

The Three Branches of Government



Howard Chandler Christy, Signing of the US Constitution, 1940 (Architect of the Capitol)

THE GILDER LEHRMAN
INSTITUTE of AMERICAN HISTORY

TL TEACHING LITERACY
TH THROUGH HISTORY



The Three Branches of Government

BY SERGIO DE ALBA (CREATED 2021, REVISED 2025)

Sergio De Alba has taught elementary school in California for twenty-four years. He was named the 2020 National History Teacher of the Year by the Gilder Lehrman Institute.

GRADE LEVEL(S): 3–8

RECOMMENDED TIME FOR COMPLETION: 3–4 class periods (Research activities for upper elementary and middle school students may take additional class time or be completed outside of class.)

UNIT OVERVIEW

This unit is one of the Gilder Lehrman Institute's Teaching Literacy through History™ resources, designed to align with the Common Core State Standards. Students will learn and practice the skills that will help them analyze, assess, and develop knowledgeable and well-reasoned points of view on primary sources. These skills will enable students to understand, summarize, and evaluate original documents of historical significance.

Over the course of four lessons, students will read Articles I, II, and III of the US Constitution and Federalist No. 51 and complete exercises that will help them learn how to understand and evaluate complex texts. The students will participate in activities and class discussions that will advance historical literacy and critical thinking skills. You will assess students' understanding through activity sheets and class discussions.

Lessons 1–3 are intended for use by grades 3–8 with more or less support from the teacher depending on the grade level and student capability. Lesson 4 is intended for middle-grade students and may take time outside of class.

Students will be able to

- Summarize complex texts
- Collaborate effectively with classmates
- Identify the source of information and provide a citation for it
- Analyze a primary source document to identify its purpose (e.g., the US Constitution and the three branches of government)

ESSENTIAL QUESTIONS

- What are the three branches of the US government?
- What are each branch's responsibilities?
- How is the system of checks and balances supposed to work?

COMMON CORE STATE STANDARDS

CCSS.ELA-Literacy.RI.4.3: Explain events, procedures, ideas, or concepts in a historical, scientific, or technical text, including what happened and why, based on specific information in the text.

CCSS.ELA-Literacy.SL.4.1: Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 4 topics and texts, building on others' ideas and expressing their own clearly.

CCSS.ELA-Literacy.SL.4.4: Report on a topic or text, tell a story, or recount an experience in an organized manner, using appropriate facts and relevant, descriptive details to support main ideas or themes; speak clearly at an understandable pace.

CCSS.ELA-Literacy.RI.5.9: Integrate information from several texts on the same topic in order to write or speak about the subject knowledgeably.

CCSS.ELA-Literacy.SL.5.1.A: Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.

CCSS.ELA-Literacy.SL.5.1.C: Pose and respond to specific questions by making comments that contribute to the discussion and elaborate on the remarks of others.

CCSS.ELA-Literacy.RH.6-8.1: Cite specific textual evidence to support analysis of primary and secondary sources.

CCSS.ELA-Literacy.RH.6-8.2: Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

CCSS.ELA-Literacy.RH.6-8.4: Determine the meanings of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

MATERIALS

- Optional: Historical Background: “Foundations of American Government: The Constitution,” by Linda R. Monk, JD
- Source 1: Excerpts from the US Constitution, Article I, National Archives, [archives.gov/founding-docs/constitution-transcript](https://www.archives.gov/founding-docs/constitution-transcript)
- Optional: US Constitution, September 17, 1787, printed by Dunlap & Claypoole, Philadelphia, inscribed by Benjamin Franklin, The Gilder Lehrman Institute of American History, GLC03585
- Activity Sheet 1: The Legislative Branch
 - Activity Sheet 1A: Legislative Branch Research Activity 1
 - Activity Sheet 1B: Legislative Branch Research Activity 2
- Source 2: Excerpts from Article II of the US Constitution

- Activity Sheet 2: The Executive Branch
 - Activity Sheet 2A: Executive Branch Research Activity 1
 - Activity Sheet 2B: Executive Branch Research Activity 2
- Source 4: Excerpts from James Madison, Federalist No. 51, February 8, 1788, *Our Documents*, National Archives, ourdocuments.gov
- Activity Sheet 4A: Checks and Balances Summary Organizer
- Activity Sheet 4B: Checks and Balances Summary Organizer
- Activity Sheet 4C: Checks and Balances Summary Organizer
- Activity Sheet 5: Who's Checking Who?
- Reference Document: Separation of Powers

HISTORICAL BACKGROUND

Foundations of American Government: The US Constitution

BY LINDA R. MONK, JD

“What a triumph for the advocates of despotism,” wrote George Washington in 1786, “to find that we are incapable of governing ourselves.” The victorious commander of the Continental Army had laid down his arms in 1783 only to discover that the new American nation might fail without a stronger national government.

