



**Introduction to American Government**

POLS 4105  
The University of Georgia  
Prof. Anthony Madonna  
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Syllabus is on the website.

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Outline		
<b>I. Introduction</b>	<b>VI. Age of Reason</b>	<b>X. The Evidence</b>
a. Clips	a. Montesquie	a. The median state
b. Announcements	b. Hume/Madison	b. Inferring votes...
c. News	c. Smith	c. Sherman median voter for the median state...
d. sign-in	d. Locke	
<b>II. The Articles of Confederation</b>	<b>VII. The Virginia Plan</b>	<b>XI. Personal power...</b>
a. What they allowed	a. Randolph	a. full convention median?
b. What they didn't	b. Shifts the debate	b. passing motions?
c. problems	c. Separation of Powers	c. Federal House?
<b>III. Developments</b>	d. Bicameral Legislature	<b>VIII. Robertson</b>
a. MS Navigation Rights	e. Federal Veto	a. critiques...
b. Shays Rebellion	f. Ratified by State Conventions	b. "APD"
c. Annapolis Convention	<b>VIII. Opposition</b>	c. His evidence...
d. Washington's Support	a. NJ Plan	d. Poole
<b>IV. Governments</b>	b. Deadlocked on Legislative Apportionment	<b>XIV. The critique...</b>
a. Confederation	c. Great Compromise	a. Different ?'s
b. Federal System	d. Abraham Baldwin	b. sincere voting
c. Unitary	e. Legislative Rules	c. sequence, NOT votes
<b>V. Constitutional Convention</b>	f. Executive and Courts	d. rules are not exogenous
a. Smelling a Rat...	<b>IX. Dougherty and Heckleman</b>	<b>VII. Conclusion</b>
b. Voting?	a. Sherman	a. Class champion
c. 55 Delegates	b. The conventional wisdom	b. For Tuesday
d. The Revolving Door	c. Personal v. Situational power	
	d. Defining "pivotal"	
	e. Their argument	
	f. Why do we care?	

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### Announcements

1. Professor Lynn Vavreck will be speaking on Friday, September 12th, 2:00-3:30pm in Baldwin 302. Vavreck is an associate professor in the political science department, an expert on American elections and the primary contributor to the New York Times political science blog, "The Upshot."
2. The Jason Carter for Governor Campaign is in the process of building up our fall fellowship program which would take us from September - November 4th. We need dedicated fellows for the home stretch and they can participate either full-time or part-time (class credit may be possible). Other than helping with voter registration, canvassing, or phone banking, there may be a few special projects to work on and we will need dependable and enthusiastic fellows to help out. Please feel free to post this in the political science department, as well as let me know if there are any particular students you would like to recommend. Please have interested students send a cover letter and resume by Sept. 9th to [fellowship@carterforgovernor.com](mailto:fellowship@carterforgovernor.com). There is a slight possibility that I may extend the deadline but for now, please see if those interested can apply by Tuesday. For more information, please see <http://carterforgovernor.com/fellows>.



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### Announcements

3. To the Political Science Department at University of Georgia,

My name is Brianna Rigert and I work at Headway Workforce Solutions in Raleigh, NC as a Sourcing Specialist. My team is currently working on a project with Reuters News and IPSOS for the upcoming General Election. Reuters is seeking someone to collect election data on election night. We are hiring Election Agents (one- two primary and one secondary) in every county of every state in the United States. We are paying the individual \$100 for a one night only event on November 4th. If you don't mind passing this onto your students; this would be a great opportunity for students in Political Science to add to their resumes! During the Primary Elections, some professors were offering it as extra credit - students love extra credit! Below is a job description and attached is a flyer! Feel free to contact me if you have any questions! We are trying to get the word out!



As an Election Agent for Ipsos and Reuters, you'll use credentials awarded by Reuters to go behind the scene at your local election center and gather the vote count from County election officials. Once you receive the vote count, you'll quickly (and easily) enter the results into a specially designed mobile application and send the news off to Reuters.

There are only three requirements to be eligible for consideration as an Election Agent:

- You have to be 18 years old
- You must own a smart-phone (iphone or android) and/or tablet with data plan and be able to operate it proficiently
- You must be available for a one day project

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### Announcements

- 4.

