

**FOCUS: The Constitution in Review****The Constitution: A Game Plan for Government**

The **Constitution** is a plan for running the government. The government has three jobs to do:

- Make laws [rules that tell what the people can and cannot do].
- Carry out the laws.
- Decide what the laws mean.

The Constitution says :

- **THE CONGRESS** makes the laws.
- **THE PRESIDENT** carries out the laws.
- **THE SUPREME COURT** decides if laws are right or wrong.

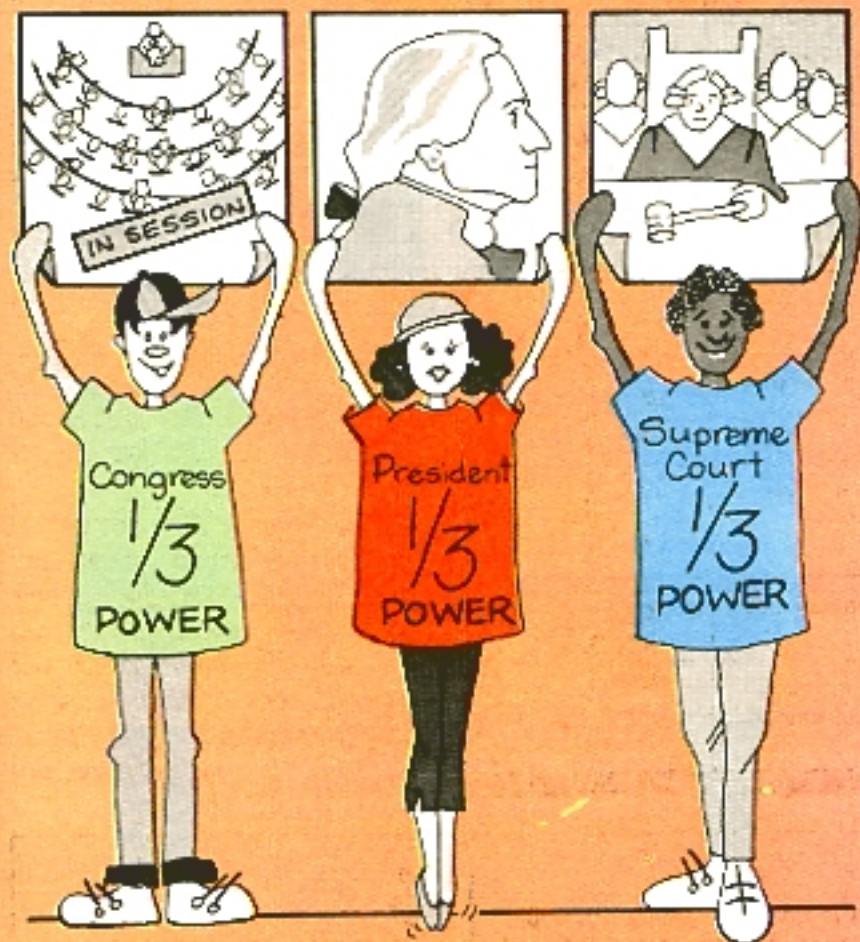
■ **THE PEOPLE** choose the people to run the government.

The Constitution is a plan for a strong government because:

■ Government has three parts, not one. This is called **separation of powers**. Each branch [part] has 1/3 of the power. This is called a **system of balances**.

■ Each branch has a way to keep the other two branches from getting too much power. This is called a **system of checks**.

■ **Power comes from the people**. **Citizens** [the people of the U.S.] vote for [choose] the person they want to be president. They vote for the people they want in Congress. If the people do not like what the president is doing, they can choose a new president. They can vote for a new Congress, too.

**A closer look at the System of Checks:**

Each branch of the U.S. government has a way to keep the other two branches from getting too much power. For example,

- The president can **veto** [say no to] a law made by Congress. Then,
- Congress can vote on that law again and still make it a law. Then,
- The Supreme Court can say if that law is right or wrong.

**The Living Constitution:**

The Constitution was designed to grow with the United States. This ability to grow and change has led to the Constitution being called "The Living Constitution."

