



The Constitution: A Short Course



The Constitution





The Constitution: A Short Course



The Colonial Background

Mayflower Compact 1620

- not a constitution
- depended on the consent of the signers
- served as a prototype for similar compacts
- but was a religious colony



British Restrictions and Colonial Grievances

Seeds of revolution

- the Sugar Act 1764
- the stamp act 1765 (taxation without representation)
- Boston Tea Party
- Intolerable Acts 1774



The Constitution: A Short Course



The Colonial Period

A British subject paid 26 shillings in taxes in 1765

or

about \$268 in U.S. money.

How much do you think a resident of Massachusetts paid in the same year



The Constitution: A Short Course



The Colonial Period

\$10

Could it be that a collection of American colonies would break away from, go to war with, and win its independence from, the most powerful nation on Earth at the time, over ten dollars?



The Constitution: A Short Course



First Continental Congress

- 1774
- 12 of 13 Colonies
- resolution to send grievances
- raise own troops
- boycott British trade
- considered an act of war



The Constitution: A Short Course



Second Continental Congress

- 1775
- all 13 colonies participated
- established an army
- Appointed G. Washington Commander
- resolution for Independence July 2
- Declaration of Independence July 4
- Finalized August 2



Significance of the Declaration of Independence

The concepts of:

- equality
- natural rights
 - Life
 - Liberty
 - Happiness
- government by social contract
- 'all men are created equal' was of no practical use in effecting our separation from Great Britain; and it was placed in the Declaration, not for that, but for future use.



The Constitution: A Short Course



At Issue: Just How Christian Were the Founders?

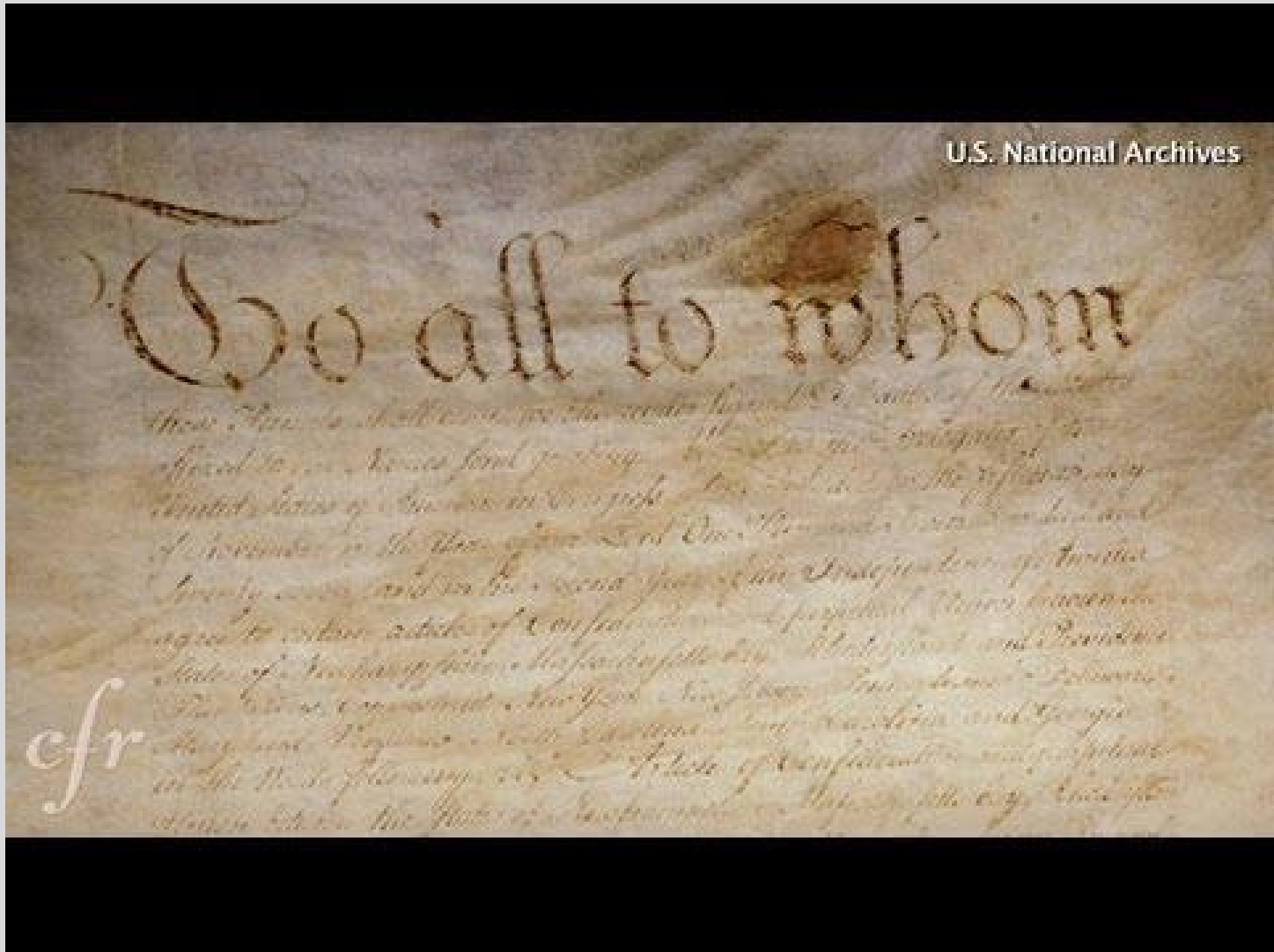
- By and large devout Christians
- But opposed Mixing Church and state
- What about current Presidential candidates?



