

The Constitution

Lesson 2 Government and the People

ESSENTIAL QUESTION

How do new ideas change the way people live?

GUIDING QUESTIONS

1. *What are the three branches of government?*
2. *What are the rights and elements of participation of American citizens?*

Terms to Know

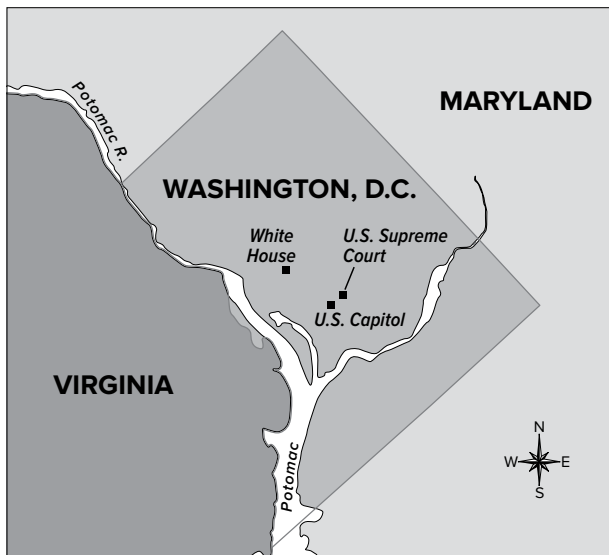
judicial review allows the Supreme Court to look at the actions of the other two branches and decide if the Constitution allows those actions

due process rules and processes the government must follow before it takes a person's life, liberty, or property

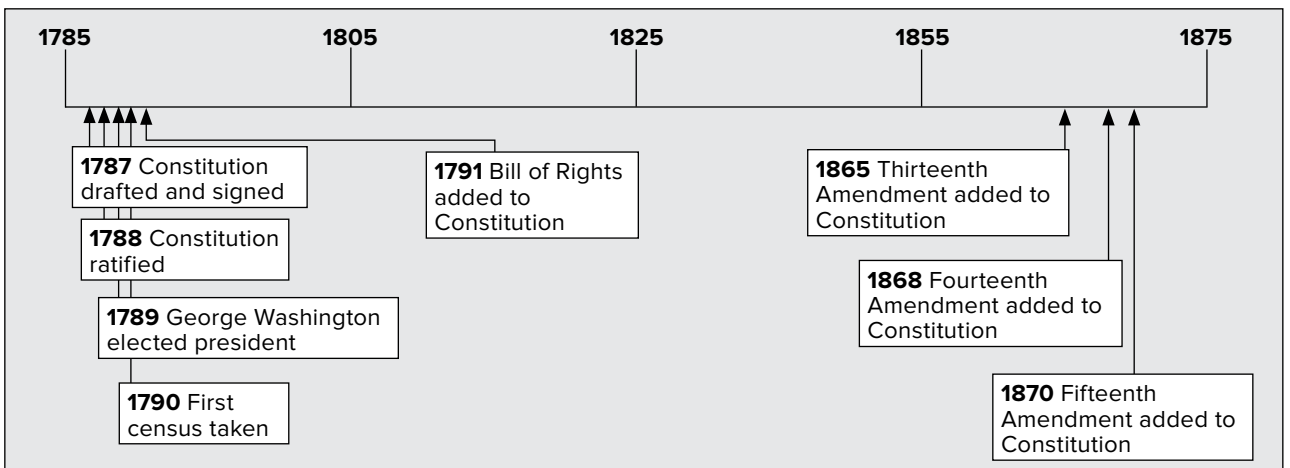
equal protection the right of all people to be treated equally under the law

naturalization the process of becoming a citizen of another country

Where in the world?



When did it happen?



The Constitution

Lesson 2 Government and the People, *Continued*

The Federal Government

The federal government is divided into three branches: legislative, executive, and judicial. This ensures a separation of powers.

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The legislative branch is called Congress. Article I of the Constitution describes what Congress does. Congress makes laws for the nation. These laws can create taxes, permit government spending, and set up government programs. Congress can also declare war.

Congress is made up of two houses: the House of Representatives and the Senate. In order for a bill to become a law, most of the members from both houses must agree on the bill. After that, the bill goes to the president. If the president signs it, the bill becomes a law.

