromise gave us our bicameral federal legislature.
- That separation of power provides ways to counter the excesses of any one branch.
- That the constitution is designed to allow change, but slowly.
- That our rights will exist only as long as we accept the responsibilities related to them.



Words You Need to Know:

While viewing the video, put the letter of the meaning by the correct vocabulary word. (Answers are on page 17.)

- | | |
|----------------------|--|
| _____ 1. federalist | a. relating to the lawmaking function of government |
| _____ 2. legislative | b. vote to accept the provisions of a document |
| _____ 3. bicameral | c. fellow citizen of equal standing in the community |
| _____ 4. peer | d. one who would give the national government the greatest power |
| _____ 5. ratify | e. having two houses |



Points to Remember:

- You should know the process by which Congress enacts laws.
- The Constitution has extended rights to many citizens over the years.
- Documents such as voter pamphlets or tax instructions may be used in GED questions.
- Voting and serving on juries are civic duties that help prepare you to succeed on the GED.
- Government affects all our lives, whether or not we participate in it.



Did You Catch That?

Test your memory (or previous knowledge) of the following points made in *Program #20 – Civics & Government*. After your first viewing of the video, mark each statement below True or False. If False, write the correct information on the line below the statement. Watch the video again to check your answers, or look on page 17.

- T F** 1. Power is divided two ways in the Constitution, between state and federal levels and among the branches of government.

- T F** 2. If the president wants to declare war, Congress has no choice but to endorse his decision.

- T F** 3. In the federal legislature, all senators and representatives are elected for two-year terms.

- T F** 4. One constitutional convention delegate said having two houses in the legislature would be similar to pouring coffee into a saucer to cool it before drinking it—the heat of passions aroused by ideas would be cooled before decisions were made.

- T F** 5. When it comes to changing the Constitution, separation of powers keeps gridlock from happening.

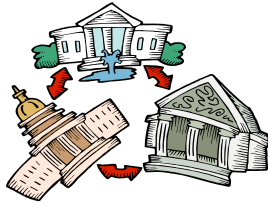
- T F** 6. Using an electoral college to choose the president was a compromise intended to give greater strength to the federal government as opposed to the states.

- T F** 7. The first ten amendments, referred to as the Bill of Rights, were proposed by James Madison in 1789 to encourage more states to ratify the Constitution.

- T F** 8. The National Guard was called to Little Rock, Arkansas to prevent black students from establishing their own separate-but-equal school.

- T F** 9. Including the Bill of Rights, only 27 amendments to the Constitution have been passed since its inception.

- T F** 10. Voting is only important if you own a car.

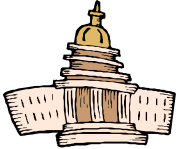




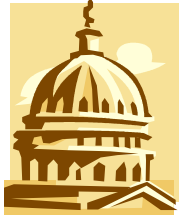
Separation of Power And Checks and Balances

The three branches of the federal government—Legislative, Executive, and Judicial—have been assigned specific powers and duties; this was one means of keeping any one branch from becoming too powerful. Another built-in safeguard that protects the people from extreme decisions on the part of any one branch is the system of checks and balances. Any action taken by one branch of government may be countered or modified by another branch's action.

Exercise

To think through the roles of each branch, first review the video *Program 20: Civics and Government* to fill in the duties that it lists for each branch. Then, next to each duty, indicate which branch(es) would have the power to offset that action (use the initials, L = Legislative, E = Executive, and J = Judicial) and describe the offsetting power. The first Legislative duty, not included as a specific duty in the video listing, has been completed as an example. After you have completed the table, compare it to the answer key on page 18. Checks that were not mentioned in the video have been italicized in the answer key. If you thought of some of these strategies, give yourself bonus points.

	<u>Duties</u>	<u>Checked by</u>
LEGISLATIVE:	<i>Lawmaking, in general</i>	<i>E – veto; J – rule as unconstitutional</i>
		
EXECUTIVE:		
		
JUDICIAL:		
		



The Federal Lawmaking Process

Laws are like sausages. It's better not to see them being made.

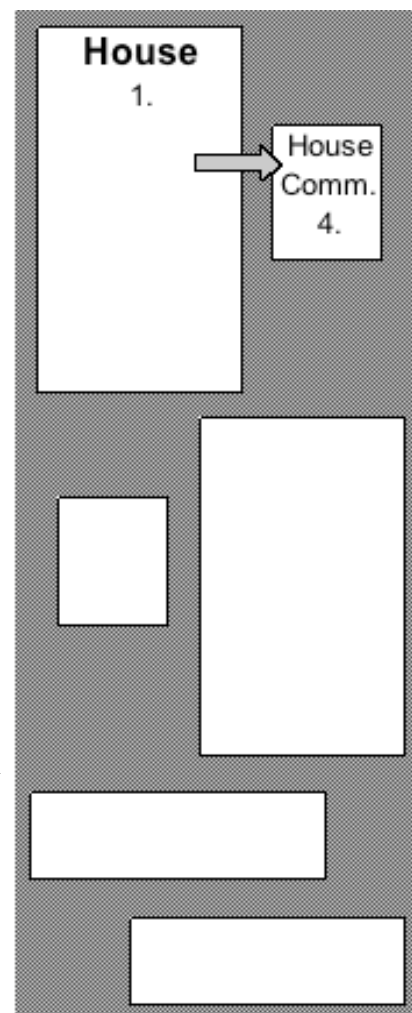
Otto von Bismarck (1815 - 1898)

We may feel that some laws are the product of influence and pandering to special interests, but every law that completes the legislative process has been formed through several steps of discussion, review, and voting, with transcripts or reports available from both the house and committee sessions. The following 14 steps from introduction of a bill to its enactment into law show only one scenario. For instance, bills may also be introduced in the Senate or may not need to go to the conference committee.

To see the process more graphically, complete the started flow chart on the right. You will need to label the remaining major areas the bill travels through; then place just the numbers of the steps in the areas where those steps take place. Add arrows between the areas to show the bill's path. How do your results compare with the completed flow chart on page 18?

