

The Ideas Behind the Constitution

The men who met in Philadelphia during the summer of 1787 were very similar. Delegates to the Constitutional Convention were all white men, most were wealthy, most had enjoyed long political careers, and most owned slaves. They shared a common education in classical Greek and Roman philosophies and a history of fighting for American independence. Thus, despite long arguments over details, they quickly reached agreement on the main ideas of the Constitution.

They believed the rights of individual American citizens came from God, and the government should have only the powers citizens delegated to it. This concept is sovereignty; and it explains why conventions of citizens in each state, not the state governments, had to ratify the Constitution before it went into effect. As a result, Article I, Section 8 gave Congress the power to pass laws and to raise taxes, but restricted those powers to a specific list of topics rather than handing the legislature a “general grant of powers” to write laws about any subject. As James Madison argued, “In framing a government . . . you must first enable the government to control the governed; and in the next place oblige it to control itself.” Soon after ratification, the Bill of Rights included a detailed list of powers the government did not possess.

The framers of the Constitution also agreed on the concepts of separation of powers and checks and balances. In England one person simultaneously might serve as part of the prime minister’s cabinet, as a member of Parliament, and as a judge. Most Americans believed such arrangements created conflicts of interest and the potential for corruption. Therefore, the Constitution provided that no one could serve at the same time in multiple branches of government and provided each branch with power to regulate the others. Congress passed the laws, but the president approved and executed them, while the Supreme Court eventually received the power to determine whether those laws violated the Constitution. Alexander Hamilton said, “The founders established a government of checks and balances so nobody could take advantage.”

Finally, the Constitution’s framers agreed the government should be a representative republic, and citizens should elect the people who would write and enforce the laws. They wanted regular elections, so the American people could hold their legislators and presidents accountable for their actions.

Name: _____

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Discussion Questions:

1. What did most of the framers of the Constitution have in common?
2. According to the men who wrote the Constitution, where do citizens' rights originate?
3. What was added to the Constitution to list the powers the government did not possess?
4. Why did the Constitution's framers believe the branches of government must be separated?
5. How do Americans hold their elected representatives accountable?