

# Governing Our Nation and State



## Chapter Preview

### Terms:

society, republicanism, consensus, Founding Fathers, democracy, popular sovereignty, Declaration of Independence, monarchy, republic, United States Constitution, amendment, Bill of Rights, elastic clause, bicameral, enumerated powers, implied powers, ratify, Electoral College, judicial review, General Assembly, bill, constituent, veto, Council of State, felony, tax, county seat, sheriff, county commission, municipality, city council, juror, political action committee (PAC), lobbyist

### People:

Thomas Jefferson, John Adams, Benjamin Franklin, James Madison, Beverly Perdue, Jim Hunt, Pat McCrory

Rules are a part of our lives. Sometimes we like them, sometimes we do not. People have learned, though, that rules help people live and work more effectively. However, people do not always agree on the best ways to make or enforce the rules.

In a family, parents are usually the rule makers and enforcers. If a mom says that chores must be done, and a child does not follow that rule, the mom will decide on a consequence. In a school, principals and teachers usually make the rules and decide on consequences for students who do not follow them.

Groups of people living together in an orderly community may form a society. A **society** has some way of making rules, or laws, and enforcing them to keep order. Over time, people around the world have developed different types of societies that are ruled in different ways.





The founders of the United States of America had thoughts about what would make their new country better than any other country. These thoughts may be called democratic ideals and they form the basis for **republicanism**, a representative form of leadership that the founders of our country believed made an almost perfect kind of government, one in which different parts had separate functions.

This chapter will provide a brief overview of how people in the United States, and in North Carolina, have organized government. Learning this now will help you better understand the history of our nation and state.



**Opposite page, Top:** North Carolina's state seal contains the figures of Liberty and Plenty. **Background:** The North Carolina Senate met in this Old Senate Chamber in the Capitol building until the State Legislative Building was completed in 1963. **Top:** Old House of Representatives Chamber.



# Signs of the Times



## Population

The 2015 estimate by the U.S. Census of North Carolina's population was 10,042,802. The five most populous incorporated places were Charlotte, Raleigh, Greensboro, Durham, and Winston-Salem, and the five most populous counties were Mecklenburg, Wake, Guilford, Forsyth, and Cumberland.

## State Government

The legislative branch, the General Assembly, consists of 50 members of the Senate and 120 members of the House of Representatives. The executive branch consists of the governor, lieutenant governor, and eight other elected members. Eight department heads are appointed by the governor. The judicial branch has many courts. They are, from lowest level to highest, District Courts, Superior Courts, Court of Appeals, and the North Carolina Supreme Court.

## Local Government

North Carolina has 100 counties, 552 towns and cities, and 115 school districts.

## National Park Service Sites

Among the many National Park Service Sites in North Carolina are the Great Smoky Mountains National Park, Appalachian National Scenic Trail, Blue Ridge Parkway, Blue Ridge National Heritage Area, Cape Hatteras and Cape Lookout National Seashores, Fort Raleigh and Carl Sandburg Home National Historic Sites, and Wright Brothers National Memorial. These sites are managed by the federal government.

## State Parks

The 34 state parks in North Carolina contain scenery that ranges from the waterfalls and gorges in westernmost Gorges State Park to the Atlantic coast's tallest living sand dune in easternmost Jockey's Ridge State Park. The state government also manages four state recreation areas, two state natural areas, and one nature preserve.

## Military Bases

Signs at many of the busy entrances to our state say, "Welcome to North Carolina: Nation's Most Military Friendly State." The Army, Air Force, Navy, Marines, and Coast Guard all have a presence in North Carolina. The largest bases are Fort Bragg for the Army and Camp Lejeune for the Marines. Fort Bragg is the largest base in the world, based on population.

**Background:** Statue of George Washington in the rotunda of the State Capitol.

## Section 1

# Achieving Democratic Ideals

### As you read, look for

- ▶ how the issue of fairness guided the Founding Fathers and guides Americans today;
- ▶ the ideals of democracy and popular sovereignty;
- ▶ the movement from monarchy to republicanism;
- ▶ basic principles of government;
- ▶ terms: **consensus, Founding Fathers, democracy, popular sovereignty, Declaration of Independence, monarchy, republic, United States Constitution, amendment, Bill of Rights.**

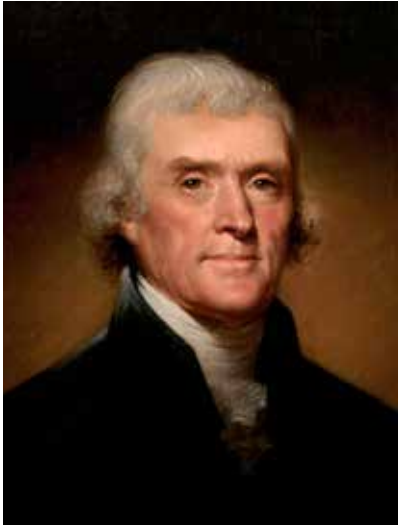


Imagine it is a beautiful Saturday afternoon in North Carolina. You and some friends have decided to meet for a movie and a meal. As you gather, you realize that everyone has a different movie—and a different restaurant—in mind. How can this problem be solved? For many American youth, the response might be something like, “Let’s vote on it.” Each friend would state the case for a particular movie, and some agreement would be reached, either by **consensus** (general agreement) or actual vote. The restaurant problem might be solved in the same way. With a plan in place, you and your friends go off to enjoy the time together.

Across town, imagine two local teams are playing a heated soccer game. The winner will move on to the tournament’s playoff game. It is an aggressive match with the chance for some injuries if things get out of hand. Fortunately, the referee is from a nearby town and is very knowledgeable about the game. She has made sure the rules are being followed and is enforcing penalties on both sides. In the end, one side wins and the other, in a sportsmanlike move, congratulates the winners. Both teams thank the referee for her work.

**Above:** The state capital of North Carolina was named Raleigh in 1792 after Sir Walter Raleigh.





**Above:** Thomas Jefferson was the principal author of the Declaration of Independence. **Below:** The Declaration of Independence was adopted by the Second Continental Congress meeting in Philadelphia, Pennsylvania, on July 4, 1776.

The attitudes present in both of these stories are such a part of Americans' lives and attitudes that you might not even realize they exist. Think back to the first story. Why should this situation involve a vote and not some other method for choosing? A decision could have been reached by allowing the oldest to choose. Perhaps the oldest male should choose—or maybe the male with the most money. Maybe the loudest or bossiest should make the choice. Why not an arm-wrestling contest to decide?

Now think about the soccer game. Why should there even be a referee? If there is one, why would it be important that the referee was from out of town and knowledgeable about the game?

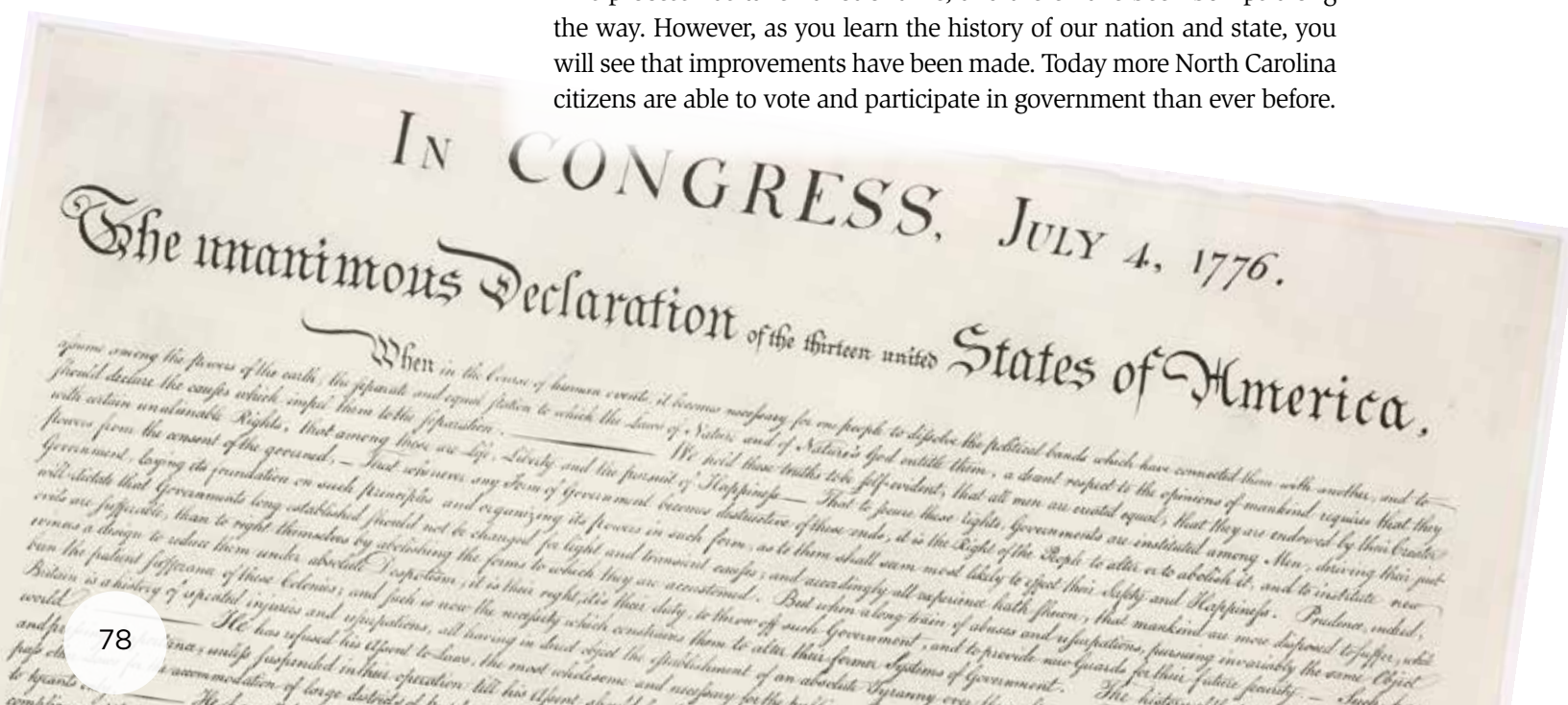
As you think about these questions, you may have used the word “fair.” Many would make the argument that voting for the movie and restaurant is the fairest method of choosing. Using a knowledgeable referee from out of town is fairer to both teams than not having a referee, or using one who might know one team's players. An out-of-town official probably won't know the players, so the referee's calls would likely be fair to both teams.

It might surprise you how often American students think about issues of fairness. In fact, fairness was an idea that was important to our **Founding Fathers** (the leaders who planned how the government of the United States would be organized) as well. The way our lands were governed did not seem fair to many of the American colonists back in the mid-1700s. But what seems fair may depend on your point of view, as you will learn in this chapter and in many instances in history.

## Democratic Ideals

Throughout the history of our nation and state, there has been a vision of creating the best possible government. People have had different ideas of how to do this, and they have sometimes had different opinions of what the finished product would look like.

This vision of what would be a perfect government is called an *ideal*. Just as an artist works to bring a vision to life in a painting or sculpture, U.S. citizens have worked to make a vision of good government a reality. This process has taken a lot of time, and there have been bumps along the way. However, as you learn the history of our nation and state, you will see that improvements have been made. Today more North Carolina citizens are able to vote and participate in government than ever before.





Participation by most or all citizens is a key democratic ideal. The term **democracy** means control of a group (or country) by its members. When friends decide on a movie by debating, then voting, they have practiced democracy. It would be impossible for every North Carolina citizen to vote on every issue related to running our large state. People do not have the time to study every issue, and most people do not really want to. Instead, we elect representatives to make decisions and run the country and state on a day-to-day basis.

Many countries today have a similar system of government, but not all countries are run this way. Some countries have an election for leader, but there is only one person on the ballot—and that person was chosen by a small group of powerful men. In other places, a ruler may be in place because he controls the military. Citizens follow his orders because he can use the power of his army to force obedience.

Moving back through the centuries, it is possible to see how, little by little, the ancestors of our founders were working to expand the right to govern themselves to more people. In our country today, the ideal of **popular sovereignty**, or rule by the people through their votes, is at the center of what makes our country different, and great!

As you learn about the history of the United States and North Carolina, consider how these democratic ideals developed. The first three were described by Thomas Jefferson in the **Declaration of Independence** of the United States.

**Life:** Everyone has the right to live, and the government has the responsibility to protect its citizens.

**Liberty:** Everyone has the freedom to act, behave, and think as they wish without government interference (as long as the liberty of others is not abused).

**Pursuit of Happiness:** Everyone should be able to pursue happiness (as long as a person does not abuse the rights of others).



**Left:** America is known as a melting pot, a place where different people, styles, theories, etc., are mixed together. **Above:** The Statue of Liberty is a universal symbol of freedom and democracy.



**Figure 3.1**  
Democratic Ideals



## From Monarchy to Republicanism

Before learning about how our government is organized today, it is helpful to learn more about how it used to be. The way we run our country was (and perhaps still is) considered a great experiment. The question is, are ordinary citizens able to elect good leaders to run a vast and powerful country?