From Bill to Law:

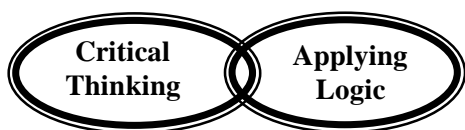
1. A representative introduces a bill.
2. House clerk reads the bill's title, gives it a number, and has it printed.
3. House speaker sends bill to committee.
4. Committee holds hearings and may amend, kill, or approve bill.
5. If approved, bill is placed on House calendar.
6. Bill is read and debated, then voted on. If approved, it goes to Senate.
7. Senate clerk reads the bill's title, gives it a number, and has it printed.
8. Senate presiding officer sends bill to committee.
9. Committee holds hearings and may amend, kill, or approve bill.
10. If approved, the bill is placed on Senate calendar.
11. Bill is read and debated, then voted on.
 - a. If approved, it goes to President for signing.
 - b. If amended, it goes back to House.
 - c. If a close version is approved, it goes to Conference Committee.
12. Conference Committee, representing both House and Senate, makes compromise and returns it to both houses for vote.
13. If both houses approve compromise, it goes to President for signing.
14. The president has three choices:
 - a. Sign the bill.
 - b. Veto the bill – refuse to sign and send it back to Congress with his reasons for veto. Congress can override veto with 2/3 vote.
 - c. Hold the bill for 10 days. If Congress is in session, it becomes law. If Congress is not in session, the bill does not become a law (this action is known as a *pocket veto*).



Rights and Responsibilities

We've seen how the federal government is structured and how laws come into being. These procedures are based on the Constitution. The Constitution also defines the rights and responsibilities of citizens. The video explained that the Bill of Rights was added to the Constitution because the people of several states feared to ratify the Constitution without those guarantees of citizens' basic freedoms. With our constitutional rights comes a set of responsibilities—voting, serving on juries, defending our country, and obeying the laws.

In the next sections, we will review the Bill of Rights, trace how later amendments gradually extended the right to vote to most adult citizens, and consider how Supreme Court decisions have formed our government. You will have the opportunity to sample the questions that applicants for citizenship are expected to answer. Then we will look at how some of our duties—voting, military duty, and jury service—play out in today's society. First, however, consider this valuable test-taking strategy—applying logic to multiple-choice questions.



You will probably be asked to answer questions about passages on topics you have never before studied. After the initial “I don’t know this!” reaction, you can usually find enough information in the passage or in the answer choices to be fairly certain you have selected the correct answer.

It helps to know that writers of GED multiple choice questions usually include one or two answers that are easily detected as incorrect. A third answer may hinge on a typical misreading of the problem. For instance, a question about a graph may require the reader to note that the graph is expressed in millions, not thousands. An answer may include the correct digits but not the correct place value, i.e., 45,000 instead of 45,000,000. Generally, two fairly close answers remain to be considered. (If you have narrowed your choices down to these two, your chances of selecting the correct answer have already been improved from 20 % to 50 %.) Either of those two choices would be plausible, but one will more exactly fit the question’s requirements.

Look at the following question, which was presented in *Contemporary’s GED Social Studies* (Lincolnwood, IL: McGraw-Hill, 2002), on page 213:

The question is based on the following excerpt from a speech given by the Chief Justice of the Supreme Court, William H. Rehnquist, in 1996.

“... The second idea—that of an independent judiciary with the final authority to interpret a written constitution—has caught on with many other nations, particularly since the end of the

Second World War. It is one of the crown jewels of our system of government today.

Change is the law of life, and the judiciary will have to change to meet the challenges which will face it in the future. But the independence of the federal judiciary is essential to its proper functioning and must be retained.”

Which of the following best illustrates the independence and authority of the American judiciary?

- (1) A district court judge receives a bribe to decide in favor of a defendant in a lawsuit.
- (2) The jury for a highly publicized trial is sequestered, or held away from the media, for the duration of the trial.
- (3) A judge is appointed for life and is not vulnerable to shifts in controlling political parties.
- (4) Anti-abortion activists gather regularly at the Supreme Court building in Washington to protest *Roe v. Wade*.
- (5) Since 1981 Supreme Court Justice Sandra Day O'Connor has become more of a centrist than a conservative.

Choice (1) is easy to spot as incorrect—someone acting independently should not be bribable.

Choice (4), an example of citizens exercising their right to demonstrate, does not demonstrate judicial independence.

Choice (2) might be mistakenly chosen because it describes independence, but it is talking about jurors, not judges.

Between choices (3) and (5), Justice O'Connor's ability to change her political leanings indicates a natural outgrowth of independence, but the fact that Supreme Court judges are appointed for life, protecting them from political party influence, best illustrates their independence. So (3) is the best choice.

Sometimes the question asks you to find one false statement. Use these steps to zero in on the correct answer:

- Find one of the five choices that can easily be confirmed as correct from information in the passage.
- Compare that choice to another of the choices. If the second one contradicts the confirmed statement, it is probably the false statement; but don't stop yet. If the second statement agrees with the first, can it also be verified from the passage? If it can, that will strengthen your position that it is another true statement.
- Continue comparing the other statements to the ones you have already checked and look for contradiction between statements and/or verification in the passage.
- When you have reviewed all five choices, one should "stick out" as not in harmony with the other answers. Now you have not only thought your way to the correct answer, but you have learned four new correct facts about an unfamiliar topic.



Try the above approach on this question (which you may recognize from *GED Video Partner Series Workbook 17*) and compare your steps to those shown on page 18.

The Supreme Court's Dred Scott decision (1857) stated that black people were not citizens of the United States and, therefore, could not expect any protection from the federal government or the courts. The opinion also stated that Congress had no authority to ban slavery from a federal territory. It was overturned by the 13th and 14th Constitutional amendments, which abolished slavery and declared all persons born in the United States to be citizens of the United States.

Source: www.archives.gov/exhibit_hall/american_originals/scott.html

Which of the following statements about the Dred Scott decision is not true?

