

On the Level

Time Needed:

One Class Period

Materials Needed:

Student Readings & Worksheets

Copy Instructions:

- Double-side reading p. 1-2
- Transparency of Venn diagram
- Single-side "powers" cards (cut in half ahead of time)
- Double-side guided notes with review p. 1-3

Learning Objectives

Through this lesson students will be able to:

- Compare duties of, functions of, and relationships between members of legislative, executive, and judicial branches of local, state, and national government.
- Explain how and why powers are distributed between local, state, and national governments.
- Illustrate the law making process at each level, as well as obligations and services of each level.
- Evaluate the major changes/events that have affected the roles of local, state, and national government.

STEP BY STEP

- DISTRIBUTE** the reading to the class and the graphic organizer (OPTIONAL— graphic organizer can also be distributed *after* the reading has been completed).
- READ** through the reading pages together as a class.
- CHECK** for understanding using the active participation activity (see teacher activity guide for instructions).
- ASSIGN** students to complete the graphic notes individually, in pairs, or as a whole class activity.
- REVIEW** the graphic notes together as a class.
OPTIONAL: Create a transparency of the graphic organizer and allow students to approach the projector/board to fill in the graphic organizer one blank at a time.
- PROJECT** the Venn diagram and distribute "powers" cards to each student. Alternatively, draw a large Venn diagram on the board, labeled to reflect the Venn diagram included in the lesson plan.
- INSTRUCT** students to approach the board one at a time and place the power where they think it should go. Constructively correct students, guiding them toward the correct answer. After each card is placed, take the opportunity to engage students in a very brief discussion about why each power is assigned to the federal or state government (or both!).
- ASSIGN** the review pages to your students and allow them to complete these pages independently or in pairs/small groups.
- DISCUSS** student responses to the State or Local? activity. Student responses may vary, but ask students to defend their answers.

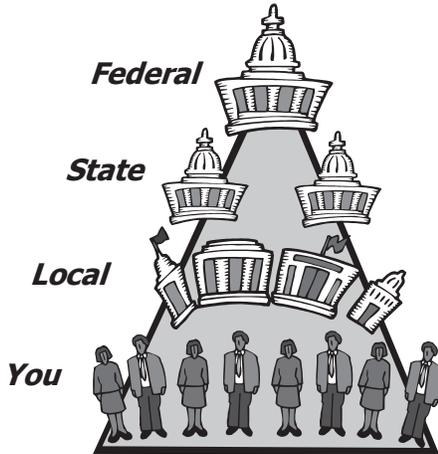
This lesson plan is part of the *State and Local Government* series by iCivics, Inc. a nonprofit organization dedicated to advancing civic education. For more teaching resources, please visit www.icivics.org/teachers where you can access the state standards aligned to this lesson plan.

On the Level

Name: _____

Who's Got the Power?

Can you name the President of the United States? Can you name the governor of your state? Can you name the mayor of your town? Easy! But can you describe the different powers held by each of these individuals? Powers are the duties and roles given to a person in office.

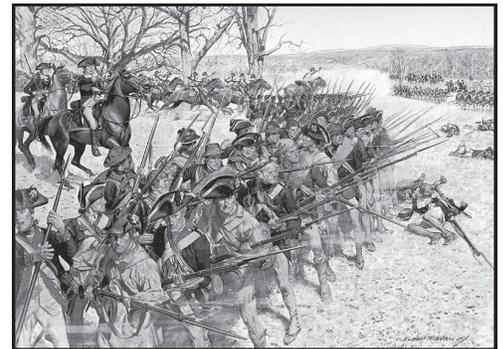


Government on Three Levels

Federalism is the division of power among a central government and smaller regional governments. In the United States, we have a central government known as the federal government. The federal government deals with issues that affect the entire country. Each state also has its own state government that only handles the affairs of that state. Finally, there are local governments in places like towns, counties, and cities. These are the governments closest to you. They deal with issues that must be handled locally, such as maintaining roads and bridges.

Fighting for Control

The founders of our country divided power between the federal government and the state and local governments because they were afraid of a federal government that had too much control. When our founders were writing the Constitution, the country was recovering from the Revolutionary War. In that war, the colonists had rebelled against a strong central government and won their freedom.



