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In the months after the Declaration of Independence was signed, Congress wanted to continue to unite the former colonies. The first attempt at a national or federal government came in the form of the *Articles of Confederation*. The Articles, adopted by the Second Continental Congress in 1777, were not ratified by all the states until 1781.

The Articles of Confederation acted as the first constitution of the United States. The Articles 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. The colonies 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



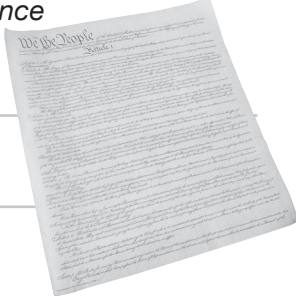
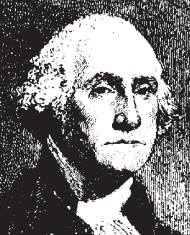
TRUE OR FALSE? Write a **T** or **F** in the space provided.

- ___ 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.” _____

Listed below is 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 <i>Sons of Liberty</i> are formed. Laws such as the <i>Quartering Act</i> , <i>Stamp Act</i> , and <i>Sugar Act</i> 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 <i>Townshend Act</i> , except the tax on tea. <i>Boston Massacre</i> 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 <i>Boston Tea Party</i> occurs.	
1774	In response to the Boston Tea Party, the Parliament passes several acts to punish Massachusetts. Twelve of the 13 colonies name delegates to a congress, The First Continental Congress. On September 5th, they meet 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 <i>Minutemen</i> . An unidentified shot triggers the <i>Battle at Lexington</i> . This starts the American Revolution and also leads to another famous battle, <i>Bunker Hill</i> .	
1776	On July 4th, The Second Continental Congress adopts the <i>Declaration of Independence</i> (written by Thomas Jefferson and a committee). A few days later the <i>Liberty Bell</i> is rung in Philadelphia to call the people to the first public reading of the Declaration.	
1781	The <i>Articles of Confederation</i> are adopted by the states.	
1787	On May 14th, The Constitutional Convention meets in Philadelphia and lasts until September 17th. Here the delegates reviewed and approved the Constitution.	
1788	Nine states ratify the Constitution, and it is put into effect (the remaining four states will ratify by 1790). 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 10 amendments (<i>Bill of Rights</i>) are adopted by Congress.	