- 1) The decision made it legal to extend slavery into all U.S. territories.
- 2) The decision gave Dred Scott his freedom.
- 3) Congress used its ability to check the power of the courts to override the decision.
- 4) Most Northerners disagreed with the decision.
- 5) The Civil War was fought between the decision and passage of the constitutional amendments.



The Bill of Rights 1791

The Bill of Rights protects freedom and justice for Americans. After reading the following brief explanations of each amendment, you might like to view the actual document at <http://usgovinfo.about.com/blfirstbor.htm?terms=Bill+of+Rights>

First	Congress may not reduce or take away the people's freedom to write and speak their opinions, to assemble, to petition the government, or to practice their religion.
Second	People may keep and use weapons to protect their country.
Third	People will not be required to house and feed soldiers during peacetime.
Fourth	A person's house or property may not be searched or seized without good reason and a warrant describing the place or property to be searched.
Fifth	People may not be charged with a crime without a grand jury indictment except in military cases. They can't be tried twice for the same offense, forced to testify against themselves, or deprived of life, liberty, or property without due process of law—the required steps in the legal process. Their property may not be taken for public use without just compensation (payment).
Sixth	Accused people have the right to a speedy trial in the district where the offense took place, to be informed of charges, to question any witnesses against them, to compel (subpoena) witnesses in their favor to appear in court, and to have an attorney.
Seventh	In civil suits, a person has the right to a trial by jury.
Eighth	Excessive bail or fines may not be imposed, and a defendant may not be sentenced to cruel and unusual punishment.
Ninth	Listing some rights in the Constitution does not take away or weaken other rights that were not mentioned.
Tenth	Powers that are not granted to the federal government or prohibited to the states by the Constitution belong to the states or the people.

Now check your comprehension of the meaning of the Bill of Rights by completing statements 1-5 and answering questions 6-10. The answers are on page 18.

1. The fourth through Eighth Amendments guarantee that a person accused of a crime will receive _____ from the government.
2. The _____ guarantees freedom of speech to Americans.
3. When police think a person has been involved in a crime, they must obtain a _____ from a judge to search the person's home or car.
4. The first ten amendments to the Constitution are called the _____.
5. What does due process mean? _____



In questions 6-8, are the amendment numbers correct? If not, enter the correct amendment number.

6. _____ Third Amendment: A person cannot be forced to testify against himself or herself.
7. _____ Fourth Amendment: A person is entitled to a trial by jury.
8. _____ Sixth Amendment: People accused of crimes have the right to a speedy and public trial.
9. Which amendment is not a concern for citizens today? _____ Why? _____
10. Which amendment would protect someone who is staging a demonstration to get Congress to change a law? _____ How? _____



Sorting Out Amendments 11-27

While George Washington was still president, Congress first the need to improve on the Constitution beyond the first ten amendments. In all, 17 more amendments have completed the ratification process and are now part of the constitution. Several amendments have been proposed but were not ratified within the time specified. The most recent amendment, first proposed in 1789, was not ratified until 1992. You won't be expected to recite the dates and topics of amendments passed, but familiarity with them will help you on the GED. Grouping the amendments by topic, you can see that over half of them deal with who may vote or with election procedures.

Who May Vote		Election Procedures		Other Topics	
15 1870	Citizens cannot be denied the right to vote based on <u>race, color, or previous enslavement</u> .	12 1804	The Electoral College must cast separate ballots for the president and the vice president.	11 1798	Suits brought against a state will be tried in the courts of that state, not in federal court.
19 1920	<i>Women's Suffrage.</i> The right to vote is extended to <u>adult women</u> .	17 1913	U.S. Senators are to be elected by popular vote, not by state legislatures.	13 1865	<u>Slavery is abolished.</u>
23 1961	<u>Washington, D.C., residents</u> have the right to vote for the president and vice president and are entitled to three or more electors.	20 1933	" <i>Lame Duck.</i> " The president and vice president's terms of office begin on January 20 th ; congressmen begin on January 3 rd .	14 1868	<u>African Americans</u> are made <u>citizens</u> ; the Bill of Rights applies to state governments as well as federal.
24 1964	<i>Poll taxes</i> may not be levied on voters in a national election.	22 1951	The president is limited to two terms in office.	16 1913	Congress has the right to <u>tax income</u> .
26 1971	The minimum voting <u>age is lowered to 18</u> in all federal, state, and local elections.	25 1967	<i>Presidential Succession</i> establishes who will become president or vice president if one dies or cannot serve.	18 1919	" <i>Prohibition.</i> " The making, sale, and transportation of alcohol are prohibited.
				21 1933	Amendment 18, <i>Prohibition</i> , is repealed.
				27 1992	Any law Congress passes to increase its own pay will not take effect until after the next election.

Which of the above amendments gave voting rights to the following people? List their numbers below.
Answers are on page 18.

- 1) A Caucasian, 20-year-old woman from Atlanta, Georgia
- 2) A poor, black, 19-year-old woman from Washington, D.C.
- 3) An 80-year-old Jewish woman
- 4) A black man from Chicago with low income
- 5) An 18-year-old Chinese naturalized citizen



Landmark Supreme Court Decisions

What makes a court decision a *landmark* decision? The term originally referred to surveying. For example, the website www.interactive2.usgs.gov/learningweb defines a landmark as, “any prominent object on land that can be used in determining a location or direction.” In the courts, landmark decisions can be the first decision given on a certain subject, the first time a certain constitutional provision is applied to a particular situation, or the first time a certain interpretation of constitutional intent is used. These decisions give direction to lawmakers and lower courts for their future dealings with the same situation. They become markers that show the way in making and applying laws.

In the video you learned that the Supreme Court’s main duty is to rule on the constitutionality of laws—are they in keeping with the intent of the constitution and its amendments? Article 3, the Constitution’s total reference to the courts, makes no mention of constitutionality. That concept came from the Supreme Court’s first landmark decision, *Marbury v. Madison*, in 1803, twelve years after it heard its first case. Marbury, who had been promised an appointment as a justice of the peace by Secretary of State James Madison, sued the Supreme Court to order Madison to give him the position based on the Judiciary Act passed by Congress in 1789. Chief Justice John Marshall ruled the Judiciary Act unconstitutional because it gave the Supreme Court powers not granted by the constitution. This set the precedent for judicial review.

