

# THE CONSTITUTION

The Tangible Reflection of the  
American Consensus



# WHAT IS A CONSTITUTION?

- ▢ Fundamental law
  - ▢ Laws determining the fundamental political principles of a government
    - ▢ Procedures for adjudicating disputes
    - ▢ Structure of Government
    - ▢ Powers and Authorities of Government (What it Can Do)
    - ▢ Limits of Governmental Power (What it Can't Do)
- ▢ A Constitution is often, but not always, a written document
  - ▢ Great Britain still does not have a written Constitution
- ▢ A successful Constitution is one that encapsulates societal consensus
  - ▢ This is often termed a "social contract"

# DECLARATION OF INDEPENDENCE (1776)

- Copied from Locke's Second Treatise
- Basically a set of objections to British Rule
- An important historical document but predates the law
  - The reason why this is important to say is that the Declaration has no weight in legal proceedings - it is NOT the law