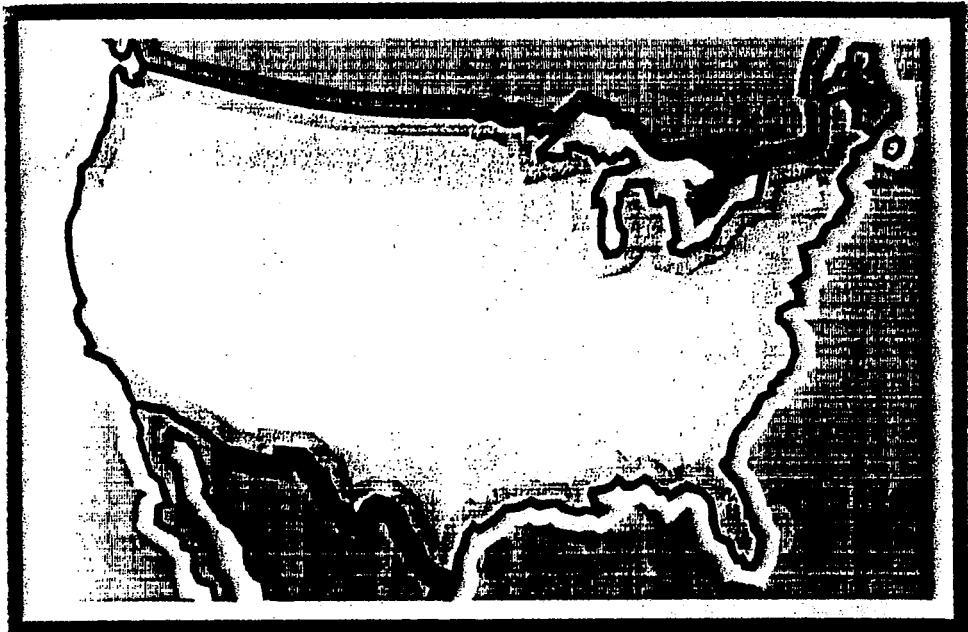


US History



United States History: Chapter 5

- 5.1: Experimenting with Confederation**
- 5.2: Drafting the Constitution**
- 5.3: Ratifying the Constitution**

Weaknesses of Articles of Confederation

- Congress Could not Enact or Collect Taxes
- Congress Could not Regulate Interstate or foreign Trade
- Each State had 1 vote in Congress regardless of pop.
- 2/3 Majority (out of 13 states) need to agree on new laws
- Articles Could be amended only if all States approved.
- No Executive branch to enforce the laws of Congress.
- No National Court System to settle legal disputes especially between States
- 13 Separate States lacking National Unity

Republicanism Debated

- Colonies became States who were self-governing most loyal to Colonial govt.
 - Reluctant to unite under Strong Central govt (British experience)
 - Creditors wanted full value of the money they lent to Farmers (debtors)
 - Debtors (Farmers) wanted to increase supply of money w/ Cheap Money (Inflation)
 - High debts sent farmers into debt
 - Lenders favored high taxes to get paid back for loans
- Creditors vs Debtors
- Republicanism based on rule by people John Dickinson believed a Republic benefits from unselfish interests
 - Adam Smith believed a Republic benefits from Self-Interest
 - State Constitutions stress liberty rather than equality + limits govt power
 - Fear of strong central govt power
 - Many limited voting rights to white males
 - Few political precedents (Firsts) when most governed by kings
 - Athens, Rome, English Commonwealth?

Foreign Relations Problems

- Because of little support from states for national concerns
- Fear of too much national power resulted in a govt. that lacked power to deal with nation's problems
- Repaying debts to Britain
- Failure to compensate Loyalists' losses
- British refusal to leave forts
- Spain's closing Mississippi River

Experimenting with a Confederation3 Stages of Northwest Ordinance

- Land ORDINANCE was Arr of Confed greatest achievement.
- 3 stages to statehood for a territory
 - Congress appoints territorial governor + judges
 - Territory with 5,000 voting residents could write temporary constitution + elect their own government
 - Territory population of 60,000 could write a state constitution + must be approved by Congress Could become a state

Continental Congress Debates

- Delegates had to answer 3 basic questions
 - Representation by population or state?
 - States were unequal in size, wealth + population
 - Decided 1 state, 1 vote (independ. states)
 - Can supreme power be divided?
 - Decide on confederation or alliance w/ 2 levels of govt sharing powers = ART. OF CONFED.
 - Who gets western lands?
 - Maryland wanted all land turned over to central govt
 - Decide on 2 land ordinances

Governing the Western Lands

- Land Ordinance of 1785 - made purchases small + affordable after govt. surveyed + divided it
- Northwest ORDINANCE 1787 - divided the land into territories + set up rules for statehood

Creating Electoral College

- Fear pop vote for President would be divided among Regional Candidates.
- Upper Class feared lower class + did not trust them to vote wisely.
- Each state would choose a # of electors equal to # of Senators + Representatives the state had in Congress.
- The group of electors chosen by the states or Electors made up the Electoral College that cast ballots for their candidate.

