


CREATING THE CONSTITUTION



How did the Articles of Confederation shift Power from who was running the government before?

Why did our Founding Fathers create the Constitution, thus replacing the Articles of Confederation?

- The Continental Congress adopted the Articles of Confederation (1777), and were ratified by the states in 1781.

At this point in history America was still fighting for its

Articles of Confederation

- **In 1781 the Articles of Confederation became law of the land**

The Articles created a loose confederation (union) of independent states and a central government, leaving most of the power with the state governments

It was a start but was too weak to be

Articles of Confederation

Weakness

Resulting Problem

Congress had no power to	Weak currency and increased debt lead to inability to pay---threats of mutiny
Congress had no power to enforce	Foreign countries when treaties are not honored
Every state, despite size, has.....vote	Populous states not equally represented
Congress has no power to commerce	Trade hindered by states, high on each other
Amendments requires vote of states	Difficult to adapt articles to changing

How was the central government under the Articles of Confederation?

Constitutional Convention

And so...

- 12 states sent 55 delegates to meet in Independence Hall the same place 11 years earlier the Dec. of Indp. Was adopted
- They disregarded Congress' mandate to revise the Articles of Confederation based on state sovereignty instead 4 months later with a completely new governing document → THE

What is the Constitution?

What is the Constitution?

- The of the United States.
- It is the foundation and source of the authority underlying the existence of the United States of America and the Federal Government of the United States.
- It provides the framework for the organization of the United States

Who wrote it?

- James was the main author of the constitution
- Spend a year prior studying democratic philosophies
- Read more than 200 books
- During the 4 month convention he took on every word spoken

Who was the main author of the Constitution?

What were the basic principles added to the Constitution?

- Popular Sovereignty
- Federalism
- Separation of Powers
- Gov't
- & Balances
- Republic

Republicanism

- When American leaders created the USA, they made the deliberate choice to royal rule with a republic.
- **Republic- AKA Representative Democracy:** Power rests with the who elect leaders. These leaders will then make government decisions on their behalf.

What is federalism?

Federalism

To strengthen the central government but still the rights of the states, the constitution created a system known as **federalism**- power between federal (national) government and state government.

What is it called when the gov'ts power comes from the consent of its ppl?

Power with the People

- **Popular Sovereignty** – Government power resides from the of the people
- **Limited government** – Government is not all powerful, can only do what the people it.

Separation of Powers

- Constitution also provided separation of powers.
- Separation of Powers – Helps prevent one branch from becoming too – Checks and Balances
- 3 Branches:
- Legislative- laws; Executive- laws; Judicial- courts, the laws

What principle is founded on the idea that a country's constitution requires the branches of gov't to remain independent of each other?

Checks & Balances

- Each branch of the government has some measure of over the other branches and may choose to block procedures of the other branches.
- Prevent any one branch from accumulating too much and encourage cooperation between branches as well as debate on controversial policies.

What were some important outcomes?

Issue Representation in Congress

- When creating the constitution many items all states agreed on, but the delegates were split on whether each state should have an equal in congress.
- **New Jersey Plan**- states favored such a plan
- **Virginia Plan**- Big states insisted on representation reflective of

What was the result of the Great Compromise?

Great Compromise

- Congress would be split in 2
- House of Reps- the # of a states representative would depend on population
- Senate- each state would have representation
- choose who to elect for House of Representatives
- State Legislatures choose senators

More Outcomes

- Should there be a religious requirement to hold public office?
- Who should declare war?
- Should there be a standing army?
- Do slaves count toward state population? Compromise
- Who should elect legislators? HR people elect; Senate would then be appointed by State legislators
- Who would elect the president? People through the electoral college system

What branch has the power to declare war?

Ratification Debate

- Needed of 13 states to ratify or official approve of the Constitution before it went into effect.
- A huge emerged between two sides: – Federalists ☺ – Antifederalists ☹

Bill of Rights

- 1791- Bill of Rights was added to satisfy those weary of a central government and to protect basic freedoms.
- The Bill of Rights, or the first amendments to the Constitution, guaranteed the freedoms of speech, press, and religion; protection from unreasonable searches and seizures; and the right to a trial by jury.

What was added to the Constitution that resulted in its ratification?

George Washington

- George Washington was chosen as the first under the new Constitution.

SUMMARY- Summarize your notes using the following terms: Articles of Confederation, Constitution, Republic, Separation of Powers, Checks and Balances, Popular Sovereignty, Ratification, Bill of Rights

What does the Bill of Rights do?