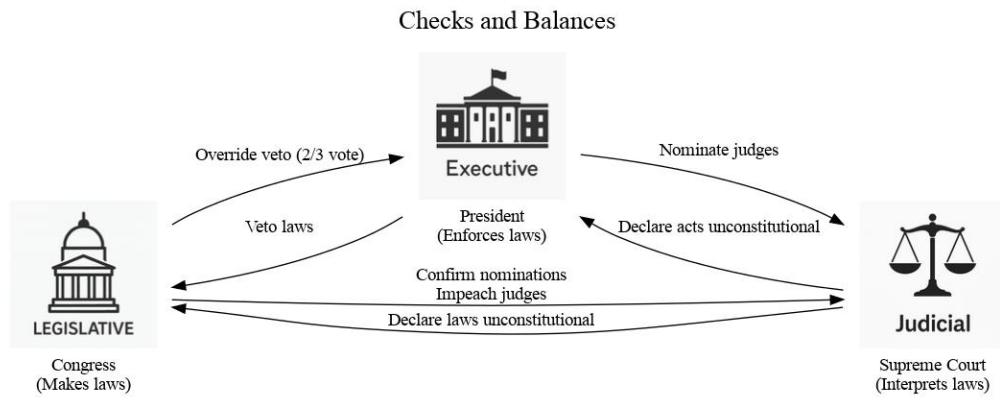


헌법

미합중국

쉬운글과그림으로설명
간결한‘알기쉬운’버전



ARTICLE I

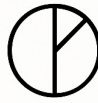
THE LEGISLATIVE BRANCH



CONGRESS



MAKE
LAWS



HOUSE &
SENATE



POWER OF
THE PURSE

§ 1 의회

- 연방법제정권한은양원제의회에있다:
상원 + 하원.

§ 2 하원

- 각주유권자가 2 년마다의원을선출한다.
- 자격: 만 25 세, 미국시민 7 년이상, 해당주거주.
- 의석수 (및직접제) 는인구비례; 10 년마다인구조사.
- 모든주는최소 1 석을보유.
- 공식시주지사가보궐선거실시.
- 하원은의장 (Speaker) 과직원을선출하며, 탄핵발의권한이전속된다.

§ 3 상원

- 각주 2 명, 임기 6 년, 1 인 1 표.
- 임기를 3 그룹으로나누어약 2 년마다교체 (휴회중에는주지사가임시지명가능).
- 자격: 만 30 세, 시민권 9 년, 해당주거주.
- 부통령이의장으로서표결동수시결정표를던짐; 상원은기타임원을선출하고임시의장을둔다.

- 탄핵재판전속; 유죄평결은 2/3 이상; 형벌은파면및공직취임금지로한정.

§ 4 선거·회의

- 선거규칙은주의회가정하되, 의회가변경할수있음 (상원회의장소제외).
- 의회는해마다최소 1 회소집.

§ 5 내부규칙

- 각원은의원자격심사·규칙제정· 로징계·제명가능, 회의록작성, 상대원동의없이 3 일초과휴회불가.

§ 6 보수·특권·겸직금지

- 의원급여는재무부에서지급; 회기·이동중에는중죄외체포불가; 발언·토론면책.
- 재직중다른연방직겸직불가, 자신이신설·인상한직위수락불가.

§ 7 법률제정

- 세입법안은하원발의, 상원수정가능.
- 법안은대통령서명으로성립; 10 일내미서명시회기중이면자동성립.
- 거부권은양원 로무효화가능.
- 양원이채택하는공동결의도같은절차필요.

§ 8 의회의권한

- 국방·공공복리를위한과세·지출 (균일세율).
- 차입; 주간·대외·원주민무역규제.
- 귀화·파산법; 화폐발행; 도량형; 위조처벌.
- 우편·우편로; 저작권·특허; 하급법원설치.
- 해적처벌; 선전포고; 사략선허가; 전쟁포획규정.
- 육군편성 (예산 2 년한도); 해군유지; 군규율.

