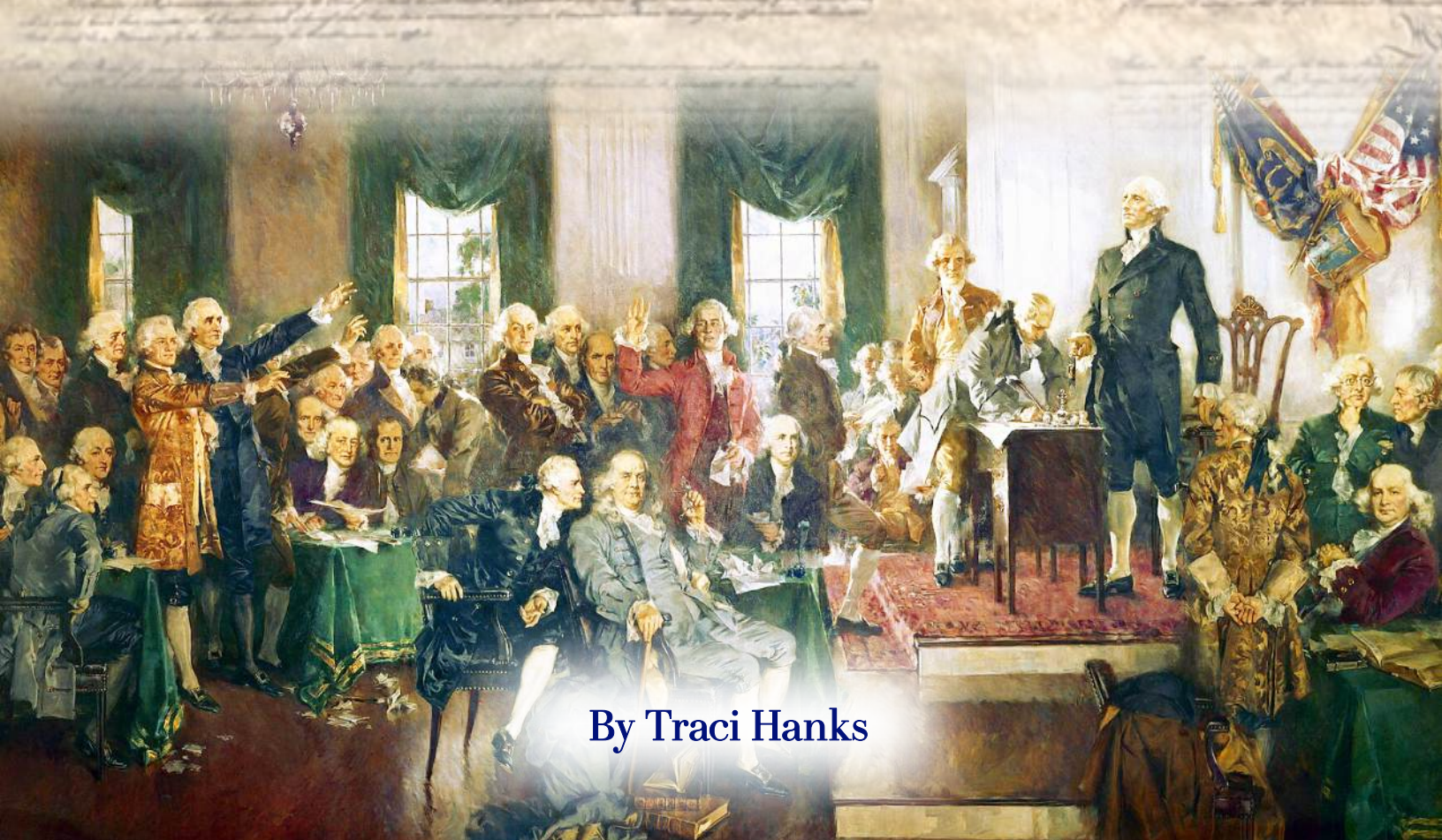


We the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do hereby constitute and establish this Constitution for the United States of America.

United States Constitution

Workbook



By Traci Hanks

A full-length statue of George Washington stands on a large, dark rock. He is dressed in 18th-century military attire, including a long coat, breeches, and tall boots. He holds a long rifle across his body. The background is a dense, green forest with sunlight filtering through the leaves.

