

UNITED STATES CONSTITUTION

Find a copy of the Constitution of the United States in your textbook or in another reference source. Answer the following questions.

The Preamble and Articles I-VII

(1) The Constitution begins with an introductory paragraph that states the purposes of the new plan of government. The introduction is called the _____. It says:

(2) The Constitution, as it was written in 1787, was divided into numerous parts called "articles." How many articles were there? _____

(3) Article I deals with the _____ branch of government.

(4) Article I is subdivided into ten _____.

(5) According to Article I, Section 1, legislative or "lawmaking" powers are granted to a _____ made up of a Senate and House of Representatives.

(6) Article II discusses the organization of the _____ branch.

(7) Article II, Section 1, says that executive power is given to a _____ of the United States.

(8) Article III established a _____ branch of government.

(9) Article III, Section 1, places judicial power in one _____ and various other courts organized by Congress.

(10) Article IV explains the relationship between the individual _____, and between the states and United States government.

(11) Changes or additions to the Constitution, called _____, can be made according to the procedures outlined in Article V.

(12) Article VI says that the United States will pay its debts, that national laws are to be followed when in conflict with state laws, and that government officials must take an _____ in which they promise to support the U.S. Constitution.

(13) Article VII required that _____ states ratify the Constitution before it could go into effect.

Amendments 1-10

The first ten amendments to the Constitution, known as the Bill of Rights, were adopted in 1791. This was four years after the original Constitution had been written, and two years after George Washington had become president. The Bill of Rights guaranteed that the central government would not take away the rights and liberties of the people.

Decide which one of the ten amendments in the Bill of Rights gave people each of the rights and liberties in the following list. Fill in the space with the number of the amendment. Some numbers will be used more than once.

- (14) _____ the right not to be put on trial twice for the same crime
- (15) _____ freedom of assembly
- (16) _____ the right to be tried in the state and district where the crime was committed

- (17) _____ no quartering of soldiers in homes without the approval of the owner
- (18) _____ freedom of the press
- (19) _____ the right to have guns
- (20) _____ the right to a public trial
- (21) _____ the right to know the witnesses against oneself
- (22) _____ freedom of speech
- (23) _____ the right to have a lawyer
- (24) _____ the right not to testify against oneself
- (25) _____ the right not to lose life, liberty, or property without due process of law
- (26) _____ the right to be tried soon after being accused of a crime
- (27) _____ freedom of religion
- (28) _____ the right to know the charges on which one is being held
- (29) _____ freedom from unreasonable search and seizure
- (30) _____ the right to be paid for private property taken for public use
- (31) _____ the right to obtain witnesses in one's defense
- (32) _____ freedom to petition the government to correct grievances
- (33) _____ no cruel or unusual punishments
- (34) _____ no excessive bail or fines

Other Amendments

The Founding Fathers realized that changes or additions would have to be made in the Constitution as conditions and circumstances changed in the United States. Yet considering the number of years that have passed since the Constitutional Convention met in 1787, remarkably few revisions have been made in the original document. This is a tribute to the wisdom of the Convention delegates.

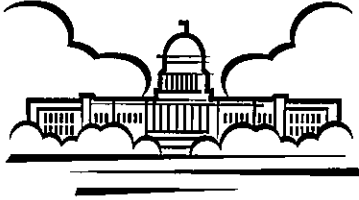
Listed below are the amendments that have been adopted since the Bill of Rights was added to the Constitution in 1791. Fill in the space with the number (11th, 12th, etc.) of the amendment being described. Do not use the same number more than once.

