

Name: _____

Rebe- AP Government & Politics
Constitution Scavenger Hunt

Preamble

ARTICLE I The _____ Branch

_____ 1. How often are Representatives to be elected?

_____ 2. How old must a Representative be to be elected?

_____ 3. How long is the term for a senator?

4. How were senators originally chosen? _____ Which amendment changed that? _____

_____ 5. How old does someone have to be to be a senator?

6. Who is the President of the Senate _____ and when would that person vote?

7. Which legislative body has the power to impeach _____ and which body tries the impeached official? _____

8. Who shall officiate when a president is tried for impeachment? _____

9. What is the required vote that is necessary to convict someone who has been impeached?

10. Who decides the times, places, and manner for holding elections for Congress?

11. In what federal body do all bills concerning taxes originate? _____

12. What fraction of both houses must vote to override a veto? _____

13. What happens when a president doesn't return a bill in 10 days
_____ and what is the exception to the rule?

14. In Section 8, the Constitution lists or enumerates the powers of Congress. List 6 of them.

15. In Section 8, which clause gives Congress the most general, non-specific powers?

16. In Section 9, there are 3 limitations on the power of Congress to deny people rights. What are those 3 limitations?

17. Name 3 limits on the powers of the states. _____

ARTICLE II The _____ Branch

18. How old does someone have to be to run for President? _____

19. President's are indirectly elected. How are the # of electors determined per state?

20. Name 3 formal powers of the President. _____

21. Name the body of Congress that must approve a treaty _____ and the fraction of the vote they must have to approve it. _____

22. Which body of Congress approves nominations? _____

23. When can the president appoint people without approval by anyone else? _____

24. What can a president or other officers be impeached for? _____

ARTICLE III The _____ Branch

25. What is the term of office for Supreme Court Justices? _____ Under what circumstances may they be removed? _____

26. Who gets to decide how many federal courts we have? _____

Why? _____

27. In which cases does the Supreme Court have original jurisdiction? _____

ARTICLE IV

28. What is the topic of Article IV? _____

29. What does the Constitution say about how one state must regard the laws of another state?

Give 2 examples _____

30. What limitation is put on admitting new states to the Union? _____

ARTICLE V Amending the _____

31. What fraction of the houses of Congress is necessary to approve a proposed amendment?

32. What fraction of the states must approve a proposed amendment for it to be ratified? _____

ARTICLE VI National Debt and _____

33. What does the Constitution say about which law shall prevail if there is any conflict between laws?

34. What qualification for holding any public office is forbidden? _____

ARTICLE VII _____ the Constitution

35. How many states had to ratify the Constitution? _____

Amendments

BILL OF RIGHTS:

Amendment 1. Congress shall make no law respecting an establishment of ①, or prohibiting the free exercise thereof, or abridging the freedom of ②, or of the ③, or the right of the people peaceable to ④, and to ⑤ the government for a redress of grievances.

Amendment 2. A well regulated militia being necessary to the security of a free state, the right of the people to ⑥ and ⑦ shall not be infringed.

Amendment 3. No soldier shall, in time of peace be ⑧ in any house, without the of the owner, nor in time of war, but in a manner to be prescribed by law.

Amendment 4. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable ⑨ and ⑩, shall not be violated, and no warrants shall issue, but upon ⑪, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment 5. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militias, when in actual service in time of war or public danger, nor shall any person be subject for the same offense to be twice put in ⑫ of life or limb; nor shall be compelled in any criminal case to be a ⑬ himself, not be deprived of life, liberty, or property, without ⑭ of law, nor shall private property be taken for public use without just compensation.

Amendment 6. In all criminal prosecutions, the accused shall enjoy the right to a ⑮ and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses ⑯; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of ⑰ for his defense.

Amendment 7. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of ⑱ shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the rules of common law.

Amendment 8. Excessive bail shall not be required, nor excessive fines imposed, nor ⑲ punishment inflicted.

Amendment 9. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

Amendment 10. The powers not delegated to the United States by the Constitution, nor prohibited by it to the state, are reserved to the ⑳ respectively, or to the people.

