

Anatomy of the Constitution

Time Needed: one class period

Materials Needed:

Student worksheets

Copy Instructions:

Student packet (*4 pages double-sided; class set*)

Worksheet and Whose Job Is It? (*double-sided; class set*)

Tent Activity (*class set*)

Learning Objectives.

Students will be able to:

- explain the structure, function, and powers of the U.S. government as established in the Constitution
- identify the roles of the three branches of government
- describe the constitutional amendment process
- compare and contrast federal, confederal, and unitary/parliamentary governments

STEP BY STEP

- 1) ANTICIPATE** by asking students to think of one job that each branch of government does. Give students a moment to think, then randomly call on students to share.
- 2) DISTRIBUTE** one reading packet to each student.
- 3) READ** through page one and two with the class.
- 4) ASK** students to first match the quote with the correct branch of government, then identify the article that describes it.
- 5) READ** through page three with the class. Explain that you will go into greater detail on the amendment process on the next page.
- 6) READ** the information about the amendment process on page four and take the students through the various paths to the addition of an amendment to the Constitution.
- 7) DISTRIBUTE** the tent activity page and show the class how to fold it correctly.
- 8) DISTRIBUTE** the *Whose Job Is It?* sheet and worksheet (if double-sided).
- 9) PROJECT** the *Whose Job Is It* statements, revealing one at a time.
- 10) ASK** students to show the correct branch on their tent and write down the answer on their sheet.
- 11) ASSIGN** the review sheet to be completed. Go over answers if needed.
- 13) CLOSE** by asking students to think of one job for each of the three branches that is different from the one they identified at the beginning of the lesson. Call on students at random.

OPTIONAL Distribute the Different Democracies extension worksheet and discuss the strengths and weaknesses of each type of democratic government.

Anatomy of the Constitution

Name: _____

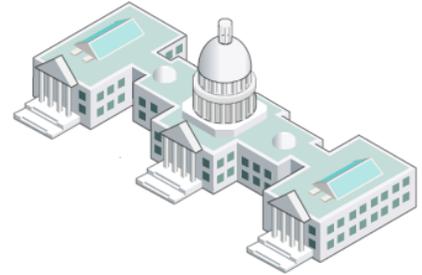


How Do They Govern?

The U.S. Constitution is the document that creates our nation's government. The contents of the Constitution create the three branches of our government and give directions for how the federal government works. Although the Constitution was written over 220 years ago, it still guides our officials in running our country today.

Creating Congress: Article I

Article I is the first and longest part of the Constitution. This is because the people who wrote the Constitution realized that a legislative branch is very important in a government that represents the citizens. Members of Congress are responsible for turning the wants and needs of the people into laws.



Represent Me!

The legislative branch makes our government a representative democracy. In a *representative democracy*, citizens elect people to represent their needs and concerns in Congress. Article I tells us that the legislature is divided into two parts: the Senate and the House of Representatives. It describes how Congress should be organized, states the qualifications necessary for a person to serve, and tells how often Congress should hold elections and meet as a group. There are other details that the two houses get to decide for themselves.

	The Senate	The House of Representatives
Qualifications	You must be at least 30 years old, been a U.S. citizen for at least 9 years, and live in the state you represent	You must be at least 25 years old, been a U.S. citizen for at least 7 years, and live in the state you represent.
Size	2 senators per state = 100 total	Number per state depends on population = 435 total (in 2011)
They represent...	the interests of the citizens in the entire state for 6 years per term.	the interests of the citizens who live in the district they represent within the state for 2 years per term.
Special Duties	The Senate acts as a court during impeachments.	All bills that raise money must start in the House of Representatives.
Role in Lawmaking	A bill must be approved by BOTH houses of Congress before it can go to the President to become a law.	

What can Congress do?

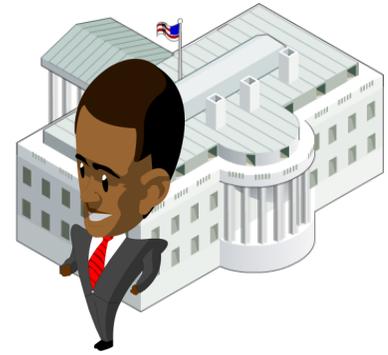
- Collect taxes
- Borrow money and pay debts
- Make rules for how to become a citizen
- Regulate *commerce* (trade) with other nations, between the states, and with Indian tribes
- Coin money and punish counterfeiters
- Establish post offices
- Give patents to new inventions
- Create the lower federal courts
- Punish pirates
- Declare war and support an army and navy
- Make any other laws that are "necessary and proper" to carry out the powers in this list.

