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## Problems and Compromises

The first major difficulty that the convention had to face was the struggle for power between the small states and the large states. The *Virginia Plan*, submitted by James Madison, proposed two houses of Congress based on population. In that way, the large states would control the government. Also, these houses would appoint other important government officers, and, therefore, the large states would be in control of the entire government.

On the other hand, the small states proposed the *New Jersey Plan*, which would have made one house of Congress. This was also known as the *Small State Plan* and was presented at the Philadelphia Convention by William Paterson. All the states would be represented equally regardless of size. Other provisions would have made the new Constitution much like the Articles of Confederation.

A compromise was reached (sometimes referred to as the *Great or Connecticut Compromise*). The new government would have two houses of Congress. In the House of Representatives, each state would be represented according to population, satisfying the large states. In the Senate, each state would be represented equally, satisfying the small states.

Other compromises regarded slave trade, the term of the president, voting qualifications, and whether or not to count slaves as people when deciding how many representatives the state would get in the House of Representatives. The *Three-Fifths Compromise* decided that three-fifths of the slaves would count toward representation.

## Delegate Distrust of the People

We can see that the delegates distrusted the people in a number of ways. For example, they decided that the president should be elected by *electors* from the states and not by the people as a whole. This was the *Electoral College*, which assigned electors to each state. Each state received as many electors as its total of senators and representatives in Congress. Later in U.S. history, these electors in the Electoral College would be required to vote for the presidential candidate that won the popular vote in their state. You will learn more about the Electoral College on Page 33.

What is the *popular vote*? It simply means the vote of the people. So when a candidate in your state wins the popular vote in your state, he or she simply won more votes of the people than his or her opponent. A vote by only certain people (like a vote in the U.S. House of Representatives, for example) is not a direct vote of the people, and therefore, not the popular vote.

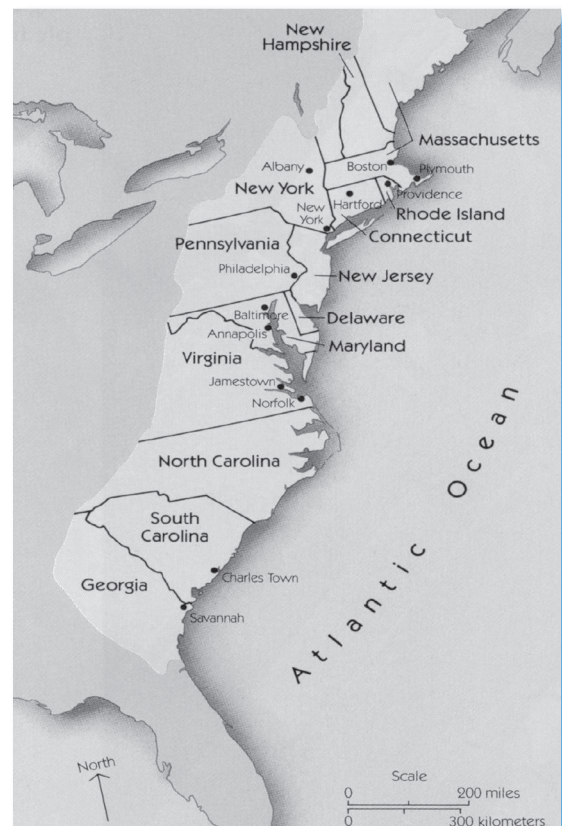
Another distrust of the people can be seen in the election of United States senators. The Constitutional Convention decided that senators would be elected by

state legislators, not the people themselves. However, later, the 17th Amendment to the Constitution changed that. The people in the states now elect their senators.

The lack of trust of the common people was due partly to there being very few representatives of the common man at the Constitutional Convention. Forty of the 55 delegates were wealthy enough to have loaned money to the government, 15 were slaveholders, and 14 held western land. None were small farmers or working men. And the champions of the common man, including Jefferson and Henry, were not present.

