CONSTITUTIONALISM

From the Mayflower to the *Federal American Constitution*

Prof.Adabella Gratani

England => 17Th & Pilgrims father

The origin

American Constitutionalism: Foundations

Beginning with the second half of the 17th century, due to the religious persecutions in England and in search of economic fortune, several Englishmen emigrated toward the east coast of North America, where England had settled its colonial dominions. The people who emigrated mainly belonged to the Puritan Church, which had been heavily persecuted after the affirmation of Anglicanism in England. They were willing to settle in the colonies a society in which evangelical values of justice and ethics would have been acknowledged.

The famous **Compact of the Mayflower** (1620) – signed by the Pilgrim Fathers in their vessel, before landing in America – reflects the religious foundation of the American idea of democracy and community. Moreover, it shows the significance conferred by Puritans to the written constitution as a superior law. All of these ideas would have played a relevant role in American constitutionalism and culture, especially in New England

England => 17Th & Pilgrims

The order
The colonies
Assemblies
and written constitution

American Constitutionalism:
Foundations

Colonial legal orders

each colony had a proper legal order more or less linked to and bounded by the mother country

the colonists gathered in assemblies and decided to adopt a written constitution, anticipating the enactment of the colonial charter. This is what happened, for instance, with the Fundamental Orders of Connecticut (1639), a document considered by many scholars to be the first written constitution of the western world, adopted by a group of Puritans led by Thomas Hooker.

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The order
The colonies
Against the oppression of Mother Country

The American Revolution

In the second half of the 18th century, the Thirteen Colonies presented a wealthy and stable economic system, based upon commerce, plantations and slavery.

The expense of the defense of the colonies against American Indian tribes and French and Spanish colonial empires in America compelled England to raise taxes collections in the colonies and to stop the pioneers' expansion towards western Indian lands. These are the main reasons for the revolt of the settlers against the mother country.

Against the oppressive policies adopted by the English Parliament, the rebels claimed full respect of their rights and prerogatives as already recognized by their respective colonial charters. The famous motto of the American Revolution – **"no taxation without representation"** – points out in a very clear way the relation existing between economic claims and the demand of the American people for political participation.

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The order
The colonies
The fight for the Colonial Empire
Against the Governators

Despite this, the rebellion against the mother country raised a vivid and important debate, which going beyond the initial claims, called for an autonomous democratic government and the recognition of social equality.

The rebels were thus calling for an ideal image of the colonial Empire based on the equal relationship between the center and its provinces

During the years before independence a wide political debate, based on radical arguments and directed against the fiscal policy adopted by the mother country, developed in the colonies. The debate quickly extended into political and constitutional complaints, and included both critics of the corrupted English system of government and, in the American territory, into the quest for political autonomy of the elected assemblies and the resistance against the concentration of power in the hands of the governors.

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The **order**
The colonies
Written rules for government
People and istitutions

Difference

English Society & American Colonies

Colonial American society was not at all comparable to English society of the Modern Age, and it completely lacked a bourgeoisie able to link its own economic interests and its vision of society with the doctrine of constitutionalism.

The relevance of Puritan religious
The base of Contractarianism

However, it is important to note that American colonial society became the scenario of the affirmation of a peculiar kind of constitutionalism, in which religious Puritan grounds, radical liberalism and democracy merged. The existence of written charters regulating the frame of government, and self-governing institutions – together with the religious grounds of American communities, the belief in contractarianism as the basis of government and the connections with English republican thought of the 16th century

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The **order**
The colonies
Written rules for government
People and istitutions

Difference
Between
Contractarianism

The legitimate authority of government must derive from the consent of the governed from the idea of contract or mutual agreement.

The moral theory of contractarianism claims moral norms

From the Hobbesian line of social contract thought, holds that persons are **primarily self-interested**, than a rational assessment of the best strategy for attaining the maximization of their self-interest can lead down

Contractualism

Under **contractarianism**,
I seek to maximise my own interests **in a** bargain with others.

C**ontractualism, or social contract** involve certain ideal conditions, as lack of ignorance or uncertainty and brings the an ethical theory that individuals make the right choices under a hypothetical social contract.

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The **order**

The colonies

The debates on the government

People and istitutions

To have a :

- Democratic government,
- Social equality,
- tax by law,
- Law by rapresentative delegates,
- the fight against the corruption,
- Equal relationship between centre and periferies

The political and constitutional debate in the colonies

England & American Colonies

(Pilgrim fathers)

The **order**

The colonies

The indipendence by the England

Declaration of Independence

- On 4th July 1776 a Resolution was introduced in the second continental congress declaring the union with Great Britain to be dissolved, proposing the formation of foreign alliances and suggesting the drafting of a plan of confederation to be submitted to the respective states.
- The era of declaration of independence is sometimes called *The Continental Congress* period.

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England & American Colonies

(Pilgrim fathers)

The **order**
The colonies
The indipendence by the England

Declaration of Independence

The **Declaration of Independence (1776)**, drafted by Thomas Jefferson and adopted by the Congress of the Colonies, reflected this double nature of the American Revolution, simultaneously restoring old, and incorporating revolutionary new, claims. The representatives of the Thirteen Colonies based their claims on the equality of men, and the existence of the fundamental rights of men: life, freedom, the pursuit of happiness, the right to have a government based on the consent of the people, and the right of the people to change and rebel against an unjust government.

Thomas Paine and **Thomas Jefferson** were just two of the most important protagonists of **American republicanism**. Their claims, initially based on the need to restore the rights of the colonies against the mother country, soon expanded to include the recognition of the principle of equality of men and the quest for **popular sovereignty and self-government**, consistent with the right of any generation to adopt its own constitution.

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England & American Colonies

(Pilgrim fathers)

The **order**
The colonies
The indipendense by the England

Declaration of Independence

Then, the Declaration provided a comprehensive list of the complaints of the American people against the mother country, among which we find both economic and political claims, lamenting the lack of independence of the people of the colonies.

