

■ Essential Question:

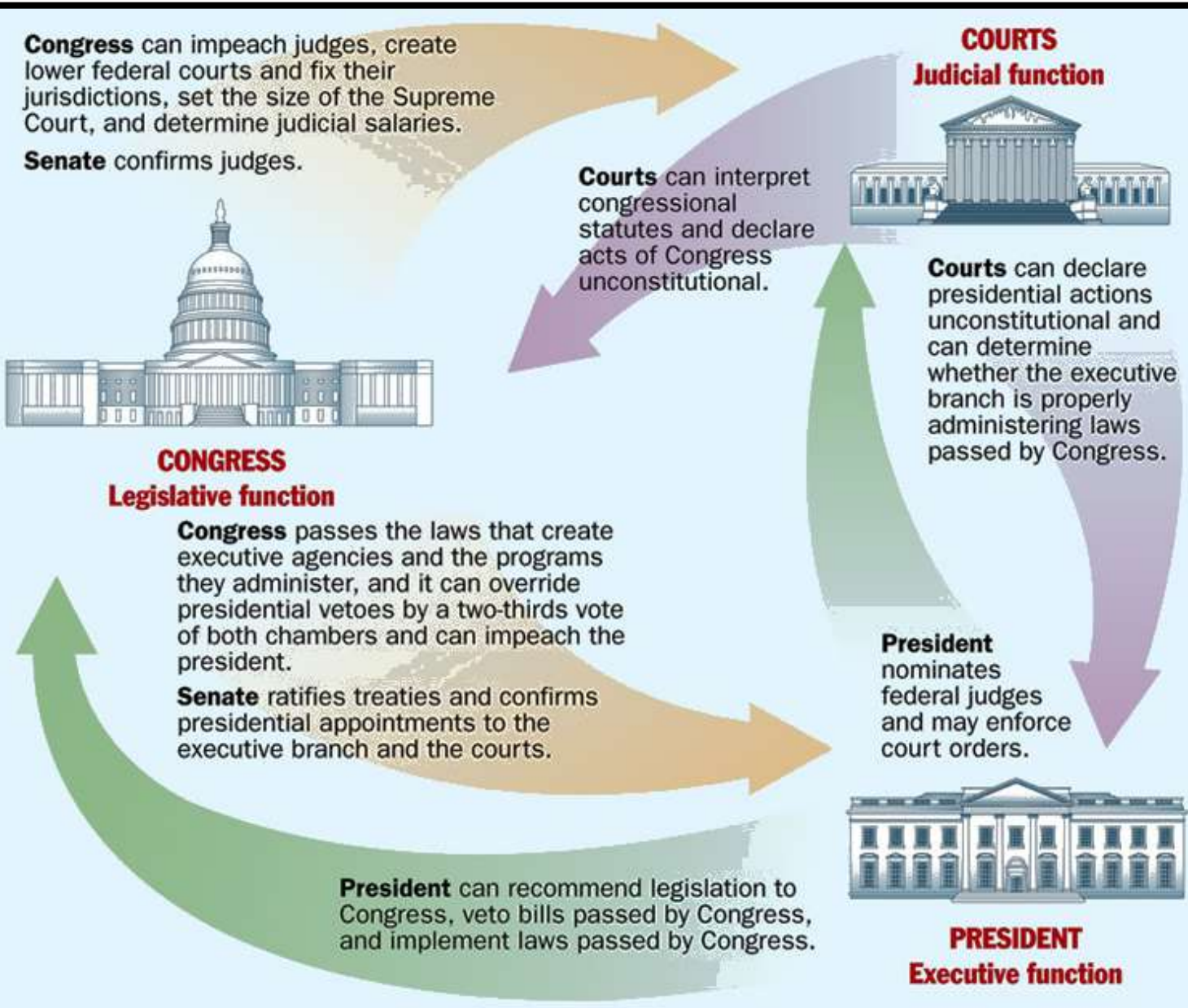
- What compromises were needed in order to create the U.S. Constitution?

■ Warm Up Question:

Use the image on the next slide to answer these questions:

- *How is the American government organized?*
- *Why do you think our government is organized like this?*

What are the important features of American government under the Constitution?



Use this image to search for clues:

How is the American government organized?

Why do you think our government is organized like this?

Constitutional Convention, 1787

- The Articles of Confederation were intentionally weak in order to protect state & individual liberties

But, the inability of the national gov't to tax & unify the states led to problems like Shays' Rebellion

- A Constitutional Convention was held in Philadelphia in 1787 to discuss ways to strengthen the power of the national gov't

The Constitution ★ ★ ★

States fear strong central government

New states want to preserve self-government

States have different needs and interests

Fight for independence builds unity

CONTRIBUTING CAUSES

Confederation has no power to tax, enforce laws, or protect property

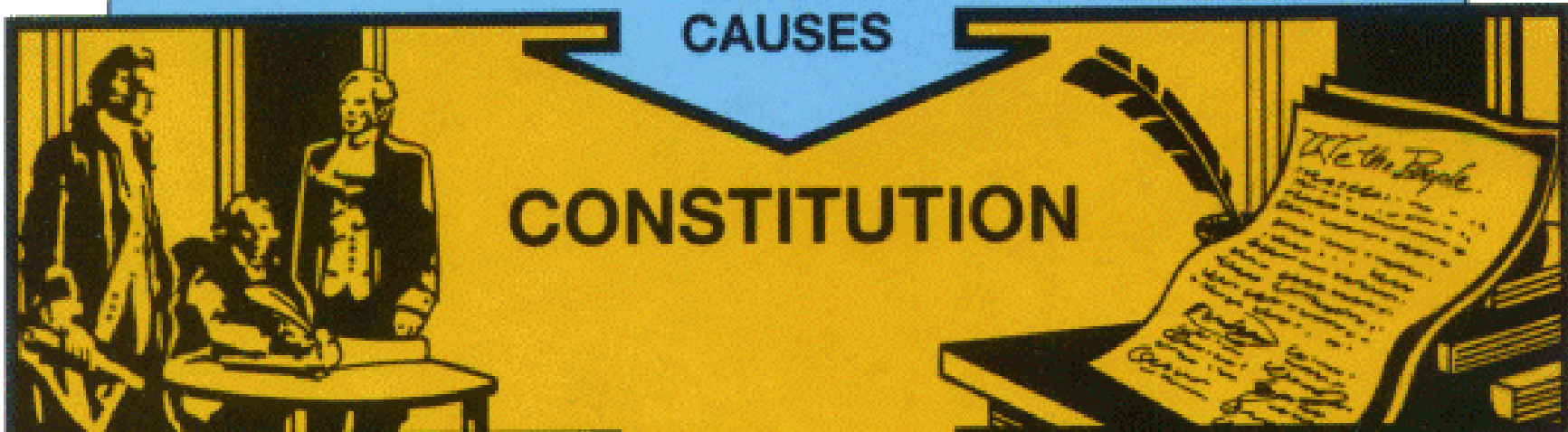
Articles of Confederation are too weak

America cannot respond to foreign attack

Economic problems plague the new nation

MAIN CAUSES

CONSTITUTION



The Philadelphia Convention

- In May 1787, 55 delegates met in Philadelphia, but instead of revising the Articles of Confederation, they replaced it with the Constitution
- The new Constitution was very different from the AOC:

Key Conflicts in the Constitutional Convention

STRONG CENTRAL GOVERNMENT vs. STRONG STATES

- Authority derives from the people.
- The central government should be stronger than the states.

