**2024 Elementary Freedom’s Light**

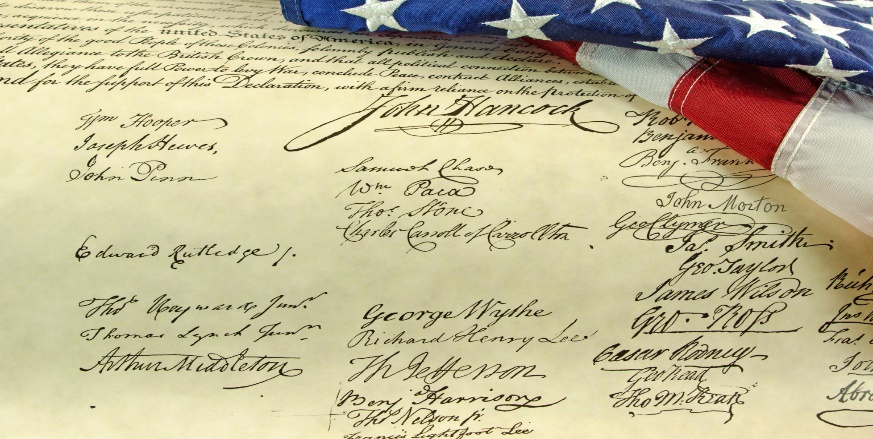
**Constitution Bee Study Guide**

**Declaration of Independence**

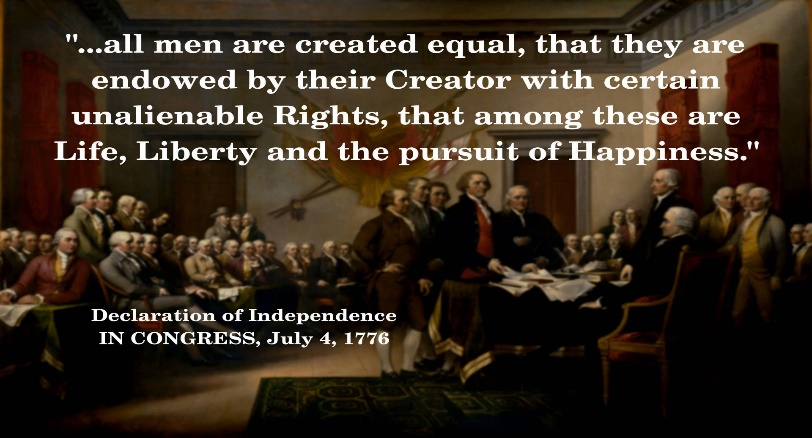


**What does the Declaration of Independence do?**

The Declaration of Independence is one of the most amazing documents in all of history!  Written mostly by Thomas Jefferson, this document (1) declares America was going to be an independent nation from England and would no longer be under the rule of King George III, (2) it gives the reasons they were declaring their independence, and (3) it lists their 27 grievances against the British government.



**What are the 8 principles of freedom and liberty that Jefferson put in the first 2 paragraphs of the Declaration?**



**The role of the government is to protect the rights of the people.**

**Each person is equal in rights, justice, value & protection**

**Rights come from our Creator**

**Rights are unalienable.**

**Each have right to life, liberty and property ownership**

**Self government**

**Established on the laws of Nature & Nature’s God**

**Founded on Self-evident truths**

**Power lies in the consent of the people (governed)**

**According to the Declaration -**

What is the proper role of the Government?

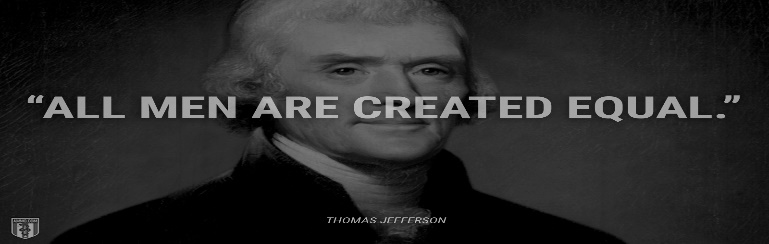
To protect the freedoms of the people.

Who is supposed to govern us?