QUESTIONS

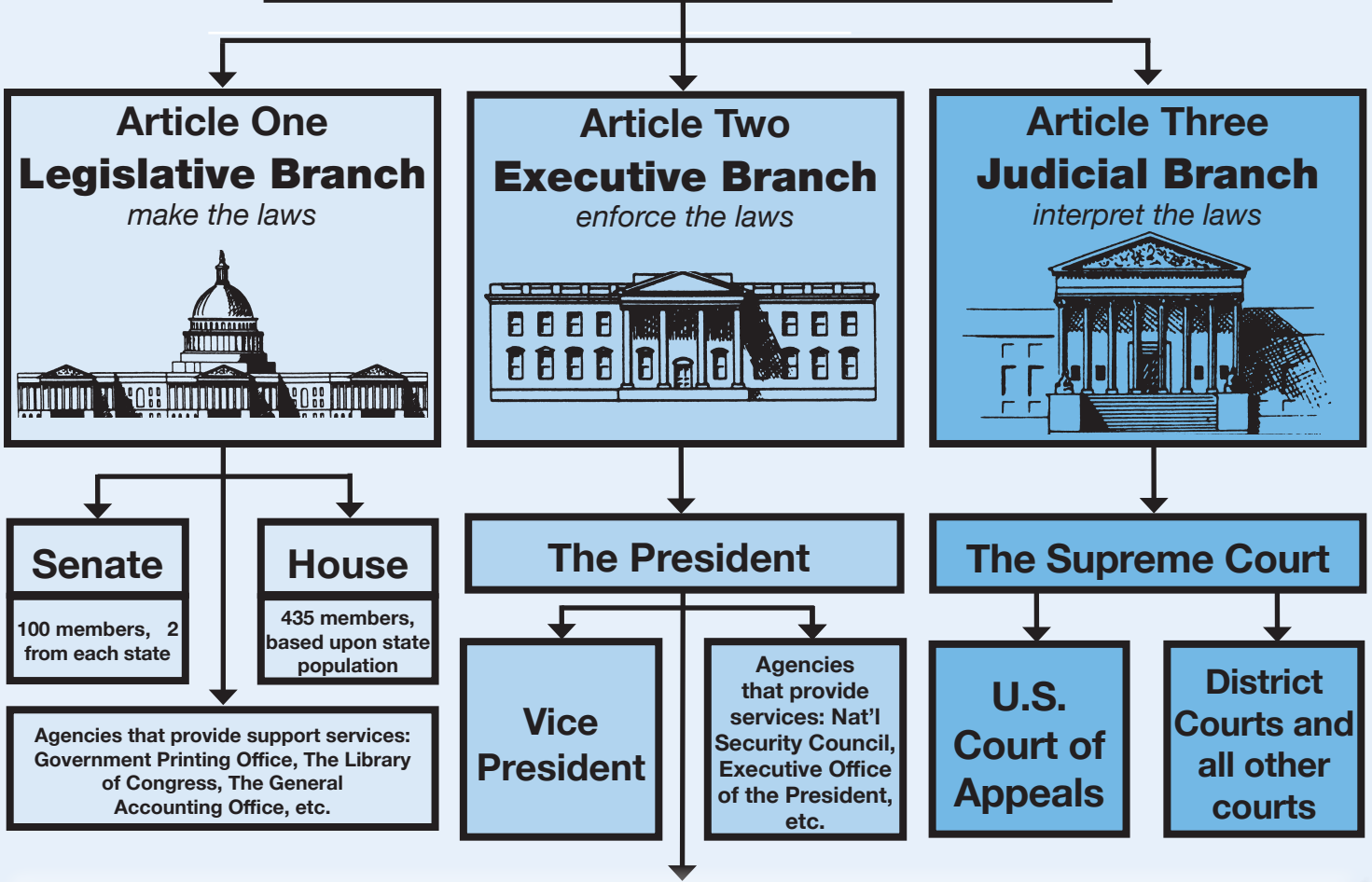
TRUE OR FALSE? Write a **T** or **F** in the space provided.

- ___ 1. The Minutemen 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 Congress in 1789.

PUT THE EVENTS IN ORDER. Select the correct chronological order for the following events, with the first event being the oldest.

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 nine 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 ___ ___ ___
5. **a.** Bill of Rights adopted **b.** First Continental Congress is held **c.** Liberty Bell is rung ___ ___ ___

The Constitution SETS UP THREE BRANCHES



The Cabinet (15 departments)

- | | | |
|---|---|---------------------------------|
| Department of Agriculture | Department of Commerce | Department of Defense |
| Department of Education | Department of Energy | Department of Homeland Security |
| Department of Health and Human Services | Department of Housing and Urban Development | Department of Interior |
| Department of Justice | Department of Labor | Department of State |
| Department of Transportation | Department of Treasury | Department of Veterans Affairs |

“Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes law, be presented to the President of the United States...” — United States Constitution

Powers to make laws are given to Congress, consisting of the Senate and House of Representatives. A description of these powers can be found in Article 1 of the Constitution.

In both houses of Congress, no business may be transacted without a *quorum*. A quorum in each house is a majority of its members. A majority is one-half plus one.

How a Bill Becomes Law in Congress

Bills, a term for proposed laws, may start in either house of Congress (Please refer to more of the lawmaking process on Pages 21, 22 and 24). However, bills for revenue must begin in the House of Representatives (see Article 1, Section 7). After a bill is introduced, it is given a number and usually referred to a *special committee*. There are 16 Senate committees and 24 House committees, plus four special or select Senate committees.

