

Lesson 17: *The Power Plant of the Constitution* (Lesson Time 38:43)

[for Sunday, April 19, 2015]

Reading: The Making of America, pages 249-260

Chapter 10: The Power Plant of the Constitution

Pre-lesson questions for homework study and review: [*Supplemental* notes are bracketed]
[287 constitution provisions “principles” in text.]

1. WHAT RIGHT IS GIVEN TO EVERY AMERICAN IN THE FIRST SENTENCE OF ARTICLE I IN THE UNITED STATES CONSTITUTION? (PAGE 250)

Provision 8 [of 287]

All Legislative Power in Congress [A “Power Plant” because to make laws of the land is “the most significant part of the governmental Machinery]

o People not subject to any law not passed by Congress

2. HOW MANY FEDERAL LAWS DID THE FOUNDERS ENVISION WE WOULD NEED?

o Laws:

- few and defined
- simple and non-technical

BY WHOM DID THEY WANT PROPOSED LEGISLATION TO BE SCRUTINIZED, AND WHY? (250-51)

o Who scrutinizes proposed laws?

- House for the People
- Senate for the States
- President for the nation
- Courts for the Constitution

o Ways we have “laws” except by Congress

- Executive orders [originally applied only to the Exec. branch: e.g. White House, military, etc.]

3. DESCRIBE THE METHODS THAT THE FEDERAL GOVERNMENT HAS USED TO GRADUALLY ENCROACH UPON STATE SOVEREIGNTY. (251-52)

[4 in general: Executive Orders; Administrative Laws; Executive Agreements; Judicial Legislation]

o Administrative Law

- IRS regulations [also EPA, etc]
- Recorded in the Federal Register [begun 1932 to track all the 1000s of Admin laws!]

4. DESCRIBE THE STAGES THROUGH WHICH THE PRESIDENT’S ISSUING OF “EXECUTIVE ORDERS” HAS PASSED SINCE THE FOUNDERS’ TIME. (252-54)

- 4 Stages of Growth of presidential power
 - 1) Constitutional stage
 - 2) Strong President stage

- Teddy Roosevelt: I can do anything unless forbidden by the Constitution [1,006 exec orders, mostly govt land grabs; He should have said "I can ONLY do what the constitution allows."]

3) WWI stage

- used crisis to regulate

4) New Deal stage [Franklin Roosevelt]

- gold and silver backing off money

- used crisis to redistribute wealth

5. HOW HAVE SECRET "EXECUTIVE AGREEMENTS" BEEN USED BY THE PRESIDENT TO MAKE LAW? (254-55)

o Executive Agreements [made in secret, allowable only because approval required by Senate]

- Yalta Agreement [Stalin, Roosevelt, Churchill enslaved millions under an "Iron Curtain" – 'Yalta' still has 'sensitive' secret parts today!]

6. TELL HOW THE FEDERAL JUDICIARY BEGAN TO MAKE NEW LAWS. (255-56)

o Judicial Legislation [new laws never addressed by Congress, e.g. Roe vs. Wade]

- Roe vs. Wade

- School busing

- Prayer or Bible reading in school

7. IDENTIFY THE TWO GREAT SAFETY NETS PROVIDED IN THE CONSTITUTION TO PROTECT THE PEOPLE FROM UNCONSTITUTIONAL ACTIVITIES BY EITHER THE CONGRESS OR THE COURTS. (256-57)

Provision 9 [of 287] Congress = House and Senate

o House

- represents the people

o Senate

- represents the states

o Two houses gives double security

o Either a miracle or genius [G. Mason quote]

8. EXPLAIN HOW THE HOUSE OF REPRESENTATIVES AND THE SENATE, AS ORIGINALLY ENVISIONED BY THE FOUNDERS, HELPED TO ESTABLISH A PERFECT BALANCE IN GOVERNMENT OF "THE ONE, THE FEW, AND THE MANY" (258-59)

["the President" "The Senate" "The Representatives"]

9. WHAT ARE THE PURPOSES OF THE "UPPER CHAMBER" SUCH AS THE U. S. SENATE? (259)

["The people do not have the discernment and stability necessary for systematic government" – Hamilton. In 1913 the 17th amendment passed, needs repeal in 2015!]