Many of the democratic features we know in our government today are features that have evolved since the Constitutional Convention. The writers of the Constitution may have had some distrust of democracy. However, they wrote a document that was flexible enough to provide the basis for orderly change. Most of these changes have made our country more democratic as the years have passed. If you need some examples of this additional democracy, think of how many more people today can vote, run for office, obtain an education, and exercise individual rights.

This is also the time for students to have a definition of *democracy*. Democracy is simply government by the people, exercised either directly or through elected representatives.



*These 13 colonies won their freedom in the Revolutionary War; however, they needed the Constitution to unite the states as one nation.*

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.

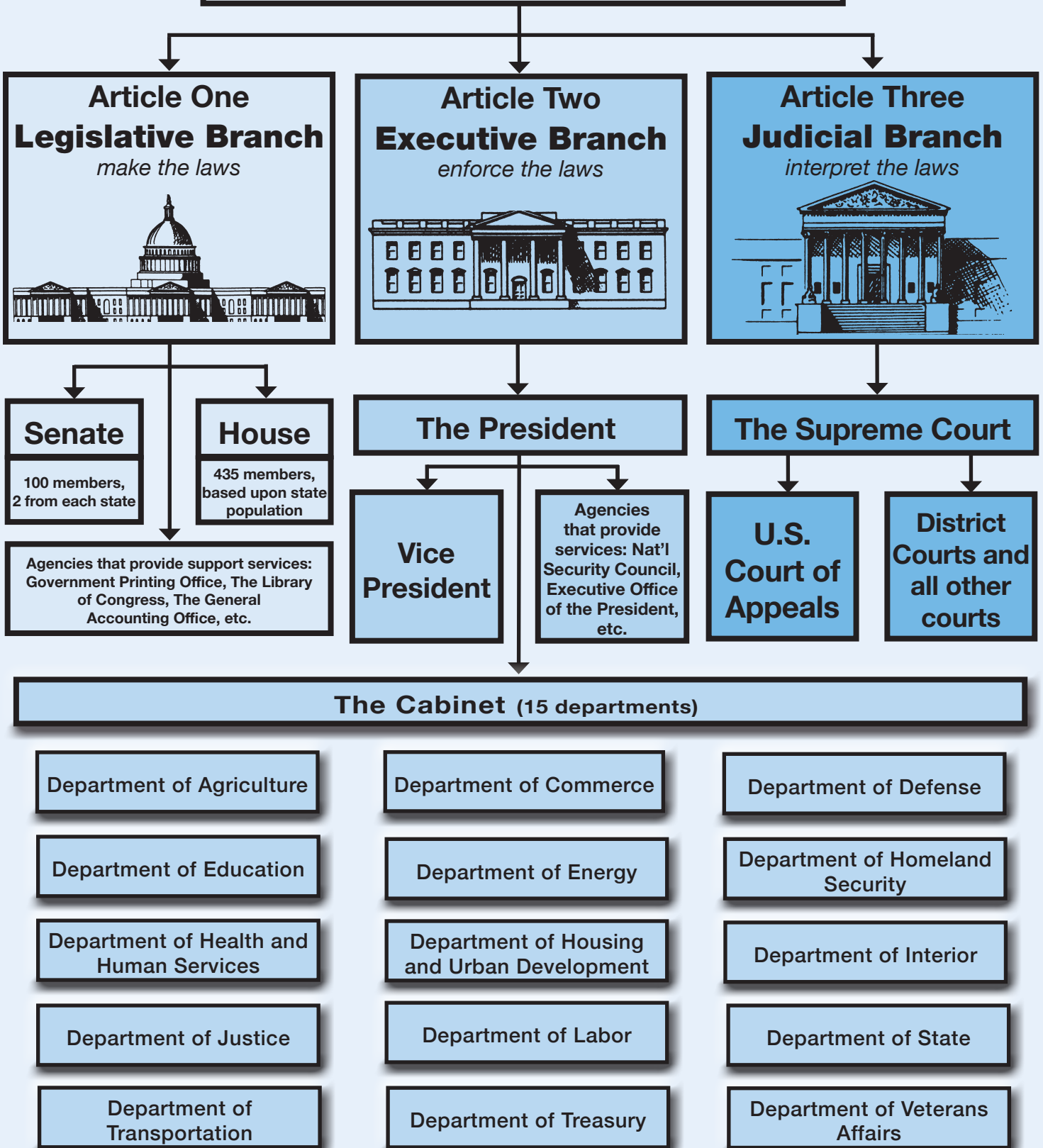
### The 27 Amendments

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	Amendment Summary / Highlights
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.