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Creating the President: Article II

Article II of the Constitution describes the job of the executive branch. The president heads this branch, which includes the vice president, the cabinet, and many civilian and military employees. Article II describes who qualifies to be the president, what powers the office has, and what happens if a president misbehaves! It also explains the Electoral College, which is the process of how the president is selected.



Presidential Powers

- Act as the commander-in-chief of the armed forces
- Maintain a *cabinet* of advisors who run the 14 executive departments like the State Department and the Treasury
- Grant pardons in all federal criminal offenses, and *reprieves* (postpone punishments like executions)
- Negotiate treaties with other countries
- Appoint ambassadors, Supreme Court Justices and federal court judges, and Cabinet members
- Make a State of the Union address to Congress
- Represent the United States when dealing with foreign countries
- Make sure that laws are carried out (*executed*)



The U.S. Supreme Court in Washington, DC

Creating the Courts: Article III

Here come the judges! Article III creates the judicial branch. The judicial branch has the job of interpreting laws to decide what they mean.

Article III is the shortest of the first three articles. This is because it only creates one court—the Supreme Court. All of the other federal courts are created by Congress. Federal judges are appointed and given terms that last until they retire, die, or are removed for bad behavior. Article III gives directions about what kinds of cases the Supreme Court and federal courts can hear. It also guarantees trial by jury in criminal court and explains what the crime of treason is.

Who Said It? First, match the quote about working in government to the correct branch. Then name the article that describes the powers of this branch.

Floor debate [on a bill] is an exhilarating experience and important duty.
Carolyn Cheeks Kilpatrick, D-MI

The presidency has many problems, but boredom is the least of them.
Richard Nixon, R-CA

We apply laws to facts. We do not apply feelings to facts.
Justice Sonia Sotomayor



Article _____

The Executive Branch



Article _____

The Judicial Branch



Article _____

The Legislative Branch

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The States: Article IV

We already know that the states have the power to create and enforce their own laws. Article Four of the Constitution describes how the states should interact with one another.

- Each state has to respect the laws and court decisions of the other states.
- If a criminal flees one state for another, the state where the crime was committed can request the criminal be returned to face criminal charges. This is called *extradition*.
- New states can be admitted to the Union with the authorization of Congress and the president.
- All states must have a *republican*, or representative, type of government.

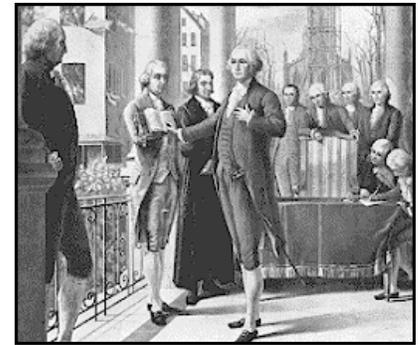


Amending the Constitution: Article V

This article describes what has to be done to amend the Constitution. You will read more about this process on the next page...

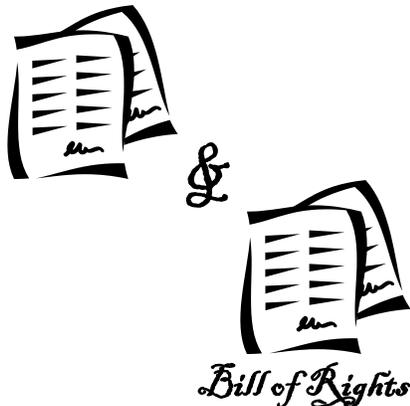
Supreme Law of the Land: Article VI

Federalism is the idea that the national government shares power with the state governments. But what happens if a state law disagrees with a national or federal law? Article Six states that the laws and treaties of the U.S. government are "the supreme law of the land." If a state law disagrees with a federal law, federal law wins. This article also requires officials working in the state and federal governments to take an oath to support the Constitution no matter what.



George Washington taking the oath of office for President of the U.S.

The Constitution



Ratification: Article VII

Once most of the Constitution was written, the Framers had to decide the best way to get the American people to support it. Article Seven calls for at least nine of the thirteen states to ratify, or approve, the Constitution. Each state had to hold a constitutional convention to discuss and vote on the new government plan. The biggest debate was over the need for a Bill of Rights that would list specific rights not already mentioned in the Constitution. Eventually, the Bill of Rights was added as the first ten amendments to the Constitution, and the Constitution became the law of the land in March of 1789!

