

Topic:

Why the Constitution Works

Time:

1-2 days

Grade:

5

Core:**Objectives:**

1. Students will understand the source of the Constitution's power.
2. Students will receive an introduction to contract law.

Procedure:

1. Have the class brainstorm a definition of the word contract. List each definition.
2. What is a contract? (Basically, a contract is a promise made by two or more people in which each agrees to do or not to do something.) Write on the board the definition, "an agreement between parties." Ask the class if they can accept this as a definition. List the seven elements of a contract:
 - a. A person must make an offer and another person must accept it.
 - b. All parties must understand each other and the agreement.
 - c. Something of value must pass between the parties to show they mean business.
 - d. Everyone must understand what he or she is doing.
 - e. The agreement must not be against the law.
 - f. The agreement must be serious and not a joke. The parties must really mean to make an agreement.
 - g. Important contracts must be in writing. They should be read and studied carefully before signing.
3. Explain that the government enters into a contract with its people.
4. The Constitution is a written contract (set of guidelines and rules) agreed upon by the people of this country and government.
- 5.

Additional Resources:

Author: Update
Magazine

(Procedure continued)

5. Students should have a summary of the U.S. Constitution. The Utah Law-Related Education Project's *Law and Citizenship Manual* contains a summary at the end.
6. Review the seven elements of a contract. Discuss each of these elements as they might apply to the Constitution. Example: A person must make an offer and another person must accept it. How does this apply as you look at the historic procedures involved in the acceptance of the Constitution?
7. Have the class look at a few of the rights or responsibilities of the government and of individuals using the "Constitution and the Law" handout, Handout 1.
8. The Constitution works because we have all agreed that we will abide by these rules. The source of its power is the acceptance and compliance of the people of the United States.

HANDOUT 1

CONSTITUTION AND THE LAW

Group #1

Look at the Constitution and the Bill of Rights. Find five things the Constitution gives the government permission to do.

1. _____
2. _____
3. _____
4. _____
5. _____

If the government didn't have these rights, how might your life be different?

Group #2

Look at the Constitution and the Bill of Rights. Find five areas where the Constitution sets limits on the government.

1. _____
2. _____
3. _____
4. _____
5. _____

If the government were not limited, how might your life be different?

