



- Essential Questions:

- In what ways did the Constitution deviate from the government under the Articles of Confederation?
- What were the Federalist and Anti-Federalist critiques regarding the new Constitution?

CONSTITUTIONAL CONVENTION



- The Constitutional Convention was a large meeting held in Philadelphia, Pennsylvania at Independence Hall from May of 1787 to Sept. to 1787 where 55 delegates representing their states.



- They came to revise, change or throw out the AOC and write a new Constitution.

CONSTITUTIONAL CONVENTION

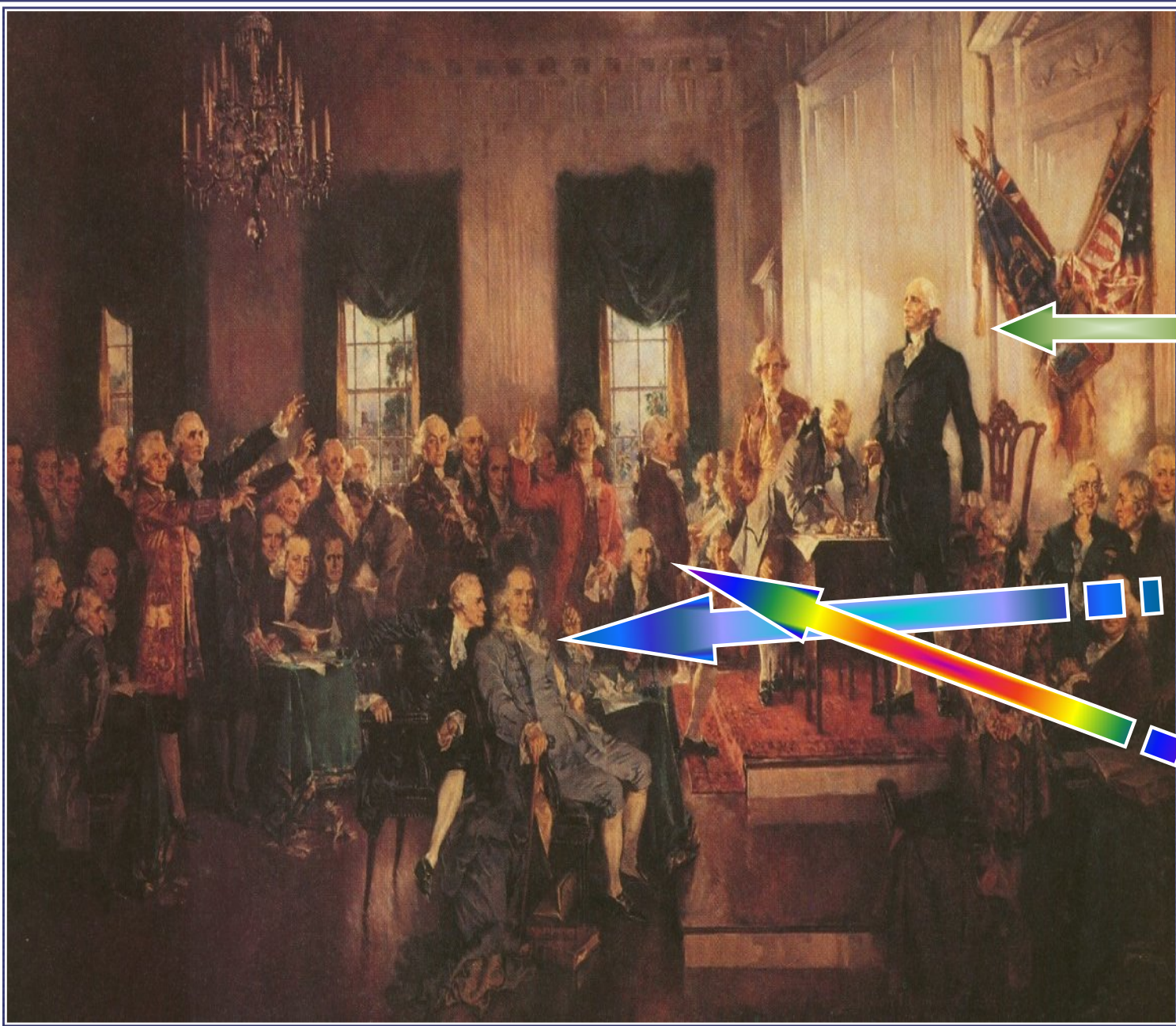
GOAL

of the Constitutional Convention was how to create a government that did not resemble King George but create a govt. that was powerful enough

- *to tax*
- *regulate trade*
- *protect private property*
- *enforce its laws*

without taking away the rights that were fought for in the American Revolution.

FOUNDING FATHERS



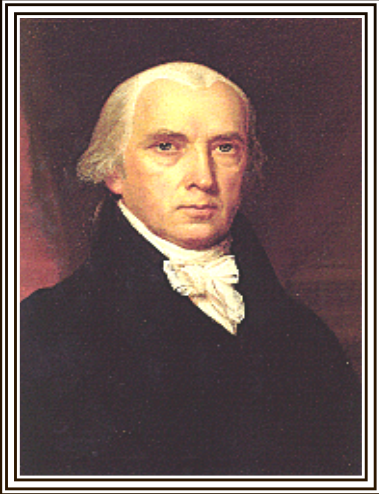
• **“Framers”**
Representatives
who wrote the
Constitution.

• President of
Convention
George
Washington

• Father Figure
Ben Franklin

• Father of
Constitution
James Madison

Father of the U.S. Constitution



“The writing of the Constitution formed a task more difficult than can be well conceived by those who were not concerned in the execution of it. Adding to the difficulty the natural diversity of human opinions on all new and complicated subjects, it is impossible to consider the degree of concord which ultimately prevailed as less than a miracle.”

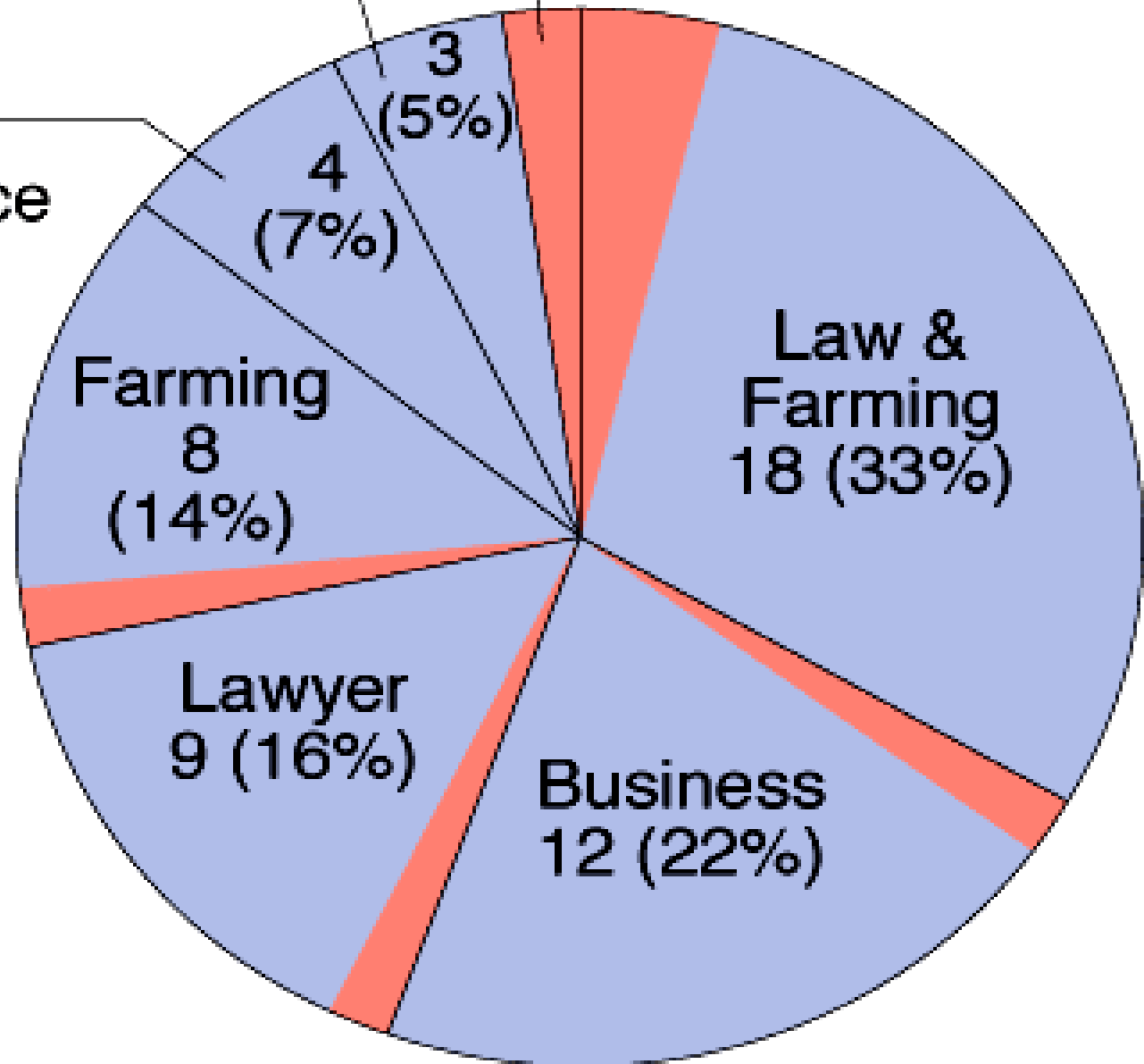
- **Father of the Constitution and the Bill of Rights**
- Believed in a strong central government
- **Wrote part of The Federalist**
- Would become our 4th president