American colonists fight for their freedom

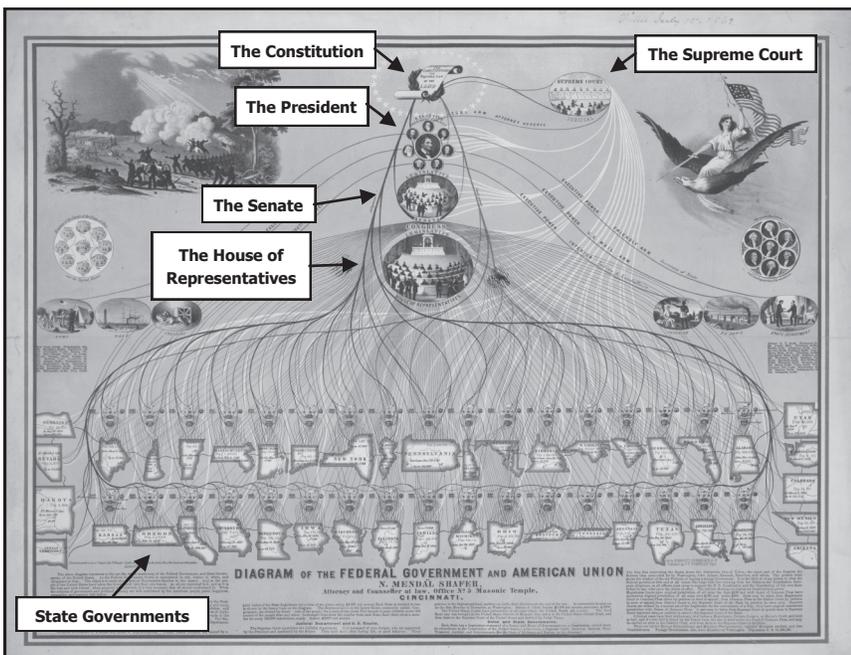


Diagram of federalism from 1862

Spread It Around

To avoid creating a new government that would be just as controlling as the old one, the founders wrote the Constitution to include the principle of federalism. First, the Constitution created a central federal government with powers that are outlined very clearly. Second, the Constitution says that any power not given to the federal government is a power the states have. This included the states' ability to develop their own local governments.

Federal Powers

The Constitution assigns, or **delegates**, specific powers to the federal government. There are three types of delegated powers, and they are the only powers that the federal government holds. **Expressed** powers are listed clearly in the Constitution. They include the power to print money or declare war. **Implied** powers are not written out clearly in the Constitution. Instead, the Constitution gives the federal government the power to make laws that are "necessary and proper" for carrying out the expressed powers. For example, the Constitution expressly gives the federal government the power to establish post offices, but it does not expressly give the power to print postage stamps. Postage stamps are a "necessary and proper" part of running a post office, however, so the federal government has the power to print them. Finally, **inherent** powers are not listed in the Constitution but are necessary for the federal government to function. The Constitution doesn't talk about immigration or international relations, but the government still has to act on these items. It is understood that the federal government must play a role in these areas.



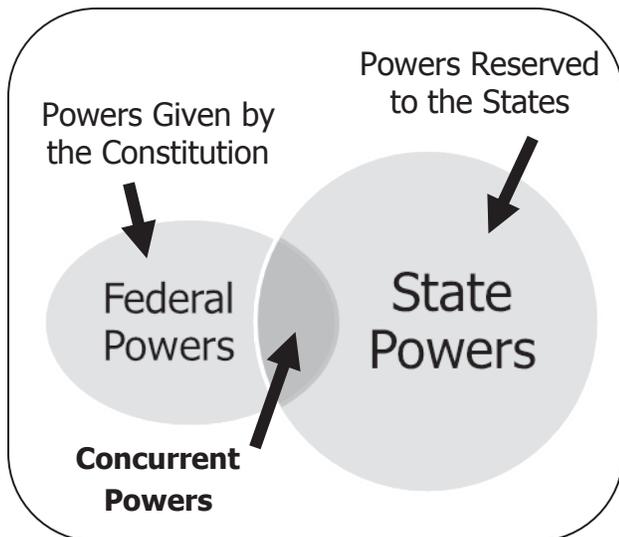
Expressed:

Take a *look* at the Constitution... it's there!

Implied:
Think about the Constitution... it's necessary and proper!



Inherent:
Consider what the Constitution was trying to establish... it's essential!