But what kind of government should that be? The newly independent British colonies were afraid of another king, with power to control them. And yet under their first constitution, the Articles of Confederation, the states behaved like thirteen squabbling brothers and sisters who couldn’t agree on anything. How could the United States find a national government like Goldilocks would want—not too strong, not too weak, but just right?

To come make suggestions, Congress called a convention of special delegates chosen by the states, which met in Philadelphia during the summer of 1787. George Washington was elected president of the convention. Right away, the delegates decided to propose a new form of government, rather than make minor changes to the Articles of Confederation. After a long, hot summer, the convention approved a new Constitution on September 17, 1787, and sent it to Congress. Congress sent it to the states for ratification, or approval, and in 1789 it went into effect.

Under the Constitution, the national government was divided into three branches: the legislative, which made laws; the executive, which enforced laws; and the judicial, which interpreted the laws. In addition, each branch had checks and balances over the other branches, allowing them to limit each other’s power. So by dividing the power of the national government into branches, and also giving each branch some power over the others, the new Constitution would prevent the national government from becoming too powerful.

The handwritten Constitution has four pages. Article I, the legislative branch, covers almost half of them, which shows that the framers of the Constitution believed that Congress would be the most powerful branch. Article II, the executive branch, and Article III, the judicial branch, are much shorter. Although there had been a Congress under the Articles of Confederation, there was no separate executive or judicial branch. So the framers did not give a lot of guidance about these branches.

Yet each branch has power over the others through checks and balances. James Madison, one of the principal creators of the Constitution, wrote in Federalist No. 51 that “ambition must be made to counteract ambition.” What he meant is that people in each branch will guard its power, and thus limit each other. For example, Congress makes the laws, but the president can veto them and the judiciary can declare them unconstitutional. The president enforces the law, but the judiciary can overturn his actions and Congress can refuse to pay for them. The judiciary interprets the law, but the president nominates judges and the Senate confirms them.

Taken together, these limits mean that the national government should never become more powerful than the people who created it. The Constitution’s Preamble states that “We the People” give our power to the Constitution “to secure the blessings of liberty for ourselves and our posterity.” In 1787, those words excluded a lot of people—Native Americans, enslaved Africans, White men without property, and women of all colors. It is the job of today’s Americans to continue to create a “more perfect union” for future generations to come.

Linda R. Monk, JD, is a constitutional scholar and the author of The Bill of Rights: A User’s Guide and The Words We Live By: Your Annotated Guide to the Constitution.

The Legislative Branch

BY SERGIO DE ALBA (CREATED 2021, REVISED 2025)

OVERVIEW

In this lesson, students will learn about the Legislative Branch of the US government by reading excerpts from Article I of the US Constitution. They will learn how to read and comprehend complex text and answer questions that will help them develop their historical literacy and critical thinking skills. You will assess their understanding through their activity sheets and participation in class discussions.

ESSENTIAL QUESTIONS

- What are the three branches of government?
- What are each branch's responsibilities?

MATERIALS

- Optional: Historical Background: "Foundations of American Government: The Constitution," by Linda R. Monk, JD
- Source 1: Excerpts from the US Constitution, Article I, National Archives, [archives.gov/founding-docs/constitution-transcript](https://www.archives.gov/founding-docs/constitution-transcript)
- Optional: US Constitution, September 17, 1787, printed by Dunlap & Claypoole, Philadelphia, inscribed by Benjamin Franklin, The Gilder Lehrman Institute of American History, GLC03585
- Activity Sheet 1: The Legislative Branch
 - Activity Sheet 1A: Legislative Branch Research Activity 1
 - Activity Sheet 1B: Legislative Branch Research Activity 2

PROCEDURE

1. Optional: Depending on the time available and the needs of your students, you may choose to have the students read the Historical Background or you may discuss the information in the essay at any point in the course of these four lessons.

Sergio De Alba has taught elementary school in California for twenty-four years. He was named the 2020 National History Teacher of the Year by the Gilder Lehrman Institute.

GRADE LEVELS: 3–8

RECOMMENDED TIME FOR COMPLETION: One 45-minute class period

UNIT OVERVIEW: This unit is one of the Gilder Lehrman Institute's Teaching Literacy through History™ (TLTH) resources, designed to align with the Common Core State Standards. Students will learn and practice skills that will help them analyze, assess, and develop knowledgeable and well-reasoned points of view on visual materials. Over the course of four lessons, students will read Articles I, II, and III of the US Constitution and Federalist No. 51 and complete exercises that will help them learn how to understand and evaluate complex texts.

