

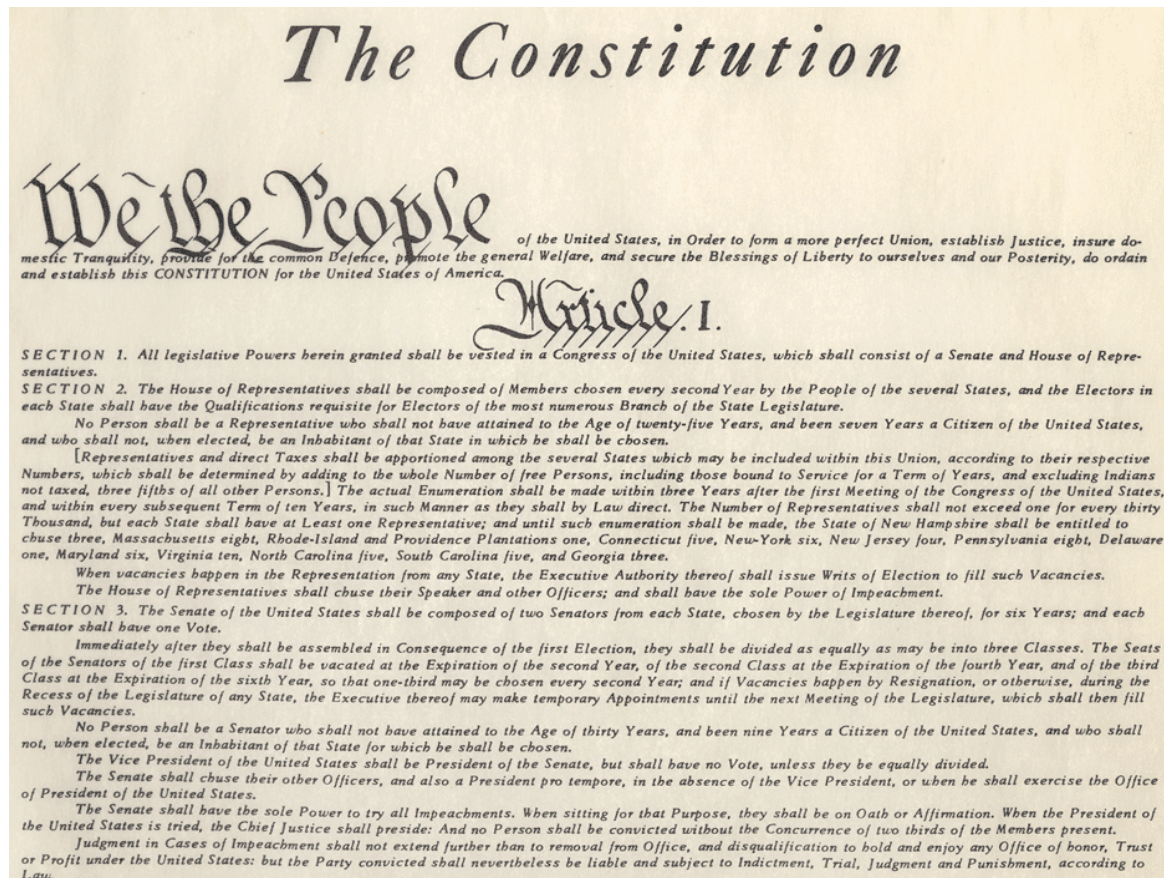
# THE CONSTITUTION



# PLEJSASR

<b>(<u>P</u>lease, <u>L</u>et's</b>	<b><u>E</u>at</b>	<b><u>J</u>ello</b>	<b><u>S</u>oon</b>	<b><u>A</u>fter</b>	<b><u>S</u>ummer</b>	<b><u>R</u>eturns)</b>	
<b>R</b>	<b>e</b>	<b>x</b>	<b>u</b>	<b>t</b>	<b>m</b>	<b>u</b>	<b>a</b>
<b>e</b>	<b>g</b>	<b>e</b>	<b>d</b>	<b>a</b>	<b>e</b>	<b>p</b>	<b>t</b>
<b>a</b>	<b>l</b>	<b>c</b>	<b>i</b>	<b>t</b>	<b>n</b>	<b>r</b>	<b>i</b>
<b>m</b>	<b>s</b>	<b>u</b>	<b>c</b>	<b>e</b>	<b>d</b>	<b>e</b>	<b>f</b>
<b>b</b>	<b>l</b>	<b>t</b>	<b>i</b>	<b>s</b>	<b>m</b>	<b>m</b>	<b>i</b>
<b>l</b>	<b>a</b>	<b>i</b>	<b>a</b>		<b>e</b>	<b>a</b>	<b>c</b>
<b>e</b>	<b>t</b>	<b>v</b>	<b>l</b>		<b>n</b>	<b>c</b>	<b>a</b>
	<b>l</b>	<b>e</b>			<b>t</b>	<b>y</b>	<b>t</b>
	<b>v</b>						<b>i</b>
	<b>e</b>						<b>o</b>
							<b>n</b>
	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>V</b>	<b>VI</b>	<b>VII</b>

# The 6 Basic Principles of the Constitution



# 1. Popular Sovereignty

- Jean Jacques Rousseau
- Popular = people
- Sovereign = power



# Preamble Activity

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- Glue down the Preamble (page 1)
- Also glue down Article V: Amendments (page 11)
- And Article VII: Ratification (page 11)

