

Fundamentals of Government



The Constitution & Electoral College

From the Declaration of Independence to the Constitution

- **1776:** Colonists sign the Declaration of Independence
- **1783:** Colonists win the American Revolution
- **1788:** Colonists sign the Constitution
- **1791:** Bill of Rights was added to the Constitution

Before, During, and After

- BEFORE THE REVOLUTION: The colonies functioned as “13 separate countries” before the American Revolution.
- DURING: The colonies united against a common enemy during the Revolution.
- AFTER THE REVOLUTION: The unity dissolved once the Revolution ended... each colony had different visions of the new America.

The Constitutional Convention, 1787



Goal: to write a document that would create a strong federal govt and preserve the Union

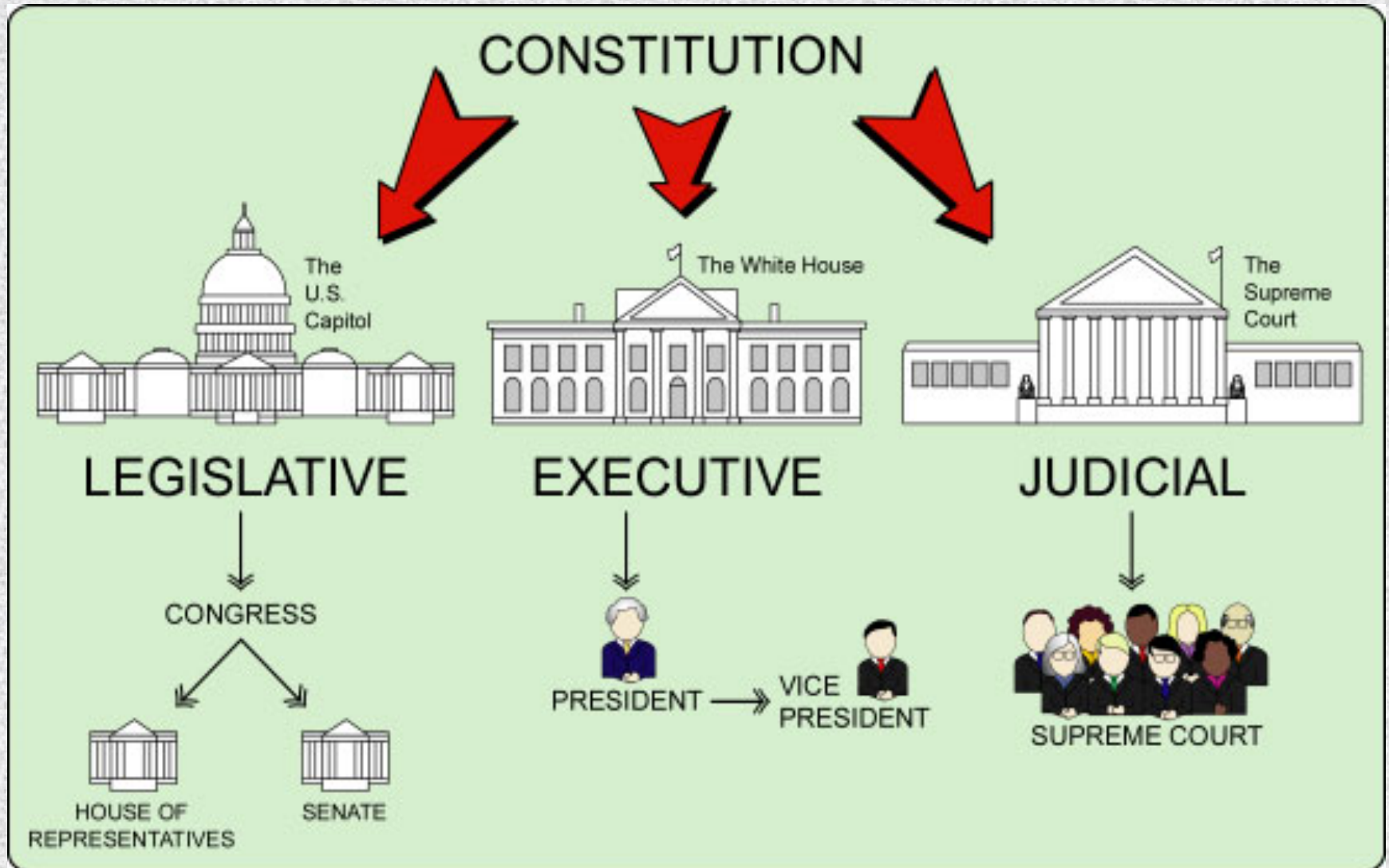
Issues that needed to be addressed:

- How to fulfill the ideals set forth in the Declaration?
- How much power should the federal govt. have relative to the people?
- What compromise could be reached between the large/small states and the North/South?

