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# End

# 2.12.2013

DO NOW:

To Answer in your journal:

To Do:

- (1) Write your homework in your Agenda book.
- (2) Read the daily schedule to get prepared for class.

# The Constitution of the United States of America

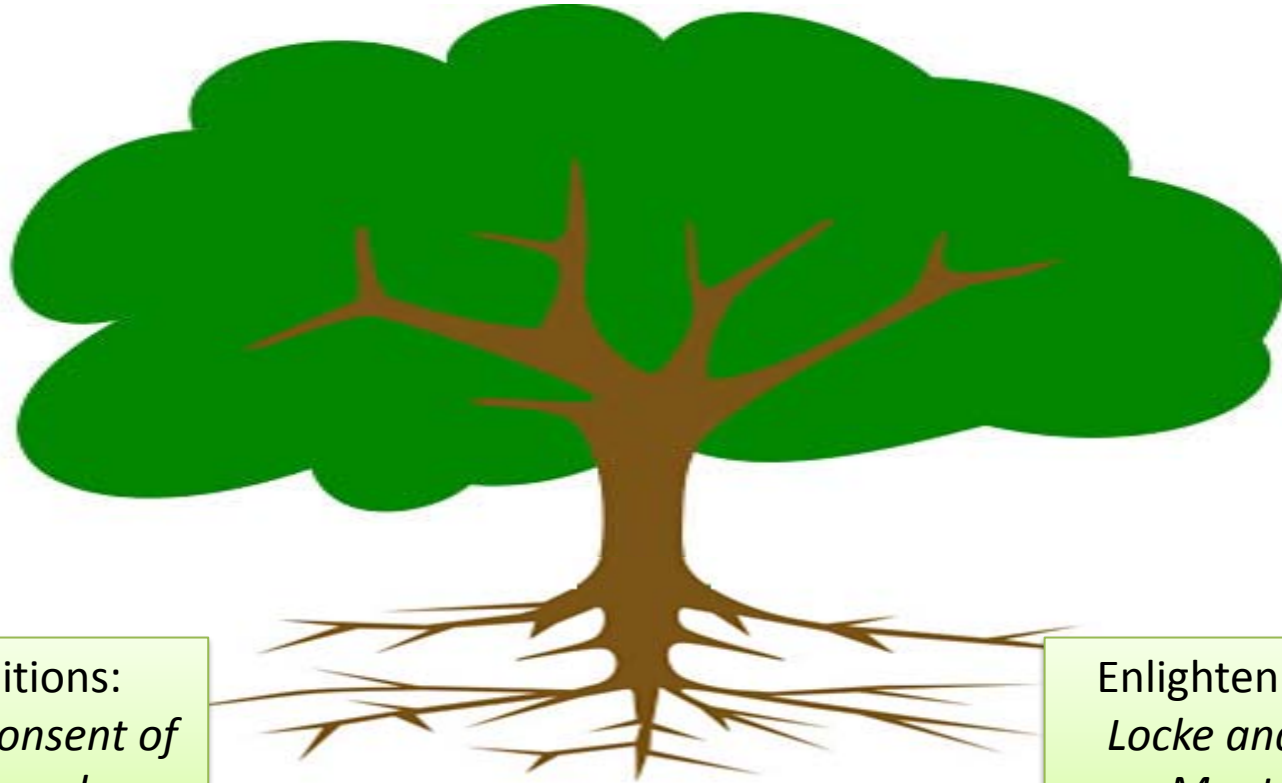


How did the Constitution create a strong government with roots in history that allowed for change and met the needs of the people?

The Constitution of the United States of America

# **ROOTS OF THE CONSTITUTION**

# Roots of the Constitution



Greek Traditions:  
*Democracy/Consent of  
the Governed*

Enlightenment: *John  
Locke and Baron de  
Montesquieu*

Roman Traditions:  
*Republic*

English Traditions:  
*Magna Carta & English  
Bill of Rights*

Colonial Traditions:  
*Mayflower Compact,  
VA House of Burgesses*

# Greek Traditions: *Democracy/Consent of the Governed*

- **Democracy** means rule by the people.
- A key feature of democracy is **consent of the governed** where citizens of a country give their permission for the government to operate.

# Roman Traditions: *Republic*

- A ***republic*** is a government in which citizens rule themselves through elective representatives.

# English Traditions: *Magna Carta* & *English Bill of Rights*

## ***Magna Carta (1215)***

- Limited the rule of the English king by making him subject to the law.

## ***English Bill of Rights (1689)***

- Further limited the king's power by guaranteeing the basic rights of English citizens.

# Colonial Traditions: *Mayflower Compact, VA House of Burgesses*

## ***Mayflower Compact***

- Was an agreement made by the Pilgrims when they first arrived in the colonies. It established the right for American colonists to govern themselves.

## ***Virginia House of Burgesses***

- Was Virginia's lawmaking body based on the tradition of representative government. It came to symbolize a step toward self-government for the colonies.



# Enlightenment: *John Locke and Baron de Montesquieu*

## *John Locke*

- Natural rights: life, liberty, property
- Government gets its power to rule from the people
- If the government abuses its power, the people can alter or abolish it

## *Baron de Montesquieu*

- Suggested the principle of *separation of powers* – the idea that powers of government must be clearly defined and divided into three separate branches: legislative, executive, judicial