The table below lists several landmark cases, the more well-known cases in bold type, and a short summary of the court’s opinion. If you read the background and excerpts from the opinions of these cases, you will recognize many issues our society still struggles with today. The websites www.landmarkcases.org and www.roevwade.org are good sources for this information.

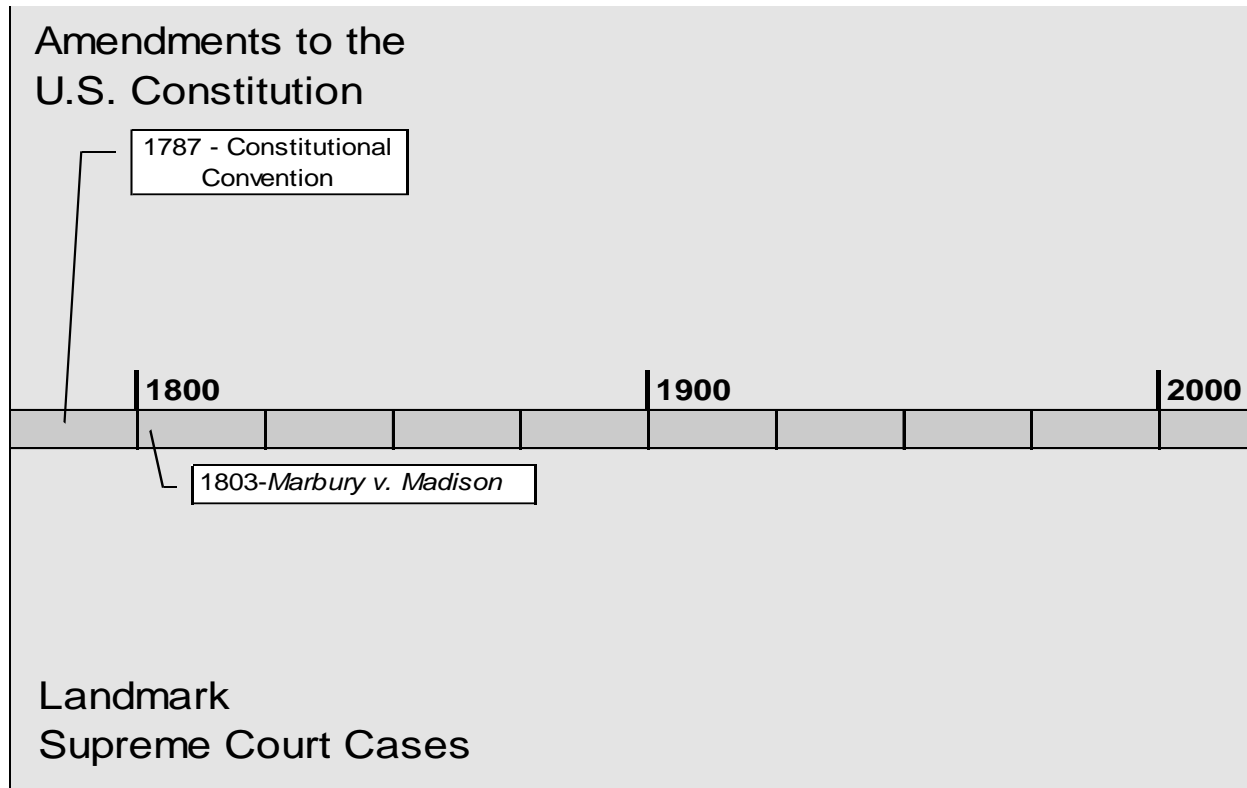
Marbury v. Madison (1803)	The Supreme Court reviews the constitutionality of laws.
<i>McCulloch v. Maryland</i> (1819)	States may not tax any constitutional federal activity.
<i>Gibbons v. Ogden</i> (1824)	The federal government controls interstate commerce, not the individual states; they control only internal commerce.
Dred Scott v. Sandford (1857)	African people are not protected by Constitution. This was later overridden by Constitutional Amendments 13 and 14.
Plessy v. Ferguson (1896)	Laws upholding racial separation in public facilities are not unconstitutional. Legal equality doesn’t equal social equality.
Brown v. Board of Education (1954)	“Separate educational facilities are inherently unequal.” —Chief Justice Earl Warren
<i>Mapp v. Ohio</i> (1961)	States may not use evidence obtained in an illegal search.
<i>Gideon v. Wainwright</i> (1963)	The right to counsel is fundamental and exists in state courts.
Miranda v. Arizona (1966)	Police are required to follow procedural safeguards that protect an accused person against self-incrimination.
<i>Tinker v. Des Moines</i> (1969)	Schools may not ban students’ freedom of speech activities that do not interfere with school functioning or safety.
Roe v. Wade (1973)	Under current law, a woman may legally get an abortion.
<i>U.S. v. Nixon</i> (1974)	Criminal trial needs supersede the need for presidential confidentiality.
Regents of CA v. Bakke (1978)	Using a race-based admissions policy is unconstitutional.
<i>Hazelwood v. Kuhlmeier</i> (1983)	Schools may censor school publications and productions.
<i>New Jersey v. T.L.O.</i> (1985)	Schools may legally search students’ property without warrants.
<i>Texas v. Johnson</i> (1989)	Flag burning is a form of protest the 1 st amendment protects.



Specialized Time Line

The timeline below contains two sections:
Amendments to the U.S. Constitution and *Landmark Supreme Court Cases*. Completing these timelines will help you to review the areas just studied. To find

the dates for the amendments, look back to pages 7 and 8. The dates of the landmark cases appear on page 9. When you have entered the events on the timeline, refer to it and the previous pages while you consider the questions below. Answers are on page 19.



- What two Supreme Court decisions expressed opposite attitudes?

