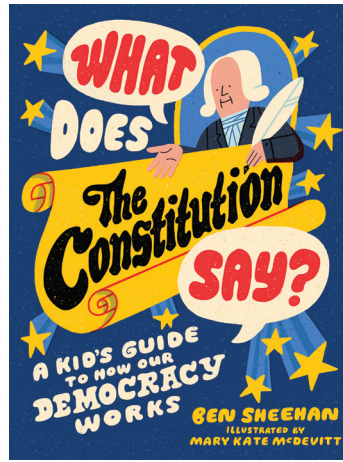




**A Study Guide from
BLACK DOG &
LEVENTHAL**



**WHAT DOES THE
CONSTITUTION SAY?**

By Ben Sheehan

**A Guide for Study and
Classroom Activities**

INTRODUCTION

PRE-RAMBLE TO THE PREAMBLE

1. Why do people refer to the Constitution as a “living document?”
2. What is an “amendment?” When was the last time an amendment was added to the Constitution?
3. If YOU could add an amendment, what would you add? Write a persuasive essay on why your idea should be added to the Constitution.
4. The U.S. Constitution acts as a “rule book” for how the country is run, and it’s the oldest national constitution still in use. Find another country’s constitution, or government rules. When and how were they formed?
5. In 1787 when the Constitution was written, they specified four groups of people when it came to counting the population. What were these groups, and why were they counted the way they were counted?

THE ARTICLES OF CONFEDERATION

1. Can you name the original 13 colonies?
2. How many states had to agree to change the Articles of Confederation?
3. ____ articles and ____ amendments lay out the framework of our government.
4. What is the “federal government?”
5. There are 5 permanently inhabited U.S. territories. What are they?
6. What does the phrase “checks and balances” mean?

THE CONSTITUTION

PREAMBLE

1. Is the Preamble technically part of the Constitution?
2. Turn to page 128 to read the original words of the Preamble. Write down any words you have never heard before.

What do you think they mean in the context of the paragraph? What goals do you think the writers of the Constitution had for the United States?

THE ARTICLES OF THE CONSTITUTION

ARTICLE I, SECTION 1: CONGRESS

1. Who writes our laws? Research your members of Congress (your representative and senators). Who are they?
2. The United States is a representative democracy and a _____. What does this mean? And what do the words “democracy” and “republic” mean?

ARTICLE I, SECTION 2: THE HOUSE OF REPRESENTATIVES

1. How old must you be to be elected to the House of Representatives?
2. How many representatives does your state have? Who are they?
3. There are more ____ than people in the state of ____.
4. When the Framers tried to determine a state’s population, they fought. What was their solution? Research the 3/5 Compromise. What do you think about this law?
5. When was the most recent Census completed? Why do you think it’s important to have a Census?
6. Who is the current United States Speaker of the House? What do they do?
7. The House holds some very special powers. What is one of them?

ARTICLE I, SECTION 3: THE SENATE

1. Who votes for senators?
2. What does “pro tempore” mean? What does the president pro tempore do?
3. Who was the first vice president?

ARTICLE I, SECTION 4: CONGRESSIONAL SESSIONS

1. On which day is Election Day? Why did Congress decide on this day? If you could set our Election Day today, what would you change it or keep it as-is?

ARTICLE I, SECTION 5: CONGRESSIONAL RULES

1. There must be a ____ present to pass laws.
2. Can members of Congress be expelled from Congress? By whom?
3. Why is it important for members of the House and Senate to write down everything they do each day?

ARTICLE I, SECTION 6: CONGRESSIONAL PRIVILEGES

1. Why can't members of Congress be arrested for things they say on the floor? Do you think this is a good idea? Why?

ARTICLE I, SECTION 7: LEGISLATIVE PROCESS

1. Track a bill on congress.gov. Which bill did you select? Where is the bill currently in the legislative process? Are there any bills ready to be signed by the president?
2. What are the first four words of a bill?
3. What does it mean for the president to “sit on a bill?”

