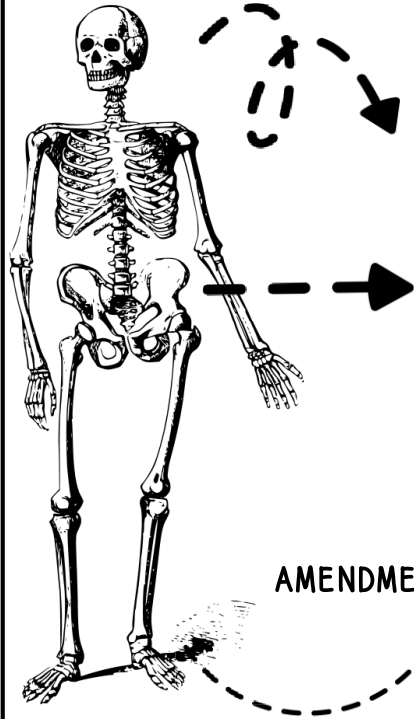


# U.S. CONSTITUTION

## ANATOMY OF THE CONSTITUTION



PREAMBLE - \_\_\_\_\_  
\_\_\_\_\_

ARTICLES - the body of the  
Constitution describes the  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AMENDMENTS - \_\_\_\_\_  
\_\_\_\_\_

## CONTENTS OF THE CONSTITUTION

- Preamble - \_\_\_\_\_
- Article 1- \_\_\_\_\_
- Article 2- \_\_\_\_\_
- Article 3- \_\_\_\_\_
- Article 4- \_\_\_\_\_
- Article 5-Provisions for \_\_\_\_\_
- Article 6-Public Debts, \_\_\_\_\_  
\_\_\_\_\_
- Article 7- \_\_\_\_\_
- \_\_\_\_\_

## GREAT IDEALS IN THE CONSTITUTION

- Consent of the Governed - "We the People" Popular Sovereignty (\_\_\_\_\_)
- Six goals of the Constitution Contained in the \_\_\_\_\_:

- \_\_\_\_\_ - Federal System (Federalism) stronger national government would mean a  
\_\_\_\_\_

- \_\_\_\_\_ - fairness of law enforcement, \_\_\_\_\_

- Insure domestic \_\_\_\_\_ - \_\_\_\_\_

"Men being, as has been said, by nature, all free, equal and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent."

- John Locke, Second Treatise of Government

- Provide for the \_\_\_\_\_ - protection from foreign attack - \_\_\_\_\_

- \_\_\_\_\_ - health/wellness of all citizens

- \_\_\_\_\_ - protect freedoms for future generations

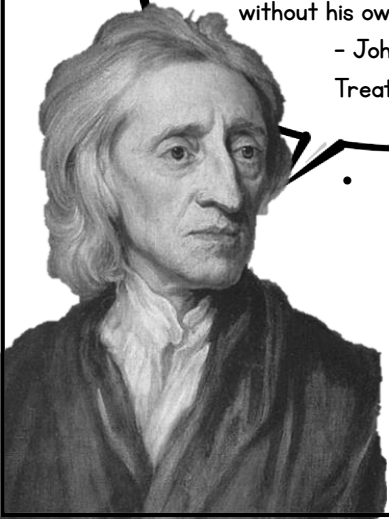
- A Representative Democracy

- The \_\_\_\_\_ established the U.S. as a Representative Democracy (Republic)

- \_\_\_\_\_ - reelect someone or elect someone new

- majority rule - \_\_\_\_\_

- \_\_\_\_\_ must be protected



## FEDERALISM

- Government based on a Federal System (Federalism) - \_\_\_\_\_
- powers of the National Government \_\_\_\_\_
- The Constitution and Laws of the United States are the " \_\_\_\_\_ " -  
The Supremacy Clause Article 6 section 2
- powers of the state governments apply to their state and are protected \_\_\_\_\_
- CONCURRENT POWERS - \_\_\_\_\_  
collect taxes, borrow money, enforce laws, court system
- EXCLUSIVE POWERS - powers can be exercised only by the \_\_\_\_\_ - to  
coin money, make treaties with foreign countries, tax imports, regulate interstate commerce

