

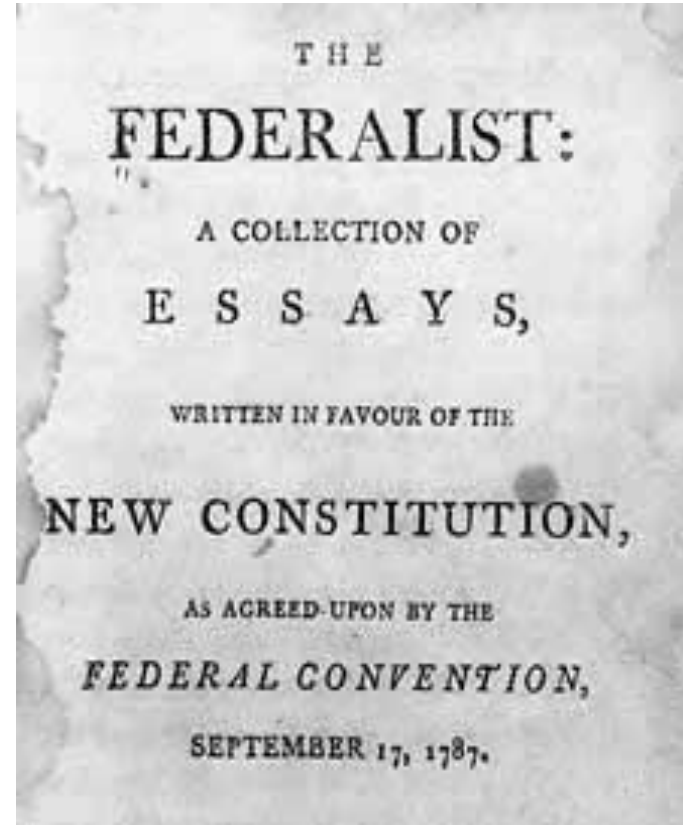
# AP GOV. CHAPTER 2

## THE CONSTITUTION

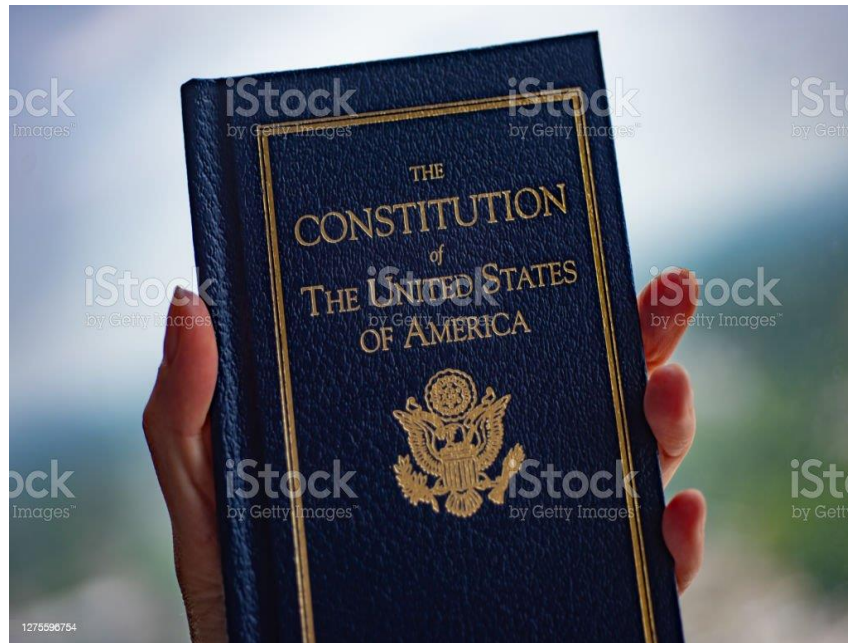


# Required Cases and Documents for Unit 1

- Federalist Essays 10, 51, 70, and 78
- Declaration of Independence
- Brutus 1
- Articles of Confederation
- Constitution and Amendments
- Marbury v. Madison
- McCulloch v. Maryland
- United States v. Lopez



- The Constitution, a purposeful document that was designed to be difficult to change.
- The idea was to create a society that was less rigid than that of Europe but:
- Still need to protect property rights and control over the general public.



