

POL 201- American National Government

Topic 2

I. Textbook View of the Constitution

- A. Founders were Demigods -- enlightened philosophers who unselfishly risked their lives, their fortunes and their honor to establish a new nation**

- B. Constitution was a radical document establishing democracy in an era of monarchy and despotism -- creating a government “Of the People, By the people, For the people”**

II. Alternative View

- A. Founders were politicians -- rational (i.e. self interested) political actors**

- B. Constitution is a political & economic document designed to promote the interests of the politicians (political elites) who wrote it -- a government “of the elites, by the elites and for the elites”**

III. Constitution vs Declaration of Independence

IV. Why was the Constitution Written

A. Who Wrote the Constitution?

Who were the Delegates?

Who Ratified the Constitution

How were they chosen?

B. Why Was the Constitution Written?

What form of government existed before the Constitution established our current govt?

C. The Articles of Confederation

- **Loose league of Friendship**
 - **Legislative Supremacy**
 - **Each state had one vote -- Supermajority required for decisions (9/13th)**
 - **State Sovereignty -- Similar to United Nations**
 - **Amendments had to be unanimous**
- **Weak Central Govt. -- Could Not:**
 - **Levy Taxes**
 - **Regulate Commerce**
 - **Raise an Army**

- **Government had the power to:**
 - **Coin & Borrow money -- but states could issue money too**
 - **Make Treaties**
 - **Establish Post-Office**
 - **Manage Indian Affairs**

C Founder's Objections to Articles of Confederation

- **Protect Value of Money(inflation)**
- **Commerce (manufacturing, shipping, fur trade, agriculture)**
 - **Common currency**
 - **Tariffs**
 - **Unstable Frontier**
 - **Roads and tolls**
- **Protect Creditors/Property**
 - **Piracy**
 - **Shays' rebellion**
- **Weak and Insignificant abroad**

V: The U.S. Constitution

A. How it was Written and Ratified -- Coup d'etat?

- **Delegates chosen by states to Amend Articles**
- **Ratified by State Constitutional Assemblies**

B. Majority Rule or Elite Rule -- How Leaders are Chosen

- **Congress -- House vs Senate**
- **President**
 - **Electoral College**
 - **No Majority in House?**
- **Supreme Court (Other Courts)**

C. Majority Rule or Minority Rule -- How Policies are Made

- **Separation of Powers -- Checks and Balances**
- **Bi-Cameralism**
- **Federalism**
- **Amendments**

D. Powers of Government (Article 1, Sections 8, 9 and 10)

E. Silences of Constitution (What it does NOT say)

- **Freedom of Speech**
- **Freedom of Press**
- **Freedom of Assembly**
- **Freedom of Religion**
- **Right to Overthrow Government**
- **Referendum, Initiative, Recall**
- **Right to accept or reject
Constitution or Amends.**

VI. Amendments Making Constitution More Democratic

A. Bill of Rights

B. Other Democratizing Amendments

C. Federalizing the Bill of Rights (14th Amendment)

VII. Basic Principles of American Government

A. Limited Government

B. Supremacy of Law

C. Separation of Powers

D. Federalism

F. Guarantee of Individual Rights and Liberties

G. Republican (i.e. Representative) Government

VIII. U.S. vs British Govt.

A. Decentralized vs Centralized

B. Representation vs Efficiency

C. Minority Rights vs Majority Rule

D. Gridlock with diversity vs. Effective Govt w/o diversity