

Constitution

Much of today's news dealing with the Constitution focuses on issues addressed in the Bill of Rights and the amendments added over time. Historic debates surrounded the separation of church and state, the right to bear arms and a defendant's rights, and those controversies continue to this day.

However, by paying extra attention to those amendments that inspire the most debate, people occasionally lose sight of the important concepts the Constitution set in stone at its inception. A reinforced federal government to which the power of the individual states is secondary. Three separate branches of the U.S. government, all given the ability to check and balance each other's actions. The means to impeach elected officials as high-ranking as the president. A Congress of two chambers – one whose number of seats is decided according to population, and one whose number remains constant.

Article Four took care of the dilemma that arose in the United States under the Articles of Confederation – the problem of each state operating as if it were a separate country with its own set of rules. The Constitution requires the states to recognize each other's public acts, records and judicial proceedings; it also allows for extradition from one state to another. Additionally, it gives Congress the power to make laws determining how state records and proceedings are to be proven.

The process of amending the Constitution is detailed in Article Five. Either two-thirds of both the U.S. House and Senate may propose an amendment, or Congress may call a special convention after two-thirds of the state legislatures apply. Once an amendment is proposed, at least three-fourths of the states – through the legislatures or conventions – must ratify it.

To hammer the points of the other articles home,

The Foundation of Our Government

by Elliott Dube

Those ideas are taken for granted now – but when the Framers were writing the Constitution, they were very notable indeed. The three-branch model was quite different from the monarchies that governed many other countries. Checks and balances previously had been devised elsewhere, but not to such a degree.

The Congress or legislative branch is able to create the bills that might become law and to decide tax policy, among other duties granted by Article One. Article Two gives the president, the head of the executive branch, command of the nation's armed forces and the ability to negotiate treaties and make high-profile appointments. Article Three grants the Supreme Court, along with the lower federal courts within the judicial branch, the sole power to interpret the Constitution.

Just as important as those responsibilities is the power that each branch holds over the others. The president can veto bills that come out of Congress, suggests laws and budget policies and appoints judges to federal court positions. The Senate has the power to confirm or reject those appointments and to pass constitutional amendments. The Supreme Court, meanwhile, can decide whether Congress-approved laws and executive actions violate the Constitution.

By designating separate powers to each branch of the government and instituting such a system of checks and balances, the Constitution ensures that no one branch can become too powerful. Presidents cannot lead the country as monarchs do because Congress must approve so many of their decisions. Members of Congress cannot pass any law they want and simply expect it to become law – and while the courts can decide which laws apply and how they apply, they cannot enforce their own rulings. Critics claim that this system breeds inefficiency, while supporters praise it for preserving a balance of power.

Article Six effectively establishes the Constitution as the supreme law of the land and requires that federal officials take oaths of office affirming it. Article Seven provided guidelines for ratification of the Constitution in the late 1700s – nine states needed to approve the document.

The Framers paved the way for a strong federal government that could not be dominated completely by a few, they worked to solidify a new, supreme law of the land, and they outlined a decidedly democratic process through which the Constitution could evolve over time.

Newspaper Activity

In your newspaper, find actions taken by the three branches of government that demonstrate their powers and the system of check and balances.