A close-up of a flag

Description automatically generatedAmerica is founded on Self Government.

Which people are entitled to special rights?

All men are created equal, not the same, but equal in value and treatment.

Who gets to have extra protection or justice from the government?

We are all equal in rights, justice and equal protection.

Who has the power to take our rights away?

Because our rights come from the Creator, they are inalienable and can’t be taken without the offender coming under judgment of the Creator.

A mountain range with white text

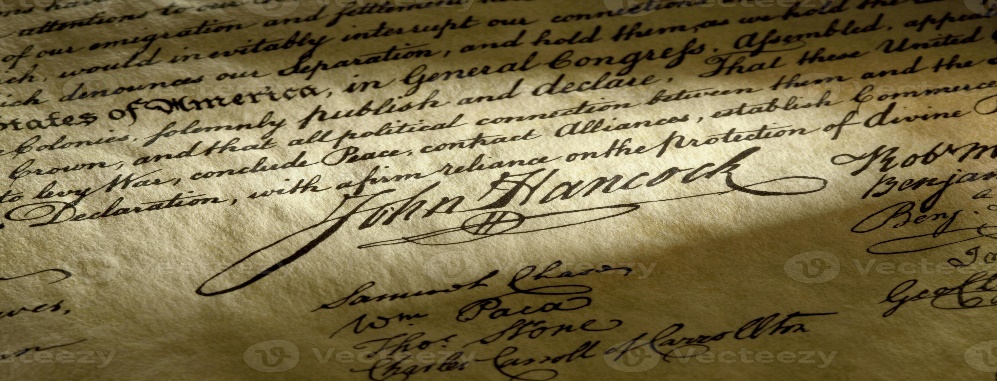
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What are our unalienable rights?

Most notable unalienable rights are Life, Liberty, and property ownership, pursuing one's talents and potential.

Who was the first to sign the Declaration and why?

It was signed first by John Hancock, and he signed his name large enough so the King of England could read it without his spectacles!



**They chose a Republic over all other forms of government including a democracy!**



According to the Declaration of Independence our rights come from our Creator.

There are 4 different places that refer to the divine power of the Creator.

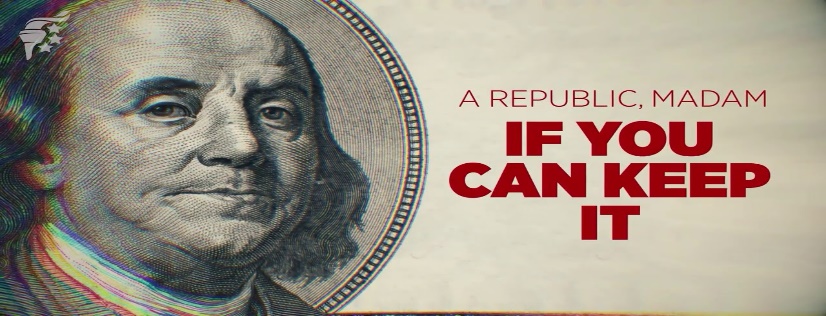
*After the completion of the Constitutional Convention, Dr Benjamin Franklin was asked by Mrs. Powell who was standing near, “Well doctor, What have you given us, a republic or a monarchy?” Dr Franklin answered, “A Republic, ma’am, if you can keep it.”*

The purpose of the Constitution is to **limit the powers of the Federal government**, and to **list the power it has specifically**.

The only place in the Constitution that the **federal** government requires the states (that created it) to do something is in **Article 4 Section 4.**  It **requires** every **state** to provide a ‘**REPUBLICAN**” form of government.

There are 2 things that both a Republic and a Democracy have in common. They are both ruled by the people, and both elect representatives.

There are several important **differences** between a Republic and a Democracy:



A Republic:

is governed by the rule of law.

has a written Constitution that protects the rights of every individual regardless of station or status.

elected officials take an oath to uphold the Constitution, the rule of law.

protects the minority so the majority cannot take away the unalienable rights of anyone.

A Democracy:

is ruled by the majority of people, also known as “Mob rule.”

only protects the rights of the majority, there is no protection for the rights of the minority.

