

The Constitution



The Constitution

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graph TD; A[The Constitution] --- B[Preamble]; A --- C[Articles (7)]; A --- D[Amendments (27)]; B --- B_tilde[~]; C --- C_tilde[~]; D --- D_tilde[~]; C --- E[Describe how the government works and how the Constitution works and can be changed];
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Preamble

~

Explains why
the
Constitution
was written

Articles

(7)

~

Describe how the
government works
and how the
Constitution works
and can be changed

Amendments

(27)

~

Describes the rights
of the citizens of the
United States

The 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 defense, promote the general welfare and secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution of the United States of America.

What does the Preamble mean?

We the People of the United States, want to make a better country. We want a court system that treats people fairly and equally. We want peace in our country. We want an army to protect us. We want our people to have the things they need. We want freedom now and in the future. We are writing and signing this Constitution to guarantee we will have these things.

The Three Branches of Government

Legislative



Executive



Judicial



Article I

The Legislative Branch

Article I explains the two parts of Congress and how Congress works. It also explains the powers of Congress.



The Legislative Branch

~makes the laws~

House of Representatives

Each state has representatives that go to Washington D.C. and work to make laws for our country. The number of representatives from each state depends on the population of the state. Representatives are elected by the people of the state and have 2 year terms.

Senate

Each state has two senators that go to Washington D.C. to work and make laws for our country. Senators are elected by the people of the state and have 6 year terms.

Article I Section 1

Congress has the power to make laws.
Congress is made up of the Senate and the
House of Representatives.



Congress

House of
Representatives

Senate



Article I

Section 2



- The members of the House of Representatives are elected every two years.
- The number of representatives a state has is based on how many people live in the state.
- The House of Representatives will choose a Speaker of the House as the leader of the representatives.
- To become a representative a person must
 - ~ be at least 25 years old
 - ~ must be a citizen of the United States for at least 7 years
 - ~ must live in the state that they will represent



Article I

Section 3



- The members of the Senate are elected every six years.
- Two Senators from each state are elected.
- To become a Senator a person must
 - ~ be at least 30 years old
 - ~ must be citizens of the United States for at least 9 years
 - ~ must live in the state that voted for them
- The Vice President of the United States is the president of the Senate.



Article I Section 4



- Each state will decide when and where it will have elections for the House of Representatives and the Senate.
- Congress will meet once a year.





Article I Section 5



- In order for Congress to meet, a majority (more than half) of the members must be at the meeting.





Article I

Section 6



- Members of Congress are paid with money from the Treasury of the United States (“bank” of the federal government)
- Members of Congress cannot be arrested while Congress is meeting except if they have committed a serious crime (such as murder).

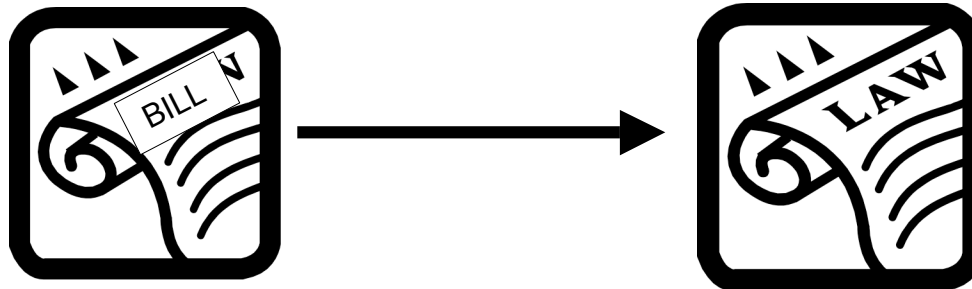




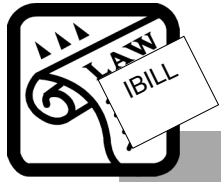
Article I Section 7



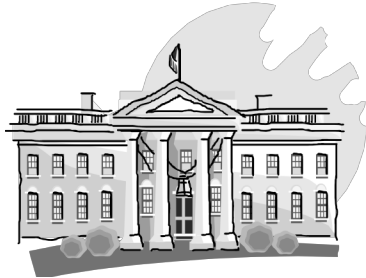
- **Bills** (ideas for new laws) can start in the House of Representatives or in the Senate. **Amendments** (changes) to the Constitution can start in the House of Representatives or the Senate.
- If the House of Representatives and the Senate approve a bill, it goes to the President. The President can approve and sign the bill or veto the bill. If the President does not sign or veto the bill within ten days, it will become a law.
- If the President vetoes the bill, it can still become a law. The House of Representatives and the Senate can vote on the bill again. If two-thirds of the members of each group vote for the bill, it will become a law.