BEYOND THE BILL OF RIGHTS

Amendment 11. A citizen from one state cannot sue a citizen of another (21) in federal court.

Amendment 12. Members of the Electoral College vote for one person for (22) and another person for (23). If no candidate for president (or vice-president) receives a majority of the votes, the (24) decides the issue.

Amendment 13. (25) is outlawed in the United States.

Amendment 14. Former slaves are citizens of the United States. All *persons are* guaranteed (26) under the law.

Amendment 15. The right to vote cannot be denied because of (27).

Amendment 16. Congress has the power to collect income (28).

Amendment 17. United States senators must be elected by the people rather than by state lawmakers.

Amendment 18. Making, selling, or transporting (29) is outlawed.

Amendment 19. Women have the right to (30).

Amendment 20. Newly elected presidents and Congress members take office closer to election time. (President- January 20th; Members of Congress- January 3rd)

Amendment 21. Repealed the (21) Amendment

Amendment 22. No president can be elected more than (32) terms

Amendment 23. People living in the District of Columbia have the right to vote for the president and vice-president.

Amendment 24. People cannot be made to pay a (33) before they are allowed to vote.

Amendment 25. The (34) takes over when the president dies in office, resigns, or is ill.

Amendment 26. Citizens (35) years of age or older have the right to vote.

Amendment 27. Congressional members can pass a law increasing their (36), by the pay raise cannot take effect until the next members of Congress have been elected.

Bill of Rights

Name _____

Directions: You are a judge on a court of appeals charged with determining the constitutionality of the following cases. Read each case and decide if it violates the Bill of Rights. Write the number of the Amendment that applies, **AND** the phrase from the amendment that justifies your decision.

1. The newspaper has discovered that President Obama has been selling ambassador appointments for \$100,000. The paper wants to publish the story, but the C.I.A. has told them they cannot because it would embarrass the president and the nation in front of the world. The paper claims this violates their rights.
2. Coach Rebe is arrested for stealing a car and spends two years in jail waiting for her trial to begin. Coach Rebe claims this violates her rights.
3. A woman who lives in a high crime area keeps a handgun in her nightstand. One night a burglar breaks in her bedroom window and attacks her. She shoots and kills him. The woman is convicted have having a loaded gun with the intent to kill. She claims this violates her rights.
4. The police come to the house of a suspected drug dealer with a warrant for his arrest. When he steps onto the porch, he is arrested and read his rights. The police then search his house and find 3 pounds of cocaine. The prosecutor uses this evidence to prove the man was a drug dealer. The man claims his rights have been violated.
5. During a senior prank, an idiot senior throws an egg at Mr. Shands and ruins his \$500 camel's hair coat. Mr. Shands sues for the price of the coat and is granted a jury trial over the objection of the student, who wanted a judge to decide. The student claims this violates his rights.
6. Congress passes a law making 21 the minimum age to get married. Several couples sue, claiming Congress has overstepped its responsibilities.
7. Following a devastating hurricane, the National Guard takes over several homes in Galveston to use as command centers and to house troops involved in the clean-up effort. The homeowners claim this violates their rights.
8. A woman on trial for murder is called by the prosecutor to testify about what kind of gun she used to kill her husband. She refuses to take the stand because she does not want to admit her guilt, but the judge forces her to testify. After being convicted, she appeals, claiming her rights were violated.
9. Coach O'Harra is arrested for barefoot waterskiing through a no-wake zone. The judge lectures Coach O'Harra about safe boating, then sentences him to 10 years in prison where he is forced to watch American Idol 18 hours a day. Coach O'Harra claims this violates his rights.

2 The Amendment Process

As you read, think about answers to these questions:

- ★ How can the Constitution be formally changed?
- ★ What does the Bill of Rights protect?
- ★ Which other amendments have had a particularly significant impact on our system of government and on our lives?