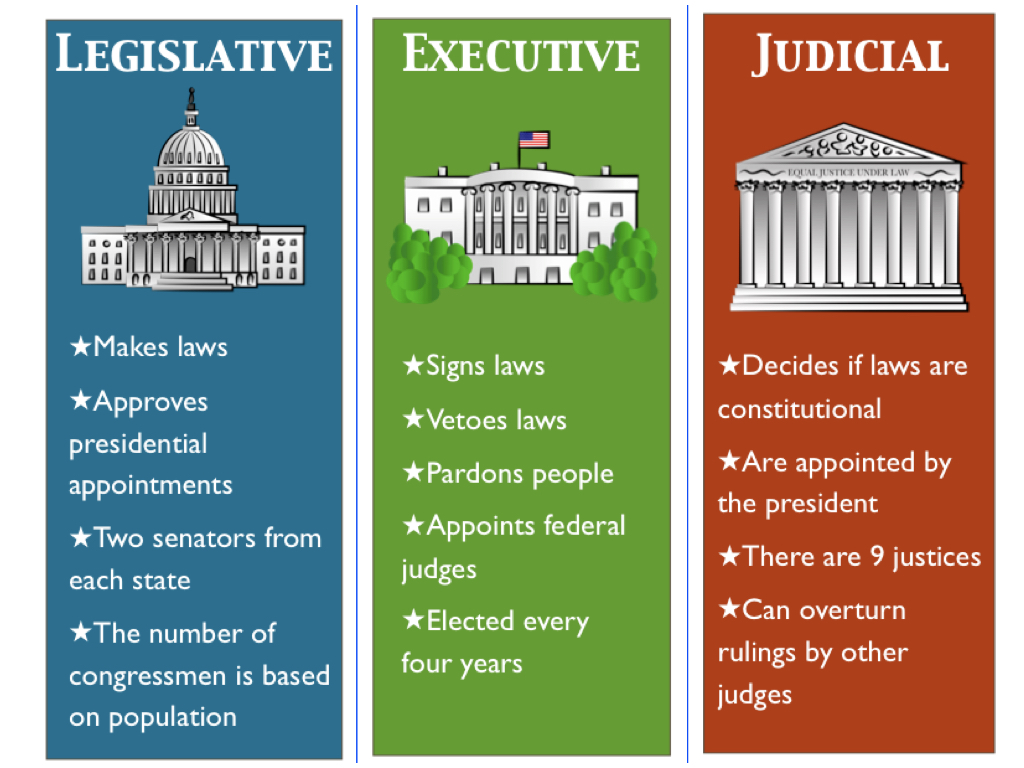
is rule by the majority so the majority has the power to take the liberties away from the minority.

the individual or any group of individuals that are in a minority have no protection against the unlimited power of the majority.

There is no need for an oath because the people are not ruled by law nor by principle, they are ruled by the changing and fluid will of the majority or mob.

**ARTICLES 1-3**

***The U.S. Constitution Articles 1, 2, 3***



What is the role of the Constitution?

**To protect the individual rights of the people.**

The genius of the Constitution is the principles in it, including **Federalism,** **the separation of power and checks & balances.**

What form of Government did the Founders create?

A Republic, not a Democracy.



Who created the Federal government?

The Constitution & the federal government were **created by the states** to protect the rights of every individual. It is the foundation of America’s guiding principles that created the most prosperous and free nation in the world.

It is the **supreme law of the land** by which the federal government is bound and government officials in every state are bound.

One of the most important founding principles of the Constitution is **Federalism!** A picture containing text, screenshot, font, number

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Does that sound like they wanted the Federal Government to be big & powerful? Actually, it is designed to do the opposite!

**It means the powers of the Federal Government are FEW and DEFINED.**  Their powers are very limited, and they are named or listed in the Constitution.

The Constitution says that any power NOT LISTED is a power of the States or the people.

They listed the 20 powers Congress can pass laws about, and you will find them in Article 1 Section 8

[6](https://constitution.congress.gov/browse/essay/intro-2-2-3/ALDE_00000032/#ALDF_00014775)

A symbol of the united states of america

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Before the US Constitution was created, no other nations had a written constitution.

