

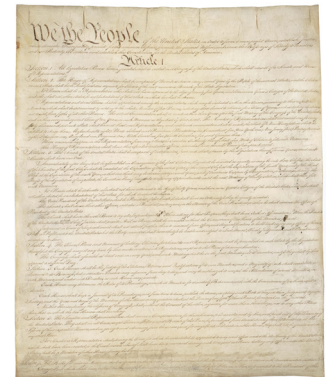


Constitution Day

The Law of the Land

A **constitution** is a document that gives the rules for how a government should run. The Framers wrote our Constitution to create a government for the new United States of America. Creating a new government is no easy job! There were many questions to consider:

- Who are the people in “We the People?”
- What makes us different from other nations?
- How can we prevent someone like a king from taking over?
- How do we protect the people’s rights?
- Can we make a document that is useful to future generations?
- How do we keep one branch of government from becoming too powerful?

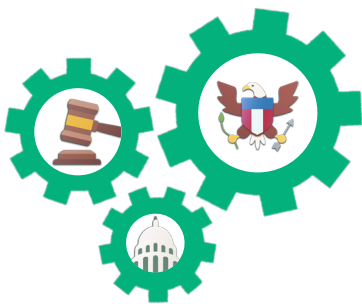


National Archives

What Does Our Constitution Look Like?

The United States Constitution is one of the shortest constitutions in the world. It has a little over 4,500 words and covers only four sheets of paper. It is also the oldest written constitution that is still in use today.

Our Constitution is divided into nine parts. The **Preamble** is the introduction and explains what it is meant to do. The seven **articles** give directions for how the government should work. The **amendments** are changes that were made after the Constitution became law. They are broken down into the **Bill of Rights** (amendments 1-10) and the later amendments (11-27).



Our government is like a machine that needs three gears to run properly: executive, legislative, and judicial.

The Constitution’s Table of Contents

Section	Answers the question(s)?
Preamble	What are the goals of the government and who does it apply to?
Article I	How does the legislative branch work?
Article II	How does the executive branch work?
Article III	How does the judicial branch work?
Article IV	How should states get along with each other?
Article V	How can the Constitution be amended , or changed?
Article VI	Can the U.S. be in debt? Is federal law superior to state law? What do officials say when they are sworn into office?
Article VII	How did they make the Constitution the law of the land?
Amendments	What changes have been made since the Constitution became law?



The first three articles show us how the three branches work together to create a government that answers the Framers’ questions.

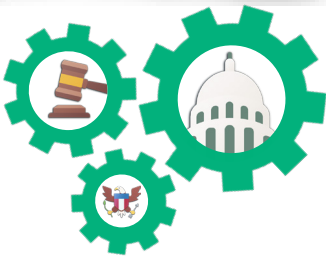




Constitution Day

Article 1

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.



Creating Congress

Article I is the first and longest part of the Constitution. This is because the people who wrote the Constitution recognized that a legislative branch is important in a government that represents “We the People.” Members of **Congress** are responsible for turning the wants and needs of the people into laws.

This branch makes our government a **representative democracy**. In this type of democracy, citizens elect people to represent their needs and concerns in Congress. Article I tells us that the legislature is divided into two parts (also called two houses): 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, have 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, have 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
They represent...	the interests of the residents of 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 in the same form by BOTH houses of Congress before it can go to the President to become law.	

What differences do you notice between the House of Representatives and the Senate? Why do you think the Framers wrote it that way?

Congressional Power!

Article I gives Congress a list of specific powers to...

- Collect taxes
- Borrow money and pay debts
- Make rules for how to become a citizen
- Regulate commerce (trade) between the states, with Native American nations, and with foreign countries
- 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.

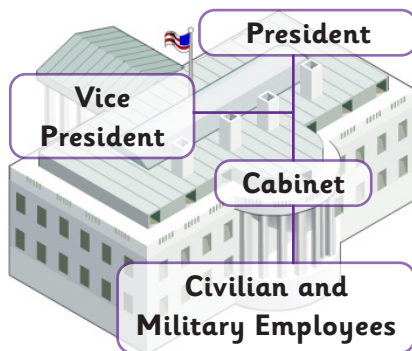




Constitution Day

Creating the President

Article II of the Constitution describes the job of the executive branch. The president heads the branch, which includes the vice president, the cabinet, and many civilian and military employees. Article II also says who qualifies to be the president, how they are selected (the Electoral College), what powers the office has, and what happens if a president misbehaves.



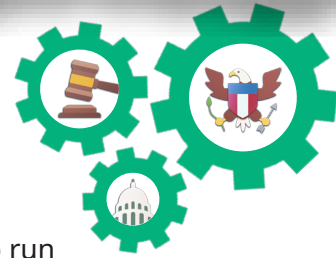
The President leads the executive branch

Could *You* be the President?