- 민병대소집·조직·무장·통제; 연방복무시에도주는장교·훈련유지.
- D.C. 및연방구역에대한전면입법권.
- 모든권한실행을위한‘필요·타당’조항.

§ 9 의회의제한

- 1808 년전까지노예무역금지불가 (인두세 10 달러).
- 반란·침공시외에는인신보호영장정지불가.
- 처벌법 (bill of attainder)·소급입법·불평등직접세금지 (16 차수정으로변경).
- 수출세·항만차별금지; 국고지출은법률·공사회계필요; 작위수여·대외선물수령은의회동의요.

§ 10 주의제한

- 주는조약체결, 화폐발행, 소급입법, 계약침해등불가.
- 의회승인없이수입·수출세 (검사수수료제외), 톤세, 평시병력·함대유지, 대외·주간협정, 전쟁선포 (침략·급박위험외) 불가.

ARTICLE II

THE EXECUTIVE BRANCH



PRESIDENT



ELECTED



OATH



COMMANDER-
IN-CHIEF

§ 1 대통령직

- 행정권은대통령 (임기 4 년) 과부통령에속한다.
- 각주는상·하원의석수와동일한선거인을지명; 연방공무원은선거인불가.
- 선거인제도는 12 차수정으로변경.
- 선거일은의회가통일지정.
- 자격: 출생시민, 35 세이상, 14 년이상미국거주.
- 파면·사망·사임·무능시부통령승계; 추가승계는의회가규정.
- 대통령보수는고정; 기타수당없음; “헌법을보전·수호·옹호”선서.

§ 2 권한

- 군통수권자및연방소집민병대지휘.
- 각료에게서면의견요구; 사면·감형부여 (탄핵제외).
- 상원 동의로조약체결; 대사·판사·고위공직임명; 상원휴회중임시임명.

§ 3 의무

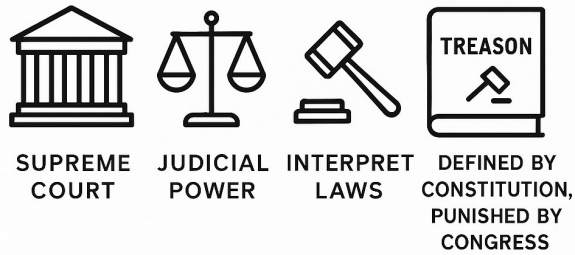
- 연례국정연설; 입법권고.
- 특별상황시의회소집·휴회.

- 외교사절접견; 법률의성실집행보장; 임명장발급.

§ 4 탄핵

- 대통령·부통령·공무원은반역·뇌물·중대범죄로탄핵·유죄시파면.

ARTICLE III THE JUDICIAL BRANCH



§ 1 법원과판사

- 사법권은연방대법원과의회가설치하는하급법원에있다.
판사는“품행이단정한”동안재직하며보수는감액불가.

§ 2 관할권·재판

- 헌법·연방법·조약, 외교관, 해양, 연방당사, 주간분쟁, 상이시민소송등사건을관할.
- 대법원은외교관·주관련사건에 1 심, 그외는상고심 (의회규정).
- 연방법죄는범행주에서배심재판; 타지역일경우의회가장소지정.

§ 3 반역

- 미국에대해전쟁하거나적을지원하는행위.
- 유죄는법정자백또는동일행위에대한 2 인증인필요.
- 형벌은의회가정하며, 가문의불이익/영구몰수는금지.



§ 1 상호신뢰

- 각주는타주공적행위·기록·판결을인정; 의회가증명절차규정가능.

