

STUDYING THE U.S. CONSTITUTION

PART I: The Overall Structure Of The Constitution - Summarize the general purpose or subject of each article in one sentence in the chart below.

Article I	Powers of legislative branch
Article II	Powers, duties, and qualifications of the executive branch
Article III	Powers and jurisdiction of the judicial branch
Article IV	Relations among states, privileges of citizens, admission of new states, protection to states
Article V	Provisions for amendments, methods of passage of amendments
Article VI	Supremacy of national laws, oaths of office
Article VII	Ratification of constitution – final consent and effectiveness of constitution

PART II: Powers of the Three Branches - list the powers and provide the section in the Constitution where it is located;

ARTICLE I
<p>Formal Powers (some powers are given only to the House or to the Senate – specify which)</p> <ul style="list-style-type: none"> • declare war (C) Art I Sect 8 • create laws (C) Art I Sect 1 • impeachment (HR) & trial (S) Art 1 Sect 2 & 3 • raise revenue (HR) Art I Sect 7 • borrow \$ (C) Art I Sect 8 • regulate commerce (C) Art I Sect 8 • coin \$ (C) Art I Sect 8 • create courts other than S. Ct. Art I Sect 8 • make all laws “necessary & proper” to execute other laws Art I Sect 8 • confirm appointees (S) Art 2 Sect 2 • ratify treaties (2/3 S) Art 2 Sect 2
<p>Powers Denied – identify powers denied to Congress and provide the location in Constitution.</p> <ul style="list-style-type: none"> • bar on members of Cong. holding federal appointive office Art I Sect 6 • cannot suspend <i>habeas corpus</i> (govt. must show charges to judge) Art I Sect 8 • no bill of attainder (law declaring person guilty w/out a trial) Art 1 Sect 9 • no <i>ex post facto</i> laws (law that criminalizes an act “after the fact”) Art 1 Sect 8 • no interstate tariffs Art 1 Sect 9 • no titles of nobility Art 1 Sect 9

ARTICLE II	
Formal Powers	
<ul style="list-style-type: none"> • head of executive branch A2 S1 • commander-in-chief A2 S2 • grant pardons A2 S2 • make treaties A2 S2 • make appointments A2 S2 • convene both houses of Congress A2 S3 • State of the Union address A2 S3 	
ARTICLE III	
Formal Powers	
<ul style="list-style-type: none"> • judicial power invested in Supreme Ct. A3 S1 • judicial power extends to all cases under the Constitution A3 S2 • S. Ct. has original jurisdiction when foreign ministers & states is party; all other appellate A3 S2 	

PART III: TYPES OF CONSTITUTIONAL POWERS – identify ways in which the Constitution can be changed.

Power	Definition	Examples
Delegated powers	Those powers, expressed, implied, or inherent, granted to the National Government by the Constitution.	basically all powers listed in Const.
Expressed Powers a.k.a. enumerated, formal	Those delegated powers of the National Government that are spelled out, expressly, in the Constitution; also called the “enumerated powers.”	Coin money; raise taxes; appoint/confirm judges; declare war
Inherent Powers	Powers the Constitution is presumed to have delegated to the National Government because it is the government of a sovereign state within the world community.	Power to regulate immigration, acquire territory, grant diplomatic recognition
Implied Powers “necessary & proper”	Those delegated powers of the National Government that are suggested by the expressed powers set out in the Constitution; those “necessary and proper” to carry out the expressed powers	Create national bank; create air force
Concurrent Powers	Those powers that both the National Government and the States possess and exercise.	Power to tax; court systems; borrow \$; make roads

PART III: THE AMENDMENT PROCESS – identify ways in which the Constitution can be changed.

Two Ways:	Two Ways:
1. 2/3 Senate (only method used so far) 2. 2/3 of states request a convention (could lead to radical change)	3/4 of state legislatures 3/4 of state ratifying conventions (only used 1 time to repeal prohibition)

THE AMENDMENTS TO THE CONSTITUTION

1 st	Freedom of religion, speech, press, assembly, and petition
2 nd	Right to bear arms
3 rd	Quartering of troops in times of peace
4 th	Search and seizure
5 th	Rights of accused persons: held w/out indictment; no double jeopardy; no self-incrimination; deprived of life, liberty or property w/out due process of law; eminent domain and just compensation
6 th	Speedy and public trial w/ impartial jury; informed of charges; confront witnesses; right of counsel
7 th	Jury trial in civil cases over \$20
8 th	Cruel and unusual punishment/excessive fines
9 th	Rights enumerated in the Constitution don't supersede rights not enumerated in the Constitution
10 th	Rights reserved to the states
11 th	Restrictions on laws of the U.S.
12 th	Election of President and Vice-President
13 th	Abolition of slavery
14 th	Ensured rights to freed slaves: the U.S. shall not deny citizens of life, liberty, and property. No debt paid for rebellious states, 21 years old to vote.
15 th	Race an invalid criteria for voting
16 th	Collection of income taxes allowed
17 th	Direct election of U.S. Senators
18 th	Prohibition of alcoholic beverages
19 th	Woman's suffrage
20 th	Starting dates for Presidential and Congressional terms, death of President/Vice-President
21 st	Repealed 18 th amendment
22 nd	Terms limit for Presidency = 2 terms
23 rd	District of Columbia given 3 electoral votes
24 th	No poll taxes allowed
25 th	Presidential succession and disability clarified
26 th	Suffrage for 18 year olds
27 th	Pay changes for legislators take effect following an election