CONTENTS



FEDERAL SECTION

Unit 1 The American Revolution				
Unit 2 Declaration of Independence4				
Unit 3 The Articles of Confederation5				
Unit 4 The Constitutional Convention6				
Unit 5 The Bill of Rights9				
LEARNING AID:				
Significant Constitutional Events				
Unit 6 The Strengths of the Constitution 11				
LEARNING AID:				
Charters of Freedom				
Unit 7 Summary of the U.S. Constitution 13				
Unit 8 Principles in the U.S. Constitution 15				
LEARNING AID:				
Three Branches of Government Chart16				
Unit 9 Legislative Branch17				
Unit 10 Lawmaking Process21				
LEARNING AID:				
Legislative Branch Fact Sheet				
Unit 11 Other Duties of Congress25				
LEARNING AID:				
Division of Power				
Unit 12 Congress and the States28				
Unit 13 Executive Branch				

Unit 14 The President's Cabinet
LEARNING AID:
Executive Branch Fact Sheet
Unit 16 Presidents and Elections35
Unit 17 Judicial Branch37
LEARNING AID:
Judicial Branch Fact Sheet
Unit 18 Judicial Review40
Unit 19 Checks and Balances42
Unit 20 Amending the Constitution44
Unit 21 The American Flag45
Unit 22 The Federal Budget and the
Constitution
Unit 23 The American Economy and the
Constitution47
LEARNING AID:
U.S. Constitution Outline
LEARNING AID:
Review Questions: Federal Unit
LEARNING AID:
Federal Unit Self-Test

CALIFORNIA SECTION

SIGNIFICANT CONSTITUTIONAL EVENTS

LEARNING AID

Time Line of Constitutional Events

Here is a sampling of the events that led to America's independence and adoption of a new constitution. You will find the years and the significant events that happened during that time. The goal was to establish a framework for a more robust and stable federal government while preserving individual rights and freedoms.

Protests against British rule

1763–1765

England decided on a program of taxation and control of the colonies. The American colonists began organized protests against British rule. Patriotic groups such as the **Sons of Liberty** are formed. Laws such as the **Quartering Act, Stamp Act**, and **Sugar Act** angered the colonists, who were forced to pay unjust taxes and provide supplies to British troops.

The Declaration of Independence

1776

On July 4th, the **Second Continental Congress** adopted the **Declaration of Independence** (written by **Thomas Jefferson** and committee). The Declaration was debated by 56 courageous men and signed at **Independence Hall**. A few days later, the **Liberty Bell** was rung in Philadelphia to call the people to the first public reading of the Declaration.

The Articles of Confederation

1777-1781

After considerable debate and alteration, the *Articles of Confederation* were adopted by the Second Continental Congress on November 15, 1777. However, the states did not fully ratify the document until March 1, 1781. This document served as the first constitution of the United States. In October of 1781, British forces surrendered at *Yorktown*.

Beginning of the Revolution - 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 *Minutemen*. An unidentified shot triggers the *Battle of Lexington*. This started the American Revolution and led to another famous battle, *Bunker Hill*. In May, *the Second Continental Congress* meets in Philadelphia.



1787–1788

On May 14, 1787, the **Constitutional Convention** met in Philadelphia. Here, the delegates reviewed and approved the Constitution. In 1788, nine states ratified the Constitution, which was put into effect (the remaining four states will ratify by 1790). America is preparing to operate under this new document. Uprising occurred.

Uprisings in

Boston

1770-1773

Townshend Acts, except the

surrounds a group of soldiers,

policies, the Boston Tea Party

Colonists reduced their boycott of British goods when

they withdrew all of the

tax on tea. The **Boston**

angry crowd of citizens

Massacre occurs when an

causing them to open fire.

still angry over British tax

With the American colonists

First Continental Congress

1774

In response to the Boston Tea Party, the Parliament passed several acts to punish Massachusetts. Twelve of the thirteen colonies were named delegates to the *First Continental Congress*. On September 5th, they met mainly to deal with Britain's actions.

