

**Federal Unit**

**Unit 1** The American Revolution ..... 3  
**Unit 2** The Declaration of Independence ..... 4  
**Unit 3** Articles of Confederation ..... 5  
**Unit 4** Constitutional Convention ..... 6  
**Unit 5** The Bill of Rights ..... 9  
**Learning Aid:** Important Constitutional Events ..... 10  
**Unit 6** Strengths of the Constitution ..... 11  
**Unit 7** The Preamble and a Look Ahead ..... 12  
**Unit 8** Summary of the U.S. Constitution ..... 13  
**Learning Aid:** Three Branches of Government Chart ..... 15  
**Unit 9** Legislative Branch ..... 16  
**Learning Aid:** Lawmaking Overview ..... 20  
**Unit 10** Lawmaking Process ..... 21  
**Unit 11** Other Duties of Congress ..... 23  
**Learning Aid:** Division of Power ..... 25  
**Unit 12** Congress and the States ..... 26  
**Learning Aid:** Legislative Branch Fact Sheet ..... 27  
**Unit 13** Executive Branch ..... 28  
**Unit 14** The President's Cabinet ..... 30  
**Unit 15** The Electoral College ..... 32  
**Learning Aid:** The Road to the White House ..... 34  
**Learning Aid:** Executive Branch Fact Sheet ..... 35  
**Unit 16** Judicial Branch ..... 36  
**Unit 17** Judicial Review ..... 37  
**Learning Aid:** Judicial Branch Fact Sheet ..... 37  
**Unit 18** Interpretation of the Constitution ..... 38  
**Unit 19** Checks and Balances ..... 39  
**Unit 20** Changing the Constitution and Other Information ..... 41  
**Unit 21** The United States Flag ..... 42  
**Unit 22** The Federal Budget and the Constitution ..... 43  
**Unit 23** The American Economy and the U.S. Constitution ..... 44  
**Learning Aid:** U.S. Constitution Outline ..... 45  
**Learning Aid:** Review Questions: Federal Unit ..... 47  
**Learning Aid:** Federal Unit Self-Test ..... 49  
**Learning Aid:** Government and Geography Exercise ..... 51

**Texas Unit**

**Unit 24** Texas History, Constitution and Government ..... 52  
**Unit 25** Overview of the Texas Constitution ..... 54  
**Learning Aid:** State Government Fact Sheet ..... 55  
**Unit 26** State Legislative Branch ..... 56  
**Unit 27** State Lawmaking Process ..... 57  
**Learning Aid:** How a Bill Becomes Law in Texas ..... 58  
**Unit 28** State Executive Branch ..... 59  
**Unit 29** State Judicial Branch ..... 61  
**Unit 30** Voting and Elections ..... 62  
**Unit 31** Political Parties ..... 64  
**Unit 32** Local Government ..... 65  
**Unit 33** Municipal Government ..... 66  
**Unit 34** Financing State and Local Government ..... 67  
**Unit 35** State Seal and Map Exercise ..... 68  
**Learning Aid:** Texas State Unit Outline ..... 69  
**Learning Aid:** Review Questions - Texas Unit ..... 70  
**Learning Aid:** Texas Unit Self-Test ..... 71  
**Learning Aid:** Name Your Government Officials ..... 72



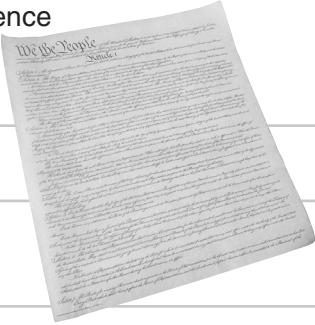



Copyrighted and Published by:  
 RJS Publications Inc.  
 P.O. Box 64066  
 Madison, Wisconsin 53744  
 www.rjspublications.com  
 ISBN 978-1-892291-06-6  
 (rev3-0806)

**Written by Alex J. Schmidt**

**ALL RIGHTS RESERVED:** The text of this publication, or any part thereof, may not be reproduced or transmitted in any form, by any means, electronic or mechanically, including photocopying, recording, storage in an information retrieval system, or otherwise without the prior written permission of the publisher. **Please report any copying of this book to our offices.**

Listed below are a sampling of the important events that led up to America's independence and the adoption of a new Constitution. You will find the year and the significant event that happened during that time.

