



GEORGIA and the birth of the UNITED STATES

SS8H4 – The student will *describe* the impact of events that led to ratification of the United States Constitution and the Bill of Rights

Lesson Three (SS8H4a) – The student will *analyze* the strengths and weaknesses of both the Georgia Constitution of 1777 and the Articles of Confederation and explain how weakness in the Articles of Confederation led to a need to revise the Articles.

The Georgia Constitution of 1777:

YOU CAN'T BEAT
SOMETHING...



WITH
NOTHING...

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The Georgia Constitution of 1777:

When Georgia declared their independence from England...



...they had to replace English government with a government of their own.

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Lesson Three (SS8CG1b) – The student will *explain* the concepts of separation of powers and checks and balances.

The Georgia Constitution of 1777:

In creating a government, several important things *must* be remembered in order to protect a nation from tyranny!!!



SS8CG1 – The student will *describe* the role of citizens under Georgia's constitution.



Lesson Three (SS8CG1b) – The student will *explain* the concepts of separation of powers and checks and balances.

The Georgia Constitution of 1777:

1. All governments *must* have three basic functions (responsibilities):

A. The *Legislative* function –makes the law

B. The *Executive* function – enforces or executes the law

C. The *Judicial* function –interprets or explains the law

SS8CG1 – The student will *describe* the role of citizens under Georgia's constitution.

The Georgia Constitution of 1777:

2. The three basic functions must be present and must be kept *equally* powerful.

A. Without the *legislative* function, there would be no laws to interpret or to enforce.

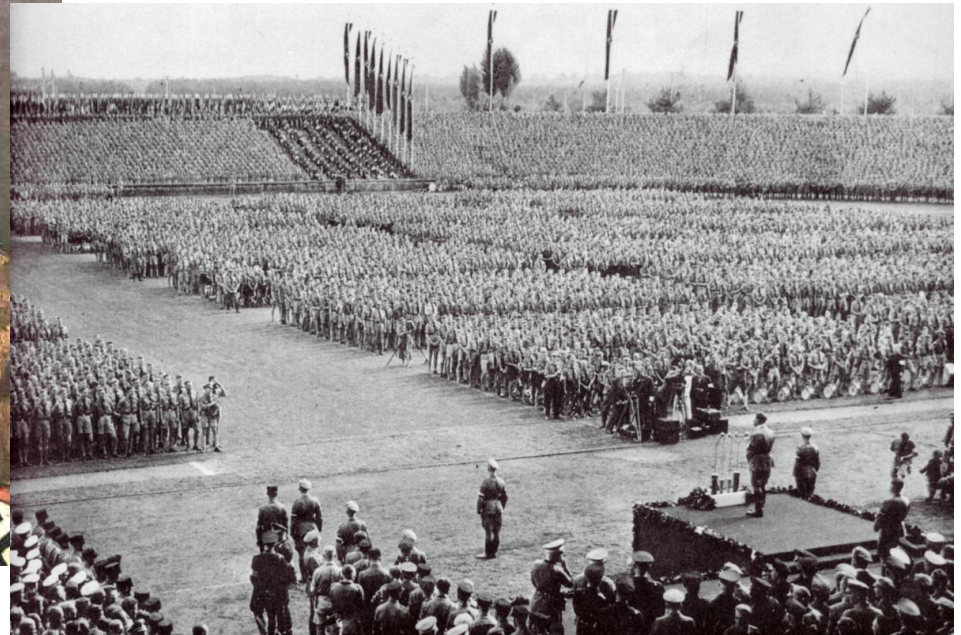
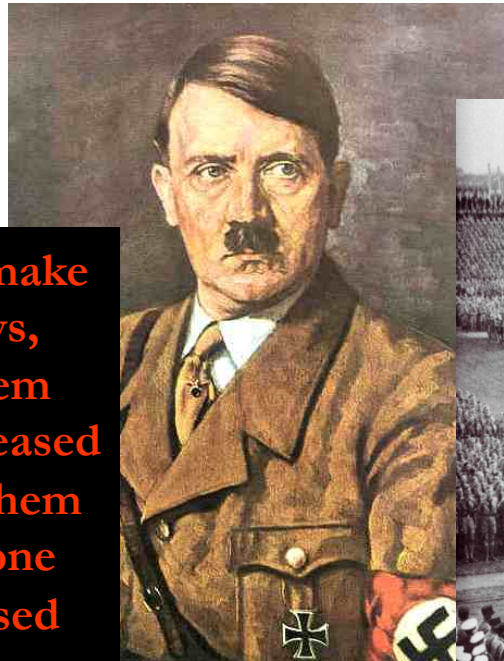
B. Without the *executive* function, laws could be written and understood, but could not be enforced. **A LAW IS NOT A LAW UNLESS THEY HURT WHEN BROKEN!!!**

C. Without the *judicial* function, laws could be created but could not be explained in order to be enforced.

Lesson Three (SS8CG1b) – The student will *explain* the concepts of separation of powers and checks and balances.

