

MI OPEN BOOK PROJECT

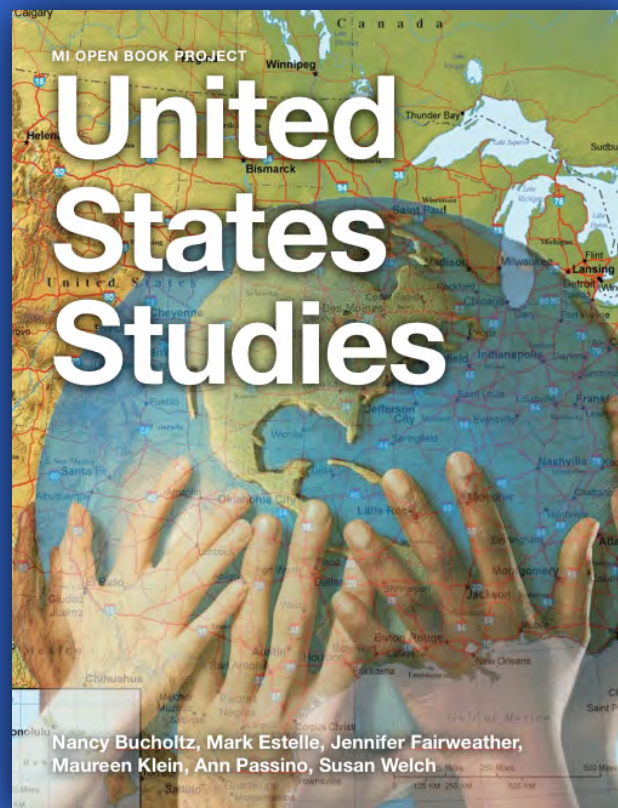
United States Studies

Nancy Bucholtz, Mark Estelle, Jennifer Fairweather,
Maureen Klein, Ann Passino, Susan Welch

United States Studies



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This is version 2.0.1 of this resource, released in August of 2016.

Information on the latest version and updates are available on the project homepage: <http://textbooks.wmisd.org/dashboard.html>



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Book Version 1.5
Code Base: Bacon



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Nancy A. Bucholtz

Harbor Beach Community Schools

Harbor Beach Elementary

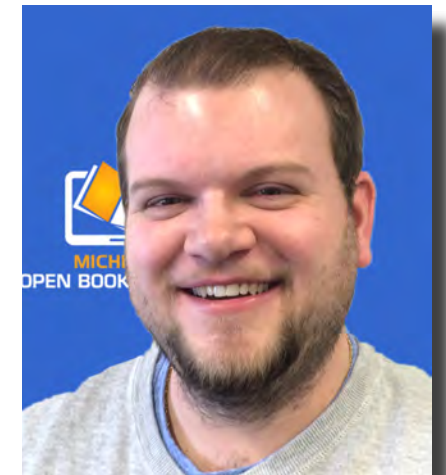
Nancy Bucholtz earned her undergraduate degree in Elementary Education from Oakland University, and then earned her masters degree from Saginaw Valley State University in Early Childhood Education. She had the opportunity to teach 2 years in the Utica Community Schools District before moving to Huron County, and she is now completing her 13th year at Harbor Beach Community Schools. During her teaching career she has taught the 3rd, 4th, and 5th grades, but 13 years of her career have been spent in the 4th grade. During her 15 years of teaching, she has been actively involved with many committees and initiative projects within her school district. Nancy received the honor of Walmart Teacher of the Year in 2007, and her students have been recognized by the state for their achievements on their standardized assess-

Mark Estelle

Laker School District

Elementary School

Mark earned his undergraduate degree in elementary education from Central Michigan University with a major in mathematics and a minor in child development. In addition to teaching, Mark is an adviser of the elementary underwater robotics team as well as the recycling club. When not teaching fourth grade at Laker Elementary, Mark enjoys many hobbies that involve the outdoors and sports.



Jenn Fairweather

Oakridge Schools

Oakridge Upper Elementary

Jenn has been an 'Eagle Proud' Oakridge Schools employee for 16 years. She also includes Lansdowne Primary School in Tilbury, England in her list of teaching adventures.

A self-professed 'grammar geek' and SAG member, she hopes to complete her Master's in TESOL and a Bachelor's in Mortuary Sciences.



Maureen Klein

Allen Park Public Schools

Bennie Elementary

Following a successful career in the corporate world, Maureen returned to college in 2005 to pursue a Master of Arts in Education at Wayne State University. Like many career changers, Maureen realized that teaching was her true passion. Following graduation, Maureen immediately put her early childhood ZA endorsement to use as a kindergarten teacher in the Allen Park Public Schools, later moving to grade four. Maureen is active in both social studies and science endeavors throughout the state serving on the board of the Michigan Center for Civic Education and a former presenter at the Michigan Science Teacher Association Conference. She was named 2013 Jim and Annette McConnell Elementary History Teacher of the Year by the Michigan Council for History Education. In the winter of 2013 Maureen returned to Wayne State, but this time as an adjunct faculty member and university supervisor for pre-student teacher candidates. Maureen was recently recognized as

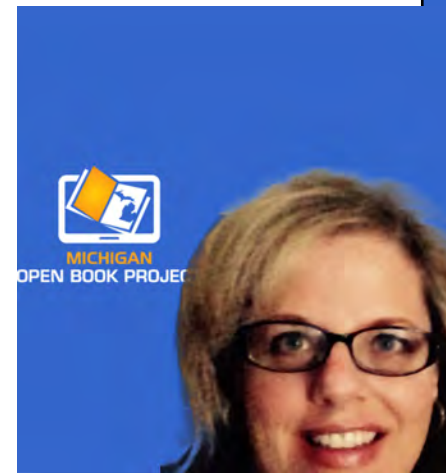
Ann Passino

Grosse Pointe Schools

Trombly Elementary

Ann is an educator for 21 years having taught grades first - sixth in numerous subject areas. Ann has a passion for teaching, especially teaching History. This passion has led to her being the K-12 Social Studies Curriculum Coordinator 2007-2009 for Grosse Pointe Public Schools. In addition to teaching, Ann is the Child Study Identification Coordinator for GPPS. She is also a graduate of the Galileo Leadership Consortium while completing her Education Specialist in Leadership from Oakland University. Meanwhile, Ann has become an Adjunct Professor of History for Wayne County Community College.