In Europe, where most of the colonists and their families originated, most people lived under a monarchy, ruled by a king or queen. In a **monarchy**, the leader is in place for life and is selected based on ancestry. Other families in Europe ruled smaller portions of their country and had titles such as duke or duchess, baron or baroness, count or countess. These people formed the aristocracy, or nobility. Class systems were very rigid. Commoners included merchants, craftsmen, and peasants. Peasants were the largest group, and were often doomed to a life of poverty serving the local nobleman.

Our Founding Fathers had grown up in America as colonists under a king and parliament who ruled from faraway England. If the king and parliament created a law taxing the people of North Carolina, paperwork would have to cross the Atlantic by ship and then travel overland to reach the colonial governor. After delays and deliberations, a letter of concern written back to the king could take an even longer time to reach him. If he responded and awaited a reply, a year could go by in which unhappy subjects felt ignored by their distant ruler.



Many colonists of the late 1600s and early 1700s thought that life in the New World could be different. They believed that they were living successfully without the distant king's help and protection. Of course, the king would likely have had a different opinion. In addition, many in the colonies believed that their current system of government was corrupt. It seemed that the king's friends, or friends of the king's friends, were able to get special treatment and were making a lot of money while most colonists remained in poverty.

In the American colonies, the idea grew of an ideal **republic**, a country in which citizens ruled by voting for their leaders. Each citizen would choose a candidate based not on the candidate's family or financial background but on his qualifications to lead and his plans for governing.

Some of these new ideas were put forth by John Adams, Benjamin Franklin, Thomas Jefferson, and James Madison. Among them were ideas that we still use today.

**Checks and balances:** This spreads political power into different branches of government. Each branch has the ability to hold the other branches accountable.

**Citizen electors:** Those with the right to vote would choose a candidate based on merit rather than ancestry.

**Frequent elections:** These ensure that people have a voice and leaders are held accountable. No elected positions endure for the life of the candidate. Nor are all the leaders elected at the same time; this ensures continuity of experience.

**Weak executive:** Our leader (the president or state governor) will not be allowed absolute power because too much power provides an opportunity for corruption, which will harm the common good.

**Bottom Left:** The Assembly Room in Philadelphia's Independence Hall, where the Second Continental Congress adopted the Declaration of Independence. **Below:** This idealized depiction of (left to right) Benjamin Franklin, John Adams, and Thomas Jefferson writing the Declaration of Independence was painted by Jean Leon Gerome Ferris.



## Basic Principles of Government

The genius of American government is the separation of powers into the legislative, executive, and judicial branches and the division of powers into the federal, state, and local levels. Underlying American government in all branches and at all levels are certain basic principles. In this section, we will examine the most significant of those basic principles.

### Rule of Law

The **United States Constitution** (the document, written in 1787 and ratified in 1788, that set up our nation's current framework for government) is the supreme law of the land. All laws, policies, and procedures of federal, state, and local government must be consistent with that fundamental law. American government is based on the rule of law and not of people.

### Popular Sovereignty and the Consent of the Governed

In the United States, the people are *sovereign* (possessing supreme power) and are the source of power and authority. The people elect officials to specific terms in office, and those officials govern only by the consent of the governed.

### Checks and Balances and Limited Government

To set up a system of checks and balances and to limit the power of government, the Founding Fathers established three separate branches—legislative, executive, and judicial—and various levels of government. Each branch and each level is limited in its power and authority.





## Representative Government

The American people at all levels of government elect public officials to specific terms in office. Public officials represent the people. At the end of their terms, the people may return them to office (unless there are term limits) or replace them.

## The Protections of the Bill of Rights

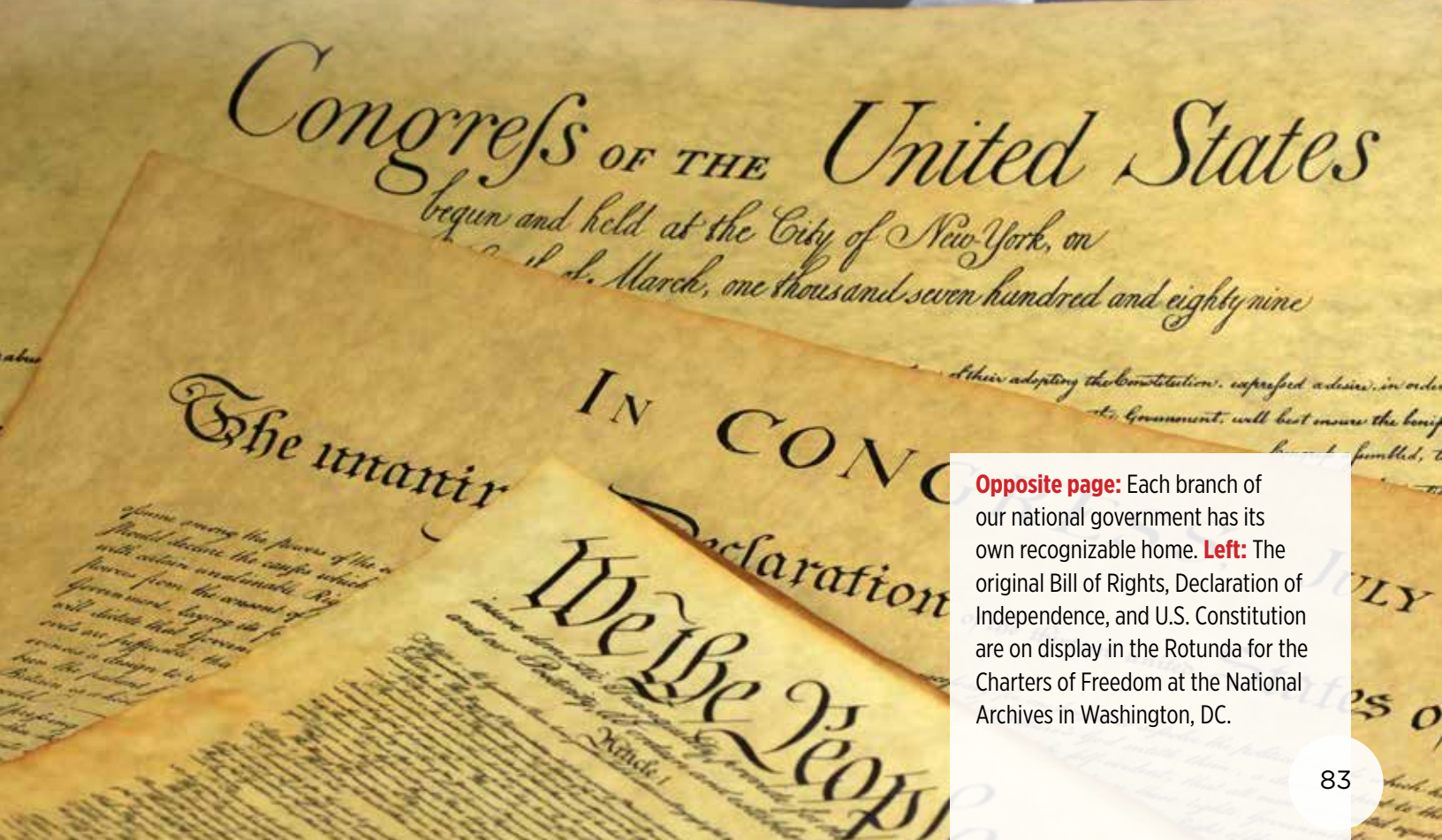
When the Founding Fathers completed the Constitution in 1787, some delegates to the convention complained that the document did not *enumerate* (list) the specific rights of American citizens. This included many of the citizens of North Carolina, who at first refused to approve the Constitution because it lacked such a guarantee of their rights. One of North Carolina's contributions to the ratification of the Constitution was the successful effort to have these **amendments** (additions or changes to a constitution or other document) passed. In 1791, the first ten amendments were adopted. Known as the **Bill of Rights**, these amendments enumerate the rights of American citizenship.



The first U.S. Congress in 1789 actually proposed twelve amendments to the Constitution. The first two, concerning the number of constituents for each representative and compensation for congressmen, were not approved. The other ten became the Bill of Rights.

## It's Your Turn

1. Why is it not practical to have every North Carolina citizen vote on every issue?
2. What democratic ideals are represented in the Declaration of Independence?
3. In the United States, what is the supreme law of the land?



**Opposite page:** Each branch of our national government has its own recognizable home. **Left:** The original Bill of Rights, Declaration of Independence, and U.S. Constitution are on display in the Rotunda for the Charters of Freedom at the National Archives in Washington, DC.

## Section 2


# Federal Government

## As you read, look for


 Setting a Purpose

- ▶ how the Constitution’s “elastic clause” helps meet the demands of changing times;
- ▶ the makeup and powers of the federal government’s legislative branch;
- ▶ the organization of the executive branch, and the line of succession for the presidency;
- ▶ how the federal judicial system is structured;
- ▶ terms: **elastic clause, bicameral, enumerated powers, implied powers, ratify, Electoral College, judicial review.**

In the first three articles of the U.S. Constitution, the framers established the legislative, executive, and judicial branches. The framers of the Constitution were men of great wisdom, and they anticipated that future social and technological changes would place new demands on the federal government. To meet those demands, they included an “elastic clause” in Article I, Section 8, Paragraph 18. The **elastic clause** empowers Congress “To make all laws which shall be necessary and proper for carrying into Execution . . . all other powers vested . . . in the government of the United States, or in any Department or Officer thereof. ”



The United States Capitol in Washington, DC, is the seat of the U.S. Congress.



## Legislative Branch

Article I of the U.S. Constitution created a **bicameral** (two-house) legislature that includes the United States Senate (Upper House) and House of Representatives (Lower House). The article also established the qualifications for election to the two houses and enumerated the powers and authority of the United States Congress.

### U.S. Senate

Every state has two members in the U.S. Senate. Because there are fifty states, the U.S. Senate has one hundred senators. A member of the Senate must be at least thirty years old, a citizen of the United States for at least nine years, and a resident of the state he or she represents. Senators serve six-year terms and were originally appointed by their state legislatures. In 1913, the Seventeenth Amendment to the U.S. Constitution provided that senators be elected by popular vote. Senate terms are staggered so only one-third of the Senate is elected in a single election year. The vice president is the presiding officer of the Senate but can only vote in case of a tie.