This document is considered one of the milestones of American constitutionalism: here we find, on the one side, elements of the modern theory of natural law, apprehended by the colonists through the works of Locke, as well as Puritan values and, on the other side, the basis of democratic theories.

A list what not to do or not to repeat

The Declarations of Rights: the influence of the English Bill of Rights

The **Declarations of Rights** were drafted according to the pattern of the Declaration of Independence and the English Bill of Rights; they enshrined, therefore, the rights to life, liberty and property, the *habeas corpus* rights, the right to a fair trial consistent with due process of law, freedom of religion and press.

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From Independence to the Philadelphia Convention: The Revolutionary Decade

The **order**
The New Indipendence

During the War of Independence and the first ten years after the Revolution, **three fundamental steps of development of the American constitutionalism** took place.

The **first step** regards the settlement of the constitutional orders of the thirteen independent states of the Union: each of them adopted a **new republican constitution**, based upon the pattern of Virginia's Constitution, which was the first to be enacted. These state constitutions were divided into two parts: the first contained the frame of government; the second was the Declaration of Rights.

1

The **frames of government** were designed to provide rules on the relations among the institutions and the branches of the government. In the state constitutions, the frames of government were widely inspired by the Instrument of Government of Oliver Cromwell, and were aimed at strengthening democracy – in some cases inspired by Rousseau's radical lesson. Indeed, as a reaction against the excessive power assigned to the governors during the years of the Colonial Empire, the constitutions were rooted in the affirmation of radical democratic principles, which resulted in a peculiar interpretation of the principle of separation of powers. In American state constitutions, parliaments were the very core of the political system, and executive branches were submitted in several aspects to legislatures. This quickly brought a lack of balance and stability among the institutions, and determined a general distrust for parliamentary sovereignty. The concerns about the concentration of powers in the legislative assemblies played a relevant role in Philadelphia at the moment of the drafting the Federal Constitution.

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Ordinance on statehood

The institutional order of the territories was provided by the Northwest Ordinance of 1787, which organized the government and the settlement of the territories northwest of the Ohio River, and provided the procedures through which the people of the western territories could achieve statehood and join the Union, on equal footing with the founding states.

The westward expansion of the Union

2

The **second step** regards the beginning of the settlement of legal order of the western frontier.

The victory of the War of Independence allowed the United States to extend its dominion to the Mississippi River, thus doubling the territory of the Union. This meant the extension of the American legal order over the land owned by the Indian tribes.

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The **order**
The New Indipendence

During the War of Independence and the first ten years after the Revolution, **three fundamental steps of development of the American constitutionalism** took place.

Which interests did they have to safeguard?

The crisis of the Articles of Confederation and the

the risk of breaking the Union itself.

3

The **third step** is the crisis of the Articles of Confederation as a system through which to ensure union and cooperation among the thirteen states.

The conflicts arising among northern and southern states, among small and large states, among coastal and landlocked states, led to a deep crisis of the Union.

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From Independence to the Philadelphia Convention: The Revolutionary Decade

During the War of Independence and the first ten years after the Revolution, **three fundamental steps of development of the American constitutionalism** took place.

North and South

An divide was between **the northern and the southern states**. The New England states geographically north of the Mason-Dixon line shared an economic system based on maritime trade, fishing, small farms and a young and fragile industry.

The north was characterized by a young industrial system, requiring protection from importation from Europe; therefore they supported the adoption of high tariffs on imported goods, in order to reduce prices of American goods in internal markets.

Southern states, instead, had an economy based on the plantation system: huge lands owned by rich men, using slaves as the main force of work. Slavery was one of the elements of opposition between the New England mindset, believing in the equality of men, and the southern vision. However, there was also an economic issue: slavery allowed plantations, and plantations allowed the immense production of tobacco, cotton, wheat and corn. This huge production relied on exportation to European markets, and therefore required low tariffs on imported goods in order to foster international trade.

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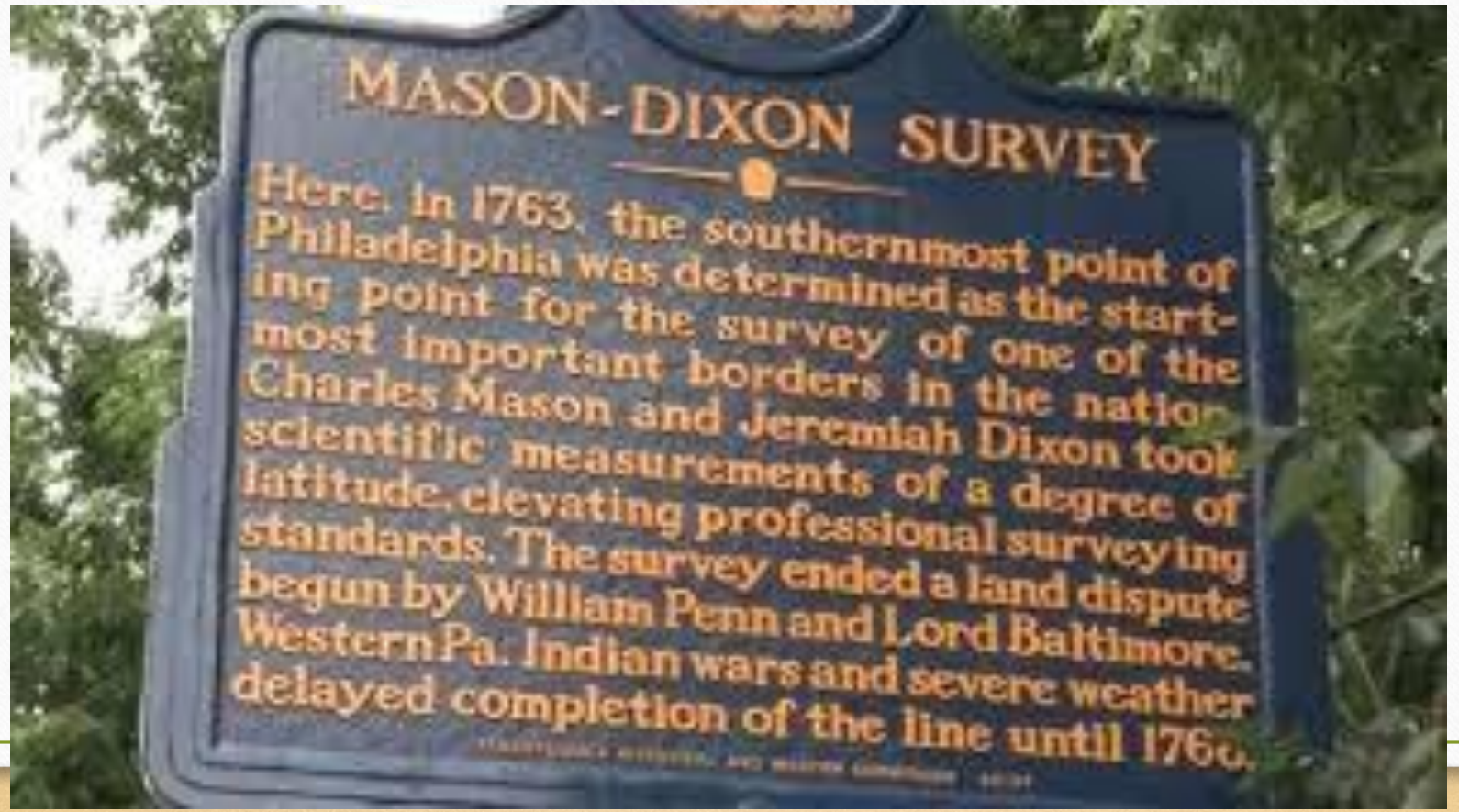
From Independence to the Philadelphia Convention: The Revolutionary Decade

