



'A More Perfect Union'

Lesson Instructions for Older Students

Overview

This lesson, prepared especially for Constitution Day, introduces students to the U.S. Constitution. Students watch a slide show on the Constitution, then in pairs they answer "enduring questions" about the Constitution, and finally as a class, they hold a discussion on these questions.

Preparation & Materials

- Watch the slide show, prepare your own commentary, and anticipate questions that students might ask about each slide.
- Set up the slide show for viewing in your classroom.
- **Handout 1: Eight Enduring Questions**— 1 per student
- **Handout 2: "A More Perfect Union"**— 1 per pair
- If students have a textbook with material on the Constitution, consider letting them use it during the paired activity.

Procedure

1. Introduce the slide show to students.
2. Present the slide show, commenting on important points, and allowing questions and discussion on each slide.
3. When done with the slide show, explain that the Constitution still enlivens debate today. Tell them that they are going to discuss eight enduring questions about the Constitution.
4. Divide the class into pairs. Distribute **Handout 1: Eight Enduring Questions** to each student. Ask them to read the instructions on the handout. Answer any questions they have.
5. Distribute **Handout 2: "A More Perfect Union"** to each pair. Also, if applicable, tell students they may also consult their textbooks to get more information about a question.
6. When students finish the paired activity, call on one pair to discuss their answer to question #1. Hold a discussion on the question. Repeat for each question.

Instructions

As a group, do the following:

- A. Read each question below and discuss it fully. Consult **Handout 2: "A More Perfect Union"** for relevant information on the question.
- B. Form your own reasoned opinion on each question.
- C. Be prepared to report your answer on each question, including reasons for your answer.

Eight Enduring Questions About the Constitution

1. Do you think it was right for the Constitution to be drafted in secret? Today, laws demand legislatures hold open hearings. Do you think the Constitutional Convention should have been open to the public? Explain.
2. People still debate today how the states should be represented in Congress. Which plan do you think was fairer, the Virginia, New Jersey, or Connecticut? Why?
3. Do you think Congress has too much power or too little? If too much, what powers should be taken away? If too little, what powers should be added? Explain.
4. Do you think we need *both* the Senate and House of Representatives? Explain.
5. The president is chosen by the Electoral College. Do you think this is the best way or do you favor another way? Explain.
6. Do you think federal judges should serve lifetime terms in office? Explain.
7. Do you think delegates opposed to slavery should have made the compromises they made on the Constitution? Explain.
8. Do you think we should hold a new Constitutional Convention to create a better constitution for the 21st century? Explain.

‘A More Perfect Union’ Crafting the U.S. Constitution

In 1776, the Declaration of Independence announced America’s independence from Britain.

The Declaration concluded with these words:

We...the representatives of the United States of America...declare, that these united colonies are...independent states;...that all political connection between them and...Great Britain, is...dissolved.... And...with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes and our sacred honor.



Americans faced a war with Britain. But there was another problem: No government of the United States of America existed. No state government existed—only the old British colonial governments. This meant that during the Revolutionary War, each state and the United States had to create these governments.

The first step in creating a new government was to write a constitution. A constitution...

- Is the basic law of the land.
- Sets up the offices of government and how they work.
- Lists the powers of the government.

The Articles of Confederation

The first U.S. constitution was written in 1777, the year after the Declaration of Independence. It was called the Articles of Confederation. Each state kept its “sovereignty, freedom, and independence.”

The weak national government consisted of Congress only. Each state had one vote in the Congress. No other branch of government existed: No separate president and no court system were created.

Americans wanted a weak national government. They remembered how the powerful government of Britain had abused them. They did not want to repeat the experience.

Under the Articles, Congress had no power to ...

- Tax. It could only ask states to send contributions.
- Raise an army. It could only ask states to send soldiers to defend the country.
- Control trade. It had no power over trade between the states or with other nations

Problems arose under the Articles of Confederation. States imposed tariffs on each other and fought over borders. Debts from the Revolutionary War were piling up. And a rebellion broke out in Massachusetts, which lasted for months. Congress lacked the power to deal with the mounting problems.

The Constitutional Convention

In 1787, Congress decided to act. It called a convention in Philadelphia to revise the Articles of Confederation. Delegates from the states met at the Philadelphia Statehouse on May 25, 1787. They chose George Washington as the presiding officer. They spent the whole summer debating and writing.

The delegates quickly decided two things. One, the convention would be held in secret. Today, most of what we know about the convention comes from the notes Virginian James Madison took. Two, they were not going to revise the Articles. They were going to create a new constitution.

The Virginia Plan

James Madison and other Virginia delegates proposed a plan for the new constitution. It would create three separate branches of government: An executive branch (president), a judicial branch (federal courts), and a legislative branch (Congress). Congress would have two houses.