FACTS ON THE FRAMERS

Public Office 1 (2%)

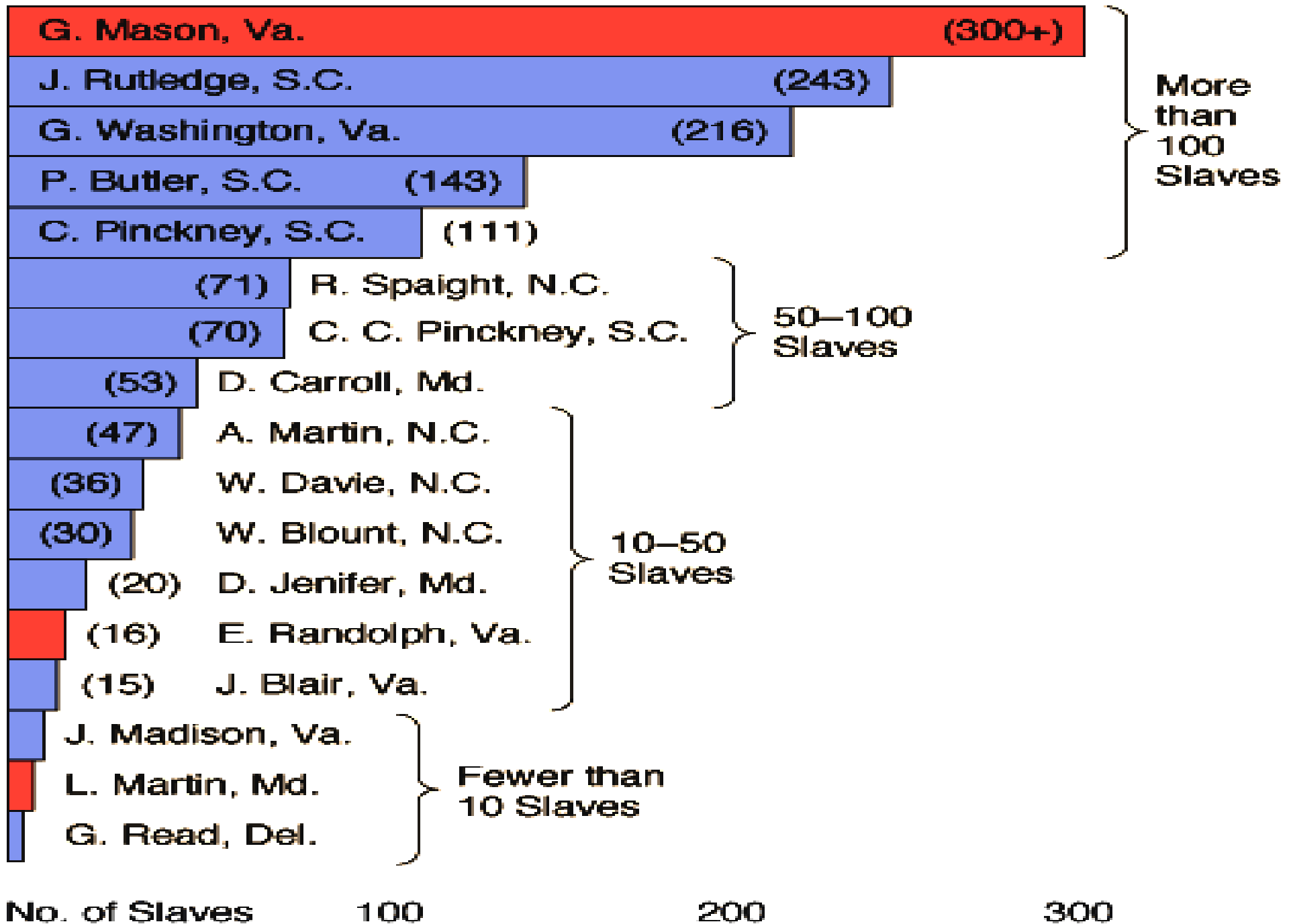
Medicine

Law &
Public Office



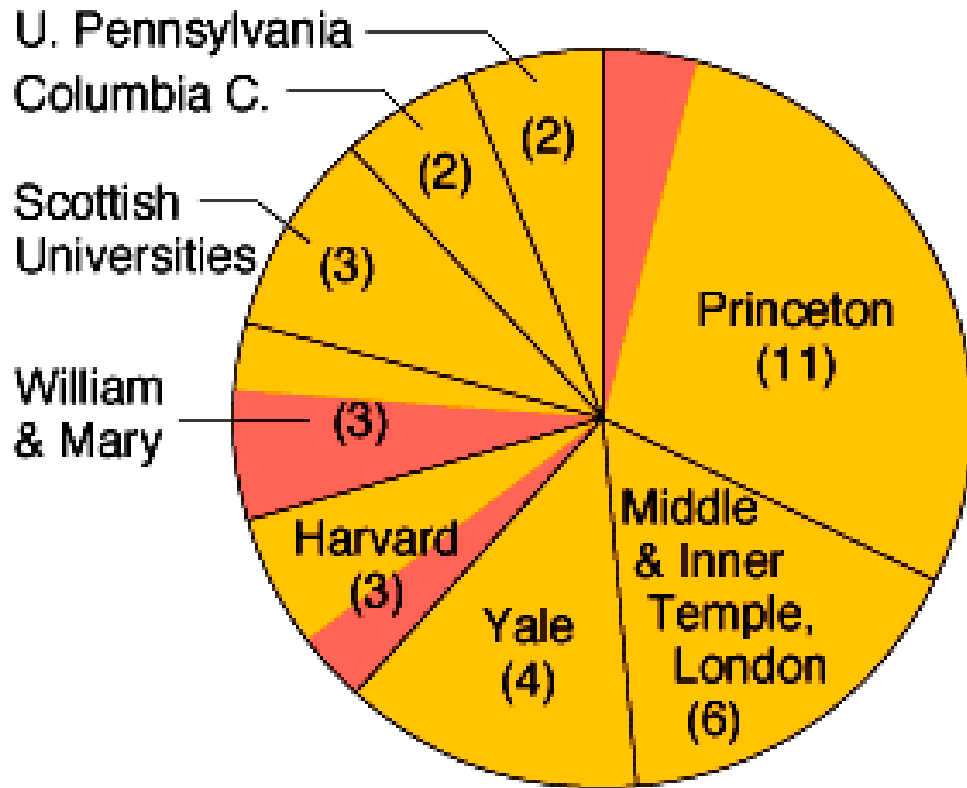
FACTS ON THE FRAMERS

Biggest Slaveholders

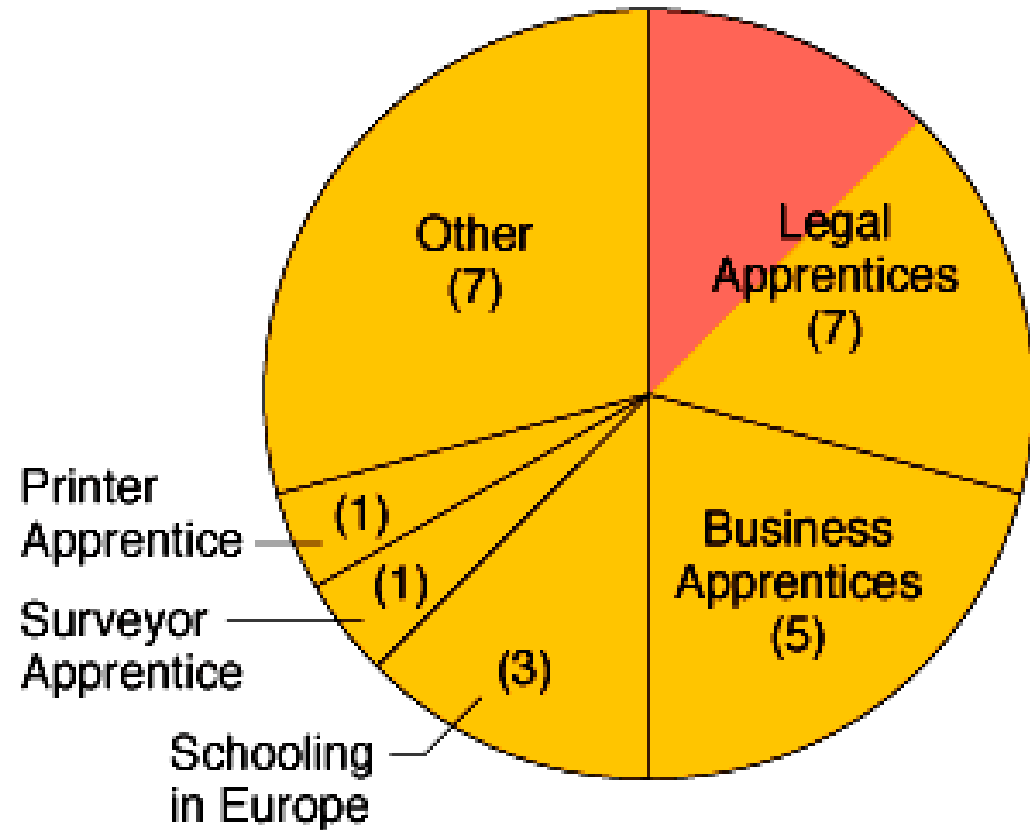


FACTS ON THE FRAMERS

31 Went to College



24 Did Not



Snapshot of a “Framer”



- White Male Adults
- Landowners
- Some education
- Some were slave owners
- Lawyers
- Merchants



Who wasn't invited to the Convention

- **WOMEN**
- **SLAVES**
- **POOR**
- **NATIVE AMERICANS**

CONSTITUTIONAL CONVENTION



- First major argument between the delegates was over how many representatives each state would have in Congress.
- What type of Congress should we have?
- Large states (Massachusetts and Virginia) believed the more population, the more representatives in Congress.
- Small states (New Jersey and Connecticut) believed each state should have equal representation.

VIRGINIA PLAN VS. NEW JERSEY PLAN

Issues of representative government would be argued at
Constitutional Convention

- **Virginia Plan proposed by the larger states**

- Establish a national government with 3 branches.
- Establish a bicameral Congress.
 - People elect 1 house
 - That house elects 2nd house
- Representation in both houses based on state population

- **New Jersey plan proposed by small states**

- Establish a unicameral Congress
 - Each state to have 1 vote
 - Equal representation
- States equally represented similar to the Articles of Confederation

GREAT COMPROMISE CREATES CONGRESS

•Great Compromise or Connecticut Compromise

- New Jersey Plan
- Virginia Plan 



- People to elect their representatives.
- 2 houses of Congress
- Bicameral



CONGRESS

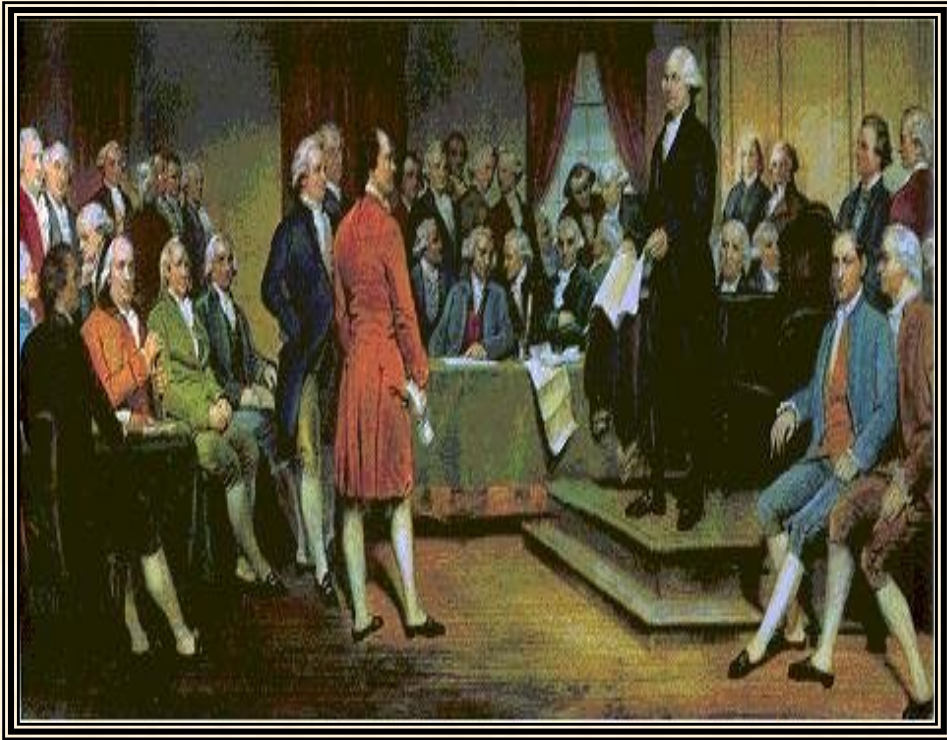
