

## **ANATOMY OF THE CONSTITUTION**

The U.S. Constitution is the document that creates our nation's government. It is the supreme law of the United States. The contents of the Constitution create the three branches of our government and give directions for how the federal government works. (It does this with a little over 4,500 words covering only four sheets of paper!) Although the Constitution was written in 1787, over 220 years ago, it still guides our officials in running our country today. It is the oldest written constitution in the world that is still in use.

### **The Preamble – The Introduction**

Our Constitution is divided into nine parts. The first paragraph is called the Preamble. Its job is to introduce the Constitution, explain what the Constitution is meant to do, and describe the purpose of the new government. The first three words of the Constitution—"We the People"—contain the important idea of self-government.

### **Article I – Creating Congress**

Article I is the first and longest part of the Constitution. It creates the legislative branch of our government. Legislative means law-making. This section is the longest because the people who wrote the Constitution believed that a legislative branch is very important in a government that represents the citizens. Members of the legislature, or law-making body, are responsible for turning citizens' wants and needs into laws.

### **Article II – Creating the President**

Article II of the Constitution describes the job of the executive branch. This branch executes, or carries out, laws. The president heads this branch, which also includes the vice president and many departments in charge of carrying out the government's day-to-day business. Article II describes who qualifies to be the president, what powers the office has, and what happens if a president misbehaves! It also explains the Electoral College, which is the process of how the president is selected.

### **Article III – Creating the Courts**

Here come the judges! Article III creates the judicial branch. The judicial branch interprets laws to decide what they mean and whether they have been followed in specific cases.

Article III creates the Supreme Court and authorizes Congress to create federal courts below the Supreme Court. These are courts that deal with United States laws, not state laws. Article III also gives directions about what kinds of cases the Supreme Court and federal courts can hear. Under Article III, federal judges are appointed, not elected. They stay on the bench until they retire, die, or are removed for bad behavior. Article III also guarantees trial by jury for criminal cases and explains the crime of treason.

### **Article IV – The States**

States have the power to create and enforce their own laws. Article Four of the Constitution describes how the states should interact with each other.

- Each state has to respect the laws and court decisions of the other states.
- If a criminal flees from one state to another, the state where the crime was committed can request that the criminal be returned to face charges. This is called extradition.
- New states can be admitted to the Union with the authorization of Congress and the president.
- All states must have a republican, or representative, type of government. (Sorry, states can't have kings.)

### **Article V – Amending the Constitution**

The Constitution is not set in stone, and Article Five describes how it can be changed! A change or addition to the Constitution is called an amendment. Given what you've learned so far, do you think the Founding Fathers made it easy or difficult to amend the Constitution? If you guessed difficult, you're right.

### **Article VI – Supreme Law of the Land**

Federalism is the idea that the national government shares power with the state governments. But what happens if a state law disagrees with a national or federal law? Article Six states that the laws and treaties of the U.S. government are "the supreme law of the land." If a state law disagrees with a federal law, federal law wins. This article also requires officials working in the state and federal governments to take an oath to support the Constitution no matter what.

### **Article VII – Ratification**

Article Seven says the Constitution could not take effect until at least nine out of the thirteen states approved it. (Back then, there were only thirteen states.) Each state held its own convention to discuss and vote on the Constitution's plan for government. But getting approval wasn't easy. Some people thought the seven articles weren't enough. After much debate, it was agreed that ten amendments would be added to the Constitution. These amendments, called the Bill of Rights, would list specific rights not already mentioned in the Constitution. This put people's minds at ease, and the Constitution became the law of the land in March 1789. The Bill of Rights was added in 1791.

### **The Amendments – The Changes**

The Constitution has only been amended 27 times in all these years. Does that tell you anything about how easy it is to change? Believe it or not, there are only two steps to the amendment process: approval in the U.S. Congress and approval by the states. But these steps are hugely difficult (especially the second one). Getting members of Congress to agree on something is hard enough... but getting states to agree?? That's an awful lot of agreement! With so much approval required, changing the Constitution can take years.