

Exploring the Constitution

My name is James Madison. I am from the great state of Virginia. We Virginians had a lot to do with the making of the United States Constitution. In this document, you and I will explore the content of the Constitution, and learn how it works. Respond to the questions below in **COMPLETE SENTENCES**.

1. Fill in the information required in the table below: (Write in complete sentences.)

THE PREAMBLE TO THE UNITED STATES CONSTITUTION	
What is a preamble?	<hr/> <hr/> <hr/>
List the SIX reasons the Preamble gives as reasons why the Constitution is necessary. Write them in your own words. Do not simply copy word for word from the Constitution.	
1.	
2.	
3.	
4.	
5.	
6.	

2. **The United States Constitution is, in a way, a collection of compromises. Explain how Article One (dealing with the Legislative Branch) is a compromise between those who wanted a single Congress with equal votes for every state and those who wanted to base the votes on population. Remember to write in COMPLETE SENTENCES.**

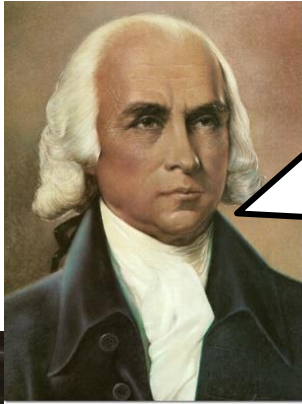


3. The number of U.S. representatives is determined by population with one representative appointed for every _____ people in a state.

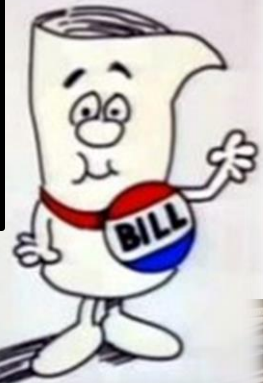
4. Fill in the spaces in the table below, detailing the differences and similarities between the House of Representatives and the Senate. **COMPLETE SENTENCES**

CATEGORIES	THE HOUSE OF REPRESENTATIVES	THE SENATE
3-PART LIST OF QUALIFICATIONS	<hr/> <hr/> <hr/> <hr/>	<hr/> <hr/> <hr/> <hr/>
LENGTH OF TERM OF OFFICE	<hr/> <hr/> <hr/>	<hr/> <hr/> <hr/>
IMPEACHMENT	<hr/> <hr/> <hr/>	<hr/> <hr/> <hr/>
MEMBERSHIP: SENATE AND HOUSE - HOW IS THE NUMBER OF MEMBERS IN EACH GROUP DETERMINED?	<hr/> <hr/> <hr/> <hr/> <hr/>	<hr/> <hr/> <hr/> <hr/> <hr/>
REVENUE BILLS (TAXES)	<hr/> <hr/> <hr/>	<hr/> <hr/> <hr/>
FILLING VACANCIES	<hr/> <hr/> <hr/>	<hr/> <hr/> <hr/>
OFFICERS OF THE HOUSE AND OF THE SENATE	<hr/> <hr/> <hr/> <hr/>	<hr/> <hr/> <hr/> <hr/>

How a Bill becomes a Law



I don't normally like cartoons. After all, I'm a Founding Father, and we have high standards. However, for your amusement, I am allowing the Bill Cartoon to appear in this document. Using the ladder below, explain at least five steps by which a bill becomes a law.



5.
4.
3.
2.
1.



The Powers of Congress

What can Congress do (and NOT do)?



Identify what Congress has the power to do in each of the following areas, and quote the part of the Constitution that says so. Write your answers in **COMPLETE SENTENCES**. Cite the Constitutional passage (Example: Article I, Section 7, Clause 2) that supports each of your answers.

1. A scientist has just invented a special process for turning waste products into fuel. She needs to protect her process so she gets the profits. Can Congress help her? Why or why not?

2. A number of the states have been expressing concerns about the possibility of the English army trying to come back and take over. Does Congress have a role to play?

3. The year is 1941. The date is 8 December. President Franklin Roosevelt delivers an address to Congress on the subject of the Japanese attack on Pearl Harbor that occurred the previous day. He wants America to go to war with Japan.

4. A representative in Congress in the year 1802 proposes a new law to make it illegal for slave merchants to bring new slaves into the United States.

5. A capitol is needed for the United States. How will America create a capitol city like London, England or Paris, France? Who has the power to do that?

6. America has a serious problem. A gang of counterfeiters has surfaced, and this gang is able to make imitation money so well that it is hard to tell it from real money. What can be done?

7. A group of influential people believe that George Washington should be crowned king. They think that this will be a good move for the country to increase America's profile around the world.

8. Massachusetts has some powerful members in Congress. These powerful members want to help Boston by passing a law that requires all ships from other countries carrying goods to be sold to make their deliveries at Boston Harbor and nowhere else. The goods will then be transferred to other destinations to the north and the south.

