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
  o Ex. President can veto legislation, or the Senate and can refuse to hear appointments