

## Unit 3 - The Enduring Constitution

### -Study Guide-

#### Explain the following:

1. Who is Jacob Shallus?
2. What is the preamble?
3. What are the seven articles?
4. What is a constitution?
5. The duties of the three branches
6. What is an amendment?
7. Explain Amendments: 1, 8, 13, 19, 27
8. Popular Sovereignty
9. Limited Gov't
10. Separation of powers
11. Checks and balances
12. How each department checks each other?
13. Who was John Marshall?
14. Judicial review/ Marbury vs. Madison
15. The four ways to informally change the constitution
16. The Supremacy clause
17. Reserved powers
18. Concurrent powers
19. Delegated powers
20. How states are added to the union - Enabling act
21. Interstate Compact
22. The Privileges and Immunities Clause
23. McCulloch vs. Maryland

- **What is Checks and Balances and explain 3 examples. Make sure to identify the branches involved.**

# Six Basic Principles

-A constitution is a \_\_\_\_\_ for a government and it \_\_\_\_\_ on the \_\_\_\_\_ of the people running the gov't.




## -The Shape of it-

- The American constitution was created in \_\_\_\_\_ and it is \_\_\_\_\_
- It is the " \_\_\_\_\_ " of the land and over 7,000 words.
- \_\_\_\_\_ was paid \$30 to transcribe the official Constitution.
- **It begins** with the \_\_\_\_\_, which is a thesis statement setting forth the \_\_\_\_\_ of the new gov't.
- **Followed** by seven Articles{Sections}:
  - Article 1** - \_\_\_\_\_
  - Article 2** - \_\_\_\_\_
  - Article 3** - \_\_\_\_\_
  - Article 4** - Relations among the states
  - Article 5** - \_\_\_\_\_
  - Article 6** - Public debt, supremacy of national law, oath
  - Article 7** - \_\_\_\_\_
- **Finishing up** with the Changes to the Constitution. Known as \_\_\_\_\_ and there are \_\_\_\_\_ (first one 1789, last one 1992).

## -Why it Works-

- It works because of six basic principles:
  1. \_\_\_\_\_ – The Government gets its power from the people and the people gave it power through the Constitution.
  2. \_\_\_\_\_ – The Gov't can only do what the people have given them power to do. The gov't must obey the Constitution {Known as the **Constitutionality issue**}.
  3. \_\_\_\_\_ – The independent three branches share equal power.

**Separation of Powers** The delegates to the Constitution feared that giving too much power to any one person or group would be too dangerous. They decided that the powers of government should be divided. This idea is called the separation of powers.

<p><b>Article I</b> Legislative Branch (Congress)</p>  <p><b>Powers</b></p> <ul style="list-style-type: none"> <li>• Makes laws.</li> <li>• Collects taxes and borrows money.</li> <li>• Prints and coins money.</li> <li>• Provides for and maintains the armed forces.</li> </ul>	<p><b>Article II</b> Executive Branch (The president)</p>  <p><b>Powers</b></p> <ul style="list-style-type: none"> <li>• Sees that the laws are carried out.</li> <li>• Heads the armed forces.</li> <li>• Makes appointments.</li> <li>• Makes treaties.</li> <li>• Signs or vetoes laws.</li> </ul>	<p><b>Article III</b> Judicial Branch (The Supreme Court and other national courts)</p>  <p><b>Powers</b></p> <ul style="list-style-type: none"> <li>• Explains the meaning of laws.</li> <li>• Decides whether laws passed by Congress are in keeping with those laid down in the Constitution.</li> </ul>
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- 4. \_\_\_\_\_ – ties the three branches together, by allowing each branch to restrain each other. This is done to make sure no branch can dominate and create a dictatorship.

### Checks and Balances

Judicial Branch

Executive Branch

Legislative Branch

- 5. **Judicial Review** – The \_\_\_\_\_ if the gov't is acting in a Constitutional manner (Supreme Court gain the power by the Court's decision on **Marbury v. Madison**).
- 6. **Federalism** – Division of power among the \_\_\_\_\_ and regional{ \_\_\_\_\_ } gov'ts.

## -Summary-

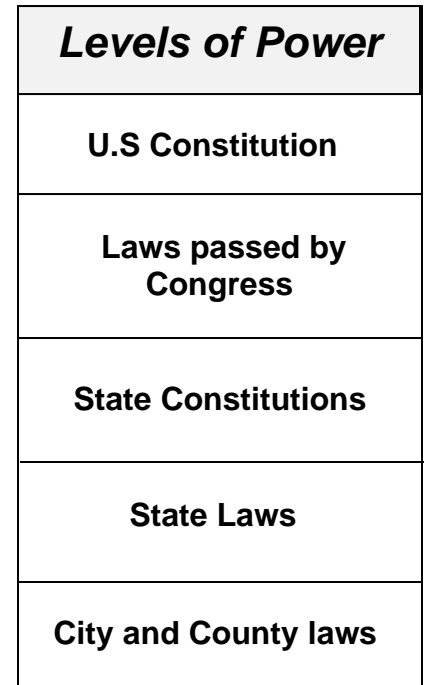


# Federalism: Division of Power

- Federalism a system of gov't in which \_\_\_\_\_
- The \_\_\_\_\_ makes the Constitution the top power in the land and dictates how the power should be divided.
- In America the power is divided by the \_\_\_\_\_

