

Name: _____ Date: _____ Hour: _____

Review Questions for Constitution Unit

1. What were the Articles of Confederation?
2. List and explain ^{significance} achievements under the Articles of Confederation.
3. List and explain ^{could not do} problems with the Articles of Confederation.
4. What was Shays' Rebellion and what is the significance of it?
5. What plan at the Constitutional Convention favored smaller states? Which plan favored larger states? How did the two sides finally agree?
6. Describe the Constitutional Convention of 1787. What are some (7) characteristics of those who attended it?
7. What was the 3/5 Compromise?
8. What is a preamble and what is its purpose?
9. How many articles are in the Constitution? What do the first three articles deal with (yes, you must list each one out)?
10. How many amendments are in the Constitution? What is the Bill of Rights? What rights does it protect?
11. What are the powers of each branch of government?
12. List and explain the 7 principles of the Constitution. Provide examples.
13. What are two ways to amend the Constitution?
14. Who are the Federalists and the Anti-Federalists? Describe three arguments for each side.

1. Longest part of Declaration of Independence
is the Grievances — Thomas Jefferson

What's your Problem, Man?

Why the Articles of Confederation had to be changed?

Most
influenced by
Locke

What were the Articles of Confederation?

- It was the first plan of government for the U.S. during the Revolutionary War

What is a Confederation?

- A loose association of independent states bound together for a particular purpose.

Why did the American colonies want a confederation?

- States didn't want to share power. The states worked together to fight the British but the confederation still allowed them to do their own thing.

Significance of the Articles of Confederation:

1. Got us through the Revolutionary War — Defeated the British
2. Got America headed in the right direction for a strong government

What the Articles of Confederation could do:

1. Declare war and negotiate peace.
2. Borrow money and issue currency

What the Articles could not do:

1. Levy taxes — They had to rely on states to give money only if they wanted to.

2. Regulate trade – Could not regulate trade between states or with foreign countries.
3. 9 of 13 states had to approve a law – Tough to approve anything.
4. No national court to enforce the laws – Laws were not enforced among the states.

Main Problem with the Articles of Confederation:

- Gave too much power to the states, which made the national government too weak.

Shay's Rebellion

What Happened:

- Angry farmers, led by Daniel Shays, in Massachusetts rebelled against the state government because of economic hardships.

Significance of Shay's Rebellion:

- Scared leaders about the future of America. Forced them to reevaluate the existing Articles of Confederation.
- Led to the question – Was America a union or just a jumble of independent states?

Solution to the Articles of Confederation and Shay's Rebellion:

- Called for a convention to change the Articles of Confederation and create a new, strong national government.
- What resulted was the constitutional convention in Philadelphia that produced our current U.S. Constitution.

BATTLE OVER REPRESENTATION

NEW JERSEY PLAN —

- FAVORED BY THE SMALLER POPULATED STATES
- AFRAID THE LARGER POPULATED STATES WOULD CONTROL THE NEW NATIONAL GOV'T
- ARGUMENT = EACH STATE SHOULD HAVE THE SAME NUMBER OF REPRESENTATIVES IN CONGRESS (EQUAL REPRESENTATION)
- CALLED FOR ONE HOUSE OF CONGRESS IN WHICH EACH STATE WOULD SEND EQUAL NUMBER OF REPRESENTATIVES

VIRGINIA PLAN —

- FAVORED THE LARGER POPULATED STATES
- ARGUMENT = STATES WITH MORE PEOPLE SHOULD HAVE MORE REPRESENTATIVES IN CONGRESS (PROPORTIONAL REPRESENTATION)
- CALLED FOR TWO HOUSES OF CONGRESS

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ONE DELEGATE FROM EACH STATE GOT TOGETHER AND CREATED:

THE GREAT COMPROMISE —

- ALSO KNOWN AS THE CONNECTICUT COMPROMISE
- ① • CONGRESS WILL HAVE TWO HOUSES: SENATE AND HOUSE OF REPRESENTATIVES
- ② • HOUSE = PROPORTIONAL REPRESENTATION, IT WILL ALSO HAVE THE POWER TO DEVELOP BILLS FOR TAXING AND GOVERNMENT SPENDING
- ③ • SENATE = EQUAL REPRESENTATION, IT CAN AMEND (CHANGE) MONEY BILLS DEVELOPED IN THE HOUSE
- GREATLY DEBATED, PASSED BY ONE VOTE

THREE — FIFTHS COMPROMISE

- SHOULD SLAVES COUNT IN POPULATION REPRESENTATION?
- AGREED THAT SLAVES COUNTED AS THREE-FIFTHS OF A PERSON FOR REPRESENTATION AND TAXATION PURPOSES.
- SO, FOR EVERY FIVE SLAVES ONLY THREE WILL COUNT TOWARDS REPRESENTATION AND TAXATION



- Discription -



Facts about the Convention of 1787

Where was the Constitutional Convention?

