

Important Concepts in our Constitution:

Separation of Powers

- designed to prevent tyranny
- the power of gvt. is separated into three branches:



legislative branch – makes laws
executive branch – enforces laws
judicial branch – interprets laws



each branch can use its' powers to “check” or limit another branch



“checks and balances”

veto - to reject

ratify - to approve (non-human things like treaties)

confirm – to approve (humans, like people that have been appointed to certain positions)

appropriate - to “dish out” or set aside
- to decide where something like money goes

impeach - to officially charge with a crime

pardon - to release from prison

bill - a proposal for a law/what a law is before it's a law

Examples of checks and balances:

How a Bill Becomes a Law (see pg. 220)

After a bill becomes a law, the U.S. Supreme Court can review a law to see if it is constitutional or not. This is not an automatic step in how a bill becomes a law. The U.S. Supreme Court only reviews a law if five of the nine justices (judges) think the law should be reviewed. If the court thinks a law is unconstitutional, that law is eliminated. This process is known as: **Judicial Review**

The Federal System/Division of Powers/Federalism

- James Madison came up with the idea
- the national gvt. has more power than the state gvts., but the states still have power to do things that the federal (national) gvt. can't

delegated powers – powers of the federal gvt.

reserved powers – powers of the state gvts.

concurrent powers – powers that are shared by the federal and state gvts.

The Constitution is flexible

- the Constitution is a flexible document . . . it can be changed by **amendments**
- the federal gvt. can do things that are not written in the Constitution



the “unwritten constitution”/Implied Powers

Ratification of the Constitution

- The framers of the Constitution decided that nine states needed to ratify the Constitution for it to become the new gvt. for the United States
- people that favored ratifying the Constitution called themselves **Federalists** because the Constitution created a federal system of gvt.
- the Federalists wrote over 80 essays and published them in America's newspapers, the purpose of these was to convince people to ratify the Constitution, the essays are known as the **Federalist Papers**
- the authors of the Federalist Papers were: Alexander Hamilton, James Madison and John Jay
- **Anti-Federalists** were people who opposed ratification, they were afraid the Constitution gave the federal gvt. too much power and it would become tyrannical
- famous Anti-Federalists were Sam Adams and Patrick Henry
- one of the primary fears of the Anti-Federalists was that the Constitution did not list the rights of the people, in order to quell this fear, the Federalists promised them that the first thing the new gvt. would do was to add a bill of rights to the Constitution, they kept their promise, that's why the **U.S. Bill of Rights** is the first ten amendments to the Constitution