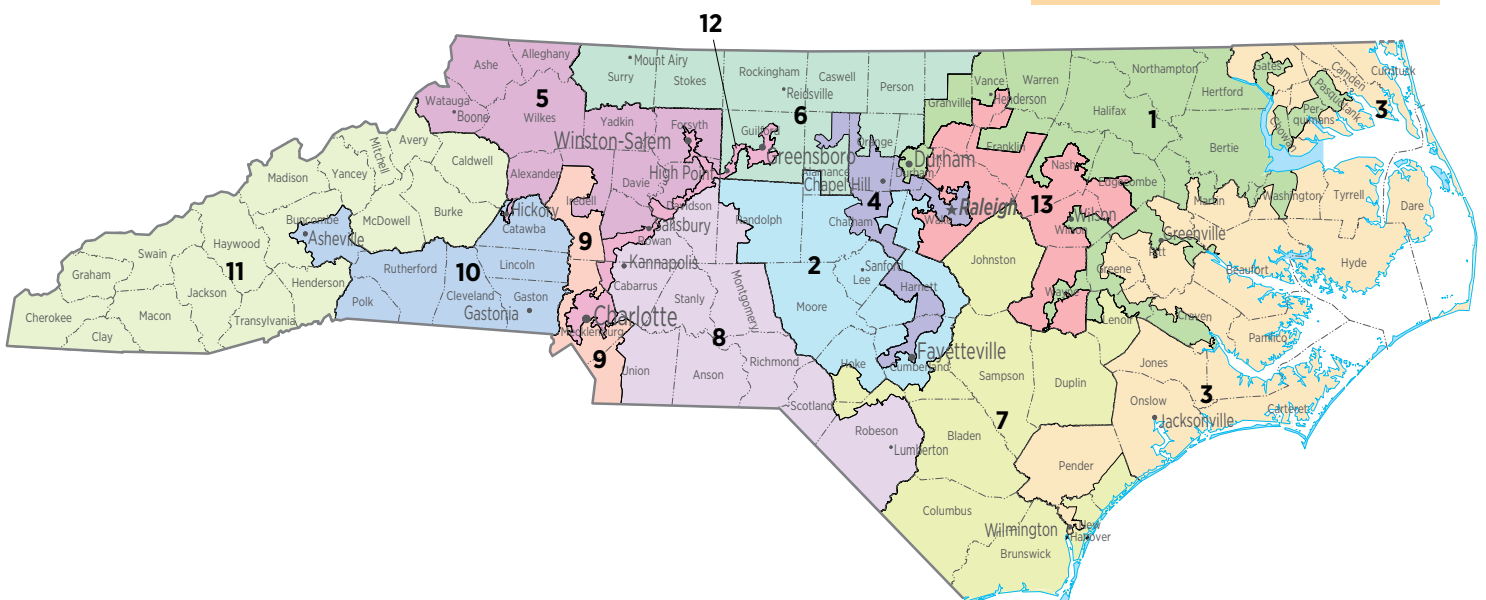
### U.S. House of Representatives

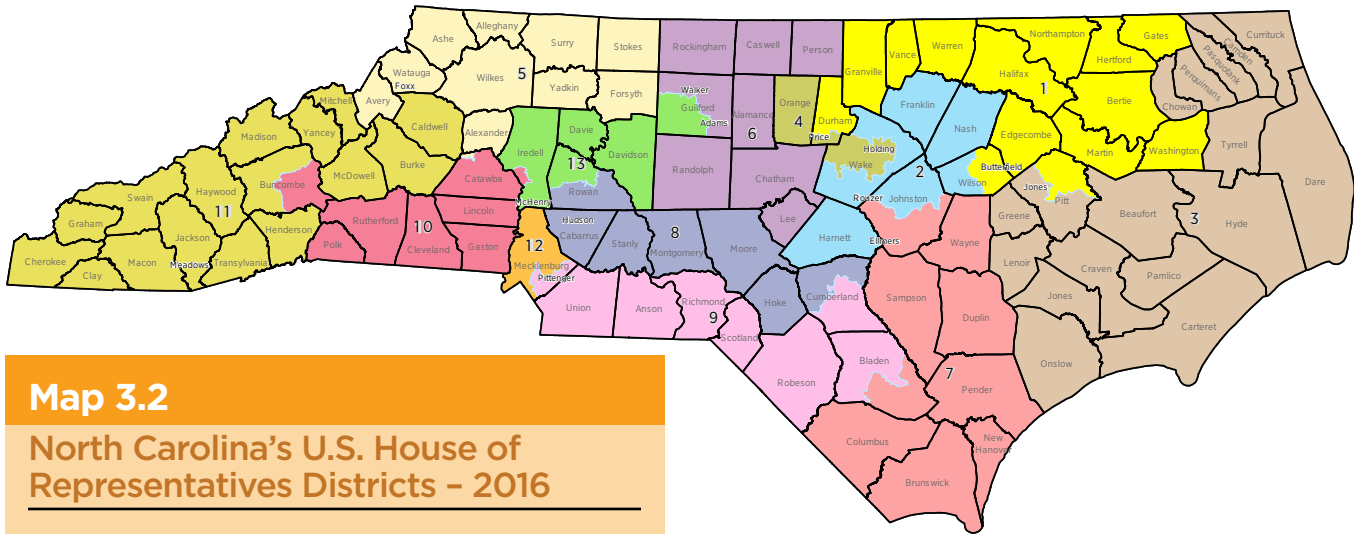
There are 435 members in the U.S. House of Representatives. Each state's membership in the House is based on its population. A member of the House of Representatives must be at least twenty-five years old, a citizen of the United States for at least seven years, and a resident of the state he or she represents. In November of even-numbered years, representatives are elected to two-year terms from congressional districts in each state. Because membership is based on population, states with more people have more representatives. Each state's number of House members is determined every ten years following the U.S. Census. After the 2000 U.S. Census, North Carolina's membership in the House was raised from twelve to thirteen members. Membership remained at thirteen after the 2010 Census.

#### Map 3.1

#### North Carolina's U.S. House of Representatives Districts - 2011

**Map Skill:** Why are the districts different in size?





**Map 3.2**

**North Carolina's U.S. House of Representatives Districts - 2016**

**Map Skill:** According to the 2016 map, in which U.S. House district do you live? Would you have been in a different district on the 2011 map?

**DID YOU KNOW...**

Wyoming has the smallest population of any state. Each of its 3 electors in the Electoral College represents about 195,000 people.

California has 55 electors, each representing nearly 700,000 people. Each of North Carolina's 15 electors in the Electoral College represents about 660,000 people. Some might believe this system is unfair to voters, but others might think it is quite fair to the states.

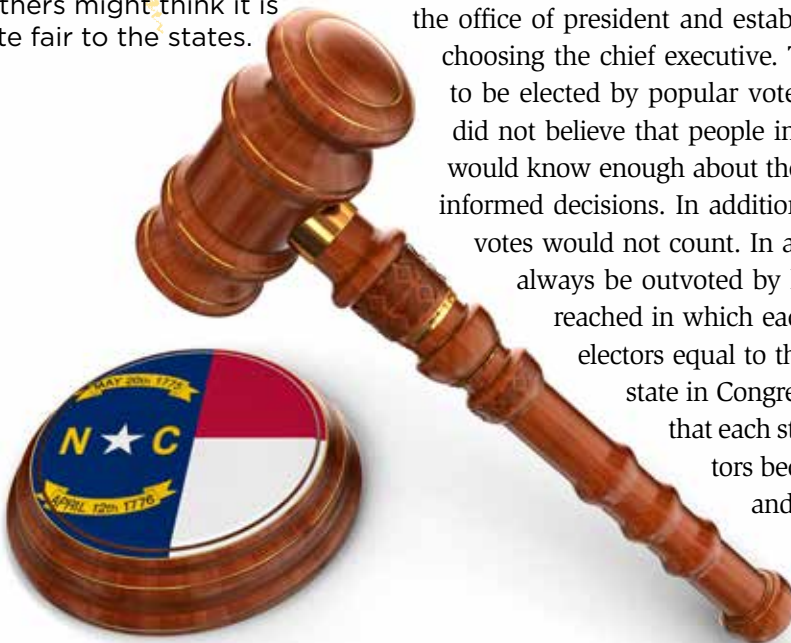
**Legislative Powers**

The Constitution grants certain powers to Congress, which has both enumerated and implied powers. **Enumerated powers** are those powers specifically given to Congress in the Constitution. **Implied powers** are those given to Congress in the elastic clause.

The Constitution gives each house different powers. The House of Representatives has the power to *impeach* (bring charges against a public official while that person is still in office). All revenue bills—proposals for laws to establish or raise taxes—must originate in the House. The Senate confirms presidential appointments to the U.S. Supreme Court, the cabinet, and other judicial and executive positions; **ratifies** (approves) treaties; and serves as a court in impeachment proceedings.

**Executive Branch**

In Article II of the U.S. Constitution, the Founding Fathers created the office of president and established a complicated process for choosing the chief executive. They did not allow the president to be elected by popular vote. In part, this was because they did not believe that people in the remote parts of the country would know enough about the presidential candidates to make informed decisions. In addition, small states worried that their votes would not count. In a popular vote, small states could always be outvoted by larger states. A compromise was reached in which each state would have a number of electors equal to the number of members from that state in Congress. This arrangement guaranteed that each state would have at least three electors because each state has two senators and at least one representative.





Today, there are 538 presidential electors: 100 for the number of U.S. senators, 435 for the members in the U.S. House of Representatives, and 3 electors who represent the District of Columbia. North Carolina has 15 electors. This **Electoral College** chooses the president and vice president. In case of a tie vote, the House of Representatives makes the choice.

Today, in most states, the presidential candidate who wins the popular vote in that state wins its electoral votes. State law in North Carolina requires its electors to vote for a specific candidate based on the results of the popular vote in the state.

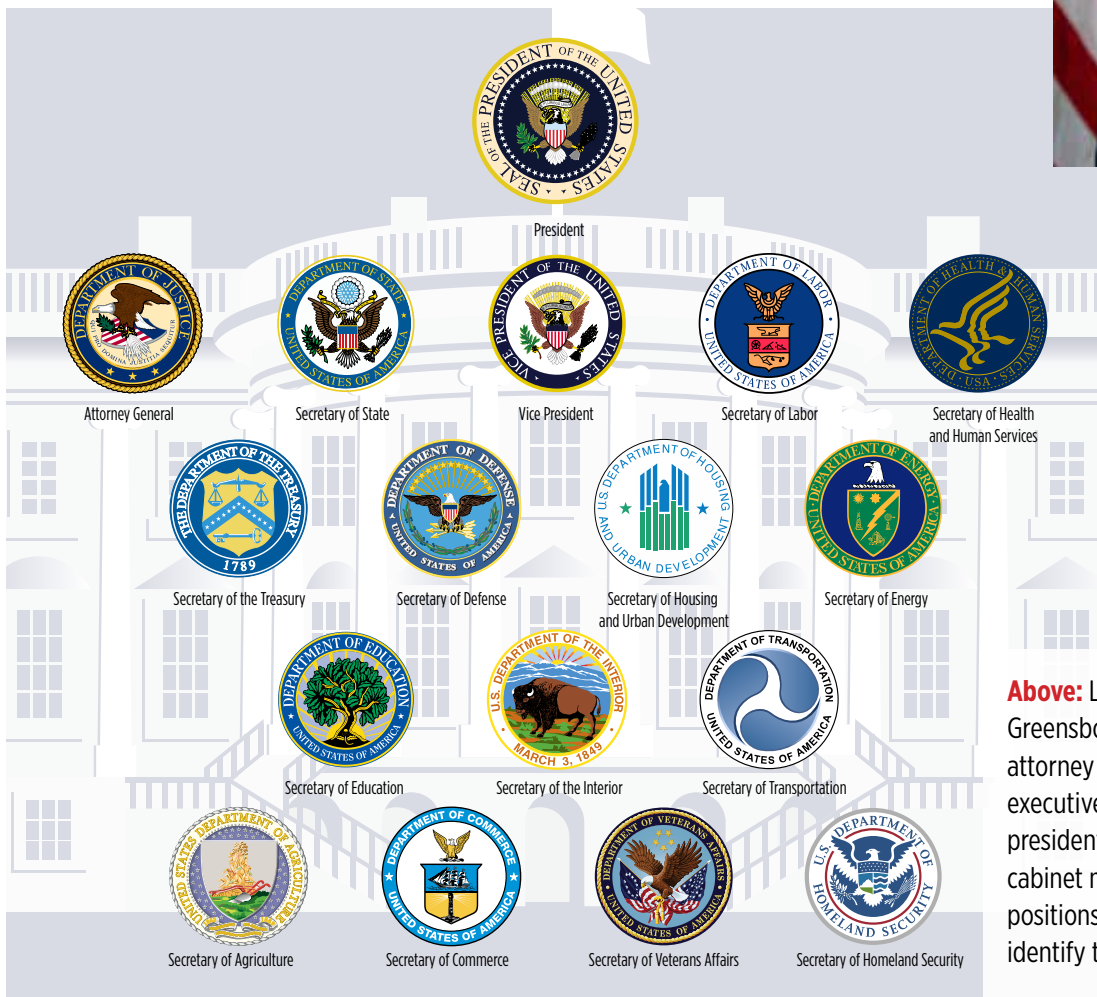
### The President, Vice President, and Cabinet

The Constitution gives the federal government’s executive branch the power to carry out the laws enacted by Congress. The executive branch includes the president, the vice president, and fifteen cabinet members. Among the major cabinet members are the attorney general and the secretaries of state, treasury, defense, energy, education, and homeland security. There are also numerous agencies and bureaus in the executive branch.

The president and the vice president must be at least thirty-five years old, natural-born (not naturalized) citizens, and residents of the United States for at least fourteen years prior to their election. They are elected to four-year terms. Since the Twenty-Second Amendment was ratified in 1951, the president can serve only two terms. The Constitution does not expressly limit the vice president to two terms.



Only two presidential elections have been decided in the House of Representatives. In 1800, Thomas Jefferson and Aaron Burr received the same number of electoral votes, and the House chose Jefferson. In 1824, none of the top three candidates received a majority. Andrew Jackson had won the popular vote, but the House chose John Quincy Adams.



**Above:** Loretta Lynch, born in Greensboro, became the 83rd U.S. attorney general in 2015. **Left:** The executive branch consists of the president, vice president, and fifteen cabinet members. Each of these positions has a distinctive seal to identify the office.

## DID YOU KNOW...

Nine vice presidents have become the chief executive upon the death or resignation of the president. One was Andrew Johnson, born in Raleigh, who became president upon the assassination of Abraham Lincoln in 1865.

### The Line of Succession

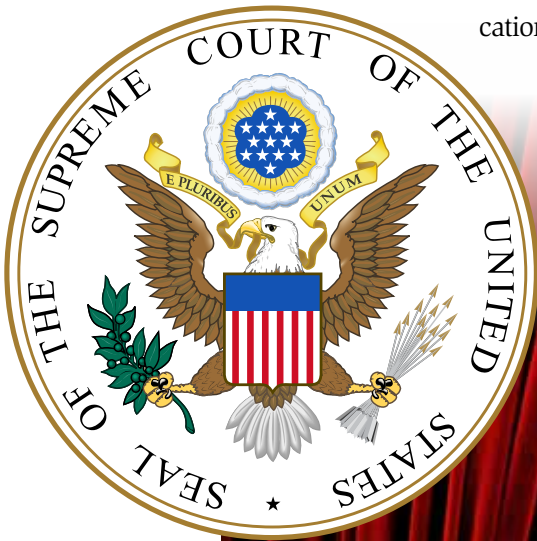
The vice president assumes the presidency if the president dies in office, resigns, or is removed by impeachment. If the vice president cannot assume those duties, the line of succession falls to the speaker of the House of Representatives, followed by the president pro tempore of the Senate. The line of succession then follows through the cabinet officers, beginning with the secretary of state and continuing in the order each cabinet position was created. The vice president can also become “acting” president for a period of time if the president is temporarily unable to perform his or her duties. The Twenty-Fifth Amendment to the Constitution establishes a process for choosing a new vice president if the sitting vice president becomes president.