The Constitution of the United States of America

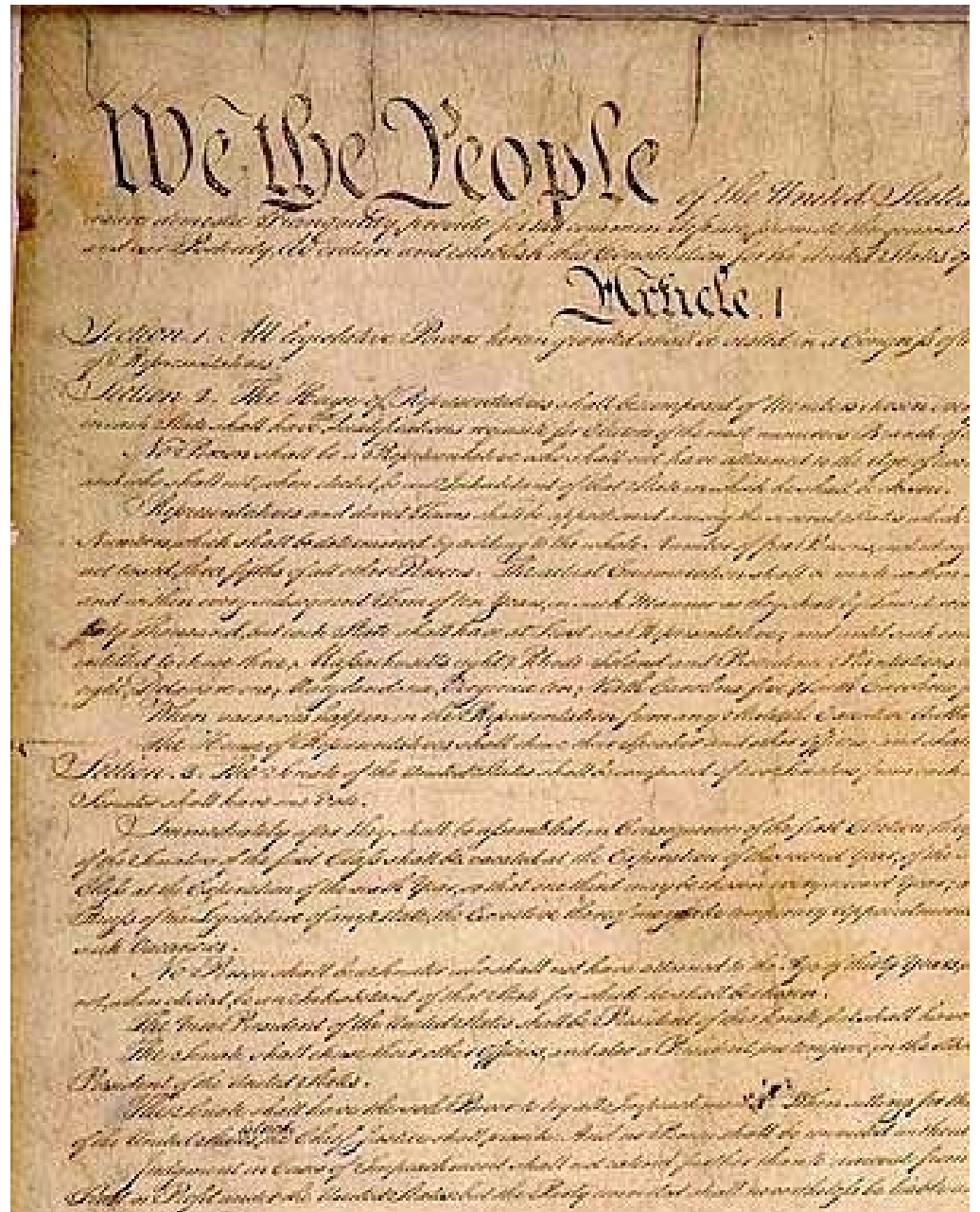
# **STRUCTURE OF THE CONSTITUTION**

# The Constitution

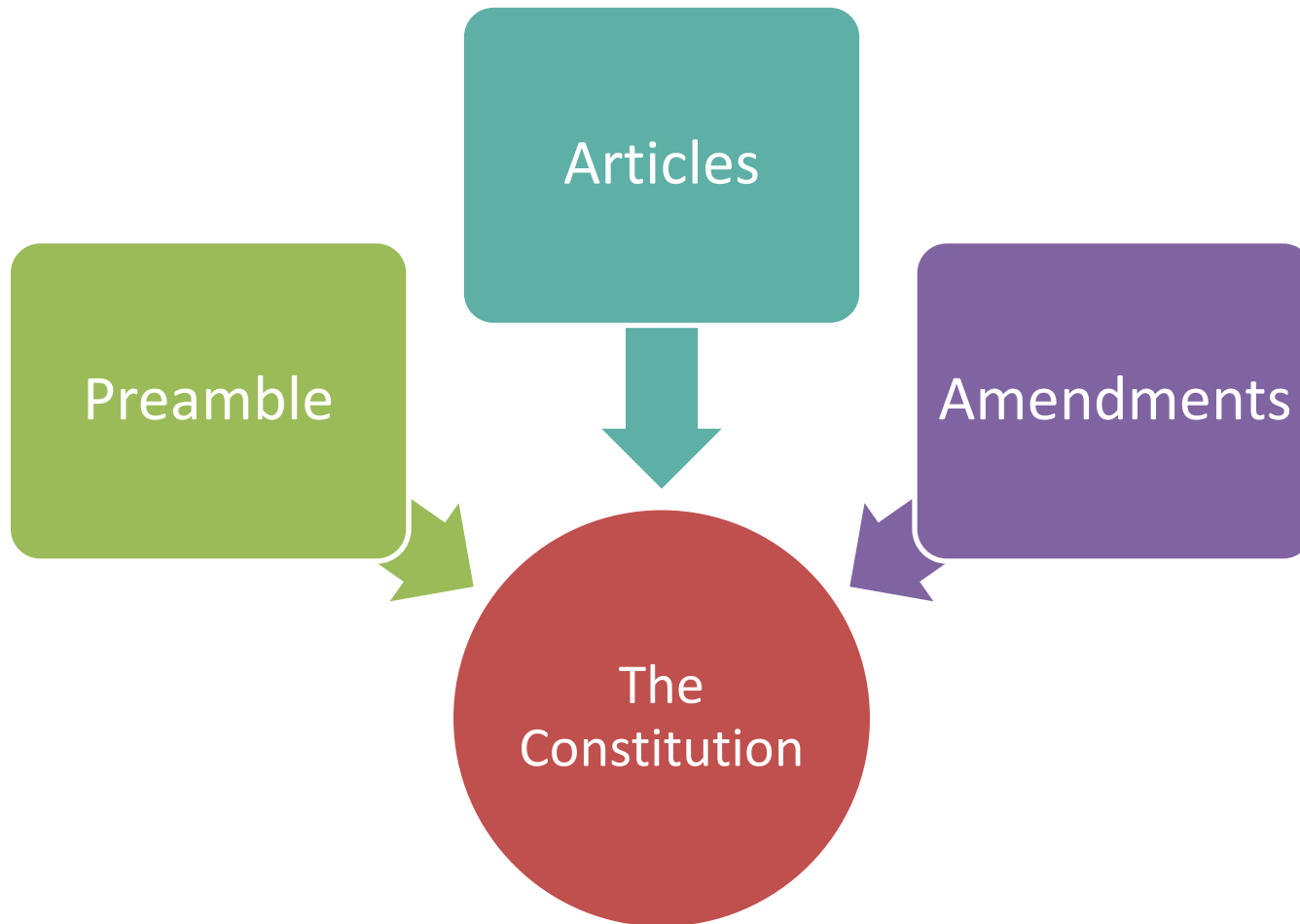
A *Constitution* is a document that gives instructions for how a government should be run. It is like a rule book for the entire country.

When drafting the Constitution, our founding fathers had to consider the following questions:

- (1) What is the purpose and function of our new government?
- (2) What powers should the government have, and what limits should be placed on the government?
- (3) How do we protect the rights of the people?
- (4) Can we make a document that will be useful to future generations?

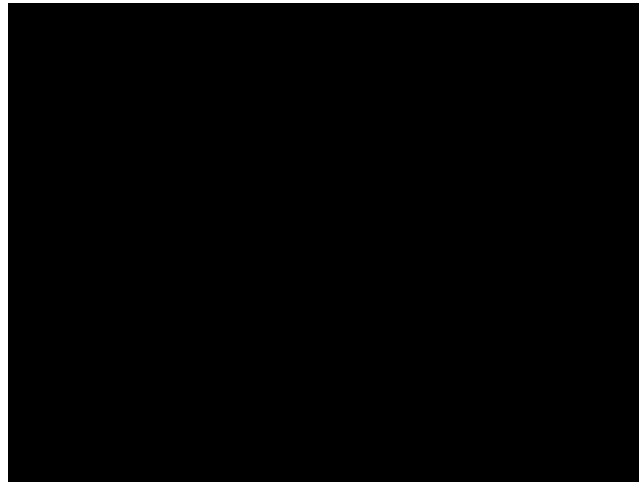


# Structure of the Constitution



# The Preamble

*The Preamble introduces the Constitution, explains what the Constitution is meant to do, and describe the purpose of the new government.*



# The Preamble

*The Preamble introduces the Constitution, explains what the Constitution is meant to do, and describe the purpose of the new government.*

**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, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

# The Articles

## Constitutional Table of Contents

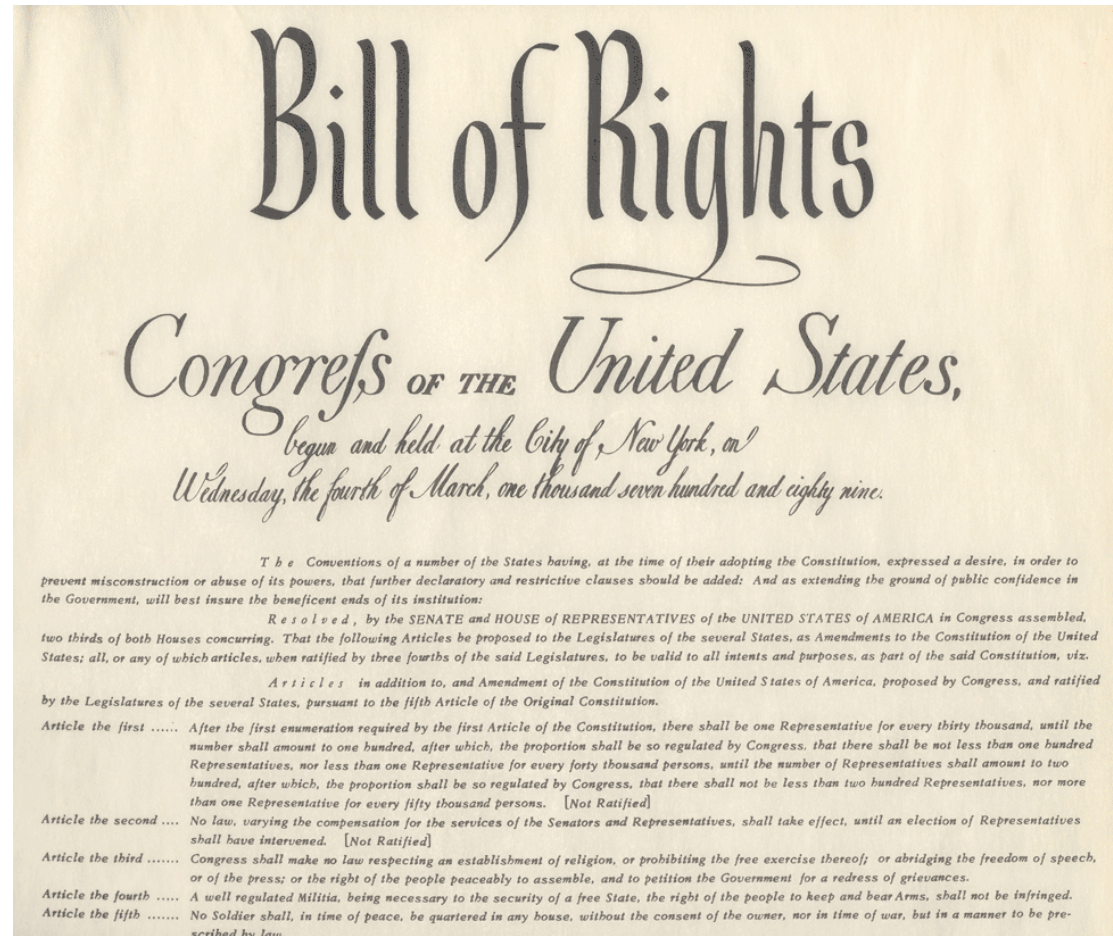
Section	Answers these questions...
Preamble	What does the Constitution do?
Article I	How does the <i>legislative</i> branch work? What powers do the states have?
Article II	How does the <i>executive</i> branch work?
Article III	How does the <i>judicial</i> branch work?
Article IV	How should the states get along with each other?
Article V	How can the Constitution be amended, or changed?
Article VI	Can the U.S. be in debt? Is federal law superior to state law? What do officials say when they are sworn into office?
Article VII	How did they make the Constitution law?
Amendments	What changes have been made to the Constitution?

Articles I, II, and III show us how the three branches work.

The remaining articles set up other details about the government.

# Amendments

- Changes that were made to the Constitution
- Bill of Rights
  - First 10 amendments
  - Protects basic liberties and rights
- Next 17 Amendments
  - Expand the rights of Americans and adjust certain provisions of the Constitution





# Exit Slip \* 2.12.2013

*On a separate sheet of paper respond to the following prompt:*

**Which principle from those ideas behind the drafting of the Constitution is the most important to the American system of government? Explain.**

*Make sure your name is at the top and turn in to the INBOX on your way out.*

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# End

# 2.13.2013

DO NOW:

To Answer in your journal:

To Do:

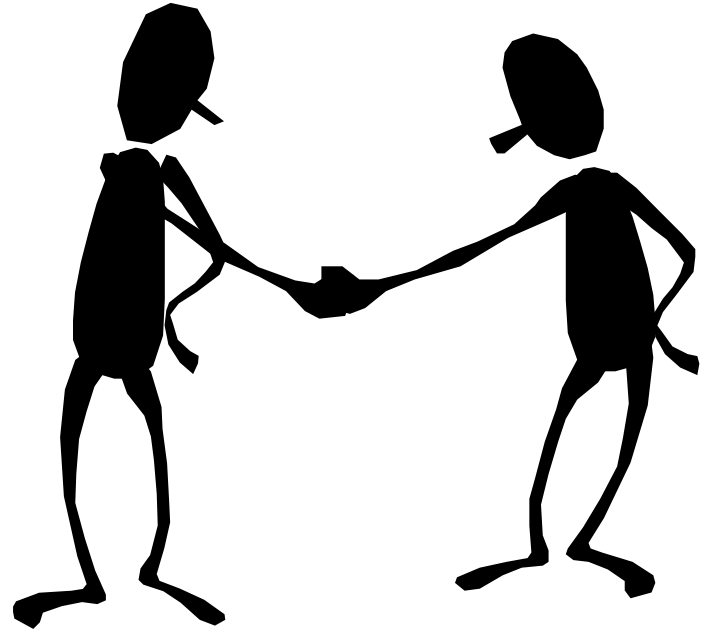
- (1) Write your homework in your Agenda book.
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The Constitution of the United States of America

# **PRINCIPLES OF THE CONSTITUTION**

# Popular Sovereignty

- “We the people”
  - Authority is rested in the **people**
  - The people consent to be governed and specify the rules by which they shall be governed