HOUSE OF REPRESENTATIVES

- Elected by the people
- Representatives based on population per state.....
- More population the more representatives you have
- 2 year term
- Satisfied larger states

SENATE

- Elected by each state's congress
- Equal representatives
- 2 representatives per state
- 6 year term
- Satisfied smaller states

CONSTITUTIONAL CONVENTION



- 2nd major argument between the delegates was how to create an executive (president) which didn't resemble King George III
- How would he/she be chosen?

Created an Electoral College

- Placed a “check and balance” on the people's vote but tried to keep “representative democracy” in principle.

ELECTORAL COLLEGE

Historical Background

1. Why was the Electoral College created by the Framers?
 - Created as an alternative to either popular election or Congress electing the President.
 - Each state chose electors---based on the number of representatives each states has in Congress.
2. Electoral vote was state to state---each elector voted for two candidates.... One vote per candidate.
 - Electors vote with the “will” of the people from the state they represented.....but not required.
 - Candidate with the most votes became President; runner-up became Vice President.
3. In case of a tie, the House of Representatives elected the President.

CONSTITUTIONAL CONVENTION



- 3rd major argument between the delegates was how to limit the power of government.

- But, give it enough power to be effective.

Created a system of government

- Separated the powers of government into 3 branches that are co-equal but independent from one another.
- To make sure one branch didn't become too powerful they created a system of checks and balances.