You may “share read” the Historical Background in class. This is done by having the students follow along silently while you begin reading aloud, modeling prosody, inflection, and punctuation. After a few sentences, ask the class to join in with the reading while you continue to read aloud, still serving as the model. This technique will support struggling readers as well as English language learners (ELL).

2. Distribute Source 1, the excerpts from Article I, Sections 1, 2, 3, and 8 of the US Constitution and share read them with the class as described in Procedure 1.

You may also choose to show the students the printed copy of the US Constitution provided. It is the first printing of the Constitution approved by the Constitutional Convention and sent on to Congress. It is signed at the top right by Benjamin Franklin, who gave this copy to his nephew, Jonathan Williams.

3. Distribute Activity Sheet 1 for the Legislative Branch. You may complete the activity as a whole-class exercise or model the response to first question or two with the class. It is helpful if you can project the activity sheet so the entire class can see it and follow along on their own personal copy.
4. Address one question at a time and help the class reason out the best answer in their own words. Students may complete the activity in small groups, with a partner, or individually. One option is to assign different sections to different groups or individuals and then combine the student summaries to create a class summary of Article I. They should write their answers in complete sentences because they will be using these sentences to build a summary at the end of the activity sheet.

This activity is designed to build critical thinking skills as well as help the students develop effective strategies when facing difficult texts. The vocabulary will be the most difficult barrier. Let students discuss possible meanings of the unfamiliar words and only provide definitions or synonyms when they are truly stuck.

5. Show the students how to use the answers to the questions to construct a summary. When all of the answers to these questions are strung together the students will have a summary of Article I of the US Constitution. If they did not use complete sentences, or if they can condense some of the sentences to streamline their summary, you may include time for them to edit and refine their summaries.
6. When they have completed the activity, reconvene the class to discuss their summaries and the role of the Legislative Branch.
7. For upper elementary and middle school students, you may also have the students do their own text analysis and research using Legislative Branch Research Activity 1. Have students underline, highlight, or mark where they found the answer to each question in the text of the Constitution. They will have to do some research to find some of the answers.

Make sure to have students cite their sources by including the name of the document (for example, US Constitution, Article I) or the url for any websites they used for each answer. You may give them one website to use or a list of two or three that would be useful.

8. If you would like your students to study the Legislative Branch in more depth, they may use Legislative Branch Research Activity 2. After carefully reading the text of Article I of the Constitution, they may do additional research to complete the table. They will then assess their answers to determine how the Legislative Branch affects them, their families, or their community.

The Executive Branch

BY SERGIO DE ALBA (CREATED 2021, REVISED 2025)

OVERVIEW

In this lesson, students will learn about the Executive Branch of the US government by reading excerpts from Article II of the US Constitution. They will learn how to read and comprehend complex text and answer questions that will help them develop their historical literacy and critical thinking skills. You will assess their comprehension through activity sheets and participation in class discussions.

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GRADE LEVELS: 3–8

RECOMMENDED TIME FOR COMPLETION: One 45-minute class period

UNIT OVERVIEW: This unit is one of the Gilder Lehrman Institute's Teaching Literacy through History™ (TLTH) resources, designed to align with the Common Core State Standards. Students will learn and practice skills that will help them analyze, assess, and develop knowledgeable and well-reasoned points of view on visual materials. Over the course of four lessons, students will read Articles I, II, and III of the US Constitution and Federalist No. 51 and complete exercises that will help them learn how to understand and evaluate complex texts.

ESSENTIAL QUESTIONS

- What are the three branches of the US government
- What are each branch's responsibilities?

MATERIALS

- Source 2: Excerpts from Article II of the US Constitution
- Activity Sheet 2: The Executive Branch
 - Activity Sheet 2A: Executive Branch Research Activity 1
 - Activity Sheet 2B: Executive Branch Research Activity 2

PROCEDURE

1. Distribute Source 2, the excerpts from Article II of the US Constitution and share read them with the class as described in Lesson 1.
2. Distribute Activity Sheet 2 for the Executive Branch. You may complete the entire activity with the whole class or model the responses to one or two questions. The students can then work in groups or pairs or independently. When the students have completed the activity, reconvene the class to discuss their summaries and the role of the Executive Branch.
3. For upper elementary or middle school students, you may also have the students do their own text analysis and research using the Executive Branch Research Activity 1 or study the Executive Branch in more depth using Executive Branch Research Activity 2. You may provide them with options for appropriate websites to do their research.

The Judicial Branch

BY SERGIO DE ALBA (CREATED 2021, REVISED 2025)

OVERVIEW

In this lesson, students will learn about the Judicial Branch of the US government by reading excerpts from Article III of the US Constitution. They will learn how to read and comprehend complex text and answer questions that will help them develop their historical literacy and critical thinking skills. You will assess their comprehension through activity sheets and participation in class discussions.