**“The power under the Constitution will always
be in the People”**

**— George Washington, in a letter to Bushrod
Washington (November 9, 1787)**

United States Constitution

Workbook

By Traci Hanks

Table of Contents

Historical Overview.....	1
Constitution of the United States	
Preamble.....	7
Article 1: Legislative Powers.....	9
Section 1: Congress.....	9
Section 2: The House of Representatives.....	10
Section 3: The Senate.....	12
Section 4: Elections.....	14
Section 5: Powers and Duties of Congress.....	15
Section 6: Rights and Disabilities of Members.....	16
Section 7: Legislative Process.....	17
Section 8: Powers of Congress.....	18
Section 9: Powers Denied Congress.....	22
Section 10: Powers Denied to the States.....	24
Article 2: Executive Powers.....	27
Article 3: Judicial Powers.....	35
Article 4: Relationship Between States.....	38
Article 5: Amendments.....	42
Article 6: Supremacy of Federal Law.....	43
Article 7: Ratification.....	44
Attestation Clause (<i>Signatures</i>).....	45
<i>Ratification of the Constitution</i>	46
<i>The In-Between Years (1787–1791)</i>	47
Bill of Rights (Amendments 1–10).....	50
<i>Adding Amendments</i>	63
Amendments 11–27.....	66
APPENDIX: Articles of Confederation	105



Historical Overview

The Revolutionary War ended on September 3, 1783, with the signing of the Treaty of Paris. The colonies were now recognized as free, sovereign, and independent states. They continued to be governed by the **Articles of Confederation**, which had been adopted by the Continental Congress on November 15, 1777, but did not take effect until March 1, 1781, when the Articles were ratified by all thirteen states.

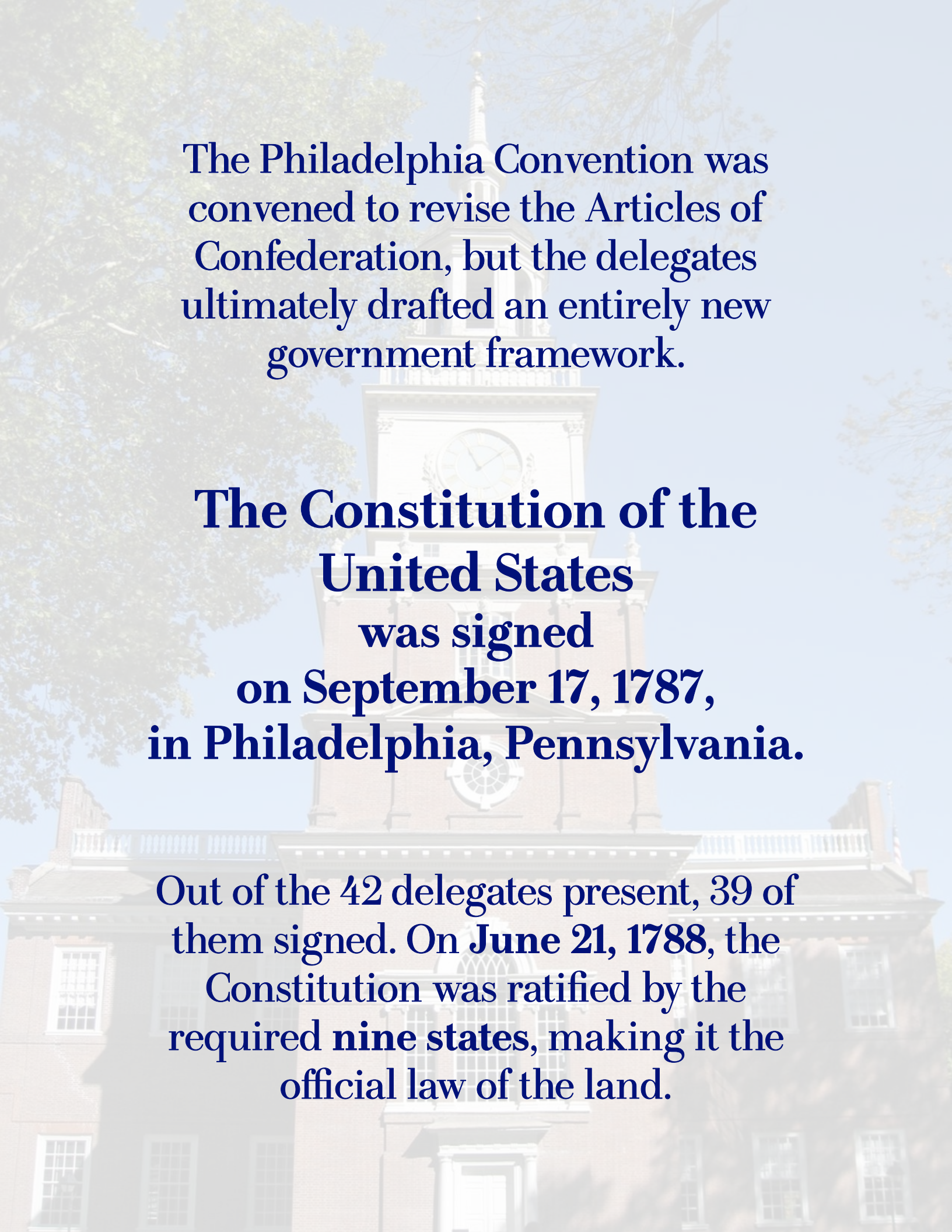
Prior to that, the states had been thirteen British colonies governed by royal charters and Parliament and united loosely through the Continental Congress to fight against the British. This first government of the United States of America created a “**firm league of friendship**” among the states. Each state retained nearly all of its power. The central government was deliberately left weak and limited.