The delegates in Philadelphia knew that the Constitution could not remain exactly the same forever. They realized that any constitution, however good, needed the flexibility to adjust to times and conditions they couldn't foresee. As a result, the Framers provided a formal way to *amend*, or change, the Constitution.

amend to change or add to

★ Changing the Constitution by Amendment

While recognizing the need for flexibility, the Framers wanted to guarantee that future generations would consider proposed changes in the Constitution carefully. To ensure that changes would not be made in haste, they created a complicated amendment process.

Proposing and Ratifying Amendments. Article V of the Constitution outlines two methods for proposing amendments. In the first method, two thirds of both houses of Congress can vote to propose an amendment. In the second, a special national convention, called by Congress at the request of two thirds of the state legislatures, also has the authority to propose amendments.

The Constitution provides two ways to ratify, or approve, proposed amendments as well. An amendment becomes part of the Constitution when three fourths (currently 38) of the state legislatures approve it. This method was used to adopt 26 of the Constitution's 27 amendments. In addition, special ratifying conventions in three fourths of the states also have the power to adopt amendments.

The Framers did not include a time limit in the Constitution for the ratification of amendments. The Supreme Court, however, has ruled that ratification must occur within "some reasonable time after the proposal." In recent decades, Congress has defined "reasonable length of time" as seven years. In 1979, however, the Court extended that period three years for the proposed Equal Rights Amendment.

Since 1789, representatives and senators in Congress have proposed more than 10,000 *joint resolutions* calling for amendments to the Constitution. Congress has sent 33 of these amendments to the states for their consideration. Of these 33, only 27 have been ratified. What makes this figure even more remarkable is that only 17 changes have been made since the adoption of the Bill of Rights in 1791.

joint resolutions acts proposed by both houses of Congress and used to propose constitutional amendments

In recent years the states have rejected two amendments. Proposed in 1972, the Equal Rights Amendment (ERA) fell just three votes short of ratification and finally failed in 1982. In 1978 an amendment was proposed to give the District of Columbia seats in Congress. It was ratified in only 16 states and died in 1985.

★ The Bill of Rights Guarantees Basic Freedoms

Even before the Constitution was officially adopted, many delegates at the state ratifying conventions called for changes. Most delegates demanded that some kind of bill of rights be added to the document. Without a bill of rights, Patrick Henry asked, "How will we be protected against unjust acts of government?" Many others shared his concern.

One of the new Congress' first acts in 1789 was to pass a series of ten amendments to the Constitution. Ratified in 1791, the Bill of Rights — as these amendments came to be known — protect Americans' basic freedoms against the power of the federal government. The Fourteenth Amendment, passed 77 years later, extended this protection against the power of state and local governments.