3 BRANCHES OF GOVERNMENT

SEPARATION OF POWERS



Legislative Branch

- Congress (Art. 1)
- Makes the law

Executive Branch

- President (Art. 2)
- Carries out the law

Judicial Branch

- Supreme Court (Art. 3)
- Interprets the law

3 Branches are separate, have different powers, co-equal and checks and balances on one another to make sure one branch does not get too powerful

3 BRANCHES OF GOVERNMENT

SEPARATION OF POWERS



Legislative Branch

Executive Branch

Judicial Branch

3 Branches are separate, have different powers, co-equal and checks and balances on one another to make sure one branch does not get too powerful

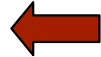
Legislative Checks

On Executive

- Override a veto
- Declare war
- impeachment

On Judicial

- Approve judges
- Impeachment



Executive Checks

On Legislative

- Veto a law
- Ask for war
- Propose laws

On Judicial

- Appoint judges



Judicial Checks

On Executive and Legislative

- Declare an act of President or law of Congress unconstitutional

- Appointed for life

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 American System of Checks and Balances



JUDICIAL BRANCH
THE SUPREME COURT
and other Federal Courts
"Interprets the law"

Judges, appointed for life, are free from executive control; courts may declare executive actions to be unconstitutional.

President appoints Supreme Court justices and other federal judges.

Courts may declare acts of Congress to be unconstitutional.

Congress creates lower courts, may remove judges through impeachment; Senate approves or rejects appointment of judges.



LEGISLATIVE BRANCH
THE CONGRESS
"Makes the law"

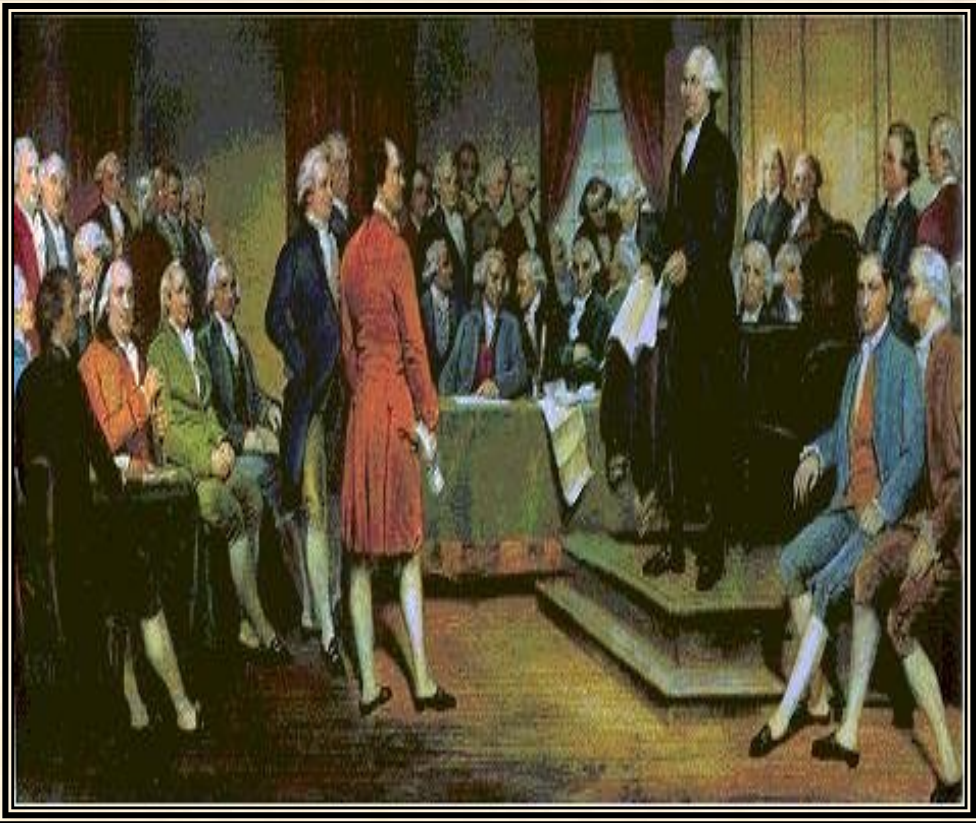
Congress makes laws, creates agencies and programs, appropriates funds to carry out laws and programs, may override veto with two-thirds vote, may remove President through impeachment; Senate approves treaties and presidential appointments.

President may veto legislation, call special sessions, recommend legislation, appeal to the people.

EXECUTIVE BRANCH
THE PRESIDENT
"Carries out the law"



CONSTITUTIONAL CONVENTION



- 4th major argument between the delegates was over slavery.
- Southern states wanted their slaves to be counted as part of their population because it would give them more representation in Congress.

- Northern states wanted to abolish slavery..
- Southern States would of left the Constitutional Convention if there was an attempt to abolish slavery.
- North and South worked out 2 compromises.

3/5'S COMPROMISE

- Southern states wanted their slaves to be counted as part of the total population of their state.

Why?

- This would give them more representatives in Congress.
- Thus giving them more voting power in Congress and protecting their self-interest of slavery.

3/5's COMPROMISE

- **Northern states objected to the South's proposal and would only agree to compromise.**
- **3 of every 5 slaves would be counted as part of a state's total population.**
- **It was supported by both North and South**

3/5'S COMPROMISE

Georgia's Population

White = 300,000

Slaves = 100,000 3/5's of 100,000

3/5's of 100,000 = 60,000

300,000 + 60,000 =

**Total Population = 360,000
which would be counted
towards representation in
Congress.**

3/5'S COMPROMISE

- Northern states agreed to the 3/5's Compromise only if the South abolished the Slave Trade by 1807.....

- Agreement was made....North was hoping slavery would eventually fade away and die out .

- This was their step towards abolishing slavery.

FUGITIVE SLAVE LAW

CAUTION!!

COLORED PEOPLE

OF BOSTON, ONE & ALL,

You are hereby respectfully CAUTIONED and advised, to avoid conversing with the

**Watchmen and Police Officers
of Boston,**

For since the recent ORDER OF THE MAYOR & ALDERMEN, they are empowered to act as

KIDNAPPERS

AND

Slave Catchers,

And they have already been actually employed in KIDNAPPING, CATCHING, AND KEEPING SLAVES. Therefore, if you value your LIBERTY, and the *Welfare of the Fugitives* among you, *Shun* them in every possible manner, as so many **HOUNDS** on the track of the most unfortunate of your race.

Keep a Sharp Look Out for
KIDNAPPERS, and have
TOP EYE open.

- Law created at the Constitutional Convention in 1787.
- Escaped slaves captured had to be returned to their plantation owner.
- Not enforced in North and led to the creation of the Underground Railroad.
- Southerners would become bitter and ultimately left the US.

CONSTITUTIONAL CONVENTION



- Fifth major argument between the delegates was how to solve the problem over the states having more power than the national government.

Framers created a Federal Government

- Divided the powers of government on a geographic basis.
 - They created 3 levels of government.
 - National, state and local