### Judicial Branch

Article III of the U.S. Constitution creates a judicial branch of the federal government, which has the power to interpret the Constitution and laws passed by Congress. Article III states, “The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.” In the early years of American history, the federal judicial system was small and not very complicated. As the nation expanded, the economy became increasingly complicated and Congress created several additional and special courts.

### The Supreme Court

The United States Supreme Court (the highest court in the land) includes a chief justice and eight associate justices. The president, with the consent of the U.S. Senate, appoints members of the Supreme Court to lifetime appointments. Article III does not establish any specific qualifications for Supreme Court justices.



**Above:** Seal of the U.S. Supreme Court (pictured right).





The Supreme Court has both original and appellate *jurisdiction* (area of authority). Original jurisdiction is the authority to hear a case for the first time. Appellate jurisdiction is the authority to review a case that has already been tried and decided in a lower court. The Supreme Court has original jurisdiction in cases involving a foreign country or disputes between a state and the federal government. It has appellate jurisdiction over the decisions of lower federal courts and state courts.

The Supreme Court's most significant power is **judicial review**, which is the authority to determine the constitutionality of laws passed by Congress and state legislatures, and any actions taken by the executive branch. When the Supreme Court decides a case on constitutional grounds, that decision becomes the guideline for all lower courts to follow and for laws that deal with similar issues.

The court can also prevent executive action through injunctions that forbid the action. The Supreme Court decides which cases it will hear. This authority enables the court to keep its caseload manageable.

### Lower Federal Courts

Congress has divided the nation into eleven judicial circuits with appellate jurisdiction, plus the District of Columbia Court of Appeals. North Carolina, South Carolina, Maryland, Virginia, and West Virginia are in the Fourth Circuit Court of Appeals. These United States Courts of Appeals review the decisions of lower courts and the judgments rendered by administrative agencies. There are no juries or witnesses in appellate courts. Attorneys for the *appellants* (those making an appeal) present their arguments to the appellate judges on behalf of their clients.

Below the Courts of Appeals are ninety-four United States District Courts, which have original jurisdiction. District Courts are the federal trial courts, and are the only federal courts that include juries and witnesses during trials. North Carolina is divided into three districts: Western, Middle, and Eastern. District Courts hear cases of both civil and criminal matters. There is also a U.S. Bankruptcy Court in each of North Carolina's three federal districts. Bankruptcy is a legal issue involving a person's or an organization's inability to pay its debts.

**DID YOU KNOW...** 

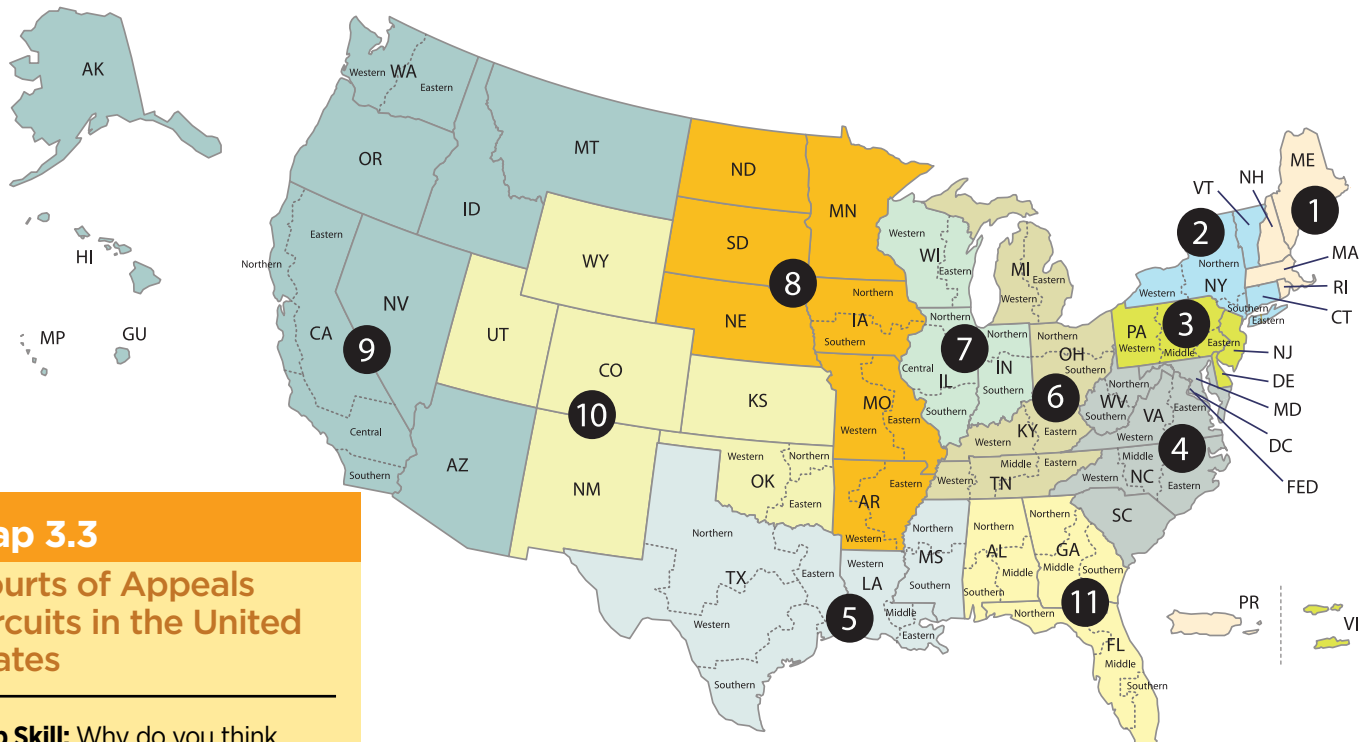
The first Washington, DC, home of the Supreme Court was a small basement room in the U.S. Capitol. The court remained in the Capitol, moving into larger and larger quarters, until 1935, when it moved to a new Supreme Court building. That is where it resides today.

**DID YOU KNOW...** 

Federal courts have exclusive jurisdiction over bankruptcy cases. This means that a bankruptcy case cannot be filed in a state court.



**Left:** The headquarters for the Fourth Circuit Court of Appeals is in Richmond, Virginia.



**Map 3.3**  
**Courts of Appeals Circuits in the United States**

**Map Skill:** Why do you think some circuits contain more states than others?



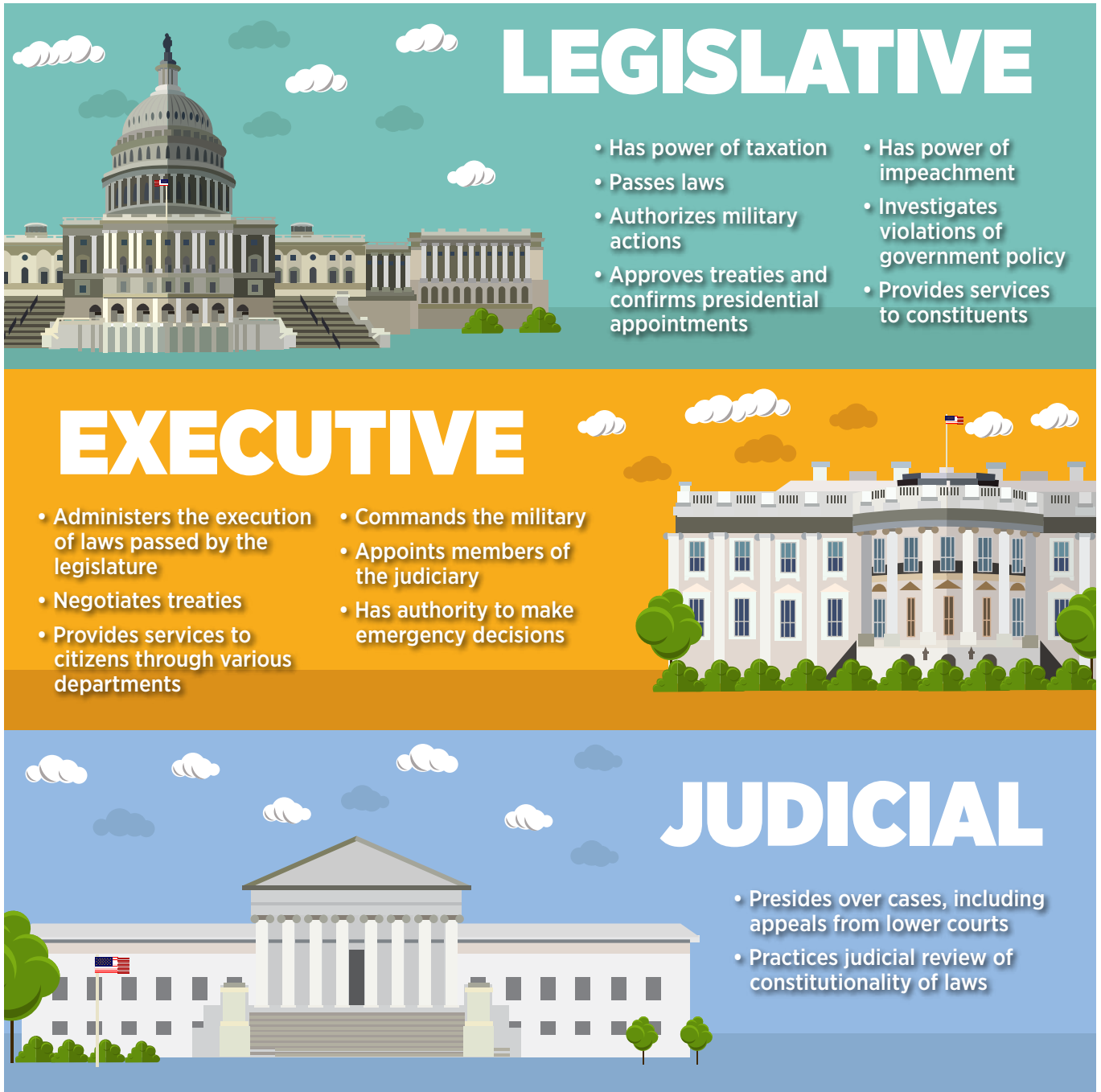
**Map 3.4**  
**U.S. District Courts in North Carolina**

**Map Skill:** How do you think the boundaries for the districts are decided?

**Special Courts**

Included in the federal judicial system are several courts created by Congress to deal with special kinds of cases. The U.S. Tax Court hears disputes between citizens and the Internal Revenue Service, and the Court of Military Appeals reviews military courts-martial. The Court of International Trade decides civil suits against the United States involving trade with other countries, and the U.S. Claims Court handles a wide variety of suits against the United States government.





## It's Your Turn

1. State four differences between the powers of the U.S. Senate and House of Representatives.
2. What are the qualifications for becoming president and vice president? Why do you think they are the same?
3. What is judicial review, and why is that such a significant power of the U.S. Supreme Court?

**Figure 3.2**

**Three Branches of Federal Government**



# special Feature



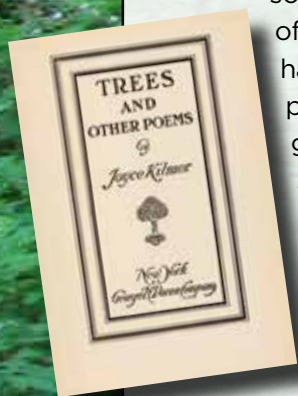
## Carolina Places

### Joyce Kilmer Memorial Forest

Very few places in North Carolina are what scientists call “old growth forests,” where humans have not come and cut down the original trees. One of the most beautiful old-growth stands is the Joyce Kilmer Memorial Forest. It is located at the very tail of the state, in the rugged mountains of Graham County. Since 1936, it has been protected through efforts of the federal government, and the U.S. Forest Service has worked to allow nature to take its course. Foresters call it the best example of what a mountain cove forest looked like to the Cherokee and early white settlers. Other North Carolinians have claimed that the forest equals the beauty and wonder of the Cape Hatteras Lighthouse, another federally administered property open to our citizens.

By the early twentieth century, the North Carolina mountains had lost much of their original character. Most of the forests had been logged. Because Graham County was so hard to get in and out of, loggers made less money. Therefore, they left alone about 4,000 acres near the Unicoi Mountains. During the New Deal era beginning in the 1930s, federal officials looked to curb erosion and soil depletion by planting trees. When a government official discovered one of the very few “tracts of virgin hardwood in the Appalachians” west of Robbinsville, he persuaded officials to buy the land immediately. The government even paid \$28 an acre for land then worth \$4 an acre, to keep the loggers from getting it.

Federal forestry officials named the stand of trees for a man named Joyce Kilmer, author of the well-known poem, “Trees.” Many schoolchildren have learned the famous first line of the poem: “I think that I shall never see a poem lovely as a tree.”



