**US/VA HONORS GOVERNMENT SUMMER ASSIGNMENT – 2020-21**

**Welcome to US/VA Honors Government!**

US/VA Honors Government is the last class Social Studies class taken before entering the International Baccalaureate Diploma Programme. With regard to curriculum requirements, it requires nightly study and preparation for formative and summative assessments. With regard to skills requirements, it requires that students master the APEC essay.

**You cannot be successful in this class unless you prepare in the following manner for ALL assessments:**

* **Nightly**
* **Chronologically**
* **Incrementally**
* **Systematically**

THE FOLLOWING ASSIGMENT MUST BE **HANDWRITTEN.** TYPED WORK WILL NOT BE ACCEPTED. NO EXCEPTIONS!

\*\*\*COMPLETE THIS ASSIGNMENT **ONCE** SCHOOL STARTS.

\*\*\*STUDENTS WILL BE ASSESSED ON THIS MATERIAL IN THE FIRST MONTH OF THE SCHOOL YEAR!

This assignment is intended to prepare students for FCPS/{POS **Standard 2 Essential.** The student will demonstrate knowledge of the political philosophies that shaped the development of Virginia and United States constitutional government**. Indicator 2.b.5 Expected** Describe events that led to constitutional government in the U.S.Describe additional influences and events that led to the creation of constitutional government inthe United States:

* The colonial experience
* The Declaration of Independence (1776)
* The Articles of Confederation (1781)
* State constitutions and charters

By the end of the unit students will be expected to:

* Complete formative assessments.
* Complete summative assessments.

 Unit test

 APEC Essay

**In order to insure success on the above assessments you are required to answer the questions found at the end of each section of the reading assignment. You are also required to complete the vocabulary list. ALL WILL BE ASSESSED.**

**Have a fun-filled summer and complete the assignment.**

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**THE ARTICLES OF CONFEDERATION**

In 1781, Great Britain signed a formal peace treaty with the newly independent colonies of North America recognizing their independence. The war had been fought for various reasons, among them to regain traditional liberties many Americans felt the British violated and to cease Britain's onerous policy of [taxation without representation](https://dlc.dcccd.edu/html5/glossary.php?course=usgov&termID=155). The state governments that emerged exhausted but victorious from the Revolutionary War of 1776 to 1781 faced a formidable question: What should their political relations to one another look like?

The first answer to this question was the Articles of Confederation, the thirteen states' first attempt at government ratified in 1781. As the name of the document makes clear, the Articles established a confederation, a form of government where sovereignty, or ultimate authority, rested with the individual states. The Articles linked the states together as independent countries under a treaty organization, in its own words "a firm league of friendship." Nothing in the Articles prevented a state from leaving this loosely organized government and going its own way.

**Government under the Articles of Confederation**

The Articles created a unicameral Continental Congress with the ability to:

* conduct foreign diplomacy.
* establish a national currency.
* establish a post office.
* conduct relations with native Indian tribes.
* appoint military officers to a non-existent national army.

**Problems with Government under the Articles of Confederation**

* There was no executive branch.
* There was no national judiciary.
* Congress did not have enforcement powers.
* Congress did not have taxation powers.

The very limited powers given to the central government under the Articles reflected the relatively weak sense of national identity among the citizens of the states. Although the Articles provided an important forum for interstate cooperation, giving organizational structure to the aspiration for greater unity and helping resolve some problems such as the settlement of Western lands, it ultimately failed to provide effective national governance.

Although there were several reasons for the Articles' failure, the primary flaw was its inability to create unity and an effective government for the states. Most important was the document's failure to equip the national government with the authority and resources necessary for it to succeed. Each state exercised one vote in the Articles of Confederation Congress regardless of population. The decision-making process was difficult, requiring nine of the thirteen states to agree before the Congress could take any action. Important decisions, including amendment of the Articles itself, required unanimity. Appointment and pay of Congressional delegates was reserved to the states.

