

Civics & Economics

CE.2 - American Constitutional Democracy: Structure and Powers of Government (new 2023 standards)

2023 Standards

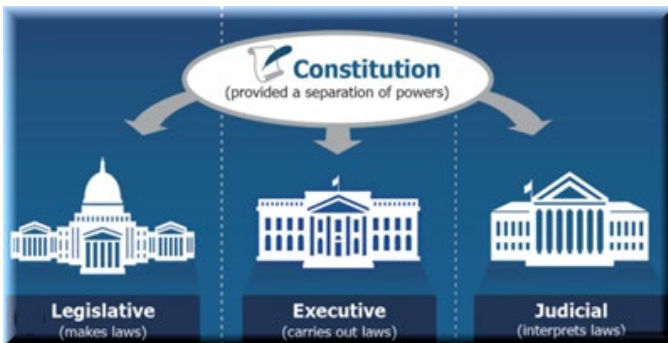
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The U.S. Constitution tells us how our **national government** is set up, what each part of government can do, and how those parts work together (and sometimes keep each other in check). The Constitution is divided into **three main sections**—called **Articles**—that describe the **three branches of government**.

CE.2a The Three Branches of Government

a) describe the structure and powers of the government (the three branches of government)



The national government has **three** main parts, or **branches**:

- **Legislative Branch** – *Makes the laws*
- **Executive Branch** – *Carries out the laws*
- **Judicial Branch** – *Interprets the laws*

Each **branch** has different **responsibilities** and **powers**, and they must **work together** to run the country fairly and effectively.

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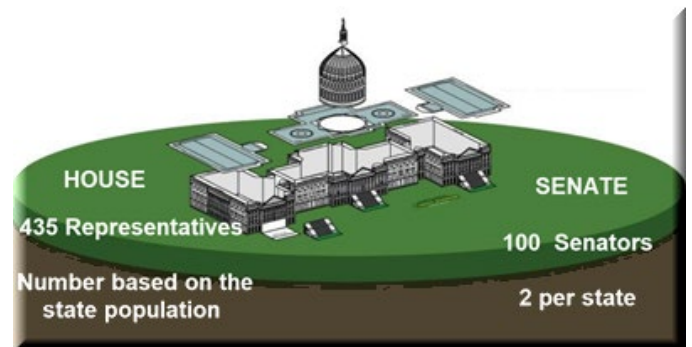
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CE.2b The Legislative Branch (Article I)

*b) explain the **legislative branch** and the lawmaking process as explained in **Article I** of the Constitution of the United States*

The **Legislative Branch** was established by **Article I** of the constitution.

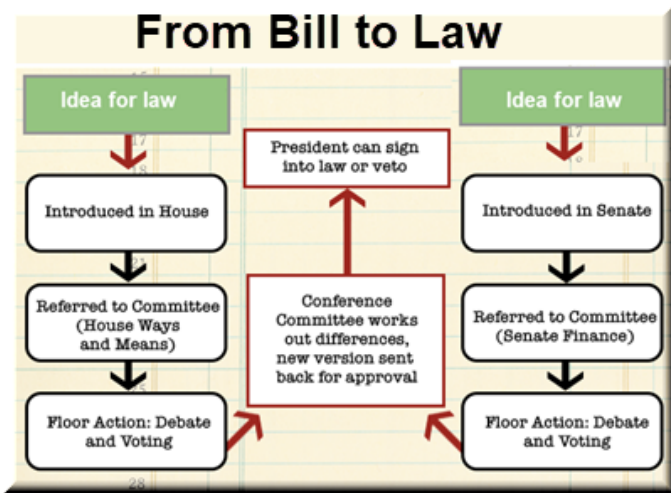
This branch is called **Congress**, and it consists of a **bicameral legislative** (it's made up of two parts):



- **The House of Representatives**
 - **435 members**, based on each **state's** population.
 - **Larger** states have **more representatives**.
- **The Senate:**
 - **100 members**, with **two senators** from each state.

Together, they make up a **bicameral legislature**—"bi" means two, and "camera" means chamber.

Congress is responsible for **writing and passing laws**.



How a Bill Becomes a Law:

1. Someone comes up with an **idea** for a law.
2. A member of Congress introduces it as a **bill**.
3. The bill goes to **committees** to be studied and debated.
4. It must **pass** both the House and the Senate.
5. If both parts of Congress agree, the bill goes to the **President**, who can **sign** it into law or **veto** it.
6. Congress can **override** a veto with a **two-thirds** vote.