## 2. Limited Government

*"That government is best which governs least."*

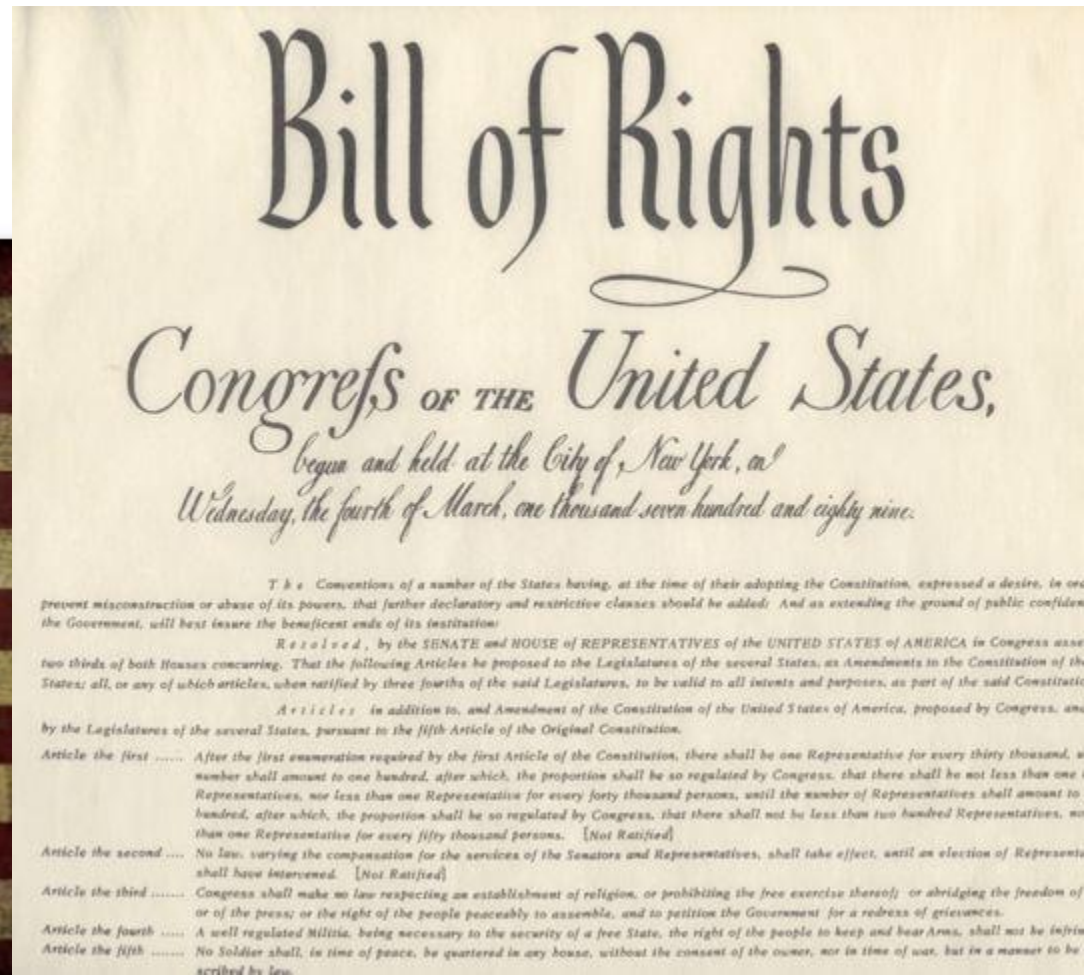
HENRY DAVID THOREAU

- Constitutionalism
- Rule of Law
- Bill of Rights






**A government big enough to give you everything you want, is strong enough to take everything you have.**

**Thomas Jefferson**



# 3. Separation of Powers

<b>Legislative</b>	<b>Executive</b>	<b>Judicial</b>
<ul style="list-style-type: none"><li>•Makes laws</li><li>•Taxes to provide services</li><li>•Regulates money and trade</li></ul> 	<ul style="list-style-type: none"><li>•Enforces laws and treaties</li><li>•Conducts foreign policy</li><li>•Commander in chief of the military</li></ul> 	<ul style="list-style-type: none"><li>•Explains and interprets laws</li><li>•Settles disputes</li></ul> 