**What Keeps the Constitution From Becoming Out of Date?**

- the amending process (see page 53)
- new laws passed by Congress
- court rulings to change laws
- traditions that develop through the years











The three parts of the Constitution are:

**1**

**PREAMBLE**

The preamble is the introduction to the Constitution. It tells what the Constitution is trying to do. It also says that the Constitution works for all the American people.

**FOCUS: The Bill of Rights****The Bill of Rights: A Change In the Game Plan****The First 10 Amendments: 1791**

<b>1</b>	Americans have freedom of <ul style="list-style-type: none"> <li>■ Speech—can say one's opinion</li> <li>■ Religion—can worship in any church</li> <li>■ Press—can report any story</li> <li>■ Assembly—can call and attend any meetings</li> </ul>	
<b>2</b>	Americans have the right to own a gun	
<b>3</b>	Americans cannot be made to house and feed soldiers	
<b>4</b>	Americans may not be arrested or their property searched without a good reason	
<b>5</b>	Americans charged with a crime are guaranteed [given] certain rights	
<b>6</b>	Americans have the right to a trial soon after being charged with a crime	
<b>7</b>	Americans have the right to trial by jury [a group of people who decides if a person is guilty or not guilty of a crime]	
<b>8</b>	Americans are guaranteed the right to fair fines and fair punishment for crimes they have committed	
<b>9</b>	The government may not take away the rights people are born with	
<b>10</b>	The states are given certain special powers apart from those of the federal government	

After the Constitution was written, the 13 states had to **ratify** (vote for) it to make it law. But many states were afraid to ratify it. They said, "The Constitution does not protect the people."

The men who wrote the Constitution made the people a promise. They promised to have the first Congress amend [change] the Constitution. The 10 **amendments** ["add-on" laws] this Congress made are called the **Bill of Rights**.

The Bill of Rights says the people have freedoms the government cannot take away.

Amendments make the Constitution fit all times—from 1789 to 2089. As the U.S. changes, the Constitution can change, too. It can be amended.

Amending the Constitution is slow. Three-fourths of all the states must agree to a new amendment. Because this takes time, the Constitution is not changed very often. It stays much the same as it was in 1791. In 200 years, there have been only 26 amendments.

## 2 SEVEN ARTICLES

The **seven articles** [or sections] tell how the U.S. government is set up and works. The seven articles describe the legislative, executive, and judicial branches; the state powers; the federal powers; and more.

**Article 1:** Establishes [sets up] the **legislative branch** [Congress] of government.

**Article 2:** Establishes the **executive branch** [president] of government.

**Article 3:** Establishes the **judicial branch** [Supreme Court] of government.

**Article 4:** Tells how the states work with each other and with the Union [the United States as a whole].

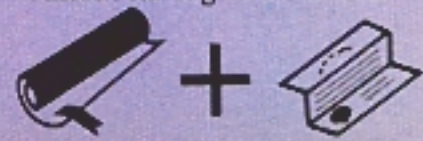
**Article 5:** Establishes the way the Constitution can be amended.

**Article 6:** Agrees to: pay for all old debts; put national law above state law; have elected officials pledge loyalty to the U.S.

**Article 7:** Says that when nine states (of the 13 in 1787) accepted the Constitution, the Constitution would be in effect for those nine states.

## 3 AMENDMENTS

The **amendments** are "add-on laws": The amendments have been added to the Constitution since it was first ratified [approved] by the first nine states in 1788. The amendments allow the Constitution to change without having to rewrite it.



## FOCUS: The Three Branches of Government

### How Your Government Works

The Constitution divides the work of the federal government among three groups, or branches. This is called the **separation of powers**. Each branch has its own work to do.

Each branch also has been given special powers to help keep the other two branches from becoming too powerful. This is called the **system of checks and balances**.

How to use this page:

Follow the   boxes to see how the legislative branch of the government works; the   boxes to see how the executive branch works; the   boxes to see how the judicial branch works.