1763-1765	England decides on a program of taxation and control of the colonies. The American colonists begin organized protests against British rule. Patriotic groups such as the Sons of Liberty are formed. Laws such as the Quartering Act, Stamp Act, and Sugar Act anger the colonists, who are forced to pay unjust taxes and provide supplies to British troops.	
1770	Colonists reduce their boycott of British goods when they withdraw all of the Townshend Act, except the tax on tea. Boston Massacre occurs when an angry crowd of citizens surround a group of soldiers causing them to open fire.	
1773	With the American colonists and merchants still angry over British tax policies, an uprising called the Boston Tea Party occurs.	
1774	In response to the Boston Tea Party, the Parliament passes several acts to punish Massachusetts. The colonies name delegates to a congress, The First Continental Congress. On September 5th, 12 of the 13 colonies send a total of 56 delegates to meet in Philadelphia, mainly to deal with Britain's actions.	
1775	When the Americans learn the British plan to seize their guns and ammunition, Paul Revere is sent to alert the countryside and gather the Minute Men. An unidentified shot triggers this Battle at Lexington. This starts the American Revolution and also leads to another famous battle, Bunker Hill.	
1776	On July 4th, The Second Continental Congress adopts the Declaration of Independence (written by Thomas Jefferson and a committee). A few days later the Liberty Bell is rung in Philadelphia to call the people to the first public reading of the Declaration.	
1781	The Articles of Confederation are adopted by the states.	
1787	On May 14th, The Constitutional Convention meets in Philadelphia, it lasts until September 17th. Here the delegates reviewed and approved the Constitution.	
1788	Eleven states ratify the Constitution and it is put into effect. America prepares to operate under this new document.	
1789	On March 4th, the new federal government is inaugurated in New York. In April, the first House of Representatives is organized. George Washington is elected the first President on April 6th. He is inaugurated on April 30th. On September 25th, the first ten amendments (Bill of Rights) are adopted by Congress.	

**Questions**

**TRUE OR FALSE?**

- \_\_\_ 1. The Minute Men helped the British at the Battle of Lexington.
- \_\_\_ 2. The Boston Tea Party occurred in 1773.
- \_\_\_ 3. The colonists especially liked the British Quartering Act and the Sugar Act.
- \_\_\_ 4. The Declaration of Independence was adopted by the Second Continental Congress.
- \_\_\_ 5. The Bill of Rights was adopted by the Congress in 1789.

**PUT THE 3 EVENTS IN EACH OF THE 4 QUESTIONS BELOW IN CORRECT CHRONOLOGICAL ORDER, FROM FIRST TO LAST BY USING THE LETTER OF THE EVENT.**

- 1. A. Boston Massacre, B. Declaration of Independence, C. Washington becomes president. \_\_\_ \_\_\_ \_\_\_
- 2. A. Articles of Confederation, B. Boston Tea Party, C. The Constitution ratified by 11 states. \_\_\_ \_\_\_ \_\_\_
- 3. A. England decides on a program of taxation and control of the colonies, B. Constitutional Convention, C. Battle of Bunker Hill. \_\_\_ \_\_\_ \_\_\_
- 4. A. Paul Revere alerts colonists, B. Stamp Act, C. First House of Representatives organized. \_\_\_ \_\_\_ \_\_\_

# How the Federal Government and States Divide Powers

## The Constitution Says...



### Certain Powers Belong to the Federal Government - Such As:

- ★ Regulate Interstate Commerce
- ★ Conduct Foreign Affairs
- ★ Coin and Issue Money
- ★ Establish Post Offices
- ★ Make War and Peace
- ★ Maintain Armed Forces
- ★ Admit New States and Govern Territories
- ★ Punish Crimes Against the U.S.
- ★ Grant Patents and Copyrights
- ★ Make Uniform Laws on Naturalization and Bankruptcy



### Certain Powers Belong to State Governments

(Mainly comes from an interpretation of the reserved powers.)