***The Articles of the U.S. Constitution***



How many articles are there in the Constitution?

The Constitution is divided into 7 articles; each article covers a specific responsibility and power. If you want to have some fun, ask someone who is running for office, (and about to take an oath to uphold the constitution), how they feel about the 8th article and see what they say. Then you will know if they will be able to uphold their oath or not.

A picture containing text, screenshot, poster, printing

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Why did the Founders want the powers of the Federal government separated & how did they do it?

The founders lived under the tyranny of their King where one person had all the power.



They sought to create a system that would **limit the government’s power** and **protect the individual rights of the people.**

They separated the power of the government by **dividing power at the National level** with the 3 branches and with **Federalism.**

Instead of allowing a single person, (like a king) a small group of people, (like an aristocracy or oligarchy) or the whole people (a democracy), they created a **Republic.**

The principle of “separation of powers” was implemented in dividing the federal government into 3 branches, each having very specific and different powers.

The Legislative Branch is **the only** one with the power to **make** laws.



The Executive is the only one with power to **enforce** laws passed by the Legislative branch.

The Judicial Branch’s only power is to **interpret** the law and determine **if it is** **constitutional**. They must apply it to an actual individual case. Once the Supreme Court interprets a law, The lower courts; the district courts, must apply the Supreme Court’s interpretation to that particular case.

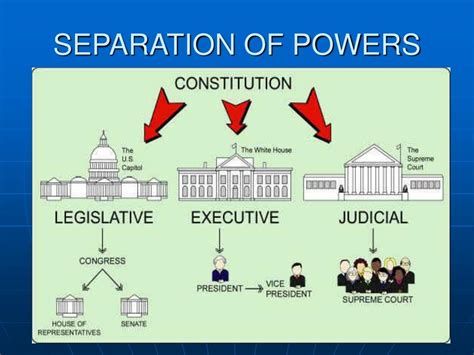
What are the 2 main ways the Constitution separates powers?

A diagram of the government

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They divided the Federal government power into 3 separate branches.

Through Federalism - they specifically listed the few and defined powers of the Federal government and stated all other powers were the states and the people.



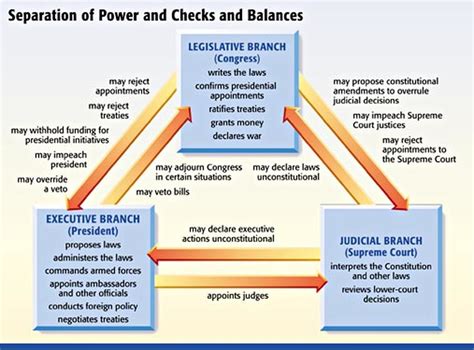
What are some examples of how the Founders separated the powers of the government besides the branches and with Federalism?

They created the 3 Branches of Government.

Divide the Legislative branch, Congress, into 2 branches, the House of Representatives and the Senate.

What are the “Checks and Balances” of the Constitution?

The Founders wanted each branch to be able to check and balance the powers of each other.



Only the Legislative branch, Congress can declare war, even though the Pres makes treaties and is the Commander in Chief.

The President can veto a bill passed by the legislative branch.

The Legislative branch can override the veto with 2/3 votes.

The President can pick executive officers and enter treaties but they have to be approved by the Senate so they can check the President.

The President chooses Supreme Court judges but the Senate has to approve them, giving them power to check the Executive branch and the Judicial branch.

The impeachment process gives Congress check & balance power over the other 2 branches.

The judges are appointed, not elected so they never feel the pressure of the voters.

Congress can impeach a judge for bad behavior so they can root out corruption and abuse of power in the other branches.

Congress has the power of the purse and can defund both of the other branches if they abuse their power.

The Judicial branch can declare laws or presidential actions unconstitutional.

**Article I: Legislative Branch**



What is Article I about?

The legislative branch is known as Congress and is made up of the House of Representatives and the Senate.

This branch makes laws but only regarding **20 specific powers** granted to them. They are not to make laws regarding anything outside those 20 powers as listed in Article 1, section 8, clauses 1-18.



Congress is both the House of Representatives and the Senate.

**The House of Representatives**

The House have 435 Representatives.