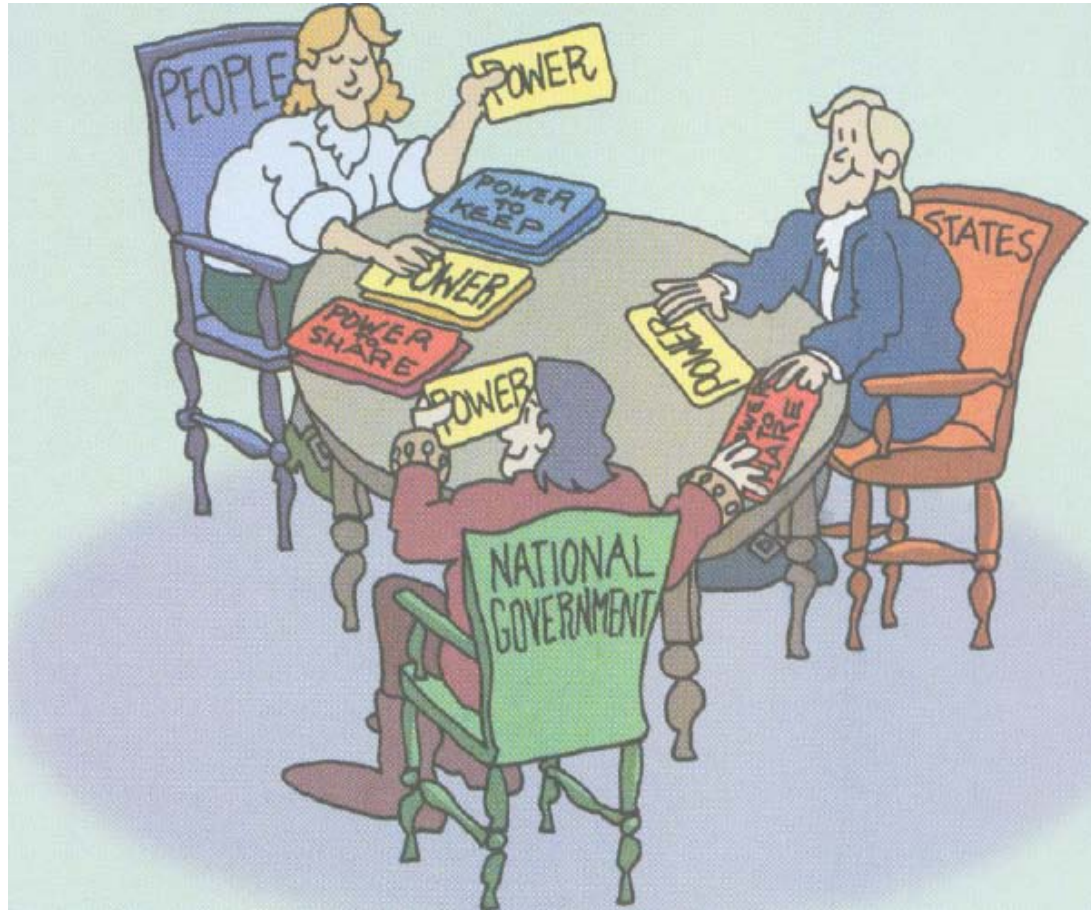
# Limited Government

Framers agreed that the nation needed a stronger central authority, but feared a misuse of power



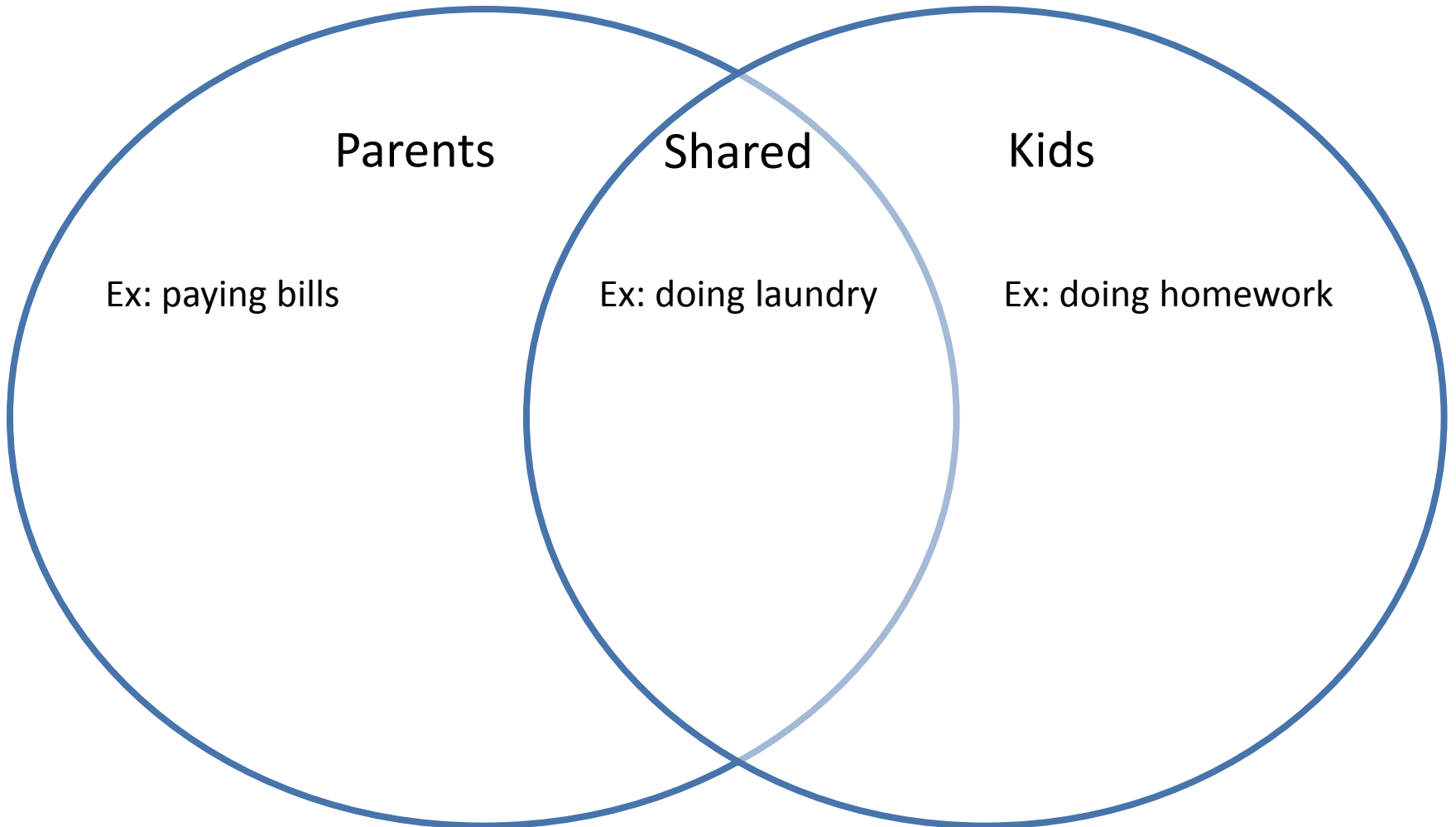
Create a **limited government**, restricting the government's authority to specific powers granted by the people

# Federalism: Division of Power



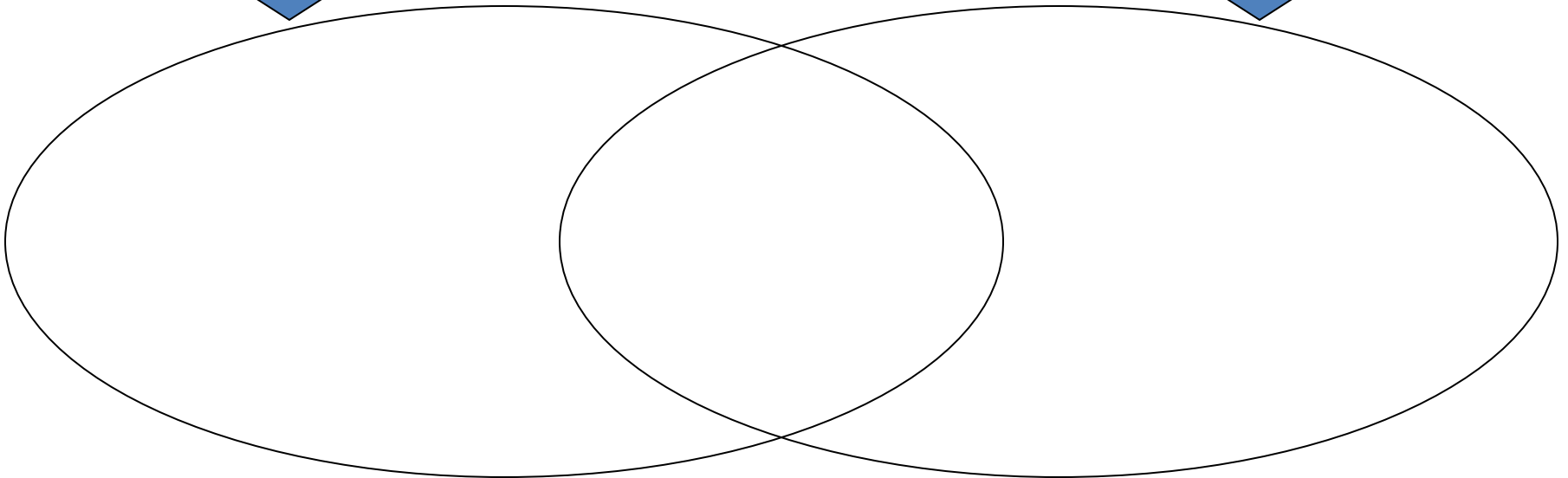
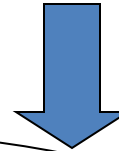
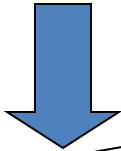
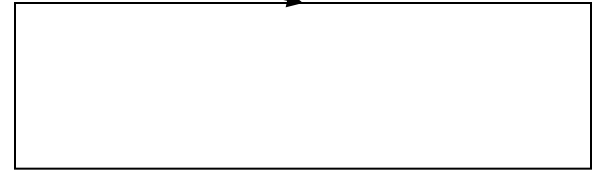
# Federalism

How is responsibility divided in your household between you and your parents? Create a Venn Diagram and list as many responsibilities as you can think of for each.