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Amending the Constitution



Article V describes how an amendment is added to the Constitution. There are only two steps necessary. First, the amendment needs to be *proposed*, or introduced. Then it needs to be *ratified*, or passed. Sound easy? Well, it isn't! Hundreds of amendment proposals are introduced in Congress each year. Only 33 have gotten enough votes to actually be proposed. Of those, 27 have become amendments to the Constitution.

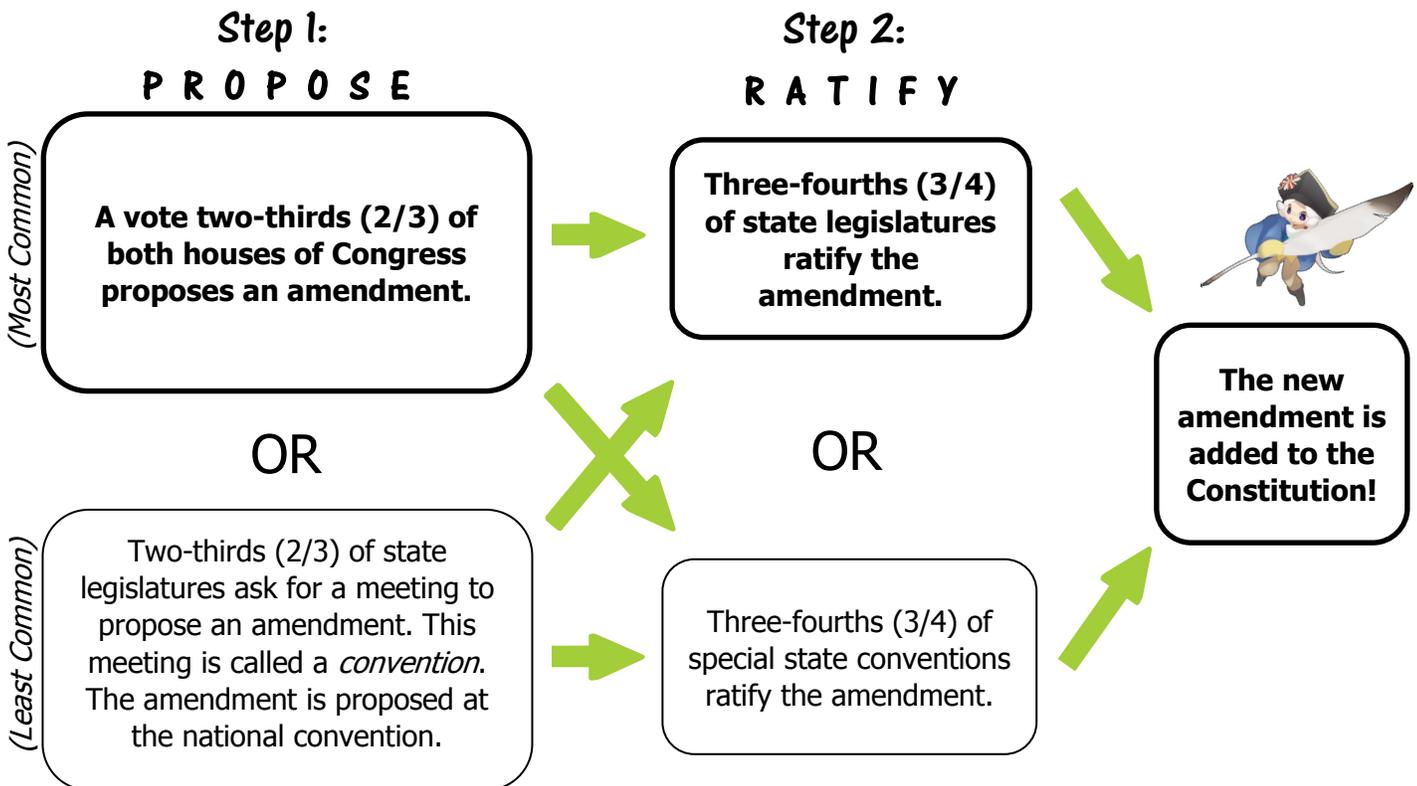
The process to add an amendment can take years. There are four different ways an amendment can be added to the Constitution. But in all cases, an amendment has to be approved at the state and national levels

Step 1: Propose

Either Congress or the States can propose an amendment to the Constitution. Both Houses of Congress must propose the amendment with a two-thirds vote. This is how all current amendments have been offered. The other option is to have two-thirds of the state legislatures call on Congress to hold a Constitutional Convention. So far, no amendments have been proposed in this way.

