1971
The 26th Amendment to the Constitution gives young people "18 years of age or older" the right to vote. Here, the Voters Project encourages young people to register and vote.

1981
A Supreme Court decision rules that Congress can exclude women from the draft. In the early 2000s, there were 215,243 women in the U.S. military.

2002
Attorney General John Ashcroft's positions on privacy and civil liberties issues made him a controversial figure in the George W. Bush cabinet. Ashcroft was a key supporter of the passage of the USA Patriot Act. The act, which was dubbed the "anti-terrorism" act, drew fire from both liberals and conservatives. Critics of the act said it endangered the basic freedoms guaranteed under the U.S. Constitution.
Seven Principles of the Constitution

The Framers of the Constitution constructed a new system of government. Seven principles supported their efforts. To picture how these principles work, imagine seven building blocks. Together they form the foundation of the United States Constitution. In the pages that follow, you will find the definitions and main ideas of the principles shown in the graphic below.

1. Popular Sovereignty
   **Who Gives the Government Its Power?**

   "We the people of the United States . . . establish this Constitution for the United States of America." These words from the Preamble, or introduction, to the Constitution clearly spell out the source of the government's power. The Constitution rests on the idea of **popular sovereignty**—a government in which the people rule. As the nation changed and grew, popular sovereignty took on new meaning. A broader range of Americans shared in the power to govern themselves.

   In 1987, Americans gathered in Washington, D.C. to celebrate the 200th anniversary of the Constitution.
2 Republicanism
How Are People's Views Represented in Government?

The Framers of the Constitution wanted the people to have a voice in government. Yet the Framers also feared that public opinion might stand in the way of sound decision making. To solve this problem, they looked to republicanism as a model of government.

Republicanism is based on this belief: The people exercise their power by voting for their political representatives. According to the Framers, these lawmakers played the key role in making a republican government work. Article 4, Section 4, of the Constitution also calls for every state to have a "republican form of government."

Senator Barack Obama, Democrat of Illinois, addresses a 2005 town meeting in Carrollton, IL.

3 Federalism
How Is Power Shared?

The Framers wanted the states and the nation to become partners in governing. To build cooperation, the Framers turned to federalism. Federalism is a system of government in which power is divided between a central government and smaller political units, such as states. Before the Civil War, federalism in the United States was closely related to dual sovereignty, the idea that the federal government and the states each had exclusive power over their own spheres.

The Framers used federalism to structure the Constitution. The Constitution assigns certain powers to the national government. These are delegated powers. Powers kept by the states are reserved powers. Powers shared or exercised by national and state governments are known as concurrent powers.
4 Separation of Powers
How Is Power Divided?

The Framers were concerned that too much power might fall into the hands of a single group. To avoid this problem, they built the idea of separation of powers into the Constitution. This principle means the division of basic government roles into branches. No one branch is given all the power. Articles 1, 2, and 3 of the Constitution detail how powers are split among the three branches.

5 Checks and Balances
How Is Power Evenly Distributed?

Baron de Montesquieu, an 18th-century French thinker, wrote, “power should be a check to power.” His comment refers to the principle of checks and balances. Each branch of government can exercise checks, or controls, over the other branches. Though the branches of government are separate, they rely on one another to perform the work of government.

The Framers included a system of checks and balances in the Constitution to help make sure that the branches work together fairly. For example, only Congress can pass laws. Yet the president can check this power by refusing to sign a law into action. In turn, the Supreme Court can declare that a law, passed by Congress and signed by the president, violates the Constitution.
6 Limited Government
How Is Abuse of Power Prevented?

The Framers restricted the power of government. Article 1, Section 9, of the Constitution lists the powers denied to the Congress. Article 1, Section 10, forbids the states to take certain actions.

The principle of limited government is also closely related to the "rule of law". In the American government everyone, citizens and powerful leaders alike, must obey the law. Individuals or groups cannot twist or bypass the law to serve their own interests.