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GRADE LEVELS: 3–8

RECOMMENDED TIME FOR COMPLETION: One 45-minute class period

UNIT OVERVIEW: This unit is one of the Gilder Lehrman Institute's Teaching Literacy through History™ (TLTH) resources, designed to align with the Common Core State Standards. Students will learn and practice skills that will help them analyze, assess, and develop knowledgeable and well-reasoned points of view on visual materials. Over the course of four lessons, students will read Articles I, II, and III of the US Constitution and Federalist No. 51 and complete exercises that will help them learn how to understand and evaluate complex texts.

ESSENTIAL QUESTIONS

- What are the three branches of the US government?
- What are each branch's responsibilities?

MATERIALS

- Source 3: Article III of the US Constitution
- Activity Sheet 3: The Judicial Branch
 - Activity Sheet 3A: Judicial Branch Research Activity 1

PROCEDURE

1. Distribute Source 3, Article III of the US Constitution, and share read it with the class as described in Lesson 1.
2. Distribute Activity Sheet 3 for the Judicial Branch. You may complete the entire activity with the whole class or model the responses to one or two questions. The students can then work in groups or pairs or independently. When they have completed the activity, reconvene the class to discuss their summaries and the role of the Judicial Branch.
3. For upper elementary or middle school students, you may also have the students study the Judicial Branch in more depth with Judicial Branch Research Activity 1.

LESSON 4

How the Three Branches of Government Work Together

BY SERGIO DE ALBA (CREATED 2021, REVISED 2025)

OVERVIEW

In this lesson, students will integrate what they learned in the previous lessons about the three branches of the US government and develop an understanding of the system of checks and balances established in the US Constitution. They will read and analyze excerpts from Federalist No. 51, by James Madison, selecting keywords, writing a summary using those keywords, and then restating the summary in their own words. They will then answer questions that address how the system of checks and balances works.

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GRADE LEVELS: 5–8

RECOMMENDED TIME FOR COMPLETION: One 45-minute class period

UNIT OVERVIEW: This unit is one of the Gilder Lehrman Institute's Teaching Literacy through History™ (TLTH) resources, designed to align with the Common Core State Standards. Students will learn and practice skills that will help them analyze, assess, and develop knowledgeable and well-reasoned points of view on visual materials. Over the course of four lessons, students will read Articles I, II, and III of the US Constitution and Federalist No. 51 and complete exercises that will help them learn how to understand and evaluate complex texts.

ESSENTIAL QUESTION

- How should the system of checks and balances work?

MATERIALS

- Source 4: Excerpts from James Madison, Federalist No. 51, February 8, 1788, *Our Documents*, National Archives, ourdocuments.gov
- Activity Sheet 4A: Checks and Balances Summary Organizer
- Activity Sheet 4B: Checks and Balances Summary Organizer
- Activity Sheet 4C: Checks and Balances Summary Organizer
- Activity Sheet 5: Who's Checking Who?
- Reference Document: Separation of Powers

PROCEDURE

1. This lesson is meant to be used with upper elementary or middle school students.
2. Introduce the Federalist Papers and their purpose. Discuss the debate across the country about

adopting the Constitution and how three men, Alexander Hamilton, John Jay, and James Madison, wrote more than eighty articles explaining the different parts of the Constitution and why they were important. Federalist No. 51, by James Madison, explains why the US government needs a system of checks and balances.

3. You may choose to distribute Source 4 with all the excerpts from Federalist No. 51 and share read it with the class as described in Lesson 1. Each activity sheet has the excerpt that will be used on that activity sheet.
4. Distribute the activity sheets with the summary organizers for Federalist No. 51. Activity Sheet 4A contains the first excerpt from Federalist No. 51. Display the organizer in a format large enough for all the students to see. Activity Sheet 4A will be completed as a whole-class exercise.
 - a. Share read the text with the class as described in Lesson 1.
 - b. Explain that the first step is to select “keywords” from the text.

Guidelines for Selecting Keywords: Keywords are important to understanding the text. They are usually nouns or verbs. The students should not select “connector” words (*are, is, the, and, so, etc.*). The number of keywords chosen depends on the length of the text. This selection is only thirty words, so you can pick four to six keywords. Tell the students that they must know the meaning of the words they choose. You can take the opportunity to teach students how to use context clues, word analysis, and dictionary skills to discover word meanings.

