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Shortly after the Declaration of Independence was signed, the first attempt at a national or federal government was made. This attempt was named the *Articles of Confederation*, and it became the basic law for all the colonies during the Revolutionary War.

The Articles of Confederation acted as the first constitution of the United States. The Articles were drawn up by the Second Continental Congress and were in use until the Constitution was signed in 1787. The Articles were weak because the colonists were reluctant to give much power to a central government. This was because they feared that a new central government might be no better than the English king had been. The states themselves had governments at this time, most with state constitutions.

When it became necessary to have a national or federal government for conducting the Revolutionary War, the states made the government weak. The Articles were so weak that the government could not even pay its bills. It did have limited powers to make war or peace, but other powers were lacking. Robert Morris stated that getting money from the states was like “preaching to the dead.” To raise money, the central government could only ask the states for funds; it could not tax.

At the end of the Revolutionary War, the American government was in serious financial trouble. Soldiers who had served without pay were granted western land certificates instead of money, but most had to sell their certificates for money to live on. Farmers with large debts rebelled against the courts that were taking away their farms. An example of such a rebellion was the *Shays’ Rebellion* by farmers in Massachusetts. Jails were crowded with debtors. States were taxing each other harmfully and arguing about land claims to the West. Tariff laws were needed for business and industry. Prices soared and credit disappeared. It became increasingly evident that the only solution was a stronger central government.

### Weaknesses of the Articles

Listed below are weaknesses identified by the colonists:

- No national courts, only state courts.
- No power to tax.
- No real power to regulate commerce.
- All changes in the Articles had to be approved by all of the states.
- All important laws had to be approved by nine states.
- No real president, only a president of Congress who was like a chairman.

### Civil Rights & the Articles of Confederation

*Civil rights* are those rights that are considered to be unquestionable; deserved by all people under all circumstances, especially without regard to race, creed, color or gender. These personal rights are guaranteed and protected by the Constitution.

The fight for civil rights didn’t wait until the 1950s to happen. Some started as early as the Articles of Confederation! Paul Cuffee was a free black from Massachusetts. When he discovered he did not have the same property rights as whites, he refused to pay his taxes and was jailed. Cuffee later became a successful trader with his own fleet of ships and continued to fight for equal rights throughout his lifetime.

### QUESTIONS

**MATCH THE STATEMENT IN SECTION A WITH THE TERM IN SECTION B.**

#### A

- \_\_\_\_ 1. Started by farmers in Massachusetts who were losing their farms.
- \_\_\_\_ 2. Form of government during the American Revolution.
- \_\_\_\_ 3. Had to approve important acts under the Articles.
- \_\_\_\_ 4. Fear of this was in the minds of many American colonists in the 1780s.
- \_\_\_\_ 5. This power was lacking in the Articles of Confederation.

#### B

- a. states      b. Shays’ Rebellion      c. taxation
- d. strong central government      e. Articles of Confederation

**TRUE OR FALSE?** Write a **T** or **F** in the space provided.

- \_\_\_\_ 1. The Articles of Confederation acted as the first U.S. Constitution.
- \_\_\_\_ 2. The Articles were weak because of the fear of a strong central government.
- \_\_\_\_ 3. Shays’ Rebellion was carried out to support a weak central government.
- \_\_\_\_ 4. The Declaration of Independence was signed before the Articles of Confederation were written.
- \_\_\_\_ 5. The Articles were drawn up by the Second Continental Congress.
- \_\_\_\_ 6. Freedom from discrimination is considered an example of a civil right.

### SHORT ANSWER

Explain what Morris meant by his statement “preaching to the dead.” \_\_\_\_\_

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The Constitution consists of the Preamble, seven original articles, and 27 amendments. This summary will aid you in gaining an overview of the Constitution or as an index to finding the particular portion of the Constitution that you wish to study. You will find a copy of the entire Constitution in the back of your history book or in the library. Free copies of the federal Constitution and your state constitution are available from the secretary of state in your state capital or on the internet.

