

Preamble

The Constitution's opening words, "We the People" make clear that the new government derived its powers from the whole people rather than from the individual states.



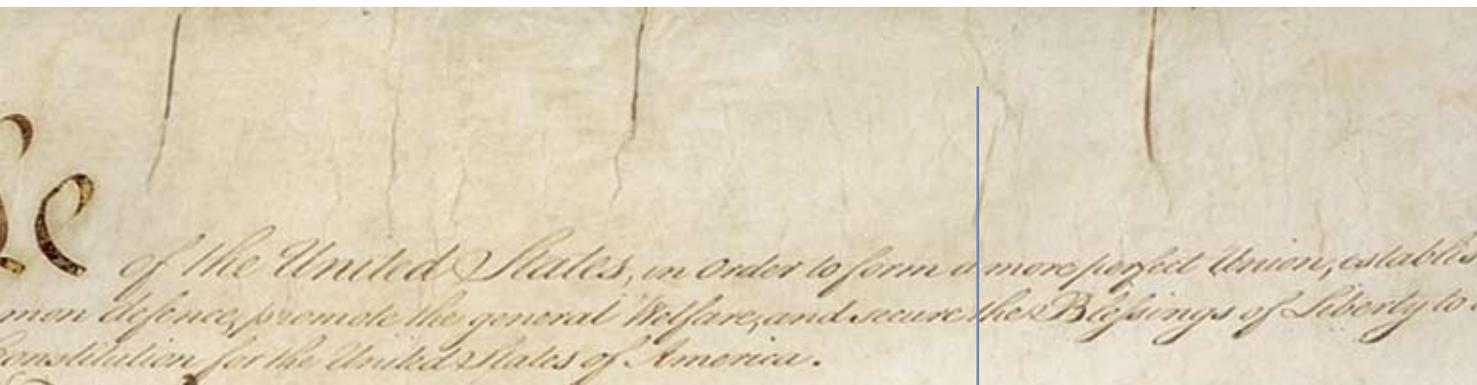
WHAT IT SAYS

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.

BY COMPARISON: THE PREAMBLE TO THE DECLARATION OF INDEPENDENCE

On July 4, 1776, the Continental Congress declared America's independence from Great Britain and converted the thirteen colonies into the United States of America. The Declaration of Independence's justification for that break later influenced the language of the preamble to the Constitution.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,—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, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.



WHAT IT MEANS

The preamble expresses the purpose of the U.S. Constitution. The federal government gains its power from the people rather than from the states. The government exists to maintain peace at home, provide national defense, promote the well-being of the people, and protect their liberties. Importantly, the Supreme Court has held, in *Jacobson v. Massachusetts* (1905), that the preamble itself is not a source of federal power or individual rights. Rather, all rights and powers are set out in the articles and amendments that follow.

FIRST DRAFT OF THE PREAMBLE TO THE CONSTITUTION

At the Constitutional Convention on August 6, 1787, the Committee of Detail submitted this first draft of the preamble, which began with a list of the states, as did the Articles of Confederation.

We, the people of the states of New Hampshire, Massachusetts, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South Carolina and Georgia, do ordain, declare, and establish, the following Constitution for the Government of Ourselves and our Posterity.

However, ratification of the Constitution did not require the unanimous consent of all thirteen states, and future states were expected to join the Union, so the convention dropped the names of the first states. This revision strengthened the idea that “the people” rather than “the states” created the government. Gouverneur Morris, a delegate from Pennsylvania, rewrote the preamble, crafting the more eloquent explanation that the convention finally adopted.

— “Earlier today, we heard the beginning of the Preamble to the Constitution of the United States, ‘We, the people.’ It’s a very eloquent beginning. But when that document was completed, on the seventeenth of September in 1787, I was not included in that ‘We, the people.’ I felt somehow for many years that George Washington and Alexander Hamilton just left me out by mistake. But through the process of amendment, interpretation, and court decision, I have finally been included in ‘We, the people.’”

— Representative Barbara Jordan, an African American, speaking in the House Judiciary Committee on July 25, 1974