



AMERICAN GOVERNMENT



LESSON 26

OUTLINE

I. The Structure of the Legislative Branch (Article 1):

1. Article 1, Section 1:

Establishment of the legislative branch (Congress)

Definition of a bicameral legislature (House of Representatives and Senate)

2. Article 1, Section 2, Clause 1:

Establishment of the House of Representatives

Representatives elected every two years by the people

3. Article 1, Section 2, Clause 2:

Qualifications for Representatives (age, citizenship, and residency requirements)

4. Article 1, Section 3, Clauses 1 and 2:

Creation of the Senate

Senators originally appointed by state legislatures, term of six years (changed by the 17th Amendment)

II. Historical and Philosophical Perspectives:

1. Federalist Perspective:

Federalist Papers 39, 51, 52, and 62 supporting the structure

Arguments for checks and balances between the two houses

Bicameralism as a safeguard against hasty legislation and factionalism

Federalist 62: Senate as a check on the House to prevent emotional, impulsive decisions

2. AntiFederalist Concerns:

Writings of Brutus (Letter 16), Federal Farmer (Letters 11, 14, 18), and Mercy Otis Warren

Fear that the Senate would become an aristocratic body detached from the people

Concerns over the complexity of bicameralism and preference for simpler, unicameral systems

3. Mercy Otis Warren:

Her contributions as a political advisor, playwright, and historian

Her critiques of the Constitution from an AntiFederalist perspective

Importance of her role as a woman in early American political discourse



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III. Philosophical Underpinnings:

1. Checks and Balances:

Federalist emphasis on separation of powers, drawing from Montesquieu's philosophy

The need for an independent legislative body to check executive power

Federalist 51: Separation of powers as essential to preserving liberty

2. AntiFederalist Concerns about Human Nature:

Argument that human nature, especially the tendency toward corruption and factionalism, makes a simpler system preferable

Emphasis on vigilance of the people as the best check on government overreach

IV. Practical Implications:

1. Modern Interpretations:

Discuss the 17th Amendment's impact on the election of Senators

How these changes reflect both Federalist and AntiFederalist concerns

2. Relevance to Today:

How these foundational principles continue to influence the structure and function of Congress today

Contemporary debates around states' rights and federal power

Conclusion:

Recap key points



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- **Why did the Federalists believe that a bicameral legislature was essential for a stable government?***

 - Consider the Federalist arguments for checks and balances, and how the two houses (House of Representatives and Senate) would prevent abuses of power. Do you think this system effectively achieves its purpose today?
- **The Anti-Federalists were concerned that the Senate would become an aristocratic body detached from the people. Do you believe their fears were justified?***

 - Reflect on the original method of selecting Senators (appointment by state legislatures) versus the current method (direct election by the people after the 17th Amendment). How does this change affect the balance of power between states and the federal government?
- **In Federalist 62, the argument is made that a smaller, more deliberative Senate would prevent hasty legislation influenced by sudden passions or factionalism. Do you agree that this is an effective safeguard? Why or why not?***

 - Discuss whether the Senate in its modern form fulfills this role and if any reforms might be necessary to improve the legislative process.
- **How do the Anti-Federalist writings, especially Brutus and the Federal Farmer, reflect concerns about human nature and the potential for government overreach?***

 - Compare the Anti-Federalist warnings about the dangers of concentrated power with current debates around federal authority. How might these historical concerns apply to today's political landscape?
- **Mercy Otis Warren was a key figure in the Anti-Federalist movement, and her writings offered a critique of the new Constitution. What significance does her role as a woman play in the context of the era, and how does it challenge modern assumptions about women's involvement in early American politics?***

 - Explore how Warren's influence might change perceptions of women's roles during the founding of the United States and what lessons can be drawn from her contributions today.



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NAME _____

Multiple Choice

1. What is established by Article 1, Section 1 of the U.S. Constitution?
 - A) The executive branch of government
 - B) The judicial branch of government
 - C) The legislative branch of government
 - D) The Bill of Rights
2. What does Article 1, Section 2, Clause 1 specify about the House of Representatives?
 - A) Representatives are appointed by state legislatures
 - B) Representatives serve for four year terms
 - C) Representatives are elected every two years by the people
 - D) Representatives must be at least 40 years old
3. According to the original Constitution, how were Senators chosen?
 - A) By popular vote
 - B) By state legislatures
 - C) By the President
 - D) By the House of Representatives
4. Which Federalist Paper argues that a bicameral legislature provides checks and balances to prevent hasty legislation?
 - A) Federalist 51
 - B) Federalist 62
 - C) Federalist 10
 - D) Federalist 39
5. What was the AntiFederalists' main concern regarding the Senate?
 - A) That it would be too large and inefficient
 - B) That it would become an aristocratic body detached from the people
 - C) That Senators would have too little power
 - D) That it would lead to too many frequent elections



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6. Which document is written by an AntiFederalist?
- A) Federalist 62
 - B) Federalist 51
 - C) Brutus 16
 - D) Federalist 10
7. What change did the 17th Amendment bring to the selection of Senators?
- A) Senators were given shorter terms in office
 - B) Senators began to be elected by the people instead of by state legislatures
 - C) The number of Senators per state was increased
 - D) Senators were no longer required to be U.S. citizens
8. Which of the following was NOT an argument made by the AntiFederalists?
- A) A bicameral legislature would be too complex for the people to follow
 - B) A Senate with long terms would lead to a detachment from the people
 - C) The House of Representatives should be chosen by state legislatures
 - D) A unicameral legislature would be simpler and more accountable to the people
9. What did the Federalists believe the role of the Senate was in a bicameral Congress?
- A) To represent the people directly, like the House of Representatives
 - B) To act as a check on the passions and sudden impulses of the larger House of Representatives
 - C) To oversee the judiciary
 - D) To limit the power of the President
10. Which Federalist Paper emphasizes the importance of separation of powers as a safeguard for liberty?
- A) Federalist 39
 - B) Federalist 45
 - C) Federalist 51
 - D) Federalist 16



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Answer Sheet

1. C) The legislative branch of government
2. C) Representatives are elected every two years by the people
3. B) By state legislatures
4. B) Federalist 62
5. B) That it would become an aristocratic body detached from the people
6. C) Brutus 16
7. B) Senators began to be elected by the people instead of by state legislatures
8. C) The House of Representatives should be chosen by state legislatures
9. B) To act as a check on the passions and sudden impulses of the larger House of Representatives
10. C) Federalist 51