- Authority derives from the states.
- The states should remain stronger than the central government.

The national gov't under the Constitution would have new features & powers that the Articles of Confederation did not have

RHODE ISLAND

DELAWARE

PENNSYLVANIA

GEORGIA

NORTH CAROLINA

MARYLAND



Legislative
(makes laws)



Executive
(carries out laws)



Judicial
(evaluates laws)

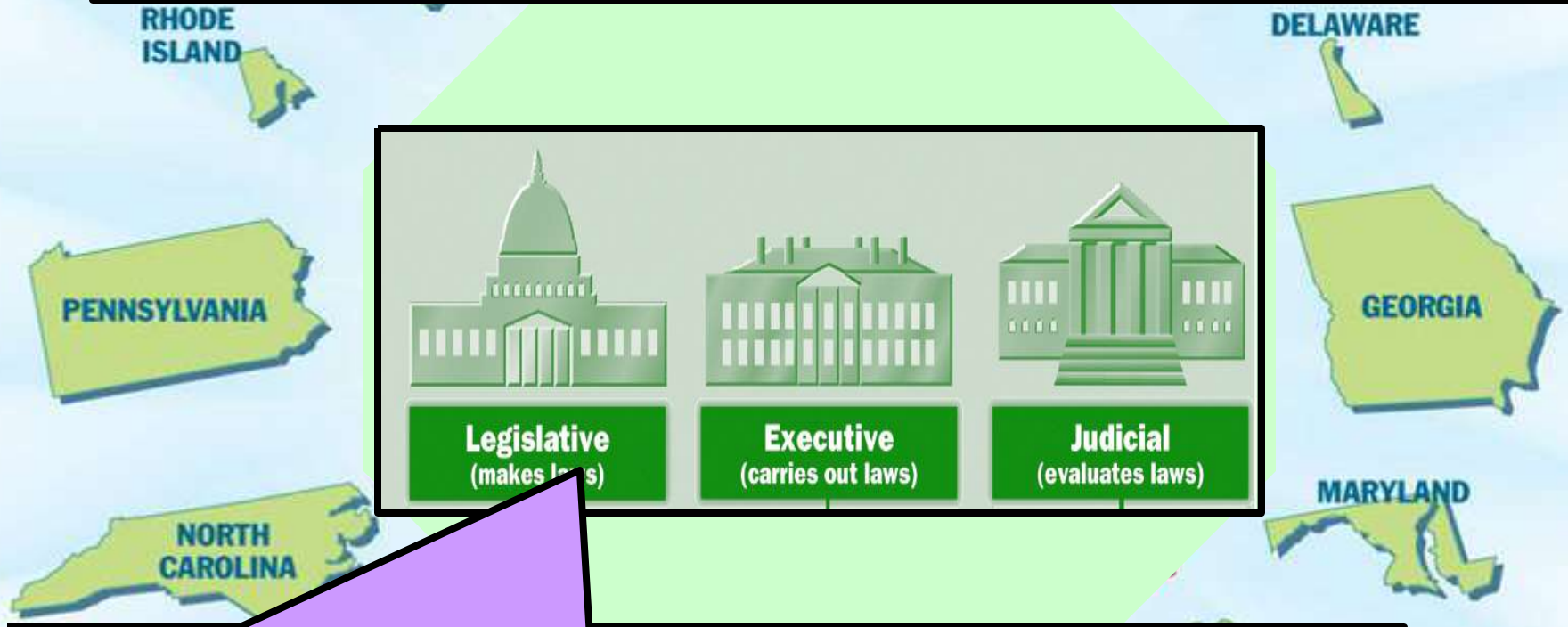
Congress would have the power to tax & coin money

