

# (3.1) Day 3 - Principles of the Constitution

*U. S. Government and Politics*

# Review Overview of Constitution

- **Article 1**
  - Legislative branch = make laws!
- **Article 2**
  - Executive branch = enforce laws!
- **Article 3**
  - Judicial branch = interpret laws!

# Principles – Main Ideas of the Constitution

- The Constitution is built around **six basic principles**.



# Principles – Main Ideas of the Constitution

- U.S. Constitution = “The **supreme law of the land**”
  - *Supremacy Clause (Article 6)*
- These are the **basic governing standards** for our country.
  - The Founders believed these were important to include in the creation of the new U.S. government. (philosophy, education/studies and experiences)
- Emphasis is placed on controlling the government and not limiting the rights of the individual

# 1) Popular Sovereignty

- Power resides with the people
  - Ex. (Preamble, Article 1, Amendment 9)
- The people have given the government the powers it has.
- The government exercises those powers through elected leaders (republicanism)
- Question: *“Does govt. carry out the will of the people today?”*

# 1) Popular Sovereignty



## 2) Limited Government

- Government is not all – powerful; can only do what the people have given it power to do.
- Government AND people must abide by the rule of law - never above the law
- The Constitution is all about limited government.
  - Government shall be carried out according to established law
- Question: “*How much of a role should govt. play in our daily lives?*”

# 3) Separation of Powers

- Power not concentrated in one person or group
- Framers intended to create a stronger government yet also limit the powers of govt (reflected mistrust of govt).
  - Basic powers of government (leg/exec/jud) separated into 3 branches of govt. → first 3 Articles of Constitution
  - Represented in early State constitutions and political writings (federalist papers)
- Question: *“Is it necessary for power to be dividing equally? Does one branch carry more power than another today?”*



# 4) Checks and Balances

- The ability of a branch of government to exercise certain powers over the actions of the other branches
  - Each branch is subject to checks by other branches
  - limit abuse of power



# 4) Checks and Balances

## CHECKS AND BALANCES

**EXECUTIVE  
BRANCH**



- May veto legislation
- May call special sessions of Congress

**LEGISLATIVE  
BRANCH**



- May override a President's veto
- May impeach the President
- Approves appointments of judges
- Approves treaties

- Appoints Supreme Court justices
- Appoints other federal judges

- May impeach federal judges
- Creates lower courts



- May declare executive acts unconstitutional

- May declare acts of Congress unconstitutional

**JUDICIAL  
BRANCH**

# 5) Judicial Review

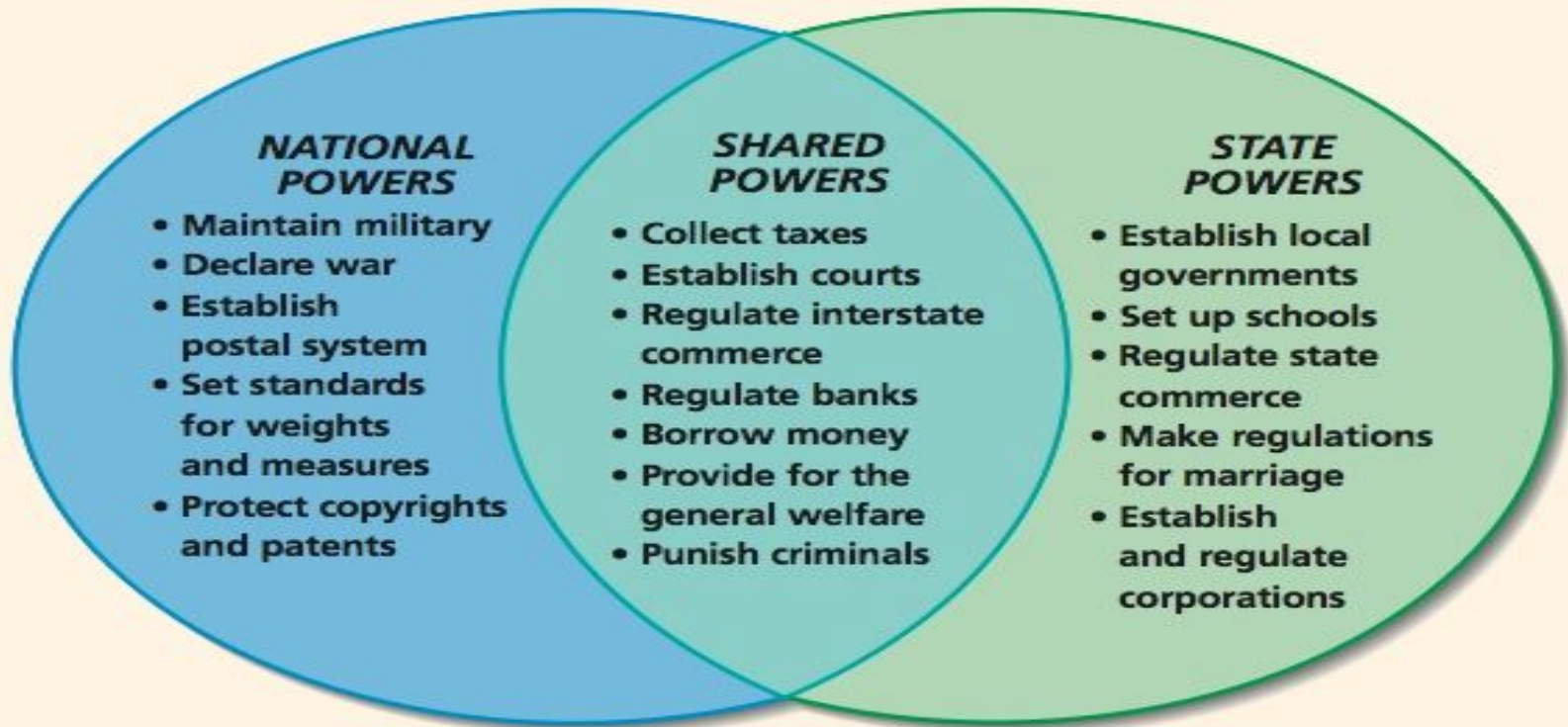
- Power of the court to decide if action taken is constitutional (interpret the Constitution)
  - Is the law itself unconstitutional? Or how it was enforced unconstitutional?
- Key court case: Marbury v. Madison (1803) –
  - after this decision the courts became part of the checks and balances system
- Question: “*What happens if judges legislate from behind the bench?*”

# 6) Federalism

- System of govt. where the federal and states share power (division of power)
- 3 types of power
  - enumerated powers: powers given to national govt
    - supremacy clause
  - reserved powers: powers granted to state govt.
  - concurrent powers: powers shared by nation and state
- Question: “*What is the proper balance between the Fed. Govt. and State govt.?*”

# 6) Federalism

**Americans live under both national and state governments.**



## 6) Federalism

- How did federalism resolve issue of national vs. state rights?
  - In a federal system, the Framers created a central government strong enough to meet the needs of the nation AND at the same time preserve the strength of the existing states

# \* Additional concepts of the Constitution

- Adaptability and Flexibility
  - formal process for changing the U.S. Constitution = the amendment process (article 5)
  - informal amendment procedure = making laws and interpreting (implied powers)
  - Both ways allows government to adjust over time

# Conclusions / Takeaways

- 6 purposes = the preamble
  - Goals and purpose of the government
  - “*our intentions / reasons*”
- 6 principles = the Constitution
  - basic governing principles/standards of our government
  - “*what we will do to accomplish our goals*”
- Quick write and report out:
  - Summarize the 6 Big Principles of the U.S. Constitution