How A Bill Becomes a Law!



Congress



President



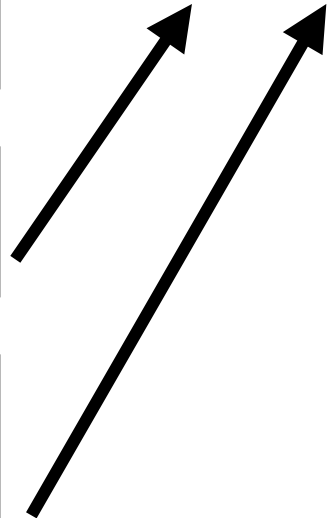
Congress votes again, if 2/3 of the members agree →



If the President vetoes the bill

If the President approves and signs the bill

If the President keeps the bill for ten days and does not sign it





Article I

Section 8



It is the job of Congress to be in charge of all of the following things:

- Asking for and collecting federal taxes
- Borrowing money for the United States
- Trading with other countries
- Making laws about how to become a citizen and bankruptcy
- Printing paper money and making coins
- Punishing counterfeiters (people who make fake money)
- Setting up the mail delivery system
- Setting up courts lower than the Supreme Court
- Making laws about crimes committed on the oceans
- Declaring war
- Building and making rules for an army and a navy
- Helping to run the government of Washington D.C.
- Making laws to carry out the Constitution



Article I

Section 9



- Congress cannot make laws to stop the buying and selling of slaves until 1808. (Slavery was made illegal by Amendment 13 in 1865)
- A person who is arrested must be told the reason for the arrest.
- Congress cannot make a law to punish a person for a serious crime. A person must have a trial.
- Congress cannot charge a tax on things sent out of state.
- Ships from one state entering the port of another state cannot be taxed.
- Money cannot be spent from the U.S. Treasury without the permission of Congress.
- The government cannot give people the title of king or queen.

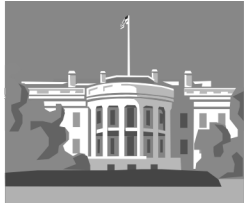


Article I

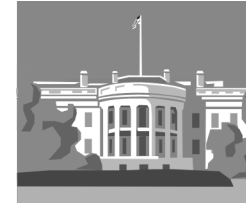
Section 10



- States cannot make treaties with other countries or become part of another country.
- States cannot make laws to punish a person for a serious crime. A person must have a trial.
- States cannot give people the title of king or queen.
- States cannot have their own armies.
- States cannot fight in wars with other states or countries unless Congress says it is okay.



Article II

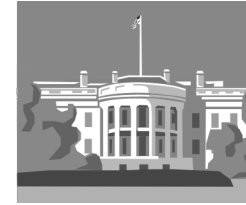


The Executive Branch

Article II talks about the executive branch of the federal government. It explains the powers of the President and Vice President.



Article II Section 1



- There will be a President and a Vice President.
- To become President or Vice President a person must:
 - ~ be born in the United States
 - ~ be at least 35 years old
 - ~ must have lived in the United States for 14 years
- If the President dies, quits or gets very sick, the Vice President will become President.
- The President will be paid. The President cannot have any other jobs while he or she is president.



