

LESSON TWO

THE UNITED STATES CONSTITUTION

Overview

This lesson gives a broad overview of the purpose and structure of the Constitution. Students will analyze the Preamble to understand what the Founders believed the purpose of the national government to be, and examine how those purposes are put into practice in the structure of the Constitution.

If it be asked, what is the most sacred duty and the greatest source of our security in a republic? The answer would be: an inviolable respect for the Constitution and Laws. ...A sacred respect for the constitutional law is the vital principle, the sustaining energy of a free government.

–Alexander Hamilton, 1794

Almost all the world's constitutions are documents in which governments tell the people what their privileges are. Our Constitution is a document in which 'We the people' tell the government what it is allowed to do. 'We the people' are free.

–Ronald Reagan, 1989

Critical Engagement Question

What are the purposes of our national government?

Objectives

Students will:

- Examine the purposes of the seven Articles of the Constitution.
- Understand the purposes for the national government set forth in the Preamble.
- Analyze how the structure of the US government is designed to protect individual liberties and freedom.
- Evaluate ways that the US government fulfills its purposes today.

Standards

CCE (5-8): IC2, IIA1, IIC1, IID1, IIIA1, IVB1, VB2

CCE (9-12): IC1-2, IIA1, IIIB1

NCHS (5-12): Era 3: 3A

NCSS: Stands 2, 5, 6, and 10

Materials

- **Handout A: Why Do We Have a National Government?**
- **Preamble**
[Appendix B]
- **Preamble Posters**
- **The United States Constitution**
[Appendix B]
- **Handout B: Government Around the World** (optional)
- **Answer Key**

Time

One fifty-minute class period

Background/Homework

10 minutes the day before

Distribute **Handout A: Why Do We Have a National Government?** Students should brainstorm a list of five reasons a national government is necessary—what functions it should serve and what services it should provide.

Warm-up

10 minutes

- Ask students to share the responses they came up with on **Handout A**. See the Answer Key for suggested responses. *Note: Students may suggest responses which are incorrect. Discuss these as a large group, explaining why the response does not work (i.e. it is a function of state or local government, individual responsibility, private enterprise, etc.)* Keep a list of correct responses on the board or overhead.
- After listing about ten responses, ask students to fit the answers into general categories. Write the categories on the board or overhead.
- Distribute a copy of the Preamble [Appendix B] and discuss the following questions as a large group:
 - Do the purposes listed match those of the Preamble?
 - Does it matter whether the purposes of government are stated using simple words, or more formal, fancy ones?
 - Have the purposes of government changed since the Constitution was written in 1787?
- If students have studied the Declaration of Independence, ask them to connect the aims of the Preamble with the conception of government contained within the Declaration.

Activity

30 minutes

- Before class, copy and put up **Preamble Posters** around the classroom. Under each Preamble Poster, tape a large sheet of paper.
- Divide the class into seven groups and have groups move from poster to poster. At each poster station, members of the group should write:
 - One student should write in his or her own words what the phrase means.
 - One student should write an example of the idea in action in America today.
 - One student should write a non-example (the opposite) of the idea.
- Instruct groups to start writing at the bottom of the paper, and then fold and tape up the paper so that the next groups cannot see what they have written. After giving students time to visit all seven posters, have them return to their seats but remain their groups.

- D. Take down the papers with student responses from the **Preamble Posters** and give one to each group. Ask students to read aloud the rephrased ideas, and keep a list on the board. Then ask students to rank the seven purposes in order of personal importance with number one as the most significant, and number seven being the least significant.
- E. Discuss the following question as a large group: If the Preamble is the promise of what good government should be, how did the Framers of the Constitution make that promise a reality?

Wrap-Up

10 minutes

- A. Distribute the United States Constitution [Appendix B]. Briefly go over the purposes and content of the seven articles:
- *Article I establishes the legislative branch and lists its powers, as well as powers denied to the Congress.*
 - *Article II establishes the executive branch and lists the powers and duties of the president.*
 - *Article III establishes the judicial branch and explains judicial power.*
 - *Article IV describes the relationship among the states, and the federal government's responsibility to guarantee each state a republican form of government.*
 - *Article V describes the amendment process.*
 - *Article VI explains that neither federal nor state laws can conflict with the Constitution and bans religious tests for office.*
 - *Article VII dates the formation of the American people to 1776 and explains the ratification process.*
- B. Ask students to read through the Constitution and locate examples of the government's power to fulfill its purposes as spelled out the Preamble. See Answer Key for additional suggestions.
- C. Have students share their responses with the class.