- (35) _____ A citizen cannot be denied the right to vote because of race, color, or previous condition of servitude. (This amendment protected the right of black male citizens to vote.)
- (36) _____ No person can be elected president more than twice. No person who has held the office of president for more than two years of a term to which some other person was elected president shall be elected to the office of president more than once.
- (37) _____ The vice-president will become president if the president is removed from office or if he dies or resigns. If the president is unable to carry out his powers and duties, the vice-president will assume the powers and duties while serving as acting president.
- (38) _____ Congress has the power to collect income taxes.
- (39) _____ People may not make, sell, or transport intoxicating liquors within the United States.
- (40) _____ The eighteenth amendment is repealed.
- (41) _____ A person cannot be denied their right to vote because they have not paid a poll tax.
- (42) _____ A citizen of one state cannot sue another state in federal court.
- (43) _____ The two United States Senators from each state are to be elected by the people of the state. (Senators had previously been chosen by state legislatures.)
- (44) _____ Slavery is abolished in the United States.
- (45) _____ All persons born or naturalized in the United States are citizens of the United States and of the state in which they live. (This made former slaves citizens.) No state can take away rights of citizens of the United States. No state can take away a person's life, liberty, or property without due process of law. All persons are given equal protection of the laws.

Attachment A

Power is distributed between different levels of government.

National Government



United States

State Government

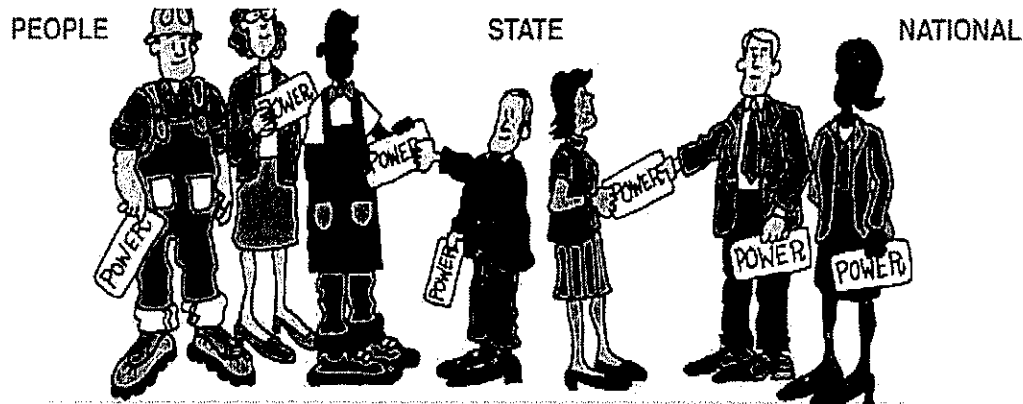


Florida

Local Government



City of Miami



The Constitution provides for a federal system of government. In a federal system the people do not delegate, or give, all power to one central government. Instead, they delegate some power to the national government, some to their state governments, some to both.

Federalism is the division of powers between a national or central government and a regional or state government. The United States has a federal system of government in which the states and national government share the powers. Americans must obey both federal and state laws. Article I of the US Constitution says only the national government might coin money.

Alexander Hamilton, writing in "Federalist No. 28," suggested that both levels of government would exercise authority to the citizens' benefit: "If their [the people's] rights are invaded by either, they can make use of the other as the instrument of redress."

Powers to the national or federal government

As citizens of the nation, the people give certain powers to the federal government. These powers are described in the Constitution. They include the power to create post offices, control interstate and foreign trade, declare and conduct war, and create a national currency. The powers given to the national government are called **enumerated or express powers**. Some other examples include passing laws, regulating trade with other countries and among the states. The federal government also takes care of foreign affairs, provides for the country's defense, coins and prints money, establishes a postal system, admits new states, governs US territories and regulates immigration.

