

Topic 2: The Beginnings of American Government

Mrs. VanAlstine

Origins of American Political Ideals



Think of This...

The American system of government did not *suddenly spring* into being with the signing of the **Declaration of Independence** in 1776. Nor was it created by the Framers of the **Constitution** in 1787. Instead, the beginnings of what was to become the United States can be found in the *mid-sixteenth century*, when explorers, traders, and settlers first made their way to North America.

The French, Dutch, Spanish, Swedes, and others came to explore and settle what would become this nation—and, in the process, to dominate those Native Americans who were here for centuries before the arrival of the first Europeans. It was the **English**, however, who came in the largest numbers. And it was the **English** who soon **controlled the 13 colonies** that stretched for some 1,300 miles along the Atlantic seaboard.

Three

...basic concepts of government...

The earliest English settlers brought with them knowledge of a **political system** that had been developing in England for centuries.

The **ancient Romans** occupied much of England from a.d. 43 to 410. They left behind a legacy of law, religion, and custom. From this rich political history, the English colonists brought to North America *three basic concepts* that would be of incredible influence in the shaping of government in the United States.

Ordered Government	Government regulates affairs among people. Government maintains order and predictability.
Limited Government	Government is restricted in what it may do. Every individual has certain rights government cannot take away
Representative Government	Government should serve the will of the people. People should have a voice in deciding what government can and cannot do.

*These basic notions of **ordered, limited, and representative government** can be traced to ideas that began to emerge hundreds of years before the English reached North America, as well as to several landmark documents in English history.*

Three

...influential documents and ideas...

The Magna Carta

King John of England was forced to sign the document in 1215

Barons who developed it were weary of his heavy taxes, military campaigns and other heavy-handed arbitrary acts

Fundamental Rights:

1. Trial by jury
2. Due process of law
3. Right to LIFE, LIBERTY, PROPERTY
4. Power of the Monarchy was **NOT** absolute

The Petition of Right

The Magna Carta was both respected and ignored for 400 years

Parliament grew in power and by 1628 they were upset by King Charles' greed and power.

Charles was forced to sign the Petition of Right before he received more tax money from Parliament

Fundamental Rights:

1. Trial by jury
2. No cruel and unusual punishment of prisoners
3. Homeowners not required to quarter the king's troops
4. No taxes that were not approved by Parliament

The English Bill of Rights

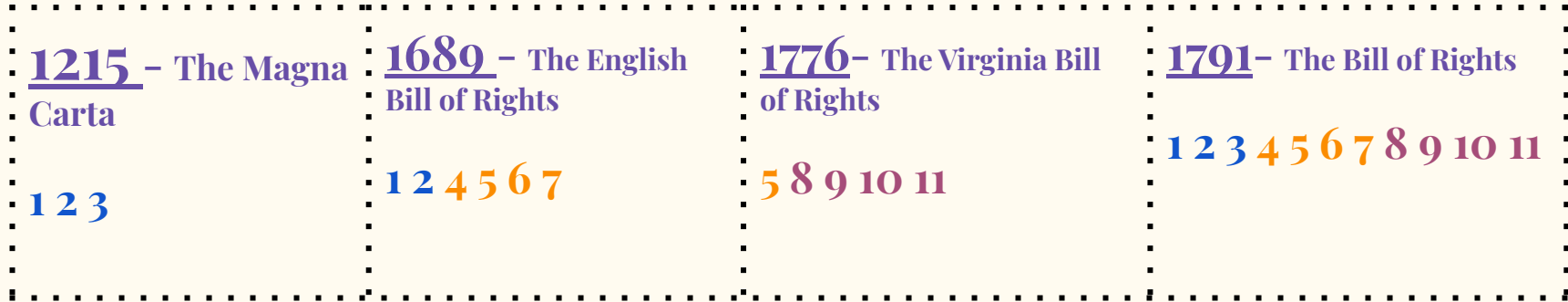
King Charles was the source of much turmoil and revolt. In 1688 the crown was offered to William and Mary of Orange.

To prevent abuse of power by William and Mary, and future Monarchs, Parliament issued the English Bill of Rights in 1689.

Fundamental Rights:

1. Prohibits a standing army in peacetime, except with consent of Parliament
2. Parliamentary elections should be free
3. Parliament must approve all laws
4. No taxes to be levied for the use of the crown
5. The right to petition the King

Foundations of American Rights



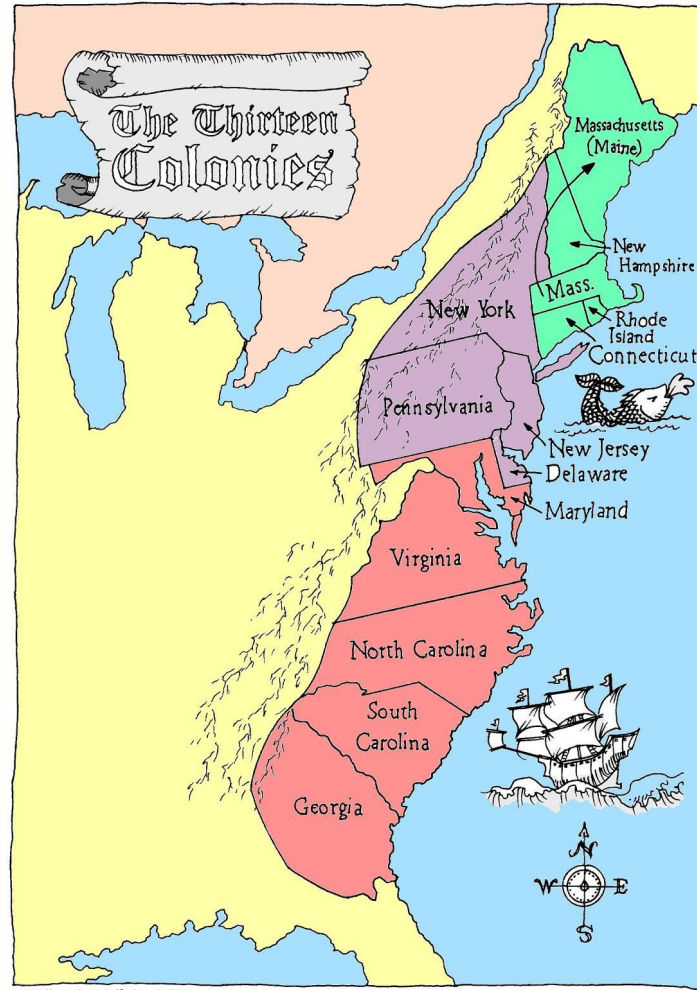
1. Trial By Jury
2. Due Process
3. Private Property
4. No Cruel Punishment
5. No Excessive Bail or Fines
6. Right to Bear Arms
7. Right to Petition
8. No Unreasonable Searches and Seizures
9. Freedom of Speech
10. Freedom of the Press
11. Freedom of Religion

Three

...types of colonies...

