



New Nation

establishing the government of the US during the 1780s & 1790s



CREATING THE CONSTITUTION

From the Articles of Confederation to the Bill of Rights (1780s)

The Articles of Confederation

- After independence, states chose how they were to carry out a their own *republican* form of government
- 1777 – Continental Congress adopted the Articles of Confederation (Ratified 1781)
- Some powers granted to central government but MOST were left up to individual states

Problems with the Articles

- Federal gov't could declare war and other foreign affairs
- Federal gov't has no power to collect taxes, relying only on contributions from states
- Resolving MAJOR issues required 2/3 of the states to approve (9 total)
- Any amendments to the Articles took the approval of all 13 states

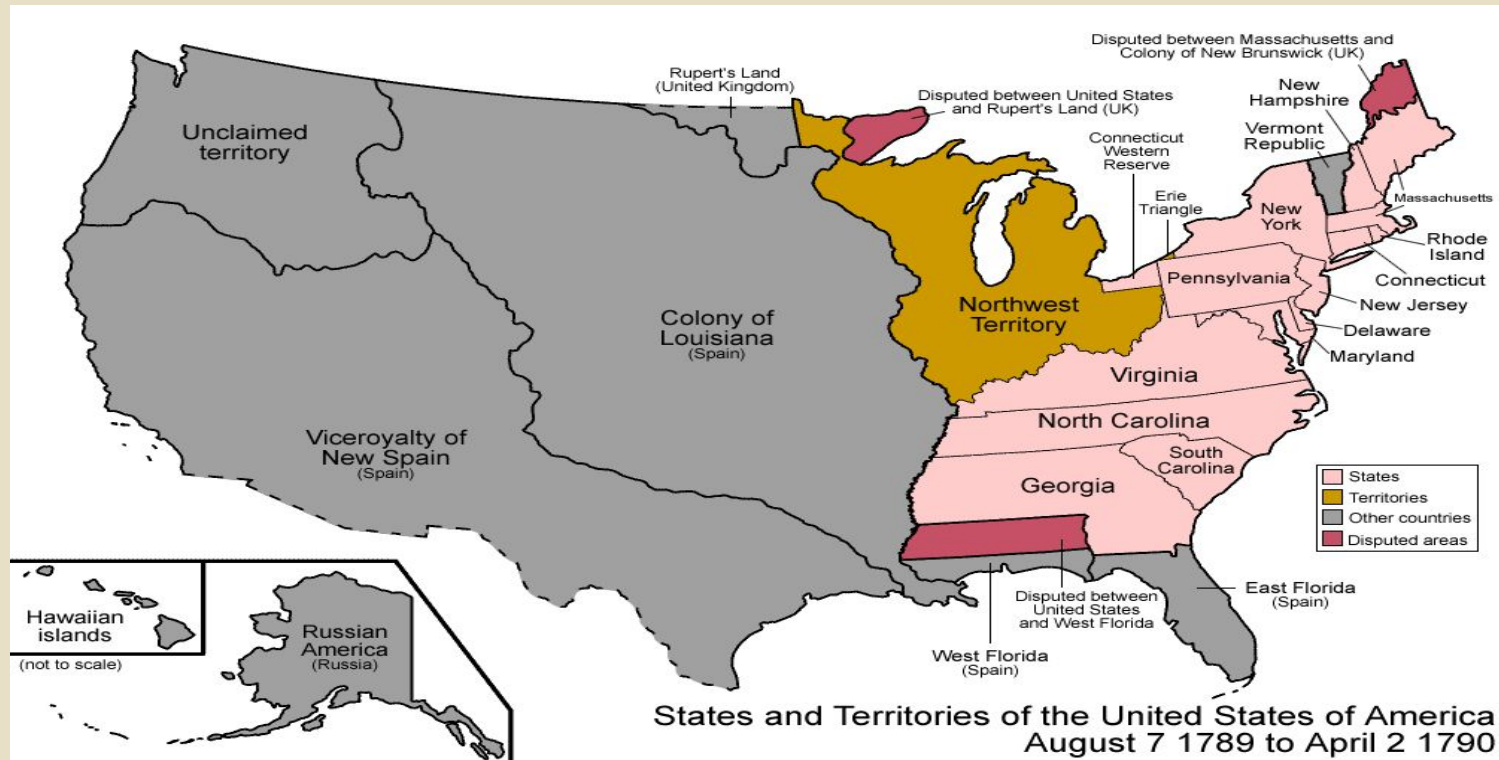
Governing Western Lands

- **Land Ordinance of 1785**

- Stated that disputed land the Old Northwest was to be equally divided into townships and sold for federal income
- set up guidelines for funding education
- ended confusing legal disagreements over land