During the War of Independence and the first ten years after the Revolution, **three fundamental steps of development of the American constitutionalism** took place.

North and South



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Confederation Period: 1783–**1789**

Large & Small States

Many States did not trust in the Confedaration, why didn't they?

The largest states were calling for a stronger Union: they (mainly Virginia and New York) were arguing that the Confederation was a weak institution, not able to pursue American interests in international politics, i.e. protecting economics and trade and ensuring its territorial expansion. According to the Articles of Confederation, the Confederation had no power over economics, neither in internal improvements (roads, channels, etc.), nor in relations with Indian tribes and over the territories acquired by the Union after the war. There was a need to strengthen the competences of the Union, reduce the competences of the states, and prevent the states from legislating conflicting interests of the Union. As for the smallest states, they feared that by taking measures aimed at reinforcing the Union, this would strengthen the role played by the largest states. The leading roles of Virginia and New York could have given these states control over all American politics, thus limiting the autonomy of the smallest states.

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Confederation Period: 1783–**1789**

North and South - Big & small States

decided together to built a Confederation
among to the 13 States to get themselfs a Treaty
in articles
with the duty to lead the army and to manage the foreign relations
of the American States (of USA)

After the *Confederation*
they gathered the Philadelphia *Convention*

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Philadelphia Convention : May 25- September17 on **1789**

Or «Constitutional Convention»
Or «Federal Convention»

What did they dibate in Ph.Convention?

Why did they want to reform Articles of the Confederation?

What they nedded?

Why they *needed* «to have» a Constitution?

Which were the problems in to the Ph. Convention?

1. No separation of powers – only unicameral legislature.
2. Weak central government – states had most power.
3. Congress did not have the power to tax – this means they could not get their finances in order.
4. In order to change the Articles, all thirteen states had to approve of the changes. This made it essentially impossible to make any changes.
5. For any major laws to pass they had to be approved by 9 or the 13 states which was difficult.
6. Congress did not have the power to regulate commerce which caused competition between states. It also caused diplomatic issues when states refused to pay for goods their received from other nations.

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Philadelphia Convention : May 25- September17 on **1789**

Or «Constitutional Convention»
or «Federal Convention»

The **order** Federalist v. Antifederalist

What did they dibate in Ph.Convention?

Struggle for ratification a Constitution

Those who advocated the Constitution took the name **Federalists** and quickly gained supporters throughout the nation. The most influential Federalists were Alexander Hamilton and James Madison, the anonymous authors of *The Federalist Papers*, a series of 85 essays published in New York newspapers, under the pen name "Publius".

Opponents of the plan for stronger government, the **Anti-Federalists**, feared that a government with the power to tax would soon become as despotic and corrupt as Great Britain had been only decades earlier. The most notable Anti-federalist-writers included Patrick Henry and George Mason, who demanded a Bill of Rights in the Constitution.

The **Federalists** gained a great deal of prestige and advantage from the approval of George Washington, who had chaired the Constitutional Convention. Thomas Jefferson, serving as Minister to France at the time, had reservations about the proposed Constitution. He resolved to remain neutral in the debate and to accept either outcome.

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The order

Federalism

What did they dibate in Ph.Convention?

Why did they want to reform Articles of the Confederation?

What's the Federalism- Federal system

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Or «Constitutional Convention»
Or «Federal Convention»

The Federalist Paper & the Constitution

to approve the Constitution, Madison, Hamilton and Jay wrote a comprehensive body of essays aimed at explaining the Constitution: those essays were collected in a book, ***The Federalist Papers***, that is today considered the main text for the interpretation of the American Constitution.