FEDERAL GOVERNMENT

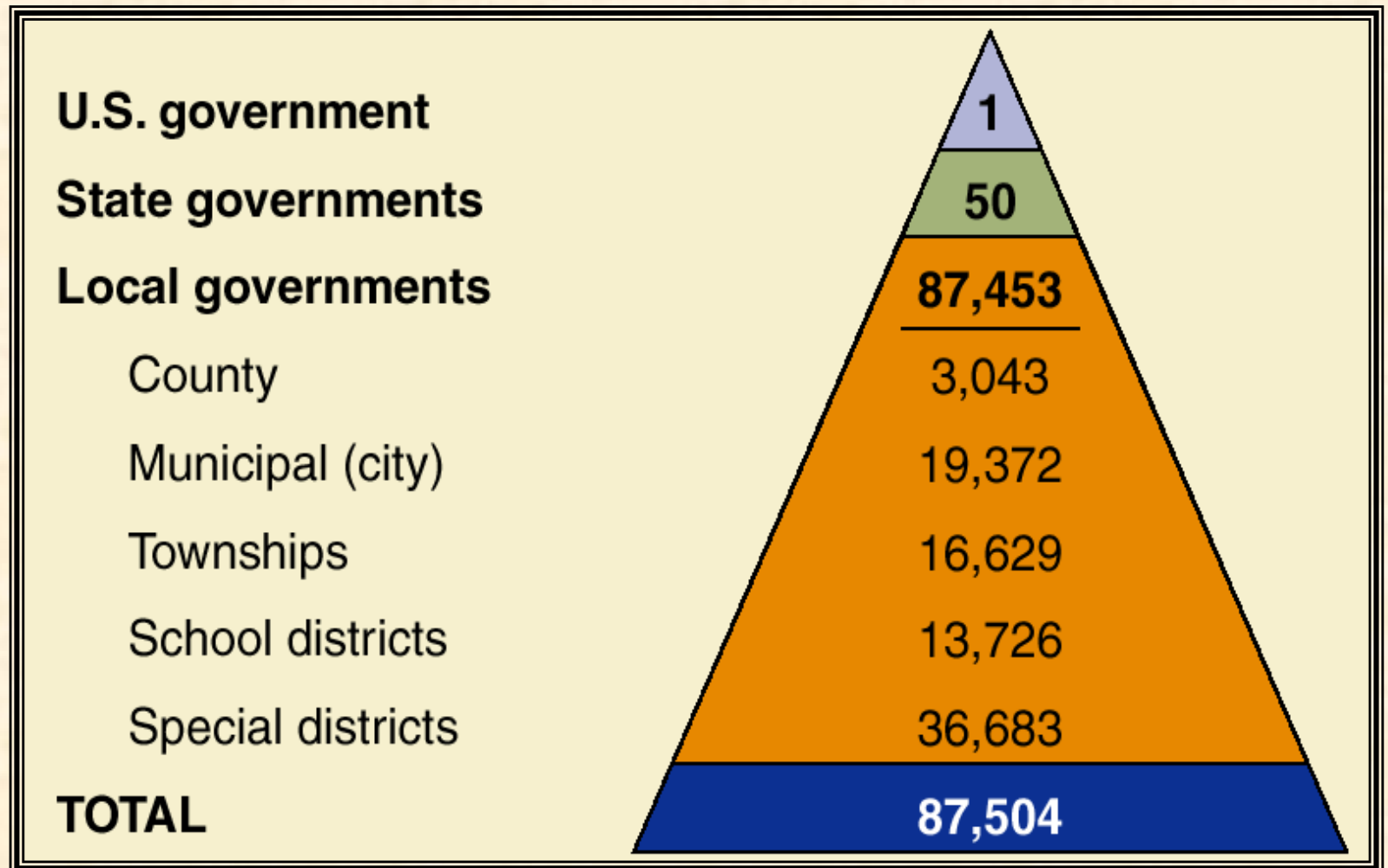


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•Supreme law of the land....

•It is above all levels of government and no act, law or public policy can be in conflict with it.

National Government is over the States.



DIVISION OF POWERS IN A FEDERAL SYSTEM

Delegated

Powers given to national govt
Expressed
Implied

Power to tax
Make treaties
Coin money
Establish Post Offices
Raise a military
Declare war
Admit new states
Build dams
Interstate highways
Fund NASA
Regulate naturalization
Establish courts
Recognize new countries
Copyright/Patents
Weights/measurements
Prohibit racism
Regulate commerce

Concurrent

Powers shared by all 3 levels

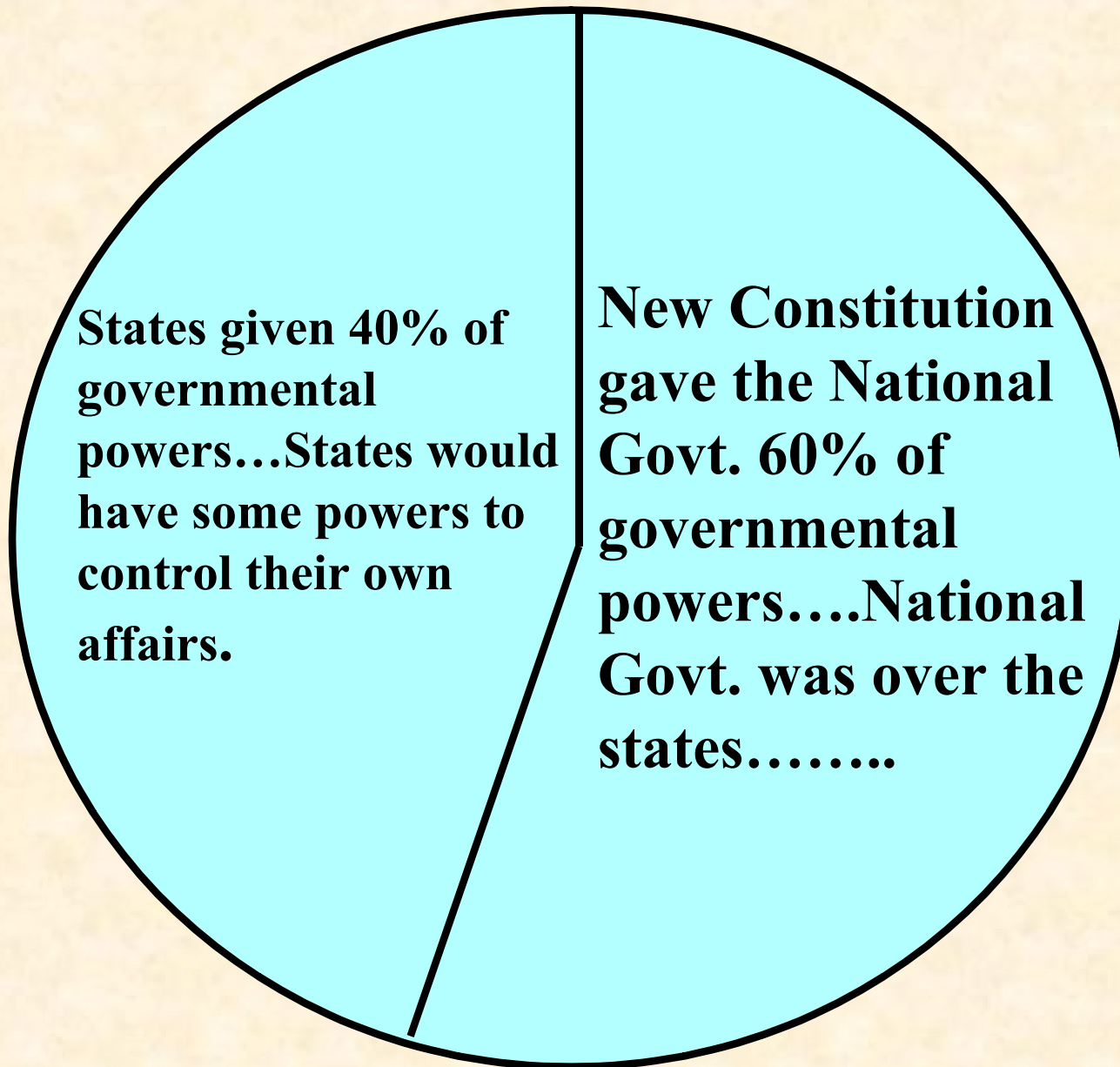
Make/enforce laws
Maintain courts
Collect taxes
Borrow money
Charter banks
Protect welfare of people
Call out the militia

Reserved

Powers given only to the states

Provide for education
Establish local govts
Conduct elections
Protect public safety
Build state highways
Raise a state militia
Issue licenses
Incorporate businesses
Regulate trade in state
Regulate drinking age
Set speed limit
Create counties/cities
Decide death penalty
Marriage definition
Medicinal marijuana

US GOVERNMENT IN 1789



With the new constitution, the National Government was given the power to tax, regulate trade, enforce its laws and over the states. National Govt. law would always be over the states.

