

The Constitution
Chapter 2

Constitution

- Definition
 - A nation’s basic law. It creates political institutions, assigns or divides powers in government, and often provides certain guarantees to citizens.
- Sets the broad rules of the game.
- The rules are not neutral- some have advantages others don’t.

The Origins of the Constitution

- The Road to Revolution
 - Colonists didn’t like the way they were treated.
- Declaring Independence
 - The Declaration of Independence listed the abuses the colonists claimed.
- The English Heritage: The Power of Ideas
 - Consent of the governed
 - Limited Government

The Origins of the Constitution

- Jefferson’s Handiwork: The American Creed
 - Locke’s influence
 - “life, liberty, and the pursuit of happiness”
- Winning Independence
- The “Conservative” Revolution
 - Restored rights the colonists felt they had lost
 - Not a major change of lifestyles

The Government That Failed

- The Articles of Confederation
 - The first document to govern the United States
 - Congress had little powers
 - States could engage in foreign trade
- Changes in the States
 - Expanded political power for some
 - Expanding economic middle class
 - Ideas of equality spreading

The Government That Failed

- Economic Turmoil
 - States had different currencies
 - States had laws that favored debtors
- Shay’s Rebellion
 - A series of attacks on courthouses by a small band of farmers led by Revolutionary War Captain Daniel Shays to block foreclosure proceedings.

The Government That Failed

- The Aborted Annapolis Meeting
 - An attempt to discuss changes to the Articles of Confederation.
 - Attended by only 12 delegates from 5 states.
 - Called for a meeting in May of 1787 to further discuss changes.

Making a Constitution: The Philadelphia Convention

- Gentlemen in Philadelphia
 - 55 men from 12 of the 13 states
 - Mostly wealthy planters & merchants
 - Most were college graduates with some political experience
 - Many were coastal residents from the larger cities, not the rural areas

The Philadelphia Convention, continued...

- Philosophy into Action...
 - Human Nature
 - Political Conflict
 - Objects of Government
 - Nature of Government

The Agenda in Philadelphia

- The Equality Issues
 - Equality and Representation of the States
 - New Jersey Plan
 - Virginia Plan
 - Slavery
 - Political Equality

The Agenda in Philadelphia

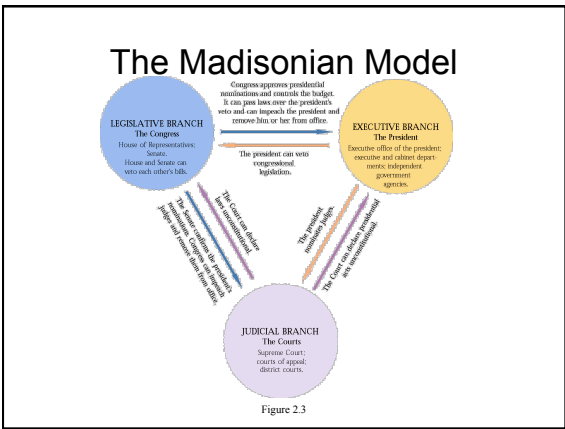
- The Economic Issues
 - States had tariffs on products from other states
 - Paper money was basically worthless
 - Congress couldn't raise money
 - *Actions taken:*
 - Powers of Congress needed to be strengthened
 - States were limited in their activities

The Agenda in Philadelphia

- The Individual Rights Issues
 - Some were written into the Constitution:
 - Writ of habeas corpus
 - No bills of attainder
 - No ex post facto laws
 - Right to trial by jury in criminal cases
 - Some were not specified
 - Freedom of speech / expression
 - Rights of the accused

The Madisonian Model

- Limiting Majority Control
- Separating Powers
- Creating Checks and Balances
- Establishing a Federal System



The Madisonian Model

- The Constitutional Republic
 - Republic: A form of government in which the people select representatives to govern them and make laws.
 - Favors the status quo- changes are slow
- The End of the Beginning
 - The document was approved, but not unanimously. Now it had to be ratified.

Ratiofing the Constitution

•Federalists

- Weaker state governments
- Indirect election
- Longer terms
- Government by the elite
- Not concerned about individual liberties

•Anti-Federalists

- Strong state governments
- Direct election
- Short terms of office
- Government by common man
- Strong protections of individual liberties

Constitutional Change

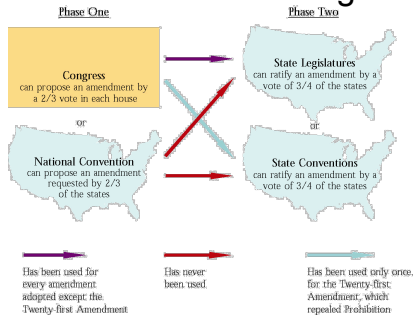


Figure 2.4

Constitutional Change

- The Informal Process of Constitutional Change
 - Judicial Interpretation
 - Changing Political Practice
 - Technology
 - Increasing Demands on Policymakers
