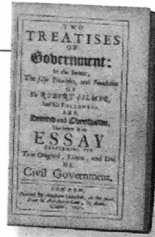


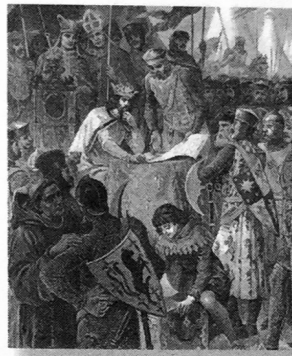
**Social Contract :**

Community agrees to obey ruler; ruler agrees to protect the community and individual rights



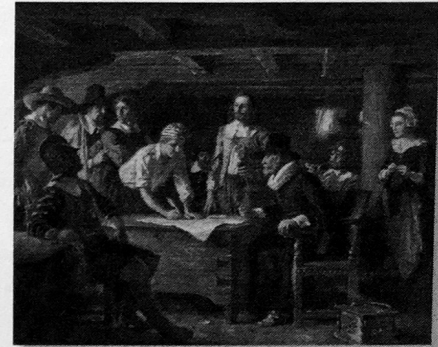
**Natural Law:**

Guarantees the basic rights of life, liberty, and property



**Magna Carta (1215)**

King grants trial by jury and agrees not to impose new taxes without consent of the barons



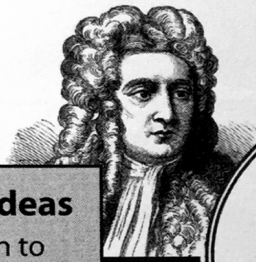
**Mayflower Compact (1620)**

Pilgrim colonists agree to form and obey their own government

**John Locke**

**Enlightenment Ideas**

Application of reason to question superstition, tradition, and authority



Sir Isaac Newton

**The Origins of American Government**

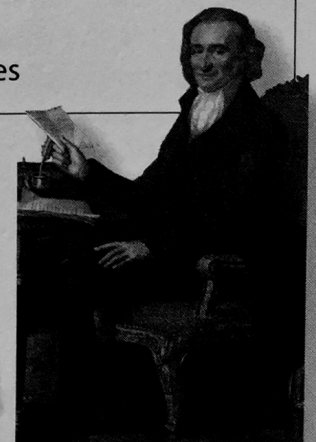
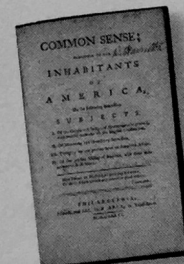
**English Heritage and Historic Documents**

**English Bill of Rights (1689)**

Parliament asserts its supremacy over the King and guarantees particular individual right

**Thomas Paine, *Common Sense* (1776)**

Paine argues that the colonies should govern themselves



**Baron de Montesquieu**

**Legislative:** makes laws

**Executive:** enforces laws

**Judicial:** interprets laws

**Separation of Powers**

# Review Cards: The Origins of American Government

## The Enlightenment

- ▶ The Enlightenment was a movement of ideas in Europe and America in the late 17th and 18th centuries.
- ▶ Enlightenment thinkers were influenced by the successes of scientists like Newton, who discovered the laws of gravity.
- ▶ Enlightenment thinkers attacked superstition in the Catholic Church, the divine right of kings, and hereditary privileges.

## John Locke's Social Contract

- ▶ Locke believed that people enjoyed certain basic rights under natural law: life, liberty, and property.
- ▶ Locke wrote that people joined together under a social contract to form a community to protect themselves.
- ▶ As part of this social contract, the community gives its power to a ruler, who it promises to obey.
- ▶ If the king breaks his promise to respect the rights of his individual subjects, they have the right to rebel against his authority.

## Baron de Montesquieu's Separation of Powers

A French nobleman, Montesquieu divided the powers of government into three powers:

- ▶ Legislative—the power to make laws
- ▶ Executive—the power to carry out and enforce the laws; and
- ▶ Judicial—the power to interpret and apply the law to particular situations

## Magna Carta (1215)

- ▶ Forced on King John of England by his barons (nobles)
- ▶ King John promised not to impose new taxes or loans without the consent of a committee of barons.
- ▶ King John also promised that no freeman would be imprisoned or lose his property or be otherwise punished except after a trial by jury in accordance with the law of the land.
- ▶ Magna Carta limited the king's power and became the later basis for the formation of Parliament as well as for the right to trial by jury.