### The Seven Articles

The main body of the Constitution is the seven Articles. The Articles establish the branches of federal government and explain how the government works. The Articles are the guide to how the federal government interacts with the citizens, states, and people of the country.

**ARTICLE 1 — LEGISLATIVE BRANCH** - Outlines the legislative branch, lawmaking requirements for Congress, the elastic clause, and forbidden powers. It is the longest article in the Constitution.

**ARTICLE 2 — EXECUTIVE BRANCH** - Explains the presidential and vice presidential duties, terms of office, succession, impeachment, oath of office, and specific executive powers.

**ARTICLE 3 — JUDICIAL BRANCH** - Addresses the judicial powers of the United States, the Supreme Court and other courts, and specifics about judges. It also defines treason.

**ARTICLE 4 — STATES AND THE UNION** - Discusses how the states fit in with the plan of the federal government. It sets requirements for new states and requirements of the federal government in respect to states.

**ARTICLE 5 — AMENDMENTS** - This article outlines how to amend the Constitution.

**ARTICLE 6 — UNITED STATES CONSTITUTION SUPREME** - Makes it clear that the federal Constitution is the supreme law of the land.

**ARTICLE 7 — RATIFYING PROCEDURE** - Explains how the Constitution was ratified.

### How do we select government officials?

	CONGRESS		PRESIDENT	SUPREME COURT
	HOUSE	SENATE		
How Chosen	Elected	Elected	Elected	Appt. by President
Term of Office	2 Years	6 Years	4 Years	Life or Retirement
Age Req.	Minimum 25	Minimum 30	Minimum 35	None

\*As described in later units, this chart shows that the Constitution affects how elected officials are selected, the terms they serve, and the minimum age requirements.

### The 27 Amendments

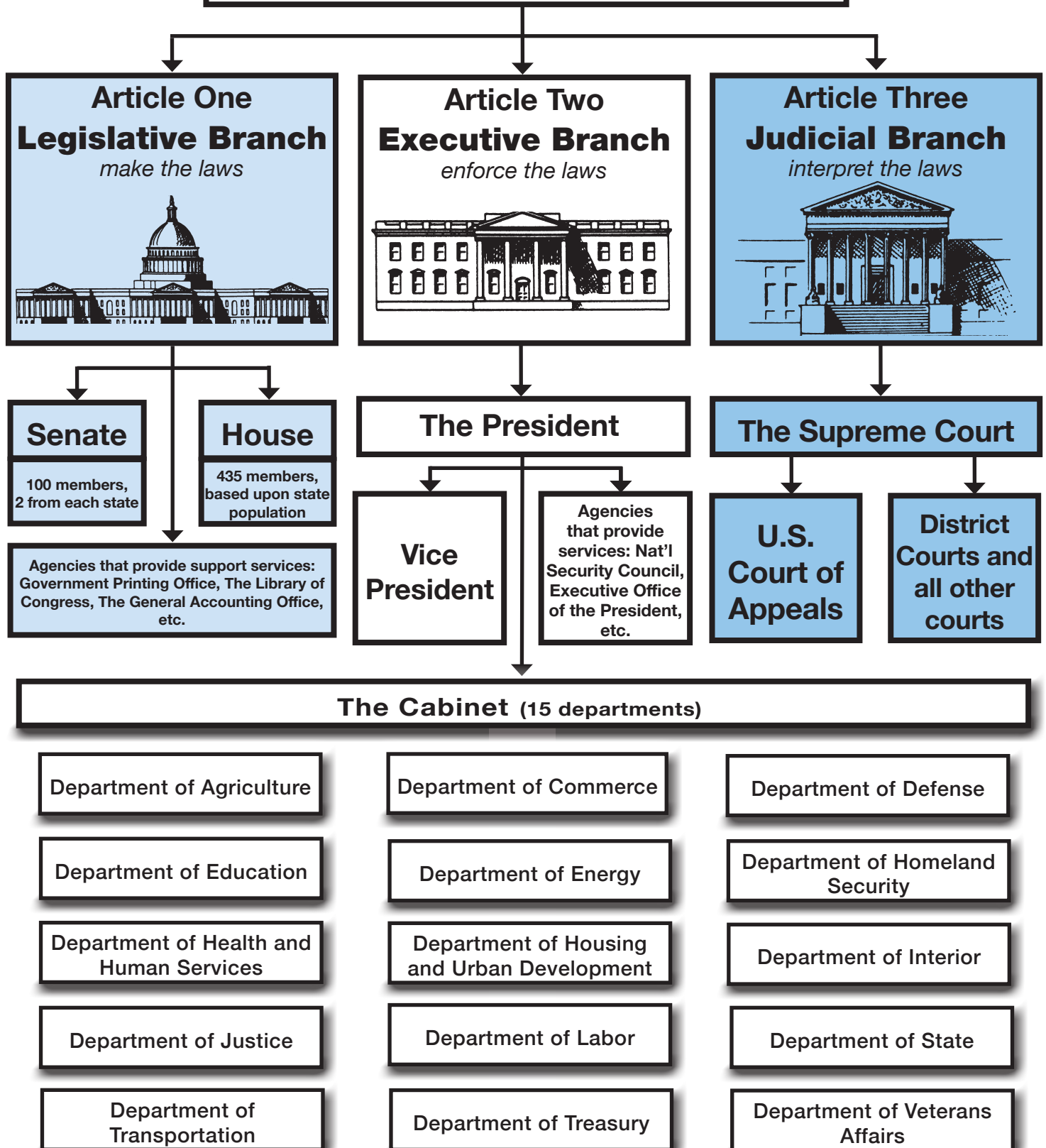
The first 10 amendments were adopted in 1791 and are known as the *Bill of Rights*. A summary of each additional amendment is preceded by the year it was adopted.

