

# CONSTITUTION FOR THE UNITED STATES OF AMERICA

# ARTICLES

## OF THE UNITED STATES CONSTITUTION

1

Legislative

2

Executive

3

Judicial

4

States

5

Amendments

6

Supremacy

7

Ratification



# ARTICLES OF CONFEDERATION

- ✘ League of Friendship
- ✘ Limited Congressional Powers
  - + Make war and peace, treaties
  - + Administer navy
  - + Establish post office
- ✘ Weak National Government
  - + Unicameral
  - + Only a Legislative branch, no executive or judicial branch
  - + Congress did not have the power to tax
  - + Did not have the power to regulate trade between states
  - + Could not make the states obey
  - + Required approval of all 13 states to amend (change)



**John Hanson**  
First “President”  
of the United States



# PREAMBLE

- ❖ Sets forth goals of the country



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.

# FIRST FIVE AMENDMENTS

1st - Freedom of speech, religion, the press. Right to assemble and to petition.

2nd - Right to bear arms

3rd - Prohibits forced quartering of soldiers in private homes

4th - Prohibits unreasonable search and seizures, requires a warrant

5th - Prohibits self-incrimination, double jeopardy, and mandates due process of law. Provides for eminent domain.



# 6TH AMENDMENT

The 6th Amendment guarantees:

- a speedy trial (you can't be kept in jail for over a year without a trial)
- an impartial jury (doesn't already think you are guilty)
- that the accused can confront witnesses against them
- the accused must be allowed to have a lawyer



# 7TH AMENDMENT

The 7th Amendment guarantees a jury trial for civil cases in the federal courts.

A civil trial differs from a criminal trial. A civil trial is when someone sues someone else. A criminal trial is when the state tries to convict someone of a crime.





# PRINCIPLES OF THE CONSTITUTION


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- ❖ Limited Government with Rule of Law – the people are the sole source of the government’s power and authority. The government is not above the law.
- ❖ Popular Sovereignty – Government only governs with the consent of the people.
- ❖ Rule of Law – Government and its officers are subject to the law and not above the law



## PRINCIPLES OF THE CONSTITUTION

Federalism – governmental power is divided among the national, state & local powers. Other powers are shared.



Other powers belong solely to the states

A map of the state of Georgia, colored in a solid light blue. It is positioned to the right of the main US map.

# PRINCIPLES OF THE CONSTITUTION

## Federalism

### National

- Declare war
- Maintain armed forces
- Regulate interstate and foreign trade
- Admit new states
- Establish post offices
- Set standard weights and measures
- Coin money
- Establish foreign policy
- Make all laws necessary and proper for carrying out delegated powers

### Shared

- Maintain law and order
- Levy taxes
- Borrow money
- Charter banks
- Establish courts
- Provide for public welfare

### State

- Establish and maintain schools
- Establish local governments
- Regulate business within the state
- Make marriage laws
- Provide for public safety
- Assume other powers not delegated to the national government or prohibited to the states

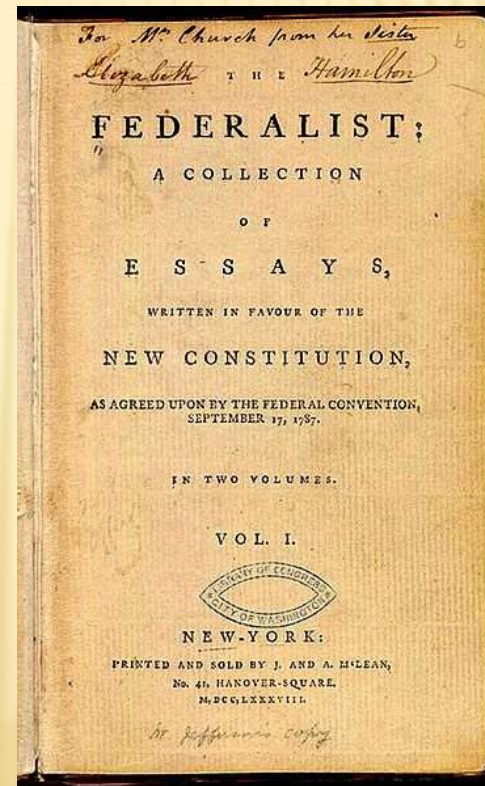
# FEDERALISTS VS. ANTI-FEDERALISTS

- ✘ Federalists – favored ratification of the Constitution and were in favor of a strong national government,
  - + Led by Alexander Hamilton and James Madison
  - + wrote and published a compilation of 85 essays and articles entitled *The Federalist Papers*
  
- ✘ Anti-federalists – opposed the ratification.
  - + Feared a strong national government.
  - + They demanded a *Bill of Rights* in order to ratify the Constitution.