In a committee, detailed studies are made of the bill, and hearings may be held. A committee may amend, rewrite, recommend passage, or ignore a bill. It is possible to pass some bills without committee approval, but this seldom happens. Some people feel these committees are too powerful and may keep members of Congress from considering certain laws. Committees are necessary, however, and rules controlling their behavior and power are determined by Congress.

Thousands of bills are introduced during a session of Congress. Four out of five of these bills have little

or no chance of being passed into law. Bills that seem unimportant to the committees are ignored. The bills that are taken seriously may have public hearings. After the committee finishes with a bill, it is reported to the Senate or House favorably or unfavorably. The entire Senate or House then votes on the bill.

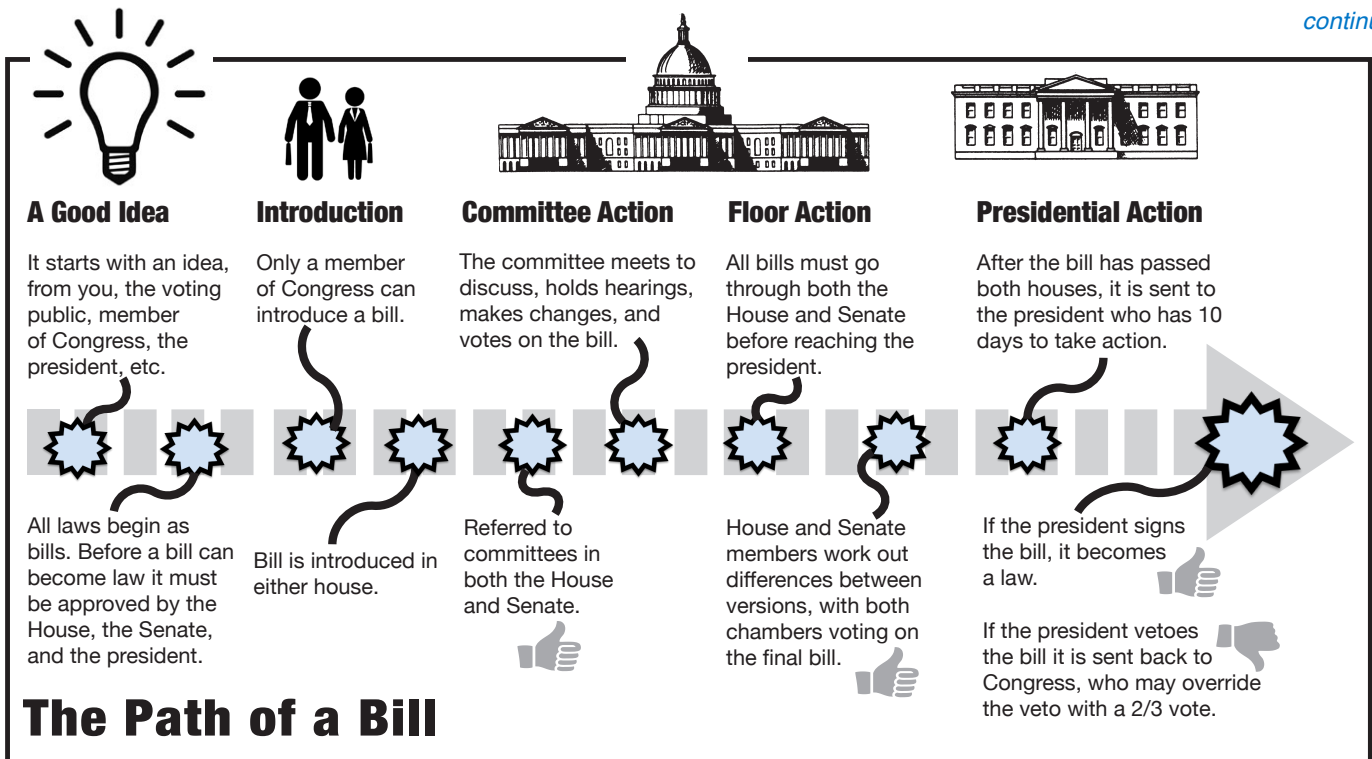
The bills that come from committees are put on a calendar and voted on according to a schedule. Changes to the bill may be made, and then the final vote is taken. The bill is sent to the other house of Congress if the vote is favorable.