The Georgia Constitution of 1777:

3. The three basic functions must be kept separate in order to keep one group or person from becoming too powerful.



Hitler could make his own laws, interpret them however he pleased and enforce them against anyone who displeased him!!!

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The Georgia Constitution of 1777:

4. The fundamental laws of the government must be *written* down as a *Constitution* in order to create a written record of the rights of the people and the limits of the government's power.



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The Georgia Constitution of 1777:

5. The people must have a *higher law* or *Power* to appeal to in case the government is ineffective or begins to abuse its power.



“We hold these truths to be self evident, that all men are created equal, that we are endowed by our Creator with certain inalienable rights...” – *Declaration of Independence*

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The Georgia Constitution of 1777:


In creating its new government, the leaders of Georgia did not want the *executive* function to be too powerful. After all, they did not want to remove one powerful executive, King George III, only to replace him with another.



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The Georgia Constitution of 1777:

Georgia's first permanent constitution was adopted in 1777.


Among its features were:

1. Separate legislative, executive, and judicial branches
2. Most power was given to a *unicameral* (one house) legislature called the General Assembly
3. The General Assembly elected the Governor (the head of the executive branch) and the Governor's Executive Council
4. The Governor served a one-year term
5. A superior court (judicial) was created for each county
6. Basic rights (religion, press, trial by jury) were recognized.

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The Georgia Constitution of 1777:


STRENGTHS

1. The *Constitution of 1777* was written down.
2. The *Constitution of 1777* separated the three basic functions.
3. The *Constitution of 1777* protected basic rights.

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The Georgia Constitution of 1777:

WEAKNESSES

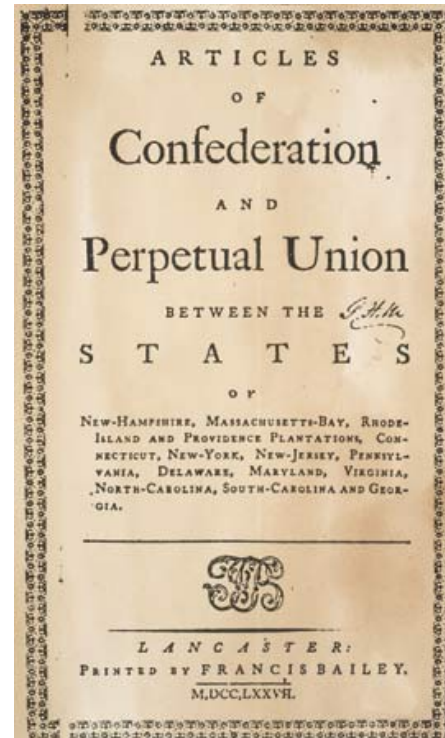
1. The three functions were not *equally* powerful. Instead, the legislative branch was most powerful.
2. The governor was dependent entirely upon the legislature (who elected him and chose his council) and was in office for too short a period to be effective.
3. Since most Georgians had been Tories, the Constitution of 1777, written by Whigs, was never sent to the people for ratification (approval).

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The Articles of Confederation:

Just as Georgia began to create its own state government, the 2nd Continental Congress drafted the *Articles of Confederation* as the first Constitution of a new national government.



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The Articles of Confederation:

Just like the Georgians who wrote the *Constitution of 1777*, the members of the 2nd Continental Congress wanted to avoid creating a strong central government with a powerful executive like they experienced under British rule.



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The Articles of Confederation:


- The *Articles of Confederation*, the first national constitution, went into effect on March 1, 1781.
- It created a very weak national government. Each of the 13 states were considered separate, independent nations.
- The national government was, essentially, a loose *confederacy*, alliance, or friendship (similar to the United Nations).



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The Articles of Confederation:


STRENGTHS

1. The *Articles of Confederation* were written down.
2. The *Articles of Confederation* set up a representative form of government in which the representatives were elected by the citizens.

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The Articles of Confederation:


WEAKNESSES

1. The *Articles of Confederation* only a created a legislative branch!!!
2. Congress could not levy taxes, leaving the country unable to pay debts or soldiers.
3. Congress could not regulate trade between the states, allowing trade wars to arise between the various states.

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The Articles of Confederation:

WEAKNESSES

4. Congress could make laws, but had not executive ability to enforce them.
5. Under the *Articles of Confederation*, all decisions required the approval of 100% of the states.
6. Under the *Articles of Confederation*, all states received only one vote in Congress, regardless of the state's size (ex., Rhode Island had as much say as New York!!!).