- Middle-class white males have complained of reverse discrimination when certain numbers of college admission slots were allotted to minorities. What landmark decision declared this activity unconstitutional? _____
- In at least one landmark case, the Supreme Court not only voiced an opinion, but set up a required procedure to cure the injustice. From your reading and from discussion in the video, identify in which case this happened. _____
- During the following periods, most landmark cases were about what issues (circle the answers):

A. 1800 – 1850	(1) slavery	(2) commerce	(3) Bill of Rights freedoms
B. 1850 – 1900	(1) slavery	(2) commerce	(3) Bill of Rights freedoms
C. 1950 – 2000	(1) slavery	(2) commerce	(3) Bill of Rights freedoms
- To counteract one unacceptable Supreme Court decision, three amendments were passed within 15 years of the decision. Which landmark decision was nullified by which three amendments? _____



Source: M. Kolk, <<http://pics.tech4learning.com>>

Citizenship Test

One of the hurdles faced by people who apply for United States citizenship is a test of their knowledge of our country's history and government. The Immigration and Naturalization Service has published a list of 100 questions that are typical of the questions asked in the oral interview portion of the citizenship process. This list is freely available at various websites such as <http://www.rallye-pointe.com/Opinion/citizenship.htm>.

If you are a U.S.-born citizen, could you pass the citizenship test today? (Applicants may miss one or two out of about twelve questions asked.)

Try your hand at these 20 government-oriented questions selected from the 100 Questions list. You will notice that the numbering of the questions from the list has been retained. Then compare your answers to those published with the questions. You will find them on page 19.

15. Who is the vice-president of the United States today? _____
16. Who elects the president of the United States? _____
22. How many changes or amendments are there to the constitution? _____
31. Can you name the two senators from your state? _____
32. For how long do we elect each senator? _____
33. How many representatives are there in Congress? _____
34. For how long do we elect the representatives? _____
48. How many terms can a president serve? _____
51. According to the constitution, a person must meet certain requirements in order to become president. Name one of these requirements. _____
52. Why are there 100 senators in the senate? _____
61. What is the basic belief of the Declaration of Independence? _____
64. Where does freedom of speech come from? _____
65. What is the minimum voting age in the United States? _____
67. What is the highest court in the United States? _____
69. What did the Emancipation Proclamation do? _____
70. What special group advises the president? _____
80. In what year was the Constitution written? _____
82. Name one purpose of the United Nations. _____
85. What is the introduction to the Constitution called? _____
87. What is the most important right granted to United States citizens? _____
98. How many times may a congressman be re-elected? _____



Voting: Democracy's Foundation

A democratic government continues to operate democratically only as long as its citizens take an active interest in governing themselves. Responsible citizens make themselves aware of the issues and candidates and vote in each election. People who don't vote because they think their vote won't make that much difference surrender their right to complain about what elected officials do or don't do regarding taxes, budget deficits, the quality of schools, the condition of streets, crime, the environment, and more.

Finding **information about candidates** has never been easier. In addition to basic web searches, the State of California hosts the website *MyVoteCounts.org*, which offers a voter registration request service, links to national candidate information, and online copies of the voter information guides. Official Voter Information Guides are mailed to each voting household about 45 days before an election. They contain details about the measures and candidates on the ballot and include statements supplied by each political party describing their beliefs and goals. If you want to ease into the voting scene, take advantage of the Easy Voter Guide available at *EasyVoter.org*.

MyVoteCounts.org also tells how a person can become a poll worker and explains services for voters who do not read English or who need assistance due to disabilities. For instance, a blind person can order an audio tape of the Voter Information Guide and vote by absentee ballot.

Especially in presidential election years, the role of **political parties** comes to the forefront. In order to vote for a presidential candidate in the state primary, a voter usually must be registered as a member of that candidate's party. Some parties allow voters who have not selected a party to request their ballot, but they will not allow a member of another party to vote their ballot. The table below shows how many California voters are registered in each party.

California Voter Registration Statistics as of January 2, 2004

	Total Eligible	Registered	Democratic	Republican	American Independent	Other Parties	Declined to State
	21,843,202	14,945,031	6,450,624	5,330,536	287,412	443,325	2,433,134
Percent of Total Eligible		68.42%					
Percent of Registered		100.00%	43.16%	35.67%	1.92%	2.98%	16.28%

Source: http://www.ss.ca.gov/elections/ror_01022004.htm

The Voter Information Guide also offers an easy-to-understand summary of California's **bond** situation in its Bond Overview. It tells what kinds of bonds (long-term loans on which the state pays regular interest) California is already paying on and how much it pays in interest. In California, voter approval is required before the state can borrow money that must be repaid from its general fund.

Almost every election ballot includes one or more bond issues for the voters to decide. For instance, in March 2004, Californians voted on the Kindergarten-University Education Facilities Bond Act of 2004. It would, "Allow the state to sell \$12.3 million in bonds to build and repair public schools and colleges. Local districts must have matching dollars to use this state money, unless they qualify for special state assistance."

Source: <http://www.easyvoter.org/california/nextelection/2004-primary/prop55.html>

Exercise

Questions 1 and 2 refer to the California Voter Registration Statistics table on page 12. Answers are on page 19.

1. Although voter turnout varies by election, only about half of all eligible citizens usually vote. At that rate, about how many Californians voted in the March 2004 primary?

- 1) 500,000
- 2) 15,000,000
- 3) 1,000,000
- 4) 11,000,000
- 5) 7,000,000

2. The “‘Decline To State’ Voters” section of the Voter Information Guide explains which voters may vote for the candidates of different parties:

“If you are registered to vote with a political party, you may only vote at this primary election for the candidates running for office from the party with which you are registered and for or against measures. However, if you did not select a political party when you registered to vote, some of the political parties will allow you to vote for their candidates anyway. If you are not registered with a political party, upon request you can vote a ballot of any political party that has notified the Secretary of State that it will

permit ‘unaffiliated’ voters to help nominate their candidates.” Source: <http://www.voterguide.ss.ca.gov/voter/decline.html>

The Democratic Party allows voters not registered with any political party to vote on a Democratic ballot. If every registered voter voted, what is the approximate maximum number of Californians that could vote in support of a Democratic candidate?

