



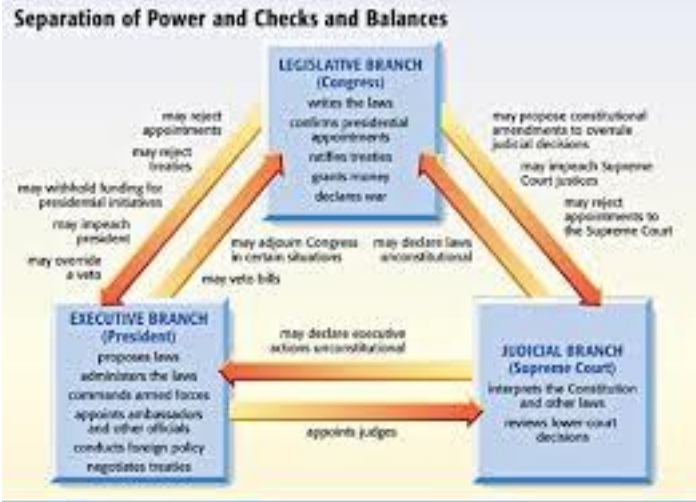








## Major Principles of the Constitution

	Definition	Where is it found in the Constitution	Illustration						
<p><b>Popular Sovereignty</b></p>	<p>Principle that the authority of the government is created and sustained by the consent of its people, through their elected representatives (Rule by the People), who are the source of all political power.</p>	<p>Preamble, Article I and Amendment 9</p>							
<p><b>Federalism</b></p>	<p>the constitutional relationship between U.S. state governments and the federal government of the United States</p>	<p>Article 1, Sec 8 Amendment 10 Article V Necessary and proper clause (elastic clause) Commerce clause Supremacy Clause</p>	 <p><b>Federalism</b></p> <table border="1"> <thead> <tr> <th>Powers Delegated to the National Government</th> <th>Powers Reserved to States</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> <li>• declare war</li> <li>• create and maintain armed forces</li> <li>• establish foreign policy</li> <li>• regulate interstate and foreign trade</li> <li>• make copyright and patent laws</li> <li>• establish postal offices</li> <li>• coin money</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>• establish local governments</li> <li>• establish and maintain schools</li> <li>• regulate trade within states.</li> <li>• conduct elections</li> <li>• provide for public safety</li> </ul> </td> </tr> </tbody> </table>	Powers Delegated to the National Government	Powers Reserved to States	<ul style="list-style-type: none"> <li>• declare war</li> <li>• create and maintain armed forces</li> <li>• establish foreign policy</li> <li>• regulate interstate and foreign trade</li> <li>• make copyright and patent laws</li> <li>• establish postal offices</li> <li>• coin money</li> </ul>	<ul style="list-style-type: none"> <li>• establish local governments</li> <li>• establish and maintain schools</li> <li>• regulate trade within states.</li> <li>• conduct elections</li> <li>• provide for public safety</li> </ul>		
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<p><b>Separation of Powers</b></p>	<p>Power is divided between the three branches of government</p>	<p>Article I, II, III</p>	 <p><b>Separation of Powers</b></p> <p style="text-align: center;">UNITED STATES CONSTITUTION</p> <table border="1"> <thead> <tr> <th>Article 1 Legislative Branch</th> <th>Article 2 Executive Branch</th> <th>Article 3 Judicial Branch</th> </tr> </thead> <tbody> <tr> <td>Congress makes the laws.</td> <td>President enforces the laws.</td> <td>Supreme Court interprets the law.</td> </tr> </tbody> </table>	Article 1 Legislative Branch	Article 2 Executive Branch	Article 3 Judicial Branch	Congress makes the laws.	President enforces the laws.	Supreme Court interprets the law.
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<p><b>Limited Government</b></p>	<p>The idea that government power is set within pre-defined limits that are established by a constitution (the people)</p>	<p>Article I, II, III</p>							