**Background:** One of the duties of the federal government is to protect our nation’s natural wonders, like Graham County’s Joyce Kilmer Memorial Forest. **Above:** *Trees and Other Poems* was published in 1914. **Above Right:** Joyce Kilmer was killed in 1918 while serving in France during World War I. **Opposite page:** Dedicatory plaques and majestic trees honor Joyce Kilmer.



Visitors to the forest almost always agree. At some places, the hemlocks rise up so high that the first row of branches is thirty feet off the ground. Oaks and maples also grow tall here. The most famous spot is in a small depression called Poplar Cove, where the yellow poplars are more than 100 feet high. Some of them measure at least 20 feet in circumference at their base. Few poplars anywhere else in the world are as large or as old. Scientific measurements tell us that some of them were saplings when the Roanoke Colony was being established in 1587.

Since 1975, the area has been protected by the federal government as the Joyce Kilmer-Slickrock Wilderness Area. More than 17,000 acres are left to mature and change just as forests did before humans depleted them. Visitors cannot even bring a bicycle into parts of the wilderness, much less a car. Trails are minimally marked, as they would have been when the first explorers came to the area more than a thousand years ago.





## Section 3

# North Carolina Government


 Setting a Purpose

## As you read, look for

- ▶ the makeup and powers of the General Assembly;
- ▶ how laws are made in North Carolina;
- ▶ the structure and duties of the state's executive branch;
- ▶ courts that make up our state judicial system;
- ▶ methods for funding North Carolina government;
- ▶ how counties and municipalities are governed;
- ▶ terms: **General Assembly, bill, constituent, veto, Council of State, felony, tax, county seat, sheriff, county commission, municipality, city council.**

Several thousand North Carolinians held public office—both elected and appointed—in the state in the 2010s. These public servants helped make the state work in a variety of ways. Some were elected to high office, others to be part of the justice system. Others worked for the many agencies the state supported to serve the needs of citizens.

The leadership of North Carolina has begun to be more multiethnic and multicultural during your lifetime. No longer is our state run solely by white men who are native to the state. The first two governors to serve in the 2010s were not born here, and one of those governors was a woman. In fact, there was more variety of backgrounds among the state's public servants in the 2010s than ever in our history, a result of efforts to have North Carolina live up to its democratic ideals. One of the first Latino members of the legislature, Tom Apodaca of Hendersonville, was first elected in 2010.

The Senate Chamber of the North Carolina State Legislative Building.



The growth of the democratic ideal has been particularly the case with women holding public office. North Carolina at times was ranked seventh from the top of the fifty states in the frequency of women in elected offices. Beverly Perdue finished her term as the first female governor of the state in 2013. Before that, she had been a legislator, then the lieutenant governor. Several other women had been United States senators and members of the House of Representatives. Still, women usually made up only one-fifth of the legislature, despite being half of the population.

Women with minority backgrounds have had an increasing role in public service to the state. For example, Allyson Kay Duncan, an African American from Durham, got a law degree from Duke University. She worked for the federal government, then became a law professor at North Carolina Central University. During the 1990s, she served on the North Carolina Utilities Commission. In 2003, she was made the first female African American judge on the federal Fourth Circuit Court.

## The Structure of State Government

The organization of North Carolina's state government has not changed drastically since the writing of the state constitution of 1868. With the changes to the constitution in 1971, the state did reorganize state government to make it more effective. Those changes are largely still in effect.

Like the national government, North Carolina's state government has three branches: the legislative, executive, and judicial. These three branches were present in colonial times. Since the War for Independence, however, the legislative branch has been the dominant one. Compared to most American states, the governorship of North Carolina is a relatively weak office. For a long time, the governor could only serve one term. In addition, the people have a strong say in who rules them in North Carolina. Officials in all three branches of government are elected by the people for specific terms—even some of the assistants to the governor.

### Legislative Branch

The legislative branch is the lawmaking branch of state government. Every two years, the voters of North Carolina choose the entire membership of the **General Assembly**, the legislature of the state. The Assembly is divided into two houses: the Senate and the House of Representatives.



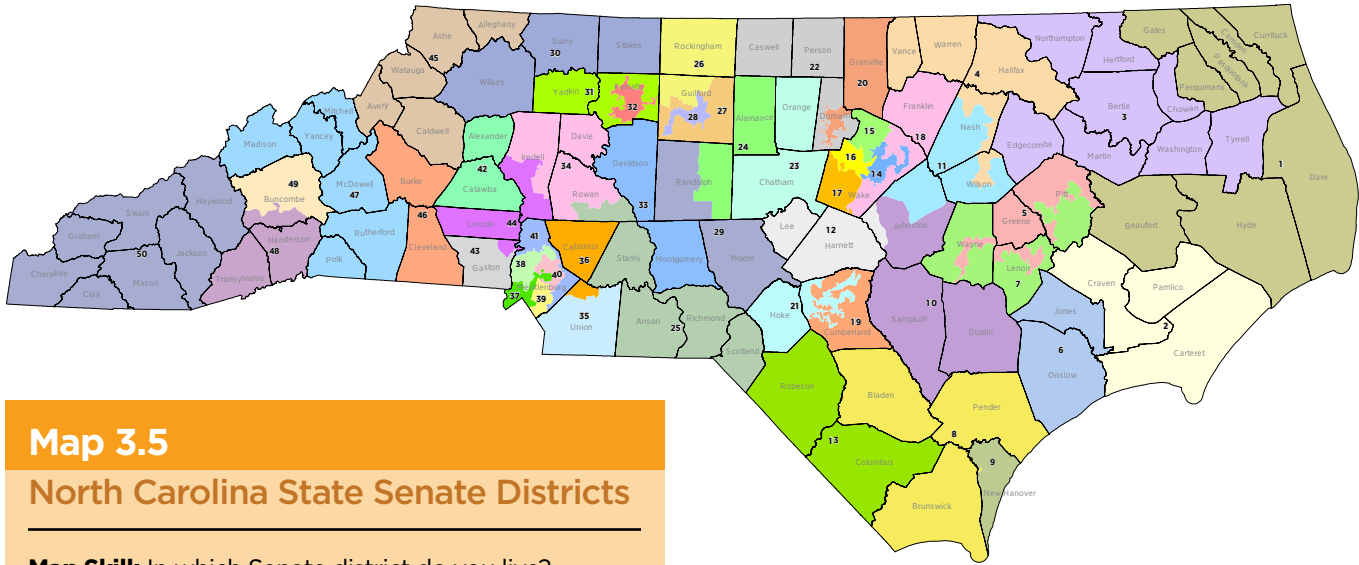
**Above:** Every ten years, the federal government conducts the U.S. Census. After the census, the state's legislative districts are reviewed to see if the population in each district is still equal.

**Below:** North Carolina's State Capitol.



Elections for members of the General Assembly are held in even-numbered years, just like elections for members of the U.S. Congress.

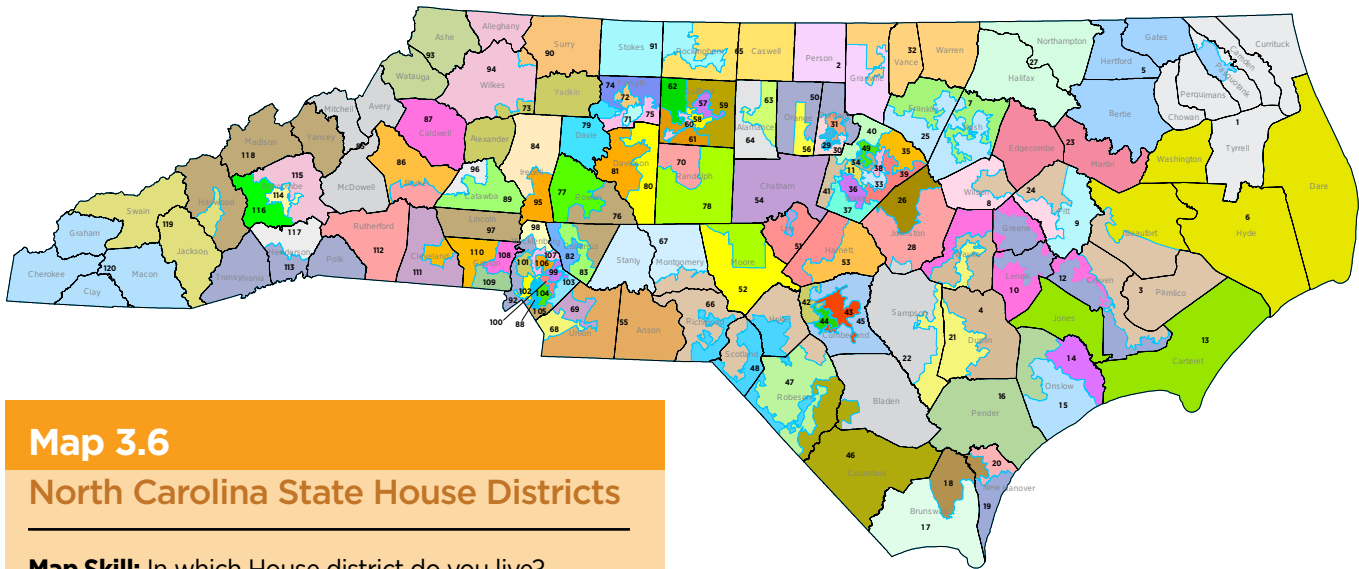




### Map 3.5

### North Carolina State Senate Districts

**Map Skill:** In which Senate district do you live?



### Map 3.6

### North Carolina State House Districts

**Map Skill:** In which House district do you live?



Only about one in six bills is ever passed during a legislative session. On average, more than three hundred bills are presented to the various committees.

The membership of each house of the General Assembly has remained the same since 1868. There are 50 senators and 120 representatives. Because there are fewer than half as many senators as representatives, Senate districts tend to be larger. Thus, senators are assumed to have larger responsibilities. In contrast, it is assumed that the smaller House districts keep the representatives “closer to the people.” These ideas are based on the American concept of checks and balances. The Senate and the House are supposed to check one another’s ideas and balance out their actions.

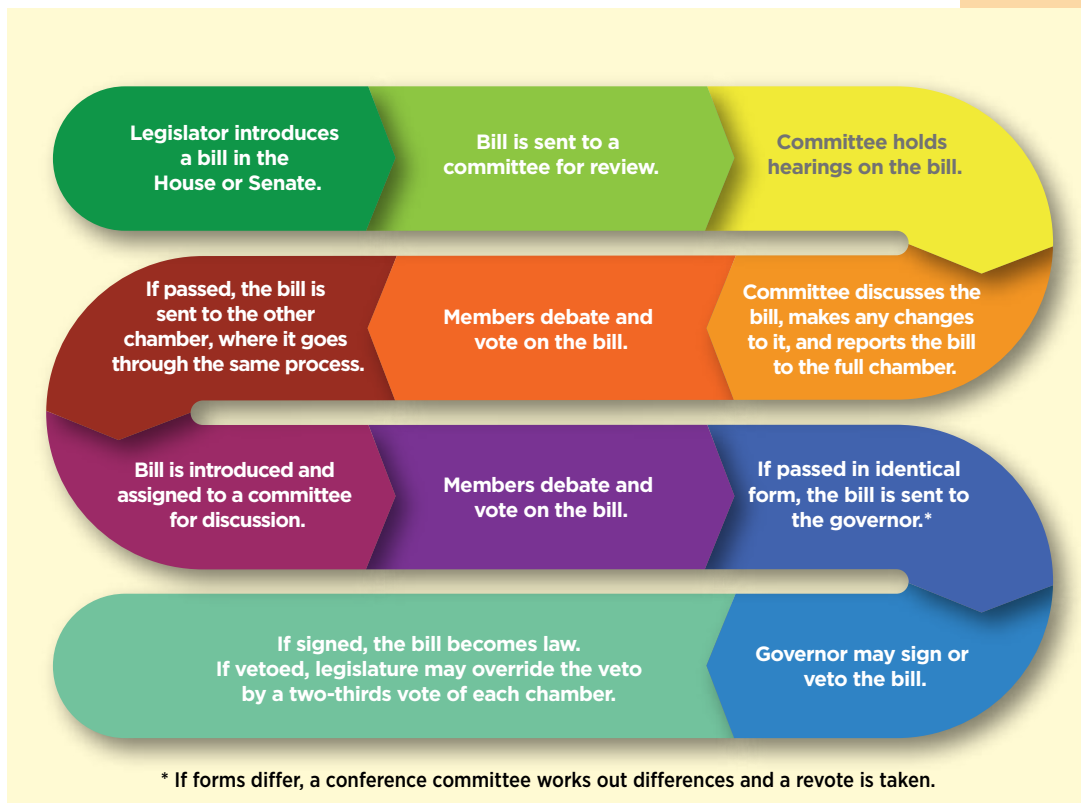


The General Assembly meets each year. One year is the “long session,” which can last much of the year. The following year is the “short session,” designed to last a month or so to handle pressing needs of the state. As “citizen-legislators,” Assembly members are expected to have an independent means of livelihood. North Carolina legislators make a little less than \$14,000 a year, plus their daily expenses, while they are actually doing their duty. When the legislature is in session, the legislators are in Raleigh from roughly noon Monday to noon Friday. When the legislature is out of session, members still come to Raleigh to hold committee meetings.

