Enduring Understandings for this Unit

LOR-1: A balance between governmental power and individual rights has been a hallmark of American political development.

CON-1: The Constitution emerged from the debate about the weaknesses in the Articles of Confederation as a blueprint for a limited government.

PMI-1: The Constitution created a competitive policy-making process to ensure the people’s will is represented and that freedom is preserved.

CON-2: Federalism reflects the dynamic distribution of power between national and state governments.

Tues 8/28
- Introduction to the course
- Create name card with:
  - Name
  - 2 or 3 issues in politics about which you are passionate
- Name tag presentations
- Evaluate political cartoons in small groups
  1. What is the message?
  2. Where is the humor?
  3. Bias involved?
  4. How would the opposite side respond?

HW: Find a political cartoon to clip and present. Make it about an issue in which you are interested. Be prepared to explain the 4.

Thurs 8/30
- Presenting political cartoons
- Political Ideology Activity: Voting with Your Feet (45 min)
- Political Ideology Inventory: Conservative or Liberal? (Circle which position most reflects your position)

HW: Prepare notebook/supplies/parent signature

Tues 9/4
- Notebook and Supply Check
- Presentation of political cartoons
- Take Citizenship quiz for naturalization.
- Create Key Terms cards for unit
- How Do I Outline? lesson
- Read and outline chapter 1.14-21

HW: Finish reading and outline

Thurs 9/6
Learning objective: LOR-1.A: Explain how democratic ideals are reflected in the Declaration of Independence and the U.S. Constitution.
- Final presentation of political cartoons
- Reading Quiz 1.5-14
- Lecture/Discussion topic: Begin Origins of the American Republic
- Read “Declaration of Independence”
- “Declaring in Tweets and Emojis” activity

HW: AG 2.30-32, 38-46 and outline

Mon 9/10
Learning objective: CON-1.B: 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.
- Reading Quiz 2.30-46
- Articles of Confederation. Weaknesses?
- Shay’s Rebellion
- The compromises

HW: AG 2.46-53; outline

Wed 9/12
Learning objective: CON-1.C: Explain the ongoing impact of political negotiation and compromise at the Constitutional Convention on the development of the constitutional system.
- Watch “Creating a Constitution” (22 mins)
- Reading Quiz 2.46-53
- Marking text lesson
- “Federalist #10” reading and marking

HW: AG, 2.53-61 and outline

Wed 9/12 Open House 1730-1930
Fri 9/14
- Read Article I of Annotated Constitution (AG 64-71).
- Complete worksheet on Article I (as much as you can for today)
- Scan the rest of the articles in the Constitution
- To celebrate Constitution Day and Citizenship Day (September 17th), chose one important clause of the Constitution to highlight and present graphically
- Work time and presentation

Tues 9/18
Learning objective: CON-1.A: Explain how Federalist and Anti-Federalist views on central government and democracy are reflected in U.S. foundational documents.
- Reading Quiz 2.53-61
- Read "Brutus 1" marking
- What are the claims, perspectives, and evidence in Federalist #10 and Brutus 1?
- Mini-debate in pairs about major points

Thurs 9/20
Learning objective: PMI-1.A: Explain the constitutional principles of separation of powers and checks and balances.
- Read and mark "Federalist #51" and questions
- Watch: Checks & Balances (8 mins)
- Read: AG 3.103
- Watch: Marbury v. Madison case (8 mins)
- How does Marbury show the principle of checks and balances?

Mon 9/24
Learning objective: PMI-1.B: Explain the implications of separation of powers and checks and balances for the U.S. political system.
- Discuss: Difference between separation of powers and checks and balances. Examples?
- Reading the first 10 of the 27 amendments and activity (AG 79-93)
- Create a bumper sticker slogan for each of the amendments in the Bill of Rights
- Turn your best one into an actual bumper sticker with graphics and colors

HW: AG 5.155-156 and outline; Watch Bill of Rights video (15 min)

Wed 9/26
Learning objectives: CON-2.A: Explain how societal needs affect the constitutional allocation of power between the national and state governments.
- Reading Quiz 3.94-110
- Watch: Federalism (10 min)
- Lecture/Discussion topic: How the federal and state governments share power
- Court cases on balance of power
  - McCulloch v. Maryland
  - US v. Lopez (Watch 5 min of original newscast here)
- What do these cases say about federalism?