## Mayflower Compact (1620)

- ▶ The Pilgrims sailed to North America to start their own colony where they could worship God in their own way.
- ▶ They landed at Plymouth Rock in Massachusetts.
- ▶ Before leaving the boat, they signed an agreement to form their own community and to obey its rules.

## **The English Bill of Rights (1689)**

- ▶ Several kings of England attempted to impose absolute rule on their subjects.
- ▶ Parliament rebelled and executed King Charles I in 1649.
- ▶ The British monarchy was restored in 1660. However, King James II later tried to increase his powers and was overthrown in the Glorious Revolution in 1688.
- ▶ Parliament passed the English Bill of Rights in 1689.
- ▶ The English Bill of Rights stated that members of Parliament would enjoy freedom of speech, that no armies would be raised in peacetime nor taxes imposed without the approval of Parliament, that citizens could petition the government, and that no excessive bail or cruel and unusual punishments would be imposed.

## **Thomas Paine's Common Sense**

- ▶ In the 1770s, American colonists came into conflict with the British government. Fighting broke out in 1775.
- ▶ Early in 1776, Thomas Paine published *Common Sense*.
- ▶ Paine argued that it made no sense for the colonies to be governed by a distant island and that the colonists should seek independence.



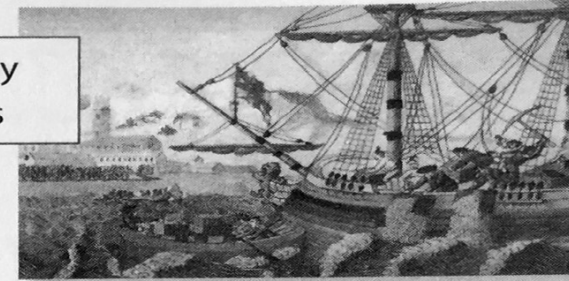
French and Indian War



- ▶ Stamp Act
- ▶ Townshend Duties

- ▶ Boston Tea Party
- ▶ Intolerable Acts

British tax colonists without their consent



Tea Duty

### Causes of the American Revolution

IN CONGRESS, JULY 4, 1776.

American Revolution begins

# Americans Declare Their Independence

Declaration of Independence



### Main Ideas

- ▶ Government made to protect unalienable rights (life, liberty and pursuit of happiness)
- ▶ Governments are created to protect these rights
- ▶ Governments that destroy rights can be overturned
- ▶ List of colonial grievances
- ▶ Colonists therefore declare their independence

- ▶ Paine's *Common Sense*
- ▶ George III refuses compromise
- ▶ Second Continental Congress approves independence
- ▶ Thomas Jefferson is main author



*He has abdicated Government here, by declaring us out of his obedience and protection, and has assumed a power, which no one here can have lawfully granted him. He has erected a set of legislative establishments, of which we have no charter or constitution; and he has endeavoured to bring on the inhabitants of these Colonies, a state of war, by declaring us out of his obedience and protection, and by assuming a power, which no one here can have lawfully granted him. He has abdicated Government here, by declaring us out of his obedience and protection, and has assumed a power, which no one here can have lawfully granted him.*

# Review Cards: Americans Declare Their Independence

## Causes of the American Revolution

- ▶ In 1754, Britain went to war with France in the French and Indian War. The French lost their North American colonies, but the costs of the war put the British in debt.
- ▶ After the war, the British government decided to place new taxes on the American colonists.
- ▶ Their first attempt was the Stamp Act, a tax on every official document. Colonists argued that because they did not have representatives in the British Parliament, they had not agreed to this tax: "Taxation without representation is tyranny!"
- ▶ Marches, rallies, petitions, boycotts, and even the tar-and-feathering of officials led Parliament to repeal the Stamp Act. It then passed the Townshend duties on various imports, like paper and glass. British troops were sent to control the protesting colonists, and these troops were sometimes quartered (*sheltered*) in colonists' homes.
- ▶ Because of continuing colonial unrest, Parliament also repealed the Townshend duties. However, it passed a tax on tea. Colonists protested the tea duty in December 1773 with the Boston Tea Party.
- ▶ Parliament passed the Intolerable Acts to punish Boston. These acts closed Boston Harbor and suspended the Massachusetts legislature.