The national gov't would have a president & a Supreme Court

NEW JERSEY

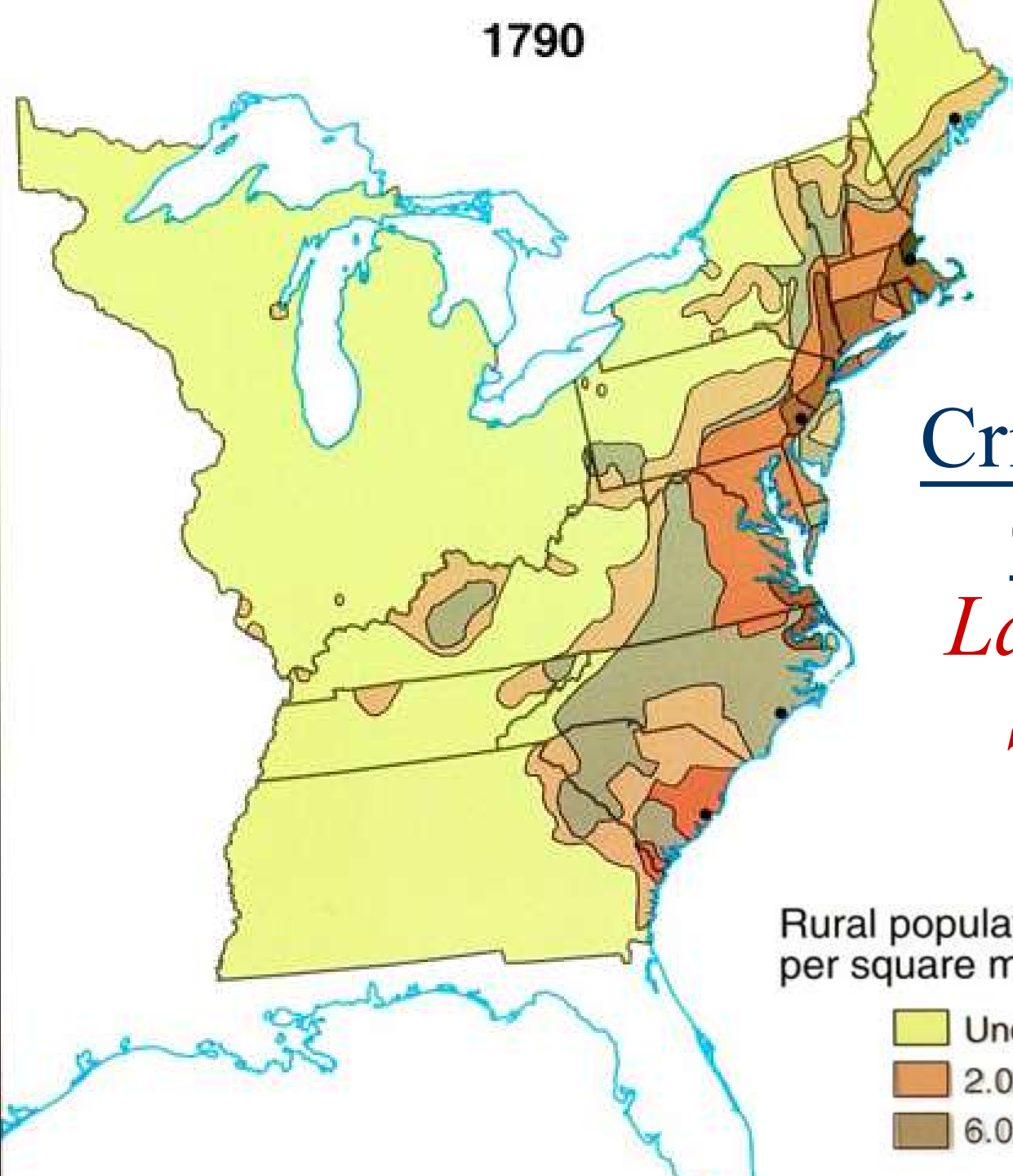
NEW HAMPSHIRE

The delegates at the convention had to negotiate a series of compromise in order to agree on a framework for government



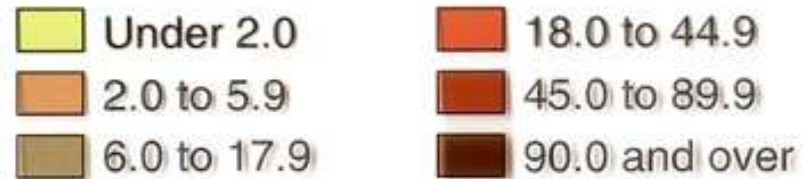
Many of these compromises dealt with how representatives would be chosen from the states to serve in Congress

1790



Critical Thinking
Question A:
Large States vs.
Small States

Rural population density
per square mile



Representation in Congress

Virginia Plan:

A bicameral (two-house) congress
Larger states have more representatives
Adding a president as national leader

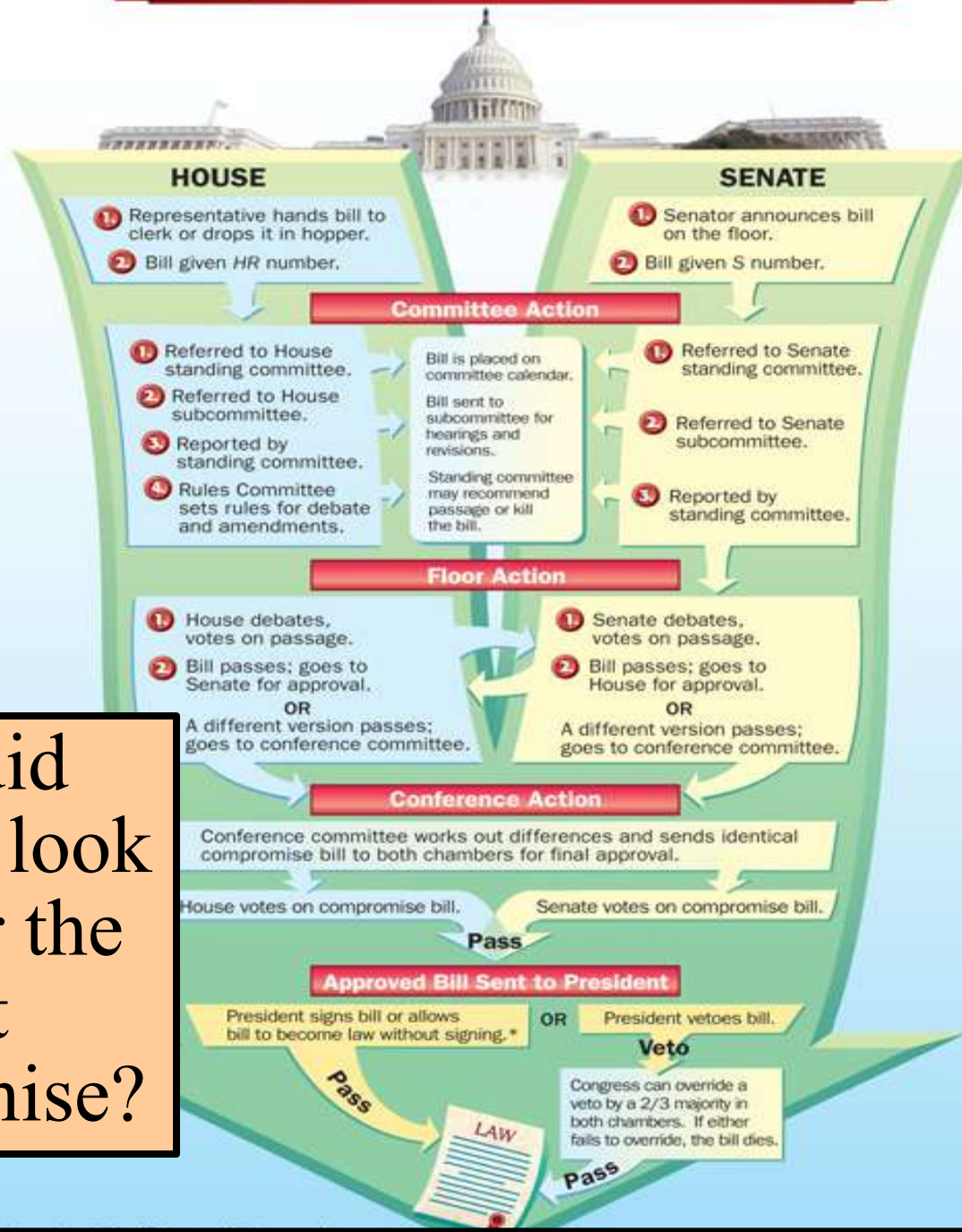
New Jersey Plan:

- A unicameral (one-house) congress
- States are equally represented just like the AOC
- No president

The Great Compromise

- The Great Compromise resolved the differences between the large & small states by creating a bicameral legislature.
 - **Victory for the small states**
 - **Victory for large states**
 - Senate: Each state has 2 reps who serve 6-year terms
 - House of Representatives: Number of reps is determined by each state's population

