Fitzgerald

Ch 7 Creating the Constitution

Sec 3 Debating the Constitution

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| Heading – Red or Blue | Main Idea of ParagraphDetails | Additions and Corrections |
| Federalists v. AntifederalistsWhat is ratification?What is needed for the Constitution to become the new form of government? | * The process of accepting the Constitution was set by the convention
	+ Ratification – approval or acceptance
	+ Each state would have to hold a convention
	+ Constitution would need to be approved by conventions in 9 of the 13 states
 |  |
| The Federalist PositionWhat are the supporters of the Constitution called?Who are the leaders of the groups that support the Constitution?What do the leaders do to help convince the people to support the Constitution?What is the key point of the position of the supporters of the Constitution? | * Federalists – supporters of the Constitution
	+ Favored its national (federal) government

* + *The Federalist Papers -* Written by
		- Alexander Hamilton
		- John Jay
		- James Madison

* + - 85 newspaper essays written to support the Constitution

* Heart of Federalist Position – Need for strong national government
	+ Needed powers Articles government didn’t have

* + Like power to enforce laws
	+ Quote – Government implies the power to make laws
		- Must be accompanied by punishment for disobedience
		- Without penalty the laws are no more than advice
 | ADD - A federal system is a system with a strong national government that shares power with statesDraw diagram –Hamilton - financial guru, had called for strong national government to help economy before depression and Shay’s RebellionMadison – Father of the Constitution will explain the systemJay – ambassador to Great Britain, will explain why only a strong national government will be respected by other nations |
| The Antifederalist PositionWhat are those who are against the Constitution called?Who are the leaders of the group that is against the Constitution? | * Antifederalists – opponents of Ratification

* Leading Antifederalists
	+ George Mason
	+ Patrick Henry

* Agreed that Articles not strong enough, but Constitution too far
* Three arguments of Antifederalists
* Weakened States
* No Bill of Rights
* President or King?
 | Mason – had written Virginia’s Bill of Rights, had refused to sign the Constitution though he was at the conventionPatrick Henry - had refused to go to the Convention – “I smell a rat!” |
| The Antifederalist Position, Three ArgumentsWhat are the three key points of those who are against the Constitution? | Three Antifederalist Arguments Against Constitution* Weakening the States –
	+ ***Too strong*** central gov’t is ***like England***
	+ ***Will wipe out state power*** and individual freedoms

* + “There never was a government over a very extensive country without destroying the liberties of the people,” warned Mason.
* No Bill of Rights -
	+ ***no protection*** for basic freedoms
	+ ***state*** constitutions had bills of rights
* President or King?
	+ President could be reelected again and again
	+ Patrick Henry, “***Your president may easily become a king.”***
 |  |
| The Ratification Debate* How many states are needed to make the Constitution the law of the land?
* Which state ratifies first?
* What two states become the greatest concern and why?

* Describe the point at which the tide swings to acceptance.

* Describe how the voting ends.

 | * The debate heats up as conventions start
	+ need 9 of 13 states for Constitution to go into effect
* Delaware acts 1st - unanimously approved
	+ Quickly followed by
		- Pennsylvania
		- New Jersey
		- Georgia
		- Connecticut
* Massachusetts – Antifederalists hope to win
	+ Opposition strong in rural areas
	+ Major campaign by supporters wins state
* Virginia becomes focus
	+ Maryland and South Carolina already approved **= 8**
		- Only one more needed
	+ If VA rejects, being so large and powerful, others (like New York) will

* + Attach and Counter Attack in Virginia –
		- Patrick Henry attack – no real checks, no real balances
		- James Madison counters attack – warns Union will break up
	+ Federalists narrowly win VA – 89 to 79

* New Hampshire 9th to ratify – before Virginia
	+ Ready to go into effect – Virginia, New York and North Carolina follow

* + Rhode Island last
	+ All 13 ratify

* Philadelphia celebrates
	+ Parade led by soldiers of Revolution
	+ Benjamin Rush – “It is done. We have become a nation.”
 | Concern – Sons of Liberty don’t like?Concern – VA – First state doesn’t like?Concern – NY - Largest, Wealthiest state doesn’t like? |
| The Bill of RightsWhat had convinced Antifederalists to support ratification?Who writes the Bill of Rights?What is a change to the Constitution called?What is needed to amend the Constitution?Describe the Bill of Rights. | * Once 9 states ratify – Congress begins to prepare
	+ First president – George Washington
	+ First Vice President – John Adams
		- Was runner up to Washington
* States reluctant to ratify had been promised a Bill of Rights
	+ New Congress meets in 1789
	+ First task – writes Bill of Rights

* Constitution can be changed or amended
	+ Process difficult –

* + - proposed by 2/3rds vote in Congress

* + - Ratified by 3/4th of states
* Congress passes series of Amendments in 1789
	+ By Dec 1791 – ratified by 3/4th of states
	+ Bill of Rights –protects people against abuse by the government

* + - Directly related to problems had with Great Britain
* The First Amendment –
	+ Freedom of religion
		- And separation of church and state
	+ Freedom of speech
		- And petition
		- And assembly
	+ Freedom of press
* The Second Amendment –
	+ Right to bear arms
* The Third Amendment –
	+ Bars Congress from keeping troops in homes
* The Fourth Amendment –
	+ Protection against unreasonable seraph or seizure of property – warrant
* Amendments 5-8 –
	+ Rights of the accused at trial
* Amendments 9 and 10 –
	+ Limits power of Federal government to those stated in Constitution
 | First *ten* amendments to the Constitution |