

The Constitution

Section 1



MAIN IDEA

Drawing lessons from history, the Framers wrote a constitution that divided, limited, and balanced power among three branches of government.

Key Terms

popular sovereignty concept that a government gets its power from the people and that ultimate political power remains with the people

limited government principle that the powers and functions of government are restricted by the U.S. Constitution and other laws

rule of law concept that every member of society, including the ruler and government, must obey the law and is never above it

separation of powers principle that the duties of governing are divided among the legislative, executive, and judicial branches

checks and balances system that gives each branch of government the power to change, reverse, or cancel acts of another branch

veto president's power to reject legislation

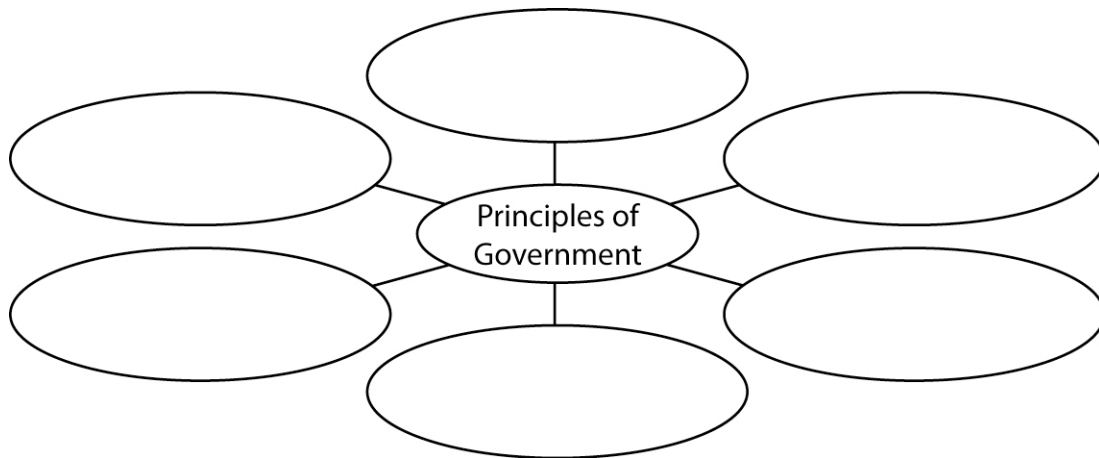
judicial review power to declare legislative and executive acts unconstitutional

unconstitutional found to violate any part of the Constitution

federalism principle that powers of government are distributed between the national government and the state governments

Taking Notes

As you read, take notes on the principles of government set out in the Constitution. Record your notes in the graphic organizer below.



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Section Summary

GOALS OF THE CONSTITUTION

As they wrote the Constitution, the Framers had six definite goals for the new national government: form a more perfect union; establish justice, or laws; insure domestic tranquility, or national peace; provide for the common defense of the country; promote the general welfare of states and citizens; and secure the blessings of liberties won by fighting the American Revolution.

Although they knew what the government had to do, the Framers were at first uncertain of how to create the government itself. They knew from recent experience what could happen when a government suppressed the natural rights of its citizens. But the Framers also knew that citizens needed certain laws for the new nation to survive. A strong national government would be able to enforce these laws.

What were the Framers afraid would happen if they designed a national government that was too powerful?

PRINCIPLES OF GOVERNMENT IN THE CONSTITUTION

The Framers solved their dilemma over the balance of power by drawing upon six basic principles of governing: popular sovereignty, limited government, separation of powers, checks and balances, judicial review, and federalism. These principles ensure that the government's powers are subject to the will of the people and are presented in general terms throughout the Preamble, seven Articles, and 27 Amendments of the Constitution.

POPULAR SOVEREIGNTY

Popular sovereignty is the idea that a government gets its powers from the people it governs. The Framers began the Constitution with this idea: "We the People of the United States...do ordain and establish this Constitution..." Today, people participate in popular sovereignty in every election, when they choose and vote for the citizens they wish to lead their community, state, or country.

How is voting a good example of popular sovereignty?

LIMITED GOVERNMENT

Limited government is the idea that the powers of government are restricted by the U.S. Constitution and

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other laws. This idea follows the concept of the **rule of law**, which means that everyone in the country, from everyday citizens to the president, is subject to the same laws. Although you will find many examples of the government's powers throughout the Constitution, such as the power to declare war or collect taxes, you will also find examples of how these powers are limited.

Why was it important to the Framers that government officials follow the same laws as all other Americans?

SEPARATION OF POWERS

The Framers included the **separation of powers** within the Constitution by assigning specific responsibilities to the three branches of government: legislative (Congress), executive (president), and judicial (Supreme Court).

CHECKS AND BALANCES

By separating powers, the Framers also guaranteed a system of **checks and balances** that applies to all three branches. For example, by giving the president the power to **veto** legislation passed by Congress, the Framers made it possible for the executive branch to check the power of Congress. Yet, Congress can override a veto if it has enough votes, checking one of the executive branch's powers. Likewise, the Supreme Court and other federal courts can declare legislation unconstitutional—but the president gets to nominate and Congress gets to approve all judges.

What is one way the judicial branch can check the legislative branch? What is one way the legislative branch can check the executive branch?

JUDICIAL REVIEW

The federal courts have the very important power of **judicial review**, although that power is only implied in the Constitution. This power allows the courts to determine if a law or other government action is **unconstitutional**, or violates the Constitution.

FEDERALISM

The final principle the Framers built the Constitution upon is **federalism**, or a system in which a government's power is divided between the national government and state governments. The Tenth Amendment to the Constitution was passed in order to clarify those powers that belong to the federal government and those that belong to the states.

Why was the Tenth Amendment necessary?