Our New Government

1789

On March 4th, the new federal government was inaugurated in New York. In April, the first House of Representatives is organized. **George Washington** was elected the first president on April 6th. He is inaugurated on April 30th. On September 25th, the first ten amendments (**Bill of Rights**) were adopted by Congress.

QUESTIONS

PUT THE EVENTS IN ORDER. For each question group, write the numbers **1**, **2**, or **3**, to indicate which event happened first, second, and third.

Group 1. Boston Massacre _____, Adopted Declaration of Independence _____, Washington becomes president _____

Group 2. Articles of Confederation _____, Boston Tea Party _____, Constitution ratified by nine states _____

Group 3. England sets taxation policy for colonies _____, Constitutional Convention _____, Battle of Bunker Hill _____

Group 4. Paul Revere alerts colonists _____, Stamp Act is law _____, First House of Representatives organized ___

Group 5. Bill of Rights adopted _____, First Continental Congress _____, Declaration is read to the public ___

Group 6. Second Continental Congress meets _____, Sons of Liberty forms _____, American Revolution ends ___

COPYRIGHT LAWS PROHIBIT REPRODUCTION

CHARTERS OF FREEDOM

The Rotunda for the Charters of Freedom is the permanent home of the Declaration of Independence, the Constitution of the United States, and the Bill of Rights, located in the National Archives Building in Washington, D.C. These historic documents are displayed in a cathedral-like, dimly lit rotunda, which is open to the public. A visit can be both a moving and educational experience, deepening your appreciation for the principles that continue to guide American society.

The nation's Founding Fathers drafted these documents during dramatic, fast-moving events. They form the foundation of the United States and confirm that people are born with certain natural rights, including "Life, Liberty, and the pursuit of happiness," that does not come from presidents, kings, or charters. This nation's founding documents secure these and other rights of the American people.

Preserving the Documents

On December 13, 1952, the Constitution and the Declaration of Independence were sealed in helium-filled cases, placed in wooden crates, and transported by an armored car to the National Archives Exhibition Hall in Washington, D.C. In 2001, the documents were placed in upgraded, state-of-theart encasements with the latest preservation technology, replacing the original 1950s encasements.

While the original, signed Declaration is housed in the Charters of Freedom, 26 other copies are known to exist and are referred to as the *Dunlap Broadsides*. Over 200 copies were initially produced by John Dunlap, a printer in Philadelphia, on the night of July 4, 1776, to spread the news of American Independence. This urgent document was sent to colonial leaders, local governments, military officers, and newspapers.

Document Question	Declaration of Independence	U.S. Constitution	Bill of Rights
For the exact wording of each document, read the original transcripts or refer to your pocket guide.	<section-header></section-header>		<text><text><text><text><text><text><text><text><text><text><text><text><text><text></text></text></text></text></text></text></text></text></text></text></text></text></text></text>
What year was it ratified?	1776	1787	1791
Where was it written?	Philadelphia	Philadelphia	New York City
Why was it written?	To formally announce and justify the American colonies' decision to break away from British rule, outlining principles of individual rights and self-governance.	To replace the ineffective Articles of Confederation with a structured, balanced system of government that could govern effectively, unify the states, and protect freedoms.	To protect citizens' freedoms, address government power con- cerns, fulfill promises made during ratification, and set a precedent for future amendments.
Who wrote it?	Thomas Jefferson	James Madison	James Madison
How many words in the document?	1,458 words (1 page) including signatures	4,543 words (4 pages) including signatures	760 words (1 page)
What is stated in the <i>Preamble</i> of the document?	"We hold these truths to be self- evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."	"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Wel- fare, and secure the Blessings of Lib- erty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."	"The Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: "

Six other principles of the U.S. Constitution guide our government's structure and function besides protecting individual rights. These principles reflect the framers' intentions to create a government that balances power and promotes the common good. In upcoming units, we will cover these principles in more detail.