What is the job of Representatives and what are the qualifications?

Members of the House are to **represent the people** of their states. They are elected by the people to represent them.

A person must be **25 years** old to serve in the House & been a citizen for at least **7 years** & live in the state they run to represent.

The term of office for members of the House is 2 years because the Founding Fathers wanted these representatives to answer to the people they represent frequently. After two years, the people have the power to elect new leaders if they are dissatisfied.

Which is the only body with power to impeach?

Only the House has the power to impeach a president.

The United States has 435 representatives. The number of representatives from each state is determined by population and can change depending on the population of the state.

States with higher populations have more representatives.

If one state gains a representative, another state loses one.

Fun facts: Seven states have only one representative: (Alaska, Delaware, Montana, North Dakota, South Dakota, Vermont, and Wyoming).

California has the highest number of representatives (52), down from 53 last year. This is the first time in California’s history they have lost a seat.

**What if both the Pres and the Vice Pres were killed or died?**

The Speaker of the House presides over the House. He or she is the next in line behind the vice president to the succession of the presidency.

Members of the House vote to determine the Speaker of the House. No one can be sworn in until the speaker is elected.

Which branch of government has the power to tax?

All bills dealing with **taxes must originate in the House** because taxation affects the people directly.

**Why did the Founders decide to separate from England?**

Taxation without representation was the 17th of the 27 grievances the colonists had against Great Britain. That means there were 16 reasons even more pressing that they were upset about. The king took their governors away and replaced them with his own. He took many of their unalienable rights as stated in the Declaration and didn’t allow them to govern themselves.

**The Senate**

The United States has 100 senators.



Why does each state have the same amount of Senators regardless of size?

Each state has **two** senators, regardless of population because the Senators job was to protect each state from the federal government.

The House were to represent the people by population and the Senate to represent each State so the size was irrelevant.

This is how they got the small states and the big states to come together. They all got something they wanted but not everything they wanted.

The term of office for Senators is 6 years, they must be at least 30 yrs old & be a citizen for at least 9 yrs & live in the state they run to represent.

The Vice President is also the president of the Senate. He or she votes only if there is a tie.

A Senator’s responsibility is to act as a **sentinel to protect** his or her state from the federal government and make sure the federal government does not take away the powers of the states.  They were not originally intended to represent the people as that is the job of the Representatives.

A law must be passed by both houses to become law.

**Only the Senate has the power to try a president for impeachment.**

When is the only time the Senate acts as a judge?

**Article 1 Section 7**

All bills regarding taxation must originate in the House.

**Article 1 Section 8**

The **General Welfare clause** & **Common Defense clause** state that the federal government can **only** legislate regarding the enumerated or listed powers  **-**

**James Madison “ The powers delegated to the federal government are FEW and DEFINED.”**

Where are the 20 enumerated powers of Congress found?

**Article 1 Section 8 lists the Enumerated 20 powers of Congress:**

Tax and spend Pay the debts of the US

Power to borrow Regulate commerce

Establish postal system Pass copyright & patent laws

Establish federal courts Punish crimes on the high sea

Declare war Raise & finance armed forces

Establish rules to become a citizen Coin & regulate money

Standardize weights & measures Punish counterfeiting

Establish bankruptcy laws Call up militias

Administer the seat of the government Administer federal land

Congress is responsible for raising and supporting the Army and the Navy.

