



Mr. Rodefeld
Room 22
Irondale High School
U.S. Government
October 24th, 2018

1st Hour 8:35 - 9:31

2nd Hour 9:37 - 10:33

3rd Hour 10:39 - 11:35

4th Hour 11:41 - 1:11

5th Hour 1:17 - 2:13

6th Hour 2:19 - 3:15





Today in Class: Read P. 99-108

ALL IN A DAYS
WORK

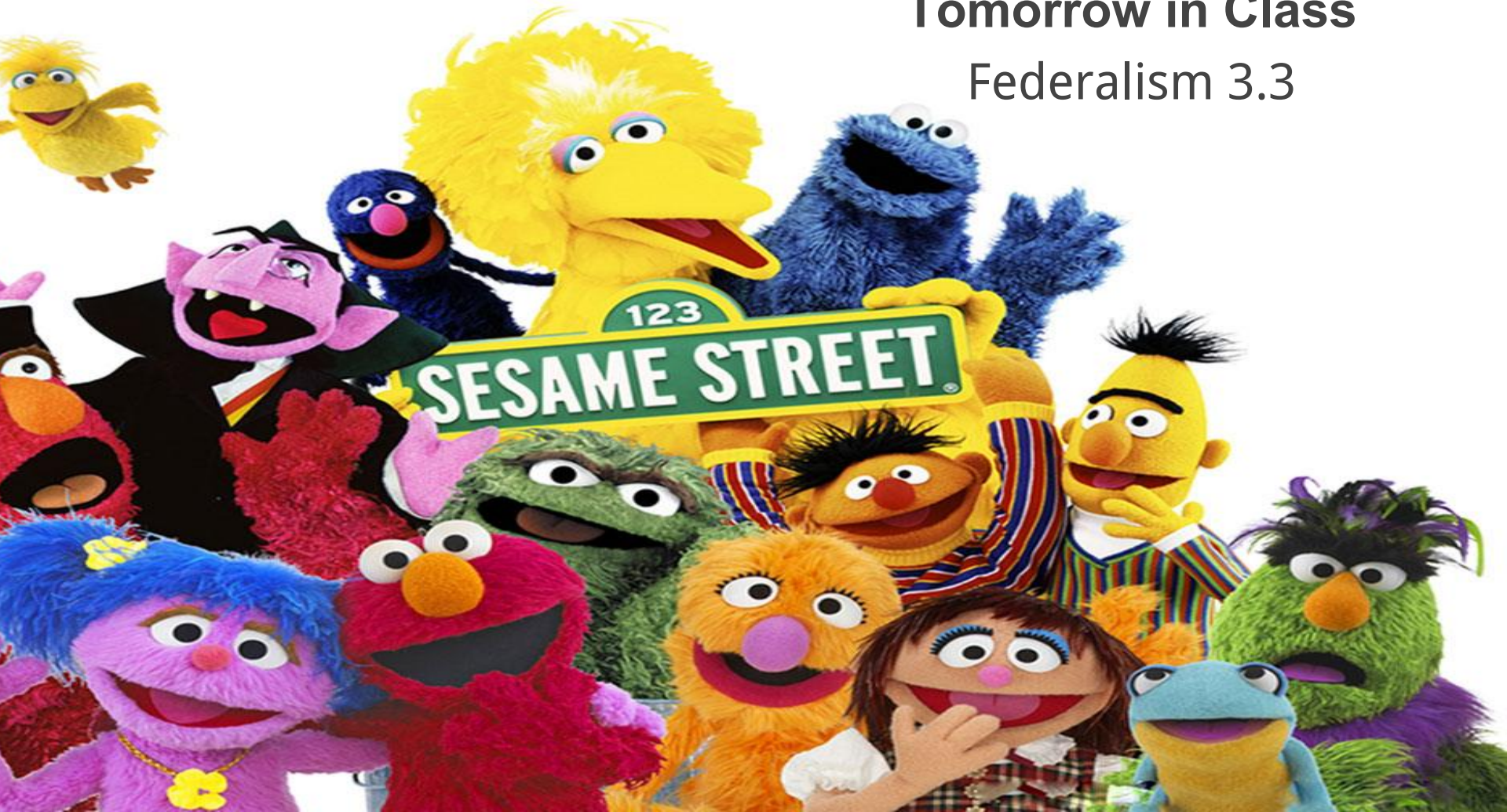




Today's Homework:
Finish Constitution Sheet

Tomorrow in Class

Federalism 3.3





Review Organization of the Constitution

- Structure / Outline
 - Preamble, 7 Articles, 27 Amendments
- 6 Key principles
 - Popular sovereignty, limited government, separation of powers, checks and balances, federalism, judicial review

Introduction

- The Constitution of the United States has now been in force for more than 200 years—longer than the written constitution of any other nation in the world.
- Although the Constitution was written in 1787, it has survived through the years because it is a flexible document that is able to be changed, or amended, to address issues or problems unforeseen by the Framers.
 - *For example, after Franklin D. Roosevelt was elected to four terms in office, an amendment was passed limiting the number of terms a President may serve to two. (Amendment 22)*