No.	Year Adopted	Amendment Summary / Highlights	
4th	Bill of Rights - 1791 - First 10 Amendments	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.
13th		1865	Abolished slavery and involuntary servitude.
14th	1868	All persons born or naturalized in the United States enjoy full rights. This was done to protect the rights of freed slaves and minorities after the Civil War, but it applies equally to all Americans. This amendment also made certain rules concerning the southern states after the Civil War.	
15th	1870	Protects the rights of Americans to vote in elections. States cannot prevent a person from voting because of race, creed, or color. The right to vote is known as <i>suffrage</i> .	

# The Constitution SETS UP THREE BRANCHES





“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, Article 1

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 and 22). 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.

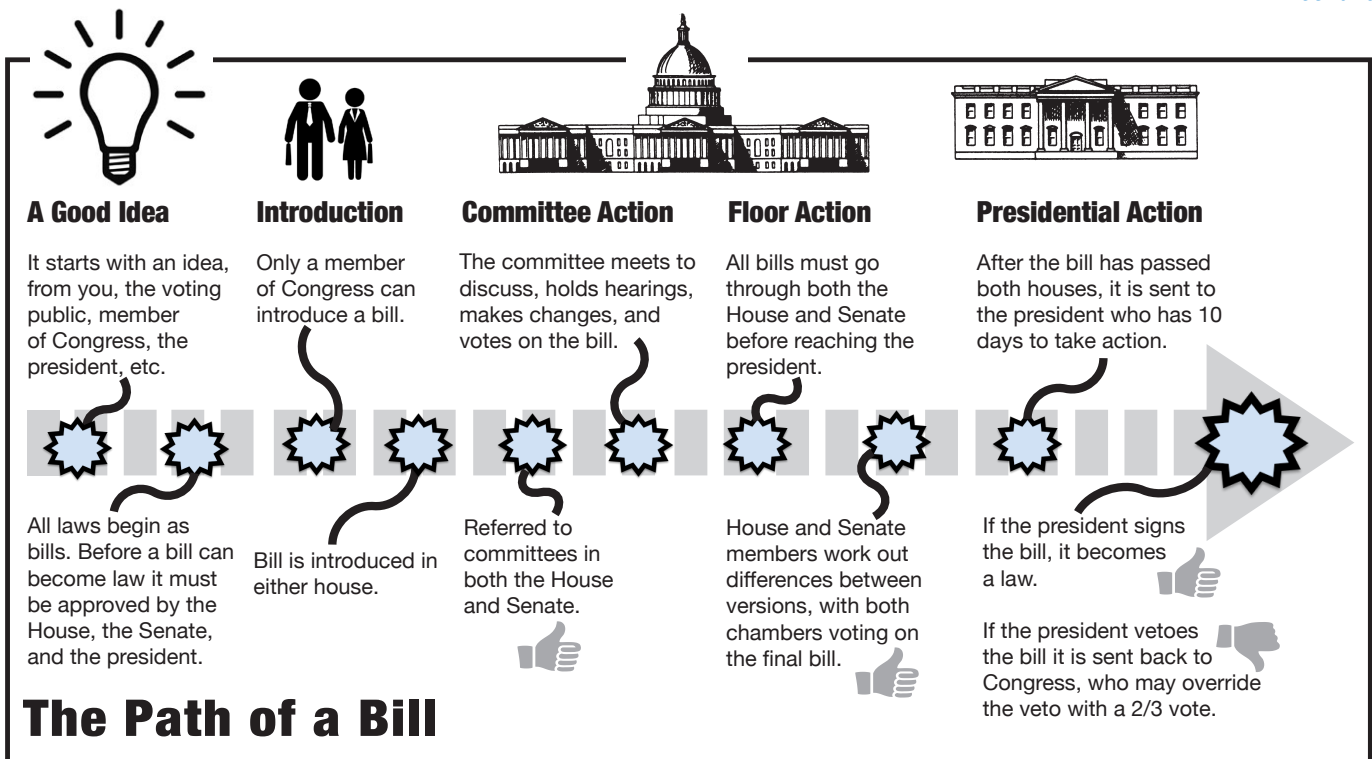
The bills that come from committees are put on a calendar and voted on according to a schedule. Changes to the bill may be made, and then the final vote is taken. The bill is sent to the other house of Congress if the vote is favorable.