Federalism

Anti federalism

» If men were angels, no government would be necessary. If angels were to govern men, neither external or internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. (*The Federalist Papers* n. 51)

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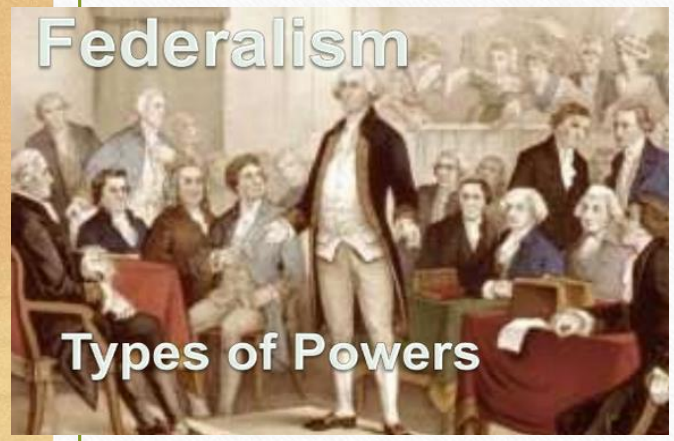
Philadelphia Convention : May 25- September17 on **1789**

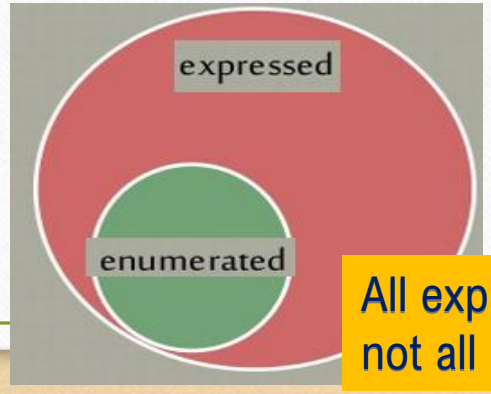
Or «Constitutional Convention»
Or «Federal Convention»

Federalism or Federal System

Different powers

- 1. **Enumerated** power= given specifically to the National Government
- 2. **Expressed** power = given specifically to the Congress





such as:

- declare war
- coin money
- establish a postal service
- maintain an army and navy

All expressed power are enumerated but not all enumerated power are expressed

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Philadelphia Convention : May 25- September17 on **1789**

Or «Constitutional Convention»
Or «Federal Convention»

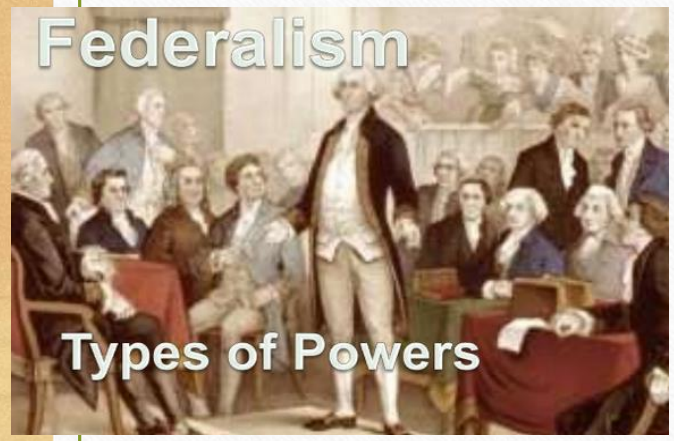
Different powers

- 3. **Reserved** power=
  only given to the States

such as:
- operate the schools
- issue licenses (driver's, marriage, doctor's, etc.)
- run elections within the state

- 4. **Concurrent** power =
  States and National Government

such as:
- make laws
- tax
- borrow money
- establish courts
- maintain roads



- ***5. Implied*** power = *«elastic clause»*

NO **WRITTEN** arise to the Congress **SUGGESTED** by the Constitution

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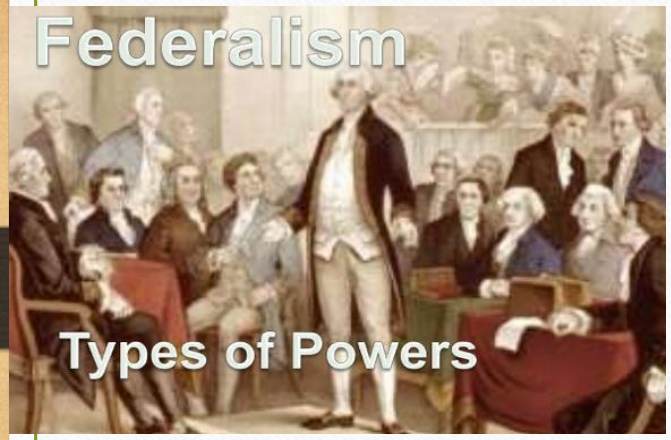
Philadelphia Convention : May 25- September17 on **1789**

Or «Constitutional Convention»
Or «Federal Convention»

Federalism



Anti federalism

Implied powers allow Congress powers that are not specifically listed in the Constitution. For this reason, the Anti-federalists thought it was the most dangerous sentence in the Constitution.

Because of implied powers, Congress can build a mint to coin money.

Implied powers also means Congress can control:

- space exploration
- nuclear power
- radio and TV communications (FCC)

The **fear** of the Antifederalism

Of the «elastic clause»

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The dibate
Federalism v Antifederalist

From Independence to the Philadelphia Convention: The Revolutionary Decade

What did they discuss in Philadelphia Convention?

The largest states arrived in Philadelphia with a plan for the constitution, drafted by James Madison, delegate of Virginia. The **Virginia Plan** provided a strong Federal Government, holding several legislative competences and entrusted with the power to nullify state laws. According to this plan, the federal legislature should have been bicameral, and elected according to the population of the states.

In opposition to this plan, the **New Jersey Plan**, soon drafted by the delegates of the smallest states, proposed to maintain the structure of the Congress of the Confederation, articulated in a single House composed of a single delegate for each member state, independently from its respective population.

Virginia Plan vs New Jersey Plan

Despite these contrasts, the delegates who gathered in Philadelphia were able to achieve a compromise and adopt a **constitution, which was approved by the Convention on the 17th of September, 1787.**

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The Constitution Of USA

The **dibate**
Federalism v Antifederalist

HOW did they solve the problems on the Ph. Convention?

The **Constitution created a three branch governmental system** which solved the problem of too much power being in one place

1. Checks and balances
   solved the problem of one branch having too much power
2. The electoral college
   solved the problem of voting in presidential election
3. Popular soveregnity
   says that the people are the only source for any ad all governmental power

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The **dibate**
Federalism v Antifederalist

HOW did they solve the problems on the Ph. Convention?