# A New Constitution

A Framework for Limited Government





# Federalism

## The Federal System

### Powers of the National Government

- Regulate interstate and foreign trade
- Set standard weights and measures
- Create and maintain armed forces
- Make copyright and patent laws
- Establish postal offices
- Establish foreign policy
- Create federal courts
- Coin money
- Declare war
- Admit new states

### Shared Powers

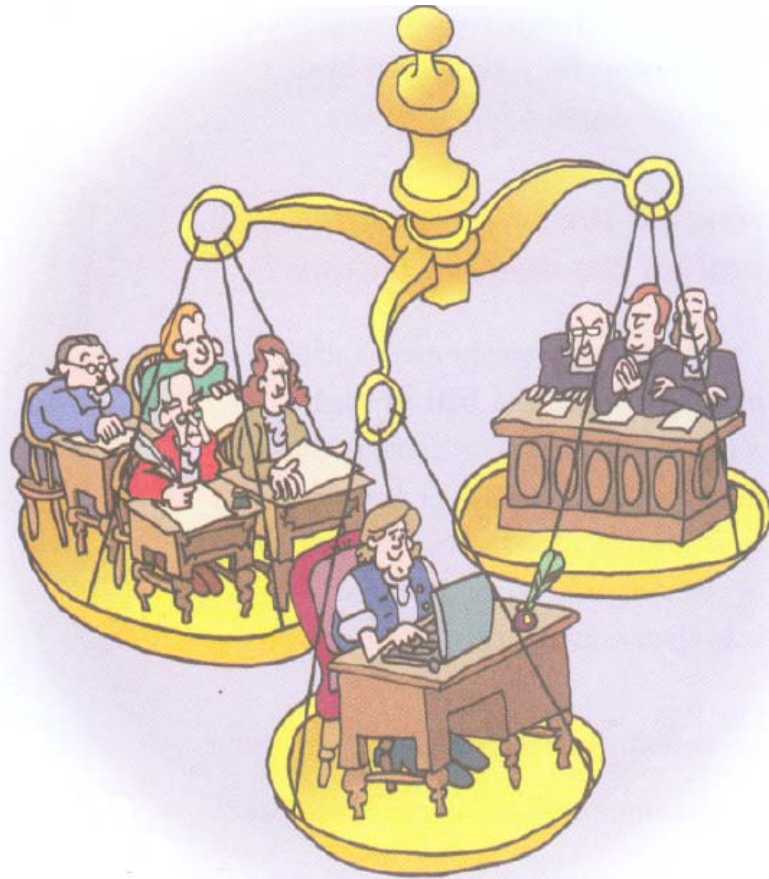
- Provide for public welfare
- Administer criminal justice
- Charter banks
- Raise taxes
- Borrow money

### Powers Reserved to the States

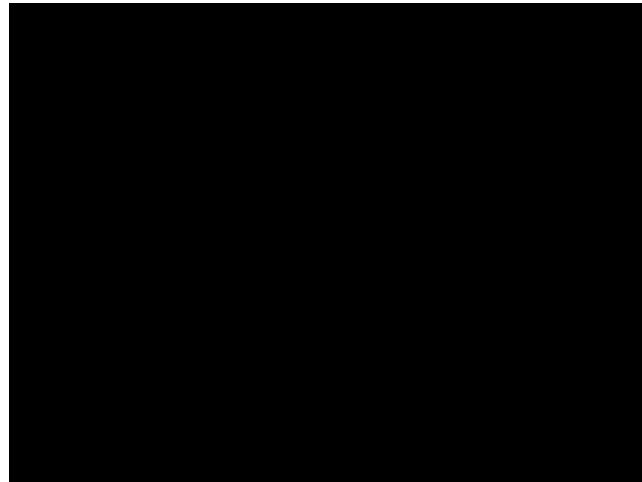
- Create corporation law
- Regulate trade within state
- Maintain schools
- Establish local governments
- Make laws about marriage and divorce
- Conduct elections
- Provide for public safety



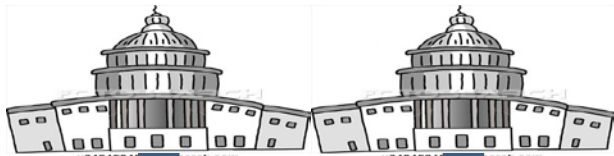
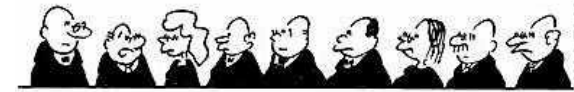
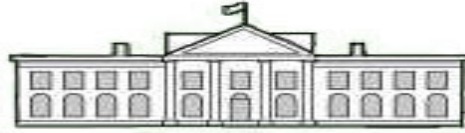
# Separation of Powers






# Separation of Powers



# Separation of Powers



# Separation of Powers

Separation of Powers		
<b>Legislative Branch</b> (Congress) 	<b>Executive Branch</b> (President) 	<b>Judicial Branch</b> (Supreme Court and Other Federal Courts) 
<b>Passes Laws</b> <ul style="list-style-type: none"><li>■ Can override President's veto</li><li>■ Approves treaties</li><li>■ Can impeach and remove President and other high officials</li><li>■ Prints and coins money</li><li>■ Raises and supports armed forces</li><li>■ Can declare war</li><li>■ Regulates foreign and interstate trade</li></ul>	<b>Carries Out Laws</b> <ul style="list-style-type: none"><li>■ Proposes laws</li><li>■ Can veto laws</li><li>■ Negotiates foreign treaties</li><li>■ Serves as commander in chief of armed forces</li><li>■ Appoints federal judges, ambassadors, and other high officials</li><li>■ Can grant pardons to federal offenders</li></ul>	<b>Interprets Laws</b> <ul style="list-style-type: none"><li>■ Can declare laws unconstitutional</li><li>■ Can declare executive actions unconstitutional</li></ul>

## Separate Responsibilities

Membership chosen in different ways

Each branch checks and balances the other to prevent the concentration/abuse of power in any one branch



# End

# 2.14.2013

DO NOW:

To Answer in your journal:

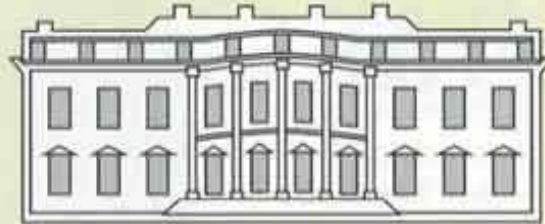
To Do:

- (1) Write your homework in your Agenda book.
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# Checks and Balances

- A system of *checks and balances* safeguards against abuse of power.
- Each branch of government has the power to check, or limit, the actions of the other two.
- This arrangement guarantees that no branch of government will become too powerful.

## EXECUTIVE BRANCH



**President Carries Out the Law**

### Checks on the Legislative Branch:

- Can propose laws
- Can veto laws
- Can call special sessions of Congress
- Makes appointments to federal posts
- Negotiates foreign treaties

### Checks on the Judicial Branch:

- Appoints federal judges
- Can grant pardons to federal offenders

### Checks on the Executive Branch:

- Can declare executive actions unconstitutional

### Checks on the Executive Branch:

- Can override presidential veto
- Confirms executive appointments
- Ratifies treaties
- Can declare war
- Appropriates money
- Can impeach and remove president

## LEGISLATIVE BRANCH



**Congress Makes the Law**

### Checks on the Judicial Branch:

- Creates lower federal courts
- Can impeach and remove judges
- Can propose amendments to overrule judicial decisions
- Approves appointments of federal judges

### Checks on the Legislative Branch:

- Can declare acts of Congress unconstitutional

## JUDICIAL BRANCH



**Supreme Court Interprets the Law**



# Activity: Checks and Balances



# End

# 2.15.2013

DO NOW:

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The Constitution of the United States of America

# **ARTICLE I: LEGISLATIVE BRANCH**

# Congress



	<b>The Senate</b>	<b>The House of Representatives</b>
<b>Qualifications</b>	You must be at least 30 years old, been a U.S. citizen for at least 9 years, and live in the state you represent	You must be at least 25 years old, been a U.S. citizen for at least 7 years, and live in the state you represent.
<b>Size</b>	2 senators per state = 100 total	Number per state depends on population = 435 total (in 2011)
<b>They represent...</b>	the interests of the citizens in the entire state for 6 years per term.	the interests of the citizens who live in the district they represent within the state for 2 years per term.
<b>Special Duties</b>	The Senate acts as a court during impeachments.	All bills that raise money must start in the House of Representatives.
<b>Role in Lawmaking</b>	A bill must be approved by BOTH houses of Congress before it can go to the President to become a law.	

# Activity: Why do we have a House and A Senate?



# End

# 2.25.2013

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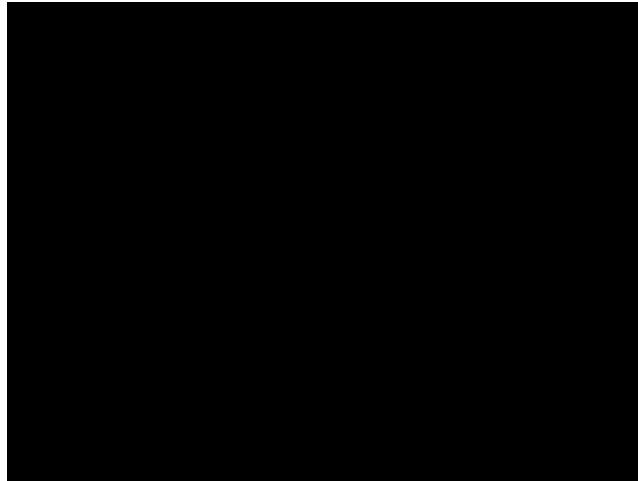
To Answer in your journal:

To Do:

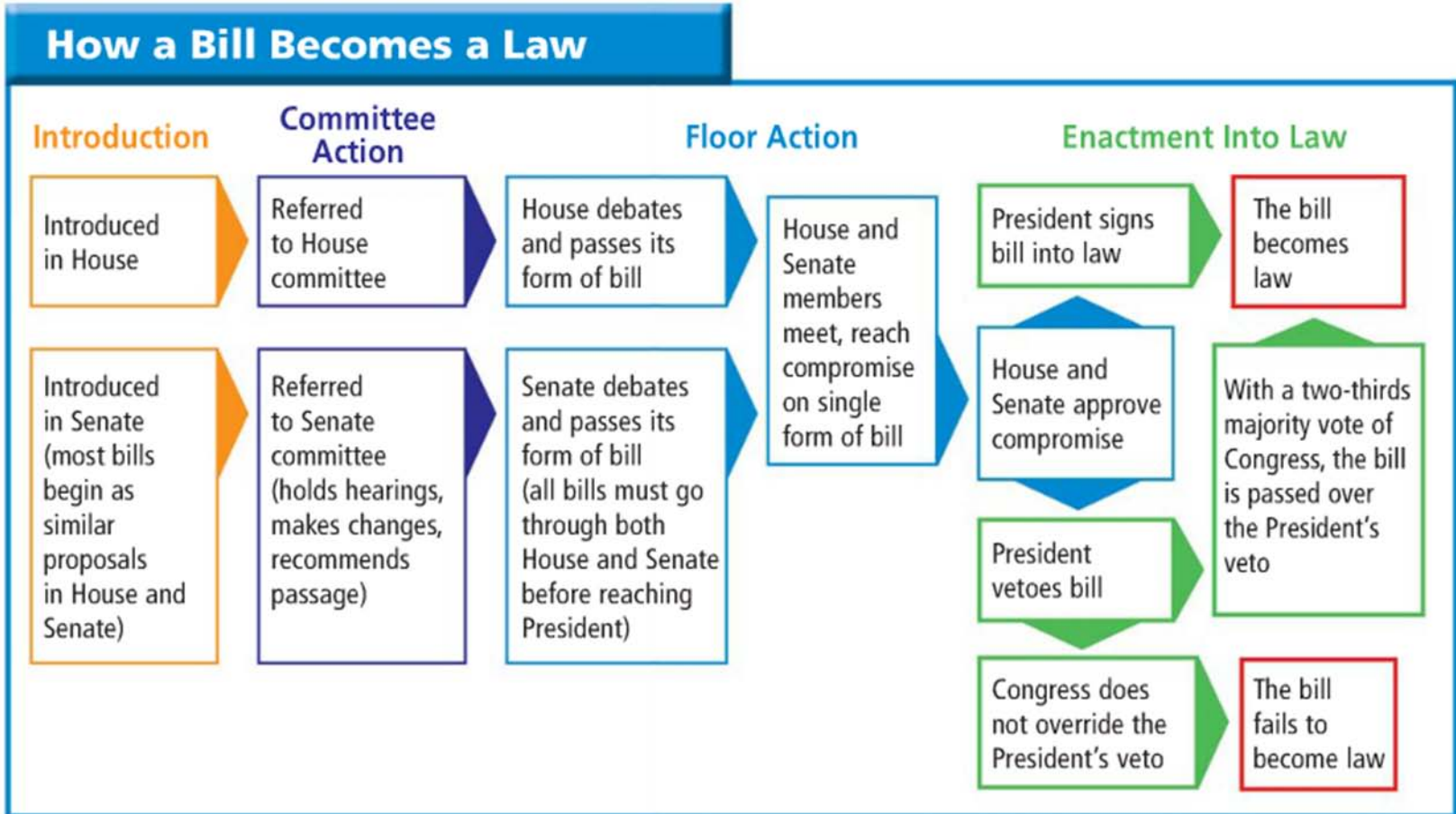
- (1) Write your homework in your Agenda book.
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# Powers of Congress