## RELATION OF THE NATIONAL GOVERNMENT TO THE 50 STATE GOVERNMENTS

- National government protects states from \_\_\_\_\_
- Congress \_\_\_\_\_
- \_\_\_\_\_ - grants of federal money or other resources to states/local governments
- \_\_\_\_\_ - some specific purpose like school lunch programs that have "strings attached" that dictate how the money may be spent
- \_\_\_\_\_ - more broadly defined category with fewer strings attached
- \_\_\_\_\_ - for a specific project - cancer research, construction, etc.
- Other forms of aid to the states - \_\_\_\_\_
- \_\_\_\_\_ to the National Government - National elections conducted by the state, law enforcement assist the FBI, etc.

## INTERSTATE RELATIONS - ARTICLE 4

- INTERSTATE COMPACTS - \_\_\_\_\_ among several states or states and foreign countries that must be approved by \_\_\_\_\_ (Ex. Port Authority of New York and New Jersey)
- \_\_\_\_\_ - "Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other state" (Article 4 Section 1)---marriage license, civil court matters, etc.
- Exceptions to the Full Faith and Credit Clause-- criminal law - states must enforce their own \_\_\_\_\_ and sometimes divorce decrees - Williams v. North Carolina
- \_\_\_\_\_ - returning a fugitive from justice in one state back to that state
- \_\_\_\_\_ - "The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States." (Article 4, Section 2, Clause 1)
- States may not draw unreasonable distinctions between its own residents and \_\_\_\_\_
- May require a person to live within the state for a period of time in order to vote, hold public office, obtain certain licenses (medical, law, etc.) and may charge higher college tuition for out of state residents

# A LIMITED GOVERNMENT

- Federal government is the stronger government, \_\_\_\_\_
- "CONSTITUTIONALISM" must follow the \_\_\_\_\_ - " \_\_\_\_\_ "

## EXPRESSED POWERS - \_\_\_\_\_ (enumerated powers):

- Congress - \_\_\_\_\_
- \_\_\_\_\_ - commander in chief of the armed forces, grant reprieves and pardons, to make treaties, to appoint major federal officials
- Supreme Court (and other federal courts) - \_\_\_\_\_

## IMPLIED POWERS - \_\_\_\_\_ ("Elastic Clause") - \_\_\_\_\_

has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers..." Article I, Section 8, Clause 18

- \_\_\_\_\_, Congress has created the Interstate highway system, built hydro-electric dams, prohibited racial discrimination in granting access to restaurants, theaters, hotels and motels, etc.

**INHERENT POWERS** - exist and belong to the National Government because they are \_\_\_\_\_  
\_\_\_\_\_ - regulate immigration, acquire new territory, grant diplomatic recognition to other countries, protect the nation from rebellion, etc.

## POWERS DENIED TO THE NATIONAL GOVERNMENT

Constitution expressly denies certain powers - \_\_\_\_\_

\_\_\_\_\_ - no national school system, no national law regarding marriage and divorce, nor set up local unit of government.

Federal system - National Government may not tax a state/local government carrying out their governmental functions - \_\_\_\_\_

## RESERVED POWERS

- Bill of Rights - \_\_\_\_\_
- 9<sup>th</sup> amendment reserves power to the \_\_\_\_\_
- 10<sup>th</sup> amendment reserves power to the \_\_\_\_\_

# 3 BRANCHES OF GOVERNMENT

## LEGISLATIVE BRANCH

- \_\_\_\_\_ (Congress) Article 1 of the Constitution
- Bicameral - \_\_\_\_\_
  - \_\_\_\_\_ - two senators from every state
  - \_\_\_\_\_ - based on the population of each state
- Responsible for all \_\_\_\_\_ matters
- Great emphasis on Congress by the writers of the Constitution - \_\_\_\_\_

## EXECUTIVE BRANCH

- \_\_\_\_\_ (President) Article 2 of the Constitution
- President is the \_\_\_\_\_
- Includes the executive \_\_\_\_\_
- \_\_\_\_\_ is second in line to the President

