

Creating a New Government



Scene at the Signing of the Constitution of the United States by Howard Chandler Christy.

Courtesy of the Library of Congress, LC-USA7-34630.

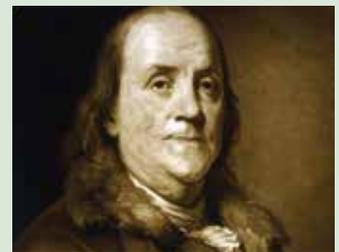
After declaring independence from Great Britain, the Founding Fathers wrote the Articles of Confederation to create a new government. Each colony was now a new state. The Articles set down the basic rules to hold the states together. The Articles gave most government powers to the states and kept only a few powers for the central (federal) government. After the Revolutionary War, the Founding Fathers realized that this system did not work because each state operated independently.

In 1787, state representatives met in Philadelphia to change the Articles. That meeting was called the “Constitutional Convention.” The representatives did not all agree on the changes. Some states wanted a strong federal government

but other states did not. Large states wanted more representation in Congress, but smaller states wanted equal representation. The leaders decided to write a Constitution to create a more balanced federal government.

Nine states needed to agree to the new Constitution in order to make it official. Some states did not agree, so three leaders—James Madison, Alexander Hamilton, and John Jay—wrote the Federalist Papers to support the passage of the new Constitution. The Federalist Papers were essays that explained why people should support the new Constitution. Eventually, all 13 states agreed and the Constitution became official.

Benjamin Franklin is famous for many contributions. Franklin was the oldest member of the Constitutional Convention. He served as a U.S. diplomat to Europe. He created the first free library and he served as the first Postmaster General.



Benjamin Franklin by Joseph-Siffred Duplessis.

Courtesy of the Library of Congress, LC-USZC4-7214.

Answer these Civics Test questions.

1. What happened at the Constitutional Convention? _____
2. When was the Constitution written? _____
3. The Federalist Papers supported the passage of the U.S. Constitution. Name one of the writers.

4. What is one thing Benjamin Franklin is famous for? _____

Supreme Law of the Land

The Constitution is the supreme law of the land. This means that all U.S. laws must follow the Constitution. The Constitution explains how the government is set up. It defines the three branches of government: executive, legislative, and judicial. It describes the powers of each branch and explains the powers of the federal government. It also explains the rights of the people living in the United States.

The first three words of the Constitution are “We the People.” In other words, the American people govern themselves and are not ruled by a king. When the Founding Fathers wrote the Constitution in 1787, they created the

structure of the federal government that we have today. They believed that the Constitution should be a “living document.” They wanted the Constitution to be flexible enough to meet the country’s needs. For that reason, the Constitution can be changed or “amended.” Changes to the Constitution are called amendments. To date, the Constitution has 27 amendments.

The Founding Fathers wanted citizens to be able to choose their own representatives to make laws. One important idea in the United States is the “rule of law.” This is the idea that no one is above the law and that everyone must follow the law.

Answer these Civics Test questions.

1. What is the supreme law of the land? _____
2. What does the Constitution do? _____
3. The idea of self-government is in the first three words of the Constitution. What are these words?

4. What is an amendment? _____
5. How many amendments does the Constitution have? _____
6. What is the “rule of law”? _____



Discuss these questions with your class.

Do you think it is important that the Constitution is a living document?
Why or why not?

The Bill of Rights

Soon after the Constitution was written, the Founding Fathers wrote ten amendments about basic rights that people should have. These first ten amendments are called the “Bill of Rights.” The Constitution guarantees these rights to the people, and the government cannot take them away.

The First Amendment protects the right of freedom of speech. People are allowed to discuss issues openly and have debates on public issues.

This amendment also protects freedom of religion. It says that Congress cannot establish an official religion or limit religious expression. Freedom of religion means that you can practice any religion, or not practice a religion. Congress cannot limit the right of people to meet (or assemble) peacefully. It cannot limit the freedom of the press. The First Amendment also protects people’s right to petition the government to change laws that are not fair.

The First Amendment guarantees and protects these rights:

- Freedom of speech
- Freedom of religion
- Freedom of assembly
- Freedom of the press
- Freedom to petition the government

Answer these Civics Test questions.

1. What do we call the first ten amendments to the Constitution? _____
2. What is one right or freedom from the First Amendment? _____
3. What is freedom of religion? _____



Discuss these questions with your class.

Today, many Americans talk about their First Amendment rights. Why do you think these First Amendment rights were so important to the writers of the Constitution? In your native country, do citizens have the same rights?

Balancing Power

The Founding Fathers wanted a new government that was balanced. After winning independence, they did not want a system where one ruler made all the decisions. They also did not want one branch of government to be stronger than the others, so they decided to build a system of checks and balances. By separating the powers among the three branches of government, they made sure that one branch could not control the government. One example is the process for making new laws: Congress makes federal laws,

but the President can sign or veto them. Then the Supreme Court can review the laws to make sure that they follow the Constitution.

The Founding Fathers created the balance of power between the federal government and the state governments. States did not want the federal government to hold all the power, so power is divided between federal and state governments. Federal powers are those that are important for the whole nation. State powers are those that can vary, depending on the citizens of that state.

Working with a partner, read the list of powers below. Decide whether the power is a federal one or a state one. Then write it in the correct column.

- | | | | | |
|-------------------------|---|-----------------------|---|-----------------------------|
| print money | : | create an army | : | provide protection (police) |
| give a driver's license | : | provide schooling and | : | declare war |
| provide safety | : | education | : | approve zoning and land use |
| (fire departments) | : | make treaties | : | |

Federal Powers

State Powers

Answer these Civics Test questions.

1. What stops one branch of government from becoming too powerful? _____
2. Under our Constitution, some powers belong to the federal government. What is one power of the federal government? _____
3. Under our Constitution, some powers belong to the states. What is one power of the states? _____

Review—U.S. Constitution

Think about what you have studied in this lesson. Unscramble the letters for each word or phrase. Then copy the letters from each numbered box into the boxes in the new phrase at the bottom.

Hint: The answers might be one word or more than one word.

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Civics Test Questions—U.S. Constitution

Read the test questions and write the answers. Take turns practicing them with your partner.

1. What is the supreme law of the land? _____
2. What does the Constitution do? _____
3. The idea of self-government is in the first three words of the Constitution. What are these words?

4. What is an amendment? _____
5. What do we call the first ten amendments to the Constitution? _____
6. What is one right or freedom from the First Amendment? _____
7. How many amendments does the Constitution have? _____
8. What is freedom of religion? _____
9. What is the “rule of law”? _____
10. What stops one branch of government from becoming too powerful? _____

11. Under our Constitution, some powers belong to the federal government. What is one power of the federal government? _____
12. Under our Constitution, some powers belong to the states. What is one power of the states?

13. What happened at the Constitutional Convention? _____
14. When was the Constitution written? _____
15. The Federalist Papers supported the passage of the U.S. Constitution. Name one of the writers.

16. What is one thing Benjamin Franklin is famous for? _____