Schools of Government

The 13 colonies have been described as “schools of government” because they were the settings in which Americans first began to learn the difficult art of government. Later, the lessons learned by the colonists would help *inform the development of the government of the new United States.*



The English Colonies

- Established separately over **125 years**
- Virginia
 - The first colony
 - The *first permanent settlement* in North America
 - Jamestown - 1607
- Georgia
 - The last Colony
 - Savannah - 1733
- Each colony was born out of *particular circumstances* and by a CHARTER
 - Virginia - commercial venture; the colonists were part of the Virginia Trading Company
 - Massachusetts - settled by people who came to North America personal and religious freedom
 - Georgia - founded as a haven for debtors to England's harsh taxing and laws against the poor

Charter: *a written grant of authority from the king; gave colonists or companies a grant of land and some governing rights, while the crown retained a certain amount of authority over a colony.*

These charters lead to the development of the three different types of colonies....

Royal Colonies

Subject to **direct control** of the Crown.

Governor appointed by the King.

New Hampshire

Massachusetts

New York

New Jersey

Virginia

North Carolina

South Carolina

Georgia

Proprietary Colonies

Organized by a **proprietor**, *a person to whom the king had given a grant of land.*

The land could be settled and governed however the **proprietor chose**.

Proprietor appointed the Governor.

Still largely influenced by the king.

Maryland

Pennsylvania

Delaware

Charter Colonies

Charters were granted to the people of these regions by the King.

Governors were **elected each year** by white, male property owners.

Largely self-governing.

Outside the reach of the King.

Connecticut

Rhode Island

Discussion Question

Write your discussion question for this section.

Independence

Think of This...

“We must all hang together, or assuredly we shall all hang separately.”

Benjamin Franklin is said to have spoken these words on July 4, 1776, as he and the other members of the Second Continental Congress approved the Declaration of Independence. Those who heard him may have chuckled, but they also may have felt a shiver, for Franklin’s humor carried a deadly serious message.

Without commitment from all 13 colonies, then, new States, the new union would most certainly collapse.

Much of Britain's political history can be told in terms of the century-long struggle for **supremacy** between the monarch and parliament. While this was mostly settled by the American colonial period, the struggle continued into the 19th century.

During this time:

- ❖ Parliament paid little attention to the colonies, except in *trade matters*.
- ❖ Colonies developed in the framework of royal control.
 - *Ideally*, governed from Britain.
 - *Realistically*, self-governed because Britain was more than 3,000 miles away.
- ❖ Colonial legislatures assumed lawmaking powers and used the “power of the **purse**” to manipulate the king’s appointed officers.
 - Governor’s salaries were controlled by the colonial legislatures.

A Federal Government?

The relationship between the colonies and London had become **federal** - Britain provided a *monetary system* and *defense* and left the rest up to the colonies.

Little money was taken from the colonists in **direct taxes** to fund the central government in London.

Very few regulations were put in place by Parliament for the colonies.

King George III came to the throne in 1760 and Britain began to **deal more firmly** with its colonies.

1. **New taxes** were levied from the colonists to help **repay the debt from the French and Indian War** that Britain fought to protect the colonies.
2. Many other new taxes were imposed along with stricter trading regulations, all to **benefit Great Britain**.

British Colonial Policies, 1761–1774

YEAR	ACT
1761	Writs of Assistance allowed British officials to search homes and businesses for smuggled goods.
1763	Proclamation of 1763 restricted white settlers from land west of Appalachian mountains and required a license for trade with Native Americans.
1764	Sugar Act required and heavily enforced taxes on sugar and other goods imported into America.
1765	Stamp Act taxed printed paper, including legal documents, newspapers, and playing cards.
1767	Townshend Acts taxed glass, lead, paint, paper, and tea.
1773	Tea Act manipulated the tax on tea to favor the East India Company, giving them a monopoly and undercutting local merchants.
1774	"Intolerable Acts," so named by the colonists, included closing the port of Boston until colonists paid for the tea dumped during the Boston Tea Party, restricting town meetings in Massachusetts, and allowed for British soldiers to be housed in private homes.

The king's ministers were **poorly informed** and **stubborn**.

They pushed ahead with their policies, despite the resentments they stirred in America.

*Within a few years, the colonists faced a fateful choice: **submit** **or revolt**.*

Growing Colonial Unity

Early Attempts

- Making this decision was not a light matter
 - *If they chose to revolt, they would need to work together*
 - There had been failed attempts made in the past to promote colonial cooperation
-

Growing Colonial Unity

1. New England Confederation

- In 1643, several New England settlements formed the *New England Confederation* for defense against Native Americans
- Difference in opinion lead to the collapse of this confederation (joining of several groups for a common reason).

2. The Albany Plan

- In 1754, Benjamin Franklin proposed the *Albany Plan of Union*, in which an annual congress of **delegates** (representatives) from each of the 13 colonies would be formed to discuss and regulate colonial trade and protect against attacks from Native Americans.
 - Power to raise a military and naval forces, make peace with the Native Americans and trade with them.
- Agreed to by the attendees of the Albany Meeting....turned down by the Crown.

3. The Stamp Act Congress

- Harsh trade policies imposed in the 1760s caused resentment in colonies
- *Stamp Act of 1765* required tax stamps on all legal documents, business agreements & newspapers
- October, 1765 - 9 Colonies met in New York (*Stamp Act Congress*) to prepare a protest against new British policies
- The *Declaration of Rights and Grievances* was sent to King George III

*The Stamp Act Congress
was the first time a
significant number of the
colonies joined together to
oppose the British
government!!*

What happened next?!