- Popular Sovereignty
  - Government power resides in the people
- Limited government
  - Government is not all powerful, can only do what the people let it.
- Separation of Powers
  - Helps prevent one branch from becoming too powerful
  - Checks and Balances
- Federalism
  - Division of power among national and state governments

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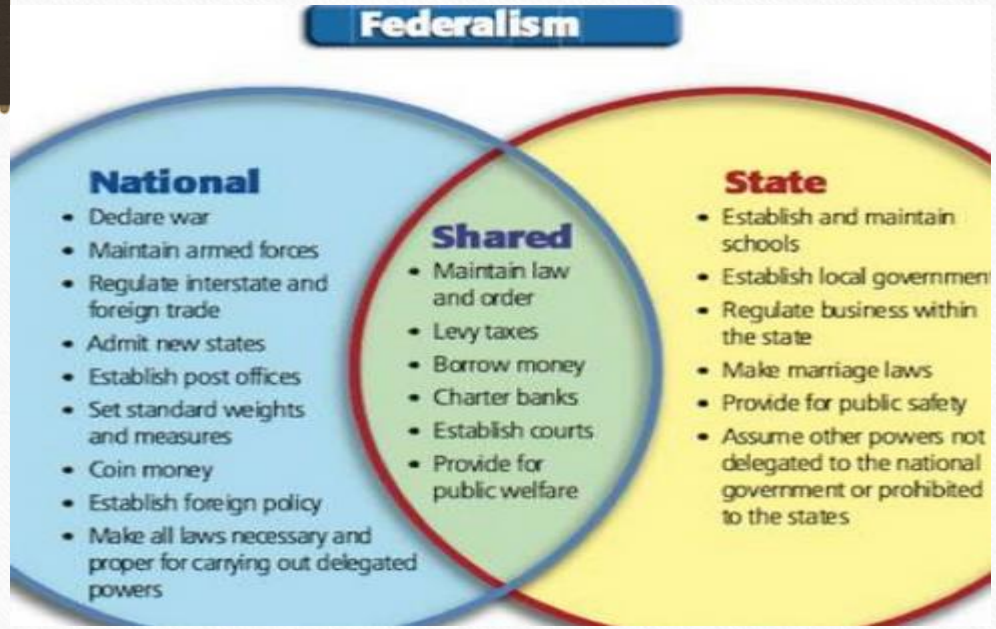
- SUMMARY
- Philadelphia ***Convention created the*** USA
- **Confederation** rewrite the Convention Constitution created THE CONSTITUTION

Federal Government

or the American Federalism



The Constitution Of USA

The A.**Constitution**

Federalism v Antifederalist

When was it written?

May 25th to September 17th, 1787

Philadelphia

Intention was to revise *Articles of Confederation*

Ended up replacing the *Articles* and creating a new government

Called the "Constitutional Convention."

It was created by a group of delegates known as the framers. These included George Washington, James Madison, and Benjamin Franklin, as well as 55 others. (74 were invited but only 55 could attend.)

- It was written in Philadelphia's Independence Hall, probably in the same room in which the Declaration on Independence had been signed.

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The A.Constitution
Federalism v Antifederalist

Article VII *says the Constitution will be the law if nine states ratify (accept) it.*
***All thirteen states ratified the Constitution between 1787 and 1790!*

Ratification

Ratification of the Constitution

Votes of State Ratifying Conventions

State	Date	For	Against
Delaware	December 1787	30	0
Pennsylvania	December 1787	46	23
New Jersey	December 1787	38	0
Georgia	January 1788	26	0
Connecticut	January 1788	128	40
Massachusetts	February 1788	187	168
Maryland	April 1788	63	11
South Carolina	May 1788	149	73
New Hampshire	June 1788	57	47
Virginia	June 1788	89	79
New York	July 1788	30	27
North Carolina	November 1789	194	77
Rhode Island	May 1790	34	32

- Officially adopted after ratified by New Hampshire.
- Once the new government convened, they added a Bill of Rights to the Constitution.

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The Constitution Of USA

The A.Constitution
Federalism v Antifederalist

What is the US Constitution?

- The supreme law of the United States.
- It is the foundation and source of the legal authority underlying the existence of the United States of America and the Federal Government of the United States.
- It provides the framework for the organization of the United States Government.

Structure of the Constitution

- Preamble:
  - Statement of purpose
- Articles:
  - I: Legislative Branch
  - II: Executive Branch
  - III: Judicial Branch
  - IV: Relations Among the States
  - V: Amendment Process
  - VI: Federal Power
  - VII: Ratification
- Amendments:
  - 27 Total
  - 1st ten are the Bill of Rights

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The Constitution Of USA

Article I: Legislative Branch

- Bicameral:
  - Senate
    - 2 Senators for each state
  - House of Representatives
    - Based on population
- Reps serve for 2 year terms
- Senators serve for 6 year terms
- Important Powers:
  - Make laws
  - Set taxes
  - Declare war
  - Override Vetoes
  - Borrow money
  - Regulate international and national trade
  - Print money

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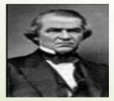
Article III: Judicial Branch

- Supreme Court judges serve for life unless impeached.
- Judicial power rests with US Supreme Court and other courts created by Congress
- Important Powers:
  - Decides cases of Constitutional law and federal law
  - Cases involving ambassadors go straight to Supreme Court
  - Judicial Review comes later (1803 – *Marbury v. Madison*)

Article II: Executive Branch

- President and Vice President are elected to 4 year terms
- Qualifications:
  - At least 35 years old
  - 14 year resident of the US
  - Natural born citizen
- Elected by the Electoral College
- Important powers:
  - Commander-in-Chief
  - Grant pardons
  - Make treaties
  - Appoint federal officers
  - Ensure laws are executed

ARTICLE 2, SECTION 4: IMPEACHMENT



- ***2.4: Impeachment-*** *The President, Vice President, and all civil officers of the U.S. shall be removed for conviction of treason, bribery, or other high crimes and misdemeanors*
- ***Which two Presidents have been partially impeached?***
- ***Has a US President been completely impeached?***