How a Bill Becomes Law

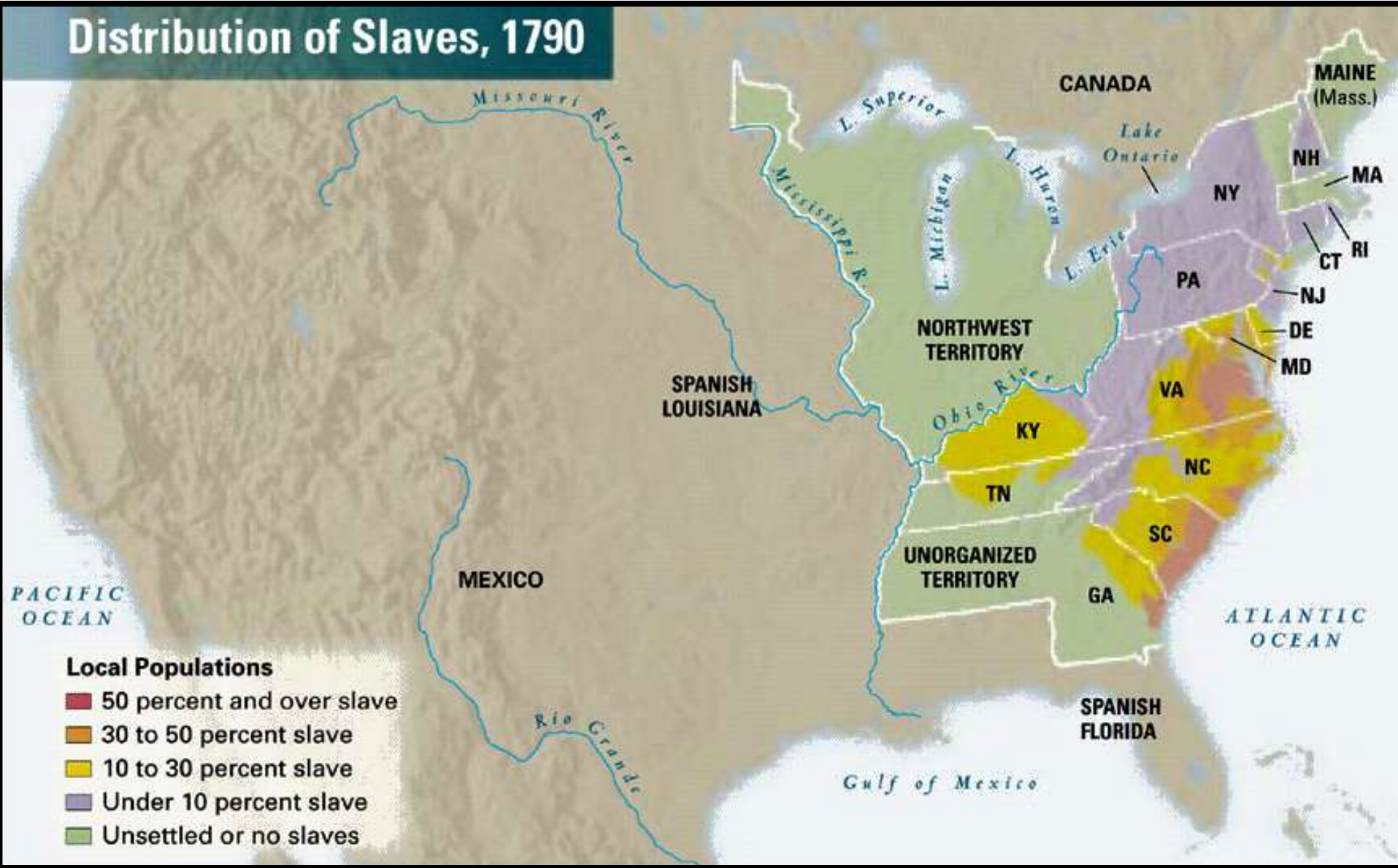


What did Congress look like after the Great Compromise?

Critical Thinking Question B:

Southern Slave States vs. Northern Free States

Distribution of Slaves, 1790



The 3/5 Compromise

- Northern & Southern states could not agree whether or not to count slaves towards population size
- If slaves are counted, Southern states would have more reps

Key Conflicts in the Constitutional Convention

NORTH vs. SOUTH

- | | |
|--|--|
| <ul style="list-style-type: none">• Slaves should not be counted when deciding the number of delegates.• Slaves should be counted when levying taxes. | <ul style="list-style-type: none">• Slaves should be counted when determining congressional representation.• Slaves should not be counted when levying taxes. |
|--|--|

Critical Thinking Question C:

To End Slavery or Not

\$200 Reward.

RANAWAY from the subscriber, on the night of Thursday, the 30th of September,

FIVE NEGRO SLAVES,

To-wit: one Negro man, his wife, and three children.

The man is a black negro, full height, very erect, his face a little thin. He is about forty years of age, and calls himself *Washington Reed*, and is known by the name of Washington. He is probably well dressed, possibly takes with him an ivory headed cane, and is of good address. Several of his teeth are gone.

Mary, his wife, is about thirty years of age, a bright mulatto woman, and quite stout and strong.

The oldest of the children is a boy, of the name of FIELDING, twelve years of age, a dark mulatto, with heavy eyelids. He probably wore a new cloth cap.

MATILDA, the second child, is a girl, six years of age, rather a dark mulatto, but a bright and smart looking child.

MALCOLM, the youngest, is a boy, four years old, a lighter mulatto than the last, and about equally as bright. He probably also wore a cloth cap. If examined, he will be found to have a swelling at the navel.

Washington and Mary have lived at or near St. Louis, with the subscriber, for about 15 years.

It is supposed that they are making their way to Chicago, and that a white man accompanies them, that they will travel chiefly at night, and most probably in a covered wagon.

A reward of \$150 will be paid for their apprehension, so that I can get them, if taken within one hundred miles of St. Louis, and \$200 if taken beyond that, and secured so that I can get them, and other reasonable additional charges, if delivered to the subscriber, or to THOMAS ALLEN, Esq., at St. Louis, Mo. The above negroes, for the last few years, have been in possession of Thomas Allen, Esq., of St. Louis.

WM. RUSSELL.

ST. LOUIS, Oct. 1, 1847.

Compromising with Slavery

“Great as the evil is, a dismemberment of the Union would be worse.”

—James Madison

threaten

anytime slavery

leave the USA

was discussed

- As a compromise for the South, the slave trade could continue for 20 more years & runaway slaves would be returned to slave masters

VIRGINIA PLAN

- Strong national legislature; lower chamber chosen by the people; upper chamber chosen by the lower chamber
- Strong national executive chosen by legislature

James Madison helped negotiate many of the compromises that made the Constitution possible & is referred to as the “*father of the Constitution*”

CONNECTICUT COMPROMISE

- Legislature made up of Senate with equal representation and House with representation based on population

FURTHER COMPROMISES

- Three-fifths compromise
- Commerce and slave-trade compromise
- Electoral College compromise
- Presidential term length compromise

CONSTITUTION



Closure Activity

- Examine the 3 compromises from today's activity:
 - “Great Compromise”
 - “Three-Fifths Compromise”
 - “Slavery Compromise”
- Rank order these compromises from most important to least important & explain why