## JUDICIAL BRANCH

- \_\_\_\_\_ (Supreme Court) Article 3 of the Constitution
- \_\_\_\_\_ is the highest court in the country
- Supreme Court \_\_\_\_\_ (although not stated in the Constitution, *Marbury v. Madison*)
- Supreme Court has power to declare a law/executive action \_\_\_\_\_
- \_\_\_\_\_ has the power to establish all lower Federal Courts

## GOVERNMENT WITH CHECKS AND BALANCES

- Writers of the Constitution wanted to \_\_\_\_\_ - they did not want another King
- They created a Constitution with \_\_\_\_\_ of government, each with \_\_\_\_\_
- To make sure that no one branch becomes too powerful, the powers of each branch are checked and limited \_\_\_\_\_
- Congress \_\_\_\_\_
- Congress can \_\_\_\_\_ the President or Supreme Court Justices
- \_\_\_\_\_ has to approve all treaties
- Congress has to approve \_\_\_\_\_
- President may \_\_\_\_\_
- President must \_\_\_\_\_ Supreme Court Justices and other federal judges
- \_\_\_\_\_ may declare acts of Congress or the President unconstitutional
- Supreme Court Justices are appointed \_\_\_\_\_

# A FLEXIBLE CONSTITUTION

- Lasted for \_\_\_\_\_
- \_\_\_\_\_ (written change in the Constitution, 27 total amendments thus far)

## PROPOSING AN AMENDMENT

- \_\_\_\_\_ in Congress (both houses)
- \_\_\_\_\_ can ask Congress to call for a National Convention to propose an amendment

## RATIFYING AN AMENDMENT

- An amendment must be approved by \_\_\_\_\_ of the state legislatures or \_\_\_\_\_ of special state conventions called to vote on the proposed amendment
- The amendment must state which way \_\_\_\_\_
- Once an amendment is approved, it can only be repealed (done away with, taken back) \_\_\_\_\_  
\_\_\_\_\_ (18<sup>th</sup> → 21<sup>st</sup> Amendment)

## CONSTITUTIONAL CHANGES BY CONGRESS

- may \_\_\_\_\_ part of the Constitution dealing with the responsibilities of Congress (the "necessary and proper" clause) → Judiciary Act of 1789
- Expansion of executive departments, agencies, offices \_\_\_\_\_

## CONSTITUTIONAL CHANGES BY PRESIDENT

- \_\_\_\_\_
- President is the \_\_\_\_\_
- \_\_\_\_\_ with other countries

## CONSTITUTIONAL CHANGES BY SUPREME COURT

- \_\_\_\_\_ has the final authority on interpretation of the Constitution

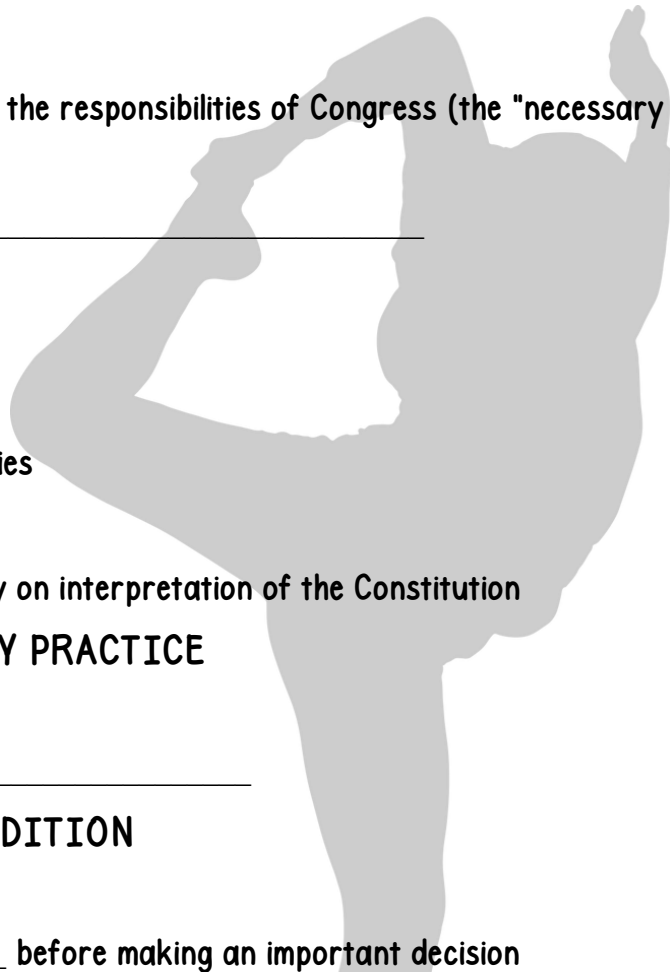
## CONSTITUTIONAL CHANGES BY POLITICAL PARTY PRACTICE