The President and Vice President of the United States



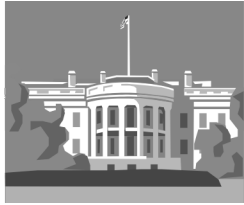
White House photo by Eric Draper

President
George Bush

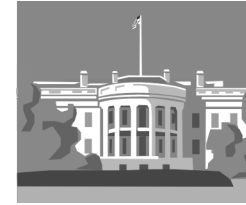


White House photo by David Bohrer

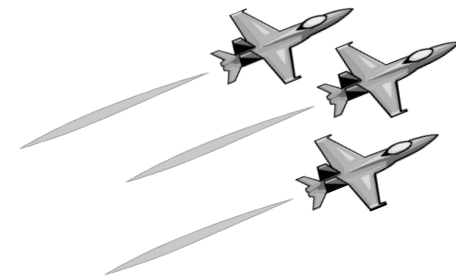
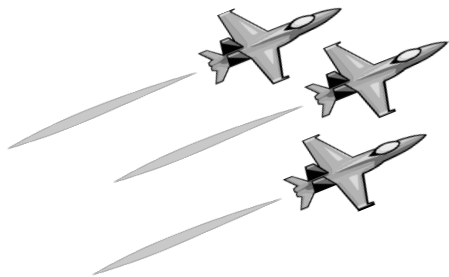
Vice President
Dick Cheney

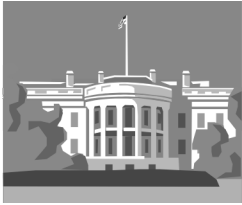


Article II Section 2

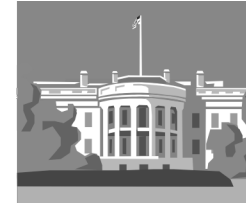


- The President will be in charge of the military. The President can **pardon** (officially forgive for breaking the law) a person unless the person is a government official who has been impeached.
- The President can make treaties with other countries as long as $2/3$ of the Senate agree.





Article II Section 3

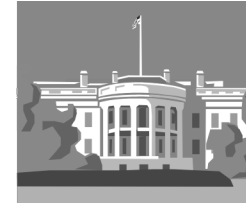


- The President will give a State of the Union Address (a speech about how the country is doing).
- The President can require Congress to have special meetings.
- The President will meet with representatives from other countries.
- The President has to make sure the laws are followed.





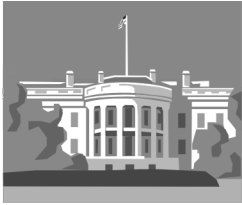
Article II Section 4



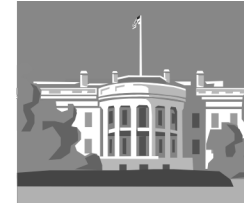
- The President, Vice-President and other government officials can be impeached (removed from office) if they commit a serious crime.

Example: If a President is caught lying under oath (lying in court) he/she can be forced to quit his/her government job.





The Cabinet



The Cabinet is a group of people who are in charge of different things in the government. The Cabinet members are chosen by the President. The Cabinet is now made up of these members:

- Secretary of State
- Secretary of the Treasury
- Secretary of Defense
- Attorney General
- Secretary of the Interior
- Secretary of Agriculture
- Secretary of Commerce
- Secretary of Labor
- Secretary of Health and Human Services
- Secretary of Housing and Urban Development
- Secretary of Transportation
- Secretary of Education
- Secretary of Energy
- Secretary of Veterans' Affairs



Article III

The Judicial Branch



Article III talks about the judicial branch of the federal government. It talks about the Supreme Court.