# FEDERALIST PAPERS

- ✘ James Madison & Alexander Hamilton wrote a series of 85 articles over many months that supported ratification (the passing) of the Constitution and explained the intent behind its major ideas





# THE LAST PUBLIC EXECUTION IN THE UNITED STATES

OWENSBORO, KENTUCKY. ON AUGUST 14, 1936





# 8TH AMENDMENT

The 8th Amendment guarantees that punishments will be fair and not cruel, and that extraordinarily large fines will not be set.

Billy Bailey was a convicted murderer who was hanged in Delaware in 1996. Although the method of execution in Delaware had been changed to lethal injection, he had the legal option of choosing to be hanged instead. [2] Bailey refused to accept lethal injection, telling a visitor "I'm not going to let them put me to sleep."

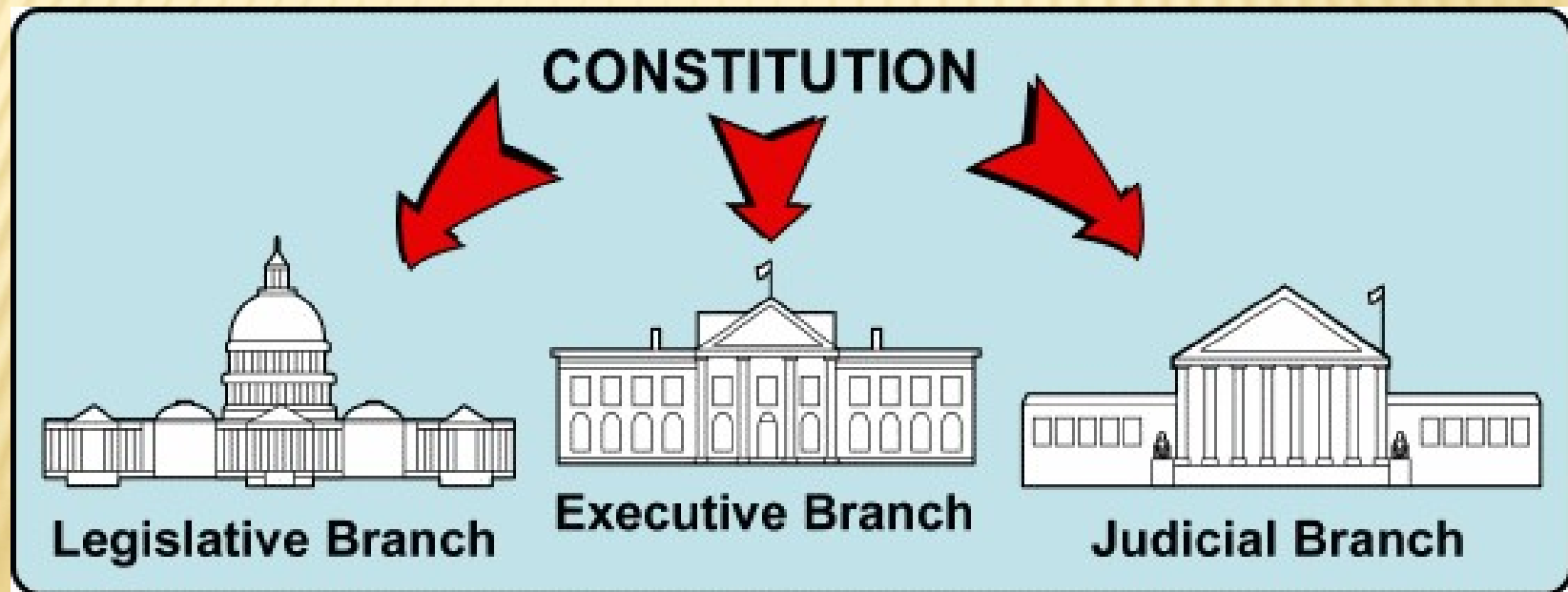
The execution of Ronnie Lee Gardner at Utah State Prison became the focus of media attention in June 2010, because it was the first to be carried out by firing squad in the United States in 14 years. [3] Gardner stated that he sought this method of execution because of his Mormon background.





