

Constitution USA Episode 1

A More Perfect Union

Name:
Period:

Enduring Understandings

Students will understand that government powers are distributed and shared in order to meet the needs of citizens and protect the “general welfare” of the United States.

In this episode, you will explore the delicate balance of federalism. Use this guide to help you pull key ideas from the video and build your understanding of, or “road map” to, the Constitution in your life.

Key Terms

Federalism

This debate over federalism, the system of shared power between national and state governments, continued throughout American history. Some argued in favor of states’ rights, saying that the states had sovereign powers equal to the federal government. Others defended nationalism, the supremacy of the federal government over the states.

States’ Rights

doctrine that the states have sovereign powers equal to the national government

Reserved Powers

power retained by the states

Concurrent powers

power both states and government share

Supremacy Clause

This provision in Article VI is known as the Supremacy Clause. It establishes the Constitution, federal statutes, and U.S. treaties as “the supreme law of the land.” The Constitution is the highest form of law in the American legal system. State judges are required to uphold the U.S. Constitution, even if state laws or constitutions conflict with it.

Treaties must comply with the Constitution. However, the treaty-making power of the U.S. government is broader than the lawmaking power of Congress. The Supreme Court ruled in *Missouri v. Holland* (1920) that pursuant to a treaty with Great Britain, the United States could regulate the hunting of migratory birds, even though Congress had no independent authority to pass such legislation.

Treaties

A contract in writing between two or more political authorities (as states or sovereigns) formally signed by representatives duly authorized and usually ratified by the lawmaking authority of the state

Commerce Clause

The Commerce Clause has become the greatest source of federal power under the Constitution.

Congress had no power to regulate commerce under the Articles of Confederation, and the states acted in a variety of ways to restrict the flow of commerce between one another.

Birthplace of Federalism in the United States

Let’s head to the birthplace of federalism. Our trip takes us to which city in 1787. Here, the Framers of the Constitution gathered to try and build a strong new government. Below is a diagram of federalism.

Label the two main components of our system and the roles of each.



Constitutional Battleground States!

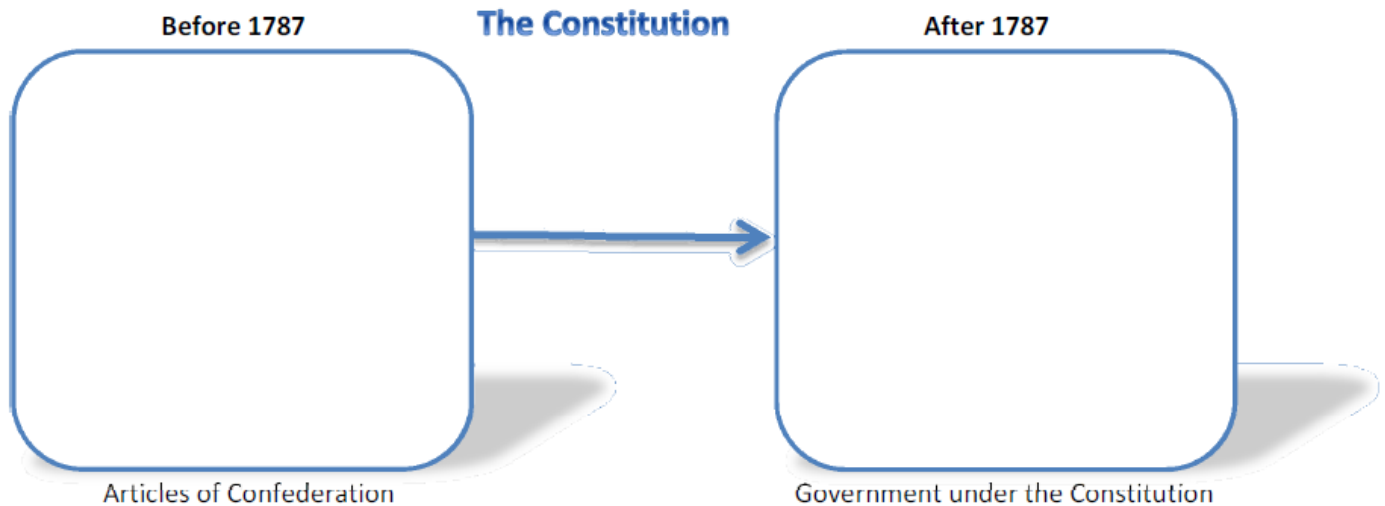
The Harborside Company in California can be seen as a respected business. In what realm is Harborside an unlawful business? How are the state and federal laws at odds?

The Big Bang Theory...The United States Constitution

Akhil Reed Amar considers the writing of the Constitution to be the “Big Bang” for human freedom. He says that after the Constitution, the idea of the self-government could become a reality. Why did he think it was such a big deal?

List some characteristics of our national government before and after the Constitution:

Before 1787



Philadelphia and the Constitutional Convention

Why did the delegates call the Convention? What was the danger looming for Americans at that time?

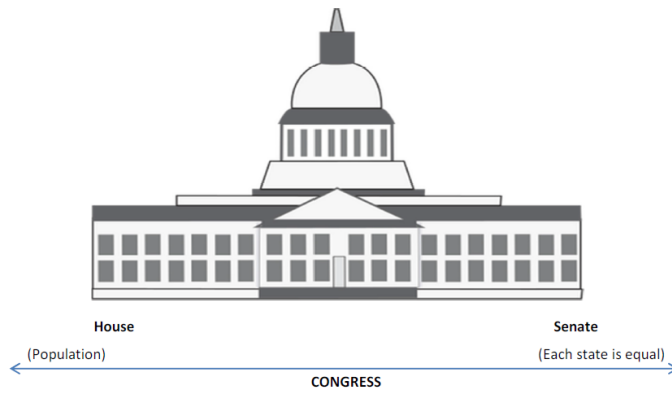
List some of the symptoms that show our country was not doing so well.

-
-
-
-

Who are the main players who pushed for the Convention and who is the person who had the plan for a new government? What was the goal of the Convention?

What were some of the issues the delegates found with creating a strong central government? Why did they eventually decide to build a strong central government?

Diagram how the big and small states issues were resolved in our representative democracy.



What is the Supremacy Clause and what does it really say?

Power Struggle: Tug of War

Why do we give power to the states at all? What is Gary's reasoning behind state power?
Do you agree?



Do you agree with the idea that states are "laboratories of democracy?" List some examples of when good ideas have risen up from the states.

Help Wanted: Looking for a Federal Government to Secure the Union

Why did the federal government build the Hoover Dam?



The Great Depression ranged what years? How many people were not working?

Separate is NOT Equal!

What was the name of the court case that ended segregation in schools? Name the branch of government that ruled that segregation was illegal.



Did the governor of the state agree with the Supreme Court?

What is the Commerce Clause and what does it really say?



ISSUES:	STATE	FEDERAL
Marijuana		
Guns		
Toilets (Energy conservation)		
Coal Plants for Energy (Air Quality)		
Wheat Farmers growing extra crops for their cows		

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins or other markings on the paper.