# James Madison, *Federalist Papers*

- “If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.”



4.

# SYSTEM OF CHECKS AND BALANCES IN THE U. S. FEDERAL GOVERNMENT

## EXECUTIVE BRANCH



Approve presidential appointments  
 Authority to bring impeachment hearings  
 Power to override presidential vetoes  
 Control appropriations  
 Ratify treaties  
 Declare war

Authority to call special sessions of Congress  
 President is Commander-in-Chief  
 Power to veto bills

Interpret laws and Presidential actions  
 Judges appointed by the President  
 Serve for life

Grant reprieves and pardons  
 Appoint judges to fill vacancies in the court

Arrows indicate the direction of a check one branch exerts over the other.



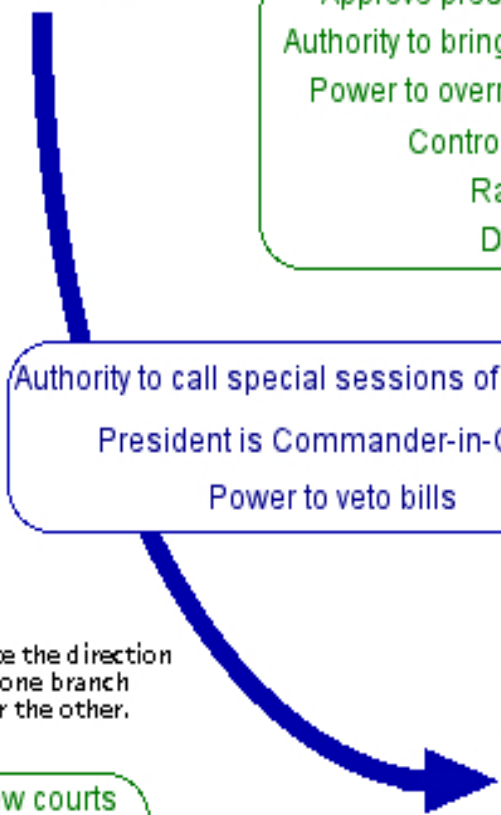
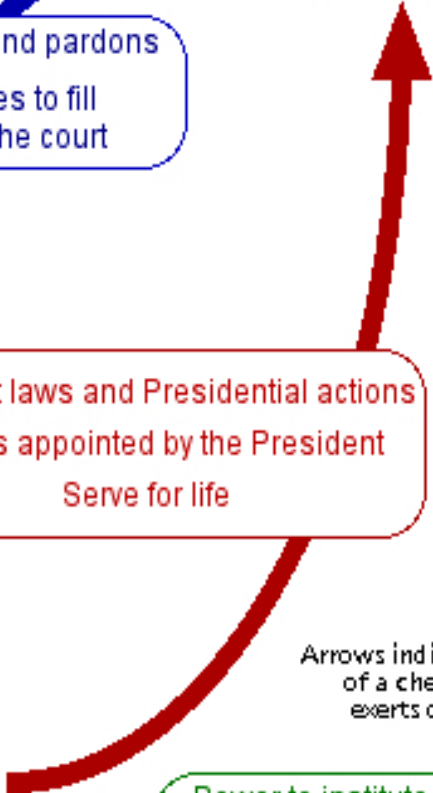
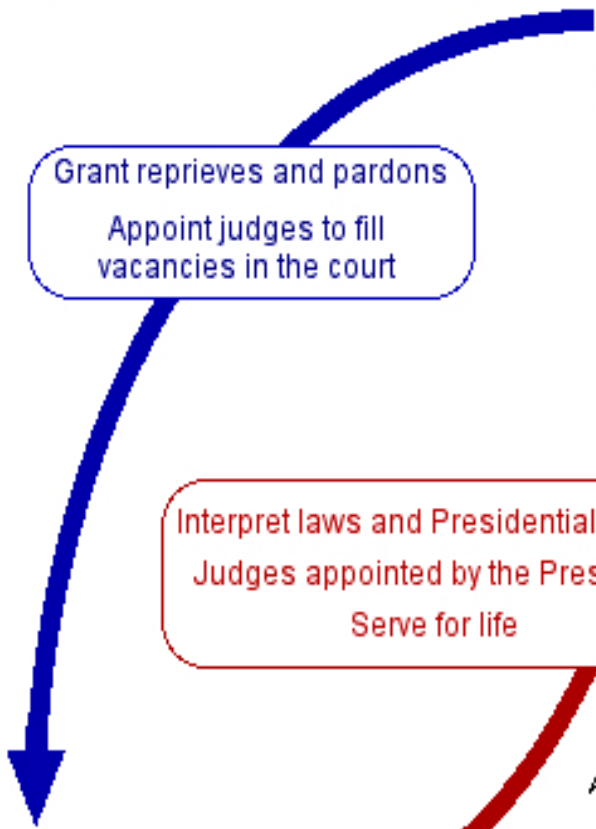
## JUDICIAL BRANCH