- c. Students will now select four to six words from the text that they believe are keywords and underline them.
- d. Survey the class to find out what the most popular choices are. You can write them down, have the class discuss the options, and vote on the final selection based on guidance from you. For example, the class might select the following words: *separate, powers, government, essential, and liberty*. Now, no matter which words the students had previously chosen, have them write the words agreed upon by the class or selected by you into the Keywords section.
- e. The class will now use the keywords to write a sentence that summarizes Madison’s message. This should be a whole-class negotiation process. For example, “Separate powers of government are essential for liberty.” The students might decide they don’t need some of the words to make the sentence even more streamlined. This is part of the negotiation process. The final agreed-upon sentence is copied into the Keyword Summary section of the organizer.
- f. Now tell the students to restate the summary sentence in their own words. Showing students how to use synonyms that they are more familiar with can be very useful for this step. For example, “Each part of the government should have different powers that guarantee our rights.” Have the students write the sentence in the In Your Own Words section of the organizer.
- g. Wrap-up: Discuss vocabulary that the students found confusing or difficult. The students can keep a record of these words and their meanings on the back of the organizer or in a separate vocabulary form.

5. Continue with the other two summary organizers. You may continue to conduct the activity as a whole-class exercise or have the students work in small groups for Summary Organizer 2 and independently for Summary Organizer 3. For each activity, they can choose four to six keywords
6. Reconvene the class to discuss their interpretations of Madison's arguments in Federalist No. 51. Do they understand how checks and balances work in the US government and why Madison thought checks and balances were necessary?
7. Distribute Activity Sheet 5: Who's Checking Who? and the Separation of Powers reference document. The students will determine how the system of checks and balances operates in specific situations. Review the idea of the Separation of Powers with the students.
8. Complete the first question with the class to make sure they understand how to complete the activity sheet. The students may complete the activity sheet in small groups, with partners, or individually. Once they have completed the activity sheet, you can reconvene the class to review their answers.

HISTORICAL BACKGROUND

Foundations of American Government: The Constitution

BY LINDA R. MONK, JD

“What a triumph for the advocates of despotism,” wrote George Washington in 1786, “to find that we are incapable of governing ourselves.” The victorious commander of the Continental Army had laid down his arms in 1783 only to discover that the new American nation might fail without a stronger national government.

But what kind of government should that be? The newly independent British colonies were afraid of another king, with power to control them. And yet under their first constitution, the Articles of Confederation, the states behaved like thirteen squabbling brothers and sisters who couldn’t agree on anything. How could the United States find a national government like Goldilocks would want—not too strong, not too weak, but just right?

To come make suggestions, Congress called a convention of special delegates chosen by the states, which met in Philadelphia during the summer of 1787. George Washington was elected president of the convention. Right away, the delegates decided to propose a new form of government, rather than make minor changes to the Articles of Confederation. After a long, hot summer, the convention approved a new Constitution on September 17, 1787, and sent it to Congress. Congress sent it to the states for ratification, or approval, and in 1789 it went into effect.

Under the Constitution, the national government was divided into three branches: the legislative, which made the laws; the executive, which enforced the laws; and the judicial, which interpreted the laws. In addition, each branch had checks and balances over the other branches, allowing them to limit each other’s power. So by dividing the power of the national government into branches, and also giving each branch some power over the others, the new Constitution would prevent the national government from becoming too powerful.

The handwritten Constitution is four pages long. Article I, about the legislative branch, covers almost half of them, which shows that the framers of the Constitution believed that Congress would be the most powerful branch. Article II, about the executive branch, and Article III, about the judicial branch, are much shorter. Although there had been a Congress under the Articles of Confederation, there was no separate executive or judicial branch. So the framers did not give a lot of guidance about these branches.

Yet each branch has power over the others through checks and balances. James Madison, one of the principal creators of the Constitution, wrote in Federalist No. 51 that “ambition must be made to counteract ambition.” What he meant is that people in each branch will guard its power, and thus limit each other. For example, Congress makes the laws, but the president can veto them and the judiciary can declare them unconstitutional. The president enforces the law, but the judiciary can overturn his actions and Congress can refuse to pay for them. The judiciary interprets the law, but the president nominates judges and the Senate confirms them.

Taken together, these limits mean that the national government should never become more powerful than the people who created it. The Constitution’s Preamble states that “We the People” give our power to the Constitution “to secure the blessings of liberty for ourselves and our posterity.” In 1787, those words excluded a lot of people—Native Americans, enslaved Africans, White men without property, and women of all colors. It is the job of today’s Americans to continue to create a “more perfect union” for future generations to come.

Linda R. Monk, JD, is a constitutional scholar and the author of The Bill of Rights: A User’s Guide and The Words We Live By: Your Annotated Guide to the Constitution.

Source 1: US Constitution, Article I (Excerpts)

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. . . .

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen. . . .

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof [*changed to by popular election by the Seventeenth Amendment*] for six Years; and each Senator shall have one Vote. . . .

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided. . . .

The Senate shall have the sole Power to try all Impeachments. . . .

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States. . . .

Section 8

The Congress shall have Power To lay and collect Taxes. . . .