1. Checks and Balances

Summary: This principle ensures that no single branch of government can dominate. Each of the three branches has the ability to check the others.

Examples in the Constitution: Presidential veto power in Article 1, Section 7.

2. Separation of Powers

Summary: To prevent any one branch from becoming too powerful, the Constitution divides the federal government into three branches.

Examples in the Constitution: Articles 1, 2, and 3 outlines the responsibilities of the three branches.

3. Popular Sovereignty

Summary: The authority for government originates from the people and they rule through their representatives. Direct democracy actions like *referendums* and *initiatives* embody popular sovereignty. This also includes the concept of *republicanism* where people elect representatives to govern of their behalf.

Examples in the Constitution: The preamble (We the People...) and the Ninth Amendment.

4. Federalism

Summary: The sharing of power between the federal, state, and local governments. In many ways, this is a natural division of functions. Local governments handle local affairs; national affairs by the federal government.

While each of the 50 states has its own constitution, all provisions for state constitutions must comply with the U.S. Constitution.

Examples in the Constitution: The 10th Amendment.

5. Judicial Review

Summary: The judiciary has the power to review laws and government actions to determine if they violate the Constitution.

Examples in the Constitution: While judicial review is not within the text of the Constitution itself, this principle was established in the case of *Marbury v. Madison* (1803).

6. Limited Government

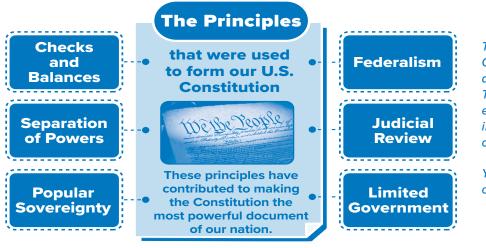
Summary: The government can only exercise the powers granted to it by the Constitution. Everyone, including government officials, is subject to the law.

Examples in the Constitution: The *enumerated powers*, as listed in Article I, Section 8, give specific powers granted to Congress, such as the power to tax, regulate commerce, and declare war. Congress can only exercise powers explicitly listed in the Constitution; all other powers are reserved for the states or the people.

QUESTIONS

WHICH PRINCIPLE? Identify the principle that best describes the following statements. Put the number of the principle(s) listed in the corresponding title box in the space provided (more than one principle may apply).

- ____ 1. Only the federal government can print money.
- 2. Congress passes a law that the president then vetoes.
- _ 3. The government gets its power from the people.
- _____ 4. The president must follow the law.
- ____ 5. The Senate confirms a presidential nomination.
- 6. A referendum to build a new school is passed by the voters of your city.
- ____ 7. The Supreme Court declares a law unconstitutional.
- 2. Congress can impeach a president if they believe powers were abused.
- 9. A representative holds a town hall meeting on banning plastic bags to get voters' opinions.



These principles have made the Constitution the most powerful document and guideline for our nation. They work together to balance power, ensure accountability, and protect individual rights within the framework of the government.

You will learn more about these concepts in upcoming units.

Congress, consisting of the Senate and House of Representatives, has the power to make laws. Our nation needs rules and regulations to protect our safety and ensure our rights as citizens. Article 1 of the Constitution describes the lawmaking powers.

In both houses of Congress, business may only be transacted with 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 chamber of Congress. Bills for *revenue* must begin in the House of Representatives (see Article 1, Section 7). After introducing a bill, it is given a number and usually referred to a *special committee*. There are 16 Senate and 20 House standing committees, plus four special or *select* Senate committees.

A committee studies the bill in detail, and hearings may be held. The committee may amend, rewrite, recommend passage, or ignore a bill. Some bills can be passed without committee approval, but this seldom happens. Some people feel these committees are too powerful and may prevent members of Congress from considering specific laws. However, committees are necessary, and Congress determines rules controlling their behavior and power.

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.