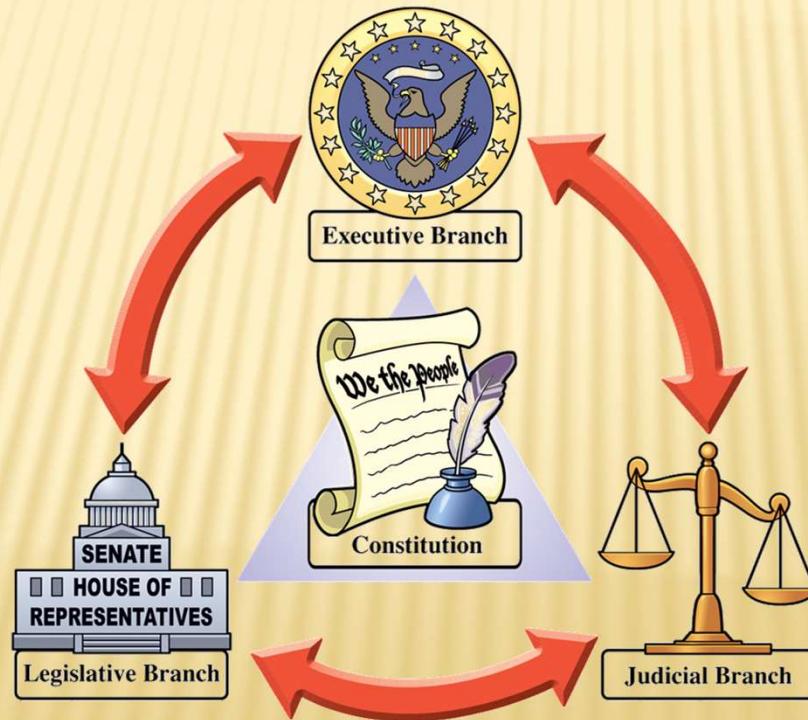
## PRINCIPLES OF THE CONSTITUTION

- ❖ Separation of Powers – three branches of government have separate powers and responsibilities so that no branch has more power than it should.



# PRINCIPLES OF THE CONSTITUTION

- ✘ Checks and Balances – each branch is given powers over the other branches to balance the power. (ensure the powers are not abused)



# ARTICLES

## OF THE UNITED STATES CONSTITUTION





# ARTICLE ONE

## LEGISLATIVE BRANCH

- ❖ Creates a BICAMERAL Congress
- ❖ Includes a Senate and a House of Representatives.



# ARTICLE TWO

## *EXECUTIVE BRANCH*

- ❖ President and Vice-President
  - ❖ Chosen by Electoral College
- ❖ Explains impeachment





# ARTICLE THREE

## *JUDICIAL BRANCH*

- ❖ Establishes Supreme Court (Congress sets up all others)
- ❖ Requires trial by jury for all criminal cases, and defines the crime of treason.





# ARTICLES

## OF THE UNITED STATES CONSTITUTION



- ❖ Read the paragraphs on the bottom half of Page 5
- ❖ Complete the Chart at the top of Page 6

# 9TH AMENDMENT

The *9th Amendment* states that all rights not stated in the Constitution and not forbidden by the Constitution belong to the people.

There are other rights that may exist aside from the ones explicitly mentioned, and even though they are not listed, it does not mean they can be violated.

# ARTICLE FOUR

## *STATE RELATIONS*

- ❖ Defines how the states must work together
  - + Full faith and credit
  - + Extradition
  - + Privileges & Immunities