7 Individual Rights
How Are Personal Freedoms Protected?

The first ten amendments to the Constitution shield people from an overly powerful government. These amendments are called the Bill of Rights. The Bill of Rights guarantees certain individual rights, or personal liberties and privileges. For example, government cannot control what people write or say. People also have the right to meet peacefully and to ask the government to correct a problem. Later amendments to the Constitution also advanced the cause of individual rights.

Seven Principles of the Constitution Assessment

Main Ideas
1. What are the seven principles of government?
2. How does the Constitution reflect the principle of separation of powers?
3. Why did the Framers include a system of checks and balances in the Constitution?

Critical Thinking
4. Form Opinions How do the rights and responsibilities of U.S. citizenship reflect American national identity?

Think about
- what it means to be an American
- the rights and responsibilities of U.S. citizens
The Constitution of the United States

**ESSENTIAL QUESTION**
How has our 220-year-old Constitution remained a living document?

**How to Read the Constitution**
- The main column has the actual text.
- Notes in the side column point out or explain important aspects of the document.
- Some of the spellings and punctuation have been updated for easier reading.
- Headings and subheadings have been added to help you find specific topics.
- Those parts of the Constitution that are no longer in use have been crossed out.

**PREAMBLE. Purpose of the Constitution**

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.

**Goals of the Preamble**

<table>
<thead>
<tr>
<th>Preamble</th>
<th>Explanation</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Form a more perfect Union&quot;</td>
<td>Create a nation in which states work together</td>
<td>• Interstate road network</td>
</tr>
<tr>
<td>&quot;Establish justice&quot;</td>
<td>Make laws and set up courts that are fair</td>
<td>• U.S. coins, paper money</td>
</tr>
<tr>
<td>&quot;Insure domestic tranquility&quot;</td>
<td>Keep peace within the country</td>
<td>• Court system</td>
</tr>
<tr>
<td>&quot;Provide for the common defense&quot;</td>
<td>Safeguard the country against attack</td>
<td>• Jury system</td>
</tr>
<tr>
<td>&quot;Promote the general welfare&quot;</td>
<td>Contribute to the happiness and well-being of all the people</td>
<td>• National Guard</td>
</tr>
<tr>
<td>&quot;Secure the blessings of liberty to ourselves and our posterity&quot;</td>
<td>Make sure future citizens remain free</td>
<td>• Federal marshals</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Army</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Navy</td>
</tr>
<tr>
<td></td>
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<td>• Safety in the workplace</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Aid to the poor</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Commission on Civil Rights</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Federal Election Commission</td>
</tr>
</tbody>
</table>

**CRITICAL THINKING**

1. Which goal of the preamble do you think is most important? Why?
2. How does the preamble reflect the principle of popular sovereignty?
KEY QUESTION What is the main role of the legislative branch?

SECTION 1. Congress

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.

SECTION 2. The House of Representatives

1. Elections The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

2. Qualifications No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

3. Number of Representatives Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other Persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each state shall have at least one Representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. Vacancies When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

5. Officers and Impeachment The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

SECTION 3. Congress

1. Numbers The Senate of the United States shall be composed of two Senators from each state, chosen by the legislature thereof, for six years; and each Senator shall have one vote.
2. **Classifying Terms** Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3. **Qualifications** No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

### COMPARING Federal Office Terms and Requirements

<table>
<thead>
<tr>
<th>Position</th>
<th>Term</th>
<th>Minimum Age</th>
<th>Residency</th>
<th>Citizenship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>2 years</td>
<td>25</td>
<td>state in which elected</td>
<td>7 years</td>
</tr>
<tr>
<td>Senator</td>
<td>6 years</td>
<td>30</td>
<td>state in which elected</td>
<td>9 years</td>
</tr>
<tr>
<td>President</td>
<td>4 years</td>
<td>35</td>
<td>14 years in the U.S.</td>
<td>natural-born</td>
</tr>
<tr>
<td>Supreme Court Justice</td>
<td>unlimited</td>
<td>none</td>
<td>none</td>
<td>none</td>
</tr>
</tbody>
</table>

**CRITICAL THINKING** Why do you think the term and qualifications for a senator are more demanding than for a representative?