US Governments in 1781 and 1789

How the Weaknesses of the Articles of Confederation Were Corrected by the Constitution

Articles of Confederation

- States have most of the power and national govt. has little.
- No executive to carry out the laws of Congress
- No national courts---only state courts
- 9/13 states have to approve a law before it goes into effect
- Congress has no power to tax
- Congress can not regulate trade among the states.
- Each state coined its own money. No national currency.
- Unicameral Congress
- Articles only a “firm league of friendship”

US Constitution

- States have some power, but most power is given to the national govt.
 - Federal Government
- Electoral College
- 3 branches of govt.
 - Executive---enforces law
 - Legislative---makes law
 - Judicial---interprets law
- Checks and balances
- Congress given the power to tax, regulate trade and enforce laws.
- Only national govt. has the power to coin money
- Bicameral (2 house) Congress
- Equal Representation by States and a State’s population
- Constitution established a strong National Govt. over the States and to form a more “perfect union”

Weaknesses of the Articles of Confederation

- ◆ One vote for each State, regardless of size.
- ◆ Congress powerless to lay and collect taxes or duties.
- ◆ Congress powerless to regulate foreign and interstate commerce.
- ◆ No executive to enforce acts of Congress.
- ◆ No national court system.
- ◆ Amendment only with consent of all States.
- ◆ A 9/13 majority required to pass laws.
- ◆ Articles only a "firm league of friendship."

New Constitution Ratified in 1789

2 houses of Congress

Power to tax

Regulate trade

President

Supreme court

3/4's of states needed

Congress makes law

A more perfect Union

Corrections: The New Constitution corrected the weaknesses of the AOC by giving the national government more power than the states with the ability to tax, regulate trade and enforce its laws..

Federal Government

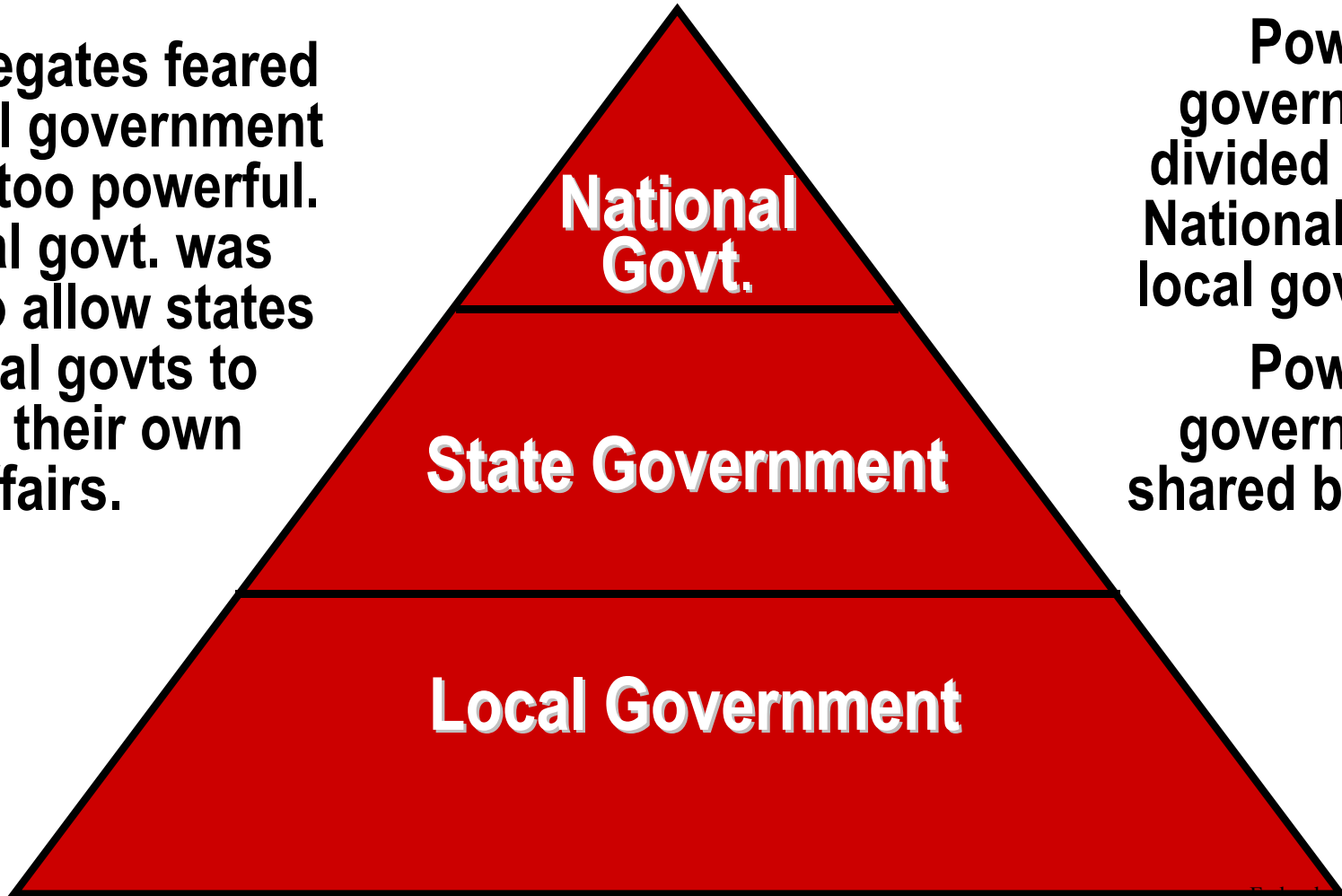


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- Supreme law of the land....
- US Constitution is over all levels of government.

National Government is over the States.

Some delegates feared the central government would be too powerful. A federal govt. was created to allow states and local govts to handle their own affairs.



Powers of government are divided between a National, state and local governments.

Powers of government are shared by all levels.

FACTS ON THE FRAMERS

Facts5

N.H.	Langdon	Gilman						
Mass.	Gorham	King	Strong	Gerry				
R.I.								
Conn.	Johnson	Sherman	Ellsworth					
N.Y.	Hamilton	Lansing	Yates					
N.J.	Brearley	Dayton	Livingston	Paterson	Houston			
Penn.	Clymer	Fitzsimmons	Franklin	Ingersoll	Mifflin	G. Morris	R. Morris	Wilson
Del.	Bassett	Bedford	Broom	Dickinson	Read			
Md.	Carroll	Jenifer	McHenry	L. Martin	Mercer			
Va.	Blair	Madison	Washington	McClung	Wythe	Mason	Randolph	
N.C.	Blount	Spaight	Williamson	Davie	A. Martin			
S.C.	Butler	C. Pinckney	C. Pinckney	Rutledge				
Ga.	Baldwin	Few	Pierce	Houstoun				

• In order to ratify or approve the Constitution, the Framers voted to send it to the states to ratify. 9 of the 13 states needed to ratify.

• The vote was 39 supporting the Constitution (**Federalists**) and 16 opposing the Constitution (**Anti-Federalists**)

• Would later agree to a Bill of Rights

	= Voted for Constitution	39
	= Absent and	7
	= opposed	4
	= Voted Against	3
		<hr/> 55

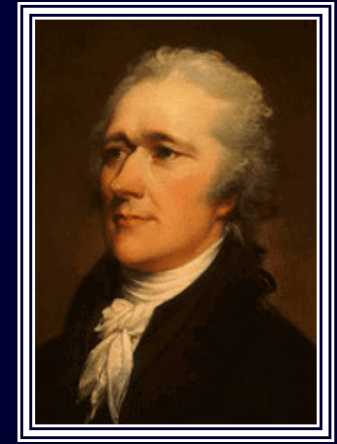
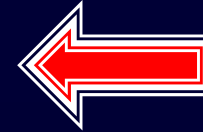
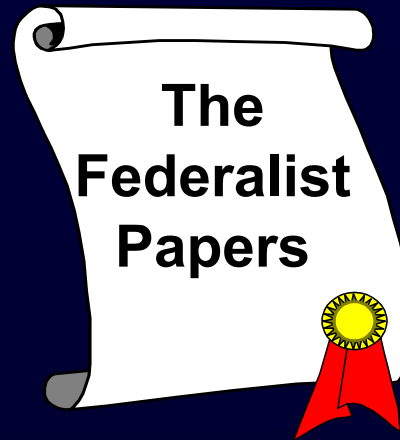
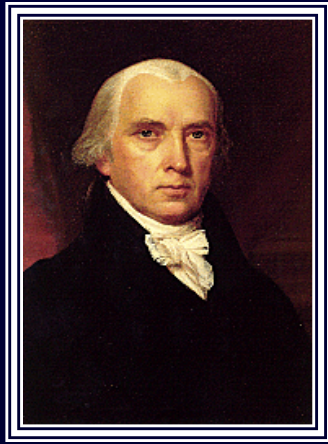
RISE OF POLITICAL PARTIES

Federalists

- A strong national govt over the states was needed to protect “life, liberty, property and the pursuit of happiness”
- Constitution was a “sound” document which “limited” the power of the national govt.
- Gave it power to settle problems within the country.
- Representative democracy is what the constitution was built on and stated in the Preamble, We the People.
- Appealed to more the wealthy, business owners and educated.