- Were you born in the U.S. ?
- Are you at least 35 years old?
- Have you lived in the U.S. for at least 14 years?

Powers of the Executive Branch:

- Act as the commander-in-chief of the armed forces and the National Guard
- Maintain a cabinet of advisors who run the 14 executive departments like the State Department and the Treasury
- Grant pardons for all federal criminal offenses and **reprieves** (the postponement of punishments like executions)
- Negotiate treaties with other countries and sovereign Native American nations
- Appoint ambassadors, Supreme Court Justices, 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)



Article 2

The executive power shall be vested in a President of the United States of America... He shall take care that the laws are faithfully executed.

Creating the Courts: Here Come the Judges!

Article III creates the last of the three branches, the judicial branch. This is the shortest of the first three articles and includes the fewest details. The judicial branch has the job of interpreting laws to decide what they mean.

The Supreme Court is the only court that is established in Article III. 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 the crime of **treason** (the crime of betraying your country).



Article 3

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time establish.



Name _____

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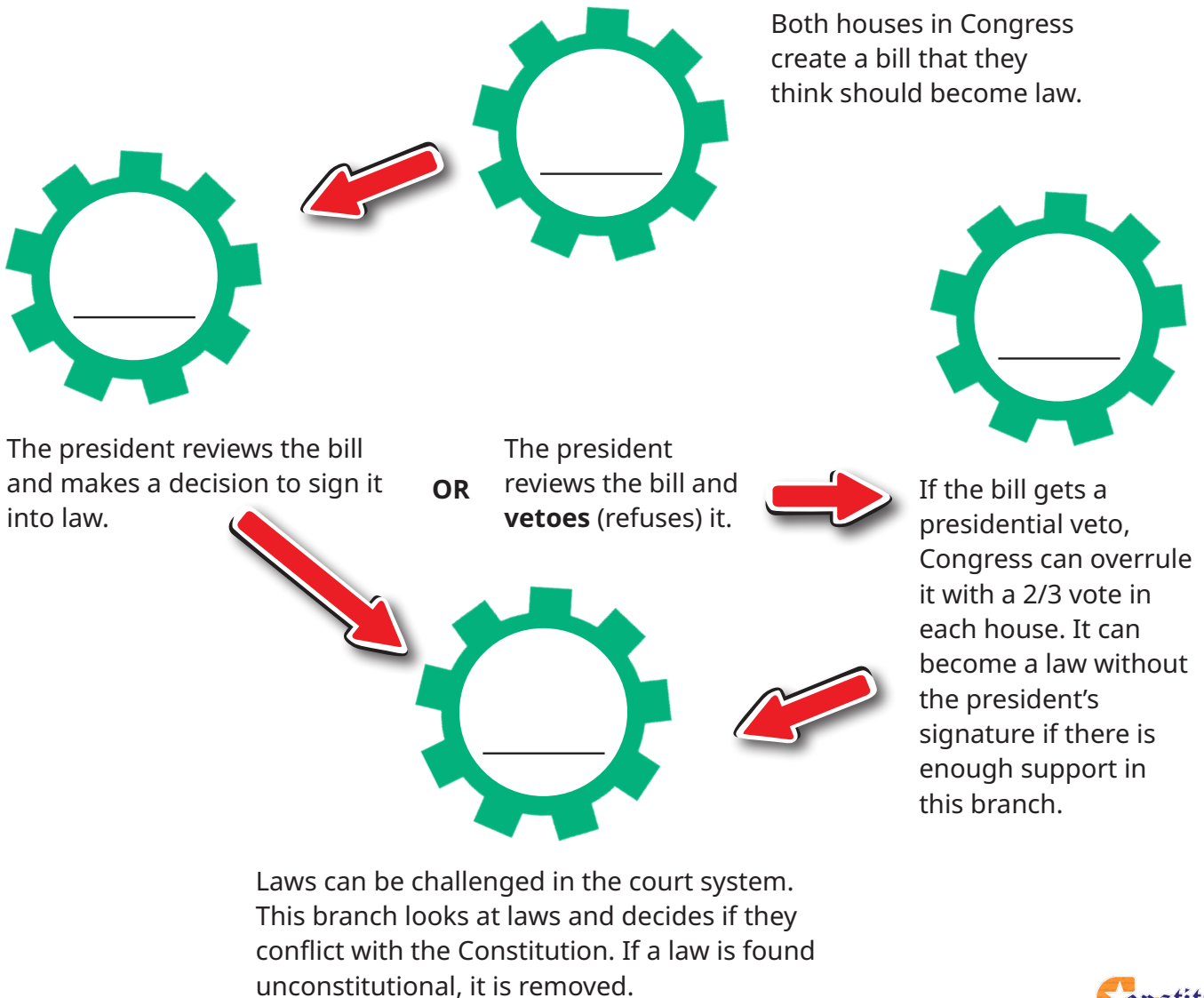
Checks and Balances

We have three branches in our government because the Framers of the Constitution believed that there needed to be a **separation of powers**. They had just broken up with a king who had too much power. By dividing power, they made sure that one branch wouldn't overpower the others. The three branches of our government interact with each other all the time. Sometimes they work together to pass a law. Other times, one or two of them use their powers to review what the other is trying to do to make sure it's Constitutional. This is called **checks and balances**. Each branch makes sure the others don't get too powerful.



