

# The Constitution

## Lesson 1 Principles of the Constitution

### ESSENTIAL QUESTION

*Why do people form governments?*

### GUIDING QUESTIONS

1. *What basic principles of government are set forth by the Constitution?*
2. *How is the Constitution able to change over time?*

### Terms to Know

**popular sovereignty** belief that the government is subject to the people's will

**limited government** a government with limited powers strictly defined by law

**enumerated power** power belonging only to the federal government

**reserved power** power belonging only to the states

**concurrent power** power shared by the federal and state governments

**separation of powers** division of powers among the branches of government to make sure no branch has too much power

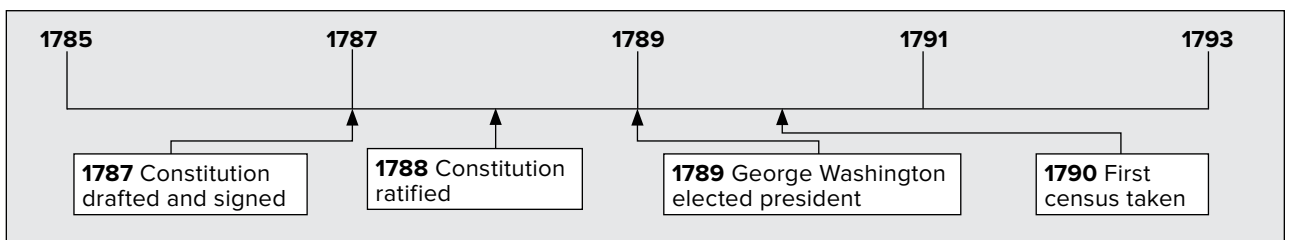
**implied power** power not specifically stated in the Constitution, but suggested in its language

### Where in the world?



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### When did it happen?



## The Constitution

### Lesson 1 Principles of the Constitution, *Continued*

#### Our Constitution

The United States Constitution sets up our country's government. It is based on seven main ideas: (1) popular sovereignty, (2) a republican form of government, (3) limited government, (4) federalism, (5) separation of powers, (6) checks and balances, and (7) individual rights.

The Constitution begins with the words "We the People." Those words, "We the People," are the basic idea of our government—that the people have the right to govern themselves. The idea that the people control the powers of government is known as **popular sovereignty**.

The Constitution sets up a system of government in which the people rule by electing, or choosing, representatives. This is called a republic. The elected representatives make laws and carry out other government functions for all the people.

The people who wrote the Constitution knew the United States needed a strong government. They also knew it was important to limit the power of the government. Otherwise, the government might take away people's rights or favor certain groups. To avoid this, the Constitution sets up a **limited government**, which means that the government's powers are clearly defined. A limited government has only the powers that the people give it.

The Constitution also divides power between the state governments and the national, or federal, government. This system is called federalism. Under the Constitution, the federal government has some powers, and the states have other powers. Certain powers are shared by both the federal and the state governments.

Powers that belong to the federal government are called **enumerated powers**. These include coining—or printing—money, regulating interstate commerce and foreign trade, maintaining armed forces, and creating federal courts.

All powers not given to the federal government are kept by the states. These are called **reserved powers**. These include setting up schools, creating marriage and divorce laws, and controlling trade inside the state.

Sometimes, the federal government and the states share a power. These shared powers are called **concurrent powers**. Concurrent means "happening at the same time." However, sometimes there is a conflict between a federal law and a state law. The Constitution makes federal law the "supreme Law of the Land." In the event of a conflict, federal law will win over state law.