Homework

- A. Ask students to write a one-page essay in which they answer the question: What fundamental beliefs about government are reflected in the United States Constitution? Examples could include limited government, consent of the governed, and representative government.
- B. Assign students one of the constitutional principles listed in Homework Option A, and draw an illustration that symbolizes the principle. Have them label their drawings. The next day, post illustrations around the room and give students time to view them all.

Extensions

1. Have students select another country to research and compare that nation's constitutional structure to that of the United States. Students can report their findings on **Handout B: Government Around the World**.
2. Have students create a collage of newspaper headlines, photographs, articles, and other artifacts which define or illustrate the purposes of government as established in the Constitution.

WHY DO WE HAVE A NATIONAL GOVERNMENT?

Directions: In the space below, list five reasons we have a national government. As you think of your reasons, reflect on whether they are purposes of national government, rather than state government, local government, or private action.

| Reason we have a national government | Could this be done by state/local governments or by individuals? Explain. |
|--------------------------------------|---|
| 1 | |
| 2 | |
| 3 | |
| 4 | |
| 5 | |

PREAMBLE POSTERS

Note: Copy or print each of the following phrases on colored paper or poster board.

*We the people of the United States,
in order to form a more perfect union,
establish justice,
insure domestic tranquility,
provide for the common defense,
promote the general welfare,
and secure the blessings of liberty*

GOVERNMENT AROUND THE WORLD

Directions: Select one other country in addition to the United States to research the answers to the following questions using the resources that follow.

| | United States of America | Other country: |
|--|--------------------------|----------------|
| What form of government exists in this country? | _____ | _____ |
| Does the government have a written constitution? | _____ | _____ |
| Who wrote this constitution? | _____ | _____ |
| Does the constitution include a bill of rights? | _____ | _____ |
| Does the constitution limit the power of government? | _____ | _____ |
| Does the constitution protect individual rights? | _____ | _____ |
| Does the constitution separate the powers of government? | _____ | _____ |
| Does the constitution guarantee popular sovereignty? | _____ | _____ |
| Does the constitution describe an amendment process? | _____ | _____ |

GOVERNMENT AROUND THE WORLD (CONT.)

| | United States of America | Other country: |
|--|--------------------------|----------------|
| Does the constitution permit one part of government to check or balance another? | _____ | _____ |
| Does the constitution create a federal system? | _____ | _____ |
| Does the constitution create a republican government? | _____ | _____ |

Critical Thinking Questions

1. How does the promise of a nation's constitution compare to its reality?
2. Are rights always protected just because a country has a bill of rights? If not, what else is needed to protect rights?

Suggested countries to research

- | | |
|------------------------|----------------------|
| Africa | Europe |
| Morocco | France |
| South Africa | Germany |
| Sudan | The United Kingdom |
| Zimbabwe | |
| Asia/Asia Minor | North America |
| China | Canada |
| Japan | Cuba |
| North Korea | Mexico |
| Saudi Arabia | South America |
| Australia | Argentina |
| | Chile |
| | Venezuela |

Resources

- International Constitution Law
<http://www.servat.unibe.ch/law/icl/index.html>
- Freedom House
<http://www.freedomhouse.org/>

THE UNITED STATES CONSTITUTION

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I

Section 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a Representative who shall not have attained to the age of twenty five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each state shall have at least one Representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each state, chosen by the legislature thereof, for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the concurrence of two thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor,

trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

Section 4. The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Section 5. Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.

Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two thirds, expel a member.

Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one fifth of those present, be entered on the journal.

Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

Section 6. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time: and no person holding any office under the United States, shall be a member of either House during his continuance in office.

Section 7. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other Bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Section 8. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties,

imposts and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;

To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten

miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings;—And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Section 9. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or ex post facto Law shall be passed.

No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any state.

No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another: nor shall vessels bound to, or from, one state, be obliged to enter, clear or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

Section 10. No state shall enter into any treaty,

alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No state shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II

Section 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected, as follows:

Each state shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if

there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each state having one vote; A quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty five years, and been fourteen Years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States,

and will to the best of my ability, preserve, protect and defend the Constitution of the United States.”