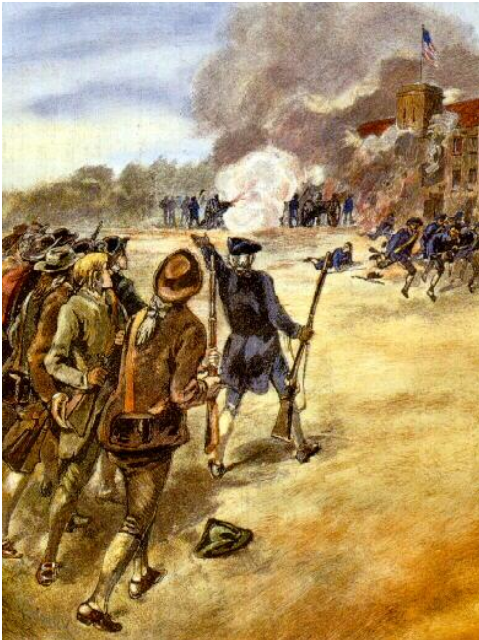
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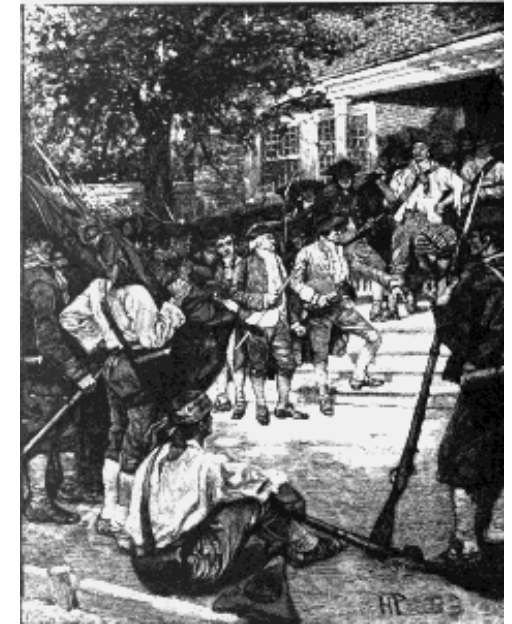
The Articles of Confederation:

WEAKNESSES

7. Congress could not raise an army without the states' permission, leaving the nation defenseless.



The inability of Congress to respond to Shay's Rebellion in 1786 threatened the safety of Massachusetts and demonstrated that the *Articles of Confederation* were unable to perform the most basic task of government...
...defense!!!!

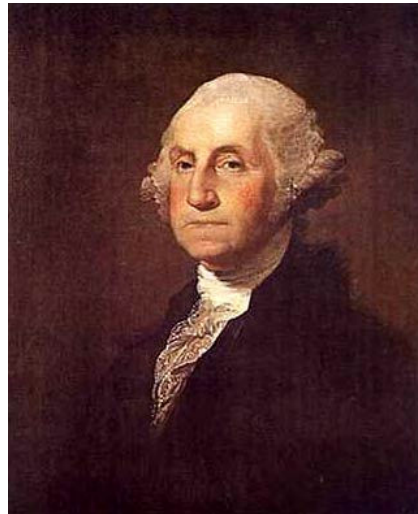


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The Articles of Confederation:

SOMETHING HAD TO BE DONE!!!




* Even George Washington, who normally kept his political opinions private, argued that the nation could not long survive under the *Articles of Confederation*.

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the Constitution of 1777 and the Articles of Confederation???

1. The responsibility to make laws is the government's _____ function.
2. Georgia's first permanent state constitution was the _____.
3. The first national constitution was the _____.
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5. The event that demonstrated the inability of Congress to defend the states was _____.
6. The most basic responsibility of government is to provide _____.
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8. The *Articles* and the *Constitution of 1777* gave most power to the _____ branch.

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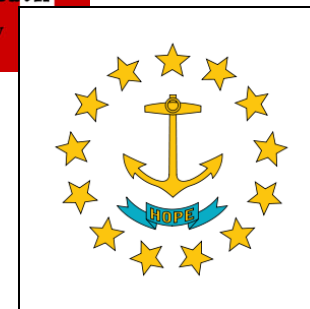
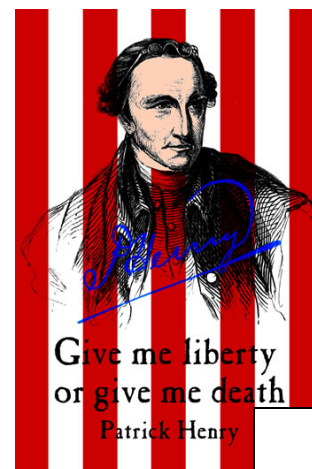
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SS8H4 – The student will *describe* the impact of events that led to ratification of the United States Constitution and the Bill of Rights

Lesson Four (SS8H4b) – The student will *describe* the role of Georgia at the Constitutional Convention of 1787; include the role of Abraham Baldwin and William Few, and reasons why Georgia ratified the new constitution.

The Constitutional Convention

Despite its many weaknesses, many states (especially small states like Rhode Island) did not want to change, fearing a powerful central government like Great Britain's.



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The Constitutional Convention

It took two years for George Washington, Alexander Hamilton and James Madison to convince the states to send delegations to a convention to discuss “revising” the *Articles of Confederation*.



