

Excerpts from the U.S. Constitution

Introduction

The U.S. Constitution is the highest law in the United States. It sets up the rules for how the government works. It creates the Presidency, the Congress, and the Supreme Court. Every state has their own constitution that set up the rules for the state governments. But unlike the Articles of Confederation, when a state law comes into conflict with the U.S. Constitution, the U.S. Constitution wins out.

Preamble

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, 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.

1. List 5 reasons the Constitutional Convention gave for creating the Constitution.

Article 1, Sections 1

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives...

2. Who has the legislative power in the national government?

3. What are the two parts of this branch?

Article 1, Section 8

The Congress shall have Power To lay and collect Taxes... but all Duties, Imposts and Excises shall be uniform throughout the United States;... To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;... To coin Money, regulate the Value thereof... To establish Post Offices and Post Roads;... To raise and support Armies...

4. List 4 powers specifically given to Congress under the Constitution.

5. List 2 powers that Congress has under the Constitution that it did not have under the Articles of Confederation.

Article 2, Section 1

The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years...

6. Who has the executive power in the national government?

7. How long is the President's term in office?

Article 2, Section 2

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States;... He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court...

8. List 3 powers specifically given to the President under the Constitution.

Article 3, Section 1

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.

9. Who has the judicial power in the national government?

10. Who has the power to create courts underneath the Supreme Court?

Article 3, Section 2

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;... to Controversies between two or more States...

11. What kinds of cases does the Supreme Court have the power to judge?

Article 6

This Constitution, and the laws of the United States which shall be made in pursuance thereof... shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

12. What is the “supreme law of the land” in the United States? What does this mean?

Article 7

The ratification of the conventions of nine states, shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

13. What is required before the Constitution is put into action?

First Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

14. What rights are protected under the first amendment?

Second Amendment

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

15. What right is protected under the second amendment?

Fourth Amendment

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

16. What rights are protected under the fourth amendment?

Sixth Amendment

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed... and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

17. What rights are protected under the sixth amendment?

Tenth Amendment

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

18. What happens to any power that is not specifically given to the national government by the U.S. Constitution?