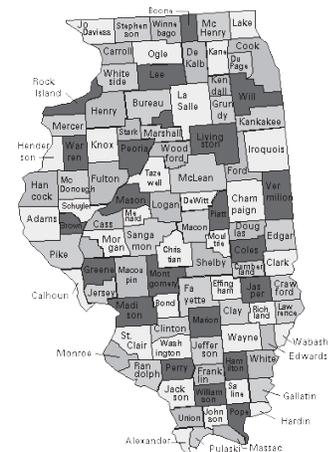
State Powers

The Constitution does not delegate any specific powers to the states. There is no list of "state powers." Instead, any power the Constitution does not give to the federal government is reserved to the states. The Constitution does **deny** powers to the states, meaning there is a listing of things that they *can't* do. This may sound like the states don't have much power, but **reserved** powers are actually very broad. The Constitution says nothing about many important powers, such as public safety, health, education, licenses, and many other things! All of these powers are reserved to the states. Some state powers do overlap with the federal government, and these are called **concurrent** powers.

Local Powers

The Constitution says nothing about local governments. That's because the principle of federalism created by the Constitution has only two levels: the national and the state level. The power to create local governments is a power reserved to the *states*. Local governments get their power from the state where they are located, and each state gives slightly different powers to its local governments. Counties, cities, towns, townships, boroughs, and parishes are all types of local government.

Usually, the state will make broad laws about things like public safety, health, and education. Then it gives local governments the power to make more detailed laws about these issues or to decide how these laws will be carried out.



Counties in the state of Illinois

Active Participation Activity

After students have completed the reading, use the following active participation activity as a quick check for understanding. Read each item aloud, give students a set amount of time to think, then ask the class to give a thumbs up or thumbs down representing true or false.

1. **Federalism promotes a strong central government and gives little power to any other level of government.** (*False—Federalism is the division of powers among a central government and smaller regional governments*).
2. **The founders of our country were against federalism and did not include it in the Constitution.** (*False—Even though some people opposed federalism, it ultimately offered the best compromise between state and federal power*).
3. **The people who wrote the Constitution were influenced by their experiences as colonists and fighting the Revolutionary War.** (*True—There were many influences on the founding fathers, but their experiences as colonists were very important*).
4. **The Constitution of the United States established a central, federal government, with clearly outlined powers.** (*True—This is the main focus of the U.S. Constitution—the establishment of the federal government*).
5. **The Constitution defines very specific powers for the states.** (*False—the Constitution gives all powers not enumerated to the federal government to the states, but does not clearly outline the powers given to the states*).
6. **The word “delegate” means to take from or to take away.** (*False—To delegate means to assign*).
7. **The reason the federal government has “inherent powers” is so it can interact with other nations.** (*True—The Constitution was mainly concerned with how the federal government would handle domestic issues, so it enumerated very few diplomatic/foreign issues*).
8. **Powers that are denied to the states are held by local governments.** (*False—Powers that are denied to the states are held by no one or by the federal government alone*).
9. **The power to establish local governments is held by the states.** (*True—State constitutions are responsible for enumerating powers held by local governments*).
10. **Each state’s constitution sets up local governments slightly differently.** (*True—Because states are free to create their own local governments, each state does this in a slightly different way*).

Name:

Expressed, Implied, & Inherent Powers

Concurrent Powers

Reserved Powers

Print money

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Regulate trade between states and

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Make treaties
and conduct
foreign policy

iCIVICS

Declare war

iCIVICS

Provide an
army and
navy

iCIVICS

Establish post
offices

iCIVICS

Make laws that
are necessary and
proper to carry
out these powers

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Issue licenses

iCIVICS

Regulate
business
within a state

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Conduct
elections

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Establish local governments

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Protect the public health and safety

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May use any powers
that the Constitution
doesn't delegate to the
national government or
deny to the states

Collect taxes

Build roads

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Borrow money

iCIVICS

Establish courts

iCIVICS

Make and enforce laws

iCIVICS

Spend money
for the general
welfare

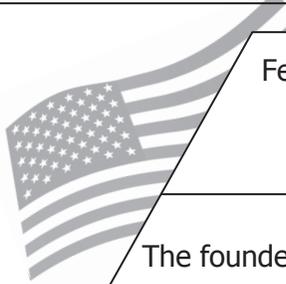
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Charter banks
and
corporations

iCIVICS

On the Level

Name: _____



Federalism is...

The founders _____ the power between the _____ and _____ because they were _____ of a federal government that had too much _____.

Federal Government: The constitution _____ specific powers to the national, or federal government.

Expressed powers are...

Implied powers are...

Inherent powers are...

Define:

State Government: The U.S. Constitution does _____ delegate any specific powers to the states. Any powers not given to the _____ government and not denied, are given to the _____.

Reserved powers are...