Powers given to the states

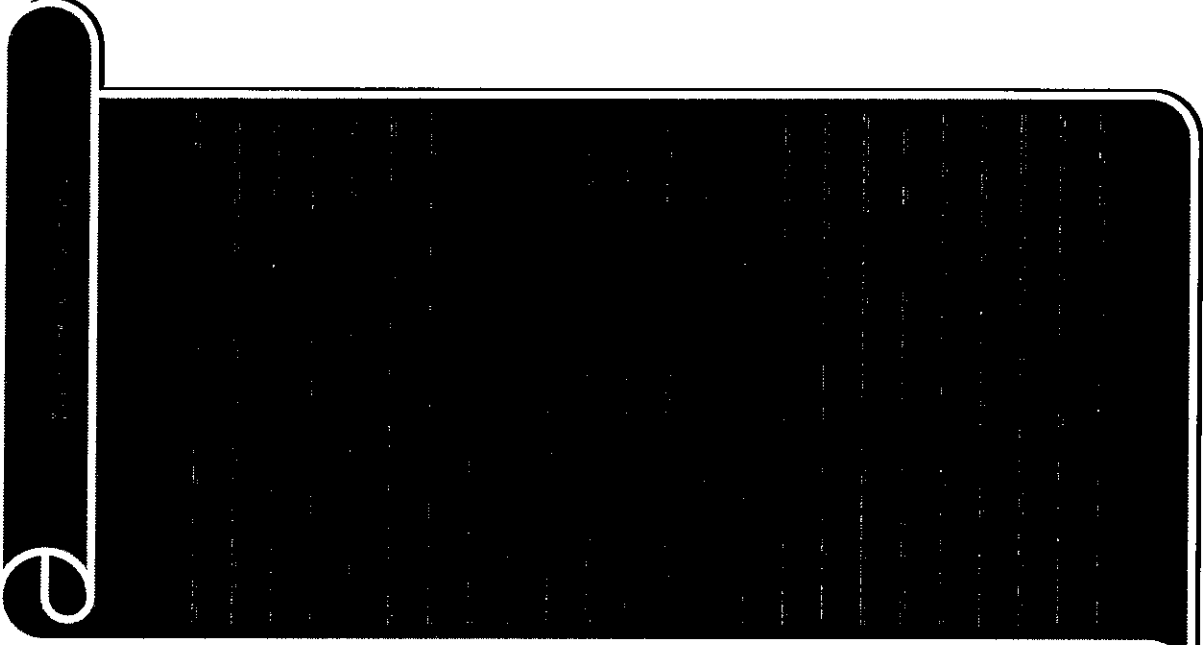
The powers given to the states are called **reserved powers** because they are set aside for the states or the people. Some examples of these powers are the power to conduct elections, regulate trade within the state, establish local governments and public school systems.

Powers that are shared

It is important to know that in our federal system the federal and state governments also share many powers. These powers are known as **concurrent powers**. For example, both governments have the power to tax citizens and businesses and to provide for the health and welfare of the people. Both governments have to enforce laws, borrow money if needed, establish courts and create banks.