- ★ Authorize Establishment of Local Governments
- ★ Establish and Supervise Schools
- ★ Provide for State Militia
- ★ Regulate Commerce Within the State
- ★ Charter Corporations
- ★ Regulate Labor, Industry, and Business Within the State
- ★ All Other Powers Not Delegated to the United States Government or Specifically Prohibited to the States

### Certain Powers Are Shared by Both Governments

Tax...Establish Courts...Promote Agriculture and Industry...Borrow...  
Charter Banks...Protect the Public Health...Provide For Public Welfare



### Certain Powers Are Prohibited to Both Governments

The personal rights of citizens of the United States, as listed in the Bill Of Rights (first 10 amendments to the Constitution) and in state constitutions, cannot be reduced or destroyed by the federal or the state governments. Also, certain specific prohibitions in the Constitution itself, such as no title of nobility, no ex post facto laws, no duty on exports, no bill of attainder, etc.

The Supreme Court's right to interpret the Constitution has been challenged, but has always been upheld. In a sense, all of our courts contribute to the interpretation of the Constitution through the rulings they hand down on various cases. But, the Supreme Court can, and often does, overturn the rulings of lower courts and is the final authority on the meaning of the Constitution.

### Landmark Supreme Court Cases

Besides the case of *Marbury v. Madison* (discussed on the previous page) there have been several other important Supreme Court cases. Here is a sampling of these cases:

- *McCulloch v. Maryland* (1819): Established the constitutional supremacy of the federal government over state government.
- *Dred Scott v. Sanford* (1857): Declared the Missouri Compromise unconstitutional, it also established that slaves were not citizens of the United States.
- *Plessy v. Ferguson* (1896): Ruled that separate but equal facilities for blacks and whites on trains did not violate civil rights of blacks. This "separate but equal" doctrine remained effective until the *Brown v. Board of Education* decision in 1954.
- *Schenk v. U.S.* (1919): Declared that the United States Government can restrict free speech "if the words used... create and clear and present danger."
- *Gitlow v. New York* (1925): Decision confirmed that the Bill of Rights applies to the states.
- *Schechter v. U.S.* (1935): Ruled that Congress cannot delegate its power and authority to the president.
- *Brown v. Board of Education* (1954): Laws enforcing segregation in schools are unconstitutional, violating the equal protection guarantee of the 14th Amendment.
- *Miranda v. Arizona* (1966): Ruled that suspects of a crime must be informed of their rights.
- *U.S. Term Limits Inc. v. Thornton* (1995): Ruled that neither the states nor Congress could limit terms of the members of Congress.
- *Bush v. Gore* (2000): In a 5 to 4 decision, the court overturns the ruling of the Florida State supreme court to perform manual recounts, meaning Bush would be the narrow winner of the presidential election.
- *Grutter v. Bollinger* (2003): Ruled that colleges can, under certain conditions, consider race and ethnicity in admissions.

### Constitutional Issues for Debate

There will always be issues that challenge the interpretation of the constitution. Today, there are several of these issues. Each side of the issue has supporters that believe their view is correct. It is important to research each topic to fully understand the arguments.

• **Public School Prayer:** An issue that continues to be in the news is prayer in public schools. Before 1962, prayer in public schools was allowed, with some schools holding daily prayers. In 1962, the U.S. Supreme Court ruled that such organized prayers in public schools was unconstitutional. The court noted, the prayers amount to a kind of state religion, which is prohibited by the First Amendment. Also related to this argument is the idea of teaching the Bible and religion in public schools.

• **The Pledge of Allegiance:** The reciting of the Pledge of Allegiance in public schools has caused controversy that has reached the Supreme Court on several occasions. The two major arguments center around whether students can be compelled to recite the pledge without infringing on their First Amendment rights and whether the phrase "under God" violates the establishment clause, also from the First Amendment. The High Courts continue to support the decision from *West Virginia Board of Education v. Barnette* (1943) allowing schools to recite the pledge with students able to opt out (or cannot force them to recite the pledge).

• **USA Patriot Act:** Passed after the September 11, 2001 attacks, this controversial legislation expands the authority of U.S. law enforcement in fighting terrorist activities. However, critics claim that some portions of this act are unnecessary and infringe upon freedom of speech, human rights, and right to privacy. The provision that is highly contested allows judges to grant government investigators permission to search personal records on the basis for being relevant to an investigation. These included your financial, medical, phone, Internet, or student records. A recent poll indicates that 52% of Americans are concerned that their civil liberties are being violated by this act.