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ARTICLE 4: RELATIONS AMONG STATES

- ***Section 1: Sta… and Records –*** *Each state shall have ac… to other states public records and judicial proceedings*
- *- Congress will regulate these records and access*

ARTICLE 4, SECTION 2: RIGHTS OF CITIZENS

Section 2, 1: Citizenship – *Citizens of each state are entitled to the same privileges as citizens of every state*

2, 2: Extradition – *A person charged in any state, who flees from justice to another state, must be returned*

ARTICLE 4, SECTION 3: NEW STATES

- ***Section 3, 1: Admission –*** *New states may be admitted into t… union by Congress, but NOT within the jurisdiction of another state or two states combining without consent of all involved*

Structure of the Constitution

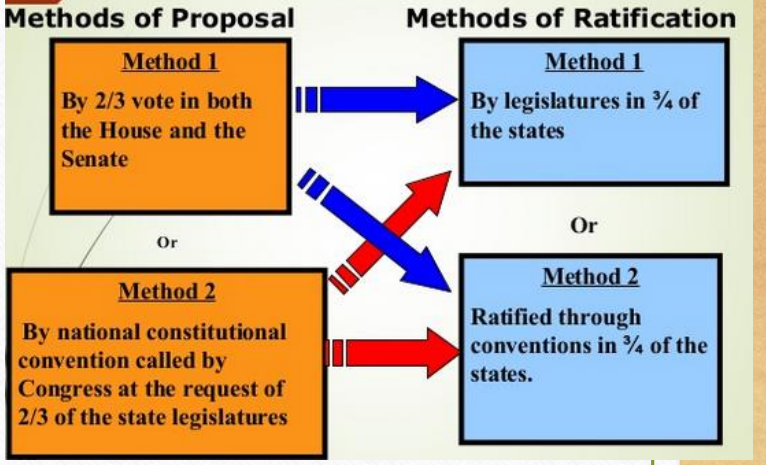
- Preamble:
  - Statement of purpose
- Articles:
  - I: Legislative Branch
  - II: Executive Branch
  - III: Judicial Branch
  - IV: Relations Among the States
  - V: Amendment Process
  - VI: Federal Power
  - VII: Ratification
- Amendments:
  - 27 Total
  - 1st ten are the Bill of Rights

Article V *tells how the Constitution may be amended (changed).*

~~Only men can vote.~~

Men and women can vote.

Amendment Process



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The Constitution Of USA

The characters of the Constitution

- The constitution of the United States of America is the supreme law. The constitution originally comprising of 7 articles, delineates the national frame of government. Its first three articles entrench the doctrine of separation of powers into legislative, executive and the judiciary.

- This constitution came o force on 1789, and has been amended 27 times. In general, the first ten amendments were known as the *Bill of rights*, which include individual liberty, protection and some other freedoms.

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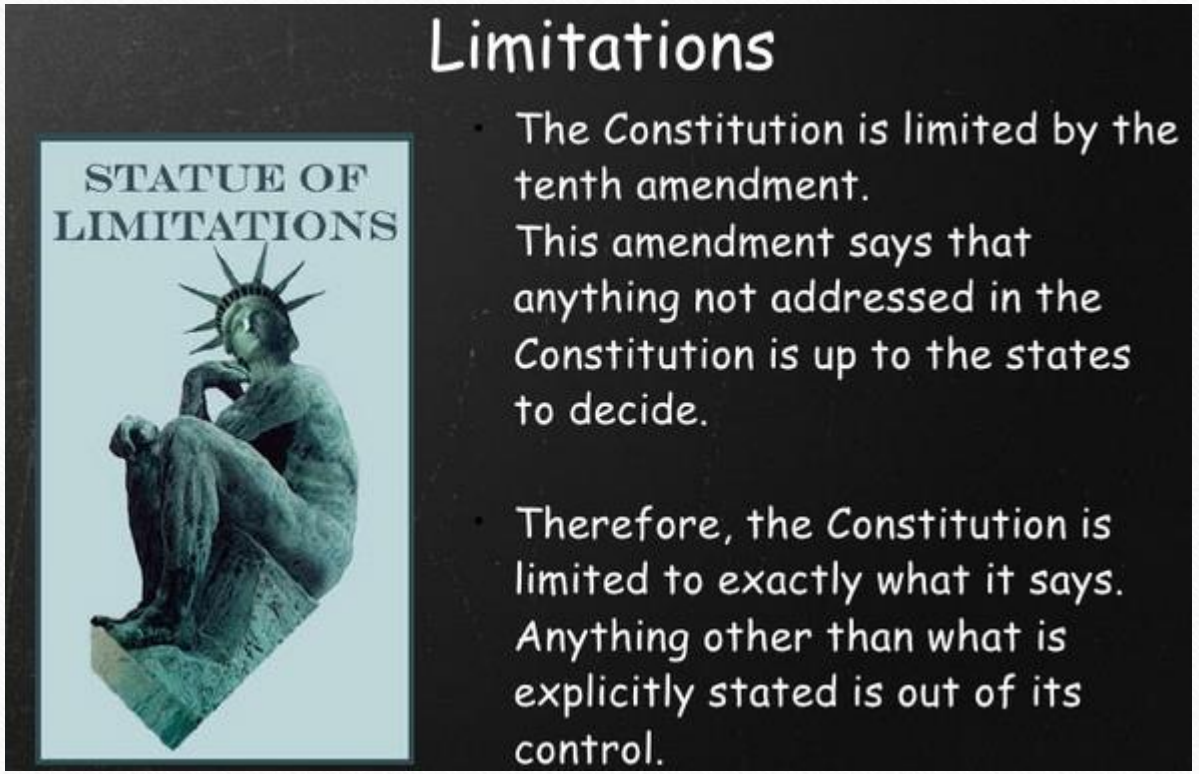
The Constitution Of USA

The characters of the Constitution



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The Constitution Of USA

The characters of the Constitution

Can the Constitution be improved?