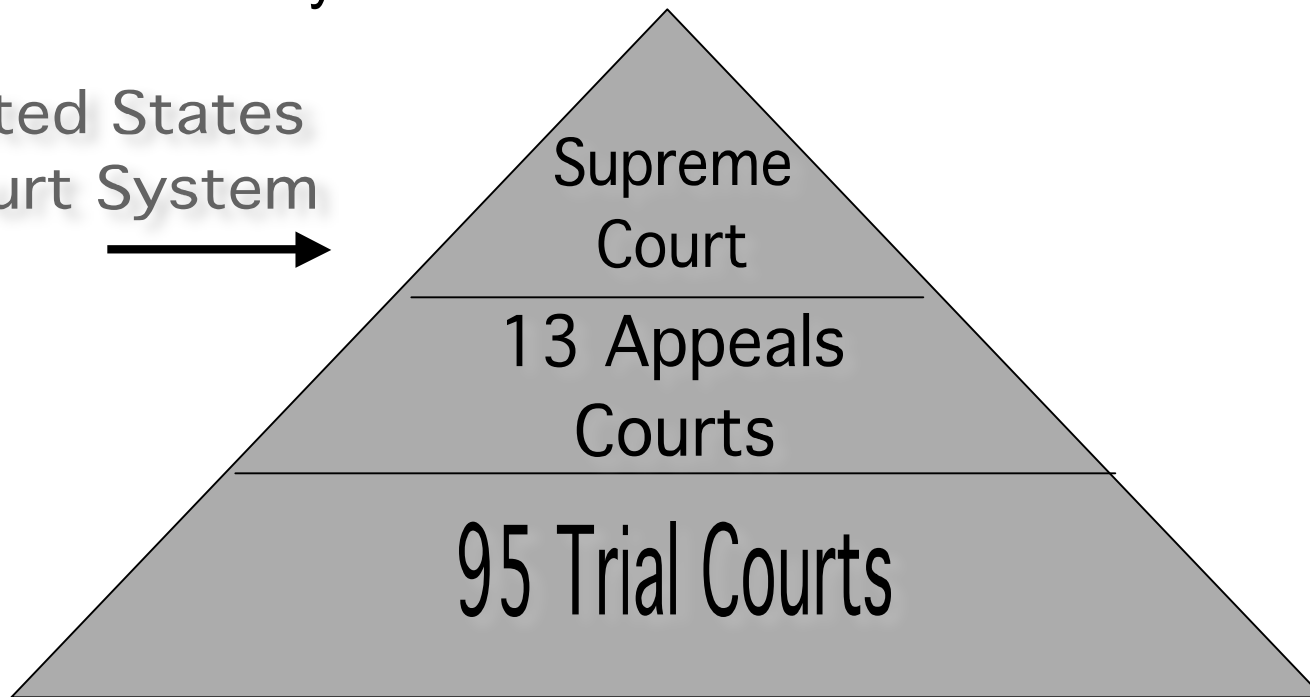
Article III

The Judicial Branch



- There are three levels of courts in the federal court system. The **trial courts** are the lowest level of courts. The **appeals courts** are the middle level of courts. The **Supreme Court** is the highest court in the country.

United States
Court System





State Courts



- The states are in charge of setting up their own court systems. Each state court system has the same three levels of courts as the federal court system. There are trial courts, appeals courts, and a Supreme Court.
- The state court systems and the federal court system run the same way. A trial begins in a trial court. A decision made in a trial court can be taken to an appeals court. To **appeal** is to ask a higher court to make a new decision. Appeals can also be made to a Supreme Court. The Supreme Court makes the final decision.



The Supreme Court



- The United States Supreme Court is the highest court in the country.
- The Supreme Court is made up of one Chief Justice and eight Associate Justices.
- Justices are chosen by the President of the United States.
- Once a person is chosen to be a Supreme Court Justice he/she remains a Justice for life.

Current Supreme Court Justices

William H. Rehnquist*
John Paul Stevens
Sandra Day O'Connor

Antonin Scalia
David H. Souter
Ruth Bader Ginsberg

Anthony M. Kennedy
Clarence Thomas
Stephen G. Breyer

* Chief Justice



Article III Section 1



- There will be one Supreme Court.
- Congress can also set up lower courts.
- Federal judges keep their jobs for life unless they are impeached and found guilty.
- All federal judges will be paid. The pay cannot be lowered while the judges are in office.





Article III Section 2



- There will be one

_____.

- Congress can also set up _____.

- Federal judges keep their jobs for _____ unless they are impeached and found guilty.

- All federal judges will be paid. The pay cannot be lowered while the judges are in office.

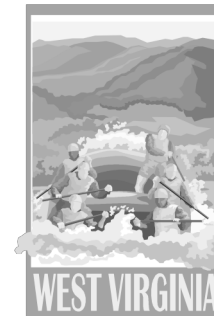




Article IV Section 1



- Each state will respect the laws of other states. Congress will make sure this happens.





Article IV Section 3



- **Treason** against the United States happens when a person goes to war against the United States or helps enemies of the United States. A person who has committed treason cannot be punished unless two people saw him/her do it or he/she admits to treason in court.
- Congress will decide what the punishment for treason will be. The family of a person who commits treason cannot be punished.



Article IV

Section 2



- People who live in one state and visit another state will have the same rights as people who live in that state.
- If someone breaks the law and leaves the state where the crime was committed, the police in the other states will send him or her back to the state where the crime was committed.