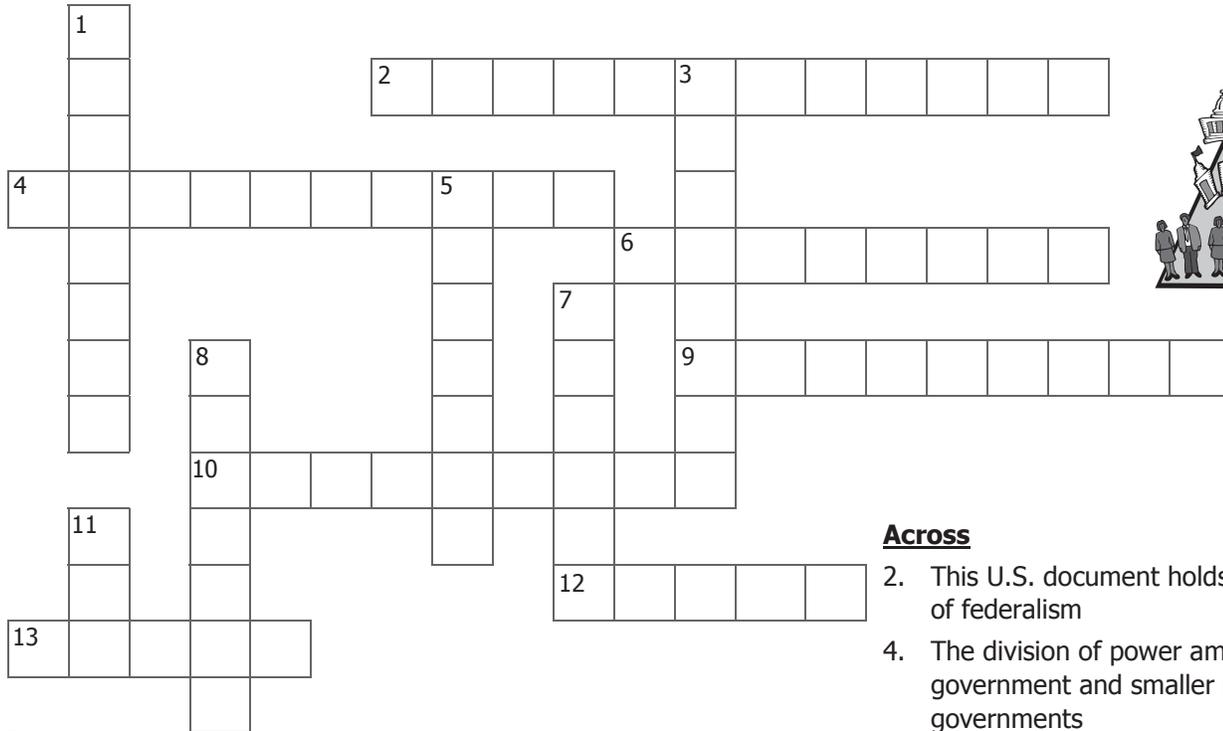
Denied powers are...

Define:

Local Government: Local government is _____ mentioned in the U.S. Constitution, and local governments get all their power from the _____. Every state's constitution is slightly _____, so each state government is slightly _____.

On the Level

Name: _____



Down

1. This word means "to assign"
3. The federal government has these powers because it is a sovereign state that engages with other sovereign states
5. The federal government has these powers because they need them to carry out their expressed powers
7. Expressed, inherent, implied, and reserved are all types of these
8. This level of government is delegated powers by the Constitution
11. The Constitution only establishes this many levels of government

Across

2. This U.S. document holds the concept of federalism
4. The division of power among a central government and smaller regional governments
6. These powers are given to the states
9. Federal powers listed in the Constitution
10. Each state's system of local government is slightly _____
12. The Constitution doesn't delegate any specific powers to this level of government
13. This level of government gets its powers from state constitutions

Strengths and Weaknesses. Read each description of federalism. Does it describe a *strength* or a *weakness* of federalism? Label each line with an *S* for strength or *W* for weakness.

- _____ 1. Sometimes there are disagreements over who is responsible for a particular issue. This creates a situation where the state or national government can blame each other for failings.
- _____ 2. Federalism allows policy to be customized to meet the particular needs of certain areas and communities.
- _____ 3. People are citizens of local, state, and federal governments. This allows them to participate democratically on multiple levels through elections. Local government allows citizens to engage their government directly.
- _____ 4. Competition between state and local governments to draw in the most tax-paying citizens drives the creation of better services.
- _____ 6. Each level of government keeps the other levels of government in check. This way, no one branch of the government can become too powerful.
- _____ 7. When different levels of government provide the same service, the delivery of that service is sometimes not as coordinated and efficient as possible.

