

# Government, Democracy and Laws

## Why aren't all rules good rules?

From its creation, the United States was different from its European predecessors. Its people were not united by a common heritage, ethnicity or even language. It was then, as it is now, a diverse nation of immigrants. What united it was a radical belief of the time, that “all men are created equal,” and that a free people could govern themselves and not descend into anarchy and chaos. For centuries, European nations had monarchs and aristocracies to maintain order and stability from generation to generation. The United States declared that its people would be governed only by their elected representatives. This belief in democracy, as one British commentator observed, created in the United States “a nation with the soul of a church,” united by a common belief.

## Framework of U.S. Democracy

Three documents have been central to the essence of this perception. The Declaration of Independence was drafted by the Second Continental Congress in 1776 in Philadelphia to explain and justify why the colonies were separating themselves from the domination of Great Britain. Delegates from 13 colonies along the Atlantic Coast sent delegates to the convention in Philadelphia. They approved a resolution to separate themselves from Britain and appointed a committee of five men to draft an explanation to the world why the colonies were taking this step. The committee chose Thomas Jefferson of Virginia to write the original draft. He began with an explanation of why governments are established and then moved on to the injustices the colonies had endured by Parliament and the king. The document ends with the declaration that the colonies were from now on free from British rule. It was approved by the Continental Congress on July 4, America's Independence Day. It declares that “all men are created equal and endowed by their Creator with certain inalienable rights.” The nation has never fully lived up to that bold statement in practice, but it is the measure against which perceived injustices are measured.

The former colonies that defeated the British Empire needed to establish some legal framework that would bind them together for certain purposes but not become as oppressive as the monarch they had just defeated. At first, the Articles of Confederation provided a weak central government but pressure for a stronger authority developed quickly. In 1787, delegates to a Constitutional Convention began meeting to strike a balance between responsibilities left to the states and those delegated to the federal government.

Like the Declaration of Independence, the U.S. Constitution begins with a preamble that sets forth its purpose — “to form a more perfect union.” Federal authority is divided into three branches: the legislative branch that makes the laws; the executive that administers the laws; and the judicial that interprets the laws in cases of conflict. Central to the Constitution is the concept of checks and balances. Each branch has some authority to curb undue power exercised by the other two branches. Some duties were specifically delegated to the federal government and some specifically reserved to the states. The Convention specified that the plan would go into effect when nine states approved it. New Hampshire was the ninth in 1788, and Rhode Island was the last in 1790. George Washington was elected as the first president in 1788.

Ever concerned that the central government could abuse the rights of the people as the colonists felt Great Britain had done, Congress proposed a series of amendments to the Constitution that specifically spelled out restrictions on the federal government. The first 10 amendments to the Constitution are called the Bill of Rights, including the First Amendment, which states that individuals shall have the right to freedom of speech, religion, the press and assembly and the right to petition the government.

These three documents are central to how the United States presents itself to its own people and to the world. They have been copied by many emerging democracies around the world and show remarkable resilience over the 250 years since their adoption.

## Supporting Questions

What key documents establish the foundation of America's participatory democracy?

- ["The Great Law of Peace" Video about Injunuity, November 12, 2013 \(Video\)](#)
- [Declaration of Independence, July 4, 1776 \(Document\)](#)
- [Preamble to the U.S. Constitution, September 1787 \(Document\)](#)
- [U.S. Constitution, September 1787 \(Document\)](#)
- [Bill of Rights in the U.S. Constitution, September 25, 1789 \(Document\)](#)
- [Iowa Constitution, 1857 \(Document\)](#)
- [Independence Hall in Philadelphia, Pennsylvania, ca. 1900 \(Image\)](#)

How are laws created?

- ["How Does a Bill Becomes a Law" Infographic \(Document\)](#)
- ["The Three Branches of Government and How They Work in Iowa" \(Document\)](#)
- [Comparing Three Branches of Government in Iowa Versus the U.S. \(Document\)](#)
- [Marbury v. Madison, 1803 \(Document\)](#)
- [Architect's Drawing of the Iowa State Capitol, ca. 1880 \(Image\)](#)
- [Supreme Court Building in Washington, D.C., ca. 1980 \(Image\)](#)
- [The White House in Washington, D.C., ca. 1980 \(Image\)](#)
- [Aerial View of the U.S. Capitol in Washington, D.C., April 30, 2007 \(Image\)](#)

How can laws be changed to guarantee human rights?

- [Iowa Supreme Court Ruling on Montgomery v. Ralph, 1839 \(Document\)](#)
- ["Declaration of Sentiments" Address by Elizabeth Cady Stanton in Seneca Falls, New York, July 1848 \(Document\)](#)
- [Illustrated Portraits of Dred Scott and His Family, Harriet, Eliza and Lizzie, 1857 \(Image\)](#)
- [Arabella \(Belle\) Babb Mansfield, First Certified Female Attorney in the United States \(Document, Image\)](#)
- [Iowa Supreme Court Rules on Equal Access: Portrait of Alexander Clark, 1868 \(Document, Image\)](#)
- [Ola Babcock Miller, Iowa's First Secretary of State \(Image\)](#)
- ["Mennonite School Teacher with Class of Amish, Mennonite and Pennsylvania Dutch Children," March 1942 \(Image\)](#)
- ["Republican Senators During a Meeting on Amendments to the Civil Rights Act," May 20, 1964 \(Image\)](#)
- [Participants at a Civil Rights March from Selma to Montgomery, Alabama, 1965 \(Image\)](#)
- ["D.M. Schools Ban Wearing of Viet Truce Armbands" Newspaper Article, December 15, 1965 \(Document\)](#)
- [President Lyndon B. Johnson Signs 1968 Civil Rights Act, April 11, 1968 \(Image\)](#)
- [March in Support of Migrant Workers in Des Moines, Iowa, February 1969 \(Image\)](#)
- [News Release from Muscatine Community Effort Organization about H. J. Heinz Company Boycott, 1969 \(Document\)](#)
- ["Iowa Constitution and Race" from Iowa PBS, 1978 \(Video\)](#)
- ["Religious Rights" Essay from \*The Goldfinch\*, February 1987 \(Document\)](#)
- ["The Black Armband Case" Essay from \*The Goldfinch\*, February 1987 \(Document\)](#)
- [Iowa Supreme Court Case \*Varnum v. Brien\*, April 3, 2009 \(Document\)](#)
- ["Celebrating Ten Years of Marriage Equality in Iowa—Yes, Iowa," April 3, 2019 \(Document\)](#)

## \*Printable Image and Document Guide

## Additional Resources

\*Links to additional resources available in the [Government, Democracy and Laws Primary Source Set](#).

### ***What key founding documents allow Americans participation in our democracy?***

#### **Khan Academy: Democratic Ideals in the Declaration of Independence and the Constitution**

This webpage offers perspective about the democratic ideals that led to the development of the Declaration of Independence and U.S. Constitution.

#### **National Constitution Center: Educational Videos**

This organization offers free educational video lessons that feature the museum's education staff, distinguished scholars and even some famous faces who bring America's democracy and the stories of "We the People" to life.

#### **Prequel to Independence**

This is a National Archives digital activity to sort documents and images related to the founding of the United States.

#### **The Iowa Constitution from Iowa PBS**

This webpage from Iowa PBS and Iowa Pathways focuses on the creation and implementation of the Iowa Constitution.

#### **The Mini Page: Bill of Rights**

This archived issue of *The Mini Page* - an educational children's newspaper - focuses on the Bill of Rights.

#### **The Mini Page: Amendments 11-26**

This archived article from *The Mini Page* - an educational children's newspaper - focuses on the Amendments 11 through 26 of the U.S. Constitution.

#### ***The Bill of Rights in Translation: What It Really Means* by Amie Jane Leavitt**

This book explains the meaning of the Bill of Rights for students.

#### ***The Declaration of Independence in Translation: What It Really Means* by Amie Jane Leavitt**

This book explains the meaning of the Declaration of Independence for students.

#### ***We the Kids: The Preamble to the Constitution of the United States* by David Catrow**

This book is helpful to inspire discussion in classrooms with an illustrated look at the Preamble of the U.S. Constitution and provides an accessible introduction to America's founding ideals for citizens of all ages.

### ***How are laws created?***

#### **Branches of the U.S. Government**

This webpage includes infographics, texts and more to explain what the purpose and function of the branches of government are in the United States.

#### **Engaging Congress**

This online resource from Indiana University provides a teacher's toolbox, primary sources and more to teach students about Congress.

