

LECTURE / DISCUSSION / DEBATE
THE FOUNDERS AND THE CONSTITUTION

Terms and concepts to know:

Hobbes and Locke	Declaration of Independence
Articles of Confederation	Shay's Rebellion
The Virginia / New Jersey Plans	The Connecticut Compromise
Separation of Powers	Checks and Balances
Federalism	The "peculiar institution"
Charles Beard's thesis	Federalist 10
The Bill of Rights	Constitutional change
Judicial interpretation	Actual practice

Study and discussion questions:

1. Reflect on and discuss Shay's Rebellion. Did Mr. Shay and his cohorts have a legitimate gripe? Are rebellions that we see today similar in their nature and scope?
2. In Beard's catalogue of economic exigencies, which appear to you to be the most egregious in terms of their anti-democratic or aristocratic nature?
3. According to Dolbeare and Medcalf, how is the dark side of the Constitution related to Hamilton's model of political economy?
4. In his article concerning our founding, Chermerinski suggests that two aspects of our Constitution – the Electoral College and the practice of gerrymandering – are out-of-date for a modern, functioning democracy. Do you agree? Why or why not?
5. To what extent are the current problems of American politics rooted in the design of the Constitution and to what extent do they have other causes? What might some of those other causes be?
6. Why does Lazare call the American attitudes towards the Constitution a "secular religion" and why does he find this attitude unhelpful?
7. Lazare argues that the American belief in progress is at odds with the assumption that the 18th century Constitution is nearly or completely perfect and should not be altered. What explains this attitude of reverence toward the Constitution? Is it akin to religious fundamentalism?
8. What is Zinn's main point about the relationship of the Constitution to political change and the expansion of democracy?
9. Identify the five issues of justice and liberty discussed by Zinn and explain how each relates to his main point about the Constitution.

Readings:

Heineman. *American Government*, Chapter 2.
WEB – Readings from "The Founders and the Constitution" links.

Video:

America: Freedom to Fascism.