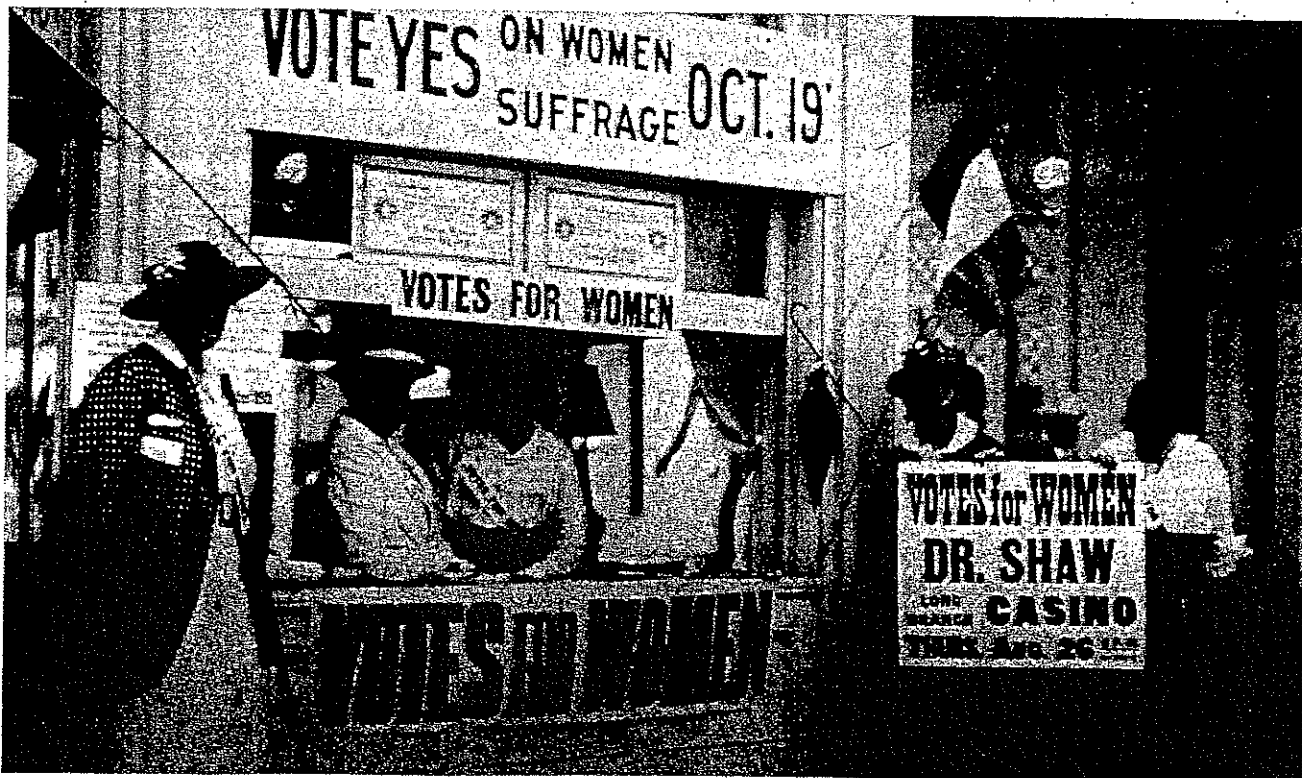
James Madison, the author of the Bill of Rights, made it clear that these ten amendments did not actually *give* Americans any rights. Madison's thinking was influenced by the ideas of the Enlightenment. Like the philosopher John Locke, he believed that certain rights — such as life, liberty, and the pursuit of happiness — are *natural*. By "natural" he meant that people were born with them and did not need a government to grant them. The only purpose of a written Bill of Rights, Madison argued, was to prevent government from taking away these *fundamental rights*.

What the Amendments Say. The First Amendment guarantees individual liberties, including freedom of religion, freedom of speech, and freedom of assembly. It also protects freedom of the press. Not surprisingly, many people have described this amendment as "the heart of America's freedom."

The next three amendments grew out of the colonists' struggle against Britain. By guaranteeing the right of the people to keep and bear arms, the Second Amendment ensures the continued existence of state armies. The Third Amendment prohibits the government from forcing citizens to keep troops in their homes. And the Fourth Amendment, sometimes called the

*fundamental rights basic
or essential freedoms*

Women held meetings and organized demonstrations for several decades to win the vote. With the ratification of the Nineteenth Amendment in 1920, women finally won suffrage, or the right to vote, in all national and state elections.



privacy amendment, protects citizens against "unreasonable" searches of their homes and forbids seizure of their property.

Amendments five through eight concern the rights of citizens who are accused of crimes. They also grew out of the experiences of the colonists under British rule. For example, in 1732 a printer named John Peter Zenger was arrested and charged with trying to turn the people against a colonial governor. The colonial government kept Zenger in jail for nine months before bringing his case to trial. The government also denied Zenger *bail*, the money accused people give a court to gain their freedom before a trial. The Americans who demanded a Bill of Rights wanted to make sure that they did not have to repeat the experiences of Zenger.

The Fifth Amendment guarantees *due process* of law. Due process means that the government must follow a set of specific and fair rules when accusing and trying a person of a crime. The Fifth Amendment also says that people do not have to give evidence in court that might hurt them and that they cannot be tried twice for the same crime.

The Sixth Amendment guarantees citizens a jury trial in criminal cases and the right to a lawyer. The right to a jury trial in *civil* cases is contained in the Seventh Amendment. The Eighth Amendment prevents judges from setting "excessive bail" or handing out "cruel and unusual punishments."