#### **iCivics: Foundations of Government**

Use this online resource to help students examine the purpose, forms and limitations on government.

#### **"I'm Just a Bill" Video from Schoolhouse Rock**

Watch this educational video from Schoolhouse Rock about how a bill is created and can become a law.

## Additional Resources

\*Links to additional resources available in the [Government, Democracy and Laws Primary Source Set](#).

### **Iowa Judicial Branch: Justices**

Learn about the history of the current Iowa Supreme Court justices.

### **Kid Citizen: Welcome to Congress**

This resource from the Library of Congress looks at who represents the people in the U.S. Congress and where do they work.

### **"The History of the Iowa Capitol Building in Des Moines" Video from Iowa PBS**

In this segment is from Iowa PBS' "This Old Statehouse" documentary, learn about the building of Iowa's historic capitol building.

### ***How can laws be changed to guarantee human rights?***

#### **Constitution Center: Tinker v. Des Moines**

Use this video to learn about the landmark free speech case.

#### **Dred Scott Case**

This webpage from History.com focuses on the Dred Scott case, also known as Dred Scott v. Sandford, which was a decade-long fight for freedom by an enslaved man named Dred Scott.

#### **iCivics: County Solutions Civic Action Plan**

County Solutions is a lesson-based civic action project educators can do with their students right in the classroom.

#### **Iowa Civil Rights Toolkit**

Download this toolkit from the Iowa Civil Rights Commission to learn more about the state's civil rights history.

#### **Khan Academy: Tinker v. Des Moines (1969)**

Download this toolkit from the Iowa Civil Rights Commission to learn more about the state's civil rights history.

#### **Marbury vs. Madison: What Was the Case About?**

This video focuses on the 1803 U.S. Supreme Court case between William Marbury and James Madison.

#### **Mary Beth Tinker Describes Her Experiences Participating in a Student Protest in 1965**

Mary Beth Tinker describes the inspiration that led to her decision to participate in a student protest of the Vietnam War in 1965, along with recounting the events and experiences of the time.

#### **Mary Beth Tinker Describes Her Work Raising Awareness of First Amendment Rights**

Mary Beth Tinker describes how she came to the decision to begin public speaking to help raise awareness of First Amendment rights for young people

#### **Mary Beth Tinker Describes the Need to Understand First Amendment Rights**

Mary Beth Tinker describes how she continues to see the need for young people to understand and practice their First Amendment rights.

#### **My Civic Responsibility**

In this lesson, learners identify different levels of participation in a democracy.

#### **National Archives: Records of Rights**

Explore records of the National Archives documenting the ongoing struggle of Americans to define, attain and protect their rights.

## Additional Resources

\*Links to additional resources available in the [Government, Democracy and Laws Primary Source Set](#).

### **Ralph Montgomery from Iowa PBS**

This webpage from Iowa PBS focuses on the Iowa Supreme Court case called “In the Matter of Ralph (a colored man),” which made history as the first decision of the Iowa Supreme Court in regard to a “fugitive slave.” On Independence Day 1839, Ralph was declared a free man.

### **Selma to Montgomery March**

This webpage from History.com focuses on the Selma to Montgomery march was part of a series of civil rights protests that occurred in 1965 in Alabama, a southern state with deeply entrenched racist policies.

### **Seneca Falls Convention**

This webpage from History.com provides an informational overview of the Seneca Falls Convention in July 1848, which launched the women’s suffrage movement in the United States.

### **The Women Who Shaped the Universal Declaration of Human Rights**

Seventy years ago, Eleanor Roosevelt was instrumental in drafting the Universal Declaration of Human Rights. But she was not alone. Discover who are the women who shaped the major instrument for the defense of human rights through this video from the United Nations.

### **Universal Declaration of Human Rights**

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights.

### ***Pride: The Story of Harvey Milk and the Rainbow Flag* by Rob Sanders**

In this empowering true story, young readers will trace the life of the Gay Pride Flag, from its beginnings in 1978 with social activist Harvey Milk and designer Gilbert Baker to its spanning of the globe and its role in today’s world

## “The Great Law of Peace” Video about Injunuity, November 12, 2013



Courtesy of Vision Maker Media, “The Great Law of Peace - Injunuity,” Corporation for Public Broadcasting, 12 November 2013

### Description

Much has been said about the inspiration of the ancient Iroquois “Great League of Peace” in planting the seeds that led to the formation of the United States and its representative democracy. The Iroquois Confederacy, founded by the Great Peacemaker in 1142, is the oldest living participatory democracy on Earth. In 1988, the U.S. Senate paid tribute with a resolution that said, “The confederation of the original 13 colonies into one republic was influenced by the political system developed by the Iroquois Confederacy, as were many of the democratic principles which were incorporated into the constitution itself.”

The people of the Iroquois Confederacy, also known as the Six Nations, refer to themselves as the Haudenosaunee (pronounced “hoo-dee-noh-SHAW-nee”). It means “peoples of the longhouse,” and refers to their lengthy bark-covered longhouses that housed many families. Theirs was a sophisticated and thriving society of well over 5,000 people when the first European explorers encountered them in the early 17th Century.

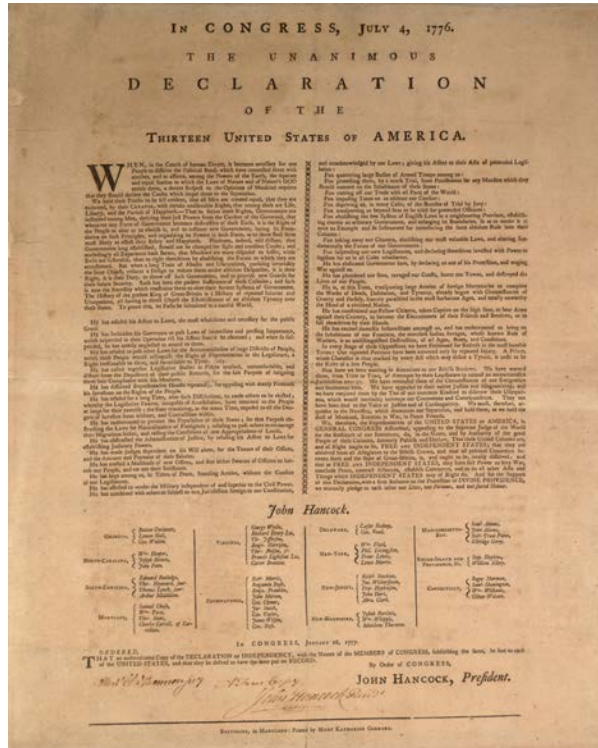
### Source-Dependent Questions

- How did Iroquois “Great League of Peace” influence the formation of the United States and its representative democracy?
- Who were the people of the Iroquois Confederacy?

### Citation Information

“The Great Law of Peace - Injunuity,” Corporation for Public Broadcasting, 12 November 2013. [Courtesy of Vision Maker Media](#)

# Declaration of Independence, July 4, 1776



Courtesy of Library of Congress, "In Congress, July 4, 1776. The unanimous declaration of the thirteen United States of America," 4 July 1776

## Description

The Declaration of Independence was the first formal statement by a nation's people asserting their right to choose their own government. When the first skirmishes of the Revolutionary War broke out in Massachusetts in April 1775, few people in the American colonies wanted to separate from Great Britain entirely. But as the war continued, and Britain called out massive armed forces to enforce its will, more and more colonists came to accept that asserting independence was the only way forward. And the Declaration of Independence would play a critical role in unifying the colonies for the bloody struggle they now faced.