#### JUDICIAL BRANCH

##### WHO IS IT?

- The **judicial branch** is headed by the **Supreme Court** of the U.S.
- There are nine judges in the Supreme Court
- The judges are chosen by the president and voted on by the Senate
- The judges serve on the Supreme Court for life



##### WHAT DOES IT DO?

- The Supreme Court decides if laws are constitutional [follow the rules of the Constitution]
- The Supreme Court decides which powers belong to the states and which powers belong to the federal government
- The Supreme Court settles arguments between the states



- The Supreme Court settles cases involving the federal government  
[When a crime is committed against the United States, it is called **treason**. Helping an enemy spy on the United States is one example of treason.]

#### EXECUTIVE BRANCH

##### WHO IS IT?

- The **executive branch** is headed by the **president** of the U.S.
- There is one president and one vice-president of the U.S.
- The president is elected by the people of the U.S.
- The president serves a term of four years, but may be re-elected for another four-year term



##### WHAT DOES IT DO?

- The president enforces [carries out] the laws
- The president chooses people to help him run the government—his Cabinet and his advisers



- The president is in charge of the Navy, Army, Air Force, and Marines
- The president decides how to deal with foreign [outside the U.S.] countries
- The president works with Congress by signing or vetoing [saying "no" to] laws



- The president reports to Congress on what is going on in the government

#### LEGISLATIVE BRANCH

##### WHO IS IT?

- The **legislative branch** is called the **Congress**. It is made of two Houses or sections: **The House of Representatives** and the **Senate**

##### 1 House of Representatives

- The House has 435 members [people] called **representatives**
- Each state sends a different number of representatives to the House. The more people in a state, the more members it has in the House
- Each member of the House is elected to the office for a two-year term
- The leader of the House is called the **speaker** of the House



##### 2 Senate

- The Senate has 100 members [people] called **senators**
- Each state sends the same number of senators [two] to the Senate. Even though a state has a large number of people, it can only have two senators



- Each member of the Senate is elected for a six-year term

##### VP

- The leader of the Senate is the **vice-president** of the U.S.

##### WHAT DOES IT DO?

- The Congress writes laws [rules]
- The Congress approves the people the president chooses for government offices
- The House of Representatives can **impeach** [accuse of committing a crime] the president if he is believed to have done something wrong. The Senate can throw the president out of office if he is found guilty of the crime

**FOCUS: How a Bill Becomes a Law****Step by Step:****How a Bill Becomes a Law**

**1** A member of either the House of Representatives or the Senate has an idea for a new rule or law. The idea is written down and becomes a bill.

**2** The bill goes to a committee [a small group picked to study the bill]. Most bills die in a committee because they are not good enough to become a law. A good bill is sent to the full house [all members of the House or Senate].

**3** The bill can be amended [changed] and is then voted upon. If the bill passes [gets enough YES votes], the bill is sent to the other house.

**4** The bill can be amended in the other house and is then voted upon.

**5** Both houses vote on the amended bill. If the bill gets enough YES votes and passes, it goes to the president.

**6** The president signs the bill and it becomes a law.

Both Houses of Congress vote on the bill again. If 2/3 of both houses say YES to the bill, the bill becomes a law.

**The Courts: Government Referees**

The Constitution set up one branch of the government as a referee—the **Judicial** [judging] branch. The Constitution does not say what this branch should be like or what powers the judges should have.

In 1789, the first Congress set up a plan for the judicial branch. The U.S. court system was built on this plan.

But the Supreme Court still did not know its powers until **John Marshall** became Chief Justice of the Supreme Court in 1801.

Marshall had to settle cases brought to the Supreme Court. To settle these cases, he took powers for the Supreme Court.

These powers, which the Supreme Court still has, are:

■ To decide if a law passed by Congress is **constitutional** (right) or **unconstitutional** (wrong). If the Supreme Court says it is unconstitutional, people do not have to obey that law.

■ To decide if the president is running the country the way the Constitution says. If the president is acting in an unconstitutional way, he must stop.

■ To look over decisions made by the state courts. The Supreme Court can say if these decisions are right or wrong.

**SECOND CHANCE**

The president does not have to sign a bill. He can veto it. The bill then goes back to Congress for a second vote.