ARTICLE I, SECTION 8: CONGRESSIONAL POWERS

1. What is a “post road?” Is it relevant today?
2. What was the last war Congress officially declared?
3. What is legal pirating, aka “letters of marque and reprisal”? What do you think it would be like if we still did this today?
4. Since when could women serve in the armed forces without any limitations?
5. Who chose the location of the national capital?
6. _____ was slang for “America” during the Revolutionary War.

ARTICLE I, SECTION 9: CONGRESSIONAL LIMITS

1. Why do you think the slave trade was abolished, but not slavery itself, at the first constitutional opportunity on January 1st, 1808?
2. What is “habeas corpus?”

ARTICLE I, SECTION 10: STATE LIMITS

1. If you could choose your own currency for your state, what would you pick and why?
2. States cannot “punish someone without a trial, or pass an ex post facto law.” What is an “ex post facto law?”

ARTICLE II, SECTION 1: HAIL TO THE CHIEF

1. Who is the head of the executive branch?
2. What is the “Electoral College?”
3. Who ran for president in the election of 1800? Why was it controversial?
4. What are the qualifications to run for president of the United States?
5. What do you think of the “natural born citizen” rule? Research what happened with candidates John McCain and Ted Cruz. Do you believe this rule should stay the same or be amended in the future? Why?
6. What happens if something happens to the president? What is the order of succession for the presidency?
7. How much money does the president earn each year?

ARTICLE II, SECTION 2: PRESIDENTIAL POWERS

1. As long as ____ of the Senate agrees, the president can make treaties with other countries. With Senate approval, the president can also pick: _____, _____, _____, _____.
2. What is a “czar?” Which presidents had them? Research one of these czar’s job responsibilities.

ARTICLE II, SECTION 3: PRESIDENTIAL JOBS

1. What is the State of the Union? See if you can find recorded State of the Union addresses from current or past presidents. What issues do they discuss? How long do these speeches last?
2. What did the case Marbury v. Madison give the Supreme Court the ability to do? What does this mean?

ARTICLE II, SECTION 4:
IMPEACHMENT

1. Who were the three presidents who have been impeached and what were they accused of doing?

ARTICLE III, SECTION 1:
ALL RISE FOR THE HONORABLE JUDGES

1. How long can someone serve as a federal judge?
2. What is the primary job of the Supreme Court?
3. Would you rather be a Supreme Court justice, a Circuit judge, or a District judge? Why?

ARTICLE III, SECTION 2:
AUTHORITY OF THE SUPREME COURT

1. How many cases does the Supreme Court hear each year? Research a few of the most recent Supreme Court hearings. Which did you choose? What was the verdict (the ruling) and what did you learn about the case?

ARTICLE III, SECTION 3: TREASON

1. What is “treason?” Provide an example from a real-life situation or something you have seen in a movie or a TV show or have read in a book. Who was convicted of treason and why? What happened to them?

ARTICLE IV, SECTION 1: STATES’ ROLES

1. There are three different ways states can support each other to be more united. What are they?
2. State laws differ greatly from state to state. Why do you think that is?

ARTICLE IV, SECTION 2:
STATES’ DUTIES TO EACH OTHER

1. Can you commit a crime in one state then move to another state to avoid punishment? Why or why not?

ARTICLE IV, SECTION 3: NEW STATES

1. How was West Virginia formed?
2. What are “territories?”
3. Do you think inhabited territories should officially become states? Yes or no, and why?

ARTICLE IV, SECTION 4:
FEDERAL PROTECTIONS FOR THE STATES

1. Who were two movie stars elected to Congress?
2. What happened during the 1791-1794 Whiskey Rebellion?
3. Peaceful protests are a “cornerstone of our country.” Why do people protest?

ARTICLE V:
SEALING CRACKS IN THE CONSTITUTION

1. How do you change the Constitution? What are the “rules” for doing it?
2. How many amendments have been proposed to the states? How many have been ratified?
3. Research a few of the proposed amendments that weren’t ratified. Choose one that interests you and research why it didn’t make the cut.

ARTICLE VI: FEDERAL VS. STATE

1. If you were to start working as a federal or state official, what oath must you take when accepting your new position? (Can you find the exact statement?)