9. When the states were under the Articles of Confederation, each state was allowed to design and make its own currency? Is it possible for the United States under the Constitution to develop a single money system for the whole country? Why or why not?

10. A member of Congress is upset because his sister could not make her rent payments, and the owner of the building where she lived evicted her. The member of Congress wants to create a new law that will make it illegal for someone who cannot pay rent to be evicted. The member of Congress thinks that if he can get this new law passed, the property owner who evicted his sister can then be put in jail because he violated the law.

The Executive Branch

Article Two



1. You are the President. Congress has passed a bill that will make it illegal for newspapers or news programs on television to criticize the Senate or the House because they claim that criticizing the government is unpatriotic. You don't like the new bill. What does the Constitution give you the power to do? Quote the specific part of the Constitution from which you obtained your information.(Example: Article II, Section 3, Clause 4)

2. The time is World War II (1941-1945). America is at war with the Axis Powers (Germany, Italy, and Japan). Who is the ultimate authority over what the military does? How do you know? Who shares the responsibility for the American military forces? How do you know?

3. Agree or Disagree: President Carter wants to sign a treaty with China. He negotiates the treaty on his own. The Chinese want the President to break the treaty America already has with China's neighbor, Taiwan. President Carter has the power to make and break treaties on his own, keeping everything in the Executive Branch. How do you know?

4. Agree or Disagree: A justice of the Supreme Court decides to retire. It is the job of the Senate to appoint a new justice to replace the justice who is stepping down. If the President does not like the choice, he can veto the nomination.

5. Wouldn't it be simpler if the President had the right to declare war? Explain why – in your opinion – the writers of the Constitution chose not to give the President this power.

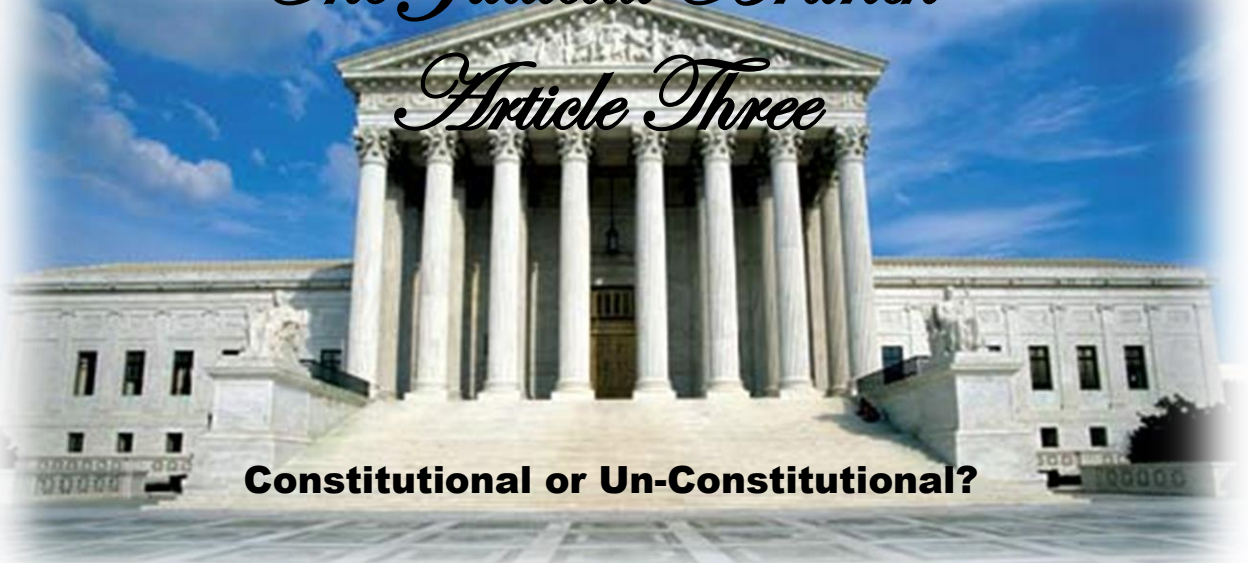
6. In 1952 President Harry Truman was worried about labor unions in America's steel mills going on strike. So President Truman took control of the steel mills in order to make them keep producing the supplies needed for the Korean War. The case went to the Supreme Court. Do you think the justices of the Court sided with President Truman or with the steel mills? Support your answer with information from the Constitution.

7. Agree or disagree: James Madison tried to reassure people who were worried about a powerful President by saying that the Presidency of the Constitution would be weaker than the Congress. In Madison's view, Congress would be the power that people paid attention to, not the President. Based on what you know about history and current events, was Madison right? Give facts, details, and examples to support your opinion.

8. What is the Electoral College? Explain how the Electoral College works. Include electors, how electors are determined, and the number of electors needed to be elected in your response.

The Judicial Branch

Article Three



Constitutional or Un-Constitutional?