## PI SIGMA ALPHA



For more information contact Dr. Teena Wilhelm,  
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[http://polisci.uga.edu/undergraduate/pi\\_sigma\\_alpha](http://polisci.uga.edu/undergraduate/pi_sigma_alpha)

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## News

Atlanta Mayor Kasim Reed (D) "says he will host a fundraiser for Democratic gubernatorial candidate Jason Carter later this month. Reed divulged the plan exclusively to 11Alive News, ending an impasse in one of the year's most unlikely political dramas." Said Reed: "I said that I was going to support the nominee of the party and I'm getting ready to do more for Jason Carter more than he ever did for me."



Bob McDonnell (R) is the first Virginia governor convicted of a felony, the Richmond Times Dispatch reports. A federal jury convicted the former governor on 11 of 13 counts and his wife, Maureen, on nine of 13 counts. Both "sobbed openly, but quietly as the verdicts were read." The Washington Post notes both McDonnells face "decades in federal prison, though their actual sentence will probably fall well short of that." Sentencing is scheduled for January 6.

Alan Abramowitz: "An analysis of data from the 2012 American National Election Study raises serious doubts about the claim that a candidate with libertarian views would have strong appeal to younger voters. In fact, the data indicate that younger voters tend to hold relatively liberal views on social welfare as well as cultural issues. Only a small minority of voters under the age of 30 can be classified as libertarians. Moreover, both younger and older Americans who hold libertarian views already vote overwhelmingly for Republican candidates, so nominating a candidate with a libertarian philosophy would be unlikely to gain many votes for the GOP."



Sen. Ted Cruz (R-TX) "is expanding his political operation, a move sure to stoke speculation that the Texas Republican plans to run for president in 2016," the Washington Examiner reports. "In recent weeks, the Cruz team signed contracts with three Republican consultants with national experience and ties to some of the early presidential primary states."

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## News



Speaker John Boehner outlined the September legislative agenda in a conference call with House Republican lawmakers, describing a scheduled 12-day session that will be "brief, but busy," Roll Call reports. House Republicans "closing argument" before they depart for the campaign trail ahead of Election Day will be moving legislation while the "do-nothing Senate plans to spend the final legislative days before November talking about the Koch brothers."

"The D. C. Circuit Court of Appeals has agreed to revisit a ruling that struck down the ObamaCare subsidies issued through the federal exchange," The Hill reports. "The announcement of the second hearing is a victory for the Obama administration, which suffered a defeat in late July when a three-judge panel threw out the subsidies, ruling they were not legitimate under the Affordable Care Act."



President Obama "said he was near tears while talking to the parents of slain U.S. journalist James Foley, and he appeared to express some misgivings about his decision to play golf minutes after delivering an angry public statement about Foley's killing in Syria three weeks ago," the Washington Post reports. Said Obama: "I should've anticipated the optics. Part of this job is also the theater of it. It's not something that always comes naturally to me. But it matters."

**Andrew Rudalevige, the Monkey Cage:** It's no secret that President Obama is not getting much love as his second term progresses. In a recent Post op-ed, former Clinton and Obama (and Harvard) official Larry Summers suggests the checkered history of second terms itself calls out for a fix. One answer to the second-term blues is, well, to eliminate second terms. "Would the U.S. government function better," Summers asks, "if presidents were limited to one term, perhaps of six years?" I'd also proffer the case against term limits made back at the framing of the Constitution. (Remember that the two-term limit took effect only in 1951 when the 22nd Amendment was ratified, having been passed by the Republican-controlled 80th Congress — not doing nothing! — in 1947 as belated revenge for FDR's four electoral victories. The first president affected was Dwight Eisenhower, whom many in the GOP soon wished could run for a third term.)



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## Labor Day



**Esra Klein, vox:** Labor Day is a day of rest that commemorates years of war. Congress inaugurated the holiday just days after President Grover Cleveland sent 12,000 federal troops to break the Pullman strike. The tactics were bloody; U.S. deputy marshals killed two men, and wounded many more. That was 1894, an election year. Cleveland needed a way to win workers back to his side. He saw an opportunity in a federal holiday honoring workers — as well as organized labor.