Pass laws to implement the above powers of Congress

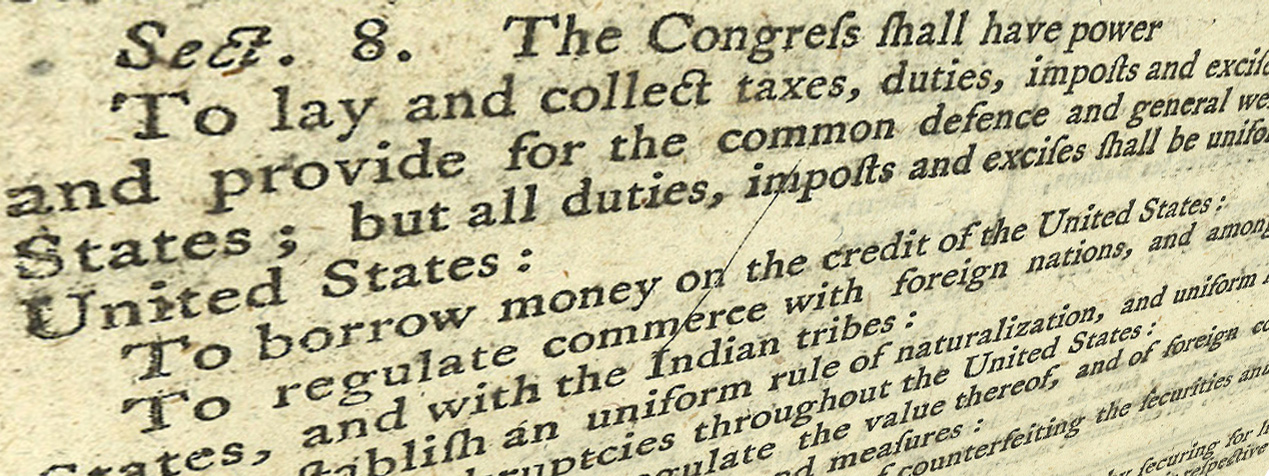
Which is the only body of government that has the power to declare war & why?

Congress is the only body of government that may **declare war** against another nation because they are a large body and their children would be the ones to go to war.

The federal government can only own 10 miles sq of the seat of the government, (now Washington DC) and Forts, Magazines, Arsenals, dockyards, & needful buildings.

What does Article 1 Section 8 clause 18 do?

That is where the Necessary & Proper clause states that Congress also has power to pass laws that are necessary & proper to fulfill or carry out the 20 enumerated powers that were just listed.



**Article 1 Section 8:**

**General Welfare Clause Powers**

2) borrow Money

3) regulate commerce

4) establish rules of naturalization

5) coin money

6) punish counterfeiting

7) establish post offices & post roads

8) protect exclusive rights & copyrights patents

9) constitute inferior courts

17) control DC & federal lands approved by states

**Common Defense Clause Powers**

10) define & punish piracies & felonies

11) declare war

12) raise & support armies

13) provide & maintain a navy

14) make rules for land & naval forces

15) call forth the militia to execute laws, suppress insurrections & repel invasions

16) organize, arm and discipline militia

Clause 18 states that all the laws which shall be necessary & proper for implementing the prior listed powers.

**What does Article 1 Section 9 list?**

Article 1 Section 9 lists the powers that Congress is **forbidden.**

***\*They had to end the importation of slaves by 1808.***

The Founders attempted to end slavery by limiting importation of slaves in the year 1808 & by taxing slavery.

In the original constitution, Congress could not tax people directly, they could only tax the states. The 16th Amendment changed that, giving Congress power to tax people directly on their incomes.

**Article 1 Section 10 limits the powers of the states.**

**Article II: Executive Branch**



**What is Article II about?**

Article II is the Executive branch of the U.S. government



Who is in the Executive branch?

The executive branch consists of the president, vice president and his or her cabinet.  Their responsibility is to enforce the laws.

What is the power of the Executive Branch?

Their responsibility is to enforce the laws.

 A close-up of a law enforcement badge

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How long does the Pres and V Pres serve in a term?

The term of office for the president is 4 years.

In the original Constitution, how was the president elected?

The president is elected by electors.

How long is the term of office for the President and V President?

The term of office for the president is four years.

How was the President elected in the original Constitution?

The Founders created the Electoral College to choose a president.

A picture containing text, map, diagram, font

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Why did the Founders think the Electoral College was a superior way to elect the President over the popular vote?

 The founders did not want ANYONE to run to be the president. They did not want anyone to seek this office. They wanted electors who represented the people to submit names of the best people to choose from. The original constitution did not include the popular vote to elect the President.

In fact, did you know that originally, no one could RUN to be the president?!

Each state elects delegates, electors, to go to the Electoral College. The number of electors is the total of all Representatives and Senators combined. Originally, the electors submitted, to the US Congress, the names of 2 people they thought had good character and would be an honorable president.