In addition to being an educator, Ann's passions are to spend as much time Up North with her family and to travel to recharge!



The Michigan Open Book Project Team would like to thank the following individuals for their help in reviewing some content in the book and guiding the development process.

Jim Cameron, Michigan
Department of Education

Phil Gersmehl - Michigan
Geographic Alliance

Carol Egbo - Oakland University



Susan Welch

Fenton Area Public Schools

State Road Elementary

Susan Welch currently teaches 4th grade at State Road Elementary in Fenton, Michigan. She has earned a Bachelor of Science Degree in Elementary Education from Central Michigan University and a Master's Degree in the Art of Teaching from Marygrove College with additional graduate work done at Arizona State University. While at CMU, Susan traveled to Perth in Western Australia to study their use of integration to deliver instruction and meet the curriculum standards. Upon graduation, she started her teaching career in Arizona teaching in the Casa Grande and Kyrene school districts. During this time, Susan taught in a fully inclusive elementary classroom with students with many diverse learning needs including monolingual and bilingual Spanish speaking students, as well as various physical and mental challenges. She also was able to learn about the many different Native American cultures represented within her schools. Susan has taught both 3rd and 4th grade in the Fenton Area Public Schools for the past 11 years and also serves as Fenton's Elementary Social Studies Department Chair. In addition, she teaches Social Studies courses to other educa-



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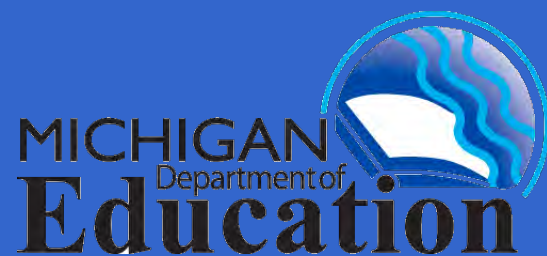


David A. Johnson

Project Manager

Michigan Open Book Project

Dave began his career teaching 8th grade United States History in Mesick, Michigan. After almost a decade in the classroom, he took a job at Wexford-Missaukee Intermediate School District (WMISD) as an Instructional Consultant for Social Studies. He is shared across 11 ISDs in Northern Michigan that form the Northern Michigan Learning Consortium. He completed his Masters in Educational Leadership through Central Michigan University in 2011 and is Co-Project Director of the Performance Assessments of Social Studies Thinking (PASST) Project in addition to his duties as the Project Manager for MI Open Book.



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Chapter 3

How Does the United States Government Work For You?

1. Why do people form governments?
2. What kind of government do we have?
3. What powers does our federal government have?
4. How is our federal government organized?
5. Why does our federal government have a system of checks and balances?
6. What are the rights and responsibilities of citizens?



Section 1

Why Do People Form Governments?

QUESTIONS TO GUIDE INQUIRY

1. Why do people form governments?
2. What kind of government do we have?
3. What powers does our federal government have?
4. How is our federal government organized?
5. Why does our federal government have a system of checks and balances?
6. What are the rights and responsibilities of citizens?

TERMS, PLACES, PEOPLE

Civics: The study of government and the role people play in government

Government: a system that people use to provide order, distribute power, make decisions and regulate the conduct of people

Federal Government: the government of our country

Framers: the people who helped write the Constitution

Constitution: the written document that created the system of government for our country

Preamble: the introduction to our Constitution



The care of human life and happiness, and not their destruction, is the only object of good government.

- Thomas Jefferson
3rd U.S. President

You have learned that there are different areas of social studies and different kinds of social scientists. You learned that geographers study geography and economists study economics. This chapter is about civics, another important area of social studies. **Civics** is the study of government and the role people play in government. But who studies civics??? Civicsers? Civicsists? It's a little more complicated this time. Political scientists study civics! Politics is just another name for government. But wait, what is government?

Government is a system that people use to provide order and make decisions. It is also a system for distributing power like the power to make laws and the power to enforce laws. It is also a system for

regulating the conduct of people, or how people behave.

You have learned that social scientists like geographers and economists ask a lot of questions. The same is true of political scientists. They ask questions like these:

- Why do people form governments?
- On what kind of values are governments based?
- What do governments do?
- How are governments organized?
- What role do citizens play in governments?

In this chapter you'll be working as a political scientist. You'll be investigating our federal, or national, government. You'll be trying to find answers to these questions.



https://upload.wikimedia.org/wikipedia/commons/c/cc/US_Capitol_from_NW.JPG

Thinking Back

In second grade you learned about local government and the role it plays. Local government provides safety and order in communities. It provides valuable services such as community parks, libraries, and snow plowing in the winter. In third grade you studied the government of Michigan. State government provides

safety and order for the whole state. It also provides valuable services such as roads, state parks and testing the water in our lakes in summer.

So what does the **federal government** do? It provides safety and order for the whole country. It also provides valuable services like interstate highways, National Parks and the National Weather Service.



https://upload.wikimedia.org/wikipedia/commons/4/4b/Michigan_state_capitol.jpg

How did the United States get the government it has? Who formed it? Why did they form it? Those are tough questions. Maybe it would be best to begin with a story.