Key Term: Mercantilism.

French and Indian War Debt \$\$\$ Leads to:

1. Sugar Act
2. Stamp Act
3. Quartering Act
4. Townsend Acts
5. Tea Act of 1773

All will lead to protests,  
boycotts and violence





# What was the main grievance of the Stamp Act Congress?

- A. The Stamp Act barred the colonists from using their own stamps.
- B. The Stamp Act had little effect in raising the required revenues to pay for the French and Indian War.
- C. The taxes imposed by the British had a religious context and therefore conflicted with the separation of church and state.
- D. The British Parliament had no authority to tax the colonists without colonial representation in that body.
- E. The Stamp Act included the taxing of books and playing cards.

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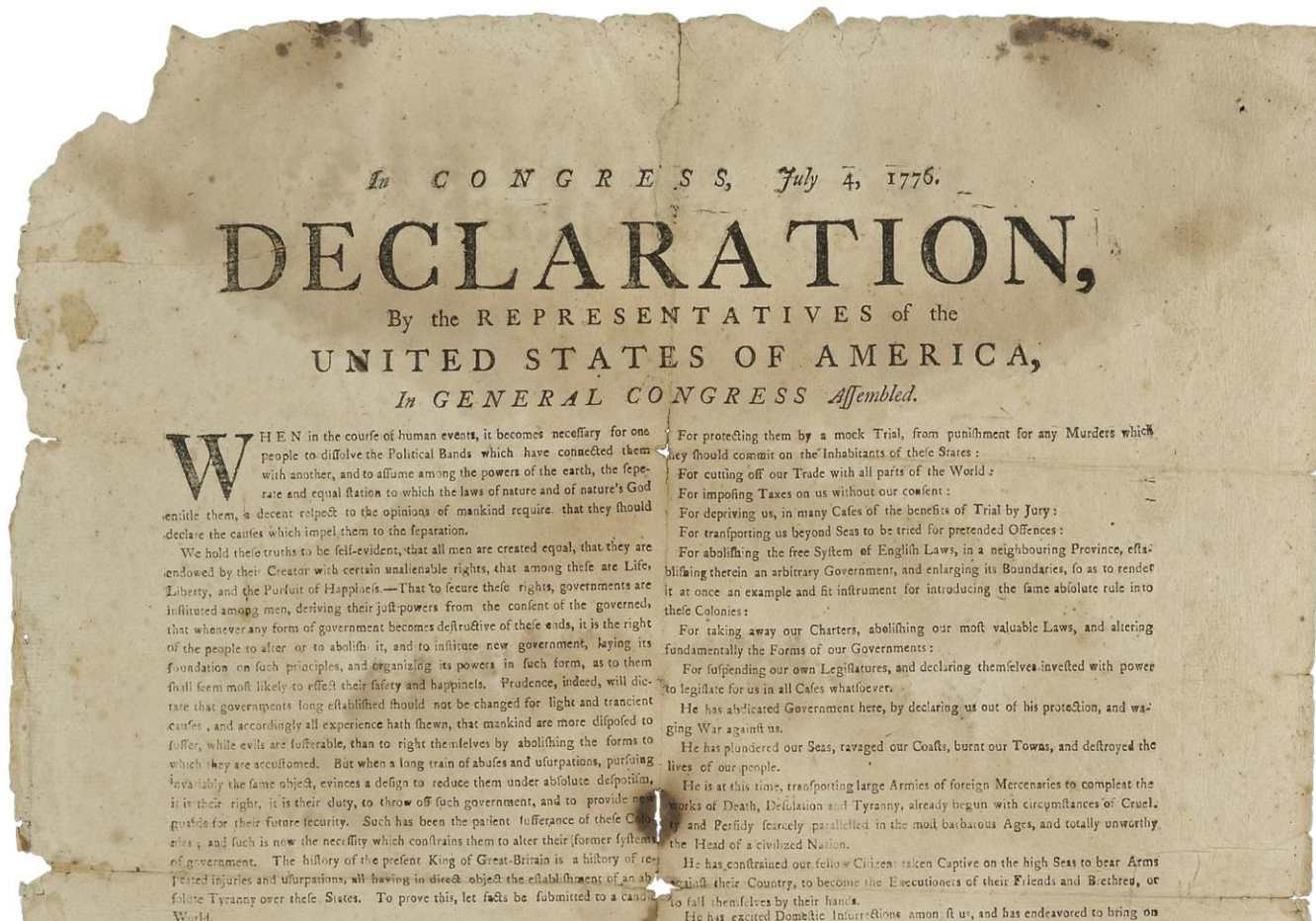
- 1. Committees of Correspondence
  - Attempts to Unite the 13 Colonies
- 2. First Continental Congress of 1774
- 3. Second Continental Congress of 1775
  - Meets after battles of Lexington and Concord
  - Will resolve to send the Olive Branch Petition
- 4. Common Sense publication by Paine in January 1776
- 5. Declaration of Independence July 1776





