



# THE CONSTITUTION AND THE BILL OF RIGHTS



We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.





*-preamble from the USA Constitution*

So goes the introduction to our nation's constitution. But what exactly does this document called the "Constitution" actually constitute or establish? Good question...glad you asked ☺

We'll be taking a close look at what this great document constitutes and also what it does not constitute. So get ready to have some of the current ideas about our constitution rocked as we take a look back into history at the founders' ORIGINAL INTENT for the provisions made in the constitution.

We'll be reading from both the A Beka and the Magruder's text this week so be sure to have both of these texts in front of you.

Here is d'plan for this week:

 <p><b>OBJECTIVES</b></p>	<ol style="list-style-type: none"> <li>1. To identify the elements of the constitution</li> <li>2. To list the ten Bill of Rights</li> <li>3. To identify the founders' original intent for Amendment One of the Bill of Rights.</li> <li>4. To apply the original intent for the Bill of Rights to current issues.</li> <li>5. To identify the steps in the process of formally amending the Constitution</li> <li>6. To identify the six principles upon which the US government is built.</li> <li>7. To identify the six purposes for the US government</li> <li>8. To define and illustrate the provision of checks and balances</li> </ol>		
 <p><b>Resources</b></p>	<ol style="list-style-type: none"> <li>1. The A Beka text, American Government</li> <li>2. The Magruder's text, American Government</li> <li>3. The video, "The Foundations of American Government"</li> <li>4. This lesson</li> </ol>		
 <p><b>Vocabulary</b></p>	<table border="0"> <tr> <td style="vertical-align: top;"> <ol style="list-style-type: none"> <li>1. Constitution</li> <li>2. Bill of Rights</li> <li>3. original intent</li> <li>4. separation of church and state</li> </ol> </td> <td style="vertical-align: top; padding-left: 20px;"> <ol style="list-style-type: none"> <li>5. Due process clause</li> <li>6. Key terms in Chpt 3 of Magruder's text.</li> </ol> </td> </tr> </table>	<ol style="list-style-type: none"> <li>1. Constitution</li> <li>2. Bill of Rights</li> <li>3. original intent</li> <li>4. separation of church and state</li> </ol>	<ol style="list-style-type: none"> <li>5. Due process clause</li> <li>6. Key terms in Chpt 3 of Magruder's text.</li> </ol>
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 <p><b>Assessment</b></p>	<ol style="list-style-type: none"> <li>1. Group Discussion #1</li> <li>2. Group Discussion #2</li> </ol>		

Just in case you want to complete this week’s lesson in daily bite-size pieces, here is a suggested schedule for you:

<b>Monday</b>	<b>Lesson pages 1-5</b>
<b>Tuesday</b>	<b>Lesson pages 5-9</b>
<b>Wednesday</b>	<b>Lesson pages 10-11</b>
<b>Thursday</b>	<b>Lesson pages 11-14</b>
<b>Friday</b>	<b>Lesson pages 15-17</b>

OK, with that done, let’s see what is first on our agenda for this week!

## ***Monday***

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Our first topic to cover is our lesson objective #7:

*To identify the six purposes for the US government*

Have your A Beka text opened to page 68.

Did you know that the US Government has six and only six reasons/purposes for existing? Well it does! Really. On what grounds can I accurately say this? Thanks for asking. The answer is in the preamble of the Constitution:

*We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.*

Let's pick this apart and identify all **6 purposes**:

1. to form a more perfect union
2. to establish justice
3. to ensure domestic tranquility
4. to provide for the common defense
5. to promote the general welfare
6. to secure the blessings of liberty to ourselves and our posterity.

Please read the "Purposes of Govt" on pages 68-69 of the A Beka text. While you are looking at these pages, take a look at the "In brief" graphic on page 68, and then...

**You make the call...**



Count how many amendments (after the first 10) were made in each century. How many were made in the 1700's? How many were made in the 1800'S? How many were made in the 1900'S?

Can you draw any conclusions from your data? The answer is "you should be able to" ;- ) Share your conclusions in this week's **Group Discussion** conference.

We have read on page 68 of the A Beka text that the US Govt. exists for 6 reasons as stated in the Constitution. Let's turn our focus on

meeting lesson objective #1: *To identify the elements of the Constitution.*

The “In Brief” graphic on page 68 of your A Beka text illustrates for us the three main sections of the constitution. They are

1. Preamble
2. Articles 1-7
3. Bill of Rights (Amendments to the Constitution)

Be sure that you know the “contents” of the first three articles (hint, hint); to see a nice outline of the Constitution, turn to page 724 in your Magruder’s text.