## Transcript of the Declaration of Independence

## Source-Dependent Questions

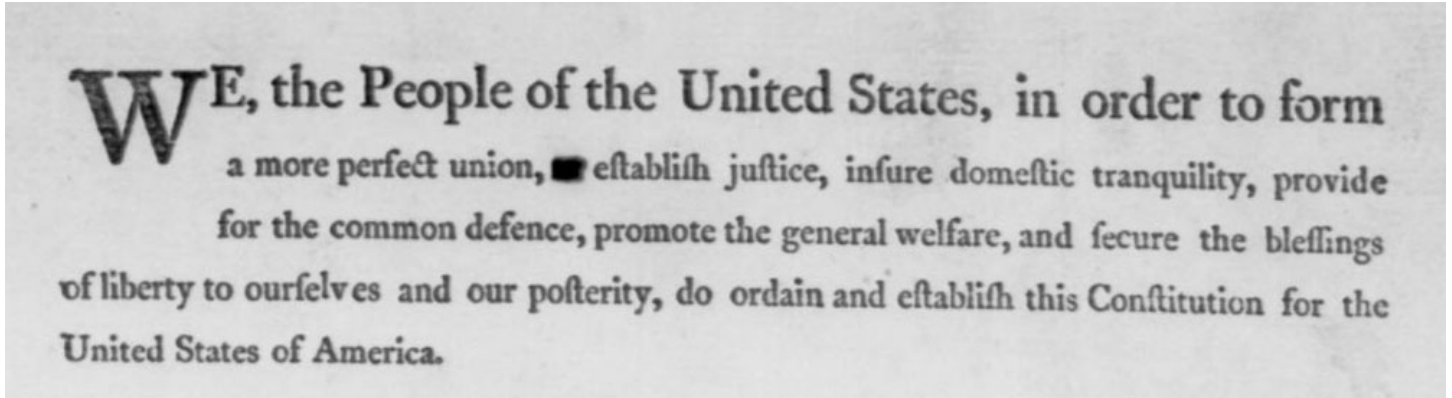
- According to the first paragraph, why do the writers of the Declaration feel obliged to declare the causes for separating from the English government?
- How does the second paragraph represent a statement of the colonists' beliefs?
- What were the major grievances the colonists listed?
- How do they explain why the King's responses to their complaints weren't good enough?

## Citation Information

"In Congress, July 4, 1776. The unanimous declaration of the thirteen United States of America," 4 July 1776.

[Courtesy of Library of Congress](#)

## Preamble to the U.S. Constitution, September 1787



Courtesy of Library of Congress, Preamble to the U.S. Constitution, September 1787

### Description

The preamble is the opening statement to the U.S. Constitution. The preamble explains the reasons why the framers of the Constitution made the government a republic. The preamble, along with the rest of the U.S. Constitution, was written over a period of about six weeks, and it helped explain why the document was written.

### [Transcript of the Preamble to the U.S. Constitution](#)

### Source-Dependent Questions

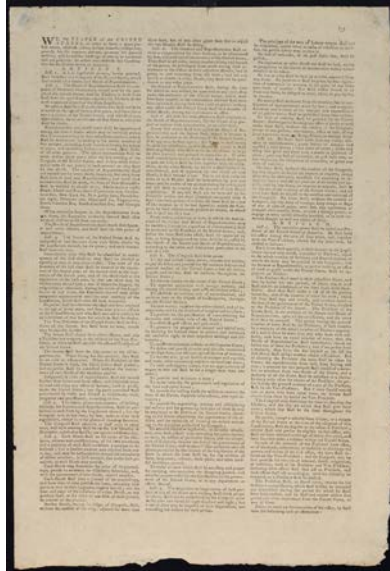
- What is the purpose of a preamble? How does the preamble to the U.S. Constitution help explain why the founders thought we needed one?
- What are the key words in the preamble that embody the country's ideas?

### Citation Information

Preamble to the U.S. Constitution, September 1787. [Courtesy of Library of Congress](#)



## U.S. Constitution, 1787



Courtesy of Library of Congress, "We, the people of the United States, in order to form a more perfect union..."  
Constitutional Convention, 1787

### Description

The Constitution of the United States is the supreme law of the United States of America. The Constitution was originally created with seven articles, and it is the national frame of government. Its first three articles embody the principle of the separation of powers, where the federal government is divided into three branches: the legislative, executive and judicial.

[Full Transcript of the U.S. Constitution](#)

[Transcribed Excerpts from the U.S. Constitution](#)

### Source-Dependent Questions

- What was the purpose for writing the U.S. Constitution?
- How would you summarize each article?

### Citation Information

"We, the people of the United States, in order to form a more perfect union..." Constitutional Convention, September 1787. [Courtesy of Library of Congress](#)

# Bill of Rights in the U.S. Constitution, September 25, 1789

AMENDMENTS TO THE CONSTITUTION.<sup>(a)</sup>

Art. 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.

Art. 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.

Art. 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.

Art. 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.<sup>(b)</sup>

Art. V. No person shall be held in answer to 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;<sup>(c)</sup> nor shall be compelled, in any criminal case, to be 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.

Art. 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.

Art. 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.<sup>(d)</sup>

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

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

Art. X. The powers not delegated to the United States by the Constitution,

Courtesy of Library of Congress, Madison, James, "Amendment to the U.S. Constitution," U.S. Congress, 25 September 1789

## Description

On September 25, 1789, the first Congress of the United States proposed 12 amendments to the U.S. Constitution. Ten of the proposed 12 amendments were ratified by three-fourths of the state legislatures on December 15, 1791. The ratified articles (Articles 3–12) constitute the first 10 amendments of the Constitution or the U.S. Bill of Rights. In 1992, 203 years after it was proposed, Article 2 was ratified as the 27th Amendment to the Constitution. Article 1 was never ratified.

## Transcript of the Bill of Rights in the U.S. Constitution

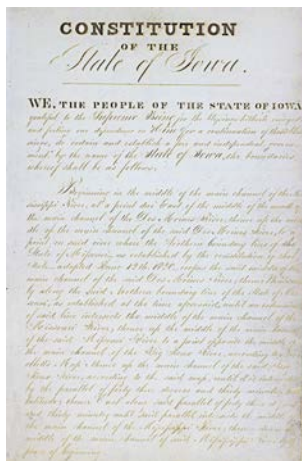
## Source-Dependent Questions

- How did the Bill of Rights become part of the U.S. Constitution? Were all of the proposed changes accepted?
- How do the Bill of Rights prevent someone from thinking these are the only rights Americans have?

## Citation Information

Madison, James, "Amendment to the U.S. Constitution," U.S. Congress, 25 September 1789. [Courtesy of Library of Congress](#)

## Iowa Constitution, 1857



Courtesy of Iowa Secretary of State, "Constitution of the State of Iowa," 1857

### Description

The Iowa Constitution is the plan for the state government. The plan tells how the government should be organized and who has certain duties. Iowa's first constitution was written when Iowa entered the Union as a state in 1846. It was different from the rules of government that had been followed when Iowa was a territory, and it was different from the constitutions of other states. It was supposed to fit the needs of people in Iowa.

Unfortunately, there were problems with the first constitution of 1846. The people decided in 1857 that it would be easier to start over again with a new constitution. A new plan of government was written at a meeting in the Old Stone Capitol in Iowa City. This new constitution is the one Iowans live by today. It has been amended 46 times since 1857.

["Iowa's Constitution" Essay in \*The Goldfinch\*](#)

[Full Transcript of the Iowa Constitution](#)

[Transcribed Excerpt from the Iowa Constitution](#)

### Source-Dependent Questions

- Why is there an Iowa Constitution if there is a U.S. Constitution?
- What are some similarities and differences between the [U.S. Constitution](#) and the Iowa Constitution?

### Citation Information

"Constitution of the State of Iowa," 1857. [Courtesy of Iowa Secretary of State](#)

## Independence Hall in Philadelphia, Pennsylvania, ca. 1900



Courtesy of Library of Congress, "Independence Hall, Philadelphia," Detroit Publishing Co., ca. 1900

### Description

Independence Hall can be considered as one of the birthplaces of the United States. In this building, the Declaration of Independence and U.S. Constitution were both debated and signed. The legacy of the nation's founding documents began here. It is a place that has influenced lawmakers around the world.

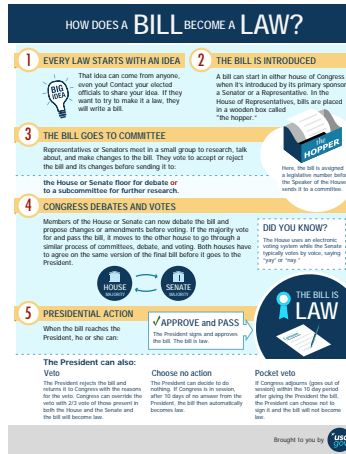
### Source-Dependent Questions

- Look closely at the photo. What do you notice about the Independence Hall, as well as the surrounding buildings and area?
- Independence Hall can be considered as one of the birthplaces of the United States. In this building, the [Declaration of Independence](#) and [U.S. Constitution](#) were both debated and signed. Who would be influenced by the history that took place in the building? Explain your answers.
- What is the significance of Independence Hall?
- What is the legacy of the founding documents??

### Citation Information

"Independence Hall, Philadelphia," Detroit Publishing Co., ca. 1900. [Courtesy of Library of Congress](#)

# “How Does a Bill Become a Law?” Infographic



Courtesy of USA Gov, “How Does a Bill Becomes a Law?”

