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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 indexing to find the particular portion of the Constitution that you wish to study. You will find a copy of the entire Constitution on the internet 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.

The Seven Articles

The main body of the Constitution is the seven *Articles*. The Articles establish the branches of the federal government and explains how they work. 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, the 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 - Discuss how the states fit in with the federal government’s plan. It sets requirements for new states and conditions of the federal government with 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	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 (<i>quartering</i>) in private homes during peacetime without getting the permission and consent of the owner.

No.	Year	Amendment Summary / Highlights	
4th	Bill of Rights - 1791- First 10 Amendments	Protects people’s right to privacy, prohibits unreasonable searches and seizures by the government.	
5th		No person tried without the grand jury indictment or punished twice for the 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 the 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 specific 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> .	

Lawmaking and the Three Branches

A bill is introduced, sent to committee, then voted on. If passed in committee and later on the floor of the house, it is sent to the other house.

The president may sign the bill, and it will become law or may decide to veto. Congress may try to pass it over the veto by a two-thirds vote.

The courts see that justice is administered under the law. The Supreme Court may declare laws unconstitutional.



Legislative Branch

Two Houses of Congress



Executive Branch

The President



Judicial Branch

The Supreme Court and Other Courts

After Congress (legislative branch) has passed a bill and the president (executive branch) has signed it into law, it is the president's duty to enforce the law. The courts (judicial branch) then interpret it and administer justice under it. The Supreme Court may rule whether or not the law is constitutional.

What are Federal Laws?

There are different types of laws. Federal laws apply to everyone in the United States. States and local laws apply to people who live or work in a particular state, county, or municipality. The U.S. Constitution divides the power to make laws between the federal and state government.

The federal government is responsible for some types of laws, such as those pertaining to national defense, currency, interstate commerce, patents, and so forth. State and local governments may not pass these kinds of laws, nor may they pass laws that conflict with federal laws. One example is the 14th Amendment to the U.S. Constitution, which ensures the Bill of Rights applies to all states. You will learn more about the differences between federal, state, and local laws in the upcoming units of this book.

Member of Congress: Typical Day

Regardless of whether they are in Washington, D.C., or their congressional districts, members of Congress spend most of their time working. Members work long hours, up to 70 hours a week when Congress is in session. Members endure unequalled public scrutiny and sacrifice family time to fulfill work responsibilities.

A member of Congress may have a typical day something like this:

- 7:00 a.m.** Breakfast with the family, the only time they will see each other until late that evening.
- 8:00 a.m.** Trip to the office to go over e-mail and postal mail with an assistant. The mail may be substantial if a critical issue is pending.
- 10:15 a.m.** Meet with party members considering action on a bill that will come before Congress.
- 10:30 a.m.** House Ethics Committee meeting. This committee, which is his/her most important committee assignment, may discuss new allegations of concern to Congress. Both senators and representatives may have more than one committee assignment.
- 11:00 a.m.** A party caucus (meeting) takes place.
- Noon** Lunch with other members from his/her home state. Congressional business is discussed.
- 1:30 p.m.** On the way to the House floor, he/she is stopped by the majority leader for a brief discussion of important bills.
- 1:40 p.m.** Remains on the floor for the entire afternoon House of Representatives session, voting on legislation.
- 3:30 p.m.** Conduct a short conference call with other lawmakers concerning a defense bill.
- 3:45 p.m.** Lobbyist John Jones comes to the office seeking aid favorable to their organization.
- 5:00 p.m.** A reporter calls for an interview concerning the House Ethics Committee.
- 7:00 p.m.** Home for dinner. After dinner reads hometown newspapers, reads topics on social media, and works on a speech to be delivered the next day.

MATCHING - Three Branches of Government

Write the letter of the correct answer in the space provided.

- | | |
|--|-----------------------|
| _____ 21. Has two houses | a. Executive Branch |
| _____ 22. Is the court system of our country | b. Legislative Branch |
| _____ 23. Makes the laws | c. Judicial Branch |
| _____ 24. Enforces the laws | |
| _____ 25. Described in Article 1 of the Constitution | |
| _____ 26. Described in Article 3 of the Constitution | |

MATCHING - The United States Congress

Write the letter of the correct answer in the space provided.