No.	Year Adopted	Summary
1st	Bill of Rights - 1791 - First 10 Amendments	Freedom of expression, religion, speech, press, assembly, and petition.
2nd		Protects the rights of individual citizens to keep and bear arms. Establishes a militia that is necessary for a free state.
3rd		Prohibits soldiers from temporarily residing (quartering) in private homes during peace time without getting the permission and consent of the owner.
4th		Protects people from unreasonable searches and seizures by the government.
5th		No person tried without the grand jury indictment or punished twice for same offense. Prohibits being a witness against yourself and guarantees due process of law.
6th		Rights of accused in criminal cases, including legal representation and a fair and speedy trial.
7th		Guarantees a trial by jury.
8th		Insures that punishments for crimes are not excessive, cruel, or unusual.
9th		People retain rights not listed in the United States Constitution.
10th		Power not given to the federal government is given to the people or states (very important for state government).
11th	1795	Individual cannot sue a state in federal courts.
12th	1804	Repeals part of Article 2, Section 1, of the Constitution. Electoral College must cast separate ballots for president and vice president. In 1800, there was difficulty when Thomas Jefferson and Aaron Burr received the same amount of votes in the Electoral College, even though the electors meant Burr's votes to be for the position of vice president. The election had to go to the House of Representatives where Jefferson won, thanks to support of Alexander Hamilton. This helps explain why Hamilton and Burr later dueled and Hamilton was killed.

**Students:** You are now ready to study the three branches of government as outlined below.

# The Constitution

## SETS UP THREE BRANCHES





## 2016 Presidential Election Results

On November 8, 2016, Republican Donald Trump was elected as the 45th President of the U.S. Trump defeated Democrat Hillary Clinton in a combative, highly emotional campaign. Trump teamed up with his vice presidential selection of Mike Pence, the governor of Indiana. Clinton teamed up with Tim Kaine, a U.S. senator from Virginia, and was trying to become the first U.S. woman president.

Mr. Trump is a real estate developer-turned-reality television star with little government experience. The Republican presidential nominee secured the necessary 270 electoral votes needed to win the White House. In doing so, Trump completed one of the biggest upsets in modern political history. His support ran through rural America and the battleground states of Florida, North Carolina, Iowa, and Ohio. Also, Trump won both Pennsylvania and Wisconsin, typically Democratic states.

As we have learned, a president can only serve two terms. Mr. Trump will be eligible to run again in 2020, as he would of have served only one term. President-elect Trump will assume the oval office on January 20, 2017.

