

Chapter 3

The U.S Constitution

Popular Sovereignty:

- **Popular sovereignty** means majority rule
- Consent of the governed, is one of our most cherished ideals:
- We as Americans give permission to the government to govern us.

Preamble:

- The **preamble** is the opening sentence of the constitution:
- States “We The People”
- These words express that the government’s main priority is the people which it governs.

Our constitution's Goals: page 72

- To form a more perfect union
- Establish justice
- Insure domestic tranquility
- Provide for common defense
- Promote general welfare
- Secure the blessings of liberty

- In a representative democracy, or a republic, if the people become dissatisfied with the way they are being represented they can:
 - let their representatives know how they feel
 - elect a new representative in the next election.

Majority Rules:

- America is based on a system of majority:
- When there is a disagreement, everyone accepts the decision of the majority.
- However, ideally, the majority must respect the feelings of the minority.

Federal System:

- Our government is set up under a federal system
 - This means that powers are divided between the national government and the state government.
- National Government:
 - Governs people of the entire country
- State government:
 - Governs people of only that state

Federal government powers:

- **Delegated powers:** powers given specifically to the national government:
 - Coin money
 - Control international trade
 - Provide countries defense

State Government Powers

- **Reserved powers:** powers not specifically given to the federal government, thus the state has them:
 - Conduct elections
 - Regulate trade within the states
 - Establish local governments

Shared Powers

- Concurrent powers: powers that the national and state government both partake in
 - Tax
 - Borrow money
 - Establish courts
 - Charter banks
 - Enforce laws
 - Provide health and welfare

Limited government:

- To ensure that the federal government would not have too much power the framers of our constitution limited their power.
- With this they created a **limited government**:
 - a government with defined restriction of its power

- This concept was not new:
- In 1215 English nobles forced King John to sign the Magna Carta.
- A document that would limit his power as king:
- Prior to this act, England government had unlimited power.
- It could seize the property of its people, kill those that they felt were a threat, and tax with out consequence

The Three Branches of Government

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Legislative Branch

- **Legislative Branch-** (Congress) the law making branch
- It is made up of 2 parts:
 - Senate
 - House of Representatives
- It is the First branch of government discussed in the constitution
- The other two branches of government depends on congress for the money to carry out their duties



Executive Branch

- **Executive branch-** is responsible for carrying out the laws
- Includes:
 - President
 - Vice President
 - Presidential Cabinet



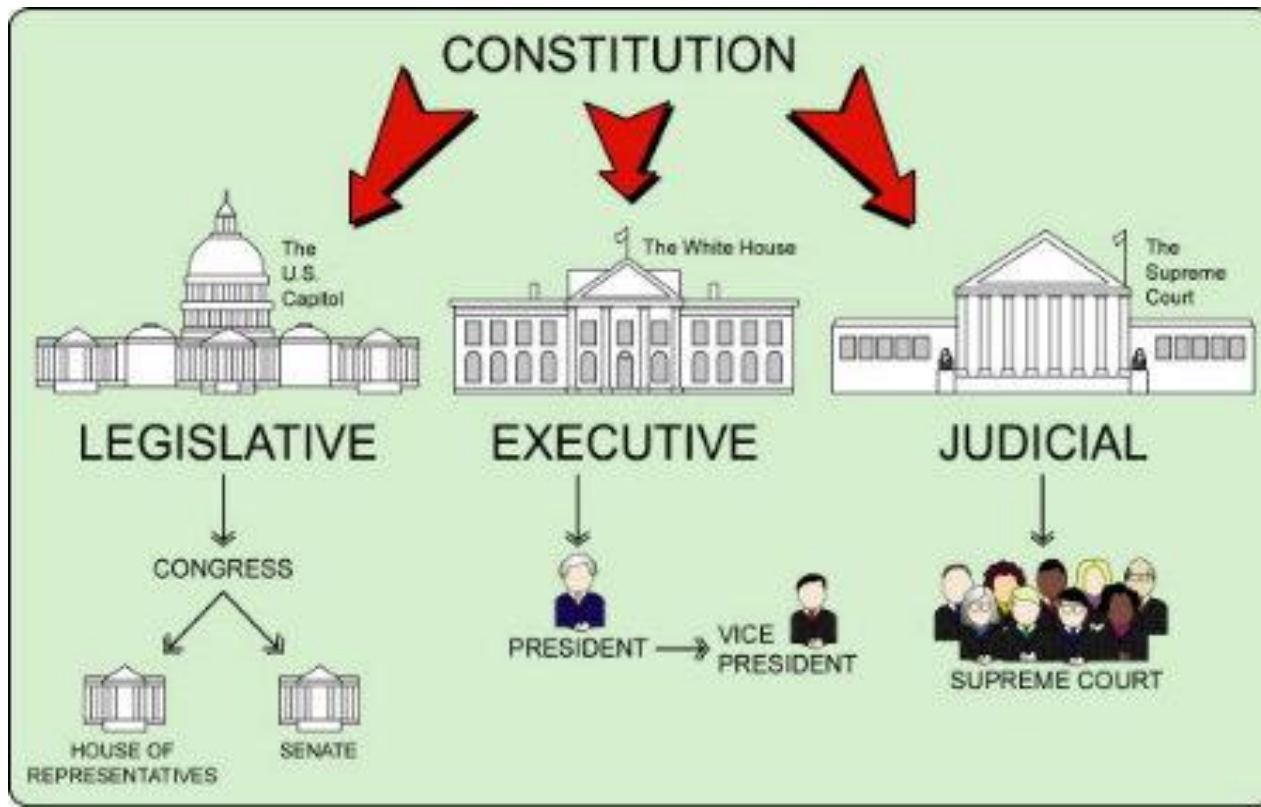
Judicial Branch

- **Judicial Branch-**
(Federal Court system)
interpret the laws and
punish lawbreakers
- The supreme court is
the head of the
Judicial Branch
- The court interprets
the meaning of the
constitution