§ 2 특권·송환

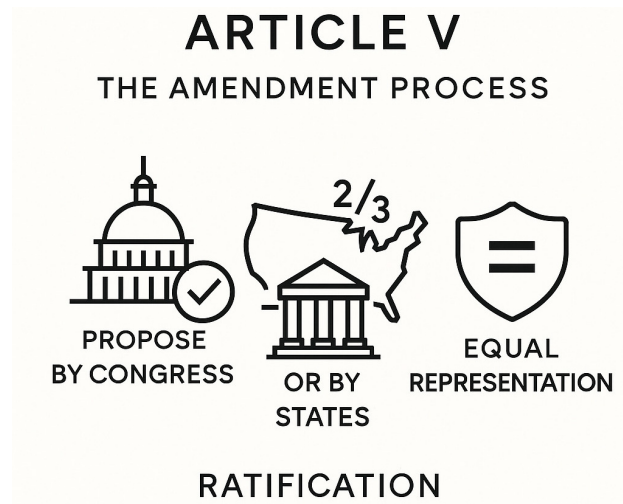
- 시민은모든주에서기본권리를공유.
- 도주범은주지사요청시송환.
- 도망노예반환조항 (13 차수정 이후폐지).

§ 3 신규주·영토

- 의회가신규주편입; 기존주분할·합병은해당주의회및의회동의필요.
- 의회는영토및연방재산을관리.

§ 4 공화제보장

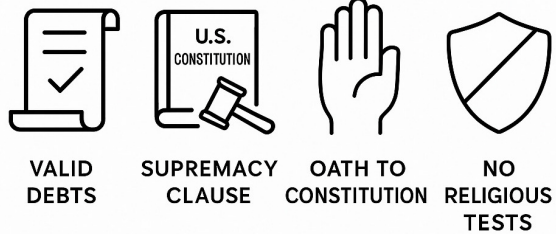
- 연방은각주에공화정, 침략방어, 요청시내란진압을보장.



- 개정안은의회양원 또는 주의회요청으로소집된회의에서제안.
- 비준은 $\frac{3}{4}$ 주의회또는주회의에서 (방식은의회가결정).
- 두가지제한: 1808 년전에는노예무역·인두세조항개정불가; 어떠한주도동의없이상원동등대표권을박탈당하지않음.

ARTICLE VI

FEDERAL SUPREMACY AND OATHS



- 연방은연합규약시기의부채를승계.
- 헌법·연방법·조약은최고법규이며주법원도구속.
- 연방·주공직자는헌법수호선서.
- 공직자격에종교시험을부과할수없음.

ARTICLE VII

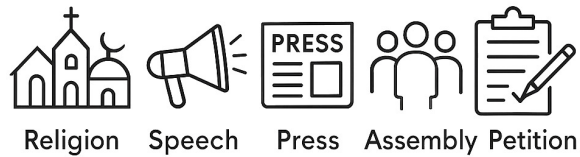
RATIFICATION OF THE CONSTITUTION



- 본헌법은 13 개주중 9 개주가비준하면발효.

수정조항 (I -XXVII)

The First Amendment: Five Freedoms



I 종교·언론·출판·평화적집회·청원의자유.

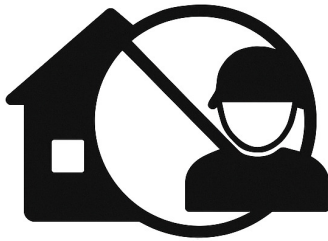
THE SECOND AMENDMENT

RIGHT TO KEEP AND BEAR ARMS



II 잘조직된민병대를위해무기소지·휴대권리.

THE THIRD AMENDMENT



No Quartering
without Consent

III 평시에는주인의동의없이병사숙영금지.

The Fourth Amendment: Protection Against Unreasonable Searches



Privacy



Security



Warrant



Search



IV 부당한수색·압수금지; 영장은상당한이유필요.

THE FIFTH AMENDMENT: RIGHTS OF THE ACCUSED



Grand Jury



Self-
Incrimination



Due Process



Double Jeopardy



Takings Clause

Ⅴ 대배심, 이중처벌금지, 자기부죄거부, 적법절차, 공용수용시정당보상.