- Philadelphia Pennsylvania at Constitutional Hall

How many days did it take to create the Constitution?

- About 100 working days

What were the conditions like in Independence Hall?

- Hot - It happened in the summer of 1787 and the delegates decided to shut all the windows to insure secrecy

How many delegates were at the convention?

- 55

Who was not at the Constitutional Convention?

- Thomas Jefferson who was in France, and John Adams who was in Great Britain

Who presided over the Convention?

- George Washington

6. 12
Who is known as the Father of the Constitution?

- James Madison - He had the greatest influence on the organization and structure of the Constitution.

Who was not represented at the Constitutional Convention?

- Women, African Americans, Native Americans, or what we might call commoners.

Characteristics



Constitutional Delegates Resume

Race: White

Sex: Male

Average Age:

44 - Oldest member was Benjamin Franklin 81, and the youngest was Jonathan Dayton who was 26

Education: College Graduates

Current Occupations:

Most were Lawyers (33), doctors, small business and landowners, soldiers, educators, ministers, and physicians

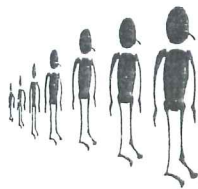
Past Government Experience:

44 attended the Continental Congress that created the Declaration of Independence. Many had experience in state government.

Wealth:

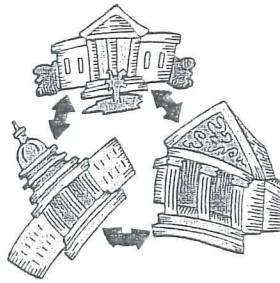
Extremely wealthy - George Washington was the richest member.

Structure of the Constitution



I. Preamble:

- Opening Statement. Outlines the objectives of the Constitution.
- Establishes that Authority rests with the people.



II. The Articles:

- Outlines the structure and lists the powers of the government.

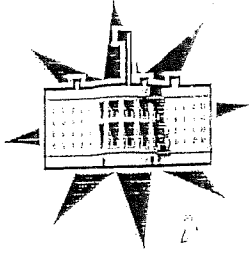


Article I:

Congress

- Deals with the Legislative Branch - The House of Representatives and the Senate
- Power of the Legislative Branch: Creates Laws

House and Senate



Article 2:

- Deals with the Executive Branch - The President
- Power of the Executive Branch: Carryout the laws



Article 3:

- Deals with the Judicial Branch - Supreme Court
- Power of the Judicial Branch: Interpret the Laws

Article 4:

- Deals with issues concerning the states

Article 5:

- Deals with how to amend the Constitution



Article 6:

- Deals with National Supremacy - Laws and treaty of the national government are the supreme law of the land.

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- National Laws and treaties are more powerful than the states.



Article 7:

- Deals with the Ratification Process - How the Constitution would be approved.

III. The Amendments:

- Added after the ratification of the constitution - 27 Amendments.

Amend = to change

Constitution can be

changed!

Living document



IV. Bill of Rights:

- The First Ten Amendments of the Constitution.
- Most sacred amendments that protect our individual rights.

Written to protect individual rights

7 principles = C

Basic Principles of the Constitution

I. Popular Sovereignty

Ultimate authority

- Power rests with the people. People have the ultimate authority in deciding how the government is run.

Examples of Popular Sovereignty:

- Equality in voting
- People vote on candidates and issues at the local, state and national levels.
- 15th Amendment - Gave African Americans the right to vote
- 19th Amendment - Gave women the vote
- 26th Amendment - Gave 18 year olds the vote

II. Limited Government

- Government does not hold all the power and it does only those things that people allow it to do.

Examples of Limited Government:

- Government officials must follow the laws and the Constitution.
- The President and Supreme Court Justices can be impeached.
- Government officials can be voted out of office.

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III. Separation of Powers

- Grants each branch specific powers in the government.

Purpose of Separation of Powers

- It was meant to keep one branch from being too powerful.

The three branches of Government:

- Powers
1. Article 1 Legislative Branch - Creates the laws
 2. Article 2 Executive Branch - Carryout the laws
 3. Article 3 Judicial Branch - Interprets the laws

IV. Federalism

- Sharing of power by the National and State governments.

