

TUESDAY 9/25

- WHAT ARE THE BASIC PRINCIPLES OF THE US CONSTITUTION?
- Who were the Federalists? The Anti-Federalists?

EQ #3- What are the basic Principles of the US Constitution?

- The US Constitution is brief and skeletal.
- Broad principles define roles and responsibilities of government loosely

Madison's Model

- The US Constitution was chiefly written by James Madison.
- He feared concentration of power
- Read the handout and answer the Q
 1. What is the “tyranny of the majority” that Madison feared?
 2. What key methods did he think were necessary to avoid it?

Madison Drafts a Constitution

- James Madison – Was the chief author of the US Constitution
- With the guidance of all at the convention, he creates a document based on several key principles
 - Limited Government
 - Separation of Powers
 - Checks and Balances
 - Popular Sovereignty
 - Judicial Review
 - Federal System
 - Limit the majority/
Republic gov't

Principles of the Constitution

1. Limited Government / Rule of Law

- Government and officials are limited by the laws of the written constitution.



Principles of the Constitution

2. Separating Powers

- Divided national gov't into three co-equal branches, each with its own powers and responsibilities
- **Legislative Branch**- makes laws/policy
- **Executive Branch**- Executes / carries out laws of Congress
- **Judicial Branch**- Interprets laws and acts of gov't



Principles of the Constitution

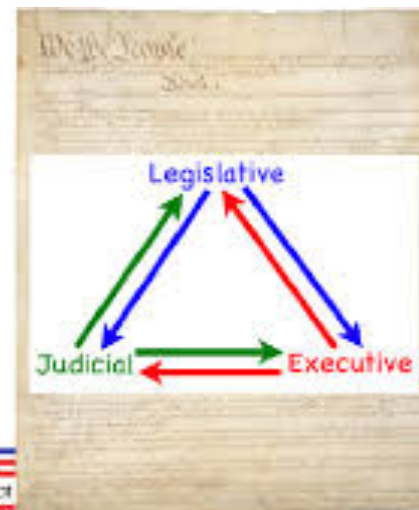
3. Creating Checks and Balances

- To ensure no branch becomes too powerful, each branch can restrain/limit the others
- Describes branches' interactions

EXAMPLES?

**Checks
and
Balances**

The Citizen Genius Project



Principles of the Constitution

4. Establishing a Federal System-

-Power is shared and divided between the national and state governments for local control and national unity.



Fiscal Federalism:
Financial decisions pertaining to an economy are taken by the government.

Principles of the Constitution

5. Republican form of Gov't: Voters select representatives to govern them and make laws.

– Favors the status quo - changes are slow

DEMOCRACY	REPUBLIC
Everyone participates in every decision	Governed by elected representatives
Majority rules	Governed by established set of laws
No protection of individual rights	Protection of individual rights
No protection of property rights	Protection of property rights
Not practical for large countries	Ideal for large and diverse populations
Always ends in turbulence & violence	Avoids extremes: mobocracy & tyranny

Principles of the Constitution

6. Popular Sovereignty-

- Voters have supreme authority over government;
- People can force changes;
- People have right to Revolt



