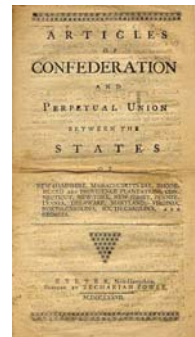


Chapter 2

Origins of American Government

Articles of Confederation

- Proposed by the Second Continental Congress in 1777, the Articles of Confederation required ratification by all 13 colonies.
- Maryland was the last colony to ratify the Articles on March 1, 1781.



Articles of Confederation

- A unicameral Congress was the sole body created, with each state having one vote, regardless of size or wealth.
- Executive and judicial functions were handled by Congress.
- Congress would select one of its members to be president or the presiding officer, but not president of the United States.
- Congress also appointed civil officers.

Powers of Congress

- Make war and peace
- Send and receive ambassadors
- Make treaties
- Borrow money
- Set up a money system
- Establish post offices
- Establish an army and navy
- Create standards of weights and measures
- Settle disputes among the states

State Obligations

- The States pledged to
 - obey the Articles and acts of Congress;
 - provide funds and troops requested by Congress;
 - treat citizens of other states equally and fairly;
 - give full faith and credit to public acts, records, and judicial proceedings of every other state;
 - surrender fugitives from justice to one another;
 - submit disputes between States to Congress;
 - allow open travel and trade between and among the states.

State Obligations

- Beyond these few obligations, the States retained all other powers not explicitly given to Congress.

Weaknesses of the Articles

- One vote for each state, regardless of size.
- Congress was powerless to lay and collect taxes.
- Congress was powerless to regulate foreign and interstate commerce.
- No executive to enforce acts of Congress.
- No national court system.

Weaknesses of the Articles

- The Articles could only be amended with the consent of all states. (No amendments were ever added to the Articles of Confederation.)
- Passing laws required the approval by 9 of the 13 States.
- The Articles were only a "firm league of friendship."

The 1780s

- **STOP TAKING NOTES**
- The end of the Revolutionary War brought the weaknesses of the Articles into focus.
- With a central government unable to act, the States argued with and became suspicious of each other.
- States often refused to support the new central government in any way, including financially.

The 1780s

- Economic chaos followed as States printed their own money, prices soared, and sound credit vanished. Public and private debts went unpaid.
- Violence broke out.

Shays' Rebellion

- Perhaps the most important act of violence occurred in Western Massachusetts.
- Economic conditions were bad and as they grew worse, property owners, many of them small farmers, started losing their land because they could not pay their taxes or other debts.

Shays' Rebellion

- In the fall of 1786, former Revolutionary War military officer Daniel Shays led an uprising that forced several State judges to close their courts.
 - With the courts closed, there was no way for people trying to collect their debt to do so through the legal system.

Shays' Rebellion

- In early 1787, Shays mounted an unsuccessful attack on the federal arsenal in Springfield, Massachusetts. State forces moved in to end the rebellion and Shays' fled to Vermont.

Shays' Rebellion



Shays' Rebellion

- In response to Shays' Rebellion, Massachusetts leaders eventually passed laws to ease the burden of debtors.

Shays' Rebellion

- The weakness of the Articles of Confederation along with the violence and Shays' Rebellion convinced American leaders that something needed to be done to fix the problem.
 - Most of these leaders had something to lose if the economic and political instability continued.

Mt. Vernon

- **START TAKING NOTES**
- In March 1785, Maryland and Virginia ignored Congress and met at Alexandria, Virginia, to resolve their trade issues. The meetings were later moved to George Washington's home at Mt. Vernon.
- The negotiations were so successful that in January 1786, the Virginia General Assembly called for a joint meeting of all states to recommend a federal plan for regulating commerce.

Annapolis

- The joint meeting opened at Annapolis, Maryland on September 11, 1786, but only five of the thirteen States attended.
- The convention called for another meeting of the states. By mid-February 1787, seven States named delegates to the meeting.
- Congress then called on the states to send delegates to a meeting to revise the Articles of Confederation in Philadelphia.

Creating the Constitution

- All of the states but Rhode Island sent delegates to the Philadelphia Convention.
- Many of the Framers of the Constitution had extensive records of public service.
 - Many fought in the Revolution, served in the Continental Congress, or both.
 - Eight signed the Declaration of Independence.

The Constitutional Convention



Creating the Constitution

- **STOP TAKING NOTES**
- The average age of the delegates was 42 years old.
 - Almost half were in their 30s, including James Madison, Gouverneur Morris, Edmund Randolph, and Alexander Hamilton.
 - Benjamin Franklin was the oldest at 81, and was in poor health.
 - Convention president George Washington was 55.

Creating the Constitution

- **START TAKING NOTES**
- To protect themselves from outside pressures, the delegates agreed to work in secret.
- The *Journal* was the official record of the convention, but it was often inaccurate.
 - Several delegates kept their own notes about the convention, the best known being James Madison's *Notes*.

Creating the Constitution

- Madison became the convention's floor leader and contributed more to the Constitution than any other of the members.
 - Madison is also known as the Father of the Constitution.