While you are on page 724, flip over to page 731 and read what the Constitution has to say about the position of the executive, or President. For the week 5 test, you’ll need to know the President’s qualifications and the four categories or grounds for impeachment as listed on page 733 in the upper right-hand corner of the page.

Since you are in the Magruder’s text please now turn to Chapter 3, which starts on page 55, and read pages 54-59.

See you in Tuesday’s lesson!

## ***Tuesday***

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In today’s lesson, we’ll be meeting our lesson objectives #6 and 8 which state:

6. *To identify the six **principles** upon which the US government is built.*
8. *To define and illustrate the provision of checks and balances*

To meet lesson objective #6, let's begin in Chapter 3 of our Magruder's text which begins on page 54.

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## Section 1-The Six Basic Principles

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The Constitution did not give the American people many details about their government. Instead, the Framers of the Constitution wrote the Constitution around six broad ideas, or principles. Remembering back to the video, "Keys to Good Government", I do recall that Barton's explanation to the brevity of the Constitution stated that the Constitution is brief because its principles are based on the Word of God, and that the USA is not a democracy but is a Republic based on the Bible. The Bible is the basis for the Republic so all laws governing the Republic must be in agreement with God's Word. The writers of the Constitution assumed that the public leaders who would enforce and apply the Constitution would be Christian people who did not need volumes of man's laws to make him/her act justly because these people would have the Law of God already written on their hearts.

### 1. Popular Sovereignty

OK, let's look at the line which states, "Popular sovereignty means that the people are the only source of government power." The framers of the Constitution did not intend for the statement, "...all political power belongs to the people" to be true. Hey, in John 19: 10 & 11, we are told of the real source of all government power:

Then Pilate said to Him (Jesus), "Are you not speaking to me? Do you not know that I have power to crucify you, and power to release you?" Jesus answered, "You could have no power at all against Me unless it had been given you from above..."

When ... Uh, oh... I feel the urge to shout my



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## Thoughts from the Cheap Seats

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The text is VERY self-centered, meaning that it interprets the Constitution (and everything else) from a self-oriented position. This self-centeredness is really, in my opinion, humanism and is also a great example of REVISIONIST writing. A REVISIONIST is, in this context, someone who wants to “revise”, or rewrite, history in a way that suits their own agenda and values. Because it is my opinion that the authors of this text are secular and humanistic in their beliefs, I see their explanations and interpretations as reflections of their own “wishful thinking” instead of as scholarly interpretations of ORIGINAL INTENT. We’ve already learned that the USA was not founded as a democracy; the founders established a REPUBLIC that was based on the BIBLE!!!!

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OK, I had just to say that!!!!!! Now, on with the lesson ;-)

### **2. Limited Government**

In a nut shell, the term limited government means that the government has only the powers that the people and the constitution give to it. The government must obey the Constitution.

### **3. Separation of Government**

Be sure to be able to give examples of how our government has had its powers separated.

#### 4. Checks and Balances

This information will help us to meet our lesson objective #8:

*To define and illustrate the provision of checks and balances*

The Constitution made sure that none of the branches could become too powerful. Each branch has ways to limit the power of the other two. This principle is called “checks and balances”. As the illustration shows on page 58, the President can say “no”, or veto, to one Congress’ proposed laws, but then Congress can take another vote to override that veto. The President can nominate a person for a high-ranking position, and Congress can refuse to approve the President’s nominee. Be sure to read over the graphic presentation on page 58 of how the checks and balances concept works day-to-day among the three departments of government.

#### 5. Judicial Review

This power lets courts decide what the words of the Constitution mean. Doesn’t this sound a bit “off” to you? It does to me. The text states that “It is the power of a court to determine the constitutionality of a government action.” The problem here is that “the (politically correct) flavor of the month” seems to be driving the courts’ decisions as to a law’s constitutionality. Why is this? You know the answer...it is because we Americans have forgotten that the USA is not a democracy; it is what? It is a REPUBLIC! In a REPUBLIC, your standard/foundation does not change, but in a democracy, your standard changes with the whim of the people. When courts decide the constitutionality of a laws today, they often use, as their (shifting) standard, the politically correct humanistic belief system, which is 100% incompatible with the ORIGINAL INTENT of the Constitution. By using a standard that is completely opposed to the original standard that the Framers of the Constitution used, these courts are in fact rewriting the Constitution with each court decision. We’ll look at how these “informal amendments” are taking place in just a moment.