- **The Northwest Ordinance of 1787**

- Outlined the steps for a territory to apply for statehood.
- OH, IN, IL, MI, WI and parts of MN
- **BANNED SLAVERY** in these territories
- Led to increased interaction with Natives; broke the promise of the Proclamation of 1763
- Called for establishment of free public schools



Shays's Rebellion (MA, 1786-87)

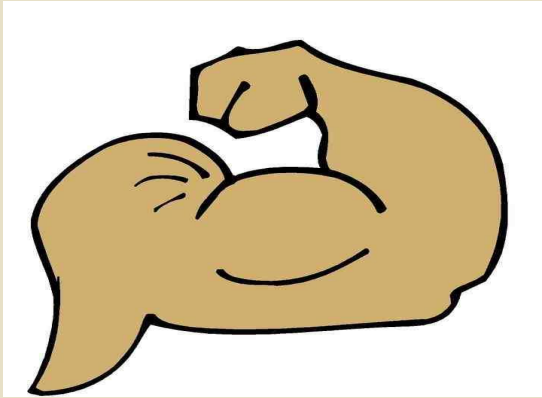


- Farmers in western MA (many veterans) were angered at state for calling in all debts owed and seizing land.
- Many farmers imprisoned for failure to pay
- Daniel Shays led charge to violently protest these taxes, foreclosures and imprisonments.

Weaknesses of the Articles of Confederation

- Massachusetts was unsuccessful in quelling the rebellion.
- Private militia raised to stop protests.
- Event highlighted a weakness in the Articles; the inability of states to effectively respond to crisis situations.

Call for a stronger central government



- Shays rebellion forced Americans to reevaluate the effectiveness of the Articles of Confederation in responding to the needs of its citizens.
- Led to a call for a stronger central government.

Constitutional Convention, 1787



Meeting of “demi-gods” in Philadelphia, 1787



- Spring/Summer 1787, leaders from 12 states (except RI) met in Philadelphia at Independence Hall to REVISE the Articles of Confederation
- Elected George Washington as president of the convention

Federalists vs. Anti-Federalists

- Two different “factions” emerged from the debate over whether to revise the Articles or create a brand new Constitution
- **Federalists** – (Washington, Madison, Hamilton); favored a strong central government
- **Antifederalists**- (Samuel Adams, Patrick Henry); favored states’ and individual rights, feared a strong central government would lead to tyranny

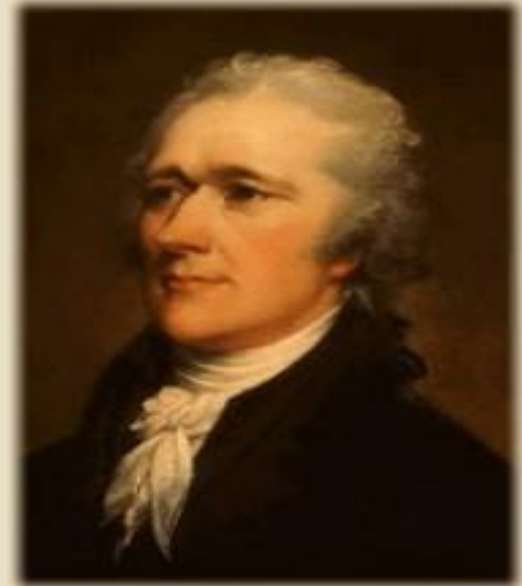
James Madison

- Rival to Hamilton at the Convention
- “Father of the Constitution”
- Believed a large *republic* with diverse interests would preserve the common good



