



AMERICAN **BAR** ASSOCIATION

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Connecting the Separation of Powers

Grade Level: Upper Elementary

Overview:

In this lesson, students will gain an understanding of the separation of powers using role playing and discussion. Students will identify which parts of the Constitution provide for the branches of our government, and will categorize public officials into one of these three branches.

Time Needed:

1 class period

Objectives

At the end of the lesson, students will:

- Understand the concept of separation of powers.
- Recognize how the Constitution provides for separation of powers.
- Categorize public officials into one of three branches of government.

Materials Needed:

[Connecting the Separation of Powers Handout](#)

[Classroom set of Pocket Constitutions or US Constitution electronically](#)

Photos of current national political leaders

Procedure

Explain that you are going to select two students to do a role play with you and that you want the rest of the class to listen carefully to see if they hear anything out of the ordinary.

Read the introduction aloud and then have the two students read their roles (“You” and “Officer”). When the students finish, be sure to thank them for their participation as they return to their seats.

Ask the class the following questions.

- Did anyone hear anything that did not sound correct? Ask for a show of hands.
- What did the officer do? (He made a new law, he enforced his new law, and he applied his law.)
- Could this happen in the United States? (Not legally.)
- Why? (People do not make up laws as they think about them.)

Write the term “separation of powers” on the board or flipchart. Below the term, write:

Legislative = Make, change, and repeal law

Executive = Carry out the law

Judicial = Interpret the law

Briefly explain the fundamentals of our country’s legal system and how power is divided among the three branches of government providing for checks and balances. Explain the role of the police officer in our legal system and the relationship of the police officer to the three branches of government.

On the board, draw a tree trunk and label it “U.S. Constitution.” At the top of the trunk, draw three lines radiating out of the trunk and label them “Three Branches of Government.”

Ask the class, “What are the three branches of government?”

Point to the three terms you wrote earlier. As students correctly identify each branch, label a branch of the tree and explain where in the Constitution the powers of each branch are described. (First Branch: Legislative, Article I; Second Branch: Executive, Article II; Third Branch: Judicial, Article III.) **Note:** For another approach—reading aloud from the Constitution while labeling the tree branches—to this part of the activity, see Extension Activities below.

Review the three branches of government by pointing to each word and asking the following questions.

- Legislative
 1. Who works there? (Senators in the Senate; Representatives in the House of Representatives)
 2. What do they do? (make, change, and repeal laws)
- Executive
 1. Who works there? (President, Vice President, cabinet members, and people who work in departments and agencies)
 2. What do they do? (carry out laws; the federal agencies and departments make federal regulations and see that laws are enforced.)
- Judicial
 1. Who works there? (Supreme Court justices and federal judges)
 2. What do they do? (interpret and define what laws mean in specific cases; determine if any laws go against the Constitution)

Conclude by explaining why separation of powers is essential to our form of government.

Extension Activities

One by one, show pictures of your state’s senators and representatives, the President, and the Supreme Court, and have the students identify the correct branch of government.

Distribute to each student a copy of the Constitution. At times, you may also wish to refer to the tree diagram you drew earlier.

Have students look at [Article I of the Constitution](#) as you read the Section. Ask the students which branch is discussed. (Legislative)

Have the students look at [Article II of the Constitution](#) as you read the Section. Ask the students which branch is discussed. (Executive)

Repeat the process by having the students look at [Article III of the Constitution](#). Ask the students which branch of government is discussed. (Judicial)

Have the students return to [Section 2, Paragraphs 1 and 2](#). Read aloud Paragraphs 1 and 2, Section 2, asking “What are the requirements to be a member of the House of Representatives and how long is the term?” (Serve for 2 years; at least 25 years old; and a Citizen of U.S. for 7 years.)

Repeat the process with [Section 3, Paragraphs 1 and 2](#), asking, “What are the requirements to be a member of the Senate and how long is the term?” (Serve for 6 years; at least 30 years old; and a Citizen of U.S. for 9 years.)

Repeat the process with [Article II](#), asking, “What are the requirements for being President and how long is the term?” (Serve for 4 years; at least 35 years old; and Born in U.S.)

Have students take a minute and think about which office they would like to run for and why. Allow for several responses.

Summary & Closure

Review the concept of separation of powers. Be sure to tell the students how much you enjoyed working with them and learning more about how the concept of separation of powers protects our freedoms.

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[National Curriculum Standards for Social Studies, National Council for the Social Studies](#)

Theme 6: Power, Authority, and Governance

Theme 10: Civic Ideals and Practices