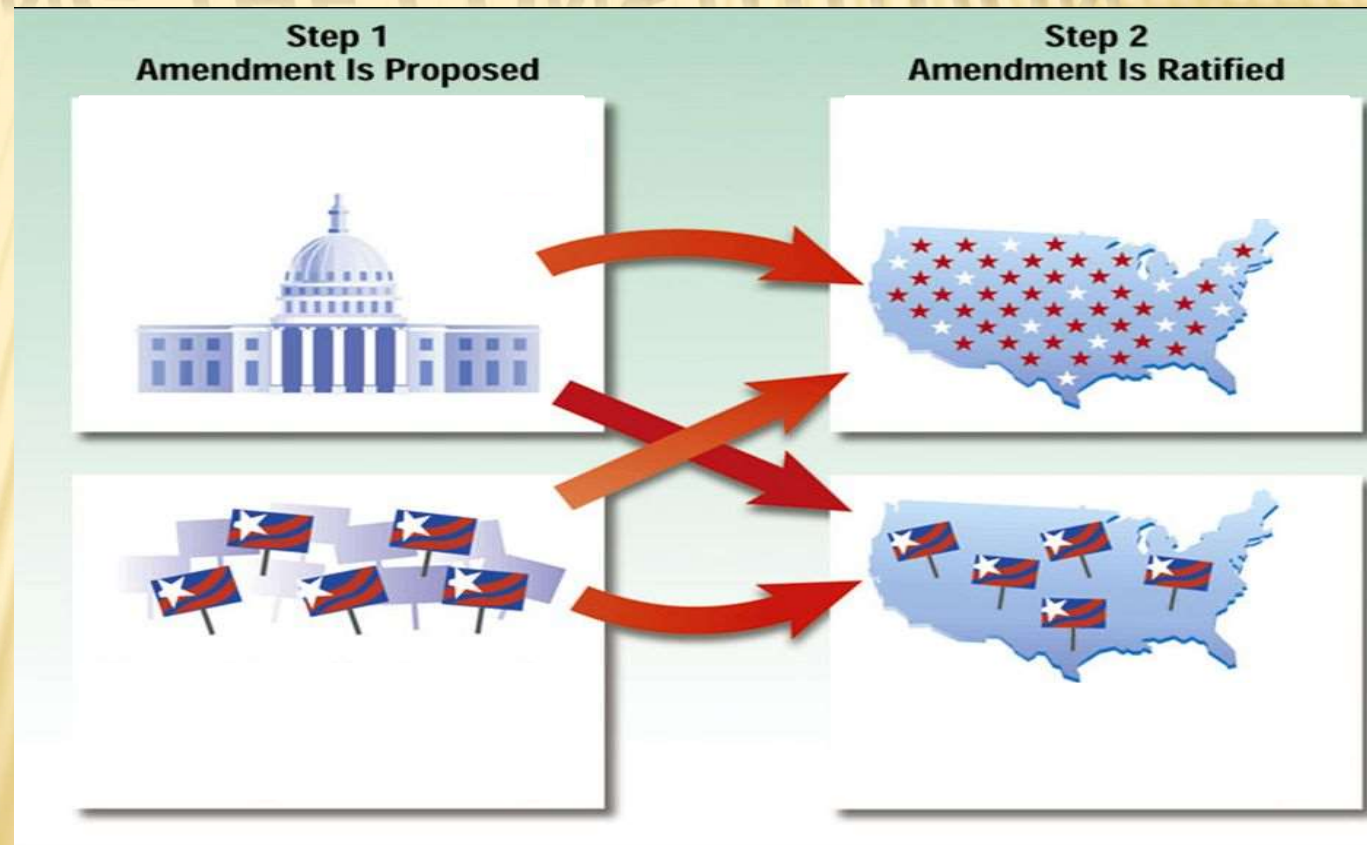




# ARTICLE FIVE

## AMENDING THE CONSTITUTION

- ❖ Two step process
  - + Proposal
  - + Ratification (approval)