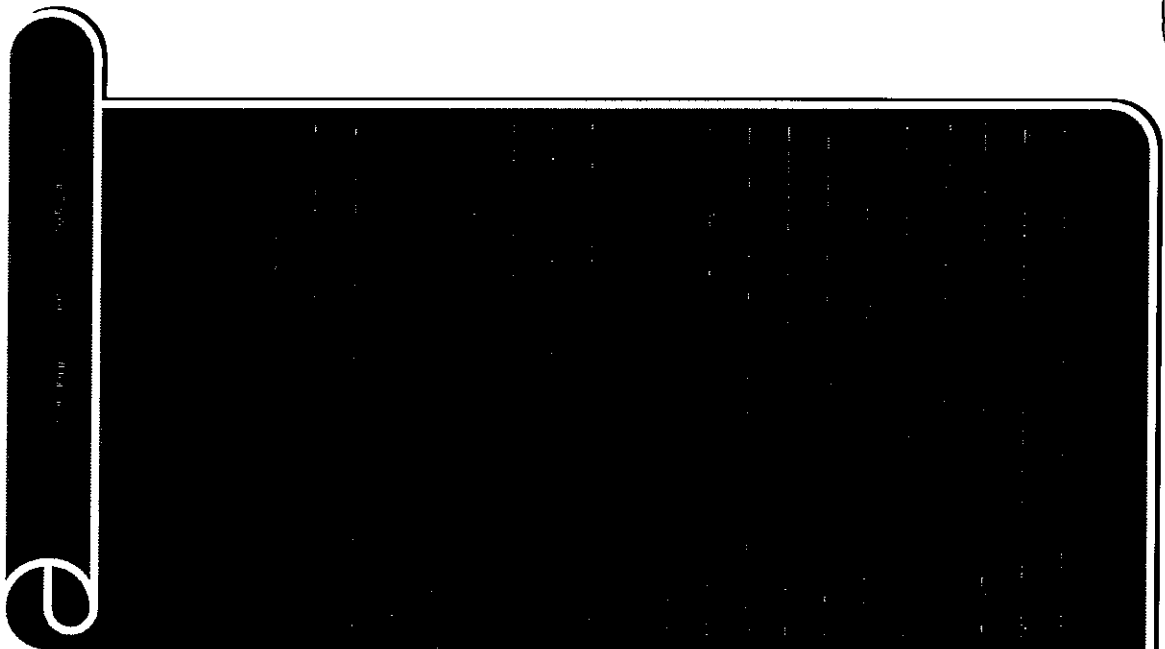
The Constitution is the highest law of the land. In case the laws of the national and the state conflict with one another, the Framers or Founding Fathers included the **supremacy clause** in Article VI, saying that the Constitution and other laws made by the National Government are the supreme "Law of the Land".

Attachment D



Concurrent Powers

A section containing a list of horizontal lines for writing, with the heading "Concurrent Powers" on the left side. The lines are evenly spaced and extend across the width of the section.



Name:

Date:

A GOVERNMENT IS BORN

A new government for the United States was set up with a paper called the Constitution. The writers of the Constitution thought that the best system of government would be federalism. In federalism, the national government and the states share power, but the national government has more power.

The writers wrote rules for the national government in the Constitution. They decided to divide the powers of the national government among three separate branches. This division is called separation of powers.

Each branch of government has a different job, and all the branches must work together. The Constitution explains the jobs of the legislative, executive, and judicial branches.

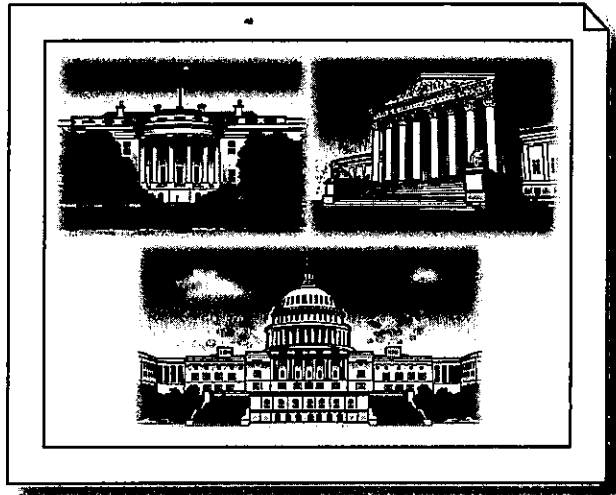
The Senate and the House of Representatives are the two parts of the legislative branch. Together, these groups make up Congress. Congress makes the laws of the United States. Its other powers include printing money and declaring war.

The executive branch of government includes the President, the Vice President, and the Cabinet. This branch carries out the laws made by Congress. The President is the Commander in Chief of the military. He or she also makes treaties with other countries and chooses some government officials.

The Supreme Court and other federal courts make up the judicial branch. The Supreme Court explains what the laws mean. It also decides if a law is unconstitutional. If a law does not follow the rules of the Constitution, it is declared unconstitutional.

A system of checks and balances was added by the writers of the Constitution. This system makes sure no branch has too much power. For each law that Congress makes, the President and the Supreme Court have a "check." For example, the President can veto, or send back, a law that he or she does not agree with. If the Supreme Court thinks a law goes against the Constitution, it can say the law is unconstitutional. Each branch has enough power to "check," or stop, the other branches.