A typical workweek for a legislator involves a series of committee meetings about **bills** (proposed laws) and a daily session of each branch of the Assembly. Most members belong to four or more committees. When the legislature is in session, some sort of bill is debated or voted on most days. Each member is able to speak on any bill coming before his or her chamber (Senate or House). Each member is also expected to vote “yea” or “nay” when a bill is brought to a vote. Legislators can propose bills that address either the needs of the state as a whole or the special requests or needs of their **constituents** (the people of the legislator’s district). Legislators also get help writing bills, to ensure that the language is correct and does not violate current laws.

The most important bill each session is the state budget (the plan for spending money), which is submitted every two years. As much as half the time in the legislature is spent figuring out who will get how much money. The budget items range from the public school system to highway maintenance to special spending on things like museums or programs in individual counties.

**Figure 3.3**  
How a Bill Becomes Law in North Carolina





### Executive Branch

The executive branch enforces the laws of the state. The governor is the head of the executive branch. Since the 1970s, the governor of North Carolina can serve more than one term. Since the late 1990s, the governor has had **veto** power (the ability to deny passage of legislation). These two abilities strengthened the governor’s role in North Carolina politics. However, our governor is often weaker than governors in other states. For example, the governor can veto the state budget as a whole, but cannot veto a portion of it (called a line-item veto).

In addition to administering the laws passed by the legislature, our governor is charged with making sure that the state government spends public money in the way set out in the budget and tends to the needs of citizens as they arise. For example, Governor Jim Hunt was immediately on the scene when so many Coastal Plain citizens lost their homes during Hurricane Floyd in 1999. Hunt coordinated all state agencies and worked to gain federal aid for the victims. Governor Pat McCrory discovered that the state was out of date with its technology when he took office in 2013. He put into motion actions to streamline and speed up how the state uses computers to provide information for its citizens.

The governor also prepares a budget to present to the legislature each session. Because the governor is the most visible of state officials, his or her budget starts the public debate about how the state should spend the people’s money. The governor’s spending plan for the state has been helped by the veto power.

The governor is also in charge of the various government departments. The governor’s assistants include elected and appointed officials. Since 1868, North Carolina has kept tightly to a tradition of spreading out the power and the workload of its public officials. Nine state officials, who are elected directly by the people to perform specific tasks, make up the **Council of State**, with the governor as its chairperson.

**Figure 3.4**  
**The Council of State**

Lieutenant Governor	Serves if the governor can no longer hold office
Attorney General	Handles the state’s legal needs
Secretary of State	Oversees the registration of businesses and other public groups; keeps the state’s official papers
State Treasurer	Receives state revenues (monies); pays the state’s bills
State Auditor	Serves as official state bookkeeper
Commissioner of Insurance	Enforces insurance laws
Commissioner of Agriculture	Helps farmers and consumers of farm products
Commissioner of Labor	Tends to the health and safety of the state’s workers
Superintendent of Public Instruction	Serves as chief administrator of the state’s public school systems

**Top:** The governor of North Carolina is the head of the state’s executive branch. Pat McCrory became the state’s 74th governor in 2013. **Above:** As North Carolina’s lieutenant governor, Dan Forest serves on the Council of State and is the president of the North Carolina Senate.



The governor has direct control over a group of departments that were created in 1971: commerce, cultural resources, transportation, environment and natural resources, correction, and human resources. Each of these departments is headed by a secretary appointed by the governor. Almost all state offices are organized under divisions administered by a Council of State member or an appointed official. The Department of Labor, for example, inspects elevators in every building in the state and makes sure that all workers in the state are paid what they are legally owed by their employers.

North Carolina has grown its government to meet the needs of the state in this century. The Department of Juvenile Justice and Delinquency Protection was created in 2000. The purpose of the department is to “prevent and reduce juvenile crime” through a series of programs throughout the state. In 2015, the state created the Department of Information and Technology to “make government more efficient, effective, and user-friendly for the citizens.”

### Judicial Branch

The judicial branch, the third branch of state government, is headed by the chief justice of the state Supreme Court. The judicial branch oversees four types of courts in the state.

At the bottom are the District Courts that meet in each county to handle traffic violations and domestic and civil disputes. Next up are the Superior Courts, which also meet in each county. The Superior Courts handle cases sent to them by the District Courts and more serious crimes that may involve felony charges. A **felony** is a serious crime such as murder that is punishable by death or a significant prison term and loss of some privileges of citizenship. Those convicted in superior court have a right to appeal if there is a dispute over the procedure followed in the previous trial. The Court of Appeals decides if there is a basis for the appeal. The Supreme Court of the state, the highest court, sits as a body to decide

if the law was properly executed in the case at hand. It does not decide guilt or innocence of the accused. Rather it judges whether the state did its constitutional duty in being fair and firm in the protection of the rights of both the accused and, where need be, the victim.



The Department of Public Instruction is in charge of standards, curriculum, state assessments, and textbooks.



**Left and Above:** North Carolina’s judicial branch oversees four types of courts. Superior Courts handle more serious crimes that may involve felony charges.

Every judge in the state must run for office. At the Court of Appeals and Supreme Court levels, it is a statewide election.

The state court system also is in charge of clerks for most of the courts (except for the clerk of court in each of the counties) as well as the prosecutors and other minor officials. The state has also kept the office of magistrate, which dates back to the early days of the colony. Magistrates are appointed to handle small claims like worthless checks.

## Funding State Government

Governments must have money to function. All governments get their money (called revenue) in a variety of ways. Knowing how much money is needed starts with a detailed plan.

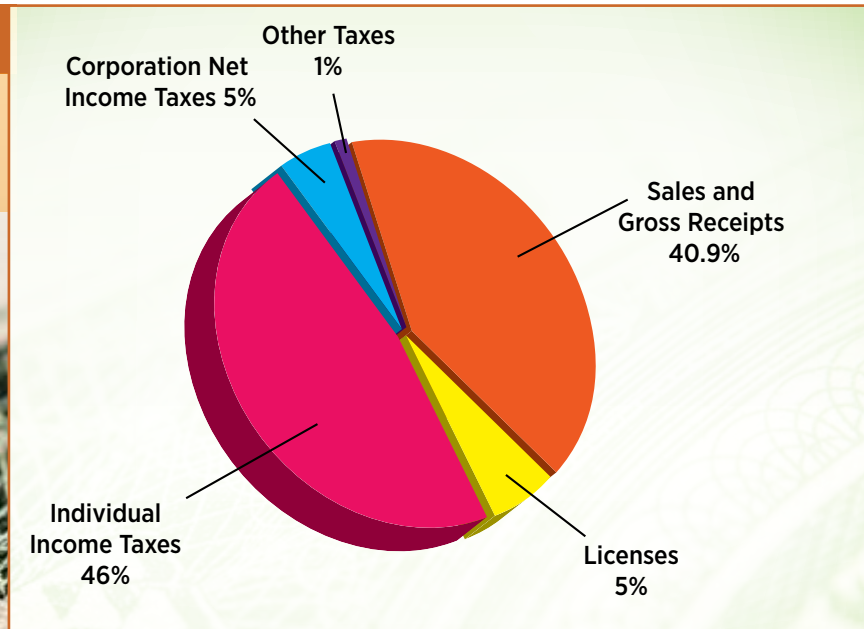
### The State Budget

The state's detailed plan for acquiring and spending money is the budget. Each year the state government estimates how much revenue it will collect for the year. Then the governor and legislature must decide how to distribute the revenue to meet the needs of the state.

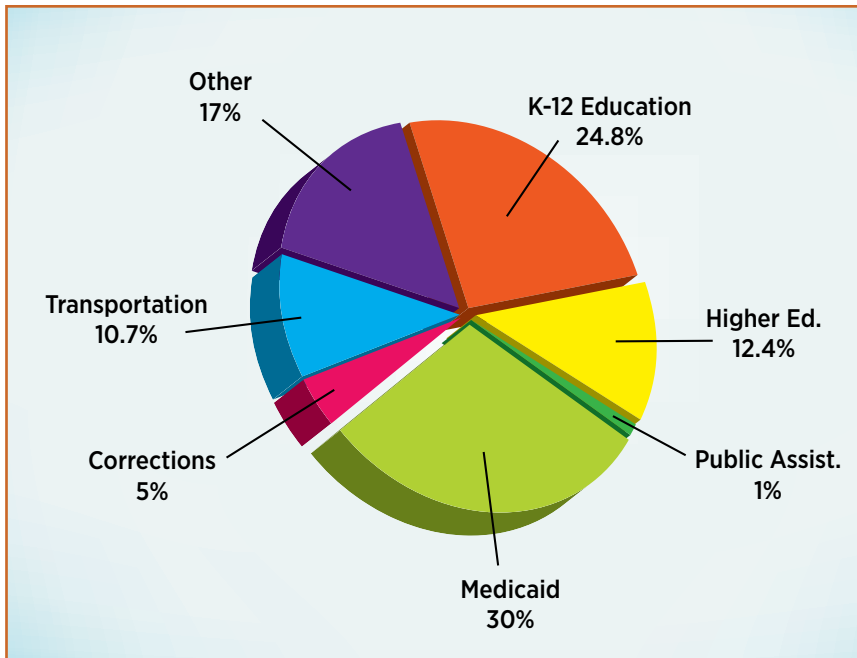
The governor prepares the budget and presents it to the legislature. The North Carolina Constitution requires a balanced budget. This means the state cannot spend more money than it takes in, so expenditures cannot exceed revenue.

**Figure 3.5**

**North Carolina  
Revenue - Fiscal Year  
2013**







**Figure 3.6**  
North Carolina Expenditures - Fiscal Year 2013

### Taxes

Taxes supply much of the state’s revenue. **Taxes** are amounts paid by citizens to their governments (federal, state, and local) to support governments and the services they provide. A *sales tax* is collected on items as they are purchased. An *excise tax* is imposed on specific products. Individual citizens pay a state *income tax* each year. Businesses also pay income tax to the state. *Property taxes* are paid on homes, lands, and automobiles. A property tax is a type of *ad valorem* tax—a tax “according to value” of the property.

### Other Sources of Revenue

In addition to taxes, the state receives revenue from a variety of fees charged for certain kinds of government-issued items like driver’s licenses or business licenses. The state also earns money through interest it receives from the investment of state funds.



**Above:** U.S. taxpayers use Form 1040 (the U.S. Individual Income Tax Return) to file their federal taxes with the Internal Revenue Service (IRS). Many North Carolina residents file a North Carolina Individual Income Tax Return at the same time as their federal form.  
**Left:** Treasury Department building in Washington, DC.



# special Feature

## Carolina Places State Capitol

All North Carolinians have to learn an important thing about spelling in their state. Raleigh the city is the state capital, spelled with an “a.” The building that has housed the state government for more than a century is the State Capitol, spelled with an “o.” The first refers to the community, the second to the building. North Carolinians have had only one capital since the legislature first met in Raleigh in 1794, but state government has had two capitols.

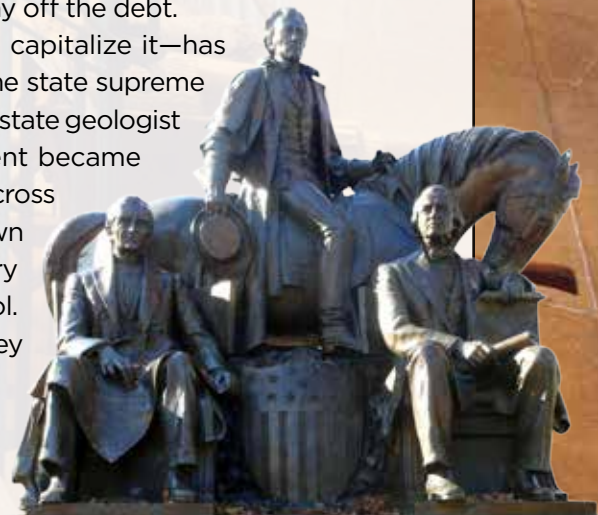
The first State Capitol, then called the State House, was completed in 1796. The State House was relatively spacious with a small rotunda on top. Most of the state government operated inside that one building for the next forty years. The building, however, burned to the ground in 1831. Raleigh residents rushed to the fire, but were unable to save much of anything. They watched in horror as the building came tumbling down around a famous statue of George Washington. For a brief moment, they saw the white marble “untouched in the ruins,” right before the timbers crashed down onto it. When the embers cooled, they found the statue seriously damaged.

North Carolina was more fortunate in the building of its second State Capitol. The legislature laid the cornerstone in 1833. The granite for the building came from a quarry outside of town. To get the stone to the building site, the state constructed the first railroad in the state. The locomotive power was provided by “an old horse.” This “experimental” road was so amazing to nearby residents that they came to take rides on it, which slowed the work on the capitol. Hundreds of workers from around the nation were employed for years in building the capitol. Stonecutters were brought all the way from Scotland. Some of the finest work was done by craftsmen from Philadelphia. The imposing structure was completed in 1840.