Section 2. The President shall be commander in chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Section 3. He shall from time to time give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Section 4. The President, Vice President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III

Section 1. The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Section 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more states;—between a state and citizens of another state;— between citizens of different states;—between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall

be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Section 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

ARTICLE IV

Section 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

Section 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Section 3. New states may be admitted by the Congress into this union; but no new states shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Section 4. The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

ARTICLE V

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the

legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII

The ratification of the conventions of nine states, shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

Done in convention by the unanimous consent of the states present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty seven and of the independence of the United States of America the twelfth. In witness whereof We have hereunto subscribed our Names,

G. Washington-President and deputy from Virginia
New Hampshire: John Langdon, Nicholas Gilman
Massachusetts: Nathaniel Gorham, Rufus King
Connecticut: Wm: Saml. Johnson, Roger Sherman
New York: Alexander Hamilton
New Jersey: Wil: Livingston, David Brearly, Wm.
Paterson, Jona: Dayton
Pennsylvania: B. Franklin, Thomas Mifflin, Robt.
Morris, Geo. Clymer, Thos. FitzSimons, Jared
Ingersoll, James Wilson, Gouv Morris
Delaware: Geo: Read, Gunning Bedford jun, John
Dickinson, Richard Bassett, Jaco: Broom
Maryland: James McHenry, Dan of St Thos. Jenifer,
Danl Carroll
Virginia: John Blair—, James Madison Jr.
North Carolina: Wm. Blount, Richd. Dobbs Spaight,
Hu Williamson
South Carolina: J. Rutledge, Charles Cotesworth
Pinckney, Charles Pinckney, Pierce Butler
Georgia: William Few, Abr Baldwin

ANSWER KEY

The Declaration of Independence

Handout B: Structure of the Declaration

1. *Introduction*—Contents: We care about what the rest of the world thinks about us, so we're going to explain why we are declaring independence from England; Purpose: To explain why the Declaration is being issued.
2. *Preamble*—Contents: People are all born with certain rights that cannot justly be taken away. All human beings have inalienable rights, because "all men are created equal" and there are no natural rulers among men. When government repeatedly fails to protect these rights, people have the right and duty to end that government and make a new one; Purpose: To explain the Founders' theory of just government whose key purpose it is to protect the rights of individuals.
3. *Indictment*—Contents: King George III has violated the colonists' rights in these ways; Purpose: To explain why the colonists believed that a "long train of abuses" has occurred, justifying their revolution.
4. *Denunciation*—Contents: The colonists have been let down by their "British bretheren"—the people of England—who have stood by and permitted the government to be oppressive. Further, the colonists have tried many times to reconcile with England, but it has not worked. Purpose: To justify independence as a necessary last resort.
5. *Conclusion*—Contents: The colonies are and should be independent states, no longer part of England. They can do all things free states do. The Declaration announces the formation of a new social compact and hence a people. This is why we celebrate the birthday of America on the day and year in which the Declaration was issued. Purpose: To state before the world that the 13 colonies were a new, united people, independent of England.
6. *Signatures*—Contents: Fifty-six people signed their name according to their states; Purpose: To demonstrate that individuals were taking responsibility for the content of the Declaration.

Handout C: Key Excerpts

1. Inalienable rights comes from God or from Nature, and everyone is born with them. Because they are "inalienable," they cannot be taken away with consent.
2. According to the document: rights come from the Creator.
3. The purpose of government is to secure inalienable rights, and to protect the happiness and safety of the people.
4. Government gets its power through the consent of the governed
5. The powers are limited. The people, all of whom are born with an equality of rights, delegate limited powers to government to ensure protection of those rights. This is a key part of the social contract.
6. Government should be changed when it damages, rather than protects, peoples' rights.
7. Many members of the Continental Congress believed slavery to be a great injustice. Even some of those who owned slaves feared African Americans if there for immediate emancipation.
8. The fact that many of them owned slaves does not make the ideals wrong or less important. The Declaration's ideals were championed by abolitionists and gave life to the fight to end of slavery.

The Constitution

Handout A: Why Do We Have a National Government?

Answers may include (but are not limited to) the following: protect citizens' rights, make laws, punish criminals, build roads, keep a food supply safe, print money, unite the country, improve the country, deal with concerns or issues of the entire country (not just those of individual states), defend the country.