- | | |
|---|-------------------------------------|
| _____ 27. Has a six-year term | a. Senate |
| _____ 28. Meet in the Capitol Building | b. House of Representatives |
| _____ 29. Elected every two years | c. Both the Senate and House |
| _____ 30. Has the vice president as presiding officer | d. Neither the Senate nor the House |
| _____ 31. Has 435 members | |
| _____ 32. Approves or rejects treaties | |
| _____ 33. Passes bills they hope will become laws | |
| _____ 34. Has 100 members | |

MATCHING - Cabinet Responsibilities

Write the letter of the correct answer in the space provided.

- | | |
|-----------------------------------|---|
| _____ 35. Chief legal officer | a. Secretary of State |
| _____ 36. Manages Social Security | b. Secretary of Defense |
| _____ 37. Carries out a war plan | c. Secretary of Health & Human Services |
| _____ 38. Settles a strike | d. Attorney General |
| _____ 39. Foreign affairs | e. Secretary of Labor |
| _____ 40. Secret Service | f. Secretary of Homeland Security |

TRUE OR FALSE

Write a **T** or **F** in the space provided.

- _____ 41. The Virginia Plan proposed two houses of Congress based on population.
- _____ 42. The simple definition of democracy is government by the people, directly or through representation.
- _____ 43. Senators are elected by the vote of the people in their state.
- _____ 44. One-third of the Senate is elected every two years.
- _____ 45. The largest U.S. state is Texas (in terms of population) receiving the most electoral votes.
- _____ 46. The Constitution allows for laws to be made on subjects that did not even exist in 1787.
- _____ 47. The original 13 colonies included Kentucky.
- _____ 48. Your state legislature has the same lawmaking scope as the U.S. Congress.
- _____ 49. Patrick Henry said, "Give me liberty or give me death."
- _____ 50. Habeas corpus gives a prisoner the right to a fair trial.
- _____ 51. Ben Franklin was president of the Constitutional Convention in 1787.
- _____ 52. The building in which the Constitutional Convention met is called Independence Hall.
- _____ 53. The Declaration of Independence was the nation's first Constitution.

continued

Wisconsin has a tremendously rich and distinguished history. Native Americans used the word Wisconsin to describe their use of the abundant waterways to gather wild rice. The land was densely populated by Winnebago, Dakota, and Menominee tribes, and by the late 1600s, nine other tribes had settled in the area.

The first white man to come to the area was French explorer *Jean Nicolet* in 1634. While searching for a water route to China, he landed at what is now Green Bay. Nicolet was surprised at being greeted by Native Americans instead of Chinese. Nicolet's arrival began the relationship between Native Americans and the white man in what was to become Wisconsin.

Several others explored this region, looking for valuable furs. French Canadians *Louis Jolliet* and *Father Jacques Marquette* recorded their explorations of 1673 as they traveled along the shores of Lake Michigan, through Green Bay, down the Fox River, overland to the Wisconsin River, and then down Wisconsin to the Mississippi River. During this same period, *Father Rene Menard*, the first missionary to the area, established a Roman Catholic mission in the northern part of the state.

In the early 1700s, the *Meskwaki* tribe (also known as the *Fox*) and the French battled for control of the Fox and Wisconsin rivers, the main water routes in the region. The French defeated the Meskwaki, but in doing so, they lost the respect of many other tribes. In 1754, the French and Indian War was fought between the French and the British. Britain gained control of the Wisconsin region by defeating the French in 1763. During this period, *Charles Langlade* made the first permanent settlement at Green Bay. This was only one of three critical early settlements in Wisconsin, the others being in the state's southeast and southwest corners. Because of its geographical location, the Milwaukee settlement soon became more populated and surpassed the others in growth.

In 1774, Britain passed the *Quebec Act*, making Wisconsin part of the province of Quebec. After the *Revolutionary War* in 1783, the British lost control of all lands east of the Mississippi River and south of the Great Lakes. The Wisconsin region was then part of the United States. A plan had to be devised to settle claims on this territory, so the *Northwest Ordinance of 1787* was passed. This federal law provided that the land would be surveyed, and the territory would be divided into not less than three nor more than five states. Also, a governor and council were appointed to pass laws. One of the more important provisions of the Northwest Ordinance guaranteed the territories' representation in the federal government. It also gave the settlers fundamental freedoms and guaranteed their right to education. Because of these terms, more pioneers poured into the new territory.

