



AMERICAN GOVERNMENT



LESSON 21

OUTLINE

CONSTITUTION OVERVIEW 1 OF 4

Introduction

Historical Context

The Articles of Confederation set strict parameters in Articles 1 and 2.

Comparison to English history of building documents over time without abandoning previous ones. Founders' intention: building on, not discarding, the Articles of Confederation.

Review of the Articles of Confederation

Article 1: Established the Confederation as "The United States of America," preserving the name and identity.

Article 2: States retain sovereignty, freedom, and independence—creating a confederation, not a consolidation.

Article 3: A "firm league of friendship" among the states, with shared defense and welfare responsibilities.

Confederation vs. Consolidation

States voluntarily joined a confederation

The Articles of Confederation emphasized cooperation and equal sovereignty among states, not dominance by a central government.

Introduction to the U.S. Constitution

Preamble: Serves as the mission statement, outlining the purpose of the Constitution and government: justice, defense, welfare, liberty.

Comparison to the Declaration of Independence, focusing on the role of government in securing rights.

The need to create a "more perfect union" to address weaknesses in the Articles of Confederation (vagueness in power delegation, state confusion).

Misconceptions About the Constitution

The Constitution did not create a more powerful central government but rather clarified and improved the delegation of powers.

Emphasis on honesty in comparing the Articles of Confederation and the Constitution.



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Nature of Government Created by the Constitution

Constitutional Republic, not a democracy or democratic republic.

In a republic, laws are created by equal representation, preventing majority rule over minorities, as happens in a democracy.

Democracies can lead to discrimination and slavery, which is why the founders avoided this system.

Key Features of a Constitutional Republic

Equal representation: One representative for every 30,000 people in the House, two senators per state in the Senate.

Government's role is to punish evil, promote good, and secure rights through law created by representation.

Supremacy of the U.S. Constitution

The Constitution is the "supreme law of the land," ensuring harmony between federal and state constitutions.

Supremacy does not infringe on states' sovereignty; powers not delegated to the federal government are reserved to the states or the people (10th Amendment).

Tenth Amendment and Federalism

The 10th Amendment ensures that powers not given to the federal government are reserved for the states and the people.

Both U.S. and state constitutions work in harmony, not conflict, creating a balanced system of government.



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Conclusion

Articles of Confederation established a confederation of sovereign states, not a consolidation of power. The founders did not intend to start with a clean slate but to improve the existing system by creating a "more perfect union." Key elements, like state sovereignty and mutual defense, were carried over from the Articles into the Constitution.

The Constitution did not create a more powerful central government but clarified the delegation of powers. It established a constitutional republic, ensuring laws are made through equal representation, not majority rule (as in a democracy). A republic prevents the tyranny of the majority, and the founders rejected the instability of democracies, which can lead to discrimination and slavery.

The Constitution is the "supreme law of the land," balancing federal and state powers. The 10th Amendment ensures that powers not delegated to the federal government are reserved for the states or the people, maintaining state sovereignty. Both the U.S. Constitution and state constitutions work in harmony, defining government authority to ensure all power ultimately rests with the people.



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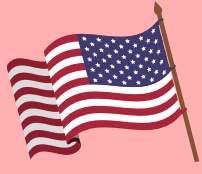


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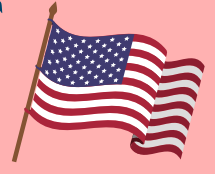
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Discussion/essay questions

