

IF IT'S BROKEN, FIX IT!

SWITCHING FROM THE ARTICLES OF CONFEDERATION TO THE CONSTITUTION

Remember that in the Preamble to the Constitution, one of the goals of the new government was to "form a more perfect union." This phrase was in direct response to the problems the country was having under the Articles of Confederation. The Articles of Confederation did NOT form a "perfect union" or even unite the states very much at all. Under the Articles of Confederation, each state still wanted to act like its own separate country. Therefore, the important fact to remember about our U.S. Constitution was that it was a direct response to the problems created by the weak central government under the Articles of Confederation. Even more significantly, the purpose of our Constitution is to protect the rights of citizens by providing rules that the national and state governments must follow.

<i>Issue</i>	<i>Weaknesses of the Articles of Confederation (Confederate gov't)</i>	→	<i>How the Constitution Fixed the Weaknesses (Federal gov't)</i>
FORM OF GOVERNMENT	Articles created a "league of friendship" between the states	→	Constitution created a federal system of government (national government and state governments)
TAXATION	Congress could not tax; Only <i>REQUEST</i> contributions	→	Congress was given the power to levy and collect taxes
TRADE (COMMERCE)	Congress could not regulate interstate trade/foreign commerce	→	Congress given power to regulate commerce and foreign trade
EXECUTIVE BRANCH	No separate executive to enforce the acts of Congress	→	Article II created a separate executive department whose job is to enforce the laws of Congress
JUDICIAL BRANCH	No national judiciary to handle state disputes	→	Article III created a national judiciary with a Supreme Court and lower courts as established by Congress
COIN MONEY	States and national gov't had the authority to coin money	→	Only Congress has the power to coin money
REPRESENTED IN CONGRESS	Each state had one vote, regardless of size or population	→	States are represented based on population in the House of Representatives and equality in the Senate
PASSING LAWS	Nine of 13 states required to pass legislation	→	Bills need a simple majority in both houses of Congress
AMENDING THE DOCUMENT	Unanimous consent required to amend the Articles of Confederation	→	Two-thirds of Congress and three-fourths of the states are necessary to amend the Constitution

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.