- 1) 4,310,000
- 2) 8,800,000
- 3) 6,400,000
- 4) 14,900,000
- 5) 6,500,000

True or False:

3. ____ Passing a bond allows the state to use money without having to pay interest.
4. ____ On the primary election ballot, a registered Republican can vote for a Democratic nominee.
5. ____ Voting is the only way individuals can influence government decisions.
6. ____ Someone who is blind or does not read English cannot vote.

Ballot Initiatives

California allows voters to place initiatives on the ballot. They use initiatives to pass laws on which legislators have failed to act. Voters are bombarded with ads about initiatives which are often poorly written. Proposition 13, 1978, offering relief from rising taxes, limited the amount of property tax counties could collect. This helped property owners at first, but the method of computing property values favors long-term property holders. Now three neighbors with homes of equal value might pay \$1,000, \$3,000, and \$5,000 in annual property taxes.



Sometimes initiatives designate the recipients of funds generated by their activities. For instance, a *New York Times* October 8, 1998, editorial describes California's Tobacco Initiative:

“Proposition 10 would raise the state cigarette tax by 50 cents per pack, an increase that should cut smoking rates significantly, particularly among teen-agers who are especially sensitive to price. An added benefit is the estimated \$700 million a year the tax would generate to pay for new health,

nutrition, education and child care programs for preschoolers. ... It makes sense to use a tobacco tax to pay for children's programs because secondhand smoke and smoking during pregnancy have been linked to low-birthweight babies, pre-term births and increased asthma and respiratory infections among infants and children. Simply reducing the number of parents who smoke would improve children's health. The new money would help counties expand children's and family services, as well as pay for more anti-smoking programs."

Source: <http://www.junkscience.com/oct98/calinit.htm>

1. Which group would be the most likely to have opposed the above initiative, which California voters did pass? Answers are on page 19.

- a). educators b) merchants c) tobacco industry d) parents

2. If a similar initiative were proposed to tax alcohol, how would you recommend the funds be used? Talk this one over with your friends and list your two favorite ideas below.

- a) _____
b) _____

Jury Duty And Military Service

How are jury duty and military service similar?

- Not everyone is called to serve on juries or to enter the military.
- It is essential that some of us serve to maintain our system of government.
- People sometimes go to great lengths to avoid participating in these responsibilities.



Jury Duty. If you have registered to vote or have obtained a driver's license, your name is included in the pool from which potential jurors are randomly selected. If summoned, you are legally required to serve unless you are excused for good reason. A normal work schedule isn't a valid excuse, and employers may not penalize you for taking time off to serve. Some employers voluntarily pay you for the time you lose when you serve on a jury. Postponements of service up to 90 days may be given for conflicts such as a scheduled vacation.

Why is it so important that you serve on a jury? The use of juries reflects the U.S. Constitution's grounding in English common law as it was spelled out in the Magna Carta in 1215 and the English Bill of Rights of 1689. The American Bill of Rights guarantees our right to a trial by an impartial jury, but that right exists for us only if others are required to make up that jury when we need it.

Although jury service disrupts our schedules, participation in the process gives us an insight into the strength of a system that respects our collective wisdom and sense of justice. If you have never served on a jury, you can find out more about the process by visiting one of the many websites devoted to the topic. For instance, San Joaquin County Superior Court posts this website: <http://www.stocktoncourt.org/courts/juryduty10.htm>.

To review the concepts of jury duty, match these terms to their meanings.

Answers are on page 19.

- | | |
|-------------------------|--|
| ___ 1. Magna Carta | a. legal document that calls a citizen to serve on a jury |
| ___ 2. jury summons | b. group of names used to add to pools of available jurors |
| ___ 3. postponement | c. English document that guaranteed trial by jury |
| ___ 4. licensed drivers | d. delay of service on a jury for a valid reason |

Military Service. Lately, our country's military needs have been met by volunteers, but as recently as the 1970s, during the



Vietnam conflict, young men were drafted into the military. The Selective Service System, which President Franklin Roosevelt signed into law in 1940, was used to fill military manpower needs until 1973 when the U.S. converted to an all-volunteer military. After a brief suspension from 1975 to 1980, registration continues through today. All 18-year-old male citizens, and some male non-citizens, are required to register with the Selective Service System. If our military needs suddenly increased beyond the numbers filled by volunteers, men between 18 and 25 years would be selected randomly and drafted after a review of their mental, physical and moral fitness. One means of selection was a random drawing of birthdates from among the 366 possible dates, calling up men with the “winning” dates.

Although the Armed Services considered extending the draft to women during World War II when there was a shortage of nurses, that need was met by volunteers. Since then, through several congressional discussions and court cases, the country has maintained the position that it is not a violation of women's fifth-amendment right to due process to exclude them from registration. The rationale is that the draft was instituted to meet the needs of the Department of Defense and its policy is not to place women in combat positions. Incidentally, young men may not avoid registering by undergoing a sex-change operation—they are still required to register, although they can claim an exemption if asked to serve.

Sources: <http://www.landscaper.net/draft.htm> and <http://www.sss.gov/FS>

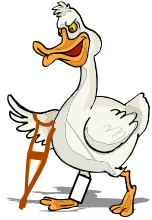
Answers to the following questions are on page 19.

1. What must a male living in the United States do when he turns 18 years of age?
 - a) choose a branch of the military in which to serve
 - b) apply at a college if he does not want to be called to active duty
 - c) register with the Selective Service System
2. What argument was used to attempt to convince the courts to declare the Selective Service Act unconstitutional?
 - a) Not being required to register denies women the 2nd Amendment right to bear arms.
 - b) Not being required to register denies women the 5th Amendment right to due process.
 - c) Not being included in the registry is cruel and unusual punishment (8th Amendment).

Exercise

Refer back to the preceding sections as needed to answer these GED-style practice questions.
Answers and explanations are on page 19.

