Objectives

1. Understand the basic outline of the Constitution.

2. Understand the six basic principles of the Constitution: popular sovereignty, limited government, separation of powers, checks and balances, judicial review, and federalism.
Key Terms

- **popular sovereignty**: the political principle that people are the source of all governmental power and that government requires the consent of the governed.

- **limited government**: the idea that government may only do those things that the people have given it the power to do.

- **constitutionalism**: the idea that government must be conducted according to constitutional principles.
• **rule of law**: the principle that government and its officers must always obey the laws of the land

• **separation of powers**: the principle that each of the basic powers of government—executive, legislative, and judicial—should be wielded by an independent branch of government
Key Terms, cont.

- **checks and balances**: the system under which each branch of government can check, or limit, the actions of the other branches.
- **veto**: to reject an act of Congress.
- **judicial review**: the power of a court to determine whether a government action is constitutional or not.
• **unconstitutional**: in violation of a provision of the Constitution, and therefore illegal and of no effect

• **federalism**: the principle that political power should be divided between a central government and a number of regional governments
• What are the six main principles on which the Constitution is based?

  – Popular Sovereignty
  – Limited Government
  – Separation of Powers
  – Checks and Balances
  – Judicial Review
  – Federalism

  – The Constitution embodies these key principles along with describing the basic structure of our government.
Outline of the Constitution

- The Constitution is organized in a simple fashion and is fairly brief.
  - In many areas it focuses more on principles than specific details. This helps it guide the nation through changing times.
  - The seven articles are followed by the 27 amendments.

### Articles of the Constitution

<table>
<thead>
<tr>
<th>Section</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preamble</td>
<td>States the purpose of the Constitution</td>
</tr>
<tr>
<td>Article I</td>
<td>Creates the Legislative branch</td>
</tr>
<tr>
<td>Article II</td>
<td>Creates the Executive branch</td>
</tr>
<tr>
<td>Article III</td>
<td>Creates the Judicial branch</td>
</tr>
<tr>
<td>Article IV</td>
<td>Relations among the States</td>
</tr>
<tr>
<td>Article V</td>
<td>Amending the Constitution</td>
</tr>
<tr>
<td>Article VI</td>
<td>National debts, supremacy of national law, and oaths of office</td>
</tr>
<tr>
<td>Article VII</td>
<td>Ratifying the Constitution</td>
</tr>
</tbody>
</table>
Popular Sovereignty

- The principle that the people are the only source for all governmental power.
  - The government rules through leaders elected by the people to represent the people.
  - The Preamble notes that the Constitution is created by “We the People.”
Limited Government

- Government may only do those things the people have given it the power to do.
  - Government must obey the law.
  - Much of the Constitution spells out limits on the power of the government.
Separation of Powers

• Checkpoint: How does the separation of powers keep government from becoming too powerful?
  – The Constitution divides power among the legislative, executive and judicial branches.
    • Congress makes the laws, the President executes and administers the laws, and the Supreme Court interprets the laws.
  – Separation of powers keeps a strong central government from being too powerful.
    • Too much power concentrated in any one branch could lead to abuses of that power.
Checks and Balances

• Each branch of the federal government can check the power of the other two.
  – The President can **veto bills** passed by Congress, but Congress can override a veto.
  – The Senate can **reject presidential appointees** or refuse to ratify a treaty.
  – Congress can vote to **impeach** a federal official.
  – The federal courts can rule that executive and legislative acts are **unconstitutional**.
• The use of checks is fairly rare.
  – Compromise is more common
  – Conflicts more likely when Congress and the presidency are controlled by different parties.
Checks and Balances

**EXECUTIVE BRANCH**
Carries out the law
- Appoints Supreme Court justices
- Appoints other federal judges

**LEGISLATIVE BRANCH**
Makes the law
- May impeach federal judges
- Creates lower courts

**JUDICIAL BRANCH**
Interprets the law
- May declare executive acts unconstitutional
- May declare acts of Congress unconstitutional

- May veto legislation
- May call special sessions of Congress
- May override a President’s veto
- May impeach the President
- Approves appointments of judges
- Approves treaties
Judicial Review

• The Courts can decide if a government action is constitutional.
  – The power of judicial review is held by all federal courts and most state courts.
  – Judicial review was established as a necessary power of the courts by Supreme Court Chief Justice John Marshal in the case *Marbury v. Madison* in 1803.
  – Most acts are found to be constitutional, but the Supreme Court has struck down many presidential, congressional, and state measures over the years.
Federalism is a compromise between an all-powerful central government and an independent state government.

- It corrected the weaknesses of the Articles of Confederation without replacing them with a British-style monarchy.

- The Framers felt that too much governmental power threatened liberty.

- Federalism helps prevent that power from being abused, by dividing governmental power.
Federalism, cont.

The Constitution divides power among the State and Federal Governments.

- Why might the Constitution give the power to regulate trade among the States to the Federal Government?
• Now that you have learned about the six main principles on which the Constitution is based, go back and answer the Chapter Essential Question.

– How has the Constitution lasted through changing times?