

THE UNITED STATES CONSTITUTION

Simple Form

For

Lower Elementary Grades

Summarized by Gloria Skanchy

Edited by Carol Lear

The Constitution is the law of our country. It was written to help us have a better government and to make sure everyone in the country is treated fairly. It also helps to keep peace and protect us from our enemies. The Constitution helps us to live happily and well and make sure we are free now and always.

Article 1 LEGISLATURE OR CONGRESS (Sections 1-10)

The legislature or Congress is the part of the government that makes our laws. It has two groups or houses, the Senate and the House of Representatives.

The people who work in the House of Representatives are chosen by the people in the area where they live. They work in the House for two years. Representatives must be 25 years old and have lived in the place they were chosen from for seven years. They must be citizens of our country. The number of Representatives each state has depends on how many people live in the state. Every ten years, the government counts the people of the state. This is called a census. Then the government decides how many Representatives each state can have.

The Senate has members who are chosen by the people of the state they live in to work in Congress for six years. They are called Senators, and there are always two from each state no matter how large the state is. The Senators must be 30 years old and be citizens of our country for nine years. The Vice-President is the leader of the Senate, but he/she only votes if there is a tie.

Congress begins its meeting or sessions every year on the first Monday in December. The group decides the rules and punishes members if they behave badly. Members of Congress must write down what work they do and have it printed for the people to read. The Representatives and Senators are paid for their work. They cannot have another job in the government while they are in Congress.

The work members of Congress do is to vote on bills which may become laws to solve

the problems of our country. Every bill must be agreed upon by most of the members of the Senate and House of Representatives. If members agree, they send it to the President. If the President agrees, he signs it and sends it back and the bill becomes a law. If he doesn't agree, he does not sign it. This is called a veto. The Congress can try to make the bill a law anyway, if two-thirds of the members agree to it. If the President does not tell Congress he agrees or disagrees in ten days, the bill becomes a law automatically.

Congress has certain jobs it must do. It can tax the people to pay the government's bill and make the money used by the people. The Congress decides how people become citizens and how people should trade their goods and services. It is responsible for organizing a Post Office and mapping roads. Congress can declare war, and it must pay for an army and navy. It can make any other laws for the good of the people, except laws that take away the people's freedom or tax them without the people's agreement. It cannot make anyone a King or a Queen. The states cannot pass any laws that the Congress has power to pass, and if a state passes certain types of laws, the Congress must approve them. The Congress is in charge of governing the country's capital city which should only be ten miles square.

Article 2 EXECUTIVE OR PRESIDENT

The executive part of the government is made up of a President and a Vice-President who are chosen by the people to serve and work for them for four years. In order to be President, the person must have been born in the United States, be 35 years old, and have lived here for 14 years. He is paid for his work and must take an oath or make a promise before he begins his work. If he dies or leaves his job, the Vice-President takes over until the next election. If the Vice-President also dies or leaves office, Congress chooses a new, temporary President.

The President and Vice-President are chosen by the people. Each state chooses a certain number of people called electors. These people vote for the person they want to be president. The candidate with the most votes from the electors wins. If there is a tie, the House of Representatives decides by voting who will be the President. The Senate does the same for the Vice-President.

The President is the Commander of the army and navy when the country is at war. He can grant pardons or forgive people who do wrong things. He can make agreements with other countries, if the Senate agrees, and he appoints Supreme Court Justices and other government leaders. He needs to tell the people once a year what is going on in the country. He can be forced to leave his office by Congress if he does something dishonest or against the Constitution.

Article 3 JUDICIAL OR COURT SYSTEM

The judicial branch of the government is the Supreme Court and the lower courts that the Congress creates. The Supreme Court and certain other judges are chosen by the President and agreed upon by the Congress. The judges hold office as long as they behave appropriately. They get paid for their work.

The Court hears cases which are between two states or between people who live in different states. People sometimes have the right to appeal their cases to the Supreme Court.

People who help the enemy during war time are accused of treason. They must have a trial, and two witnesses must testify that the person is guilty.

Article 4 THE STATES

All acts, records, and laws of one state must be obeyed by all the other states. The citizens of one state are given the same rights as the people of any other state. If a person commits a crime in one state and runs away, the leader of the state that catches him may send him back for a trial. New states may be added, but they may not come from within any state already in the country. The United States promises states a republic-type of government, that they will be protected from their enemies, and that they will receive help when they ask for it to keep the people in the state living peacefully and safely.

Article 5 CHANGING THE CONSTITUTION - AMENDMENTS

Changes in the Constitution are called “amendments.” When two-thirds of each house of Congress sees the need for an amendment and when three-fourths of the state legislatures agree, the change can be made.

