How does the Constitution fix the problems of the Articles of Confederation?

Problem #1
- Congress did not have enough power under the Articles
  - Could not raise an army, collect taxes, regulate trade interstate or foreign trade, force states to follow laws.

Solution to Problem #1
- The Constitution gives Congress Enumerated powers.
  - An Enumerated power is one that is specifically listed.
  - Example: Congress has the power to raise taxes.
- The Constitution also gives provides the Congress with “wiggle room”
  - General Welfare clause – says that congress has the power to make laws that provide for the well being of it’s citizens.
  - Necessary and Proper clause – Congress has the power to make laws necessary and proper to enact enumerated powers.

Problem #2
- The states had more power than the national/central/federal government.
Solution to Problem #2

**Federalism** – The US Constitution divides power between the Federal/National government and state governments.

- Some powers are given specifically to the Federal government (declare war, make treaties, etc.). These are called Delegated powers.
- Some powers are given specifically to the states (regulate education, issue licenses). These are called Reserved powers.
- Some powers are shared (raise taxes). These are called concurrent powers.

Solution to Problem #2

**Continued**

**The Supremacy Clause**

- The Supremacy clause says that the US constitution is the Supreme law of the land.
- States can not make laws that conflict with laws in the constitution.
- Nor can states ignore laws made by congress or make laws that conflict w/laws made by congress.

Problem #3

- The Framers are still afraid that the National Government will have too much power.

Solution to Problem #3

**Separation of Powers**

- Each branch is given different powers/jobs. That way no one branch will have too much power.
Solution to Problem #3

Continued

Checks and Balances

- Each branch is given the power to limit or “Check” the power of the other two branches.
  - The President can veto or reject laws made by Congress. The Congress can impeach (remove from office) the President.
  - No one branch can “take over” because the other two have some control over them.

The Constitution creates a Limited Government.

- The power of the Federal Government is limited to the powers granted in the Constitution.
- The Government can not do what the people have not authorized in the Constitution.
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