A Story

Once upon a time there was a small island country called Dnalgne where the people were ruled by a king. The king pretty much had all the power on the island. He was clearly in charge and made the rules and decisions. Since the island was small, some people decided to leave the island and sail far across an ocean to live in a new place. When they got there they settled on a large piece of land much larger than the island. The king, however, sent a message reminding them that even though they were far from his island he was still their ruler. For a while this didn't seem to matter because the king pretty much left them alone. They began to make some of their own laws and decisions. They liked



being on their own without the king telling them what to do. This made the King angry! He told them they couldn't make their own laws and they couldn't make their own decisions. He was in charge! He would make the laws and he would make decisions for them. This made the people angry! They had learned to enjoy the freedom of the new place away from the king. They sent a message to the king that they wanted to be their own country. When he read the message he nearly exploded with anger. He sent his soldiers across the ocean to where the people had moved. But the people were ready for them and ready to fight for their freedom. There was a long, hard conflict but in the end the people won. The king gave in and allowed them to have their own country. But now they were on their own! They had their own country! Should they form a government? Do they need one?



Think about the story you just read.
Then, find two partners and work together to answer the questions below.
Make sure to choose someone to write for your group.

- Do they need a government? Why or why not?
- Do you think they will choose a king for their new country? Why or why not?
- What will they want the government to do?
- What will they want to make sure the government does not do?

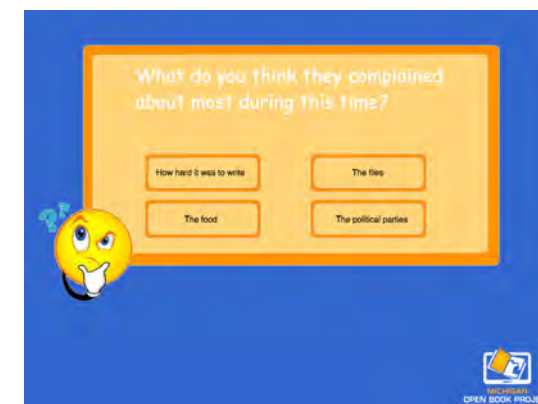
So, what did your group decide? Would they decide to have a government? Probably so. Just imagine what a community or state would be like without a government. Things would be pretty crazy in a country without a government. Did you think they would want a king to be in charge? Probably not! They had had problems with a king. What did you decide they would want their government to do? Since they had just been in a long conflict they probably wanted the government to keep things safe and orderly. Did you think of things they would not want the government to do? They had been enjoying freedom in the new place. They probably wouldn't want a government that took away that freedom.

The story of how our country began is a lot like the story you just read. It is more complicated but we broke away from a king and became our own country also. Just like in the story, one of our first challenges was forming a new government. We had a government during our fight with the king but it wasn't working well

after the conflict. People decided there needed to be a change. You'll find out lots more about this in fifth grade!

In 1787 a group of leaders gathered together in Philadelphia to design a new government. They decided the best way to do that was to write a Constitution. A **Constitution** is a written document that describes how a government is organized. This group of leaders is often called the Framers because their job was to frame, or design, a new government.

Interactive 3.1 Who Were the Framers?



Click here to find out more about the people who wrote the Constitution.



Writing the Constitution, 1787

[https://upload.wikimedia.org/wikipedia/commons/9/9d/](https://upload.wikimedia.org/wikipedia/commons/9/9d/Scene_at_the_Signing_of_the_Constitution_of_the_United_States.jpg)

Scene_at_the_Signing_of_the_Constitution_of_the_United_States.jpg

They decided they needed to begin by writing a Preamble to the Constitution. A **Preamble** is just a fancy word for 'introduction'. But what should it say? How would you begin? Would you simply write: Here is our Constitution. Probably not and they didn't begin that way either. They began by thinking about why they were even forming a government. Why did they need one? What was its purpose? They answered these questions in the Preamble they wrote. It

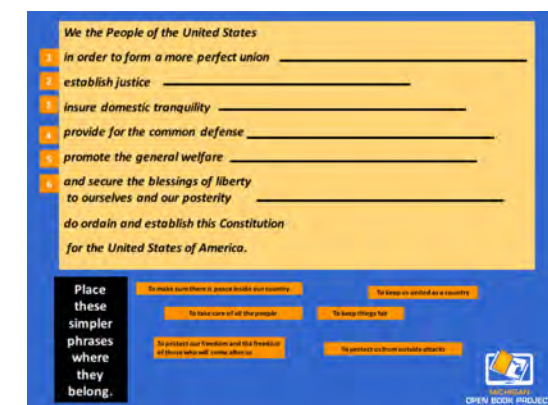
describes what they thought the purposes of government should be:

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.

That's a lot of big words in just one sentence. To understand it better click the Interactive to study it one part at a time.

Interactive 3.2

Understanding the Preamble to the Constitution



Click here to find out more about what the Preamble means.

The Framers had written the Preamble. It described what they thought the purposes of government were. Now, came the hard part! Now they had to design a government that could carry out those purposes. One that would unite people and keep them safe. One that would guarantee freedom and fairness.

Interactive 3.3 The Preamble



Click here to see a video about the Preamble. Make sure to sing along! <https://www.youtube.com/watch?v=GxVUpBukACk>



Writing Assignment: Imagine you were able to take a trip in a time machine back to the time when the Framers were writing the Constitution. Make a list of questions you would ask if you had the opportunity to interview one of the Framers.

PUTTING IT ALL TOGETHER

Civics is the study of government and the role of people in government. Communities, all fifty states and our country all have governments. People sometimes complain about ‘the government’ but we all agree that we need governments. Without them things would quickly turn unsafe and unfair.

Section 2

What Kind of Government Do We Have?

QUESTIONS TO GUIDE INQUIRY

1. Why do people form governments?
2. What kind of government do we have?
3. What powers does our federal government have?
4. How is our federal government organized?
5. Why does our federal government have a system of checks and balances?
6. What are the rights and responsibilities of citizens?

TERMS, PLACES, PEOPLE

Core Democratic Values: ideas people believe in that bring people together as Americans

The Common Good: people working together for the benefit of everybody

Popular Sovereignty: the power of the government comes from the people

Representative Government: a form of government where people choose representatives to make decisions for them

Limited Government: the government can only do what the people have given it the power to do

Republic: a government where people hold the power of government and choose leaders to make decisions



Government of the people, by the people, and for the people.