Then the Senate president (Vice President) counts all of the Electors votes and the person with the most votes becomes the president.  This is a summary of the process, and it has been changed many times over the years.

The president is elected by electors, not the people.

Each state elects delegates go to the Electoral College

Can a candidate win the popular vote of all individuals in the United States but still lose the election based on the electoral vote?

**Yes, The number of electoral votes always determines who the president will be**, regardless of the popular vote. They did not want high population cities or states to take control of the presidency.

Did you know that if we used the popular vote without the Electoral College, the 10 most populated states could determine the outcome of the Presidential election?

Because more than half of the population of the entire United States live in 10 states, they could always choose the president. The Founders did not want to have a small group or minority of people take over the elections, they wanted to have representatives from all across the nation choose the President.

What are the reasons the Founders created the Electoral College instead of a democratic popular election?

* The president is to represent the nation and national interests.
* They did not want someone to seek the office of president &  they were confident the electors would choose an honorable, qualified person.
* The founders were concerned a tyrant would be able to manipulate the public opinion and get into power. They felt that when people of honor submitted names of other people of honor that would be a safety shield against tyrannical leaders.
* The founders also believed that because the Electoral College was a group that met only once they would not be able to be manipulated over time.

What are the qualifications to run for President?

The president must be a natural-born citizen.

Why was that important to the Founders?

The Founding Fathers felt someone born a citizen would be more likely to have the interests of the United States at heart. They wanted to protect the nation from foreign influences or from anyone who would have other allegiances.

One must be at least 35 years old to serve as president of the United States, and have lived in America for 14 consecutive years.

Who is the commander in Chief of the U.S. Army and Navy?

The president is the commander in Chief of the military.

How long is the term of office for a president?

It is 4 yrs and originally there was no term limit, but the 22nd Amendment changed it to up to 2 terms.

If the president dies, who becomes the president?

The vice president may serve for the remainder of the president’s term in office and may still be elected to serve up to two additional terms, if the time remaining in the original president’s term was less than two years.

Can the President, Vice President or civil Officers ever be removed from office?

They can be removed by impeachment & conviction of Treason, Bribery or other high crimes.

Remember, the **House charges** them with impeachment, then the **Senate holds the trial** and decides if they should be removed from office.  It is the only time the Senate acts as judge.

**Article III:  Judicial branch**

A picture containing building, sky, classical architecture, column

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What is Article III about?

Article III is the judicial branch & made up of judges appointed to the Supreme Court. 

Who appoints the Judges?

The president chooses a candidate to be a judge and then the Senate has a hearing to decide if they will give consent. A Supreme Court judge is appointed by the President and then approved by the Senate.

What does the Supreme Court do?

Their job is to interpret the law and make sure it is aligned with the Constitution. They may declare acts of the executive or legislative branches to be unconstitutional.

How long does the Constitution say is the term of office for a Supreme Court judge?

The constitution states that a judge holds his or her position during good behavior. That may be for life, depending on the judges behavior.

When is the only time a citizen does NOT have a right to a trial by jury?

Every citizen has a right to a trial by jury, except in cases of impeachment. Trial by jury is an important check on the federal government. It protects citizens from tyranny by the federal government by placing power in the hands of the people instead of government officials.

       Requirements to run for each office:

**Representative**                       **Senator**                        **Pres & V Pres**

       Age          25 yrs old                           30 yrs old 35 yrs old

       Term            2 yrs         6 yrs                                      4 yrs

       Live in US     7 yrs         9 yrs               14 yrs & born in the USA

**Article IV: State and Federal duties**

A white sign with red white and blue stripes

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**What is Article IV about?**

Article IV explains the duties of cooperation of the states with each other and

with the federal government.

It defines states powers. States do NOT have rights. Rights are endowed by

the Creator to individual people.

States and businesses are created by man and given powers, not rights.

It ensures cooperation between the states when sharing public records,

extraditing criminals and honoring the laws of the other states.

A map of the united states

Description automatically generated

**What is the only thing the Constitution requires the states to do?**

**It requires each state to provide a Republican Form of Government.**

**It also confirms it is the federal governments responsibility to protect each**

**state against invasion.**

New states may receive admission into the union with approval from Congress

No state may be created inside another state.