## Description

After both the U.S. House and U.S. Senate have approved a bill in identical form, the bill is sent to the president. If the president approves of the legislation, it is signed and becomes law. If the president takes no action for 10 days while Congress is in session, the bill automatically becomes law.

## Transcript of “How Does a Bill Becomes a Law?” Infographic

## Source-Dependent Questions

- What is a bill?
- Summarize the five steps of how a bill becomes a law. Discuss why each step is important and necessary.

## Citation Information

“How Does a Bill Becomes a Law?” [Courtesy of USA Gov](#)

## “The Three Branches of Government and How They Work in Iowa”



Courtesy of LSA, “The Three Branches of Government and How they Work in Iowa,” Legislative Services Agency (LSA)

### Description

The three branches of Iowa’s government mirror the three branches of the U.S. government. There is the executive branch, which includes the governor and other staff, and duties can include approving or vetoing bills, administering or carrying out laws and can recommend proposed laws. There is the judicial branch, which is comprised of the state’s Supreme Court and other courts, who decide whether laws are constitutional, appoints state supreme court justices and interprets laws. The final branch is the legislative, which includes the General Assembly. The Iowa legislature, like the U.S. Congress, is made up of two bodies — the Iowa Senate and the Iowa House of Representatives. There are 50 senators in Iowa and 100 members of the Iowa House. This branch can pass laws and confirm Supreme Court justices.

[View “Iowa: Three Branches of Government” Essay from \*The Goldfinch\*](#)

[Transcript of “Iowa: Three Branches of Government” Essay from \*The Goldfinch\*](#)

[Full Transcript of “The Three Branches of Government and How They Work in Iowa”](#)

[Transcribed Excerpts from “The Three Branches of Government and How They Work in Iowa”](#)

### Source-Dependent Questions

- When reading the [chart](#), what is meant by the “separation of powers” in Iowa?
- What does each branch of government do for the people of Iowa?

### Citation Information

**Text 1:** “The Three Branches of Government and How they Work in Iowa,” Legislative Services Agency (LSA). [Courtesy of LSA](#)

**Text 2:** “Iowa’s Constitution,” *The Goldfinch: Constitutional Issues and Iowa*, Vol. 8, No. 3, pp. 7, February 1987. Courtesy of State Historical Society of Iowa

## Comparing Three Branches of Government in Iowa Versus the U.S.



Courtesy of USAGov, "3 Branches of the U.S. Government" / Courtesy of State Historical Society of Iowa, "Iowa's Constitution," *The Goldfinch: Constitutional Issues and Iowa*, Vol. 8, No. 3, pp. 7, February 1987

### Description

The federal and Iowa government is composed of three distinct branches: legislative, executive and judicial, whose powers are vested by the U.S. Constitution and Iowa Constitution.

[Full Transcript of "3 Branches of U.S. Government" Infographic and "Iowa: Three Branches of Government" Essay from \*The Goldfinch\*](#)

### Source-Dependent Questions

- What similarities do you notice between the three branches of government in Iowa and the United States? What are the differences?
- What is the purpose of the three branches of government in both Iowa and the United States?

### Citation Information

**Infographic:** "3 Branches of the U.S. Government." [Courtesy of USAGov](#)

**Text:** "Iowa's Constitution," *The Goldfinch: Constitutional Issues and Iowa*, Vol. 8, No. 3, pp. 7, February 1987. Courtesy of State Historical Society of Iowa

## Marbury v. Madison, 1803

to be done whenever the legal and equitable right to the money is in the person whose goods and chattels are liable to such execution.

In the case of Turner and Fendall, the sheriff not having brought the money into court, but having levied an execution on it while in his hands, has not sufficiently justified the non-payment of it to the creditor; and therefore the court committed no error in rendering judgment against him on the motion of that creditor. If the payment of the damages should be against equity, that was not a subject for the consideration of the court of law which rendered the judgment.

Judgment affirmed.

WILLIAM MARBURY  
v.  
JAMES MADISON, SECRETARY OF STATE  
OF THE UNITED STATES.

FEBRUARY, 1803.

AT the last term, viz. December term, 1801, MARBURY  
William Marbury, Dennis Ramsay, Robert Townshend  
Hooe, and William Harper, by their counsel, Charles  
Lee, esq. late attorney general of the United States, MADISON.

Courtesy of Library of Congress, Marshall, John, "U.S. Reports: Marbury v. Madison, 5 U.S. (1 Cranch) 137 (1803)," U.S. Supreme Court, 1803

### Description

The 1803 U.S. Supreme Court case *Marbury v. Madison* established the principle of judicial review — the power of the federal courts to declare legislative and executive acts unconstitutional. The unanimous opinion was written by Chief Justice John Marshall. President John Adams named William Marbury as one of 42 justices of the peace on March 2, 1801. The Senate confirmed the nominations the following day, March 3, which was Adams' last full day in office. However, acting Secretary of State John Marshall failed to deliver four of the commissions, including Marbury's. When Thomas Jefferson took office on March 4, he ordered that the four remaining commissions be withheld. Marbury sued Secretary of State James Madison in order to obtain his commission. The Supreme Court issued its opinion on February 24, 1803.

### [Overview of Marbury v. Madison](#)

### [Full Transcript of Marbury v. Madison](#)

### Source-Dependent Questions

- What is judicial review?
- How does *Marbury v. Madison* protect human rights?

### Citation Information

Marshall, John, "U.S. Reports: Marbury v. Madison, 5 U.S. (1 Cranch) 137 (1803)," U.S. Supreme Court, 1803.

[Courtesy of Library of Congress](#)



## Architect's Drawing of the Iowa State Capitol, ca. 1880



Courtesy of State Historical Society of Iowa, ca. 1880

### Description

With the influx of settlers to Iowa, citizens felt the state's capital should be moved to a more central location. The Iowa General Assembly chose Des Moines as the new city. The Iowa State Capitol is also called the Iowa Statehouse. As the seat of the Iowa General Assembly, the building is home to the Iowa Senate, Iowa House of Representatives, the Office of the Governor and the Offices of the Attorney General, Auditor, Treasurer and Secretary of State. The building also includes a chamber for the Iowa Supreme Court, although court activities usually take place in the neighboring Iowa Supreme Court building. The building was constructed between 1871 and 1886, and is the only five-domed capitol in the country.

### Source-Dependent Questions

- With the influx of settlers to Iowa, citizens felt the state's capital should be moved to a more central location. Why is it important for a state capitol to be in a central location within a state?
- The Iowa capitol building is home to the Iowa Senate, Iowa House of Representatives, the Office of the Governor and the Offices of the Attorney General, Auditor, Treasurer and Secretary of State. Why is it beneficial for these offices to be in the same building?

## Supreme Court Building in Washington, D.C., ca. 1980



Courtesy of Library of Congress, Highsmith, Carol M., "Supreme Court Building, Washington, D.C.," ca. 1980

### Description

The U.S. Supreme Court of the United States is the highest court in the federal judiciary of the United States. Established by the U.S. Constitution, the Supreme Court began to take shape with the passage of the Judiciary Act of 1789 and has enjoyed a rich history since its first assembly in 1790. The Supreme Court is deeply tied to its traditions. Of the federal government's three branches, the Court bears the closest resemblance to its original form – a 225-year-old legacy.

### Source-Dependent Questions

- Refer back to the [Comparing Three Branches of Government document](#). What branch of government does the Supreme Court represent?
- Look closely at the photo and describe the building. Why would the Supreme Court building be built across the street from the US Capitol?
- Established by the U.S. Constitution, the Supreme Court began to take shape with the passage of the Judiciary Act of 1789. Why would the Judiciary Act of 1789 be an important milestone for the country?

### Citation Information

Highsmith, Carol M., "Supreme Court Building, Washington, D.C.," ca. 1980. [Courtesy of Library of Congress](#)

## The White House in Washington, D.C., ca. 1980



Courtesy of Library of Congress, Highsmith, Carol M., "The White House, Washington, D.C.," ca. 1980

### Description

The White House is the official residence and workplace of the president of the United States. It is located at 1600 Pennsylvania Avenue NW in Washington, D.C., and has been the residence of every U.S. president since John Adams in 1800.

### Source-Dependent Questions

- Look closely at the photo and describe what you see. Why would the United States provide a home like this for the president?
- What branch of government does the White House represent?
- Why is the White House an important symbol to the country and to the world?

