

Claim Your Powers

Objectives:

1. This activity will have the students reading the first three Articles of the Constitution and applying the powers enumerated in the Constitution with the hypothetical situations.
2. Students will increase their understanding of the separation of powers and the resulting conflict between enumerated powers.
3. Students will review the powers delegated to the three branches of government.

Materials Needed:

Copies of:

Claim/Not Claim cards for each of the three groups
Score Sheet
Constitution (online at <http://www.constitutioncenter.org/>)

Time Needed:

One class period

Grade Level:

9-12

Procedure:

1. Divide the class into three groups. One group represents the executive, one the legislative, and one the judicial branch of the national government. (If the class is large, two groups may represent each branch.)
2. Provide each group with two signs: "CLAIM" and "DO NOT CLAIM". Each branch will also need the list of its powers found in the Constitution.
3. Establish the purpose of the activity by explaining that the exercise is intended to review and reinforce the student's knowledge of the first three Articles of the Constitution. Tell the class that in this activity they will be acting as a branch of government and that it is their responsibility to maintain the powers granted to them in Articles I, II, or III of the Constitution.
4. Tell the class that you will read a series of situations, each involving a power of one or more branches of the government. In some instances, a branch will have the sole power; in others, the power may be shared. After each situation is read, each group will have one minute to discuss the situation and decide if the power described belongs to its branch and to find the part of the Constitution justifying that decision. At the end of one minute, the leader will say the word "vote" and each group must hold up a card, either "CLAIM" or "DO NOT CLAIM". Every group must vote on each situation.
5. Explain that scoring will be as follows:
 - a. Two points will be given for correctly claiming the claim of a power
 - b. One point will be given for correctly voting not to claim a power.
 - c. A zero will be given to a group incorrectly claiming or not claiming a power.
6. Tell students that in some cases, under the facts of the situation, more than one branch can claim power. If they do this and can point to the power in the Constitution, they may be awarded bonus points.

Situations where this might occur:

"b" Give the legislative 3 bonus points if it claims this power and gives as its reason its power of impeachment.

"i" Give the executive branch 3 bonus points if it claims this power and gives as its reason the power to enforce laws. (The FBI would probably arrest Ralph Z.)

“j” Give the judicial branch 3 bonus points if it claims this power and gives as its reason that the Chief Justice presides during the trial.

NOTE: There are other possible bonus point situations. If students suggest other reasonable claims to a power, award points accordingly. Since this might throw off the equal sums for each branch (30 possible for each as currently written and scored), the groups could be told that the winner will be the group which comes closest to its total possible points.

7. Assure the students that the activity will not be graded; rather, it will help both the teacher and students to measure students' understanding of the concept of separation of powers as outlined in the Constitution.

Classroom Law Project, Portland, Oregon. <http://www.classroomlaw.org/>

Situations (these may be read aloud or written on index cards and distributed to each group)

- a. A bill is to be considered requiring automobile manufacturers to install seat belts in all new cars.
- b. You hold your office for life during good behavior.
- c. The United States needs an ambassador to Argentina.
- d. There is a vacancy on the Supreme Court and a new justice must be appointed.
- e. The United States has decided to recognize the new Republic of Xanadu.
- f. The state of Arizona is suing California over water rights.
- g. The army wants more money for tanks.
- h. A law recently passed by the state of Louisiana has been challenged as being unconstitutional.
- i. Ralph Z. has been charged with a federal crime of transporting stolen automobiles from Texas to Oklahoma.
- j. Impeachment proceedings have been brought against the president.
- k. A bill is being vetoed.
- l. A State of the Union message is being prepared.
- m. An ambassador from a foreign country has been arrested.
- n. A law is declared null and void.
- o. War is declared on Transylvania
- p. A federal income tax rebate is being considered.
- q. A treaty with a foreign country to import oil is being negotiated.
- r. A case has arisen over land between two Indian tribes who claim the land was given to each of them under separate treaties.

Claim Your Powers Score Sheet

Situation	Branches					
	Judicial		Executive		Legislative	
	Claim	No Claim	Claim	No Claim	Claim	No Claim
a.		1	2		2	
b.	2			1		1
c.		1	2		2	
d.		1	2			1
e.		1	2			1
f.	2			1		1
g.		1	2		2	
h.	2			1		1
i.	2			1		1
j.		1		1	2	
k.		1	2			1
l.		1	2			1
m.	2			1		1
n.	2			1		1
o.		1		1	2	
p.		1		1	2	
q.		1	2		2	
r.	2			1		1
s.	2			1		1

Claim

Do Not
Claim