



In this image, we see the signature page of the U.S. Constitution.

This document, which establishes America's federal government—also referred to as the country's "central government"—describes the form of rule which America has.

Although America is a democracy, it is not a "pure" democracy. The country is a representative democracy, meaning that the people elect government officials to represent them in Washington, D.C. Actually, America is technically a constitutional republic, a form of government which worried the country's founders a bit.

Why was it worrisome? Because ... as Benjamin Franklin observed in his last speech to the Constitutional Convention (when he was 81 years old):

...when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. (See Walter Isaacson, Benjamin Franklin: An American Life, at page 458.)

Despite these flaws, Ben Franklin believed that America's new government was the best-available at the time. In fact, in response to Mrs. Powel's question—"Well Doctor, what have we got a republic or a monarchy"—Franklin said:

A republic, if you can keep it.

We learn more about the [background of America's Constitution](#) from an explanation at the U.S. Senate's official website:

Written in 1787, ratified in 1788, and in operation since 1789, the United States Constitution is the world's longest surviving written charter of government. Its first three words - "We The People" - affirm that the government of the United States exists to serve its citizens.

The supremacy of the people through their elected representatives is recognized in Article I, which creates a Congress consisting of a Senate and a House of Representatives. The positioning of Congress at the beginning of the Constitution reaffirms its status as the "First Branch" of the federal government.

The Constitution assigned to Congress responsibility for organizing the executive and judicial branches, raising revenue, declaring war, and making all laws necessary for executing these powers. The president is permitted to veto specific legislative acts, but Congress has the authority to override presidential vetoes by two-thirds majorities of both houses. The Constitution also provides that the Senate advise and consent on key executive and judicial appointments and on the ratification of treaties.

For over two centuries the Constitution has remained in force because its framers successfully separated and balanced governmental powers to safeguard the interests of majority rule and minority rights, of liberty and equality, and of the central and state governments.

More a concise statement of national principles than a detailed plan of governmental operation, the Constitution has evolved to meet the changing needs of a modern society profoundly different from the eighteenth-century world in which its creators lived.

Article I of the Constitution creates the legislative branch (consisting of the Senate and a House of Representatives).

The framers intended the House of Representatives to be "the peoples' House," so voters have always chosen their own representatives. Now Senators are also elected by the people (although, before the 17th Amendment—passed in 1913—state legislatures selected the Senators).

The Constitution gives Congress (as the combined Senate and House is known) broad powers, including "power of the purse."

Article II of the Constitution creates the executive branch (constituting of a President and the President's Administration).

The Senate's official website provides some interesting background on the [selection of the Chief Executive](#) (and the length of time that individual can serve):

This clause provided the title of the chief executive and defined the term of office. It says nothing about reelection. George Washington established a two-term tradition, which was not broken until Franklin D. Roosevelt won a third and fourth term. The 22nd amendment now limits presidents to two terms.

...

The Constitution established an electoral college as a compromise between direct popular election of the president and election by Congress. The method of selecting electors was left to the states. Electors are now chosen by popular vote.

While holding the job of President, America's Chief Executive is not allowed to accept any other pay from any other source.

Article III of the Constitution creates the judicial branch of the federal government.

Judges—including those who serve in the lower (District) courts—are not elected by the people and are allowed to serve for as long as they show good behavior (which, for many, equates to lifetime tenure). The Constitution does not mention the power of judicial review (allowing the Supreme Court to decide whether laws are constitutional):

This clause identifies the third branch of our separated government, empowering the courts to decide cases and limiting them to the exercise of a certain kind of authority. The Constitution makes no mention of judicial review, the right of the Supreme Court to declare federal and state laws unconstitutional. The Court asserted this right in the case of Marbury v. Madison in 1803 and on more than 120 occasions since then. For the sake of independence, justices and judges are given life tenures, subject only to removal by impeachment, and a guarantee that their salaries cannot be reduced. (See annotations at the Senate's website.)

Article IV is known as the "Full Faith and Credit Clause." It means, among other things, the following:

Each state is required to recognize the laws and records (such as licenses) of other states and to enforce rights in its own courts that would be enforced in other state courts.

...

States must treat the citizens of other states equally, without discrimination.

...

The governor of a state in which a fugitive is found must return the fugitive to the state demanding custody. [When the Constitution was first written, this also referred to fleeing slaves.]

...

Congress has charge of the public lands within the states, which in the West constitutes an enormous amount of land. Congress also governs acquired territories, which today include Puerto Rico, the Virgin Islands, Guam, and American Samoa.

...

Under this provision, Congress has authorized presidents to send federal troops into a state to guarantee law and order. (See annotations at the Senate's website.)

Article V sets forth the manner by which the U.S. Constitution can be amended. The U.S. Senate's website describes the process as follows:

The Constitution may be amended in two ways. The standard device, used for all amendments so far, is for both houses of Congress to pass by two-thirds vote a proposal, which they send to the states for ratification, either by state legislatures or by conventions within the states. An amendment is ratified when three-fourths of the states approve. The Constitution also authorizes a national convention, when two-thirds of the states petition Congress for such a convention, to propose amendments, which would also have to be ratified by three-quarters of the states.

Article VI sets forth the "Supremacy Clause," which means that State laws cannot be contrary to Federal laws:

The new federal government assumed the financial obligations of the old government under the Articles of Confederation.

The "supremacy clause" is the most important guarantor of national union. It assures that the Constitution and federal laws and treaties take precedence over state law and binds all judges to adhere to that principle in their courts.

State and federal officials, whether legislative, executive, or judicial, must take an oath to uphold and defend the Constitution. No religious test, either an avowal or a repudiation of any religious belief, shall ever be required of any public officeholder in the United States. (See annotations at the Senate's website.)

Article VII established the ratification process for the new Constitution. Under the Articles of Confederation, the thirteen States had to be unanimous when they wanted to make changes. Article VII required only nine of the thirteen States to ratify the new Constitution.

Since the Constitution became law, there have been 27 Amendments. The last Amendment was passed in

1992, although it had been proposed hundreds of years earlier:

More than two hundred years after it was proposed as part of the original Bill of Rights, this amendment prohibited members of Congress from receiving an increase in salary until after the next election had been held.

As an interesting side note, the Constitution—in Article II—includes the following language about the gender of America's President:

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...

Hmm ...

Credits:

Original U.S. Constitution, a treasure of the Library of Congress.

See Alignments to State and Common Core standards for this story online at:

<http://www.awesomestories.com/asset/AcademicAlignment/We-the-People-The-U.S.-Constitution0>

See Learning Tasks for this story online at:

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