THE SIXTH AMENDMENT

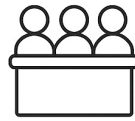
RIGHTS IN CRIMINAL TRIALS



SPEEDY
TRIAL



PUBLIC
TRIAL



IMPARTIAL
JURY



NOTICE OF
ACCUSATION



CONFRONT
WITNESSES



COUNSEL

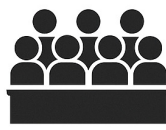
VI 신속·공개·현지형형사재판; 공정한배심; 혐의통지; 증인대면·소환; 변호인권리.

THE SEVENTH AMENDMENT

Jury Trial in Civil Cases



Civil Trial



Jury Trial



Final Verdicts

VII 20 달러초과민사재판에서배심권보장; 배심사실존중.

The Eighth Amendment

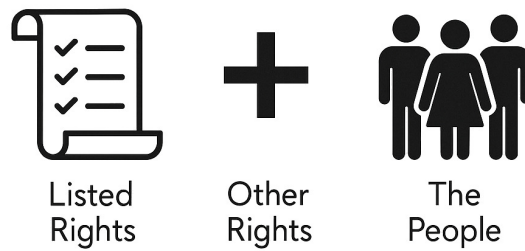
Limits on Punishment



VIII 과도한보석금·벌금, 잔혹·이상형벌금지.

THE NINTH AMENDMENT

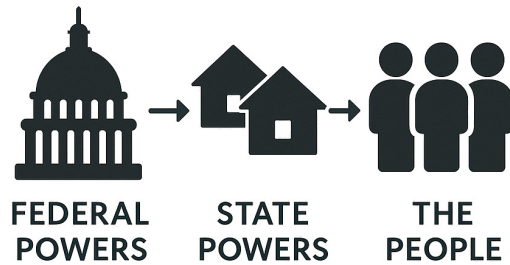
Protection of Unenumerated Rights



IX 명시되지않은권리도국민에게남는다.

THE TENTH AMENDMENT

Powers Reserved to the States
and the People



X 연방에 위임되지 않고 주에 금지되지 않은 권한은 주나 국민이 보유.

THE ELEVENTH AMENDMENT

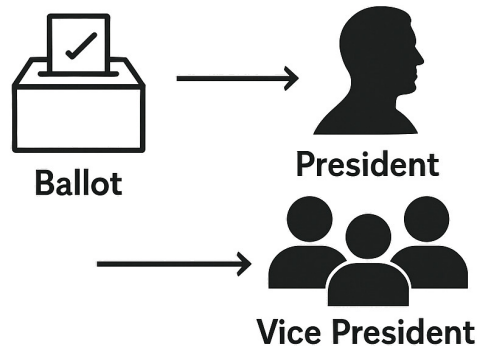
SOVEREIGN IMMUNITY OF STATES



XI 연방법원은 타주·외국 시민이 제기한 주 상대 소송 관할 불가.

THE TWELFTH AMENDMENT

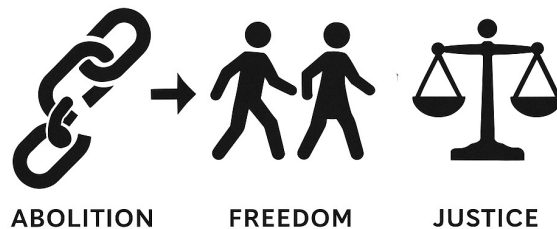
Electoral Process for President and Vice President



XII 대통령·부통령선거인투표를별로로집계.

THE THIRTEENTH AMENDMENT

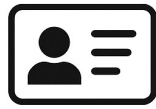
ABOLITION OF SLAVERY



XIII 노예제폐지 (범죄처벌로서의노역제외).

THE FOURTEENTH AMENDMENT

CITIZENSHIP, DUE PROCESS, AND
EQUAL PROTECTION



CITIZENSHIP



DUE
PROCESS

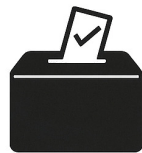


EQUAL
PROTECTION

XIV 시민권, 적법절차, 평등보호; 대표·반란조항; 국채유효; 집행권한.