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The Constitutional Convention

Delegates from all of the states (except Rhode Island) met in Philadelphia, PA in May 1787 to discuss “revising the *Articles of Confederation.*”



Since the *Articles of Confederation* required ALL states to approve any decision, was the Constitutional Convention legal?

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The Constitutional Convention

Some, like Patrick Henry, suspected that the delegates did not really plan to “revise” the *Articles*, but actually wanted to write a new Constitution.



I SMELL A RAT IN PHILADELPHIA!

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The Constitutional Convention

- Georgia appointed 6 delegates to attend the Convention.
 - Only 4 of the appointed delegates came.
- Only 2 of the appointed delegates stayed until the end...



Abraham Baldwin



William Few

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The Constitutional Convention

- The Constitutional Convention lasted the entire summer of 1787.
- Much of the time was spent in bitter argument and disagreement.

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The Constitutional Convention

- The most important and controversial debate concerned the issue of representation:

- Large states (New York, Virginia, Massachusetts) believed that the greater the population, the more votes the state should receive.

- Small states (Georgia, New Hampshire) believed that each state was an independent nation and should be treated equally and given an equal number of votes.

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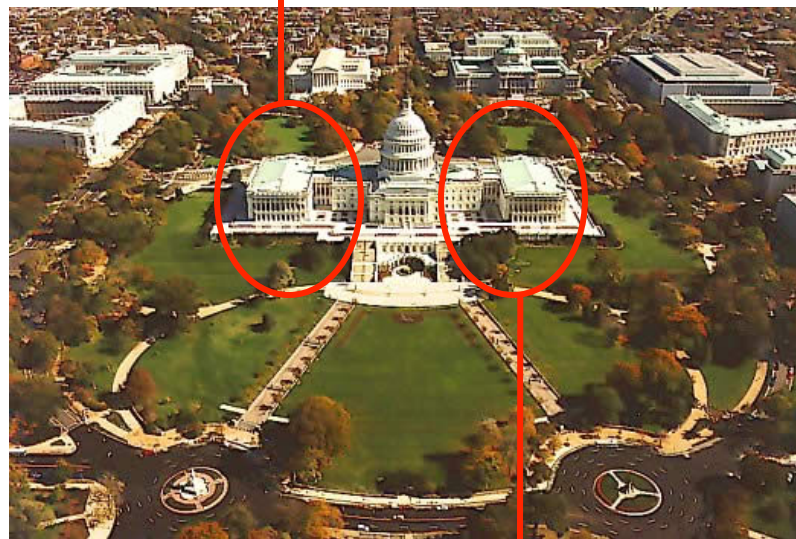
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The Constitutional Convention

- The most important and controversial debate concerned the issue of representation:

- Abraham Baldwin helped draft a compromise creating a bicameral (2-house) legislature. This agreement is called the Great Compromise.

House of Representatives is based on population.



The Senate is based on equal representation.

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The Constitutional Convention

- On September 17, 1787, the delegates signed the final draft of the new *United States Constitution*.



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The Constitutional Convention

- On January 2, 1788, Georgia became the 4th state to ratify the *U.S. Constitution*.
- The new national government went officially into effect on **March 4, 1789**.

The Constitution

We the People

of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, promote the common Welfare, secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

Article. I.

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

[Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three-fifths of all other Persons.] The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such Enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When Vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

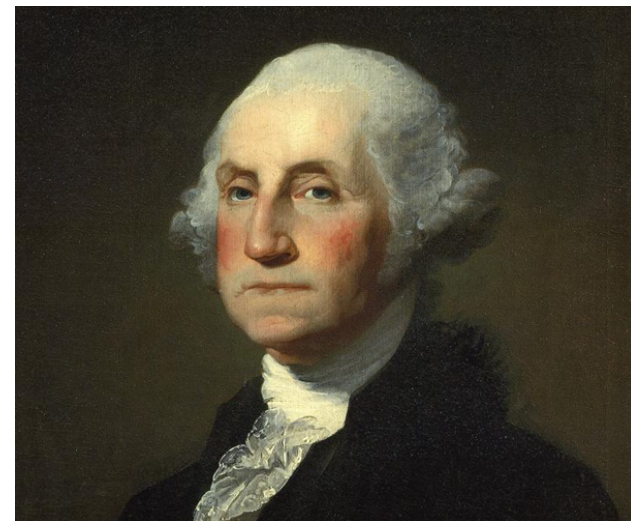
No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two-thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

