Lesson 4: Introducing the Constitution

Content Expectations: C2.1.1; C2.1.3 (also meets C2.2.1); C3.2.1 (also meets C3.2.4); C.3.2.3

Key Concepts: authority, Bill of Rights, constitutional principles, enumerated powers, federalism, liberty, limited / unlimited government, natural rights, purposes of government, social contract, sovereignty

Abstract: This lesson introduces students to constitutional principles as they begin their examination of the government established by the Constitution.
Guide to the Declaration of Independence
Part 2: King George III’s Offenses

1. "He has refused his Assent to Laws necessary for the public good."
   
   The King had rejected laws passed by colonial assemblies.

2. "He has forbidden his Governors to pass Laws of pressing importance."
   
   Royal governors had rejected any colonial laws that did not have a clause suspending their operation until the King approved them.

3. "He has refused to pass Laws unless people would relinquish the right of Representation."
   
   The Crown had failed to redraw the boundaries of legislative districts to ensure that newly settled areas were fairly represented in colonial assemblies.

4. "He has called together legislative bodies at places distant from the depository of their public records."
   
   Royal governors sometimes had forced colonial legislatures to meet in inconvenient places.

5. "He has dissolved Representative Houses repeatedly."
   
   Royal governors had dissolved colonial legislatures for disobeying their orders or protesting royal policies.

6. "He has refused for a long time, after such dissolutions, to cause others to be elected."
   
   Royal governors had delayed in calling for elections of new colonial assemblies.

7. "He has endeavoured to prevent the population of these States."
   
   The King had impeded the development of the colonies by prohibiting the naturalization of foreigners (in 1773) and raising the purchase price of western lands (in 1774).

8. "He has obstructed the Administration of justice."
   
   The King had rejected a North Carolina law setting up a court system.

9. "He has made judges dependent on his Will alone."
   
   The Crown had insisted that judges serve at the King’s pleasure and that they should be paid by him.

10. "He has erected a multitude of New Offices to harass our people"
   
   The royal government had appointed tax commissioners and other officials.
11. "He has kept among us, in times of peace, Standing Armies."

_The Crown had kept an army in the colonies after the Seven Years' War without the consent of the colonial legislatures._

12. "He has affected to render the Military independent of Civil power."

_The British government had named General Thomas Gage, commander of British forces in America, Massachusetts._

13. "He has subject[ed] us to a jurisdiction foreign to our constitution."

_The royal government had claimed the power (in the Declaratory Act of 1766) to make all laws for the colonies._

14. "For quartering armed troops among us."

_The Crown had required the colonies to house British troops stationed in America._

15. "For protecting them from punishment for Murders."

_Parliament had passed a 1774 law permitting British soldiers and officials accused of murder while in Massachusetts to be tried in Britain._

16. "For cutting off our Trade."

_Parliament had enacted laws restricting the colonies' right to with foreign nations._

17. "For imposing Taxes on us without our Consent."

_Parliament had imposed taxes (such as the Sugar Act of 1764) without the colonists' consent._

18. "For depriving us of the benefits of Trial by Jury."

_The royal government had deprived colonists of a right to a jury trial in cases dealing with smuggling and other violations of trade laws._

19. "For transporting us beyond Seas to be tried."

_A 1769 Parliamentary resolution declared that colonists accused of treason could be tried in Britain._

20. "For abolishing the free System of English Laws in a neighbouring Province."

_The 1774 Quebec Act extended Quebec's boundaries to the Ohio River and applied French law to the region._
21. "For taking away our Charters."

Parliament (in 1774) had restricted town meetings in Massachusetts, had decided that the colony’s councilors would no longer be elected but would be appointed by the king, and had given the royal governor control of lower court judges.

22. "For suspending our Legislatures."

Parliament (in 1767) had suspended the New York Assembly for failing to obey the Quartering Act of 1765.

23. "waging War against us"

The Crown had authorized General Thomas Gage to use force to make the colonists obey the laws of Parliament.

24. "He has plundered our seas...burnt our towns."

The British government had seized American ships that violated restrictions on foreign trade and had bombarded Falmouth (now Portland), Me.; Bristol, R.I.; and Norfolk, Va.

25. "He is...transporting large Armies of foreign Mercenaries".

The British army hired German mercenaries to fight the colonists.

26. "He has constrained our fellow Citizens to bear Arms against their Country."

The Crown had forced American sailors (under the Restraining Act of 1775) to serve in the British navy.

27. "He has excited domestic insurrections amongst us."

Virginia’s royal governor (in November 1775) had promised freedom to slaves who joined British forces. The royal government also instigated Indian attacks on frontier settlements.

In the eyes of the American patriots, what rights or liberties had the British Parliament violated?

Parliament seemed intent on slowing the colonies' growth and protecting British economic interests at the colonists' expense. Royal officials had restricted westward expansion, levied taxes without the colonists' consent, and stationed a standing army in the colonies in peacetime. In addition, the Crown had expanded the imperial bureaucracy, made the West a preserve for French Catholics and Indians, and infringed on traditional English liberties, including the right to trial by jury, freedom from arbitrary arrest and trial, freedom of speech and conscience, and the right to freely trade and travel. Parliament had also restricted meetings of legislative assemblies, vetoed laws passed by assemblies, billeted soldiers in private homes, and made royal officials independent of colonial legislatures.

Colonial Grievances

Taxation without representation

Suspending colonial laws

Dissolving colonial legislatures

Imposing trade restrictions with other countries

Quartering of soldiers

Altering colonial charters

Restricted right to trial by jury of peers

No voice in government
The Preamble: The Constitution of the United States of America

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.
On the Minds of the Founders

**Excessive Central Power** - Based on their experience with Britain, Founders wanted to limit central government power.

**Excessive Democracy** - James Madison wrote, “One of the worst forms of government is a pure democracy, that is, one in which the citizens enact and administer the laws directly.” Popular majorities in some states, under the Articles of Confederation, had enacted measures threatening property rights.

**Concern for Chaos/Instability** - For over 20 years, the American people had dealt with political chaos from the conflicts over taxation, the War, and the instability of the Articles of Confederation. They wanted a stable government.

**Political Philosophy** – Ideas of Locke, Hobbes, Montesquieu and others had tremendous influence. The Founders also were great students of the Roman Republic.

**Experiences with Self-Government** – During the period of salutary neglect, the colonies were left alone to rule themselves in practice. They used ideas from earlier documents such as the Massachusetts Constitution and the Virginia Statute for Religious Freedom in the creation of the Constitution.
## Exploring the Constitution

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