Main ideas upon which the Constitution was based:

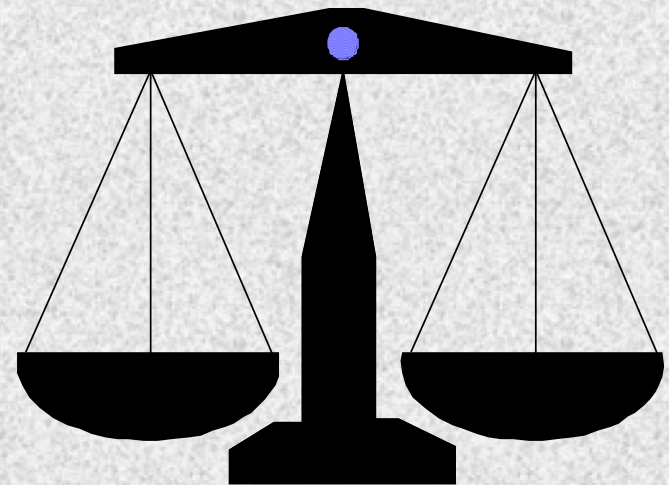
1. The govt. cannot rule without the people's support and consent – people are the source of the govt's power. (A novel concept in the 1700s when most govts. assumed that people exist to serve the govt.)
2. Government is not all powerful; it should only be allowed do things that the people have given it the power to do
3. Separation of powers: Rather than one person holding all the power in govt., three distinct and independent branches of government share power (more on that in a minute...)
4. Each branch is checked by the other branches, meaning that no one branch can act alone. Each branch has the power to balance out the power of the others. (This is known as checks and balances.)

The Constitution's 3 Branches



Compromise Reached

- The Constitution reflected a series of compromises
 - Between the states & the federal government
 - clear definition of powers/responsibilities
 - Between different branches in govt.
 - creation of checks & balances
 - Between the federal government & the American people
 - Bill of Rights added
 - Between the North and South
 - Largely ignore the issue of slavery
 - Between large & small states
 - Great Compromise



Example: Federal vs. State Rights & Responsibilities

FEDERALISM

QUICK FACTS

National

- Declare war
- Maintain armed forces
- Regulate interstate and foreign trade
- Admit new states
- Establish post offices
- Set standard weights and measures
- Coin money
- Establish foreign policy
- Make all laws necessary and proper for carrying out delegated powers

Shared

- Maintain law and order
- Levy taxes
- Borrow money
- Charter banks
- Establish courts
- Provide for public welfare

State

- Establish and maintain schools
- Establish local governments
- Regulate business within the state
- Make marriage laws
- Provide for public safety
- Assume other powers not delegated to the national government or prohibited to the states

The Great Compromise

- **BIG STATES (PA & VA)**
 - Felt they deserved a greater say in federal government
 - Wanted voting to be in relation to a state's population
 - Wanted a Bicameral Legislature (2 houses) where the number of representatives for each state would be based on the state's population
- **SMALL STATES (RI & DE)**
 - Felt all states should be treated as equals in federal government
 - Wanted a Unicameral Legislature (1 house) where each state would have an equal number of representatives
- **COMPROMISE:** Bicameral Legislature (2 houses, one where each state is equal (Senate) and the other (the House of Representatives) where representation is determined by the state's population

