**Unit VI, District Question #2**

*What do you think are the greatest challenges of American citizenship today?*

* *Why and how does constitutional democracy in the United States depend on the active participation of its citizens?*
* *What are the advantages and disadvantages, if any, of being a citizen of both the United States and the state in which you reside?*

**P1.** The most pertinent and pressing challenge to U.S citizenship is the problem of who should be allowed to live and work in the United States, and what to do about those who do so illegally. From its Article 1, Section 8 power to enact naturalization policies, Congress derives power to regulate immigration. In 1875, as states began to limit the flow of new people, the Supreme Court held in *Henderson v. New York* that the power was exclusively that of Congress, and that all state limitations were void.

**P2.** One reason immigration is so challenging is because we define citizenship primarily by *jus soli* and partially by *jus sanguinis*. Most countries define it solely by *jus sanguinis*, making it easy to determine who is a citizen. The national government sets the rules for how to become a citizen, and determines policies for deportation and other punishments for undocumented residents. Some states, like Arizona, try to deal directly with issues that undocumented residents bring to their states, but in *Arizona v. U.S.*, the Supreme Court rejected key parts of an Arizona law to deter illegal immigration.

**P3.** These issues have been confronted with laws such as the Alien and Sedition Acts and the Immigration Act of 1924. Most recently, the now-fallen “Gang of Eight” attempted to create a comprehensive reform bill that would change many immigration and naturalization policies. On June 27, 2013 the Senate voted 68-32 to pass this sweeping reform. However, the bill must overcome major hurdles in the House of Representatives to become law. ***(need to update this part).***

**P4.** Our constitutional democracy was founded on the idea of political participation from its citizens. American citizens have numerous avenues for affecting change within the politics of our government, such as writing letters to representatives, giving speeches, and forming marches and petitions to express our opinions.

**P5.** At the state and local levels, initiatives and referenda also expand citizens’ political abilities. In Michigan, citizens have used the initiative process to suggest legislation to amend collective bargaining policies in the state, and to legalize marijuana for medical purposes.

**P6.** Federalism produces a unique set of challenges and problems for American citizens. Being a citizen of a state *and* the whole country means that laws can be confusing and even contradictory. For example, if a person is a gay or lesbian citizen of Vermont, their state law allows them to legally marry. But while the Supreme Court ruling in *U.S. v. Windsor* granted federal recognition to legally married same-sex couples, contradictory laws still exist for citizens of many states. Without federal protections guaranteeing equal rights for all same sex couples, states are still free to determine their own marriage laws, which continue to contradict other states’.

**P7.** However, federalism can also be beneficial for citizens. States serve as laboratories of democracy. When Massachusetts adopted a near universal health care program, its success attracted the attention of other states and the federal government. The national Affordable Care Act closely mirrors the Massachusetts law. As it is being implemented, some arguments over whether it will be successful or not are based on statistics from states that have put similar laws into use, such as California.

**P8.** In conclusion, a constitutional democracy depends on the active participation of its citizens to bring about policy change. In our form of government, the more contact citizens can have with those responsible for decision-making, the better one’s chances at implementing change. In the U.S.’ federal form of government, we have many elected officials on all levels of government from whom to choose. We can try to convince them to reform health care, or to change immigration policy. If they fail to act, we can vote to replace them with others more sympathetic to the needs of the nation.

**P9.** Thank you for your time. We are now ready to answer your questions.

**Follow-Up Questions: Check out the website and read Lesson 37.**

a. What do you know about your state government? Under a state constitution, citizens may be given more rights - but not fewer - than under the U.S. Constitution. For example, in *Pruneyard v. Robbins*, the Supreme Court held that the CA law’s provisions making shopping malls public squares and open to assemblies did not violate its Constitution. But doing so was not permitted under the U.S. Constitution when shopping malls were privately owned.

b. What is the power of eminent domain? See the Takings Clause in the 5th Amendment. Should the government - whether federal or state - be able to take one’s private property? What is just compensation? See *Kelo v. New London*.

c. What environmental challenges face this nation, and the world, in the future? What do you think should be done about them?

d. How has technology change the nature of the nation?

e. How does diversity create new challenges?

f. Which level of government should control our schools? Is No Child Left Behind a good law? Should it be changed? Why or why not?

g. Our prisons are overcrowded and expensive to run. It costs more to keep a person in prison than to educate someone in college. What changes should be made if any?

h. What improvements should be made to our infrastructure? How will we pay for them?

i. Americans always will face issues that divide them along economic, social, religious, cultural, and political lines. Developing the capacity to learn from debate, disagree with, and get alone with those who hold other points of view remains a challenge. What suggestions can you offer for developing the skills of civic engagement for yourself and others? Explain.

**P1:**

* What specific sentence in Article 1 section 8 gives congress power to enact naturalization policies?
* What was the ruling in Henderson V. New York (know the case:google read and take notes on the case)
* What are some other Court cases in which the Supreme Court established, or further instilled Congress's powers to regulate immigration?
* Why did the Supreme Court rule that all state limitation void in Henderson V. New York? Answer should include Supremacy Clause .
* What are some issues revolving citizenship (illegal immigrants)?

**P2:**

* What are some ways Congress has limited immigration (specific policies?) What is the difference b/w Jus soli, jus sanguinis?
* What are some steps a person has to go through to became naturalised? Do you find any of them unnecessary? If so, why?
* What was the ruling in US vs. Arizona?
* What are some other cases like U.S V. Arizona where states attempted to pass laws regarding immigration?

**P3:**

* What are the Alien and Sedition Acts?
* What is the Immigration Act of 1924
* What are some examples of reform bills in the attempt to change immigration policies?
* You need to rewrite the last sentence to make it more current. What is the status of immigration bills in Congress this fall?
* Remember, President Obama was going to issue executive orders to deal with immigration, but has put them off until after the election.
* Add something to that deal with the thousands of children who have crossed the border from Central America this summer. What is the status of this and how is the federal and state governments dealing with them.

**P4:**

* Know all of the ways citizens can participate politically. Which one do you believe are the most effective and why? Least effective?
* Why are political participation rates declining? Remember, Putnam’s Bowling Alone?
* Be able to cite several examples of how citizens affected change in public policy at all levels of government.

**P5:**

* Know what initiatives and referenda are. Be able to give several examples of how citizens changed laws using them beyond the two cited in your response. What other states also use them? Check out CA - voters are asked to vote on numerous laws.
* What are disadvantages to having citizens vote directly on laws?

**P6:**

* Know the Constitutional basis for federalism. Where does the Constitution apply federalism?
* What are the disadvantages to federalism?
* Know U.S. v. Windsor.
* Know the status of same-sex marriage case from MI; the Deboer case. It was argued in August 2014 in the US 6th Circuit Court of Appeals. <http://www.mlive.com/news/detroit/index.ssf/2014/08/split_decision_predicted_in_mi.html>
* Know the case Loving v. Virginia. Also a marriage case from 1967.

**P7:**

* Make sure you under the MA Health Care law and the federal Affordable Health Care Act.
* What are other advantages to having federalism? List 3-4 beyond the “laboratories of democracy” one.
* Be able to cite several more examples of how states adopted laws that were either adopted in other states of the federal government because they were successful laws/policies.

**P8:**

* What is recall? How does it work in Michigan?
* Should members of Congress make decisions to reflect what their constituents want (delegate method) or act as trustees on our behalf?