10. WHAT IS THE WISDOM IN HAVING TWO BRANCHES IN THE LEGISLATURE, AND WHY WAS THIS INNOVATION IN CONGRESS TERMED A MIRACLE? (260)

["Bicameral Legislature Provides Double Security": Hasty Legislation is Dangerous- Hamilton. Two houses slows it down and civility reigns- cpl]

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QUIZ Lesson 17 Chapter 10 – *Power Plant of the Constitution*

1. Why is Article I, Section I known as the "power plant" of the constitution?

2. To whom did the people delegate authority to make all federal laws ?

3. What right does this provision give every American?

4. Give one way this provision has been violated.

5. Give another way this provision has been violated.

6. Give another way this provision has been violated.

7. Give another way this provision has been violated.

8. Give the first two stages through which the office of president has passed in taking on more "authority".

9. Give the last two stages through which the office of president has passed in taking on more "authority".

10. Which president said he could do anything unless forbidden in the Constitution?

11. Give an example of a law which was not passed by Congress.

12. Give another example of a law which was not passed by Congress.

13. Give the two divisions of Congress.

United States Congress		
	U.S. Senate	U.S. House of Representatives
Number of members	100 (2 per state)	435 (Based on States' populations)
Term Length	6 years (Direct Election)	2 years (Direct Election)
Passing Vote	$\frac{2}{3}$ Vote	Majority Vote
Debate limit	None	1 Hour per speaker

-Thotia.org/parliament-13

	House of Representatives	Senate
Membership	435 members (apportioned by population)	100 members (two from each state)
Term of office	2 years; entire House elected every 2 years	6 years; staggered terms with one-third of the Senate elected every 2 years
Qualifications	at least 25 years of age; citizen for 7 years; must live in state where district is located	at least 30 years of age; citizen for 9 years; must live in state
Constituencies	Smaller, by districts	Larger, entire state
Prestige	Less prestige	More prestige

Figure 12-1 Structure of Congress: A comparison of the House and Senate.

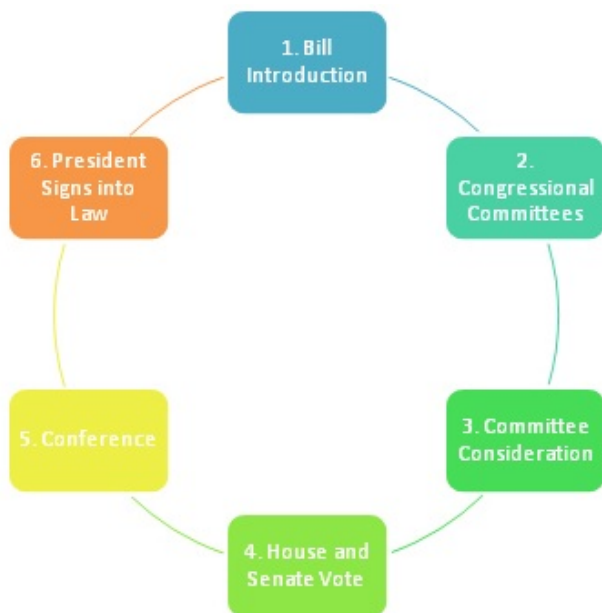


Figure 4 “How Congress Works”— www.levin.house.gov



Chp 2, Sec 3

Key Conflicts in the Constitutional Convention

Large States vs Small States	
✦ Congress should be composed of two houses. ✦ The number of delegates to both houses of Congress should be assigned according to population.	✦ A Congress of one house should be preserved. ✦ Each state should have one vote.

Figure 3 The Amazing Work of the Continental Congress Was to Create these Two Houses With Ability to become Balanced in Legislative Work