Parliament repealed the Stamp Act!!

....But, new laws replaced it that tied the colonies closer to Britain.

80000.....

The colonists revolted!

Mob violence!

Complete evasion of laws!

*Most importantly....**boycotts** of British goods!*

March 5, 1770 - Boston Massacre

British troops fired upon a crowd of protesters in Boston, killing 5

1772 - Committees of Correspondence

Created by Samuel Adams, provided for a network of cooperation and the exchange of information among patriots throughout the colonies

December 5, 1773 - Boston Tea Party

*Group of colonists disguised as Native Americans boarded three tea ships in the Boston Harbor and dumped the tea into the sea to **protest British control of the tea trade***

The Continental Congresses

...and their importance in American History...

The First Continental Congress

Assembled: September 5, 1774

Adjourned: October 26, 1774

Why: *Parliament passed the “Intolerable Acts” in the spring of 1774 (see slide 22 for explanation of Acts)*

Where: *Philadelphia, in what came to be known as Independence Hall.*

Who: *Delegates from all 13 colonies except Georgia. These are the people that we call our “Founding Fathers”!*

Outcome: *Delegates issued the **Declaration of Rights** to the King and urged the colonists to **refuse all trade** with Britain until taxes and trade restrictions were repealed.*

The delegates would reconvene in May to assess the state of the colonies...

The Second Continental Congress

Assembled: *May 10, 1775*

Adjourned: *1781*

The Revolutionary War had already begun.

Why: *They had arranged this meeting prior to adjourning the First C.C. Britain had also become more strict with their colonial policies after receiving the Declaration of Rights.*

Where: *Philadelphia, in what came to be known as Independence Hall.*

Who: *Delegates from all 13 colonies*

Outcome: *The start of America! The Second C.C. became the first government of the USA by force of circumstance. Since the colonies were at war, The Second C.C. acted like a legitimate government. It raised the colonial army and navy, created a monetary system, borrowed funds from foreign nations, made treaties, etc...*

First Government

...the Second Continental Congress served as America's first government from its initial meeting in May of 1775 when we were not yet our own nation, through the signing of the Declaration of Independence in 1776, and until the signing of the Articles of Confederation in 1781....

The Declaration of Independence

Slightly more than 1 year after the Revolution began, delegate from Virginia, Richard Henry Lee, proposed this to the Congress...

Resolved, That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved.

—Resolution of June 7, 1776

The Committee of Five

...Thomas Jefferson, Benjamin Franklin, John Adams, Roger Sherman, & Robert Livingston...

These men were
chosen to draft a
proclamation of
independence.

Thomas Jefferson

... and his work on the
Declaration of Independence

Young delegate who was well-respected and shy.

Composed an essay in 1774 arguing on behalf of colonial freedom. This gained him much notoriety.

Chosen as the main author for the Declaration of Independence, he drew on many of John Locke's ideas such as social contract and natural rights of humans.

Debate

As Jefferson worked, the delegates continued to debate the wisdom and risk of declaring independence from Great Britain. Could they stand on their own as a new nation? But on the other hand, could they tolerate continuing to be abused British subjects?

July 2, 1776

The delegates agree to Lee's resolution and quickly begin consideration of Jefferson's work on the Declaration of Independence.

July 4, 1776

The new Congress of the United States of America adopted the Declaration of Independence.

Revolutionary Ideas

With the adoption of the Declaration of Independence, **the United States was born**. The 13 colonies became free and independent States, and the American Revolution became more than a war for independence. Indeed, *the Declaration ushered in groundbreaking notions of human rights and limited government.*

No political system had ever been founded on the notion that the **people should rule instead of being ruled**. None had ever rested on the idea that every person is important as an individual, **“created equal,”** and endowed with **“certain unalienable rights,”** meaning *rights that the government could not take away.*

The Declaration was also revolutionary because it was **founded on the concept of “the consent of the governed,”** rather than divine right or tradition as the basis for the exercise of power. Central to this concept was the notion that **“the Laws of nature and of nature’s God” entitle people to certain rights.** Governments exist only to serve the will of the people.

Almost immediately, these ideas created a new *national* identity that **set the United States apart from all other nations and united Americans behind a core set of beliefs.** As the ideals of the Declaration were put into practice, they also contributed to creating a *federal* identity, in which certain rights were protected by the National Government and others by State governments.

It would be **State governments** that would protect the public safety, provide aid during times of natural disasters, and set up institutions such as hospitals and schools. All these ideals are embodied in the United States today in countless ways, including **representative government, federalism, popular sovereignty,** and **limited government.**

State Constitutions

New Hampshire was ahead of the curve. They adopted a constitution to replace its royal charter in **January of 1776**, 6 months before the signing of the Declaration of Independence. Less than three months later, **South Carolina** followed suit.

Then, on May 10, nearly two months before the adoption of the Declaration of Independence, the Congress urged each of the colonies to adopt *“such governments as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents.”*

In 1776 and 1777, most of the States adopted written **constitutions**—*bodies of fundamental laws setting out the principles, structures, and processes of their governments*. Assemblies or conventions were commonly used to draft and then adopt these new documents.

Massachusetts set a lasting example in the constitution-making process. There, a **popularly elected convention** submitted its work to the voters for **ratification**. The **Massachusetts constitution of 1780**, authored by John Adams, is the *oldest of the present-day State constitutions*. It also is the oldest written constitution in force **in the world today**.

John Jay helped draft *New York's* State constitution.

Common Features of State Constitutions

All of the State constitutions included 4 common themes or features that were all aimed at keeping their citizens as free from tyranny as possible.

These brief documents also placed a great amount power in the legislatures, limited terms for all government officials, and gave the right to vote to white, male property owners who could pass other rigid requirements.

Popular Sovereignty

Everywhere, the people were recognized as the only source of governmental authority. In the new United States, government could be conducted only with the consent of the governed.

Limited Government

The new State governments could exercise only those powers granted to them by the people through the constitution. The powers that were given were hedged with many restrictions to protect the rights of individual citizens.

Civil Rights and Liberties

In every State, it was made clear that the sovereign people held certain rights that government must at all times respect. Seven of the new documents began with a bill of rights, setting out the “unalienable rights” held by the people.

