

A BRIEF OUTLINE OF THE U.S. CONSTITUTION AND DECLARATION OF INDEPENDENCE



APOLOGETICS PROJECT



DAVID HOBRATH

**THE TEACHER WILL READ ALL THE BLUE
LETTERING**

**THE STUDENT WILL TAKE TURNS READING ALL
THE BLACK LETTERING**

THE UNITED STATES CONSTITUTION

THE 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.”

The preamble of our constitution explains the purpose of the document.

To be more perfect

To guarantee tranquility

To form and maintain an army

To create a nation that is centered on the citizens welfare

To create an environment that protects the citizens liberty

For both us and the people that follow after us.

ARTICLE I: THE LEGISLATIVE BRANCH

Section 1 & 2 (Congress & House): Establishes a bicameral Congress. The House of Representatives is apportioned by population, with members serving 2-year terms (minimum age 25, U.S. citizen for 7 years). Holds power of impeachment and elects the Speaker.

A bicameral congress means that our laws will originate from two separate and independent bodies of legislators, one body based on populations of their state, and one equal in representative per state.

This guarantees a fairer production of laws. A large state won't have too much power over the smaller states, and the small states can't force their will on the larger either.

Apportioned by population means the bigger the states population grows, the more representative seats the state gets. If a population shrinks, they lose seats. This is designed to encourage legislation that makes the citizenry happy. If people leave the state, they lose power.

Section 3 (The Senate): Composed of two Senators per state serving 6-year terms (minimum age 30, U.S. citizen for 9 years). The Vice President acts as President of the Senate; the Senate tries impeachments.

This is the other half of congress. Every state has 2 Senators giving large and small states equal voices in legislation. Any bill passed by one side of congress, must pass the other body as well. Thus ensuring a fair set of laws that benefit the majority of the citizenry.

Section 4–7 (Procedures & Lawmaking): Regulates elections, internal rules, and congressional pay. Revenue bills must originate in the House. Bills require majority approval in both houses and presidential signature (or a 2/3 override vote) to become law.

Section 8 (Powers of Congress): Enumerated powers include taxation, borrowing, regulating interstate commerce, coining money, establishing post offices, declaring war, raising armies, and the *Necessary and Proper Clause*.

This is also called the elastic clause, because it give congress the ability to streach beyond its normal authority in order to facilitate and enforce the laws it enacts.

Section 9 & 10 (Limits): Restricts powers of Congress (e.g., protection of habeas corpus) and limits state sovereignty over treaties and coining money.

Habeas corpus prevents the government from unlawful imprisonment or detention. It is a critical check on government. Also called “The great writ”.

ARTICLE II: THE EXECUTIVE BRANCH

Section 1 & 2 (The President): Vests executive power in a President and Vice President serving 4-year terms via the Electoral College (minimum age 35, natural-born citizen, 14 years resident). Serves as Commander-in-Chief, makes treaties, and appoints judges with Senate confirmation.

Section 3 & 4 (Duties & Impeachment): Requires the State of the Union address and faithful execution of laws. Officers can be impeached and removed for treason, bribery, or high crimes.

This is to prevent a shadow government. If a leader dies, he can’t be hidden for long. He is required to address congress once a year on the State of the Union.

ARTICLE III: THE JUDICIAL BRANCH

Section 1 & 2 (Courts & Jurisdiction): Establishes the Supreme Court and inferior courts authorized by Congress. Judges serve lifetime terms during good behavior. Defines federal jurisdiction over constitutional issues, federal laws, and interstate disputes, guaranteeing trial by jury in criminal cases.

Section 3 (Treason): Strictly defines treason and outlines evidentiary requirements.

An important inclusion in the Constitution after the war for independence. It prevents the winners from punishing political rivals under the treason clause. Traitors must be punished, true, but we don’t want people falsely accused of treason without sufficient reason and proof.

ARTICLE IV–VII: RELATIONS, AMENDMENTS, SUPREMACY, RATIFICATION

Article IV (States): Full Faith and Credit clause, citizen privileges, extradition, and rules for admitting new states.

Article V (Amendments): Outlines the amendment process: Proposal by 2/3 vote of Congress or a convention; Ratification by 3/4 of state legislatures or conventions.

This is a very long, slow process on purpose to ensure we don't make any hasty mistakes in changing the constitution.