In the other house of Congress, the same type of procedure is followed. If the other house passes the bill, but with changes, a joint committee from both houses is set up to work out a *compromise bill*.

After the bill has passed both houses, it is sent to the president, who may either sign or veto it. This particular duty is found in Article 1, Section 7, of the Constitution. If the president signs the bill, it becomes another law of our land. If the president does not sign the bill, but vetoes it, the two houses of Congress may try to override the president’s veto by a two-thirds vote in each house. Very few bills are passed this way.

If the president does not act at all, the bill becomes a law automatically in 10 days, providing Congress is still in session. If Congress adjourns before the 10-day period is up and the president has not acted on the bill, it is automatically vetoed. This is called a *pocket veto*.

continued



QUESTIONS

FILL IN THE BLANKS / SHORT ANSWER

1. In Congress, where are bills sent for consideration?

2. What is the president’s role in lawmaking?

3. What is a pocket veto? _____
4. Which group of Congress has more members, the Senate or House? _____
5. After a bill has passed the two houses of _____, it is sent to the _____.

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

- ___ 1. The Congress vetoes laws.
- ___ 2. The Supreme Court helps in making laws.
- ___ 3. Bills may start in either house of Congress.
- ___ 4. Revenue bills start in the Senate.
- ___ 5. A three-fourth vote is necessary for Congress to override a president’s veto.
- ___ 6. The president can declare laws unconstitutional.
- ___ 7. Lobbies are illegal in Washington, D.C.

- ___ 8. After a law is passed, if it is in conflict with the Constitution, it can be made void by the Supreme Court.


WHICH BRANCH? Answer **Executive (E)**, **Legislative (L)**, or **Judicial (J)** branch.

- ___ 1. Makes the country’s laws.
- ___ 2. Enforces the country’s laws.
- ___ 3. Tries cases under the laws.
- ___ 4. Is the court system of the country.
- ___ 5. Has two houses.
- ___ 6. The president is the head of this branch.
- ___ 7. The Supreme Court is the chief body.
- ___ 8. Members are not elected.
- ___ 9. Uses pocket veto.
- ___ 10. Uses joint committees.

LAWMAKING BY THE NUMBERS. Choose the correct number from the number bank that matches the statement.

Number Bank: 1/2, 2/3, 1, 2, 4, 6, 8, 10, 50, 100, 435

- ___ Lawmaking is in this Article of the Constitution.
- ___ President has this many days to take action.
- ___ Number of U.S. senators in Congress.
- ___ Number of U.S. representatives in Congress.
- ___ A U.S. representative’s term in years.
- ___ Fraction of votes Congress needs to override a veto.

LEARNING AID		LEGISLATIVE BRANCH FACT SHEET	
Main Body	Congress, consisting of a Senate and House of Representatives		
Membership	Senate: 100 House of Representatives: 435		
Terms of Office	Senate: 6 years House of Representatives: 2 years		
Salaries	Senate: \$174,000 majority and minority leaders, president pro tempore: \$193,400 House of Representatives: \$174,000 speaker of the House: \$223,500		
Requirements	Senate: 30 years old, a citizen for 9 years, resident of the state represented. House of Representatives: 25 years old, a citizen for 7 years, resident of the state represented.		
Officers	Senate: president of the Senate (Vice President of the United States), president pro tempore, majority leader, minority leader. House of Representatives: speaker of the House, majority leader, minority leader.		
Meeting Place	Capitol Building, Washington, D.C.		
Duties	Main duty of the legislative branch is to make laws. Senate: Pass bills, decide guilt of impeached federal officers, approve presidential appointments, approve treaties. House of Representatives: Pass bills, charge federal officers in impeachment cases, select president when no candidate has a majority in the Electoral College, start all revenue bills. Joint Duties: Raise, borrow, and coin money; have defense powers; control immigration; grant copyrights and patents; control commerce; govern Washington, D.C.; investigate executive branch. Forbidden Powers: No ex post facto laws, no suspension of habeas corpus, no tax on exports, no title of nobility, no bill of attainder, no mid-term pay raises.		
Article Number	Article 1 of the U.S. Constitution		

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 a 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 and may grant pardons or reprieves for those convicted in court.