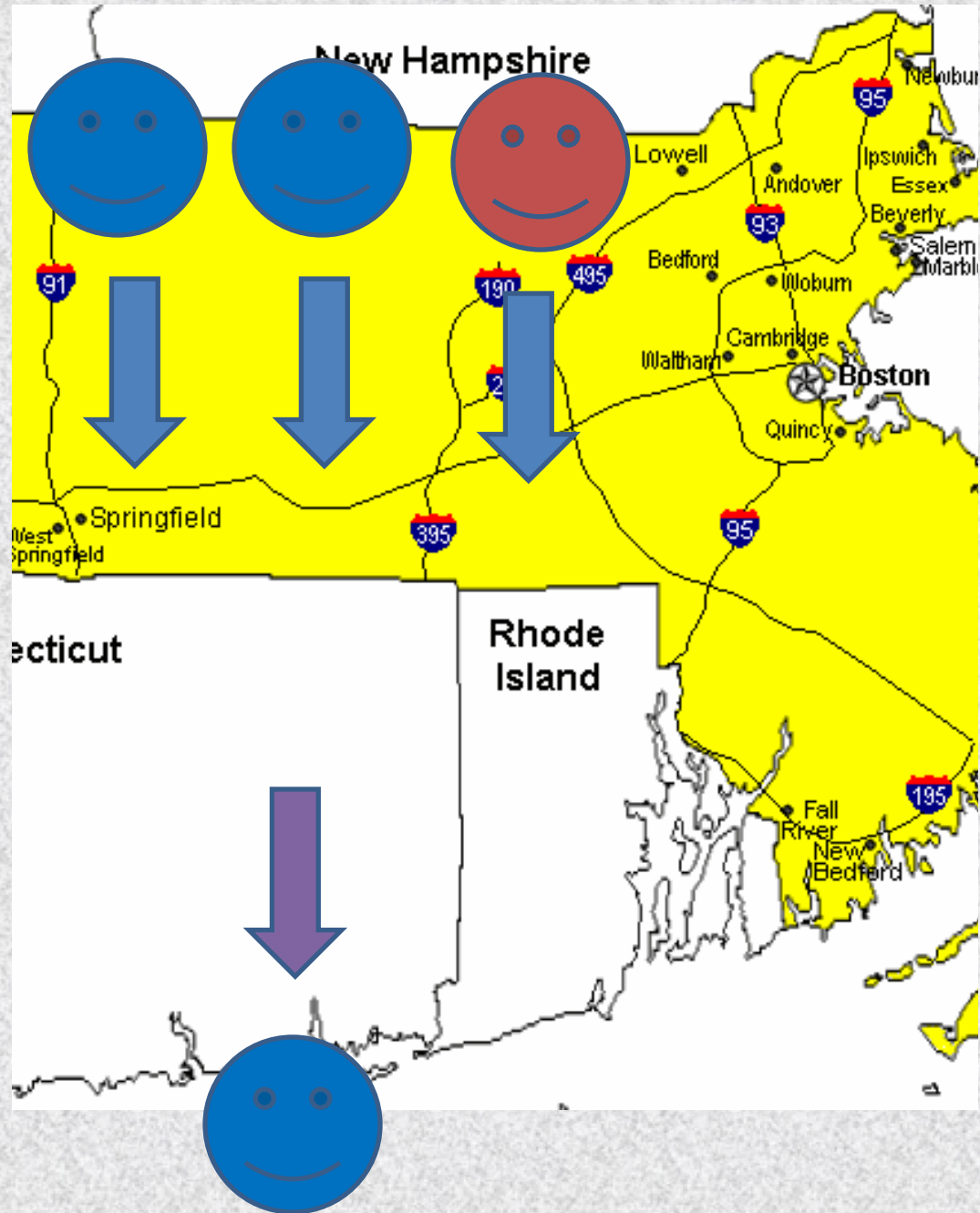
The Electoral System