What are some powers given to the National Government? = Delegated Powers

- Declare War
- Coin Money
- Regulate Interstate Commerce - Trade between states
- Establish Foreign Policy - Relations with other countries

What are powers that are given to the states?

- Establish and Maintain Schools
- Conduct Elections
- Provide for Public Safety
- Assume other powers not given to the National Government

What are powers shared by both the state and National Government? = *Concurrent Powers*

- Both can collect taxes
- Make and enforce laws
- Borrow money
- Establish courts

V. National Supremacy

- The Constitution is the Supreme Law of the land.

How does National Supremacy Clause work?

- Federal laws override state laws.

VI. The Elastic Clause or Necessary and Proper Clause

- Gives Congress the authority to pass laws it deems "necessary and proper" to carry out its duties.

How is the Elastic Clause used?

- Laws are created concerning issues that may not be written in the Constitution.
- For example, there is nothing in the constitution about regulating the internet but Congress has the authority to regulate internet activity.

VII. Checks and Balances

Feared concentration of power in one branch

- Ability of each of the three branches to check or control the other branches.

Checks on the Legislative Branch

- o Judicial Branch - Declare laws unconstitutional
- o Executive Branch - Veto laws

2. Checks on the Executive Branch

- o Legislative Branch - Override a presidential veto and Impeach the President
- o Judicial Branch - Declare acts unconstitutional

2/3 of both houses

Consent of Senate on treaties

3. Checks on the Judicial Branch

- o Executive Branch - Appoints Judges
- o Legislative Branch - Impeach Judges and Approves Judges

Methods of Amending the Constitution

Two way to Amend

Proposed by:

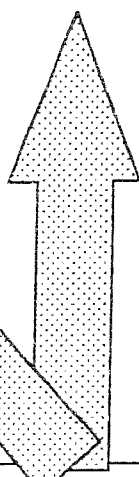
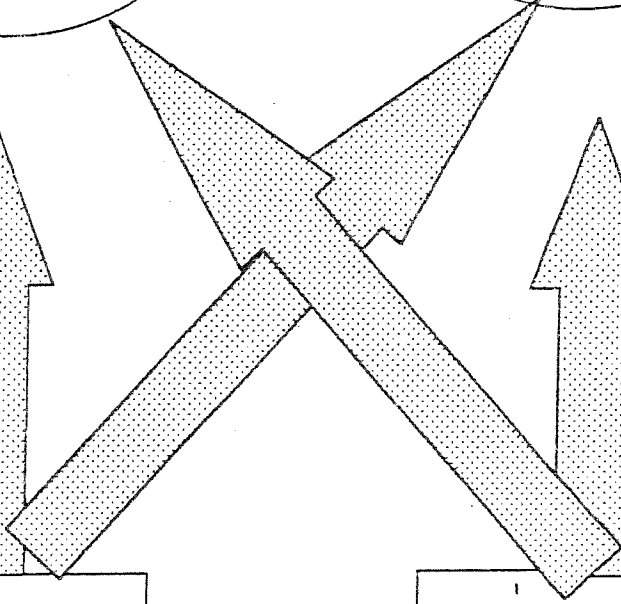
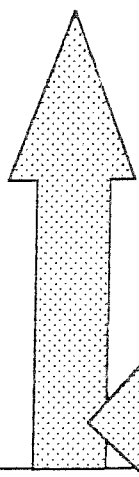
Congress - 2/3 vote of each house

National Convention - requested by 2/3 of state legislatures

Ratified by:

LEGISLATURES: of 3/4 of states

CONVENTIONS: of 3/4 of states



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people who were to be governed by the new national government were asked to consent to its creation and to agree to obey its decisions. Thus, the Constitution can be considered a social contract—an agreement among the people to create a government.

The Framers approved this plan. They included Article VII which said the Constitution would be in effect after it had been ratified by the conventions of nine of the thirteen states. They only required approval of the voters of nine states because they were afraid they could not get approval of all thirteen.

Once they had agreed upon their plan, the people who supported the Constitution went to work. They encouraged the states to organize and elect delegates to the state ratifying conventions as quickly as possible. They knew that the opponents of the Constitution had not had much time to prepare their arguments. By contrast, the supporters of the Constitution had worked on it for almost four months. They knew the arguments for and against it. They thought if the state conventions acted quickly, the Constitution would be ratified before its opponents could organize.