Power to institute new courts  
 Authority to impeach  
 Approve Judicial appointments made by President

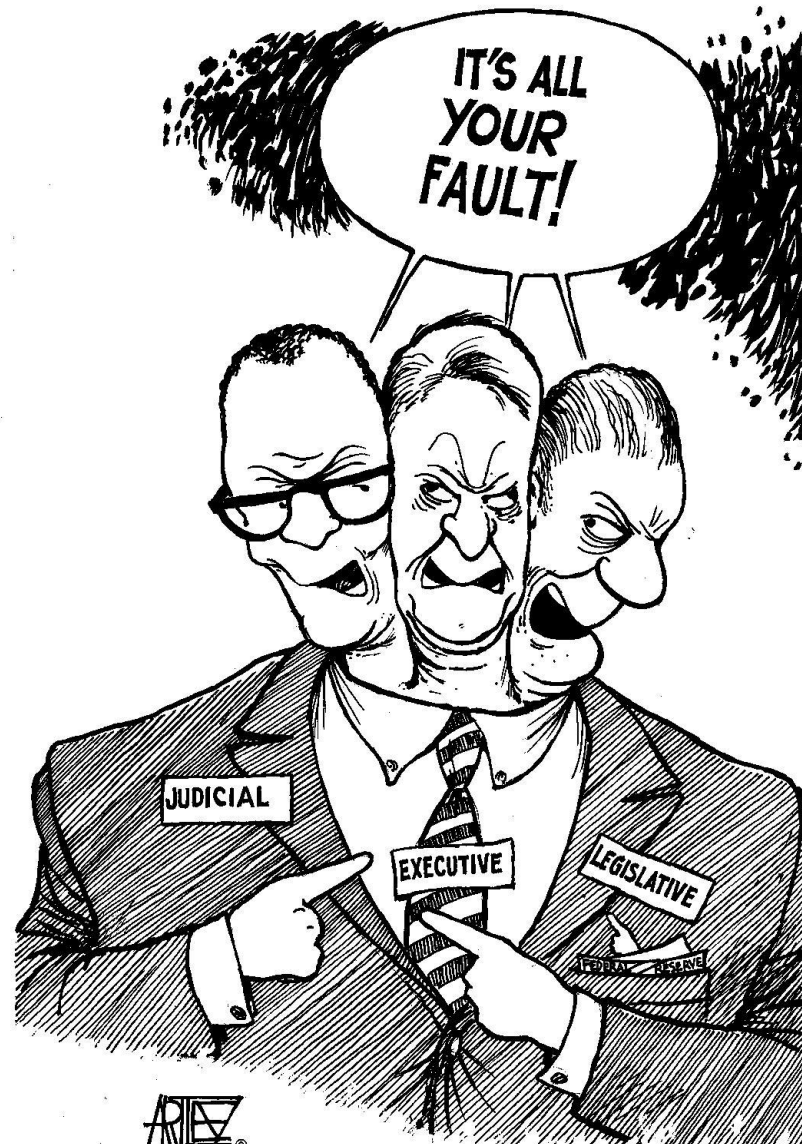


## LEGISLATIVE BRANCH

Interpret laws  
 Determine constitutionality  
 Serve for life

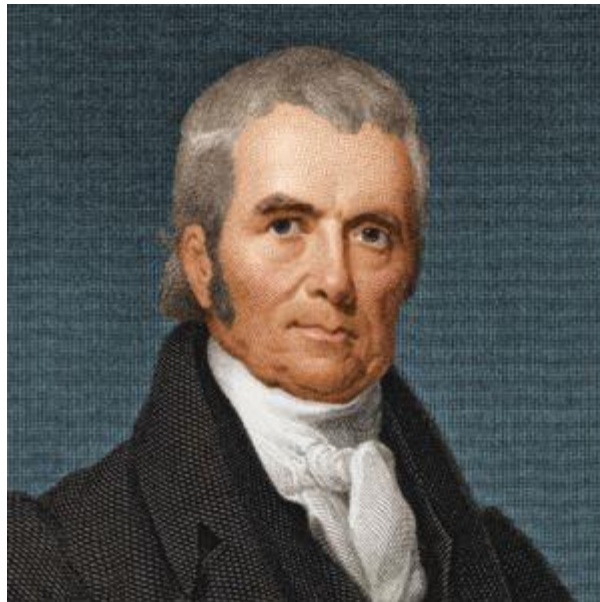


**THE THREE BRANCHES OF GOVERNMENT  
ESTABLISH A DIALOGUE...**



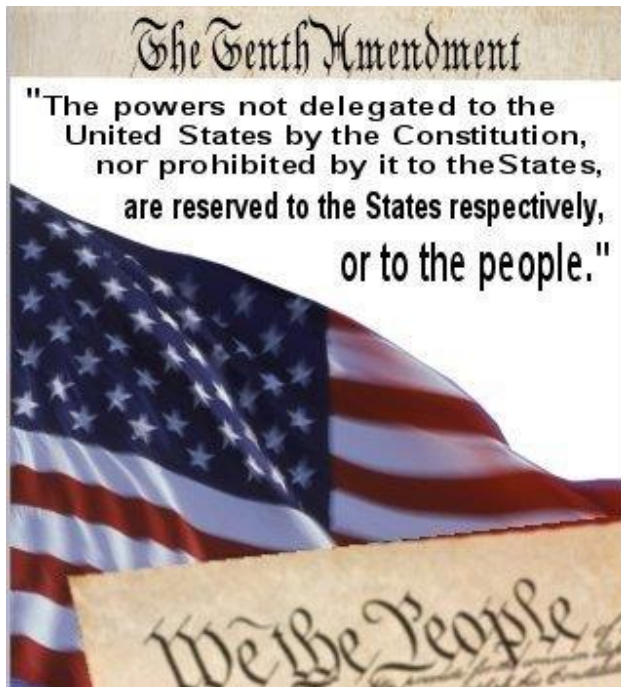
# 5. Judicial Review

- courts have power to make sure the government is following the constitution \*\*\*where does this come from???

