

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**

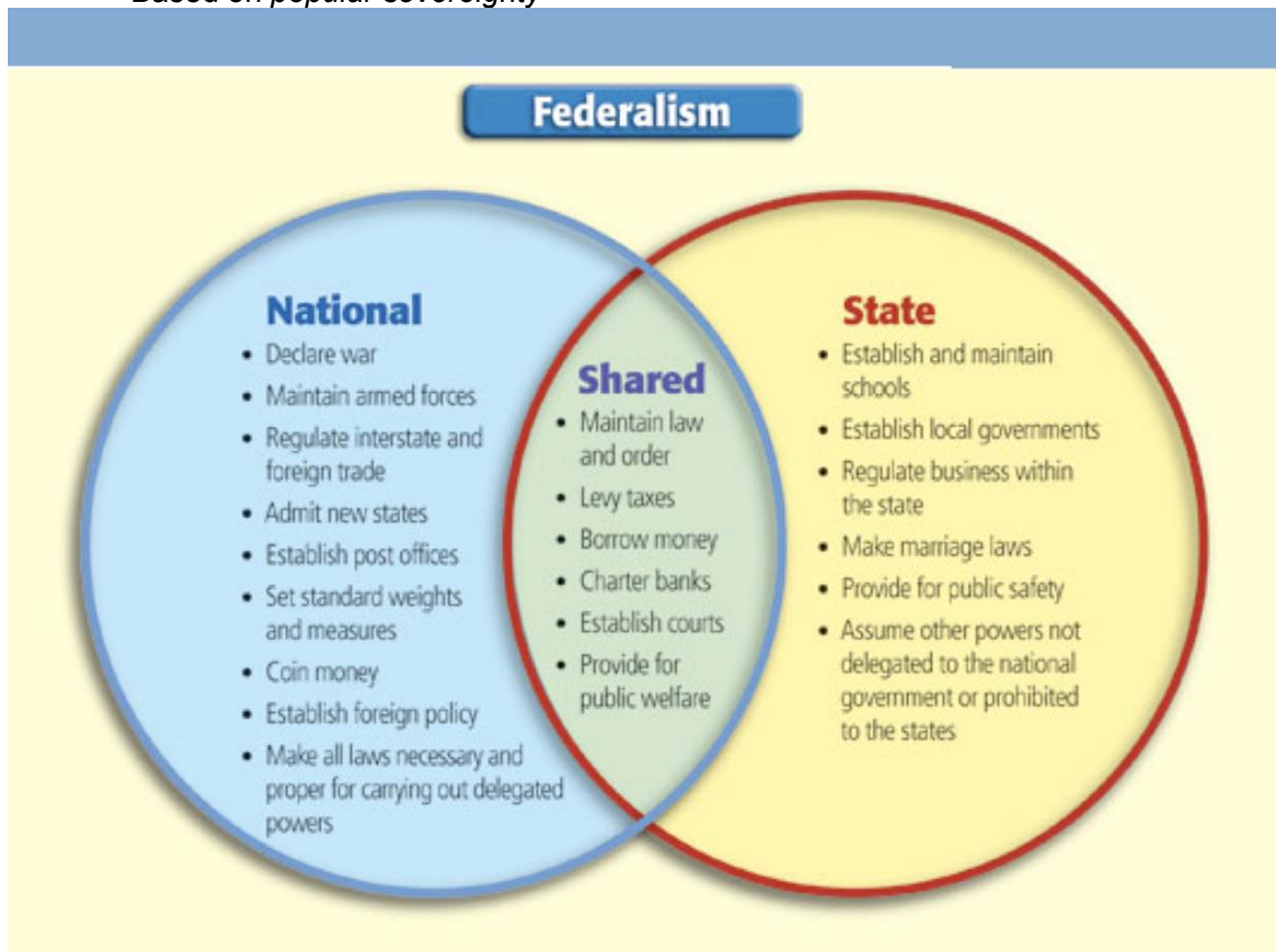
- Federal laws take priority over state laws
- No law (state or federal) may violate the Constitution
- Another name for the U.S. Constitution is “The Supreme Law of the Land”

- **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 it's 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*



LEGISLATIVE



- ★ Makes laws
- ★ Approves presidential appointments
- ★ Two senators from each state
- ★ The number of congressmen is based on population

