

The Story of Our Constitution

Articles of Confederation: Strengths and Weaknesses:

- After independence was declared, members of the Second Continental Congress drafted the articles
- The Articles created a “league of friendship” between 13 states
- After their experience with British rule, the members of the Second Continental Congress did not want a strong government
 - Created a weak central government consisting of a “Congress”
- Most power remained with the states
 - Each state had their own constitution

The Confederation Congress:

- Each state had 1 vote
- Primary Powers:
 - Declare War/ Raise the Continental Army
 - Foreign Policy/ Relations
- Primary Weaknesses:
 - Could not tax
 - Could not raise its own troops
 - 9 out of 13 states to approve a law
 - 13 out of 13 to change or amend the Articles of Confederation
 - Not national Executive or Judicial branch
- Two Primary Accomplishments:
 - Peace Treaty with Great Britain
 - Creating a procedure to admit new states to the Union
- Shays’ Rebellion showed ultimate weakness of the Articles of Confederation:
 - Many people began calling for a stronger central government

The Constitutional Convention:

- In 1787 55 delegates headed to Philadelphia to revise the Articles of Confederation
 - Ended up scrapping the Articles of Confederation and coming up with a new plan
- Agreed needed a stronger central government
 - Separate branches- Executive, Judicial, and Legislative
 - New legislature would have two houses
 - Senate- representing those of wealth, property, and political experience
 - House of Representatives- representing the general population
 - Executive Branch- headed by a president

The Constitutional Convention: Disagreement and Compromise:

- Several disagreements between delegates:
 - Most important was over Congress

- Larger States- representation based off population
 - Smaller States- equal representation
- Resolved by the Great Compromise:
 - House of Representatives- representation based off state pop. (Virginia Plan)
 - Senate- based off equal representation (New Jersey Plan)
- The Electoral College was created to elect the President
 - Most delegates did not trust the people to elect the President directly

Structure of the Constitution:

- The Preamble- the opening of the Constitution, and states the 6 goals of government
 - to “form a more perfect Union”: bring the country together as one
 - to “establish Justice”: everyone is treated fairly and equally under the law
 - to “insure domestic Tranquility”: maintain peace at home
 - to “provide for the common defense”: provide the military to protect citizens
 - to “promote the general Welfare”: allow citizens to maintain healthy, happy lives
 - to “secure the Blessings of Liberty”: protect freedoms for us and our future
- Article I- The Legislative Branch:
 - Makes the laws
 - “Enumerated” Powers: specific powers of Congress listed in the Constitution
 - “Necessary and Proper” Clause: Congress has implied powers to carry out needs
- Article II- The Executive Branch:
 - Enforces or carries out the laws
- Article III- The Judicial Branch:
 - Interprets the laws
 - Only the Supreme Court is created under this article
 - Congress was given power to create lower federal courts
 - Judges hold office for life (to be free of political bias)
- Article IV- Interaction of States and the Federal Government:
 - On state governments and the admission of new states to the Union
- Article V- The Amendment Process:
 - Establishes procedures for amending the Constitution
 - 2/3 of Congress to Propose and 3/4 of the States to Ratify
- Article VI- The “Supremacy Clause”:
 - The Constitution and federal laws are the “supreme law” of the land
- Article VII- Ratification Process:
 - 9 out of 13 states needed to ratify

- Anti-federalists- opposed ratification and strong central government
 - Requested a list of guaranteed rights be included “Bill of Rights”
- Federalists- supported ratification and strong central government

Constitutional Principles:

- Popular Sovereignty- the people are final authority, source of political power
- Limited Government- gov’t only has the powers granted by the people and the Constitution
- Federalism- powers are shared amongst the federal government and state governments
- Separation of Powers- government powers are divided among three branches
- Checks and Balances- each branch has specific powers to check the other branches
 - Ex. President can veto legislation, or the Senate and can refuse to hear appointments