Nationalists Strengthen Government

- Shay's Rebellion CONCERN Farmers (Dan Shay) demanding Courts Be Closed to Prevent Creditor from taking their farms.
- He Raises Militia Stronger than National govt's + Raises question of this rebellion spread to other States + Weaken Cent. Govt.
- Madison + Hamilton call for a Convention of States to deal w/ Interstate Trade
- Shay's Rebellion Convincing 12 states to attend except for Rhode Island
- Most Delegates were wealthy, educated white men in 30's + 40's
- Franklin, Washington Attend

Creating the Constitution

DRAFTING
THE
CONSTITUTION

Separation of Powers

- Protect Rights of States + grant some powers to National govt. + at same time limit power of govt.
- FIRST Create 3 branches or judicial, legislative + executive
- Second establish system of Checks + Balances on Power

Economic Issue of Slavery Lingers

- If Congress given power to regulate trade it might do away with Slave trade
- Part of Compromise gave Congress to Regulate Trade but could not Touch Slave Trade for 20 yrs

Creating a New Gov't.

- Based on Federalism or Shared Powers OR Division of Powers such as
- ① Delegated Powers or powers of National govt
- ② Reserved Powers or powers kept by the States
- ③ Concurrent Powers or powers held by both.
- Examples of Separation of Powers

Convention Highlights

- Conflict leads to COMPROMISE
- Most delegates recognize need to strengthen Central Govt. By FORMING NEW GOVT.
- Great Compromise or Conn Compromise settles Big States vs Small States Problem
- Roger Sherman offered a 2-house Congress - lower based on Pop + upper on 1 vote.
- Virginia Plan was based on Pop + N/J on 1 vote
- Sherman Combines Both Ideas

Slavery Issue = Compromise

- Representation by pop raised question Counting Slave pop
- 3/5 Compromise calls for 3/5's of Slave pop to be counted
- Settles Political Issue

Separation of Powers

- From Federalism Idea
- Separates into Three Branches of govt with balance of power because Each Check the powers of others
- Known as Concept of Checks + Balance
 - ① Executive carries out Laws
 - ② Legislative makes Laws
 - ③ Judicial Interprets Laws
- Can Check powers of others by:
 - ① Executive has veto Power
 - ② Legislative can Override Veto
 - ③ Judicial can Rule law Unconstitutional
- Electoral College CHECKS Popular VOTE

Adoption of Bill of Rights

- Amendments are add-ons to Constitution
- 12 proposed but only 10 Ratified 1791
- 1st = Freedom of Religion/Press/Speech/Assembly
- 2nd = Right to bear Arms
- 3rd = Stops housing of troops in private home
- 4th - 8th = Fair treatment of the accused
- 9th = People's Rights not restricted to only those IN The Constitution
- 10th = States have power Not IN Constitution

Bill of Rights Heads to Ratification

Anti-federalists argued since the Constitution Weakens States, the people needed National Bill of Rights

- Federalists agree only if Constitution is Ratified
- Delaware, the first to Ratify, New Hampshire the 9th but delegates wanted NY + Virginia to Ratify because of their influence.

- By 1789 all but Rhode Island Ratify
- Rhode Island would Sign 1790 Ratify

Federalists vs Anti-Federalists

- Ratification or official approval needed or 9 out of 13 States for approval
- Voters elected delegates to the Convention to reject it or accept it. This strategy bypassed state legislatures who likely would oppose it.
- Constitution Brought Radical Changes especially less State Power.
- Natives + Slaves Excluded Federalists Support Constitution + stronger Central government

NOT All Included

- Anti-Federalists Fear Strong Central govt and the lack of protection for Individual Rights
- They Doubt Single govt. Could rule large Nation + Potential for Abuse of power
- Also Fear Minority Voice would be Ignored

Ratifying
the
CONSTITUTION

Tactics By Federalists

- Both Sides wage War of Words (Propaganda)
- Federalists use series of 85 essays to defend Constitution called "The Federalist Papers" Supported by Washington, Hamilton, Madison = propaganda
- Urban Centers, Small States with debt SUPPORT Constitution
- Papers appear in NY. A crucial state to win over
- Papers explained concept of Federalism, Separation of Powers or Shared Powers

Tactics By Anti-Federalists

- Counter with Their own war of words (propaganda) called "Letters from the Federal Farmer" by Richard Henry Lee (Va)
- He focused on need for Individual Rights - Free Press, Religion - Reasonable Search, - Trial by Jury