- Nominate \_\_\_\_\_ for office
- Most elected officials conduct business \_\_\_\_\_

## CONSTITUTIONAL CHANGES BY CUSTOM AND TRADITION

- not written, \_\_\_\_\_
  - President meeting with his \_\_\_\_\_ before making an important decision

Why do you think it is important for a Constitution to be flexible?



# BILL OF RIGHTS

I don't trust this Constitution. If you want my support in ratifying it, you must add a bill of rights.



## 1<sup>ST</sup> AMENDMENT:

- \_\_\_\_\_ - Congress may not establish a religion
  - Congress \_\_\_\_\_ the free exercise of religion
- \_\_\_\_\_
- Freedom of the \_\_\_\_\_
- Right to \_\_\_\_\_
- Right to \_\_\_\_\_ the government for redress of grievances

## 2<sup>ND</sup> AMENDMENT: \_\_\_\_\_

## 3<sup>RD</sup> AMENDMENT: \_\_\_\_\_

## 4<sup>TH</sup> AMENDMENT: Protection from \_\_\_\_\_ (police must have a proper \_\_\_\_\_)

## 5<sup>TH</sup> AMENDMENT:

- Indictment by a \_\_\_\_\_ before a trial
- Protection \_\_\_\_\_
- \_\_\_\_\_ - cannot be tried for the same crime twice
- \_\_\_\_\_ before punishment is invoked (federal government)
- \_\_\_\_\_ – "eminent domain" government may not take private property unless it serves a legitimate public purpose and it must pay a fair price for the property seized

## 6<sup>TH</sup> AMENDMENT:

- Right to a \_\_\_\_\_
- Right to have \_\_\_\_\_
- Right to have an \_\_\_\_\_ at every stage in the criminal process

## 7<sup>TH</sup> AMENDMENT: Right to \_\_\_\_\_ in civil cases heard by federal courts

## 8<sup>TH</sup> AMENDMENT:

- No \_\_\_\_\_
- No \_\_\_\_\_

## 9<sup>TH</sup> AMENDMENT: "unenumerated rights" – reserves rights to the people \_\_\_\_\_

## 10<sup>TH</sup> AMENDMENT: \_\_\_\_\_

# OTHER AMENDMENTS

11th AMENDMENT (1795): Suits against \_\_\_\_\_

12th AMENDMENT (1804): Election of \_\_\_\_\_

13th AMENDMENT (1865): \_\_\_\_\_

14th AMENDMENT (1868): Right to citizenship and \_\_\_\_\_

15th AMENDMENT (1870): Cannot be denied the \_\_\_\_\_ because of

race, color, or previous condition of servitude

16th AMENDMENT (1913): \_\_\_\_\_

17th AMENDMENT (1913): Popular election of \_\_\_\_\_

18th AMENDMENT (1919): \_\_\_\_\_ of intoxicating liquors

19th AMENDMENT (1920): \_\_\_\_\_

20th AMENDMENT (1933): Commencement of terms, \_\_\_\_\_ ,

death or disqualification of \_\_\_\_\_

21st AMENDMENT (1933): Repealed the \_\_\_\_\_ amendment

22nd AMENDMENT (1951): \_\_\_\_\_

23rd AMENDMENT (1961): Extended the right of citizens in \_\_\_\_\_ to vote for the president

24th AMENDMENT (1964): \_\_\_\_\_

25th AMENDMENT (1967): Clarified \_\_\_\_\_ succession, Vice President vacancy, \_\_\_\_\_

26th AMENDMENT (1971): Lowered the voting age to \_\_\_\_\_ years of age

27th AMENDMENT (1992): \_\_\_\_\_