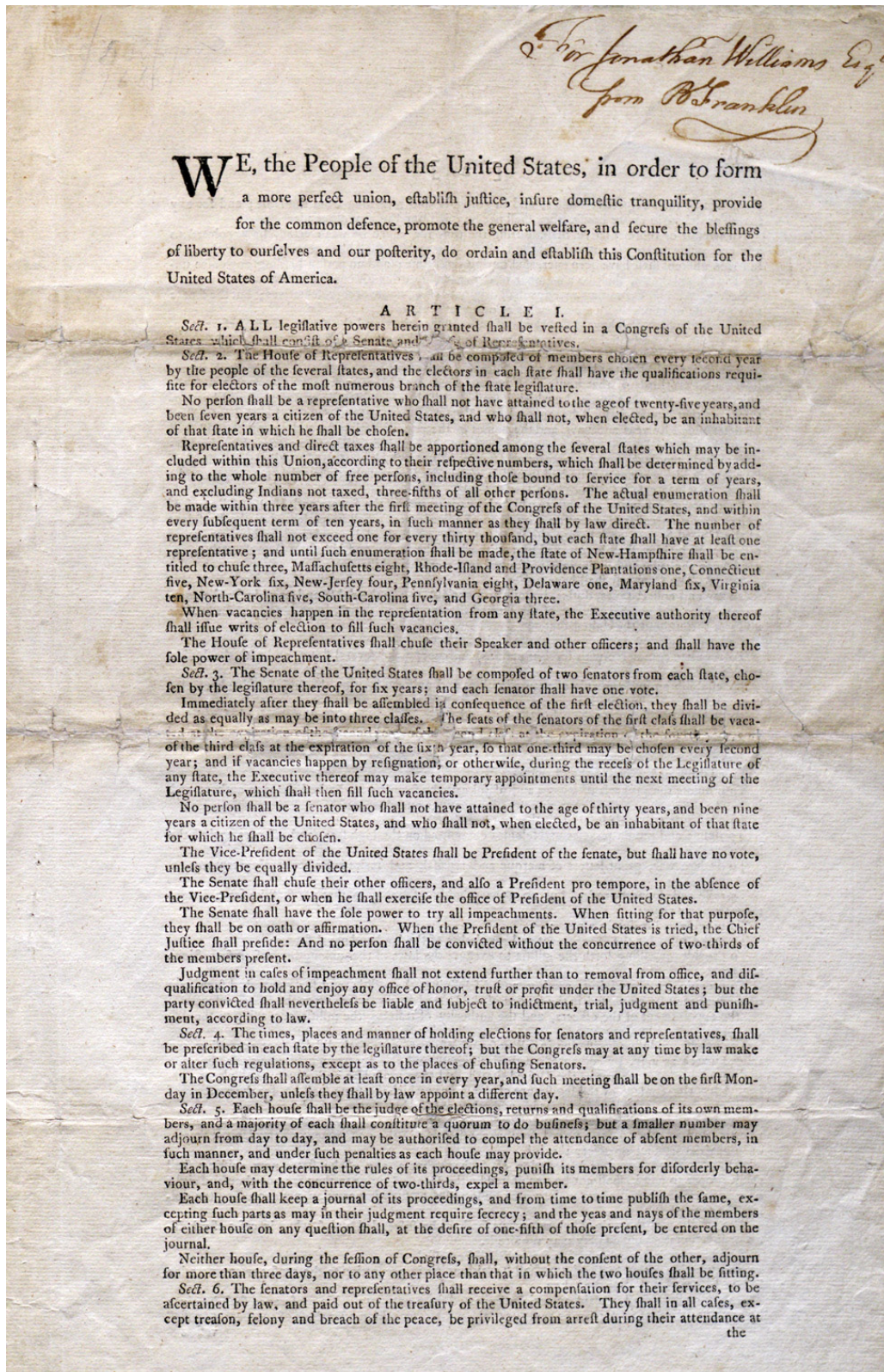
To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures . . .

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water . . .

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

US Constitution



US Constitution, September 17, 1787, Dunlap and Claypoole, Philadelphia
(The Gilder Lehrman Institute of American History, GLC03585)

Activity Sheet 1: The Legislative Branch

Read the sections of Article I of the US Constitution on the left. Then answer the questions on the right in your own words.

United States Constitution: Article I The Legislative Branch	In Your Own Words
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 1 Congress is made of two parts. What are these two groups called?
Section 2 The House of Representatives shall be composed of Members chosen every second Year by the People of the several States.	Section 2 How often are members of the House of Representatives elected?
Section 2 No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States	Section 2 How old does a member of the House of Representatives have to be? How long does a Representative have to have been a citizen of the United States?