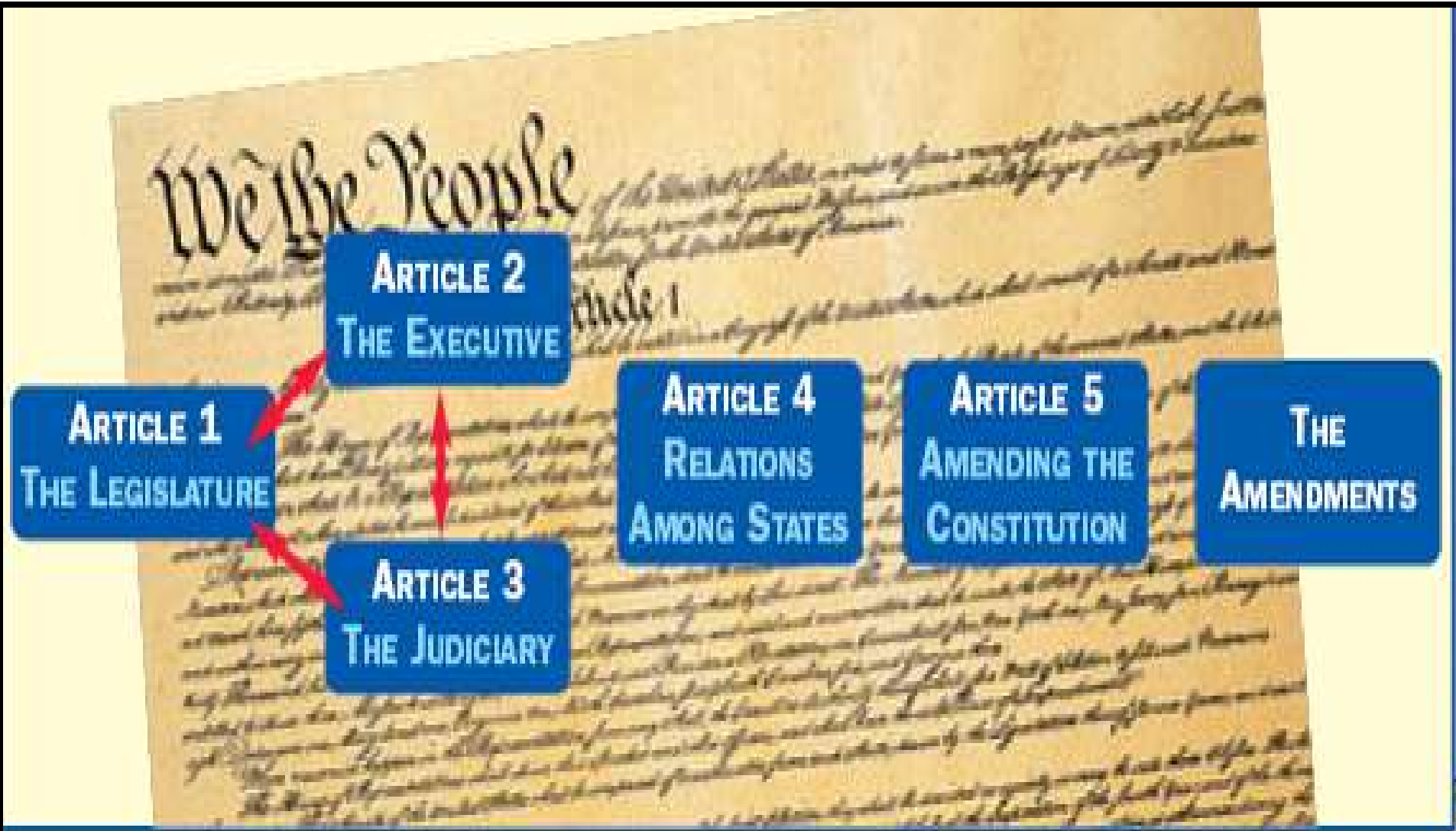
■ Essential Question:

- What are the major principles, branches, & powers of the U.S. Constitution?

■ Warm-Up Question:

- The delegates who attended the Philadelphia Convention had no authority to change the national gov't & but they did so in secret.
 - Was this legal? Was this OK?

The Constitution



The Constitution Video (4.00)





Constitutional Card Sort

Activity

Key Ideas of the Constitution

Major Principles of the Constitution

- Popular sovereignty
- Separation of powers
- Federalism
- Checks and balances
- Limited government

Popular Sovereignty:
the people have power
by voting for leaders

Article I, Section 8, states the

Limited gov't:
even though the national
gov't was stronger, citizens'
liberty was still protected

vaguely described powers

Federalism:
the national gov't shares
power with state gov'ts

and allows Congress to set up
lower courts

Federalism

Division of Federal and State Powers

NATIONAL GOVERNMENT (Expressed, Implied, and Inherent Powers)

- Regulate foreign and interstate commerce
- Coin money
- Provide an army and navy
- Declare war
- Establish federal courts below the Supreme Court
- Conduct foreign relations
- Exercise powers implied from the expressed powers

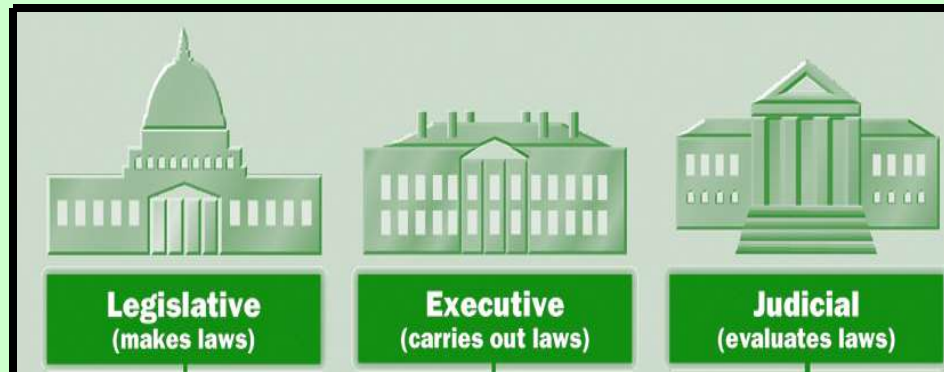
NATIONAL and STATE GOVERNMENTS (Concurrent Powers)

- Levy taxes
- Borrow money
- Spend for general welfare
- Establish courts
- Enact and enforce laws

STATE GOVERNMENTS (Reserved Powers)

- Regulate intrastate commerce
- Establish local government systems
- Administer elections
- Protect the public's health, welfare, and morals

The Constitution was a radical shift from the Articles of Confederation because it gave more power to the national gov't than to the state gov'ts



The *supremacy clause* establishes the Constitution (not the states) as the "the supreme law of the land"

Key Ideas of the Constitution

Major Principles of the Constitution

- Popular sovereignty
- Separation of powers
- Federalism
- Checks and balances
- Limited government

Separation of powers:
three branches with defined powers

- Article I, Section 8, states the expressed powers of Congress

Executive Branch

- Carries out acts of Congress
- Article II grants president broad but vaguely described powers

Judicial Branch

- Interprets the law
- Article III establishes Supreme Court and allows Congress to set up lower courts

Separation of Powers



Legislative
(makes laws)

Senate

**House of
Representatives**



Executive
(carries out laws)

President

**Vice
President**

Cabinet



Judicial
(evaluates laws)

**Supreme
Court**

**Other
Federal Courts**

The Powers of Congress

Selected Expressed Powers

Selected Implied Powers

MONEY POWERS

- Lay and collect taxes to provide for the defense and general welfare of the United States (Clause 1);
- Borrow money (Clause 2);
- Establish bankruptcy laws (Clause 4);
- Coin, print, and regulate money (Clause 5);
- Punish counterfeiters of American currency (Clause 6)

Lay and collect taxes

IMPLIES the power to support public schools, welfare programs, public housing, etc.

