

What's the Deal with the U.S. Constitution?

The Basics

Basically, the **Constitution** is the highest law in the United States. All other laws come from the Constitution in some way. The Constitution also provides the framework for the government of the United States. It created things like the Presidency, the Congress, and the Supreme Court. Each state has its own constitution that is the highest law for the state — but even then, the United States Constitution is higher.



History

To start, the Constitution is a document written by a group of men in 1787. Yes, it is over 200 years old. From May to September 1787, the men, known as the **Framers**, met in Philadelphia and discussed what should be in the Constitution. The United States was a brand new country at the time, and had a government that many felt was not as

good as it could be. They were meeting to come up with a new way of running the country. Some of the people at this meeting, called the Convention, are famous to us today, including James Madison, Ben Franklin, and George Washington.

Amendments

When the Constitution was written, the Framers knew their creation was not perfect. They knew that other people would have good ideas for the Constitution, that future generations would want to make changes, so they made the Constitution flexible by adding the ability for future Americans to change it. To do this, the Framers added an amendment process. An **amendment** is an official change to the Constitution. But it's not easy to do and has only happened 27 times.

Slavery

When the United States first created the Constitution, most of the black people in America were actually slaves. Most of the people who wanted to end slavery, called abolitionists, were from the states in the north. Most of the people who wanted to keep slavery were from the

states in the south. The Southern states wanted to keep slavery because a lot of their economy, how they made money and did business, was tied up with slaves.

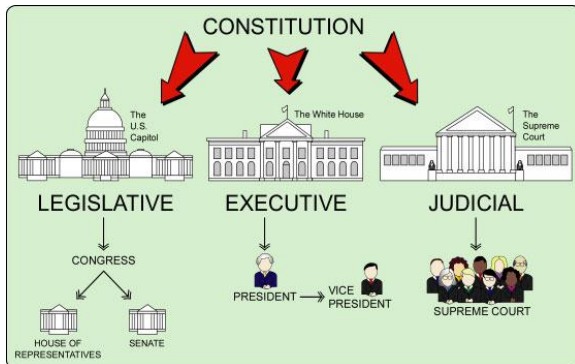
Slavery wasn't even mentioned in the Constitution itself, but it was a major issue at the Constitutional Convention. Delegates argued over how slaves should be treated. Southerners wanted to count slaves for representation in congress while Northerners thought that was unfair. After all, slaves couldn't vote and were definitely not treated like fully citizens. The Framers compromised, saying that they would only count three out of every five slaves when measuring for representation in government. This was known as the **Three-fifths representation.**



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How it all works

The Constitution sets up three main branches of government. These are called the **Legislative**, the **Executive**, and the **Judicial**. Each one has its own role in how the law is made and used.



The Framers made sure to limit the power of each branch and to put in place certain **checks and balances**. This means that no branch is supposed to have more power than another.



The role of the **Legislative Branch** is to make the law. In fact, **legislation** means law. The Legislative Branch is called the **Congress**, and is made up of the House

of Representatives and the Senate. When the Congress wants to pass a law, both the House and the Senate must agree to the exact same law. If they cannot agree, then the law cannot pass.

The role of the **Executive** is mainly to make sure the law is carried out. The Executive is headed by the President, and includes the Vice President and the Secretaries of all the national departments, like the Department of Homeland Security and the Department of Education. The Congress is responsible for passing laws but the President must approve it. That is just once example of a check and balance.



The last branch is the **Judicial**. This includes all the federal courts, all the way up to the Supreme Court. States have their own court systems that fall underneath the national court system. The role of the Judiciary is to interpret the law. The last court of appeal is the Supreme Court. Whatever the Supreme Court says is the end, because there is no appeals court higher.

Questions:

- 1. Why do you think slavery is never mentioned?*
- 2. How would you improve the Constitution? What amendments would you add to it?*

Constitution Vocabulary:

Constitution
Framers
Amendment
Three-fifths Representation
Checks and Balances
Legislative Branch
Legislation
Congress
Senate
Executive Branch
Judicial Branch