-Abraham Lincoln

16th U.S. President

In the last section you learned that after we earned our Independence from the King we decided to form a new government. Leaders gathered in Philadelphia to take on this job. They decided to write, or frame, a Constitution that would describe how the government would be organized. These Framers began by agreeing on the purposes of government. They described these purposes in the Preamble, or introduction, to the Constitution.

The Framers did a lot of discussing during the writing of the Constitution. What were

Interactive 3.4 Quotations



Quotations –What did they talk about while writing Constitution? Click here to find out..

some of the things you think they talked about?
Freedom? Kings? Rights?

Core Democratic Values and the Constitution

The Framers talked a lot about what they valued and what they believed in. These were ideas like freedom that were very important to them. We now often refer to these values as **Core Democratic Values**. They are at the heart, or core, of who we are as Americans. They are the values and beliefs that unite us. Some of these values were described in the Preamble. For example, the Preamble mentions freedom. It mentions justice, another word for fairness. It also mentions ‘the common welfare.’ We often use the term **the common good** to mean the same thing. This core democratic value relates to people working together for the benefit of everybody.

As they began to design the government itself the Framers talked a lot about another core democratic value: **popular sovereignty**. This is the belief that the



<http://www.usconstitution.net/gifs/docs/cpage1.jpg>

power of the government comes from the people. When the king was in charge the people had no say in the government. They hadn’t elected him to be their leader. The Framers wanted a government where the people elected their leaders. We call this a **representative government**. This is a form of

government where people choose representatives to make decisions for them. People transfer their power of government to these representatives.

Click on the Interactive to see how this works!

Interactive 3.5 Representative Government



How does representative government work? Click here to find out

The Framers thought that a government based on popular sovereignty and representative government was a good idea. However, they still worried about the government becoming too powerful. So they wanted to make sure it was based on the value of **limited government**. This means the federal government does not have complete power. It can only do what the people have given it the power to do. There are limits on its power.

“...and to the Republic for Which it Stands”

Recognize that phrase??? You should! It comes from the Pledge of Allegiance. It describes the form of government the Framers choose. A **republic** is a government where people hold the power of government and choose leaders to make decisions. It is based on the values of popular sovereignty, representative government and limited government. A republic has these characteristics:

Characteristics of a Republic

- Representatives are chosen to serve the common good.
- Representatives help everybody, not just a favored group.
- Representatives make laws and decisions which is a more efficient system than having everybody make them.
- The people maintain a say in their government through their representatives.
- If the representatives don't listen to the people, the people will vote them out of office.

Welcome to the Republic of Berwagana!

The Republic of Berwagana is a small country ruled by



Queen Bertha. She became queen when her father, King Bert, died. Queen Bertha is a pretty nice person. She feeds the wild birds at her castle, sends food to poor families in the country and is friendly when people come to visit her. She tries to make fair laws

for her country and enforce them in fair ways. When people break her laws she tries to give them a fair punishment. Recently, however, she made a law that a lot of people in the country don't like. Because she has an incredible love for chocolate, she made a law that requires everyone in the country to send her two candy bars each week. She feels this is fair because candy bars are not that expensive. In addition, she is their leader. They should be nice to her. A lot of people in Berwagana are speaking out against this new law. Some say they will not send her any candy bars. She

has decided to punish anyone who doesn't send her candy bars by making them move out of Berwagana.

What did you decide? Is the Republic of Berwagana really a republic? In order to be a republic the country would need some form of representative government. Does it have that? The people would need to elect their leaders. Are they able to do that? There would need to be some limits on government? Does Queen Bertha have limited power?



Is the Republic of Berwagana really a republic??? Why or why not? Write a paragraph taking a position on this question. Give three reasons to support your position.



PUTTING IT ALL TOGETHER

The Framers did not want a government like the one in Berwagana. Therefore, they chose a republic for our form of government. Their decision was based on ideas they believed in and valued. These included popular sovereignty, representative government and limited government. Now they had to figure out how the government should be organized. What powers should the federal government have? What powers should the state governments have? Did they even need state governments? Read on to find out how they answered these questions.

What Powers Does Our Federal Government Have?

QUESTIONS TO GUIDE INQUIRY

1. Why do people form governments?
2. What kind of government do we have?
3. What powers does our federal government have?
4. How is our federal government organized?
5. Why does our federal government have a system of checks and balances?
6. What are the rights and responsibilities of citizens?

TERMS, PLACES, PEOPLE

Levels of Government: federal, state and local governments

Shared Powers: powers granted to both the federal and state governments



If men were angels no government would be necessary.

-James Madison

4th U.S. President

So far you have learned how the Framers of the Constitution described what they believed to be the purposes of government in the Preamble to the Constitution. Next, they chose a republic as our form of government. That choice was based on ideas they valued such as popular sovereignty, representative government and limited government. The next big job was describing what powers to give the federal government.

Levels of Government and You

You already know we have three **levels of government** in our country: local, state and federal (or national). Have you ever thought,

however, about how the different levels affect your life? Do all three levels affect you? Take the Interactive Challenge to answer this question.

Interactive 3.6 Thank You Government



How is your life affected by all three levels of government? Take this challenge to find out.

Interactive 3.7 Government and Me



Here's another place to learn about how government affects you! It uses Flash though so it might not work on an iPad

Each of the three levels has its own responsibilities and its own powers. But how was this decided? Who decided what powers state governments would have and what powers the federal government would have? Were there arguments over this? The Framers grappled with the problem of power as they wrote the Constitution and there were plenty of arguments.