• **Flag Burning:** The proposed flag burning (or *desecration*) amendment would give Congress the right to enact laws criminalizing this act. This concept continues to provoke a heated debate over protecting a national symbol while protecting free speech. The most recent attempt to adopt this amendment failed by one vote in the U.S. Senate on June 27, 2006. Opponents said the measure would have curtailed First Amendment rights on speech for the first time since the Bill of Rights were adopted in 1791. Supporters are still encouraged because in 2000 they were four votes short, but now only one.

### QUESTIONS

#### TRUE OR FALSE?

- \_\_\_\_\_ 1. Public school prayer has never been allowed.
- \_\_\_\_\_ 2. Schools may require prayer and curriculum on religion.
- \_\_\_\_\_ 3. The Constitution is always easily interpreted.
- \_\_\_\_\_ 4. The ruling in the case of *Plessy v. Ferguson* was overturned in 1954.
- \_\_\_\_\_ 5. The Supreme Court recently overturned a 1943 ruling allowing the recital of the pledge of allegiance.
- \_\_\_\_\_ 6. Several Supreme Court decisions have been overturned by the President of the United States.
- \_\_\_\_\_ 7. The First Amendment allows for the freedom of religion, speech, press, assembly, and petition.

The authors of the Constitution wanted to be sure that no person or group would seize power and control the American government. To insure that this would not happen, our United States government, under the Constitution, was divided into three parts: the executive, the legislative, and the judicial. Each of these three branches has a check on the powers of the others. These checks provide a system of balance in our government, and that is why we call the system, checks and balances.

You may also hear this system referred to as a separation of powers. Although not directly mentioned in the Constitution, the first three articles mark the responsibilities of the executive, legislative, and judicial branches. It gives some power to each branch of government instead of giving all the power to one branch.

These are the most important checks and balances:

1. Executive branch has the power to check the legislative branch by vetoing laws that Congress wants to pass
2. Legislative branch may check the executive branch by passing laws over the veto by two-thirds vote in each House.

3. Judicial branch may check both the legislative and executive by declaring laws unconstitutional.

Obviously, this is not the whole system, but it is the main idea. Other checks and balances include:

*Executive over the judicial branch.* The president appoints all federal judges.

*Legislative over the executive branch.* The legislative branch must approve appointments that the president makes; the Senate must approve treaties that the president makes; and the legislative branch may investigate the executive branch.

*Legislative over the judicial branch.* The legislative branch must approve the president's choice of judges to the judicial branch; may propose constitutional amendments to overturn judicial decisions.

*Legislative over the executive and judicial branch.* The legislative branch has impeachment powers over all federal officers.

*Judicial over the executive branch.* Supreme Court justices cannot be fired by the president.

*continued*

**A System of Checks and Balances**

**Legislative Branch**

*make the laws*



- must approve appointed judges
- have impeachment powers over federal officers
- may propose amendments to overturn judicial decisions

**Judicial Branch**

*interpret the laws*



- may declare a law unconstitutional

- may pass laws by overriding a presidential veto
- must approve presidential appointments and foreign treaties
- may investigate actions of the executive branch
- have impeachment powers

- Supreme Court justices cannot be fired by the president
- may rule that a presidential action or law is unconstitutional

- president can veto laws Congress wants to pass
- president can make foreign treaties

**Executive Branch**

*enforce the laws*



- president appoints federal judges

The following test will help you prepare for your final constitution test. It has questions similar to ones you will find on your final. It is suggested you write your answers on a piece of paper so you can take the test a number of times. You will find the correct answers at the bottom of page 50.

### MATCHING - Three Branches of Government

Write the letter of the correct answer in the blank at the left.

- |   |                       |
|---|-----------------------|
| _____ 1. Has two houses                     | A. Executive Branch   |
| _____ 2. Is the court system of our country | B. Legislative Branch |
| _____ 3. Makes the laws                     | C. Judicial Branch    |
| _____ 4. Enforces the laws                  |                       |

### MATCHING - Congress

Write the letter of the correct answer in the blank at the left.