When the work was done, state leaders were shocked to find out it had cost a half million dollars. At that time, when North Carolina was so poor, a half million dollars was six times the amount of taxes the state collected in a year. It took a major effort to pay off the debt.

Since 1840, the State Capitol—North Carolinians always capitalize it—has served the state well. At first, the legislature, the governor, the state supreme court, the secretary of state, and even the state library and the state geologist were crowded into it. More office space for the government became available when an administration building was completed across the street in 1913. In 1962, the state legislature moved into its own building a block away. Since then, the governor and the secretary of state have continued to use the first floor of the State Capitol. The upper floors have been restored to the appearance they had in the 1800s.

On Capitol Square are more than two dozen different varieties of trees from around the state, plus a number of statues. The most notable statue honors the three presidents that the state claims as natives: Andrew Jackson, James K. Polk, and Andrew Johnson.





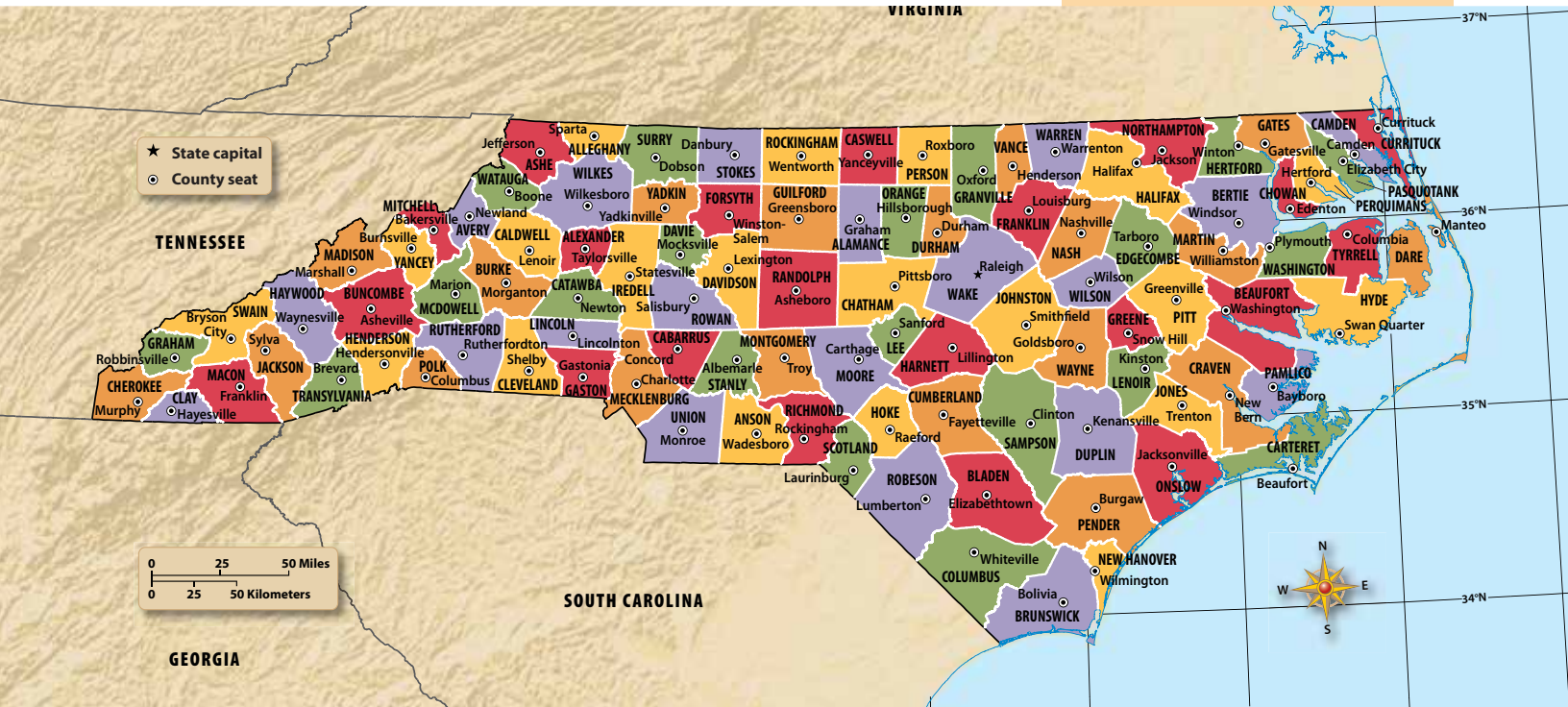
## County Government

The county is the primary local government division. Each county's courthouse and government are located in the municipality called the **county seat**. Unlike some states where a city is separate from a county, in North Carolina all municipalities are also part of a county. The county was the first real form of government in the colony that became North Carolina. From the 1600s to the late 1900s, the county was the basis for most representation in the state. Until the 1960s, for example, each of the 100 counties had at least one member in the General Assembly. Each county had a court system.

### Map 3.7

#### North Carolina Counties

**Map Skill:** What is the county seat of your county?



The county remains very important to the administration of law and order in the state. Each county has a **sheriff** as its chief law enforcement agent. Except in some urban counties like Mecklenburg that have county police, sheriff's deputies are the main source of law protection in rural areas. Deputies both keep law and order and help to administer the court system. The sheriff is responsible for keeping the county jail.

Each county also is in charge of its schools. In some counties, like Catawba, there are separate schools for some of its towns, like Hickory. Each county has one or more school boards, which are in charge of hiring the local superintendent of schools, establishing a school budget, and making sure that facilities are adequate.

The key body for county government remains the **county commission**, which was first established by the 1868 constitution. County commissioners are elected by the people, usually for four-year terms. The number of county commissioners varies in each county, but most counties have an odd number to keep tie votes from occurring. Only in Jackson County is the chair of the commission elected by the voters; otherwise, the commissioners choose the chair. In about one-third of the



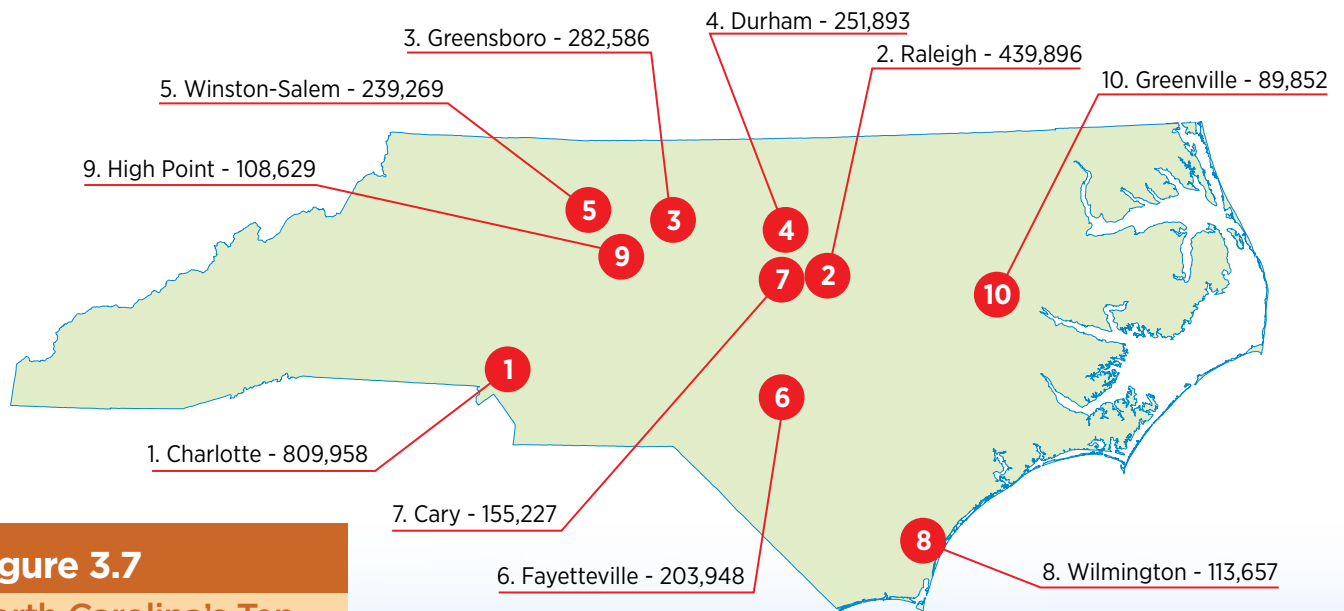
In the past, congressional districts were drawn using county lines. Only in the last decades have county lines ceased to matter for most legislative and congressional elections.

counties, the commissioners represent *districts* within the county. In half, the commissioners are elected *at large*. That means that all the voters in the county choose all the commissioners. The rest of the counties have both district and at-large representatives.

The commission is responsible for overseeing the budget for the schools, monitoring the effectiveness of law enforcement, and administering recreation facilities. Almost all of these services are paid for by property taxes. Citizens of municipalities pay property taxes to both the city and the county.

### Municipal Government

There are more than five hundred **municipalities** (cities with their own government) in North Carolina. They range in size from Love Valley in Iredell County, which barely has enough adults to hold an election, to Charlotte, which has over 800,000 residents.



**Figure 3.7**  
North Carolina's Ten Largest Cities, 2014



North Carolina's largest city, Charlotte, has an impressive skyline, seen here from Marshall Park.



The towns and cities in North Carolina are generally governed by a **city council**, headed by a mayor. In some cities, the mayor is elected by the citizens. In other cities, the mayor is elected by members of the city council. In the second case, the council member who got the most votes in the last election is usually honored by becoming mayor.

Municipalities are responsible for many of the public services that a citizen needs daily, including police and fire protection. In smaller towns, the fire department is sometimes a volunteer organization. The city also is required to pave, clean, and repair the streets and sidewalks. It provides street lights in most places. All cities provide the water and sewer facilities that businesses and residences need. Most cities build parks for their residents and host special events. In every municipality, the elected officials serve four-year terms.

Municipal services are funded mostly by property taxes, which citizens pay based upon the value of their buildings and land. Some municipalities have other small taxes and fees, for business licenses or special car license plates.

## It's Your Turn

1. What is the most important bill submitted in the General Assembly? How often is it submitted?
2. What two new privileges have given the governor more power beginning in the 1970s?
3. Name the four kinds of courts in the state.



Chowan County's historic courthouse is located in Edenton, the county seat of Chowan County.

## Section 4

# The Responsibilities of Citizenship

## As you read, look for


 Setting a Purpose

- ▶ why North Carolina citizens should participate in government;
- ▶ the responsibilities of citizenship;
- ▶ how political action committees and lobbyists influence legislators;
- ▶ the many ways citizens can take part in public affairs;
- ▶ terms: **juror**, **political action committee (PAC)**, **lobbyist**.

All American citizens have both the rights and responsibilities of citizenship. Good citizens obey the laws, serve on juries, pay taxes, stay informed, get involved, and vote. An important part of the success of our democratic ideals is that citizens be good participants in government.

## Voting

One of the most important ways to demonstrate citizenship is voting. When you reach the age of eighteen, you have the opportunity to register as a voter, inform yourself about the issues, and exercise the privilege that generations before you have sustained for you. The registration process provides election officials with a record of citizens who are legally entitled to vote.


 A young woman with long dark hair, wearing a purple sleeveless dress, is smiling and holding a white sign with the word "VOTE!" written in large, bold, black letters. She is standing outdoors, and a blurred background shows what appears to be a public event or campaign stop.

### Voter Registration Application

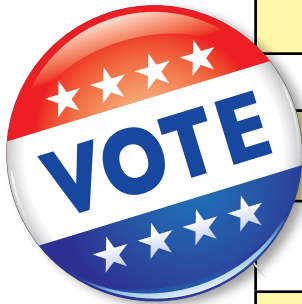
After completing this form, review the General, Application, and State specific instructions.

Are you a citizen of the United States of America?		This space for office use only.	
Are you 18 years old on or before election day?		Middle Name(s)	
Please check "No" in response to either of these questions, do not complete form.		State	
Please refer to state-specific instructions for rules regarding eligibility to register prior to age 18.)		State	
Last Name	First Name	Apt. or Lot #	City/Town
Home Address		State	
Address Where You Get Your Mail if Different From Above		ID #	
5 Telephone Number (optional)		6	



In North Carolina, potential voters must be residents of their county for at least the last thirty days and must register to vote for the first time at least twenty-five days before the next scheduled election. Citizens who move from one precinct to another are expected to notify their nearest board of elections and “change registration.” Otherwise, they will have difficulties voting in the next election. Citizens who skip voting for two state elections in a row might receive a notice from their local elections board asking them if they still live in the same place and want to continue to be listed as a voter. They are expected to reply. Registration can be done online or in person, and the forms are available in English and Spanish. Most citizens come to the polling place in their precinct on Election Day, but in North Carolina they can also apply for an absentee ballot, particularly if they are going to be away from home.

In the 2010s, North Carolina began to widen opportunities for more people to find the time to vote. The state for the first time adopted a policy of “early voting,” where citizens can come early to a central polling place and cast their ballots before the election occurs. (The ballots are not counted until Election Day.) In 2016, North Carolina for the first time required qualified voters to provide personal identification when they came to their polling place. The identification had to be government issued, and could include a driver’s license, a state identification card that could be obtained through the Department of Motor Vehicles, or a military badge.