The House of Representatives is the larger house of Congress. The number of representatives that a state sends to the House is based on its population. States that have more people have more representatives. When the population of a state goes up or down, so does the number of its representatives. Today, the House has 435 voting members and 6 nonvoting delegates. Representatives are elected for a term of two years. Every two years, all 435 House seats are up for election at the same time. There are no limits on how many two-year terms a representative can serve.

The Senate has fewer members—100 senators. Each state is represented equally with two senators. Senators are elected for a term of six years. Every two years, there are elections for the Senate. Only one-third of the senators are up for election at a time. As with members of the House, there is no term limit for Senators.

The executive branch carries out the laws Congress passes. The president is the head of this branch. Article II of the Constitution describes the president’s many powers, like dealing with foreign policy. The president also proposes laws to Congress and is commander-in-chief of the armed forces.

Article III of the Constitution sets up the judicial branch. It creates the U.S. Supreme Court and allows Congress to create lower courts. The Supreme Court is at the top of the legal system in the country. There are nine members, or justices, of the Supreme Court. They listen to cases and give their decision. Lower courts can use these decisions in their own rulings.



1. Place a three-tab Foldable along the dotted line to cover the text that begins with “The legislative branch is called Congress.” Label the three tabs *Article 1*, *Article 2*, and *Article 3*. Use both sides of the tabs to recall and explain the roles that the three Articles established for the three branches of government.



Identifying

2. How many members are in the House of Representatives?

How many members are in the Senate?



Making Connections

3. What two roles does the executive branch play regarding the laws Congress passes?

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Mark the Text

4. Underline the definition of *judicial review*.



Reading Check

5. What parts of the Constitution establish the three branches of our federal government?



Defining

6. What is *due process*?



Identifying

7. What right guarantees that we must be treated the same as everyone else under the law?

The Supreme Court has an important power called **judicial review**. Judicial review allows the Supreme Court to look at the actions of the other two branches and decide if those actions follow the rules of the Constitution. The justices are chosen by the president and approved by Congress.

Constitution, Article I

Defines:
Legislative branch

Headed by:
Congress

Made up of:
* House of Representatives
* The Senate

Constitution, Article II

Defines:
Executive branch

Headed by:
The president

Made up of:
* Vice president and cabinet
* Government departments

Constitution, Article III

Defines:
Judicial branch

Headed by:
The Supreme Court

Made up of:
* The federal court system
* Other lower courts

What It Means to Be a Citizen

As U.S. citizens, our rights fall into three main categories:

- The right to be protected from unfair government actions
- The right to be treated equally under the law
- The right to enjoy basic freedoms

Due process is a right guaranteed by the Fifth Amendment.

The amendment states that no one shall “be deprived of life, liberty, or property, without due process of law.” This means that the government must follow certain rules before it takes a right or freedom away from a citizen. For example, a person accused of a crime has the right to a trial before his freedom is taken away.

Equal protection is a right guaranteed by the Fourteenth Amendment. Equal protection means that the law must treat all people in the same way—no matter what race, religion, or political group they belong to.

The First Amendment describes many of our basic freedoms. These include freedom of speech, freedom of the press, and freedom of assembly. These freedoms allow us to share ideas, which is necessary in a free society.

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Our rights and freedoms also have some limits. For example, we cannot exercise our rights or freedoms if it hurts others or takes away their rights or freedoms.

A citizen is a person who owes loyalty to a country and receives its protection. There are several ways to become an American citizen. One way is to be born on American soil. Another is to have a parent who is a citizen. People born in other countries can become citizens by following a process called **naturalization**.

Citizenship comes with duties and responsibilities. A duty is something you must do. U.S. citizens must pay taxes, follow laws, and sit on a jury when called. A responsibility is something you should do even though you do not have to. If citizens do not take care of their responsibilities, it lowers the quality of their government. Voting is a citizen's most important responsibility.

A CITIZEN'S	
DUTIES	RESPONSIBILITIES
<ul style="list-style-type: none"> • Obey the law • Pay taxes • Sit on a jury when called 	<ul style="list-style-type: none"> • Vote • Take part in government • Respect the rights of others

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Check for Understanding

List three duties and responsibilities of a citizen.

- _____
- _____
- _____

What do you not have the right to do?



Examining Details

8. List three ways a person can become a U.S. citizen.



Reading Check

9. What is the difference between a duty and a responsibility? Why is it important for a citizen to do both?



10. Place a two-tab Foldable along the dotted line to cover Check for Understanding. Label the anchor tab *Citizens*, and label the two tabs *must* and *should*. List words and phrases about the duties and responsibilities of citizens.