The struggle for ratification

The Federalists were people who supported the Constitution and wanted it ratified. The Anti-Federalists were people who fought against the Constitution. The Anti-Federalists put up a strong fight even though the Federalists had a head start on them. The debates in the states over ratification lasted ten months. It was an intense, and sometimes bitter, political struggle.

One of the most difficult fights was in New York. To help the Federalist cause, Alexander Hamilton, James Madison, and John Jay wrote a series of articles supporting ratification. These articles, now called *The Federalist*, appeared in a New York newspaper. They were also used in the Virginia ratification debates.

Anti-Federalist leaders included George Mason, Edmund Randolph, and Elbridge Gerry. Each had attended the Philadelphia Convention but refused to sign the document. John Hancock, Samuel Adams, and Richard Henry Lee were all leading revolutionaries and signers of the Declaration of Independence. They also fought against ratification of the Constitution. Patrick Henry had always opposed the idea of a strong national government. He became a leading Anti-Federalist at the Virginia ratifying convention. Mercy Otis Warren, a playwright, also opposed ratification. She, like the others, wrote pamphlets explaining why she did not support the Constitution.

The following section describes some of the arguments used by the two sides in the ratification struggle.

Arguments for and against the Constitution

Many arguments were made both for and against the Constitution. Most of them had to do with three basic questions: (1) whether the new Constitution would maintain a republican form of government, (2) whether the national government would have too much power, and (3) whether a bill of rights was needed in the Constitution.

The following chart will help you identify the arguments of the Federalists and Anti-Federalists.

Arguments
Positions on the Constitution

Anti-Federalists	Federalists
<p>Throughout history, the only places where republican governments had worked had been small communities. In those communities, the people had been about equal in wealth and had held the same values. People who are not too rich or too poor are more likely to possess civic virtue and to agree on what is best for their common welfare. The new nation was so large and diverse that people would not be able to agree on their common welfare.</p>	<p>History has proven that all of the small republics of the past had been destroyed by selfish groups. The civic virtue of the citizens had not been enough to prevent them from seeking their own selfish interests rather than working for the common welfare. A large republic, where the government was organized on the basis of checks and balances, and power was divided between the national and the state governments, would be better. Under such a government, it would be more difficult for special interests to attain their goals and violate the common welfare.</p>
<p>Free government requires the active participation of the people. The national government would be located too far from most people's communities to allow them to participate. As a result, the only way the government would be able to rule would be through the use of military force. The result would be a tyranny.</p>	<p>The national government would be so good at protecting the rights of the people that it would soon gain their loyalty and support. It could not become a tyranny because of the limitations placed on it by the system of checks and balances and separation of powers.</p>
<p>The Constitution gives the national government too much power at the expense of the state governments. It gives the government the power to tax citizens and to raise and keep an army. The supremacy clause means all the national government's laws are superior to laws made by the states. As a result, it would only be a matter of time until the state governments were destroyed.</p>	<p>It is true that the national government would have greater power than it did under the Articles of Confederation. But its powers are limited to tasks that face the entire nation, such as trade, currency, and defense. Experience has shown that a stronger national government is needed to deal with these problems. The Constitution provides adequate protections for the state governments to prevent their being destroyed by the national government.</p>
<p>The necessary and proper clause is too general and, as a result, gives too much power to the national government. It is dangerous not to list the powers of the government in order to put clear limits on them.</p>	<p>The necessary and proper and general welfare clauses are necessary if the national government is to do the things it is responsible for doing.</p>

<p>The Constitution gives too much power to the executive branch of government. It would soon become a monarchy.</p>	<p>A strong executive branch is necessary for the national government to be able to fulfill its responsibilities. The powers of the national government are separated and balanced among the three branches so no one can dominate the others. The Constitution gives the Congress and the Supreme Court ways to check the use of power by the executive branch so it cannot become a monarchy.</p>
<p>The Constitution does not include a bill of rights which is essential for protecting individuals against the power of the national government.</p>	<p>A bill of rights is unnecessary because the powers of the government are limited. A bill of rights would give the impression that the people could only expect protection of those rights that were actually listed.</p>



What slogans might the Federalists and Anti-Federalists be using? Write one of your own.

Define:

1. Compromise: _____
2. Contain: _____
3. Populate: _____
4. Represent: _____
5. Suggest: _____
6. Amend: _____
7. Conflict: _____
8. Element: _____
9. National: _____
10. Positive: _____
11. Resolve: _____
12. Appeal: _____
13. Congress: _____
14. Favor: _____
15. Negative: _____
16. Proportional: _____
17. Preamble: _____
18. Authority: _____
19. Structure: _____
20. Treaty: _____