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 and 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.

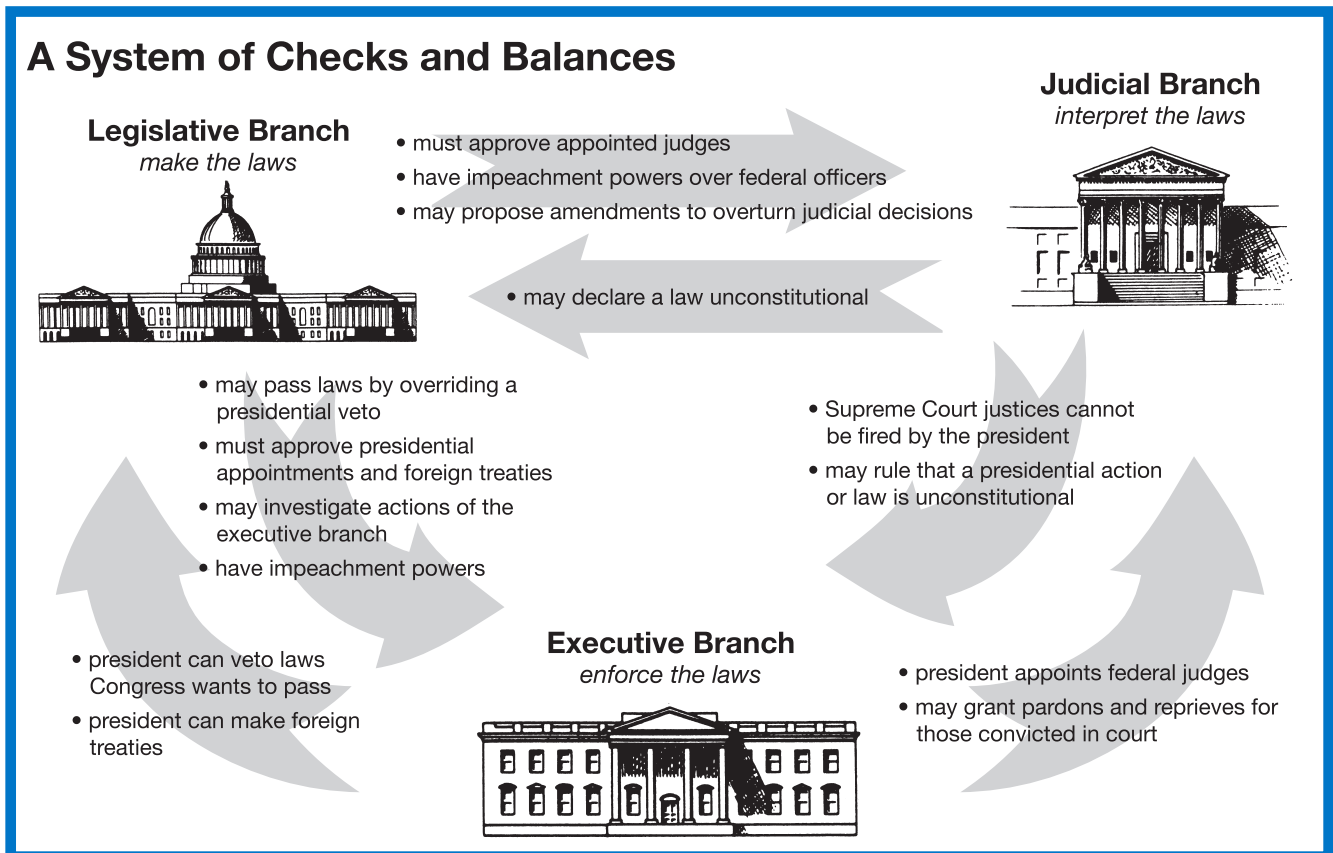
Judicial over the executive branch: Supreme Court justices cannot be fired by the president.

