

Checks and Balances

Summary

The purpose of this lesson is to teach students about our 3-branch government and the basic principles of the system of checks and balances.

Enduring Understanding: Students will understand the structure and function of the United States government established by the Constitution.

Essential Questions:

What is the basic structure of the Constitution?

What are the three branches of government and what are the functions of each branch?

How does each branch of government check the other to maintain a balance of powers?

Time Frame

1 class periods of 45 minutes each

Group Size

Large Groups

Life Skills

Thinking & Reasoning, Social & Civic Responsibility

Materials

System of Checks and Balances worksheet.

Optional: Branches of Government handout (go to: <https://bensguide.gpo.gov/a-what-are-branches>)

Print Branches of Government and make enough copies for students in class.

Background for Teachers

During the making of the Constitution, the delegates attending the Constitutional Convention agreed that the new government they were creating needed to be balanced in such a way that no one person or group would be able to control the masses. Though the delegates didn't agree on everything and though they were coming from a variety of backgrounds, all those in attendance agreed the powers granted to this new government must be checked and controlled.

Student Prior Knowledge

Students should have an understanding of the Declaration of Independence, its contents, particularly the section that lists the wrongs done by the king. Students should also have a basic knowledge of the Constitution--what it is, and its structure: the preamble, the seven articles, and the amendments.

Instructional Procedures

Step 1: Play the song 3-Ring Government, from the "Schoolhouse Rocks" series "America Rocks". Pass out lyrics, if desired. (If the video is available, it may help visual learners.) Discuss the lyrics and the idea of three different branches of government to rule the country. How many groups of people ruled in England? How was that a problem?

Step 2: Look at the Declaration of Independence and have students list the problems the colonists had with the king of England, when they were under his control. Discuss the reasons the delegates to the Constitutional Convention felt it necessary to set up a government where no ONE person was in charge.

Step 3: Teach the 3 branches of government. Some students may know this information already. Ask students if they can first identify how many groups run our country. Have students identify those groups. If possible, show pictures of the Capitol, the White House and the Supreme Court to represent each of the 3 branches. Have students guess which group belongs with what picture. Tape the pictures to the board and have a student write the names of the 3 branches under each picture. Explain that the House of Representatives and the Senate, together called Congress, make up the Legislative branch, the President, Vice-President and his cabinet make up the Executive branch, and the courts make up the Judicial branch. (Handouts can be made from the attached graphic organizer. The lines are left blank so students can fill these in as you discuss them.)

Step 4: Discuss the functions of each branch. In a very simplified manner, explain that the legislative branch legislates--or makes the laws. The executive branch executes the law; the judicial branch judges the law when brought before it.

Step 5: Ask students to identify which of the following positions they would like to hold, if they were to hold one of these positions: President of the United States, Speaker of the House of Representatives and/or Senate Majority Leader, or Chief Justice of the Supreme Court. Ask students to explain why they chose the position they did. Students will report that the position they chose is the most powerful in the government. If no one responds thus, pose the question: which is the most powerful? (The purpose of this question is to try to get the students thinking about this before explaining that all are equal in power.)

Step 6: Explain that the branches are all equal in power. How is that possible? Discuss. What if one branch gets power-hungry and tries to override the other two branches? What if the legislative passes a law that bans courts, or something ridiculous like that? Demonstrate using the following simulation.

Step 7: Set up a make-believe scenario: the 3 volunteers have been friends for a long time and have formed a club (the government). These three are the ringleaders of the club and just to make sure that none of these friends take over the club, they've made up rules for themselves.

I. Have the volunteers (named for the purpose of this explanation Volunteer A--representing the legislative branch, B--executive branch, and C--judicial branch) come to the front of the classroom. Ask Volunteer A to put one hand out, volunteer B placing his/her hand on top A's, Volunteer C placing his/her hand on top of B's. Then have A place his/her other hand on C's, B place his/her other hand on A's. etc...

II. Explain that the winner of this "game" is he/she who has his/her hand on top of the pile at the end. The person with his/her hand on the top is the most powerful. In order to move your hand to the top of the pile, you have to wait to hear a privilege you get above and beyond the others.

III. Begin by reading the following privileges: B gets to decide all the rules of the club (B: place hand on top) C gets to decide if rules will be cancelled if other players don't like it (C: place hand on top). A gets to invite C to be here (A places his hand on the top) Once C is invited, he gets to stay no matter what A says. (C places hand on top) B can kick C out if C is not being nice (B: place hand on top) Going back to the rules, if B makes a rule and A doesn't like it, the rule doesn't stand (A place hand on top) B can find others and if there are enough who like the rule and make it happen anyway. A is in charge of the money in the club. B gets to decide how the money is spent.

IV. Explain that this scenario represents the way our system of checks and balances works.

Step 8: Now that students have a general understanding of how the system of "checks and balances" works, use accompanying sheet to go over the specific powers of checks and balances accorded the various branches of government. (Students will need to use their textbook to find this information.)

Strategies for Diverse Learners

For Gifted and Talented:

Students who need further challenge can be assigned to research certain historical incidents in which one branch has used its power to override another. (For example, *Marbury v. Madison*.) For an

excellent resource see: http://www.edsitement.neh.gov/view_lesson_plan.asp?id=222

For Learning Disabled: Students who need help can be given a worksheet with partially completed answers.

Extensions

To further enforce this lesson of checks and balances, a mock congress can be created. Students can divide into groups of legislative, executive, and judicial branches. (Also, assign some students the role of disgruntled citizens who bring the case to court.) An issue can be introduced by the legislative branch, the executive can decide whether or not to sign the bill into law, and unhappy citizens can challenge the law in court.

Assessment Plan

System of Checks and Balances worksheet. (attached)

Essay Question: Explain how the system of checks and balances works. First explain what the system is, why the government was created in this 3-ring manner, then provide two examples of the powers EACH branch has and how those powers are checked by the other. For example, (YOU CANNOT USE THIS ONE): The President is commander-in-chief of the army, but only Congress can declare war. You will be graded on the following: 2 points for explaining the system correctly, 2 explaining the reasoning behind the system, and 1 point for each example of power and how that power is checked. (6 points). 10 POINTS TOTAL.

Bibliography

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