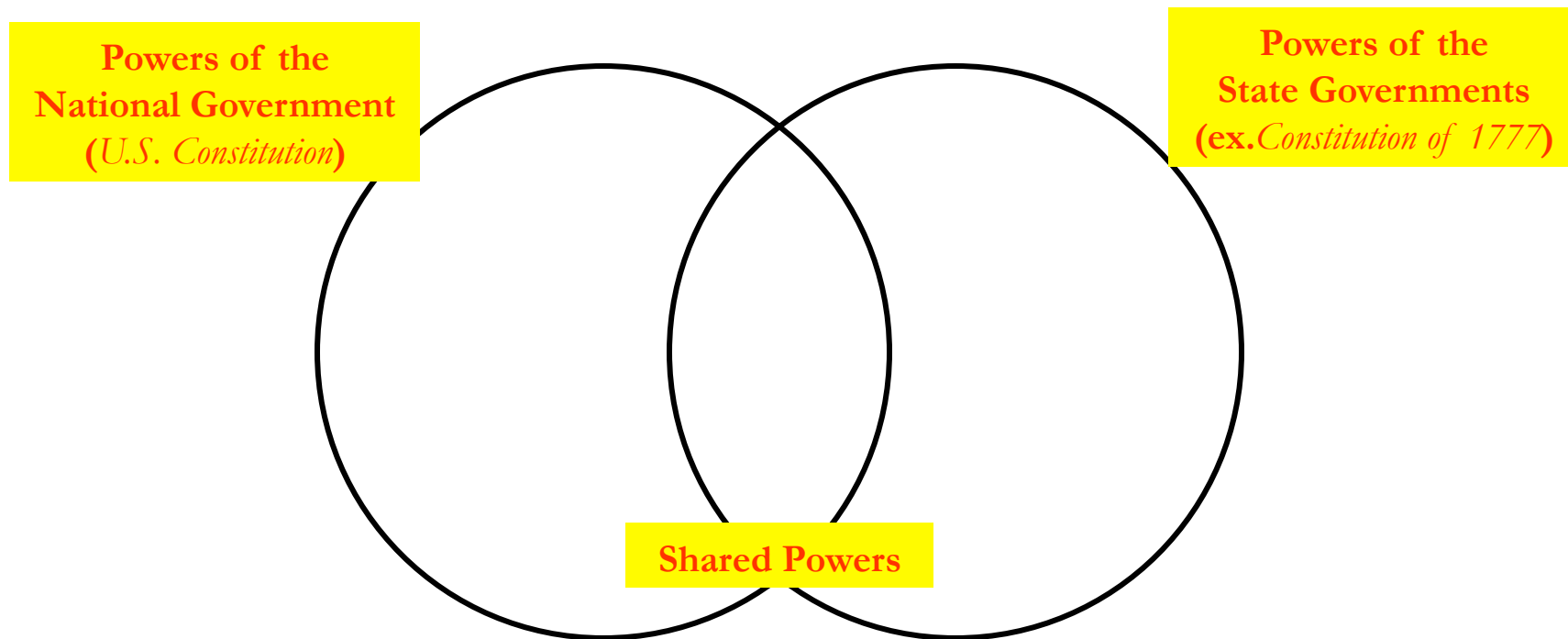


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Lesson Four (SS8H4b) – The student will *describe* the role of Georgia at the Constitutional Convention of 1787; include the role of Abraham Baldwin and William Few, and reasons why Georgia ratified the new constitution.

The United States Constitution

1. The *U.S. Constitution* established a *Federal* system in which the national government shared power with the state governments.