### Citation Information

Highsmith, Carol M., "The White House, Washington, D.C.," ca. 1980. [Courtesy of Library of Congress](#)

## Aerial View of the U.S. Capitol in Washington, D.C., April 30, 2007



Courtesy of Library of Congress, Highsmith, Carol M., "Aerial View, United States Capitol Building, Washington, D.C.," 30 April 2007

### Description

The United States Capitol, often called the Capitol building, is the home of the U.S. Congress and the seat of the legislative branch of the federal government. Congress has two parts: the U.S. Senate and the U.S. House of Representatives. Each state has two U.S. senators and at least one U.S. representative. The more residents a state has, the more U.S. representatives it is allowed. There are 100 U.S. senators and 435 U.S. representatives. The laws Congress makes directly affect Americans.

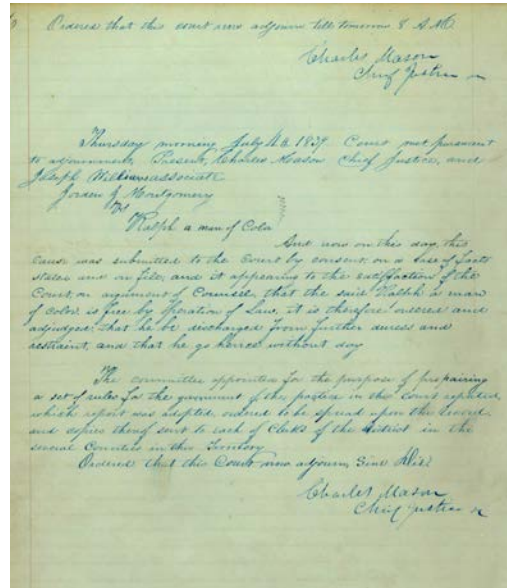
### Source-Dependent Questions

- Refer back to [How Does a Bill Becomes a Law](#). Describe what happens at the U.S. Capitol.
- Congress has two parts: the U.S. Senate and the U.S. House of Representatives. Each state has two U.S. senators and at least one U.S. representative. The more residents a state has, the more U.S. representatives it is allowed. Why would it be important for states with larger populations to have more representatives?
- In what is the U.S. Congress? And why is this branch of government important?

### Citation Information

Highsmith, Carol M., "Aerial View, United States Capitol Building, Washington, D.C.," 30 April 2007. [Courtesy of Library of Congress](#)

## Iowa Supreme Court Ruling on Montgomery v. Ralph, 1839



Courtesy of State Historical Society of Iowa, Mason, Charles, 1839

### Description

This document is the written judgment from Iowa Supreme Court Chief Justice Charles Mason, who in 1839 ruled that a former enslaved man named Ralph would be "...free by operation of law; it is therefore ordered and adjudged; that he be discharged from further duress and restraint, and that he go hence without day." The background of the case was that Ralph was enslaved by Jordan Montgomery in Missouri, and in 1834, they agreed that Ralph would go to Dubuque, Iowa, to work in the lead mines. They also agreed Ralph would pay Montgomery \$450.00 for his freedom but Ralph did not pay Montgomery, so the Missouri man came to Iowa to apprehend Ralph. The ensuing Supreme Court case found that Ralph was a free man and Montgomery could not "illegally restrain a human being of his liberty." The court rejected the argument that Ralph was a "fugitive slave," reasoning that by allowing him to leave Missouri and reside in a free state, Montgomery could no longer exercise any right over him in the Iowa territory.

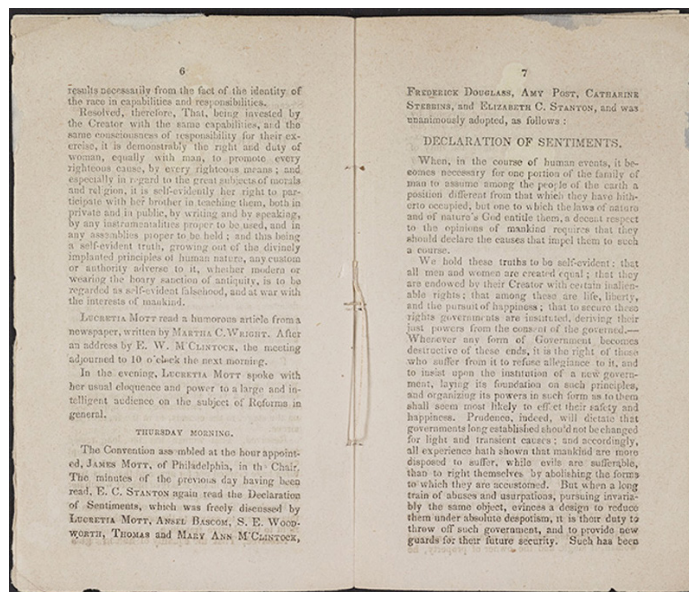
The U.S. Supreme Court faced a similar question 18 years later when it decided the [Dred Scott case](#). However, unlike the Iowa Supreme Court's ruling in Ralph, the U.S. Supreme Court decision maintained the rights of the enslaver and ordered the enslaved man returned.

### [Transcript of Iowa Supreme Court Ruling on Montgomery v. Ralph](#)

### Source-Dependent Questions

- Ralph was enslaved in Missouri, and in 1834, it was agreed that Ralph would go to Dubuque, Iowa, to work in the lead mines but Ralph would have to pay his enslaver \$450.00 for his freedom. Discuss why Ralph would have to pay for his freedom. Was this fair? Why or why not?
- What evidence did Chief Justice Mason give when explaining his ruling?

## “Declaration of Sentiments” Address by Elizabeth Cady Stanton in Seneca Falls, New York, July 1848



Courtesy of Library of Congress, Stanton, Elizabeth Cady, “Declaration of Sentiments,” July 1848

### Description

The Declaration of Sentiments from the Seneca Falls Convention, using the model of the U.S. Declaration of Independence, forthrightly demanded that the rights of women as right-bearing individuals be acknowledged and respected by society. It was signed by 68 women and 32 men.

### [Transcript of “Declaration of Sentiments” Address by Elizabeth Cady Stanton](#)

### Source-Dependent Questions

- What other document begins with “the equality of all men and women and reiterates that both genders are endowed with unalienable rights to life, liberty, and the pursuit of happiness?” Why would the Declaration of Sentiments want to begin in this way?
- What key points are outlined against women’s human rights?

### Citation Information

Stanton, Elizabeth Cady, “Declaration of Sentiments,” July 1848. [Courtesy of Library of Congress](#)

## Illustrated Portraits of Dred Scott and His Family, Harriet, Eliza and Lizzie, 1857



Courtesy of Library of Congress, "Visit to Dred Scott - His Family - Incidents of His Life - Decision of the Supreme Court," Frank Leslie's Illustrated Newspaper, 27 June 1857

*Content Warning: Please be aware of the use of extremely derogatory language used in this historical document.*

### Description

The Supreme Court decision *Dred Scott v. Sandford* was issued on March 6, 1857. Delivered by Chief Justice Roger Taney, this opinion declared that enslaved people were not citizens of the United States and could not sue in federal courts. In addition, this decision declared that the Missouri Compromise was unconstitutional and that Congress did not have the authority to prohibit enslavement in the territories. The Dred Scott decision was overturned by the 13th and 14th Amendments to the U.S. Constitution.

### [Transcript of "Visit to Dred Scott..." Article](#)

### Source-Dependent Questions

- In the U.S. Supreme Court decision of *Dred Scott v. Sandford*, it was declared that enslaved people were not citizens of the United States and could not sue in federal courts. In addition, this decision declared that the Missouri Compromise was unconstitutional and that Congress did not have the authority to prohibit enslavement in the territories. Compare this case to [Ralph's case](#). What is similar about the cases? What is different? Discuss reasons why there can be differences in decisions between state Supreme Court and the U.S. Supreme court.
- Why was declaring the Missouri Compromise unconstitutional significant?
- In *Frank Leslie's Illustrated Newspaper*, it states that Dred Scott was reluctant to have his likeness captured. Discuss reasons why he might not want his image available to the public.

### Citation Information

**Text:** "Visit to Dred Scott - His Family - Incidents of His Life - Decision of the Supreme Court," *Frank Leslie's Illustrated Newspaper*, 27 June 1857. [Courtesy of Library of Congress](#)

**Images:** Fitzgibbon, John H., "Eliza and Lizzie, Children of Dred Scott, Dred Scott; His Wife, Harriet," 1857. [Courtesy of Library of Congress](#)

## Arabella (Belle) Babb Mansfield, First Certified Female Attorney in the United States

### Arabella (Belle) Babb Mansfield

Arabella "Belle" Babb Mansfield was born on August 23, 1846 in Des Moines County, Iowa. Her family moved to Mount Pleasant, Iowa, in 1860 when her father died. She graduated from Iowa Wesleyan College in 1866. She studied law for two years at her brother's law office. Ms. Mansfield passed a rigorous bar examination administered by the all-male members of the Henry County Bar Association in 1869, thus becoming the first certified woman attorney in the United States. As a result of Ms. Mansfield passing the examination, Iowa state law was changed to allow women to practice law.