Many other rules for the government are listed in the Constitution. After the writers finished the paper, the states approved it. The leaders of the United States now had to build a government based on the Constitution.



A GOVERNMENT IS BORN

Multiple Choice

Circle the best answer, and write the letter in the box.

1. The Senate and the House of Representatives make up the _____ branch.

- A. legislative
- B. executive
- C. judicial
- D. none of the above

2. The President, Vice President, and Cabinet are parts of the _____ branch.

- A. legislative
- B. executive
- C. judicial
- D. none of the above

3. The Supreme Court and other federal courts make up the _____ branch.

- A. legislative
- B. executive
- C. judicial
- D. none of the above

4. The _____ is the Commander in Chief of the military.

- A. President
- B. Vice President
- C. Cabinet
- D. Senate

5. The _____ can declare that a law is unconstitutional.

- A. Supreme Court
- B. House of Representatives
- C. Senate
- D. President

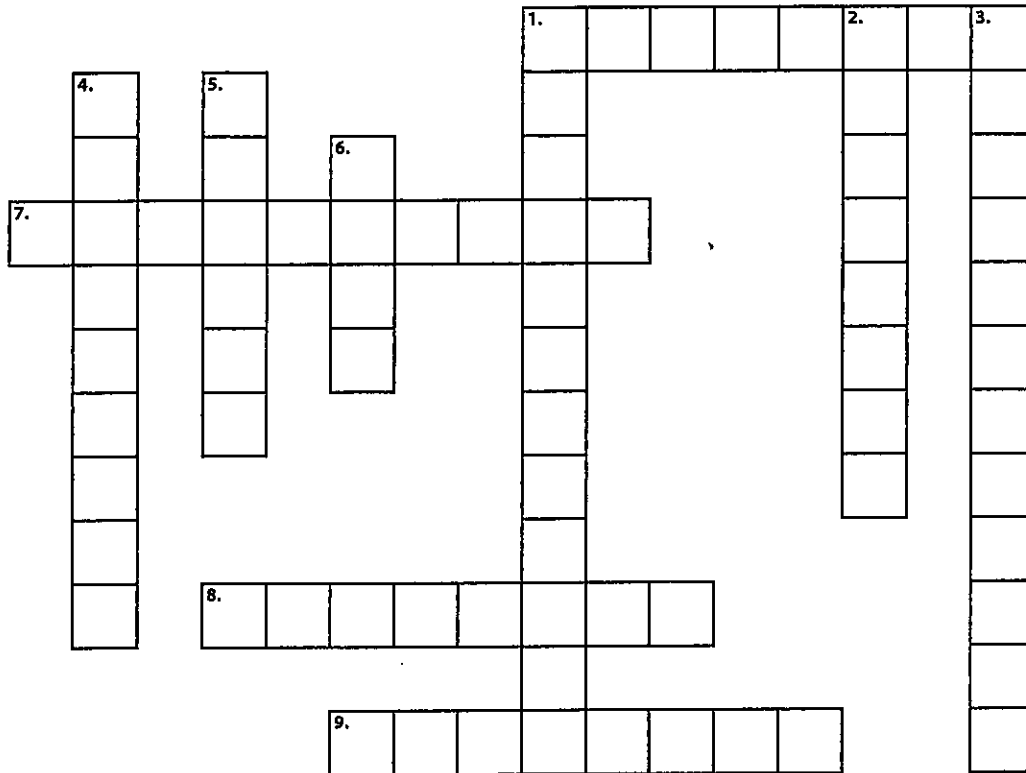
Name:

Date:

A GOVERNMENT IS BORN

Crossword Puzzle

Write the best answer in each blank, and complete the crossword puzzle.



ACROSS

- _____ makes the laws.
- The writers of the Constitution thought the best system of government would be _____.
- The _____ branch can "check" the legislative and executive branches.
- The three _____ of government must work together.