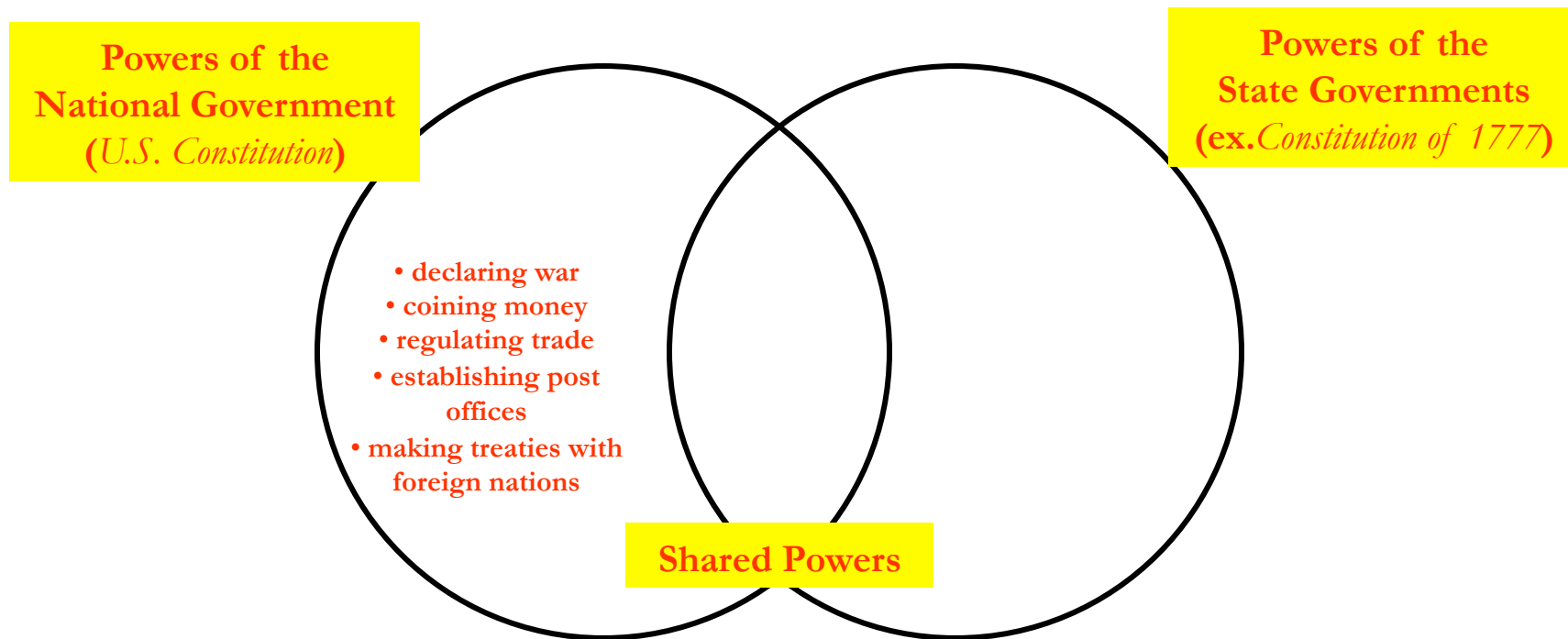


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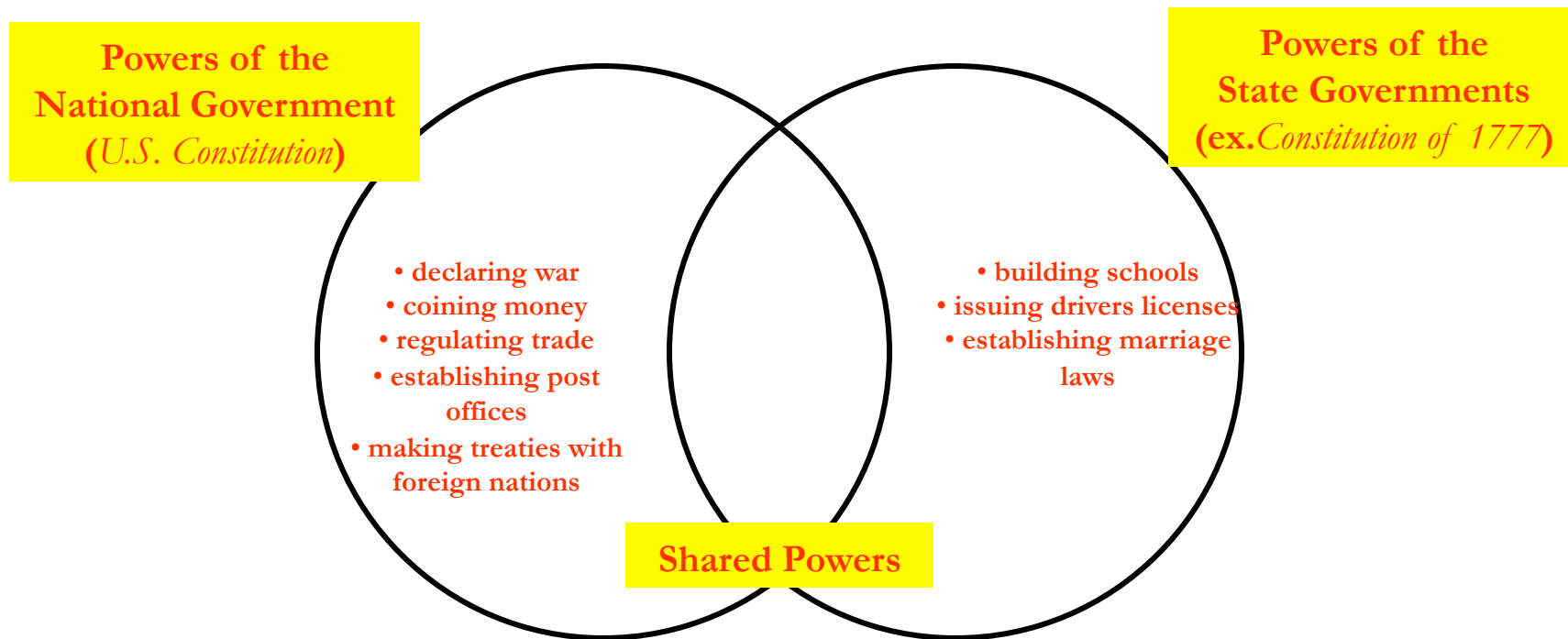