Separation of Powers and Checks and Balances

The powers granted to the new State governments were divided among three distinct branches: executive, legislative, and judicial. Each branch was given powers with which to check, or restrain the actions of, the other branches of the government.

STATE CONSTITUTIONS AND AMERICA'S FOUNDING DOCUMENTS

FEATURES OF STATE CONSTITUTIONS

-  POPULAR SOVEREIGNTY
-  LIMITED GOVERNMENT
-  CIVIL RIGHTS AND LIBERTIES
-  SEPARATION OF POWERS
-  CHECKS AND BALANCES

1776

DECLARATION OF INDEPENDENCE



"...all men are created equal, ... they are endowed by their Creator with certain unalienable Rights, ...among these are Life, Liberty, and the pursuit of Happiness."

1781

ARTICLES OF CONFEDERATION



"Each state retains its sovereignty, freedom and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delegated to the United States..."

1788

U.S. CONSTITUTION



"We the People of the United States...do ordain and establish this Constitution...."

Discussion Question

Write your discussion question for this section.

First Steps



Think of This...

The First and Second Continental Congresses rested on **no legal base**. They were called in haste to meet an emergency, and they were intended to be temporary. Something more regular and permanent was clearly needed.

Richard Henry Lee's resolution that led to the Declaration of Independence also called on the Second Continental Congress to propose **“a plan of confederation”** to the States. Off and on, for 17 months, Congress debated the best organization for the new government.

Two large topics were discussed in the formation of a plan for “confederation”...

Money paid to the common treasury

Northern States proposed that each State’s sum paid should be proportionate to their total population, including slaves but not the untaxed Native Americans.

Southern States objected because they considered their slaves **property, not people**. They were also attempting to lower the sum that they would have to pay to the common treasury.

Final decision: contributions based on the value of land in each state.

Voting power of States in Congress

Original plan proposed that each State would have one vote in Congress.

On *financial issues*, some delegates preferred each State having a number of votes proportionate to their population.

Final decision: the original plan of **ONE VOTE** per State.

November 15, 1777

After much debate on countless issues, the **Articles of Confederation** were approved.

The Articles of Confederation

...the gist...

1. Established “a firm league of friendship” among the States.
2. Each State kept “its sovereignty, freedom, and independence, and every Power, jurisdiction, and right . . . not . . . expressly delegated to the United States, in Congress assembled.”
3. The States came together “for their common defense, the security of their Liberties, and their mutual and general welfare. . . .”

The Articles created a structure that more closely resembled an alliance of independent states rather than a government “of the people.”

The Articles of Confederation did not go into effect until March 1781, after all of the 13 States **ratified** the document. The Second Continental Congress governed the new nation until unanimous **ratification** was achieved.

In's and Out's of the A.o.C.

Government Structure

1. Unicameral Congress was the sole body created
2. Delegates were chosen yearly by the states, by whatever means their individual legislatures wished
3. Each State had one vote in Congress
4. No Executive or Judicial Branch. Those matters were handled by committees in Congress
5. A new “**presiding officer**”, *not president*, was chosen every year from among the the members of Congress

Powers of Congress

1. Make war and peace
2. Send and receive ambassadors to and from other nations
3. Make treaties
4. Borrow money & set up a money system
5. Establish a post office
6. Build a Navy and raise an Army by asking States for troops
7. Fix uniform standards of weights and measures
8. Settle disputes between States

State Obligations

By agreeing to the Articles, States:

1. Pledged to obey them
2. Promised to provide funds and troops when requested by Congress
3. Treat citizens of other States fairly
4. Give **full faith and credit** to laws of other States
5. Agreed to surrender fugitives from justice to one another
6. Submit their disputes to Congress for settlement
7. Allow open travel and trade between and among states

Beyond those few obligations to the “national government”, the States retained all powers not explicitly granted to the government of the United States and were primarily responsible for essentially all of the promises that would later be made in the preamble to the Constitution.

Weaknesses of the A.o.C.

- ❖ One vote for each State, regardless of size
- ❖ Congress powerless to lay and collect taxes or duties
- ❖ Congress powerless to regulate trade and interstate commerce
- ❖ No executive to enforce the acts of Congress
- ❖ No national court system
- ❖ Amendment only with consent of all States
- ❖ A 9/13 majority required to pass laws
- ❖ Articles only a “*firm league of friendship*”

Eventually, the **weaknesses** of the *Articles of Confederation* would start to shine through...

A Time of Troubles, the 1780s

1. The Revolutionary War ended in **1781** and the **Treaty of Paris was signed in 1783**

This peace now brought the new nation's economic and political problems into focus

2. *With the Central Government unable to act due to their small list of powers granted by the Articles*, the States bickered and grew jealous and suspicious of one another

- a. They **refused to support the new central government** in every way and several States made agreements with foreign governments without the approval of Congress
- b. Most States even **organized their own military forces**
- c. States **taxed one another's goods** and banned some trade
- d. Individual state **money was printed with little backing**

3. Economic chaos spread, prices soared, and sound credit vanished

4. Debts, public and private, went unpaid.

5. Violence broke out in a number of places as a result of the economic chaos.

Shay's Rebellion

The most spectacular violent event as a result of the weaknesses of the A.o.C.

It proved to the central government that there was a strong need for change.

WATCH ME!!



The Articles created
a government that
was unable to deal
with the new
nation's problems.

Lead the Change

...large property owners, merchants, traders, and other creditors were the most threatened by the economic distress of the new nation...

1785 - the first steps toward change

1. Representatives from **Maryland** and **Virginia** met at Mount Vernon, Virginia, in 1785 to *discuss their trade and commerce issues*.
2. The meeting was so successful that the *Virginia General Assembly* requested ***“a joint meeting of [all of] the States to consider and recommend a federal plan for regulating commerce.”***



A Call for Action

1. After a failed attempt at a joint meeting in September 1786, **Alexander Hamilton (NY)** and **James Madison (VA)**, called for another meeting of the States to assemble in **Philadelphia**.
 2. By mid-February, 7 States had appointed delegates and Congress demanded that the remaining States do so as well.
-

. . . for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein as shall when agreed to in Congress and confirmed by the States render the [Articles] adequate to the exigencies of Government and the preservation of the Union.

