

## LESSON 3

1775

1780

1786 1787

1790

1795

# HOW THE CONSTITUTION WORKS

### READ ALOUD

*Tears streamed down Ben Franklin's face as he signed the Constitution. He looked once again at the carving of the sun on the back of George Washington's chair. He said, "I have often looked at that sun behind the president of the convention without being able to tell whether it was rising or setting, but now, I have the happiness to know that it is a rising and not a setting sun." The rising sun that Franklin spoke of was the new central government of a very young country, the United States of America.*

### THE BIG PICTURE

The Constitution of the United States is many things. It is a code of laws and a framework for government. It is also a piece of history—the world's oldest written plan of government still in use. How is it that a document written over 200 years ago remains meaningful today?

The Constitution still works because the people who wrote it made sure that it could change with the needs of a growing country. They provided for **amendments**, or additions, to the Constitution. In this lesson you will learn why the Constitution has been able to work for over 200 years.

### Focus Activity

#### READ TO LEARN

What kind of government did the United States Constitution create?

#### VOCABULARY

amendment

Preamble

federal system

checks and balances

veto



We the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do hereby establish this Constitution for the United States of America.

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.

Section 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.

Section 2. The House of Representatives, shall be composed of Members chosen every second Year by the People of the several States, and electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Section 3. The Senate shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and there shall never be a Change of more than one Senator in any State during the Term for which they are elected.

Section 4. The Times, Places and Manner of holding the Elections of Senators and Representatives, shall be prescribed in each State, but not before the Year 1800.

Section 5. The Senate and House of Representatives may determine the Rules and Proceedings of each.

Section 6. The Senate shall have the sole Power to try all Cases of Impeachment.

Section 7. When the Senate is sitting, the President of the United States may, on extraordinary Occasions, convene either House, or both, and he may adjourn them to such Day as he shall think proper.

Section 8. The Congress shall have Power to lay and collect Taxes on Imports and Exports, on all Subjects, but no Capitation or Excise Taxes shall be laid on Imports or Exports; but all Duties of Imposition shall be uniform throughout the United States; they shall have Power also to lay and collect Taxes on Duties, Tonnage, and on all other Cases not enumerated; to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; to borrow Money on the Credit of the United States, to emit and receive Notes, to regulate the Value of Money, the Coin and Weights, to fix the Standard of Weights and Measures, to coin Money, to regulate the Mint and the Coinage, to borrow Money, to emit and receive Notes, to regulate the Value of Money, the Coin and Weights, to fix the Standard of Weights and Measures, to coin Money, to regulate the Mint and the Coinage.

[illegible][illegible]

Section 3. The Board of the Institute shall be composed of two members from each of the following States, to-wit:

I have made up my mind to be present at the Convention of the coming year, and of course I shall not be able to do so unless I can secure some money to cover my expenses. I have been thinking of the Convention of the coming year, and of course I shall not be able to do so unless I can secure some money to cover my expenses. I have been thinking of the Convention of the coming year, and of course I shall not be able to do so unless I can secure some money to cover my expenses.

[illegible]

The Church shall have the world & I try to improve it. "There sitting for that purpose they shall be in order, & I  
 President of the United States.  
 The Church shall have the world & I try to improve it. "There sitting for that purpose they shall be in order, & I  
 President of the United States.

[illegible]

The Congress shall assemble at least once in every year, and such meetings shall be on the first Monday in December.

The Congress shall appoint at least one member from each State to be its agent to receive the ratification of the States and to deposit the same in the Secretary of State.

Each Town may determine the limits of its Prerogative, provided it does not encroach upon the rights of another Town.

Red Hawk has a friend for the country.

# THE UNITED STATES CONSTITUTION

As the delegates approved the Constitution, they chose every word very carefully. They did not trust a powerful central or federal government. Yet they knew the Articles of Confederation had not been strong enough. James Madison wrote, "Every word [of the Constitution] decides a question between power and liberty."

## The Preamble

The introduction, or the **Preamble** (PREE am bul), to the Constitution begins, “We the People.” The Constitution’s authors wanted to show that the people held the power in this country. Read the Preamble to the Constitution on this page. What goals does the Preamble list?



**Preamble to the Constitution  
of the United States,  
approved by the states in 1789.**

'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.

**domestic tranquility:** peace within the country

**posterity:** future generations  
**ordain:** make legal

## A Federal System of Government

The Constitution set up a **federal system** of government. The states and the central government share power. Some powers are given only to the states. Others are given only to the federal government.

(The federal government can declare war, coin money, and make treaties with other countries.)

The states have power to set up public schools and local governments and to run elections. Both state and federal governments collect taxes and pass laws.