4. **Role of Vice President** The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. **Officers** The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

6. **Impeachment Trials** The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present.

7. **Punishment for Impeachment** Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.
SECTION 4. Congressional Elections

1. Regulations The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

2. Sessions The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION 5. Rules and Procedures

1. Quorum Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

2. Rules and Conduct Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. Congressional Records Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

4. Adjournment Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION 6. Payment and Privileges

1. Salary The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

2. Restrictions No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.
SECTION 7. How a Bill Becomes a Law

1. Tax Bills All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other Bills.

2. Lawmaking Process Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approves he shall sign it, but if not he shall return it, with his objections to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.
3. Role of the President  Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Activity

Creating a Play

1. Study the diagram below.
2. Work with a small group to create a presentation to teach an audience of younger students how a bill becomes a law.
   - Assign the tasks of actor, illustrator, narrator, and scriptwriter.
   - Develop a script.
   - Gather props and rehearse your presentations.
3. Present the drama to a class of younger students.

FINAL APPROVAL

5. Both houses of Congress pass the revised bill.

ENACTMENT

6. President vetoes the bill.  
   OR  
   President signs the bill.
7. Two-thirds majority vote of Congress is needed to approve a vetoed bill.
8. Bill becomes law.
BACKGROUND VOCABULARY

naturalization a way to give full citizenship to a person of foreign birth

tribunals courts

felonies serious crimes

appropriation public funds set aside for a specific purpose

militia an emergency military force, such as the National Guard, that is not part of the regular army

SECTION 8. Powers Granted to Congress

1. Taxation The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

2. Credit To borrow money on the credit of the United States;

3. Commerce To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

4. Naturalization, Bankruptcy To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

5. Money To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

6. Counterfeiting To provide for the punishment of counterfeiting the securities and current coin of the United States;

7. Post Office To establish post offices and post roads;

8. Patents, Copyrights To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

COMPARING Military Responsibilities

The president is the Commander-in-Chief of the U.S. Armed Forces. There are five military branches—the Army, Marine Corps (USMC), Navy (USN), and Air Force (USAF), and the Coast Guard (USCG). The National Guard is the home based militia.

United States Army The largest branch of the U.S. armed forces, the U.S. Army has its roots in the Continental Army which was formed in June 1775. The army is responsible for land-based military operations. Motto: “Call to Duty.”

U.S. Navy (USN) The branch of the U.S. armed forces responsible for naval operations. Unofficial motto: “Non sibi sed patriae” meaning “Not self but country.”

U.S. Air Force (USAF) The largest and most technologically advanced air force in the world, USAF is trained for “offensive and defensive air operations.” Unofficial motto: “No One Comes Close.”
9. Federal Courts  To constitute *tribunals* inferior to the Supreme Court;

10. International Law  To define and punish piracies and *felonies* committed on the high seas, and offenses against the law of nations;

11. War  To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

12. Army  To raise and support armies, but no *appropriation* of money to that use shall be for a longer term than two years;

13. Navy  To provide and maintain a navy;

14. Regulation of Armed Forces  To make rules for the government and regulation of the land and naval forces;

15. Militia  To provide for calling forth the *militia* to execute the laws of the Union, suppress insurrections and repel invasions;

16. Regulations for Militia  To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

---

**Critical Thinking**

1. **Form and Support Opinions**  Women now serve in combat roles in the U.S. Armed Forces? Do you agree or disagree with this policy?

2. **Connect to Today**  Under what circumstances do you think the president should call out the National Guard?

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**U.S. National Guard**

The National Guard is a component of the U.S. Army and USAF. National Guard units can be mobilized at any time to supplement regular armed forces.

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**U.S. Marine Corps (USMC)**  The marines have a multi-purpose role, including providing presidential protection and helicopter service. Marines also provide security for American embassies and consulates overseas. Motto: "*Semper Fidelis*" meaning "Always Faithful."
BACKGROUND VOCABULARY

bill of attainder a law that condemns a person without a trial in court
ex post facto law a law that would make an act a criminal offense after it was committed
tender money

Residents of the District of Columbia elect a mayor and city council. However, Congress retains ultimate authority in the district and has veto power over the budget and legislative matters.