Everything can be improved. Nothing is perfect and there are not exceptions to that statement. However, with respect to the citizens of the United States, the current Constitution is a good document to ensure the best democracy possible for the greatest amount of people.

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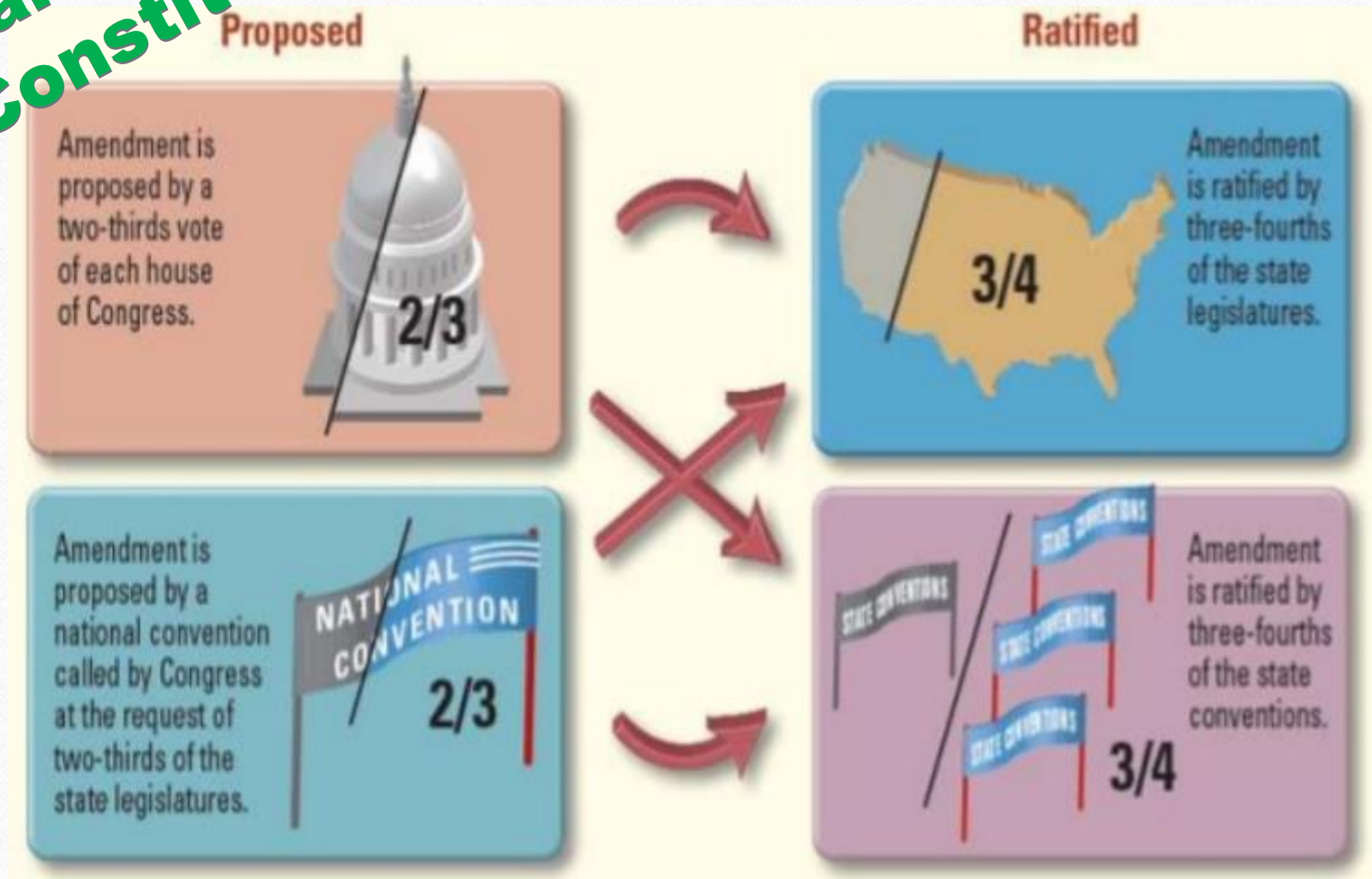
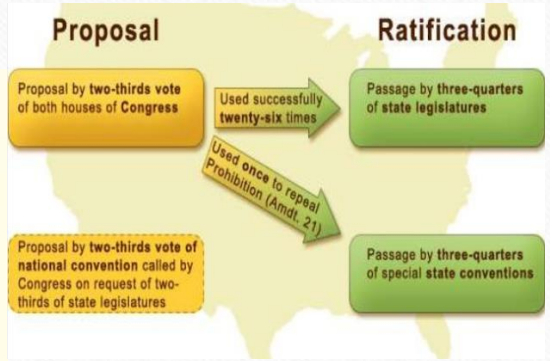
The characters of the Constitution

The Constitution Of USA





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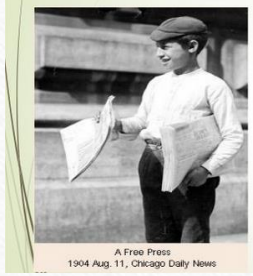
The Constitution Of USA

AMENDMENT 1: RELIGIOUS AND POLITICAL FREEDOM


A Free Press
1904 Aug. 11, Chicago Daily News

- Congress shall make no law establishing a **religion**, or prohibit free exercise thereof
- Nor prohibit freedom of **speech**, or the **press**, or the right to peacefully assemble, or the right to petition the government for a redress of grievances

AMENDMENT 2: RIGHT TO BEAR ARMS

- "A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed"

AMENDMENT 3: QUARTERING TROOPS

- "No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner prescribed by law."

