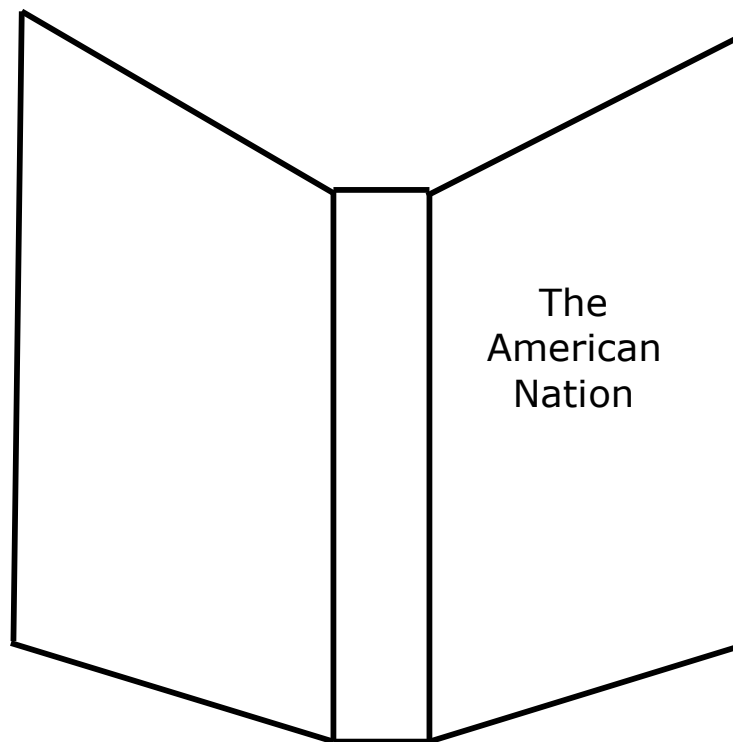


# Five Principles of the Constitution

## Eighth Grade Standard

8.2 Students analyze the political principles underlying the U.S. Constitution and compare the enumerated and implied powers of the federal government. p. 33

7. Describe the principles of federalism, dual sovereignty, separation of powers, checks and balances, the nature and purpose of majority rule, and the ways in which the American idea of constitutionalism preserves individual rights. p. 34



## **Five Principles of the Constitution**

Adapted from *The American Nation* pgs. 146-149

**Reader 1** – The framers of the Constitution knew they had to set up a strong government. At the same time, they sought to keep power from falling into the hands of a privileged few.

**Reader 2** – To achieve this delicate balance, they rested the Constitution on five principles: popular sovereignty, limited government, federalism, separation of powers, and checks and balances.

### **Reader 3** – Principle 1 – Popular Sovereignty

The first three words of the Constitution, “We the people,” express the principle of popular sovereignty. According to this principle, the people hold the final authority in government.

**Reader 4** – The Constitution is a contract between the American people and their government. In it, the people grant the government the powers it needs to achieve its goals.

**Reader 5** – At the same time, they limit the power of government by spelling out what the government may not do. In a large society, not all citizens can take part directly in government.

**Reader 1** – Instead, they exercise their ruling power indirectly by electing public officials to make laws and other decisions for them. This system is called representative government.

**Reader 2** – The people elect public officials by voting in free and frequent elections. Americans today have the constitutional right to vote for members of the House of Representatives and for members of the Senate. The people also elect the members of the electoral college, who in turn, choose the President.

**Reader 3** – The right to vote has been gradually expanded over time. When the Constitution was ratified, only white men over age 21 who owned property could vote.

**Reader 4** – Over the years, other Americans have won the right to vote. Today, all citizens are eligible to vote at the age of 18.

## **Reader 5 – Principle 2 – Limited Government**

The framers of the Constitution had lived under the harsh rule of the British king. They feared tyranny, or cruel and unjust government. However, the failures of the articles of Confederation made it clear that the national government had to be strong.

**Reader 1** – How could the framers strike a balance between too much government and too little? The answer was limited government. According to this principle, the government has only the powers that the people grant it.

**Reader 2** – The Constitution clearly states the powers of the national government. It also states what powers the government does not have. The most important limits on government are set out in the Bill of Rights.

**Reader 3** – It guarantees that the government may not take away the individual freedoms of the people. These liberties include freedom of speech, freedom of the press, and the freedom of religion.

**Reader 4** – The Ninth Amendment goes beyond these specific guarantees. It states that the people have rights that are not listed in the Constitution.

**Reader 5** – The Tenth Amendment gives the states or the people any powers not formally granted by the Constitution to the national government.

**Reader 1 – Principle 3 – Federalism**

The framers of the Constitution created a strong central government. Yet they also wanted the states to retain much of their power.

**Reader 2 –** Like most Americans, they believed that state governments would best understand the special needs and concerns of their citizens.

**Reader 3 –** The principle of federalism divides power between the federal government and state governments. The federal government has the power to deal with national issues. The states have the power to meet local needs.

**Reader 4 –** The Constitution delegates, or assigns, certain powers to the national government. Other powers are reserved, or left, to the states.

**Reader 5 –** Still other powers, sometimes called concurrent powers, are shared by the federal and state governments.

**Reader 1 –** Federalism creates a working partnership between the national government and the state governments. However, when a dispute arises between them, there is no doubt where the final authority lies.

**Reader 2** – The Constitution is the “supreme law of the land.” Only federal courts can settle the dispute.

**Reader 3** – Principle 4 – Separation of Powers

The framers wanted to prevent the abuse of power by one person or group. To do so, the Constitution divides the national government into three branches: the legislative, the executive, and the judicial.

**Reader 4** – Each branch has its own powers and responsibilities. This division of the national government is known as separation of powers.

**Reader 5** – Article 1 of the Constitution sets up the legislative branch. This branch, called congress, makes the laws. Congress has two houses: The House of Representatives and the Senate.

**Reader 1** – Article 2 describes the executive branch, which carries out the laws. The President heads the executive branch and appoints officials to help carry out the duties of the office.

**Reader 2** – Article 3 creates the Supreme Court to head the judicial branch. The Supreme Court interprets and explains laws.

**Reader 3 – Principle 5 – Checks and Balances**

To prevent one branch of government from gaining too much power, the Constitution sets up a system of checks and balances. Each branch can check, or control, the power of the other two branches.

**Reader 4-** Congress has the power to pass bills, or proposed laws. The President can also check Congress by vetoing, or rejecting a bill.

**Reader 5 –** The Supreme Court has the power to rule whether a law is unconstitutional, or not permitted by the Constitution. The power to declare laws unconstitutional is one check the Supreme Court has on Congress.

**Reader 1 –** Congress has several checks on the powers of the President. The President is the commander in chief of the armed forces, but only Congress has the power to declare war.

**Reader 2 –** Congress may also check the President by overriding, or setting aside, a presidential veto.

**Reader 3 –** Both the President and Congress have several checks on the power of the judicial branch. The President appoints all federal judges, while the Senate must approve the President's court appointments.

**Reader 4** – Congress has the power to remove federal judges from office if they are found guilty of wrongdoing. Congress may also propose a constitutional amendment to overrule a judicial decision.