17. District of Columbia To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

18. Elastic Clause To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

SECTION 9. POWERS DENIED CONGRESS

1. Slave Trade—The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person:

2. Habeas Corpus The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3. Illegal Punishment No bill of attainder or ex post facto law shall be passed.

4. Direct Taxes No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. Export Taxes No tax or duty shall be laid on articles exported from any state.

6. No Favorites No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another: nor shall vessels bound to, or from, one state be obliged to enter, clear, or pay duties in another.
7. Public Money  No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. Titles of Nobility  No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

SECTION 10. Powers Denied the States

1. Restrictions  No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

2. Import and Export Taxes  No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

3. Peacetime and War Restraints  No state shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

The Framers disapproved of titles of nobility. The list of grievances in the Declaration of Independence included numerous examples of King George III’s abuses of power. Symbols of these abuses included English titles of nobility, such as “king,” “queen,” and “duke.” The Framers said clearly that there would be no such titles in the new republic.

9. How do TV news reporters address members of Congress and the president?

Article 1 Assessment

MAIN IDEAS
1. What is the main role of the legislative branch?
2. What role does the vice president of the United States play in the Senate?
3. Why are there more members in the House of Representatives than the Senate?
4. What is one of the powers denied to Congress?

CRITICAL THINKING
5. Draw Conclusions  How does Article 1 show that the Constitution is a clearly defined yet flexible document?

Think about
• the powers of Congress
• the "elastic clause"
ARTICLE 2. The Executive

KEY QUESTION What is the chief purpose of the executive branch?

SECTION 1. The Presidency

1. Terms of Office 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, and, together with the Vice President, chosen for the same term, be elected, as follows:

2. Electoral College Each state shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

CONNECT TO GOVERNMENT Electoral College

American voters do not choose their president directly. Members of a group called the Electoral College actually elect the president. Each state has electors. Together they form the Electoral College. In most states, the winner takes all. Except for Maine and Nebraska, all the electoral votes of a state go to one set of candidates.

CRITICAL THINKING

1. Place How many electoral votes does your state have?

2. Draw Conclusions In which states would a presidential candidate campaign most heavily? Why?

3. Former Method of Electing President The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such major-
ity, and have an equal number of votes, then the House of Representa-
tives shall immediately choose by ballot one of them for President; and if
no person have a majority, then from the five highest on the list the said
House shall in like manner choose the President. But in choosing the Pres-
ident, the votes shall be taken by States, the representation from each state
having one vote; a quorum for this purpose shall consist
of a member or members from two-thirds of the
states, and a majority of all the states shall be neces-
sary to a choice. In every case, after the choice of the
President, the person having the greatest number of
votes of the electors shall be the Vice President. But
if there should remain two or more who have equal
votes, the Senate shall choose from them by ballot
the Vice President.

4. Election Day The Congress may determine the
time of choosing the electors, and the day on which
they shall give their votes, which day shall be the
same throughout the United States.

5. Qualifications No person except a
natural-born citizen, or a citizen of the United States at the time of the
adoption of this Constitution, shall be eligible to the office of President;
neither shall any person be eligible to that office who shall not have
attained to the age of thirty-five years, and been fourteen years a resident
within the United States.

6. Succession In case of the removal of the President from office, or of his
death, resignation, or inability to discharge the powers and duties of the
said office, the same shall devolve on the Vice President, and the Congress
may by law provide for the case of removal, death, resignation or inability,
both of the President and Vice President, declaring what officer shall then
act as President, and such officer shall act accordingly, until the disability
be removed, or a President shall be elected.

7. Salary The President shall, at stated times, receive for his services, a
compensation, which shall neither be increased nor diminished during the
period for which he shall have been elected, and he shall not receive within
that period any other emolument from the United States, or any of them.

8. Oath of Office Before he enter on the execution of his office, he shall
take the following oath or affirmation: I do solemnly swear (or affirm) that
I will faithfully execute the office of President of the United States, and will
to the best of my ability, preserve, protect and defend the Constitution of
the United States.