The most important power of Congress is the power to **make the nation's laws.**



# Powers of Congress





# The Powers of Congress

## SELECTED EXPRESSED POWERS

### Money Powers

- Lay and collect taxes to provide for the defense and general welfare of the United States (Clause 1);
- Borrow money (Clause 2);
- Establish bankruptcy laws (Clause 4);
- Coin, print, and regulate money (Clause 5);
- Punish counterfeiters of American currency (Clause 6)

### Commerce Powers

- Regulate foreign and interstate commerce (Clause 3)

### Military and Foreign Policy Powers

- Declare war (Clause 11);
- Raise, support, and regulate an army and navy (Clauses 12, 13, and 14);
- Provide, regulate, and call into service a militia, known as the National Guard (Clauses 15 and 16);
- Punish acts committed on international waters and against the laws of nations (Clause 10)

### Other Legislative Powers

- Establish laws of naturalization (Clause 4);
- Establish post offices and post roads (Clause 7);
- Grant copyrights and patents (Clause 8);
- Create lower federal courts (Clause 9);
- Govern Washington, D.C. (Clause 17);
- Provide for laws necessary and proper for carrying out all other listed powers (Clause 18)

## SELECTED IMPLIED POWERS

**Lay and collect taxes** IMPLIES the power to support public schools, welfare programs, public housing, etc.

**Borrow money** IMPLIES the power to maintain the Federal Reserve Board.

**Regulate commerce** IMPLIES the power to prohibit discrimination in restaurants, hotels, and other public accommodations.

**Raise and support army** IMPLIES the right to draft people into the armed services.

**Establish laws of naturalization** IMPLIES the power to limit the number of immigrants to the United States.

Click Play to Listen to Background Information



CLEAR



# Elastic Clause

(a.k.a **Necessary and Proper Clause**)

- Article I, Section 8, Clause 18
  - “*make laws which shall be **necessary and proper** for carrying into execution the foregoing powers...*”
  - Stretch powers of Constitution to meet the changing times
  - Use of implied powers



The Constitution of the United States of America

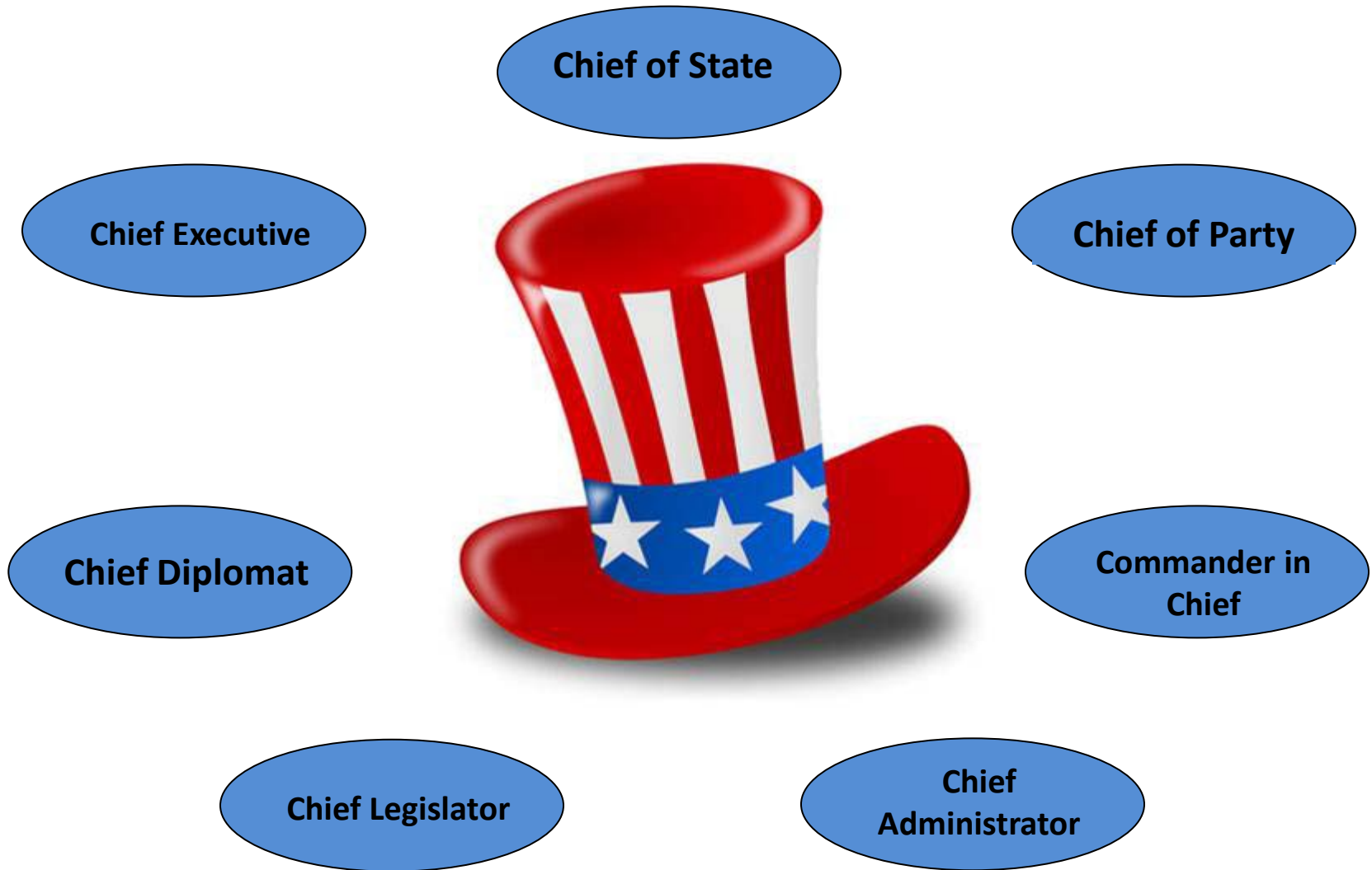
# **ARTICLE II: EXECUTIVE BRANCH**

# Who can become president?

- Must be born a citizen
- Must be at least 35 years old
- Must have lived in the US for at least the last 14 years

Response: You Be the Judge

# The Many Hats of the President



# The President's Job Description

- **Chief of State** – This job includes mostly ceremonial duties, such as welcoming foreign leaders, congratulating famous Americans, and promoting U.S. traditions.

*Example: President George H.W. Bush entertains the Queen of England at the White House.*

- **Chief Executive** – head of the executive branch; enforces U.S. laws, creates policies, hires and fires officials within the executive branch, and appoints federal (national) judges.

*Example: President John F. Kennedy issues an Executive Order to launch the Peace Corps.*

# The President's Job Description

- **Chief Administrator** – manages the Federal Government; keep the U.S. economy running smoothly

*Example: President Bill Clinton balances the federal budget.*

- **Chief Diplomat** – sets the nation's foreign policy; only the President can make treaties with other countries

*Example: President Richard M. Nixon visits China to improve relations with that country.*



# The President's Job Description

- **Commander in Chief** – directly controls all US military forces

*Example: President George W. Bush sends U.S. combat troops to Iraq.*

- **Chief Legislator** – determines Congress's agenda; Constitution gives the President the power to sign acts of Congress into law or to veto (reject) any law

*Example: President Lyndon B. Johnson signs the Voting Rights Act of 1965.*

# The President's Job Description

- **Chief of Party** – unofficial head of his/her political party; uses his influence to back party candidates, raise money for campaigns, and appoint party officials.

*Example: President Ronald Reagan campaigns for fellow Republicans running for Congress.*



# End

# 2.26.2013

DO NOW:

To Answer in your journal:

To Do:

- (1) Write your homework in your Agenda book.
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# Who takes over if the President cannot fulfill his/her role?

- **25<sup>th</sup> Amendment** - - the Vice President will become President if the President dies, resigns, or is removed from office.
- If the Vice President is unable to serve, the **Presidential Succession Act of 1947** outlines a specific line of succession to the presidency so that the office will never be vacant.

# Presidential Succession

**Vice President**

**Speaker of the House**

**President *Pro Tempore* of the Senate**

**Secretary of State**

**Secretary of the Treasury**

**Secretary of Defense**

**Attorney General**

**Secretary of the Interior**

**Secretary of Agriculture**

**Secretary of Commerce**

**Secretary of Labor**

**Secretary of Health and Human Services**

**Secretary of Housing and Urban Development**

**Secretary of Transportation**

**Secretary of Energy**

**Secretary of Education**

**Secretary of Veteran Affairs**

**Secretary of Homeland Security**

# Presidential Succession

October 10, 1973: Spiro Agnew resigns from the Vice Presidency

December 6, 1973: Speaker of the House Gerald Ford becomes Vice President

August 9, 1974: Richard Nixon resigns from the Presidency

August 9, 1974: Gerald Ford becomes President

**Gerald Ford is the only President to serve in office without running for election!**

# Presidential Selection

## THEN

- A body of electors, the **electoral college**, would choose president and vice president
- Each elector had two votes -  
- each one for a different candidate
- Most votes = president;  
runner up = vice president
- Election of 1800 = TIE!

# Presidential Selection

## THEN

- A body of electors, the **electoral college**, would choose president and vice president
- Each elector had two votes -  
- each one for a different candidate
- Most votes = president;  
runner up = vice president
- Election of 1800 = TIE!