Borrow money

IMPLIES the power to maintain the Federal Reserve Board.

COMMERCE POWERS

- Regulate foreign and interstate commerce (Clause 3)

Regulate commerce

IMPLIES the power to prohibit discrimination in restaurants, hotels, and other public accommodations.

MILITARY AND FOREIGN POLICY POWERS

- Declare war (Clause 11);
- Raise, support, and regulate an army and navy (Clauses 12, 13, and 14);
- Provide, regulate, and call into service Militia, known as the National Guard (Clauses 15 & 16);
- Punish acts committed on international waters and against the laws of nations (Clause 10)

Raise and support army

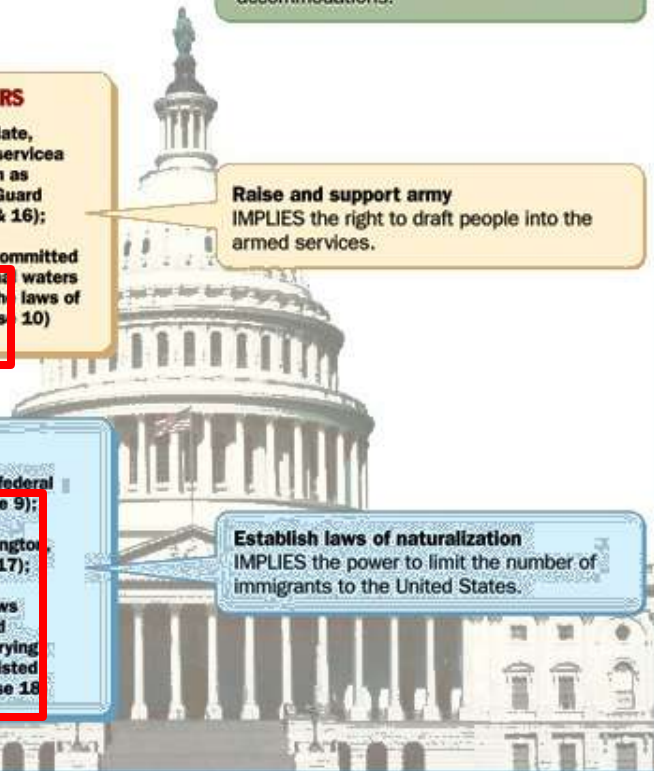
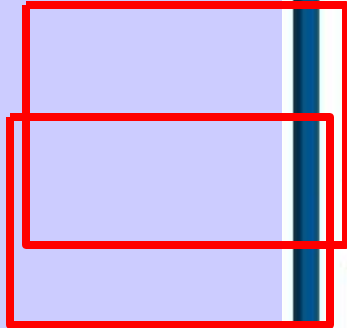
IMPLIES the right to draft people into the armed services.

OTHER LEGISLATIVE POWERS

- Establish laws of naturalization (Clause 4);
- Establish post offices and post roads (Clause 7);
- Grant copyrights and patents (Clause 8);
- Create lower federal courts (Clause 9);
- Govern Washington, D.C. (Clause 17);
- Provide for laws necessary and proper for carrying out all other listed powers (Clause 18)

Establish laws of naturalization

IMPLIES the power to limit the number of immigrants to the United States.



Only Congress can make laws, declare war, create taxes

The “elastic clause” gives Congress implied powers to make laws seen as “necessary & proper”

Only the Senate can approve treaties & only the House can create taxes

• Limited government

Constitution

Legislative Branch

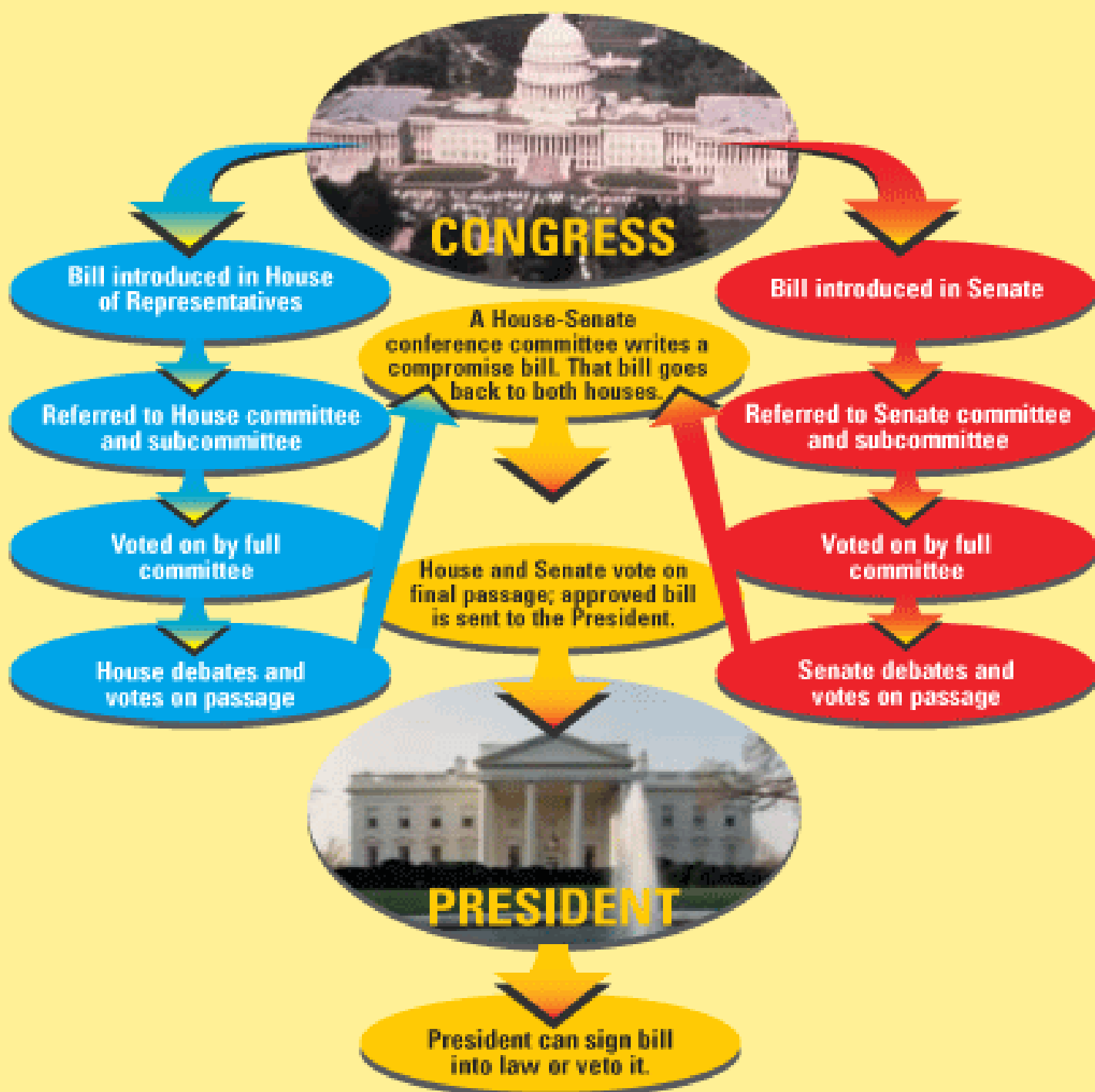
- makes the law
- Article I, Section 8, states the expressed powers of Congress