1. *Lame duck* - 1. An elected officeholder or group continuing in office during the period between failure to win an election and the inauguration of a successor. Source: The American Heritage® Dictionary of the English Language: 4th Ed. 2000



Herbert Hoover, President during the first years of the Great Depression, was blamed for not reviving the economy. He lost the election in November 1932 but served another four months, until March 4, 1933. His pessimism and worsening conditions spurred congress to pass the 20th Amendment, shortening a president's lame duck tenancy to about 80 days. It was proposed in 1932 and ratified in 1933; Hoover was the last president to suffer the long lame duck period.

What change from the late 1700s, when the Constitution was written, to the 1930s increased the need for a shorter lame duck period?

- 1) The invention of electricity allowed Congress to work later.
- 2) Fewer congressmen were hunters who wanted to go lame duck hunting.
- 3) Women, who now could vote, were less patient than the all-male voters.
- 4) The telephone and telegraph made communication faster. In the late 1700s, letters took many days to cross the 13 colonies.
- 5) The addition of 35 states made it necessary for the president to work more days.

2. Proposition 56, an initiative on the March 2004 ballot, included the following points:

- A. Permits Legislature to enact budget and budget-related tax and appropriation bills with 55% vote rather than 2/3 vote currently required.
- B. Requires that Legislature, Governor permanently lose salary, expenses for each day budget is late.
- C. Requires that Legislature stay in session until budget is passed.

- D. Requires budget summary in state ballot pamphlet and link to Internet website with legislators' voting records on budget and related taxes.
- E. Requires 25% of certain state revenue increases be deposited in reserve fund, which cannot be used to increase spending.

Source: <http://www.voterguide.ss.ca.gov/propositions/prop56-title.html>

Which two of these points signal voter frustration over the legislature's inability to finalize its budget on time?

- | | |
|------------|------------|
| 1) B and C | 4) C and E |
| 2) C and D | 5) B and E |
| 3) A and D | |

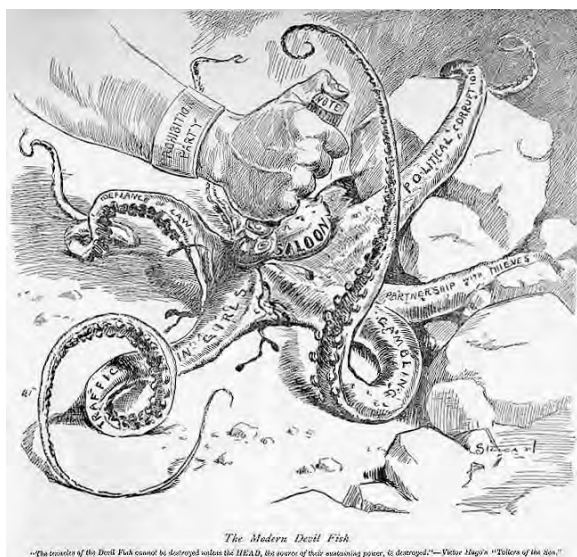
3. The Selective Service procedure of registering only male 18-25 year-olds has prompted several suits, one of which advanced to the Supreme Court:

"In May 2003, a Federal District Judge... dismissed a suit filed by five Massachusetts students who challenged the constitutionality of the male-only registration requirement. [He] said the courts can't interfere with Congress's control over the military, and nothing has changed since the Supreme Court upheld the all-male draft in 1981. The interest advanced by the Military Selective Service Act remains the preparation for a draft of combat troops, and women continue to be barred from ground combat."

Source: <http://www.sss.gov/wmbkgr.htm>

What action on the part of the military would be likely to encourage Congress to include women in Selective Service registration?

- 1) conduct a study of the effect the draft has on volunteers
- 2) offer higher pay to women than to men
- 3) ask female soldiers to write letters to their congressmen suggesting the change
- 4) award more medals of honor to women
- 5) change its policy and assign women to ground combat positions



<http://prohibition.history.ohio-state.edu/ProhParty/cartoon18.htm>. Public domain.

4. The caption of the “Devil Fish” cartoon above reads, “ ‘The tentacles of the Devil Fish cannot be destroyed unless the HEAD, the source of their sustaining power, is destroyed.’—Victor Hugo’s ‘Toilers of the Sea.’ ”

The *strong arm* of the Prohibition

(anti-alcohol) Party is urged to use its weapon, the *VOTE*, on the head of the Devil Fish, *SALOONS*, in order to destroy the tentacles: *Defiance of Law*, *Gambling*, *Political Corruption*, *Partnership with Thieves*, and *Traffic in Girls*. In response to the long-term anti-drinking campaign this cartoon depicts, the 18th Amendment, prohibiting alcohol, was passed in 1919.

Considering that the 21st Amendment, passed in 1933, repealed prohibition, which of the following outcomes probably did not occur?

- 1) The 1920s became known as a “Roaring” era of speakeasies and bathtub gin.
- 2) The criminal underworld did a brisk traffic in production and sale of alcohol.
- 3) The incidence of crime and political corruption decreased each year for the next decade.
- 4) The production of alcohol in homemade stills and the consumption of wood alcohol posed a health threat.
- 5) Millions of otherwise law-abiding citizens became lawbreakers to obtain alcoholic drinks.

Answers and Explanations

Page 1, Words You Need to Know: 1. d 2. a 3. e 4. c 5. b

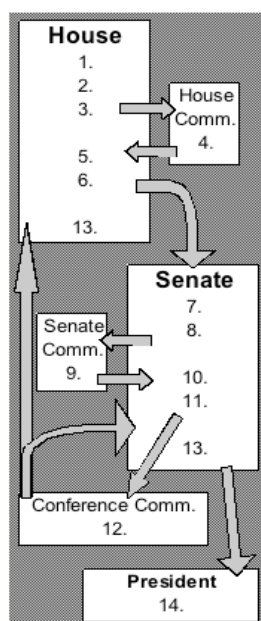
Page 2, Did You Catch That? 1. T 4. T 7. T 9. T

2. F—One of the ways Congress can limit the president’s power is through its duty to declare war.
3. F—Senators are elected for six-year terms; Representatives for two-year terms.
5. F—When it comes to changing the Constitution, gridlock is built in and intended to happen.
6. F—Voting for the president through the Electoral College gave greater power to individual states, especially those with smaller populations.
8. F—The National Guard was protecting black students who integrated the high school after the Supreme Court ruled in *Brown v. Board of Education of Topeka* that separate educational facilities based on race were unconstitutional.
10. F—Car ownership is only one area of life in which our elected representatives make laws that regulate how we may act or how others may treat us. Besides sales tax and control of alcohol and tobacco, how many other instances of regulation that affect all of us can you think of?