On the Level

Name: _____

Federal Powers. Match the expressed power from the U.S. Constitution to news headlines. (They loved to capitalize things back in the 1700s!)



- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>_____ 1. "The President shall be Commander in Chief of the Army and Navy of the United States..."</p> <p>_____ 2. "The judicial Power shall extend to all Cases ... arising under this Constitution, the Laws of the United States, and Treaties made ... under their Authority..."</p> <p>_____ 3. "Congress shall have the power to...coin Money ... and fix the Standard of Weights and Measures..."</p> <p>_____ 4. "...he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States."</p> <p>_____ 5. "...to exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may... become the Seat of the Government of the United States..."</p> | <p>A. President Orders Executive Branch to Carry Out New Law</p> <p>B. Congress Says: Print More \$2 Bills!</p> <p>C. Man Says Law is Unconstitutional; Supreme Court Hears Case</p> <p>D. Congress Restricts Handguns in the District of Columbia, the Nation's Capital</p> <p>E. President Decides to Bring Troops Home!</p> |
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Power	Denied or Shared?	What's the Problem?
Coin Money	<input type="checkbox"/> Denied to the states <input type="checkbox"/> Shared with the fed. gov't	If each state could coin money, then...
Collect Taxes	<input type="checkbox"/> Denied to the states <input type="checkbox"/> Shared with the fed. gov't	If states could not collect any taxes, then...
Make and Enforce Laws	<input type="checkbox"/> Denied to the states <input type="checkbox"/> Shared with the fed. gov't	If states could not make and enforce laws, then...
Keep Troops during Peace Time	<input type="checkbox"/> Denied to the states <input type="checkbox"/> Shared with the fed. gov't	If states could have their own troops, then...
Establish Courts	<input type="checkbox"/> Denied to the states <input type="checkbox"/> Shared with the fed. gov't	If states could not establish courts, then...

On the Level

Name: _____

State or Local? Some laws are intended to apply to everyone in an entire state, while other laws make more sense applied to a smaller, local area. Can you tell which is which? Read each law below and decide whether it sounds like a state law or a local ordinance (law), rule, or policy.

1) No one living in the area may breed livestock of any kind.

LOCAL or STATE

2) It is unlawful to turn water service on or off without approval.

LOCAL or STATE

3) Every child between ages 6 and 16 must attend a school or be homeschooled.

LOCAL or STATE

4) Temporary structures such as circus tents may not be put up without approval.

LOCAL or STATE

5) A person between ages 16 and 18 must have a parent's permission in order to get married.

LOCAL or STATE

6) It is against the law to change or destroy any sidewalks without first receiving approval.

LOCAL or STATE

7) At any time between sunset and sunrise, vehicles on the road must have their headlights on.

LOCAL or STATE

8) All sidewalks, buildings, fences, signs, and other surfaces must be kept free from graffiti.

LOCAL or STATE

9) Elementary school begins at 8:30 a.m. and the middle and high school begins at 7:30 a.m.

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10) It is unlawful to take, injure, or harass any bird upon its nest, except in agriculture.

LOCAL or STATE

Local Services. Local officials are responsible for carrying out local laws. But who does what? Match these local officials with the services they are responsible for.

district attorney
elections supervisor
recorder/clerk
engineer
chief of police

I'm responsible for keeping people safe by enforcing laws. I'm the local _____.



I'm responsible for organizing elections for our local district. I'm the local _____.



I'm responsible for making sure criminals are prosecuted for their crimes. I'm the local _____.



I keep track of all the records for people in our community. I'm the local _____.



I'm responsible for managing public buildings and structures. I'm the local _____.



On the Level

Name: **TEACHER KEY**



Federalism is... *the division of power among a central government and smaller regional governments*

The founders divided the power between the federal government and state governments because they were afraid of a federal government that had too much control.

Federal Government: The constitution delegates specific powers to the national, or federal government.

Expressed powers are...

Listed clearly in the Constitution

Define:

Implied powers are...

Not written in the Constitution, but can be included as being 'necessary and proper'

Inherent powers are...

Not in the Constitution, but are needed so the government can function

State Government: The U.S. Constitution does not delegate any specific powers to the states. Any powers not given to the federal government and not denied, are given to the states.

Reserved powers are...

Broad powers given to the states

Define:

Denied powers are...

Powers denied to the states

Local Government: Local government is not mentioned in the U.S. Constitution, and local governments get all their power from the states. Every state's constitution is slightly different, so each state government is slightly different.

On the Level

Name: ****TEACHER KEY****

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recorder/clerk
engineer
chief of police

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district attorney.



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