ARTICLE VII: IT’S OVER!

1. When is National Constitution Day? How would YOU choose to celebrate this day?
2. Why is there a 2 ½ year gap between when the first state ratified the Constitution (Delaware) and the last (Rhode Island)?
3. Why was Rhode Island called “Rogue Island?”

THE AMENDMENTS OF THE CONSTITUTION

PREAMBLE

1. What is the Bill of Rights? Why did changes to the Constitution start so early?
2. Who signed this preamble and when was it written?

1ST AMENDMENT:
YOU MAY SPEAK FREELY

1. What is considered to NOT be free speech or press?
2. Can social media companies limit free speech? Why do they do this?

**2ND AMENDMENT: YOU CAN OWN GUNS...
IN A MILITIA WITH RULES...?**

1. Why do you think this amendment causes conflict? What do you think it means?
2. So far, there have been only six direct decisions about the 2nd Amendment throughout history. When was the most recent decision, and what did the Supreme Court say?

3RD AMENDMENT:
NO FORCED ROOMMATES

1. What happened in the colonies at this time for the Framers to write this amendment?

4TH AMENDMENT:
FEDERAL AGENTS CAN'T RANDOMLY GO
THROUGH YOUR STUFF

1. What is a warrant? Why would you need one and how can you get one?

5TH AMENDMENT:
YOU GET A FAIR LEGAL PROCESS

1. What is “due process?”
2. What is the difference between a “grand jury” and a “trial jury?”
3. What is “eminent domain?”

6TH AMENDMENT: YOU GET A FAIR AND
QUICK LEGAL PROCESS

1. If you are accused of a criminal act, what are your rights?
2. What is jury duty? Interview someone who had to attend jury duty—what was their experience like?

7TH AMENDMENT: YOU GET A FAIR LEGAL
PROCESS FOR ALL FEDERAL CASES

1. Why do you think it's important to have a fair legal process for any federal crimes committed in the United States? Do other countries have this law in place?

8TH AMENDMENT:
NOTHING “CRUEL OR UNUSUAL”

1. What is “posting bail?”
2. Why does it cost money to hold trials?
3. What is “cruel and unusual” punishment?

9TH AMENDMENT:
WE MAY HAVE FORGOTTEN SOME RIGHTS

1. What are “unenumerated rights?” Why is it important to recognize them?

10TH AMENDMENT: IF IT ISN'T IN HERE, THE
STATES AND THE PEOPLE WILL HANDLE IT

1. What is the point of the 10th Amendment?
2. Why were the Framers so concerned about power? What happens if one person (or one area of the government) has too much power?

11TH AMENDMENT: SUING STATES IS
POSSIBLE—BUT COMPLICATED

1. Can you sue your own state or your own state's officials in federal court?

12TH AMENDMENT: CHOOSING PRESIDENTS
AND VICE PRESIDENTS

1. What are “electoral votes?”
2. What happens if no one gets a majority of electoral votes for president?
3. What is a primary?
4. When is the general election held?

AMERICA 2.0

1. Why did the Civil War happen? What were the North and South fighting over?
2. What was “Reconstruction”?

13TH AMENDMENT: NO MORE SLAVERY

1. What were the “Black Codes” and “Jim Crow laws”?
2. Which 3 states still do not pay prisoners for their work?
3. Research why the 13th Amendment is still an issue in America today. What did you discover?

14TH AMENDMENT: CIVIL RIGHTS

1. What is the “equal protection” clause and why was it written?
2. How do you feel about some states not letting people vote if they've been to jail?
3. Why don't Native Americans count as full people in a state's population counts?

15TH AMENDMENT:
VOTES FOR AFRICAN AMERICANS

1. List a few examples of the loopholes that Southern states used to prevent African Americans from voting in the decades after the Civil War. Why did they do this?

16TH AMENDMENT:
TAXING THE MONEY YOU MAKE!

