

Topic/Objective: How the Constitution Limits National Power	Name:
	Class/Period:
	Date:

Essential Question:
 1. How does the structure of the national government actually limit the national government's power?

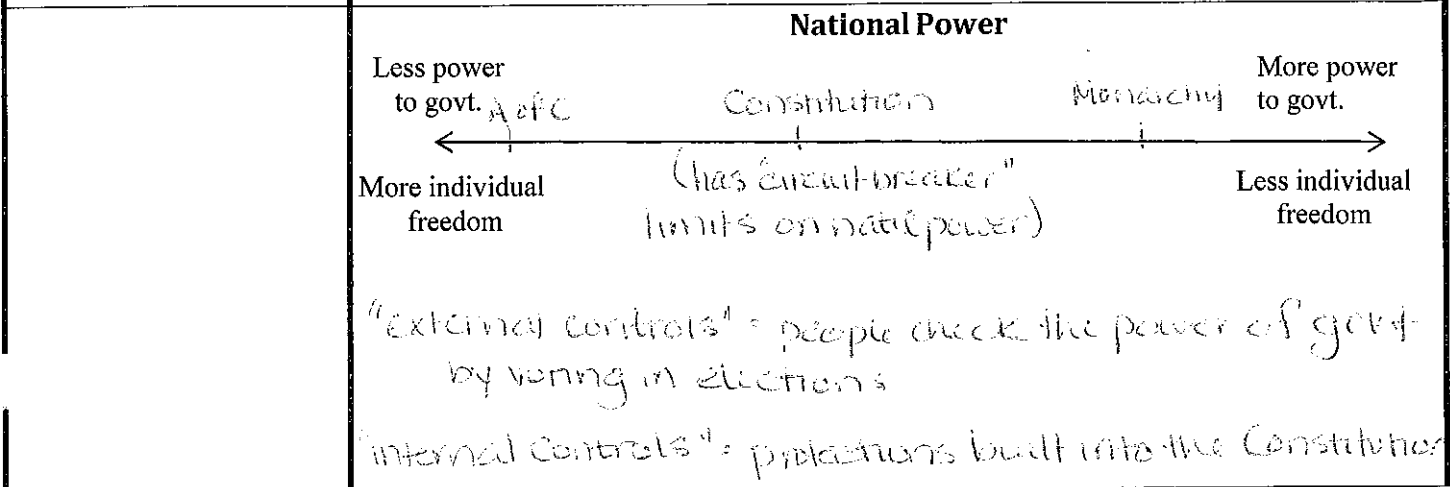
Organize your notes
 (headings, questions,
 big ideas, key words)

What does the Federalist Paper No. 51 teach us about human nature?

Why is this important to know?

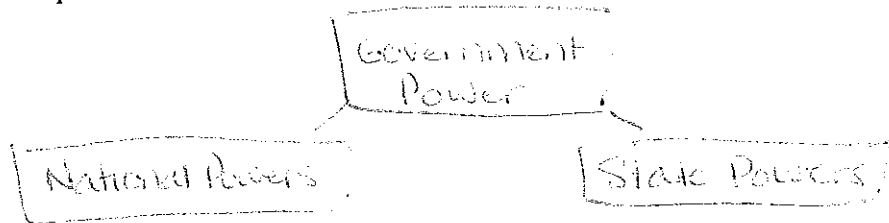
Notes:

1. If men were perfect and did no wrong, then there would be no need for gov't.
2. If perfect men governed, there would be no need to set limits on gov't.
3. In forming a gov't ruled by imperfect men over imperfect men, the hard part is allowing the gov't to control the people and force it to control itself.
4. The fact that gov't is based on the people's consent is the main control but past experience has taught us that extra precautions are needed.
 - The structure of the national government is based on the belief that.... human nature cannot be trusted



Internal Control #1: Federalism

- Division of government's power into national powers and state powers

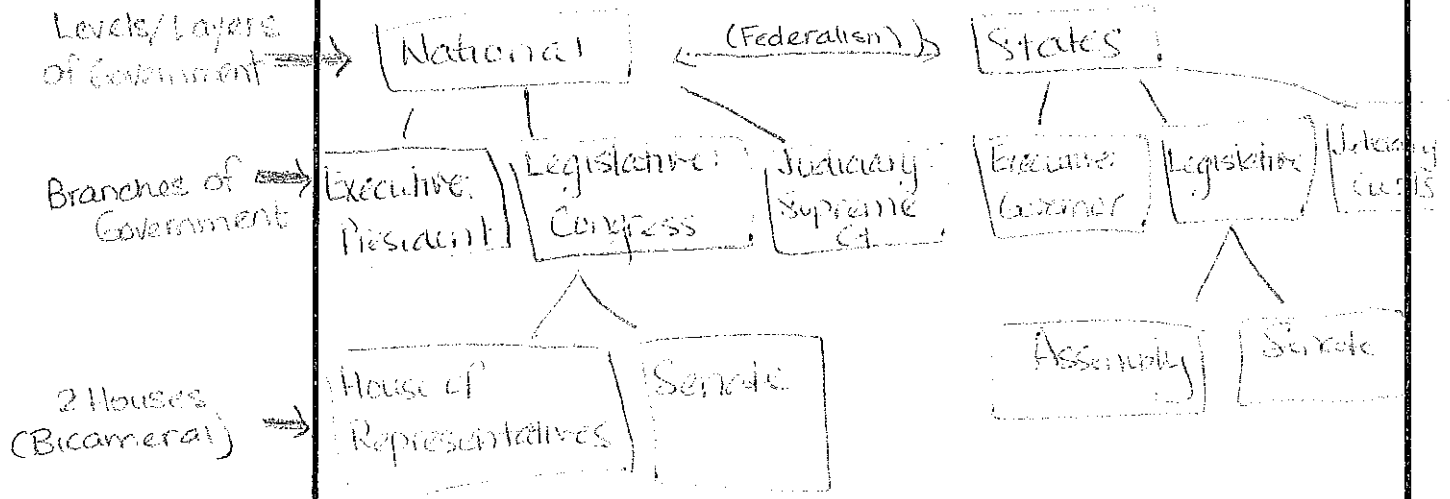


- Enumerated/Delegated Powers
 - Powers given to the National/Federal government. Listed in the US Constitution (Article I, II, III)
- Reserved Powers
 - Powers left to the states (thanks to the 10th Amendment)
 - "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"
- Concurrent / Shared Powers
 - Powers that both the national and state government perform at the same time