- |  |                                    |
|--|------------------------------------|
| _____ 5. Has a 6 year term                           | A. Senate                          |
| _____ 6. Meet in the Capitol Building                | B. House of Representatives        |
| _____ 7. Elected every two years                     | C. Both the Senate and House       |
| _____ 8. Has the Vice President as presiding officer | D. Neither the Senate or the House |
| _____ 9. Has 435 members                             |                                    |
| _____ 10. Approves or rejects treaties               |                                    |
| _____ 11. Passes bills they hope will become laws    |                                    |
| _____ 12. Has 100 members                            |                                    |

### MATCHING - Cabinet Responsibilities

Write the correct letter in the space to the left of the number

- |                                   |                                       |
|-----------------------------------|---------------------------------------|
| _____ 13. Chief legal officer     | A. Secretary of State                 |
| _____ 14. Manages Social Security | B. Secretary of Defense               |
| _____ 15. Carries out a war plan  | C. Secretary of Human Services        |
| _____ 16. Settling a strike       | D. The Attorney General               |
| _____ 17. Foreign affairs         | E. The Secretary of Labor             |
| _____ 18. Secret Service          | F. The Secretary of Homeland Security |

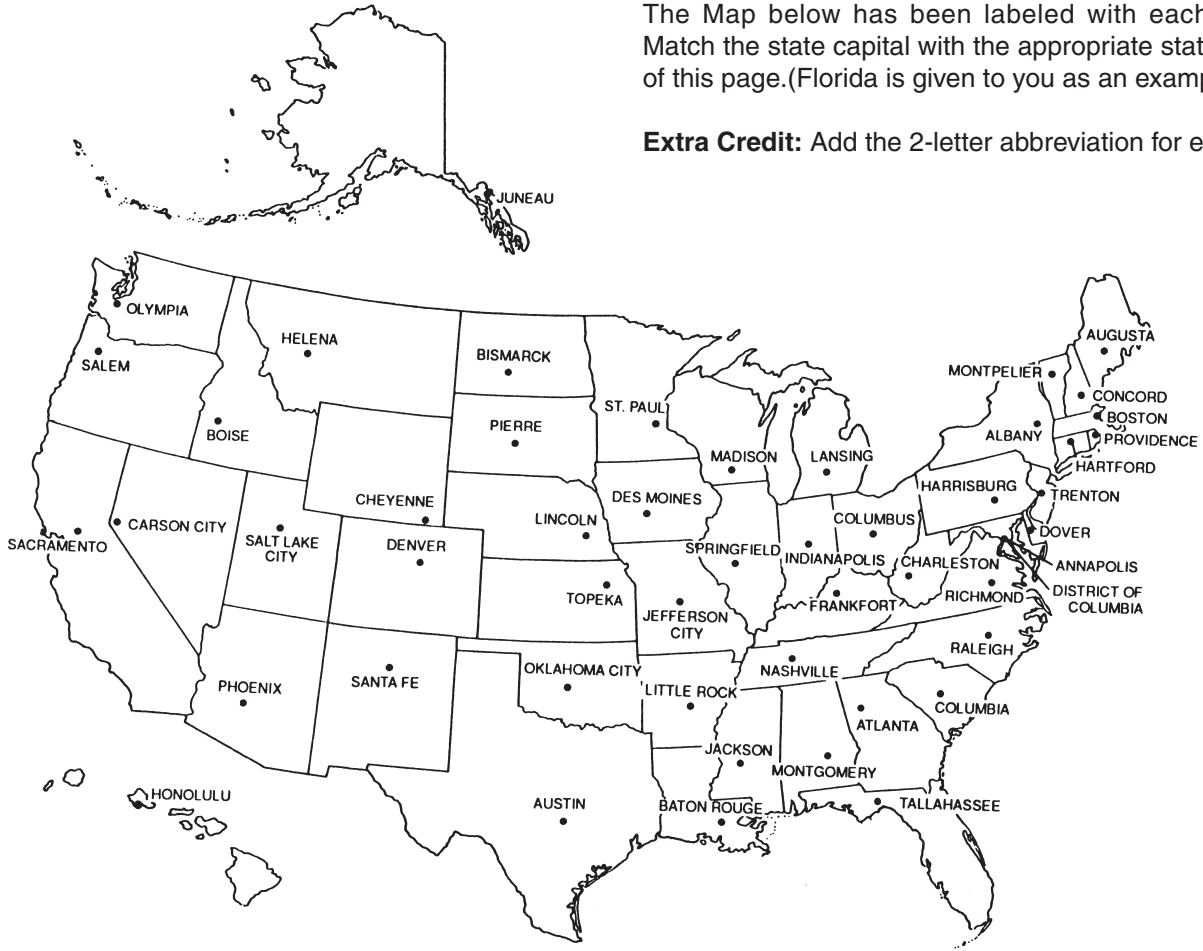
### TRUE OR FALSE?