Section 2 The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.	Section 2 What is an important job that only the House of Representatives can do?
Section 3 The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof (changed to by popular election by the 17th Amendment) for six Years; and each Senator shall have one Vote.	Section 3 How many Senators does each state have? How long do they serve?
Section 3 No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States	Section 3 How old does a member of the Senate have to be? How long does a Senator have to have been a citizen of the United States?

Section 3 The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.	Section 3 When does the Vice President get to vote as the President of the Senate?
Section 3 The Senate shall have the sole Power to try all Impeachments.	Section 3 What is one important job that only the Senate can do?
Section 8 The Congress shall have the Power To lay and collect taxes.	Section 8 What power does Congress have to raise money for the United States?
Section 8 To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;	Section 8 What is one important job Congress has related to money?

Section 8 To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures of Land and Water;	Section 8 What powers are given to Congress for dealing with war?
Section 8 To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.	Section 8 What is one very important job of Congress?

Summary (Use your answers to each of the questions to create a summary of Article I):

Activity Sheet 1A: Legislative Branch Research Activity 1

This is your chance to practice your research skills! Some of the information is in Article I of the US Constitution. For information that is not in the Constitution, you may use any website approved by your teacher. Make sure to include the name of the document or the address for each website you used in your research ("Cite the Source").

Requirements for the Legislative Branch		
	Senate	House of Representatives
How old do you have to be to become a member of Congress?	Cite the Source:	Cite the Source:
Do you have to be a US citizen? If so, for at least how long?	Cite the Source:	Cite the Source:
How long is one term in Congress?	Cite the Source:	Cite the Source:

	Senate	House of Representatives
How many members serve for each state?	Cite the Source:	Cite the Source:
How many people serve in Congress for the whole United States?	Cite the Source:	Cite the Source:
How many members does your state have in each house?	Cite the Source:	Cite the Source:
What is your Congressional District?	Cite the Source:	Cite the Source:
List your Senators and Representatives in Congress.	1. 2. Cite the Source:	1. Cite the Source:

Activity Sheet 1B: Legislative Branch Research Activity 2

Congress is the branch of the federal government that represents the American people and makes the nation’s laws. The people choose the members of the Legislative Branch to represent them and their interests. To help you understand how important this branch of government is to you, your family, or your community, fill out the chart defining six primary responsibilities of the Legislative Branch.

What Does Congress Do?

Research Article I of the Constitution to understand congressional powers. Fill out the chart listing the powers of the Legislative Branch. Make sure to cite where you found the information you included for each answer. Websites have to be approved by your teacher.

Topic	What Can the Legislative Branch Do?
Laws	Cite the Source:
War	Cite the Source:
Removing Federal Officers (Impeachment)	Cite the Source:

Money	Cite the Source:
Presidential Appointments	Cite the Source:
Treaties	Cite the Source:

Now that you know the powers of the Legislative Branch, explain how two or three of these powers affect you, your family, or your community.

Source 2: US Constitution, Article II (Excerpts)

Section 1

The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector. . . .

The Congress may determine the Time of choosing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected. . . .

Section 2

The President shall be Commander in Chief of the Army and Navy of the

United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to Grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Activity Sheet 2: The Executive Branch

Read the sections of Article II of the US Constitution on the left. Then answer the questions on the right in your own words.

United States Constitution: Article II The Executive Branch	In Your Own Words
Section 1 The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four years, and, together with the Vice President, chosen for the same Term, be elected, as follows:	Section 1 How long do the President and Vice President serve after being elected?
Section 1 Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress.	Section 1 The Electoral College was created to elect the President. Who gets to choose the electors that vote for the President and how many electors does each state get?

Section 1 No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of the President; neither shall any person be eligible to that office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.	Section 1 How old does a person have to be if they want to be President?
Section 2 In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President.	Section 2 Who becomes the President if the current President cannot serve?
Section 2 The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States;	Section 2 The President swears to protect and defend the United States. What role helps the President do that?

Section 3

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States.

Section 3

The President can choose people for many important jobs in the government but needs which other part of the government to agree with those choices?

Summary (Use your answers to each of the questions to create a summary of Article II):

Activity Sheet 2A: Executive Branch Research Activity 1

This is your chance to practice your research skills! Some of the information is in Article II of the US Constitution. For information that is not in the Constitution, you may use any website approved by your teacher. Make sure to include the name of the document or the address for each website you used in your research ("Cite the Source").

	Requirements for the Executive Branch
How old do you have to be to become the President of the United States?	Cite the Source:
Do you have to be a US citizen to be elected President?	Cite the Source:
What is a natural-born citizen?	Cite the Source:

How long does a President's term last?

Cite the Source:

Is there a limit to how many terms the President can serve? Explain.

Cite the Source:

Who actually elects the President?