"The movement for a national Labor Day had been growing for some time," writes PBS Newshour. "In September 1892, union workers in New York City took an unpaid day off and marched around Union Square in support of the holiday. But now, protests against President Cleveland's harsh methods made the appeasement of the nation's workers a top political priority. In the immediate wake of the strike, legislation was rushed unanimously through both houses of Congress, and the bill arrived on President Cleveland's desk just six days after his troops had broken the Pullman strike."

Samuel Gompers, head of the American Federation of Labor, said Labor Day would be "the day for which the toilers in past centuries looked forward, when their rights and their wrongs would be discussed." He did not say it would be a good day for barbecues.

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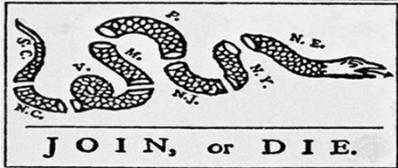
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## The Constitution



1780 was a disaster for the American military.

Deteriorating morale stemmed from a lack of adequate funds and provisions. Decisions required the approval of ALL state governments. The revolution was a *collective action problem* and states would *free-ride* – agree to contribute, but not in a timely manner.

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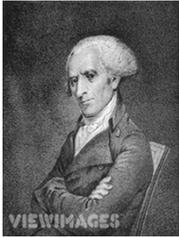
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## The Road to Independence

"I shall have a great advantage over you, Mr. Gerry, when we are all hung for what we are doing now. From the size and weight of my body I shall die in a few minutes, but from the lightness of your body you will dance in the air an hour or two before you are dead." – Benjamin Harrison, Virginia (*quoted in Ellis*).

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### The Road to Independence

Why was America so well suited to break with the monarchy?



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### The Road to Independence

(1) Geography.

*Distance limited Britain's capacity to govern the colonies. It also made war costly and difficult.*

(2) Home rule.

*The British had ceded to Americans responsibility for managing their own domestic affairs, including taxation. For more than a century colonists elected their own leaders and held them accountable for local policies and taxes.*

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### Self-Governance

By 1650 all of the colonies had established elective assemblies.

These eventually gained the authority to initiate laws and levy taxes.



Britain appointed governors, judges, colonial councils.

*Their pay was tied to the assemblies. Subsequently, they often accommodated popular opinion.*

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### Home Rule Limitations

Their limited home rule did have some disadvantages.

- (1) No experience regulating commerce.
- (2) No independent military.
- (3) Little experience in foreign relations.
- (4) Little experience working together.



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### Strains Upon Home Rule

Military conflict in the 1750s (French and Indian War/Seven Years' War) drained Britain economically.

Britain asked its colonies for help in defending the western frontier.

Six of the thirteen colonies failed to attend.

But the Albany Congress did produce the first serious proposal for a national government.

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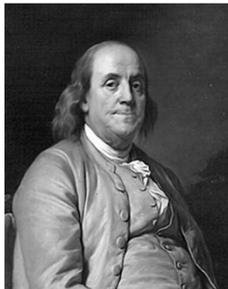
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### Franklin's "Plan of the Union"

Called for an American army to provide for the colonies' defense, a popularly elected national legislature with the power to levy taxes, and an executive appointed by the king.

Colonies provided little support. They were unwilling to shoulder the burden of providing for colonial security.

To them, free riding made sense as long as they could get away with it.



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### Challenging "Home Rule"

By the end of the French and Indian War (which was only part of a larger war being fought by Britain) the British government was broke.

British citizens already were the most heavily taxed people in the world.

To get the tax revenues it needed, Britain had to assert its power to impose taxes.

Every revenue law the British government enacted in the decade after the end of the war contained provisions that tightened its control over the *internal affairs* of the colonies, thus violating colonial home rule.

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### Stamp Act



Imposed a tax on all printed materials, including legal documents, licenses, insurance papers, and land titles. It also included commercial goods such as newspapers and playing cards.

This tax had existed in Britain, but Americans were inflamed by its introduction.

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### Stamp Act

For the first time, they united against Britain by agreeing unanimously on a resolution condemning the tax. But they could not agree on what they should do next.

Ordinary citizens, however, took action on their own, including the well-known demonstration the Boston Tea Party.



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### The Continental Congress

Britain responded with the *Restraining Acts* and *Coercive Acts*.

Closed the port of Boston to all commerce.

Dissolved the Massachusetts assembly.

Decreed troops could be quartered in colonial homes.