Article IV

Section 3



- Congress can add new states to the country.
- A state that is already part of the country cannot break up into smaller, separate states unless Congress says it is okay.
- States that are already part of the country cannot join together to make a bigger state unless Congress says it is okay.
- Congress will make laws for territories (pieces of land that belong to a country but are not states). Congress can sell or give away territories or other property that belongs to the United States.



Article IV

Section 4



- The federal government will make sure each state has a government run by the people.
- The federal government will make sure no other country takes over any of the states.
- The federal government will make sure no person or group who lives in a state will take over the state.



Article V



- Article V talks about how to make amendments (changes) to the Constitution. There are 27 amendments. They are listed at the end of the Constitution. The writers knew it would be important for people to make changes to the Constitution. By changing the Constitution, the people of the United States are able to make sure the Constitution can be used for a long time.
- It is hard to make amendments. It can take years to make one amendment. The writers of the Constitution did this on purpose. They wanted to make sure people think carefully about making changes to the Constitution.



Article V Section 1



- Amendments can be made to the Constitution. Congress can say what change it wants to make. Two-thirds of the House of Representatives and two-thirds of the Senate must agree that it is a good change.





Article VI



- If the United States owed money to a country before this Constitution was written, the money must be paid.
- The Constitution is the supreme (highest) law in the country. All the laws and treaties of the United States are the supreme law in the country. State judges must follow the supreme law.
- To work for the United States, all government officials must promise that they will support the Constitution. Government officials do not have to state their religious beliefs.



Article VII



- Article VII says the Constitution will be the law if enough states ratify (accept) it. At least nine states had to ratify the Constitution. Delaware was the first state to ratify the Constitution. This happened in 1787. New Hampshire was the ninth state to ratify the Constitution. This happened in 1788. When New Hampshire ratified the Constitution, the new plan of government became the law.



Amendments to the United States Constitution

There are **27** amendments to the Constitution. The first ten amendments are called the **Bill of Rights**. These amendments get their name because they list the rights of all Americans. The Bill of Rights was written and ratified in 1791. The writers of the Constitution knew it was important to list the rights of the American people.



Amendment 1



- Congress cannot chose one religion for the whole country. People can choose any religion they want. This is called freedom of religion.
- Congress cannot make laws that stop people from saying and writing what they want. This is called freedom of speech and freedom of the press.
- People can disagree with the government. If people do not agree with something, they can peacefully protest (speak and act against it).



Freedom of the press



Freedom of religion



Freedom of speech

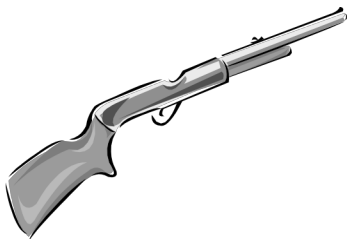


Amendment 2



- People have the right to own and use guns.

(In the United States people must have a special license to own a gun. Each state has their own specific laws about owning guns.)

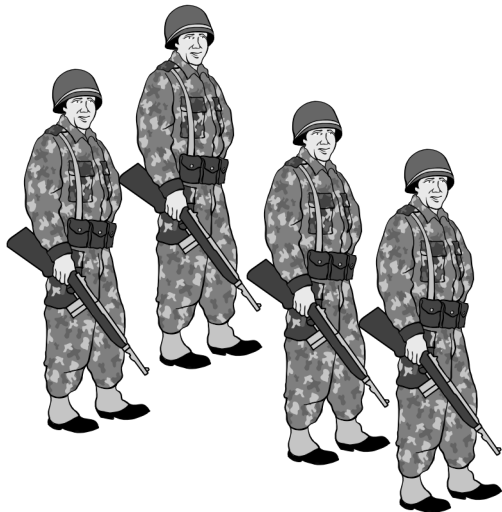




Amendment 3



- When the United States is at peace, soldiers cannot stay in a person's home unless the person says it is okay. When the country is at war, Congress can make a law to change this rule.





Amendment 4



- People cannot be searched unless there is a good reason. The police must have a **warrant** to search a person or his or her property. (A warrant is a piece of paper written by a judge that says it is okay for the police to do something.)





Amendment 5



- A person cannot go to trial in a federal court for a **capital crime** (a crime that can be punished by death) or other serious crime unless he or she has been **indicted** (charged/accused of breaking the law).
- A person cannot have two trials for the same crime.
- A person does not have to say things in court that will make him or her seem guilty.
- Everyone has the right to be treated fairly by the law.





