**Constitution Resource Handout**

The American Revolution was not something that happened overnight. The colonists did not simply wake up and say, “Hey, this monarchy thing isn’t working for us anymore, it’s time to rebel.” In fact, it took quite a while for the colonists to decide that enough was enough.

The causes for the Revolution were numerous, though taxation without representation is arguably the primary impetus for it all. Once the British government began to tax the colonies without the consent of their local governments, the colonists began to boycott English goods. In response, a number of colonists disguised themselves and threw an entire shipment of tea into the Boston Harbor.

The British Parliament retaliated with what became known as the “Intolerable Acts.” These closed the Boston port, dissolved the local Massachusetts state government, and quartered British soldiers in private homes.

Complete independence was not the colonies’ original goal. The First Continental Congress charged the British government with violating traditional British liberties, both those of individuals citizens as well as local governments, and sent this “Declaration and Resolves” to King George. The Second Continental Congress attempted to broker peace with The Olive Branch Petition. In both instances, the colonies requested peace and simply the return to the liberties they understood themselves to have enjoyed before.

# A New Nation and a New Government

In many ways, the colonies already had experience with independence simply because of the distance between them and England. The average length of time for a ship to reach England was seven weeks -- and that doesn’t include the time required for a reply and the trip back. All in all, it could take four and five months to receive a response. The colonists became adept at managing their own affairs and came to believe that local government was a key British liberty, something Parliament firmly rejected.

In 1776 the Second Continental Congress declared independence from Britain and wrote the Articles of Confederation to lay out the relationship among the states. While this government was largely adequate while the people were united against a common enemy during wartime, it proved insufficient for the long term.

There were a number of problems with the Articles that could spell disaster if left unchecked. For example, the Articles gave Congress the ability to declare war, but not to maintain its own military. As a result, the new government had to depend on the states to send soldiers. Without a national military, the United States was not only unable to defend against external threats such as the English impressment of American sailors, but also internal threats, such as Shay’s Rebellion.

Recognizing the need to create a stronger central government capable of enforcing its own laws, but that would still protect the rights of both states’ and individuals, a Constitutional Convention convened in May 1787 in Philadelphia, Pennsylvania, to draft a new constitution for the young nation.

The result was the Constitution of the United States, a relatively short (only 4,000+ words!) document outlining a new form of government—a representative, *federal* government, one in which power and responsibility is divided between the states and federal government and among different parts of the federal government.

**The Constitution of the United States**

The framers of the Constitution determined that the best way to prevent any one person or group of people from taking too much power was to divide that power. The federal government’s jurisdiction would be limited to a few important but specific objectives, leaving most governance to the states, a system called federalism. Similarly, within the federal government itself, power was divided among the three branches (and again between a House and Senate.)

The **legislative branch** consists of the Senate and House of Representatives, and all members are elected by the citizens of their state or district. The role of the legislative branch is to make the laws.

The​ **executive branch**​ is led by the President and also includes the Vice President, the Cabinet, and federal agencies. The role of the executive branch is to implement federal law. The executive branch oversees the federal agencies that enforce the laws.

The ​**judicial branch**​ consists of the federal courts, which are led by the Supreme Court of the United States. Federal judges are appointed by the President and confirmed by the Senate. The main function of the judicial branch is to hear cases, and in so doing interpret the Constitution and review laws to determine if they are constitutional.

Each of these branches check and balance the others. For example, the legislative branch has the power to make the laws, but the executive branch has the power to either sign or veto them, and the judicial branch can determine whether or not the laws are constitutional. Thus, it is impossible for one branch to unilaterally pass a law or undertake an action that threatens the rights of the people or is unconstitutional. This prevents those who govern from taking too much power -- or from making random, arbitrary decisions.

The Founding Fathers were also mindful of the fact that times change. They knew that the United States would continue to grow and that society would evolve. As a result, they allowed for amendments. In fact, as part of a compromise to ratify the Constitution, they promised the Bill of Rights, a first set of amendents, would follow soon after the Constitution itself.

The Bill of Rights contains the first ten amendments, all of which relate directly to personal freedoms and limiting government power, and includes, but is not limited to:

* Freedom of speech, religion, and the press
* The right to bear arms
* Prohibiting quartering soldiers in private homes during peacetime
* Prohibiting unreasonable search and seizure
* The right to a fair trial, trial by jury
* Limiting the federal government only to the powers listed in the Constitution