

AP Gov Unit 1 Study Guide

DEVELOPMENT OF THE CONSTITUTION

Essential Question: How have theory, debate, and compromises influenced the US' system of government that balances governmental power and individual rights?

Foundational Documents

-Declaration of Independence: Provides foundation for popular sovereignty; establishes natural rights and social contract; establishes limited government and republicanism

-Articles of Confederation: First constitution; gave all the power to the states and established a very weak central government

-US Constitution (main concepts):

- Article 1 Sections 1-3: Congress=bicameral legislature; people in the House appointed according to state population, people in the Senate represented by 2 senators per state; House chosen by people in their states, Senate chosen by state legislatures
- Article 1 Section 8: powers of congress (Ex to lay & collect taxes, borrow money, regulate commerce, coin money, declare war, raise armies and navy, make laws that are "necessary and proper")
- Article 1 Section 9: Lists the restrictions and rules that must be followed regarding certain powers of congress (ex no preference given, no money taken from treasury)
- Article 1 Section 10: limitations on state governments (Ex can't make a treaty, coin money, lay imposts on im/exports)
- Article 2: Executive power vested in the President, who will also be Commander in Chief of the army and navy

- Article 3: Judicial power vested in Supreme Court
- Article 6: Supremacy Clause

-Federalist 10 (Madison):

- Factions are problematic to the government b/c they create division and can disrupt the government when they are in opposition
- Factions can not be destroyed because that would destroy liberty
- The best way to control factions is to control their effects, and this can be done through a republican government
- As the nation grows, the number of parties and interests does as well—> power of factions will be diluted—> factions forced to compromise their interests in order to pass legislation that considers the common good of society

-Brutus 1 (Antifederalist):

- Asks which is better: a confederacy of state governments or a strong central government?
Answer=confederacy
- Concerned that b/c a central authority can pass any law imaginable (necessary and proper clause) and crush any state laws through their own (supremacy clause), state governments would become inferior
- Ex: if the fed govt collects taxes, how will the states collect taxes without the people getting upset?
- Quotes Montesquieu saying that a republican government can not operate over a large territory and accurately represent the people

-Federalist 51 (Madison):

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