*—The United States in Congress Assembled,
February 21, 1787*

That Philadelphia meeting became known as the **Constitutional Convention**. What began as an assembly to *revise the existing Articles of Confederation* soon evolved into a meeting dedicated to a different purpose—the *creation of an entirely new kind of government* for the United States of America. This government would derive its power from a constitution.

Discussion Question

Write your discussion question for this section.

Creating and Ratifying the Constitution

Think of This...

The year is 1787. In Philadelphia, the delegates of the Constitutional Convention are hard at work, deciding what course of action is best for the young nation.

Picture the scene. It is hot—sweltering, in fact. Yet all of the windows of the State House are closed and shuttered to discourage eavesdroppers. Outside, soldiers keep curious onlookers and others at a distance. Inside, the atmosphere is frequently tense, as fifty or so men exchange sometimes heated views. Indeed, some who are there become so upset that they threaten to leave the hall, and a few actually do so.

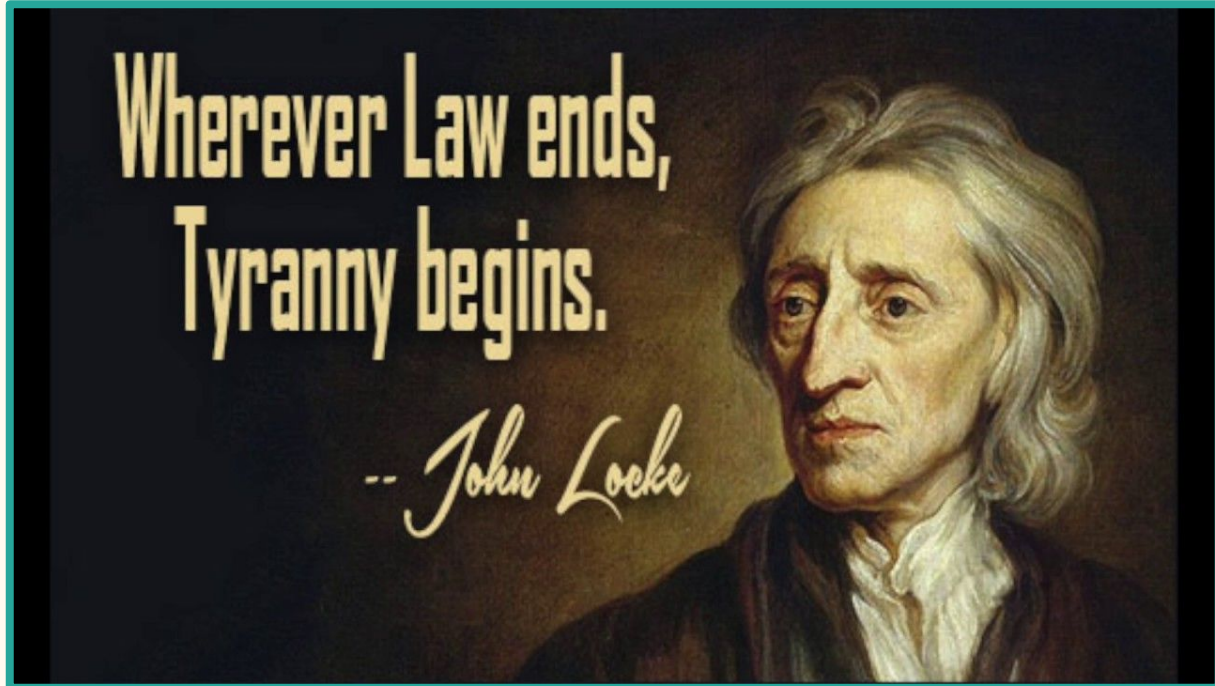
The Delegates

Many men in attendance had read early enlightenment thinkers such as:

1. *John Locke*
2. *Baron de Montesquieu*
3. *Jean Jacques Rousseau*
4. *William Blackstone*

The delegates took ideas from these men like,

1. *The government should exist only by consent of the governed*
2. *Natural rights of humans*
3. *Social contract theory*
4. *Separation of powers*
5. *Checks and balances*



The Framers

A Profile

Every State but Rhode Island sent delegates to the Constitution (Philadelphia) Convention. 55 total delegates total.

1. Many fought in the Revolution
2. 39 were members of the Continental Congress of the Confederation
3. 8 served in the constitutional conventions in their home States
4. 8 signed the Declaration of Independence
5. 31 attended college in a day when there were very few colleges in the nation
6. 2 were college Presidents
7. 3 were professors
8. 2 would become President of the United States
9. 1 would become VP
10. 17 later served in the Senate
11. 11 later served in the House

*Never, before or since,
has so remarkable a
group been brought
together in this
country.*

Noteable Selected Framers of the Constitution

VIRGINIA	CONNECTICUT	NEW YORK	VIRGINIA	VIRGINIA
 <p data-bbox="137 492 334 563">George Washington</p>	 <p data-bbox="531 492 674 563">Roger Sherman</p>	 <p data-bbox="875 492 1045 563">Alexander Hamilton</p>	 <p data-bbox="1246 492 1392 563">James Madison</p>	 <p data-bbox="1613 492 1756 563">George Mason</p>
<ul data-bbox="98 601 359 983" style="list-style-type: none">• Planter• Commander of the Continental Army• Continental Congress• Presence lent respectability to the Convention	<ul data-bbox="426 601 765 1005" style="list-style-type: none">• Merchant• Continental Congress; Confederation Congress• Member of Declaration of Independence and Articles of Confederation committees	<ul data-bbox="832 601 1093 1005" style="list-style-type: none">• Soldier in the Revolutionary War; lawyer• Continental Congress; Confederation Congress• Favored a strong national government	<ul data-bbox="1184 601 1470 1005" style="list-style-type: none">• Involved in state and local politics• Continental Congress; Confederation Congress• Leading figure in movement to replace Articles of Confederation	<ul data-bbox="1532 601 1846 967" style="list-style-type: none">• Planter• Author of Virginia's Declaration of Rights• Concerned with the absence of a declaration of rights in the Constitution

Rules for Making a Constitution

...at least in 1787 in the United States, anyways...

