Compass Life Adult Sunday School

Pastor Pete

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**“The Early Decisions”**

**I. The Road to Philadelphia**

After the Revolutionary War, James Madison, Alexander Hamilton, and George Washington feared their young country was on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. America’s first constitution, the Articles of Confederation, gave the Confederation Congress the power to make rules and request funds from the states, but it had no enforcement powers, couldn’t regulate commerce, or print money. The states’ disputes over territory, war pensions, taxation, and trade threatened to tear the young country apart. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ helped convince Congress to organize a Grand Convention of state delegates to work on revising the Articles of Confederation. The Constitutional Convention assembled in \_\_\_\_\_\_\_\_\_\_\_\_\_\_ in May of 1787. The delegates shuttered the windows of the State House and swore secrecy so they could speak freely. Although they had gathered to revise the Articles of Confederation, by mid-June they had decided to completely \_\_\_\_\_\_\_\_\_\_ the government. One of the fiercest arguments was over congressional representation. The framers compromised by giving each state one representative for every \_\_\_\_\_\_\_\_\_\_\_ people in the House of Representatives and two representatives in the Senate. They agreed to count enslaved Africans as \_\_\_\_\_\_\_\_\_ of a person. Slavery itself was a difficult issue that threatened to derail the Union. It was temporarily resolved when the delegates agreed that the slave trade could continue until \_\_\_\_\_\_\_. After three hot summer months of equally heated debate, the delegates appointed a Committee of Detail to put its decisions in writing. Near the end of the convention, a Committee of Style and Arrangement kneaded it into its final form, condensing 23 articles into 7 in less than four days. On September 17, 1787, 38 delegates signed the Constitution. George Reed signed for John Dickinson of Delaware, who was absent, bringing the total number of signatures to 39. Wary about centralized power and loyal to their states, they created a powerful central government. Representing wildly different interests and views, they crafted compromises. It stands today as one of the longest-lived and most emulated constitutions in the world. The founders set the terms for ratifying the Constitution. They bypassed the state legislatures, reasoning that their members would be reluctant to give up power to a national government. Instead, they called for special ratifying conventions in each state. Ratification by 9 of the 13 states enacted the new government. But at the time, only 6 of 13 states reported a pro-Constitution majority. The Federalists, who believed that a strong central government was necessary to face the nation’s challenges, needed to convert at least three states. The Anti-Federalists fought hard against the Constitution because it created a powerful central government that reminded them of the one they had \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and it lacked a \_\_\_\_\_\_\_\_\_\_\_\_\_\_. The tide turned in Massachusetts, where the “vote now, amend later” compromise helped secure victory in that state and eventually in the final holdouts.

**II. Legislative, Executive and Judicial**

The framers of the Constitution separated the powers of government into 3 branches, granting legislative power (the power to \_\_\_\_\_\_\_ laws) to Congress, executive power (the power to \_\_\_\_\_\_\_\_\_\_\_ the laws) to the president, and judicial power (the power to \_\_\_\_\_\_\_\_\_\_\_\_\_ and enforce the laws) to the courts. The framers believed that this separation of powers would ensure that no one person or group of persons would be able to create, administer and enforce the laws, and that each branch would be a check on the power of the other two branches. Congress cannot give its lawmaking powers to the executive or judicial branch. The courts are charged with ensuring that the three branches act independently and do not overreach their delegated powers. The federal government’s power is limited to what is written in the \_\_\_\_\_\_\_\_\_\_\_. These are known as “enumerated powers.” If the Constitution does not specifically give a power to the federal government, the power is left to the states. Article I, Section 1 also requires that Congress be bicameral, that is, it should be divided into two houses, the Senate and the House of Representatives. The creation of two legislative bodies reflected a compromise between the power of the states and the power of the people. The number of seats in the House of Representatives is based on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The larger and more urban states have more representatives than the more rural, less-populated states. But the Senate gives power to the states equally, with two senators from each state. To become law, any proposed legislation must be passed by both the House and the Senate and be approved by the president. Article 2 of the US Constitution establishes the Executive branch of the US government and the election, powers and responsibilities of the President. The presidential powers include the right to pardon people and delay executions. The presidential duties include recommending taxes and laws. This article also details the process of impeachment in which any Public Officials can be impeached for treason, bribery or other serious crimes. Accusations of impeachment are made from the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and impeachment trials are conducted in the \_\_\_\_\_\_\_\_\_\_\_. Article 3 of the US Constitution establishes the last of the three branches of government, the Judiciary which deals with the courts and judges and establishes the Supreme Court as the highest court in the US. It defines the terms of and payments of judges, in both the Supreme Court and lower courts. It also covers appeals and guarantees trial by jury in criminal court.