# ARTICLE SIX

## SUPREMACY CLAUSE

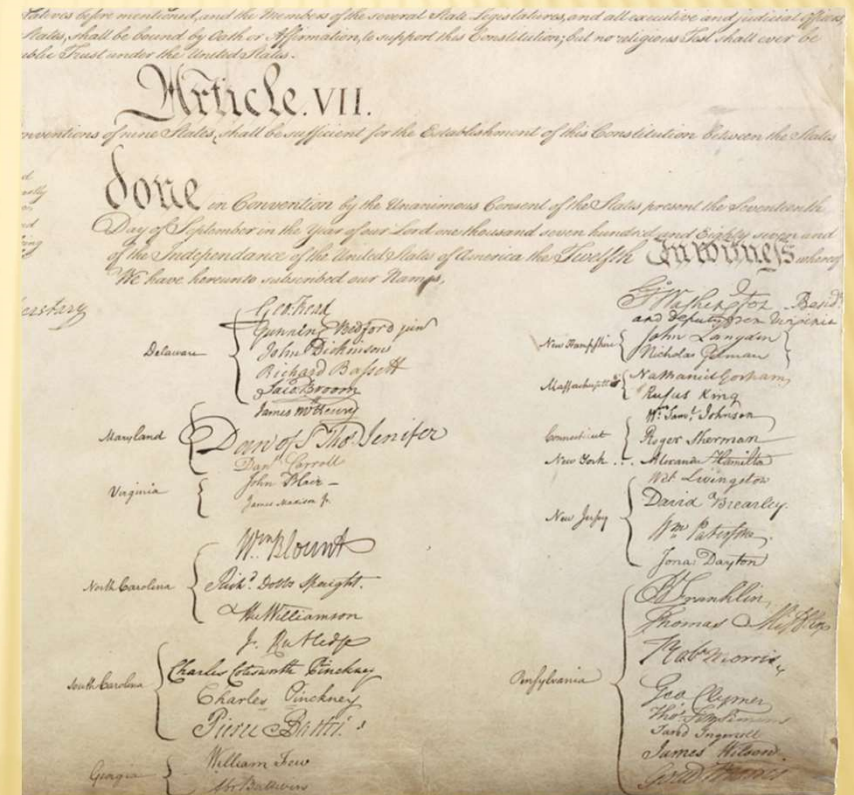
- ❖ Establishes the Constitution as the supreme law of the land. (if a state and federal law contradict, then the federal law wins)
- ❖ Requires that all legislators, federal officers and judges take oaths to uphold the Constitution.





# ARTICLE SEVEN RATIFICATION

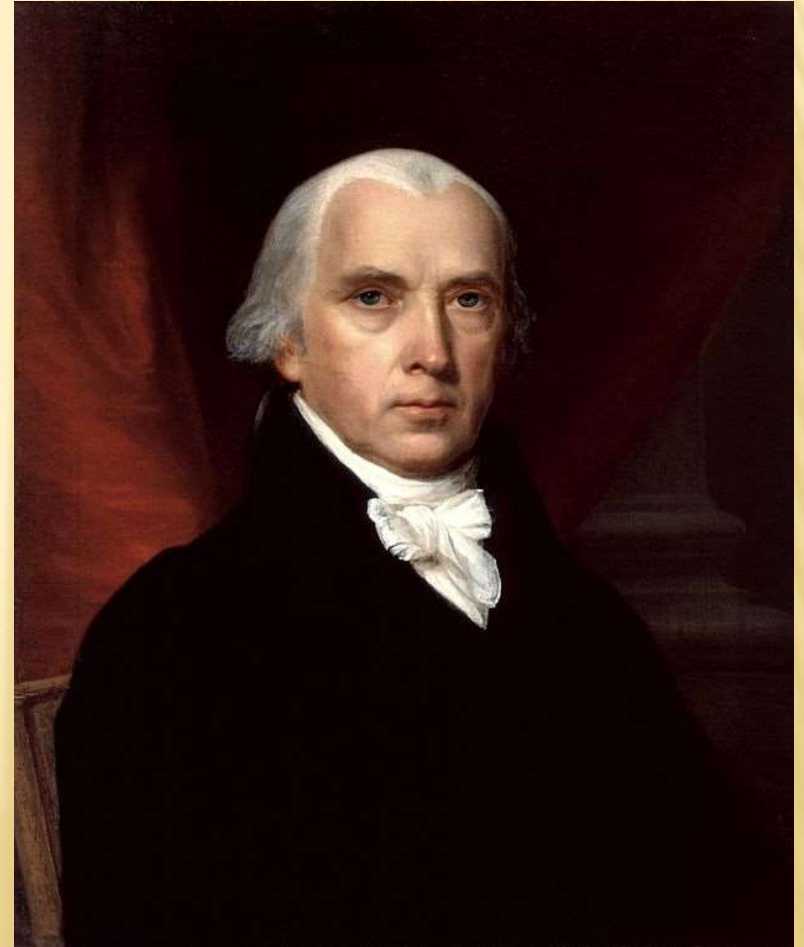
- ❖ 9 states will be needed to ratify (approve) the Constitution





# JAMES MADISON

- ❖ Father of the Constitution
- ❖ Virginia delegate to Constitutional convention
- ❖ Wrote Virginia Plan
- ❖ Champion and Author of the “Bill of Rights”
- ❖ Fourth President of the United States



# 10TH AMENDMENT

The 10th Amendment states that any power not granted to the federal government belongs to the states or to the people.

The Constitution is the law of the land, but what is not covered here, is left to the states and to the people.