

Chapter 6-1

Understanding the Constitution

The Big Idea

The U.S. Constitution balances the powers of the federal government among the legislative, executive, and judicial branches.

Main Ideas

- The framers of the Constitution devised the federal system.
- The legislative branch makes the nation's laws.
- The executive branch enforces the nation's laws.
- The judicial branch determines whether or not laws are constitutional.

Main Idea 1: The framers of the Constitution devised the federal system.

- The _____ divides powers between states and federal government.
- Powers assigned to national government, called _____ powers, include coining money and regulating trade.
- Powers kept by states, called _____ powers, include creating local governments and holding elections.
- _____ powers, including taxing and enforcing laws, are shared by federal and state governments.
- The “_____ clause” allows Congress to stretch its delegated powers to deal with unexpected issues.

Separation of Powers

This separation balances the branches of government and keeps any one of them from growing too powerful.

Legislative Branch

- Writes laws
- Confirms presidential appointments
- Approves treaties
- Grants money
- Declares war

Executive Branch

- Proposes and administers laws
- Commands armed forces
- Appoints officials
- Conducts foreign policy
- Makes treaties

Judicial Branch

- Interprets Constitution and other laws
- Reviews lower-court decisions

Main Idea 2: The legislative branch makes the nation's laws.

- Article I of the Constitution divides legislative branch, or Congress, into House of Representatives and _____.
- House of Representatives has _____ members; number for each state determined by population; each member represents a particular district within her or his state.
- Senate has _____ members for each state; both represent state as a whole.
- Leader of House of Representatives—Speaker of the House—elected by House members from the majority party.
- U.S. vice president also serves as president of the Senate.

Legislative Requirements

- House of Representatives
 - Members must be _____ years old

- Live in the state where elected
- Have been a U.S. citizen for seven years
- Senate
 - Members must be _____ years old
 - Live in the state represented
 - Have been a U.S. citizen for nine years

Main Idea 3: The executive branch enforces the nation’s laws.

- Article II of the Constitution lists powers of _____ branch, which _____ laws passed by Congress.
- Head of the executive branch is the president.
- President and vice president elected every _____ years.
- _____ becomes president if the president dies, resigns, or is removed from office.
- House of Representatives can _____, or vote to charge president with serious crimes; Senate tries impeachment cases; Congress can remove president from office if found guilty.

Some Presidential Powers

- President can _____, or cancel, laws that Congress has passed.
- Congress can override veto with a two-thirds majority vote
- President can issue _____ **orders**, commands that have the power of law.
- These orders carry out laws affecting the Constitution, treaties, and statutes.
- President may grant _____ or freedom from punishment.
- Granted to persons convicted of federal crimes or facing criminal charges

Other Executive Duties

- The president commands the armed forces; while only _____ can declare war, the president can call on U.S. troops in emergencies.
- The executive branch conducts foreign relations and creates treaties.
- Executive departments do most of the work of the executive branch; the president appoints department heads, called secretaries, who make up the cabinet.

Main Idea 4: The judicial branch determines whether or not laws are constitutional.

- Judicial branch—system of federal courts headed by U.S. Supreme Court.
- Article III of the Constitution outlines courts’ duties.
- Federal courts can strike down a state or federal law if the court finds law _____.
- Federal court judges are appointed by the president for life.
- The lower federal courts are divided into 94 districts.
- The Courts of Appeals review cases from the lower courts.

The Supreme Court

- Hears appeals of decisions by the Court of _____.
- Cases usually involve important constitutional or public-interest issues.
- Has _____ justices, led by a chief justice.
- Recent justices include **Thurgood Marshall**, first _____ justice, appointed in 1967; **Sandra Day O’Connor**, first _____ justice, appointed in 1981.