

Unit 4: U.S. Constitution

- I. **Articles of Confederation:** (1781-1787)
 - America's first plan of government.
 - Established a weak *government with little power*.

Government Powers	Govt. Weaknesses of Article of Confederation
Make treaties and alliances with foreign nations. Established a national army and navy. Regulate westward expansion	No power to collect taxes. Could not regulate interstate commerce (trade). Established no Executive Branch of govt. Established no Judicial Branch of govt. All 13 states had to vote to change Articles of Confederation.

- **Northwest Ordinance:** Established a process for *adding new states to the Union*.
- **Shays Rebellion:** Led by **Daniel Shays**, farmers angry by farm seizures began attacking courthouses in Massachusetts. Lack of government authority to stop the rebellion *highlighted the need for a stronger govt.*
- **Constitutional Convention (1787):** Philadelphia, Pennsylvania. Delegates from the states met to revise the weaknesses of the Articles of Confederation. Through debate and compromise, delegates drafted a new US Constitution. **George Washington** served as President of the convention.

I. **U.S. Constitution** 1787 – *America's plan of government.*

Checks and Balances: Each branch of government has the power to limit the power of the other branches.

Separation of Powers: Each branch of government has constitutional authority and power that the others branches do not.

Three Branches of Government



Makes
Laws



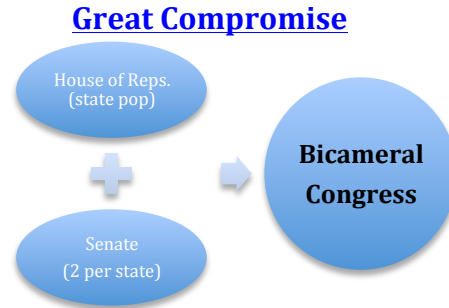
Enforces
Laws



Interprets
Laws

II. Debate and Compromise

- Debate erupted over state representation. Larger states like Virginia proposed the **Virginia Plan** calling for state representation to be determined by state population. Smaller states proposed the **New Jersey Plan** calling for equal representation in each state. The **Great Compromise** established a bicameral congress made up of the New Jersey Plan and Virginia Plan.



- **Three-Fifths Compromise:** Southern states wanted to count slaves toward state population. Northern states did not believe slaves should be counted toward state populations. Under the compromise, 3/5 of a states slave population could be counted toward state population.

III. Ratification of the U.S. Constitution: *Approval by states.*

- **Federalists:** *Supported the constitution's ratification; supported a stronger national government.*
- **Anti-Federalists:** *Opposed ratification of US Constitution; believed it gave to much power to the government. Demanded a Bill of Rights be added.*
- **Federalist Papers:** *Essays written (John Jay, James Madison, Alexander Hamilton) and distributed throughout the colonies explaining the new constitution and encouraging states to ratify the document.*
- **Bill of Rights:** *First ten amendments the Constitution protecting individual liberties. Written by James Madison.*
 1. Freedom of speech, religion, press, assembly, and petition of government.
 2. Right to bear arms.
 3. Freedom to not quarter (house) soldiers.
 4. Protection from unreasonable search and seizures.
 5. Criminal Offenses: Double Jeopardy, self-incrimination, due process of law.
 6. Criminal Procedure: Speedy trial, impartial jury, informed of nature of crime, call witnesses, lawyer.
 7. Civil Trial: Lawsuits, jury verdict.
 8. Freedom from excessive bail/fines and cruel punishments.
 9. People maintain additional rights that are not in the Bill of Rights.
 10. Powers not specifically delegated to the national government belongs to the states.

Amending the Constitution: *Adding a new amendment to the Constitution.*

- 2/3 of both houses of congress.
- ¾ of all states must vote to ratify the amendment.

IV. Principals of Government

- **Popular Sovereignty** - governmental power lies with the people.
- **Limited Government** - government must follow its own laws and it can only act using powers given to it by the people.
- **Separation of Powers** - US Government is divided into three branches so that no one branch has all the power.
- **Checks and Balances** - each branch of government can check the other branches so they do not become too powerful.
- **Judicial Review** - Power that allows the **Supreme Court** to decide whether acts and laws are unconstitutional.

Established with ***Marbury v. Madison*** in 1803.

- **Federalism** – The central govt. does not control all the power in the nation. States also have powers reserved to them.
- **Republicanism** – The people elect representatives that make and enforce laws on behalf of the citizens.