



## Elementary School

# Connecting the Separate Powers

**Overview** Students gain an understanding of the concept of separation of powers through an interactive approach involving role playing and questions and answers.

### Preparation

- Provide the teacher with a copy of the activity and discuss beforehand.
- Make copies of “He Does It All” (see sidebar) for all the students in the class (also available at [www.lawday.org/schools/lessons/](http://www.lawday.org/schools/lessons/)).

### Presentation

Distribute “He Does It All” to students. Explain that you are going to select two students to do a role play with you and that you want the rest of the class to listen carefully to see if they hear anything out of the ordinary.

Read the introduction aloud and then have the two students read their roles (“You” and “Officer”).

Ask the class the following questions:

- Did anyone hear anything that did not sound correct? Ask for a show of hands.
- What did the officer do? (He made a new law, he enforced his new law, and he applied his law.)
- Could this happen in the United States? (not legally)
- Why? (People do not make up laws as they think of them.)

Write the term “separation of powers” on the board in the classroom. Below the term, write:

Legislative = Make, change, and repeal law

Executive = Carry out the law

Judicial = Interpret the law

Briefly explain the fundamentals of our country’s legal system and how power is divided among the three branches of government providing for checks and balances. Explain the role of the police officer in our legal system and the relationship of the police officer to the three branches of government.

On the board, draw a tree trunk and label it “U. S. Constitution.” At the top of the trunk,

draw three lines radiating out of the trunk and label them “Three Branches of Government.”

Ask the class, “What are the three branches of government?” Point to the three terms you wrote earlier. As students correctly identify each branch, label a branch of the tree and explain where in the Constitution the powers of each branch are described (First Branch: Legislative, Article I; Second Branch: Executive, Article II; Third Branch: Judicial, Article III).

Review the three branches of government by pointing to each branch and asking the following questions:

- **Legislative**
  1. Who works there? (Senators in the Senate; Representatives in the House of Representatives)
  2. What do they do? (make, change, and repeal laws)
- **Executive**
  1. Who works there? (President, Vice-President, cabinet members, and people who work in departments and agencies)
  2. What do they do? (carry out laws; the federal agencies and departments make federal regulations and see that laws are enforced.)
- **Judicial**
  1. Who works there? (Supreme Court justices and federal judges)
  2. What do they do? (interpret and define what laws mean in specific cases; determine if any laws go against the Constitution)

Conclude by explaining why separation of powers is essential to our form of government.

*This strategy is adapted from the Utah Law-Related Education Elementary Lesson Plan Book.*

### Handout

#### He Does It All

You’ve just turned sixteen and have learned to drive. After school one day, your mother asks you to return some books to the library. You park carefully in front of the library, making sure there are no “No Parking” signs. When you return to your car, you find a police officer writing out a ticket.

#### Role Play

*You:* What did I do wrong, Officer?

*Officer:* You can’t park here.

*You:* But there isn’t a “No Parking” sign.

*Officer:* I just made it “No Parking.”

*You:* But you can’t do that.

*Officer:* I can now. You’re under arrest.

*You:* Arrest? How can I be arrested when I didn’t break the law?

*Officer:* You did break the law—my law. You are under arrest.

*You:* What happens now?

*Officer:* I try you.

*You:* Try me! You’re not a judge!

*Officer:* I am now. You’re guilty. I fine you \$25 and costs.

*You:* How much are the costs?

*Officer:* Another \$25.

*You:* But I am not guilty.

*Officer:* Pay me.