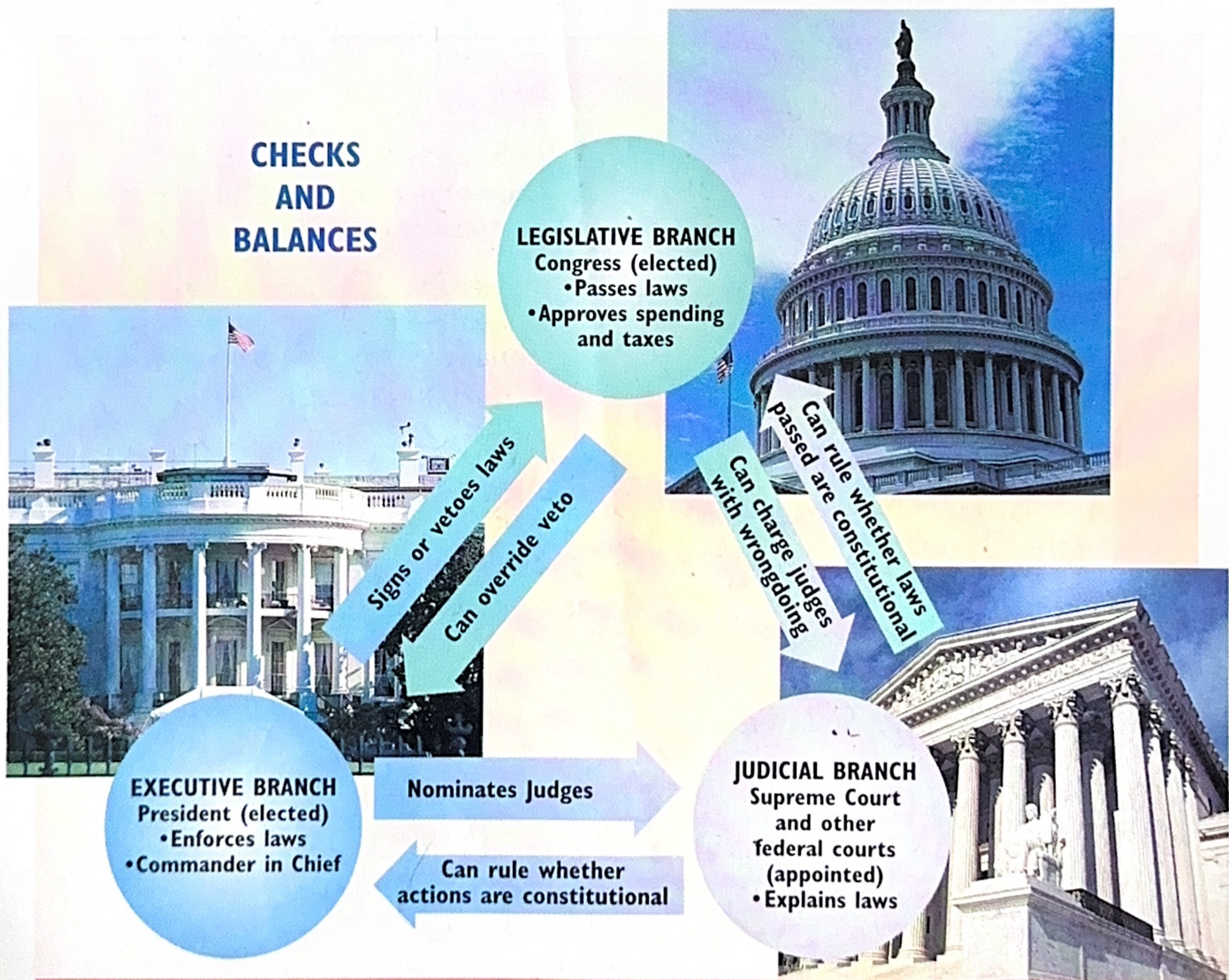
## CHECKS AND BALANCES

The authors of the Constitution did not want any branch of the federal government to become too powerful. So they set up a system of **checks and balances**. The powers of one branch of government are balanced by the powers of another. Each branch can check, or stop, another branch. If one branch tried to use its powers wrongly, the other

two could keep it under control. The chart below shows how the system of checks and balances works.

### How It Works

The system of checks and balances makes it impossible for one branch of the federal government to act without the cooperation of another branch. For example, under the Constitution, the President can order the army into battle. Yet only



### CHART WORK

The delegates debated how many people should head the executive branch and decided to have one President.

1. What are the powers of the executive branch?

2. How can Congress check the powers of the executive branch?

3. How can the judicial branch check the powers of both the executive and legislative branches?



Congress can declare war. So Congress has a check on the President's powers.

Congress may pass any law, but the President can **veto**, or refuse to approve, that law. The system of checks and balances does not end there. If two-thirds of the members of both houses of Congress agree, Congress can cancel the President's veto and pass the law.

The Supreme Court checks the powers of Congress and the President. It can stop a law passed by Congress and then signed by the President if the law is not allowed by the Constitution.

### WHY IT MATTERS

The Constitution balances freedom and power. It creates a federal system of government to unite the states while sharing power with them. The people can amend, or change, the Constitution. Because of the checks and balances and its rules for making changes, the Constitution has worked for over 200 years.

## ✓ Reviewing Facts and Ideas

### SUM IT UP

- The government set up by the Constitution is a federal system in which the states and the central government share power. The Constitution is the "supreme law of the land."
- The Constitution may be amended by the people.
- The system of checks and balances stops each branch of government from gaining too much power.

### THINK ABOUT IT

1. What is a federal system?
2. What are some of the powers that the federal government has?
3. **FOCUS** How does the system of checks and balances keep one branch of the government from gaining too much power?
4. **THINKING SKILL** What was Franklin's *point of view* about the sun carved on Washington's chair?
5. **WRITE** Write a description of how a law vetoed by the President can still become a law. How might the judicial branch put a stop to this law?



Washington, D.C., has many more government buildings today than in 1790.