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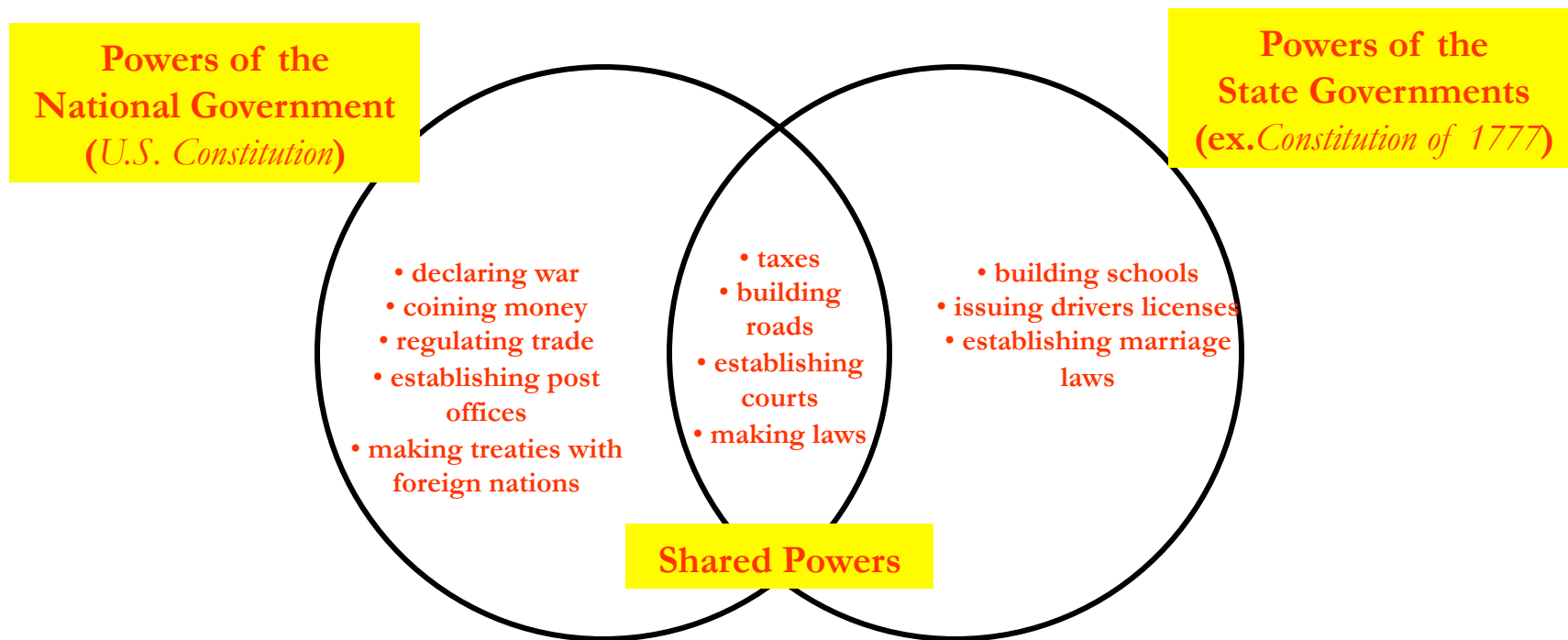


