

The English Settlers

- General Story: Came seeking religious freedoms from tyrannical England.
- Many different groups came wanting such freedom (Lutherans, Calvinists, Puritans)
 - Solely for themselves.
- Land ownership (escape from feudalism)
- Trade opportunities
- Avoid jail time

Colonial Rights

- Voting!
 - If passing certain qualifications which differed by colony
 - Property owning
 - Correct religion
 - Male
 - White

Political Context of the Revolution

- French and Indian War leaves England poor
- Having already taxed those in Britain, King decides to tax those he was actually protecting.
 - Include here the numerous acts (Stamp, Tea, Coercive)
- Couple this with the larger degree of autonomy given to the colonies governmentally

Social Context of the Revolution

- Contract Theory
 - Locke, Hobbes Rousseau
- Popular sovereignty : the concept that the citizens are the ultimate source of political power
- The idea of an American Identity
 - Political Culture is starting to take hold

Declaration of Independence

- This work ultimately served two purposes
 - Formal declaration to the King that the American colonies were now free
 - Tool to rally support in the public to support the charge of succession
- The first American use of propaganda

Context in the Dec. of Indep.

- Which “men” are equal?
 - African Americans did fight in the Revolution, and some won freedom, but not so equal.
 - Native Americans were not citizens
 - Women...try again, you lost rights
- So what government did we create?

A bad one

- The Articles of Confederation
 - Strong States rights orientation
 - There was a Congress but with no taxation power
 - No central money, no laws about tariffs between states
- No national economy, trade with Countries directly
- Some states got rich, others got poor
 - When the poor get angry, they shoot
 - Shay's Rebellion

The Constitutional Convention

- Fifty-Five men gathered in Philly, in the balmy summer of 1787 to correct the AoC.
- These men were not representative of the population.
 - They were rich elites and the document they drafted represented their interests.
- They quickly scrapped the AoC, but long debate on what to replace it with.

States Rights

- In response to the failure of the AoC, it was clear the federal government should have more power.
- However, they still wanted states to have autonomy.
- Federalism : a political system in which power is divided between the central and regional units
 - Examples in current context?

Representation: Size Matters

- Long debate over how representation in the legislature would be devised
- Virginia Plan wanted a bi-cameral legislature where the lower was elected by the people directly and the upper was done by state legislature.
- New Jersey Plan affirmed the power of states by giving each state one vote in a unicameral legislature.

Great Compromise

- Lead partially to the make-up we now know of the Congress.
 - The House of Representatives is apportioned based on population
 - The Senate has two representatives from each state.
- While the House was directly elected, the Senate was chosen by state legislatures.

The Compromise not-so-great

- While the Great Compromise settled the debate on how the lower chamber was to be chosen, it did not decide how population would be determined.
- Population would be determined “by adding to the whole Number of free Persons, include those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other persons.”

Ratification

- Federalist v. Anti-Federalists
- The Federalist papers
 - Propaganda 2.0
 - Madison, Jay, Hamilton
- Federalist 10 – argument against factions
- Federalist 51 – Separation of Powers

Bill of Rights

- Helped assuage the fears of the Anti-Federalists
- Hamilton ultimately argued against it
 - He stated that by listing certain rights, we may only be guaranteeing those rights specifically at the cost of others
 - A thought for later, Where in the Bill of Rights is the Right to privacy?

Final Vote

- Only 10 states were needed to ratify
- North Carolina initially voted against it
- After passage was eminent, they switched their tune.
- And then there is Rhode Island...

What are Institutions

- Institutions: rules and procedures (both formal and informal) that structure social interaction by constraining and enabling actors' behavior.
- Formal Institutions: rules and procedures that are created, communicated, and enforced through channels widely accepted as official.
- Informal Institutions: socially shared rules, usually unwritten, that are created, communicated, and enforced outside of officially sanctioned channels (Helmke and Levitsky 2004)
- Examples?

What Institutions Does a Government Need

- A government needs an institution to make and announce the laws of the nation (Legislature)
- A government needs an institution to enforce and administer the laws of the nation (Executive)
- A government needs an institution to adjudicate and interpret the laws (Judicial)
- Any others?

Congress Art. 1

- Bicameral legislature (remember Great Compromise)
- Election requirements
 - House: 25yrs old and 7 years citizen
 - 2 year terms
 - Senate: 30yrs old and 9 years citizen
 - 6 year terms

Article 1, § 8

- This article contains the specific powers of congress
 - Collect taxes
 - Regulate interstate commerce
 - Coin money
 - Est. Post Office and Roads
 - Declare War
 - Raise and manage armed services
 - Make Laws
 - And all that is “necessary and proper” (we will revisit this concept)

Executive Art. 2

- Unitary Executive
 - Elected by the Electoral College, not direct election
 - Must be 35yrs old, natural born citizen
 - 4 year terms (unlimited until 1951, 22nd Amendment)
- § 2 Powers of the President
 - Commander-in-Chief
 - Grant Pardons and Reprieves
 - Treaty making (2/3 Senate)
 - Appointment (majority Senate)
- § 3
 - State of the Union
 - Call and dismiss Congress
 - Receive Ambassadors and foreign officials
 - Execute the Law

Judiciary Art. 3

- Judicial power rests in one supreme Court
 - Lesser Courts up to Congress
- Nominated by president, confirmed by Senate
 - Life tenure, salaries cannot be decreased
- What Art 3. does not have
 - Number of judges
 - Any description of their powers (only what cases)
 - Judicial review

Separation of Powers

- SoP : institutional arrangement that assigns judicial, executive, and legislative power to different persons or groups, thereby limiting the powers of each
- AKA checks and balances
- Examples?
 - Veto, Advice and Consent, Declaration of War

Constitutional Amendments

- How many have there been?
 - 27 (though 10 are the Bill of Rights)
- How are Amendments done?