## -The divided powers are as the following:

- **Delegated Powers:** Powers given to the Central/National gov't
  - 1) To regulate foreign trade and commerce between states.
  - 2) To borrow and coin money.
  - 3) To conduct foreign relations with other countries.
  - 4) To establish post offices and roads.
  - 5) To raise and support armed forces.
  - 6) To declared war and make peace.
  - 7) To govern territories and admit new states.
  - 8) To pass naturalization laws and regulate immigration.
- **Concurrent Powers:** powers shared by both central and state gov'ts
  - 1) To collect taxes
  - 2) To borrow money
  - 3) To establish and maintain courts
  - 4) To make and enforce laws
  - 5) To provide for the health and welfare of the people
- **Reserved Powers:** Powers given to the states gov't.
  - 1) To regulate trade within the states
  - 2) To establish local gov't
  - 3) To conduct elections and voter qualifications
  - 4) To establish public schools
  - 5) To incorporate business firms
  - 6) To license professional workers
  - 7) To ratify amendments
  - 8) To keep all the reserved powers not given to the National/central gov't.



- \_\_\_\_\_ (1819) – Settles the constitutional issue of power. **Chief Justice John Marshall** decision allowed the national gov't to expand its power over the states. Congress needs \_\_\_\_\_ to carry out their \_\_\_\_\_
- This decision affirmed that the \_\_\_\_\_ United States gov't is “supreme” over \_\_\_\_\_ governments, just like the Constitution says.
- The National governments delegated powers can be:
  - a) **Expressed Powers** (Enumerated) - powers \_\_\_\_\_ in the constitution.  
**Example:** Congress can \_\_\_\_\_
  - b) **Implied Powers** – although not mentioned they are \_\_\_\_\_: Article I section 8, clause 18, which states “\_\_\_\_\_” also known as the \_\_\_\_\_, expanded federal gov't's power.  
**Example:** build \_\_\_\_\_
  - c) **Inherent Powers** – because it's \_\_\_\_\_ as a sovereign power in the world community.  
**Example:** \_\_\_\_\_ and acquiring land.
- There are more than \_\_\_\_\_ government in the United States today. Each of these local units is located within one of the 50 States and \_\_\_\_\_
- When there is a \_\_\_\_\_ the States and National Gov't, it is up to the \_\_\_\_\_ who has the overriding power, according to the Constitution and its' Supremacy Clause (**McCulloch vs. Maryland Case**).

## -Summary-

## Article IV: Relationships between States and National Gov't

### -Republican Form of Government -

- The \_\_\_\_\_ requires the National Gov't to "guarantee to every \_\_\_\_\_ in this Union a \_\_\_\_\_."

### -Invasion and Internal Disorder-

- The National Government is also required to provide \_\_\_\_\_ and aid in protecting against "domestic Violence" in the States.

### -Respect for Territorial Integrity-

- The National Government is constitutionally \_\_\_\_\_ of each of the States.

### -Admitting New States-

- Only Congress has the \_\_\_\_\_ to the Union they pass the **enabling act**, writing of \_\_\_\_\_; then passes \_\_\_\_\_, an act creating the new State.

### -Economics-

- \_\_\_\_\_ programs are grants of federal money or other resources to the States and/or their cities, counties, and other local units.
  - a) \_\_\_\_\_ are made for some specific, closely defined purpose, such as \_\_\_\_\_ programs or the construction of airports or water treatment plants. There are usually conditions, or "strings," attached to regulate the use of these funds.
  - b) \_\_\_\_\_ are portions of money allocated to States to use for broader purposes, such as \_\_\_\_\_, or welfare. Block grants often are granted with fewer strings attached.
  - c) \_\_\_\_\_ are provided to States, localities, and sometimes private agencies that apply for them. They are used for a variety of purposes ranging from \_\_\_\_\_ to job training and employment programs.

### -Interstate Compacts-

- No State may enter into any \_\_\_\_\_, but may enter into interstate compacts—agreements among states. Example: from \_\_\_\_\_ to resource development and conservation.

### -Extradition-

- Extradition is the legal process by which a \_\_\_\_\_ to that State.
- If a governor is unwilling to return a fugitive to a State, \_\_\_\_\_ and order that governor to do so.

### -Privileges and Immunities-

- The Privileges and Immunities Clause provides that no State can draw \_\_\_\_\_ between its own residents and those persons traveling or new residents.  
**Example:** can't pay \_\_\_\_\_.

### -Summary-