

Creating the Constitution

The First Government

- The Articles of Confederation,
- The Articles did not work
 - national government couldn't tax.
 - No tax, no military, or ability to pay for anything.
 - Second problem was no single currency
 - There was no national enforcement of laws

Creating a New Plan

- Issue: power division between large and small states
- Small states wanted equal representation in Congress;
 - The **New Jersey Plan** argued for one congress where each state got an equal vote.
- Large wanted more power since they had more people;
 - the **Virginia Plan** argued for one house, with representation based on population

A New plan...

- Issue Resolved: The Connecticut (or Great) Compromise created a bicameral legislature
 - The House of Representatives is based on population
 - The Senate is equal representation

New Plan...

- Issue: Slavery
- Should slaves count toward population?

A New Plan...

- Issue Resolved: The 3/5 Compromise decided slaves would count as 3/5 of a person when deciding population- for representation in the House of Reps.

Ratifying the Constitution

- The Argument-
- The Federalists
 - supported the new Constitution,
 - favored a FEDERALIST system, with strong state and strong federal governments.
- The Anti-Federalists ^{central}
 - Fearful of a new, powerful, central government
 - They demanded a bill of rights for the protection of the people before they approved.

Two Groups Emerge...

Some of the most significant Federalists were James Madison, John Jay, and Alexander Hamilton.

 The Federalist Papers- arguing for the ratification of the Constitution.

The Federalist Papers

- *Federalist #10* argues for a representative democracy to protect against a “tyranny of the majority”.
- *Federalist #51* argued for three separate branches of government with checks and balances, to prevent a monarchy from occurring again.
- *Federalist #78* argued for an independent judiciary, appointed for life, with the power of judicial review.

Federalist Papers

- Democracy = Mob Rule
- Governments can become oppressive and cruel
- People are aggressive and selfish
- Factions- people fighting each other, the more the merrier
- Constitutional Protection- protect rights, limit Gov
- Blow up the power
 - Republic
 - 3 Branches LEJ
 - Checks and Balances
 - Federalism

Federalist Papers Summarized

Idea #1- Democracy = Mob Rule

People will be out for themselves

Life will get chaotic

There will be a lot of fights

It will be cruel

Idea #2- Organize the Fighting

Encourage formation of factions- the more the better

More factions = less opportunity to gain control- too busy fighting

Idea #3- Control the Power

Create a Republic

Create 3 branches of Government with Checks and Balances

An Independent Judiciary = the referee

Factions must work through this set-up

Idea #4- 1-3 = Life, Liberty, Pursuit of Happiness

Federalist Papers

- Create a cartoon which simply explains the 4 ideas within the Federalist Papers. So simple a fifth grader can understand it.
- Use 4 panels with visuals and thought and voice bubbles to explain the concepts

Ratification

- The Constitution was ratified with a promise of a Bill of Rights
- Amendments 1-10 = The Bill of Rights
- What is it?
 - A rough Outline to set up government-
 - to organize the power of factions, prevent government tyranny, without destroying Life, Liberty, and the Pursuit of Happiness

Separation of Power and Checks and Balances

