

# Political Science 17.20

## Introduction to American Politics

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Lecture 4: The Constitution I: Origins  
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# Outline

- 1 Why the Constitution?
- 2 Goals and Principles
- 3 Constraints
- 4 The Constitution in Perspective

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# Prehistory of the Constitution

- Long history of self-government
- Constitution-making at state level during Revolution (experimentation)
- Fear of centralized authority
- Democratic principles (“utopian moment”)

# The Articles of Confederation

- 1776–77: Devised by Continental Congress, ratified by (all) states
- Needed to demonstrate legitimacy to other nations
- Only congress—no national executive or courts
- Voting by state (equal weight)
- Unanimity required for most major decisions

# Dissatisfaction with the Articles

- Funding and supplying Continental Army (made nationalists of Washington, etc.)
- Relations with foreign powers (Vermont)
- Irresponsible financial practices (Rhode Island)
- Commercial disputes
- Shays's Rebellion

# The Movement Towards Reform

- Built on gradual, piecemeal efforts at greater cooperation
- National network of nationalists agitating for reform
- 1787 Convention in Philadelphia: New Hampshire came late, Rhode Island not at all
- Extra-legal (“unconstitutional”)

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# Centralizing Power

- Foreign relations, military → president (Congress)
- Taxation (not direct)
- Regulation of “interstate commerce” (contested)
- Federal courts (judicial review?)

# Checking Power

- “Extended republic” (*Federalist* No. 10)
  - Factions inevitable, esp. **economic** interests
  - Pluralism
- “Ambition. . . to counter ambition” (*Federalist* No. 51)
  - Separate branches with independent bases and powers
  - Science of politics (like Newtonian physics)
- Bill of Rights
  - Federalists included reluctantly, to reassure skeptics
  - Order parallels Constitution
  - List of rights—unnecessary or even dangerous?
  - Originally only **national**

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# Democratic Principles

- Popular rejection of monarchism, embrace of democratic principles (if not practice)
- Some delegates more enthusiastic than others
- Guarantee of “republican” state governments, but no mention of suffrage

- Federalism a **fact** more than a philosophy.
- Voting by state, but only 9 needed
- Big states: representation by size
- Small states: equal representation
- “Connecticut Compromise”:
  - Senate equally apportioned
  - House popularly apportioned
  - Electoral college a hybrid
  - State sovereignty preserved

# Slavery

- North ambivalent about slavery, but South adamant
- Main debate over how to count slaves, not about slavery itself
- “Three-Fifths Compromise”
- Fugitive slaves
- Slave trade
- But no mention of “slaves” or “slavery”

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# Winners and Losers

- Solved certain problems but advantaged some over others
  - Scope of conflict
- Anti-federalists: fearful of distant, tyrannical government
- Constrained future politics, but also evolved over time

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