## The Road to the Whitehouse

Americans pick their presidents and vice presidents from the candidates presented by the Democratic and

Republican parties. The Constitution does not mention political parties, although they have been in existence since the earliest days of the country.

In these presidential election years, the two parties will plan a separate political convention (meeting) with delegates from every state gathering. This will take place the summer before the November presidential election. There will be much ballyhoo, a variety of speeches, and visiting dignitaries, leading to the official selection of their candidate for president and vice president.

The responsibility of voters has increased with the growth of our country and government. Even if you are not of voting age, now is the time to get familiar with the process and the importance of voting. Students are the future of this country, and your vote determines the fate of policies and tactics of leaders.

## QUESTIONS

1. Name the winner of the 2016 Presidential Election.  
\_\_\_\_\_
2. Which political party lost the 2016 election? \_\_\_\_\_
3. What is the name of the meeting at which the political parties choose their candidate? \_\_\_\_\_
4. Which president was elected four times? \_\_\_\_\_

## Presidents of the United States

President Donald Trump is the 45th President of the United States. He is only the 44th person ever to serve as president; President Grover Cleveland served two nonconsecutive terms, and thus is recognized as both the 22nd and the 24th president. Today, the president is limited to two four-year terms, but until the 22nd Amendment to the Constitution, ratified in 1951, a president could serve an unlimited number of terms. Franklin D. Roosevelt was elected president four times, serving from 1932 until his death in 1945; he is the only president ever to have served more than two terms.

President	Term	Party	President	Term	Party
1. George Washington	1789-1797	None	23. Benjamin Harrison	1889-1893	Republican
2. John Adams	1797-1801	Federalist	24. Grover Cleveland	1893-1897	Democrat
3. Thomas Jefferson	1801-1809	Dem.-Rep.	25. William McKinley	1897-1901	Republican
4. James Madison	1809-1817	Dem.-Rep.	26. Theodore Roosevelt	1901-1909	Republican
5. James Monroe	1817-1825	Dem.-Rep.	27. William H. Taft	1909-1913	Republican
6. John Quincy Adams	1825-1829	Dem.-Rep.	28. Woodrow Wilson	1913-1921	Democrat
7. Andrew Jackson	1829-1837	Democrat	29. Warren G. Harding	1921-1923	Republican
8. Martin Van Buren	1837-1841	Democrat	30. Calvin Coolidge	1923-1929	Republican
9. William H. Harrison	1841	Whig	31. Herbert Hoover	1929-1933	Republican
10. John Tyler	1841-1845	Whig	32. Franklin D. Roosevelt	1933-1945	Democrat
11. James K. Polk	1845-1849	Democrat	33. Harry S. Truman	1945-1953	Democrat
12. Zachary Taylor	1849-1850	Whig	34. Dwight D. Eisenhower	1953-1961	Republican
13. Millard Fillmore	1850-1853	Whig	35. John F. Kennedy	1961-1963	Democrat
14. Franklin Pierce	1853-1857	Democrat	36. Lyndon B. Johnson	1963-1969	Democrat
15. James Buchanan	1857-1861	Democrat	37. Richard M. Nixon	1969-1974	Republican
16. Abraham Lincoln	1861-1865	Republican	38. Gerald R. Ford	1974-1977	Republican
17. Andrew Johnson	1865-1869	Democrat	39. Jimmy Carter	1977-1981	Democrat
18. Ulysses S. Grant	1869-1877	Republican	40. Ronald Reagan	1981-1989	Republican
19. Rutherford B. Hayes	1877-1881	Republican	41. George Bush	1989-1993	Republican
20. James A. Garfield	1881	Republican	42. William Clinton	1993-2001	Democrat
21. Chester A. Arthur	1881-1885	Republican	43. George W. Bush	2001-2009	Republican
22. Grover Cleveland	1885-1889	Democrat	44. Barack Obama	2009-2017	Democrat
			45. Donald Trump	2017-	Republican

## Want To Do What Few Can?

Your author estimates that not more than one person in 10,000 can recite the Presidents of the United States. Do you want to be in the upper 1/100th of 1 percent of Americans? Memorize this list and hope you are on the quiz program that asks: "For a million dollars, name the Presidents of the United States!"