Article 6 SUPREME LAW OF THE LAND

The Constitution and any laws and treaties are the highest laws in the land. All members of Congress and state legislatures must promise to support and obey the Constitution.

Article 7 RATIFICATION - PASSING THE CONSTITUTION

The Constitution becomes law or is ratified when nine of the 13 states agree to it. This happened on September 17, 1787, and all members of the Constitutional Convention signed their names.

AMENDMENTS

The Bill of Rights

1. Congress cannot make laws to change the people's freedom to choose which church to attend or to force them to go to any church at all. It may not change the people's freedom to speak or to print what they want. Congress must not change the freedom of people to meet together in a peaceful way or the people's right to ask the government to change something they don't like.
2. A militia is necessary to help protect our freedoms, and people have the right to own and carry guns.
3. When the country is at peace, people do not have to have soldiers live in their homes. During war, soldiers may receive shelter if the government passes a law that says people must help them.
4. People have the right to keep their houses, papers, and belongings private. The government cannot search them or take them unless they have a good reason and a judge has given them a paper saying so.
5. People who have been accused of serious crimes have certain rights. One of these is to have a jury trial. Accused people do not have to give evidence against themselves. Their life, freedom, or belongings may not be taken away from them unfairly. If the government takes a person's property to use, the government must pay the person for it.
6. People who are accused of serious crimes have the right to a quick and public trial with people who live in the community deciding if the person is guilty or not. People who are accused must be told what crime they are accused of and have a lawyer to help them. They can hear the people who have things to say against them in court, and the justice system must help them find people to speak for them.
7. People have the right to a trial by a jury in most cases. This means people who live in the same community as the person will hear his/her story in court and decide if he/she committed the crime or not.
8. People do not have to pay a great deal of money to get released from jail before they are tried, and they cannot be punished in a cruel or unusual way, even if they are found guilty.
9. Just because the Constitution does not state every right possible, it does not mean that the people do not have them.
10. Powers not given to the United States are given to the state governments unless the Constitution specifically says a state cannot do something or have a certain power.

THE UNITED STATES CONSTITUTION

Simple Summary

For

Upper Elementary Grades

Prepared by Gloria Skanchy

Edited by Carol Lear

We, the people of the United States, have written this Constitution and will obey it because we want to make our government better than it is now and to be sure that everyone is treated fairly. We also want to make sure our country is peaceful and protected from our enemies. We want to make sure that the people who live in our country are comfortable and well and are free to choose now and in the future.

Article I LEGISLATIVE BRANCH

Section 1

The power to make laws for our country is given to the legislative branch called Congress. It is made of two parts called the Senate and the House of Representatives.

Section 2 - House of Representatives

The members of the House of Representatives are chosen or elected by the people of their state every two years. The representative must be 25 years or older and have been a citizen of the state that elected him/her for seven years.

The number of Representatives is one for every 30,000 people. Each state has at least one. Every ten years the people in the state are counted, and the number of Representatives figured out.

If there is a vacancy, the leader of the state chooses a new Representative.

The members of the House of Representatives choose a speaker to be their leader and other officers. They are the only group that has the power to remove the President from office.

Section 3 - The Senate

The Senate is made up of two senators from each state who are elected every six years. They have one vote each. The Senate is set up so that one-third of the senators' terms end every two years. If vacancies happen, the state legislatures choose a new Senator.

Senators must be 30 years old or older, a citizen of the country for at least nine years, and live in the state that chooses him/her.

The Vice-President of the United States is the leader of the Senate, but does not vote unless there is a tie.

The Senate chooses other officers and a temporary president who takes the place of the Vice-President while he/she is performing other duties.

If the President of the United States is removed from office by the House of Representatives, the Senate conducts the trial to see if the President has done something wrong. The Chief Justice of the Supreme Court is in charge, and two-thirds of the senators must be present to have the trial. If the President is guilty, the punishment is to remove him from office.

Section 4

The state legislatures decide when, where, and how to elect senators and representatives. Congress can make a law to change when and how, but not where.

Congress meets once every year beginning the first Monday of December, unless they make a law to change the day.

Section 5

Each house judges the elections to make sure they are fair and the members meet the rules to be present. If more than half the members are there, the House may do business. If not, the House must stop working. The members may penalize those who do not attend. Each house decides on its own rules. They may punish any member who behaves badly, and if two-thirds vote to do so, they may ask a member to leave.

Each house writes down the things that happen and publishes it for the people to read. The parts that need to be kept secret do not need to be published. If one-fifth of the members want to publish how each voted on any question, it may also be done.

Neither House may quit working for more than three days to move to another place unless the other House agrees.