The Problem of Power

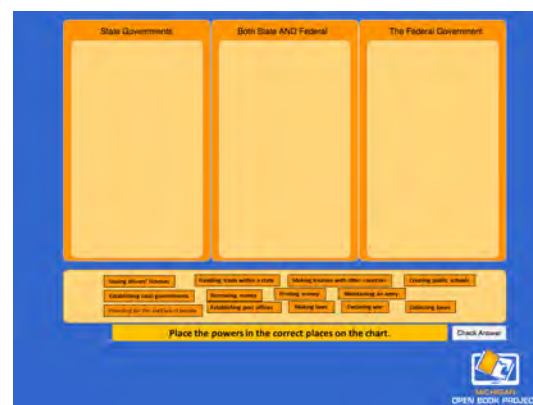
There were 13 states when we became a country. They each had their own state government. People didn't want their state governments to be gobbled up by a new federal government that was too powerful. The Framers knew the federal government had to have some powers. For example, the federal government had to have the power to make laws. Laws are one of the main ways governments keep people safe and maintain order. But what about the states? People wanted the states to have the power to make laws also. But, why? Why couldn't the federal government make all the laws?



What do you think? Do we need state laws and federal laws? Turn to a partner and discuss or if you are alone type your answer here.

People argued that the states had different types of geography, different problems and different needs. The small state of Rhode Island was very different than the large state of South Carolina. Because of that Rhode Island was likely to need some laws that were different than South Carolina. The same is true today. Michigan has a lot of laws that deal with water. Many of those laws would be useless in a state like Arizona. The Framers decided, therefore, to give the power to make laws to state governments and the federal government. Powers like this are called **shared powers** because they are granted to both levels of government. What other powers do you think the Framers made shared powers? What powers do you think they gave just to the federal government? Click on this interactive to find out.

Interactive 3.8 Who Should Get The Power?



Who Should Get the Power? - Click here to find out.

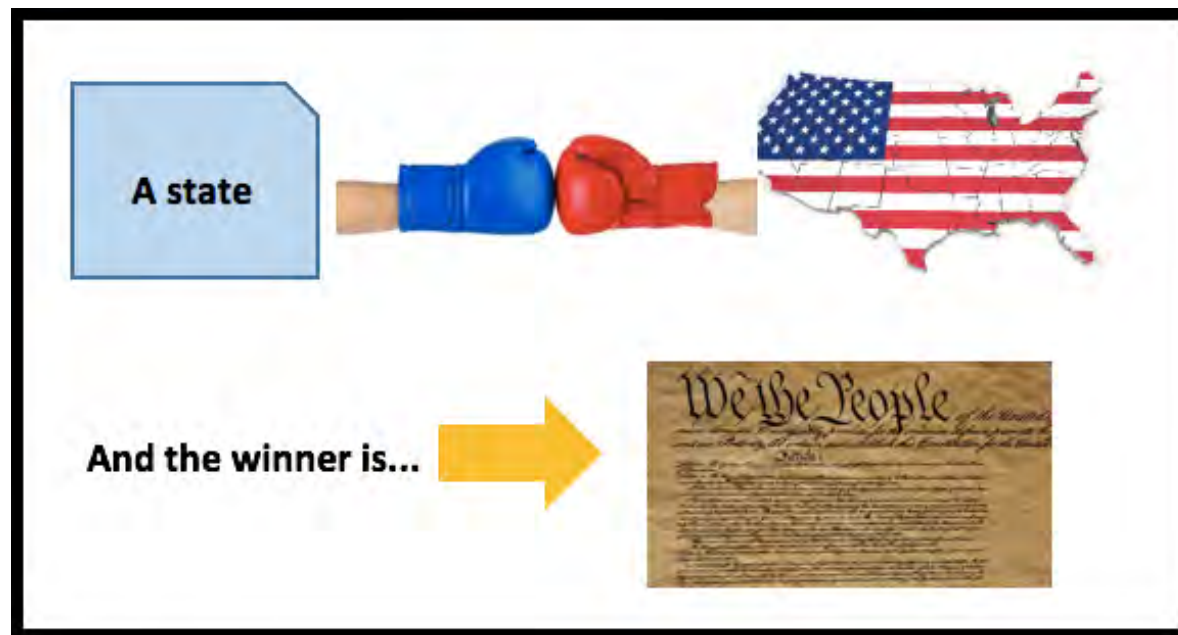
What if the State Governments Became Too Powerful???

You have learned that some people worried about the federal government becoming too powerful. There were others who worried that the state governments might become too powerful. They felt this could weaken the country and make it less unified. Therefore, the Framers added something to the Constitution that protected the country from control by individual states. This is called the Supremacy Clause. This part of the Constitution means that:

- States cannot make laws that are in conflict with the U. S. Constitution.
- States cannot make laws that are in conflict with laws made by the U.S. Congress

How does the Supremacy Clause work? The Constitution gives the state governments the power to make laws. Imagine that a state passed a law banning women from voting. Can the state do that? Why or

why not? According to the Supremacy Clause the state cannot pass this kind of law. It would be in conflict with the Constitution which guarantees women the right to vote. When it comes down to a state government versus the federal government, the U.S. Constitution wins!



PUTTING IT ALL TOGETHER

In writing the Constitution the Framers gave some powers like the power to maintain an army to the federal government. They gave some powers like the power to create public schools to the state

governments. They gave some powers like the power to make laws to both! By spreading the powers out the Framers hoped to limit the power of government. They also hoped that neither the federal government nor the state governments would get too powerful.



Read the quote at the beginning of this section again. Then, explain what it means in your own words.

How Is Our Federal Government Organized?

QUESTIONS TO GUIDE INQUIRY

1. Why do people form governments?
2. What kind of government do we have?
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Let us never forget that government is ourselves and not an alien power over us. The ultimate rulers of our democracy are not a President and senators and congressmen and government officials, but the voters of this country.