Under the Articles, the national government had no authority to impose and collect taxes. Without this fundamental power the national government found itself chronically short of cash and could only beg the state governments for funding. It therefore could not raise the money necessary to pay off accumulated war debts or even run the government. The power to coin money proved meaningless as states created their own currencies, complicating continental trade. The national government's lack of power to regulate interstate trade resulted in states creating beggar-thy-neighbour economic policies. With these policies, individual states sought to gain economic advantages at the expense of other states by imposing tariffs and other protectionist measures on each other. These policies contributed to a further depression of the national economy.

The inherent weakness of the Articles, particularly the absence of a strong executive, contributed to inconsistency and ineffectiveness in forging a coherent national foreign policy. Finally, this latter defect meant that the national government failed to provide even the most basic function of government: insuring domestic security. When a massive rebellion of debt-burdened farmers broke out in Massachusetts in 1786, the national government proved powerless to stop it. Instead, wealthy elites had to hire a mercenary army to put down the revolt. Shay's Rebellion proved to be the critical event convincing key political elites that the Articles should be revised to empower the national government.

**1. How does the phrase “a firm league of friendship," as found in the Articles of Confederation provide evidence of weaknesses in any confederation?**

**2. How did the lack of enforcement powers affect the ability of the Confederate Congress to carry out its duties?**

**3. How did the inability of the Confederate Congress to lay and collect taxes affect its ability to carry out its duties?**

**4. Ultimately, what was the primary flaw associated with government under the Articles of Confederation?**

**Shay’s Rebellion**

A wave of farm foreclosures in western [Massachusetts](http://www.u-s-history.com/pages/h1909.html) swept the young republic to its first episode in class struggle. Demonstrators and rioters protested high taxation, the governor's high salary, high court costs and the assembly's refusal to issue paper money (an inflationary measure highly favored by the debtor class).

Opposition had coalesced around **Daniel Shays**, a [Revolutionary War](http://www.u-s-history.com/pages/h1197.html) veteran. At first, the activity was limited to meetings and petitions to Massachusetts government in Boston. The matter escalated when the Massachusetts Supreme Court indicated eleven leaders of the movement as disorderly, riotous, and seditious. Shays responded by raising a militia of 700 men, many unpaid veterans of the Continental Army. They marched first for [Worcester](http://www.u-s-history.com/pages/h2172.html) where they closed down the commonwealth's supreme court, then turned west to [Springfield](http://www.u-s-history.com/pages/h2084.html) where they broke into the jail to free imprisoned debtors. The barns of some government officials were burned. Wealthy Bostonians, who feared the rebellion in the west, contributed money for soldiers under the command of General Benjamin Lincoln.

The rebels were routed in a skirmish in January 1787. Shays escaped to [Vermont](http://www.u-s-history.com/pages/h1930.html) and was later pardoned. Others were not so fortunate - 150 were captured and several sentenced to death. [George Washington](http://www.u-s-history.com/pages/h658.html) and others urged compassionate treatment of the rebels and pardons were eventually granted.

It is interesting to note the role reversal of such people as [Samuel Adams](http://www.u-s-history.com/pages/h645.html). In early revolutionary times, Adams was among the most vocal and radical critics of the existing government. By the 1780s, however, Adams had become an establishment figure and urged death sentences for the leading Shays rebels.

[Abigail Adams](http://www.u-s-history.com/pages/h3922.html) also had no compunctions with regard to the rebels. In a letter to Thomas Jefferson, while she was in London late 1787 and he was in Paris, she described the uprising: "Ignorant, restless deperadoes, without conscience or principles, have led a deluded multitude to follow their standard, under pretense of grievances which have no existence but in their imaginations." She lauded the firm steps taken to put down the rebellion.

The next statewide election in Massachusetts altered the assembly's complexion and led to passage of a number of measures designed to improve the farmers' conditions. However, conservative forces were deeply disturbed by the anarchy in the west and became increasingly committed to strengthening the central government.

