

COMMEMORATING MISSOURI'S CONSTITUTION

CONSTITUTION DAY IS SEPTEMBER 17.

On this day in 1787, the delegates at the Philadelphia Convention signed the United States Constitution. Constitution Day also is a good day to celebrate our own Missouri Constitution.

Although both constitutions were created to organize governments, the evolution of these constitutions has been very different. Our federal government has chosen to change its original constitution only through amendments, but Missouri has had four distinct constitutions.

Missouri's first constitution was adopted in 1820, one year before Missouri became a state in 1821. A group of elected delegates met in St. Louis and wrote the constitution in 38 days. This first constitution allowed slavery and excluded "free Negroes" from living in the state.

This turned out to be an important provision because in 1820, Congress was sharply divided between those for and those against slavery. If Missouri had been admitted as a slave state, there would have been more slave states represented in Congress than free states. Missouri probably would not have

Handwritten report from Missouri's Constitution Committee recommending statehood for Missouri to the United States Government.

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The Missouri State Capital in 1840.

become a state in 1821 if Maine had not wanted to join the union as a free state at the same time. The two states were admitted to the union the same day—August 10, 1821.

Missouri's second constitution was passed in 1865, shortly after the end of the Civil War. It emancipated all slaves and parts of it were aimed at punishing Confederate sympathizers, like the denial of voting rights.

The third constitution, passed in 1875, eliminated these provisions. However, it provided that Supreme Court judges would no longer be appointed but chosen by popular elections. This led to some corrupt judges being elected.

Missouri's current constitution was adopted in 1945 and, among other things, it provided that Missouri's Supreme Court and other appellate judges would be chosen by what is called Missouri's Non Partisan Court plan, which is based more on the merit selection of judges.

LEARN MORE

1. To learn more about the Missouri Constitution, go to the Secretary of State's website at sos.mo.gov.
2. Do you think it is good that it is easier to amend the state Constitution than the Constitution of the United States? Why or why not?
3. Research how the Missouri Compromise changed Missouri's original constitution.
4. Compare and contrast the Bill of Rights in the two constitutions.
 - What rights do they have in common?
 - List the additional rights guaranteed in Missouri's Bill of Rights.
 - Are some of these additional rights contained in some of U.S. Constitution's amendments? Do you think they should be added to the Missouri Constitution? Why or why not?

How are the U.S Constitution and Missouri's similar?

1. Both contain a Bill of Rights—the first 10 amendments in the U.S. Constitution and Article I of the Missouri Constitution.
2. Both provide for a separation of powers and a system of checks and balances.
3. Both provide for three co-equal branches of government—legislative, executive and judicial.

How are the U.S and Missouri Constitutions different?

1. The U.S. has had only one constitution but Missouri has had four—1820, 1865, 1875 and 1945.
2. Amendments are at the end of the U.S. Constitution but incorporated into Missouri's.
3. The U.S. Constitution had 4,453 words in the original. With amendments it has about 7,500. Missouri's constitution has more than 18,000 words.
4. It is difficult to amend the The U.S. Constitution. The U.S. Constitution has 27 amendments and Missouri has had more than 200.

The most important part of both the U.S. and Missouri Constitutions is contained in the first words of both Preambles: "We the people...." Both our federal and state governments belong to us, the people. We the people have the responsibility of making sure our government protects our rights. That is why we need to continue to learn about both documents not only on Constitution Day but throughout the year.