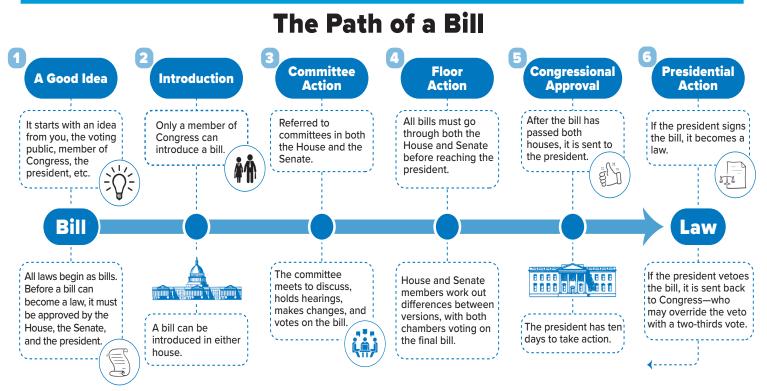
The bills from committees are put on a calendar and voted on according to a schedule. Changes to the bill may be made, and a final vote is taken. The bill is sent to the other house of Congress if the vote is favorable.

The same procedure is followed in the other house of Congress. 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 chambers, with a simple majority of 51 in the Senate and 218 in the House, it is sent to the president, who may either sign or veto it. This particular duty is 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 laws are passed this way.

If the president does not act, the bill becomes law automatically in 10 days, provided 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



CHECKS AND BALANCES

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

- 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 legis-lative 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 federal officers.

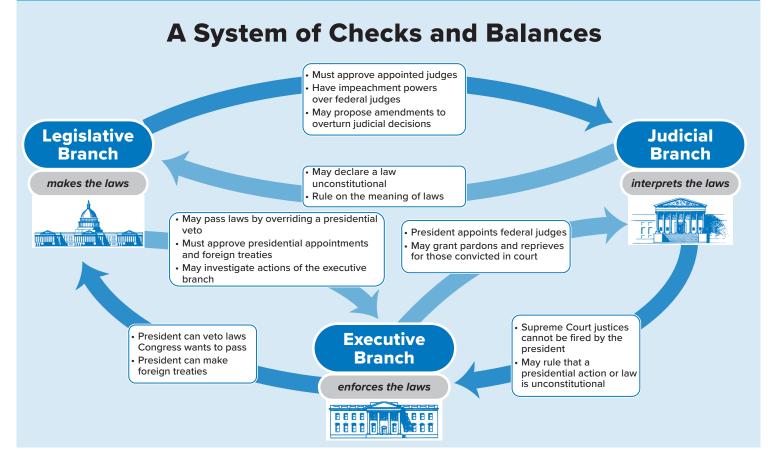
Judicial over the executive branch: The president cannot fire or remove Supreme Court justices.

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



COPYRIGHT LAWS PROHIBIT REPRODUCTION

Page 60 OVERVIEW OF THE CALIFORNIA CONSTITUTION (1879) UNIT 26

California has one of the longest constitutions of the 50 states, having 32 articles (even though the last one is numbered 35). There are approximately 365 sections contained in those articles. A summary is presented here, giving an overview and an index to the state constitution. You will find additional details to many of these sections in the upcoming pages of this worktext. The entire state constitution is also available on the California Legislature website at *leginfo.legislature.ca.gov.*

Preamble

The preamble is similar to the preamble in the U.S. Constitution and explains why the California Constitution was written. Below is the wording of the preamble:

"We, the people of the State of California, grateful to Almighty God for our freedom, in order to secure and perpetuate its blessings, do establish this constitution."

Article I - Declaration of Rights

There are 32 sections of the California *Declaration* (or Bill) *of Rights*. Many of these sections were based on provisions in the U.S. Constitution. The 14th Amendment to the U.S. Constitution prohibits states from depriving any person of life, liberty, or property without the due process of law. Some of the California Bill of Rights go beyond the rights established by our U.S. Constitution.