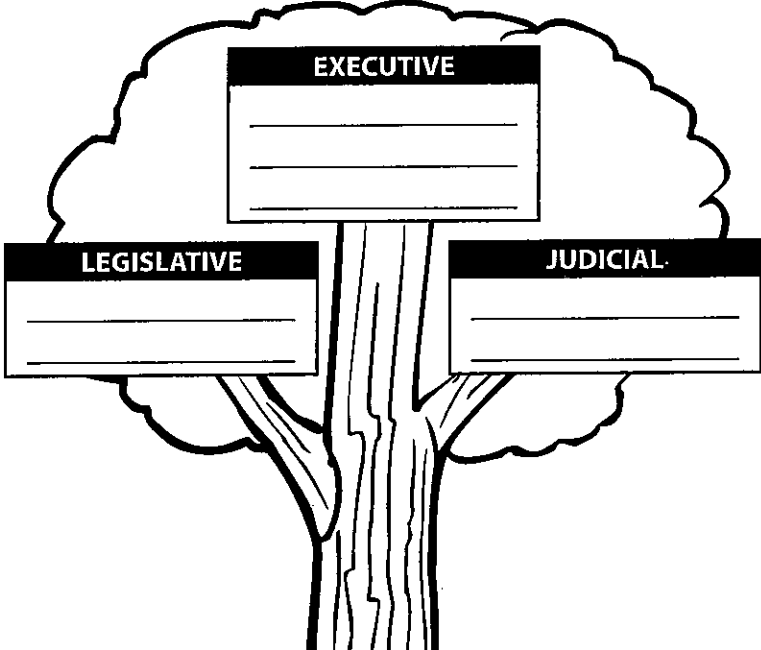
DOWN

- The states approved the _____ after the writers finished it.
- The judicial branch _____ the laws.
- The _____ can decide a law is unconstitutional.
- The _____ makes treaties and chooses some government officials.
- The system of _____ and balances makes sure no branch has too much power.
- The executive branch carries out the _____.

A GOVERNMENT IS BORN

Diagram – Branches of Government

Use the words in the word bank to fill in the diagram. Use the completed diagram to answer the following questions. Write the answers in complete sentences.

<ul style="list-style-type: none"> • House of Representatives • Vice President • President • Supreme Court • Other Federal Courts • Senate • Cabinet 	
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1. How many branches of government are there?

2. The legislative branch is made up of which two groups?

3. The Supreme Court is part of which branch?

QUIZ: A GOVERNMENT IS BORN

True/False

Decide if each statement is true or false, and write "true" or "false" in the blank.

- _____ 1. The Vice President is Commander in Chief of the military.
- _____ 2. The President can declare that a law is unconstitutional.
- _____ 3. Congress makes the laws.
- _____ 4. Checks and balances make sure no branch has too much power.
- _____ 5. The executive branch explains the laws.

Multiple Choice

Circle the best answer, and write the letter in the box.

6. Under the Constitution, there are _____ branches of government.
- A. 3
B. 7
C. 13
D. 50
7. The _____ branch carries out the laws.
- A. legislative
B. executive
C. judicial
D. none of the above

Short Answer

Answer the following question in complete sentences.

8. Who approved the Constitution?

Day 1 Activity: A Fictional Conversation between John Jay and Elbridge Gerry

Handout 2 - To Sign or Not to Sign: A Read-Aloud Play

Characters:

John Jay, a citizen of New York and a Federalist

Elbridge Gerry, a delegate from Massachusetts and an Anti-Federalist

- John Jay:** Mr. Gerry, I humbly request that you reconsider your reasons for not supporting this Constitution.
- Elbridge Gerry:** But Mr. Jay, I cannot stand by it! I cannot sign my name to a document that does not secure the rights of every American.
- Jay:** But we are accounting for that. We will have a chance to amend the Constitution.
- Gerry:** Yes, but should free people adopt a form of government that they believe needs amendment? This document is unacceptable!
- Jay:** This document is as good as we can make it. Tell me Mr. Gerry, do you think it is possible to come up with a better plan? We cannot please everyone. I say that delaying the ratification of this Constitution will put our country at great risk.
- Gerry:** I know, you believe that our enemies will see our indecision as weakness, and our creditors may stop lending to us. But isn't personal freedom important, too?
- Jay:** We have been meeting for such a long time. What if we reject this Constitution? Would we ever be able to come up with something better?
- Gerry:** What do you suggest we do?
- Jay:** I believe we should ratify the Constitution, give it a fair amount of time to work for the people, and fix it as time, occasion, and experience may dictate. What do you suggest we do, Mr. Gerry?
- Gerry:** I believe we should add a bill of rights that secures the liberties of the American people. It pains me to disagree so strongly with those who signed, but I sincerely believe that the American people deserve to have their rights protected.
- Jay:** Well, Mr. Gerry, we are putting this decision in the hands of the American people.
- Gerry:** Indeed, and I sincerely hope that whatever Constitution is finally adopted will secure the liberty and happiness of America.

Answer the following questions with your partner.

1. What is the strongest reason John Jay gave for signing the Constitution?
2. What is the strongest reason Elbridge Gerry gave for NOT signing the Constitution?
3. Which delegate do you agree with? Why?



Name _____ Class _____ Date _____



AMERICAN HISTORY POLITICAL CARTOONS

Ratifying the Constitution



Collection of the New-York Historical Society

UNDERSTANDING POLITICAL CARTOONS

Study the political cartoon, and then answer the questions that follow.

1. Why are the states represented by pillars in a foundation?

2. According to the cartoon, how many states have ratified the Constitution?

3. Why does the cartoon suggest that all the states should ratify the Constitution?

Day 2 Handout and Class Activity

Positions on the Constitution

Anti-Federalists	Federalists
<p>Throughout history, the only places where republican governments had worked had been small communities. In those communities, the people had been about equal in wealth and had held the same values. People who are not too rich or too poor are more likely to possess civic virtue and to agree on what is best for their common welfare. The new nation was so large and diverse that people would not be able to agree on their common welfare.</p>	<p>History has proven that all of the small republics of the past had been destroyed by selfish groups. The civic virtue of the citizens had not been enough to prevent them from seeking their own selfish interests rather than working for the common welfare. A large republic, where the government was organized on the basis of checks and balances, and power was divided between the national and the state governments, would be better. Under such a government, it would be more difficult for special interests to attain their goals and violate the common welfare.</p>
<p>Free government requires the active participation of the people. The national government would be located too far from most people's communities to allow them to participate. As a result, the only way the government would be able to rule would be through the use of military force. The result would be a tyranny.</p>	<p>The national government would be so good at protecting the rights of the people that it would soon gain their loyalty and support. It could not become a tyranny because of the limitations placed on it by the system of checks and balances and separation of powers.</p>
<p>The Constitution gives the national government too much power at the expense of the state governments. It gives the government the power to tax citizens and to raise and keep an army. The supremacy clause means all the national government's laws are superior to laws made by the states. As a result, it would only be a matter of time until the state governments were destroyed.</p>	<p>It is true that the national government would have greater power than it did under the Articles of Confederation. But its powers are limited to tasks that face the entire nation, such as trade, currency, and defense. Experience has shown that a stronger national government is needed to deal with these problems. The Constitution provides adequate protections for the state governments to prevent their being destroyed by the national government.</p>
<p>The necessary and proper clause is too general and, as a result, gives too much power to the national government. It is dangerous not to list the powers of the government in order to put clear limits on them.</p>	<p>The necessary and proper and general welfare clauses are necessary if the national government is to do the things it is responsible for doing.</p>

The Constitution gives too much power to the executive branch of government. It would soon become a monarchy.