Over time, the weaknesses of the Articles of Confederation became increasingly apparent. There was **no** president, **no** national court system, and **no** common currency. (Each state printed its own money, which lost value in other states.) Congress had **no** power to tax (and, therefore, no reliable way to fund an army or navy). By 1786 the treasury was **empty** with backpay still owed to soldiers who had fought in the Revolutionary War. Congress could **not** enforce laws, decisions, or settle disputes among the states. It also **lacked** the power to regulate commerce and trade (each state made its own agreements with other states). Instead of being united, the states were turning into thirteen independent countries.

In September 1786, a convention of state-appointed commissioners met in Annapolis, Maryland, to address problems with trade and commerce between states. However, commissioners from only **five** states showed up. It was now very clear that trade was not the only issue. The poor attendance highlighted a **weakness** of the Articles of Confederation, which lacked authority to compel the states to participate in discussions. All commissioners present **issued a public report** calling for a larger convention, the following May, to revise the Articles of Confederation.



Great Seal of the United States of America (1782)



The Philadelphia Convention was convened to revise the Articles of Confederation, but the delegates ultimately drafted an entirely new government framework.

**The Constitution of the
United States
was signed
on September 17, 1787,
in Philadelphia, Pennsylvania.**

Out of the 42 delegates present, 39 of them signed. On **June 21, 1788**, the Constitution was ratified by the required **nine states**, making it the official law of the land.



Preamble

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, 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 2

EXECUTIVE POWERS

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 Offences 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.

Reprieve = delay punishment

Pardon = release

NOTES:

Article 2

EXECUTIVE POWERS

SECTION 1: CONTINUED...

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.¹

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."

Who is the current President of the United States?

"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."

¹The 25th Amendment superseded this clause regarding presidential disability, vacancy of office, and methods of succession.

Article 3

JUDICIAL POWERS

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.~~¹

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.

original Jurisdiction: To hear and decide a case the first time it is presented.

appellate Jurisdiction: To hear and decide on cases brought from lower courts.

NOTES:

¹A portion of Article III, Section 2, was changed by the 11th Amendment.

Attestation Clause

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,

Connecticut

- Oliver Ellsworth*
- William Samuel Johnson
- Roger Sherman

Delaware

- Richard Bassett
- Gunning Bedford, Jr.
- Jacob Broom
- John Dickinson
- George Read

Georgia

- Abraham Baldwin
- William Few
- William Houstoun*
- William L. Pierce*

Maryland

- Daniel Carroll
- Daniel of St. Thomas Jenifer
- Luther Martin*
- James McHenry
- John F. Mercer*

Massachusetts

- Elbridge Gerry*
- Nathaniel Gorham
- Rufus King
- Caleb Strong*

New Hampshire

- Nicholas Gilman
- John Langdon

New Jersey

- David Brearly
- Jonathan Dayton
- William C. Houston*
- William Livingston
- William Paterson

