* Part 1: Essentials
  + Key Dates
    - Declaration of Independence Drafted and Ratified (July 4, 1776, passed by Second Continental Congress)
      * Thomas Jefferson, Continental Congress, sever ties with GB, 13 free & indep states
      * Draws from
        + John Locke Two Treatises of Govt, 1690
        + Jean-Jacques Rousseau (Socail Contract, 1762)
      * Self evident truths
        + All men equal
        + Unalienable rights given by “Creator”

Life, lib, pursuit

* + - * + Government must secure these rights by consent of governed
      * Government no longer securing unalienable rights, so it’s the right of the people to throw off such govt and provide new Guards for their own security
    - Articles of Confederation (1776-1787) (“confederation” = voluntary association of independent states)
      * Did not create single nation as is modern USA
      * Drafted (November 1777)
      * Need new form of govt after severing ties with GB
      * Ratified 1781, stayed in effect until 1789
    - James Madison letter, 1787; hard to wrangle independent states into single nation with adequate powers
      * AoC deemed insufficient for a modern nation state; central govt was too weak
      * Measures passed by Congress had to be approved by 9/13 states
      * Dependent on cooperation of states, could not enforce laws it passed
      * AoC virtually impossible to amend (needed unanimous 13/13 approval)
    - Federalists - stronger national authority
    - 1786 - Daniel Shays leads debt-ridden farmers in attacks on Massachusetts county courthouses; promoted Federalist movement, showed that AoC government could not protect citizens from armed rebelian/promote general welfare
    - 9/11/1786; Annapolis Convention (“Meeting of Commissioners to Remedy Defects of the Federal Government”)
      * 5 states, Annapolis Maryland
      * Petition to Continental Congress to “consider exigencies of the union”
      * Approved by CC, scheduled to begin May 1787, Philadelphia
      * **Constitutional Convention** began May 14 1787
    - May 14 1787: Constitutional Convention
      * 55/74 invited delegates in attendance (RI refused)
        + ~½ college-edu
        + Chaired by Rev War commander George Washington
      * Secret meetings, James Madison kept good notes
      * Intention was to correct AoC deficiencies, but many of the delegates favored a new strong central govt
    - Madisonian Model of Govt
      * Studied political philosophy in preparation for CConv
      * Baron de Montesquieu (*The Spirit of Laws,* 1748)
      * John Locke (*Second Treatise of Civil Government*)
      * Proposed **separation of powers;** 
        + Exec, leg, jud
        + Independent, but must share power in order to govern
    - U.S. Constitution Drafted (1787)
    - Federalist #10 Published (1787)
    - Federalist #51 Published (1788)
      * James Madison
      * *you must first enable the government to control the governed; and in the next place oblige it to control itself*
      * Separation of powers
      * Checks and balances; limit power of any one branch, also require that they cooperate in governing
        + Congress (L) can enact laws
        + President (E) can veto unless veto overridden by ⅔ vote in both houses of Congress (House and Senate)
        + Supreme Court (J) can declare actions of L or E unconstitutional
    - U.S. Constitution Ratified (1788)
    - Bill of Rights Drafted (1789)
    - Bill of Rights Ratified (1791)
    - April 1787, Madison letter to George Washington
      * Support national authority, but don’t exclude local authority
      * CConv delegates reach agreement mid-July 1787
        + Left many details to “Committee on Details” to create final draft

Delegates refused to resolve some issues, particularly slavery

* + - * Committee on Details
        + 5 people, chaired by **John Rutledge** of South Carolina
        + Rest of CConv adjourned until August 6 to await CoD report
    - **Sept 17, 1787, Constitution approved** by 39 delegates (only 42 of the 55 who showed up remained active)
    - 2 days after doc signed, (Sept 19), published in Pennsylvania Packet (newspaper)
      * Sparked conflict between **Federalists** (agreed with constitution)and **Anti-federalists** (too much national power)
      * Traded args in series of essays
      * **The Federalist Papers,** 
        + James Madison, Alexander Hamilton, John Jay
        + Needed to address concerns of public/state legislators
        + **Federalist #9**

Hamilton: “a firm union will be of the utmost moment to the peace and liberty of the states, as a barrier against domestic faction and insurrection.”

* + - * + **Federalist #51**

Madison: Constitution’s provision for separation of powers and checks and balances would prevent the national government from overpowering the states and ensure that the national legislature (a portion of which was to be popularly elected) would not dominate the other two branches

* + - * + **Federalist #10**

Addressed one of the most compelling AF arguments: Constitution lacked protection for individual liberties

Madison: Constitution would encourage **pluralism** and would protect minority viewpoints by limiting majority power

* + - * + **Federalist #84**

Hamilton: people surrender nothing and retain everything by the new Constitution

* + - Thomas Jefferson (in France during CConv); supported addition of **Bill of Rights** to Constitution
      * Arg: danger to “list” rights; what if something not included?
      * “half a loaf is better than no bread…if we cannot secure all our rights, let us secure what we can.”
      * Joined by Mercy Otis Warren
        + Published support of Bill of Rights as *Anti-Federalist Papers*
        + Federalist promise the BoR would be first order of business when new Congress convened
    - June 1789, Bill of Rights proposed by James Madison
      * 12 amendments to Constitution initially
      * 1791, 10 amendments approved by Congress and ratified by States
    - Rhode Island, final state to ratify Constitution
* Constitution
  + 7 articles (original, took effect 1789), 27 amendments
  + Article 1
    - Vests legislative power in bicameral congress
    - Describes
      * houses and qualification of members
      * manner/time of election
      * Congress powers
      * Powers denied to congress and to states
  + Article 2
    - Establishes executive branch,
    - Establishes term and qualification for office and manner of election
    - Describes
      * Powers and duties of president
      * Impeachment
  + Article 3
    - Vests judicial power in Supreme Court
    - Inferior courts are established by Congress
    - Federal jurisdiction is defined
  + Article 4
    - Establishes elationships betweeen states (full faith and credit, privileges and immuniteies),
    - Allows for admission of new states, guarantees a republican form of govt to every state
  + Article 5
    - 2 methods of amending constitution
  + Article 6
    - Establishes constitution and national laws a supreme (supremacy clause)
    - Requires oath of office promising to support Constitution of every federal and state official
    - Prohibits any religious test as qualification for any office
  + Article 7
    - Outlines process required to ratify Constitution (9 States)
  + Signers
    - 39, sept 17 1789
* Bill of Rights
  + 1, 1791
    - Religion, speech, press, assembly, petition
  + 2, 1791
    - arms
  + 3, 1791
    - Quartering of troops
  + 4, 1791
    - Search and seizure
  + 5, 1791
    - Grand jury, double jeopardy, self-incrimination, due process
  + 6, 1791
    - Criminal prosecutions
  + 7, 1791
    - Common law suits, jury trial
  + 8, 1791
    - Excess bail or fines, cruel and unusual punishment
  + 9,1791
    - Non-enumerated Rights
  + 10, 1791
    - Rights reserved to states or people