Executive Branch

- Carries out acts of Congress
- Article II grants president broad but vaguely described powers

Judicial Branch

- Interprets the law
- Article III establishes Supreme Court and allows Congress to set up lower courts



Article 1: Legislative Branch

- ❑ **The Constitution created Congress.**
- ❑ **It is a group of people elected to make laws for the country.**
- ❑ **Congress has two parts: The Senate and The House of Representatives.**



Senate

- ▣ There are **100** senators.
- ▣ Each **state has two** senators.
- ▣ A Senator is in office for **6 years**. This is called a "term."
- ▣ Senators meet in the U.S. Capitol building

House of Representatives

There are **435** representatives.

The more people that live in a state, the more representatives it has.

Representatives serve for a term of **2 years**.

They can be elected for more than one term.

Key Ideas of the Constitution

Major Principles of

The president enforces the laws passed by Congress

The president oversees the bureaucracy (departments & federal agencies)

Legislative Branch

- Makes the law
- Article I, Section 8, states the expressed powers of Congress

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Judicial Branch

- Interprets the law
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Government

Judicial review

Article II: Executive Branch

- ▣ The **president**, or **Chief Executive**, is the **head of the government**.
- ▣ Americans vote every **4 years** for their leader of their democratic society.
- ▣ After elected to serve his/her country, the president lives and works in the **White House**.
- ▣ The president is in charge of the **(Commander and Chief)** armed forces.
- ▣ The president works with leaders of other countries.



Chief
Agenda Setter



THE PRESIDENT

Chief
of State



Proposes laws and programs to Congress



Conducts the foreign relations of the United States



Is Commander-in-Chief of the armed forces





Approves or vetoes all bills passed by Congress

Commander-in-Chief of the military


adors,



May call special sessions of Congress




Prepares the budget of the federal government



Keeps Congress informed about the state of the nation and of the economy

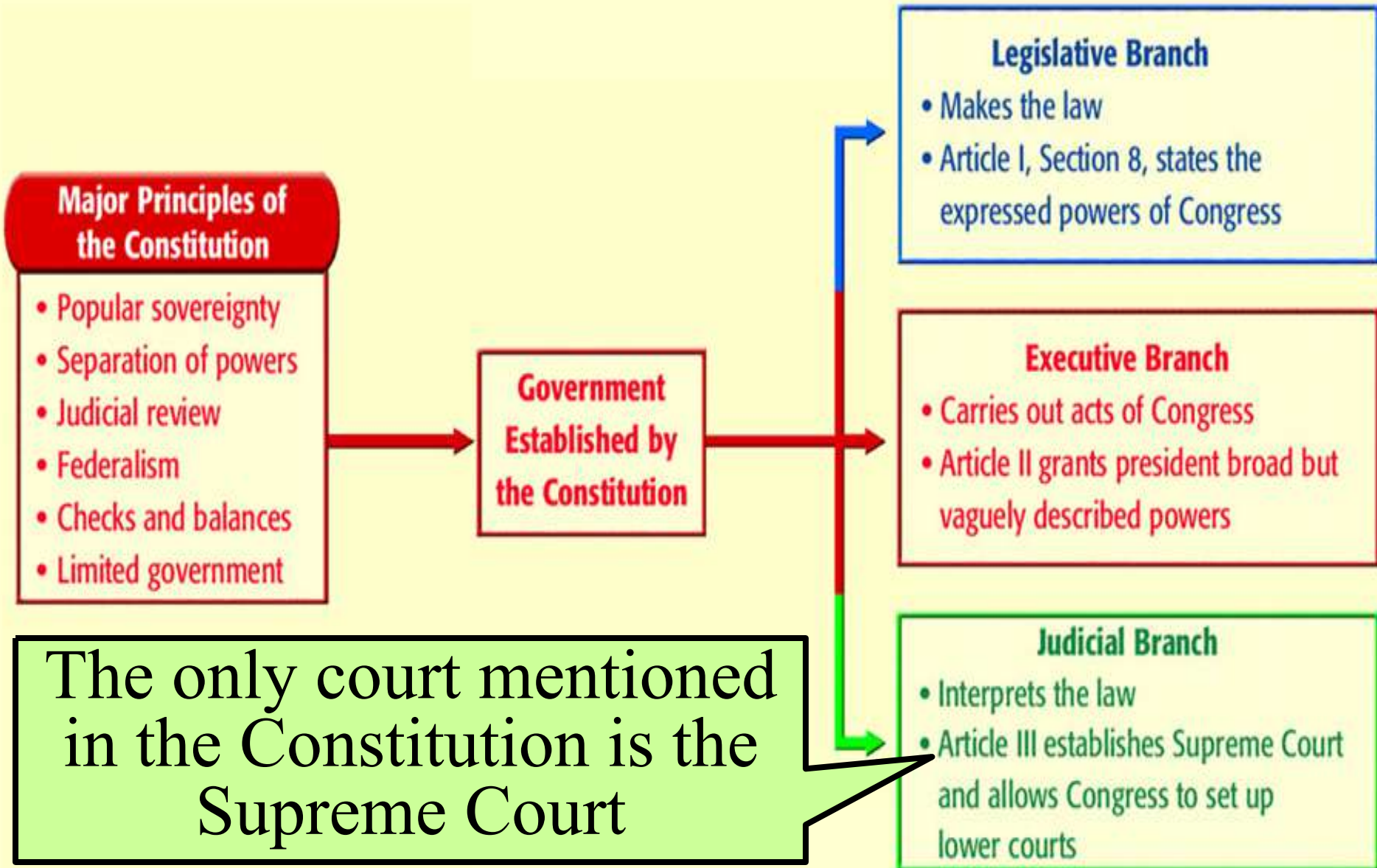


Receives foreign ambassadors



May pardon persons found guilty of federal crimes

Key Ideas of the Constitution



Article III: Judicial Branch

▣ The **Supreme Court** is the **highest court** in the **U. S.**, and is the system of courts to **settle questions about the laws.**

▣ The nine justices can serve for **life**, or wish to retire.

