

## Lesson 4: Federalism and the Constitution

### Big Ideas of the Lesson

- Federalism is a constitutional principle in which power is divided between the federal, state, and local governments.
- The federal (national) government holds certain powers described in the Constitution. For example, the federal government has the power to declare and conduct war, control trade between the states and other nations, create post offices, and coin money.
- Powers not given to the federal government are reserved for state governments. For example, the state governments have the power to create schools, control trade within the state, make traffic laws, and regulate laws about marriage and divorce.
- Both state and federal governments share some powers, like taxing and spending.
- Federalism serves to limit the power of government.

### Lesson Abstract:

In this lesson, students review the principle of federalism and how it is expressed through the sharing and distribution of power as stated in the Constitution. They begin by reviewing the relationship between the national government and the states under the Articles of Confederation and some of the problems that arose from that structure. Students then learn how the Constitution established a federal system and they create a graphic organizer to describe the new system. Finally, working in pairs, they identify short and long term consequences of the creation of the Constitution.

### Content Expectations

- 5 – *U3.3.5*: Give reasons why the Framers wanted to limit the power of government (e.g., fear of a strong executive, representative government, importance of individual rights).
- 5 – *U3.3.6*: Describe the principle of federalism and how it is expressed through the sharing and distribution of power as stated in the Constitution (e.g., enumerated and reserved powers).

### Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science, and Technical Subjects:

- RI.5.4*: Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 5 topic or subject area.

### Key Concepts

compromise  
consent of the governed  
Constitutional Convention  
federalism  
Framers

limited government  
U.S. Constitution

### **Instructional Resources**

#### Equipment/Manipulative

Overhead projector or document camera/projector

#### Student Resource

Bower, Burt, et al. *America's Past*, Social Studies Alive Program. Palo Alto, CA: Teacher's Curriculum Institute, 2010 or a similar fifth grade social studies textbook. Pages 189, 196-200.

Fritz, Jean. *Shh! We're Writing a Constitution*. New York: Putnam Juvenile, 1996.

#### Teacher Resource

Egbo, Carol. *Supplemental Materials (Unit 7, Lesson 4)*. Teacher-made material. Michigan Citizenship Collaborative, 2012.

### **Lesson Sequence**

1. Review the two Constitutional Convention issues explored in the previous lesson (representation and slavery) and discuss the role of compromise in resolving the issues.
2. Explain that another issue the convention addressed related to the following question: What would be the relationship between the states and the national government? Using "Organization of the Government under the *Articles of Confederation*", located in the *Supplemental Materials (Supplemental Materials Unit 7, Lesson 4)*, review the relationship between the states and the national government under the Articles. Then, review how the structure shown in the organizer led to problems.
3. Explain that the Framers of the Constitution wanted to alter the relationship between the states and the national government regarding the issues of power. They also wanted to make sure to balance an increase in power to the national government with the desire for limited government. Share the following information regarding how the Framers attempted to do this:
  - Delegates agreed to create a federal system – one in which the right to govern would be shared by the national government and the state governments. This reflected the principle of 'federalism' (Word Card #12).
  - The national government would keep all power over matters that affected the nation as a whole.
  - States would keep power over their own affairs like state elections and setting up local governments.
  - States could no longer print money, raise armies, or make treaties with other countries like they could under the Articles. These powers were given to the national government.
  - Both could set up their own courts systems and tax citizens.
  - Under this federal system, the new rules of government - the Constitution - would be the "supreme law of the land."

4. Display “Organization of the Government under the Articles of Confederation” used in Step 2 again and explain that students should now create a new organizer showing the “Organization of the Government under the Constitution”. Note that a sample organizer has been included in the *Supplemental Materials (Unit 7, Lesson 4)*.
5. Explain that at the end of four months, a new Constitution had been written. The majority of the delegates felt that, although it was not a perfect plan for a government, it was the best they could design. Benjamin Franklin summarized the importance of the convention in a speech he wrote which was delivered by James Wilson because Franklin was too weak. His speech included the following points:
  - He didn’t agree with everything but was willing to accept it because he believed a strong national government was needed.
  - He praised the delegates for their hard work and cooperation.
  - He congratulated the delegates for having written what he believed might be the best plan of government ever designed.
  - He encouraged all the delegates to sign the Constitution.
6. Explain that in the end, thirty-nine delegates signed the Constitution on September 17, 1787. Display the picture of the chair and quote from Ben Franklin, located in the *Supplemental Materials (Unit 7, Lesson 4)*. Explain that Benjamin Franklin is said to have made this statement as he was signing the Constitution. Ask students to explain in their journals why Franklin now believed that the sun on Washington’s chair was a rising sun, not a setting sun.
7. Explain that there was still one more important step needed: the ratification, or approval, of the Constitution by the states. Explain that this was not an easy process. It involved the following two groups who were in conflict:
  - The Federalists who supported the Constitution and wanted it ratified.
  - The Anti-federalists who fought against the adoption of the Constitution.Explain that students will explore this conflict over the Constitution in Lesson 5.
8. Conclude the lesson by having students work with a partner to describe the short and long term consequences of the decision to replace the *Articles of Confederation* with the *U.S. Constitution*. Make copies and distribute to students “Examining the Consequences – Replacing the Articles”, located in the *Supplemental Materials (Unit 7, Lesson 4)*. Explain to students that a short term consequence would be something that happened relatively soon after the event. A long term consequence would be something that happened many years later as a result of the decision. Instruct students to think of long term consequences in terms of what they know about their country today. Allow students time to complete the sheet and then discuss it as a class. A chart showing possible answers may be found in the *Supplemental Materials (Unit 7, Lesson 4)*.

### Assessment

An Assessment has been included in the *Supplemental Materials (Unit 7, Lesson 4)* in which students create a Venn Diagram describing how power is shared between the national and state

governments. Note that if the diagram does not provide enough room for students to write have them create the diagram on white drawing paper.