-Franklin D. Roosevelt

32nd U.S. President

TERMS, PLACES, PEOPLE

Separation of Powers: power is separated, or divided, among three branches of government

Branches of Government: the three different sections of government

Legislative Branch: the branch of government that makes laws

Executive Branch: the branch of government that enforces laws

Judicial Branch: the branch of government that decides what laws mean

Senate: one of the two parts of the Legislative Branch

Senator: a member of the Senate

House of Representatives: one of the two parts of the Legislative Branch

Representative: a member of the House of Representatives

President: the head of the Executive Branch and the leader of our country

Supreme Court: the highest court in our country

You have probably figured out by now that the word ‘power’ was used a lot by the Framers of the Constitution! They were trying very hard to limit the powers of government. One way they did this was to clearly state what powers were granted to the federal government. In this section you will discover that they also tried to limit the powers of the federal government by organizing it into three different sections.

A Return to the Republic of Berwagana!

When you read about the Republic of Berwagana before you discovered that despite its name it was not a republic! Read about the little country again. This time think about how the government is organized.



The Republic of Berwagana is a small country ruled by Queen Bertha. She became queen when her father, King Bert, died. Queen Bertha is a pretty nice person. She feeds the wild birds at her castle, sends food to poor families in the country and is friendly when people come to visit her. She tries to make fair laws for her country and enforce them in fair ways. When people break her laws she tries to give them a fair

punishment. Recently, however, she made a law that a lot of people in the country don't like. Because she has an incredible love for chocolate, she made a law that requires everyone in the country to send her two candy bars each week. She feels this is fair because candy bars are not that expensive. In addition, she is their leader. They should be nice to her. A lot of people in Berwagana are speaking out against this new law. Some say they will not send her any candy bars. She has decided to punish anyone who doesn't send her candy bars by making them move out of Berwagana.



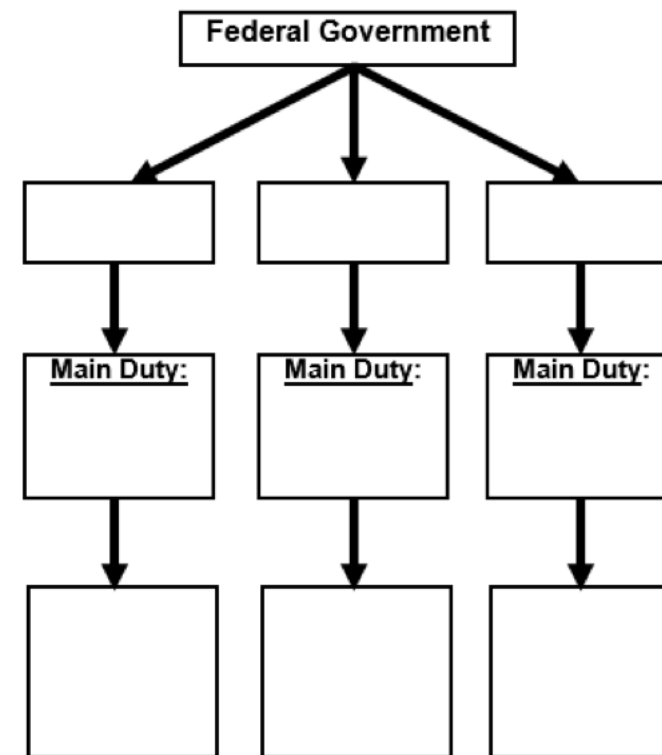
How is the Republic of Berwagana organized??? Write a simple description. Then, make a drawing to show how it is organized.

Who makes the laws in the Republic of Berwagana?
 Who enforces the laws? It seems that Queen Bertha is in charge of everything. She has all the power. She makes the laws and she enforces them. How is the government organized? It has one person with all the power who does everything.

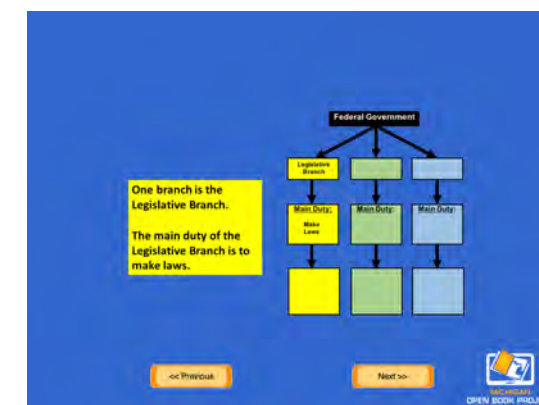
Three Branches of Government

The Framers of the Constitution did not want a government like that of the Republic of Berwagana. They did not want a government where one person or even one small group had too much power. That is why they decided to separate, or divide, power among three groups or **branches of government**. They hoped that in this way no one person or group would get too powerful. Each branch would operate on its own and have its own special powers. They hoped this **separation of powers** would help limit the power of government.

Draw this diagram on a piece of paper. Then, click on the Interactive to create a graphic organizer that shows the three branches and what they do.



Interactive 3.9 Three Branches of Government



click here to create a graphic organizer that shows how our federal government is organized

You can see how the organization of our government is very different than that of the Republic of Berwagana. In that country Queen Bertha had all the power. She made the laws and enforced them. No doubt she interpreted them also and told people just what she meant by a law. In our federal government different branches with different people are in charge of making, enforcing and interpreting laws. Why??? You know the answer! To limit the power of government!

Find out who your U.S. Representative is by clicking here: <http://www.house.gov/representatives/find/>

Who are Michigan's two Senators???? Click here to find out: <http://www.senate.gov/index.htm>

Learning More about the Three Branches

Time to learn more about the three branches. You'll need to do some research this time! First, choose one of the three branches you'd like to know more about. Then, enter the Google Doc to make a copy and fill in the organizer.

Interactive 3.10 Learn about the Branches of Government.



INTERACTIVE: Take an interactive tour of the U.S. Capitol and other buildings and grounds of Capitol Hill by clicking here! <http://www.capitol.gov/>

PUTTING IT ALL TOGETHER

In order to limit the power of government power is separated, or divided, among three branches of government. These branches consist of the **Legislative, Executive** and **Judicial** Branches. The main power of the Legislative Branch is to make laws. The main power of the Executive Branch is to enforce laws. The main power of the Judicial Branch is to interpret laws. Our government was organized in this way to prevent one person or even one small group from having too much power.

