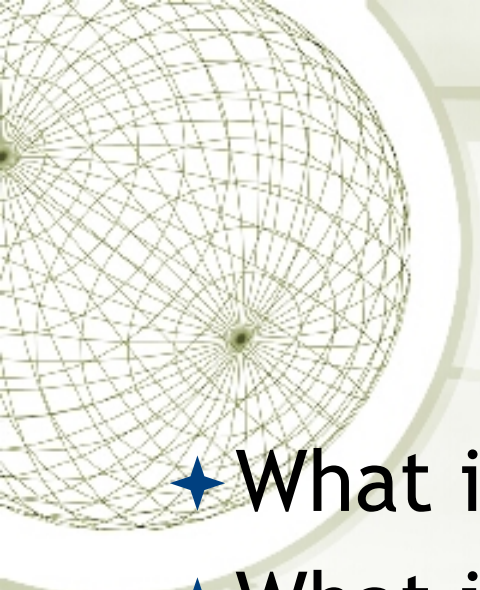


US Constitution

Articles I-VII



Quick Questions

- ★ What is the Constitution?
- ★ What is the Preamble?
- ★ What are the Articles and their purpose?

Anatomy of the Constitution

Name: _____

How Do They Govern?

The U.S. Constitution is the document that creates our nation's government. The contents of the Constitution create the three branches of our government and give directions for how the federal government works. (It does this with a little over 4,500 words covering only four sheets of paper!) Although the Constitution was written over 220 years ago, it still guides our officials in running our country today. It is also the oldest written constitution in the world that is still in use.



The Constitution on display at the National Archives in Washington, DC.



Introducing... The Preamble

Our Constitution is divided into nine parts. The first paragraph is called the *Preamble*. Its job is to introduce the Constitution, explain what the Constitution is meant to do, and describe the purpose of the new government.

Preamble

<http://www.schooltube.com/video/03f9c858260a4da9b582/School-House-Rock-The-Preamble>

Six Purposes are Listed -> What are they?

“We the people of the United States,...

- ★ in order to form a more perfect union,
- ★ establish justice,
- ★ insure domestic tranquility,
- ★ provide for the common defense,
- ★ promote the general welfare,
- ★ secure the blessings of liberty to ourselves and our posterity,...

...do ordain and establish this Constitution for the United States of America.”

Creating Congress: Article I

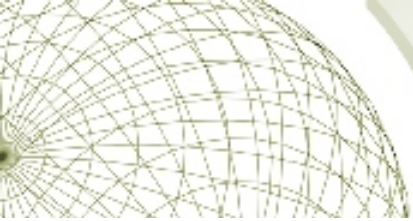
Article I is the first and longest part of the Constitution. It creates the legislative branch of our government. *Legislative* means law-making. This section is the longest because the people who wrote the Constitution believed that a legislative branch is very important in a government that represents the citizens. Members of the *legislature*, or law-making body, are responsible for turning citizens' wants and needs into laws.



Represent Me!

The legislative branch makes our government a representative democracy. In a *representative democracy*, citizens elect people to represent their needs and concerns in government. Article I creates a legislature called Congress and divides it into two parts: the Senate and the House of Representatives. Article I describes how Congress should be organized, tells what qualifications legislators must have, and says how often Congress should hold elections and meet as a group. It also describes other details of operation that each house of Congress gets to decide for itself.





The Powers of Congress

Article II lists the powers Congress has. Even though Congress is a law-making body, it is not allowed to make laws about anything that's not on this list:

- Collect taxes
- Borrow money and pay debts
- Make rules for how to become a citizen
- Regulate *commerce* (trade) with other nations, between the states, and with Indian tribes
- Coin money and punish counterfeiters
- Establish post offices
- Give patents to new inventions
- Create the lower federal courts
- Punish pirates
- Declare war and support an army and navy
- Make any other laws that are "necessary and proper" to carry out the powers in this list.



Article I - The Legislative Branch

- ★ Bicameral Legislature
- ★ Senate - Upper House
- ★ House of Representatives - Lower House
- ★ Census = 435 set as House total

- ★ Qualifications:

House: 25 years old
Citizen for 7 years
Reside in state

Senate: 30 years old
Citizen for 9 years
Reside in State

- ★ Powers of House - But NOT the Senate
 - ★ Revenue Bills
 - ★ Elect President if electoral college fails to find majority
 - ★ *IMPEACH* officials
- ★ Powers of Senate - But NOT the House
 - ★ Ratify Treaties - 2/3 Vote
 - ★ Elect V.P. if electoral college does not
 - ★ Try officials who have been *IMPEACHED*
 - ★ Approve by Majority: Presidential appointments