There are other checks and balances in the American government besides those between branches of government. They include:

Checks in Congress

The Senate and House can check each other by rejecting bills passed by the other. The House has the added check of sole power to start revenue bills.

continued



As we have learned, Ohio's journey to statehood dates back to the *Ordinance of 1787* and the creation of the *Northwest Territory*. As America began to expand westward, the Northwest Territory was an important governmental region established within the early United States. The area encompassed what is now Ohio, Indiana, Illinois, Michigan, Wisconsin, and a part of Minnesota.

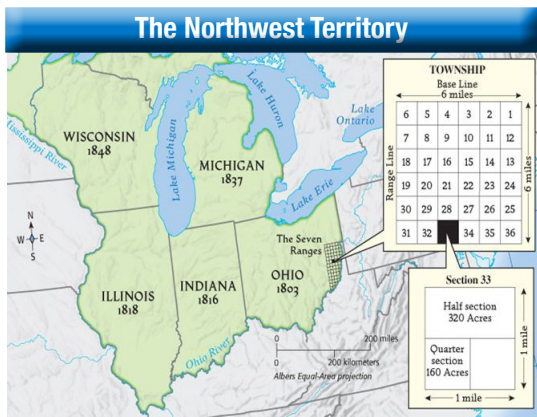
Westward Expansion

The *Treaty of Paris*, signed on September 3, 1783, between the American colonies and Great Britain, ended the American Revolution and formally recognized the United States as an independent nation. Two important provisions of the treaty were British recognition of U.S. independence and gaining all territory between the Allegheny Mountains on the east and the Mississippi River on the west. Now the challenge for our leaders in the United States was to develop the process for settlement and division of the Northwest Territory.

The *Northwest Ordinances*, also called the *Ordinances of 1784, 1785, and 1787*, gave the United States this orderly and equitable procedure for settlement. The Northwest Ordinance of 1787 was the most important of the three acts. It was the basis for the government of the Northwest Territory and allowed for the creation of at least three but not more than five states.

The Northwest Ordinance of 1787 established a three step process for statehood:

1. Settlers come to a territory, and a governor is appointed.
2. Once the population totaled 5,000 free adult males who owned at least 50 acres of land, then they could establish their own government.
3. Once the population grew to 60,000, the territory could then apply Congress for statehood with its government and constitution.



These five states were the result of the process for dividing up this region; the land was divided into townships six miles wide by 6 miles long, then divided again into 36 one-mile square sections that were intended for farms. You can still see this checkerboard pattern when you fly across the country on a clear day.

Ohio Becomes a State

In November 1802, 35 delegates convened to draft an Ohio state constitution. This was the final requirement under the Northwest Ordinance. Thomas Worthington carried the document to Washington, D.C. and formally presented the Constitution to Congress on December 22, 1802. Ohio was the first state to be formed from the Northwest Territory, officially becoming the 17th state of the United States of America on March 1, 1803.

The established ordinances were considered the most significant accomplishment of the Articles of Confederation; as it not only developed a process for admitting new states to the Union but also mandated that new states meet the following principles:

- *had to guarantee basic rights to the people, including religious freedom, the writ of habeas corpus, and trial by jury;*
- *outlawed slavery in this new land;*
- *encouraged education, allocating land for that purpose;*
- *good faith must be used when dealing with Native Americans (which was difficult as many Indians did not consent to American control leading to such battles as the Battle of Fallen Timbers).*

The states in the Northwest Territory would be equal to the original 13 states. They would have the same representation, which at the time gave each state two representatives in the Senate and one representative in the House for every 30,000 residents.

Reading the Northwest Ordinance

You can read the entire Northwest Ordinance at www.ourdocuments.gov along with viewing a high-resolution copy of the two pages from the original document. Within the 14 sections and six articles, you will find the wording of the document that was summarized in this unit.