THE FIFTEENTH AMENDMENT

Voting Rights for All Citizens



Voting
Rights



All
Citizens

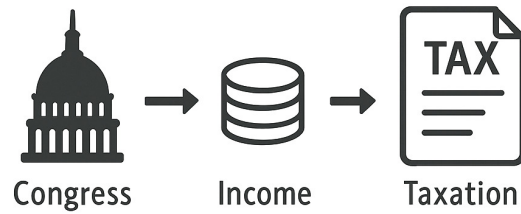


No
Discrimination

XV 인종·피부색·과거노예여부로투표권제한금지.

THE SIXTEENTH AMENDMENT

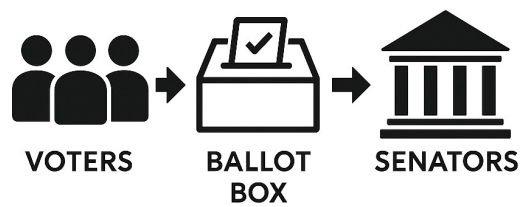
FEDERAL POWER TO COLLECT INCOME TAXES



XVI 의회가인두할당없이소득세부과가능.

THE SEVENTEENTH AMENDMENT

DIRECT ELECTION OF SENATORS



XVII 상원의원국민직선; 공석충원절차.

THE EIGHTEENTH AMENDMENT

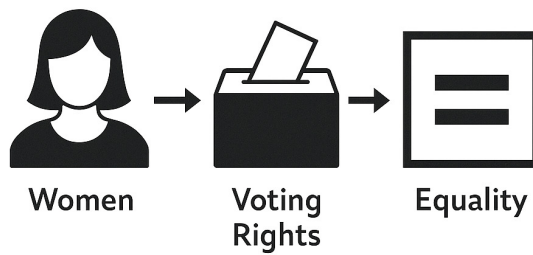
Prohibition of Alcohol



XVIII 금주법 (XXI 차수정으로폐지).

THE NINETEENTH AMENDMENT

Women's Right to Vote



XIX 성별에따른참정권제한금지.

THE TWENTIETH AMENDMENT

INAUGURATION AND
CONGRESSIONAL TERMS



PRESIDENT



CONGRESS



TERM

XX 임기개시: 대통령 1 월 20 일, 의회 1 월 3 일; 승계세부.

THE TWENTY-FIRST AMENDMENT: REPEAL OF PROHIBITION



ALCOHOL



REPEAL



STATE
CONTROL

XXI 금주법폐지; 주는주류수입규제가능.

THE TWENTY-SECOND AMENDMENT

PRESIDENTIAL TERM LIMITS



PRESIDENT



TIME



NO 3 TERM

XXII 대통령 2 선제한; 최장 10 년재임.

THE TWENTY-THIRD AMENDMENT

PRESIDENTIAL VOTING IN D.C.



WASHINGTON,
D.C.



ELECTORS



PRESIDENTIAL
VOTE

XXIII D.C. 에대선선거인부여 (최소인구주와동일이하).

THE TWENTY-FOURTH AMENDMENT

ABOLITION OF THE POLL TAX



BALLOT



TAX



PROHIBITION

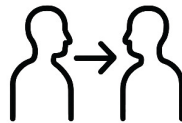
XXIV 연방선거에서인두세금지.

The Twenty-Fifth Amendment

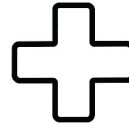
Presidential Succession and Disability



PRESIDENTIAL



SUCCESSION



DISABILITY

XXV 대통령승계·무능절차규정.

THE TWENTY-SIXTH AMENDMENT

RIGHT TO VOTE
AT AGE 18



YOUTH



AGE 18



VOTING

XXVI 전국최저투표연령을 18 세로.

THE TWENTY-SEVENTH AMENDMENT

CONGRESSIONAL
PAY CHANGES



CONGRESS



PAY



NEXT
ELECTION

XXVII 의회보수변경은다음하원선거이후에발효.