<http://www.schooltube.com/video/4f1391c53f3293235d07/>

Article I - The Legislative Branch

★ HOW A BILL BECOMES A LAW:

- ★ PASS EACH HOUSE IN CONGRESS IN IDENTICAL FORM BY SIMPLE MAJORITY
- ★ When a bill is submitted to the President: OPTIONS
 - ★ Signed into LAW
 - ★ Veto
 - ★ Ignored by President - after 10 days it becomes law, or there is a "pocket veto"
- ★ Veto - Congress may override a veto with 2/3 vote

★ Special Privileges of Congressional Members:

- ★ Immunity to Arrest - exceptions: felony, treason
- ★ Immunity to libel or slander - statements IN CONGRESS
- ★ Prohibitions of Congressional Members:
 - ★ Can not hold another office
 - ★ Can not vote themselves a pay raise



Article I - The Legislative Branch

★ Specific Powers of Congress: Found in Article 1, Section 8

- ★ Levy and Collect taxes
- ★ Borrow money
- ★ Coin money and regulate currency
- ★ Establish Post Offices
- ★ Provide for Army
- ★ Provide for Navy
- ★ Issue Patents
- ★ Issue Copyrights
- ★ Regulate Commerce -> interstate and foreign
- ★ Establish uniform rules of naturalization
- ★ Establish uniform rules of bankruptcies
- ★ Declare War
- ★ Make laws "necessary and proper for executing provisions"



Article I - The Legislative Branch

Other Powers:

- ✦ Collect and Levy taxes - 3 purpose
- ✦ Pay Public Debt
- ✦ Provide Defense
- ✦ Promote General Welfare -> General Welfare Clause
- ✦ Declare War
 - ✦ Only in response to request by president
- ✦ Houses vote separately
- ✦ Who are the presiding officers of: the House? Senate?
- ✦ To expel a member of Congress it takes what majority?
- ✦ To censure a member it takes what majority?
- ✦ Forbidden to U.S. Government
- ✦ Suspend writ of Habeas Corpus
- ✦ Forbidden to State Governments
- ✦ Make treaties, coin money, issue paper money



Creating the President: Article II

Article II of the Constitution describes the job of the executive branch. This branch *executes*, or carries out, laws. The president heads this branch, which also includes the vice president and many departments in charge of carrying out the government's day-to-day business. Article II describes who qualifies to be the president, what powers the office has, and what happens if a president misbehaves! It also explains the Electoral College, which is the process of how the president is selected.

Presidential Powers

The overall job of the executive branch is to carry out and enforce laws, but Article II gives the president a list of specific duties:

- Act as the commander-in-chief of the armed forces
- Maintain a *cabinet* of advisors who run the 14 executive departments like the State Department and the Treasury
- Grant pardons in all federal criminal offenses, and *reprieves* (postpone punishments like executions)
- Negotiate treaties with other countries
- Appoint ambassadors, Supreme Court Justices and federal court judges, and Cabinet members
- Make a State of the Union address to Congress
- Represent the United States when dealing with foreign countries
- Make sure that laws are carried out (*executed*)



Article II -> Executive Department

★ Qualifications for President

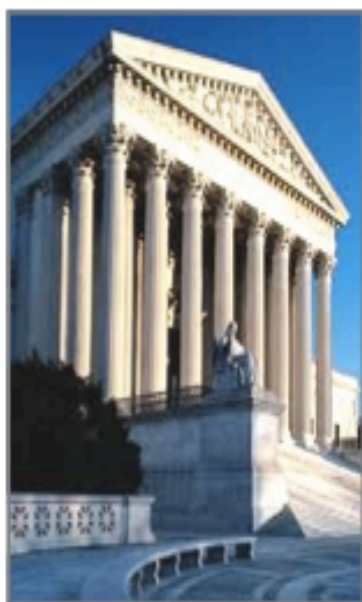
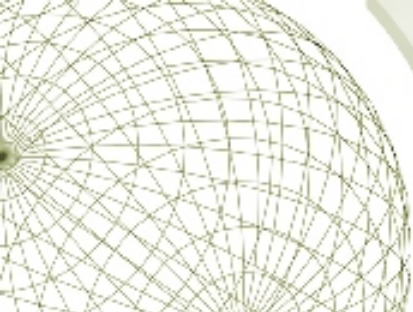
- ★ Age 35
- ★ Natural Born citizen
- ★ Reside in US for 14 years

★ Electoral College -> function

- ★ House elects president if electoral college does not
- ★ Senate elects vice president

★ Powers of President

- ★ Commander-in-Chief
- ★ Grant pardons
- ★ Make treaties, appointments

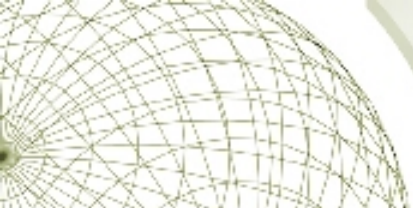


*The U.S. Supreme Court
in Washington, DC*

Creating the Courts: Article III

Here come the judges! Article III creates the judicial branch. The judicial branch interprets laws to decide what they mean and whether they have been followed in specific cases.