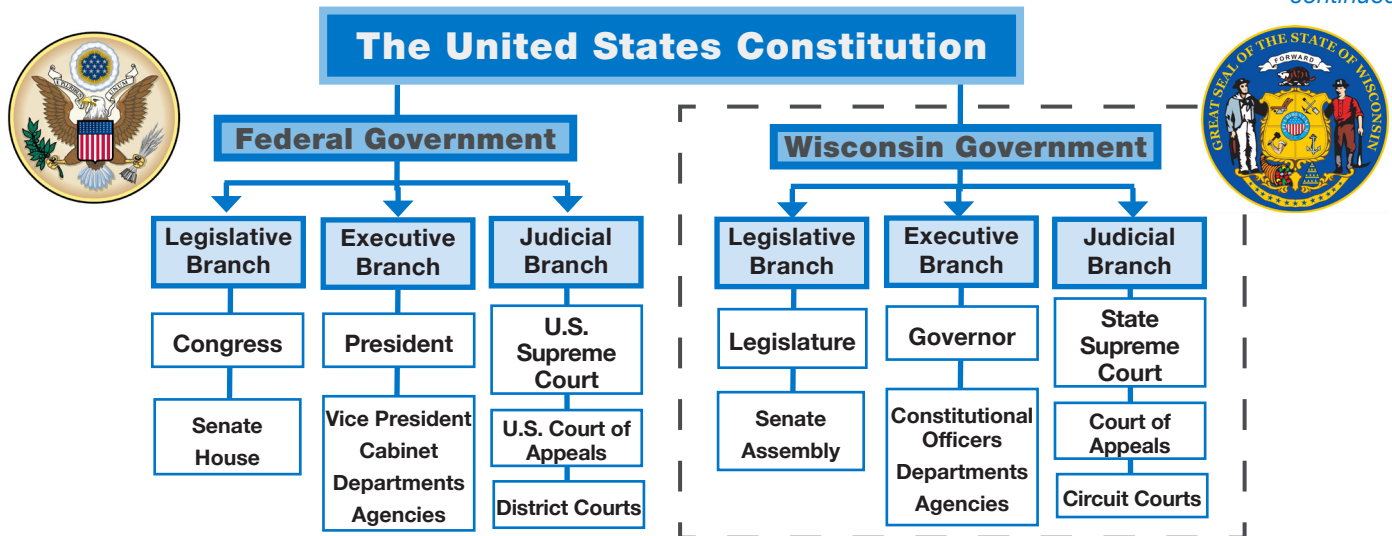
The Wisconsin region was part of the *Indiana Territory* from 1800 to 1809, part of the *Illinois Territory* from 1809 to 1818, and part of the *Michigan Territory* from 1818 to 1836. During this period, the Black Hawk War of 1832 ended the Indians' domination of the area, as the Sauk Tribe lost 850 of its 1,000 members. Also, during this period, the southern part of the region was heavily mined for its rich lead ore deposits. The miners from neighboring states and territories found little housing, so they lived in shelters dug out of the hillsides. They soon became known as *Badgers*, the state's mascot.

Congress created the Wisconsin Territory in 1836, which included parts of Minnesota, North and South Dakota, and Iowa. Finally, on May 29, 1848, Wisconsin was admitted to the Union as the 30th state, and its boundaries were set as they remain to this day. Madison was declared the permanent capital and is the only city with this title. Nelson Dewey was elected governor on the admission of Wisconsin to the Union and served until 1852.



Nelson Dewey

continued



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.

Separation of Powers in Wisconsin

The system of checks and balances reinforces the separation of powers concept. Not only is power divided, but one branch checks the other branches. For example, the courts have the power to declare laws and executive actions unconstitutional. The governor can veto bills from the Legislature. The legislature must approve the government's budget and many of the governor's appointments. These are all examples of the constitution's attempts and ultimately of the people to avoid concentrating too much power in one place. The people always retain the right to control government by amending the constitution and rewriting state constitutions.