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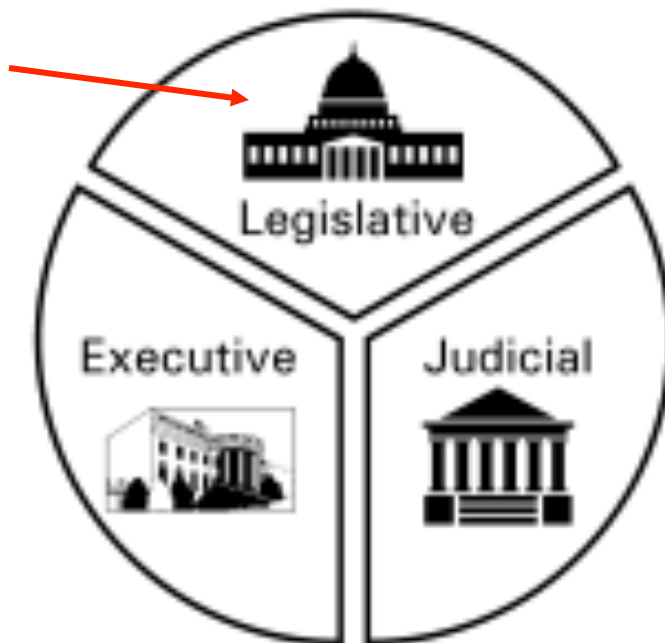
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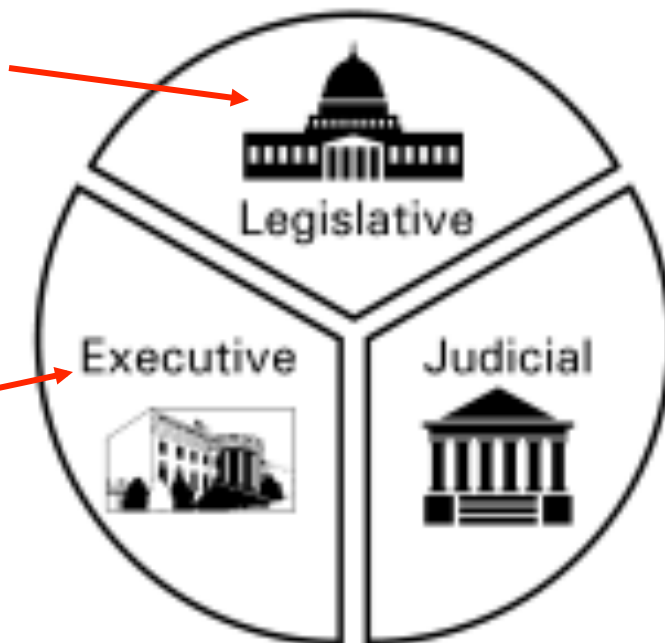
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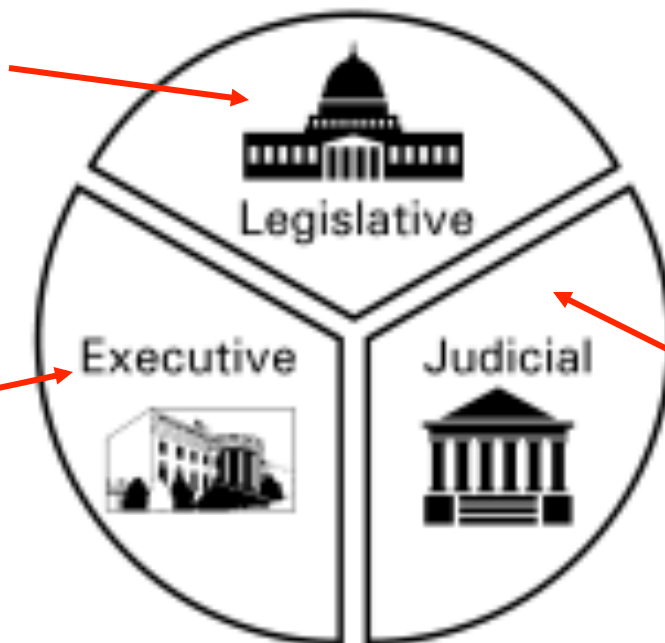
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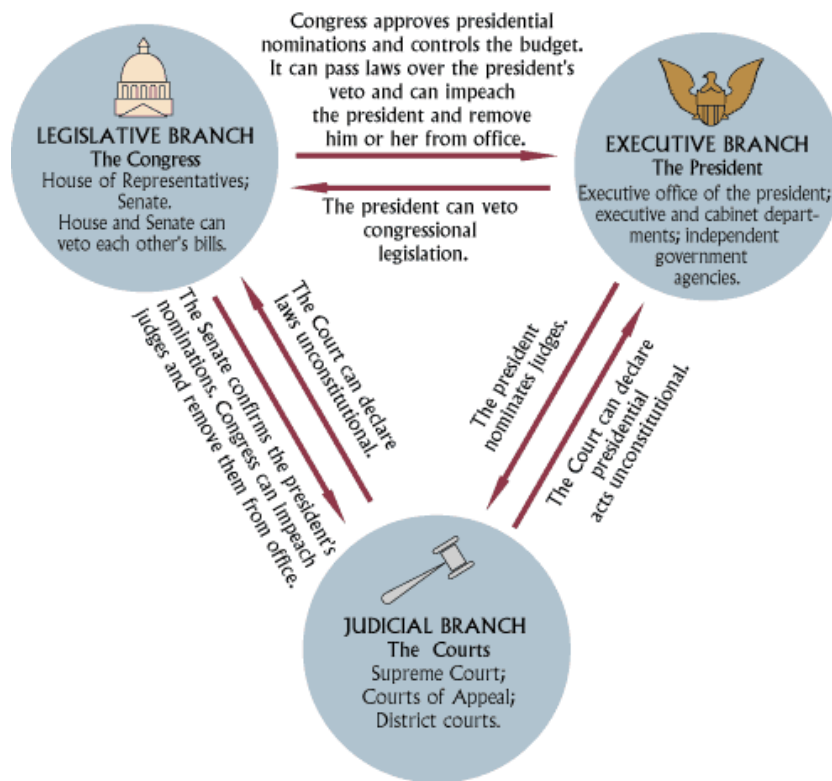
The U.S. Supreme Court (made up of the Chief Justices and 8 associate Justices) & the Federal Court System

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3. The *U.S. Constitution* established a system of checks and balances to ensure that no single branch became too powerful.



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4. To protect the freedoms of the people, the *Bill of Rights* were added to guarantee basic rights.



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2. The two delegates to sign the Constitution for GA were _____ and _____.
3. The most important debate at the Convention concerned the issue of _____.
4. Large states, like New York, wanted representation to be based on _____.
5. The Great Compromise created a two-housed, or _____, legislature.
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ENDURING UNDERSTANDINGS:

As a society increases in complexity, the complexity of the government also increases. How did the government of Georgia grow in complexity from its founding as a Trustee Colony in 1732 to a part of the United States in 1789?

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Acknowledgements

Hodge, Cathy M. Time Travel Through Georgia. Athens, GA: WesMar Incorporated DBA/Voyager Publications, 2005.

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