Americans charged with crimes against Britain would be sent to England for trial.

Continental Congress passed resolutions condemning British taxes and administrative decrees.

Appointed delegates to the Second Continental Congress.

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### The Declaration of Independence



Thomas Paine and "Common Sense"

- First piece to openly ask for independence
- An island can not rule a continent

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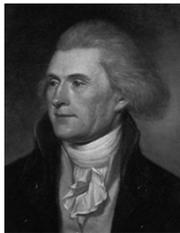
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### The Declaration of Independence

*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the Right of the People to alter or abolish it, and to institute new Government....*



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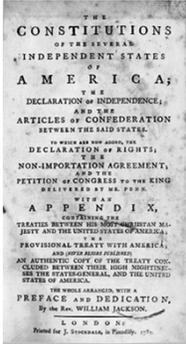
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### The Articles of Confederation



Confederation – a highly decentralized governmental system in which the national government derives limited authority from the state rather than directly from citizens.

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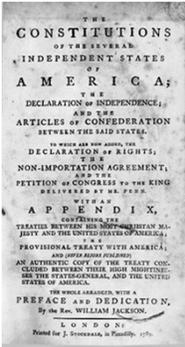
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### The Articles of Confederation



America now declared an independent nation, the delegates to the Second Continental Congress proceeded to create a new government.

Over the next several weeks, they drafted the nation's first Constitution – the Articles of Confederation, which was ratified five years later.

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### The Articles of Confederation

Created a new, permanent Congress in which each state received one vote.

Major laws – such as those dealing with taxes and constitutional change – required the endorsement of nine of thirteen states. More fundamental change, such as amending the Constitution, required unanimous agreement.

National authority was so circumscribed that the delegates saw little purpose for an executive or a judiciary.

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### The Confederation At War

The states chiefly responsible for recruiting troops and outfitting them for battle.

Congress attempted to coordinate the state regiments into a single fighting force.

Could borrow money, but could not tax.

No administrative branch; so Congress had to do all the work, including requisitioning the army.

Many difficulties during the war.

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### The Confederation At War



New England states met and passed a resolution to invest Congress with "powers competent for the government."

Hartford Convention :  
Called on Congress to grant itself the power to tax.

In 1781 Rhode Island vetoed a bill giving Congress the authority to levy taxes.

France enters the war.

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### The Confederation During Peace

A war-torn economy.

Trade barriers at home and abroad.

Popular discontent (Shays Rebellion).

Annapolis convention.



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### Philosophical Influence



Locke (1632-1704) – popular sovereignty. Citizen’s delegation of authority to their agents in government with the ability to rescind that authority.

Newton (1642-1727) – force and balance.

Montesquieu (1689-1755) – separation of powers, superiority of small republics.



Hume (1711-1776) – Competition of contending interests.

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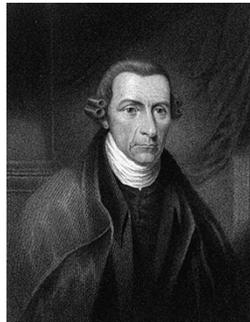
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### Getting Down to Business

“I smelled a rat.” – Patrick Henry

Most delegates were oblivious to the types of sweeping changes that would be proposed by Madison and his allies.



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### The Virginia Plan



This plan, introduced by Edmund Randolph, also from Virginia, shifted the focus of deliberation from patching up the confederation to considering what was required to create a national union.

Its centerpiece was a bicameral legislature.

Members of the lower chamber apportioned among the states by population and directly elected.

Lower chamber would elect members of the upper chamber from lists generated by the state legislatures

Also stipulated that the national government could make whatever laws it deemed appropriate and veto any state laws it regarded as unfit.

If a state failed to fulfill its legal obligation the national government could use military force against it.

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### The Virginia Plan

Many saw this legislature as too powerful, although Madison had incorporated a check on its power.

What was this check?

The Council of Revision.

Opposition grew toward the Virginia Plan from two directions:

Less-populous states.

States' rights delegates.



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### The New Jersey Plan

“Great idea, Jim...But...”

These two groups coalesced around an alternative proposed by New Jersey delegate William Paterson in response to the Virginia Plan.



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### The New Jersey Plan



Given its quick creation, it had its own faults: it failed to propose the organization of the executive and judiciary.