SUMMARY ACTIVITY: Pick one of the following: **President, Supreme Court Justice** or **Senator**. Then, create a list of the characteristics you think a person should have in order to have this position. Give a reason for each characteristic. Make a chart like this to record your ideas.

Position:	
Characteristic	Reason

Section 5

Why Does Our Federal Government Have a System of Checks and Balances?

QUESTIONS TO GUIDE INQUIRY

1. Why do people form governments?
2. What kind of government do we have?
3. What powers does our federal government have?
4. How is our federal government organized?
5. Why does our federal government have a system of checks and balances?
6. What are the rights and responsibilities of citizens?

TERMS, PLACES, PEOPLE

Checks and Balances: the way in which the different branches of government keep each other from having too much power

Bill – what a law is called until the President signs it and turns it into a law

Veto: when the President turns down a bill or refuses to sign it into law

Override: when the Congress votes to cancel a President's veto

Unconstitutional: in conflict with the U.S. Constitution



Let us not seek the Republican answer or the Democratic answer, but the right answer. Let us not seek to fix blame for the past. Let us accept our own responsibility for the future.

-John F. Kennedy

35th U.S. President

You have learned that our country is a Republic. That means we have a government where people hold the power of government. They give their power to people they elect such as the President and members of Congress. These people make the laws and decisions for our country. To limit the power of these elected officials our government is separated, or divided, into three branches. Each branch has its own responsibilities and powers. The Framers of the Constitution, however, did not stop there. They took additional steps to try and limit the power of government.



Should Percy the Plumber be Appointed a Supreme Court Justice?

Imagine that the President's brother, Percy, is a plumber. He's a very good plumber but he's tired of fixing pipes and drains. He would like a job in the government. In fact, he would like to be a Supreme Court Justice. He admits that he didn't pay much attention in social studies classes when he was in school. Therefore, he doesn't know much about the Constitution. However, he thinks he will look very good in the black robe that Supreme Court Justices get to wear. He also thinks he can be fair in making decisions. Since the President cares a lot about his brother he decides to appoint him to the Supreme Court.



What is your opinion? Should Percy be appointed a Supreme Court Justice? Yes or No? Write your position and support it with two reasons. Then, find a partner and share your positions.



https://upload.wikimedia.org/wikipedia/commons/4/43/Supreme_Court_US_2010.jpg

The Framers were worried that something like this might actually happen. The President might make a poor choice for a government position like a Supreme Court Justice. Therefore, they gave the President the power to choose someone but they gave the **Senate** the power to say 'yes' or 'no.' Presidential appointments for positions such as federal judges and Cabinet members also have to be approved by the Senate. This was a way to keep the President from having too much power or abusing power. But what

about the Congress? This branch has a very important power, the power to make laws. What if the Congress made an unfair law?



Should People Be Banned from Emailing Members of Congress?

Imagine that members of both the **House of Representatives** and the

Senate have been receiving a lot of complaints in their email. Some people have complained that members of Congress argue too much. Others complain about the laws they are making. This has upset the members of Congress and made them angry. They think they are doing a good job. They are tired of getting these negative email messages. Therefore, the Congress has decided to pass a law making it illegal to email a member of Congress. After all they are important leaders of the country. They shouldn't have to put up with email complaints.



What is your opinion? Should Congress be allowed to pass a law making it illegal to email a member of Congress? Yes or No? Write your position and support it with two reasons. Then, find a partner and share your positions.

Just like the example of Percy the Plumber, the Framers were worried that something like this might actually happen. The Legislative Branch might pass an unfair law. Therefore, they gave the Congress the power to make laws but the President the power to say 'yes' or 'no.'



A law is called a bill until the President signs it and turns it into a law. If the President disagrees with the bill he or she can refuse to sign it. This Presidential power is called a veto. It means the President has turned down a bill and refused to sign it into law. In the email example, the President would most likely veto the bill because it would be an unfair law.

But, wait... think about this. What if the President was angry with Congress and started vetoing everything even the really good bills? The Framers had a solution to this problem also. They gave Congress the power to override a Presidential veto. This means that Congress can vote to cancel a President's veto. If two-thirds of the members of Congress vote to do this than the bill becomes a law without the President's signature!



But, wait... think about this. What if the Congress was determined to pass their law making it illegal to email members of Congress? Therefore, they voted to override the President's veto. Would we be stuck with an unfair law? The Framers had a solution to this problem also. They gave the Judicial Branch the power to declare a law unconstitutional. The Constitution guarantees that people have the right to say and write what they want. Therefore, after the email law was passed the Supreme Court would most

likely declare it unconstitutional, or in conflict with the U.S. Constitution. We'd be free of the unfair email law!



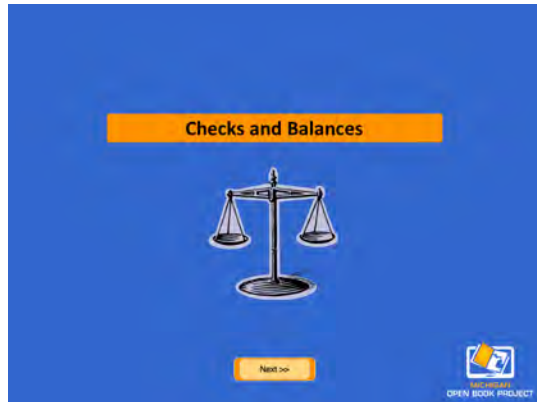
Checks and Balances

The examples you have just read are examples of checks and balances.

This is how the Framers kept any one branch from having too much power.

This is how they balanced power. This is how they designed a government where the branches could check, or challenge, each other. This was another way the Framers hoped to further limit the power of the federal government. This is why a plumber who knows little about the Constitution is unlikely to be appointed a Supreme Court Justice. This is why we are free to email members of Congress, even if we are complaining.