# Declaration of Independence

- It is NOT a system of Government. It was written to explain/appeal for independence AND to avoid scaring Spain/France from helping the war effort





## Philadelphia and the Room where it was signed



The background of the slide is a faded, semi-transparent image of the United States flag, showing the stars and stripes. The text is overlaid on this background.

What type of government did the Articles of Confederation create?

- A. Federal government
- B. Confederacy
- C. Republic
- D. Democracy
- E. Unitary government

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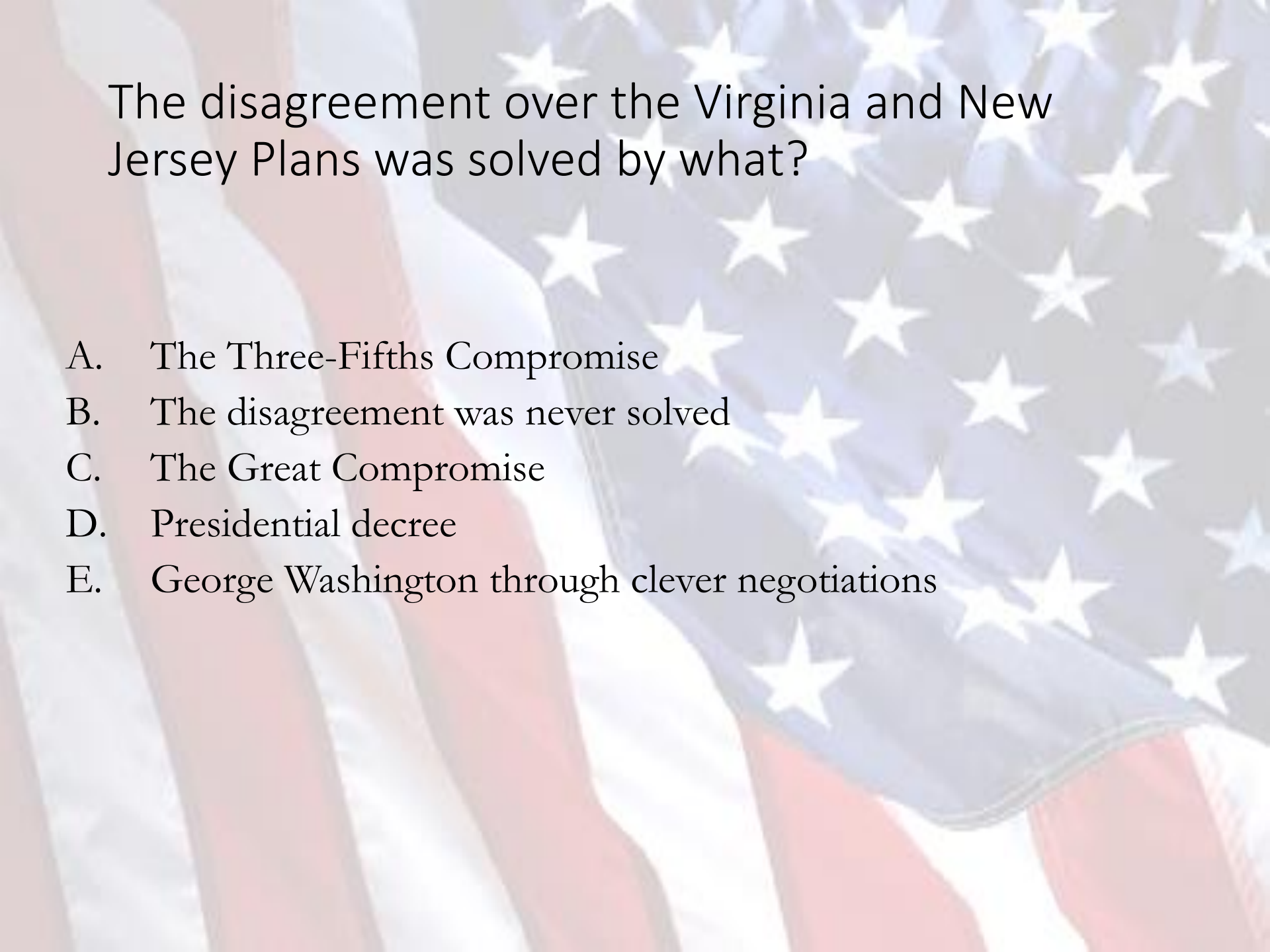
- During the Revolutionary War the country is governed by the Articles of Confederation
    - Weak
    - States argue
    - Shay's Rebellion
- The problems with a weak central government lead to.....