What the Amendments Do Not Say. The final two amendments limit the powers of the federal government to those powers granted in the Constitution. The Ninth Amendment says that rights not stated in the Constitution belong to the people. Madison included this amendment to make sure that the Bill of Rights didn't restrict citizens' rights to those described in the document. The Tenth Amendment reserves for the states those powers that the Constitution does not delegate to the national government. This amendment reassured Anti-Federalists, those people opposed to the Constitution, that the national government would not become too powerful.

The original purpose of the Bill of Rights was to protect individual citizens from the power of the central government. The Constitution did not say anywhere that state governments had to follow these rules. With the addition of the Fourteenth Amendment, however, state and local governments have also been required to protect these basic freedoms.

Individual Rights Versus Majority Rule. The Bill of Rights is a powerful declaration of the rights of the individual. On the other hand, the United States is a democracy, and one of the basic principles of any democracy is the idea of majority rule. According to majority rule, laws are designed to do the greatest good for the greatest number of people. But when the needs of the majority conflict with individual liberties, which principle should be followed? Should a person be allowed to say or do anything, for example, even if it hurts society as a whole?

The Bill of Rights has been at the center of some of the most important and controversial Supreme Court cases in our country's history. In these cases the justices have had to struggle again and again to find the proper balance between individual liberty and majority rule.

bail money given by accused persons to obtain their release while awaiting trial

due process legal proceedings carried out according to established rules and principles

civil relating to ordinary community life as opposed to criminal proceedings

★ Other Amendments

The Framers would probably be pleased to know that Congress and the states have been reluctant to add many formal amendments to the Constitution. They had intentionally made it difficult to alter the document. An average of only one amendment every 12 years has been ratified since 1791, and from 1805 to 1864 no amendments were added.

The Civil War Amendments. Perhaps the most significant of the amendments ratified after the Bill of Rights are the three passed to protect the rights of former slaves. Congress proposed and the states ratified these amendments shortly after the American Civil War, also known as the War Between the States. The Thirteenth Amendment (1865) ended slavery and forbade other forms of "involuntary servitude." The Fourteenth Amendment (1868) guaranteed American citizenship and constitutional rights to all people, regardless of their race, color, national background, or religious beliefs. This amendment also contains the Due Process and Equal Protection Clauses. These clauses require the states to protect the basic rights of all citizens. The Fifteenth Amendment (1870) prohibits any restrictions on the right to vote that are based on "race, color, or previous condition of servitude." Since some southern states still found ways to limit black citizens' voting rights, Congress passed the Voting Rights Act in 1965. This act says that states may not deny any qualified voter the right to vote.

Later Amendments. The Sixteenth and Seventeenth Amendments were both added in 1913. The first of these authorizes a federal income tax. The second provides for the popular election of U.S. senators. The Eighteenth Amendment (1919) prohibited the sale and consumption of liquor, but it was repealed by the Twenty-First Amendment (1933) 14 years later. The latter is the only amendment ever ratified by state conventions rather than state legislatures. Between these two amendments came the Nineteenth Amendment (1920), which gave women the right to vote in all national elections for the first time.

Of the six amendments ratified since 1950, three deal with voting rights, and two concern the President's term of office and presidential disability and replacement. The last, the Twenty-Seventh Amendment (1992), deals with congressional pay. It also holds the record for the longest ratification: 202 years, 7 months, and 23 days. For more information on the amendments, look at the chart in this chapter and at the annotated version of the Constitution in Chapter Five.

Changing the Constitution by formal amendment is not an easy process. It is difficult to win a two-thirds vote in even one, let alone both houses of Congress. And if Congress does manage to put together the votes to propose an amendment, there is no guarantee that three quarters of the states will then choose to ratify it. Nevertheless, the relatively small number of amendments that have been added is a tribute to the farsightedness of the delegates in Philadelphia. With remarkably few changes, the document they created has shaped and guided our system of government for more than 200 years.

Franklin D. Roosevelt broke the two-term tradition when he ran for a third term in 1940. Many Americans opposed the breaking of this tradition. As a result, the Twenty-second Amendment was ratified in 1951, prohibiting a President from serving more than two full terms.

