Unit 1 - Foundations of American Democracy

Summary: The U.S. Constitution arose out of important historical and philosophical ideas and preferences regarding popular sovereignty and limited government. Compromises were made during the Constitutional Convention and ratification debates, and these compromises have frequently been the source of conflict in U.S. politics over the proper balance between individual freedom, social order, and equality of opportunity. The first semblance of a national government created after independence was a state-centered, decentralized system that reflected a fear of a powerful central government. Yet, the lack of powers held by the weak national Congress, coupled with each state’s independent and often conflicting actions, raised concerns with such key actors as James Madison and Alexander Hamilton as to whether the Articles of Confederation were able to protect the new nation. The weaknesses led to a call for change and a decision to host a convention to revise the Articles. The convention itself was a triumph of negotiation, collaboration, and compromise, extending beyond the delegates’ original mandate. It led to the creation of a new constitution that granted more centralized authority, while dispersing powers among three branches in the national government, and reserving powers and authority to the states to govern within their borders. The group that favored the new federal Constitution, the Federalists, argued that the constitutional separation of powers and checks and balances would protect people from governmental tyranny and unify the nation. The Federalists also argued that although the Constitution lacked a specific listing of rights, it protected civil liberties in general by limiting the national government to powers that were enumerated. By contrast, the Anti-Federalists argued against the new federal system, claiming that the new Constitution would erode the sovereignty of the states, the prominence of local self-government, and their inherited liberties, as it lacked a specific listing of rights needed to protect the people from the national government. The Federalists, after James Madison’s eventual concurrence, promised the Anti-Federalists that they would support the addition of a bill of rights once the Constitution was ratified. The Constitution was ratified in 1788 although the last state, Rhode Island, did not ratify it until 1790. The Bill of Rights, the first ten amendments to the U.S. Constitution, was ratified in 1791. More than 200 years later, the compromises that were necessary for the Constitution’s ratification, and in some instances led to ambiguity, continue to fuel debate and sometimes even conflict over how best to protect liberty, equality, order, and private property.
Below are the Learning Objectives (Bold Headings) and the Essential Knowledge (Check boxes) for Unit 1. Can you check all the boxes? Terms in bold are the required documents or the required SCOTUS cases. Pay close attention to them.

**Explain how democratic ideals are reflected in the Declaration of Independence and the U.S. Constitution**
- The U.S. government is based on ideas of limited government, including
- natural rights
- popular sovereignty
- Republicanism
- social contract
- The Declaration of Independence, drafted by Jefferson with help from Adams and Franklin, provides a foundation for popular sovereignty, while the U.S. Constitution drafted at the Philadelphia convention led by George Washington, with important contributions from Madison, Hamilton, and members of the “grand committee,” provides the blueprint for a unique form of political democracy.

**Explain how models of representative democracy are visible in major institutions, policies, events, or debates in the U.S.**
- Representative democracies can take several forms along this scale:
  - Participatory democracy, which emphasizes broad participation in politics and civil society.
  - Pluralist democracy, which recognizes group-based activism by nongovernmental interests striving for impact on political decision making.
  - Elite democracy, which emphasizes limited participation in politics and civil society.
- Different aspects of the U.S. Constitution, as well as the debate between the Federalist No. 10 and Brutus No. 1, reflect the tension between the broad participatory model and the more filtered participation of the pluralist and elite models.
- The three models of representative democracy continue to be reflected in contemporary institutions and political behavior.

**Explain how Federalist and Anti-Federalist views on central government and democracy are reflected in U.S. foundational documents.**
- Madison’s arguments in Federalist No. 10 focused on the superiority of a large republic in controlling the “mischiefs of faction,” delegating authority to elected representatives and dispersing power between the states and national government.
- Anti-Federalist writings, including Brutus No. 1, adhered to popular democratic theory that emphasized the benefits of a small decentralized republic while warning of the dangers to personal liberty from a large, centralized government.

**Explain the relationship between key provisions of the Articles of Confederation and the debate over granting the federal government greater power formerly reserved to the states.**
- Specific incidents and legal challenges that highlighted key weaknesses of the Articles of Confederation are represented by the:
  - Lack of centralized military power to address Shays’ Rebellion.
  - Lack of tax-law enforcement power.
Explain the ongoing impact of political negotiation and compromise at the Constitutional Convention on the development of the constitutional system.

- Compromises deemed necessary for adoption and ratification of the Constitution are represented by the:
  - Great (Connecticut) Compromise
  - Electoral College
  - Three-Fifths Compromise
  - Compromise on the importation of slaves
- Debates about self-government during the drafting of the Constitution necessitated the drafting of an amendment process in Article V that entailed either a two-thirds vote in both houses or a proposal from two-thirds of the state legislatures, with final ratification determined by three-fourths of the states.
- The compromises necessary to secure ratification of the Constitution left some matters unresolved that continue to generate discussion and debate today.
- The debate over the role of the central government, the powers of state governments, and the rights of individuals remains at the heart of present-day constitutional issues about democracy and governmental power, as represented by:
  - Debates about government surveillance resulting from the federal government’s response to the 9/11 attacks.
  - The debate about the role of the federal government in public school education.

Explain the constitutional principles of separation of powers and checks and balances.

- The powers allocated to Congress, the president, and the courts demonstrate the separation of powers and checks and balances features of the U.S. Constitution.
- Federalist No. 51 explains how constitutional provisions of separation of powers and checks and balances control abuses by majorities.

Explain the implications of separation of powers and checks and balances for the U.S. political system

- Multiple access points for stakeholders and institutions to influence public policy flows from the separation of powers and checks and balances.
- Impeachment, removal, and other legal actions taken against public officials deemed to have abused their power reflect the purpose of checks and balances.

Explain how societal needs affect the constitutional allocation of power between the national and state governments.

- The exclusive and concurrent powers of the national and state governments help explain the negotiations over the balance of power between the two levels.
- The distribution of power between federal and state governments to meet the needs of society changes, as reflected by
  - Grants
  - Categorical
  - Block
  - Incentives
  - Aid programs, including
  - federal revenue sharing
  - Mandates and unfunded mandates
Explain how the appropriate balance of power between national and state governments has been interpreted differently over time.

- The interpretation of the Tenth and Fourteenth Amendments, the commerce clause, the necessary and proper clause, and other enumerated and implied powers is at the heart of the debate over the balance of power between the national and state governments.
- The balance of power between the national and state governments has changed over time based on U.S. Supreme Court interpretation of such cases as:
  - **McCulloch v. Maryland (1819)**, which declared that Congress has implied powers necessary to implement its enumerated powers and established supremacy of the U.S. Constitution and federal laws over state law.
  - **United States v. Lopez (1995)**, which ruled that Congress may not use the commerce clause to make possession of a gun in a school zone a federal crime, introducing a new phase of federalism that recognized the importance of state sovereignty and local control.

Explain how the distribution of powers among three federal branches and between national and state governments impacts policy making.

- Multiple access points for stakeholders and institutions to influence public policy flows from the allocation of powers between national and state governments.
- National policy making is constrained by the sharing of power between and among the three branches and state governments.