## NOW

- **12<sup>th</sup> Amendment**
  - A body of electors, the **electoral college**, would choose president and vice president
  - Each elector would cast SEPARATE votes: one for president and one for vice president
  - Majority of electoral votes becomes president



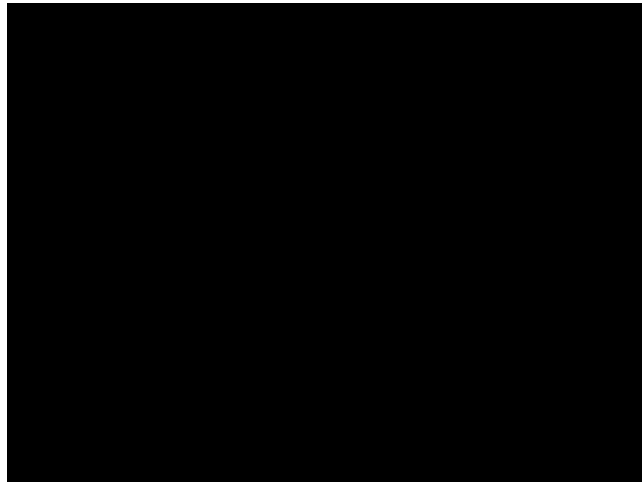
# The Electoral College

- Article II of the Constitution lists the specifics of the Electoral College.
- A compromise of:
  - Direct popular election
  - An election by Congress

# The Electoral College

- The Founding Fathers included the Electoral College as one of the famous "checks and balances" for two reasons:
  - 1) to give states with small populations more of an equal weight in the presidential election
  - 2) they didn't trust the common man to be able to make an informed decision on which candidate would make the best president.

# Electoral College



# The Electoral College

- The Electoral College is a group of people who gather to cast their votes for the various presidential candidates.
- When we as Americans are casting our votes for the presidential candidates, we are actually casting our votes for electors, who will cast their votes for the candidates.

# In Other Words...

- If you vote for the Republican candidate, you are really voting for an elector who will be "pledged" to vote for the Republican candidate.
- The candidate who **wins the popular vote** in a state wins **ALL** the **pledged votes of the state's electors**.

# The Electoral College

- Each state gets a number of electors equal to its number of members in the U.S. House of Representatives plus one for each of its two U.S. Senators.

New York State

27 House of Reps

+ 2 Senators

-----

29 Electors

# Electoral College

- The District of Columbia gets three electors.
- Total electors = 538
- Need 270 to become president
- While state laws determine how electors are chosen, they are generally selected by the political party committees within the states.

# The Electoral College

- Each elector gets one vote. Thus, a state with eight electors would cast eight votes.
- There are currently 538 electors and the votes of a majority of them -- 270 votes -- are required to be elected.
- Since Electoral College representation is based on congressional representation, states with larger populations get more Electoral College votes.



# What if no one wins the Electoral College Vote?

- Should none of the candidates win 270 electoral votes, the 12th Amendment kicks in and the election is decided by the House of Representatives.
- The combined representatives of each state get one vote and a simple majority of states is required to win.

# Election of 1824

131 of 261 electoral votes needed			
Andrew Jackson	John Quincy Adams	William Crawford	Henry Clay
99	84	41	37

- Since no candidate had receive a majority of electoral votes, it was back to the House of Representatives.
- Clay, as Speaker of the House, had control over the proceedings and, when it became clear that something had to be done, agreed to withdraw from the race if his supporters would instead support Adams.
- Each state had one vote in the House of Representatives. The country had 24 states at the time, and 13 of them voted for Adams.
- Clay, in turn, was named Secretary of State. Jackson and his supporters, along with many other neutral observers, denounced this turn of events as a "corrupt bargain," but the votes were counted and the son of a president was in the White House.

But wait... How can a candidate win the popular vote but lose the electoral vote?

- The Electoral College system makes it possible for a candidate to actually lose the nationwide popular vote, but be elected president by the Electoral College.
- In fact, it is possible for a candidate to not get a single person's vote -- not one -- in 39 states or the District of Columbia, yet be elected president by winning the popular vote in just 11 states...

# Heavy Hitter States

California

New York

Texas

Florida

Pennsylvania

Illinois

Ohio

Michigan

New Jersey

North Carolina

Georgia

# How???

- There are 538 total votes in the Electoral College and a presidential candidate must win a majority -- 270 -- electoral votes to be elected.
- Since these 11 states account for exactly 270 votes, a candidate could win these states, lose the other 39, and still be elected.

# The Election of 1876

*There were a total of 369 electoral votes available with 185 needed to win.*

## Republican Rutherford B. Hayes

4,036,298 popular votes  
185 electoral votes

## Democrat Samuel J. Tilden

4,300,590 popular votes  
184 electoral votes

Hayes was elected president.

# The Election of 1888

*There were a total of 401 electoral votes available with 201 needed to win.*

## Republican Benjamin Harrison

5,439,853 popular votes  
233 electoral votes

## Democrat Grover Cleveland

5,540,309 popular votes  
168 electoral votes

Harrison was elected president.

# The Election of 2000

*There were a total of 538 electoral votes available with 270 needed to win*

## Republican George W. Bush

50,456,002 popular votes  
271 electoral votes\*\*

*Controversy over Florida: election  
went to the Supreme Court*

## Democratic Al Gore

50,999,897 votes  
266 electoral votes

**Bush was elected president.**



# Electoral College Votes per State



Numbers represent how many electoral votes each state will have in 2012

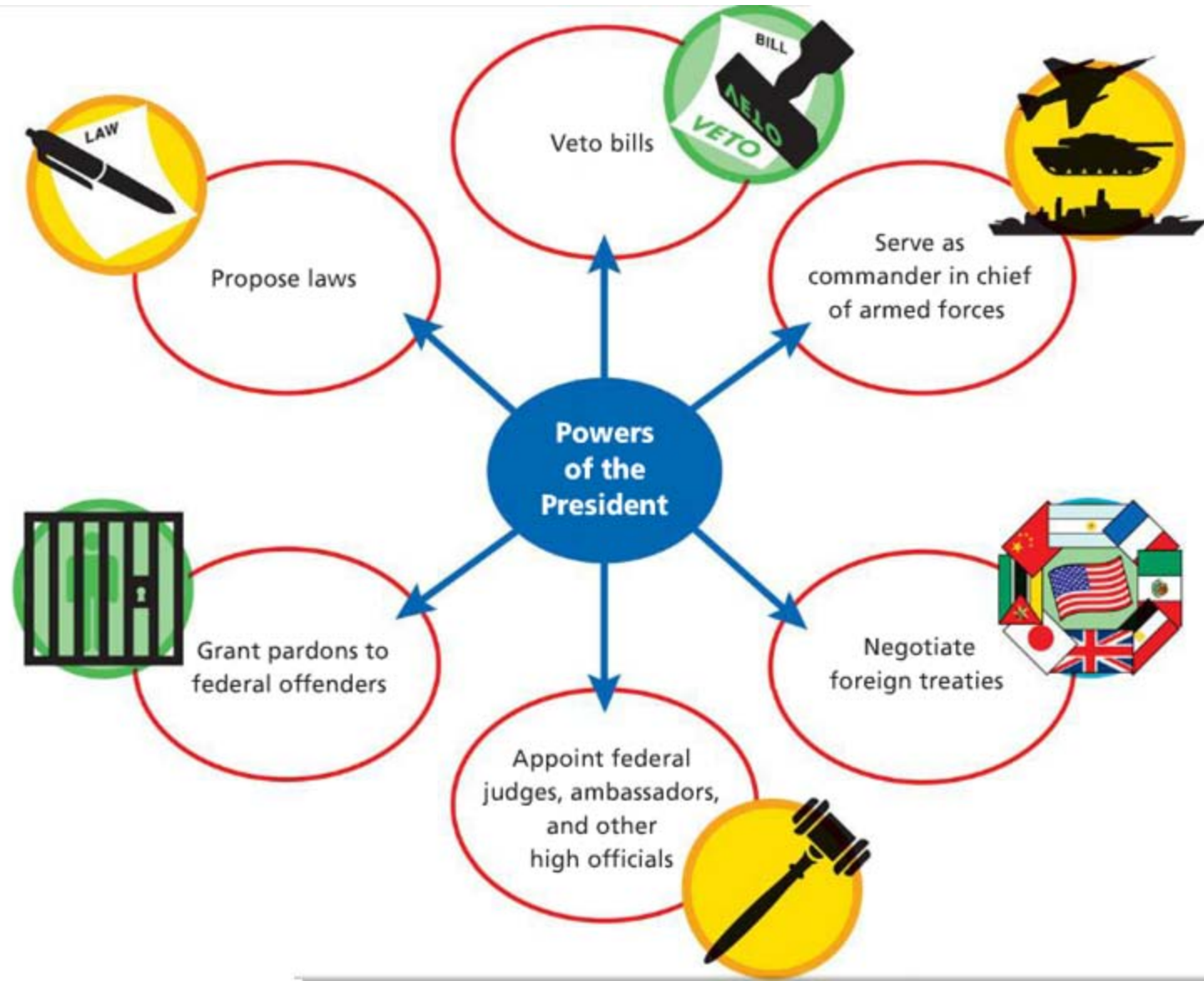
Colors represent how Electors voted in 2008 presidential election:

Red: Republican Blue: Democratic Purple: Vote was split

# Activity: Questions pg 13

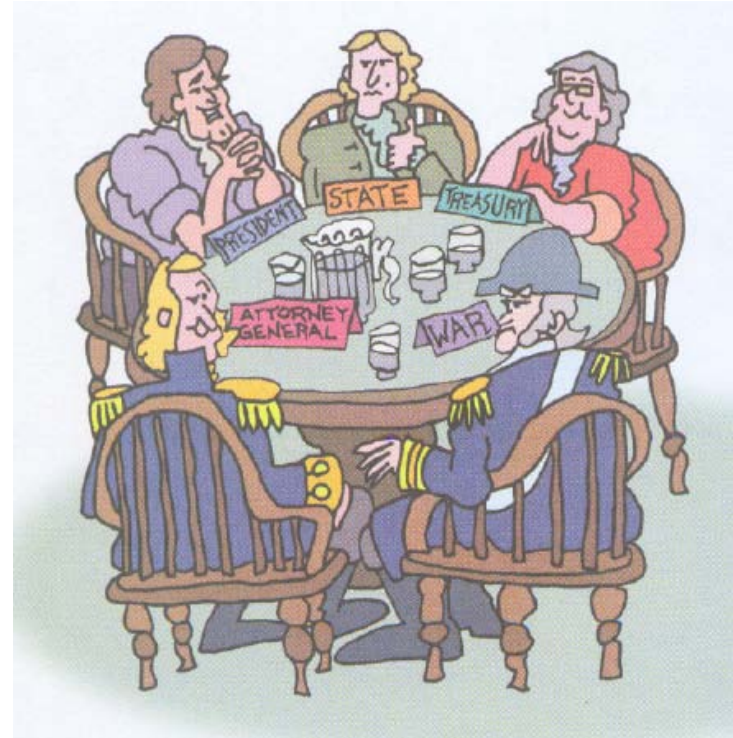
# The Presidency in Action

# Powers of the President



# The President and the Unwritten Constitution

- Cabinet
  - Group of advisors responsible to the president
  - Part of the unwritten constitution





# End

# 2.27.2013

DO NOW:

To Answer in your journal:

To Do:

- (1) Write your homework in your Agenda book.
- (2) Read the daily schedule to get prepared for class.



# End

# 2.28.2013

DO NOW:

To Answer in your journal:

To Do:

- (1) Write your homework in your Agenda book.
- (2) Read the daily schedule to get prepared for class.