1. Why does Congress tax its citizens?
2. Research the benefits AND drawbacks to taxes. What have you learned?

**17TH AMENDMENT: SENATORS WILL
BE CHOSEN BY THE PEOPLE**

1. Which states do not allow governors to fill an empty Senate seat?

18TH AMENDMENT: NO ALCOHOL ALLOWED

1. What year was this amendment proposed? What was going on in the United States' history at this time?
2. What was the point of limiting alcohol?

19TH AMENDMENT: VOTES FOR WOMEN

1. Research some of the key women who helped push this amendment to Congress. Who were they and what were some of their accomplishments?
2. Which states let women vote BEFORE the 19th Amendment, and which didn't?

**20TH AMENDMENT:
TERMS OF THE PRESIDENT AND CONGRESS**

1. Why did Congress change the start date for elected officials from March to January?

**21ST AMENDMENT:
JUST KIDDING ABOUT ALCOHOL**

1. How long did it take the states to ratify this amendment?
2. Why was this amendment reversed and when?

**22ND AMENDMENT:
PRESIDENTIAL TERM LIMITS**

1. How many times can presidents be elected?
2. Who was the president when this amendment passed?
3. Why did Congress decide to set limits on how long someone can be president?

**23RD AMENDMENT:
WASHINGTON, D.C. CAN SORT OF VOTE**

1. Why can't Washington, D.C. have senators or representatives? Do you think the nation's capital should become a state? Yes or no?

**24TH AMENDMENT:
POLL TAXES ARE OUTLAWED**

1. Why did we have poll taxes in the first place? Who did they affect the most?
2. Which presidents helped to get rid of literacy tests?

**25TH AMENDMENT: PRESIDENTIAL AND
VICE-PRESIDENTIAL VACANCIES (WHO'S
NEXT IN LINE?)**

1. Which tragic event brought about this amendment? What happened?
2. How many times has the vice president become the president? How many of them can you name?
3. Can you name one other person who is in line to succeed to the presidency if both the president and vice president are not able to serve?
4. If you had the chance to be president for just a few hours, what would you do? Where would you go?

**26TH AMENDMENT:
VOTING RIGHTS FOR YOUNG PEOPLE**

1. The Constitution doesn't REQUIRE a specific age to vote. But according to this amendment, how old must you be to have your voting rights protected? How many more years before YOU can vote? Have you ever gone to the polls with your parents or older family members? What was that experience like?
2. Ask your parent or guardian where your local polling place is located. How far away is it from your house?

**27TH AMENDMENT:
SALARIES FOR CONGRESS**

1. Research the student who got a C on his paper and wrote to state legislatures. What happened? How long did it take this student to get this amendment ratified?

THE DECLARATION OF INDEPENDENCE

1. How did the Framers get the word out about the Declaration of Independence? How did that go over with England? See if you can find information about King George's reaction!
2. What passage was omitted from the final draft of the Declaration of Independence, and why? Do you think the Framers should have left it in? Why or why not?

CONCLUSION

1. If you don't know how our government works, how can you make sure your elected officials are running it right?
2. How do you participate in government? In what ways can you get involved NOW?
3. What are some ways you can protect the Constitution?
4. Read over the list of ideas (pages 124-126). Choose two of the suggestions and do them! Record what happens. What was the process like? Was it easy or more difficult to accomplish? How did you feel afterwards?

- If you were to draft an amendment to potentially become the 28th Amendment, what would you add and why do you feel like it's important enough to be included in the Constitution?

RESOURCES TO GET INVOLVED

- Check out the Resources to Get Involved on page 127. Visit a few of those websites to help you learn more about the voting process and our government systems. Which site did you enjoy the most?
- CHALLENGE:** Tell your parents about one of these sites. Ask them if they are registered to vote. If not, encourage them to! Use these resources to help you.

THE ORIGINAL DOCUMENTS

- Don't forget to read through the original documents! Were these documents difficult to understand at times? Do you think the author did a good job "translating" the Framers' language?

COMMON CORE STANDARDS

ELA/HISTORY AND SOCIAL STUDIES (GRADES 6-8):

KEY IDEAS AND DETAILS:

CCSS.ELA-Literacy.RH.6-8.1
Cite specific textual evidence to support analysis of primary and secondary sources.