The topics of the California Declaration of Rights are listed below:

<u>Section</u>

- 1. All people have inalienable rights
- 2. Freedom of speech and press
- 3. Rights of peaceable assembly and petition
- 4. Religious freedom
- 5. Subordination of military to civil powers, quartering soldiers
- 6. Slavery is prohibited
- 7. No one is deprived of life, liberty, or property without due process of law
- 8. No discrimination based on sex, race, creed, color, or national or ethnic origin
- 9. Ex post facto laws and impairing of contracts
- 10. Witnesses may not be unreasonably detained
- 11. Habeas corpus
- 12. Bail guaranteed and exceptions
- 13. No unreasonable seizures and searches

<u>Section</u> (Article I - Declaration of Rights continued)

- 14. Felonies shall be prosecuted as provided by law
- 15. Right to a speedy trial and due process of law
- 16. Right to trial by jury
- 17. No cruel or unusual punishment, nor excessive fines
- 18. Treason
- 19. Power of eminent domain
- 20. Property rights of citizens and non-citizens
- 21. Marriage and property
- 22. No property qualification for voting or holding office
- 23. Grand juries
- 24. Rights guaranteed by California are not dependent on those by the U.S. Constitution
- 25. Right to fish
- 26. Provisions are mandatory and prohibitory
- 27. Death penalty
- 28. Rights of victims of crime
- 29. Rights of accused in criminal prosecutions
- 30. Joining of criminal cases
- 31. No discrimination for public employment and education
- 32. Release of prisoners and public safety

Article II - Voting, Initiative, & Recall

Article II of the California Constitution has 20 sections dealing with the three forms of direct democracy (initiative, referendum, and recall), voter qualifications, and election laws. This article declares that initiatives and referendums are powers given to citizens to participate in the lawmaking process, such as proposing or rejecting statutes (laws) and adopting or rejecting amendments to the state constitution. Citizens have the authority to pursue a recall election for officials at the state and local levels, which includes removing the person from office and determining who should take their place. Fundamental to the California Constitution is that "all political power is inherent in the people."

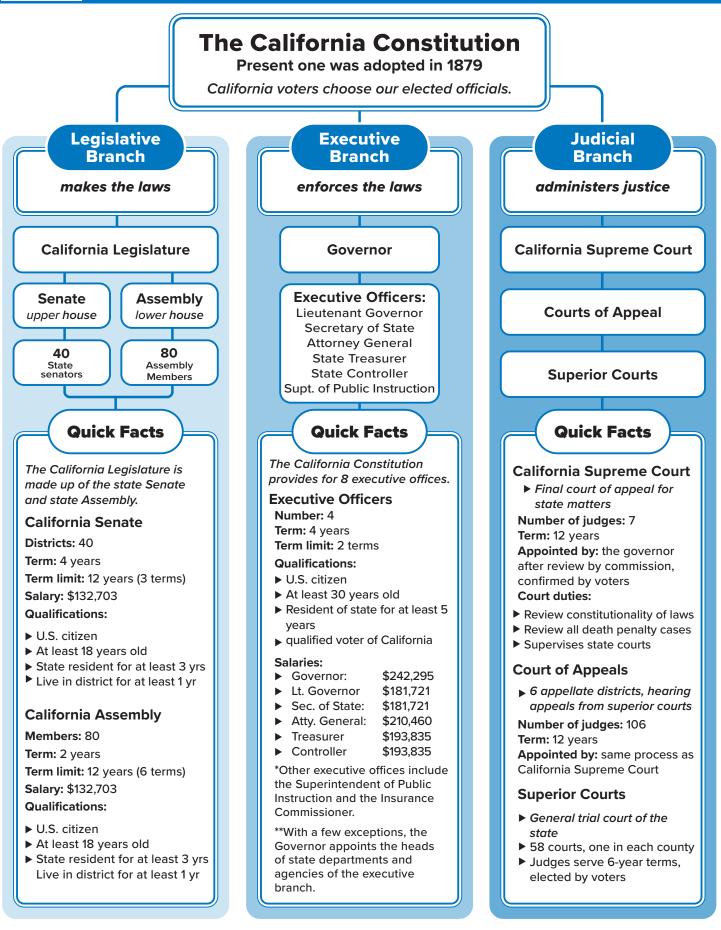
Article III - State of California

Article III has nine sections that explain how the government of California is organized. It acknowledges that the United States Constitution is the supreme law of the land. State government consists of the legislative, executive, and judicial branches. Powers of officials are explained, along with salaries and retirement provisions.