SECTION 2. Powers of the President

1. Military Powers 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 may require the

Succession

Vice President Gerald Ford (left), next in the line of succession,
takes the oath of office after the resignation of President Richard
Nixon on August 9, 1974. Ford, like every U.S. president, promises
to uphold the Constitution. The 25th Amendment sets up clearer
procedures for presidential succession.

President's Salary

The president's yearly salary is
$400,000. The president also
gets special allowances, such as
funds for travel expenses.
Benefits include:
• living in a mansion, the White
  House
• vacationing at Camp David,
an estate in Maryland
• using Air Force One, a personal
  jet plane

10. Why do you think the
president needs to have a
plane and a vacation spot?
**Chief Executive**
Like a business executive, the president solves problems and makes key decisions. President George W. Bush is shown in the oval office in 2006.

**Commander in Chief**
As a military leader, President Abraham Lincoln meets with General McClellan during the Civil War.

**Head of a Political Party**
President Andrew Jackson on his way to Washington, D.C. for his inauguration in 1829. Jackson was a leader of the Democratic-Republican Party—the forerunner of today's Democratic Party.

**Chief Diplomat and Chief of State**
As a foreign policy maker, President Ronald Reagan visits British Prime Minister Margaret Thatcher in 1984.

**Legislative Leader**
President Franklin D. Roosevelt signs the Social Security Act of 1935. All modern presidents have legislative programs they want Congress to pass.

**CRITICAL THINKING**
1. **Make Inferences** Why is it important that the commander in chief of the armed forces of the United States be a civilian (the president) rather than a military commander?

2. **Connect to Today** Why do you think the United States enjoys close relations with Britain?
opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

2. Treaties, Appointments 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, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

3. Vacancies The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SECTION 3. Presidential Duties
He shall from time to time give to the Congress information of the State of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION 4. Impeachment
The President, Vice President and all civil officers of the United States shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.
ARTICLE 3. The Judiciary

KEY QUESTION What is the main purpose of the judicial branch?

SECTION 1. Federal Courts and Judges

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. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

SECTION 2. The Courts Authority

1. General Authority 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 all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more states;—between a state and citizens of another state;—between citizens of different states;—between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

2. Supreme Court In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

3. Trial by Jury The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.
**COMPARING Checks and Balances**

**EXECUTIVE BRANCH (President)**

- **CHECKS ON COURTS**
  - Appoints federal judges
  - Can grant reprieves and pardons for federal crimes

- **CHECKS ON CONGRESS**
  - Can veto acts of Congress
  - Can call special sessions of Congress
  - Can suggest laws and send messages to Congress

**JUDICIAL BRANCH (Supreme Court)**

- **CHECKS ON PRESIDENT**
  - Can declare executive acts unconstitutional
  - Judges, appointed for life, are free from executive control

- **CHECKS ON CONGRESS**
  - Judicial review—Can declare acts of Congress unconstitutional

**LEGISLATIVE BRANCH (Congress)**

- **CHECKS ON COURT**
  - Can impeach and remove federal judges
  - Establishes lower federal courts
  - Can refuse to confirm judicial appointments

- **CHECKS ON PRESIDENT**
  - Can impeach and remove the president
  - Can override veto
  - Controls spending of money
  - Senate can refuse to confirm presidential appointments and to ratify treaties

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**CRITICAL THINKING**

1. Why is judicial review an important action of the Supreme Court?
2. Which check do you think is the most powerful? Why?

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**SECTION 3. Treason**

1. **Definition** Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. **Punishment** The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attained.

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**Article 3 Assessment**

**MAIN IDEAS**

1. What is the main purpose of the judicial branch?
2. What is judicial review?
3. What are two kinds of cases that can begin in the Supreme Court?

**CRITICAL THINKING**

4. **Draw Conclusions** Why might the Supreme Court feel less political pressure than Congress in making judgments about the Constitution?

