# The U.S. Constitution

A Reading A–Z Level W Leveled Book Word Count: 1,338

## Connections

## Writing

Write a newspaper article about the Bill of Rights. Explain these first ten amendments and discuss how each ensures freedoms and guarantees protection to U.S. citizens.

## **Social Studies**

Make a poster of the three branches of government. Explain what each branch of government is responsible for and discuss how the branches check one another's power.



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# The U.S. Constitution

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### Focus Question

What is the U.S. Constitution, and why is it important?

# Words to Knowconfederationfederalconstitutionlibertycriticalprocedure

debtsprosperousdelegatesrepresentativeselectedSenate

Title page: Visitors view the Constitution during a visit to the National Archives in Washington, D.C.

Page 3: The Constitution was created during the summer of 1787 at Independence Hall in Philadelphia, Pennsylvania.

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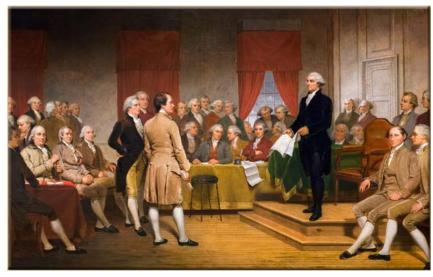


The surrender of British forces at Yorktown in 1781 marked the end of the last major campaign of the Revolutionary War.

#### The Need for a Constitution

The United States won its independence from Great Britain in 1783. After seven years of war, Americans were happy to finally have their own country, but they soon realized that they needed a new form of government. Since 1781, the states had worked together under an agreement called the Articles of **Confederation**, but it just wasn't working.

The Articles gave most power to the states. The Continental Congress—the nation's first government—had very little power. The congress could do almost nothing that any of the individual states were against. By 1786, it was clear that a stronger central government was needed.



George Washington served as president of the Constitutional Convention before he became president of the United States.

#### A Historic Meeting

In the summer of 1787, a group of **delegates** gathered in Philadelphia to create a new **constitution**, or plan of government. The group included George Washington, Benjamin Franklin, and James Madison, the main author of the Constitution.

Under the direction of George Washington, the delegates discussed what form the new government should take. They explained and argued about their ideas all through the hot summer. In the end, they created a new government with three branches: legislative (Congress), executive (the presidency), and judicial (the **federal** courts).



"We the people" (the first three words of the Constitution) has come to represent the central idea of democracy.

When they completed their work, they had written a constitution that would last for hundreds of years. The U.S. Constitution is the highest law of the land. It is also the oldest written constitution still in use in the world.

By early 1789, eleven states had approved the Constitution, and it became law. By the end of May 1790, the two remaining states, North Carolina and Rhode Island, had also approved it.

In February 1789, George Washington became the first person **elected** president under the Constitution. A new age had begun.

#### What's in the Constitution?

The introduction to the Constitution explains that the goal of the document is to create a just, peaceful, safe, and **prosperous** society where people will enjoy the "blessings of **liberty**." The main body of the Constitution is organized into seven articles, or sections. The first three articles explain how the three branches of the government are organized.

Article I deals with Congress, which is divided into two parts: the House of **Representatives** and the **Senate**. The main job of the two houses of Congress is to pass new laws. The Constitution also gives Congress the power to collect taxes and provide for the defense of the nation.

Article II deals with the executive branch. It grants the president certain powers and makes him or her the head of the armed forces. It also explains that anyone who wants to run for president needs to be a natural-born citizen at least thirty-five years old.

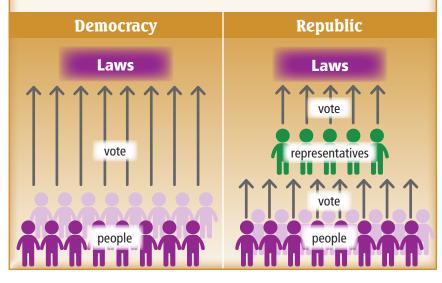


The Constitution divides power among three separate branches of government.

Under the system created by the Constitution, Americans don't actually vote directly for their president. They vote for people called *electors*, who are chosen by the state legislatures. Those electors then vote for the president. This system, known as the Electoral College, is supposed to keep someone who is popular but dangerous from becoming president. It is still in use today, though it is combined with a popular vote.

#### What Is a Republic?

The United States is a democracy but not a pure, or direct, democracy. In a pure democracy, citizens themselves vote for proposed laws. The United States is a representative democracy, or republic. In a republic, citizens vote for people to represent them in a national legislative body. In America, that body is Congress. U.S. elected officials—senators and representatives—pass bills that become the nation's laws.



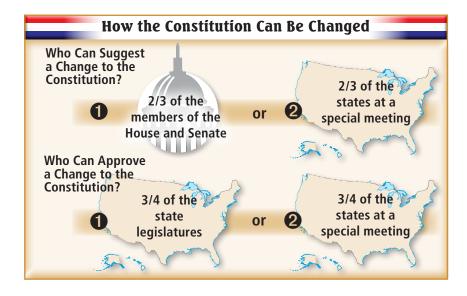
Article III deals with the federal court system. It states that the judiciary includes a system of lower-level courts and a Supreme Court. The Supreme Court serves as the final decision maker in federal legal cases.

The remaining articles deal with relationships among the states; the **procedure** for amending, or changing, the Constitution; and national **debts** and treaties.