New York

- Alexander Hamilton
- John Lansing, Jr.*
- Robert Yates*

North Carolina

- William Blount
- William R. Davie*
- Alexander Martin*
- Richard Dobbs Spaight
- Hugh Williamson

Pennsylvania

- George Clymer
- Thomas FitzSimons
- Benjamin Franklin
- Jared Ingersoll
- Thomas Mifflin
- Gouverneur Morris
- Robert Morris
- James Wilson

Rhode Island (did not send any delegates to the Constitutional Convention)

South Carolina

- Pierce Butler
- Charles Pinckney
- Charles Cotesworth Pinckney
- John Rutledge

Virginia

- John Blair
- James Madison Jr.
- George Mason*
- James McClurg*
- Edmund J. Randolph*
- George Washington
- George Wythe*

* = indicates delegates who did not sign

The In-Between Years

1787-1791

After the Constitution was signed by the delegates on September 17, 1787, the states entered a tense period of whether or not to actually ratify the document. Many Americans feared that a new national government would have **too much** power and wanted a bill of rights to protect individual liberties. Others felt that if the powers of the federal government were **specifically limited**, a list of individual rights would not be necessary.

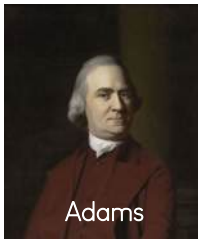
The people were deeply **divided**. Two groups emerged. Those who **supported** the new Constitution adopted the name Federalists. Those who **objected** the Constitution as currently written (wanting a bill of rights to be added) also supported a federal system, but were called Anti-Federalists by the opposition, and the name stuck.

On October 5, 1787, just weeks after the signing of the Constitution, the first in a series of essays (Anti-Federalist Papers) under the pseudonym **Centinel** was published to warn the public of the **dangers** of the proposed Constitution. Then, on October 27, another series of essays (Federalist Papers) under the pseudonym **Publius** began appearing in New York newspapers, explaining why the states **should** ratify the Constitution.

Anti -Federalists



Henry



Adams



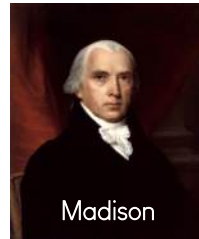
Mason

Those who opposed ratifying the constitution as it was originally written. They feared that the new national government could become too powerful, threatening state authority and personal freedoms. They argued that a Bill of Rights was necessary to explicitly protect individual liberties.

These were generally farmers and rural citizens, forming a majority of the population, though they were less represented among national leaders.