continued

Mexico gains Treaty of Guadalupe California California becomes Sacramento became Over 300,000 people	1861
	1
Spain, CaliforniaMexican-American becomes part of thefirst state constitution inpart of the Compro- mise of 1850, enteringfor the state capital, more accessible to ato strike it rich after earlier gold discovery	The <i>Civil War</i> begins with Abraham Lincoln President, 620,000 soldiers killed in battle.





Most bills follow the simplified path below. The complete lawmaking process is much more complex and detailed.

Every state law starts with an idea.

The lawmaking process starts with an idea from you, the voting public, a state legislator, a government agency, etc.

The bill is introduced.

CΔ

Assembly

A bill may start out in either the Senate or the Assembly of the California Legislature. Each bill must be read by title three different days in each chamber before it can be passed.

3

1

Your state legislators at work, discussing and debating



When the bill is first filed, it is assigned a bill number and read to the Legislature for the first time. Senators and Assembly members meet in small groups to research, discuss, and make changes to the bill. The state lawmaking process uses committees much like the federal government. Here the bill may have changes (amendments), get killed, get passed, have public hearings, or require more debate. Lobbyists may also meet with lawmakers.

CA Senate ---- - 32 Democrats ----- - 18 Republicans

> 80 total members 62 Democrats

The Legislature keeps favorable bills moving.

Approved by committee If a majority vote favors the bill, it moves forward. Second reading to the full legislative body Amendments can still be proposed.

⇒

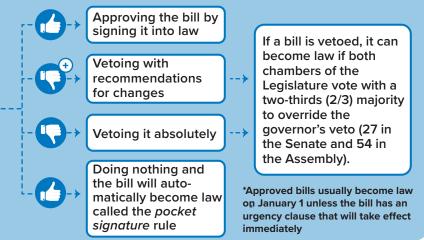
Third and final reading After the final debate, the chamber votes on the bill. A simple majority is needed: 21 in the Senate, 41 in the Assembly.

Approval from the other house Bills that are approved move to the other chamber, following the same process. Approval from the other house Once both chambers agree on the same version of the final bill, it is sent to the governor.

Governor's action



When the bill reaches the governor, he or she has 12 days to take action. This may involve the following actions:





Compare and Contrast the California and United States Constitutions

The United States Constitution details are given; fill in the blanks related to the California Constitution. This will better understand the similarities and differences between both Constitutions.



Topic or Detail	United States	California
Bill of Rights	First 10 Amendments	In Article #
Number of Branches	<i>Three</i> 1. legislative, 2. executive, 3. judicial	<i>Three</i> 1 2 3
Scope of Branches	<i>Enforce, Make,</i> or <i>Interpret</i> laws of the United States	<i>Enforce</i> , <i>Make</i> , or <i>Interpret</i> laws of
Chief Executive Officer	President	
Minimum age for Chief Executive	35 years old	years old
Term for Chief Executive Officer	4 years (two-term maximum)	years (no term limits)
First successor to the office	Vice President	
Name of Lawmaking Body	Congress	
House & Senate Key Officers	House = Speaker Senate = Vice President	Assembly = Senate =
Number of members in Legislative Body	House = 435, Senate = 100	Assembly =, Senate =
Terms for Members of Legislative Body	House = 2 years, Senate = 6 years	Assembly =, Senate =
Minimum age for Legislative Members	House = 25 years old, Senate = 30 years old	Assembly =years old Senate =years old
Veto override	2/3 of both houses	of both houses
Justices or Judges Terms	Term of office = for life	Term of Office =years
Number of Supreme Court Justices	9 justices	justices
Number of Words	4,543 words	words