**Unit 3 part 2- U.S. Constitution**

**Purpose of the Preamble of the U.S. Constitution:** the people expect their government to defend \_\_\_\_\_\_\_ and \_\_\_\_\_\_\_ and provide \_\_\_\_\_\_\_ and \_\_\_\_\_\_\_from foreign enemies

**Separation of Powers:** the Constitution divided the government into **3** ,

and each branch has its own duty

Executive Branch (President): \_\_\_\_\_\_\_\_\_\_\_\_\_ laws

Legislative Branch (Congress): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ laws

Judicial Branch (Supreme Court): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ laws

**Checks and Balances:** a series of safeguards against abuse of power. Each branch of government has the ability to check, or limit, the actions of the other 2 branches

**Executive Branch**

Check on Legislative Check on Judicial

1. can propose \_\_\_\_\_\_\_\_\_\_ 1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Federal judges

2. can \_\_\_\_\_\_\_\_\_\_ laws 2. Can grant pardons to

3. can call special sessions of Congress federal offenders

4. makes \_\_\_\_\_\_\_\_\_\_\_\_ (offer positions)

5. negotiate foreign treaties

**Legislative Branch**

Check on Executive Check on Judicial

1. can \_\_\_\_\_\_\_\_ President’s veto 1. Create lower federal courts

2. \_\_\_\_\_\_\_ executive appointments 2. Can \_\_\_\_\_\_\_\_\_\_\_/remove judges

3. ratify \_\_\_\_\_\_\_\_\_\_ 3. Can propose amendments to

4. declare \_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_ judicial decisions

5. distribute money 4. Approve \_\_\_\_\_\_\_\_\_\_\_\_\_\_ of

6. can \_\_\_\_\_\_\_\_ and remove Pres. Federal judges

**Judicial Branch**

Check on Executive Check on Legislative

1. declare executive actions 1. Declare acts of Congress

\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Amendment Process:** to change the Constitution by adding to the Constitution

**Propose an Amendment:**

1. \_\_\_\_\_\_\_\_\_\_\_\_\_can propose an amendment if both the House of Representatives and Senate vote for a change
2. \_\_\_\_\_\_\_\_\_\_\_\_\_ of 34 states can call for a national convention and the convention can propose an amendment

**Ratifying an Amendment:** approved by state legislatures

1. \_\_\_\_\_states legislatures must approve (3/4 of states)
2. \_\_\_\_\_state conventions must approve

**Federalism:** set up by the Constitution to divide power between the federal government and the states. Powers that are not clearly given to the federal government belong to the states.

\_\_\_\_\_ Amendment: what powers are not given to the federal government in the Constitution belong to the states.

**Bill of Rights:** the 1st 10 amendments to the Constitution added to get the Constitution ratified.

Amendments:

1. freedom of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_, and \_\_\_\_\_\_\_\_\_\_

2. Right to own a \_\_\_\_\_\_\_\_. "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

3. You don't have to let \_\_\_\_\_\_\_\_\_\_ live in your house.

4. Nobody can \_\_\_\_\_\_\_ your body, or your house, or your papers and things, unless they can prove to a judge that they have a good reason to think you have committed a crime.

5. You can't be tried for any serious crime without a \_\_\_\_\_\_\_\_\_\_\_ meeting first to decide whether there's enough evidence for a trial. And if the jury decides you are innocent, the government can't try again with another jury. You don't have to say anything at your trial.

You can't be killed, or put in jail, or fined, unless you were convicted of a crime by a jury. And the government can't take your house or your farm or anything that is yours, unless the government pays for it (eminent domain).

6. If you're arrested, you have a right to a , public impartial trial, and the government can't keep you in jail without trying you. The case has to be decided by a jury of ordinary people from your area. You have the right to know what you are accused of, to see and hear the people who are witnesses against you, to have the government help you get witnesses on your side, and you have the right to a lawyer to help you.

7. You also have the right to a jury when it is a case (a law case between two people rather than between you and the government).

8. The government can't make you pay more than is reasonable in bail or in fines, and the government can't order you to have or unusual punishments.

9. Just because these rights are listed in the Constitution doesn't mean that you don't have other rights too.

10. Anything that the Constitution doesn't say that Congress can do should be left up to the \_\_\_\_\_\_\_\_\_\_\_\_\_, or to the people.