## Outbreak of the Revolution

- ▶ Twelve colonies sent representatives to a "Continental Congress" to coordinate their responses to British actions. The delegates sent protests, organized boycotts, and agreed to meet again.
- ▶ American Patriots and British troops fired at each other at Lexington and Concord, beginning the American Revolution in April 1775.
- ▶ The Second Continental Congress met and formed the Continental Army, commanded by George Washington.
- ▶ At first, most American colonists did not want independence. The Continental Congress declared its resistance to taxes but its loyalty to Britain. King George III ignored this and declared the Americans to be in open rebellion. He sent more British troops to fight them and also hired mercenaries.
- ▶ Some of the early battles were disastrous for American troops, and General Washington was forced to retreat.

## The Declaration of Independence

- ▶ More colonists began to agree with Thomas Paine's pamphlet *Common Sense*, which urged the colonies to seek independence.
- ▶ Richard Henry Lee introduced a resolution in the Second Continental Congress, proposing independence.
- ▶ John Adams persuaded many members of the Continental Congress to vote for independence.
- ▶ A special committee wrote the Declaration of Independence. Thomas Jefferson was the main author. The document was approved by the Second Continental Congress on July 4, 1776.

## Ideas and Complaints of the Declaration

- ▶ The Declaration announced American independence, presented a new theory on government, listed colonists' grievances, justified their conduct, and established the United States as a new nation able to make alliances and treaties. The Americans then formally allied with France and Spain.
- ▶ The Declaration explained that all people had certain "unalienable rights." Among these rights were "life, liberty and the pursuit of happiness." Governments were "instituted" (*formed*) to protect those rights.
- ▶ People therefore had a right to overthrow any government that did not protect their natural rights.
- ▶ The Declaration claimed that Britain's government had become tyrannical and included a list of colonial grievances to prove it. The King had imposed taxes without their consent, quartered troops in their houses, cut off their trade, denied them trial by jury, suspended their legislatures, and sent troops to burn their towns and destroy their lives.
- ▶ Ever since it was written, the example of the Declaration has been followed by other countries seeking independence.
- ▶ The Declaration introduced a new theory of government based on liberty and equality. Its language has been used by many social movements in the United States, especially those on behalf of women and minorities.

# Review Cards: The Story of Our Constitution

## The Articles of Confederation: Strengths and Weaknesses

After independence was declared, members of the Second Continental Congress drafted the **Articles of Confederation**.

The Articles established a “league of friendship” between the 13 states.

After their experiences under British rule, the members of the Second Continental Congress did not want to make a government that was too strong. The Articles created a very weak central government, consisting of a “Congress” made up of representatives from the states.

Most power remained with the states themselves, which had adopted their own state constitutions. The state governments remained **sovereign** except for those powers given to Congress.

## The Confederation Congress

Each state had only **one vote** in the Confederation Congress.

The **Confederation Congress** had these powers:

- ▶ Its primary power was over foreign affairs: it could declare war, exchange ambassadors with foreign nations, and enter into treaties and alliances.
- ▶ It could also resolve disputes between states and regulate relations with certain Indian tribes.
- ▶ The Confederation Congress could borrow money, build a navy, and “direct” an army

The Confederation Congress had several important weaknesses:

- ▶ It could not raise its own troops.
- ▶ It could not tax citizens; instead, it relied on the states to contribute money.
- ▶ Nine states were needed to approve any new law, and all thirteen states had to agree to any changes in the Articles.
- ▶ There was no national executive or judicial branch.