Principles of the Constitution

7. Limit the Majority

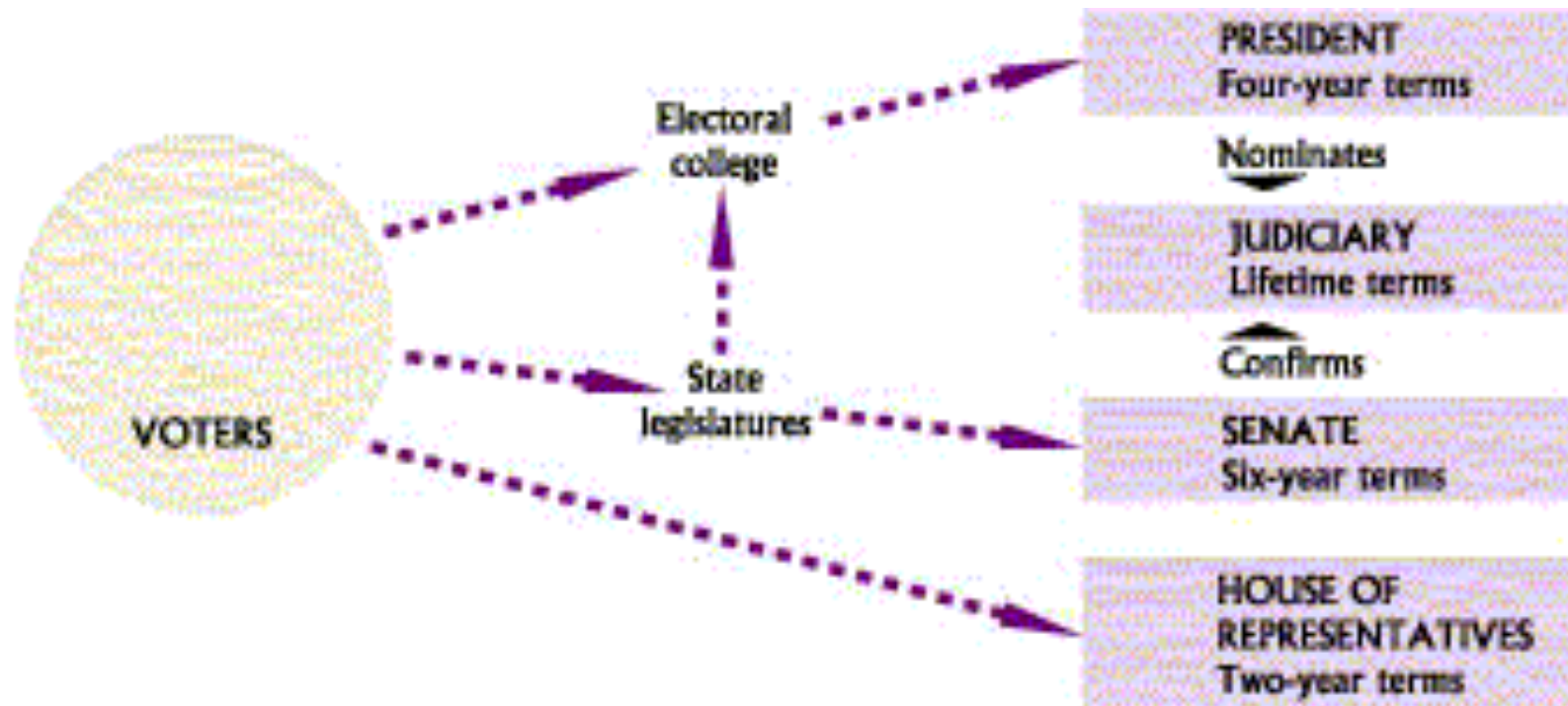
- Founders did NOT trust the masses and sought to limit their influence
- Madison wrote of the “tyranny of the majority”
- What did he mean

Examples...

- Electoral College to elect P
- Only House of Reps were elected by the people

The Madisonian Model

- The Constitution and the Electoral Process: The Original Plan (Figure 2.2)



Ratifying the Constitution

- The approval of at least nine states was needed to ratify the Constitution; it did not come easily!
- **Federalists:** supported passage of the Constitution
- **Anti-Federalists:** avored more power for the states; southern states;

Ratifying the Constitution

Table 2.5 Federalists and Anti-Federalists Compared

	ANTI-FEDERALISTS	FEDERALISTS
Backgrounds	Small farmers, shopkeepers, laborers	Large landowners, wealthy merchants, professionals
Government Preferred	Strong state government Weak national government Direct election of officials Shorter terms Rule by the common man Strengthened protections for individual liberties	Weaker state governments Strong national government Indirect election of officials Longer terms Government by the elite Less concern for individual liberties

Ratifying the Constitution

- Read the article on the Federalist Papers
- As you read, look for
 - Who were the Federalists and Anti-Federalists?
 - What were the Federalist Papers?
 - What is the Bill of Rights?
 - Who wanted the Bill of Rights and why?

Anti-Federalists

- Feared that the Constitution favored an elite minority
- Believed that the Constitution failed to protect too many individual freedoms
- Believed that a strong national government would limit the power of the states
- Published articles denouncing the Constitution as a tool of the aristocracy

Federalists

- Supported passage of the Constitution
- Favored a powerful central government with adequate checks and balances
- Wrote *The Federalist Papers*
 - A collection of 85 articles written by Alexander Hamilton, John Jay, and James Madison under the name “Publius” to defend the Constitution.

Bill of Rights

- To get the Constitution ratified, the authors added the Bill of Rights
 - These are the first 10 amendments to the U.S. Constitution,
 - They were drafted to address the Anti-Federalist concerns about the lack of basic liberties.
 - Provide civil liberties—protections against gov't action like freedom of speech and religion
 - Its addition appeased the Anti-Federalists and led to ratification of the Constitution