A Bill Becomes a Law

Check out the ways the branches interact! Based on what you have learned about the jobs of each of the branches, label the gears *Executive (E)*, *Judicial (J)*, or *Legislative (L)*.





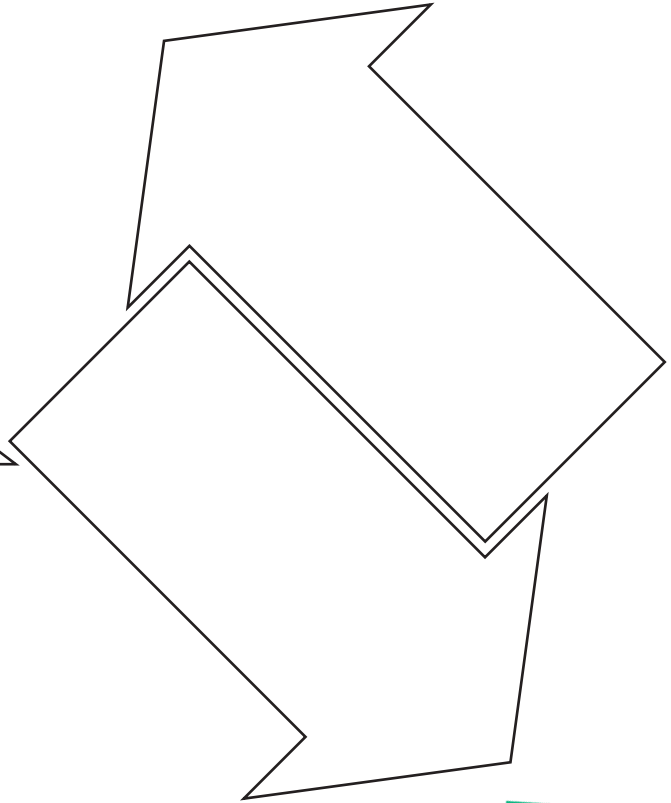
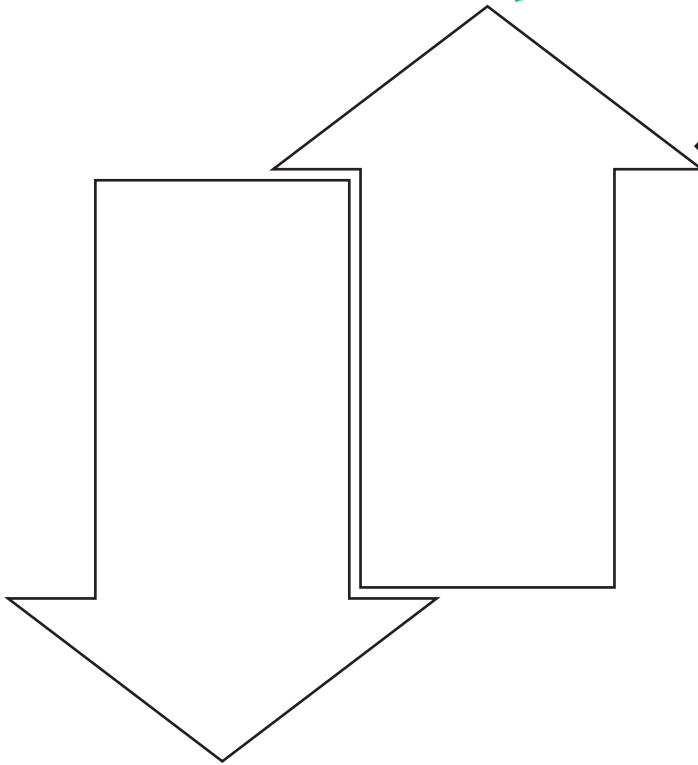
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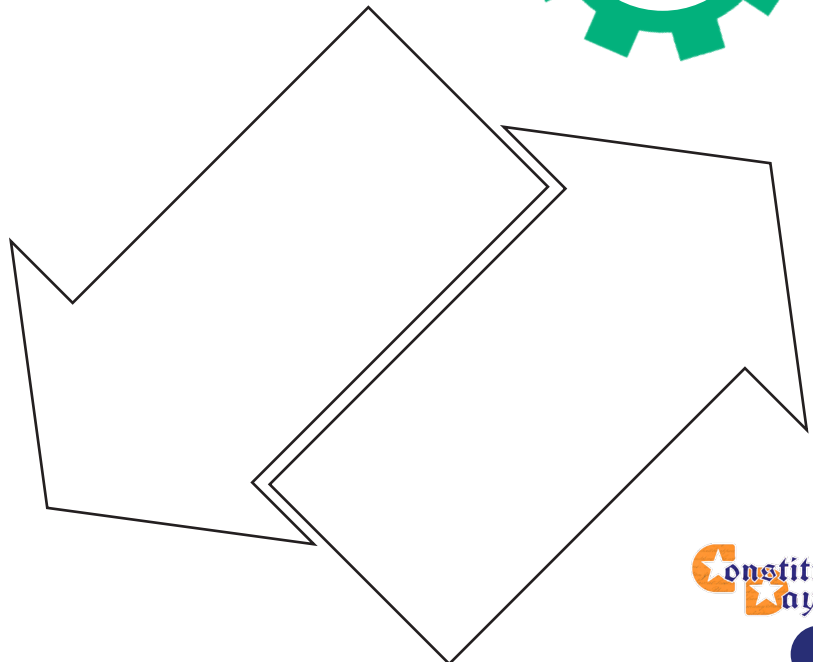
Separating Powers & the Checks and Balance System.