**Think about**

- the appointment of Supreme Court justices
- Congress members' obligation to voters
Article 4. Relations Among States

Section 1. State Acts and Records

Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Section 2. Rights of Citizens

1. Citizenship The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. Extradition A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

3. Fugitive Slaves No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Comparing Federal and State Powers

Americans live under both national and state governments.

Activity

1. Form small groups to illustrate a chart showing the national, shared, and state powers.
2. Display the chart in your classroom.

Critical Thinking Evaluate What do you think is the purpose of dividing the powers between national and state governments?
SECTION 3. New States

1. Admission New states may be admitted by the Congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the Congress.

2. Congressional Authority The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

SECTION 4. Guarantees to the States

The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

ARTICLE 5. Amending the Constitution

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses of the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

Amending the Constitution

There are two ways to propose an amendment:

2/3 of each house of Congress vote to amend the Constitution

2/3 of state legislatures call for a national convention to amend the Constitution

*All 27 amendments have been proposed by this method.

There are also two ways to ratify an amendment:

3/4 of state legislatures approve the amendment

3/4 of states approve the amendment at state conventions

CRITICAL THINKING Why do you think more votes are needed to ratify an amendment than to propose one?
ARTICLE 6. Supremacy of the National Government

SECTION 1. Valid Debts
All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

SECTION 2. Supreme Law
This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, 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.

SECTION 3. Loyalty to Constitution
The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

Members of the House of Representatives swear to support and defend the U.S. Constitution at the opening of the 109th Congress in 2005.
ARTICLE 7. Ratification

The ratification of the conventions of nine states shall be sufficient for the establishment of this Constitution between the states so ratifying the same. Done in convention by the unanimous consent of the states present, the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty-seven and of the independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

George Washington
President and deputy from Virginia

New Hampshire: John Langdon, Nicholas Gilman

Massachusetts: Nathaniel Gorham, Rufus King

Connecticut: William Samuel Johnson, Roger Sherman

New York: Alexander Hamilton

New Jersey: William Livingston, David Brearley, William Paterson, Jonathan Dayton

Pennsylvania: Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas FitzSimons, Jared Ingersoll, James Wilson, Gouverneur Morris

Delaware: George Read, Gunning Bedford, Jr., John Dickinson, Richard Bassett, Jacob Broom

Maryland: James McHenry, Dan of St. Thomas Jenifer, Daniel Carroll

Virginia: John Blair, James Madison, Jr.


South Carolina: John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler

Georgia: William Few, Abraham Baldwin

17. How do you think the absence of these groups affected the decisions made in creating the Constitution?

Articles 4–7 Assessment

MAIN IDEAS
1. What rights does Article 4 guarantee to citizens if they go to other states in the nation?
2. What are two ways of proposing an amendment to the Constitution?
3. What makes up “the supreme law of the land”?

CRITICAL THINKING
4. Form and Support Opinions. Should the Framers of the Constitution have allowed the people to vote directly for ratification of the Constitution? Why or why not?

Think about
• the idea that the government belongs to the people
• the general public’s ability to make sound political decisions
The Bill of Rights and Amendments 11–27

In 1787, Thomas Jefferson sent James Madison a letter about the Constitution. Jefferson wrote, "I will now add what I do not like . . . [there is no] bill of rights." He explained his reasons: "A bill of rights is what the people are entitled to against every government on earth . . . and what no just government should refuse." Jefferson's disapproval is not surprising. In writing the Declaration of Independence, he spelled out basic individual rights that cannot be taken way. These are "life, liberty, and the pursuit of happiness." The Declaration states that governments are formed to protect these rights.

Several states approved the Constitution only if a list of guaranteed freedoms was added. While serving in the nation's first Congress, James Madison helped draft the Bill of Rights. In 1791, these first ten amendments became part of the Constitution.

AMENDMENTS 1–10. The Bill of Rights

**KEY QUESTION** Why do some individual rights need special protection in the Constitution?

**AMENDMENT 1. Religious and Political Freedom** 1791

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.

The Five Freedoms

1. Freedom of Religion
2. Freedom of Speech
3. Freedom of the Press
4. Freedom of Assembly
5. Freedom to Petition