The U.S. Constitution

OBJECTIVES

• Describe the Articles and major principles of the United States Constitution.

• Explain the major amendments to the U.S. Constitution.

• The U.S. constitution is made up of a Preamble and 7 Articles.

• Preamble – “statement of purpose”:
We the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

• Article 1: The Legislative Branch (Congress)
  • Bicameral – Consists of House of Representatives and Senate
  • Main job is making laws, proposed laws are called bills

• Article 2: The Executive Branch (President)
  • President of the United States
  • 4 year terms with a maximum of 2 terms
  • Execute and carry out laws.

• Article 3: The Judicial Branch (The Supreme Court)
  • Settle disputes between states
  • Controlled by neither President or Congress
  • Judges nominated by President, approved by Senate
  • Judges serve life terms

• Article 4: The States
  • States must honor the laws of other states

• Article 5: Amending the Constitution
  • Changes to the Constitution
    • Amend means “to change”
  • This Article outlines the specific process needed to change the Constitution

• Article 6: The Supremacy of the Constitution
  • Federal laws take priority over state laws
  • No law (state or federal) may violate the Constitution
  • Another name for the U.S. Constitution is “The Supreme Law of the Land”

• Article 7: Ratification
  • Procedure for approval of Constitution – used during and after the Constitutional Convention
Major Principles of American Government

- **Popular Sovereignty** – the authority of the government is created and sustained by the consent of its people, through their elected representatives (Rule by the People)
  - The citizens are THE source of all political power.
  - “Let the people decide.”

- **Federalism** – The division of power between the states and the federal (or national) government
  - Concurrent powers & Reserved powers

- **Separation of Powers** – 3 Branches
  - Powers distributed among the three branches - each branch has its own responsibility and powers.
  - Each branch is legally independent and equal.

- **Checks and Balances** – Gives each branch of government ways to limit the powers of the other two.
  - p. 130 in Civics book

- **Judicial Review** – The Supreme Court’s power to overturn any law that it decides is in conflict with the Constitution.

- **Limited Government** – The Constitution creates a government limited by the consent of the people.
  - Based on popular sovereignty
The Bill of Rights
(Amendments 1-10)

1. First Amendment:

2. Second Amendment:
   - Right to Bear Arms

3. Third Amendment:
   - Quartering of Troops

4. Fourth Amendment:
   - Searches and Seizures

5. Fifth Amendment:
   - Criminal Proceedings; Due Process; Eminent Domain

6. Sixth Amendment:
   - Criminal Proceedings (Fair Trial)

7. Seventh Amendment:
   - Civil Trials

8. Eighth Amendment:
   - Punishment for Crimes

9. Ninth Amendment:
   - Unenumerated Rights

10. Tenth Amendment:
    - Powers Reserved to the States

Amendments 11-27

11. Eleventh Amendment (1795):
    - Suits Against States

12. Twelfth Amendment (1804):
    - Election of President and Vice President

13. Thirteenth Amendment (1865):
    - Slavery and Involuntary Servitude

14. Fourteenth Amendment (1868):
    - Rights of Citizens

15. Fifteenth Amendment (1870):
    - Right to Vote – Race, Color, Servitude

16. Sixteenth Amendment (1913):
    - Income Tax

17. Seventeenth Amendment (1913):
    - Popular Election of Senators

18. Eighteenth Amendment (1919):
    - Prohibition of Intoxicating Liquors

19. Nineteenth Amendment (1920):
    - Women’s Suffrage

20. Twentieth Amendment (1933):
    - Commencement of Terms; Sessions of Congress; Death or Disqualifying of President-Elect

21. Twenty-first Amendment (1933):
    - Repeal of Prohibition

22. Twenty-second Amendment (1951):
    - Presidential Tenure

23. Twenty-third Amendment (1961):
    - Presidential Electors for D.C.

24. Twenty-fourth Amendment (1964):
    - Right to Vote in Federal Elections – Poll Taxes Illegal

25. Twenty-fifth Amendment (1967):
    - Presidential Succession, Vice Presidential Vacancy, Presidential Inability

    - Right to vote – Voting Age Lowered to 18

27. Twenty-seventh Amendment (1992):
    - Congressional Pay
Civil War Amendments

- The Thirteenth Amendment (1865):
  - Was passed after much tension between the North and South
  - Came about after the North won the Civil War
- The Fourteenth Amendment (1868):
  - Gave citizenship to African Americans
  - All persons born or naturalized in US are citizens
- Fifteenth Amendment (1870):
  - Allowed African Americans the right to vote

Other Amendments

- Twenty-fourth Amendment 1964:
  - Made poll taxes illegal
- The Nineteenth Amendment 1920:
  - Allowed woman to vote
- The Twenty-sixth Amendment 1971:
  - Dropped the voting age from 21 to 18
  - Prompted by the Vietnam war and the draft
  - Young Americans can fight, but not vote

Amend means “to change”
- Amendments are general, not specific!
  - This allows them to be interpreted by the Supreme Court

Supreme Court Cases

*Plessy v. Ferguson (1896)*

- 14th Amendment: Gave African Americans citizenship, but States got around this by segregation laws or separation of blacks and whites in public places
- Homer Plessy refused to leave a whites only railroad car in Louisiana.
- This case brought about “separate but equal”, which meant that if the quality of the railroad cars were the same than segregation was justified (overturned in *Brown v. Board*)

*Brown v. Board of Education of Topeka (1954)*

- Linda Brown lived 7 blocks from white school and was required to go 21 blocks to African American school.
- Parents took the school board to court.
- “Separate but equal” established in *Plessy v. Ferguson* was overturned and all segregation laws were made unconstitutional