CCSS.ELA-Literacy.RH.6-8.2
Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

CCSS.ELA-Literacy.RH.6-8.3
Identify key steps in a text's description of a process related to history/social studies (e.g., how a bill becomes law, how interest rates are raised or lowered).

CRAFT AND STRUCTURE:

CCSS.ELA-Literacy.RH.6-8.4
Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

CCSS.ELA-Literacy.RH.6-8.6
Identify aspects of a text that reveal an author's point of view or purpose (e.g., loaded language, inclusion or avoidance of particular facts).

Integration of Knowledge and Ideas:

INTEGRATION OF KNOWLEDGE AND IDEAS

CCSS.ELA-Literacy.RH.6-8.7
Integrate visual information (e.g., in charts, graphs, photographs, videos, or maps) with other information in print and digital texts.
CCSS.ELA-Literacy.RH.6-8.8
Distinguish among fact, opinion, and reasoned judgment in a text.

CCSS.ELA-Literacy.RH.6-8.9
Analyze the relationship between a primary and secondary source on the same topic.

WRITING (GRADES 6-8):

TEXT TYPES AND PURPOSES:

CCSS.ELA-Literacy.WHST.6-8.1
Write arguments focused on discipline-specific content.

CCSS.ELA-Literacy.WHST.6-8.1.a
Introduce claim(s) about a topic or issue, acknowledge and distinguish the claim(s) from alternate or opposing claims, and organize the reasons and evidence logically.

CCSS.ELA-Literacy.WHST.6-8.1.b
Support claim(s) with logical reasoning and relevant, accurate data and evidence that demonstrate an understanding of the topic or text, using credible sources.

CCSS.ELA-Literacy.WHST.6-8.1.c
Use words, phrases, and clauses to create cohesion and clarify the relationships among claim(s), counterclaims, reasons, and evidence.

CCSS.ELA-Literacy.WHST.6-8.1.d
Establish and maintain a formal style.

CCSS.ELA-Literacy.WHST.6-8.1.e
Provide a concluding statement or section that follows from and supports the argument presented.

CCSS.ELA-Literacy.WHST.6-8.2
Write informative/explanatory texts, including the narration of historical events, scientific procedures/ experiments, or technical processes.

CCSS.ELA-Literacy.WHST.6-8.2.a
Introduce a topic clearly, previewing what is to follow; organize ideas, concepts, and information into broader categories as appropriate to achieving purpose; include formatting (e.g., headings), graphics (e.g., charts, tables), and multimedia when useful to aiding comprehension.

CCSS.ELA-Literacy.WHST.6-8.2.b
Develop the topic with relevant, well-chosen facts, definitions, concrete details, quotations, or other information and examples.

CCSS.ELA-Literacy.WHST.6-8.2.c
Use appropriate and varied transitions to create cohesion and clarify the relationships among ideas and concepts.

CCSS.ELA-Literacy.WHST.6-8.2.d
Use precise language and domain-specific vocabulary to inform about or explain the topic.

CCSS.ELA-Literacy.WHST.6-8.2.e
Establish and maintain a formal style and objective tone.

CCSS.ELA-Literacy.WHST.6-8.2.f
Provide a concluding statement or section that follows from and supports the information or explanation presented.

RESEARCH TO BUILD AND PRESENT KNOWLEDGE:

CCSS.ELA-Literacy.WHST.6-8.7
Conduct short research projects to answer a question (including a self-generated question), drawing on several sources and generating additional related, focused questions that allow for multiple avenues of exploration.

CCSS.ELA-Literacy.WHST.6-8.8
Gather relevant information from multiple print and digital sources, using search terms effectively; assess the credibility and accuracy of each source; and quote or paraphrase the data and conclusions of others while avoiding plagiarism and following a standard format for citation.

CCSS.ELA-Literacy.WHST.6-8.9
Draw evidence from informational texts to support analysis, reflection, and research.



hachette
BOOK GROUP