Cite the Source:

Activity Sheet 2B: Executive Branch Research Activity 2

The Executive Branch of the US government includes the President, Vice President, and Cabinet members. The President sets the tone of how the United States will be run during their term in office. To help you understand how important this branch of government is to you, your family, and your community, fill out the chart defining four primary responsibilities of the Executive Branch.

What Does the President Do?

Research Article II of the Constitution to understand executive powers. Fill out the chart listing the powers of the Executive Branch. Make sure to cite where you found the information you included for each answer. Websites have to be approved by your teacher.

On This Topic	What Can the Executive Branch Do?
Laws	Cite the Source:
The Armed Forces	Cite the Source:

Source 3: US Constitution, Article III

Section 1

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section 2

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls; —to all Cases of admiralty and maritime Jurisdiction; —to Controversies to which the United States will be a Party; —to Controversies between two or more States; —between a State and Citizens of another State; —between Citizens of different States; —between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Activity Sheet 3: The Judicial Branch

Read the sections of Article III of the US Constitution on the left. Then answer the questions on the right in your own words.

United States Constitution: Article III The Judicial Branch	In Your Own Words
Section 1 The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.	Section 1 What is the Judicial Branch?
Section 1 The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour.	Section 1 How long do judges serve?

Section 2 The judicial Power shall extend to all Cases, . . . arising under this Constitution, the Laws of the United States, and Treaties made . . . under their Authority; . . . to Controversies to which the United States will be a Party; —to Controversies between two or more States; —between a State and Citizens of another State; —between Citizens of different States; . . . and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.	Section 2 What types of cases does the Judicial Branch deal with?
Section 2 Such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.	Section 2 Where will trials take place?

Summary (Use your answers to each of the questions to create a summary of Article III):

The Constitution

Cite the Source:

Now that you know the powers of the Judicial Branch, explain how one of these powers affects you, your family, or your community.

Source 4: James Madison, Federalist No. 51 (Excerpts)

The Structure of the Government Must Furnish the Proper Checks and Balances
Between the Different Departments

To the People of the State of New York:

. . . In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent is admitted on all hands to be essential to the preservation of liberty, it is evident that each department should have a will of its own; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the members of the others. . . . But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. . . . It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. . . .

James Madison, The Federalist No. 51, February 8, 1788, *Our Documents*, National Archives, ourdocuments.gov.

Activity Sheet 4A: Checks and Balances Summary Organizer

Original Text from Federalist No. 51 by James Madison

In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which . . . is admitted on all hands to be essential to the preservation of liberty, it is evident that each department should have a will of its own. . . .

Keywords

Keyword Summary

In Your Own Words

Activity Sheet 4B: Checks and Balances Summary Organizer

Original Text from Federalist No. 51 by James Madison

. . . But the great security against a gradual concentration of the several powers in the same department consists in giving to those who administer each department, the necessary constitutional means, and personal motives, to resist encroachments of the others . . . that such devices should be necessary to control the abuses of government. . . .

Keywords

Keyword Summary

In Your Own Words

Activity Sheet 4C: Checks and Balances Summary Organizer

Original Text from Federalist No. 51 by James Madison

. . . But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place, oblige it to control itself. . . .

Keywords

Keyword Summary

In Your Own Words

Activity Sheet 5: Who's Checking Who?

You have learned about the three branches of government—legislative, executive, and judicial. These three branches establish a system of checks and balances in our government that distributes power to all three branches so none of them has too much power. Fill in the blank in each sentence with the name of the correct branch of government.

1. The legislative branch passed a new law but the _____ branch decided the law was unconstitutional.
2. The legislative branch passed a new law but the _____ branch vetoed it.
3. The executive branch vetoed a new law, but the _____ branch wanted the new law to be passed, and they were able to override the veto with a two-thirds majority.
4. The executive branch nominated a federal judge, but the _____ branch has to confirm or reject the nominee.
5. The executive branch wants to go to war with another country, but only the _____ branch has the power to declare war.

Separation of Powers

The Legislative Branch (Congress) can

- Make laws
- Override presidential vetoes with a 2/3 majority
- Declare war
- Raise money through taxes and tariffs
- Provide public money
- Impeach and try federal officials
- Approve presidential appointments
- Approve treaties negotiated by the executive branch
- Provide oversight and conduct investigations

The Executive Branch (President) can

- Make treaties with other countries
- Veto bills or sign bills into law
- Enforce the laws
- Serve as commander in chief of the military
- Appoint federal officials including federal judges
- Represent the United States with other countries
- Issue Executive Orders that are not laws
- Suggest new laws
- Grant pardons

The Judicial Branch (Supreme Court) can

- Declare a law unconstitutional
- Declare an executive order or act unconstitutional
- Review and overturn or confirm decisions by lower courts
- Decide select federal cases