

Anatomy of the Constitution

Name: _____

Breaking It Down: What does each phrase in the Preamble really mean?

We the People of the United States, in Order to form a more perfect Union,

establish Justice, insure domestic Tranquility,

provide for the common defense, promote the general Welfare,

and secure the Blessings of Liberty to ourselves and our Posterity,

do ordain and establish this Constitution for the United States of America.



Preamble Activity

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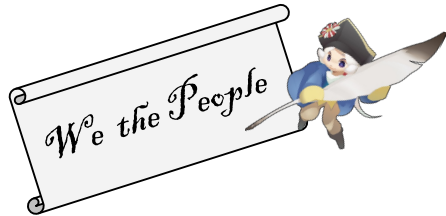
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How Do They Govern?

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. (It does this with a little over 4,500 words covering only four sheets of paper!) Although the Constitution was written over 220 years ago, it still guides our officials in running our country today. It is also the oldest written constitution in the world that is still in use.



The Constitution on display at the National Archives in Washington, DC.

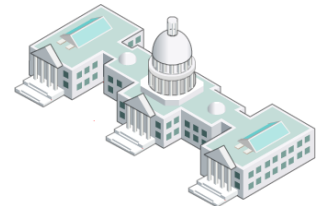


Introducing... The Preamble

Our Constitution is divided into nine parts. The first paragraph is called the *Preamble*. Its job is to introduce the Constitution, explain what the Constitution is meant to do, and describe the purpose of the new government.

Creating Congress: Article I

Article I is the first and longest part of the Constitution. It creates the legislative branch of our government. *Legislative* means law-making. This section is the longest because the people who wrote the Constitution believed that a legislative branch is very important in a government that represents the citizens. Members of the *legislature*, or law-making body, are responsible for turning citizens' wants and needs 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 government. Article I creates a legislature called Congress and divides it into two parts: the Senate and the House of Representatives. Article I describes how Congress should be organized, tells what qualifications legislators must have, and says how often Congress should hold elections and meet as a group. It also describes other details of operation that each house of Congress gets to decide for itself.

	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.	

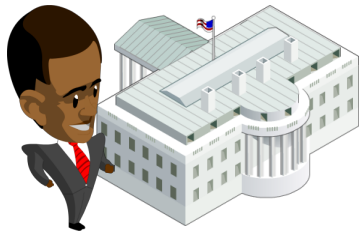
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The Powers of Congress

Article I lists the powers Congress has. Even though Congress is a law-making body, it is not allowed to make laws about anything that's not on this list:

- 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.



Creating the President: Article II

Article II of the Constitution describes the job of the executive branch. This branch *executes*, or carries out, laws. The president heads this branch, which also includes the vice president and many departments in charge of carrying out the government's day-to-day business. 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

The overall job of the executive branch is to carry out and enforce laws, but Article II gives the president a list of specific duties:

- Act as the commander-in-chief of the armed forces
- Maintain a *cabinet* of advisors who run the 15 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 interprets laws to decide what they mean and whether they have been followed in specific cases.

Article III creates the Supreme Court and authorizes Congress to create federal courts below the Supreme Court. These are courts that deal with United States laws, not state laws. Article III also gives directions about what kinds of cases the Supreme Court and federal courts can hear. Under Article III, federal judges are appointed, not elected. They stay on the bench until they retire, die, or are removed for bad behavior. Article III also guarantees trial by jury for criminal cases and explains the crime of treason.

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The States: Article IV

States have the power to create and enforce their own laws. Article Four of the Constitution describes how the states should interact with each other.

- Each state has to respect the laws and court decisions of the other states.
- If a criminal flees from one state to another, the state where the crime was committed can request that the criminal be returned to face 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. (Sorry, states can't have kings.)

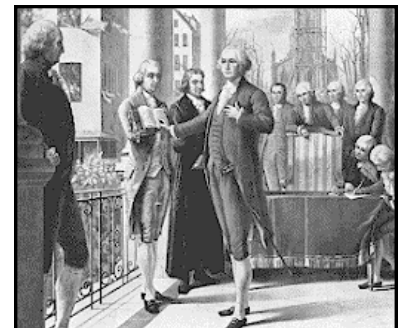


Amending the Constitution: Article V

The Constitution is not set in stone. Article Five describes what must be done to *amend*, or change, 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.

<input checked="" type="checkbox"/>	Delaware
<input checked="" type="checkbox"/>	Pennsylvania
<input checked="" type="checkbox"/>	New Jersey
<input checked="" type="checkbox"/>	Georgia
<input checked="" type="checkbox"/>	Connecticut
<input checked="" type="checkbox"/>	Massachusetts
<input checked="" type="checkbox"/>	Maryland
<input checked="" type="checkbox"/>	South Carolina
<input checked="" type="checkbox"/>	New Hampshire

RATIFIED

The list of states in order of ratification of the Constitution.

Ratification: Article VII

Article Seven says the Constitution could not take effect until at least nine out of the thirteen states approved it. (Back then, there were only thirteen states.) Each state held its own convention to discuss and vote on the Constitution's plan for government. But getting approval wasn't easy. Some people thought the seven articles weren't enough. After much debate, it was agreed that ten amendments would be added to the Constitution. These amendments, called the Bill of Rights, would list specific rights not already mentioned in the Constitution. This put people's minds at ease, and the Constitution became the law of the land in March 1789. The Bill of Rights was added in 1791.

