

**Main Idea**

Drawing lessons from history, the Framers wrote a constitution that divided, limited, and balanced power among three branches of government.

**Reading Focus**

1. What are the six goals of the Constitution?
2. What are the six principles in the Constitution?
3. What is popular sovereignty?
4. What is limited government?
5. How does the Constitution create a separation of powers of government?
6. How does the system of checks and balances limit the powers of government?
7. Why is the principle of judicial review so powerful?
8. Why is the principle of federalism still a topic of debate?

**Key Terms**

popular sovereignty  
limited government  
rule of law  
separation of powers  
checks and balances  
veto  
judicial review  
unconstitutional  
federalism

**Goals of the Constitution**

(pg. 69)

The Framers, or writers, of the Constitution had many goals for the new national government. Six of these goals are stated in the Preamble, or introduction, of the document. They are:

1. form a more perfect union—to bring the states of the country into a more solid system of government
2. establish justice—create fair laws to govern the country’s people
3. ensure domestic tranquility—promote peace within the country

4. provide for the common defense—defend the country against any enemy nations

5. promote the general welfare—provide a government that would make laws for the good of all citizens

6. secure the blessings of liberty for themselves and the generations to follow—create a system of government that would protect the freedoms Americans valued.

The Framers knew that the government they created would have to pay its bills, raise an army, and conduct relations with foreign countries. The government needed enough power to do these things, but many of the

Framers feared creating a national government that was too powerful. They had recently lived through the American Revolution, which was fought because American colonists believed the British king had violated their rights as British citizens. Protecting Americans' rights was extremely important to the men writing the Constitution.

**Reading Check Identifying the Main Idea** What are the six goals of the Constitution?

### Principles of Government in the Constitution (pg. 70)

The Framers' solution was to create a governing document, the Constitution, that divided, distributed, and balanced governmental power. Almost all uses of this power could be controlled through the will of the people using their power as voters. In 1791 the Bill of Rights was added to the Constitution, which listed specific things the government could not do because these things violated the basic rights of citizens.

The Constitution is made up of three parts: the Preamble, the articles, and the amendments. The Preamble states the broad goals of the U.S. government established by the Constitution. The articles lay out the structure of the U.S. government. The 27 amendments, or changes, were added to the Constitution at different points in the nation's history. The language of the Constitution expresses six basic principles of governing:

1. popular sovereignty
2. limited government
3. separation of powers
4. checks and balances
5. judicial review

6. federalism

**Reading Check Identifying the Main Idea** What are the six principles of the constitution?

### Popular Sovereignty (pg. 70–71)

The concept, or idea, that government gets its authority from the people and that ultimate, or final, political power remains with the people is known as **popular sovereignty**. By creating a republic—a national government in which people exercise their sovereignty by electing others to represent them—the Framers firmly established the people's authority. They also placed some limits on popular sovereignty, such as restricting how the Constitution can be amended.

**Reading Check Summarizing** What does popular sovereignty mean?

### Limited Government (pg. 71)

The Framers believed that limited government would promote their goals and protect people's rights. **Limited government** is the idea that the powers and functions of government are restricted by the U.S. Constitution and other laws. This idea is also known as the **rule of law**, the concept that every member of society, including the ruler or government, must obey the law and is never above it. For example, the Bill of Rights prevents government from violating an individual's right to free speech. By spelling out the limits on government power, the Framers hoped to protect citizens from future abuses of power.

**Reading Check Identifying Supporting Details** What limits the powers of the U.S. government?

### Separation of Powers (pg. 72)

Another way to ensure that the powers of government are not concentrated in the hands of a few officials or agencies is to create three separate branches of government. Under the principle of **separation of powers**, the duties of governing are divided among three branches: legislative, executive, and judicial. Article I lays out the duties of the legislative, or lawmaking, branch, called Congress. Article II establishes the duties of the executive branch—the president, vice president, and executive departments. The executive branch carries out the laws. Article III establishes the judicial branch, including the Supreme Court, which interprets and applies the law.

#### Reading Check Identifying the Main Idea

How are the powers of the federal government separated?

### Checks and Balances (pg. 73–74)

The Framers constructed a system of checks and balances among the three branches of government. **Checks and balances** refers to the system that gives each branch of government the power to change or cancel acts of another branch. The system prevents any branch from having too much power. For example, the Senate can reject presidential choices, called nominations, for top government jobs. The executive branch has a check on the legislative branch by way of the president’s power to **veto**, or reject, legislation, or laws. Congress can also override a presidential veto by a two-thirds vote in both houses. The judicial branch can check the powers of the legislative and executive branches by deciding whether their actions agree or disagree with the Constitution.

**Reading Check Summarizing** To what does the term *checks and balances* refer?

### Judicial Review (pg. 74)

In the United States, courts exercise **judicial review**, which is the power to determine if the actions of the legislative and executive branches of government are constitutional. Any law or government action that is found to violate a part of the Constitution is said to be **unconstitutional**. Because the Constitution is the nation’s highest law, an unconstitutional law or act is said to be illegal and cannot be enforced or carried out by the government. The U.S. Supreme Court is most often asked to decide if a law is constitutional. The principle of judicial review was established by an 1803 Supreme Court case, *Marbury v. Madison*.

**Reading Check Summarizing** What is judicial review?

### Federalism (pg. 76)

The sixth principle outlined in the Constitution is **federalism**, under which the powers of government are distributed between the national government and state governments. The Framers had to make sure that the national government had enough power to be effective without hurting the rights of states. This delicate balance has been the subject of much debate over the nation’s history. The two clauses of the Constitution that have been the subject of this debate are the “necessary and proper” clause and the supremacy clause. The necessary and proper clause states that Congress has the power to “make all Laws . . . necessary and proper for carrying into Execution the foregoing [previously described] Powers.” The supremacy clause declares that the Constitution, along with U.S. laws passed under the Constitution and treaties, or agreements, made by the national government, is “the supreme law of the land.”

Some people who supported strong states' rights believed these clauses gave the federal government too much power. The Tenth Amendment to the Constitution helped to solve some of this debate. It states "The powers not delegated [given] to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." This language allows the federal government the flexibility it needs to meet

national problems at the same time it guarantees that states keep the powers and rights necessary to meet their needs.

**Reading Check Identifying the Main Idea** What is federalism?

### SECTION 1 ASSESSMENT

1. **Describe** What are the main goals of the Constitution?
2. **Identify** Name the six basic principles of governing set out in the Constitution.
3. **Define** What is **popular sovereignty**?
4. **Recall** What is **limited government**?
5. **Describe** What problem of governing does the principle of **separation of powers** help solve?
6. **Describe** How do **checks and balances** in the Constitution control the powers of government?
7. **Identify** What is the power of a court to declare a law unconstitutional called?
8. **Identify** What is federalism?