1. Historical Context: - How did the Articles of Confederation influence the formation of the U.S. Constitution? - Why is it important that the new Constitution did not represent a "clean slate"?
2. Purpose and Intent of the Constitution: - What does the preamble of the U.S. Constitution outline as the mission of the government? How does this compare to the Declaration of Independence's view on government?
3. Confederation vs. Consolidation: - What is the difference between a confederation and a consolidation, as outlined by the Articles of Confederation and the Constitution? - How does this distinction impact the sovereignty of individual states?
4. State Sovereignty and Secession: - Given that the states voluntarily entered the union, does this imply they have the right to secede? Why or why not?
5. Constitutional Republic vs. Democracy: - Why did the founders prefer a constitutional republic over a democracy? What are the dangers they associated with a democracy? - How does a constitutional republic ensure equal representation, and why is this significant?
6. The General Welfare Clause: - How was the general welfare provision of the Articles of Confederation carried into the U.S. Constitution? What role does it play in the governance of the country?
7. Delegation of Powers: - How did the U.S. Constitution improve the delegation of powers compared to the Articles of Confederation? - Why is it important that powers not specifically delegated to the federal government are reserved to the states?
8. Supremacy of the Constitution: - What does it mean that the U.S. Constitution is the "supreme law of the land"? How does this relate to state sovereignty?
9. Tenth Amendment and State Powers:
 - How does the Tenth Amendment ensure a balance of power between the federal government and the states? - In what ways does the Tenth Amendment empower "the people"?
10. Constitutional Republic Structure: - What are the essential characteristics of a constitutional republic, and how do they shape the function of government in the U.S.?



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NAME _____

Multiple Choice

1. What was the primary purpose of transitioning from the Articles of Confederation to the U.S. Constitution?
 - A) To create a clean slate and abandon previous documents
 - B) To build upon and improve the previous system
 - C) To consolidate all state power into a central government
 - D) To ensure the federal government had complete control over the states
2. According to the lecture, which of the following best describes a “constitutional republic”?
 - A) A government where laws are made by majority vote
 - B) A government where power is inherited through family lineage
 - C) A government where representatives are elected to create laws with equal representation for all
 - D) A government ruled by a single central authority
3. What is the purpose of the preamble of the U.S. Constitution?
 - A) To outline the structure of the federal government
 - B) To define the mission and purpose of the Constitution and the government
 - C) To detail the specific powers of each branch of government
 - D) To declare independence from Britain
4. Which article of the Articles of Confederation states that each state retains its sovereignty and independence?
 - A) Article 1
 - B) Article 2
 - C) Article 3
 - D) Article 5
5. What was the primary flaw in the Articles of Confederation, according to the lecture?
 - A) It gave too much power to the central government
 - B) It lacked a name for the union
 - C) It was too vague on the delegation of powers, causing confusion among the states
 - D) It required states to consolidate into a single national entity



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6. In the context of the U.S. Constitution, what does the phrase “more perfect union” refer to?

- A) Creating a completely new government structure
- B) Improving upon the Articles of Confederation
- C) Abandoning state sovereignty
- D) Establishing a monarchy

7. According to the lecture, why did the founders reject a democracy in favor of a constitutional republic?

- A) They believed a democracy was the best way to ensure equality
- B) They wanted to prevent majority rule over the minority, which could lead to laws creating slavery
- C) They wanted to avoid a government with elected representatives
- D) They believed a monarchy would better suit the people

8. What does the Tenth Amendment to the U.S. Constitution guarantee?

- A) All powers not delegated to the federal government are reserved to the states or the people
- B) The federal government has the authority to override state laws
- C) States must relinquish their sovereignty to the federal government
- D) The federal government controls all aspects of state governance

9. Why is it important to call the U.S. government a "constitutional republic" instead of a "democracy"?

- A) Because the founders wanted the government to be ruled by a single authority
- B) Because a democracy allows the majority to create laws that may oppress minorities
- C) Because a constitutional republic is based on inherited power
- D) Because democracy was not an option at the time

10. According to the lecture, what is the significance of the "general welfare" clause in both the Articles of Confederation and the U.S. Constitution?

- A) It ensures the economic equality of all citizens
- B) It gives the federal government unlimited power
- C) It establishes cooperation for the common good and mutual defense of the states
- D) It eliminates the sovereignty of individual states



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ANSWER KEY

- 1.B
- 2.C
- 3.B
- 4.B
- 5.C
- 6.B
- 7.B
- 8.A
- 9.B
- 10.C