AMENDMENT 4: SEARCH AND SEIZURE

- The right of people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures shall not be violated
- No warrants without probable cause

AMENDMENT 5: RIGHTS OF ACCUSED PERSONS

Mark Fuhrman took the 5th at the O.J. trial

Oliver North took the 5th at the Iran-Contra hearings

- You don't have to testify against yourself in a court of law ("**Take the 5th**"),nor can you be tried twice for the same crime (Double Jeopardy)
- **Due Process of law** must be followed, including -
- Grand Jury review of case

AMENDMENT 6: RIGHT TO A SPEEDY, PUBLIC TRIAL

- In all criminal cases, the accused shall enjoy the right to a speedy and public trial, by an impartial jury from where the crime was committed
- The accused will be informed about the nature of the charges, be able to confront witnesses against him, shall be able to have witnesses support him, and shall have the services of a lawyer

All accused persons have a right to be defended by an attorney

AMENDMENT 7: TRIAL BY JURY IN CIVIL CASES

"A jury of your peers"

- In civil cases exceeding the value of $20.00, the right of trial by jury shall be preserved

AMENDMENT 8: LIMITS OF FINES AND PUNISHMENT

"Excessive bail shall not be required, nor excessive fines imposed, **nor cruel and unusual punishments** inflicted"

Tar and feathering

The "Rack"

AMENDMENT 9: RIGHTS OF PEOPLE

- Citizens are entitled to rights not listed in the US Constitution

AMENDMENT 10: POWERS OF STATES & PEOPLE

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states . . . or to the people."

The «*Federal*» Bill of Rights: First 10 1791 emendaments

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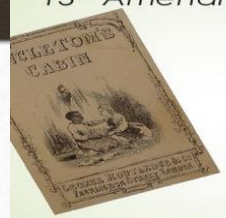
11th Amendment

A citizen of one state can't sue the government of another state unless it is done in the state being sued.

12th Amendment

Electoral College has separate ballots for President and Vice-President

13th Amendment



Abolished slavery!!!

Civil War Amendment

14th Amendment

15th Amendment

Voting rights could not be denied because of race or color (or could it?).

16th Amendment

The federal government can tax our income

17th Amendment

Prior to the 17th Amendment, the state legislatures chose the senators, but…

Iowa Senators

With the passage of the 17th, the PEOPLE directly elect their senators.

18th Amendment

19th Amendment

Gives women the right to vote.

21st Amendment

Prohibition ends, 18th repealed, alcohol is legal again.

22nd Amendment

Franklin Roosevelt was elected four times, all presidents are now limited to two terms.

2 Terms, 2 Terms per president.

26th Amendments

And so on Until to 27th

27th Amendment

Congress can give themselves a pay raise, but they have to wait until after the next election before they can get it.

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The first Election

The old Confederation Congress set elections to the new Congress as well as the first presidential election.

The electoral college unanimously chose

- **Washington as first President;**
- **John Adams** became **the first Vice President**.
- New York was designated as the national capital; they were inaugurated in April 1789 at Federal Hall.

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The beginning of political parties

The new government at first had no political parties. Alexander Hamilton in 1790–92 created a national network of friends of the government that became the *Federalist party*, it controlled the national government until 1801.

Under his government layed down the **First Bank of the United States**

It born a power to limit federal government. This became the platform of a new party, *the Republican or Democratic-Republican Party*, which assumed the role of opposition to the Federalists. Jefferson and Madison were its founders and leaders.

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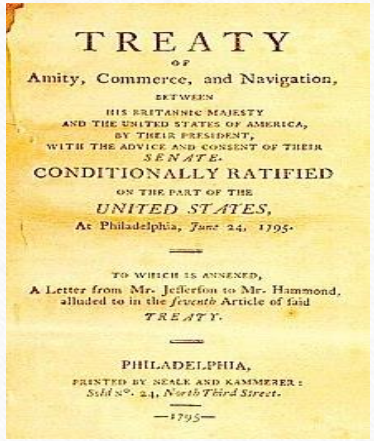
The beginning of political parties



TREATY
OF
Amity, Commerce, and Navigation,
BETWEEN
HIS BRITANNIC MAJESTY
AND THE UNITED STATES OF AMERICA,
BY THEIR PRESIDENT,
WITH THE ADVICE AND CONSENT OF THEIR
SENATE.
CONDITIONALLY RATIFIED
ON THE PART OF THE
UNITED STATES,
At Philadelphia, June 24, 1795.

TO WHICH IS ANNEXED,
A Letter from Mr. Jefferson to Mr. Hammond,
alluded to in the seventh Article of said
TREATY.

PHILADELPHIA,
PRINTED BY SEALE AND KAMMERER:
Sold at No. 24, North Third Street.
—1795—

The **Jay Treaty – London** 29 febbraio 1796
In force on 19 novembre 1794
of Amity, Commerce, and Navigation, Between His Britannic Majesty and the United States of America

American foreign policy was dominated by the outbreak of the French Revolutionary Wars between the United Kingdom and France.

The Republicans supported France, encouraging the French Revolution as a force for democracy, while the Washington administration favored continued peace and commerce with Britain, signing the Jay Treaty much to the disgust of Democratic-Republicans, who accused Hamilton and the Federalists of supporting aristocracy and tyranny. John Adams succeeded Washington as President in 1797 and continued the policies of his administration. The Jeffersonian Republicans took control of the Federal government in 1801 and the Federalists never returned to power.

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The Constitution Of USA

The beginning of political parties

The age of the second party system (1828–1861)

THE WHIG PARTY

The previous few years had seen a one-party government in the United States, as the Federalist Party had **dissolved**, leaving only the Democratic-Republican Party.

Later the faction led by Andrew Jackson would evolve into the Democratic Party, while the factions led by John Quincy Adams and Henry Clay would become the National Republican Party and **later the Whig Party.**

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The beginning of political parties

The age of the second party system (1828–1861)

THE WHIG PARTY

The growth of the second party system, starting with the presidential elections of 1828. In the period 1828–1861, the party system was characterized by the struggle between the Democratic Party and the Whig Party.

The victory of the Democratic Party and **the election of Andrew Jackson as president in 1828** determined a strengthening of democratic values.

The entire nation was granted **universal suffrage**, while the process of presidential elections was deeply transformed by the establishment of the parties' conventions.

Prof.Adabella Gratani