She never practiced law in the traditional sense. Instead she enjoyed a long and successful career as an educator, public orator, world traveler, art historian and journalist. Ms. Mansfield was also a pioneer in the Iowa Suffrage movement, chairing the first Iowa Suffrage Association state convention in 1870, held in Mount Pleasant, Iowa. She was the group's first secretary and campaigned for equal educational opportunities for women as well as voting rights. She was also active in drafting the Constitution for the Henry County Woman Suffrage Association.

Ms. Mansfield also traveled with her husband to England, France, Germany, Switzerland, Italy, Belgium, Austria and Scotland. She attended classes and observed different courts of law during her travels. She also was on the faculty of Iowa Wesleyan College, Simpson College and DePauw University. She died in 1911 at the age of 65 and is buried at Forest Home Cemetery in Mount Pleasant.

*This profile was written by was written by Kristen Corey, Office on the Status of Women and Mary Elgar, Mount Pleasant*

*Photo credit: Iowa Department of Human Rights, Iowa Women's Hall of Fame*



Courtesy of Hard Won, Not Done, Corey, Kristin, "Arabella (Belle) Babb Mansfield" / Courtesy of the Iowa Department of Human Rights, Iowa Women's Hall of Fame

### Description

Arabella "Belle" Babb Mansfield was born on August 23, 1846, in Des Moines County, Iowa. Her family moved to Mount Pleasant, Iowa, in 1860 when her father died. She graduated from Iowa Wesleyan College in 1866. She studied law for two years at her brother's law office. Mansfield passed a rigorous bar examination administered by the all-male members of the Henry County Bar Association in 1869, thus becoming the first certified woman attorney in the United States. As a result of Mansfield passing the examination, Iowa state law was changed to allow women to practice law.

### [Transcript of Arabella Mansfield's Biography](#)

### Source-Dependent Questions

- What is the significance of Mansfield passing the rigorous bar examination?
- How did Mansfield work to fight for human rights?

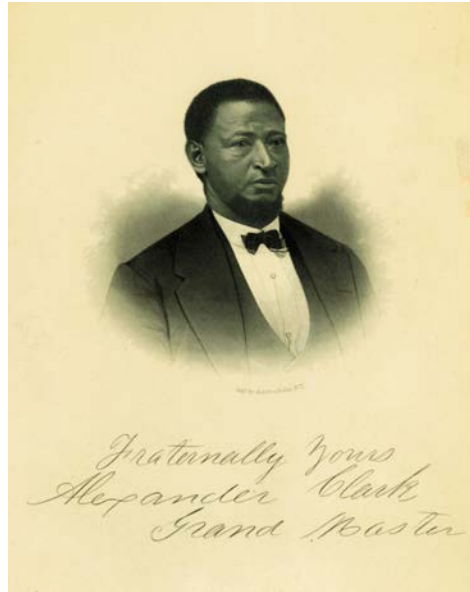
### Citation Information

**Text:** Corey, Kristin, "Arabella (Belle) Babb Mansfield." [Courtesy of Hard Won, Not Done](#)

**Image:** Courtesy of the Iowa Department of Human Rights, Iowa Women's Hall of Fame



## Iowa Supreme Court Rules on Equal Access: Portrait of Alexander Clark, 1868



Courtesy of State Historical Society of Iowa (Document) / Robin, Augustus, Portrait of Alexander Clark: Engraving, New York: Date unknown (Image)

### Description

Iowa's first constitution of 1846 required blacks to pay a \$500 bond to enter the state and stopped them from voting, holding office, serving in the state militia, attending public schools and marrying whites. Alexander Clark participated in a campaign for voting rights in Iowa after the end of the Civil War. The campaign was successful and in 1868, Iowa became the first state outside of New England to grant African-American men the right to vote.

[Transcript of an Excerpt from The Iowa Supreme Court Rules on Equal Access to Schools and Common Carriers](#)

### Source-Dependent Questions

- According to the text, in 1846, what did the Iowa Constitution outlaw?
- What did Alexander do for Susan and other African-American students across Iowa?

### Citation Information

**Image:** Robin, Augustus, "Portrait of Alexander Clark," Date Unknown.

**Document:** Silag, Bill, Bridgford, Susan Koch & Hal Chase, *Outside In: African-American History in Iowa*, pg. 72-73, 2001. Courtesy of State Historical Society of Iowa

## Ola Babcock Miller, Iowa's First Secretary of State



Courtesy of Iowa Department of Human Rights, "Ola Babcock Miller"

### Description

Ola Babcock Miller was Iowa's first female Secretary of State. Initially elected in 1932, she was reelected twice. Miller died in 1937 at age 65 while serving her third term. Born in 1872 in Washington County, Miller attended Iowa Wesleyan College. Although she was active in the women's suffrage movement, Miller is also remembered as the founder of the Iowa State Patrol. While Secretary of State, she convinced the state legislature that a statewide law enforcement agency was needed, particularly to enforce highway safety laws. The patrol was created in 1935 and placed under her control, where it grew from a force of 50 to 150 patrol officers by 1938.

### Source-Dependent Questions

- Ola Babcock Miller was Iowa's first female Secretary of State, elected in 1932. She also fought for women's suffrage, which passed in 1920. Discuss how her background led her to fight for human rights.
- Miller is remembered as the founder of the Iowa State Patrol. While Secretary of State, she convinced the state legislature that a statewide law enforcement agency was needed, particularly to enforce highway safety laws. Discuss why she would be remembered for this and why it is important to Iowa.

### Citation Information

"Ola Babcock Miller." [Courtesy of Iowa Department of Human Rights](#)

## “Mennonite School Teacher with Class of Amish, Mennonite and Pennsylvania Dutch Children,” March 1942



Courtesy of Library of Congress, Collier, John, Jr., “Lancaster County, Pennsylvania. Mennonite School Teacher with Class of Amish, Mennonite, and Pennsylvania Dutch Children,” March 1942

### Description

Most Amish children attend school in one- or two-room private schools, and end their formal education at the eighth grade. Some criticize the Amish approach to education, seeing it as a means of restricting the individual. The Amish, however, root their belief in limited formal education for both religious and practical reasons. This community also largely believes an eighth-grade education is practical. The Amish trades are agricultural or craftsmanship-oriented, and the Amish community emphasize apprenticeship and hands-on learning. And, the Amish feel higher education can promote ideas counter to their Christian values.

### Source-Dependent Questions

- Look closely at the photo and discuss what you notice. How is this school different from yours? How is it similar?
- Most Amish children attend school in one- or two-room private schools, and end their formal education at the eighth grade. This community also largely believes an eighth-grade education is practical. The Amish trades are agricultural or craftsmanship-oriented, and the Amish community emphasize apprenticeship and hands-on learning. Discuss the benefits and drawbacks to students only having an eight grade education. How would this be different in an Amish community?
- The Amish, however, root their belief in limited formal education for both religious and practical reasons. And, the Amish feel higher education can promote ideas counter to their Christian values. Some people criticize the Amish approach to education. Discuss why some people would disagree with the Amish way of educating.

### Citation Information

Collier, John, Jr., “Lancaster County, Pennsylvania. Mennonite School Teacher with Class of Amish, Mennonite, and Pennsylvania Dutch Children,” March 1942. [Courtesy of Library of Congress](#)

## “Republican Senators During a Meeting on Amendments to the Civil Rights Act,” May 20, 1964



Courtesy of Library of Congress, Trikosko, Marion, S., “Republican Senators during a meeting on amendments to the Civil Rights Act,” 20 May 1964

### Description

The Civil Rights Act of 1964, which ended segregation in public places and banned employment discrimination on the basis of race, color, religion, sex or national origin, is considered one of the major legislative achievements of the civil rights movement. First proposed by President John F. Kennedy, it survived strong opposition from southern members of Congress and was then signed into law by Kennedy’s successor, Lyndon B. Johnson.

Later, Congress expanded the act and passed additional civil rights legislation to disabled Americans, the elderly and women in collegiate athletics. It also paved the way for two major follow-up laws: the Voting Rights Act of 1965, which prohibited literacy tests and other discriminatory voting practices, and the Fair Housing Act of 1968, which banned discrimination in the sale, rental and financing of property. Though the struggle against racism would continue, legal segregation had been brought to its knees in the United States.