1. President

Select George Washington as the President of the convention in May of 1787.

2. Business

A majority of States need to be present to conduct official business each day.

3. Votes

Each State may have one vote on all matters, and a majority of the votes cast carries any proposal.

**May 25, 1787 -
September 17, 1787**

Members of the convention met on 92 of the 116 days during this time.

The Philadelphia
Convention was called “*for
the sole and express
purpose*” of recommending
revisions to the Articles of
Confederation.

Resolved...that a national Government ought to be established consisting of a supreme Legislative, Executive and Judiciary.

-Edmund Randolph, Delegate from Virginia

Edm : Randolph

Almost at once, the delegates agreed that they were meeting to create an entirely new government of the United States.

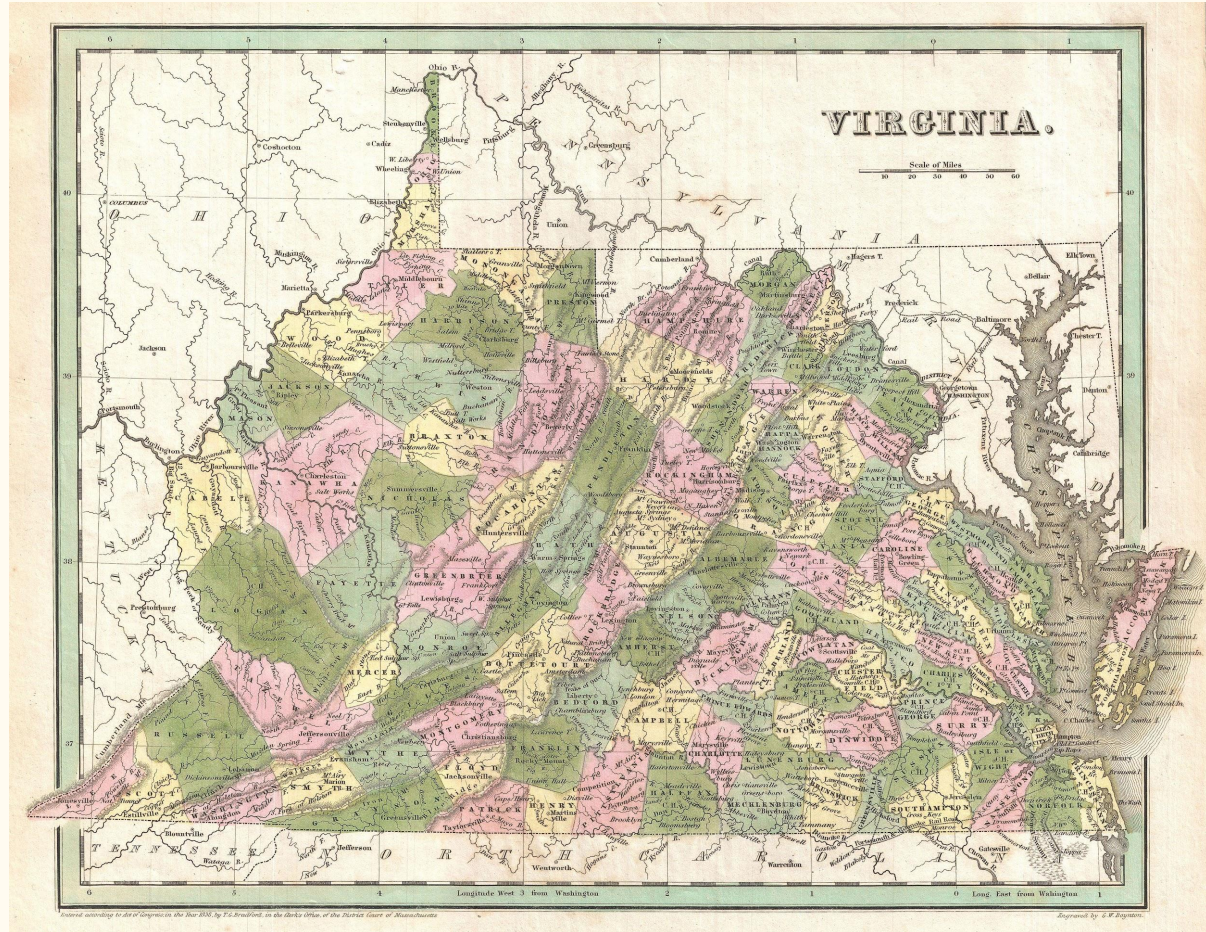
Two Plans of Government

Once the Framers resolved to replace the Articles of Confederation, two major plans were offered for the new government, the Virginia Plan and the New Jersey Plan.

Virginia Plan

No State had more to do with the calling of the convention than Virginia. The delegates from this influential State offered the first plan for a new constitution.

This plan would be favored by States with LARGE populations. As you review the provisions of this plan, think about why this would be the case.



HIGHLIGHTS OF THE VIRGINIA PLAN

—CREATED A—

NEW GOVERNMENT WITH
THREE SEPARATE BRANCHES:

**EXECUTIVE,
LEGISLATIVE,
JUDICIAL**

CONGRESS COULD TAKE

**CONTROL OF
INDIVIDUAL
STATES**



IN EXTREME CASES

MEMBERS OF THE
LOWER HOUSE

WOULD BE ELECTED BY

POPULAR VOTE ✓

REPRESENTATION BASED ON

**POPULATION OR THE
AMOUNT OF MONEY** 

—EACH STATE GAVE TOWARD—
THE CENTRAL GOVERNMENT

CONGRESS WOULD BE

BICAMERAL

MEMBERS OF THE SENATE
—WOULD BE—

**CHOSEN
BY THE HOUSE**

FROM A LIST SUGGESTED BY THE
STATE LEGISLATURES

A NATIONAL EXECUTIVE

—AND—
A NATIONAL JUDICIARY,

CHOSEN BY CONGRESS, WOULD HAVE THE

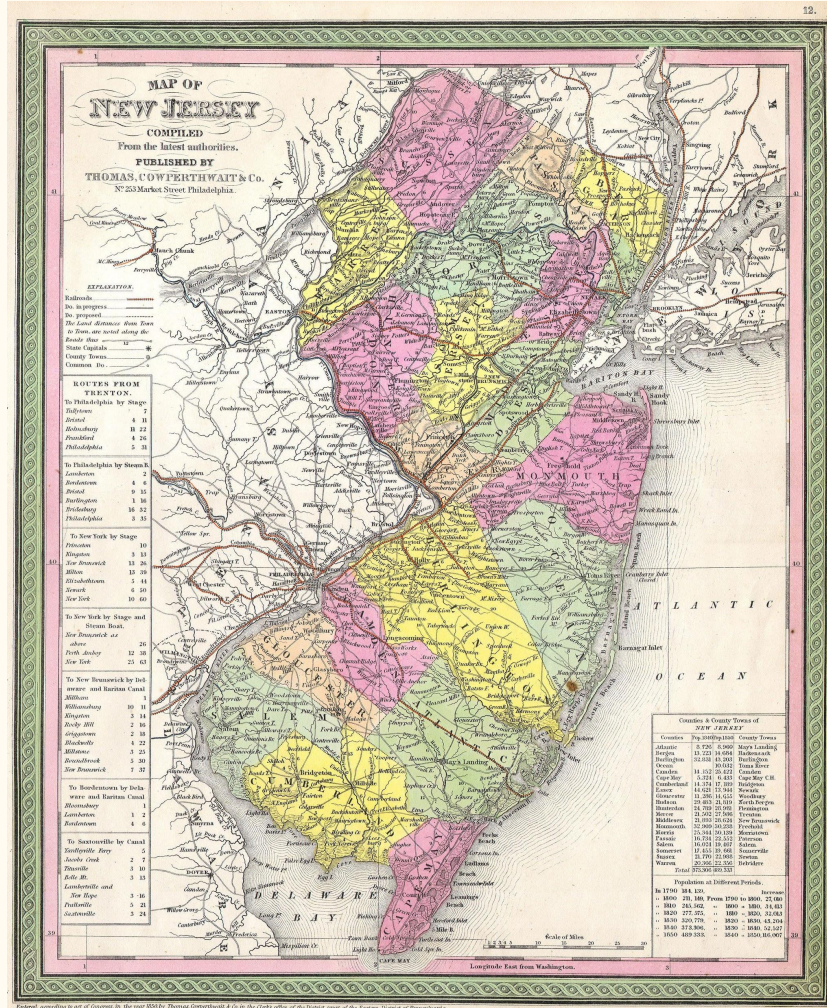
POWER TO **VETO**
CONGRESSIONAL ACTS

New Jersey Plan

William Patterson of New Jersey and his colleagues would present their own plan that reflected the desires of the smaller and less radical States.

The New Jersey plan offered amendments to the Articles, but not as thorough of a revision as proposed by the radical Virginia plan.

This plan would be favored by States with SMALLER populations. As you review the provisions of this plan, think about why this would be the case.



Entered according to act of Congress in the year 1857 by Thomas Cowperthwait & Co. in the Clerk's office of the District Court of the Eastern District of Pennsylvania.

HIGHLIGHTS OF THE NEW JERSEY PLAN

SUGGESTED CHANGES TO THE
ARTICLES OF
CONFEDERATION
BUT NOT AS COMPLETE A REVISION
AS THE VIRGINIA PLAN

CONGRESS WOULD GAIN
THE POWERS TO

TAX 

AND

REGULATE TRADE
BETWEEN THE STATES

EACH STATE
EQUALLY
REPRESENTED



IN CONGRESS

RETAINED THE
UNICAMERAL
CONGRESS

SET UP IN THE ARTICLES
OF CONFEDERATION

FEDERAL EXECUTIVE OF

MORE THAN
ONE PERSON

CHOSEN BY CONGRESS,
AND WHO COULD BE

REMOVED

AT THE REQUEST OF A MAJORITY OF THE
STATES' GOVERNORS

FEDERAL JUDICIARY

WOULD BE

APPOINTED BY THE
FEDERAL EXECUTIVE

Debates and Compromises

...remember one of the *“Basic Concepts of Democracy”*?...

Necessity of Compromise

The disagreement over representation of the States in Congress was critical.

Would it be based on the States' populations and financial contributions to the National government? Or would it be on the basis of State equality?

The Connecticut Compromise

*After weeks of debate, this compromise established the **American government** as we know it today - the **Constitution of the United States**.*

Congress (***the Legislative Branch***) should be composed of TWO houses.

The Senate - Smaller house that represents States equally, 2 Senators per State.

The House of Representatives - Larger house whose representation is based on the population of each State.

A Bundle of Compromises

Besides the Connecticut Compromise, there were several other key issues that proved to be points of contention among the delegates. In order for the new Constitution of the United States to be adopted, these topics would need to be addressed and compromises made.

COMPROMISE	ISSUE TO RESOLVE	COMPROMISE REACHED	PROS/CONS
The Connecticut Compromise	How should the States be represented in Congress?	Congress should have two houses. In the Senate, States would be represented equally. In the House, representation would be based on population.	Enabled the small States to support the creation of a strong central government
The Three-Fifths Compromise	Should the enslaved be counted when figuring the populations of the States?	All free persons in each State would be counted, and "three fifths of all other persons" would also be counted. "Three fifths of all other persons" was generally recognized to be referring to those who were enslaved.	The southern States were able to count a portion of their slaves, but they also had to count them when figuring any direct tax that was levied by Congress.
The Commerce/ Slave Trade Compromise	Should Congress have the power to regulate foreign and interstate trade?	Congress could not tax the export of goods from any State or interfere with the slave trade for at least 20 years.	Southerners agreed to the inclusion of the commerce power, but northerners had to wait 20 years to ban the slave trade.

September 8, 1787

A committee was named to *“revise the stile of and arrange the articles which had been agreed to”* by the convention.

September 17, 1787

The convention approved its work and 39 of the delegates signed their names to the finished document; the new *Constitution of the United States of America*.

Sir, I agree with this Constitution with all its faults, if they are such; because I think a general Government necessary for us . . . I doubt . . . whether any other Convention we can obtain, may be able to make a better Constitution. For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect production be expected? It therefore astonishes me, Sir, to find this system approaching so near to perfection as it does...