- **Constitutional Convention of 1787**

- NOT supposed to write a constitution just amend the articles
- NOT supported by most of the delegates
- Small States vs. Large States
- Slavery Issue
- Contract Enforcement / Property Rights are key to the elites

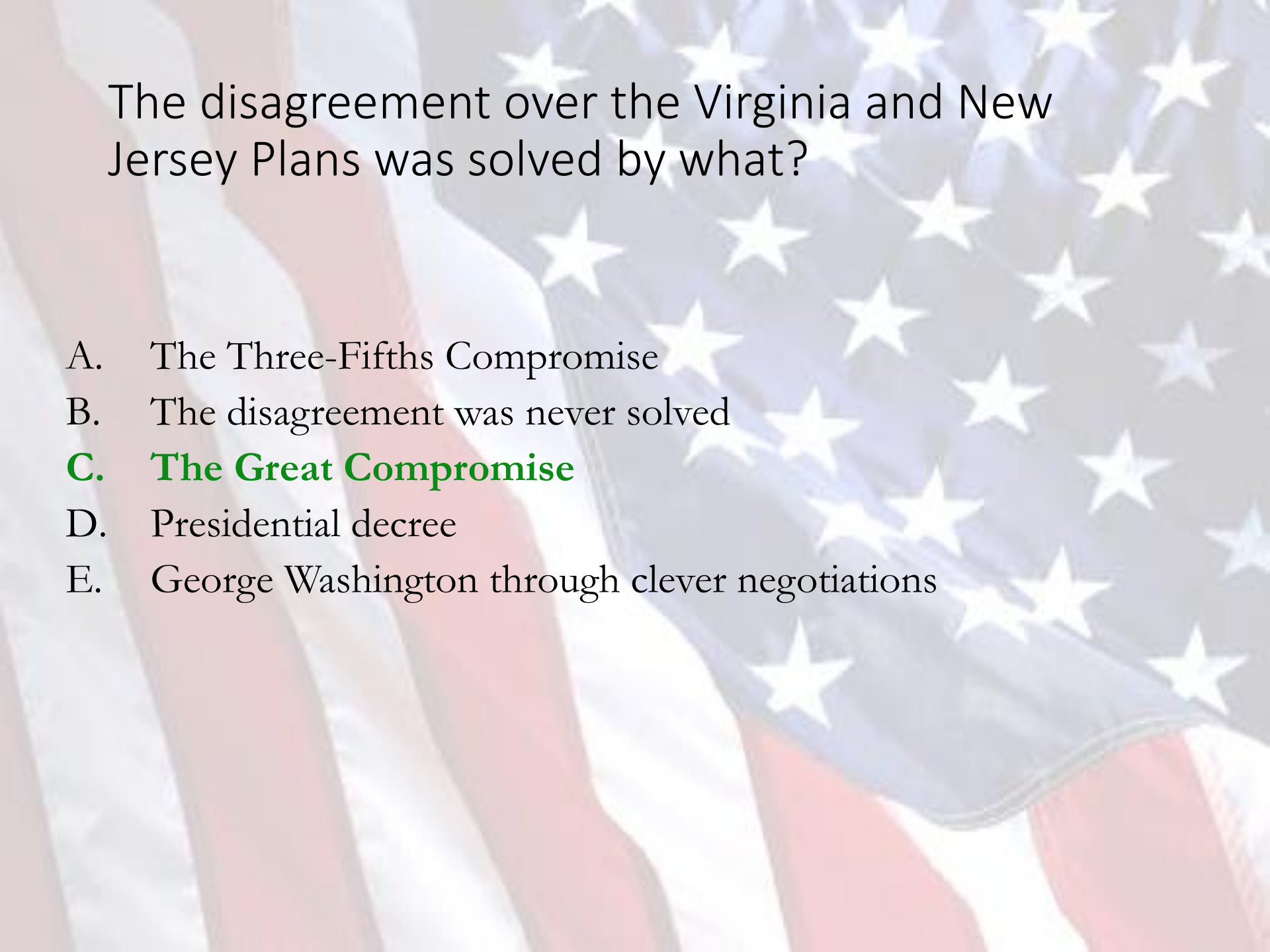


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The disagreement over the Virginia and New Jersey Plans was solved by what?

- A. The Three-Fifths Compromise
- B. The disagreement was never solved
- C. The Great Compromise
- D. Presidential decree
- E. George Washington through clever negotiations



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# THE CONSTITUTION THAT'S CREATED

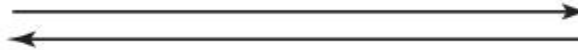
- 1. Great Compromise / Connecticut Plan
- 2. Slavery Compromise (3/5)/ 20 Year Trade / Fugitive
- 3. Electoral College
- 4. Separation of Power
- 5. Checks and Balances
- 6. Republican System of Government
- 7. **Articles 1, 2, 3 (three branches)**
- 8. Supremacy Clause (article 6)
- 9. Revenue Bills originate in the house of representatives