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*



**The Road to the White House**

Americans pick their presidents and vice presidents from the candidates presented by the Democratic and Republican parties. People do not vote directly for the president and vice president; instead, the Electoral College allows voters to vote for electors. These electors then cast votes a specific candidate, a system described in Article II of the Constitution.

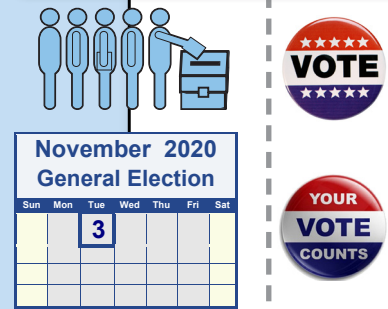
The responsibility of voters has increased with the growth of our country and government. Even if you are not of voting age, now is the time to get familiar with the process and the importance of voting. Students are the future of this country, and your vote determines the fate of policies and tactics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

Follow this process in the upcoming 2020 Presidential Election.

**Campaigning:** General election campaigning begins after each political party chooses a single presidential nominee. Those candidates travel the country, holding rallies and town halls, explaining their views and trying to win potential voters' support.

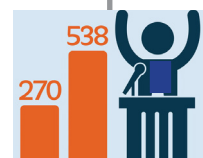
**STEP 4 - GENERAL ELECTION**

**Voting at the General Election:** Every four years, citizens in every state cast their votes for one president and vice president. These voters select groups of electors to represent each state on behalf of the voters.



**STEP 5 - ELECTORAL COLLEGE**

**Electoral College System:** In the Electoral College system, each state gets a certain number of electors based on its representation in Congress. A simple majority of the 538 (or 270 votes) is needed to win.



**FINISH**  
(Inauguration Day - January 20, 2021)

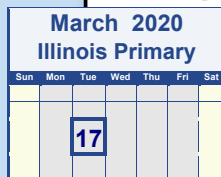


**WELCOME TO MILWAUKEE**  
*Democratic National Convention August 17-20, 2020*

**WELCOME TO CHARLOTTE**  
*Republican National Convention August 24-27, 2020*

**National Conventions:** Both parties have delegates that will choose the nominees for president and vice president. They will also adopt a platform outlining the party's policy priorities and values.

**STEP 3 - NATIONAL CONVENTIONS**



**Primary Elections:** A state-level election where party members choose a candidate to represent that political party at the general/presidential election.

**Caucuses:** Citizens participate in local meetings where members gather votes for their preferred candidate, used to elect delegates to the national party convention.

**START**  
(in Fall 2018)

**STEP 1 - IDENTIFY THE CANDIDATES**

**Incumbent -** Donald Trump - eligible for one more term.

**Challengers-** Many candidates participate in debates to gain party favor.

- Candidates must be:**
- ✓ a natural-born citizen
  - ✓ 35-years old
  - ✓ Resident for 14 years

**STEP 2 - CAUCUSES and PRIMARIES**

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.