A strong executive branch is necessary for the national government to be able to fulfill its responsibilities. The powers of the national government are separated and balanced among the three branches so no one can dominate the others. The Constitution gives the Congress and the Supreme Court ways to check the use of power by the executive branch so it cannot become a monarchy.

The Constitution does not include a bill of rights which is essential for protecting individuals against the power of the national government.

A bill of rights is unnecessary because the powers of the government are limited. A bill of rights would give the impression that the people could only expect protection of those rights that were actually listed.



What slogans might the Federalists and Anti-Federalists be using? Write one of your own.

Name: _____

Date: _____

Homework Assessment

Using your handout from class, answer the following questions in paragraph form:

1. Explain what you think were the best reasons for ratification. Then, explain what you think were the best reasons against ratification.

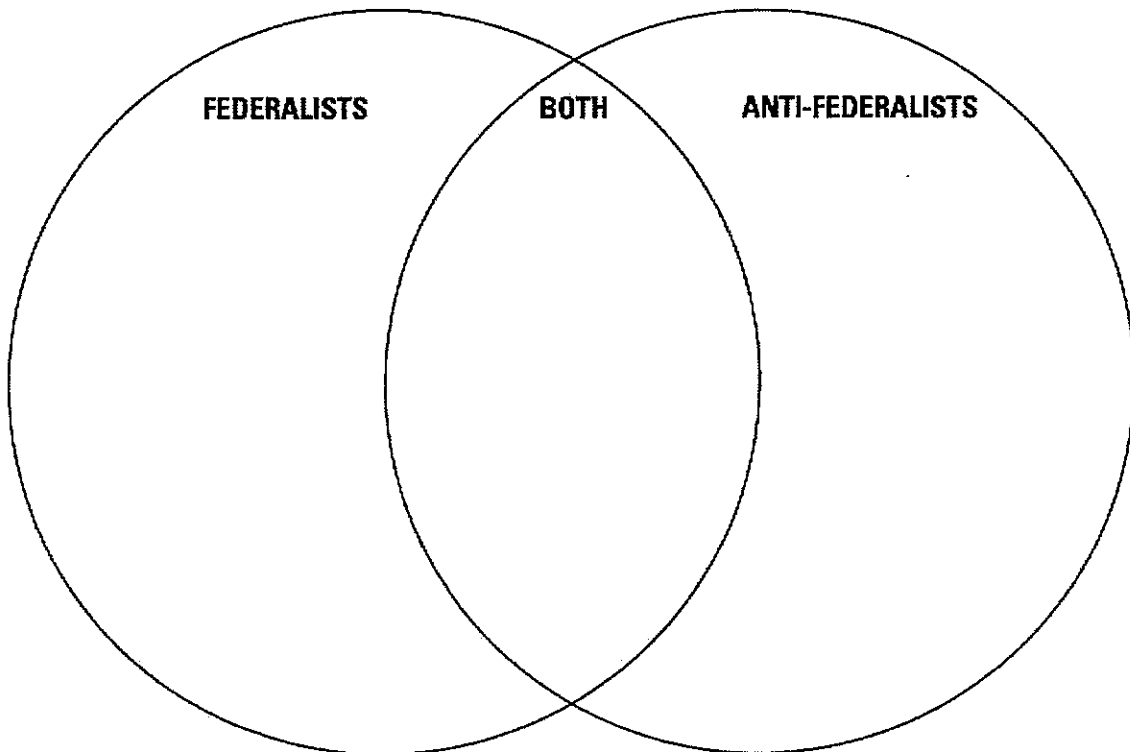
2. Would you have voted to ratify the Constitution as written in 1787 (without a Bill of Rights)? Explain your answer.

Day 3 Class Activity

The Bill of Rights and *The Founders*

LESSON 2 **Federalists & Anti-Federalists Venn Diagram**

Directions: Fill in the chart with positions of Federalists, Anti-Federalists, and the points on which they agreed.



STUDENT HANDOUT-B