QUESTIONS

WHICH ARTICLE? In which article of the state constitution would you find information on the following? (Give section number when possible.)

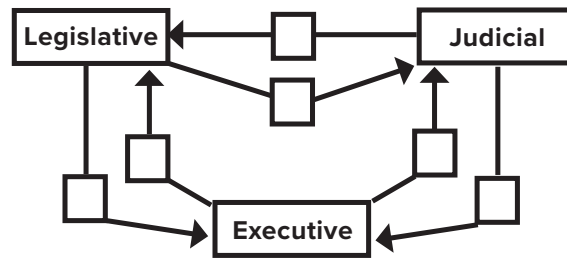
1. Taxing power _____
2. The governor _____
3. Jury trial _____
4. Religious freedom _____
5. Escheat provision _____
6. The judicial system _____
7. Revising the state constitution _____
8. Voter qualifications _____
9. Identifies the land area _____
10. Public school system _____

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

- ___ 1. Voters must approve changes in the state constitution.
- ___ 2. The Wisconsin Constitution has equal powers to the U.S. Constitution.
- ___ 3. An amendment to the state constitution may be proposed in either house of the Legislature.
- ___ 4. The Wisconsin Constitution helps establish federal laws and treaties.

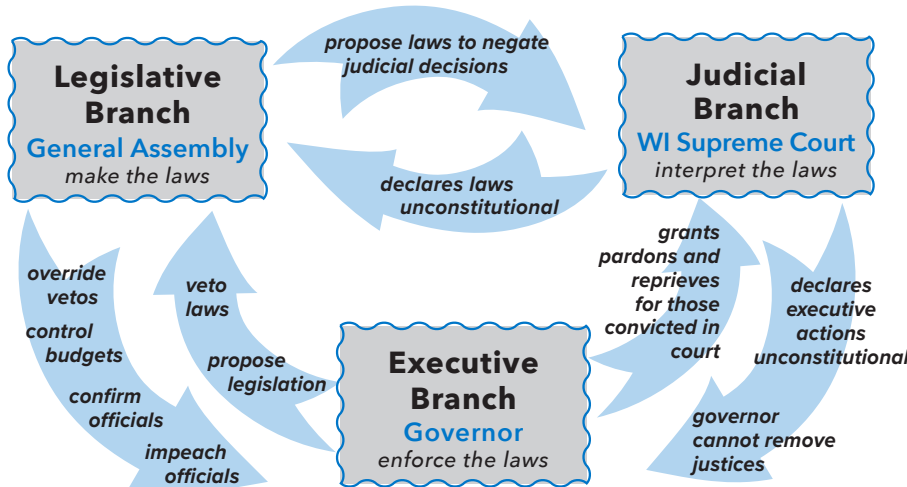
- ___ 5. State constitutions are always shorter in length and contain fewer details than the U.S. Constitution.
- ___ 6. Freedom of speech is not listed in the Wisconsin Constitution, only in the U.S. Constitution.
- ___ 7. Right to bear arms is not listed in the Wisconsin Constitution, only in the U.S. Constitution.
- ___ 8. There are more amendments in the U.S. Constitution than in the Wisconsin Constitution.
- ___ 9. The 26th Amendment of the U.S. Constitution establishes the voting age in Article 3 of the Wisconsin Constitution.
- ___ 10. There are 12 executive branch officers listed in the Wisconsin Constitution.
- ___ 11. The three branches of government are used to keep powers balanced and in check.
- ___ 12. Many of the details on the state seal are shown on the Wisconsin state flag.

FILL IN THE BOXES (CHECKS & BALANCES)



- a. governor can grant pardons to those convicted
- b. proposes laws to avoid judicial decision rulings
- c. may pass laws by overriding a governor's veto
- d. may declare laws from the General Assembly unconstitutional
- e. may veto laws passed by the General Assembly
- f. may declare executive orders unconstitutional

System of Checks and Balances in the State of Wisconsin



All state governments are modeled after the federal government and have three branches: executive, legislative, and judicial. The principle guiding federal and state constitutions is the **separation of powers**. The distribution of power does not allow any single branch of government to have too much power. Some of the most critical "checks" by the branch are listed in the shaded arrows.