#### Explaining

1. What is the purpose of the U.S. Constitution?

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#### Defining

2. What is a *republic*?

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#### Analyzing

3. Why is it important to limit a government's powers?

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#### Mark the Text

4. Underline the definition of *enumerated powers*.



#### Identifying

5. What term is used to refer to powers kept by the states?

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#### Analyzing

6. If there is a conflict between federal law and state law, which one wins?

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**The Constitution**

**Lesson 1** Principles of the Constitution, *Continued*



**Identifying**

7. List the three branches of government.

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**Reading Check**

8. What is the purpose of the system of checks and balances?

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**Mark the Text**

9. What is the Bill of Rights? Underline the answer in the text.



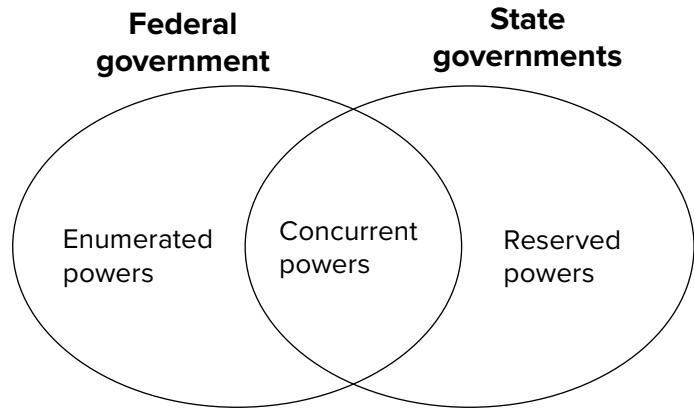
**Listing**

10. List three important rights mentioned in the Bill of Rights.

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The Constitution also includes rules to make sure that no person or group gets too much power. One rule is called the **separation of powers**. This refers to the way the Constitution divides powers among three branches of government: legislative, executive, and judicial. Each branch has a different role.

Another constitutional protection comes from a system of **checks and balances**. This means each branch can prevent the other branches from becoming too powerful. Each branch is given certain powers that can limit the other branches.

The Constitution also protects **individual rights**. These rights are the basic freedoms that Americans enjoy every day. The Bill of Rights, which is the first 10 amendments to the Constitution, lists many of these important freedoms. These include freedom of religion, freedom of speech, the right to a speedy and public trial, and freedom from “cruel and unusual” punishment.

**Amending the Constitution**

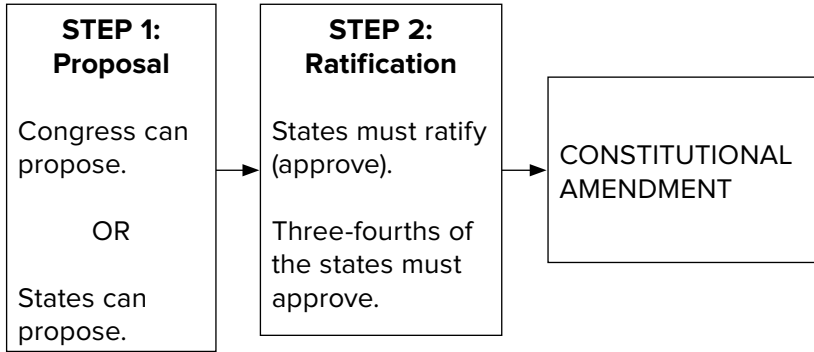
The Constitution can be amended, or changed. One part of the Constitution describes the process for amending the document. As a result, the Constitution can be updated as time passes and society changes.

It takes two steps to amend the Constitution. In the first step, Congress or the states—either one—can propose, or suggest, an amendment. In the second step, the states ratify, or approve, the amendment. Three-fourths of the states must approve the amendment in order for it to become part of the Constitution.

## The Constitution

### Lesson 1 Principles of the Constitution, *Continued*

#### AMENDMENT IS A TWO-STEP PROCESS



It is not easy to amend the Constitution. Even though people have proposed hundreds of amendments, only 27 have been ratified.

Among those 27, there have been many important amendments. Some of them have given more people the right to vote. For example, the Fifteenth Amendment said that African American men can vote. The Nineteenth Amendment gave women the right to vote. The Twenty-Sixth Amendment changed the voting age to 18.

The Constitution can also change in another way. Its words can be interpreted, or understood, in different ways. For example, one section says that Congress may “make all Laws which shall be necessary and proper” to carry out its duties. Another allows Congress to “regulate Commerce with foreign Nations, and among the several States.” These clauses give Congress **implied powers**—powers that are suggested even though they are not stated clearly.

//////////////////// Glue Foldable here //////////////////////

#### Check for Understanding

What words would you use to describe the main ideas, or principles, of the Constitution?

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List the two ways that the Constitution can be changed. How many changes have been added to the Constitution?

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#### Identifying

11. What are the two steps it takes to amend the Constitution?

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#### Reading Check

12. How many amendments to the Constitution have actually been ratified?

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#### Mark the Text

13. Underline the definition of *implied powers*.



14. Place a three-tab Foldable along the dotted line to cover Check for Understanding. Write the title *The Constitution* on the anchor tab. Label the three tabs *Main Ideas*, *Making Changes*, and *Bill of Rights*. Write key words or phrases that you remember about each.