Article III creates the Supreme Court and authorizes Congress to create federal courts below the Supreme Court. These are courts that deal with United States laws, not state laws. Article III also gives directions about what kinds of cases the Supreme Court and federal courts can hear. Under Article III, federal judges are appointed, not elected. They stay on the bench until they retire, die, or are removed for bad behavior. Article III also guarantees trial by jury for criminal cases and explains the crime of treason.



The States: Article IV

States have the power to create and enforce their own laws. Article Four of the Constitution describes how the states should interact with each other.

- Each state has to respect the laws and court decisions of the other states.
- If a criminal flees from one state to another, the state where the crime was committed can request that the criminal be returned to face charges. This is called *extradition*.
- New states can be admitted to the Union with the authorization of Congress and the president.
- All states must have a *republican*, or representative, type of government. (Sorry, states can't have kings.)





Article III & IV


- ★ Article III -> The Judicial Branch

- ★ The "least dangerous branch?"
- ★ Provisions for a Federal Judiciary
- ★ Checks upon the Judiciary

- ★ Article IV ->

- ★ Full Faith and Credit Clause

- ★ provides that the various states must recognize legislative acts, public records, and judicial decisions of the other states within the United States



Let's just
make this
one change

Amending the Constitution: Article V

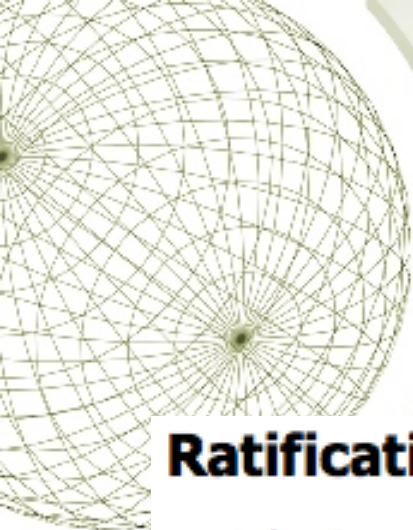
The Constitution is not set in stone. Article Five describes what must be done to *amend*, or change, the Constitution. You will read more about this process on the next page.

Supreme Law of the Land: Article VI

Federalism is the idea that the national government shares power with the state governments. But what happens if a state law disagrees with a national or federal law? Article Six states that the laws and treaties of the U.S. government are "the supreme law of the land." If a state law disagrees with a federal law, federal law wins. This article also requires officials working in the state and federal governments to take an oath to support the Constitution no matter what.



George Washington taking the oath of office for President of the U.S.



Ratification: Article VII

Article Seven says the Constitution could not take effect until at least nine out of the thirteen states approved it. (Back then, there were only thirteen states.) Each state held its own convention to discuss and vote on the Constitution's plan for government. But getting approval wasn't easy. Some people thought the seven articles weren't enough. After much debate, it was agreed that ten amendments would be added to the Constitution. These amendments, called the Bill of Rights, would list specific rights not already mentioned in the Constitution. This put people's minds at ease, and the Constitution became the law of the land in March 1789. The Bill of Rights was added in 1791.



Article V, VI, VII

- ★ Article V -> Amending the Constitution

- ★ 2 Ways to propose

- ★ Both houses of Congress--2/3
or

- ★ Convention of States--2/3

- ★ 2 Ways to ratify

- ★ State Legislatures--3/4
or

- ★ Convention of States--3/4

- ★ Article VI

- ★ Supremacy Clause

- ★ Article VI, Section 2

- ★ "This Constitution, and the laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the authority of the United States, *shall be Supreme Law of the land*; and the Judges in every state shall be bound thereby, any thing in the Constitution or Laws of any state to the contrary notwithstanding."

- ★ Article VII

- ★ Ratification

CONSTITUTION



LEGISLATIVE

CONGRESS



HOUSE OF
REPRESENTATIVES

SENATE



EXECUTIVE



VICE
PRESIDENT



JUDICIAL



Separation of Power and Checks and Balances