Article VI & VII (Supremacy & Ratification): Establishes the Constitution and federal laws as the "supreme Law of the Land" with no religious test for office. Requires ratification by 9 of 13 original states.

THE AMENDMENTS: THE BILL OF RIGHTS (AMENDMENTS 1 THROUGH 10)

1st: Freedom of religion, speech, press, assembly, and petition.

2nd: Right to keep and bear arms.

3rd: Protection from forced quartering of soldiers.

4th: Protection from unreasonable searches and seizures.

5th: Rights in criminal cases, due process, eminent domain, double jeopardy.

6th: Right to a fair, speedy trial, jury, and counsel.

7th: Right to a jury trial in civil cases.

8th: Protection from excessive bail and cruel/unusual punishment.

9th: Rights retained by the people.

10th: Powers reserved to the states or the people.

AMENDMENTS 11 THROUGH 27

- 11th (1795):** Restricts lawsuits against states in federal courts.
- 12th (1804):** Revised presidential/vice-presidential electoral voting.
- 13th (1865):** Abolished slavery and involuntary servitude.
- 14th (1868):** Defined citizenship, due process, and equal protection.
- 15th (1870):** Prohibited voting discrimination based on race.
- 16th (1913):** Authorized the federal income tax.
- 17th (1913):** Direct popular election of U.S. Senators.
- 18th (1919):** Established Prohibition (repealed by 21st).
- 19th (1920):** Granted women's suffrage.
- 20th (1933):** Adjusted terms and congressional assembly dates (Lame Duck).
- 21st (1933):** Repealed Prohibition (18th Amendment).
- 22nd (1951):** Established a two-term limit for the Presidency.
- 23rd (1961):** Granted electoral votes to Washington, D.C.
- 24th (1964):** Banned poll taxes in federal elections.
- 25th (1967):** Presidential succession and disability procedures.
- 26th (1971):** Lowered the voting age to 18.
- 27th (1992):** Restricted mid-term congressional pay raises.

THE DECLARATION OF INDEPENDENCE

I. Introduction (The Preamble)

- **Purpose:** States the philosophical justification for the document and declares that a decent respect to the opinions of mankind requires the colonies to declare the causes which impel them to the separation.

II. The Preamble / Philosophical Foundation

- **Natural Rights:** Asserts that all men are created equal and endowed by their Creator with unalienable rights, including Life, Liberty, and the pursuit of Happiness.
- **Purpose of Government:** Governments are instituted among men to secure these rights, deriving their just powers from the consent of the governed.
- **Right of Revolution:** Declares that whenever any form of government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government.

III. Indictment of King George III (The Grievances)

- **The Charges:** A long list of specific abuses and usurpations demonstrating a design to reduce the colonies under absolute Despotism, including:

Refusing to assent to laws necessary for the public good.

Dissolving representative houses repeatedly.

Imposing taxes without the consent of the colonists.

Maintaining standing armies among the populace in times of peace without legislative consent.

Depriving colonists of the benefits of trial by jury.

- **Unheeded Petitions:** Notes that the colonists have petitioned for redress in the most humble terms, and that repeated petitions have been answered only by repeated injury.

IV. Denunciation of the British People

- **Shared Heritage:** Reminds the British brethren of the connections and ties of common kindred.
- **Disregard of Appeals:** States that the British people have been deaf to the voice of justice and consanguinity, leaving the colonists no choice but to hold them, as they hold the rest of mankind, Enemies in War, in Peace Friends.

V. The Conclusion (Declaration of Independence)

Formal Declaration: The Representatives of the United States of America, in General Congress, appealing to the Supreme Judge of the world for the rectitude of their intentions, solemnly publish and declare:

That these United Colonies are, and of Right ought to be Free and Independent States.

That they are absolved from all Allegiance to the British Crown.

That all political connection between them and the State of Great Britain is and ought to be totally dissolved.

Sovereign Powers: Asserts that as Free and Independent States, they have full power to levy War, conclude Peace, contract Alliances, establish Commerce, and do all other Acts and Things which Independent States may of right do.

Pledge: Concludes with a mutual pledge of their Lives, their Fortunes, and their sacred Honor to support the Declaration.

The R.U.S.H. Bible Study
David Hobrath