Amendment 6



- When a person is accused of committing a crime, the trial must happen as soon as possible.
- The trial must have a jury that will be fair.
- The trial must happen in the state where the crime happened.
- The person on trial must be told why he or she is on trial.
- The person on trial can hear what witnesses say about him or her.
- The person on trial can have witnesses to help his or her case
- The person on trial can have a lawyer.



Amendment 7



- When a person takes another person to court, either of them can ask for a trial by jury.



A jury is a group of 12 people who listen to information at a trial and decide if the person is innocent or guilty.



Amendment 8



- **Bail** (money people pay to stay out of jail until their trial) will not be too high.
- **Fines** (money people have to pay for punishment for breaking the law) will not be too high.
- **Torture** (hurting people on purpose) will not be a way to punish people.





Amendment 9



- People have rights the Constitution does not list. The government has a right to protect these rights.

Brainstorm some of those rights...

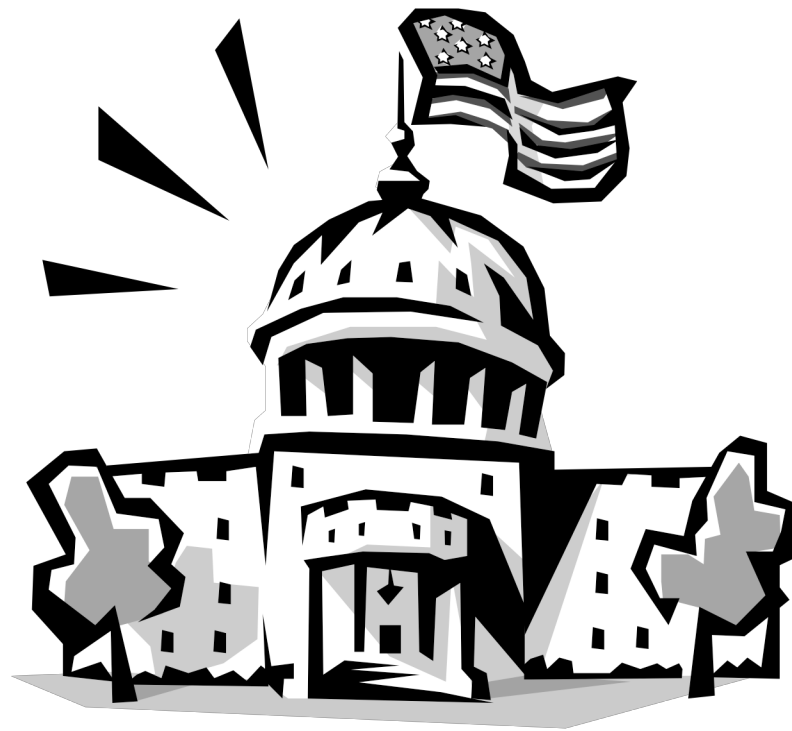




Amendment 10



- The Constitution lists the powers of the federal government. Any power that does not belong to the federal government belongs to the states or the people.





Amendment 11



- A state cannot be sued by a person from another state or country in federal court. (1795)

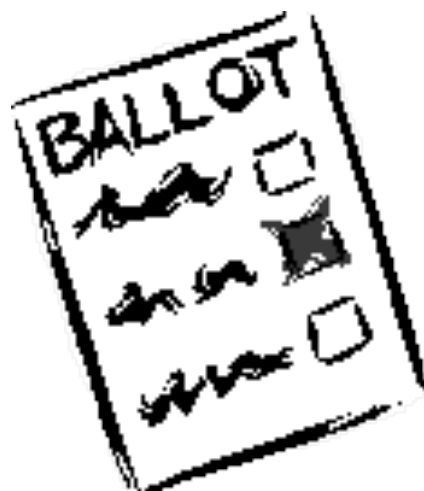




Amendment 12



- Electors from each state will vote to decide which person will become president.
- The vice-president must be able to become president. (This means the vice-president has to be at least 35 years old, must have been born in the United States, and must have lived in the United States for at least 14 years) (1804)





Amendment 13



- Slavery is not allowed in the United States. (1865)