• Patrick Henry • Samuel Adams •
• George Mason •

Federalists



Madison



Hamilton



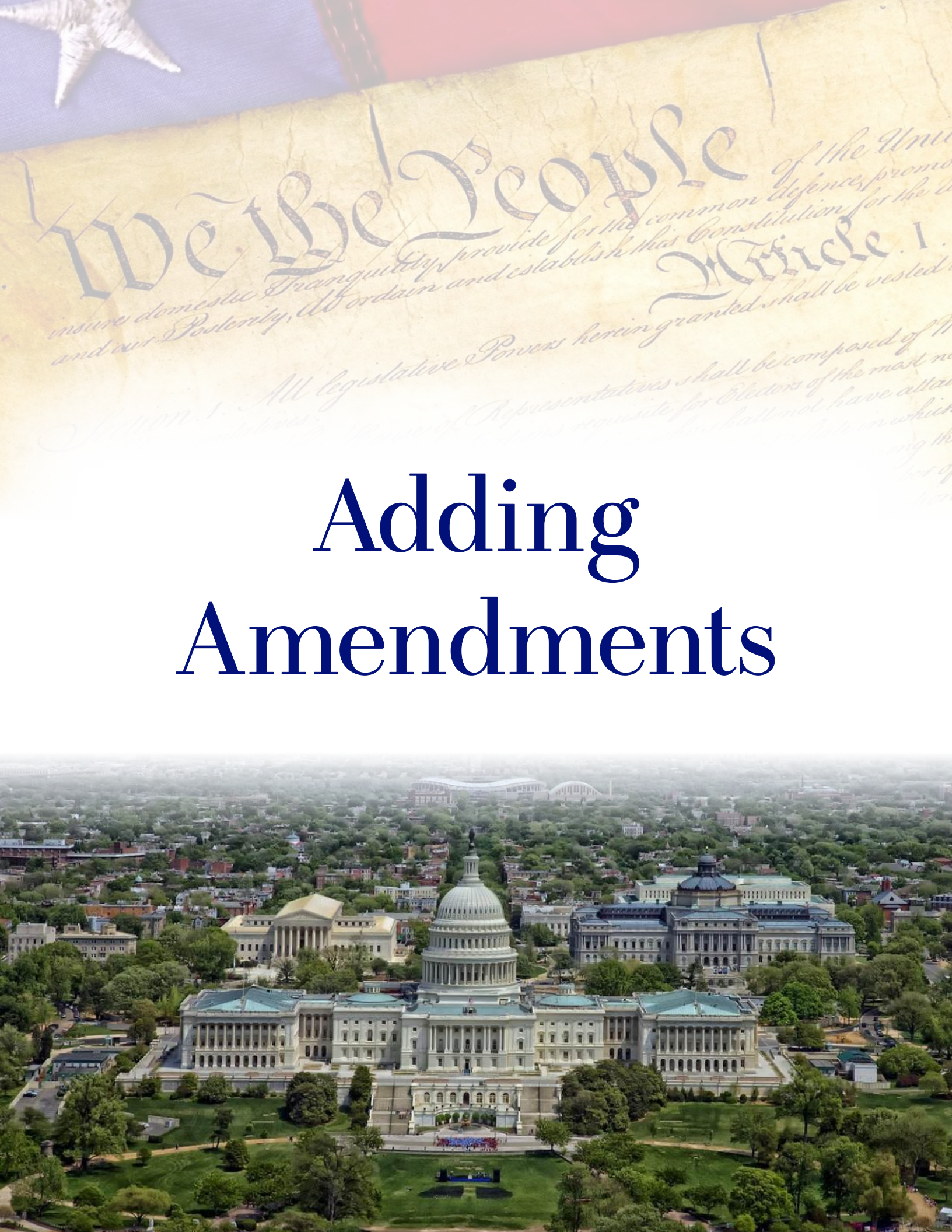
Jay

Those who supported ratifying the Constitution as written. They believed that specifically listing the powers of the government in the Constitution made a Bill of Rights unnecessary. They also thought it might be dangerous to have a Bill of Rights, since those rights not explicitly listed could later be denied.

These were generally merchants, professionals, and city dwellers. They were in the minority of the population, but were better represented among national leaders.

• James Madison • Alexander Hamilton •
• John Jay •

Which side would you choose, and why?



We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, 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. Representatives shall be 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, seven Years shall not have attained to the Age of thirty Years, and when elected shall have been seven Years in that State. No Person shall be a Representative who shall not, when elected, have been seven Years in that State. No Person shall be a Representative who shall not, when elected, have been seven Years in that State.

Adding Amendments



Adding Amendments

New amendments must survive a rigorous process to actually be added to the United States Constitution.

1. The proposed amendment must first be approved by a **2/3 vote in both** the House of Representatives and the Senate in Congress.
2. An amendment can also be proposed by the states in a constitutional convention if voted for by **2/3 of the state legislatures**. Although this method has never been used, it serves as a check on federal power and is an alternative to Congress proposing the amendment.
3. The proposed amendment must then be ratified by **3/4 of the states** (38 out of 50). This is usually done through their state legislatures (elected representatives), where each state determines its own process, usually through a majority vote.
4. Alternatively, Congress may require ratification through state conventions (temporary assemblies of delegates). This method helps to avoid legislative gridlock and may better reflect public sentiment (as was done with the 21st Amendment).

Amendment 12

RATIFIED: 1804

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists 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 for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, 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. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death or other constitutional disability of the President.¹ The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

NOTES:

¹ The 20th Amendment changed the dates that presidential terms and Congressional sessions started.

"I have often...looked at that [sun] behind the President without being able to tell whether it was rising or setting: But now at length I have the happiness to know that it is a rising and not a setting Sun."

— Benjamin Franklin, at the signing of the U.S. Constitution, September 17, 1787