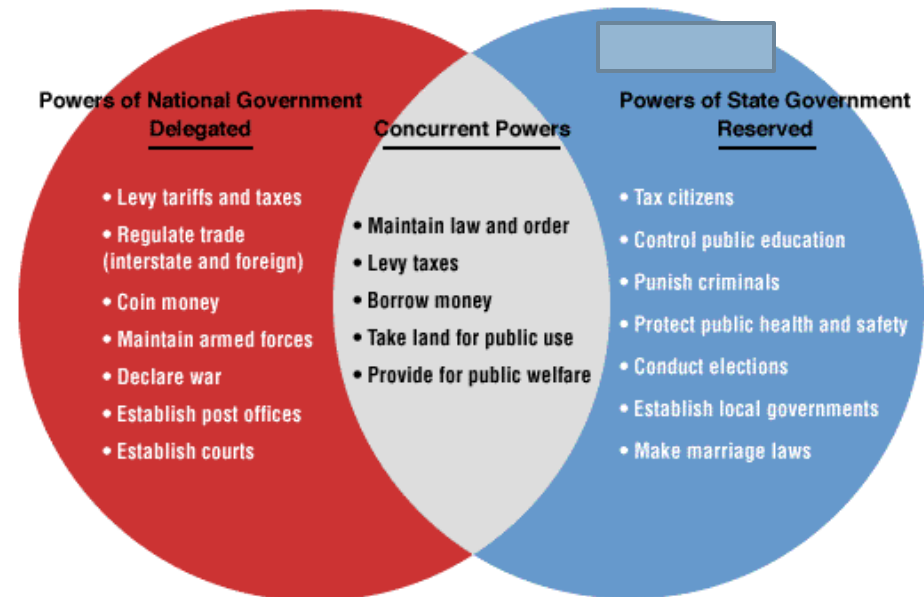


# 6. Federalism

- Sharing of power between States and Federal Government
- 10<sup>th</sup> Amendment



## Federal System



# Now that we've got it...

## HOW DO WE CHANGE IT??

### Two Methods of Amending the Const.

- Formal = actual written changes; described in Article V
  - \*\* the Pres has no formal role in this process
  - 4 ways
- Informal: Laws, executive orders, court cases, tradition, political parties

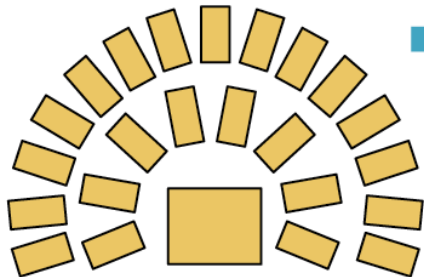
## Methods of Proposal

66 Senators  
290 Representatives



By two-thirds  
vote in both houses  
of Congress

By national  
constitutional convention  
called by Congress at the  
request of two-thirds of the  
state legislatures



