GOVERNMENT BY THE STATES

- Early Gov’t
  - Articles of Confederation
    - Set of laws to govern the U.S. – most power w/ the states
    - Established a Nat’l Gov’t – only one branch – legislative – carried out power of both legis. & exec.
    - today 3 branches (LEX)
    - Passage of any measure involving $ req. 9 of 13 votes
    - Changes in the Articles – all 13 states had to agree
  - State Constitutions
    - early years - more important

Key Terms: Articles of Confederation, legislative branch, executive branch, judicial branch, constitution, democracy, republic, Shays’ Rebellion, specie

OPPOSITION TO THE ARTICLES

- Criticisms included:
  - 1 vote for each state – regardless of size;
  - Congress cannot collect taxes – raise money;
  - Congress powerless to regulate foreign & interstate commerce;
  - No separate executive branch to enforce acts of Congress;
  - No Nat’l court system to interpret laws;
  - 9/13 majority to pass laws;
  - Changes to the Articles – 13/13 states must agree;
  - Articles only a ”firm league of friendship.”
    - Confederation of Sovereign States
    - ”binding themselves to assist each other”.

- Changes in the Articles – all 13 states had to agree;
OPPOSITION TO THE ARTICLES (CONT.)
- Economic Problems
  - 3 yrs. of war debt of $50M; borrowed $ from foreign gov’ts.
  - Public & private debt – some gov’ts printed cheap paper
- Concerns About Weak Government
  - Nationalists – wanted strong federal gov’t. - chaos w/o
- Learning from History
  - Roman republic failed in the past – tyranny & chaos
- America as a Model (Thomas Paine)
  - for the world, GW gives up his command
- The Annapolis Convention (1786)
  - discuss econ. problems – plan for interstate & foreign trade

SHAYS’ REBELLION
- The Causes of the Rebellion
  - Direct Tax in MA to be paid in specie
  - Merchants & wealthy people demanded $ back after loaned to states (after Amer. Revol.)
- Effects of the Rebellion
  - Steps need to be taken to strengthen the Nat’l. govt. & avoid civil unrest
  - Led to a convention in Phil. (May 1787) to decide the fate of the republican govt.

CONSTITUTIONAL CONVENTION (1787)
- in 4 mos. U.S. Constitution created
- James Madison - Father of the Constitution
  - help draft VA Plan – basis for the Constitution
- Key Terms: Constitutional convention, United States Constitution, amend, veto, Great Compromise, Three-Fifths Compromise, federal system of government, separation of powers, checks & balances, electoral college
THE CONVENTION ASSEMBLIES

- Grew out of the Annapolis Convention 1786
  - Discuss economic problems – only 12 delegates from 5 states were present
- Met in Philadelphia, PA summer of 1787
- Pennsylvania State House
- Hot & Humid – windows closed – privacy
- 55 delegates from each state except RI.
- Youngest delegate – 27
- Oldest delegate – 81 – most in their 30s & 40s
- Most were educated & familiar with the political theories of the European Enlightenment

"THE FATHER OF THE CONSTITUTION"

- 36 yr. old bachelor, son of a wealthy landowner
  - married at 43 to a 26 yr. old widow (Dolley) – 42 years
- profound reader & thinker (finished 4yr college 2yrs)
  - studied history, government, & law for over a year thinking about how to craft a new gov’t.
- shy & disliked public speaking, but a leader
- served in the Continental Congress & VA legislature
- 4th President, elected in 1808. Who are the other 3?
- Active in politics until his mid eighties.

DIVISIONS AT THE CONVENTION

- The VA Plan
  - Proposed a bicameral (2 house) government where the more populated states would get more votes
  - There would also be an executive branch and a judicial branch
- The NJ Plan
  - Counter to the Virginia Plan
  - Proposed by William Patterson
  - Every state would have an equal vote
  - Would also have an executive branch and a Judicial branch
REACHING AGREEMENTS

- The Great Compromise (July 16, 1787)
  - Also known as the Connecticut compromise
  - Combined the Virginia plan and the New Jersey plan
  - Created a legislative branch of government
  - Created the House and the Senate in order to give both small states and large states what they wanted

- The Three-Fifths Compromise
  - 3/5 of the slave population would be counted to determine a state’s population b/c w/o it southern states would be weak in the House
  - Does this mean that African American’s would be allowed to vote?