The Constitution: A Short Course



The Articles of Confederation





The Constitution: A Short Course



The Articles of Confederation

“Articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.”

- Government established by the States
- Unicameral Legislature
- Confederation
- Executive Committee of the States not an executive
- Lasted for 8 years
- Established a league of friendship, not a national government
- Shays' Rebellion and British, French, and Spanish actions.



The Constitution: A Short Course



Weaknesses of the Articles of Confederation

Lacked Power to:

- make treaties and control foreign relations
- compel military quotas
- regulate interstate and foreign commerce
- collect taxes
- compel States to pay their fair share
- maintain a sound monetary system



The Constitutional Convention

- Natural Rights
 - Rights held to be inherent in natural law, not dependent on governments. John Locke stated that natural law, being superior to human law
- British Suffrage Practices
 - Based on property and wealth



The Constitutional Convention

- **Bicameral legislature**

- A legislature made up of two parts, called chambers. The U.S. Congress, composed of the House of Representatives and the Senate, is a bicameral legislature.

- **Unicameral legislature**

- A legislature with only one legislative chamber, as opposed to a bicameral (two-chamber) legislature, such as the U.S. Congress. Today, Nebraska is the only state in the Union with a unicameral legislature.



The Constitution: A Short Course



The Constitutional Convention

- The Virginia Plan
- The New Jersey Plan for small states
- The Great Compromise (Conn. Plan)
 - Bicameral legislature
 - House of Representatives (population plus 3/5s of slaves)
 - Senate (state legislatures)



The Constitution: A Short Course



The Two Parts of the Madisonian Model

1. Separation of Powers
2. Checks and Balances

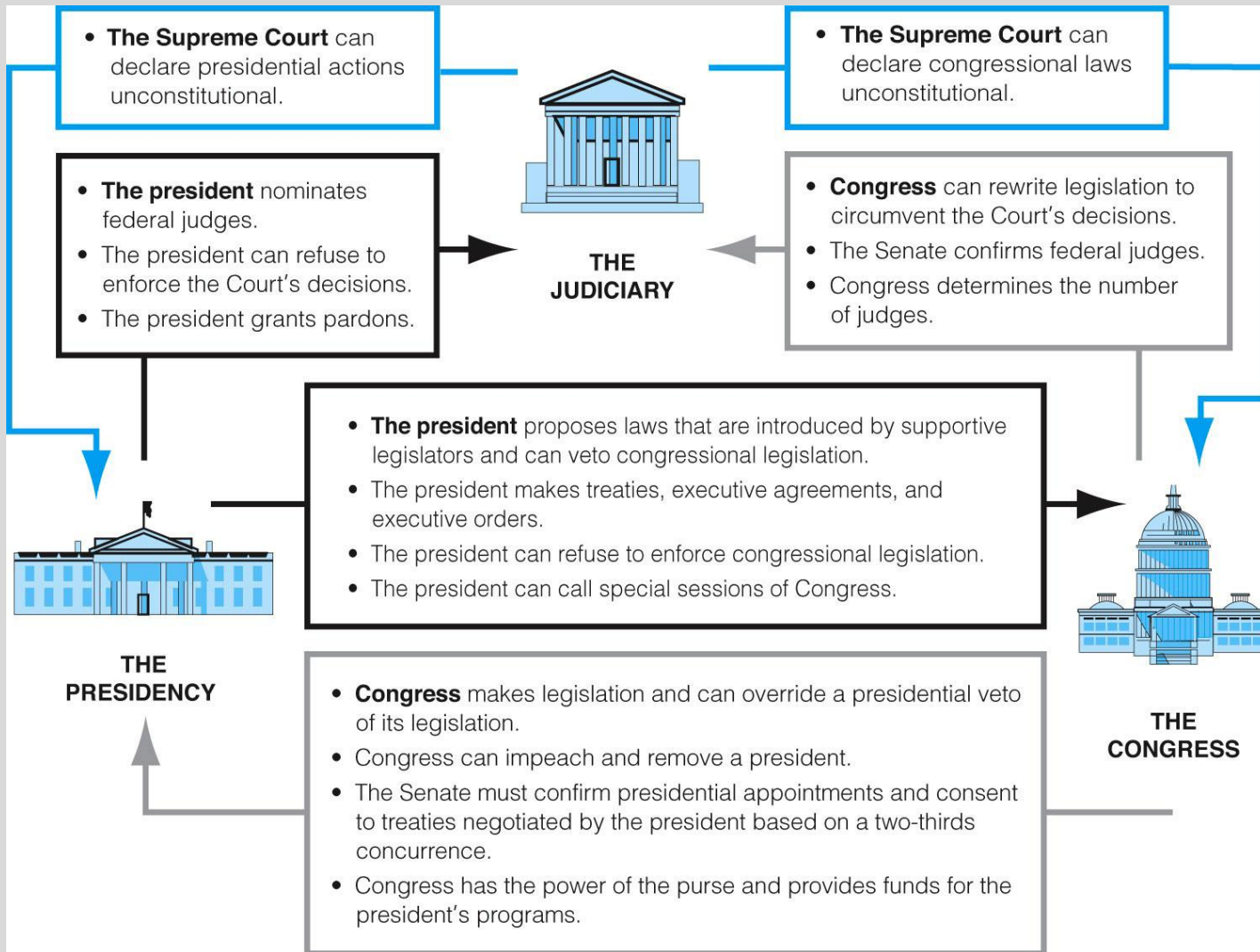
“In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself.”) JM