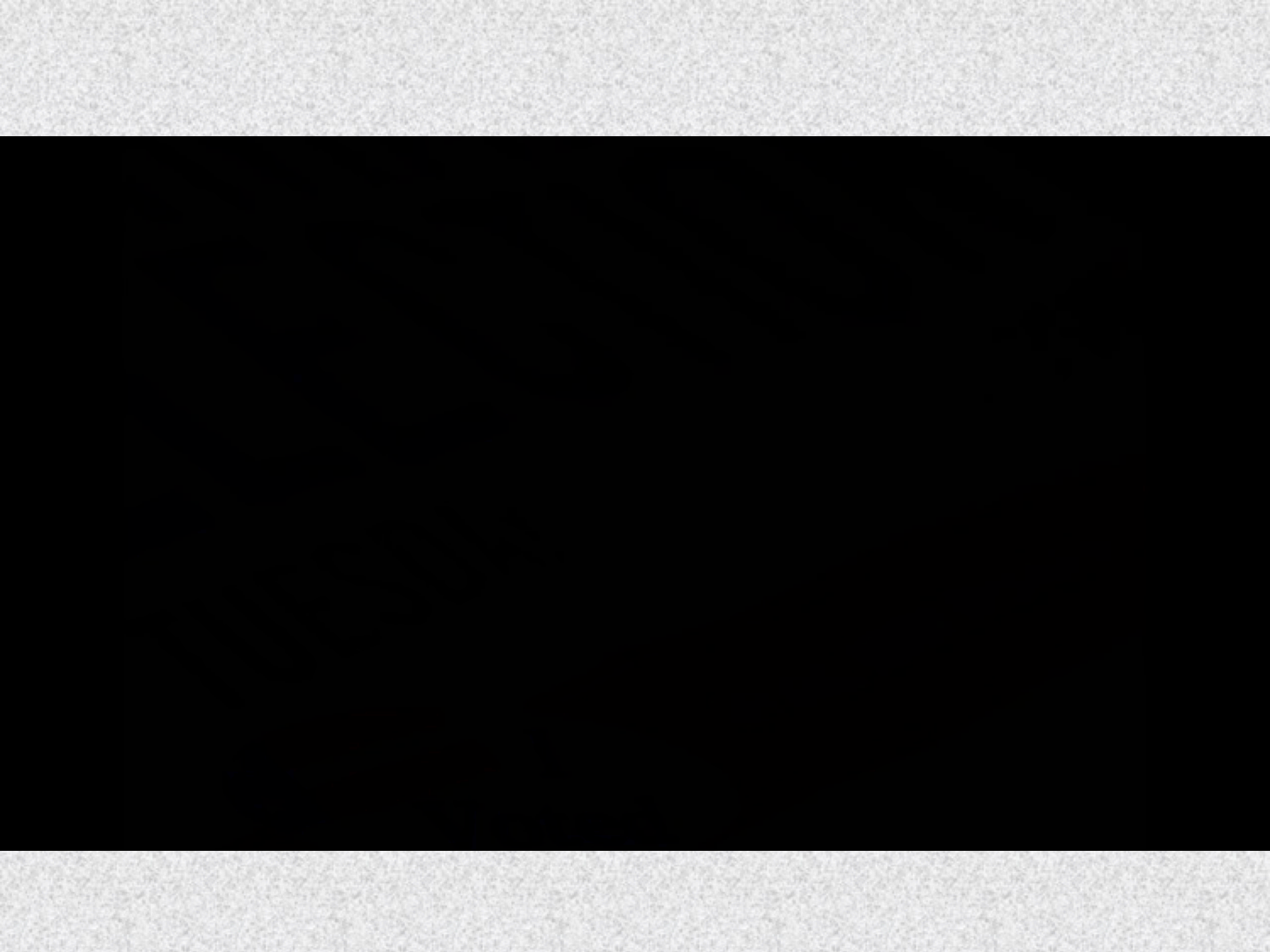


Where it came from and
why we have it.