Citizen of the United States
At least 18 years of age by next general election
Resident of state and county for at least 30 days before election
If convicted of a felony in the past, citizenship rights have been restored
Not registered or voting in another county or state

**Figure 3.8**

**Voting Registration Requirements**

### Obeying Laws

Laws are rules enacted by federal, state, and local governments to provide order to keep the peace in our society. Without laws, there would be chaos and *anarchy* (mob rule). All citizens are called upon to obey the law for the good of the whole. Consequences exist for those persons who choose not to obey the law. Violation of the law can lead to imprisonment and the loss of many rights and privileges.





## Serving on Juries

Another major responsibility of citizenship is to serve on a jury when called. In North Carolina, **jurors** (citizens selected for jury duty) are randomly selected from a list of registered voters. A person cannot be excluded from jury duty because of race, color, religion, sex, national origin, or economic status. Individuals who fail to appear for a call to jury duty may be fined or imprisoned.

Even though it is a citizen's responsibility to serve on a jury, individuals may request to be excused. A juror may be excused if he or she has an interest in the case, has a serious illness in the family, may suffer financial hardship as a result of serving, is seventy-two years of age or older, or has some emergency. Attorneys who are trying a case may dismiss potential jurors for a wide variety of reasons.

Citizens may be asked to serve on either a trial jury or a grand jury. In North Carolina, a trial jury has twelve jurors who determine the guilt or innocence of the *defendant* (the person being tried). In criminal cases, a unanimous decision is necessary to return a verdict. In civil cases, nine of the twelve jurors must agree on a verdict. A grand jury consists of eighteen citizens who determine if there is enough evidence against an accused person to issue an *indictment* (formal charge). Grand juries in North Carolina also have broad investigative powers and can inspect jails, schools, and other public buildings.

## Staying Informed

An informed citizenry is essential to the success of a democratic society. Citizens can stay informed by reading newspapers, watching television, reading reliable websites, attending meetings of local officials, and talking to other informed citizens. Staying informed allows citizens to make intelligent decisions in the voting booth and not be swayed by campaign rhetoric. There are many **political action committees (PACs)** that try to keep the public informed and try to influence legislators to favor the group's position. Many of these PACs donate money to candidates' campaigns.

**Above:** A "jury summons" is a court order. It means you have to attend at the time and place stated so that a jury can be selected, unless you have been excused. Although you may not be chosen as a juror, you do have to show up. Serving on a jury in our society is both a privilege and a legal duty.

**Right:** There are multiple ways to stay informed: through traditional media such as newspapers and magazines or through modern media via the Internet.





Some special interest groups employ **lobbyists** (persons who are paid to represent an interest group and present the views of their organization to lawmakers). Lobbyists spend thousands of dollars a year promoting their causes and often invite public officials to dinners, sports outings, and other social events. Some critics of lobbying say these favors amount to a form of legal bribery. Special interest groups are often controversial. Some critics believe they do more harm than good. Others think lobbyists play an important role in the political process. Both the federal and state government have laws that regulate special interest groups. Lobbyists must register and specifically identify the groups they represent.

Citizens also have the opportunity to join a political party that operates in the state. A resident can register as a party member and vote for that party's nominees for office in a scheduled preelection vote called a primary. In the 2010s, a person who has registered as unaffiliated—having no party preference—can choose which party to vote with in a primary.

### Citizen Volunteers

North Carolina has hundreds of citizens throughout the state who lend their expertise to boards, commissions, and other advisory groups. The State Medical Board, for example, examines the credentials of physicians who wish to practice medicine in the state. The State Board of Education approves the policies that affect the quality of education across the state. Even the history highway markers shown in this textbook were first proposed by citizen groups from across the state. They were researched by state officials and approved by an advisory committee made up of historians from various colleges. Other citizens volunteer their spare time to do anything from tutoring in schools to being greeters at museums.

### Getting Involved

Citizens in a democratic society have an obligation to participate in public affairs. Citizens can get involved by helping candidates run for public office, running for public office themselves, participating in community service activities, serving in the military, debating public issues, and volunteering their time to civic groups. Other ways citizens can be involved include writing to elected officials, attending public hearings, and participating in peaceful demonstrations.



**Above:** Five reasons to volunteer for community service: #5: Volunteering strengthens your community. #4: You learn a lot. #3: You get a chance to give back. #2: Volunteering encourages civic responsibility. #1: You make a difference!

## It's Your Turn

1. In what year will you be eligible to vote?
2. Describe the two kinds of juries.
3. What is a political action committee?



# special Feature



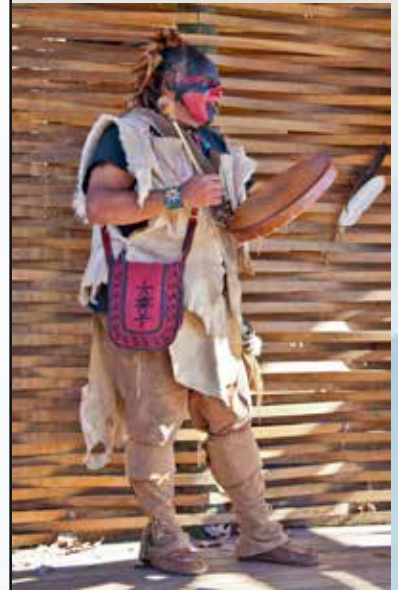
## Carolina Places The Qualla Boundary: A Unique Jurisdiction

In the western mountains of North Carolina thrives a semi-independent state inside our state that is still a part of our greater nation. The Eastern Band of the Cherokee enjoy one of the unique jurisdictions in the United States. The official members of the tribe have citizenship rights within it, even if they live somewhere else. Residents of what is called the Qualla Boundary can vote for North Carolina officials, and they have representation in Raleigh. But it is different there than elsewhere in the state. For example, law enforcement is usually tribal in origin, although the State Highway Patrol, county deputies, and other state officials can be called in when needed.

These distinctions are rooted in the brave efforts of Cherokee who lived in the Appalachian Mountains in the 1870s and avoided being deported to Oklahoma on the Trail of Tears. With the help of some nearby white residents, this band of Cherokee were able to purchase a large tract of land where they could rebuild their lives and maintain their traditions. Cherokee officials often explain that the Qualla Boundary is not technically a reservation, although many North Carolinians still call it one; no land was set aside by the federal government as was the case in many places in the West. Rather, the Eastern Band over time developed a “land trust” relationship with both the nation and state that makes them citizens of both, as well as participants in the running of their own locality. Members of the tribe actually live in five different counties in the western end of the state.

The Qualla has almost all the features associated with American government, yet it is compacted into such a small place that it sometimes seems like a blend of local, state, and federal. There is a legislative branch, which is called a Council out of respect for tribal traditions. There are two representatives who come from each of the six townships. In an interesting way, the Cherokee combine the idea of the U.S. Senate, where there are two delegates from each state, yet the Council in its functions compares to some of the things done by county commissions and city councils.

There are also executive and judicial branches. The citizens—there were about 15,000 in the mid-2010s—elect both a principal chief and a vice chief on a regular basis. They have a court system, including civil and criminal divisions, as well as their own Supreme Court, just like the federal government. A Cherokee Code spells out the specifics of their laws. Their police force resembles a cross between county and city law enforcement. There is also a bureaucracy, although it is smaller than that found in most city halls.







The Qualla approach to government follows the principles of republicanism described in this chapter. The citizens practice checks and balances. The councilors serve for two years before deciding if they wish to run for reelection, and the two chiefs serve four-year terms. That way, the citizens have an opportunity to change their leadership in a regular and systematic way, just like in the nation. The judges are appointed by the Council, but they must be in good standing with the North Carolina Bar Association to be considered for the job.

The Qualla Boundary must raise the necessary revenues to run its services, like its schools and fire and police departments. It does not depend upon federal aid to do its duty to its citizens. To that end, it behaves like a business as well as a government. In the 2010s, it owned a casino, a bottled water plant, and fish hatcheries, all designed to relieve the tax burden of individual families. It also used local government to promote Cherokee cultural values. It started a New Kituwah Academy, where classes are conducted in the Cherokee language.

The Qualla has been a laboratory of the democratic ideal in recent times. Matters of governing—like taking care of the poor, restoring old customs, providing an adequate tax base, and dealing with the influx of newcomers—have all been part of its agenda. In the 2010s, the Cherokee debated how to go forward with constitutional reform. It was the essence of local government in action, yet the arguments mimicked similar debates in Washington, DC. These are matters that the state as a whole continues to wrestle with in the early decades of the twenty-first century, with its growing variety of citizens able to follow the Cherokee example.



# Chapter Review

## Chapter Summary

### Section 1: Achieving Democratic Ideals

- Participation by most or all citizens is a key democratic ideal.
- Popular sovereignty means rule by the people through their votes.
- The United States is a republic, a country where citizens vote for representatives to make decisions on their behalf.
- In our system, the idea of checks and balances limits the power of government.
- Our Constitution is a written plan of government and is the supreme law of the land.

### Section 2: Federal Government

- The Constitution sets up three separate but equal branches of government: the legislative branch, executive branch, and judicial branch.
- The legislative branch makes the laws and is composed of the Senate and the House of Representatives.
- The executive branch carries out the laws and is headed by the president. Presidential elections are held every four years.
- The judicial branch interprets the laws. There are several types of federal courts, but the highest court in the land is the Supreme Court.

### Section 3: North Carolina Government

- Like the national government, North Carolina's state government has three branches: legislative, executive, and judicial.
- North Carolina's legislature, the General Assembly, is composed of the Senate, with 50 members, and the House of Representatives, with 120 members. One of the main tasks of the General Assembly is to pass a state budget every two years.

- The North Carolina executive branch is headed by the governor, who proposes a state budget to present to the legislature.
- North Carolina's judicial branch is headed by the chief justice of the state Supreme Court. The judicial branch is made up of district courts, superior courts, the Court of Appeals, and the state Supreme Court.
- The county is the primary local government division. The key governing body for North Carolina's 100 counties is the county commission.
- North Carolina has over 500 municipalities, which are headed by a mayor. The largest city is Charlotte, with over 800,000 residents.

### Section 4: The Responsibilities of Citizenship

- American citizens have both the rights and responsibilities of citizenship.
- Citizen involvement can include obeying laws, voting, and serving on juries.
- Informed citizens help strengthen a democratic society.

## Activities for Learning

### Reviewing People, Places, and Things



Match the following with the correct description that follows.

<b>U.S. Constitution</b>	<b>judicial review</b>
<b>popular sovereignty</b>	<b>General Assembly</b>
<b>republic</b>	<b>Council of State</b>
<b>ratify</b>	<b>lobbyist</b>

1. group of important North Carolina officials that is headed by the governor
2. idea that the U.S. Supreme Court may decide if an existing law is constitutional
3. what North Carolina calls its legislative body



4. a person paid to represent an interest group and present its views to lawmakers
5. the supreme law of the land
6. the idea that the people have the power through their votes
7. to formally approve
8. a system of government in which the people elect representatives to make decisions on their behalf

### Understanding the Facts



1. Which Founding Father listed three important democratic ideals in the Declaration of Independence?
2. Which democratic ideal is exercised when we show love and devotion to our country and state?
3. To which form of government were many colonists from Europe accustomed?
4. Why do our president and especially our governor have limited powers?
5. When was the U.S. Constitution written? When was it ratified?
6. What is the Bill of Rights?
7. What is the purpose of the “elastic clause”?
8. What group officially chooses the president?
9. Who appoints justices to the U.S. Supreme Court? Who has to approve their appointment?
10. What is a constituent?
11. What is veto power?
12. Are judges in North Carolina appointed or elected?
13. What is the legal voting age in the United States?
14. Why are some people critical of lobbyists?
15. What are three ways in which citizens can be involved in public affairs?

### Developing Critical Thinking



1. Create a Venn diagram that compares and contrasts the structure of the federal government with that of North Carolina’s government.
2. Choose an issue currently facing the state. Write a paragraph explaining how the issue should be addressed.

### Writing across the Curriculum



Research an issue or problem in your local area that should be addressed by the state government. Then, write a letter to your state representative or senator presenting your argument, including a description of the issue and your solution to this problem. Make sure the letter is polite and respectful, brief, and focused on one issue or problem. Support your claim with relevant evidence. Finally, edit your letter so that it is addressed correctly and does not contain errors in grammar, mechanics, or usage.

### Building 21st-Century Skills: Primary Sources



A primary source is an eyewitness (first-hand) account or record of an event. Primary sources include interviews, journals, legal documents, letters, and news articles. Historians use primary source evidence to reconstruct past events. Read the following amendments from the U.S. Constitution and answer the questions that follow:

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

**Amendment II:** A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed.

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

1. How many freedoms are protected by the First Amendment?
2. In Amendment II, what do you think is meant by “infringed”?
3. Some people believe the death penalty should be eliminated. Using the Eighth Amendment, write an argument regarding your position on the death penalty.