QUESTIONS

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

- ___ 1. Illinois was another state that was formed from the Northwest Ordinance.
- ___ 2. Michigan became a state before Ohio.
- ___ 3. The creation of a state constitution occurred after being admitted to the Union.
- ___ 4. Slavery was outlawed in the new states formed from Northwest Territory.
- ___ 5. The original 13 colonies had more authority than the five newly established states.

EVENTS IN ORDER. Write the numbers **1-4**, indicating which historical events related to Ohio and the Northwest Ordinance happened **first, second, third, or fourth**.

- _____ Northwest Ordinance is established
- _____ Ohio's first constitution is written
- _____ Treaty of Paris was signed
- _____ Articles of Confederation were ratified

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, Ohio gets 16 representatives in the United States House of Representatives in Washington, DC. The state is divided into 16 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.

Ohio Map Exercise

1. On the map, identify the states that border Ohio.
2. On the map, identify and label your state capital.
3. On the map, identify and show the locations of Cincinnati, Cleveland, Toledo, and Akron.
4. On the map, identify and show the location of your hometown with a star.
5. On the map, identify Lake Erie.
6. Shade your county lightly and identify the county seat.
7. Identify the directions: north, south, east, and west on the map.

State Seal Exercise

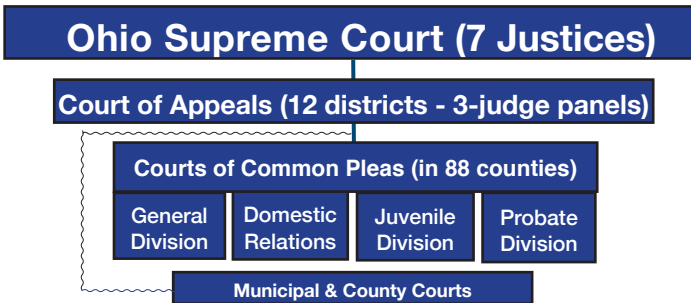
Below is a reproduction of the official *Great Seal of Ohio*. In an attempt to reign in the design of the seal, the Legislature officially adopted Ohio's modern version in 1967, modifying it again in 1996. Research the "Great Seal" and answer the following questions:

1. How many sunrays are on the seal? ____ What do they represent? _____
2. What is the crop shown and what does it represent? _____
3. What does the 17 arrows represent? _____
4. What is the name of the river on the seal? _____



“The judicial power of the state is vested in a Supreme Court, Courts of Appeals, Courts of Common Pleas, and such other courts inferior to the Supreme Court as may from time to time be established by law...” —Ohio Constitution Article 4.

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



Ohio Supreme Court

There are seven justices on the Supreme Court, one of them is called the *chief justice*. This court is the final court of appeal. These judges are elected for six-year terms. Most of the court’s work is reviewing the work of the lower courts and upholding or overturning decisions made there. There are a few special and important matters that would come directly to the Supreme Court (or to the Court of Appeals.)

Court of Appeals

The *Court of Appeals* and the *Supreme Court* are different from the Courts of Common Pleas in that most of their work is hearing appeals from lower courts and they do not hear many cases directly. So they are mainly “appeal” courts. There are 12 court of appeals districts in the state of Ohio, with three to six judges in each. The judges are elected to six-year terms. No matter how many judges are on each court, three judges hear any case coming before the court. A vote is taken, with two of the three required to reverse any decision from a lower court. If their decision would change a jury trial decision of the lower court, all three judges must approve the change.

Courts of Common Pleas

Courts of Common Pleas deal with both civil and criminal cases when the municipal or county courts do not have jurisdiction. Each county can have a Court of Common Pleas with a varying number of judges, and, since a 1973 amendment, counties can join to form a district for sharing a Court of Common Pleas. Much of the judicial work of the state takes place in these courts. The judges are elected to six-year terms. Important divisions in the Courts of Common Pleas include the Probate Division, Division of Domestic Relations, and the Juvenile Court.