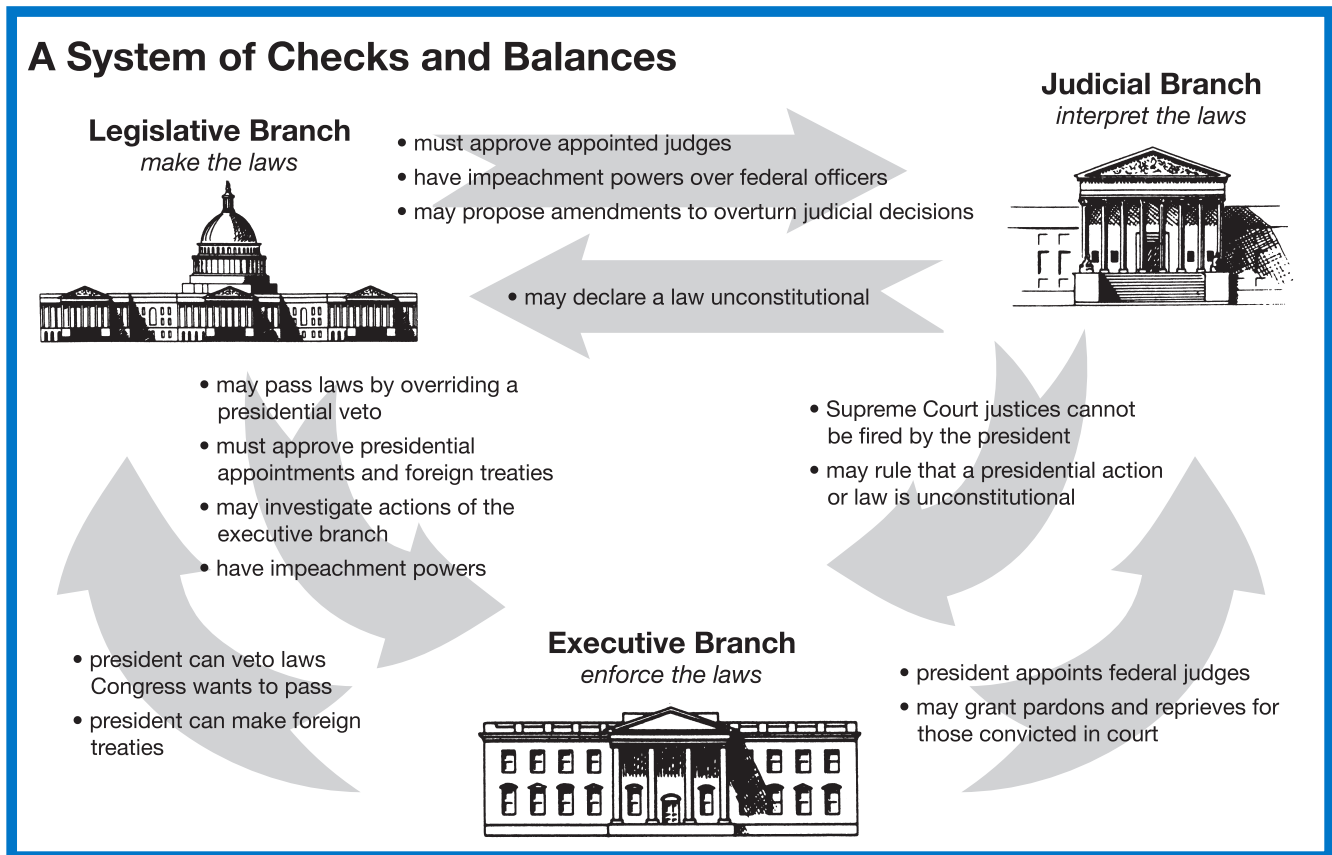
**Legislative over the executive and judicial branch:** The legislative branch has impeachment powers over all federal officers.

**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.



In 1787, when the Constitution was signed, the area that is now Illinois was a wilderness. Although Marquette and Joliet discovered the Illinois country in 1673, it was not until 1818 that the state was formally admitted into the Union.

During the time between the discovery of the Illinois territory and its admission to the Union as a state, the French and the English each controlled the area for a period. Robert Cavellier, Sieur de La Salle and his lieutenant and successor, Henry de Tonty, carried the standard for France. Fort de Crevecoeur was established near Peoria in 1680, followed in 1682 by Fort St. Louis on Starved Rock. One of the first white villages, Pimitouri, later called Peoria, was established in 1691. Cahokia was organized in 1699, and Kaskaskia, four years later.