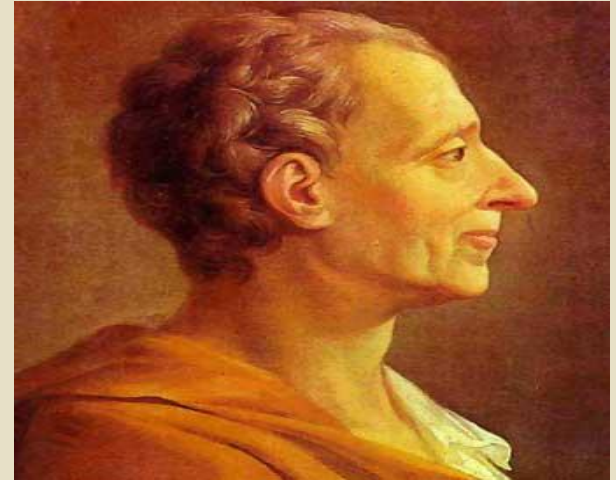
Alexander Hamilton

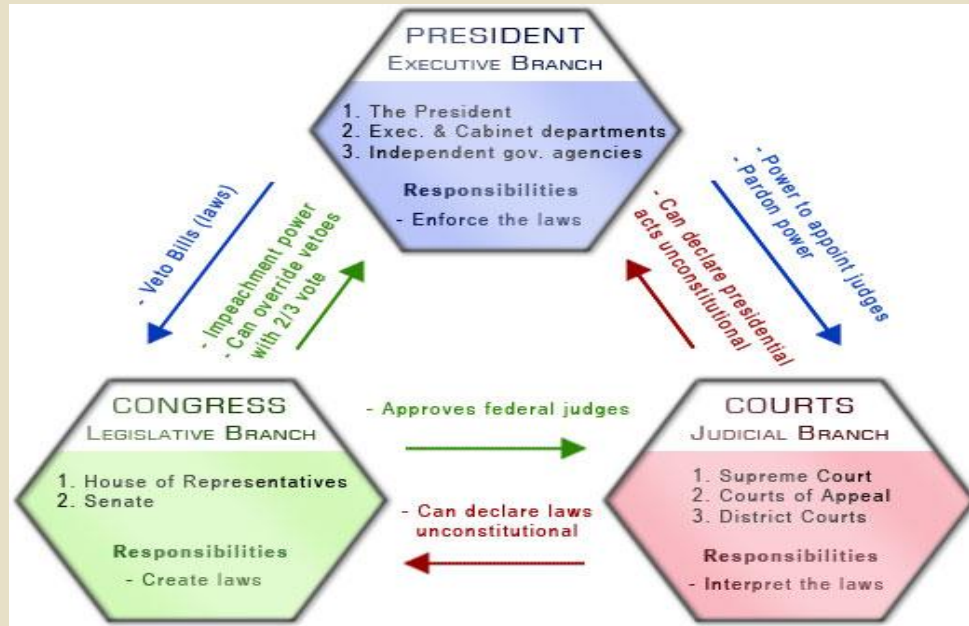
- Rival to Madison at Convention
- Favored government ruled by aristocracy (vs. Jefferson's Populist agrarian republic)
- Looked out for business interests and wanted to stimulate the economy of the young US



Separation of Powers

- In order to avoid potential tyranny from a King, the Founding Fathers agreed to separate the new government into three distinct branches.
- This idea came from the Enlightenment thinker baron de Montesquieu. (at right)
- Legislative Branch = make laws
- Executive Branch = enforce laws
- Judicial Branch = interpret laws





Checks and Balances – each branch has the power to limit actions of the other two

Rival Plans of Government

- Delegates debated how best to distribute representatives to the new Congress for each state
- **Virginia Plan** – proposed by Madison; bicameral (two house) legislature with larger populated states having more members
- **New Jersey Plan** – would retain unicameral (one house) legislature and all states have EQUAL number of members

The Great Compromise



- Proposed bicameral legislature to appease both sides
- Senate – EQUAL representation; 2 per state
- House of Representatives – based on population
- Also divided power between federal and state governments (system known as Federalism)

Slavery and the Three-Fifths Compromise

- Debate sparked between Northern and Southern delegates
- South feared domination by North, which had far more free peoples
- South feared that the institution of slavery would be in jeopardy
- All knew that the issue of slavery could tear apart the newly formed country

Slavery and the Three-Fifths Compromise

- 1st – Constitution forbade Congress from blocking the importation of slaves for 20 years.
- 2nd – Slaves counted as 3/5 of a person in allocating state representation
- 3rd – All states required to return fugitive slaves to their owners

Ratifying the Constitution



- Founding Fathers decided that ratification by only 9 states would be enough to put into law the new Constitution
- “The Federalist Papers” – series of essays written by Hamilton, Madison and John Jay (left)
- The Federalist Papers promoted the views of the Federalist faction, supporting a strong central government.
- Still many states were Anti-Federalist and refused to ratify

Bill of Rights

- Only after Anti-Federalists were promised an individual “Bill of Rights” did they support ratification of the Constitution.
- Bill of Rights – first 10 Amendments; composed by James Madison
- Intended to protect individuals and states from a strong central government and give them certain specified rights
- Included freedom of religion, petition, assembly, the press, legal rights, right to bear arms, etc.
- Anti-Federalists also stressed the idea of a limited government meaning that the federal government was giving ONLY the powers specifically granted to it in the Constitution.