The Constitution of the United States of America

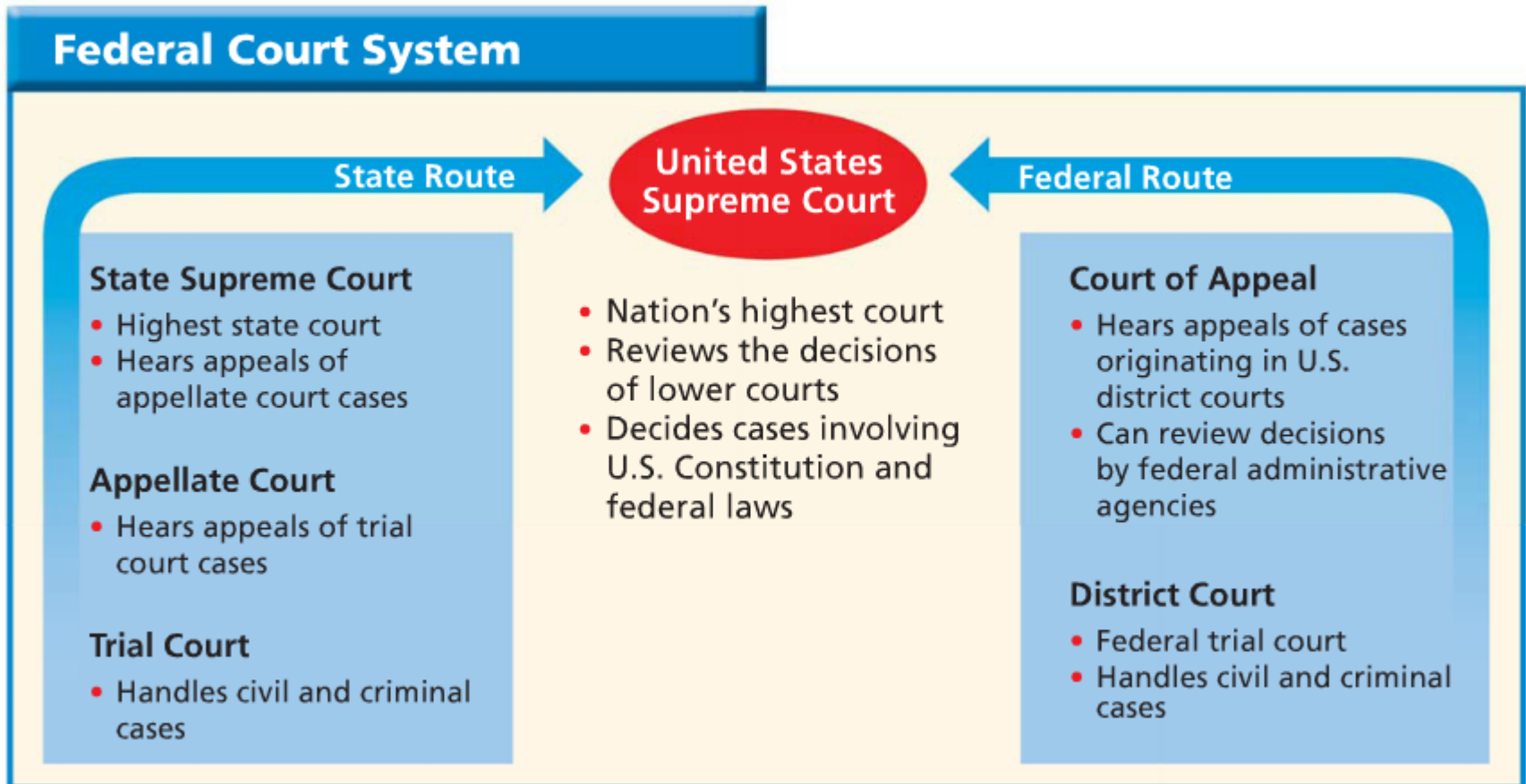
# **ARTICLE III: JUDICIAL BRANCH**



# The National Judiciary

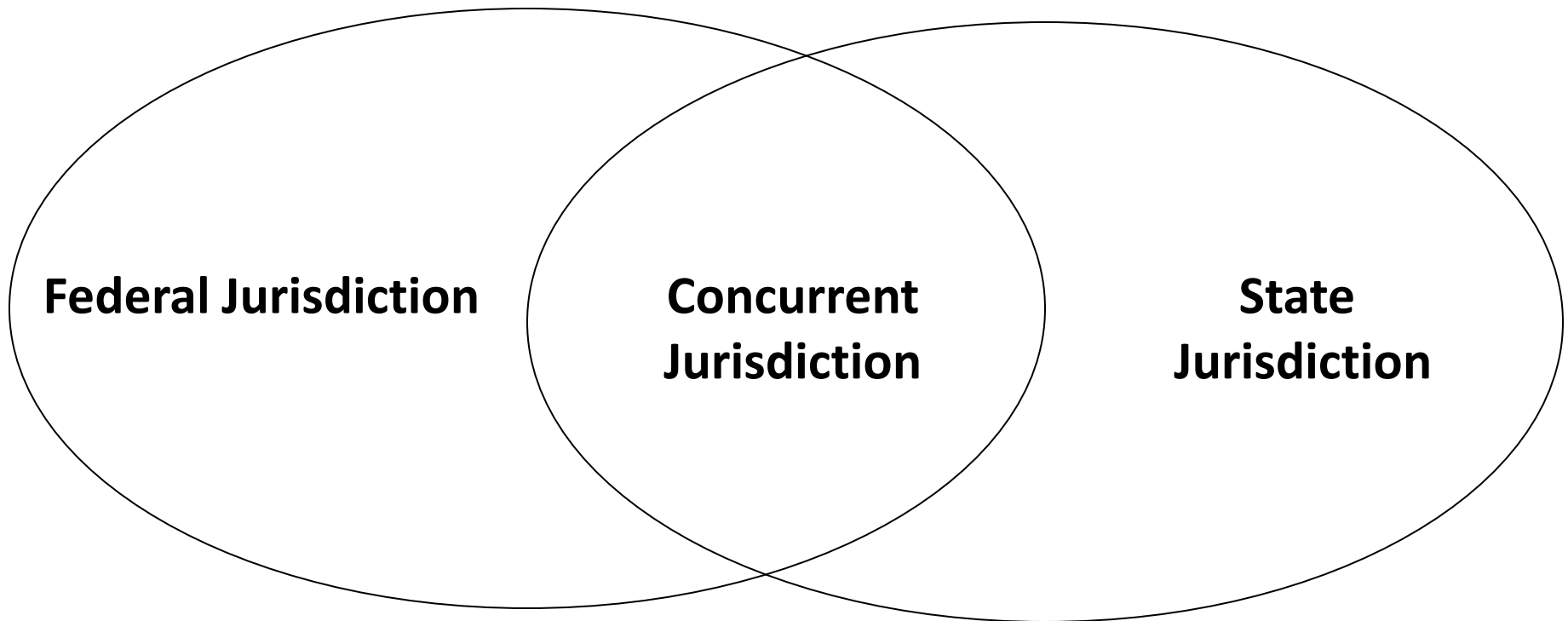
- The Constitution creates the Supreme Court.
- Congress creates the inferior courts - - or courts under the Supreme Court.

# The Judicial Branch



# Types of Federal Jurisdiction

Jurisdiction – the authority to hear federal cases;  
belongs to Constitutional Courts.



# Federal Jurisdiction

- A case may be placed under federal jurisdiction if any of the following apply:
  - The United States is either suing another party or being sued by another party.
  - The case is based on the Constitution or on a federal law.
  - The case involves disputes between different states.

# Jurisdiction

## Original Jurisdiction

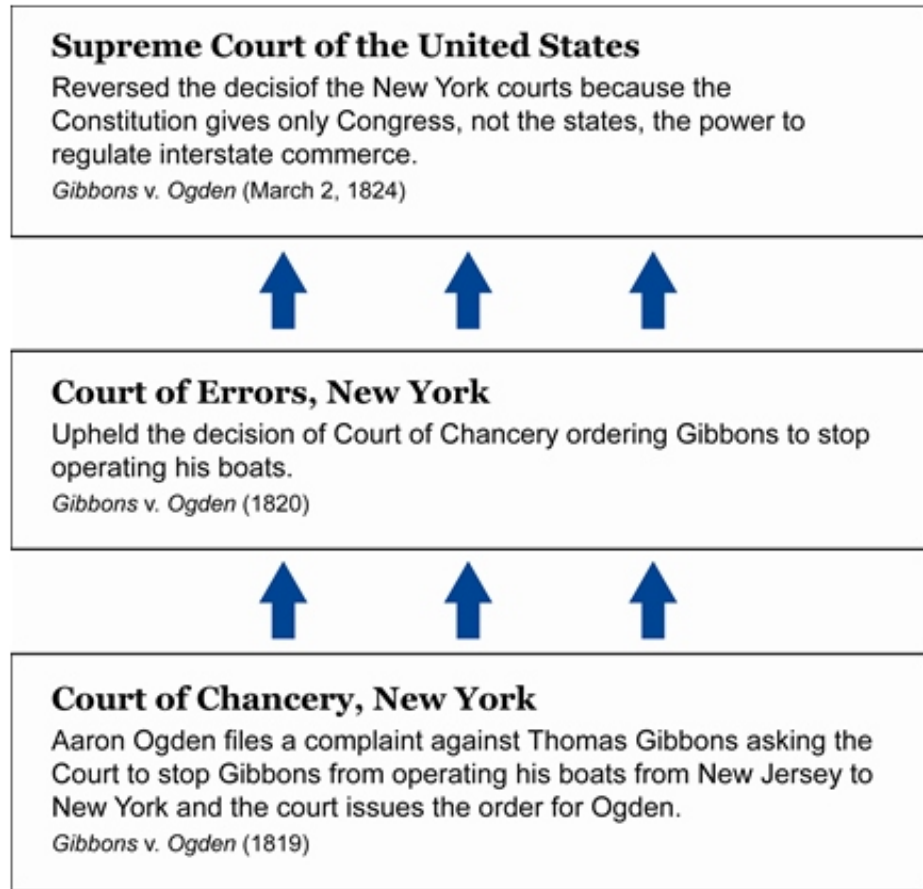
- When a court has the power to hear a case for the first time

## Appellate Jurisdiction

- When a court hears a case on appeal from a lower court

# Original or Appellate Jurisdiction?

*Gibbons v. Ogden*  
(1824)



APPELLATE JURISDICTION

# Original or Appellate Jurisdiction?

An ambassador to the United States is arrested for breaking into a U.S. military site. When arrested, she is found with copies of several top secret government documents.

**ORIGINAL JURISDICTION**

# Original or Appellate Jurisdiction?

## *McCulloch v. Maryland* (1819)

### **Supreme Court of the United States**

Reversed lower courts and overturned McCulloch's conviction, holding that establishing a national bank is within the constitutional powers of Congress under the "necessary and proper" clause and Maryland does not have authority to tax a federal institution.

