MAIN IDEAS

1. House members are elected from congres- sional districts and Senate members from each state. The legislature makes laws.
2. The number of representatives is based on population, while each state has two sen- ators only.
3. To tax, borrow money, regulate com- merce, coin money, establish post offices, create federal courts, declare war, raise armed forces, make laws
4. Congress may not: suspend habeas corpus, illegally punish people, levy direct taxes, levy export taxes on goods from any state, show preference among states, take money illegally from the treasury, or confer titles of nobility. States may not: use any powers listed in Article 1, Section 10, for example, enter treaties on their own, coin money, ille- gally imprison people, levy import/ export taxes, or engage in war on their own.
5. To carry out the laws made by Congress
6. The electoral college, by vote of the states’ electors
7. If convicted of a crime before election time
8. The president nominates them; the Senate approves them.
9. Those appealed from lower courts; not to hear a case means that the lower court ruling stands with no further appeal.
10. It exemplifies cooperation among the states.
11. Three-fourths of the states, or 38 states. Answers about why may vary but should reflect the gravity of the amendment process.
12. It makes the Constitution the supreme law of the land. All laws at every level of gov- ernment are bound to uphold the Constitution.
13. No, there are limits. For example, you may not yell, “Fire!” in a crowded theater, causing a riot.
14. The Twenty-seventh Amendment. It pre- vents members of Congress from using taxpayer’s money for their own gain.

THE LIVING CONSTITUTION ASSESSMENT

MAIN IDEAS

Article 1. The Legislature
1. Why does the legislative branch of the government represent the people most directly? What is the principal job of this branch?
2. Why are there more members of the House of Representatives than of the Senate?
3. Name four powers Congress has.
4. What powers are denied to Congress? to the states?

Article 2. The Executive
5. What is the main function of the executive branch?
7. How can the president lose his or her job before election time?

Article 3. The Judiciary
8. How are Supreme Court justices appointed?
9. What kinds of cases go before the Supreme Court?
10. To extradite is to send a fugitive back to the state in which he or she is accused of committing a crime. How is this an example of relations among states?

Article 4. Relations Among States
11. How many states must ratify an amendment for it to become part of the Constitution? Why do you think it takes that many?

Article 5. Amending the Constitution
12. How does Article 6 establish the supremacy of the Constitution?

Article 6. Supremacy of the National Government
13. Does the First Amendment allow complete freedom of speech—the right to say anything you want at any time, anywhere? Explain your answer.
14. What is the newest amendment? What protection does that amendment give to the American people?

THINKING CRITICALLY

1. TAKING NOTES The powers of the federal government are separated among the three branches. Create a chart like the one below that shows how the Constitution’s framers used checks and balances to ensure that no one branch of the government could become too much stronger than the others.

<table>
<thead>
<tr>
<th>Executive</th>
<th>Legislative</th>
<th>Judicial</th>
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2. MAKING INFERENCES How does the Constitution reflect the fear of too strong a central government?
3. EVALUATING The Bill of Rights guarantees a defen- dant a speedy, public trial. Do you think it is being observed today? Explain.
4. ANALYZING MOTIVES Why did the framers make it so difficult to amend the Constitution? Do you agree or disagree with their philosophy? Explain.
5. DEVELOPING HISTORICAL PERSPECTIVE The Fifteenth, Nineteenth, and Twenty-sixth amendments give voting rights to specific groups. Why was it necessary for Congress to spell out these groups’ rights in amendments?

CRITICAL THINKING

1. Executive: Checks legislative with vetoes; checks judicial with appointments and reprieves or pardons. Legislative: checks executive with controls on spending, veto override, impeachment; checks judicial with lower courts and impeachment. Judicial: checks executive and legislative by declaring their acts unconstitutional.
2. The Constitution divides powers among three branches and provides checks by each branch on the others.
3. It is observed today in principle, but the process of honoring a defendant’s rights does slow down legal procedures.
4. They did not want the opinion of the times to prompt changes in the law of the land without a great deal of thought.
5. Original voters were white, male property owners. Each of the groups not franchised had to fight for its rights.
**ALTERNATIVE ASSESSMENT**

**JOURNAL ENTRY**

Rubric

1. reflect the student’s understanding of basic concepts
2. include references to what the student has read and heard about the Constitution
3. clearly state the student’s views on the Constitution

**INTERNET ACTIVITY**

Rubric

1. reflect a basic understanding of how the lawmaking process worked regarding the specific bill researched
2. present information in a logical, interesting sequence
3. discuss the fate of the bill

**RESEARCHING A CONSTITUTIONAL QUESTION**

**Project Presentation Rubrics**

1. clearly state the constitutional issue chosen for study
2. identify questions researched
3. include citations from Supreme Court cases about the issue
4. present a bibliography of sources consulted

**Formal Assessment**

- Living Constitution, Test Forms A, B, and C, pp. 47-55