The creators of the Constitution believed that the government should work within a system of checks and balances. This system limits the power of each branch of government to keep it from having too much control over the other branches.

A major concern of the states was that the federal government would have too much power over them. To address this fear, the Constitution divides powers between the federal government and the states.

The Constitution also protects the rights of individual citizens. It states that no person accused of a crime will lose his or her "life, liberty, or property" without going through a fair legal process, such as a trial by a judge or jury. It also forbids "cruel and unusual punishment" and protects free speech and other liberties.



#### **A Living Document**

The ability to amend the Constitution has made it a "living document." It changes with the times and with the changing needs of American society.

The Constitution was amended before it was even approved by all the states. Some states were worried that the rights of citizens were not protected well enough in the first seven articles of the document.

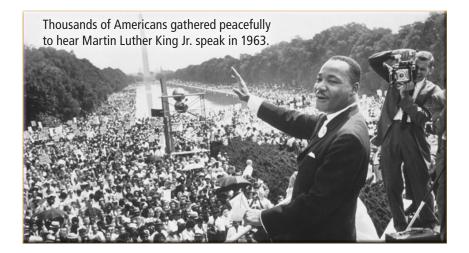
To solve that problem, James Madison wrote a list of new amendments. Twelve of his suggested amendments were approved by the first Congress in late 1789 and sent to the states. Ten of the amendments were approved by the states and became part of the Constitution. Those ten amendments are called the Bill of Rights.

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The most important addition to the Constitution is the First Amendment. It guarantees freedom of speech and religion, freedom of the press, and freedom of assembly.

The guarantee of free speech allows people to openly share their opinions, even if those views are **critical** of the government. There are still some limits to free speech, though. For example, threatening to harm someone or lying while under oath in a court of law are not protected.

With regard to religion, the First Amendment states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." This means that people are free to practice whatever religion they want to or none at all. It also means that religion and government must be kept separate.





Reporters exercise the right to freedom of the press while attending a briefing at the White House.

Freedom of the press guarantees that journalists can work freely. They can report on government wrongdoing and criticize the government.

Freedom of assembly guarantees that citizens have the right to gather together peacefully. This freedom allows Americans to hold protests and rallies for or against causes.

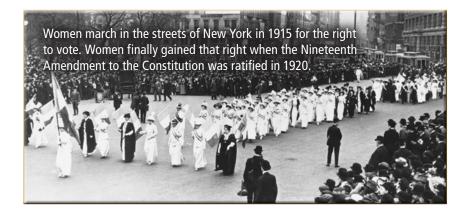
Other important protections for citizens are included in the Fourth, Fifth, and Sixth Amendments. The Fourth Amendment prevents police or government agents from searching people's homes unless they have a sound legal reason to do so. The Fifth and Sixth Amendments spell out protections for people accused of crimes. The Tenth Amendment states that any powers not given to the federal government go to the states. This amendment is the reason so many laws—such as those for public education and state taxes—are different from one state to another.

Over the years, seventeen other amendments have been added to the Constitution. Among those amendments are ones ending slavery, granting African Americans and women the vote, and creating a federal income tax.

Only one amendment has ever been canceled. In 1933, the Twenty-First Amendment canceled the Eighteenth Amendment. That amendment, adopted in 1919, made the manufacture, sale, or transport of alcoholic beverages illegal.



The passage of the Eighteenth Amendment in 1919 began a period known as Prohibition. The Twenty-First Amendment ended it.



#### The Legacy of the Constitution

The U.S. Constitution has served as a model for many other constitutions around the world, but the Constitution is not without problems. One of its major flaws was that it allowed slavery to continue. Slavery only ended after the Civil War through an amendment.

Some people have argued that giving every state two votes in the Senate is also a problem. They say it gives states with fewer people a voice in Congress far beyond what is fair.

Another criticism centers on the Electoral College. To win a presidential election, a candidate must win a majority of the electoral votes. This system of electing a president makes it possible for a candidate to win the popular vote but lose the election. That has happened five times in presidential elections, including the elections of 2000 and 2016.



The writers of the Constitution did the best they could at the time. They created a document that, whatever its problems, has lasted for well over two hundred years.

Today, the Constitution continues to define how the government of the United States works. When it falls short of fully meeting the needs of the people, they can amend it. This "living document" will hopefully guide the United States for centuries to come.

#### Glossary confederation a loosely unified organization of states, provinces, or groups with (*n*.) a limited central authority (p. 4) **constitution** (*n*.) the basic laws of a state or nation that tell how the government is run (p. 5) **critical** (*adj.*) expressing disapproval or harsh judgments (p. 11) debts (n.) things, usually money, that are owed to someone else (p. 9) **delegates** (*n*.) people chosen to represent and act for others (p. 5)elected (v.) chosen by vote to be a member of government (p. 6) **federal** (*adj.*) of or relating to a central government that shares power with separate states or regions (p. 5) liberty (n.) the right to believe and act independently (p. 7) **procedure** (*n*.) a set of actions that are followed to complete a specific task (p. 9) prosperous (adj.) having success or wealth (p. 7) people chosen to speak, vote, or representatives otherwise act on behalf of (n.)individuals or groups (p. 7) Senate (n.) one of the two lawmaking houses of the U.S. Congress, containing two representatives for each state (p. 7)

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