- *George Washington*
- *Ben Franklin,*
- *John Adams,*
- *James Madison*
- *Alexander Hamilton*

FEDERALIST PAPERS



• **The Federalist Papers** were a series of 85 essays written by Alexander Hamilton, James Madison and John Jay which supported the Constitution and convinced Americans that a stronger national government was needed.

• **Supported the Constitution and a strong central government**

RISE OF POLITICAL PARTIES

Anti-Federalists

- The national govt was too powerful and it would take away your right to “life, liberty, property and the pursuit of happiness”
- The constitution was a threat to the “rights” we fought for in the Revolution
- States” should have more authority than the national govt.
- Feared representative democracy was threatened because our rights were not protected.
- Appealed to the common man, farmers and less educated

• *Patrick Henry*

• *Thomas Jefferson*

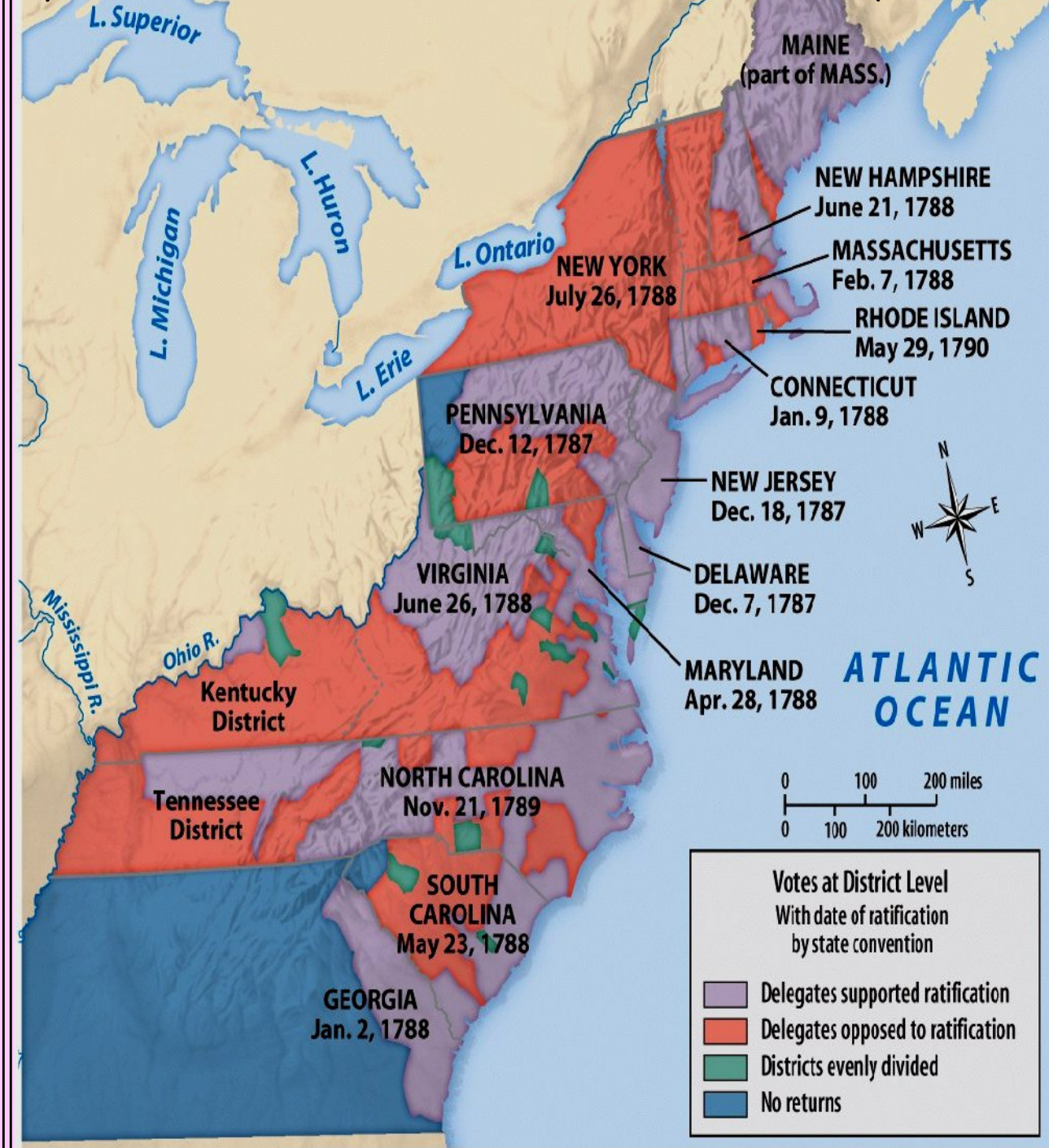
• *Sam Adams*

"BILL OF RIGHTS"

First 10 Amendments to the
Constitution in 1791
Rights and freedoms won in
the Revolution are preserved
and protected...

1. FREEDOM of Religion, Press, Speech, Assembly, Petition
2. RIGHT TO KEEP AND BEAR ARMS
3. No QUARTERING of soldiers in peacetime
4. NO UNREASONABLE SEARCH and SEIZURE
5. PROTECTION of ACCUSED
6. RIGHT TO A SPEEDY, PUBLIC TRIAL BY JURY
7. TRIAL BY JURY IN CIVIL SUITS
8. NO EXCESSIVE FINES or CRUEL PUNISHMENT
9. POWERS RESERVED TO THE PEOPLE
10. POWERS RESERVED TO THE STATES