It perpetuated the composition and selection of Congress as it functioned under the Articles, but it did give Congress the power to tax.

Debate continued, however, as neither side was happy with the options given by their opponents for the composition of Congress.

Stalemate loomed after weeks of debate.

They sent the question of Congress to a committee to resolve.

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## Great Compromise

Item	Virginia Plan	New Jersey Plan	Constitution
Legislature	Two Houses	One House	Two Houses
Legislative representation	Both houses based on population	Equal for each state	One house based on population; one with two votes from each state
Legislative power	Veto authority over state legislation	Authority to levy taxes and regulate commerce	Authority to levy taxes and regulate commerce; authority to compel state compliance
Executive	Single; elected by legislature for a single term	Plural; removable by majority of state legislatures	Single; chosen by electoral college; removal by national legislature
Courts	National judiciary elected by legislature	No provision	Supreme Court appointed by executive, confirmed by Senate

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## The Great Compromise

Now the unanimous agreement rule of the states that had hobbled the confederation Congress was gone, replaced by a rule allowing a majority of the membership to pass legislation.

Article 1, Section 8 extended the authority of the national legislature.

Commerce Clause.

Necessary and Proper Clause.

Given the compromise, Madison became interested in a genuine separation of powers between the branches with each side exercising checks and balances over the others.

This notion played a significant role in Madison's formulation of the executive and judiciary as independent institutions.




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## Designing the Executive

The delegates debated the nature of the executive in a lively fashion.

Preferences ranged from Hamilton's executive "elected for life" at one end and the existing model of state governors who had been given very limited powers.

At the same time, most agreed that the nation's first executive would be George Washington, the most revered citizen in the young nation. But this fact did not stifle debate.




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### The Electoral College



“Let’s design an institution to select the executive with the sole goal to confuse the hell out of future generations...” – Charles Cotesworth Pinckney (South Carolina).

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### The Electoral College

Each state is awarded as many electors as it has members of the House and Senate.

The Constitution left it to the states to decide how electors are selected, but the Framers generally expected that the states would rely on statewide elections.

Today, if any candidate fails to receive an absolute majority (270) of the 538 votes in the Electoral College, the election is thrown into the House of Representatives.

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### An Independent Executive



Madison and Hamilton largely succeeded in fashioning an independent executive by:

Giving the president the ability to veto legislation.

Requiring a supermajority of each house to override a presidential veto.

But the Framers also checked the executive’s power in numerous ways.

What were some of these checks?

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### An Independent Executive



Only Congress can declare war

Senate approval of ambassador appointments and treaties

Senate must confirm all appointments in the executive departments

Are these sufficient?

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### The Take-Care Clause



Just as the necessary and proper clause enabled the modern Congress to enlarge its enumerated powers, Article II has done the same through the "take care" clause.

The president "shall take Care that the Laws be faithfully executed."

Modern presidents have asserted that this clause allows them to undertake whatever actions national policy may require that are not expressly forbidden by the Constitution or public law.

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### Designing the Judiciary

The convention spent comparatively little time designing the new federal judiciary.

They did debate over two questions:

Who would appoint Supreme Court justices?

And should a network of lower federal courts be created or should state courts handle all cases until they reach the federal court?

What were the pragmatic results of their debate?

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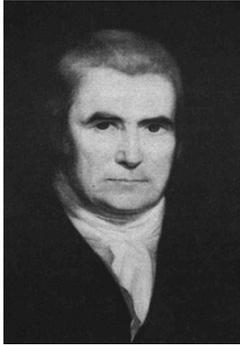
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### Designing the Judiciary

The extent of the Court's authority to overturn federal laws and executive actions as unconstitutional – the concept of judicial review – was never quite resolved.

Hamilton and others argued that the Constitution implicitly provides for judicial review.

Madison did not believe an unelected branch should have such authority.



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### Collective Action Problems



The Framers recognized that the states had to surrender some of their autonomy to a central agency – the national government – in order to prevent free riding or the breaking of collective agreements and thus allow successful joint actions.

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### Trade and Foreign Policy

After the Revolutionary War, states engaged in cutthroat competition for foreign commerce.