## Population and Government

As you have learned from the federal section, each state gets at least one representative and exactly two senators. Because of its population, Illinois gets 18 representatives in the United States House of Representatives in Washington, DC. The state is divided into 18 districts, each with one representative (called *Congressional Districts*). The two U.S. senators serve the state *at large*, meaning they serve the entire state without having their own district.

## Illinois Map Exercise

1. On the map, identify the states that border Illinois.
2. On the map, identify and show the locations of Chicago, Rockford, Springfield, and Peoria.
3. On the map, identify and show the location of your hometown with a star.
4. On the map, identify the Mississippi and Ohio rivers.
5. Shade your county lightly and identify the county seat.
6. Identify the directions: north, south, east, and west on the map.



## State Seal Exercise

Below is a reproduction of the official *Great Seal of Illinois*. This basic design was first conceived the year that Illinois gained statehood. Research the Great Seal and answer the following questions:

1. What does the date on the bottom arc of the seal represent? \_\_\_\_\_
2. What does the year 1868 represent? \_\_\_\_\_
3. How many stars and stripes on the shield? \_\_\_\_  
What does this represent? \_\_\_\_\_
4. What do the words represent that are on the banner held in the beak of the eagle? \_\_\_\_\_  
\_\_\_\_\_



*"The judicial power is vested in a Supreme Court, and Appellate Court, and Circuit Courts."* — Illinois Constitution Article VI

The judicial branch of government in Illinois administers justice and interprets the laws. It is composed of a system of courts.

### Circuit Courts

Circuit courts are the *general trial courts*. In these courts, cases are heard, and judgments are made. The constitution says that this court has jurisdiction, "...of all justiciable matters..." Most of the work on the state court system takes place in these courts.

Circuit court judges are elected by the voters for six-year terms. There are appointed associate circuit court judges, and they have four-year terms. The number of judges is provided by law.

### Appellate Court

This court hears appeals from the circuit courts. The appellate court is organized into five districts. The first meets in Chicago, the second in Elgin, the third in Ottawa, the fourth in Springfield, and the fifth in Mt. Vernon. The judges serve 10-year terms, and the number of judges is provided by law. A panel of three judges hears the appeal and makes a ruling.

### Supreme Court

The Supreme Court has original jurisdiction in the following cases: revenue, mandamus, and habeas corpus. Otherwise, it is simply the final court of appeal on all other state matters that come from the circuit court on appeal. The judges are elected by the people to serve 10-year terms. There are seven Supreme Court judges: three from the First Judicial District and one each from the second, third, fourth, and fifth districts. The seven justices select one of their members to act as chief justice for a three-year term. A *quorum* of four justices is required for the transaction of court business, and there must be agreement among at least four justices on any decision or opinion rendered by the court.

### Re-election of Judges

Once judges have been elected, they may run for re-election on their records, without opposition. In these cases, voters simply vote yes or no on their retention. If three-fifths say yes, the judge gets another term. If three-fifths approval is not obtained, the judge must be replaced.

### Districts

Much of the state judicial organization and provisions are too complex to be given here. However, the most important facts are found above, and the organizing of districts is quite basic. The state is divided into five judicial districts. The First Judicial District is Cook

County, and the remainder of the state is divided into four districts of approximately equal population.

### Qualifications

All judges must be citizens, licensed attorneys of the state and residents of the districts from which they were elected. Judges must devote full time to their judicial duties and may not engage in law practice or hold another office, including offices in political parties. Judges can be disciplined by a Judicial Board of Inquiry and a Courts Commission. All courts of the state are under the supervision of the chief justice of the Illinois Supreme Court.

### Visiting a Court

While all details of the state court system are complex, you can learn a lot about your state court system by visiting a local court. A circuit court is located not far from your home and probably has hours that would allow you to watch the proceedings of some of the cases that come before it. The *Illinois Blue Book* in your school or town library will give you more details on the courts, if you should want to do further research.