Cut out the actions on the half-sheet and paste them to the correct arrows below.

The Executive Branch



The Judicial Branch



The Legislative Branch



Name _____

Constitution Day

Separating Powers & the Checks and Balance System.

Cut out the actions on the half-sheet and paste them to the correct arrows below.



Judges are appointed for life, free from influence by the president or the people. The Courts can declare executive actions unconstitutional.	The Courts can declare laws made in Congress unconstitutional.
The President appoints Supreme Court justices and other federal judges.	Congress can override a presidential veto with 2/3 vote. It can also remove a president through the impeachment process. It also approves executive appointments.
Congress creates the lower courts. It can remove judges through impeachments and must approve appointments to the federal courts.	The president can veto bills, call special sessions of Congress, recommend laws, and ask citizens to pressure Congress to act.

Separating Powers & the Checks and Balance System.

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A. Vocabulary. Match the definitions with the vocabulary term from the lesson.

- | | |
|--|-----------------------------|
| _____ 1. The two houses that make up the legislative branch | A) Bill of Rights |
| _____ 2. Citizens elect officials to represent them in the government | B) Checks and Balances |
| _____ 3. Dividing the government into parts and giving each specific jobs | C) Representative Democracy |
| _____ 4. When the three branches review each other to make sure they follow the Constitution | D) Separation of Powers |
| _____ 5. The introduction to the U.S. Constitution | E) Preamble |
| _____ 6. The first ten amendments to the U.S. Constitution | F) Congress |

B. What's My Job? Connect each quote about working in government to the correct branch.

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

2. Being the president is like riding a tiger.
Harry S. Truman, D- MO

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



The Executive Branch



The Judicial Branch



The Legislative Branch

C. Separate those Powers! Read each power and select the correct branch of government by circling the correct gear.

1. We write the bills that become laws.



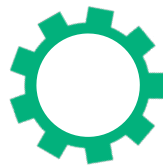
2. We make sure the laws are carried out and enforced.



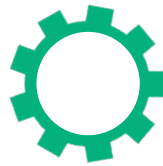
3. We hear cases about the laws and decide what the laws mean.



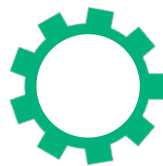
D. Checking and Balancing. These are the steps involved with appointing a Justice to the Supreme Court. Label the branches that apply. (This process is repeated for all presidential appointments!)



The President selects someone that they think should become the next member of the Supreme Court.



The appointment must be approved by a majority vote in the Senate before they can take their seat on the court.



Once approved, the new justice takes their place on the Supreme Court and begins work.

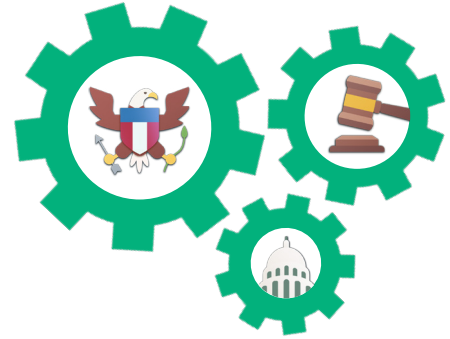


Anatomy of the Constitution

Whose Job Is It?

E = Executive **L** = Legislative **J** = Judicial
(For each description show the correct side of your tent.)

- _____ 1. Coins 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. State representatives are elected 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 federal taxes





Name _____

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 Branch



(Fold here)

Judicial Branch