Interactive 3.11 Checks and Balances



Click here to see how this system of checks and balances works!

Interactive 3.12 I'm Just a Bill



To learn more about how a bill becomes a law watch this short video

Time for a Change in the Republic of Berwagana

You've discovered that the Republic of Berwagana is NOT a republic. The people do not have any power in the government. There is only one branch of government, Queen Bertha! She makes the laws and she enforces them. There are no limits on her power. There are no checks and balances in the government. Imagine the people have chosen you to design a new government for them. They want a country that is really a republic! Work alone or in a small group to design a new government. Create at least one diagram to go along with your plan.



PUTTING IT ALL TOGETHER

Separating power by creating three branches of government was one way the Framers hoped to limit the power of the government. Using a system of checks and balances was another. This system allowed the branches to check, or challenge, each other. For example, Congress can pass a bill but the President can veto the bill and keep it from becoming a law.

What are the Rights and Responsibilities of Citizens?

QUESTIONS TO GUIDE INQUIRY

1. Why do people form governments?
2. What kind of government do we have?
3. What powers does our federal government have?
4. How is our federal government organized?
5. Why does our federal government have a system of checks and balances?
6. What are the rights and responsibilities of citizens?

TERMS, PLACES, PEOPLE

Individual Rights: things an individual person is entitled to have or to do

Amendment: a change, or addition, to the Constitution

Bill of Rights: the first ten amendments, or additions, to the Constitution which give people important rights such as freedom of speech

Civic Responsibilities: the responsibilities people have as citizens



We, the People, recognize that we have responsibilities as well as rights; that our destinies are bound together; that a freedom which only asks what's in it for me, a freedom without a commitment to others, a freedom without love or charity or duty or patriotism, is unworthy of our founding ideals, and those who died in their defense.

-Barack Obama
44th U.S. President

You have learned that the Constitution describes how our federal government is organized. You have also learned that it is based on several important ideas including popular sovereignty, separation of powers; and checks and balances. Despite the fact that the Constitution set up a limited government based on these ideas, some people still had concerns. They worried that the government might end up limiting, or even taking away, their individual rights. Remember that they had been once ruled by a king who had done just that! Some people insisted that these rights be added to the Constitution. They wanted that done before they would agree to accept the Constitution as a plan for government. Therefore, it was decided to add ten amendments, or additions, to the Constitution. These ten amendments are known as the Bill of Rights.



<http://constitutioncenter.org/images/uploads/heros/bill-of-rights-hero-lg.jpg>

The Bill of Rights

The Bill of Rights was one more way the Framers tried to limit the power of the federal government and protect people's rights. It lists important rights such as freedom of religion. This right allows people to have any religious beliefs they want or no religious beliefs at all. It also includes freedom of speech. This right allows people to say what they want and to talk about their beliefs, ideas, and feelings. To learn about the other rights in the Bill of Rights click here:

Interactive 3.13 The Bill of Rights



Click here to learn about the Bill of Rights!

You have seen that the wording of the Bill of Rights is not easy to understand. It was written in the language of the times. People now may interpret it in different ways. Therefore, it is wise to read more than one interpretation. Choose one of the links below and compare it to the interpretation you have just read.

The Bill of Rights - More Information

Here is an illustrated version of the Bill of Rights: <http://www.crf-usa.org/elementary-school/illustrated-bill-of-rights>

Here is a video explanation: <https://www.youtube.com/watch?v=yYefLm5dLMQ>

Click here to see descriptions of each of the 10 amendments in the Bill of Rights and the actual language from the Constitution <http://bensguide.gpo.gov/j-bill-rights-1789-91>

Here's another good explanation of the rights guaranteed in the Bill of Rights: http://teacher.scholastic.com/scholasticnews/indepth/constitution_day/inside/index.asp?article=billofrights



Writing Assignment: You have learned about the First Amendment which gives you the right to petition the government. This means you can write to the government and complain. You can write to the government about a change you want to see happen. People often write a petition and then get other people to sign it who agree with it. That way it is not just a single person asking for change. Imagine you are a citizen of the Republic of Berwagana. You are not happy about Queen Bertha's law which says you need to send her two candy bars each week. You have decided to write a petition and get other people to sign it. What will you write?

Limits on Rights



The Bill of Rights gives you many important rights. But are these rights unlimited? You have the right to freedom of assembly. This means you can meet in any group you want. You can even meet in a group to protest the government. Does that mean your protest group can do anything it wants? Is there a

limit on this right? There is a limit. Your group must protest peacefully. You cannot throw rocks or bottles. You cannot destroy property Why? These actions could infringe on the rights of others.

Freedom of speech has limits also. For example, you can't lie about someone in a court trial. You can't stand up in a crowded movie theater and scream "Fire!" if there is no fire. These actions could infringe on the rights of others.

Rights Come With Responsibilities

Rights are a very important part of our Republic. People care a great deal about their freedom and their rights. However, rights come with responsibilities. Imagine a republic where citizens had rights but no responsibilities. Would this work? Why or why not? Imagine a republic where a legislative branch made laws but citizens did not have the responsibility to obey them. Imagine a republic where citizens had the right to vote but most of them didn't bother to vote.

You can easily see that our Republic needs to guarantee rights but citizens need to accept some responsibilities. We often refer to these responsibilities as civic responsibilities. Click here to match rights and responsibilities.



Interactive 3.14 Rights and Responsibilities



Click here to match rights and responsibilities

PUTTING IT ALL TOGETHER

The Bill of Rights was added to the Constitution as one more way to limit the power of government and protect the individual rights of people. It includes many important freedoms such as freedom of speech, freedom of religion and freedom of assembly. It includes important protections such as protection against unreasonable searches of your property. It includes important rights such as the right to a fair trial. With rights come civic responsibilities. These include the responsibility to obey laws, the responsibility to serve on a jury and the responsibility to vote knowledgeably. Balancing rights and responsibilities is what makes a Republic work!