Section 6

The Senators and Representatives are paid for their work. They cannot be arrested, except for certain listed crimes, while attending a session or traveling to or from the session. No Senator or Representative may have another job working for the government while he/she is a member of Congress.

Section 7

When a bill passes the House and the Senate, it goes to the President before it becomes a law. He can sign it if he wants to or send it back to be changed if he doesn't like it. The Senate and the House may talk about why the President didn't like the bill. They may then vote to make it a law if two-thirds of the members in each house agree. The names of those voting for and against each bill are recorded. If the President does not return the bill within ten days, it becomes a law. If the session of Congress ends before the ten days are up, the bill does not become a law.

Section 8

Congress has the power to:

1. Collect taxes to pay the country's bills. Taxes must be the same throughout the country.
2. Borrow money.
3. Be in charge of trading goods with other countries.
4. Manufacture money and decide how much it is worth; also, decide the correct way to measure things.
5. Punish people who try to make and use money that is not real.
6. Create the post office and map roads.
7. Help writers and inventors keep ownership of their work for a period of time.
8. Organize courts having less power than the Supreme Court.
9. Punish pirates.
10. Declare war, give permission to people to attack the enemy, and decide what to do with whatever it captured in a war.
11. Raise money for and give money to an army and a navy.
12. Make rules for the government, army, and navy.
13. Call a militia to solve problems and enforce the law.
14. Organize, train, and provide weapons for the militia; the states choose the officers.

15. Make the laws for the national seat of the government and any

other buildings, forts, or lands bought by Congress. The seat of the government cannot be bigger than ten miles square.

16. Make any other laws that would be needed to carry out the duties given to Congress.

Section 9 - What Congress Can't Do

Congress cannot:

1. Stop people from moving from state to state, but may charge them \$10 to do so.
2. Take away the right to appear before a judge.
3. Pass a law to punish a person if there weren't a law before the person did something wrong.
4. Charge unequal taxes from the states.
5. Tax things moved from state to state.
6. Give favor to seaports in one state over another. Ships do not pay taxes to go from one state to another.
7. Take money from the treasury, unless by law. Congress must publish a statement telling where and how the money was spent.
8. Give titles of nobility (king, prince, etc.).

Section 10 - What States Can't Do

States cannot:

1. Agree to a treaty with another country or give people the right to attack the enemy.
2. Make money, give credit, pay bills with anything but gold and silver coin.
3. Pass laws after the act has happened (Section 9, Number 3), or that weaken promises made in contracts.
4. Give anyone a title of nobility.
5. Put taxes on goods coming in or out of their states except to cover the cost of inspection. The money made must go to the Federal Government, and Congress may change the law.
6. Keep an army or war ships during times of peace.
7. Start a war unless attacked or in immediate danger.

Article 2 EXECUTIVE BRANCH

Section 1

The executive power is given to a President who is in power for four years. He has a Vice-President for the same amount of time.

State legislatures decide the way electors are chosen, but an elector may not hold a position of “trust or profit” in government.

Each state has the same number of electors as the total number of Senators and Representatives.

The electors meet and vote for two people for President, one of whom may not live in their state. They make a list of the number of votes for each person, sign it, and send it to the President of the Senate. He/she opens and counts them with all the Senators and Representatives present. The person with the most votes becomes the President, if he has more than one-half the total. If there is a tie, the House of Representatives decides. Each state has one vote. The person who has the next highest number of votes becomes the Vice-President. If there is a tie, the Senate votes to decide.

Congress decides the day and time of the election which is the same throughout the country.

The person wanting to become President must have been born in this country, lived here for 14 years, and be 35 years old.

If the President is removed from office, dies, quits, or can’t do his job, the Vice-President takes over. If both the President and Vice-President cannot do the job, Congress chooses someone to do it until a new President can be elected.

The President is paid for his work, but that salary cannot be changed while he has the job. He cannot be given any other payments by the United States.

He must take an oath that says, “I do solemnly swear that I will faithfully execute the office of President of the United States and will to the best of my ability preserve, protect, and defend the Constitution of the United States.”

Section 2 - Duties of the President

The President is the Commander of the army and navy and the state militia. He may ask for advice from other department leaders anytime, and he may excuse wrong doings against the country except Impeachment.

He may make treaties if the Senate agrees to them. He may choose representatives to go to other countries, public officials, Justices of the Supreme Court, and any other officials that the law requires. The Senate must agree to those chosen. The Congress may choose lower officers and workers. If the Congress is not working, the President may fill vacancies that occur.

Section 3

The President gives the Congress information on the condition of the country and ideas and advice on what to do to solve problems. If emergencies occur, the President may tell the Congress to come back to work.

He visits with important people from other countries, and he makes sure the laws of the country are carried out.