**Why was Shays’ Rebellion important?**

Shays' Rebellion, the post-Revolutionary clash between New England farmers and merchants that tested the precarious institutions of the new republic, threatened to plunge the "disunited states" into a civil war...

Shays' Rebellion "had a great influence on public opinion," as Samuel Eliot Morison notes; it was the fiercest outbreak of discontent in the early republic, and public feeling ran high on both sides. After the rebellion was defeated, the trial of the insurgents in 1787 was closely watched and hotly debated.

* For a long time, traditional historians were content to portray the rebels as wrongheaded villains in an unfolding drama of patriotism.
* Recent historians have revolutionized our understanding of early American family and community life, and improved our comprehension of post-Revolutionary political and social struggles.
* To follow Shays' Rebellion is to witness an escalating crisis in which the men who fought or financed the American Revolution were obliged to reconsider that revolution and its principles only ten years later.

**Opinions About Shays’ Rebellion:**

**By** [**George Washington**](http://www.u-s-history.com/pages/h658.html)

“What a triumph for the advocates of despotism, to find that we are incapable of governing ourselves and that systems founded on the basis of equal liberty are merely ideal and fallacious.”

**By** [**Samuel Adams**](http://www.u-s-history.com/pages/h645.html)

“Rebellion against a king may be pardoned, or lightly punished, but the man who dares to rebel against the laws of a republic ought to suffer death. “

**By Thomas Jefferson**

*Dear Sir,*

*My last to you was of the 16th of December; since which, I have received yours of November 25 and December 4, which afforded me, as your letters always do, a treat on matters public, individual, and economical. I am impatient to learn your sentiments on the late troubles in the Eastern states. So far as I have yet seen, they do not appear to threaten serious consequences. Those states have suffered by the stoppage of the channels of their commerce, which have not yet found other issues. This must render money scarce and make the people uneasy. This uneasiness has produced acts absolutely unjustifiable; but I hope they will provoke no severities from their governments. A consciousness of those in power that their administration of the public affairs has been honest may, perhaps, produce too great a degree of indignation; and those characters, wherein fear predominates over hope, may apprehend too much from these instances of irregularity. They may conclude too hastily that nature has formed man insusceptible of any other government than that of force, a conclusion not founded in truth or experience.*

*Societies exist under three forms, sufficiently distinguishable: (1) without government, as among our Indians; (2) under governments, wherein the will of everyone has a just influence, as is the case in England, in a slight degree, and in our states, in a great one; (3) under governments of force, as is the case in all other monarchies, and in most of the other republics.*

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*To have an idea of the curse of existence under these last, they must be seen. It is a government of wolves over sheep. It is a problem, not clear in my mind, that the first condition is not the best. But I believe it to be inconsistent with any great degree of population. The second state has a great deal of good in it. The mass of mankind under that enjoys a precious degree of liberty and happiness. It has its evils, too, the principal of which is the turbulence to which it is subject. But weigh this against the oppressions of monarchy, and it becomes nothing. Malo periculosam libertatem quam quietam servitutem. Even this evil is productive of good. It prevents the degeneracy of government and nourishes a general attention to the public affairs.*

*I hold it that a little rebellion now and then is a good thing, and as necessary in the political world as storms in the physical. Unsuccessful rebellions, indeed, generally establish the encroachments on the rights of the people which have produced them. An observation of this truth should render honest republican governors so mild in their punishment of rebellions as not to discourage them too much. It is a medicine necessary for the sound health of government.*

*If these transactions give me no uneasiness, I feel very differently at another piece of intelligence, to wit, the possibility that the navigation of the Mississippi may be abandoned to Spain. I never had any interest westward of the Allegheny; and I will never have any. But I have had great opportunities of knowing the character of the people who inhabit that country; and I will venture to say that the act which abandons the navigation of the Mississippi is an act of separation between the Eastern and Western country. It is a relinquishment of five parts out of eight of the territory of the United States; an abandonment of the fairest subject for the payment of our public debts, and the chaining those debts on our own necks, in perpetuum.*