### QUESTIONS

**MULTIPLE CHOICE** - Circle the letter of the correct answer.

- Which of the following is not a state court?  
a. District Court                      b. Supreme Court  
c. Appellate Court                  d. Circuit Court
- The judges with the shortest terms are:  
a. Supreme Court                      b. Appellate  
c. Circuit                                  d. District
- The state is divided into how many judicial districts?  
a. one                      b. three                      c. five                      d. 50
- How are judges usually selected?  
a. by the governor                      b. by General Assembly  
c. by the people                          d. by lot
- Most of the state's court cases would take place in the following court:  
a. Circuit                                  b. Appellate  
c. Supreme                                  d. District

### SHORT ANSWER

- What are the qualifications for judges in Illinois?

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- What are three types of courts in Illinois?

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**MATCHING.** The brief description in **Column A** should be matched with the correct response from **Column B**.

**Column A**

- \_\_\_\_\_ 25. Must be 25 years old or older
- \_\_\_\_\_ 26. Are appointed by the governor
- \_\_\_\_\_ 27. Declare laws unconstitutional
- \_\_\_\_\_ 28. Have lawmaking responsibilities
- \_\_\_\_\_ 29. They are elected by the people
- \_\_\_\_\_ 30. Have 118 members and 118 districts
- \_\_\_\_\_ 31. Have 59 members and 59 districts
- \_\_\_\_\_ 32. Are parts of the General Assembly
- \_\_\_\_\_ 33. Has speaker for chief officer
- \_\_\_\_\_ 34. Has governor as chief officer
- \_\_\_\_\_ 35. Their term is two years
- \_\_\_\_\_ 36. Their term is four years
- \_\_\_\_\_ 37. Begin impeachment proceedings
- \_\_\_\_\_ 38. Receives no salary
- \_\_\_\_\_ 39. Has women members
- \_\_\_\_\_ 40. They meet in Springfield

**Column B**

- A. Illinois House of Representatives
- B. Illinois Senate
- C. Neither
- D. Both

**TRUE OR FALSE?** Write a **T** or **F** in the space provided.

- \_\_\_\_\_ 41. Both the Illinois Constitution and the United States Constitution have bills of rights.
- \_\_\_\_\_ 42. The Illinois governor is commander-in-chief of the state militia.
- \_\_\_\_\_ 43. Illinois became a state in 1848 and was the 21st state.
- \_\_\_\_\_ 44. Foreign affairs is one of the duties of state government.
- \_\_\_\_\_ 45. Our governor must be 40 years old or older.
- \_\_\_\_\_ 46. Due to a new law, you can now vote in primary elections at age 17.
- \_\_\_\_\_ 47. There are 102 counties in Illinois.
- \_\_\_\_\_ 48. The 10th Amendment of the U.S. Constitution recognizes the power of states.
- \_\_\_\_\_ 49. The biggest item in state spending is for highways.
- \_\_\_\_\_ 50. Most of the Illinois court cases would take place in the circuit courts.

This is the end of your Illinois Constitution self-test. Please take the following steps:

1. Correct your test by using the answers below.
2. Any mistakes you have should have made should be reviewed, corrected, and studied.
3. You should take the test over, paying special attention to any previous incorrect answers.

Your number of correct answers: \_\_\_\_\_

Your number of incorrect answers: \_\_\_\_\_

Total = 50

**Answers:** 1. C 2. A 3. B 4. B 5. C 6. A 7. A 8. Governor 9. Lt. Governor 10. Mississippi 11. Supreme Court 12. referendums 13. answer will vary 14. 2020 (then 2024) 15. 60 16. 4 17. the Governor 18. Secretary of State 19. Attorney General 20. voters 21. Primary Election 22. Springfield 23. 3 24. 3/5 25. C 26. C 27. C 28. D 29. D 30. A 31. B 32. D 33. A 34. C 35. A 36. B 37. A 38. C 39. D 40. D 41. T 42. T 43. F 44. F 45. F 46. T 47. T 48. T 49. F 50. T