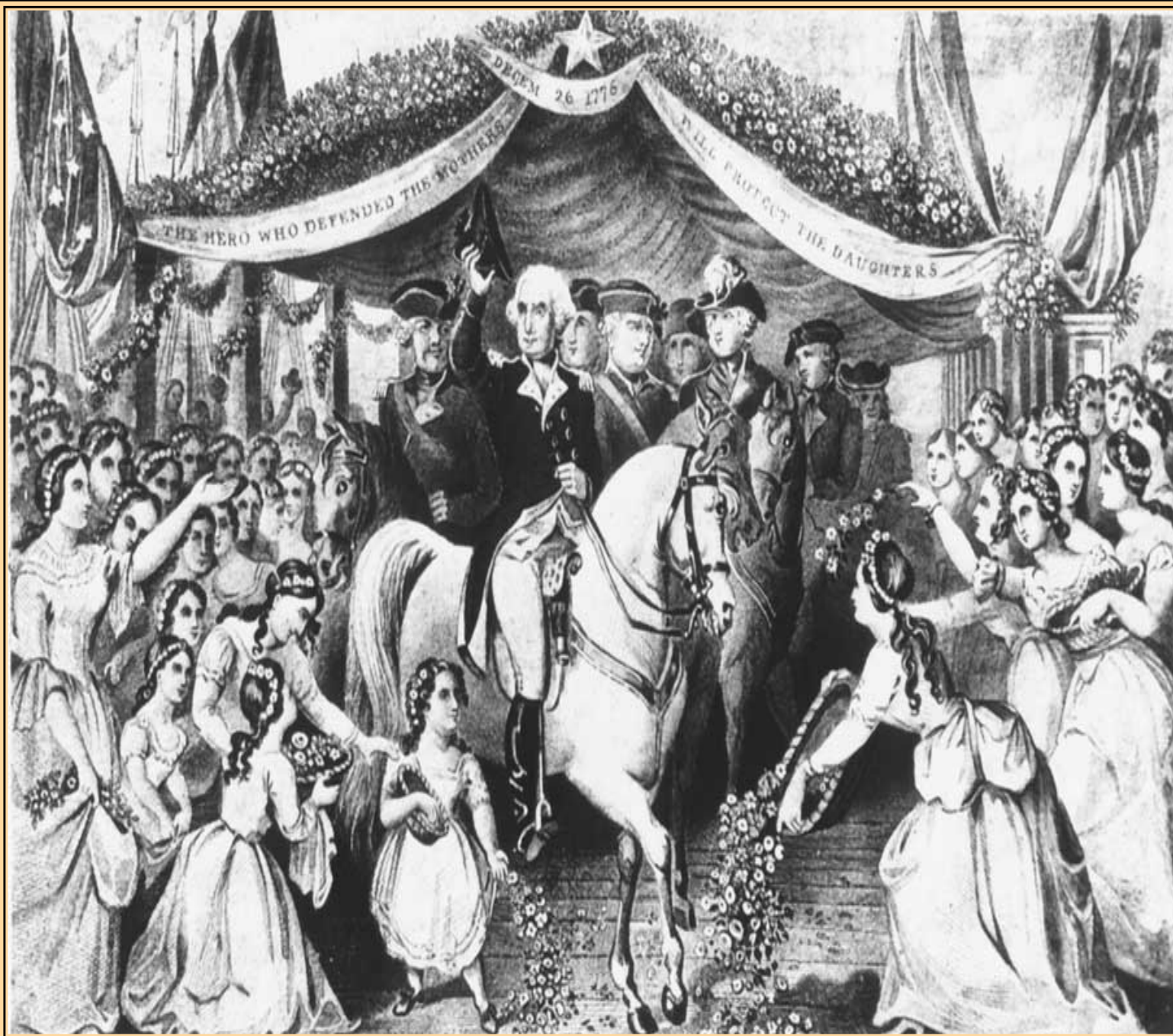
RATIFICATION



In order for the new Constitution to become the “law of the land”, 9 of 13 states had to ratify the Constitution.

1. Delaware 30 – 0
2. Pennsylvania 46 – 23
3. New Jersey 38 – 0
4. Georgia 26 – 0
5. Connecticut 128 – 40
6. Massachusetts 187 – 168
7. Maryland 63 – 11
8. South Carolina 149 – 73
9. New Hampshire 57 – 47
10. Virginia 89 – 79
11. New York 30 – 27
12. North Carolina 194 – 77
13. Rhode Island 34 – 22

WASHINGTON'S INAUGURAL



- New Constitution and Government take effect on April 30, 1789.

- Washington begins his presidency in New York City and alternates between there and Philadelphia.

- Capital city at this time was New York City.

UNITED STATES CONSTITUTION

SUPREME LAW OF THE LAND

It represents our belief in

- Power of govt. comes from the people
 - Government power is limited
- Ordered, organized and structured govt.
 - Representative democracy
- Written, May 1787 to Sept. 1787
 - 7,000 words
- Longest lasting constitution in history
- Greatest symbol of democracy in the world

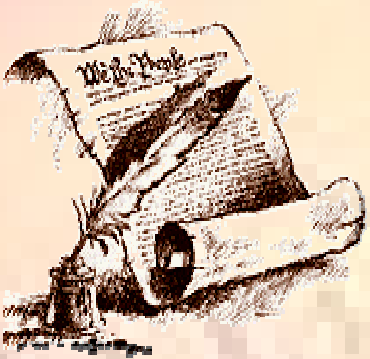
PREAMBLE

WE THE PEOPLE

of the United States,

- **in order to form a more perfect Union**
 - **establish Justice**
 - **ensure 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.



Article 1

Legislative Branch

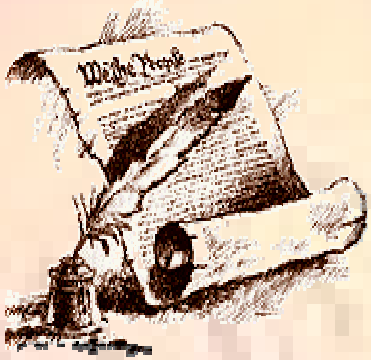
Makes the law

- **Section 1--House of Representatives and Senate**
 - **Section 2 & 3---Qualifications for Congress**
 - **Section 4---Elections and Meetings**
 - **Section 5---Rules of Order**
 - **Section 6---Pay Privileges**
 - **Section 7---How Bills Become Laws**
 - **Section 8---Powers of Congress**
 - **Section 9---Powers Denied to Congress**
 - **Section 10---Powers Denied to States**

POWERS OF CONGRESS

Article 1 Section 8

- **Makes the law**
 - **Power to tax**
 - **To coin money**
- **Regulate foreign and interstate trade**
 - **Raise and maintain armed forces**
 - **Declare war**
 - **Grant patents and copyrights**
 - **Building hydroelectric dams**
 - **Interstate highway system**
- **Prohibit racial discrimination**



Article 2

Executive Branch

Signs, carries out or executes the law into action

- **Section 1---Qualifications of President & Vice President**
- **Section 2---Presidential Powers**
- **Section 3---Presidential Duties**
- **Section 4---Impeachment**

CONSTITUTIONAL POWERS OF THE PRESIDENT

Article 2

Executive Power

- Signs or enforces the law
 - Veto power
 - Commander in Chief
- Ask for a declaration of war
 - Enter into a treaty
- Grants pardons and reprieves
- Appoints ambassadors, judges and cabinet
- Call a special session of Congress



Article 3

Judicial Branch

Interprets the law (constitution**)**

- **Section 1---Qualifications of Judges**
 - **Section 2---Jurisdiction of Courts**
 - **Section 3---Treason**

SUPREME COURT



Constitutional courts

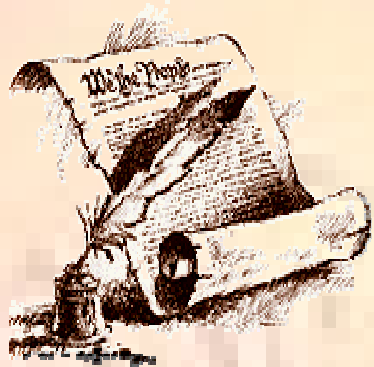


Special courts



Other courts





Article 4

Concerning the States

- **Section 1---rights and duties of states**
- **Section 2---rights and liabilities of citizens**
 - **Section 3---admitting new states**
 - **Section 4---guarantee to states**

Article 5

Amending the Constitution---adding on or
changing the Constitution---27
Amendments

Article 6

Constitution, law of the land.....Supremacy
Clause

Article 7

Ratification of Constitution by 9 states

"BILL OF RIGHTS"

First 10 Amendments to the
Constitution in 1791
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8. NO EXCESSIVE FINES or CRUEL PUNISHMENT
9. POWERS RESERVED TO THE PEOPLE
10. POWERS RESERVED TO THE STATES

AMENDMENTS

Amendment	Subject	Year	Time Required for Ratification
1st–10th	Bill of Rights	1791	2 years, 2 months, 20 days
11th	Immunity of States from certain lawsuits	1795	11 months, 3 days
12th	Changes in electoral college procedures	1804	6 months, 6 days
13th	Abolition of slavery	1865	10 months, 6 days
14th	Citizenship, due process, equal protection	1868	2 years, 26 days
15th	No denial of vote because of race, color, or previous enslavement	1870	11 months, 8 days
16th	Power of Congress to tax incomes	1913	3 years, 6 months, 22 days
17th	Popular election of U.S. Senators	1913	10 months, 26 days
18th	Prohibition of alcohol	1919	1 year, 29 days

AMENDMENTS

Amendment	Subject	Year	Time Required for Ratification
19th	Woman suffrage	1920	1 year, 2 months, 14 days
20th	Change of dates for start of presidential and Congressional terms	1933	10 months, 21 days
21st	Repeal of Prohibition (18th Amendment)	1933	9 months, 15 days
22nd	Limit on presidential terms	1951	3 years, 11 months, 6 days
23rd	District of Columbia vote in presidential elections	1961	9 months, 13 days
24th	Ban of tax payment as voter qualification	1964	1 year, 4 months, 27 days
25th	Presidential succession, vice presidential vacancy, and presidential disability	1967	1 year, 7 months, 4 days
26th	Voting age of 18	1971	3 months, 8 days
27th	Congressional pay	1992	202 years, 7 months, 12 days