

**THE ARTICLES OF
CONFEDERATION VS. THE
UNITED STATES
CONSTITUTION,
BILL OF RIGHTS,
WAR OF 1812**

4th Grade

WHAT WERE THE ARTICLES OF CONFEDERATION?

- They were written during the Revolutionary War by the Continental Congress in 1781.
- It was supposed to give the colonies a sense of unified government.

WHAT WERE THE WEAKNESSES OF THE ARTICLES OF CONFEDERATION?

- But when the war ended, each state (colony) began to act alone (make laws in their best interest).
- They had no executive branch with this form of government.
- States had more power and the federal government had very limited power over the states.
- No national currency.
- Judicial functions were limited because laws were different from state to state.

WHAT HAPPENED NEXT?

- Because government was so weak with the Articles of Confederation, an assembly was called to make changes to it. This was later known as the **Constitutional Convention**, which met in **Philadelphia** on **May of 1787**.

THE CONSTITUTIONAL CONVENTION

- At the convention, a new draft was written, the United States Constitution.
- 12 of 13 states were represented at the convention.
- It took 4 months for the delegates to write the Constitution.
- Father of the Constitution was James Madison. Other delegates, such as Benjamin Franklin, also took part in the drafting of the constitution.

THE US CONSTITUTION

- The writers of our Constitution wanted to make sure that the new nation and its citizens would be free and independent.
- They wanted to make sure that the government of the United States would protect the people from a government that was too powerful and from the autocratic rule of kings.

WHAT IT CONSISTED OF...

The Preamble: opening statement to the Constitution that explains the reasons our Founding Fathers crafted our Republican form of government, to replace the Articles of Confederation.

“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.”

<http://const4kids.forums.commonground13.us/?p=19>

WHAT IT CONSISTED OF...

- Each state would have state representatives (depending of population and equal for each state)
- A two-house (bicameral) legislature: a **House of Representative** (population) and a **Senate** (equal)
- Equal power of State and Federal governments

WHAT IT CONSISTED OF...

3 branches of government:

- **Legislative** (makes laws)
 - **Judicial** (reviews the laws)
 - **Executive** (carries out the laws)
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- **Checks and Balances:** by creating three branches of government, the delegates built a "check and balance" system into the Constitution. This system was built so that no one branch of our government could become too powerful.

RATIFYING THE CONSTITUTION

- Those that approved and supported the constitution were called **federalists**. But, there were still some that were not convinced.
- Those that were not convinced wanted a **Bill of Rights** added to the constitution to make sure that each individual would be protected from a federal government.

THE BILL OF RIGHTS

- **James Madison wrote 12 amendments (changes or additions) to the Constitution. Only 10 were approved, ratified. Those became known as the Bill of Rights.**

BILL OF RIGHTS: WHAT WERE THEY?

The First Amendment - states that Congress shall make no law preventing the establishment of religion or prohibiting its free exercise. Also protected are freedom of speech, freedom of the press, freedom of assembly, and the right to petition the Government for a redress of grievances.

The Second Amendment - protects citizen's right to bear arms.

The Third Amendment - prevents the government from placing troops in private homes. This was a real problem during the American Revolutionary War.

The Fourth Amendment - this amendment prevents the government from unreasonable search and seizure of the property of US citizens. It requires the government to have a warrant that was issued by a judge and based on probable cause.

The Fifth Amendment - The Fifth Amendment is famous for people saying "I'll take the Fifth". This gives people the right to choose not to testify in court if they feel their own testimony will incriminate themselves. In addition this amendment protects citizens from being subject to criminal prosecution and punishment without due process. It also prevents people from being tried for the same crime twice. The amendment also establishes the power of eminent domain, which means that private property can not be seized for public use without just compensation.

BILL OF RIGHTS: WHAT WERE THEY?

The Sixth Amendment - guarantees a speedy trial by a jury of one's peers. Also, people accused are to be informed of the crimes with which they are charged and have the right to confront the witnesses brought by the government. The amendment also provides the accused the right to compel testimony from witnesses, and to legal representation (meaning the government has to provide a lawyer).

The Seventh Amendment - provides that civil cases also be tried by jury.

The Eighth Amendment - prohibits excessive bail, excessive fines, and cruel and unusual punishments.

The Ninth Amendment - states that the list of rights described in the Constitution is not exhaustive, and that the people still have all the rights that are not listed.

The Tenth Amendment - gives all powers not specifically given to the United States government in the Constitution, to either the states or to the people.

THE CONSTITUTION WAS PASSED!

With these 10 amendments added to the Constitution convinced the rest of the states to ratify the constitution.

THE WAR OF 1812

- The British were still picking on the new nation (United States).
- The British were then fighting France to gain more land and control.
- British wanted to limit the trade between the U.S. and France, so they would take over American ships going to France.

THE WAR OF 1812

- Britain was also working with the American Indians to stop the United States from expanding west.
- The United States, with Madison as president, declared war on Britain on June 18, 1812.

PROBLEMS DURING THE WAR

- The United States had a tiny military army, because Madison did not think it was necessary to have a big military power. This back-fired during the war. America was loosing battles.
- There was no federal bank to finance the war. It was difficult to pay for the war with no money in reserve funds. The funds had to come from the states.
- The British were stopping ships at ports, which started damaging economy.

DURING THE WAR

- The British burned the White House and the Capitol.
- There were ships that were bombed and taken over by the British at the ports.
- During one of these fights, Francis Scott Key wrote the Star Spangled Banner, our national anthem.

HOW IT ENDED...

- Both sides were weary of the war.
- Britain was fighting America and France, which was costing them a lot of money.
- The United States were trying to hold off as long as they could.
- But they had negotiators from both sides meet to sign the **Treaty of Ghent**.
- Although there was not a definite winner, the United States found **PRIDE** in their country because they had stood ground against the world's greatest military power. This built a lot of **Patriotism** for the new country.