- 10. Enumerated Powers (aka express powers or formal powers) vs. Implied Powers (aka informal powers)

# What are the separation of powers and checks and balances under the U.S. Constitution?




**LEGISLATIVE BRANCH POWERS**  
Pass all federal laws  
Pass the federal budget  
Declare war  
Establish lower federal courts and the number of judges

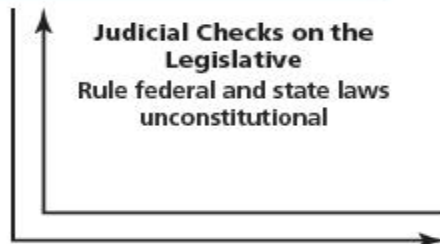
**Legislative Checks on the Executive**  
Impeach the president  
Reject legislation or funding the president wants  
Refuse to confirm nominees or approve treaties\*  
Override the president's veto by a two-thirds vote



**Executive Checks on the Legislative**  
Veto legislation  
Call Congress into special session  
Implement (or fail to implement) laws passed by Congress




**EXECUTIVE BRANCH POWERS**  
Enforce federal laws and court orders  
Propose legislation to Congress  
Make foreign treaties  
Nominate officers of the United States government and federal judges  
Serve as commander in chief of the armed forces  
Pardon people convicted in federal courts or grant reprieves