*I have the utmost confidence in the honest intentions of those who concur in this measure; but I lament their want of acquaintance with the character and physical advantages of the people, who, right or wrong, will suppose their interests sacrificed on this occasion to the contrary interests of that part of the confederacy in possession of present power. If they declare themselves a separate people, we are incapable of a single effort to retain them. Our citizens can never be induced, either as militia or as soldiers, to go there to cut the throats of their own brothers and sons, or rather, to be themselves the subjects instead of the perpetrators of the parricide.*

*Nor would that country quit the cost of being retained against the will of its inhabitants, could it be done. But it cannot be done. They are able already to rescue the navigation of the Mississippi out of the hands of Spain, and to add New Orleans to their own territory. They will be joined by the inhabitants of Louisiana. This will bring on a war between them and Spain; and that will produce the question with us, whether it will not be worth our while to become parties with them in the war in order to reunite them with us and thus correct our error. And were I to permit my forebodings to go one step further, I should predict that the inhabitants of the United States would force their rulers to take the affirmative of that question. I wish I may be mistaken in all these opinions.*

*Yours affectionately,*

*Th. Jefferson*

**1. Who was Daniel Shays?**

**2. Why did he become the leader of a people’s rebellion?**

**3. How did his rebellion affect the rest of the country?**

**4. How did Abigail Adams react to Shays’ Rebellion?**

**5. How did George Washington react to Shays’ Rebellion?**

**6. How did Samuel Adams react to Shays’ Rebellion?**

**7. How did Thomas Jefferson react to Shays’ Rebellion?**

**8. What did Jefferson mean when he said, “*I hold it that a little rebellion now and then is a good thing, and as necessary in the political world as storms in the physical. Unsuccessful rebellions, indeed, generally establish the encroachments on the rights of the people which have produced them?***

**ANNAPOLIS CONVENTION/MEETING**

Meeting at the suggestion of James Madison in Annapolis, Maryland beginning on September 11, 1786, the Annapolis Convention was held to discuss some issues of interstate trade. Attendance was low, with only 12 delegates total representing just five states (New York, New Jersey, Pennsylvania, Delaware, and Virginia). On September 14, Alexander Hamilton introduced the following resolution, calling for the convening of a special convention to amend the weak Articles of Confederation for a number of serious defects. The convention adopted the resolution unanimously, but because of the few representatives in attendance, their authority was limited. Nevertheless, the Annapolis Convention Resolution initiated an upswell of reform, leading ultimately to the meeting of just such a convention beginning in July 1787. Now known as the Constitutional Convention, that body decided to create an entirely new form of government around a new constitution, drafting the U.S. Constitution toward that end, rather than amend the Articles of Confederation.

**1. Who called the Annapolis Meeting?**

**2. Why?**

**3. Why did it fail?**

**4. How did the Annapolis Convention Resolution lead to the Constitutional Convention?**

**CONSTITUTIONAL CONVENTION**

In the summer of 1787, delegates from nine of the thirteen former colonies gathered in Philadelphia. Although they were only authorized to consider possible revisions of the Articles of Confederation, the delegates quickly concluded that the baby should be thrown out with the bath water, discarding both the positive and negative components of the Articles. They began drafting an entirely new Constitution that would dramatically alter the balance of power between the states and the national government in favour of the latter. While all delegates understood the need for a more effective central government, they disagreed on what exactly such a government should look like and what powers it should have.

**Governmental Power**

Three major issues divided the delegates at the Constitutional Convention. The first issue involved how much power should be assigned to the national government. The draft Constitution that emerged provided some clear corrections to perceived defects in the Articles of Confederation. It provided for a stronger central government adding an executive (the Presidency) and judicial branch (the Supreme Court) to the legislative branch. The national government was given a monopoly on foreign policy, the exclusive power to create a national currency, the power to regulate commerce with foreign countries and, as important, among the states themselves. Crucially, the new Constitution also remedied a critical weakness of the national government under the Articles by specifically providing it the power to tax.