## 6. Federalism

This term simply means that the nation's power is divided between a central governing body and smaller regional governments. In the USA, this division is between the national government in Washington, D.C., and the 50 states.

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### Sections 2 & 3

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I don't want to spend much time in these sections, so just know two main things from these sections:

1. from section 2: the four ways to formally amend the constitution
2. from section 3: the five ways to informally amend the constitution.

By doing so, we'll cover lesson objective 5: *To identify the steps in the process of formally amending the Constitution.*



Skim chapter 9 in the A Beka text, pages 153-171

## Wednesday

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We will be camping out in chapter 9 of the A Beka text for today and tomorrow as we enter the second portion of our lesson focus for this week, that being the Bill of Rights. In today 's lesson, we'll be covering lesson objectives #3 & 4:

3. To list the ten Bill of Rights
4. To identify the founders' original intent for Amendment One of the Bill of Rights.

Before we jump into the text, let's first watch the 25-minute video, "Foundations of American Government". This video gives us the historical context for the First Amendment found in the Bill of Rights and for the politically correct slogan of "separation of church and state".



See ya' back here in 25 minutes ;-)

Alrighty then, how was that?!? I get all stirred up each time that I watch that video! In my humble opinion, that video should be shown in each US Govt course!!!

Let's pick up with the A Beka text on page 154. Actually, today's lesson is really a time for you to do some reading since Mr. Barton has so skillfully supplied us with the "extras" for today's lesson. For today, read (not just skim) this chapter 9 in the A Beka text, and for the test in week 5, be able to define and describe the following items:

1. the historical context for the first amendment with regard to the establishment clause
2. the establishment clause
3. the Lemon Test
4. the free exercise clause

5. the identification of the first 10 Amendments to the Constitution. On week 5's test, you'll have a matching section wherein you will match the amendment description to its number. Click [HERE](#) to see my summary of the Bill of Rights that I've made for ya'.

## Thursday

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Ah, yes. We're back to the Magruder's text today ;-). Please turn to page 484 as we begin our lesson today in chapter 19 of the Magruder's text.

Today, we will pick up where we left off yesterday in our study of the historical context for the first amendment. We'll also be hitting our lesson objective #4: *To apply the original intent for the Bill of Rights to current issues.*

Let's begin in section 2 on page 490.

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## Section 2 – Freedom of Religion

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The text starts out quite nicely by recounting the report that Alexis de Tocqueville wrote concerning the young America on his visit to the USA from France. The text accurately states, "Yet, not until he went into the churches of America, Tocqueville said, did he understand the genius and power of this country". (Anyone of you who is taking US Literature will be reading Tocqueville's report if you have not done so already).

So the text begins this section quite amiably toward "the church", but it takes an abrupt 180 degree turn when it presents a subsection entitled, "Separation of Church and State"...BINGO...RED FLAG...SIRENS.

Please take a moment to read this subsection. Now, the point I want to make here lies NOT in only what the text has said, but mainly in what the text has NOT said.

**What the text HAS said:**

The Supreme Court did not hear its first Establishment Clause case until 1947. The text goes on to list recent court cases which have censored and removed Christian activities and/or symbols from the nation's public property.

**What the text HAS NOT said:**

The text has not cited one case prior to 1947 where Christian ("church") activities and/or symbols and/or values championed over secular complaints. Our video, "Foundations of American Government", has done a great job in showing us why no court cases prior to 1947 were heard in the Supreme Court concerning the "establishment clause", the reason being that the current revision of the first amendment is itself unconstitutional as this politically correct re-interpretation of the first amendment did not exist for the first 150 years of this nation. There was NO PRECEDENT for the court case's decision which began the assault on this nation's Christian heritage. The fact that it was not until 1947 that the Supreme Court heard the first case in these matters should tell you that "something is rotten in the state of Denmark!"

One moment please...