THE ELECTORAL COLLEGE

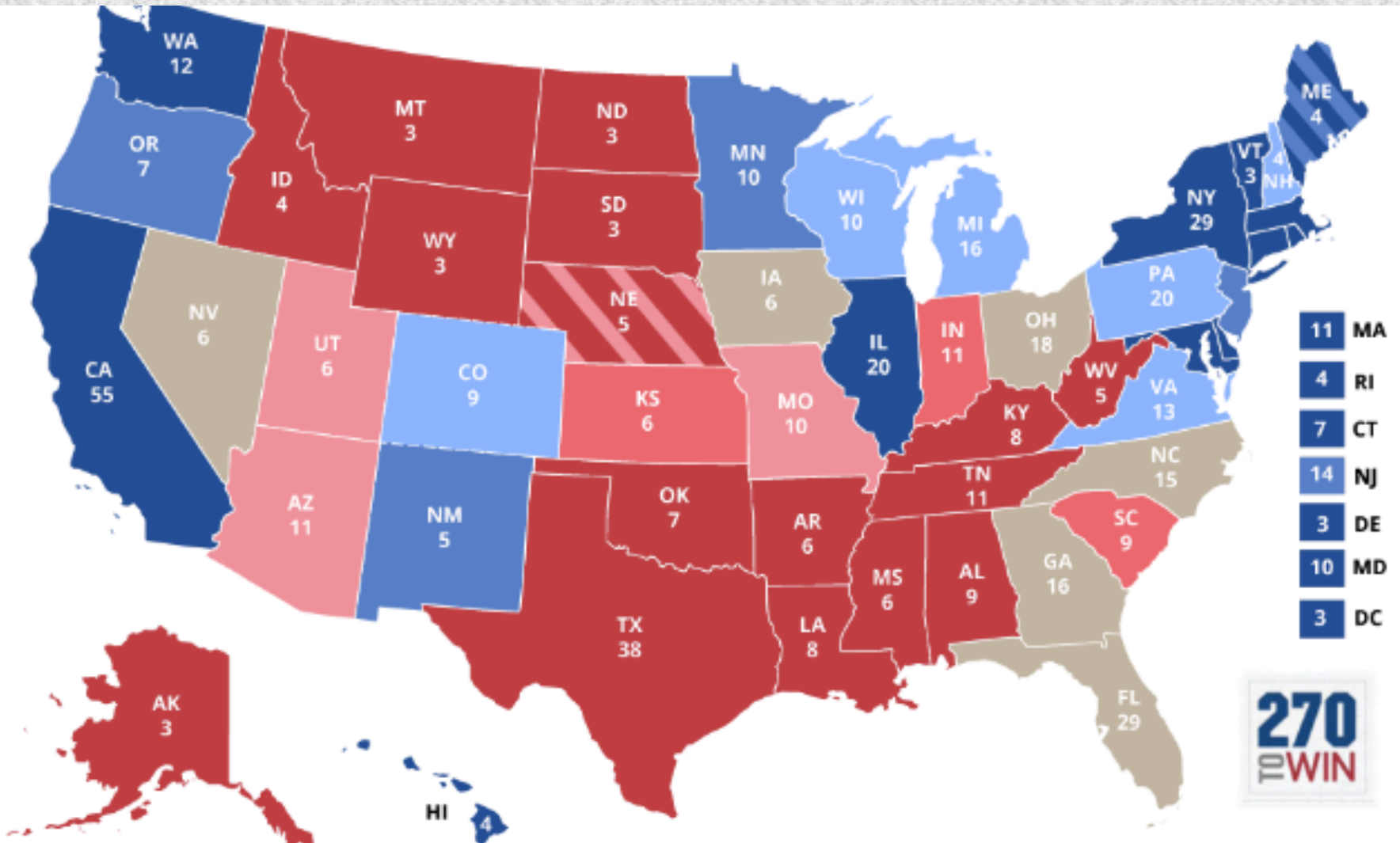
- The Presidential election is determined on the state level
- People vote within their own state
- Each state then determines which candidate won there
- Each state is worth a particular number of electoral votes
 - ✓ This number is the total number of congressional representatives and senators a state has
- Whichever candidate wins a particular state receives all of that state's electoral votes
 - ✓ A State's Electoral votes ARE NOT SPLIT. Only Maine and Nebraska function differently.





THE ELECTORAL COLLEGE

TOTAL: 538 votes NEED: 270 to WIN! MA=11 votes



When the delegates finished writing the Constitution,

- It was sent back to the 13 states to be approved.
- By the end of June 1788, 9 states had ratified the Constitution.
- However, Virginia, New York, North Carolina, and Rhode Island refused to sign it because they felt that there wasn't enough of an emphasis on *individual rights* in the Constitution.

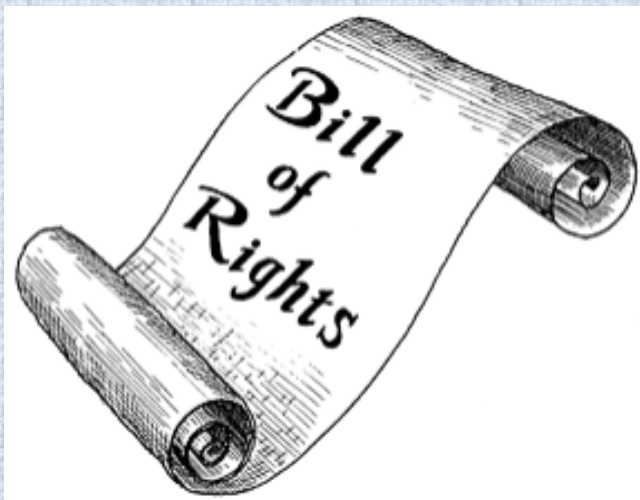


These states finally agreed to ratify the Constitution with the promise that a list of specific rights and protections would be added to the Constitution at the earliest possible moment.

One Last Smart Addition: *Amendments*

The Constitution also explained how it could be amended (changed) in the future, if any unforeseen additions or alternations became necessary.

- In 1789, Congress met again to discuss which human rights should be added to the Constitution.



- In 1791, the Bill of Rights was added to the Constitution.

The Bill of Rights was the first ten amendments to the Constitution

- *Freedom of speech, press, and religion*
 - *Right to remain silent*
 - *Right to a lawyer and a jury*
- *Right to be secure in your home, free from unwarranted searches and seizures.*