The Constitution: A Short Course



Separation of Powers & Checks and Balances





The Constitution: A Short Course



The Constitutional Convention Timeline

- Began May 25, 1787
- 38 of 41 Delegates signed on to their work September 17, 1787



The Constitution: A Short Course



The Federalist Push for Ratification

- The Federalist Papers
- The Anti-Federalist Response
- Final passage July 1788
- Virginia and New York, however, did not sign on until June and July
- North Carolina Nov 1789
- Rhode Island May 1790



The Constitution: A Short Course



The Bill of Rights

- Madison was in charge of putting the list together
- Although assurance were made at the time of ratification the Bill of Rights were not included until after ratification (1791)
- Only applied to Federal Government
- Not until the 14th Amendment did it begin to cover the states
- We will cover these issues in detail later



The Constitution: A Short Course





Altering the Constitution

- Formal amendment process:
 - $\frac{2}{3}$ vote in each chamber of congress and $\frac{3}{4}$ of the States
 - National Convention
- Informal Methods:
 - Congressional legislation
 - Presidential actions
 - Judicial Review
 - Interpretation, custom, and usage



The Constitution: A Short Course



e of the
es that the
e relied on
nd do

**CREATING THE
CONSTITUTION**





The Constitution: A Short Course



TABLE 2-2: Amendments to the Constitution

Amendment	Subject	Year Adopted	Time Required for Ratification
1st–10th	The Bill of Rights	1791	2 years, 2 months, 20 days
11th	Immunity of states from certain suits	1795	11 months, 3 days
12th	Changes in electoral college procedure	1804	6 months, 3 days
13th	Prohibition of slavery	1865	10 months, 3 days
14th	Citizenship, due process, and equal protection	1868	2 years, 26 days
15th	No denial of vote because of race, color, or previous condition of servitude	1870	11 months, 8 days
16th	Power of Congress to tax income	1913	3 years, 6 months, 22 days
17th	Direct election of U.S. senators	1913	10 months, 26 days
18th	National (liquor) prohibition	1919	1 year, 29 days
19th	Women's right to vote	1920	1 year, 2 months, 14 days
20th	Change of dates for congressional and presidential terms	1933	10 months, 21 days
21st	Repeal of the Eighteenth Amendment	1933	9 months, 15 days
22d	Limit on presidential tenure	1951	3 years, 11 months, 3 days
23d	District of Columbia electoral vote	1961	9 months, 13 days
24th	Prohibition of tax payment as a qualification to vote in federal elections	1964	1 year, 4 months, 9 days
25th	Procedures for determining presidential disability and presidential succession and for filling a vice-presidential vacancy	1967	1 year, 7 months, 4 days
26th	Prohibition of setting the minimum voting age above eighteen in any election	1971	3 months, 7 days
27th	Prohibition of Congress's voting itself a raise or cut in pay that takes effect before the next election	1992	203 years