### Source-Dependent Questions

- Look closely at the photo and at the makeup of the Republican senators featured. At this time, there were no U.S. Senators of color. How might this have impacted the discussion leading up to the decision to pass the Civil Rights Act of 1964?
- Using evidence from the description, how did the Civil Rights Act help to guarantee human rights?
- What did the Civil Rights Act of 1964 pave the way for? In what ways are these acts important for everyone in the United States?

### Citation Information

Trikosko, Marion, S., “Republican Senators during a meeting on amendments to the Civil Rights Act,” 20 May 1964.  
[Courtesy of Library of Congress](#)

## Participants at a Civil Rights March from Selma to Montgomery, Alabama, 1965



Courtesy of Library of Congress, Pettus, Peter, "Participants, Some Carrying American Flags, Marching in the Civil Rights March from Selma to Montgomery, Alabama in 1965," 1965

### Description

The marches were organized by nonviolent activists to demonstrate the desire of African-American citizens to exercise their constitutional right to vote, in defiance of segregation. The marches were part of a broader voting rights movement underway in Selma, Alabama, and throughout the American South.

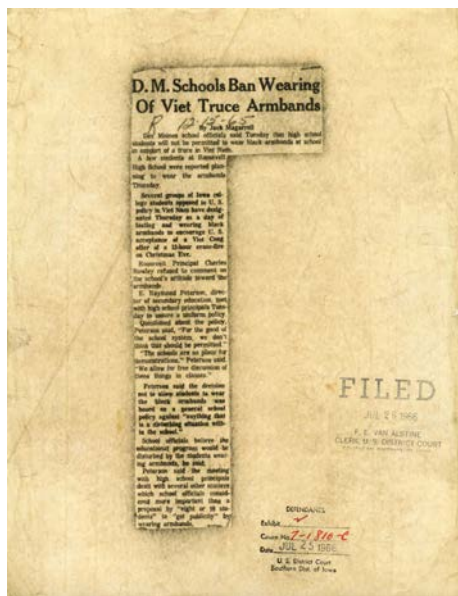
### Source-Dependent Questions

- Look closely at the photo. Why would the people in the march carry American flags?
- Refer back to the [Civil Rights Act of 1964](#). Discuss how these two sources are connected.
- The marches were organized by nonviolent activists to demonstrate the desire of African-American citizens to exercise their constitutional right to vote, in defiance of segregation. What are the benefits of being part of a nonviolent protest? Are there any drawbacks?
- Discuss why activists would march on behalf of human rights, like voting rights.

### Citation Information

Pettus, Peter, "Participants, Some Carrying American Flags, Marching in the Civil Rights March from Selma to Montgomery, Alabama in 1965," 1965. [Courtesy of Library of Congress](#)

## “D.M. Schools Ban Wearing of Viet Truce Armbands” Newspaper Article, December 15, 1965



Courtesy of National Archives, Magarrell, Jack, “D.M. Schools Ban Wearing of Viet Truce Armbands” *The Des Moines Register*, 15 December 1965

### Description

This article from *The Des Moines Register* was entered as defendants' Exhibit 2 in *John F. Tinker et. al. v. The Des Moines Independent Community School District et. al.* It describes the decision of Des Moines, Iowa, school officials to ban students from wearing black armbands to school in support of a Vietnam War truce. A group of junior high and high school students had decided to wear black armbands from December 16 until New Year's Day to peacefully express their “grief over the deaths of soldiers and civilians in Vietnam.”

On December 14, Des Moines School District principals met and enacted a rule that “any student wearing an arm band would be asked to remove the arm band, and if he refused he would be suspended until he returned without the arm band.” The policy was announced to all students on December 15, as well as reported in this newspaper article. Students Mary Beth Tinker, John Tinker, Christopher Eckhardt and two others were suspended after refusing to remove their black armbands when they arrived at school on December 16 and 17. About a dozen other students also wore armbands. Upon their suspensions, the Tinkers and Eckhardt refused to return to school until after New Year's Day – the intended period for wearing the armbands.

### [Transcript of “D.M. Schools Ban Wearing of Viet Truce Armbands” Article](#)

### Source-Dependent Questions

- What was the principal's reaction to students standing up for the First Amendment?
- Why were students suspended for wearing armbands?

### Citation Information

Magarrell, Jack, “D.M. Schools Ban Wearing of Viet Truce Armbands” *The Des Moines Register*, 15 December 1965.  
[Courtesy of National Archives](#)

## President Lyndon B. Johnson Signs 1968 Civil Rights Act, April 11, 1968



Courtesy of Library of Congress, Leffler, Warren K., "Lyndon Baines Johnson signing Civil Rights Bill," 11 April 1968

### Description

The Civil Rights Act of 1968 was a landmark law in the United States signed into law by United States President Lyndon B. Johnson provided an avenue for equal housing opportunities regardless of race, creed or national origin and made it a federal crime to "by force or by threat of force, injure, intimidate, or interfere with anyone ... by reason of their race, color, religion or national origin." Part of this act is commonly known as the Fair Housing Act and was meant as a follow-up to the Civil Rights Act of 1964.

### Source-Dependent Questions

- Look closely at the photo. Why would a group of people gather around President Johnson as he signed the Civil Rights Act?
- The 1968 Civil Rights Act was a follow up to the [Civil Rights Act of 1964](#). Part of the Civil Rights Act of 1968 addressed equal housing opportunities regardless of race, creed or national origin. Discuss reasons why another Civil Rights act needed to be signed into law after the one signed in 1964.
- The Civil Rights Act of 1968 also made it a federal crime to "by force or by threat of force, injure, intimidate, or interfere with anyone... by reason of their race, color, religion or national origin." Discuss reasons why this specific language would be included in the Civil Rights Act.

### Citation Information

Leffler, Warren K., "Lyndon Baines Johnson signing Civil Rights Bill," 11 April 1968. [Courtesy of Library of Congress](#)

## March in Support of Migrant Workers in Des Moines, Iowa, February 1969



Courtesy of Iowa Women's Archives, University of Iowa Libraries, Iowa City, Iowa, "March in Support of Migrant Workers," *The Des Moines Register*, February 1969

### Description

Iowa LULAC councils, labor unions and migrant agencies marched in Des Moines to press for passage of migrant worker bills pending in the Iowa legislature. 1,500 activists marched in Des Moines in February 1969. This type of collective action pressured legislators to pass the migrant housing and migrant child labor bills and was an effective strategy for raising awareness in Iowa of the needs of Mexican-American workers within its own borders.

### Source-Dependent Questions

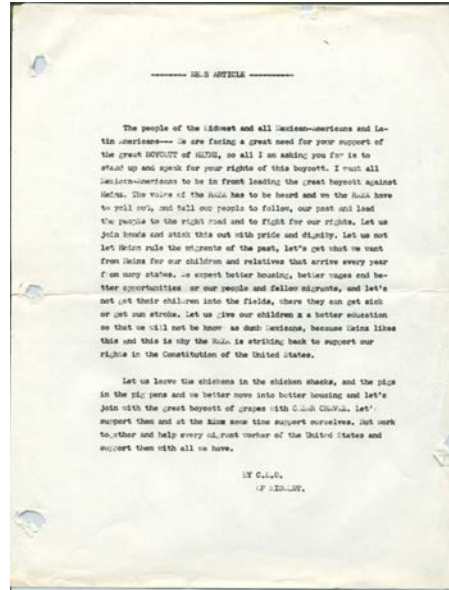
- How did this protest fight for migrants' human rights?
- What did this type of collective action do for the migrants?

### Citation Information

"March in Support of Migrant Workers," *The Des Moines Register*, February 1969. [Courtesy of Iowa Women's Archives, University of Iowa Libraries, Iowa City, Iowa](#)



## News Release from Muscatine Community Effort Organization about H. J. Heinz Company Boycott, 1969



Courtesy of LULAC Council 10 Records, Iowa Women's Archives, University of Iowa Libraries, Iowa City, "Muscatine Community Effort Organization (CEO) News Article on the Boycott of Heinz," 1969

### Description

Activists from the 150-member Muscatine Community Effort Organization (CEO) worked to expose poor working and living conditions for migrant workers and their children in the Muscatine area. For this specific protest, activists from CEO joined forces with the League of United Latin American Citizens (LULAC), who led the National Grape Growers Protest, to both protest the company responsible for these conditions and bring attention to two pending pieces of legislation in Iowa. House File 146 and 317 would have strengthened the 1967 bill that regulated child labor and improved living conditions in migrant worker camps, respectively.