Step 2: Ratify

Regardless of how the amendment is proposed, it must be ratified by the states. Three-fourths of the state legislatures must approve of the amendment proposed by Congress. The alternative is to have three-fourths of the states approve the amendment by holding conventions to vote on it. The state convention method has only been used once, to approve the 21st Amendment repealing Prohibition in 1933.



Different Democracies

Name: _____

All democracies are governments "by the people" and give citizens the right to vote. But not all democratic governments are organized the same way. The main difference is where the power sits. Some keep all the power in one place, while others spread it out among states. Our Constitution could have been very different. What if the Founders took another direction? To find out, read each section below and decide whether the characteristics in each list are strengths (+) or weaknesses (-).

Federal: Set of Chairs

A *federal* form of government splits power between independent states and a central government. The power rests in both places, and each gets its authority from a governing document, like the U.S. Constitution. Independent branches inside the central government may also share power.

- There is national unity, but local governments can act as needed
- Citizens have more opportunities to be heard
- Services can be duplicated by different levels of government
- Disputes occur between national power and states' rights



The states and central government must work together and balance each other out, like a set of chairs around the table. Examples: The United States, Australia



A confederation of states is like a bunch of different chairs grouped together. They hold power independently but work collectively. Examples: The European Union, The Confederate States of America during the Civil War

Confederal: Many Different Chairs

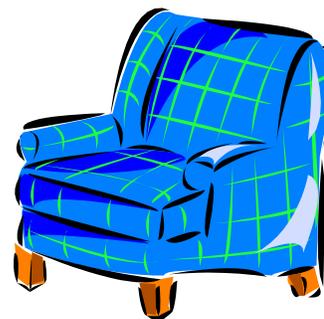
The *confederal* form of government is an association of independent states. The central government gets its authority from the independent states. Usually the states give the central government very little power. Power rests in each individual state, whose representatives meet to address the needs of the group.

- Keeps the power of government at the local level
- States cooperate without losing their independence
- Central government may be too weak to effectively help the group
- Laws may differ from state to state; no uniformity

Unitary: One Big Chair

In a *unitary* form of government, all the power rests in a central government. The country may be divided into states or other sub-units, but they have no power of their own. For example, England depends on its Parliament, a legislative body, to create and enforce the laws in the country. The leader of the nation, the Prime Minister, is a member of the Parliament and does not have any more power than its members.

- Uniform laws, policies, and enforcement across the country
- Little conflict between state and national governments
- Government may be slow to meet local problems
- Difficult to meet all the needs of all the citizens



A unitary government is like one really big chair, with all the power of the government sitting in one place. Examples: England, France

Whose Job Is It?

E=Executive

L= Legislative

J= Judicial

(For each description show the correct side of your tent.)

- ___ 1. Prints money
- ___ 2. Enforces the laws
- ___ 3. Decides what a law means
- ___ 4. Declares war
- ___ 5. Includes the president, vice president, and the cabinet
- ___ 6. Divided into the House and Senate
- ___ 7. Punishes pirates!
- ___ 8. Makes treaties with other countries
- ___ 9. Can declare laws unconstitutional
- ___ 10. Selected by the Electoral College
- ___ 11. Selected by popular vote
- ___ 12. Appoints Supreme Court Justices, federal judges, ambassadors and cabinet members
- ___ 13. Approves presidential appointments
- ___ 14. Makes a State of the Union address each year
- ___ 15. Collect taxes

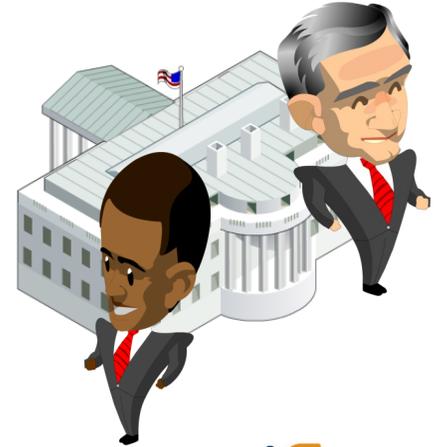


Directions: Fold on the dotted lines to make a 3-sided tent with the text facing out:
Tuck the extra flap to the inside.