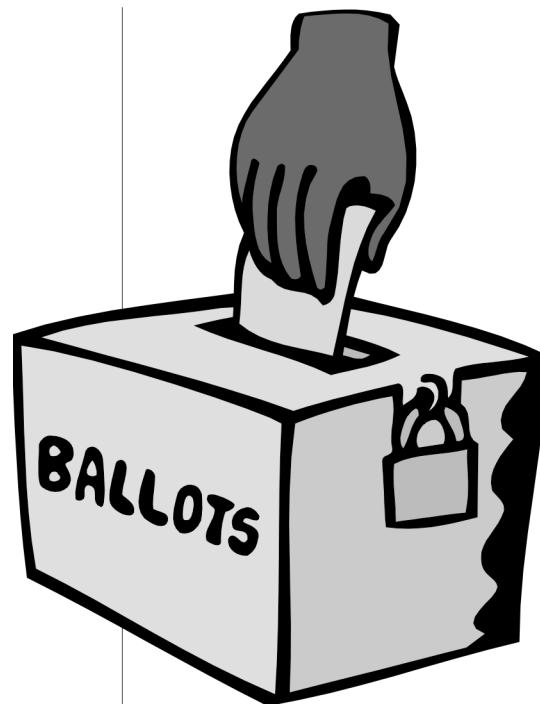
Amendment 14



- All people born in the United States are citizens of the United States and the state in which they were born. All citizens of the United States and those people who become citizens have equal protection under the law.
- The number of representatives from each state depends on the population of each state.
- Only male citizens 21 years or older and those who have not committed any crimes may vote.
- Any person found helping or giving aid to an enemy of the United States shall be elected to become president, vice-president, representative, senator or into any other government or military office.
- The United States will pay back any debts related to the Civil War. The United States will pay Union soldiers (soldiers who fought for the North) for their work in the Civil War. The United States will not pay any debts the Confederate (Southern) states made during the war.

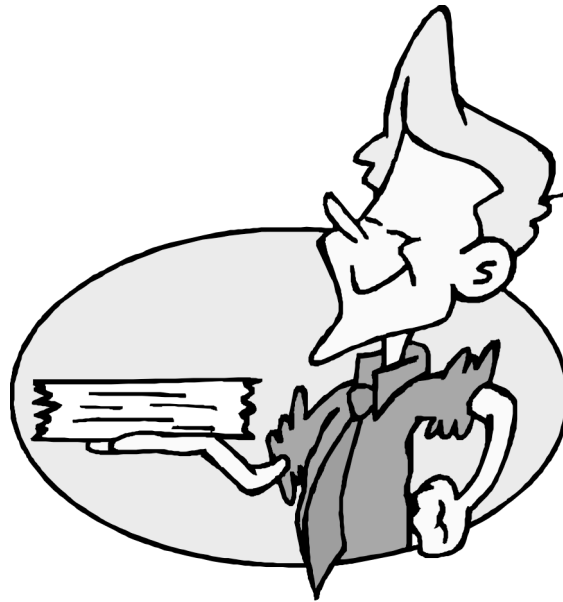
Amendment 15

- No state may prevent United States citizens from voting because of their race, their color, or because they were once slaves.



Amendment 16

- Congress may collect an income tax from all people.





Amendment 17



- The Senate will be made up of 2 Senators from each state. The people will elect the Senators for 6 year terms. Each Senator will have one vote in the Senate.
- If a Senator dies or quits, the governor of the state from which the Senator was elected, will call for an election to elect someone to that office.





Amendment 18



- It is illegal to make, sell, or carry liquor (alcohol).





Amendment 19



- Woman have the right to vote.





Amendment 20



- The President and Vice President's terms shall end on January 20 at noon. The new President and Vice President will begin their terms that day as well.
- Senators and Representatives terms shall end on January 3. New Senators and Representatives will begin office that day.
- Congress will meet once a year. The meeting shall begin at noon, January 3, unless members of Congress pass a law to meet another day.
- If the person elected President dies before taking office, the person elected Vice President becomes president.
- Congress may make laws explaining what to do if the House of Representatives has to elect a Speaker of the House and the person dies. Congress may also make laws telling what to do if the President of the Senate dies.





Amendment 21



- The 18th Amendment (made liquor illegal) is repealed (cancelled).