Many delegates approved of the general outline of the Virginia Plan. But disagreements arose over the details.

Virginia vs. New Jersey

Virginia was the most populous state. It proposed that each state's representation in Congress be based on its population. The more people, the more members of Congress a state would have.

New Jersey had far fewer people than Virginia. It proposed that each state have one vote in Congress, just like under the Articles of Confederation.

The delegates deadlocked on this issue. The big states favored the Virginia Plan. The smaller states supported the New Jersey Plan.

The Connecticut Plan: The 'Great Compromise'

Delegates from Connecticut proposed a compromise. After weeks of debate, the convention agreed to it. Congress would consist of two houses:

1. The House of Representatives. It was based on population. Each state would send one representative for every 30,000 people who lived in it. If a state did not have 30,000 people, it would still have one representative.
2. The Senate. Each state would have two U.S. senators.

Powers of Congress

The Constitution lists the only powers that Congress has. Congress has the power to:

- Tax and borrow money "for the common Defence and general Welfare of the United States."
- Regulate trade.
- Control immigration and bankruptcy law.
- Coin money and punish counterfeiting.
- Set up post offices and post roads.
- Establish copyright, patent, and trademark law.
- Declare war, maintain an army and navy, and put down rebellions.

Congress also has the power to make all laws "necessary and proper" to carry out these powers.

The President: The Executive Branch

Congress makes the laws. The president executes, or carries out, the laws. Delegates at the Constitutional Convention debated how the president should be elected. Some proposed the people should elect the president. Others proposed the state legislatures should elect the president. Delegates took 60 votes until they settled on the Electoral College.

The Electoral College votes for president. Each state is given a number of electors based on how many members of Congress it has. Each state legislature decides how its electors are chosen.

The Courts: The Judicial Branch

The delegates at the Constitutional Convention created a Supreme Court. They also gave Congress the power to create a federal court system of lower courts. The delegates gave all federal judges life terms. They wanted judges to decide cases based on the law, not politics or what was popular.

The Three Branches of Government

The delegates thus separated the powers of government into three equal branches. Congress makes the laws. The president carries out the laws. The courts settle disputes and interpret the laws. Each branch checks and balances the other branches.

Slavery

A major, bitter debate erupted over slavery. The Southern states depended on slavery. They were unwilling to end it. The delegates soon realized that to create a new constitution, they could not address this issue. Several compromises were made:

- The Fugitive Slave Clause allowed slave holders to capture escaped slaves in the North.
- The Constitution stated that no law could ban the slave trade (not slavery) until 1808.
- Slaves were counted as 3/5ths of a person. This was important because the number of representatives in the House was based each state's population.

The compromises settled the issue for the Constitution. But the bitter debate over slavery continued and decades later led to the Civil War.

September 17, 1787

On this day, the delegates met to sign the new Constitution. Benjamin Franklin, at 81, was the oldest delegate. He commented that he had often looked at a carving of the sun on the back of Washington's chair. He said he had wondered "whether it was a rising or setting sun. Now...I...know that it is...a rising...sun."

Ratification

The Constitution still had to be ratified by the states. Some Americans, known as Anti-Federalists, opposed the new Constitution. They wanted a weak central government. Probably, the most famous anti-Federalist was Patrick Henry.

Those supporting the Constitution were called Federalists. A series of 85 articles favoring the Constitution appeared in newspapers. Written by James Madison, Alexander Hamilton, and John Jay, they explained the ideas behind the Constitution. Today, these articles are known as the *Federalist Papers*.

Ratification hit a snag. Many states demanded a bill of rights be put in the Constitution. The framers of the Constitution had not thought one was necessary. But they promised to pass one if the Constitution was ratified.

With this promise, the Constitution was ratified. And in 1788, George Washington was elected to be the first president under the U.S. Constitution.

Bill of Rights and Other Amendments

When the First Congress met in 1789, Virginia Congressman James Madison drafted proposed amendments to the Constitution. Congress passed 10 of them, and the states ratified them.

These 10 amendments are known as the Bill of Rights. Among the many rights protected are freedom of speech and religion and due process protections (such as protection against illegal searches).

The Constitution has only been amended 27 times in more than 200 years. Other than the Bill of Rights, the most significant amendments have been:

- The Civil War Amendments. The 13th, 14th, and 15th Amendments abolished slavery, promised equal treatment under the law, and protected the right to vote from being denied because of a person's "race, color, or previous condition of servitude."
- 19th Amendment. It granted women the right to vote.

The Constitution created a free and democratic government that has stood the test of time. It has lived up to the words in the Preamble to the Constitution:

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.