

## ***Unit 1.3 (Ch. 3) Study Guide – The Constitution***

### **Big Ideas & Concepts that you need to know:**

#### Sec. 1: Structures & Principles

- The Constitution is composed of three parts: the Preamble, the Articles, and the Amendments
- There are six Major Principles of Government:
  1. Popular Sovereignty
  2. Federalism
  3. Separation of Powers
  4. Checks & Balances
  5. Judicial Review
  6. Limited Government

#### Sec. 2: Three Branches of Government

- The powers of Congress (Legislative) are defined in Article I, Section 8
- The powers of the President (Executive) are defined in Article II, Section 2
- The jurisdiction of the Courts (Judicial) are defined in Article III, Section 2
- The three branches are often in conflict directly through the system of checks and balances

#### Sec. 3: Amending the Constitution

- Changes occur to the Constitution in both direct and indirect ways:
  1. Direct = Amending process
  2. Indirect = legislation, political practices, judicial review, changes in custom

#### Sec. 4: The Amendments

- The Bill of Rights = the first 10 Amendments

### **Question for Consideration: (use SEPARATE sheet of paper to answer questions)**

#### **Sec. 1**

1. What are the three parts of the Constitution?
2. What is the function of each?
3. Complete the chart below:

<b>Major Principle</b>	<b>Description</b>	<b>Explain why it is significant or Provide an example</b>
<b>Popular Sovereignty</b>		

<b>Federalism</b>		
<b>Separation of Powers</b>		
<b>Checks &amp; Balances</b>		
<b>Judicial Review</b>		
<b>Limited Government</b>		

**Sec. 2 (R43 – R54)**

1. What are enumerated powers? Where are they found in the Constitution? Provide one example.
2. What is the elastic clause? Where is it in the Constitution? What is its function?
3. Where are the specific powers of the president presented in the Constitution? Bullet point three examples.
4. Where is the jurisdiction of the courts presented in the Constitution? What is "original jurisdiction" (R53)? What is "appellate jurisdiction" (R53)?

**From Class Lecture (R54): What is the purpose of Article IV (4)? Specifically, what does the "privileges and immunities clause" do?**

### Sec. 3. (R55)

#### **Formal Changes to the Constitution**

1. Describe the two ways that amendments to the Constitution can be proposed.
2. Describe the two ways that amendments to the Constitution can be ratified.

#### **Indirect Changes to the Constitution**

3. Provide three examples that illustrate how the law-making power of congress indirectly changes the Constitution...
  - a. Article I
  - b. Article II
  - c. Article III
4. How has congress clarified the meaning of "high crimes and misdemeanors" through the practice of impeachment?
5. How did President John Tyler set the stage in 1841 for the passage of the 25<sup>th</sup> Amendment in 1967?
6. The Constitution gives the Senate the power to ratify treaties (Article II, Section 2). How have executive agreements changed the practice established by congress?
7. Judicial Review is the power to review both congressional and state laws and determine whether or not they are Constitutional. This is perhaps the greatest way that indirect changes are made to the Constitution. As this is a controversial power, describe the following philosophies used to justify judicial review as a practice:
  - i. Judicial Restraint
  - ii. Judicial Activism

### Sec. 4: The Amendments

1. List the five freedoms listed in the First Amendment.
2. What does the Second Amendment protect, *and for what reason*?
3. What does "pleading the Fifth" mean?
4. What does the "due process" clause of the Fifth Amendment state?
5. How has the Eighth Amendment been used to limit the death penalty?
6. According to the Ninth Amendment, do we have rights that are *not* listed in the Constitution?
7. What does the Tenth Amendment establish about state power. Be *specific* in your answer.

#### **Know the Ohio Learning Standards: 5, 7, & 8 (Slides 9 - 10, 12, 13)**

- **5 = Principles of Constitution/government**
- **7 = Changes Over Time**
- **8 = The Bill of Rights and the Ratification Debate**