Branches of Government and Checks and Balances Lesson
7th Grade Social Studies
Mrs. Jamie Luff
Riverside Middle School

**Standard 7-2.5:** Explain how the Enlightenment influenced the American and French revolutions leading to the formation of limited forms of government, including the relationship between people and their government, the role of constitutions, the characteristics of shared powers, the protections of individual rights, and the promotion of the common good.

**Essential Question(s):**

In what ways do Enlightenment ideas impact American Government, especially the Constitution?

How does having three branches of government limit those who are in power and hold them accountable?

**Materials:**

- Primary Source Analysis Chart
- Primary Source Documents
- Individual White Boards or Construction Paper and markers
- Slips of paper with philosophers names (Locke, Rousseau, Voltaire, Montesquieu)
- Infographic of 3 Branches of Government

**Duration:** One 50-60 minute class period.

**Procedures:**

1) When students learn about the US Constitution, they have already learned about Enlightenment philosophers and should be able to make connections back to their specific ideas as they study it.

As an activating strategy, put students in groups of three or four and have them draw the name of a philosopher Locke, Rousseau, Voltaire, or Montesquieu. Then, instruct students to draw a visual on a small white board or construction paper that will help students to remember what they learned about the philosopher whose name they drew. This should take 5-10 minutes. Conclude the activity by having on kid in each group stand up and briefly show their visual to the class to serve as a quick review.
2) Remaining with their small group, hand each student their own copy of the Primary Source Analysis Chart. Explain what all the questions on the chart mean to the class. Review specifically what separation of powers is, making sure students remember the name of each of the three branches (legislative, executive, and judicial). Then project an infographic on the screen showing what the three branches of government are in the United States.

4) Hand out the Primary Source Documents and guide students through how to use the chart by filling in Document 1 as a class, then take any questions. Students should take approximately 30 minutes to work on studying the documents and filling in their charts.

5) To conclude class, ask students “Which philosopher’s ideas did you see in the documents more than any other? Which idea was it? Which document do you think showed this more/better than any other document?” Collect their charts and document sets. Then, hand out index cards and have students answer this question on them as their ticket out the door: “List as much evidence as you can remember that proves that each branch of government has powers over the other branches (checks & balances).” Then, collect the index cards as students leave the classroom.

Resources:

www.docsteach.org
www.usa.gov

This lesson is primarily inspired by the presentation by the National Archives on the TOG trip to DC. As a variation for high school students, you could alter the chart to make students identify which Article and Section of the Constitution the power shown in the primary source reflects, giving students a copy of the Constitution to help them complete the activity.
3 BRANCHES of U.S. GOVERNMENT

Constitution
(provided a separation of powers)

Legislative
(makes laws)
- Congress
- Senate
- House of Representatives

Executive
(carries out laws)
- President
- Vice President
- Cabinet

Judicial
(interprets laws)
- Supreme Court
- Other Federal Courts

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**Primary Source Activity**

**BRANCHES OF GOVERNMENT**

- Which branches of government are involved?
- What power does the government exercise in each document?
- Is this an example of checks and balances? If yes, how?
With this Act of Congress, the United States declared war on Great Britain in the War of 1812.

For the early decades of the nation's history, relations between the United States and Great Britain had remained strained. Their relationship deteriorated sharply with the outbreak of war in Europe in 1803. Britain imposed a blockade on neutral countries such as the United States. In addition, the British took American sailors from their ships and "impressed" them into the British Navy.
This item consists of the joint resolution proposing the Sixteenth Amendment, which was ratified February 3, 1913, and grants Congress the right to impose a tax on the earnings of its citizens. A joint resolution is a formal opinion adopted by both houses of the legislative branch. A constitutional amendment must be passed as a joint resolution before it is sent to the states for ratification.
This is the "Treaty of Peace and Friendship...between the...United States of America...and the...Creek Nation of Indians" signed in the city of New York.

After the Revolutionary War, the United States had continued the European practice of negotiating treaties with the Native Peoples similarly to how they negotiated with foreign governments. This practice changed gradually over time.

In 1831, the Supreme Court case *Cherokee Nation v. Georgia* changed the status of Native tribes from "independent, sovereign nations" to "domestic dependent nations." Treaties, however, still followed the pattern of requiring negotiations between the U.S. Government and tribal governments and ratification by Congress. Not all negotiated treaties were ratified.
Linda Kelly, Sherry Bane, and Mickie Mattson wrote to President Dwight D. Eisenhower from Montana. They told him "We think its bad enough to send Elvis Presley in the Army, but if you cut his sideburns off we will just die!"

During the early 1950s, all American men were required to register for the draft, and many were called to serve. Elvis was no exception. Inducted into the Army in 1958, he insisted on being treated like everyone else. He took the required haircut in stride, coining the phrase, “Hair today, gone tomorrow.”
Draft Release announcing the O'Connor Supreme Court nomination

Additional details from our exhibits and publications

This draft press release from President Ronald Reagan’s administration announces the nomination of Sandra Day O’Connor to become the first woman Justice of the U.S. Supreme Court. O’Connor worked as a lawyer and then a judge in Arizona before becoming an Associate Justice in the U.S. Supreme Court. She retired in 2006.
On May 17, 1954, in *Brown v. Board of Education of Topeka* (five separate cases consolidated under a single name), the U.S. Supreme Court ruled unanimously that separate but equal public schools violated the 14th Amendment.

On May 31, 1955 – one year and two weeks after the ruling that racial segregation in public schools was unconstitutional – Chief Justice Earl Warren issued this decree, ruling how desegregation was to be carried out. The plan directs that schools be desegregated under the control of Federal district judges "with all deliberate speed."

Additional details from our exhibits and publications

In this circa 1865 photo, Chief Justice Salmon P. Chase sits with the Justices of the Supreme Court. Chase was named Chief Justice by President Lincoln in 1864. Chase later presided over President Andrew Johnson’s impeachment trial.