(Fold here)

Executive Branch



(Fold here)

Legislative



(Fold here)

Judicial Branch



Anatomy of the Constitution

Name: _____



Vocabulary. Match the term with the correct definitions from the lesson.

- | | |
|-------------------|---|
| ___ 1. ratify | A) Introduce a new amendment |
| ___ 2. execute | B) Carry out a law |
| ___ 3. federalism | C) A representative form of government |
| ___ 4. republican | D) Approve or pass an amendment |
| ___ 5. propose | E) System where the national government shares power with state governments |

Multiple Choice. Use what you have learned in this lesson to answer the following questions.

- | | |
|---|---|
| ___ 6. How many senators are in the U.S. Senate?
a. 50
b. 435
c. 100
d. It depends on the population. | ___ 8. What needed to be added to the Constitution before it could be ratified?
a. The 14th Amendment
b. The approval of all 13 states
c. The Bill of Rights
d. The Necessary and Proper Clause |
| ___ 7. What does the Constitution say is the 'supreme law of the land'?
a. The Bill of Rights
b. State laws
c. The amendments
d. U.S. or federal laws | ___ 9. What is the term for members of the House of Representatives ?
a. 2 Years
b. 4 Years
c. 6 years
d. Life |

Separate Those Powers! Draw a line connecting each branch to the powers it has.



10. We write the bills that become laws.



11. We make sure the laws are carried out and enforced.



12. We hear cases about the laws and decide what the laws mean.

Article Match-Up. Draw a line connecting each Constitutional article with the subject that it covers.

Article 5

13. Discusses how states should interact with each other.

Articles 1-3

14. Supreme Law of the Land

Article 6

15. Creates the three branches of the U.S. government

The Amendments

16. How to amend the Constitution

Article 7

17. How to Ratify the Constitution

Article 4

Whose Job Is It?

E=Executive

L= Legislative

J= Judicial

(For each description show the correct side of your tent.)

L 1. Prints money

E 2. Enforces the laws

J 3. Decides what a law means

L 4. Declares war

E 5. Includes the president, vice president, and the cabinet

L 6. Divided into the House and Senate

L 7. Punishes pirates!

E 8. Makes treaties with other countries

J 9. Can declare laws unconstitutional

E 10. Selected by the Electoral College

L 11. Selected by popular vote

E 12. Appoints Supreme Court Justices, federal judges, ambassadors and cabinet members

L 13. Approves presidential appointments

E 14. Makes a State of the Union address each year

L 15. Collect taxes



Anatomy of the Constitution

Name: **TEACHER GUIDE**



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- | | |
|------------------------|---|
| <u>D</u> 1. ratify | A) Introduce a new amendment |
| <u>B</u> 2. execute | B) Carry out a law |
| <u>E</u> 3. federalism | C) A representative form of government |
| <u>C</u> 4. republican | D) Approve or pass an amendment |
| <u>A</u> 5. propose | E) System where the national government shares power with state governments |

Multiple Choice. Use what you have learned in this lesson to answer the following questions.

- | | |
|---|---|
| <p><u>C</u> 6. How many senators are in the U.S. Senate?</p> <p>a. 50
b. 435
c. 100
d. It depends on the population.</p> | <p><u>C</u> 8. What needed to be added to the Constitution before it could be ratified?</p> <p>a. The 14th Amendment
b. The approval of all 13 states
c. The Bill of Rights
d. The Necessary and Proper Clause</p> |
| <p><u>D</u> 7. What does the Constitution say is the 'supreme law of the land'?</p> <p>a. The Bill of Rights
b. State laws
c. The amendments
d. U.S. or federal laws</p> | <p><u>A</u> 9. What is the term for members of the House of Representatives ?</p> <p>a. 2 Years
b. 4 Years
c. 6 years
d. Life</p> |

Separate Those Powers! Draw a line connecting each branch to the powers it has.



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Articles 1-3

Article 4

The Amendments

Article 6

Article 7

Article 5

13. Discusses how states should interact with each other.

14. Supreme Law of the Land

15. Creates the three branches of the U.S. government

16. Additions to the Constitution

17. How to amend the Constitution

18. How to Ratify the Constitution