Chapter 3: The Constitution Section 1 Lecture Notes

COVERNICAN

PEARSON

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

Key Terms, cont.



- 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

Key Terms, cont.



- 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

Introduction



- 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 GOVERNM

- 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	
Section	Subject
Preamble	States the purpose of the Constitution
Article I	Creates the Legislative branch
Article II	Creates the Executive branch
Article III	Creates the Judicial branch
Article IV	Relations among the States
Article V	Amending the Constitution
Article VI	National debts, supremacy of national law, and oaths of office
Article VII	Ratifying the Constitution

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."

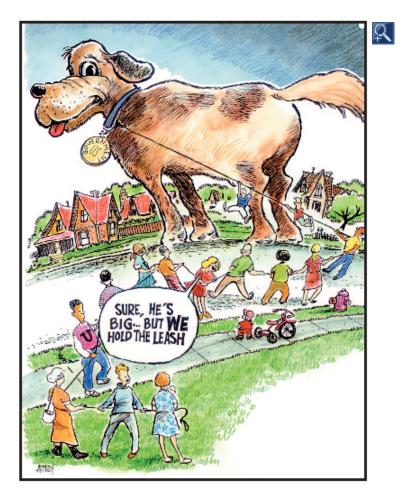


Chapter 3, Section 1

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.



Limited 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.

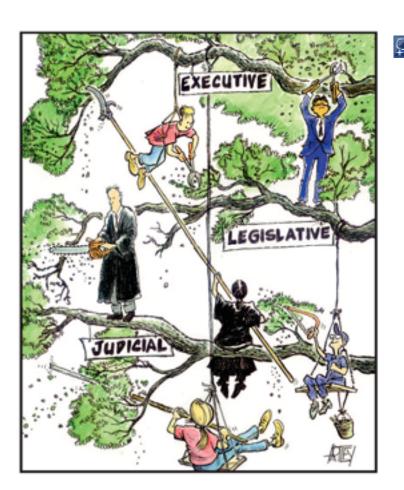
Checks and Balances



- 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.

Checks and Balances, cont. GOVERNMENT

- The use of checks is fairly rare.
 - Compromise is more common
 - Conflicts more likely when Congress and the presidency are controlled by different parties.

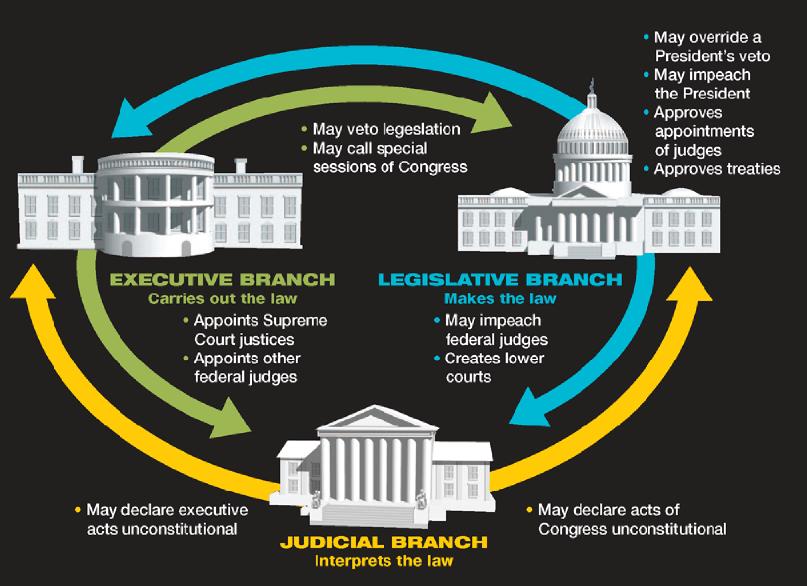


Checks and Balances





Checks and Balances





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.

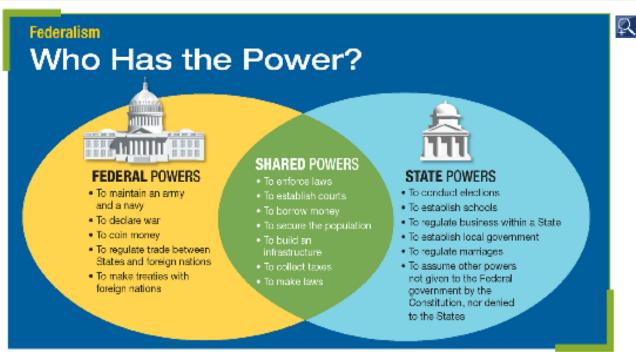
Federalism



- Federalism is a compromise between an allpowerful central government and an independent state government.
 - It corrected the weaknesses of the Articles of Confederation without replacing them with a Britishstyle 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?