Of great significance, the draft Constitution included a specific reference to the power of the national government vis-à-vis the states. The supremacy clause found in Article VI of the Constitution provides that the national government is supreme in its legitimate areas of authority. In the event of a conflict between national law and state law, national law must prevail. While the proposed Constitution greatly strengthened the authority of the national government, it also provided safeguards against a national government that might be too powerful. In pursuit of this objective, the new national government was organized around the principle of separation of powers, the division of government into three separate branches selected in different ways and accountable to different constituencies. Governmental power was further limited by a system of checks and balances that gave each branch the ability to block actions of the other branches.

**Representation**

A second critical issue at the Philadelphia convention concerned how states should be represented in the national legislature. Larger states favoured representation based on the size of a state's population as proposed in the **Virginia Plan.** This would give more populous states a clear advantage in shaping legislative outcomes and would have created a parliamentary-style government with the executive selected by a bicameral legislature. Smaller states, for equally obvious reasons, preferred a system of equal representation as described by the **New Jersey Plan** with each state having one vote regardless of population in a single-chamber legislature and an independent judiciary. The issue was ultimately resolved by the **Great Compromise**, the decision to create a bicameral legislature (one with two chambers). Representation in the lower chamber, the House of Representatives, was based on a state's population with larger states having a larger delegation. The advantage of the large states in the House, however, was counter-balanced in the upper chamber, the Senate, where each state received two delegates regardless of population. This bicameral legislature shared power with an independently elected executive branch and appointed judiciary.

**Slavery**

The third issue resolved by the delegates in Philadelphia involved a compromise of a more sinister nature. The former colonies remained deeply divided over the institution of slavery. Northern states generally opposed slavery while southern states stubbornly defended their peculiar institution. Southern states wished to count slaves as citizens for the purpose of determining their representation in the Congress but did not want them counted for the purposes of taxation. Northern states resisted the admittedly cynical attempt by southern states to count slaves for representation but with equal ethical opportunism wanted slaves counted for apportionment of national taxes. The resulting compromise remains a notorious (though now irrelevant) feature of the US Constitution but doubtless saved the United States as a unified nation. The Three-Fifths Compromise determined that slaves would be counted as three-fifths of a person for both representation and taxation. It was also agreed that Congress could not ban the importation of slaves until 1808 and that northern states would be obligated to return fugitive slaves. Ironically, however, the words "slave" and "slavery" are not mentioned in the Constitution. The Thirteenth Amendment's ratification in 1865, outlawing slavery, makes the **Three-Fifths Compromise** legally void.

**1. Which three problems/issues had to be addressed before the delegates to the Constitutional Convention could begin work on the federal constitution?**

**2. What powers were given to the national government under the federal constitution?**

**3. How were matters of national supremacy handled under the federal constitution?**

**4. Why did the small states reject the Virginia Plan?**

**5. Why did the large states reject the New Jersey Plan?**

**6. How did the Great Compromise resolve the dispute about representation?**

**7. How did the northern states feel about slavery? Southern?**

**8. How was the issue of representation/taxation settled by the Three-Fifths Compromise?**

**PRINCIPLES OF THE FEDERAL CONSTITUTION**

A constitution is a society's fundamental law. Its primary purposes are to: (a) identify the basic institutions and structure of government, (b) specify the powers of government, and (c) define the limits of government power. Although almost all the constitutions of modern states are written, this is not an absolute requirement. The US Constitution is considered by many to be a model constitution because of its elegance, clarity, and brevity. As the supreme law of the United States, the US Constitution requires that all federal, state, and local laws conform to its requirements.