This glossary contains constitution-related terms to aid in the study of federal and state Constitutions. Many, but not all, of these terms are used in the worktext. These terms can be used to expand your knowledge of the Constitution, government, and our democracy.

act – a bill, or proposal for a law, passed by a majority of lawmakers.

adjourn – to terminate a session (of Congress, or of a court) or suspend until a later time.

ambassador – an official who represents his or her government in dealings with another nation.

amendments – changes in a bill, a law, or a constitution.

appeal – to request another trial before a higher court.

appeals court – a federal court that reviews the decision a lower (trial) court.

appoint – to name someone to fill an office.

appropriation – money set aside for a specific use by an act of the legislature.

article – a segment of a written document. The Constitution is divided into articles dealing with different areas of government.

assembly – a public meeting or gathering; also the name commonly given to the larger house in the state legislature.

attorney general – the head of the executive department who is chiefly responsible for enforcing U.S. laws or state laws.

bail – the sum of money that an accused person may deposit with a court as a security to get out of jail while awaiting trial.

bicameral legislature – a lawmaking body with two houses.

bill – a proposal for a law to be considered by Congress or a state legislature.

bill of attainder – a law naming a person guilty of a crime without trial (such are not allowed by the U.S. Constitution).

Bill of Rights – the first ten amendments of the U.S. Constitution; their common purpose is to protect the American people from abuses of government power.

budget – a plan for spending money over a certain period of time.

cabinet – a group of department heads who meet regularly with the president or with a state's governor.

campaign – an organized effort carried out over a period of months or years; specifically, the efforts of a candidate and his or hers supports to win election.

caucus – a meeting of party members to decide policy or nominate candidates.

censorship – a government's practice of stopping certain ideas from being published or expressed.

census – an official count of the U.S. population conducted every ten years.

charter – a document granting powers of self-government to a city or municipality; also a document giving legal status to a business organization.

checks and balances – a system by which each branch of government has the power to block or overrule the decisions of the other branches.

chief executive – the elected official who is chiefly responsible for enforcing the laws of a state (the governor) or a nation (the president).

circuit court – a court in the federal system that has the power to hear appeals from trial courts.

citizen – anyone who is officially counted as a member of a nation or state.

citizenship – the status of being a citizen.

civil case – a dispute brought to court for settlement.

civil rights – rights which are considered to be unquestionable, deserved by all people under all circumstances.

cloture – a means of preventing a filibuster on a bill.

commander-in-chief – the supreme commander of a nation's armed forces; in the U.S. it is the president.

commerce – business transactions, trade, or the buying and selling of goods on a large scale.

commission form – a plan of local government in which legislative and executive powers are shared by a group of elected officials known as "commissioners."

commutations – changing a prison sentence or other penalty to another less severe.

compromise – to give up a part of one's original demands or desires in order to reach agreement on an issue.

conference committee – a group of lawmakers drawn from both houses of Congress (or a state legislature) with the purpose to resolve the differences between two versions of a bill passed by the two houses.

confirmation – the process by which the U.S. Senate approves a president's appointments to office.

Congress – chief legislative body of our nation.

conservative – someone who wants government's role in society and the economy to be strictly limited; may also refer to changes in policy to be gradual, not rapid.

consideration – A proposed bill that is read to each house of the General Assembly.

constituents – the residents of a district or state who are represented by a legislator from that same district or state.

constitution – the set of basic laws and rules defining a nation's or state's system of government.

convention – a large meeting of delegates from different states or districts.

council-manager system – a system of local government in which legislative power belongs to an elected group (the council), which hires a professional manager to conduct city business.

criminal case – a matter involving the violation of a state or federal law.

debate – a formal process for presenting arguments for and against a bill or a public issue.

defendant – the person at a trial who been accused of some offense, injury, or crime.

deficit – the amount of annual debt.

delegated powers – those rights that the federal government is free to exercise because they are specifically mentioned in the Constitution.

delegates – persons chosen to represent others at a special meeting.

democracy – a system of government in which the people (citizens and voters) have the final power.

department – a major division of the executive branch.

depression – a more serious and long slowdown in the economy.

diplomacy – the means by which nations communicate with one another and try to settle their differences peacefully.

discrimination – the practice of favoring one person or one group over another.

district courts – federal courts that hold trials.