

The Declaration of Independence and the Constitution: Keeping Them Straight

The Declaration and the Constitution are two very important documents, but in many ways they are polar opposites. Don't confuse the two!

	<i>Declaration of Independence</i>	<i>Constitution</i>
<i>Written when?</i>	1776	1787 (Went into effect in 1789)
<i>Written by?</i>	Thomas Jefferson (with some input/feedback from committee including Franklin and Adams)	The Philadelphia Convention (i.e., the Constitutional Convention)
<i>Adopted by?</i>	The Second Continental Congress	Ratified by the states
<i>Written in response to what events?</i>	Written in reaction to a <i>too-strong</i> central government (i.e., Parliament) in which the colonies had no voice	Written in reaction to the <i>excessive weakness</i> of the central government under the Articles of Confederation (but with memories of a too-strong Parliament as well)
<i>Purpose?</i>	To <i>further</i> a revolution by changing (or as Jefferson put it, <i>altering or abolishing</i>) a too-powerful system of central government	To <i>prevent</i> a revolution or governmental/economic breakdown by <i>establishing</i> a stable central government of sufficient power
<i>Function?</i>	To explain/justify the colonies' secession/separation from England by appealing, in part, to <i>natural law/natural rights</i> (i.e., emanating from God, nature, or reason, not from government or society)	To establish a new federal system of government (including federalism and separation of powers) as a matter of <i>positive law</i> (i.e., laws existing by government action) in order to grant the government sufficient power while simultaneously controlling it
<i>Role in American Government?</i>	The basic statement of Americans' understanding of the social contract: Where do rights come from? What is the nature and purpose of government? What is the relationship between people and their government? What if government acts wrongly? Technically has no legal force but purports to limit the power of law and government.	The basic, most fundamental law of the United States: all other law must be in accord with the Constitution