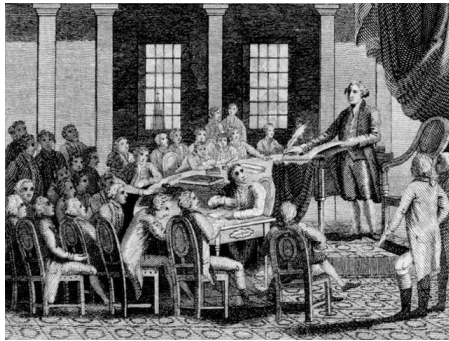


Unit 2A Part 3: A New Constitution



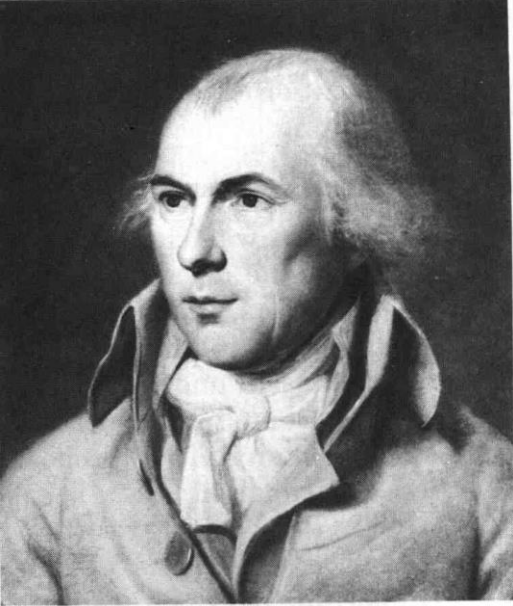
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Constitutional Convention

- State delegates began meeting in May 1787
 - Most were young and well-educated
 - They were also practical; most had served in the war or had previous political experience
 - George Washington was the presiding officer



2



- James Madison was a central figure
 - **Decisive debater**
 - **Prepared for months and knew more about historic forms of government than any other delegate**
 - The delegates met behind closed doors to discourage outside pressure, so Madison's notes are our main source on what happened

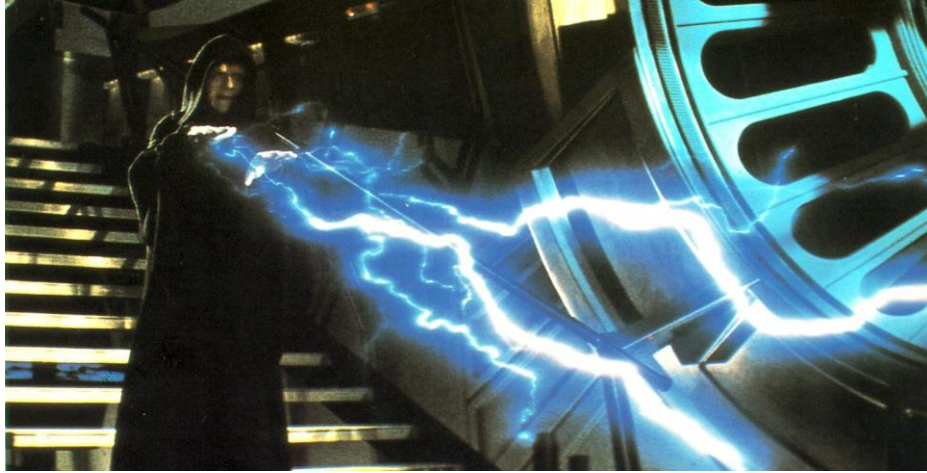
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- Four common principles
 1. Constitutions are a written contract defining the powers of government
 2. Government derives power from people, but society must be protected from the tyranny of the majority

4

3. Stronger central government was necessary, but it was subject to abuse



5

4. People are naturally sinful, so we must channel self-interest into the common good



GREED
BECAUSE HE WHO DIES WITH THE MOST STUFF, WINS.

6

- The convention soon agreed to scrap the Articles of Confederation instead of amending them
- Delegates disagreed on how the people should be represented



7

Virginia Plan

- Two houses of Congress with representation based on population
- Congress could disallow state laws & define the limits of its authority
- More power for large states



New Jersey Plan

- Congress would have one house with equal representation among the states
- Congress had defined powers
- More power for small states



8

Great Compromise

- Proposed by Roger Sherman
- Congress would have two groups of representatives
 - Lower house based on population (House of Representatives)
 - Upper house equal among states (Senate)

