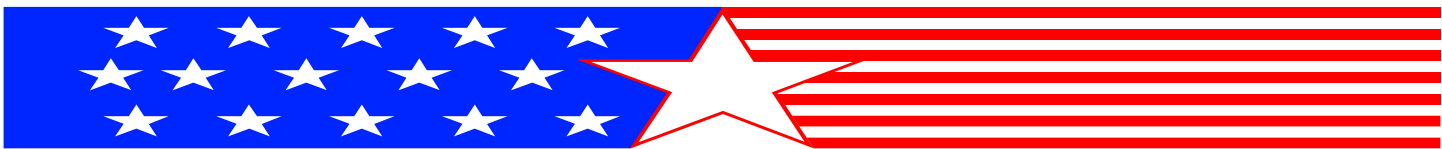


Constitutionalism- Seven Basic Principles Preserving Liberty

Constitutional Principles	Explanation	Examples of How and Where It Is Achieved
Popular Sovereignty	Ultimate power and final authority rest with “we the people” or all the citizens	The Preamble to the U. S. Constitution states: “We the People of the United States do ordain and establish this Constitution for the United States of America.” Citizenship is defined in the 14 th Amendment added to the Constitution after the Civil War in 1868. The right to vote was extended to women by the 19 th Amendment added in 1920 and to those 18 or older by the 26 th Amendment added in 1971.
Republicanism	The people exercise their power by delegating it to representatives chosen by them through the election process.	The Constitution sets down a time frame for regular elections for all elected government positions. Article I provides for a bicameral U. S. Congress comprised of a House of Representatives all of whose members are elected every two years and a U. S. Senate whose members serve staggered six year terms. Article II provides for a President and a Vice President to be elected every four years. Article IV obligates the national government to guarantee each state “a republican form of government.”
Federalism	Power is divided between the central (national) government and the state governments. Some powers are concurrent and thus held by both levels of government (for example, the power to tax).	The Constitution lists powers delegated to the national government. For example, Article I, Section 8 contains a lengthy list of the powers of the U. S. Congress. Powers not delegated to the national government and not denied to the states are reserved to the states or to the people by the 10 th Amendment.
Separation of Powers	Power within the national government is divided among three separate branches: Legislative, Executive and Judicial.	Article I creates a Legislative branch and assigns that branch its duties and powers. Article II creates an Executive branch and assigns that branch its duties and powers. Article III creates a Judicial branch and assigns that branch its duties and powers.



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Checks and Balances	Each branch of the national government has certain controls (checks) over the other two branches.	Article I, for example, gives Congress the power to impeach, try, convict, and remove from office officers of the other two branches. Article I also gives the President the power to veto any bill passed by the Congress. Article II gives the President the power to appoint judges of the Supreme Court and other federal courts. Article III does not specifically give the judicial branch any check over the other two branches, but the U. S. Supreme Court established a check called judicial review over the other two branches for itself in 1803 in a case called <i>Marbury v Madison</i> .
Limited Government	Government’s power is limited by the rule of law which includes the Constitution and the laws which are passed in pursuance of that Constitution. This means that government is not all-powerful.	Limits on government, for example, are imposed by the rights guaranteed to the people by the U. S. Bill of Rights and by Article I, Sections 9 and 10. Also, the Supremacy Clause of Article VI makes the Constitution, only those laws made in pursuance of the Constitution, and treaties the “Supreme Law of the Land.”
Individual Rights	Personal freedoms, personal protections, and equality under the law are guaranteed in the Constitution, the Bill of Rights, and laws of the U. S.	Article I, Section 9, for example, provides that the privilege of the writ of habeas corpus shall not be suspended except in time of rebellion or invasion, that no bill of attainder or ex post facto law shall be passed, and that no titles of nobility shall be granted. The U. S. Bill of Rights lists numerous other individual rights. Due process of law and equal protection of the law for all persons are guaranteed by the Fourteenth Amendment.



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