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Approval By The States



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 ever received enough votes to actually be proposed. Of those, 27 have become amendments to the Constitution.

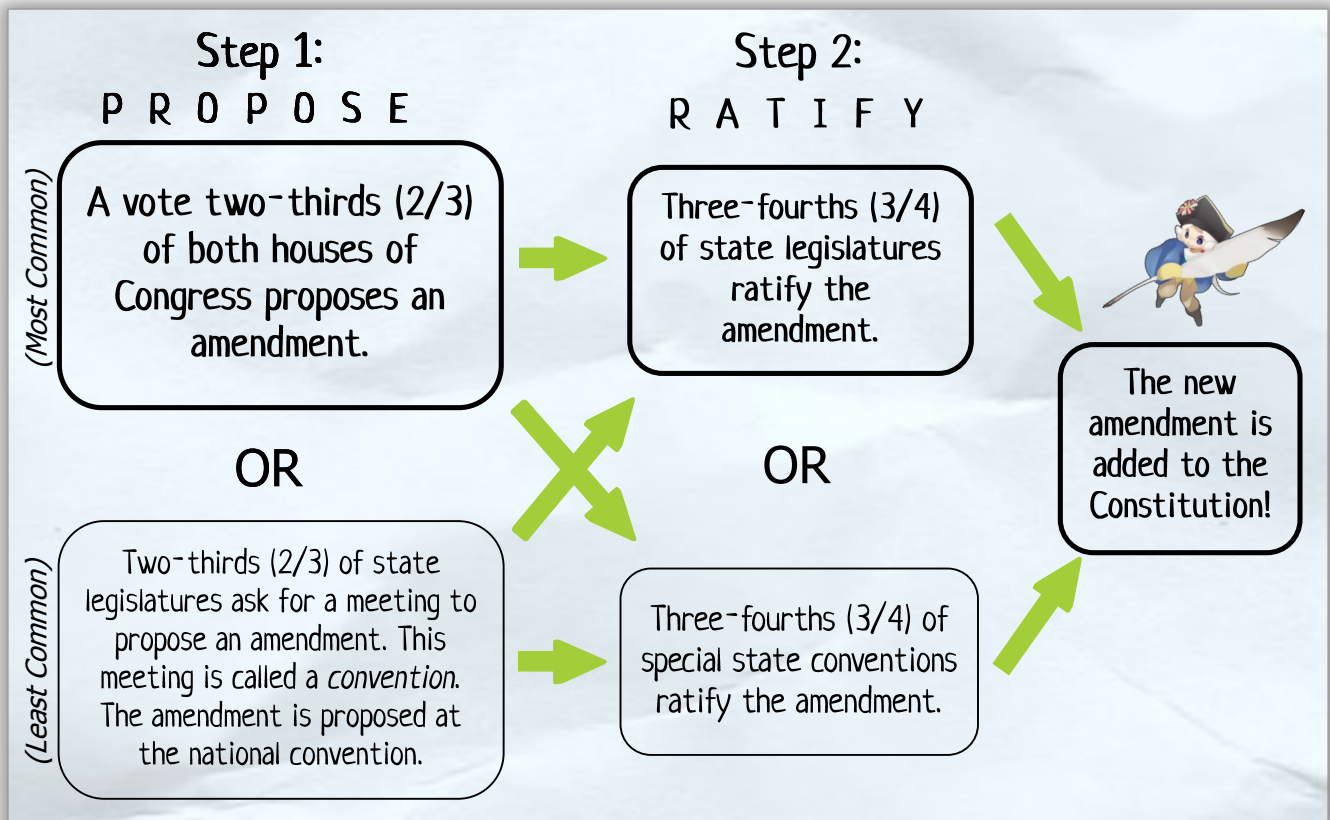
The process to add an amendment can take years. There are four different ways an amendment can be added to the Constitution. But in all cases, an amendment has to be approved at the national level and the state level.

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.



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A. 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 |

B. 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 was added to the Constitution that listed rights not already in the Constitution?
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 |

C. 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.

D. Article Match-Up.

Draw a line connecting each Constitutional article with the subject that it covers.

Articles 1-3

13. Discusses how states should interact with each other.

Article 4

14. Supreme Law of the Land

The Amendments

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

Article 6

16. Additions to the Constitution

Article 7

17. How to amend the Constitution

Article 5

18. How to Ratify the Constitution

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E. Table of Contents. Complete the Constitutional Table of Contents by filling in the missing pieces with words from the lesson. Use the word bank below if you need help.

legislative	amended	Constitution	steps	executive
federalism	purpose	judicial	states	

Section	Answers these questions...
Preamble	What does the Constitution do? What is the _____ of the government?
Article I	How does the _____ branch create laws? What powers do the states have?
Article II	How does the _____ branch execute laws?
Article III	How does the _____ branch interpret the laws?
Article IV	How should the _____ get along with each other?
Article V	How can the Constitution be _____, or changed?
Article VI	How does _____ work? Which law is supreme?
Article VII	What _____ have to be taken to make the Constitution the law of the land?
Amendments	What changes have been made to the _____?

F. 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