Municipal and County Courts

The state constitution also authorizes county and municipal courts to take care of judicial matters in those areas. There are a few other minor courts in the state. Where the amount of money in question is low (usually \$5,000 or less) or where the matters involve local criminal or civil questions, the *municipal court* or *county court* takes up the case rather than the Court of Common Pleas.

Qualifications

The constitution states that the salaries of judges cannot be reduced during their term of office. Judges must retire at age 70. Judges cannot hold another federal or state office during their term. The Supreme Court makes rules for all the courts in the state, and the Chief Justice has the power to remove any judge who does not follow the legal rules of the court system.

Visiting a Court

While all the details of the state court system are complex, one can learn a lot about the state court system by visiting a local court. One of the courts of the state is located not far from your home and probably has hours that would allow you to watch the proceedings. Books in your school or local library may give you additional information about Ohio courts.

State vs. Federal Courts

On Page 36 you learned about the federal court system. Now you have learned about the state court system. The fact that there are two levels of court systems should not confuse you if you remember that each has a different task. The federal court system takes care of national judicial matters, and the state of Ohio court system takes care of matters within Ohio.

QUESTIONS

MULTIPLE CHOICE- Circle the letter of the correct answer.

- Which of these is NOT an appeals court?
 - Supreme Court
 - Court of Appeals
 - Courts of Common Pleas
- How many districts in the Courts of Appeals?
 - 1
 - 10
 - 11
 - 88
- How many judges on the Supreme Court?
 - 3
 - 7
 - 11
 - 88
- How long is the term for judges?
 - 7 years
 - 6 years
 - 11 years
 - 4 years
- Minimum vote necessary for the Court of Appeals to change a lower court jury decision?
 - 1
 - 2
 - 3
 - 11
- Retirement age for judges?
 - 55
 - 65
 - 68
 - 70
- How many other state or federal offices may an Ohio judge hold?
 - 0
 - 1
 - 2
 - 3
- How many Courts of Common Pleas?
 - 1
 - 23
 - 48
 - 88
- Who can remove a judge for not following rules?
 - chief justice
 - no one
 - any other judge
 - the governor

The following test will help you prepare for your final state unit 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 72.

Hard work on this page will assure you of a better grade on your final exam. Be sure to look up any answers you don't understand or see your teacher for an explanation.

MATCHING. Match the person or body in **Column A** with the correct branch of state government in **Column B**. Put the letter of the correct answer in the space provided.

Column A

- _____ 1. The Ohio Governor
- _____ 2. The Ohio House of Representatives
- _____ 3. The Ohio State Supreme Court
- _____ 4. Courts of Common Pleas
- _____ 5. Lieutenant Governor
- _____ 6. Ohio State Senate
- _____ 7. Treasurer of State

Column B

- A. The Legislative Branch
- B. The Judicial Branch
- C. The Executive Branch

FILL IN THE BLANKS. Write the correct answer in the space provided.

- _____ 8. Who can veto a bill passed by the General Assembly?
- _____ 9. If the governor dies, who becomes governor?
- _____ 10. The river that makes up the southern border of Ohio.
- _____ 11. The highest court in Ohio.
- _____ 12. Voters not only vote for state officials, they sometimes vote on public issues or questions. What are those types of elections called?
- _____ 13. The governor of Ohio.
- _____ 14. The next presidential election in Ohio will be in what year?
- _____ 15. How many days does the governor have to consider a bill from the General Assembly?
- _____ 16. How many constitutions has Ohio had?
- _____ 17. Who may call special sessions of the General Assembly?
- _____ 18. The executive branch officer that is the chief election officer of the state.
- _____ 19. Who is the chief legal officer of the state of Ohio?
- _____ 20. How are Ohio judges selected?
- _____ 21. Name the election used to select candidates for the general election.
- _____ 22. The capital of Ohio.
- _____ 23. How many branches of government in Ohio?
- _____ 24. If the General Assembly wishes to pass a bill over a veto, what fractional vote is necessary?

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