Creating the Constitution

- The Philadelphia Convention was called to revise the Articles of Confederation, however, the delegates agreed they were meeting to create a new government "consisting of a supreme Legislative, Executive and Judiciary."

The Virginia Plan

- Government with three branches: legislative, executive, and judicial.
- The legislature, or Congress, would be bicameral with representation based on population OR the amount of money it gave for support of the central government.
 - Members of the House of Representative (the lower house of Congress) would be popularly elected.
 - Members of the Senate (the upper house of Congress) would be selected from the House from state nominations.

The Virginia Plan

- Congress would have the same powers as under the Articles of Confederation and
 - have the power to "legislate in all cases to which the separate States are incompetent" to act;
 - veto any State law in conflict with national law; and
 - use force, if necessary, to make a State obey national law.

The Virginia Plan

- Congress would choose the "National Executive" and "National Judiciary", where they would form a "Council of revision" that could
 - veto acts passed by Congress;
 - execute national laws;
 - and the judiciary would consist of a supreme court and inferior (lower level) courts.

The Virginia Plan

- The Virginia Plan would thoroughly revise the Articles of Confederation, with the goal of creating a truly national government with expanded powers and the ability to enforce its decisions.
- Smaller states such as Delaware, Maryland, New Jersey and New York found the plan too radical and developed their own counterproposals.

The New Jersey Plan

- Unicameral Congress with each of the states equally represented.
 - In addition to the powers under the Articles of Confederation, Congress would have limited powers to tax and regulate trade between the states.
- A "federal executive" of more than one person to be chosen by Congress and could be removed by the request of a majority of State's governors.

The New Jersey Plan

- The "federal judiciary" would consist of a single "supreme Tribunal", appointed by the executive.

Compromises

- The differences between the plans shaped the debate at the convention.
- The large States expected to dominate the new government while small States feared they would not be able to protect their interests.
- The debate over representation in Congress was critical.

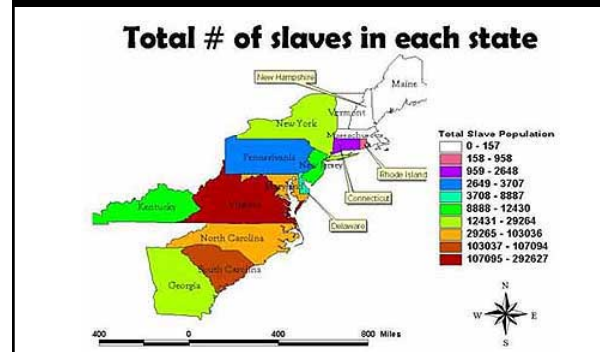
Connecticut Compromise

- Congress should be comprised of two houses.
 - In the smaller Senate, each state would be represented equally.
 - In the larger House of Representatives, representation would be based on the population of each state.
- By combining the basic features of the Virginia and New Jersey plans, the Connecticut Compromise is also known as the Great Compromise.

Three-Fifths Compromise

- Regarding representation in the House of Representatives, the question arose about counting slaves.
- There was much debate with southern states saying slaves should be counted and northern states saying no.

US Slave Population



Three-Fifths Compromise

- Finally, the delegates agreed to count all free persons and "three-fifths of all other persons" (meaning slaves).
- While the South "won" by getting slaves counted, the North won agreement to use the same formula in determining the amount of money to be raised by any state by any direct tax levied by Congress.

Three-Fifths Compromise

- With the passage of the 13th Amendment abolishing slavery, the Three-Fifths Compromise disappeared.

Commerce and Slave Trade

- **STOP TAKING NOTES**
- The Convention agreed that Congress had the power to regulate foreign and interstate trade.
- Southerners were concerned that if Congress were to be controlled by northern commercial interests, they might act against the interests of the agricultural South.

Commerce and Slave Trade

- The South feared Congress would try to
 - pay for the new government with export duties, especially on southern tobacco, and
 - interfere with slave trade.

Commerce and Slave Trade

- Before agreeing to give Congress the power to regulate commerce, the South was able to win the following protections:
 - Congress was forbidden to tax exports from any state.
 - Congress was forbidden from the power to act on the slave trade for a period of 20 years (until 1808), except for a small head tax.

A "Bundle of Compromises"

- Bringing the interests of 12 states with diverse economic and geographic differences required compromise, including
 - selection of the President,
 - the treaty-making process,
 - structure of the national court system, and
 - the amendment process.

A "Bundle of Compromises"

- Even with all the compromises, the Framers of the Constitution agreed on many of the basic issues.
- They had a common goal:
 - Create a new national government, a federal government, with the powers necessary to deal with the nation's social and economic problems.

Sources of the Constitution

- The Framers were generally well educated, many with experience running a government.
- Many were also familiar with the governments of ancient Greece and Rome as well as the political writers and thinkers of their time.

Completing the Constitution

- A committee was appointed to revise the style and arrange the articles of the document.
- On September 17, the Convention approved the work and 39 delegates signed the document.

Benjamin Franklin

- "Sir, I agree with this Constitution to all its faults, if they are such; because I think a general Government is 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 member of men to have the advantage of their joint wisdom, you inevitably assemble those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views.

Benjamin Franklin

- "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 the debates in the Federal Convention of 1787*, James Madison