HW: AG 3.111-120 and outline (or Handout for chapter 3: 16-28, marking, no outline);

Fri 9/28
Learning objectives: CON-2.B: Explain how the appropriate balance of power between national and state governments has been interpreted differently over time.
- Reading Quiz 3.94-110
- Amendments on balance of power
  - Tenth Amendment (1 min)
  - Fourteenth Amendment (8 mins)
- What do these cases say about federalism?
- Discuss and work on Socratic Seminar essential question

HW: Prepare types notes for Socratic Seminar (see student examples)

Tues 10/2
Learning objective: CON-2.C: Explain how the distribution of powers among three federal branches and between national and state governments impacts policy making.
- Socratic Seminar
- Essential Question #1: "What does marijuana’s legalization in states reveal about federalism?"

Thurs 10/4
- Play-Dough Day for key terms
- Practice FRQ Writing
- Review unit concepts

HW: Study for key terms test

Wed 10/10
- Foundations unit key terms quiz
- Draw paper with Lesson Objectives for review
- Writing possible quiz question using your Learning Objective on index cards
- "Quiz, Quiz, Switch" activity (quiz each other, switch cards, find new partners)

HW: Study for unit test

Fri 10/12
- Unit Exam: 20 multiple choice, 1 FRQ
Standards for This Unit, or, Why We are Learning This!

Reading

CCR.ELA-Literacy.RH.11-12.1 Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.

CCR.ELA-Literacy.RH.11-12.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

CCR.ELA-Literacy.RH.11-12.4 Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).

CCR.ELA-Literacy.RH.11-12.5 Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.

Writing

CCR.ELA-Literacy.WHST.11-12.1 Write arguments focused on discipline-specific content.

CCR.ELA-Literacy.WHST.11-12.1a Introduce precise, knowledgeable claim(s), establish the significance of the claim(s), distinguish the claim(s) from alternate or opposing claims, and create an organization that logically sequences the claim(s), counterclaims, reasons, and evidence.

CCR.ELA-Literacy.WHST.11-12.1b Develop claim(s) and counterclaims fairly and thoroughly, supplying the most relevant data and evidence for each while pointing out the strengths and limitations of both claim(s) and counterclaims in a discipline-appropriate form that anticipates the audience’s knowledge level, concerns, values, and possible biases.
LOR-1.A.1: The U.S. government is based on ideas of limited government, including natural rights, popular sovereignty, republicanism, and social contract.

LOR-1.A.2: 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 in the U.S.

LOR-1.B.1: 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

LOR-1.B.2: 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.

LOR-1.B.3: The three models of representative democracy continue to be reflected in contemporary institutions and political behavior.

CON-1.A.1: 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.

CON-1.A.2: 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.

CON-1.B.1: 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’s Lack of tax-law enforcement power

CON-1.C.1: 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

CON-1.C.2: 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.

CON-1.C.3: The compromises necessary to secure ratification of the Constitution left some matters unresolved that continue to generate discussion and debate today.

CON-1.C.4: 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

PMI-1.A.1: 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.

PMI-1.A.2: Federalist No. 51 explains how constitutional provisions of separation of powers and checks and balances control abuses by majorities.

PMI-1.B.1: Multiple access points for stakeholders and institutions to influence public policy flows from the separation of powers and checks and balances.

PMI-1.B.2: Impeachment, removal, and other legal actions taken against public officials deemed to have abused their power reflect the purpose of checks and balances.

CON-2.A.1: The exclusive and concurrent powers of the national and state governments help explain the negotiations over the balance of power between the two levels.

CON-2.A.2: The distribution of power between federal and state governments to meet the needs of society changes, as reflected by grants, incentives, and aid programs, including federal revenue sharing, mandates, categorical grants, and block grants.

CON-2.B.1: 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.

CON-2.B.2: The balance of power between the national and state governments has changed over time based on U.S. Supreme Court interpretation of such cases:
- 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 laws
- 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

CON-2.C.1: Multiple access points for stakeholders and institutions to influence public policy flows from the allocation of powers between national and state governments.