**Judicial Checks on the Legislative**  
Rule federal and state laws unconstitutional

**Legislative Checks on the Judicial**  
Change the number and jurisdiction of federal courts  
Impeach federal judges  
Propose constitutional amendments to override judicial decisions



**JUDICIAL BRANCH POWERS**  
Interpret federal laws and U.S. Constitution  
Review the decisions of lower state and federal courts

**Judicial Checks on the Executive**  
Declare executive branch actions unconstitutional  
Chief justice presides over impeachment trial




**Executive Checks on the Judicial**  
Appoint federal judges  
Refuse to implement decisions

\*This power belongs to the Senate only.



- The Ratification Process
  - Not many expected it would be ratified since states lose their powers
- 1. Federalists vs. Anti-Federalists
- 2. The Essays (10, 51, 78, 70)
- 3. Bill of Rights (aka the first 10....Civil Liberties Protected)
- 4. Two step process of amending
- 5. Marbury v. Madison (provides the power that article 3 failed to provide)



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What did the Federalists favor?

A. A strong national government

B. A weak national government

C. Strong state governments

D. Limited taxing power

E. State militias

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## Differences between Federalists and the Anti-Federalists

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	Federalists	Anti-Federalists
<i>Who were they?</i>	Property owners, landed rich, merchants of Northeast and Middle Atlantic states	Small farmers, shopkeepers, laborers
<i>Political philosophy</i>	Elitist; saw themselves and those of their class as most fit to govern (others were to be governed)	Believed in the decency of "the common man" and in participatory democracy; viewed elites as corrupt; sought greater protection of individual rights
<i>Type of government favored</i>	Powerful central government; two-house legislature; upper house (six-year term) further removed from the people, whom they distrusted	Wanted stronger state governments (closer to the people) at the expense of the powers of the national government; sought smaller electoral districts, frequent elections, referendum and recall, and a large unicameral legislature to provide for greater class and occupational representation
<i>Alliances</i>	Pro-British, anti-French	Anti-British, pro-French

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# The Articles of the Constitution

## Article I: The Legislative Branch

- Bicameral (senate and house)
- Sets out terms, selection, apportionment
- Section 8
  - **Enumerated powers**
    - 17 clauses
  - **Implied powers**
    - Final clause: **necessary and proper clause**



# The Articles of the Constitution

## Article II: The Executive Branch

- Four-year terms
- Qualifications for office
- Removal (impeachment)
- Powers
  - Commander in Chief
  - Treaties
  - Appointments
- Key Power not listed
  - Bully Pulpit

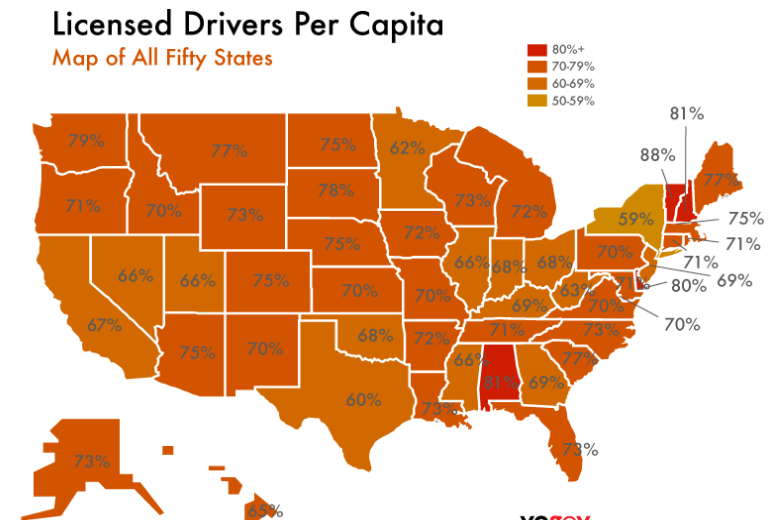


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# The Remaining Articles of the Constitution

## Article III: the Judicial Branch

- The Supreme Court
- Congress and the lower courts
- Jurisdiction
- Article IV: relations among the states and the **full faith and credit**
  - **States must honor orders and judgments from other states**
- Article V: amending the constitutor
- Article VI: **supremacy clause**
- Article VII: ratification



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The \_\_\_\_\_ can be found in Article IV of the Constitution.