**III. The John Marshall Court**

John Marshall was one of the most influential justices to have served on the Supreme Court of the United States. Growing up in Virginia as the oldest of 15 children, Marshall’s parents were both politically connected, and his interaction with prominent government figures began at a very young age. In addition to working in the Virginia House of Burgesses, Marshall’s father assisted a young \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ survey land for purchase. He served as a lieutenant in Virginia’s Minute Men, eventually rising to the rank of captain during the war. After completing his law degree at the College of William and Mary, Marshall was admitted to the Virginia bar and moved to Richmond to practice. After the Constitution was ratified in 1788, Marshall further expanded his practice by defending Virginia debtors against \_\_\_\_\_\_\_ businesses. Marshall’s practice was so successful that he was chosen as lead counsel for Supreme Court of the United States case Ware v. Hylton, in which Marshall defended the poor American farmers that British creditors sued for pre-war debts. Marshall’s political career was focused in Richmond until President Adams appointed him to a diplomatic mission to \_\_\_\_\_\_\_ in 1797. Negotiations in France did not go well, and when the diplomatic party was unable to reach an agreement with the French, the diplomats returned to America. Marshall’s refusal to give in to French demands earned him a well-respected reputation. In 1800 President Adams appointed him \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a position he would continue to hold at the beginning of his tenure as Chief Justice of the United States Supreme Court in 1801. John Marshall’s tenure on the Court can be divided into four phases. The first phase began in 1801 and included Marbury v. Madison, a case that established the Court’s power to review the constitutionality of congressional acts. Marbury placed the judiciary in a position of primary authority on constitutional law and established judicial review as a fundamental principle and powerful responsibility of the Court. Marshall wrote the opinion for this case, giving him the power to frame this issue and influence its future implementation. The second phase began in 1813. The Court in this phase adjusted to include Jeffersonian inclined appointees. Few decisions of long-term impact occurred during this phase. The third phase began in 1819, known as Marshall’s “golden period.” wherein he defined the boundaries of the necessary and proper clause of the Constitution, advocated for a strong federal government by alleviating burdens of federal taxation, and worked to realize a healthy and diverse economy by concluding that \_\_\_\_\_\_\_\_\_\_ were unconstitutional. By 1822, Marshall’s power began to decline, marking the beginning of the final phase. There were enough Jeffersonian thinkers who favored states' rights on the Court that their consensus left Marshall and his values on a strong federal government in the minority. Marshall died in 1835.

**IV. Marbury v Madison**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ defeated John Adams in the 1800 presidential election. Before Jefferson took office on March 4, 1801, Adams and Congress passed the Judiciary Act of 1801, which created new courts, added judges, and gave the president more \_\_\_\_\_\_\_ over appointment of judges. The Act was essentially an attempt by Adams and his party to frustrate his successor, as he used the act to appoint 16 new circuit judges and 42 new justices of the peace. The appointees were approved by the Senate, but they would not be valid until their commissions were delivered by the Secretary of State. William Marbury had been appointed Justice of the Peace in the District of Columbia, but his commission was \_\_\_\_\_\_\_\_\_\_\_\_\_\_. Marbury petitioned the Supreme Court to compel the new Secretary of State, James Madison, to deliver the documents. Marbury, petitioned for a writ of mandamus compelling the delivery of the commissions.

**2/9 “Slavery Endorsed by the Court ”**