Congress makes the laws at the **national level**.

The lawmaking process includes **collaboration** and **compromise**.

Other duties of Congress:

- To approve the annual **budget**
- To confirm **presidential appointments**
- To **raise revenue** through taxes and other levies
- To **regulate** interstate and foreign **trade**
- To **declare war**

Who Influences Laws?

- Citizens, interest groups, and lobbyists try to **influence** lawmakers.
- People write **letters**, organize **protests**, or talk to their representatives to support or oppose laws

CE.2c The Executive Branch (Article II)

c) explain the particular role and powers of the **executive branch** as explained in **Article II** of the Constitution of the United States

Article II of the constitution outlines the structure, function, and powers of the **executive branch** and specifically the **roles and authority of the president**.

The **Executive Branch** is led by the **President** of the United States, who serves as:



- **Head of State** – represents the U.S. around the world.
- **Commander-in-Chief** – leads the military.
- **Chief Executive** – enforces the laws passed by Congress.
- **Chief Diplomat** – works with leaders of other countries.
- **Chief Legislator** – proposes ideas for new laws and signs or vetoes bills.

The Vice President, Cabinet, and many federal agencies (like the FBI or the Department of Education) **help the President** carry out these responsibilities.

The executive branch plays a **key role in the lawmaking process**.

CE.2d The Judicial Branch (Article III)

d) explain the particular role and powers of the **judicial branch** as explained in **Article III** of the Constitution of the United States

Article III of the Constitution establishes the **judicial branch**. Article III requires that there be **one Supreme Court**, but leaves it up to **Congress** to decide what the **federal court system** will look like and how it will work.



- The **Supreme Court** is the highest court in the U.S.
- There are also **lower federal courts**, like appeals courts and district courts.

Congress decides how many judges serve and how the court system is organized, but the **Constitution** requires there be **one Supreme Court**.

The main job of the courts is to **settle disputes** and make sure that laws and actions are **constitutional**—this is called **judicial review**.

CE.2e Separation of Powers & Checks and Balances

e) explain the principle of **separation of powers** and the operation of **checks and balances**.

Articles I, II, and III of the Constitution define the powers of the **legislative, executive, and judicial branches** of the national government.

The Constitution **divides power** between the **three branches** so no one group gets **too powerful**. This is called **separation of powers**.



Each of the three branches also has the ability to **limit or “check” the power** of the other branches. This is called the system of **checks and balances**.

Concepts to Review:

Bill of Rights

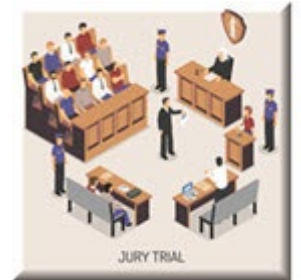
- The **first 10 amendments** to the **Constitution**.
- Protect rights like **freedom of speech, religion, and the press**, as well as the right to **due process** (fair treatment under the law).



The **Constitution** establishes that **all powers not delegated to the federal government** are **reserved to the people or the states**.

Due Process

- The government must follow **fair legal procedures**.
- Protected by the **5th Amendment** (for the federal government) and the **14th Amendment** (for **state governments**).



Judicial Review

- Courts can declare a law or action **unconstitutional**.
- The **Supreme Court** is the **highest authority** but **lower federal courts** also have the **power to review laws**.
- This power was established by the famous Supreme Court case **Marbury v. Madison** (1803).

Checks and Balances: Examples

Branch	Checks On	How
Legislative	Executive	<ul style="list-style-type: none">• Overriding presidential vetoes• Impeaching and convicting a president• Approving or not the budget• Approving or not presidential appointments
Legislative	Judicial	<ul style="list-style-type: none">• Confirming or not federal judges/justices• Impeaching and convicting judges/justices
Executive	Legislative	<ul style="list-style-type: none">• Proposing legislation• Preparing an annual budget• Calling special sessions of Legislative• Vetoing legislation
Executive	Judicial	<ul style="list-style-type: none">• Appointing judges/justices• Granting pardons and reprieves
Judicial	Legislative	<ul style="list-style-type: none">• Declaring acts of Legislative unconstitutional
Judicial	Executive	<ul style="list-style-type: none">• Declaring executive actions unconstitutional