- A.commerce clause
- B.necessary and proper clause
- C.supremacy Clause
- D.full faith and credit clause
- E.elastic clause



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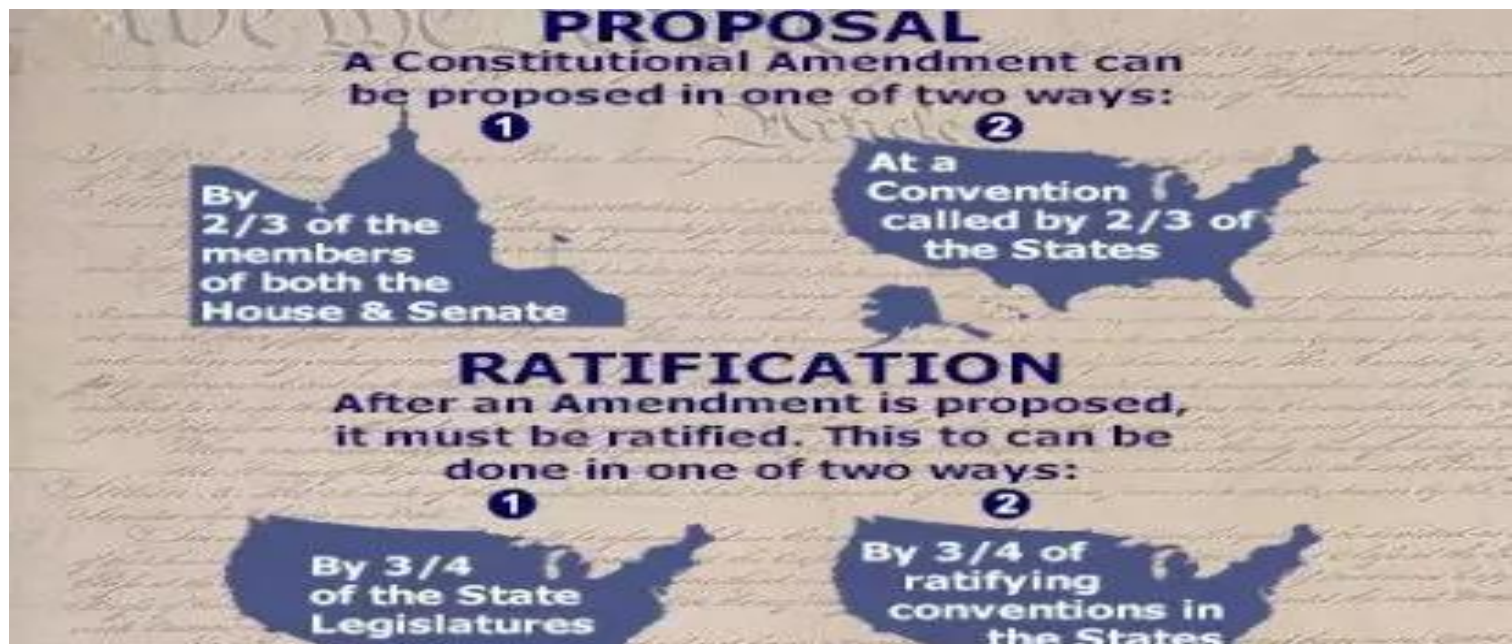
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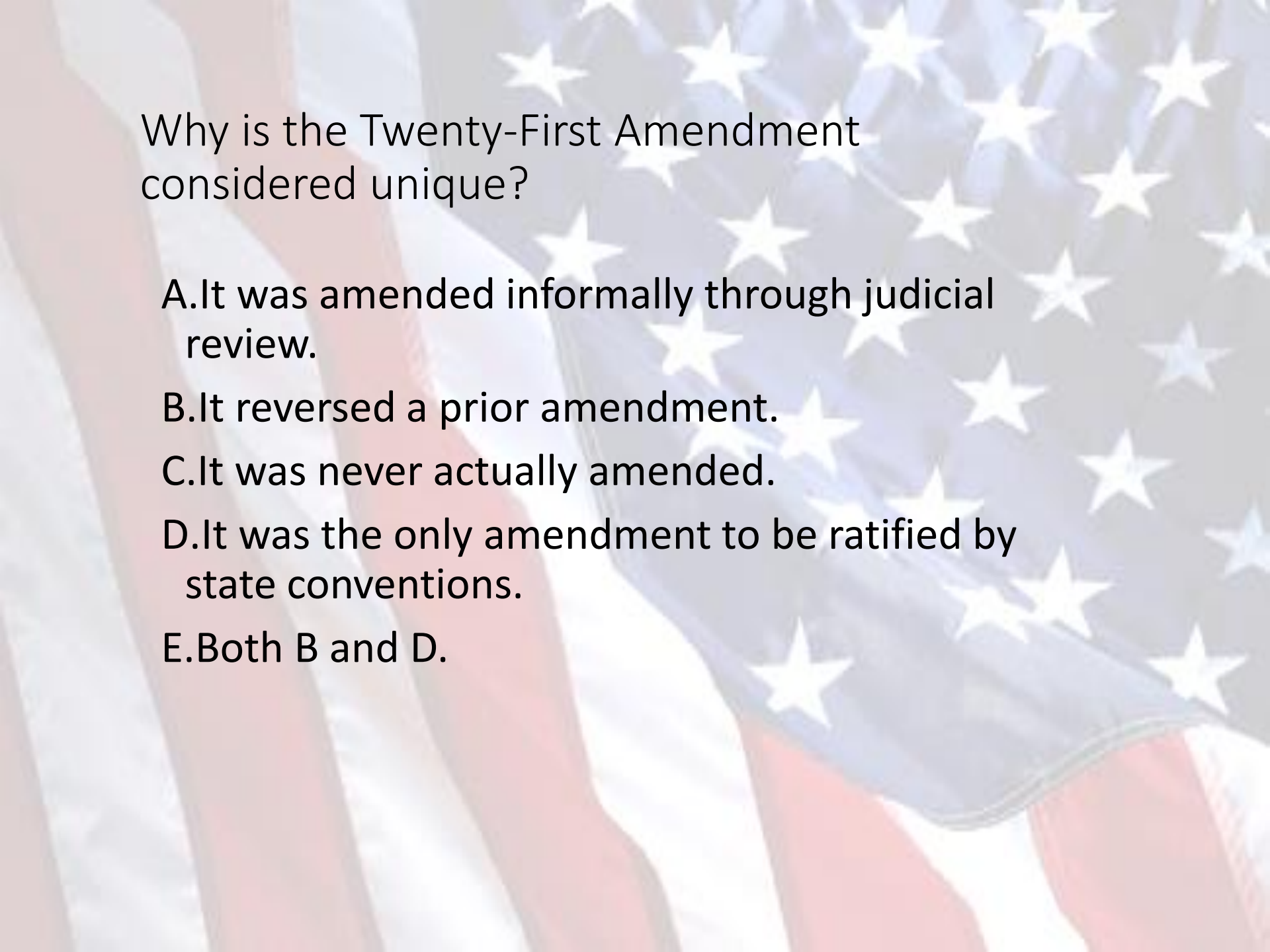
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# Formal Methods of Amending the Constitution

## Two-step process Article V

- Proposal
  - By Congress (common method) or state legislatures (state legislatures have never proposed)
- Ratification
  - By state legislatures or conventions (conventions only done once)



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Why is the Twenty-First Amendment considered unique?

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- B. It reversed a prior amendment.
- C. It was never actually amended.
- D. It was the only amendment to be ratified by state conventions.
- E. Both B and D.

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