As you know, the Supreme Court is at the top of the Judiciary Branch of our government. The judges of the Court are called Justices. Eight justices serve under a Chief Justice. The justices interpret the Constitution to determine what is Constitutional and what is Un-Constitutional. When the Supreme Court makes an important decision about the Constitution, the decision is called a “Landmark Decision.” Review the following landmark decisions by the court and either agree or disagree with the decision the justices made. Support each of your opinions with material from the Constitution. Write in COMPLETE SENTENCES

Case 1: Engel v. Vitale (1962)

Holding: School initiated-prayer in the public school system violates the First Amendment.

In the New York school system, each day began with a nondenominational prayer acknowledging dependence upon God. This action was challenged in Court as an unconstitutional state establishment of religion in violation of the **First Amendment**. The Supreme Court agreed, stating that the government could not sponsor such religious activities because such sponsorship was *establishing* religion.

Your Opinion

Constitutional Reasons for Your Opinion

Case 2: Gideon v. Wainwright (1963)

Holding: Indigent defendants must be provided representation without charge.

Gideon was accused of committing a felony. Being very poor, he petitioned the judge to provide him with an attorney free of charge. The judge denied his request. The Supreme Court ruled for Gideon, saying that the Sixth Amendment requires indigent criminal defendants to be provided an attorney free of charge.

Your Opinion

Constitutional Reasons for Your Opinion

Case 3: Miranda v. Arizona (1966)

Holding: Police must inform suspects of their rights before questioning.

After hours of police interrogations, Ernesto Miranda confessed to a serious crime. At trial, he sought to suppress his confession, stating that he had not been advised of his rights to counsel and to remain silent. The Supreme Court agreed, holding that police must inform suspects of their rights before questioning. Because Miranda had not been informed of his rights before questioning, he was released.

Your Opinion

Constitutional Reasons for Your Opinion

“WE ARE UNDER A CONSTITUTION,
BUT THE CONSTITUTION IS WHAT THE JUDGES SAY IT IS.” – CHARLES EVANS HUGHES

Case 4: Texas v. Johnson (1989)

Holding: Even offensive speech such as flag burning is protected by the First Amendment.

To protest the policies of the Reagan administration, Gregory Lee Johnson burned an American flag outside of the Dallas City Hall. He was arrested for this act, but argued that it was symbolic speech. The Supreme Court agreed, ruling that symbolic speech is constitutionally protected even when it is offensive.

Your Opinion

Constitutional Reasons for Your Opinion

Case 5: Hazelwood v. Kuhlmeier (1988)

Holding: Administrators may edit the content of school newspapers.

The principal of Hazelwood East High School edited two articles in the school paper The Spectrum that he deemed inappropriate. The student authors argued that this violated their **First Amendment** right to freedom of speech. The Supreme Court disagreed, stating that administrators can edit materials that reflect school values.

Your Opinion

Constitutional Reasons for Your Opinion

“Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.”
John Adams

Relations among the States Article IV



DETAILS ABOUT THE STATES IN ARTICLE IV

1.
2.
3.
4.
5.

Amending the Constitution: Article V

AMENDING THE CONSTITUTION

STEP 1—Amendment Proposed by:

- A two-thirds vote of both houses of Congress
- OR
- A constitutional convention called by Congress on petition of two-thirds of the 50 states

STEP 2—Amendment Ratified by:

- Three-fourths of the 50 state legislatures
- OR
- Three-fourths of special constitutional conventions called by the 50 states

NEW AMENDMENT TO THE CONSTITUTION

CHART SKILLS

The Constitution provides two ways for proposing amendments and two ways for ratifying amendments.

- 1 Describing** In what ways can an amendment to the Constitution be proposed?
- 2 Drawing Conclusions** Why do you think more states are required to ratify an amendment than to propose one?

Education

Explain in your own words the **four** ways by which the **United States Constitution** can be changed (or amended). Write in **COMPLETE SENTENCES**.

Answer the following questions about Article VI. Write in **COMPLETE SENTENCES**. By the way, Article VI, as I recall, deals with National Debt, Supremacy of National Law, and Oath of Office. Do I have that right?



1. What happened to the debts that America had under the Articles of Confederation after the Constitution was adopted?

2. According to Article VI, Section Two, what is the “supreme law of the land”?

The Bonus Round

Stump the Expert



I nearly forgot! Are you ready to triumph in your Constitutional Stump the Expert competition? If you can successfully answer the questions below, you will be well on your way to becoming a Constitutional authority.

COMPLETE SENTENCES ONLY

1. How is the Vice President chosen in Presidential elections? How do you know?

2. Who is the president of the Senate? What main responsibility does the President of the Senate have?

3. If the President becomes unable to do his job who takes over? What happens if that person also becomes unable to do the job?

4. Who has the power to grant reprieves and pardons for offenses against the United States?

5. What is "habeas corpus"? What protection does habeas corpus provide for people?
