

Begin →

Creating a New Government

After reaching agreement on questions of slavery and representation, the delegates dealt with other issues. They divided power between the states and the national government and separated the national government's power into three branches.

DIVISION OF POWERS The new system of government was a form of **federalism** that divided power between the national government and the state governments. The powers granted to the national government by the Constitution are known as delegated powers, or enumerated powers. These include such powers as control of foreign affairs, providing national defense, regulating trade between the states, and coining money. Powers kept by the states are called reserved powers. These include powers such as providing and supervising education, establishing marriage laws, and regulating trade within a state. ☺

Both levels of government share such important powers as the right to tax, to borrow money, and to pay debts. They also share the power to establish courts.

SEPARATION OF POWERS The delegates protected the rights of the states, but they also granted some powers exclusively to the national government. At the same time, they limited the authority of the government. First, they created three branches of government—a **legislative branch** to make laws, an **executive branch** to carry out laws, and a **judicial branch** to interpret the law.

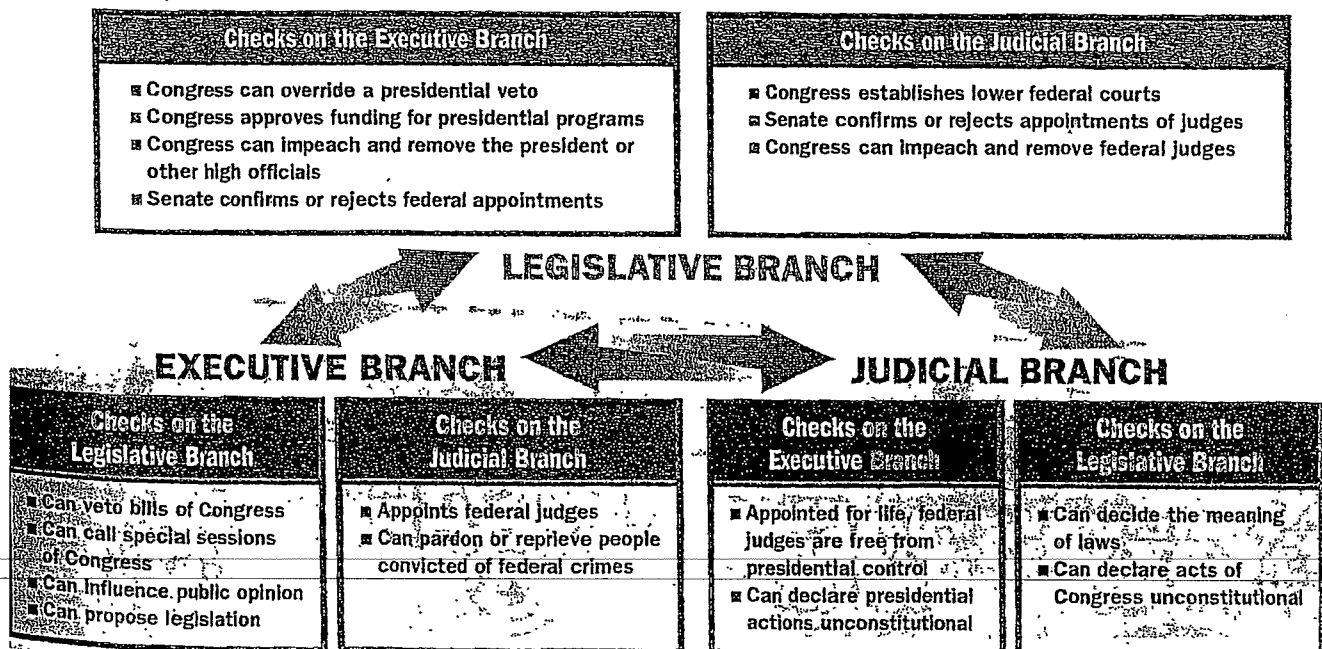
Then the delegates established a system of **checks and balances** to prevent one branch from dominating the others. (See the chart below.) For example, the president has considerable power, but the Senate has to approve some of the president's decisions. The president can veto acts of Congress, but Congress can override a veto by a

MAIN IDEA

Summarizing

- ☺ Which powers were granted to the national government and to the state governments?

The Checks and Balances of the Federal System





THE ELECTORAL COLLEGE

Distrust of popular sovereignty led the framers of the Constitution to devise a complicated system of electing the president. The creation of an electoral college ensured that a college of electors, or representatives, would have the last say in the vote.

In the 2000 presidential election, the electoral college played a decisive role in choosing the president. Even though Al Gore won the popular vote by a margin of almost 540,000, the electors gave George W. Bush 271 electoral votes—one vote more than the 270 votes needed to win the presidency.

two-thirds vote. The Supreme Court assumes the power to interpret the Constitution, but the president appoints the justices, and Congress can bring them to trial for abuses of power.

The procedure for electing the president reflected two main concerns. Because there were no national political parties and because travel and communication were limited, there was a fear that the popular vote would be divided among many regional candidates. Also, many among the upper classes distrusted and feared the lower classes. Some did not trust the common people to vote wisely; others trusted them to vote the upper class out of power. So the delegates came up with a new system of electing the president. Instead of voters choosing the president directly, each state would choose a number of electors equal to the number of senators and representatives the state had in Congress. The group of electors chosen by the states, known as the **electoral college**, would cast ballots for the candidates.

CREATING THE CONSTITUTION Finally, the delegates provided a means of changing the Constitution through the amendment process. After nearly four months of debate and compromise, the delegates succeeded in creating a constitution that was flexible enough to last through the centuries to come. Yet when George Washington adjourned the convention on September 17, 1787, he was somewhat uncertain about the future of the new plan of government. Washington remarked to a fellow delegate, "I do not expect the Constitution to last for more than 20 years."

The convention's work was over, but the new government could not become a reality until the voters agreed. So the Constitution of the United States of America was sent to the Congress, which submitted it to the states for approval.