EXECUTIVE



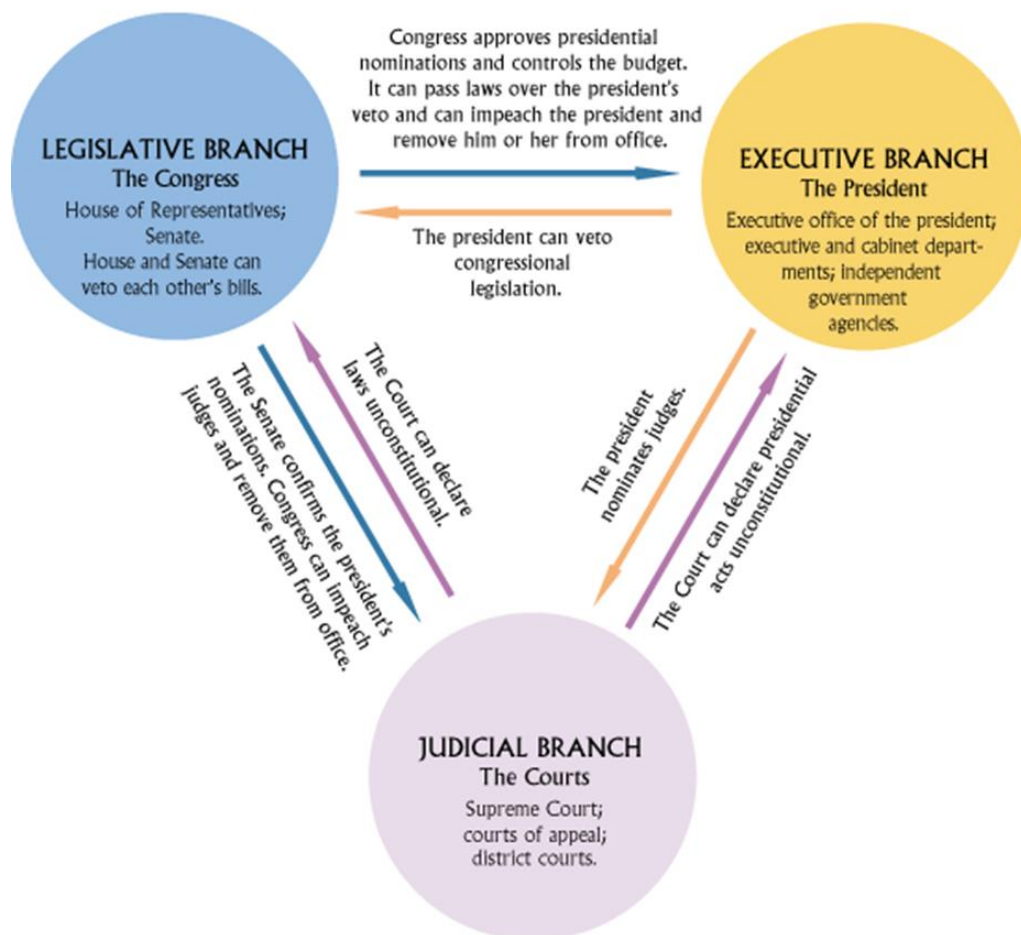
- ★ Signs laws
- ★ Vetoes laws
- ★ Pardons people
- ★ Appoints federal judges
- ★ Elected every four years

JUDICIAL























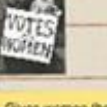









- ★ Decides if laws are constitutional
- ★ Are appointed by the president
- ★ There are 9 justices
- ★ Can overturn rulings by other judges

Separation of Powers and Checks and Balances



The Rule Book Of America

<p>1st Amendm ent: Freedom of Religion</p>  <p>People are free to express their religious beliefs</p>	<p>1st Amendm ent: Freedom of Speech</p>  <p>People are free to express their ideas in a public forum</p>	<p>1st Amendm ent: Right to Assemble</p>  <p>People are free to assemble and discuss or protest things they find unjust</p>	<p>1st Amendm ent: Freedom of Press</p>  <p>News distributors are free to print or announce what they want</p>	<p>1st Amendm ent: Right to Petition</p>  <p>People are free to create a petition or either go against or create a law they want</p>
<p>2nd Amendm ent: Right to Bear Arms</p>  <p>The people have the right to have access to their own owned firearms or buy one</p>	<p>3rd Amendm ent</p>  <p>People have the right to prohibit the quartering of troops in their home without their consent</p>	<p>4th Amendm ent</p>  <p>Protects from unreasonable searches and seizures</p>	<p>5th Amendm ent</p>  <p>A person is innocent until proven guilty and has the right to a fair speedy trial. Also if the government wants something of yours the need to</p>	<p>6th Amendm ent</p>  <p>Must inform the defendant in a criminal trial the charges and their rights</p>
<p>7th Amendm ent</p>  <p>a jury must be at all Civil Cases</p>	<p>8th Amendm ent</p>  <p>Cannot raise the bail of a prisoner to high, and protects prisoners from cruel and torturous punishments</p>	<p>9th Amendm ent</p>  <p>Civil rights are not restricted to the people mentioned in the amendments</p>	<p>10th Amendm ent</p>  <p>Powers that the federal government doesn't have goes to the state and local governments</p>	<p>11th Amendm ent</p>  <p>A person cannot sue someone of another state in a federal court setting</p>
<p>12th Amendm ent</p>  <p>a VP needs to be elected on a separate ballot than the president</p>	<p>13th Amendm ent</p>  <p>Abolishes slavery</p>	<p>14th Amendm ent</p>  <p>Gives rights to former slaves Gives a definition to citizenship</p>	<p>15th Amendm ent</p>  <p>A person can vote no matter what race, or sex they are Congress can enforce this</p>	<p>16th Amendm ent</p>  <p>Congress can tax incomes or whatever they want</p>
<p>17th Amendm ent</p>  <p>Senators have to be elected by their own states This was ratified on April 8, 1913</p>	<p>18th Amendm ent</p>  <p>No alcohol was allowed to be made or sold in the U.S</p>	<p>19th Amendm ent</p>  <p>Gives women the right to vote The Women Suffrage movement made this law happen</p>	<p>20th Amendm ent</p>  <p>Tells when President, Vice President, and congresses terms end in office</p>	<p>21st Amendm ent</p>  <p>Neutralized the 18th amendment which banned alcohol</p>
<p>22nd Amendm ent</p>  <p>Doesnt allow a President of two terms to re-elect themselves as president for a third</p>	<p>23rd Amendm ent</p>  <p>Gives the people who live in Washington D.C the right to vote</p>	<p>24th Amendm ent</p>  <p>Prohibits the government from taxing any federal polls</p>	<p>25th Amendm ent</p>  <p>Describes the situations when the President should give up his duties to the Vice President</p>	<p>26th Amendm ent</p>  <p>Allows citizens over the age of 18 to vote</p>
<p>27th Amendm ent</p>  <p>Delays the government from changing Senators and Representatives salaries right away</p>				

The Bill of Rights (Amendments 1-10)

1. **First Amendment:**
 - Freedom of Religion, Speech, Press, Assembly, and Petition
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
26. **Twenty-sixth Amendment (1971):**
 - 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

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