Resolution by Framers:

*Placed foreign policy under the administration of the president.*

*Gave Congress the explicit legislative authority to regulate commerce.*

*Defense and security given to the national government as responsibilities.*

*Constitution forbids any state from entering into a foreign alliance or treaty, maintaining a military during peacetime, or engaging in war unless invaded.*

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### Women's Rights

Delegates agreed to allow the individual states to continue to decide which citizens should have the right to vote.

Women and slaves were left out of the Constitution. However, it does read as though it were drafted to be as free of gender bias as the eighteenth century usage allowed (person, citizens).

Women's political rights simply had not yet become an issue.



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### Slavery

Slavery was not absent from the debates. It was present at several important junctures and figured importantly in many delegates' private calculations, particularly those from the South.

One critical point was during the creation of the national legislature.

Southern states wanted to count slaves as part of their population, thus giving them more representatives in the House. Yet these "citizens" had no rights in that state. After much debate, the southern states were allowed to count a slave as three-fifths of a citizen.

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### Slavery



Later in the convention some southern delegates insisted on two guarantees for their "peculiar institution" as conditions for remaining at the convention and endorsing its result.

Unrestricted right to continue importing slaves. In the end they managed to negate a ban on regulation of slavery until 1808.

The return of runaway slaves in northern states.

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### Slavery

Why did the northern delegates give in to the southern ones, who were fewer in number?

The need to get the Constitution passed.

Fear of defection.

New England accommodated the South, and in return the South dropped its opposition to commercial issues that were important to New England.

**Logrolling** -- a standard bargaining strategy in which two sides swap support for dissimilar policies.

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### Amending the Constitution

Since its ratification, the Constitution has been amended twenty-seven times.

In every instance Congress initiated the process.

In all but one case, the state legislatures did the ratifying.

Six additional amendments (including ERA) were sent to the states but failed to win the needed number of endorsements.



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### Amending the Constitution



In addition, dozens of amendments are proposed in Congress but fail to garner enough support.

Recent examples include: amendments to restrict marriage to a man and a woman; assuring "God" is included in the Pledge of Allegiance; and providing a mechanism for Congress to replenish its membership should more than a quarter of its members be killed.

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### Ratification

“The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.”

This statement did two important things.

It removed the unanimous assent rule of the Articles of Confederation.

It withdrew authority from the state legislatures, which might have misgivings about surrendering autonomy.

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### Ratification



Antifederalists argued that only local democracy could approach true democracy. A country so large and diverse could not be ruled by a single set of laws.

Stronger national government must come with safeguards against tyranny.

Madison made a strategic move and announced that he would introduce the constitutional amendments that would protect individual rights.

For this reason, the Bill of Rights was included almost immediately after ratification.

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### Ratification



The responses mustered to counter the Antifederalist arguments against the Constitution collectively make up eighty-five essays.

Written by Hamilton, Madison, and Jay

Were directed primarily at New York, which had not yet voted in 1788, although by this point the Constitution was technically ratified.

They provide insight into the “genuine” meaning of the Constitution.

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## Ratification

Two of the *Federalist Papers* (Nos. 10 and 51) focus on the fundamental problem of self-governance.

We are not “angels,” as Madison writes, so how do we get a government of non-angels not only to govern the governed, but to “govern” itself as well?

Fed. 10 responds to the strongest argument of the Antifederalists -- that a “large Republic” cannot long survive.

Discusses the negatives of faction defined as “a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.”

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## Fed 10



How does Madison propose we “control” faction?

Two possible solutions:

- (1) Removing it's causes...  
*Destroying liberties...*  
*Everyone has the same preferences...*
- (2) Control it's effects...  
*Expand the sphere... More voters! More factions!*

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## Fed 51



“If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.”

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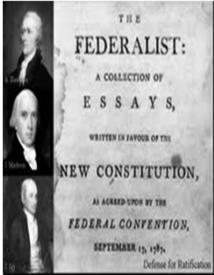
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### Fed 51



How does a government control itself?

*-By dispersing power among several branches...*

*-Being subjected to majority rule...*

This serves to guard against tyranny, expands the sphere of influence and solidifies the Republic.

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### Constitution



Irony: national pluralism that Madison was striving to install was already at work at the federal convention, frustrating their success.

Many of the Constitution's provisions have no theoretical rationale; they are simply the hammered-out products of compromise.

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### Conclusion



Have a great day.

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