Defeated by Great Britain in the French and Indian War, France gave up claim to its possessions east of the Mississippi. British rule over this area was short, however, as a handful of American militia, led by George Rogers Clark in 1778, captured the villages of Kaskaskia, Cahokia, and Vincennes and forever ended foreign rule in the Illinois country.

Established as a county of Virginia in 1778, the Illinois country remained so until 1782. During the next five years the area had no legally constituted government, but, in 1787, it became part of the *Northwest Territory*. In 1800, the *Territory of Indiana* was established, and Illinois was included. Nine years later, Illinois, including the present state of Wisconsin, was made a territory in its own right. Kaskaskia was the capital, and Ninian Edwards of Kentucky served as the first territorial governor. On December 3, 1818, Illinois, with a population of about 35,000, was admitted to statehood. Kaskaskia was selected as the state capital, and Shadrach Bond became the first governor.

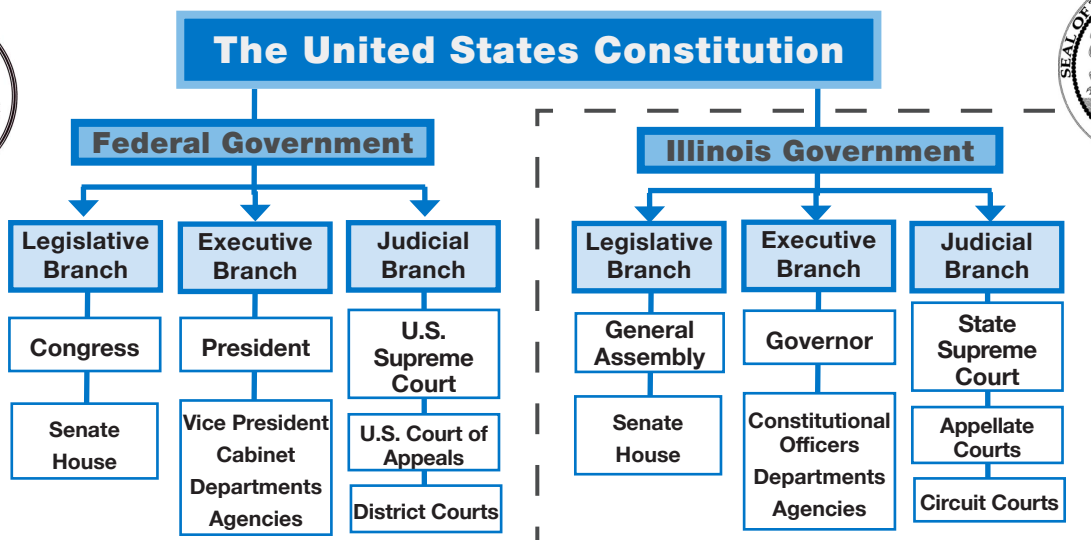
The last great Indian uprising in Illinois was the Black Hawk War in 1832. Chief Black Hawk and his Sauk and Fox warriors defeated the white militia at Stillman’s Run, but retreated into Wisconsin where the band was decisively defeated.

The capital was moved from Kaskaskia to Vandalia, and, in 1839, was moved again, this time to Springfield. Abraham Lincoln urged the selection of Springfield while he was a member of the state Legislature.

Soon after Springfield was selected as the new capital, the state became divided on the question of slavery. Abraham Lincoln emerged from political retirement in 1858 to challenge Stephen A. Douglas, United States senator from Illinois, and the national policy on slavery, which he advocated. The eyes of the nation focused on the state as the two men engaged in their historic series of debates on the question. Although Lincoln was defeated for a senatorial post in 1858, he won the presidential nomination of the Republican Party in 1860 and became the first Republican president.

John Deere’s invention of the prairie plow in 1837 encouraged Illinois agriculture, and it became a leading agricultural state. After the Civil War, Illinois turned to the development of its natural resources and its transportation. By 1870, coal mining had become one of Illinois’ largest industries. Improved transportation, an abundance of coal, and the westward movement of industry combined to make Illinois a great industrial area.

By 1850, the state had a population of 850,000. By 1870, this figure had tripled. Today, Illinois has nearly 13 million residents. Sprawling and vibrant, Chicago was destined early in American industrial development to become the manufacturing center not only of Illinois but the entire Midwest.