The Confederation Congress had two major achievements: it negotiated a peace treaty with Britain, and it created a procedure for admitting new states into the United States.

The Congress had many problems, in both foreign and economic affairs.

- ▶ Because their government was weak, Americans feared that foreign nations might take advantage of them. Britain, Spain, and the pirates of North Africa all appeared to pose threats to American property and interests.
- ▶ American trade suffered when states began to tax each other's goods, did not print enough money, and refused to pay debts.
- ▶ During **Shays' Rebellion**, Massachusetts farmers rebelled when the state began to foreclose on their farms to collect debts. Daniel Shays, a former captain in the Revolution, led these protestors in attacking courthouses. There was no national army to put down the rebellion if it spread. The state militia eventually ended the rebellion.
- ▶ Events like Shays' Rebellion made many people desire a stronger central government.

## The Constitutional Convention

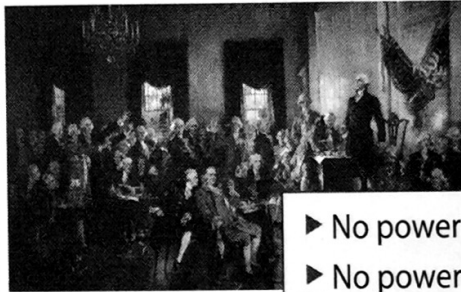
- ▶ In 1787, fifty-five delegates, headed by George Washington, met in Philadelphia to revise the Articles of Confederation. They ended up scrapping the Articles altogether and writing a whole new constitution.
- ▶ The members of the **Constitutional Convention** agreed that the country needed a stronger national government with separate legislative, executive and judicial branches.
  - ◆ The new legislature would have two houses: the **House of Representatives**, representing the general population, and the **Senate**, representing those of wealth, property, and political experience.
  - ◆ The new executive would be **the President**. The President would have the power to veto laws passed by Congress, but such vetoes could be overridden by a two-thirds majority of each house of Congress.



# The Constitutional Convention: Disagreement and Compromise

- ▶ The delegates to the Convention had several major disagreements. The most important of these was over Congress. Larger states like Virginia wanted representation in Congress to be **proportional** to each state's population. Smaller states like New Jersey wanted all states to have **equal representation**.
- ▶ The issue was finally resolved by the "Great Compromise": the number of members each state had in the House of Representatives would be based on population, but in the Senate, every state, regardless of size, would have two Senators.
- ▶ Another important concern was how the President would be chosen. Most delegates did not trust the people to elect the President directly. Instead, the delegates created the **Electoral College** to elect the President.

- ▶ Each state had one vote in the **Confederation Congress**
- ▶ Confederation Congress had to ask states for revenue and soldiers
- ▶ Could direct an army and maintain a navy
- ▶ Conducted the nation's foreign relations and could declare war



- ▶ No power to tax
- ▶ No power to raise troops
- ▶ No national executive or judiciary
- ▶ No power to regulate interstate trade

**Articles of Confederation**

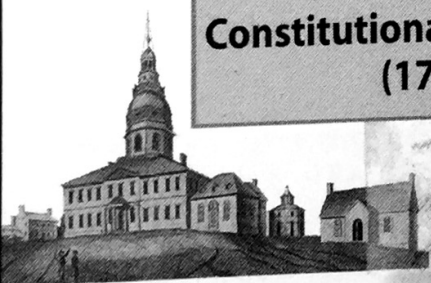
**Weaknesses**

## The Story of Our Constitution

**Constitutional Convention (1787)**

**Problems**

- ▶ States taxed one another's goods
- ▶ **Shays' Rebellion** posed threat
- ▶ Call to revise the Articles of Confederation



# Review Cards: A Quick Tour of the Constitution

## The Preamble

The **Preamble** states six purposes for establishing the Constitution. In fact, the Preamble describes the six purposes for our federal government in general:

- (1) To “**form a more perfect Union**”: The new national government would be stronger and more unified than the government under the Articles of Confederation. Under the Articles of Confederation, for example, states had taxed one another’s goods, hurting the national economy. Under the new government, which would unite the country, Americans would act together.
- (2) To “**establish justice**”: This is one of the roles of governments generally. Unlike the Articles of Confederation, this new government would have a national court system.
- (3) To “**insure domestic tranquility**” (*peace at home*): Shays’ Rebellion had demonstrated that the national government needed greater resources to insure peace and to maintain order.
- (4) To “**provide for the common defense**”: Several potential threats had shown the need for a stronger national government to defend American interests against foreign powers.
- (5) To “**promote the general welfare**”: The new national government would promote the “general welfare”—the general well-being of all its citizens.
- (6) To “**secure the blessings of liberty**”: “Liberty” (or freedom) was one of the “unalienable” rights mentioned in the Declaration of Independence. Only by being strong, however, could the new national government protect liberty and other individual rights.

## The Structure of Our Constitution: Article I

**Article I: Congress:** the legislative branch—makes the laws

- ▶ Two houses: Senate and House of Representatives
- ▶ Every state has two Senators
- ▶ Each state is represented in the House of Representatives in proportion to its population
- ▶ “Enumerated” Powers: the specific powers of Congress listed in the Constitution, such as to coin money and declare war.
- ▶ “Necessary and Proper” Clause: Congress has whatever other powers it needs to carry out its enumerated powers
- ▶ A bill must pass both houses of Congress and be approved by the President to become a law. Two-thirds of each house of Congress can override the President’s veto.

## The Structure of Our Constitution: Article II

**Article II. The President:** the executive branch—carries out the laws

- ▶ The President enforces our federal laws
- ▶ The President also acts as Commander-in-Chief of our armed forces
- ▶ The President must be a natural-born citizen and be at least 35 years old.
- ▶ The President is elected by the Electoral College
- ▶ The President can be impeached and removed by Congress for misconduct

## The Structure of Our Constitution: Article III

**Article III. The Supreme Court:** the judicial branch—interprets and applies the laws

- ▶ The Supreme Court is the highest court in the land
- ▶ Federal judges hold their offices for life during “good behavior” (until retirement or removal for misconduct)
- ▶ Congress was given the power to create lower federal courts

## The Structure of Our Constitution: Other Articles:

**Article IV**—On state governments and the admission of new states into the United States

**Article V**—**Amendment process**—establishes procedures for amending the Constitution

**Article VI**—The “**Supremacy Clause**”—The Constitution and federal laws are the “supreme law” of the land

**Article VII**—Process for **ratifying** (adopting) the Constitution by state conventions.

## The Ratification Debate

Based on Article VII, the proposed Constitution had to be **ratified** (*approved*) by special state conventions. At least 9 states had to ratify it for adoption. A lively debate took place in each state over whether the new constitution should be adopted.

**Anti-Federalists:** The **Anti-Federalists** opposed ratification. They felt the new federal government, proposed by the Constitution, would be too strong and would threaten individual rights and liberties. They also demanded that a “bill of rights” be included in the Constitution.

**The Federalists:** The **Federalists** supported ratification of the new Constitution. They believed the country needed a stronger government for defense against foreign powers and to ensure tranquility at home. They argued that the federal government created by the Constitution would not become too powerful or tyrannical because power would be divided between the states and the federal government, and would be further divided among the three separate branches of the federal government.

**The Federalist Papers:** Three leading Federalists—Alexander Hamilton, James Madison, and John Jay—published essays to persuade members of the New York Convention to ratify the Constitution. Afterwards, these essays were published in a single book as the *Federalist Papers*.

# Constitutional Principles

**Popular Sovereignty:** The people are the final, supreme authority; the source of all political power.

**Limited Government:** Government has only those powers granted to it by the people in the Constitution.

**Federalism:** Governmental responsibilities are divided between the **federal** (national) government and the **state** governments.

**Separation of Powers:** Governmental powers are divided among three branches: the legislative, executive and judicial.

**Checks and Balances:** Each branch of the government has specific powers to check the other branches; for example, the President can veto legislation; the Senate can refuse to confirm a nomination or to ratify a treaty.