A LASTING DOCUMENT

- Approved on September 17, 1787
- Specific enough not to be misinterpreted;
- Flexible enough to adapt to social, economic, political & technological changes not imagined by the framers.
  - Evidence - only 27 amendments since 1787
    - Or 17 changes since 1791

GOVERNMENT STRUCTURE

- Federal & State Powers
  - power is shared. Reserved (states), delegated (fed), & concurrent (same time) powers
- Separation of Federal Powers
  - ea. branch own authority, no one branch complete control over the govt. checks & balances
- Congress
  - House of Reps. & Senate – authority, terms, & ages
- The President
  - authority, terms & age – electoral college
- Federal Courts
  - President w/the advice & consent of Senate – term for life
- The Road Ahead
  - Constitution req. 9/13 states for approval
RATIFYING THE CONSTITUTION
- The Federalist View
  - Favored ratifying The Constitution
  - Led by nationalists
  - wanted strong national gov’t. (Federalist Papers)

Key Terms: ratify, Federalist, faction, anti-Federalist, Bill of Rights

THE ANTI-FEDERALIST VIEW
- Opposed the ratification of the Constitution
- Lead by Patrick Henry of Virginia
- Believed that a federal government would eliminate state rights
- Believed that the constitution was a betrayal of the American Revolution
- Wrote the Anti-Federalist papers
- Pointed out that the constitution did not state individual rights
- Their apprehension led to the Bill of Rights

WHY THE FEDERALISTS WON
1. Serious flaws in the Articles of Confederation
2. United around a specific plan – The Constitution
3. Well-organized national group in regular contact w/ each other
4. Had G. Washington’s support – who had foreseen Shays’ Rebellion
THE BILL OF RIGHTS

- Protecting Individual Rights
  - The VA Dec. of Rts. (written by George Mason)
    - contained many of the rights added to the US Const.

- Against the Bill of Rights
  - Most Federalists saw no need for these
    - *The Federalist*, No. 84
      - "the people surrender nothing" under the new system
      - "Here is a better recognition of popular rights" than any added list of rights
  - For the Bill of Rights
    - Many Americans did not accept Hamilton’s (Federalists) reasoning
    - Thomas Jefferson advocated for individ. rts. to be enumerated in The Constitution, but wanted more specificity

THE BILL OF RIGHTS

- First 10 Amendments
  - 1st – Freedom of religion, speech, press, assembly, and petition
  - 2nd – Right to bear arms
  - 3rd – Citizens do not have to quarter soldiers
  - 4th – No unreasonable searches and seizures
  - 5th – Protects against self incrimination, double jeopardy, taking of private property w/o just compensation
THE BILL OF RIGHTS (CON’T.)

- First 10 Amendments (con’t.)
  - 6th – Swift and fair trials (speedy & public) & rt. to confront witnesses
  - 7th – trial by jury in civil cases
  - 8th – protects against excessive bail & cruel and unusual punishment
  - 9th – People have rights beyond that of the constitution
  - 10th – Establishes that all powers not guaranteed to the federal government and not withheld from the state are held by each of the states, or their citizens (reserved to the states)

THE NEW GOVERNMENT

- April 30, 1789 – G. Washington was inaugurated as the 1st President of the new nation
  - NYC Wall Street

Key Terms: inauguration, Cabinet, domestic affairs, administration, precedent

THE NEW LEADERS

- Vice President John Adams
  - Federalist – MA Patriot
- Sec. of State Thomas Jefferson
  - matters of foreign affairs
  - but became involved in domestic affairs
- Sec. of War Henry Knox
- Attorney General Edmund Randolph (VA)
- Treasury Sec. Alexander Hamilton
  - largest department in G. Washington’s administration
WASHINGTON’S GOVERNMENT

- establishing precedents
  - Mr. President
  - dignity, formality, reserved & private
  - Only served two (2) terms
- popular – won reelection (1792)
  - lived in style and grandeur
    - command respect of American people & rest of the world

PLANNING A CAPITAL CITY

- Capitol – NYC - home of the govt. the 1st year
- Capitol - moved to Philadelphia, PA 1790
  - remained there for ten years while capitol was planned & being built
- Washington D.C. (1800)
  - Resident Act of 1790 - 10 sq. mi. along Potomac R.
  - Pierre-Charles L’Enfant – French artist & architect – developed the city plan
  - fought for colonialist during American Revolution
  - Great boulevards, marble buildings, Roman style, & public monuments
  - Included the official residence of the President