**Study Guide U.S. History – 7th Grade – Ch. 7-8: The Constitution**

**People/Terms**

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| Anti-Federalists | People who supported a weak central government. They did not want a Constitution unless a Bill of Rights was added. |
| 1st Amendment | Right to free speech |
| 2nd Amendment | Right to bear arms |
| 4th Amendment |  Right to be protected against unreasonable searches and warrants. **Evidence that is obtained illegally cannot be used in a court of law**. |
| 5th Amendment | If you get arrested, you get these rights – such as the right to remain silent and the right to an attorney |
| 7th Amendment | Right to a jury trial |
| Federalists | People who supported a strong central government. They liked the Constitution. |
| Judicial Branch | They interpret laws |
| Executive Branch | They enforce the laws |
| Legislative Branch | They make the laws |
| Daniel Shays | His rebellion (farmers) demonstrated a need for a stronger central government |



**The Constitution**

* The **Articles of Confederation** – One weakness is that it ***created a weak central government.*** States kept most of their power. Congress had limited power. There were no branches of government.
* The **Constitutional Convention** in Philadelphia met between May and September of 1787 to address the problems of the weak central government that existed under the Articles of Confederation► led to the addition of the **Bill of Rights** and determined how states should be represented in Congress.
* In order to gain support for ratification (approval) of the United States Constitution, a **Bill of Rights** (first ten amendments) was added to the Constitution.
* The **Bill of Rights** protects the rights of individuals. It protects civil liberties.
* At the constitutional convention, there was debate over how the future government should be structured including how the states should be represented in Congress.
	+ Virginia Plan (favored larger states): Two-house legislature; seats awarded by population
	+ New Jersey Plan (favored smaller states): One-house legislature; liked by small states ► each state would have one vote.

The Great Compromise resolved the conflict between the Virginia Plan and the New Jersey Plan.

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		- Created a ***two house legislature or bi-cameral legisture***: **The Senate and the House of Representatives► Congress**
		- The **Senate w**ould have *two representatives from each state,* and representation for the **House of Representatives** would be *based on population*.
* The **Constitution** is different from the Articles of Confederation in that it ***created a national government having three branches.***

* The Constitution is based on ideas drawn from: John Locke and Montesquieu (natural rights come from God); Iroquois (representative government); Roman Republic (elected their leaders) and English Bill or Rights/Magna Carta.
* The **Three-Fifths Compromise**: Three-fifths of a state’s slaves would be counted with respect to representation.
* The U.S. government is considered a **federal system** because both national and state governments have the ability to create laws.
* **Separation of Powers**: Each of the three branches has defined abilities to check the powers of the other branches. Each branch has different responsibilities.
* **Checks and Balances**: Each branch has powers over the other. It prevents any one branch of government from becoming too powerful.
* According to the Constitution, the ***president is required to sign or veto bills passed by Congress.***
* **Amendments to the Constitution**: There are 27 amendments to the Constitution. The **amendment process** allows the Constitution to be changed when the needs of society changes.
* **Elastic Clause**: The Constitution states: “Congress shall have the power…to make all laws which shall be necessary and proper for carrying into execution the foregoing powers…” ►allows constitutional flexibility (think of a rubber band).

 **The Constitutional Convention (1787)**