Delegated Powers	Shared Powers	Reserved Powers
<ul style="list-style-type: none"> • Declaring War • Establishing Post Office & Post Roads • Coining Money • Power to raise & support an army & navy • Make all laws necessary & proper to carry into execution the foregoing powers • regulate interstate commerce • make treaties • provide for common defense & general welfare • regulate trade w/ foreign country 	<ul style="list-style-type: none"> • Power to Tax • Spending Money • Borrowing Money 	<ul style="list-style-type: none"> • Regulating traffic & drivers license • Regulating hunting & fishing • Regulating marriage • Regulating the environment • Establishing & Regulating schools

• establish rules regarding naturalization

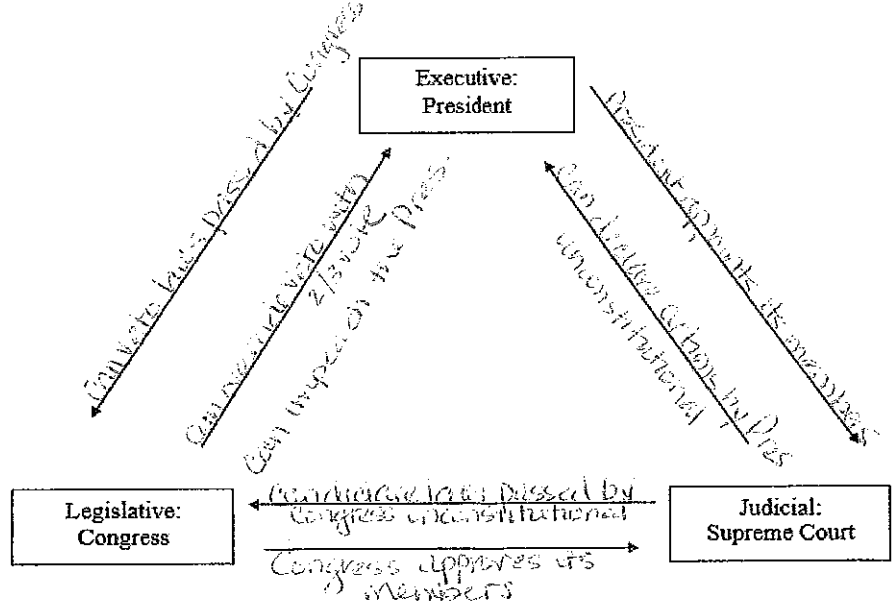
Internal Control #2: Separation of Powers



Internal Control #3: Checks & Balances

Q: HOW DO WE MAKE SURE THAT THE BRANCHES STAY SEPARATE AND ONE BRANCH DOESN'T STEAL ANOTHER BRANCH'S POWER?

A: CHECKS AND BALANCES!



Put the following "checks" in their appropriate place

- Can impeach the president
- Can declare laws passed by Congress unconstitutional
- Can veto laws passed by Congress
- Can declare actions taken by the President unconstitutional
- Can override a veto with a 2/3 vote
- President appoints its members
- Congress approves its members

Checks and Balances in Action: The Watergate Scandal

- Richard Nixon
 - Republican from California
 - Served as Vice-President from 1952-1960
 - Narrowly lost Presidential election of 1960 to John F. Kennedy
 - Staged a political comeback in 1968 - a year the nation was divided over the Vietnam War
 - Reputation as a political genius but also as ruthless and Cunning
- Nixon's Presidency was described as the "Imperial President"
 - A President who goes beyond the powers given to him in the Constitution
 - Nixon's most famous slip-up: "When the President does it, that means it's not illegal"
 - Accepted illegal Campaign contributions
 - Expanded Vietnam War into neighboring countries without Congressional approval
 - Illegal programs to let CIA spy on anti-war protestors
 - Use of Presidential power to harass his "enemies"
- Watergate Burglary
 - Democratic National Committee offices broken into on June 17, 1972
 - Burglars have ties to Committee to Re-Elect President (CREEP)
 - Break-in ordered by President Nixon to spy on Democratic Party officials
 - Nixon wanted to know if the Democrats had dirt on his illegal activities

What steps were taken to investigate the Watergate burglary?

- FBI investigation of White House involvement in break-in = blocked by Nixon
- Senate appoints special committee to investigate = Nixon refused to turn over tapes of Oval office
- Supreme Ct. Case: U.S. v. Nixon - ruled that Nixon must turn over tapes

What evidence existed to prove Nixon's involvement in the Watergate scandal?

- Evidence = tapes that recorded all Oval office conversations

How did Nixon attempt to cover up his role in the Watergate burglary? (hint: discuss executive privilege)

- Nixon blocked FBI investigation & ordered his staff to lie under oath
- Refused to turn over tapes - claimed executive privilege as his right to keep communication secret then turned over tape w/ 18 minute gap

Executive Privilege = the idea that a President can hide/withhold information from other branches of the gov't