<p><b>Checks and Balances</b></p>	<p>With checks and balances, each of the three branches of government can limit the powers of the others. This way, no one branch becomes too powerful. Each branch “checks” the power of the other branches to make sure that the power is balanced between them.</p>	<p>Article I, II, III</p>	 <p>The diagram illustrates the checks and balances between the three branches of government:</p> <ul style="list-style-type: none"> <li><b>LEGISLATIVE BRANCH (Congress):</b> writes the laws, confirms presidential appointments, ratifies treaties, grants money, declares war.</li> <li><b>EXECUTIVE BRANCH (President):</b> proposes laws, administers the laws, commands armed forces, appoints ambassadors and other officials, conducts foreign policy, negotiates treaties.</li> <li><b>JUDICIAL BRANCH (Supreme Court):</b> interprets the Constitution and other laws, reviews lower court decisions.</li> </ul> <p>Checks and Balances:</p> <ul style="list-style-type: none"> <li>Legislative can: may reject appointments, may reject treaties, may withhold funding for presidential initiatives, may impeach president, may override a veto.</li> <li>Executive can: may veto bills, may adjourn Congress in certain situations, may declare laws unconstitutional.</li> <li>Judicial can: may propose constitutional amendments to overrule judicial decisions, may impeach Supreme Court justices, may reject appointments to the Supreme Court.</li> <li>Executive also: may declare executive actions unconstitutional, appoints judges.</li> </ul>
<p><b>Rule of Law</b></p>	<p>Everyone – including the government and its officials – are subject to the law. No one is above the law.</p>	<p>Similar to the principle of limited government – the govt can’t just do anything it wants. This idea is embedded throughout the Constitution’s expressed and denied power, and in the Bill of Rights.</p>	 <p>The diagram shows the components of the Rule of Law:</p> <ul style="list-style-type: none"> <li>Transparency</li> <li>Predictability</li> <li>Stability</li> <li>Enforceability/Accountability</li> <li>Due Process</li> </ul>
<p><b>Expressed Powers</b></p>	<p>Powers of the government that are spelled out expressly in the Constitution. Also called the “enumerated” (or listed) powers.</p>	<p>In Article I, Section 8 (Powers of Congress) there are 18 powers expressly given to Congress Article II, Section 2 gives expressed powers to the President .</p>	<p>Congress can: collect taxes, coin money, regulate commerce.....</p> <p>The President is Commander-in-Chief, makes treaties &amp; appointments, ...</p>  <p>TO-DO TO-DO TO-DO</p> <p>www.todoinflbooks.com</p>

<p><b>Implied Powers and the “Necessary &amp; Proper Clause”</b></p>	<p>Powers of the government that are NOT expressly stated in the Constitution, but that are “reasonably suggested”, or “<b>implied</b>” by the expressed powers.</p>	<p>Article I, Section 8, Clause 18 gives Congress the “<b>necessary and proper power</b>” for carrying out the duties that are expressed elsewhere in the Constitution.</p>	<p><b>Examples of Implied Powers</b></p> <ul style="list-style-type: none"> <li>• Congress sets a federal minimum wage.</li> <li>• Congress established the United States Air Force.</li> <li>• Congress creates federal laws against pollution.</li> </ul> 
<p><b>Reserved Powers</b></p>	<p>Powers that the Constitution does not give to the National Government, yet does not deny to the States.</p>	<p>The 10<sup>th</sup> Amendment reminds us that powers not expressly given to the National government are reserved to the states.</p>	<p>States can do just about anything.....</p> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;"><b>Reserved Powers</b></p> <ul style="list-style-type: none"> <li>• Powers <u>reserved</u> for the States</li> <li>• These powers are protected by the 10<sup>th</sup> Amendment</li> <li>• Not all are specifically stated</li> </ul> <p>Examples:</p> <ul style="list-style-type: none"> <li>- Establish Schools</li> <li>- Marriage Laws</li> <li>- Regulate trade within border</li> </ul> </div> 
<p><b>Supremacy Clause (Article VI, Paragraph 2)</b></p>	<p>The Constitution (and laws made according to it) are the Supreme Law of the Land. State Constitutions and State Laws cannot overrule or contradict national laws.</p>	<p>(Article VI, Paragraph 2)</p>	<p style="text-align: center;"><b>The Supremacy Clause</b> (Article VI, Section 2)</p> <div style="text-align: center;">  </div>
<p><b>Judicial Review</b></p>	<p>The power of the court to determine if an action of government is Constitutional. The Court can find a law or executive action to be unconstitutional.</p>	<p>Not expressly stated, but makes sense if the Judicial Branch is to have any checks over the other two branches.</p>	 <p style="text-align: center;">Supreme Court</p> <p style="text-align: center;">Capitol      White House</p>