

Outline #8
The American Constitution and Bill of Rights, 1787-1791

I. Selected Issues

- A. Philosophical: Republicanism, Tyranny, Mobocracy
 - 1. Shays' Rebellion
- B. National vs. State Governments
- C. Big vs. Small States
- D. Slave vs. Non-Slave States
- E. Foreign Affairs
- F. Economic Concerns
- G. Majority Rule vs. Minority Rights

II. Document Exercise

Break up into small groups. Each group will be given a copy of the U.S. Constitution and the Bill of Rights. The Constitution has seven articles, divided into sections. Amendments were made to the Constitution after its ratification. The first ten (the Bill of Rights) were added between 1790-1791. Using the Constitution, each group will seek to answer the following questions.

1. Why do you think Article II, section 2 made the president "Commander in Chief" of the army and navy but Article I, section 8 allowed Congress to "declare war" and appropriate funds for the military? Why not give Congress or the President more complete control over the military?
 - 1A. Why do you think Article II states that the president would be elected by the Electoral College rather than directly by the people? Why do you think Article I, section 3 required that each state have two senators and required that senators be elected by state legislatures rather than by a majority vote of the people?
2. Article VI is the "Supremacy Clause"? Why? What is declared to be supreme over what? Why do you think the founders included such a clause? How might such a clause promote equality? How might such a clause encourage or undercut liberty?
3. Who do you think is referred to by the phrase "three fifths of all other Persons" in Article I, Section 2? What do you think that such a phrase suggests about the Founders' views of equality--both in terms of what the phrase says and how it is worded?
4. Why do Article VI (3rd paragraph) and Amendment I state in regard to religion?
5. What does Amendment IX state? Why do you think it was included? How might it protect or endanger liberty and republicanism?
6. Why did Congress receive the power to regulate commerce with foreign nations, among the states, and with Indian tribes in Article I, Sec. 8? Why did Article I, Section 9 prohibit taxing items exported from a state or regulations that give preference to one state over another? Why not allow states to simply regulate their own commerce with other governments?
7. What powers over foreign policy did the president have under Article II, Section 2? What checks does Congress have over the president's exercise of foreign policy?
8. Identify at least one other section of the Constitution that seems to address one of the points mentioned under "Selected Issues" above or another relevant issue.