

# An Outline of the Constitution

- sets out the basic principles upon which government in the United States was built.
- comparatively brief document.
- organized into eight sections: the Preamble and seven articles. The original document is followed by 27 amendments.



Go To  
Section:

1

2

3

4

5

*Chapter 3, Section 1*

# Articles of the Constitution

<b>Section</b>	<b>Subject</b>
<b>Preamble</b>	States the purpose of the Constitution
<b>Article I</b>	Legislative branch
<b>Article II</b>	Executive branch
<b>Article III</b>	Judicial branch
<b>Article IV</b>	Relations among the States and with the National Government
<b>Article V</b>	Amending the Constitution
<b>Article VI</b>	National debts, supremacy of national law, and oaths of office
<b>Article VII</b>	Ratifying the Constitution



Go To  
Section:

1

2

3

4

5

Chapter 3, Section 1

# Basic Principles of the Constitution

- The principle of **popular sovereignty** asserts that the people are the source of any and all government power, and government can exist only with the consent of the governed.
- The principle of **limited government** states that government is restricted in what it may do, and each individual has rights that government cannot take away.
- **Separation of powers** is the principle in which the executive, legislative, and judicial branches of government are three independent and coequal branches of government.



Go To  
Section:

1

2

3

4

5

Chapter 3, Section 1

# Basic Principles of the Constitution

- **Checks and balances** is the system that allows the legislative, executive, and judicial branches to check, or restrain, the actions of one another.
- The principle of **judicial review** consists of the power of a court to determine the constitutionality of a governmental action.
- **Federalism** is a system of government in which the powers of government are divided between a central government and several local governments.



Go To  
Section:

1

2

3

4

5

Chapter 3, Section 1

# How was the Judiciary established?

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- Judiciary Act of 1789
  - Act of Congress that established structure of the Federal Court System
  
- Marbury v. Madison (1800)
  - Established Judicial review

# Amendments

- Congress proposes by  $2/3$  vote –  $3/4$  of State Legislatures ratify (used in 26 of 27 amendments)
- Congress proposes by  $2/3$  vote –  $3/4$  of State Conventions ratify (used only for 21<sup>st</sup> amendment)
- National Convention proposes by  $2/3$  vote –  $3/4$  of State Legislatures ratify (never used)
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# Other ways of changing *meaning* of Constitution

- (1) the passage of basic legislation by Congress; *Example: Civil Rights Act of 1964 which clarified 14<sup>th</sup> amendment*
- (2) actions taken by the President; *Example: Executive Order to halt deportation of “Dreamers” which amended the way immigration legislation is enforced*
- (3) key decisions of the Supreme Court; *Example: Obergefell v. Hodges – same sex marriage which clarified 14<sup>th</sup> amendment*
- (4) the activities of political parties; and *Example: nominations of presidential candidates which clarifies how names are added to ballot*
- (5) custom. *Example: President’s Cabinet which clarifies how executive branch enforces the law*