Checks and Balances

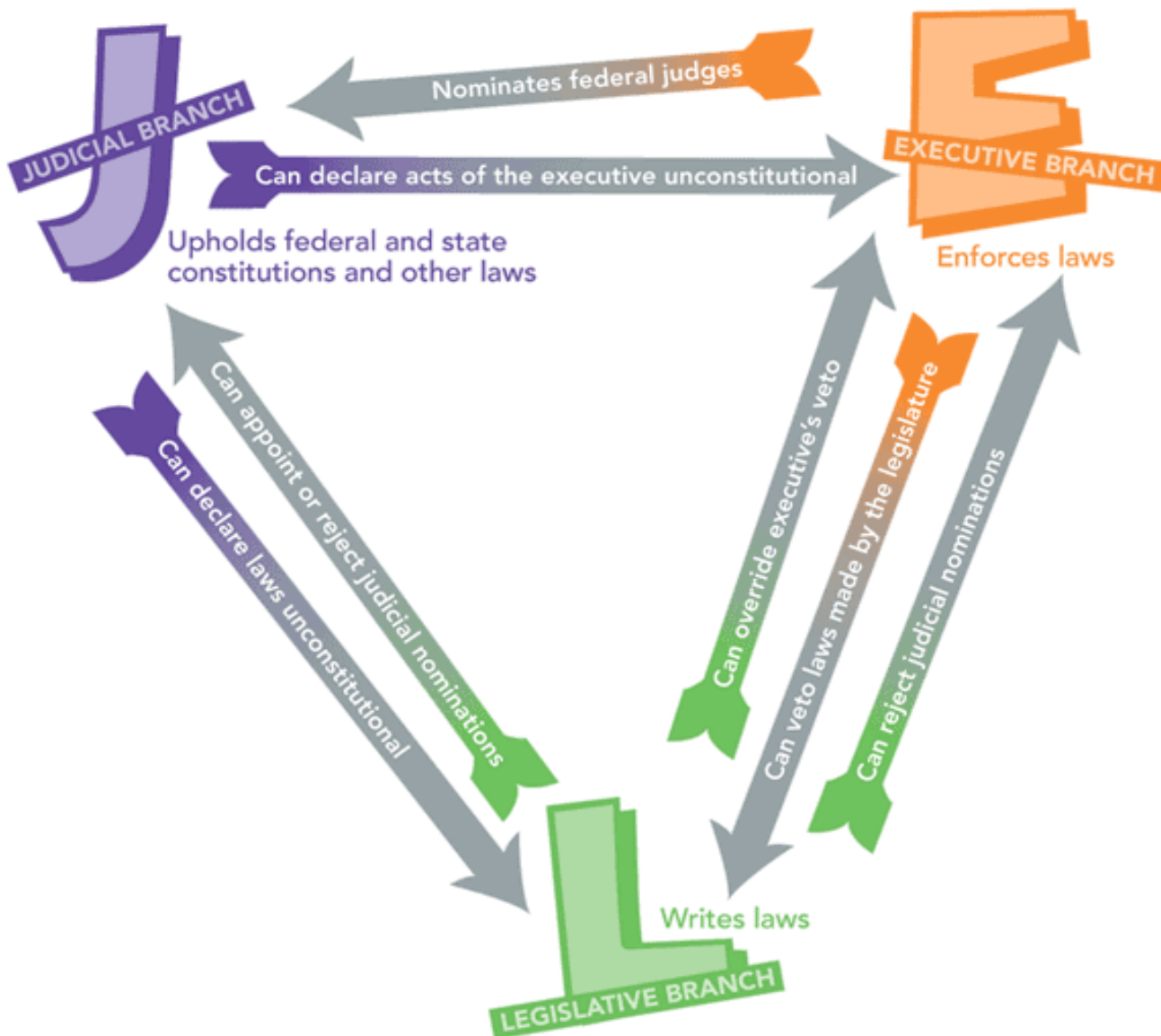
- **Checks and Balances:** each branch checks another and balances the power in order to make sure no branch of the government becomes too powerful



How it Works

- Lawmaking- congress has the power to make laws but the president has the power to **veto** (turn down proposed laws)
- If the president veto's a law congress can still pass it with a two-thirds vote of both houses
- The supreme court can then look at any law and declare that it is unconstitutional and cannot be enforced

Checks & Balances



A Flexible Document

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Providing for Change

- One of the most important features of the US constitution is Flexibility
- Our country has grown and changed since the constitution was written
- Its ability to change with the times makes it a “living document”

The Amendment Process

- **Amendment-** a written change to the constitution
- Any change to the constitution requires three fourths of the (38) states to agree
- Congress or the states can propose an amendment
- Once an amendment is ratified it becomes part of the constitution, if people do not like it is can be **repealed-** cancelled by another amendment

Alcohol consumption

- Eighteenth Amendment (1919): Prohibited the manufacturing, importing, and exporting of alcoholic beverages (Prohibition).
- Twenty-first Amendment (1933): Repeals Eighteenth Amendment. Permits states to prohibit the importation of alcoholic beverages.

Changes in Government

- The government also changes when one part of the constitution is interpreted in a new way
- The supreme court has the power to decide if Congress has interpreted the constitution correctly
- “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”