Section 4

If the President or Vice-President do wrong things against the country, they may be removed from office.

Article 3 JUDICIAL BRANCH

Section 1

The power to judge the people is given to one Supreme Court and to any other courts with less power that are created by Congress. The Supreme Court and certain other judges are chosen by the President and agreed upon by Congress. The judges keep their offices unless they do something wrong and are paid, but the amount cannot decrease during the time they are in office.

Section 2

The Court decides all questions about the law and fairness under the Constitution, the laws and treaties, anything having to do with ministers, ambassadors or officials, military law, problems between two states, problems between a state and people of another state (11th Amendment) and between people of different states. In questions involving public officials, or states, the Supreme Court is the first to hear the problem. In any other questions, the Supreme Court may hear the problems after lower courts have heard them.

All problems may be decided by a group of people called a jury except when the President has done something wrong. The trial is held in the state where the problem happened.

Section 3

Treason against the country means helping our enemies when we are at war with them. Two people must say they saw the person commit treason, or the person must confess. Congress decides the punishment for a person guilty of treason.

Article 4 THE STATES

Section 1

All states must accept Acts, Records, and Laws of any other state.

Section 2

The citizens of one state must be given the same rights as citizens of another state. A citizen of a certain state may be sent back for punishment when he/she is found in a different state.

Section 3

New states may join our country, but the new state cannot be formed inside another state or made of land from two states unless the legislatures agree.

Section 4

The United States Government protects the states from any enemies and if the state asks for help, to curb violence within the state.

Article 5 AMENDING THE CONSTITUTION

The Congress can change the Constitution or amend it if asked to do so by two-thirds of both Houses or two-thirds of the state legislatures.

The change passes and becomes law if three-fourths of the states agree to it. No amendments passed before 1808 can affect importation or migration of people or direct taxation.

Article 6 HIGHEST LAW

Any debts of the country before this government was set up will be paid by the new government.

The Constitution, laws made because of it, and treaties are the Supreme Law of the land. Judges in every state must use the Constitution to solve questions. Senators, Representatives, State Legislators, and all other executive officers must take an oath to support the Constitution. No religious test may be given to a public official.

Article 7 PASSING THE CONSTITUTION

The Constitution becomes law when nine of the thirteen states approve it or ratify it. Agreed upon by all delegates present at the Convention. Signed on September 17, 1787.

AMENDMENTS

The Bill of Rights

1. Congress may not make laws about creating new churches or change the freedom of the people to choose which church they will attend. They cannot change our freedom to speak, or to write and publish news, or the right of the people to meet together peacefully or to send suggestions or ideas to the government.
2. A militia is necessary to protect our freedoms, and the people also have the right to own guns and keep them in their homes.
3. The government may not make the people keep soldiers in their homes during peace time or war time, unless a law is passed.
4. People, their homes, and the things they own may not be searched or taken unreasonably. If the police need to search or take things, they usually must get a warrant from a judge describing the place to be searched and the people or things to be taken.
5. People who commit serious crimes must be indicted by a Grand Jury unless they are in the army, navy, or militia during war. No one has to give evidence against himself/herself or have his/her life, freedom, or property taken away without a trial. If the government takes someone's land to be used by all people, the government must pay the person for it.
6. People who have been accused of committing serious crimes have the right to a prompt trial with members of the community in which they live deciding if they committed the crime or not. They are to be told what they did wrong and have the people who said they did it tell what happened. They also may find people who will say good things about them, and these people may be brought to court. They also may have a lawyer help them.
7. Parties to a lawsuit may demand a jury trial when more than twenty dollars' value is involved. A case once tried by a jury cannot be tried again in any court in a way that would set aside a person's legal rights.
8. The government may not demand a large amount of money from a person accused of a crime to be released from jail or as a punishment for the crime. The government may not order cruel or unusual punishment for crimes, either.
9. Just because the Constitution does not list all rights does not mean that other rights are taken away from the people.
10. Any power not given to our country by the Constitution or forbidden by the states is

given to the states for their people.

FURTHER AMENDMENTS TO THE CONSTITUTION (PASSED AFTER 1791)

11. Any new resident must sue a State in that State's own court, not in federal or other out-of-state courts.
12. When electors vote for candidates in the election, they vote separately for the President and the Vice-President and make two different lists. The President of the Senate opens the votes, and the candidate with the most votes wins. If there isn't a majority, the House of Representatives decides, with each state having one vote. If the House cannot decide on a President before the following 4th of March, then the Vice-President becomes the President. The person with the greatest number of electoral votes becomes Vice-President. If there isn't a majority, then the Senate chooses. The requirements to become Vice-President are the same as those to become President.