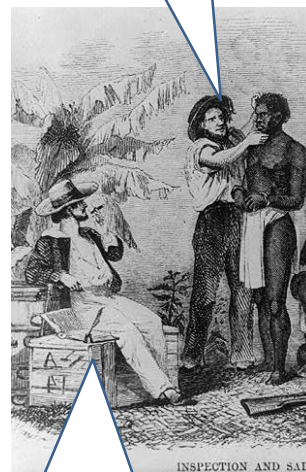


9

Slavery

- Southern states wanted slaves to count for population
- Northerners wanted to count slaves only for taxation, not representation
- 3/5 compromise
 - 3/5 of slave population would be counted for representation and taxation
- Slave Trade Compromise: Importation of slaves stops in 1808 BUT Congress cannot tax exports

I want my slave to help me gain political power



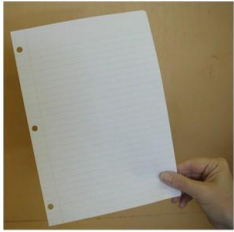


I want your slave to help me get more tax revenue

10

- However, delegates avoided the slave issue, women's rights, or immigration as much as possible
 - One delegate remarked **“Religion and humanity have nothing to do with this question. Interest alone is the governing principle of nations”**



11

Separation of Powers

- Delegates followed example of state constitutions which had three branches
- System of checks and balances meant to prevent tyranny by an elite or the masses
- Many powers were reserved for the states
 - The people were sovereign, but the government's powers were divided between the States and Federal government
 - Division of power between federal & state governments known as Federalism

12

Legislative Branch



- House of Representatives was the only directly democratic institution, with congressmen chosen by the people every 2 years
- Senate chosen by state legislatures every 6 years
- Power to declare war or peace
- House could bring the president to trial (impeachment)
- Senate would be responsible for conducting the trial (and voting to acquit or remove the executive)

13

Executive

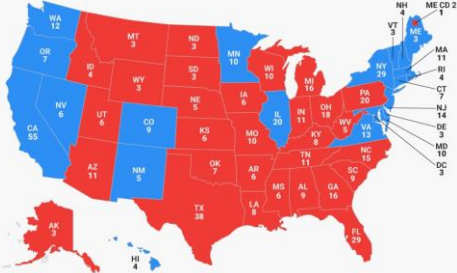


- Veto over Congress (subject to 2/3 override)
- Commander-in-Chief of armed forces & responsible for executing the laws
- Could make treaties and appoint diplomats, judges, and other officers (with Senate approval)
 - Several of the President's powers exceeded those of the British monarch

14

CLINTON 270 ELECTORAL VOTES TO WIN **TRUMP**

232 306



- Hamilton wanted the president elected by the people
 - **Would give president more authority**
 - **Would have created enormous problems of organization & voter qualification in an age without roads, cars, or the internet**
- Instead, electoral college limits direct democracy
 - **Delegates decided that each state could choose electors equal to the number of senators & representatives in Congress, and they would determine who is president**
 - **States could use any means they wished to choose the electors (states decided to choose based on popular vote)**

15

Judiciary



- Constitution established a Supreme Court, but left the specifics up to Congress

16

- Finally, delegates wanted to avoid the problem of unanimous consent when amending the government
- The Constitution could be amended with the approval of $\frac{3}{4}$ of the states



17

Preamble

- We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.



18

Fight for Ratification

- Those in favor called themselves Federalists
- Opponents called Anti-Federalists



19

In the Press,
and speedily will be published,
THE
FEDERALIST,
A Collection of Essays written in fa-
vor of the New Constitution.
By a Citizen of New-York.
Corrected by the Author, with Additions
and Alterations.

*This work will be printed on a fine Paper
and good Type, in one handsome Volume duo-
decimo, and delivered to subscribers at the
moderate price of one dollar. A few copies
will be printed on superfine royal writing pa-
per, price ten shillings.
No money required till delivery.
To render this work more complete, will be
added, without any additional expense,*

PHILO-PUBLIUS,
AND THE
Articles of the Convention,
As agreed upon at Philadelphia, Septem-
ber 17th, 1787.



The Federalist Papers

- Alexander Hamilton, James Madison, and John Jay penned a series of essays supporting ratification
 - Often used as source for interpreting the intent of the Founding Fathers

20

- Anti-Federalist argued that a strong central government could take away individual rights, so Federalists agreed to add a bill of rights to the Constitution



Who says the people are sovereign?

21



Bill of Rights

- To gain support, Federalists promised to add 10 amendments that guarantee individual rights.
- 1st – freedom of speech, press, religion
- 2nd – freedom to bear arms
- 3rd – no forced quartering of soldiers
- 4th-8th – fair treatment for those accused of crimes (7th applies to civil suits)
- 9th – rights not limited to those mentioned in Constitution
- 10th – All rights not assigned to Federal belong to the States
 - check on Fed power

22

Conclusion

- The Constitution was the product of a series of compromises
 - Few loved it or hated it entirely
- However, it is a model of resilience that operates in remarkable harmony with the people it governs
- Although the Founding Fathers failed in addressing slavery, they engineered a frame of government that has allowed future generations to continue to perfect the Republic