▣ Each justice is **chosen by the president** and **approved by congress**



The United States Federal Courts



**SUPREME
COURT**

**UNITED STATES
SUPREME COURT**

**APPELLATE
COURTS**

U.S. Courts of Appeals

12 Regional Circuit Courts of Appeals
1 U.S. Court of Appeals for the Federal Circuit

**TRIAL
COURTS**

U.S. District Courts

94 judicial districts
U.S. Bankruptcy Courts

U.S. Court of International Trade

U.S. Court of Federal Claims

Key Ideas of the Constitution

Major Principles of the Constitution

- Popular sovereignty
- Separation of powers
- Federalism
- Checks and balances
- Limited government

Legislative Branch

- Makes the law
- Article I, Section 8, states the expressed powers of Congress

Executive Branch

- Carries out acts of Congress
- Article II grants president broad but vaguely described powers

Checks & balances:
each branch can limit the power of the others

lower courts

System of Checks and Balances

Congress can impeach judges, create lower federal courts and fix their jurisdictions, set the size of the Supreme Court, and determine judicial salaries.

Senate confirms judges.



CONGRESS

Legislative function

Congress passes the laws that create executive agencies and the programs they administer, and it can override presidential vetoes by a two-thirds vote of both chambers and can impeach the president.

Senate ratifies treaties and confirms presidential appointments to the executive branch and the courts.

President can recommend legislation to Congress, veto bills passed by Congress, and implement laws passed by Congress.

Courts can interpret congressional statutes and declare acts of Congress unconstitutional.

COURTS

Judicial function



Courts can declare presidential actions unconstitutional and can determine whether the executive branch is properly administering laws passed by Congress.

President nominates federal judges and may enforce court orders.



PRESIDENT

Executive function

■ Essential Question:

- What were the arguments for & against ratifying the Constitution?
- What role did the Federalists & Anti-Federalists play in the debate over ratification?

■ Warm-Up Question:

- Why are some Americans going to oppose the new Constitution?



Ratification of the Constitution

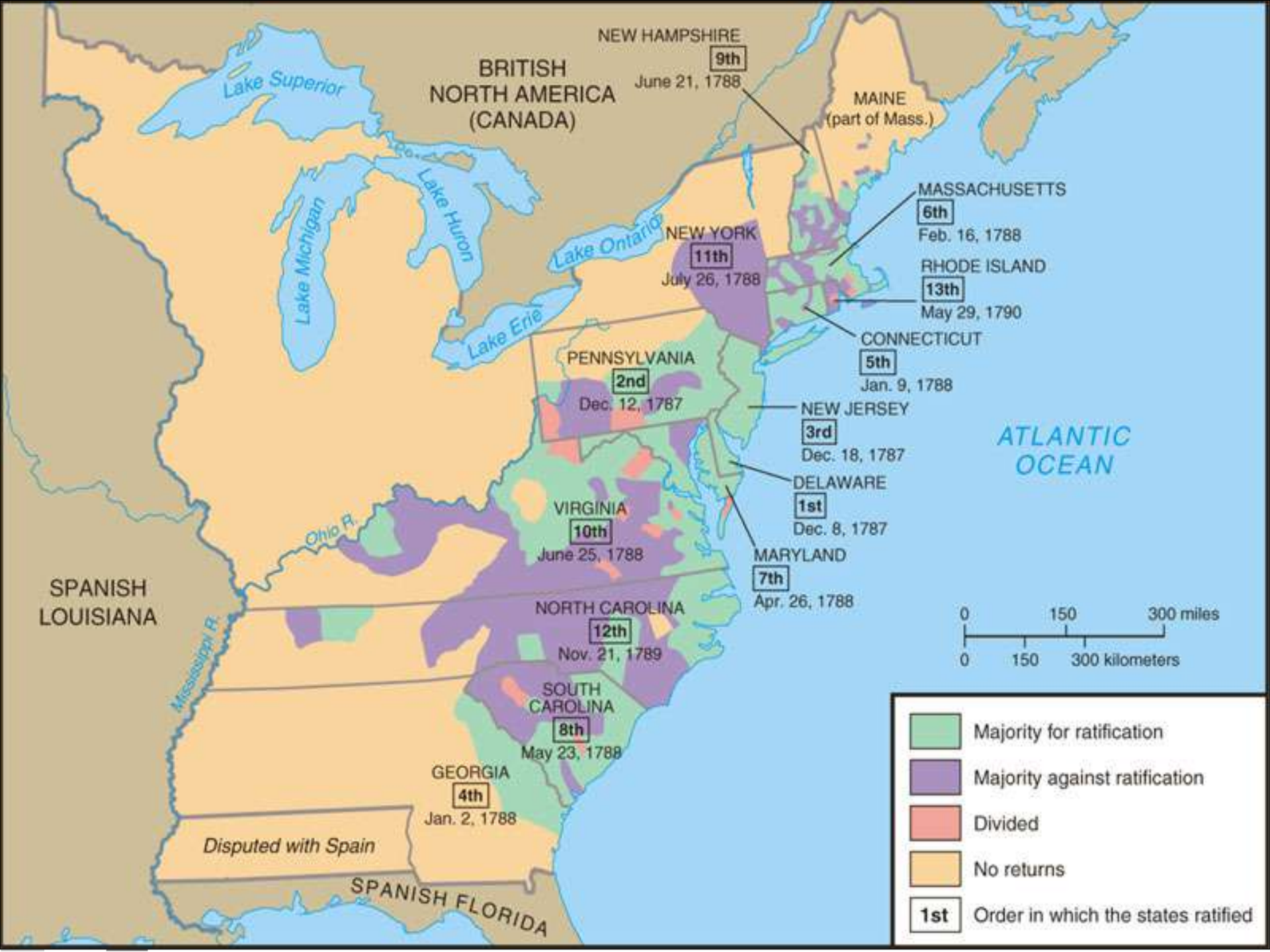
Federalists & Anti-Federalists

Federalists

- Supported ratification of the Constitution
- In order for the Constitution to be legitimate, 9 of the 13 states had to ratify (agree to) it
- Alexander Hamilton & James Madison authored the Federalist Papers to argue for ratification

Anti-Federalists

- Against ratification because they feared the Constitution was an illegal change in gov't
- Wanted a Bill of Rights



Votes of State Ratifying Conventions

State	Date	For	Against
Delaware	December 1787	30	0
Pennsylvania	December 1787	46	23
New Jersey	December 1787	38	0
Georgia	January 1788	26	0
Connecticut	January 1788	89	0
Massachusetts	September 1788	187	168
Maryland	April 1788	63	11
South Carolina	May 1788	149	73
New Hampshire	June 1788	57	47
Virginia	June 1788	89	79
New York	July 1788	30	27
North Carolina	November 1789	194	77
Rhode Island	May 1790	34	32

Constitution became the official
the law of the land in 1789

The Bill of Rights

1. Religious and political freedom
2. Right to bear arms
3. Freedom from quartering troops

The Constitution proved to be a successful form of government; Today, the Constitution is the oldest existing written gov't in the world & has become a model for other nations

9. Rights of the people
10. Powers of states and the people

Federalist/Anti-Federalist

TV Commercials

- In groups, students will be assigned the role of Federalists or Anti-Federalists:
 - Create a 30-second TV commercial that explains your point of view in 1789
 - Each member of your team must have a role in the commercial
 - Groups need a script & 1 visual