—*Notes of Debates in the Federal Convention of 1787,*
James Madison

. . . Doctor Franklin, looking towards the President's chair, at the back of which a rising sun happened to be painted, observed to a few members near him, that painters had found it difficult to distinguish in their art a rising sun from a setting sun. 'I have,' said he, 'often and often in the course of the Session . . . looked at that behind the President without being able to tell whether it was rising or setting: But now at length I have the happiness to know that it is a rising and not a setting Sun.'

—*Notes of Debates in the Federal Convention of 1787*, James Madison

The Fight for Ratification

Today, the Constitution of the United States is the object of **unparalleled admiration and respect**, both **here and abroad**. But in 1787 and 1788, it was widely criticized, and in every State there were many who opposed its adoption. The battle over the **ratification of the document was not easily decided**.

Remember, the **Articles of Confederation** provided that changes could be made to them only if **all** of the State legislatures agreed. But the Framers had determined that **the new Constitution would replace, not amend, the Articles**. They had seen how crippling the requirement of unanimity could be. So, the new Constitution provided that

The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

—Article VII, United States Constitution

The Congress of the Confederation agreed to this irregular procedure. On **September 28, 1787**, it sent copies of the new document to the States.

Ratification

The formal approval or final consent to the effectiveness of a constitution

Out of the debate over ratification of the Constitution grew the nations first two political parties.

The Federalists

Lead by many of the men present at the Philadelphia Convention.

1. James Madison
2. Alexander Hamilton

The Anti-Federalists

Lead by famous Revolutionary War figures.

1. Patrick Henry
2. Richard Henry Lee
3. John Hancock
4. Samuel Adams

TWO SIDES OF RATIFICATION

FEDERALIST

The Articles of Confederation are too weak.

Only a stronger national government can overcome the difficulties the Republic faces.

Liberties that could be included in a bill of rights are covered in the State constitutions.

“The subject speaks its own importance; comprehending in its consequences

nothing less than the existence of the UNION,

the safety and welfare of the parts of which it is composed, the fate of an empire in many respects the most interesting in the world.

—Alexander Hamilton, *The Federalist*, No. 1, 1787



ANTI-FEDERALIST

The States would no longer have the power to print money.

The national government would be given too much power.

There should be a bill of rights.

“The fate of this question and America may depend on this:

Have they said, we the States?

Have they made a proposal of a compact between States? If they had this would be a confederation....

—Patrick Henry, Speech before the Virginia Ratifying Convention, June 5, 1788



The Bill of Rights

The inclusion of a Bill of Rights in the Constitution was one of the largest arguments between the two *factions*. There was no protection of rights such as freedom of speech, press, religion, etc, mentioned in the document, largely because these rights were covered by the State constitutions.

Factions

A small organized dissenting group within a larger one, especially in politics.

The Federalist Papers

*Alexander Hamilton, James
Madison, and John Jay*

A collection of 85 essays supporting the Constitution that appeared in newspapers in *New York* between fall 1787 and spring 1788.

They were quickly published in book form and titled *The Federalist: A Commentary on the Constitution of the United States*.

All bore the pen name “*Publius*” - latin for “Public Man”

Reprinted throughout the 13 States.

The Federalist Papers *remain
an excellent commentary of the
Constitution and rank among the
finest of all political writings in
the English Language.*

Mrs. V's personal favorite primary source collection!

The “Anti-Federalist Papers”

Robert Yates

Attacks at the Constitution by the Anti-Federalists were also widely published in newspapers.

Signed with the pen name “*Brutus*”.

The same Anti-Federalists sentiments were published in pamphlet and letter form as well, written by Richard Henry Lee, using the pen name “*The Federalist Farmer*”.

Nine States Ratify

Ratification came fairly quickly in a few States and only after a bitter struggle in others.

1. **Delaware** was the first to approve the Constitution, on December 7.
2. **Pennsylvania** followed five days later. In Pennsylvania, however, where the legislature had been slow to call a ratifying convention, several Federalists, angered by Anti-Federalist delays, took matters into their own hands. They broke into a Philadelphia boarding house, seized two legislators hiding there, and forcibly marched them to the State house so the assembly could vote to schedule the convention.

The contest for ratification was close in several States, but the Federalists finally prevailed in all of them. On June 21, 1788, *New Hampshire brought the number of ratifying States to nine.*

Under Article VII, New Hampshire's ratification **should have brought the Constitution into effect**, but it did not. Neither Virginia nor New York had yet ratified. *Without either of those key States the new government could not hope to succeed.*

The Key States

Virginia's vote for ratification followed New Hampshire's by just four days. The *brilliant debates in its convention* were followed closely throughout the State.

Although **George Washington** was not one of the delegates to Virginia's convention, his strong support for ratification was vital. With **James Madison**, he was able to get a reluctant **Thomas Jefferson** to support the document, and therefore the support of many other Virginia Anti-Federalists. Without Jefferson's support, *Virginia may have never ratified the Constitution.*

In New York, the ratifying convention was bitterly divided. The Anti-Federalists were led by Governor George Clinton and two of the State's three delegates to the Philadelphia convention: Robert Yates and John Lansing, who had quit Philadelphia in late July, *claiming that the convention had gone beyond its authority.*

New York's approval of the Constitution was absolutely necessary, for that large commercial State effectively separated New England from the rest of the nation. Its ratification of the Constitution, on July 26, brought the number of ratifying States to 11. The victory there was largely won by **Alexander Hamilton**.

Inauguration of the New Government

September 13, 1788, with 11 of the 13 States *“under the federal roof,”* the Congress of the Confederation paved the way for its successor.

It chose New York City as the temporary capital.

It set the first Wednesday in January as the date on which the States would choose presidential electors.

The first Wednesday in February was set as the date on which those electors would vote.

The first Wednesday in March as the date for the inauguration of the new government.

The new Congress convened on **March 4, 1789**. It met in Federal Hall, on Wall Street in New York City. But because it lacked a majority, it could not count the electoral votes until **April 6**. Finally, on that day, it found that **George Washington** had been elected President by a unanimous vote. **John Adams** was elected Vice President by a large majority.

On **April 30**, after a historic trip from Mount Vernon to New York, **Washington took the oath of office as the first President of the United States**.

Discussion Question

Write your discussion question for this section.

...write this one somewhere on your brief that you have room...