Page 3, Separation of Power & Checks and Balances:

	<u>Duties</u>	<u>Checked by</u>
LEGISLATIVE:	<i>Lawmaking, in general</i>	E – veto; J – rule as unconstitutional _____
	Levy and collect taxes	E – veto; J – rule as unconstitutional _____
	Borrow money	E – veto; J – rule as unconstitutional _____
	Regulate commerce	E – veto; J – rule as unconstitutional _____
	Declare war	E – veto; <i>diplomatic influence</i> _____
	Approve presidential appointments & treaties	E – <i>select new appointees; renegotiate treaties</i> _
	Provide and maintain an army	E – veto; J – rule as unconstitutional _____
EXECUTIVE:	Commander-in chief of the Armed Forces	L – control funding; not declare war _____
	Appoints U.S. Supreme Court Judges	L – not approve appointee; J – <i>act independently once appointed</i> _____
	Nominates executive officials	L – not approve appointee _____
	May veto congressional bills	L – <i>override veto</i> _____
JUDICIAL:	Rules on the constitutionality of laws	E – appoint favorable judges; L – pass new law _____

Page 4, From Bill to Law:



Page 6, Critical Thinking – Applying Logic:

(This is one possible solution. You could have started with a different answer choice in step A).

- The passage verifies that 3) is true—Congress overrode the decision.
- Reviewing 1) in connection with 3) shows them to be in agreement: the Supreme Court said slavery could legally be extended to the territories, but Congress did not want slavery.
- Could 2) be true if the Supreme Court’s decision was to allow slavery? A second proof that 2) is false is found in the passage: “...black people...could not expect any protection from the federal government or the courts.”
- Answer 4) may not be verifiable within the passage, but it does not conflict with 1) and 3). Of course it would help to have the general knowledge that the North was anti-slavery and fought the Civil War over this issue.
- You don’t have to know that the Civil War came after 1857 to realize that 5) does not conflict with answers 1), 3), and 4) in the way that 2) does. Knowing that the Civil War dated from 1861 to 1865 and that the slaves were not freed until it was over would help prove that 5) is a true statement.

Page 7, Bill of Rights:

- due process
- First Amendment
- warrant
- Bill of Rights
- Due process includes the proper steps in the legal process, such as indictment, that the government must take before jailing, fining, or executing an accused person.
- Fifth
- Seventh
- Sixth
- The Third Amendment is not a concern today because we are not fighting a war in our own country.
- The First Amendment allows Americans to talk and write about their beliefs and opinions and to meet with other people.

Page 8, Sorting Out Amendments 11-27

- 19th
- 15th, 19th, 23rd, 24th, 26th
- 19th
- 15th, 24th
- 15th, 26th

Page 10, Specialized Time Lines

1. *Plessy v. Ferguson* (1896) and *Brown v. Board of Education* (1954)
2. *Regents of CA v. Bakke* (1978)
3. *Brown v. Board of Education* (1954)
4. A. (2) B. (1) C. (3)
5. *Dred Scott v. Sandford*, 1857; 13th, 14th, and 15th Amendments

Page 11, Citizenship Test:

- | | |
|---|---|
| 15. Dick Cheney | 52. two (2) from each state |
| 16. the Electoral College | 61. that all men are created equal |
| 22. 27 amendments | 64. the Bill of Rights |
| 31. Barbara Boxer and Diane Feinstein | 65. eighteen (18) |
| 32. 6 years | 69. freed many slaves |
| 33. 435 | 70. the Cabinet |
| 34. 2 years | 80. 1787 |
| 48. 2 | 82. for countries to discuss and try to resolve world problems; to provide economic aid to many countries |
| 51. must be a natural born citizen of the United States; must be at least 35 years old by the time he/she will serve; must have lived in the United States for at least 14 years. | 85. The Preamble |
| | 87. the right to vote |
| | 98. There is no limit. |

Page 13, Exercises:

1. 4) 11,000,000—about half of the 21,843,202 eligible voters
2. 2) 8,800,000—all the registered Democrats (6,450,624) plus all the voters who “Declined to State” and may ask for a Democratic ballot (2,433,134)
3. F 4. F 5. F 6. F

Page 14, Ballot Initiatives:

1. c) tobacco industry
2. Answers may vary. Examples of uses of alcohol tax funds: reimburse states for alcoholism-related medical expenses; fund rehabilitation programs for drivers convicted of driving under the influence of alcohol

Page 15, Jury Duty: 1. c 2. a 3. d 4. b

Page 15, Military Duty: 1. c) 2. b)

Page 16, Exercise:

1. 4) is correct. Since faster communication allowed more business to be conducted in the same time, the wait from early November to March 4th became effectively much greater than when it was first established before 1800. Answers 1) and 3) had no effect; answer 2) is nonsense; and answer 5) is erroneous—the president would not be working more days, just beginning his session on earlier.
2. 1) B and C. Point A would make it easier to pass a budget, but is not punitive in the way that B and C are. Point D holds the legislature more accountable by requiring readily accessible disclosure, and point E attempts to curb spending in good economic times while building a reserve to help during an economic downturn.
3. 5) Because the Supreme Court based its decision on the Department of Defense’s policy barring women from ground combat duty, only a change of that policy would induce Congress to rewrite the Selective Service Act.
4. 3) Crime and political corruption did not decrease but continued as usual, perhaps even increasing because of the opportunities provided by prohibition. What prohibited substance of today do many people compare to alcohol?