(Amendment 18 could not be enforced. Many people felt the government should not tell them what they could drink. Many people broke the law by buying and selling liquor. Much crime happened as a result of this. Because it did not work, many people were glad when Amendment 18 was wiped out)





Amendment 22



- A person can only be elected President twice.
- If a Vice President finishes two or more years of another President's term, he or she can only serve one full term after that.

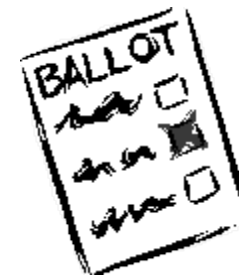
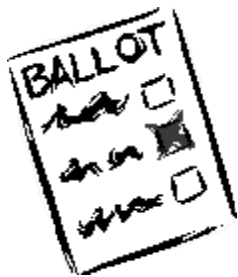




Amendment 23



- Washington D.C., the nation's capital is given electors. (Before this, Washington D.C. did not have electors because it is not a state. Amendment 23 gives electors to the city so that the people can vote for president.)

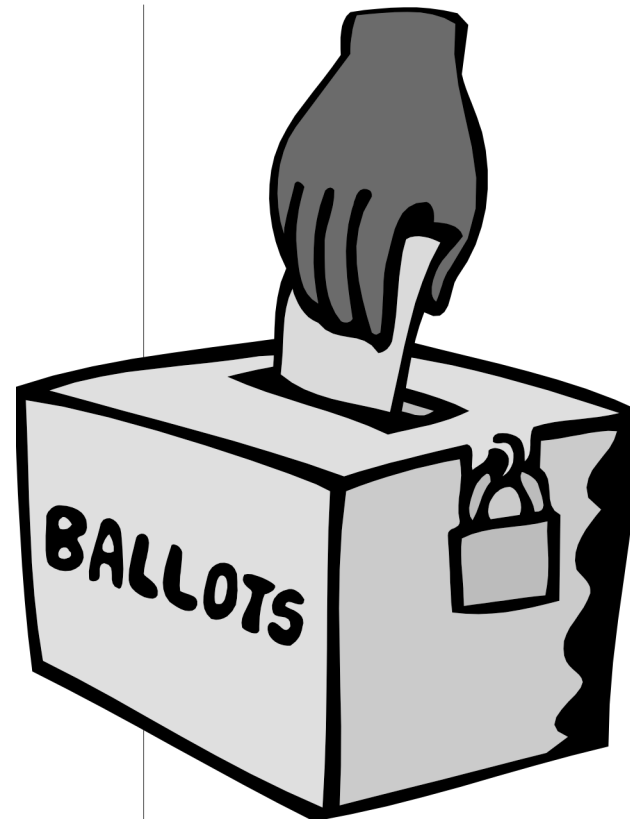




Amendment 24



- People do not have to pay a tax to vote.





Amendment 25



If the president is impeached, dies, or quits, the vice president becomes President.

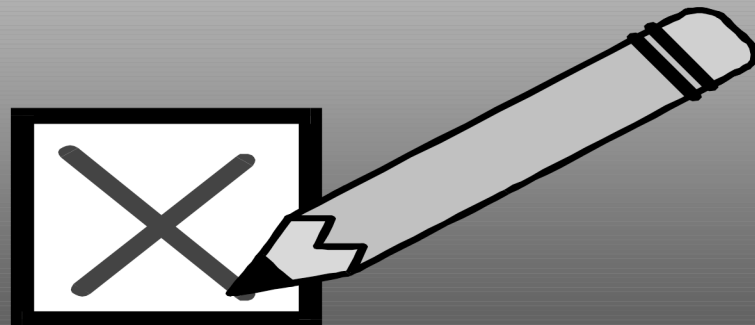
If the Vice President's job is vacant, the president chooses a new Vice President. Congress has to agree with the choice.

If the President thinks he or she cannot do the job, he or she must tell the leaders of the Congress in writing. The Vice President then takes over until the President tells Congress in writing he or she is able to work again.

If the Vice President and more than half of the Cabinet think the President cannot do his or her job, the leaders of the Senate and the House of Representatives must be told in writing. Congress can decide by voting that the Vice President will take over. (1971)

Amendment 26

People who are at least 18 years old can vote. (Before this, people had to be least 21 years old to vote.) (1971)



Amendment 27

Congress can make a law to raise its pay. The pay raise cannot happen until after the next election. (1992)