CON-2.C.2: National policymaking is constrained by the sharing of power between and among the three branches and state governments.
KEY TERMS:
Unit #1: Foundations of American Democracy

1. 10th Amendment
2. 14th Amendment
3. 3/5th Compromise
4. Aid
5. Amendment process
6. Anti-Federalist
7. Articles of Confederation
8. Block Grants
9. Brutus 1
10. Categorical Grants
11. Centralized government
12. Checks and balances
13. Commerce Clause
14. Compromise on the importation of slavery
15. Concurrent powers
16. Decentralized government
17. Declaration of Independence
18. Elite democracy
19. Enumerated Powers
20. Exclusive Powers
21. Factions
22. Federalist 10
23. Federalist 51
24. Grants
25. Great Compromise
26. Impeachment
27. Implied Powers
<table>
<thead>
<tr>
<th>28. Incentives</th>
<th>29. Limited government</th>
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<td>30. Mandates</td>
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<td>31. McCulloch v. Maryland</td>
<td>32. Natural rights</td>
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<td>33. Necessary and Proper Clause</td>
<td>34. Participatory democracy</td>
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<td>35. Pluralist democracy</td>
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<td>36. Popular sovereignty</td>
<td>37. Ratification</td>
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<td>38. Republicanism</td>
<td>39. Revenue sharing</td>
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<td>40. Separation of powers</td>
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<td>41. Social contract</td>
<td>42. State Sovereignty</td>
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<td>43. U.S. Constitution</td>
<td>44. United States v. Lopez</td>
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**Other Terms from this unit**

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To the People of the State of New York:

AMONG the numerous advantages promised by a well constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of popular governments never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice. He will not fail, therefore, to set a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The instability, injustice, and confusion introduced into the public councils, have, in truth, been the mortal diseases under which popular governments have everywhere perished; as they continue to be the favorite and fruitful topics from which the adversaries to liberty derive their most specious declamations. The valuable improvements made by the American constitutions on the popular models, both ancient and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality, to contend that they have as effectually obviated the danger on this side, as was wished and expected. Complaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty, that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority. However anxiously we may wish that these complaints had no foundation, the evidence, of known facts will not permit us to deny that they are in some degree true. It will be found, indeed, on a candid review of our situation, that some of the distresses under which we labor have been erroneously charged on the operation of our governments; but it will be found, at the same time, that other causes will not alone account for many of our heaviest misfortunes; and, particularly, for that prevailing and increasing distrust of public engagements, and alarm for private rights, which are echoed from one end of the continent to the other. These must be chiefly, if not wholly, effects of the unsteadiness and injustice with which a factious spirit has tainted our public administrations.

By a faction, I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverised to the rights of other citizens, or to the permanent and aggregate interests of the community.

There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said than of the first remedy, that it was worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.
The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.

The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts. But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government.

No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men are unfit to be both judges and parties at the same time; yet what are many of the most important acts of legislation, but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens? And what are the different classes of legislators but advocates and parties to the causes which they determine? Is a law proposed concerning private debts? It is a question to which the creditors are parties on one side and the debtors on the other. Justice ought to hold the balance between them. Yet the parties are, and must be, themselves the judges; and the most numerous party, or, in other words, the most powerful faction must be expected to prevail. Shall domestic manufactures be encouraged, and in what degree, by restrictions on foreign manufactures? are questions which would be differently decided by the landed and the manufacturing classes, and probably by neither with a sole regard to justice and the public good. The apportionment of taxes on the various descriptions of property is an act which seems to require the most exact impartiality; yet there is, perhaps, no legislative act in which greater opportunity and temptation are given to a predominant party to trample on the rules of justice. Every shilling with which they overburden the inferior number, is a shilling saved to their own pockets.

It is in vain to say that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases, can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another or the good of the whole.

The inference to which we are brought is, that the causes of faction cannot be removed, and that relief is only to be sought in the means of controlling its effects.
If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute and mask its violence under the forms of the Constitution. When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. Let me add that it is the great desideratum by which this form of government can be rescued from the opprobrium under which it has so long labored, and be recommended to the esteem and adoption of mankind.

By what means is this object attainable? Evidently by one of two only. Either the existence of the same passion or interest in a majority at the same time must be prevented, or the majority, having such coexistent passion or interest, must be rendered, by their number and local situation, unable to concert and carry into effect schemes of oppression. If the impulse and the opportunity be suffered to coincide, we well know that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their efficacy in proportion to the number combined together, that is, in proportion as their efficacy becomes needful.

From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert result from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths. Theoretic politicians, who have patronized this species of government, have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would, at the same time, be perfectly equalized and assimilated in their possessions, their opinions, and their passions.

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the Union.

