

3.9 The Constitution

Name: _____ Class: _____ Date: _____

Total: 12 marks

KEY WORDS constitution's design 宪法的设计

Objective

Build the skills to explain the **Constitution's design** 宪法的设计.

You must be able to:

- state the CED's description of the central government created
- define federalism
- define separation of powers
- explain how 'limited but dynamic' can both be true

1 Worked examples

Study these first. Each one shows the method for a task used later.

■ The description

The Convention **created a limited but dynamic central government embodying federalism and providing for a separation of powers between its three branches.**

■ Federalism

Power divided between a central government and the states, with each holding authority the other cannot simply override.

■ Separation of powers

The three branches hold distinct functions, so no single body both makes and enforces a rule.

■ Limited and dynamic

Limited in that its powers are enumerated and divided; **dynamic** in that it can act, expand and adapt within them. The CED's phrase holds both, and an answer keeping only one describes a different constitution.

2 Practice

2.1 State the CED’s description of the central government created. [2]

2.2 Define federalism and separation of powers. [2]

2.3 “Limited but dynamic” holds two ideas.

(a) Explain each. [2]

(b) State what an answer keeping only one describes. [1]

3 Exam-style questions

3.1 The CED says the central government embodied federalism and provided for [1]

- **A** a separation of powers between three branches
- **B** a hereditary monarchy
- **C** a single legislature only
- **D** no courts

3.2 Separation of powers means no single body [1]

- **A** both makes and enforces a rule
- **B** may hold office
- **C** may vote
- **D** may raise taxes

3.3 A government has enumerated powers and still grows in what it does.

(a) State the CED’s phrase. [1]

(b) Explain how both hold.

[2]

Solutions

2.1 a limited but dynamic central government embodying federalism and providing for a separation of powers between its three branches.

2.2 federalism divides power between a central government and the states; separation of powers gives the three branches distinct functions.

2.3 (a) limited because its powers are enumerated and divided; dynamic because it can act, expand and adapt within them. (b) a different constitution from the one the CED describes.

3.1 A. three branches.

3.2 A. makes and enforces.

3.3 (a) limited but dynamic. (b) the enumeration fixes the boundary of its authority without fixing how fully it acts inside that boundary.