**Federalism**

The Constitution establishes a republic, a form of government in which power is not exercised directly by the people, as in a [direct democracy](https://dlc.dcccd.edu/html5/glossary.php?course=usgov&termID=177), but by representatives whom the people choose periodically in elections. While some state constitutions implement elements of direct democracy, such as referenda, initiatives, and recall elections, direct democracy is a very difficult principle to implement in large political entities like the US. The Constitution enshrines the principle of federalism, a system of government that divides power between the national (or federal) government and the states. The phrases national government and federal government can be used interchangeably.

**Separation of Powers**

Although sovereignty resides with the people of the United States, that sovereignty is expressed through the three major branches of government, each of which has a unique composition and possesses distinct powers. This division of power among the three branches is called separation of powers and, along with checks and balances, represents one of the most basic principles of American government. Checks and balances, described in detail by James Madison in *Federalist Paper No. 51*, is a governmental design that gives each branch specific controls, or checks, over the others. The intent is to allow the three branches to balance each other so no one branch comes to dominate the others.

The Framers anticipated that the legislative branch, Congress, would be the most powerful branch so they applied an additional safeguard to the structure of government by making Congress a bicameral, or two-chambered, legislature consisting of a lower chamber, the House of Representatives, and an upper chamber, the Senate. The overall design of US government thus differs from that of most governments throughout history that were designed to concentrate power. The US Constitution intentionally fragments power, building conflict into the system (ambition to counteract ambition) with the purpose of preventing government oppression. However, this means that policymaking by the national government is a complex and relatively difficult process that requires a high degree of consensus and compromise to succeed.

Each branch of the US government is responsible for distinct responsibilities. Article I grants Congress primary responsibility for making laws. Congress boasts the power of the purse, or the power to tax and spend without which no government could function. The executive branch, headed by the US president, is charged with implementing and enforcing the laws. The judicial branch, with the US Supreme Court at its pinnacle, interprets the law and exercises authority in declaring laws illegal or unconstitutional through the power of judicial review.

**Keeping Government in Check (and Balanced)**

The Framers of the Constitution believed that concentrating power within one branch of government was dangerous. Therefore, they created a government in which each branch was responsible for a particular function. The legislative branch made the laws, the executive branch enforced the laws, and the judicial branch interpreted the laws. The Framers also believed that simply separating powers was not enough to minimize the threat of tyranny. For that reason, they established a system of checks and balances; for almost every power granted to one branch, a means to control that power was established in the other two branches. The logic of structuring the government in such a fashion is probably best and most famously described in *Federalist Paper No. 51*.

**1. What are the primary purposes of any constitution?**

**2. What is the supreme law of the land under the federal Constitution?**

**3. What is federalism?**

**4. How did the Framers seek to control the power of Congress, the most powerful branch of government, under the federal Constitution?**

**5. How did the system of checks and balances, developed by the Framers of the federal Constitution, check the powers of each branch government?**

**The Federalist No. 51**

**The Structure of the Government Must Furnish the Proper Checks and Balances Between the Different Departments**

**Independent Journal**

**Wednesday, February 6, 1788**

**[James Madison]**

**To the People of the State of New York:**

TO WHAT expedient, then, shall we finally resort, for maintaining in practice the necessary partition of power among the several departments, as laid down in the Constitution? The only answer that can be given is, that as all these exterior provisions are found to be inadequate, the defect must be supplied, by so contriving the interior structure of the government as that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places. Without presuming to undertake a full development of this important idea, I will hazard a few general observations, which may perhaps place it in a clearer light, and enable us to form a more correct judgment of the principles and structure of the government planned by the convention.

In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent is admitted on all hands to be essential to the preservation of liberty, **it is evident that each department should have a will of its own**; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the members of the others. Were this principle rigorously adhered to, it would require that all the appointments for the supreme executive, legislative, and judiciary magistracies should be drawn from the same fountain of authority, the people, through channels having no communication whatever with one another. Perhaps such a plan of constructing the several departments would be less difficult in practice than it may in contemplation appear. Some difficulties, however, and some additional expense would attend the execution of it. Some deviations, therefore, from the principle must be admitted. In the constitution of the judiciary department in particular, it might be inexpedient to insist rigorously on the principle: first, because peculiar qualifications being essential in the members, the primary consideration ought to be to select that mode of choice which best secures these qualifications; secondly, because the permanent tenure by which the appointments are held in that department, must soon destroy all sense of dependence on the authority conferring them.