### [Transcript of Muscatine Community Effort Organization News Release](#)

### Source-Dependent Questions

- What is the purpose for the news release?
- Using evidence from the text, how are Mexican Americans fighting for their constitutional rights?
- Discuss the ways that boycotts of products can impact a company. Why would activists choose a boycott over another type of protest?

### Citation Information

"Muscatine Community Effort Organization (CEO) News Article on the Boycott of Heinz," 1969. [Courtesy of LULAC Council 10 Records, Iowa Women's Archives, University of Iowa Libraries, Iowa City](#)

## “Iowa Constitution and Race” from Iowa PBS, 1978



Courtesy of Iowa PBS, “The Path to Statehood,” *The Iowa Heritage: Program #3*, Iowa PBS, 1978

### Description

This video from Iowa PBS recreates how the Constitution of Delegates determined if African Americans would be welcome to Iowa.

### Source-Dependent Questions

- Were Iowans willing to grant African Americans their human rights?
- If most Iowans - the majority of whom were white - did not support enslavement, what was their fear of African Americans coming to the state?

### Citation Information

“The Path to Statehood,” *The Iowa Heritage: Program #3*, Iowa PBS, 1978. [Courtesy of Iowa PBS](#)

## “Religious Rights” Essay from *The Goldfinch*, February 1987



**I**N HAZLETON, Iowa, local school officials tried to force Amish children to board a bus to go to a public school in November, 1965. Amish parents protested. Amish kids scrambled terrified into nearby cornfields (*photo, above*). They did not want to attend the public schools.

The State of Iowa is responsible for the education of Iowa children. It has a law that says school teachers must be certified and students must attend school until they are 16 years old. Officials closed the Amish school because the teacher was uncertified.

The Amish-Mennonites are a religious group originally from Switzerland who came to the U.S. to freely practice their religious way of life.

Most Amish believe farming is the simplest and best way of life. They use old farming methods. Clothing and homes are kept as plain as possible. The Amish discourage knowledge of the modern world outside of their settlement.

To teach their children this way of life, the Amish have their own schools. Amish teachers teach reading, writing, and arithmetic. At home,

children learn farming, cooking, sewing, and gardening. The Amish believe that education beyond the eighth grade is unnecessary to be a good farmer.

All over the state, people talked about the Amish school issue. The Amish based their right to have separate schools on the First Amendment to the U.S. Constitution. The First Amendment says that government cannot make rules about religion. Religious rights are also protected in the Iowa State Constitution.

In 1967 the Iowa General Assembly passed a law that **exempted** (excused) the Amish from hiring certified teachers and from requiring their children to attend public schools. But students must be taught in a state-certified private school.

Later in 1972, the U.S. Supreme Court ruled on a case about a group of Wisconsin Amish who wanted to keep their children out of public schools. The Court said that under the First Amendment, the Amish may educate their children in the way they believe is right. □

16

Courtesy of State Historical Society of Iowa, “Religious Rights,” *The Goldfinch*, Vol. 8, No. 3, pp. 16, February 1987

### Description

In Hazelton, Iowa, local school officials tried to force Amish children to board a bus to go to a public school in November 1965. Amish parents protested, and Amish kids scrambled terrified into nearby cornfields. They did not want to attend the public schools. The State of Iowa is responsible for the education of Iowa children. It has a law that says school teachers must be certified and students must attend school until they are 16 years old. Officials closed the Amish school because the teacher was uncertified.

### [Transcript of “Religious Rights” Essay from \*The Goldfinch\*](#)

### Source-Dependent Questions

- Why did the Amish come from Switzerland to the United States?
- What basis did the Amish have to their right to have separate schools?

## “The Black Armband Case” Essay from *The Goldfinch*, February 1987

**The Black Armband Case**

**A**S A STUDENT, what rights do you have? Does the U.S. Constitution protect your rights? One of the rights guaranteed by the First Amendment is freedom of speech.

In the 1960s some Des Moines students tested the Constitution's definition of freedom of speech. A few students wore black armbands to school to support a truce (period of peace) in the Vietnam War (1965-73). Black armbands are a symbol of sadness that are sometimes worn to protest some action.

School officials **banned** (prohibited) the wearing of black armbands and suspended the students from school. The students, in turn, took their case to the U.S. Supreme Court. The case turned out to be one of the most famous students' rights cases in history.

Read the following article then answer the questions. (Answers on page 23.)

Des Moines school officials announced that high school students would not be allowed to wear black armbands at school in support of a truce on Christmas eve in Vietnam. The *Des Moines Register* reported on December 15, 1965, that a few students at Roosevelt High School were planning to wear the armbands. One Des Moines school official said, "For the good of the school system we don't think this should be permitted. The schools are no place for demonstrations."

Two more students were suspended from school for wearing black armbands on December 17. Chris Eickhardt, 15, of Roosevelt High School



*Mary Beth Tinker, 13, and her mother listen to the Des Moines School Board debate about black armbands in 1965.*

and Mary Beth Tinker, 13, of Harding Junior High School were sent home from school. Chester Pratt, Harding's principal, said Tinker's armband caused no disturbance, but she was sent home because of the ban on wearing black armbands in school.

Mary Beth's brother, John Tinker, 15, and two other students were also suspended from school.

17

Courtesy of State Historical Society of Iowa, “The Black Armband Case,” *The Goldfinch*, Vol. 8, No. 3, pp. 17-18, February 1987

### Description

In the 1960s, some Des Moines students tested the U.S. Constitution's definition of freedom of speech. A few students wore black armbands to school to support a truce (period of peace) in the Vietnam War (1965-73). Black armbands are a symbol of sadness that are sometimes worn to protest some action.

### [Transcript of “The Black Armband Case” Essay from \*The Goldfinch\*](#)

### Source-Dependent Questions

- Connect this article with the [Des Moines Register article](#). What reasons did the U.S. Supreme Court give for and against students' rights to wear armbands?
- Read this quote, “Tinker versus Des Moines was and is... the most important student First Amendment decision in history.” What evidence from the text supports this quote?

## Iowa Supreme Court Case *Varnum v. Brien*, April 3, 2009

### VARNUM v. BRIEN

Supreme Court of Iowa.

Katherine VARNUM, Patricia Hyde, Dawn Barbouroske, Jennifer Barbouroske, Jason Morgan, Charles Swaggerty, David Twombly, Lawrence Hoch, William M. Musser, Otter Dreaming, Ingrid Olson, and Reva Evans, Appellees, v. Timothy J. BRIEN, In His Official Capacities as the Polk County Recorder and Polk County Registrar, Appellant.

No. 07-1499.

Decided: April 03, 2009

Courtesy of CaseLaw, "Varnum v. Brien," Iowa Supreme Court, 3 April 2009

### Description

*Varnum v. Brien* was a 2009 Iowa Supreme Court case in which the Court unanimously agreed that the state's limitation of marriage to opposite-sex couples violated the equal protection clause of the Iowa Constitution. The case made same-sex marriage legal in Iowa.

[Full Transcript of \*Varnum v. Brien\*](#)

[Transcribed Excerpt from \*Varnum v. Brien\*](#)

### Source-Dependent Questions

- Why was *Varnum v. Brien* such an important decision for the state of Iowa?
- How did *Varnum v. Brien* guarantee human rights?

### Citation Information

"Varnum v. Brien," Iowa Supreme Court, 3 April 2009. [Courtesy of CaseLaw](#)

## “Celebrating Ten Years of Marriage Equality in Iowa—Yes, Iowa,” April 3, 2019



Courtesy of Zach Wahls, Wahls, Zach, “Celebrating Ten Years of Marriage Equality in Iowa—Yes, Iowa,” April 3, 2019

### Description

April 3, 2019, marked the 10th anniversary of the *Varnum v. Brien* decision from Iowa’s Supreme Court, which legalized same-sex marriage in the state of Iowa. They were only the third state in America to recognize marriage equality, and were the first to do so with a unanimous ruling from the Iowa Supreme Court.

### [Transcript of “Celebrating Ten Years of Marriage Equality in Iowa—Yes, Iowa”](#)

### Source-Dependent Questions

- How did the [Varnum decision](#) make a difference in Zach’s family?
- From Zach’s point of view, how has Iowa been a leader in social progress to guarantee human rights?

### Citation Information

Wahls, Zach, “Celebrating Ten Years of Marriage Equality in Iowa—Yes, Iowa,” April 3, 2019. [Courtesy of Zach Wahls](#)