Two states may not merge together to make one state or divide itself without Federal approval and the Federal government can’t divide a state or join states together without states approval.

**Article V:  The Amendment Process**

A close-up of a document

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**What is Article V about?**

It explains the right of the people to change the Constitution by using the

amendment process and lays out 2 ways it can happen.

How many ways are there to make changes to the Constitution?

There are 2 ways to change the Constitution. The 1st method, (the one used

for every amendment passed so far) is Congress proposes an amendment &

if 2/3 of each the House and the Senate vote for it, they present it to the

states. Then each state decides whether or not they want to ratify it and if 3/4

of all the states vote for it, it becomes an amendment and is added to the

Constitution.

This makes it so even a minority of states can stop an amendment from being

passed.

The 2nd way is if all the state legislatures apply to Congress to call a

convention for proposing amendments. If an amendment is approved, it has to

be sent to the states for ratification and must be passed by ¾ of the states to

be added to the Constitution.

Although this method has never been used, several states have passed

legislation to propose amendments.

There are 27 AMENDMENTS in all.

The first 10 are the BILL OF RIGHTS

**Important point!** These amendments, The Bill of Rights, DID NOT CHANGE the Constitution, but made clear the principles already in it.

A close-up of an old document

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How many times have we changed the Constitution?

Yes, we have made changes to our Constitution 17 times.

**Article VI: The U.S. Constitution is the supreme law of the land.**

What **is Article VI** about?



**Article VI** states the Constitution is the supreme law of the land. That means

any **laws Congress passes** or anything the **President or a judge does is invalid**

**if it does not align with the Constitution**. The Constitution is the supreme law.

**Remember, the Constitution protects the powers of the states and the people.**

**Article VI** also states that any debts already incurred before the ratification of the

Constitution are valid & honored by the U.S.



The Revolutionary War was expensive and brought a great deal of debt. Did the

Founders think that because there was so much debt, since we were starting a new country anyway, should we not pay our debts?



A close-up of a document

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The Founders insisted we pay our debts for the following reasons:

* Debts must be paid in order to have public Morality
* All elected officials take an oath to uphold the Constitution
* There is no religious test required in order to run for office

**Article VI** also prevents states from making laws that conflict with the Constitution stating they would be invalid.

All treaties made must be done in pursuance of (in alignment with) the Constitution and under the authority of the US.

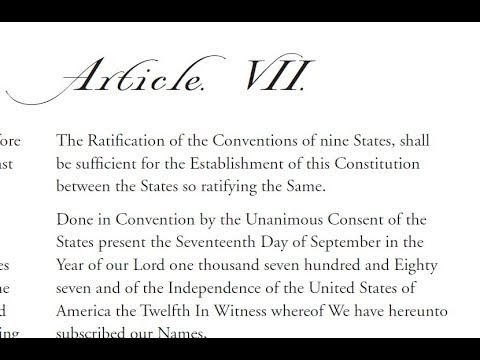
Judges in every state shall be bound to the Constitution. 

**All federal and state Senators, Representatives, Legislators, executive officers**

**and judges must take an oath to uphold the Constitution, not their own conscience.**

There cannot be a religious test required as a qualification to hold any office..

**Article VII:  Ratification Process**

**.** 

**Article VII** is about the requirements to ratify the Constitution. The ratification process is

the official approval and acceptance of the Constitution.

It states the Constitution may be ratified when 9 of the 13 colonies in the

Constitutional Convention voted to approve it, but they really wanted ever

state to accept and ratify.



The federal government uses the same process to approve a state joining the union.

The Constitution was **ratified** by the necessary **9 states on Sept 17, 1787** but

was ratified by all **13 states** when **Rhode Island finally signed on in May 1790.**



The Bill of Rights (the 1st 10 amendments) was ratified in 1791.

The Bill of Rights is **NOT** a **list the rights of the people**. The founders knew

they could never list all of our rights and did not want to risk leaving anything

off and not have it protected.

**It IS a list of the specific rights the federal government CANNOT restrict**

**nor pass laws to restrict.**  It guarantees protection from the federal

government of those specific rights and makes clear the limitations on the

federal government.