**It is equally evident, that the members of each department should be as little dependent as possible on those of the others**, for the emoluments annexed to their offices. Were the executive magistrate, or the judges, not independent of the legislature in this particular, their independence in every other would be merely nominal.

But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. The provision for defense must in this, as in all other cases, be made commensurate to the danger of attack. Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? **If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary**. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.

This policy of supplying, by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public. We see it particularly displayed in all the subordinate distributions of power, where the constant aim is to divide and arrange the several offices in such a manner as that each may be a check on the other -- that the private interest of every individual may be a sentinel over the public rights. These inventions of prudence cannot be less requisite in the distribution of the supreme powers of the State.

But it is not possible to give to each department an equal power of self-defense. **In republican government, the legislative authority necessarily predominates. The remedy for this inconveniency is to divide the legislature into different branches; and to render them, by different modes of election and different principles of action, as little connected with each other as the nature of their common functions and their common dependence on the society will admit.** It may even be necessary to guard against dangerous encroachments by still further precautions. As the weight of the legislative authority requires that it should be thus divided, the weakness of the executive may require, on the other hand, that it should be fortified. An absolute negative on the legislature appears, at first view, to be the natural defense with which the executive magistrate should be armed. But perhaps it would be neither altogether safe nor alone sufficient. On ordinary occasions it might not be exerted with the requisite firmness, and on extraordinary occasions it might be perfidiously abused. May not this defect of an absolute negative be supplied by some qualified connection between this weaker department and the weaker branch of the stronger department, by which the latter may be led to support the constitutional rights of the former, without being too much detached from the rights of its own department?

If the principles on which these observations are founded be just, as I persuade myself they are, and they be applied as a criterion to the several State constitutions, and to the federal Constitution it will be found that if the latter does not perfectly correspond with them, the former are infinitely less able to bear such a test.

There are, moreover, two considerations particularly applicable to the federal system of America, which place that system in a very interesting point of view.

First. In a single republic, all the power surrendered by the people is submitted to the administration of a single government; and the usurpations are guarded against by a division of the government into distinct and separate departments. **In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments.** Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself.

Second. It is of great importance in a republic not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure. There are but two methods of providing against this evil: the one by creating a will in the community independent of the majority -- that is, of the society itself; the other, by comprehending in the society so many separate descriptions of citizens as will render an unjust combination of a majority of the whole very improbable, if not impracticable. The first method prevails in all governments possessing an hereditary or self-appointed authority. This, at best, is but a precarious security; because a power independent of the society may as well espouse the unjust views of the major, as the rightful interests of the minor party, and may possibly be turned against both parties. **The second method will be exemplified in the federal republic of the United States. Whilst all authority in it will be derived from and dependent on the society, the society itself will be broken into so many parts, interests, and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority.** In a free government the security for civil rights must be the same as that for religious rights. It consists in the one case in the multiplicity of interests, and in the other in the multiplicity of sects. The degree of security in both cases will depend on the number of interests and sects; and this may be presumed to depend on the extent of country and number of people comprehended under the same government. This view of the subject must particularly recommend a proper federal system to all the sincere and considerate friends of republican government, since it shows that in exact proportion as the territory of the Union may be formed into more circumscribed Confederacies, or States oppressive combinations of a majority will be facilitated: the best security, under the republican forms, for the rights of every class of citizens, will be diminished: and consequently the stability and independence of some member of the government, the only other security, must be proportionately increased. Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained, or until liberty be lost in the pursuit. In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign as in a state of nature, where the weaker individual is not secured against the violence of the stronger; and as, in the latter state, even the stronger individuals are prompted, by the uncertainty of their condition, to submit to a government which may protect the weak as well as themselves; so, in the former state, will the more powerful factions or parties be gradually induced, by a like motive, to wish for a government which will protect all parties, the weaker as well as the more powerful. It can be little doubted that if the State of Rhode Island was separated from the Confederacy and left to itself, the insecurity of rights under the popular form of government within such narrow limits would be displayed by such reiterated oppressions of factious majorities that some power altogether independent of the people would soon be called for by the voice of the very factions whose misrule had proved the necessity of it. In the extended republic of the United States, and among the great variety of interests, parties, and sects which it embraces, a coalition of a majority of the whole society could seldom take place on any other principles than those of justice and the general good; whilst there being thus less danger to a minor from the will of a major party, there must be less pretext, also, to provide for the security of the former, by introducing into the government a will not dependent on the latter, or, in other words, a will independent of the society itself. It is no less certain than it is important, notwithstanding the contrary opinions which have been entertained, that the larger the society, provided it lie within a practical sphere, the more duly capable it will be of self-government. And happily for the republican cause, the practicable sphere may be carried to a very great extent, by a judicious modification and mixture of the federal principle. **PUBLIUS**