The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose. On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests, of the people. The question resulting is, whether small or extensive republics are more favorable to the election of proper guardians of the public weal; and it is clearly decided in favor of the latter by two obvious considerations:

In the first place, it is to be remarked that, however small the republic may be, the representatives must be raised to a certain number, in order to guard against the cabals of a few; and that, however large it may be, they
must be limited to a certain number, in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the two constituents, and being proportionally greater in the small republic, it follows that, if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practice with success the vicious arts by which elections are too often carried; and the suffrages of the people being more free, will be more likely to centre in men who possess the most attractive merit and the most diffusive and established characters.

It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representatives too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render them unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures.

The other point of difference is, the greater number of citizens and extent of territory which may be brought within the compass of republican than of democratic government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other. Besides other impediments, it may be remarked that, where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust in proportion to the number whose concurrence is necessary.

Hence, it clearly appears, that the same advantage which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic, -- is enjoyed by the Union over the States composing it. Does the advantage consist in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and schemes of injustice? It will not be denied that the representation of the Union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties comprised within the Union, increase this security. Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the Union gives it the most palpable advantage.

The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States. A religious sect may degenerate into a political faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils against any danger from that source. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the Union than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district, than an entire State.

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In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans, ought to be our zeal in cherishing the spirit and supporting the character of Federalists.

PUBLIUS

Brutus 1

18 October 1787
To the Citizens of the State of New York,

When we are called upon to decide matters which will affect future generations, we have to be very interested in the results of those decisions.

We may never have seen so critical a period in our political future. We have felt how weakly the United States are held together and the lack of ability of our present confederation to deal with our concerns. Since the government under the Articles of Confederation has not been strong enough to solve these problems, a Convention of states has been assembled to write a new Constitution. If the constitution is wise and you accept it, we will have a foundation for our future that we can build upon. If this new form of government leads to the end of liberty or establishes tyranny, future generations will despise your memory. We must be careful giving up power to a strong central government, because once it is given up, it will be unlikely that we will ever get it back.

The first question is whether a confederated government is best for the United States. Should the thirteen United States be reduced to one great republic, governed by one legislature and under one executive and judicial branch? Or should the thirteen states continue to be separate republics? This question is important because the new constitution places so much power in a central government that the states may no longer be able to function as republics under the control of their own people. For example, in the last clause of Article 1, Section 8, it is declared “that the Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution.” And in Article 6, it is declared “that this constitution, and the laws of the United States... shall be the supreme law of the land.” It appears from these articles that there is no need of state governments to execute any power, and that the laws of every state are declared void if they are inconsistent with this constitution. The government, then, has all powers to make and execute all laws, to appoint officers, institute courts, declare crimes, and charge penalties however it wants.

There is some small power still left to the states, but all the important powers are with the central government. It has the authority to “provide for the common defense” and “promote the general welfare” There is no limit to the national legislature, since the legislature itself decides what that means. It even has the power to tax and create money, which is the most important power a government can have.

We should also note that the power to raise and support armies in peacetime as well as war can lead to a destruction of liberty. But even this is not as significant as having one Supreme Court, and federal courts in each of the states but independent from those states. They will swallow up all the powers of the state courts.
In total, the Congress is given all of these powers that can be used to destroy the state governments. If they may do it, it is pretty certain they will, for the small power of the state governments will clog the function of the government of the United States. Those who have power try to increase it. It is the evidence of history and human nature that tells us this is so.

In such a large country, with so many people, it will be difficult for the representatives to really know what the people want. In a pure democracy, the people are sovereign, so republics should be small so they can react to the desires of their people. If the representatives do not know or do not care about the desires of the people, the sovereignty will be in the hands of only a few.

Furthermore, there will be a constant clashing of opinions from all the different parts of the country, and this will slow the operations of government and prevent the promotion of the public good. Because of all these problems, the people will have little confidence in their government and in the laws that it creates.

In a country so big, the representatives in the government will soon become above the control of the people and abuse their power. They will have command of the army and navy and all the powers of the government to use for selfish and corrupt purposes. It will impossible to stop them or to call them out for their misconduct.

These are some of the reasons by which it appears that a free republic of this size cannot long exist. This constitution should not be adopted.

Brutus.

(There is still some question about who “Brutus” really was)
**Understanding the Amendments**

For each, jot down the year ratified, main bullet points, and then create a catchy slogan for a bumper sticker if you were trying to get support for the passing. (e.g. “If we can die, we can vote” [26]; “All races get to the ballot” [15]; “Church and state-Separate” [1])

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The Constitution Reading (AG 64-71)
For each of the ten sections of **Article I**, jot down something that you find new, interesting, or odd. If possible, include how you see it applied today.

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