*McCulloch v. Maryland* (1819)



### **Maryland Court of Appeals**

Upheld decision of lower court and affirmed McCulloch's conviction.

*McCulloch v. Maryland* (1818)



### **County Court of Baltimore County**

Convicted McCulloch, the manager of the Baltimore branch of the Bank of the United States, for failing to pay the \$15,000 tax levied by the State of Maryland. McCulloch fined \$2,500

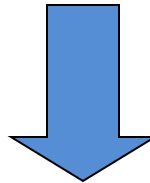
*McCulloch v. Maryland* (1818)

# APPELLATE JURISDICTION

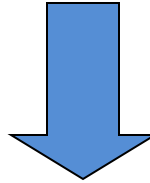


# Federal Judges

**President Nominates**



**Senate Confirms**



**Judges of the Supreme  
Court and the  
Constitutional Courts  
serve for life**

# The Supreme Court

- 8 justices
- 1 chief justice
- Has both original and appellate jurisdiction
- Serves as the nation's court of final appeals
- Power of judicial review as established in *Marbury v. Madison* (1803)

# Judicial Review

- Gives the Supreme Court the ultimate authority to interpret the meaning of constitutional provisions
  - Determines if a new law is constitutional (not allowed under the Constitution)
  - Part of the unwritten constitution

The Constitution of the United States of America

# **ARTICLE IV: THE STATES**

# The States: Article IV

- Article Four of the Constitution describes how the states should interact with one another.
- Each state has to respect the laws and court decisions of the other states.
- If a criminal flees one state for another, the state where the crime was committed can request the criminal be returned to face criminal 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.





# End

# 3.1.2013

DO NOW:

To Answer in your journal:

To Do:

- (1) Write your homework in your Agenda book.
- (2) Read the daily schedule to get prepared for class.

The Constitution of the United States of America

# **ARTICLE V: AMENDING THE CONSTITUTION**

# Amendment

- **A change (addition) to the Constitution**
- Allows the Constitution to be flexible and meet the changing needs of society
- Example: to expand democracy to more people we needed to change the constitution -
  - 15<sup>th</sup> Amendment: African American's right to vote
  - 19<sup>th</sup> Amendment: Women's right to vote
  - 26<sup>th</sup> Amendment: 18 year old's right to vote



# Amending the Constitution

## Proposal

## Ratification

Proposal by **two-thirds** vote of both houses of **Congress**

Used successfully **twenty-six** times

Passage by **three-quarters** of **state legislatures**

Proposal by **two-thirds** vote of **national convention** called by Congress on request of **two-thirds** of state legislatures

Used **once** to repeal **Prohibition (Amdt. 21)**

Passage by **three-quarters** of **special state conventions**

Activity: Questions pgs. 16-17

## The Bill of Rights

1	Guarantees freedom of religion, speech, assembly, and press, and the right of people to petition the government
2	Protects the rights of states to maintain a militia and of citizens to bear arms
3	Restricts quartering of troops in private homes
4	Protects against unreasonable searches and seizures
5	Assures the right not to be deprived of life, liberty, or property without due process of law
6	Guarantees the right to a speedy and public trial by an impartial jury
7	Assures the right to a jury trial in cases involving the common law—the law established by previous court decisions
8	Protects against excessive bail, or cruel and unusual punishment
9	Provides that people's rights are not restricted to those specified in the first eight Amendments
10	Restates the Constitution's principle of federalism by providing that powers not granted to the national government nor prohibited to the states are reserved to the states and to the people

- Rooted in the English Bill of Rights
- First 10 Amendments to the Constitution
- Promised in order to promote ratification of the Constitution
- The rights fall into three categories
  - Individual freedoms
  - Protections against government abuse and power
  - Rights of people accused of crimes

# Activity: Bill of Rights Categories

# End

# 3.4.2013

**DO NOW:**

To Answer in your journal:

*Pick up a worksheet from the cart at the front of the room.*

Second Continental Congress: What kind of government should the nation have?

*Completed worksheets will be stapled into your journal.*

To Do:

- (1) Write your homework in your Agenda book.
- (2) Read the daily schedule to get prepared for class.

# Can They Do That?

I dyed my hair green because I wanted to make a statement. I didn't think that statement would be, "Search my backpack!" A police officer stopped me and said that he was going to search my backpack because he didn't like my hair color. Do I have a right to privacy in this circumstance?

**YES – 4<sup>th</sup> Amendment  
(Search and Seizure)**

# Can They Do That?

I know there is a law against keeping lions as pets in my town, but as long as I keep it on my property I should be allowed to have one! That's what private property is all about, right? Do I have a right to do what I want on my property?

**NO**

# Can They Do That?

As punishment for accidentally breaking my neighbor's window, I have to replace all the windows that break in our town for the next year... while wearing a silly hat and embarrassing outfit! Do I have a right to fight this punishment?

**YES – 8<sup>th</sup> Amendment  
(Cruel Punishment)**



# Can They Do That?

I am Buddhist, which means that I practice the religion of Buddhism. I just moved to a new town that has banned all religion. The sheriff has threatened to arrest me if I don't take an oath against religion. Do I have a right to practice religion?

**YES – 1<sup>st</sup> Amendment  
(Freedom of Religion)**

# Can They Do That?

I do not like our mayor at all. I think he has made some very bad choices and is not managing our town very well. I'm going to practice my free speech by spray painting a message for the whole town on the mayor's front door. Do I have a right to free speech through vandalism?

**NO**

# Activity: Bill of Rights Scenarios



# End

# 3.5.2013

DO NOW:

To Answer in your journal:

To Do:

- (1) Write your homework in your Agenda book.
- (2) Read the daily schedule to get prepared for class.

# Amendments

- **The amendments allow the Constitution to meet the changing needs and attitudes of the country.**
- After the Bill of Rights, 17 more amendments were added to the Constitution.
- One thing that changed over time was the idea of who could vote. Between 1870 and 1971, three amendments expanded voting rights to different groups of people who could not vote before.
  - 15<sup>th</sup> Amendment: African American men,
  - 19<sup>th</sup> Amendment Women
  - 26<sup>th</sup> Amendment: People as young as 18 years old.

The Constitution of the United States of America

# **ARTICLE VI: NATIONAL SUPREMACY**

# Supremacy Clause

- The **CONSTITUTION** is the supreme law of the land
- If a state and federal law conflict, the supremacy clause says the federal law wins!

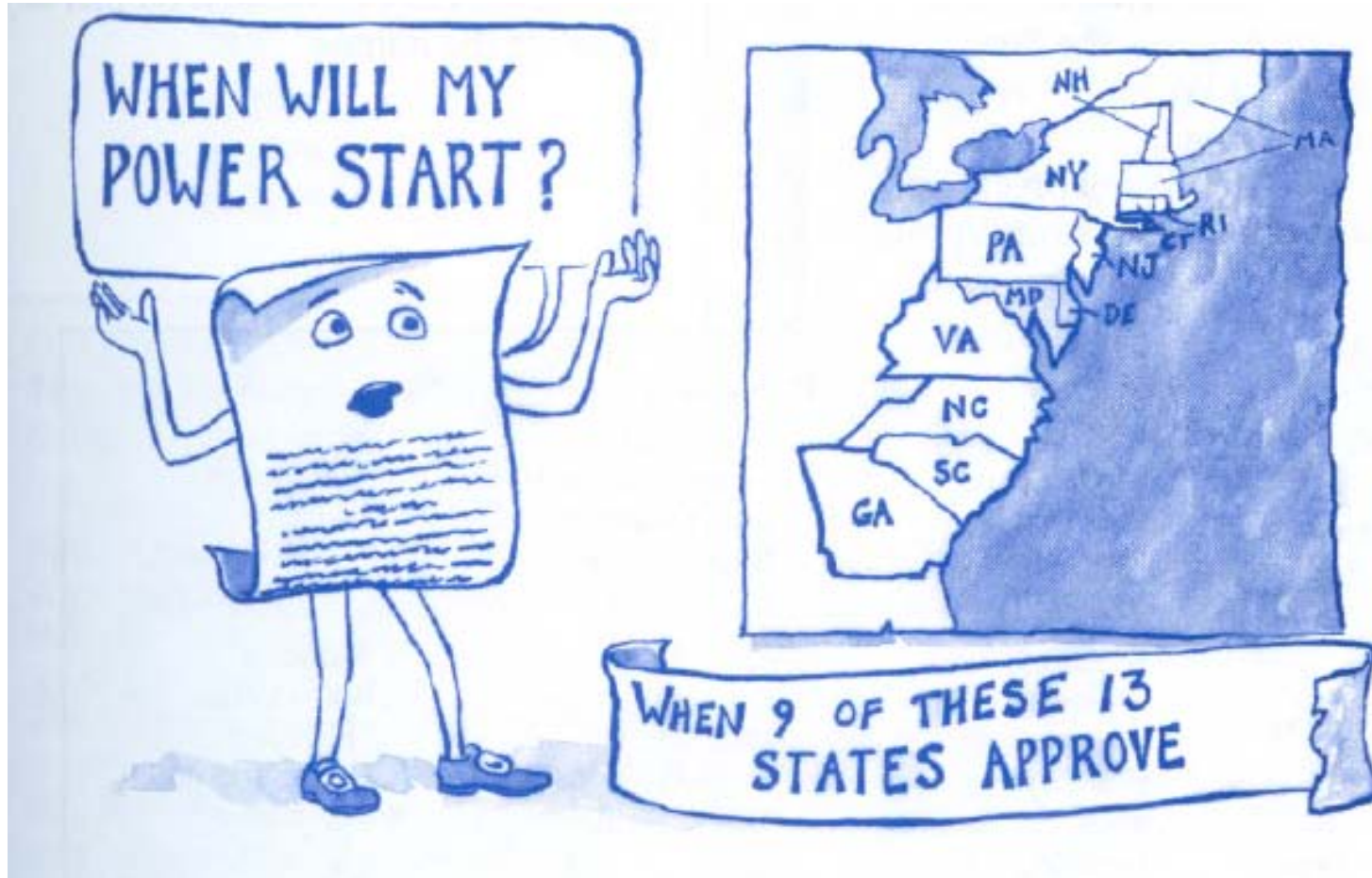


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# **ARTICLE VII: RATIFICATION**



# Ratification: Debate between Federalists and Anti-Federalists



# Ratification

- In order for the new constitution to take effect it must first be **ratified**.
- To **ratify** means to approve, as in approve the Constitution.
- Nine of the 13 states needed to ratify the Constitution.

# Federalists vs. Anti-Federalists

## Federalists

- Supported ratification of the Constitution
- Supported a strong central government
- Wrote the *Federalist Papers* to explain how the new Constitution worked and why it was needed

## Anti-Federalists

- Opponents to ratification
- Feared a strong central government
- Felt the Constitution lacked a Bill of Rights

By May, 1790 the new  
Constitution was ratified.

The next step will be putting the  
new government into action.

# Comparing the Articles of Confederation and the Constitution