1. **What did Madison mean when he said, “it is evident that each department should have a will of its own?”**
2. **What did Madison mean when he said, “It is equally evident, that the members of each department should be as little dependent as possible on those of the others?”**
3. **What did Madison mean when he said, “If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary?”**
4. **According to Madison, what was the primary control on government?**
5. **Madison believed, that in republican government, the legislative would dominate. How did he believe the power of the legislative could be controlled?**
6. **According to Madison, how was power distributed in the compound republic established under the federal Constitution?**
7. **How did Madison expect one part of society to be protected against the abuses and injustices of other parts?**

**RATIFICATION OF FEDERAL CONSTITUTION**

When the delegates to the Constitutional Convention in Philadelphia concluded their work, those who signed the Constitution faced the difficult task of selling this new government to their respective states. A provision in the new Constitution specified that it would require ratification by nine of the thirteen states to become the law of the land. Proponents of the Constitution and advocates for a stronger national government faced a fierce political battle. This battle was fought in town hall meetings, and through pamphlets and newspapers in every state. The [**Federalists**](https://dlc.dcccd.edu/html5/glossary.php?course=usgov&termID=59)**,** individuals supporting ratification, faced intense opposition from those fearful that the new national government would take too much power from the states and concerned about the absence of a Bill of Rights. These[**Anti-Federalists**](https://dlc.dcccd.edu/html5/glossary.php?course=usgov&termID=5) campaigned earnestly but ultimately unsuccessfully against the Constitution's ratification.

In order for the nation's new Constitution to become the law of the land, it had to be ratified by nine of the thirteen states. In 1787, this was hardly a foregone conclusion.

**1. Who were the Federalists?**

**2. Who were the Anti-Federalists?**

**3. How many states had to ratify the federal constitution before it became the law of the land?**

**THE UNITED STATES CONSTITUTION - ARTICLES**

Preamble

Article I – describes legislative branch

Article II – describes executive branch

Article III – describes judicial branch

Article IV – describes relations between states

Article V – describes amendment process

Article VI – general provisions clause

Article VII – describes ratification process

**US/VA HONORS GOVERNMENT SUMMER MASTERY VOCABULARY LIST**

* **Constitution**
* **Confederation**
* **Unicameral**
* **Bicameral**
* **Equal Representation**
* **Proportional Representation**
* **Virginia Plan**
* **New Jersey Plan**
* **Great Compromise**
* **Three-Fifths Compromise**
* **Commerce and Slave Trade Compromise**
* **Republic**
* **Separation of Powers**
* **Checks and Balances**
* **National Supremacy Clause**
* **Ratification**
* **Federalists**
* **Anti-Federalists**
* **Federalism**
* **Enumerated Powers**
* **Implied Powers**
* **Reserved Powers**
* **Concurrent Powers**