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**Thoughts from the  
Cheap Seats**

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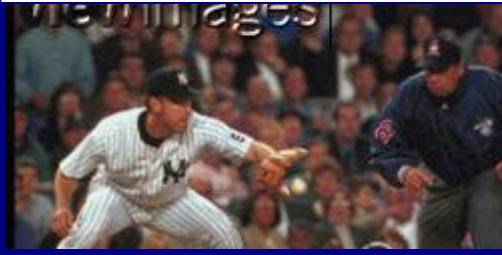
The issue of "PRECEDENT" is very important to the field of law and government. Precedent is the state of being or existing prior in time. Huh? What I mean is, a precedent is some thing or act that has existed or been established for a long time, and is then used as the

authority or standard for all future decisions or acts that relate to those “things” or “acts”

Maybe giving an example will help clarify the importance of PRECEDENT. When the founders established the Constitution, they also found themselves in later positions where they were enforcing and interpreting or explaining their ideas and purposes for the laws contained in the constitution. Because they established certain patterns, or traditions, by means of giving court rulings in consistent ways, we can say that they established a PRECEDENT for how the laws in the constitution should be interpreted, enforced, and applied. The closer in time you are to the founding of a law, the closer you are to knowing the ORIGINAL INTENT of the creators of that law. So if you want to know what the founders of a law really meant by the wording of a law, you look at how they went out and applied and enforced that law. The years of applying and enforcing the law will give us the PRECEDENT for interpreting and applying the law many years and generations after the founders of a law have passed away. The reason that the Supreme Court had not heard a court case involving the establishment clause until 1947 is because the PRECEDENT dictated that the first amendment was not to separate church from state, but was to protect the church from state intrusion. The PRECEDENT always supported the Christian faith being knit tightly into the fabric of our government and government employees. So in 1947 and then in 1962 with the Engel case, the Supreme Court ruled against the PRECEDENT and ruled what was once deemed constitutional to be un-constitutional. This was a huge departure from the ORIGINAL INTENT of our nation’s founders. One other thing: this is also why no politically correct court ruling can cite a precedent prior to 1947...that is because the precedent prior to 1947, and dating back 150 years, was totally contrary to today’s PC thinking!

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You make the call...



Can any law be ruled as being unconstitutional when that law was present, applied, and enforced by the founding leaders from the time of our nation's birth to present day?

Also, is it any wonder that the authors of this text can't site any court case prior to 1962 in pages 491-497 to support its "separation" agenda?

Also, is it any wonder that the authors of this text have allocated almost twice as many pages to the issue of "religious freedom" as they have for the other amendment categories?

Also, is it any wonder that the issue of religious freedoms is being fought over in the nation's public school arena? Humanists know that their cause will be greatly advanced by winning the minds of this nation's youth...the battlefield is the classroom!

Hey, I think that I heard the bell ring, so we'll pick up here in Friday's lesson.

# Friday

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Ack! I lied! Not really, but for today's lesson, we will not EXACTLY be picking up where we left off in Thursday's lesson but we will be furthering our lesson objective #5:

*To apply the original intent for the Bill of Rights to current issues.*

Our focus for today will be on two activities:

1. reading a report by "The Wallbuilders" (click [HERE](#) to view the report)
2. reading a report by the "Ohio Roundtable" concerning a recent event in their state which concerned religious freedom (click [HERE](#) to view the report). We will then have a



## Group Discussion item for today



For this discussion, put yourself in the place of Ohio State Attorney General Betty Montgomery and defend your state's position for supporting your state motto. Your discussion should be in the form of a well-written paragraph in which you refer to PRECEDENT for interpreting the first amendment as it relates to this case. Feel free to use any resource that we've read this week in your reply. Also, be sure to write your response off-line so that you can spend adequate time researching and writing your fined-tuned paragraph. Feel free to write more than one paragraph!

We'll pick up with the text next week with Monday's lesson.

## Assignments



For week 5 lesson, read pages 490-497.

### *Summary*

### *Week 4 in Review*

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We've covered a lot of ground this week as we've looked at the formative elements of the Constitution right on through to the Bill of Rights and the issue of precedence. In the course of it all, we have met the following 8 objectives:

1. To identify the elements of the constitution
2. To list and memorize the ten amendments within the Bill of Rights
3. To identify the founders' original intent for Amendment One of the Bill of Rights.
4. To apply the original intent for the Bill of Rights to current issues.
5. To identify the steps in the process of formally amending the Constitution
6. To identify the six principles upon which the US government is built.
7. To define and illustrate the provision of checks and balances

So as you can see, it has definitely been a full week. In week 5, we will wrap up our study of the Constitution and the Bill of Rights by

finishing chapter 19 of the Magruder's text, and we'll also have our first TEST on Friday of week 5 (you can always take the test earlier if you want to!!!)

See you in week 5 😊