
Introduction: What does the Constitution really say? What did it mean in the past? How have members of congress, judges, citizens, the presidents used or misused this document? Is it an exceptional document? Students are encouraged to let Seth Lipsky’s book provide some answers for the first three questions, but let us provide an answer now for the last inquiry: at the very least, the United States Constitution is exceptional because it is “the oldest written constitution still in use today.” At the Constitutional Convention in Philadelphia in 1787, 55 delegates met, argued, and ultimately composed a proposed government for the United States. Some delegates were so upset with the result that they left town without signing the Constitution, in order to return home to campaign against its ratification. People do not easily change their minds about their beliefs and convictions, and it is not surprising therefore that even after its controversial ratification process was declared completed in 1788, and the first Congress took office in 1789, the debates have continued to our own times. Although Americans still use this Constitution with comparatively few formal changes (the 27 Amendments), during these 230 years of official implementation conflicts, compromises, tragedies, and triumphs filled American life as “We the People” have struggled to defend our civil rights, protect our liberties, and participate in our great experiment of self-government. In this book that we are asking you to read, journalist Seth Lipsky sought to discuss many controversies, interpretations, and events throughout American history that have impacted the creation and execution of the Constitution, organized article by article, section by section.

Questions to answer:

Very early on in the Lipsky’s book (indeed, on page 1 of the paperback edition), a delegate from Maryland named Luther Martin argues against the Constitution. Altogether, Martin appears at least 5 times in the book. Identify at least two arguments that Luther Martin made against the Constitution, citing where he did so in the book.

What are the enumerated powers of congress? Where do they appear in the Constitution? Which delegate wanted a semicolon added to that section, and why did he want it?

Philadelphia’s James Wilson (whose mansion at Third and Walnut streets had been attacked during the Revolution) is credited in Lipsky’s book for making a major contribution to the Constitution. Identify what that major contribution was and why it is so significant.

Was John McCain a ‘natural born’ citizen eligible for the presidency? Explain.

Evaluate President Richard Nixon’s claim that congress enacted a ‘bill of attainder.’

Quote: “The most celebrated constitutional-law case ever decided pivoted on one of the Constitution’s most recondite provisions.” Who said it? What was he talking about? Why was the case so important? Do you find it to be curious that James Madison, the “Father of the Constitution,” was on the losing side of this argument, and what does that tell us?

Describe Lipsky’s argument about the establishment clause. According to Lipsky, who was originally protected by the establishment clause? Who does it protect today?
Why didn’t Alexander Hamilton want a Bill of Rights?

Lipsky says, “Were the amendments musical compositions, the _______ would be the grand symphony in four movements, full of exciting themes, varied movements, and clashing cymbals—but none to rival what would be the first movement, Section 1.” Identify that amendment and argue why this is the ‘grand symphony’ whereas other amendments are lesser compositions.

Choose one other story from the many in Lipsky’s book. Identify it by Article and Section and summarize it. Make sure to choose one that you have not already mentioned in your book report.