Formal Amendment Process

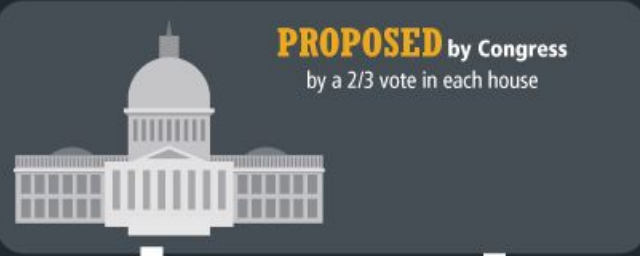
- **Article V of the Constitution** = formal amendment process
 - **Amendment** = an official change to the Constitution
 - **Bill of Rights** = first 10 Amendments to the Constitution (*remember ratification debate*)
- Complete task 1 and 2 - Assignment: [Changing the Constitution](#)

Bill of Rights Video



AMENDING THE CONSTITUTION

METHOD 1



OR



METHOD 2



OR



Video: Amending the Constitution



The President does not have a role in the formal amendment process. Why not?

AMENDING THE CONSTITUTION

METHOD 1



PROPOSED by Congress
by a 2/3 vote in each house



RATIFIED by 3/4
of the State legislatures



OR

RATIFIED
by conventions in
3/4 of the States

METHOD 2



PROPOSED at a
national convention
called by Congress when
requested by 2/3 of the
State legislatures



RATIFIED by 3/4
of the State legislatures



OR

RATIFIED
by conventions
in 3/4 of the States

Federalism and Popular Sovereignty

- **Study guide: The formal amendment process emphasizes the concept of federalism.**
 - Proposal takes place at the national level AND ratification is a State matter.

** Also note that when the Constitution is amended, that action represents the power of the people = popular sovereignty.*

The Bill of Rights

1	<ul style="list-style-type: none">• Freedom of religion, speech and the press• Freedom to peaceably assemble and to petition the government	6	The right to: <ul style="list-style-type: none">• a speedy trial by an impartial jury• be informed of the charges, to cross-examine witnesses, and to present favorable witnesses• an attorney
2	<ul style="list-style-type: none">• The right to maintain a militia• The right to bear arms	7	The right to trial by jury in any civil case where the amount of money involved is \$20 or more
3	Protection from having to quarter (house) soldiers in a time of peace without the consent of the owner, nor in a time of war except as provided by law	8	Protection from: <ul style="list-style-type: none">• excessive bail or fines• cruel and unusual punishment
4	Protection against arbitrary searches and seizures without a proper warrant	9	The fact that the Constitution spells out a number of civil rights does not mean that there are not other, unwritten, rights held by the people.
5	Protection from: <ul style="list-style-type: none">• prosecution without an indictment• being tried for the same crime twice• having to testify against oneself• the loss of life, liberty, or property without due process of law• loss of property without just compensation	10	The powers not delegated to the Federal Government may be exercised by the States, as long as they are not prohibited by the Constitution.

The first ten amendments protect many fundamental rights held by the people. Why is it important to spell out these rights?

Constitution change by other means (Informal)

- The Framers might be surprised to learn that only 17 amendments have been added to since the Bill of Rights.
- The reality is this - there is more to this document than what you can physically see.
- **In short, many interpretations have been made of the Constitution that have not involved physically changing it.**

Constitution change by other means (Informal)

- Constitutional change (*besides formal amendments*) can occur in because the of actions by one of the three brances causes a change in interpretation of the constitution.

1) Basic legislation passed by Congress

- Congress has passed many laws to clarify the language and application of the Constitution.
- **necessary and proper clause** (implied powers) = allows Congress to make laws to carry out the execution of the Constitution
- *Example: Passage of the Judiciary Act of 1789. This established the federal court system and gave Congress the power to create other courts.*

2) Executive Actions taken by the President

- The ways in which the President's have used their powers has also contributed to change.
 - *Example: Commander in chief* - many have made war without a declaration from Congress
 - *Example: **Executive agreement** = a pact made by the President directly with the head of a foreign state. *These do not need approval from the Senate*

3) Interpretations by the Supreme Court

- How a court interprets and applies the Constitution can lead to change (Judicial Review)
 - *Example: Marbury v. Madison (1803)* = established judicial review



Gun control advocates and opponents protest outside the U.S. Supreme Court. The role of the Court is to interpret the Constitution and determine the constitutionality of federal laws.

4) Activities of Political Parties

- Political parties continue to shape how government works.
 - *Example:* National conventions are not identified in the Constitution. Major parties have created conventions to nominate candidates for presidency.
 - Electoral College = the body that formally elects the President
 - *Example:* President makes appointments based on party politics.

5) Custom and Usage

- Unwritten customs (normal practices) continue to change the Constitution
 - *Example:* **President's cabinet** = advisory body to the President.
 - Secretary of State, Secretary of Defense, Secretary of Homeland Security
 - No mention in the Constitution - yet customary for the President to select and the Senate to approve (senatorial courtesy)

Changing the Constitution

- Complete task 3 and 4 - Assignment: [Changing the Constitution](#)