## Methods of Ratification

38 states



By legislatures  
in three-fourths  
of the states



By ratifying  
conventions in  
three-fourths of  
the states

Usual method  
used

Method still  
unused

Used only once,  
for Twenty-First  
Amendment

Method still  
unused

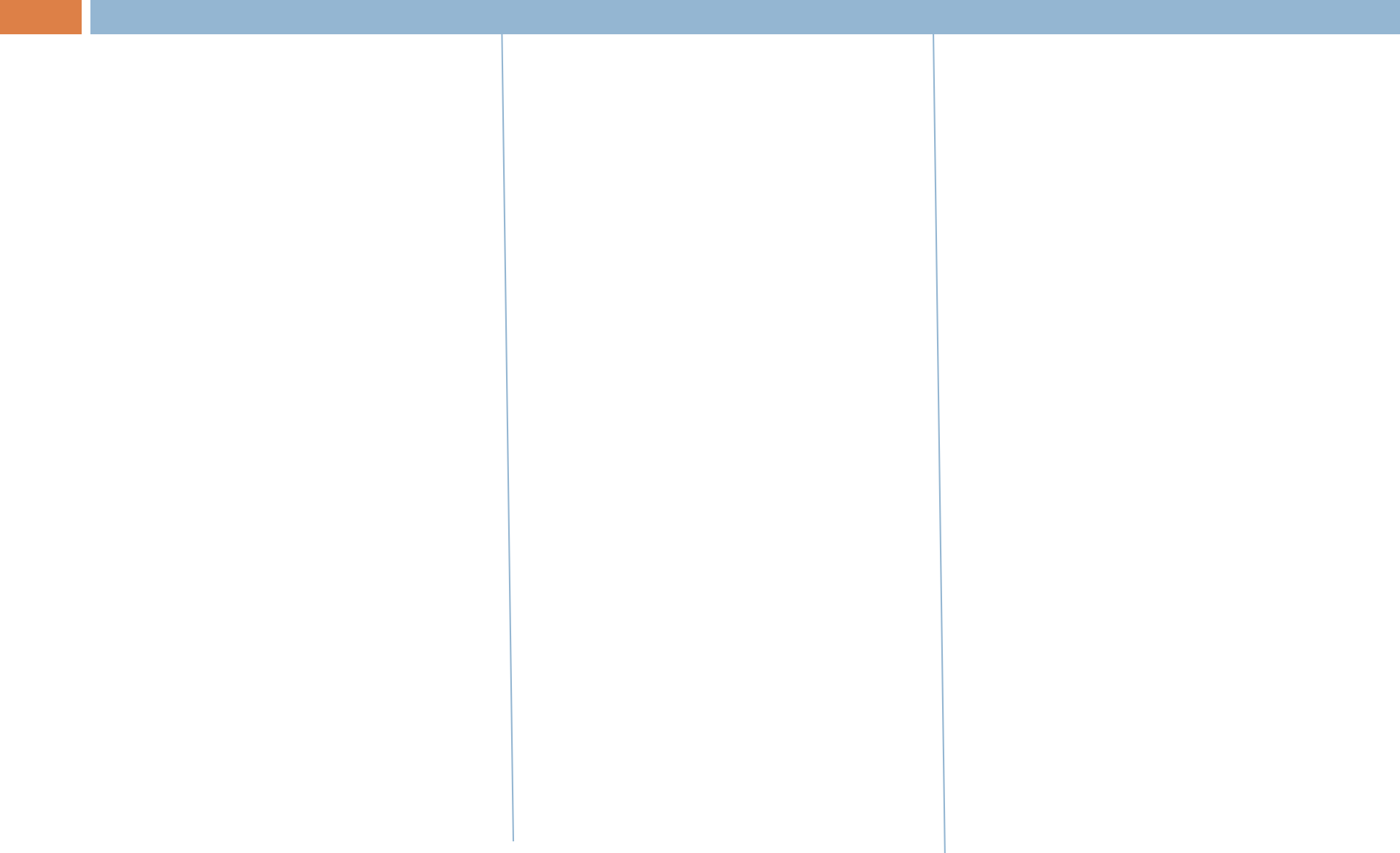
# Categorizing the Amendments 11-27

- Extends liberties
- Denies liberties
- Governmental process

Extends

Takes Away

Process





# The Amending Power and How it Has Been Used

Leaving aside the first ten amendments (the Bill of Rights), the power of constitutional amendment has served a number of purposes:

## **To Increase or Decrease the Power of the National Government**

- The Eleventh took some jurisdiction away from the national courts.
- The Thirteenth abolished slavery and authorized Congress to legislate against it.
- The Sixteenth enabled Congress to levy an income tax.
- The Eighteenth authorized Congress to prohibit the manufacture, sale, or transportation of liquor.
- The Twenty-First repealed the Eighteenth and gave states the authority to regulate liquor sales.
- The Twenty-Seventh limited the power of Congress to set members' salaries.

## **To Expand the Electorate and Its Power**

- The Fifteenth extended suffrage to all male African Americans over the age of 21.
- The Seventeenth took the right to elect United States senators away from state legislatures and gave it to the voters in each state.
- The Nineteenth extended suffrage to women over the age of 21.
- The Twenty-Third gave voters of the District of Columbia the right to vote for president and vice president.
- The Twenty-Fourth outlawed the poll tax, thereby prohibiting states from taxing the right to vote.
- The Twenty-Sixth extended suffrage to otherwise qualified persons 18 years of age or older.

## **To Reduce the Electorate's Power**

- The Twenty-Second took away from the electorate the right to elect a person to the office of president for more than two full terms.

## **To Limit State Government Power**

- The Thirteenth abolished slavery.
- The Fourteenth granted national citizenship and prohibited states from abridging privileges of national citizenship; from denying persons life, liberty, and property without due process; and from denying persons equal protection of the laws. This amendment has come to be interpreted as imposing restraints on state powers in every area of public life.

## **To Make Structural Changes in Government**

- The Twelfth corrected deficiencies in the operation of the electoral college that the development of a two-party national system had revealed.
- The Twentieth altered the calendar for congressional sessions and shortened the time between the election of presidents and their assumption of office.
- The Twenty-Fifth provided procedures for filling vacancies in the vice presidency and for determining whether presidents are unable to perform their duties.