The U.S. Constitution splits governing powers between the federal government and the states. This unit will cover the state government portion of the chart above. It will also include the study of local government bodies.



Study the map on the right and the statistics below, then complete the exercises at the bottom of the page.

**Illinois Facts & Statistics**

Became a Territory	February 3, 1809
Entered Union	December 3, 1818
Four Constitutions	1818, 1848, 1870, 1970
State Motto	"State Sovereignty, National Union"
State Slogan	"Land of Lincoln"
Nickname	"The Prairie State"
Origin of Name	From an Indian word and French suffix meaning "tribe of superior men"
Land Area	57,915 square miles
State Population	12,734,617 (ranked 6th)
Illinois Cities with a Population over 100,000	1. Chicago (2,679,044) 2. Aurora (202,709) 3. Joliet (149,645) 4. Naperville (147,905) 5. Rockford (145,338) 6. Springfield (113,471) 7. Elgin (112,843) 8. Peoria (111,706)
No. of Counties	102
State Capital	Springfield
State Portal	www.illinois.gov
State Parks, Memorials, Conservation Areas	227 (207,095 acres)
State Song	"Illinois"
State Flower	Violet
State Tree	White Oak
State Fish	Bluegill
State Bird	Cardinal
State Mineral	Flourite
U.S. Representatives	18
U.S. Senators	2
Electoral Votes	20



**GEOGRAPHY AND MAP EXERCISE**

1. Circle the highest point in Illinois. What is the elevation? \_\_\_\_\_
2. On the map, identify the Ohio River (with an "O"), the Mississippi River (with an "M") and the Illinois River (with an "I.")
3. Identify the five largest cities in Illinois by placing the number 1-5 on the cities location.
4. Name the two adjacent states that are east of Illinois. \_\_\_\_\_
5. On the map, identify the location of your hometown and indicate the spot with a star.
6. Name two Illinois cities that are on the shore of Lake Michigan. \_\_\_\_\_
7. What city hosts the state capital? \_\_\_\_\_

The following test will help you prepare for your final Illinois 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 80.

Hard work on this page will assure you of a better grade on your final exam. Be sure to look up any answers you do not 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 Illinois Governor
- \_\_\_\_\_ 2. The Illinois House of Representatives
- \_\_\_\_\_ 3. The Illinois State Supreme Court
- \_\_\_\_\_ 4. Illinois Circuit Courts
- \_\_\_\_\_ 5. Lieutenant Governor
- \_\_\_\_\_ 6. Illinois State Senate
- \_\_\_\_\_ 7. Attorney General
- \_\_\_\_\_ 8. Comptroller

**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.

- 9. Who can veto a bill passed by the General Assembly? \_\_\_\_\_
- 10. If the governor resigns, who becomes governor? \_\_\_\_\_
- 11. The river that makes up the westerly border of Illinois. \_\_\_\_\_
- 12. The highest court in Illinois. \_\_\_\_\_
- 13. What are public issues that are voted on by the public called? \_\_\_\_\_
- 14. The current governor of Illinois. \_\_\_\_\_
- 15. The next presidential election will be held in what year? \_\_\_\_\_
- 16. How many days does the governor have to consider a bill from the General Assembly? \_\_\_\_\_
- 17. How many different constitutions has Illinois operated under? \_\_\_\_\_
- 18. Who may call special sessions of the General Assembly? \_\_\_\_\_
- 19. The executive branch officer that keeps the "Great Seal" and maintains the official records of the state. \_\_\_\_\_
- 20. Who is the chief legal officer of the state of Illinois? \_\_\_\_\_
- 21. How are Illinois judges selected? \_\_\_\_\_
- 22. Name the election used to select candidates for the general election. \_\_\_\_\_
- 23. The capital of Illinois. \_\_\_\_\_
- 24. How many branches of government in Illinois? \_\_\_\_\_
- 25. If the General Assembly wishes to pass a bill over a veto, what fractional vote is necessary? \_\_\_\_\_

*continued*