Write a T or F in the space at the left of the question.

- \_\_\_\_\_ 19. The federal government can admit new states and federal territories.
- \_\_\_\_\_ 20. A quorum in the House of Representatives is a majority of its members plus one.
- \_\_\_\_\_ 21. Senators are elected by the vote of all the people in their state.
- \_\_\_\_\_ 22. Congress gets a new number each time a President is elected.
- \_\_\_\_\_ 23. One-third of the Senate is elected every two years.
- \_\_\_\_\_ 24. The largest U.S. state is Texas (in terms of population) receiving the most electoral votes.
- \_\_\_\_\_ 25. The Constitution allows for laws to be made on subjects that did not even exist in 1787.
- \_\_\_\_\_ 26. The original 13 colonies included Ohio.
- \_\_\_\_\_ 27. There are three methods of proposing new amendments to the Constitution.
- \_\_\_\_\_ 28. The latest election for President was held in 2002.
- \_\_\_\_\_ 29. Patrick Henry said, "Give me liberty or give me death."
- \_\_\_\_\_ 30. Our Constitutional Convention was held in Philadelphia in 1776.

The Map below has been labeled with each state capital. Match the state capital with the appropriate state at the bottom of this page. (Florida is given to you as an example)

**Extra Credit:** Add the 2-letter abbreviation for each state.



- Alabama \_\_\_\_\_
- Alaska \_\_\_\_\_
- Arizona \_\_\_\_\_
- Arkansas \_\_\_\_\_
- California \_\_\_\_\_
- Colorado \_\_\_\_\_
- Connecticut \_\_\_\_\_
- Delaware \_\_\_\_\_
- Florida Tallahassee FL
- Georgia \_\_\_\_\_
- Hawaii \_\_\_\_\_
- Idaho \_\_\_\_\_
- Illinois \_\_\_\_\_
- Indiana \_\_\_\_\_
- Iowa \_\_\_\_\_
- Kansas \_\_\_\_\_
- Kentucky \_\_\_\_\_
- Louisiana \_\_\_\_\_
- Maine \_\_\_\_\_
- Maryland \_\_\_\_\_
- Massachusetts \_\_\_\_\_
- Michigan \_\_\_\_\_
- Minnesota \_\_\_\_\_
- Mississippi \_\_\_\_\_
- Missouri \_\_\_\_\_

- Montana \_\_\_\_\_
- Nebraska \_\_\_\_\_
- Nevada \_\_\_\_\_
- New Hampshire \_\_\_\_\_
- New Jersey \_\_\_\_\_
- New Mexico \_\_\_\_\_
- New York \_\_\_\_\_
- North Carolina \_\_\_\_\_
- North Dakota \_\_\_\_\_
- Ohio \_\_\_\_\_
- Oklahoma \_\_\_\_\_
- Oregon \_\_\_\_\_
- Pennsylvania \_\_\_\_\_
- Rhode Island \_\_\_\_\_
- South Carolina \_\_\_\_\_
- South Dakota \_\_\_\_\_
- Tennessee \_\_\_\_\_
- Texas \_\_\_\_\_
- Utah \_\_\_\_\_
- Vermont \_\_\_\_\_
- Virginia \_\_\_\_\_
- Washington \_\_\_\_\_
- West Virginia \_\_\_\_\_
- Wisconsin \_\_\_\_\_
- United States \_\_\_\_\_