

- 1 **“Shaping a New Nation”**
The Constitution of the United States, 1781 - 1789
American History
Chapter 5
Mr. Broach
- 2 **Early Government**
 - 1776 – 1781
 - Government led by a loose association of 13 states in the Continental Congress
 - Remember... Americans are rebelling against a parliament and king – fearful of a strong national government
 - State-centered
- 3 **New State Governments**
 - Most states adopted new constitutions
 - Legislative branch strongest and most times unicameral
 - Based on popular sovereignty
 - Any executive branch determined & controlled by the legislature
 - Goal: defend people from government
- 4 **Creating a Confederation...**
 - Articles of Confederation (written 1776, approved 1781)
 - First constitution of the United States
 - Legislative – representatives from states (Congress) / one vote per state
 - Congress also served as the Executive branch to execute and put into action the laws passed
- 5 **Articles of Confederation, continued**
 - No judicial branch – left to the states
 - What the *Articles* government could do...
 - Strength: encouraged states to cede far western territory to the new national government so that new states could be created
 - Land Ordinance of 1785
 - Northwest Ordinance of 1787
- 6 **Weaknesses of the *Articles***
 - 1 vote for each state, regardless of size or # of delegates
 - 9/13 votes to pass laws (difficult)
 - **No power to tax – had to BEG!!!
 - No amendment without unanimous state approval
 - No coercive power – could not regulate
- 7 **Criticisms**
 - Some fear of power in the hands of people – democracy could be dangerous

- Large war debt incurred during Revolution
 - States print more paper money – inflation!
 - States tax goods from other states
 - Disorder with land sales – no regulation

8 (5.2) The Nationalists

- Group of men – 1780s – strengthen national government
- Washington, Franklin, Madison, Hamilton
- Government is too weak
- Critical Period: 1781 – 1787
- Historical Proof and a model for the world

9 Problems to a boiling point...

- Annapolis Convention (1786): not much support – only 5 states represented
- Shays Rebellion (1787): Civil disorder causes revision of the Articles

10 James Madison

11 The Constitutional Convention

- Summer 1787, Philadelphia
- Goal: Form a “more perfect union” by restricting some popular sovereignty
- Rescue mission to save the republic
- Meetings held in secret so that ideas could be given without fear of public reactions

12 Divisions and Compromises

- First division: keep *Articles* or throw out?
- Virginia Plan (Madison)
- New Jersey Plan
- The Great Compromise
- Three-fifths Compromise

13 Outline of the New Government

- Final draft approved: September 17, 1787
- Federal: Power is shared btwn states/nat'l
- Separation of Powers (checks/balances)
- **See pages 142-143 (graphs)**

14 Article I: The Congress

- House of Representatives
 - Based on population
 - Chosen by vote every 2 years
- Senate

- Two per state; chosen by state legislatures (later changed)
- Terms of office: 6 years
- 1/3 of Senate would come up for re-election every 2 years

15 Article II: President - Executive

- President of the United States
 - 4 year terms; originally could be elected without term limits
 - ELECTORAL COLLEGE
 - Final decision maker: House of Reps.
- Large powers: Commander in Chief and Power of Veto

16 Article III: Judicial Branch

- Judges appointed by the President; approved by the Senate
- National Court System / Supreme Court
- Judges serve for life
- Weakest branch under original structure
- Judiciary Act of 1789 had to be passed to better define the courts system

17 Additional Articles...

- IV: Full faith and credit; State relations and liberties; New States; Protection
- V: Amendments
- VI: Supremacy Clause
- VII: How the Constitution will be ratified

18 (5.3) Ratifying the Constitution

- Ratification Process
- Federalists vs. Anti-Federalists
- Feds: Washington, Madison, Hamilton, Jay
- *Federalist Papers*
- Anti-Feds: Patrick Henry of Virginia
- *Letters from the Federal Farmer – Richard Henry Lee*

19 How Ratification was won

- Federalists emphasized the problems of the *Articles*
- Federalists were a well-organized group with leaders like George Washington
- Only needed 9 of 13 states to ratify for all
- Adopted a Bill of Rights to compromise fears of the new government

20 The Bill of Rights

- Proposed September 1789 in Congress (formally) and adopted December 1791

Ch 5 (American History) Outline

- First 10 amendments to the Constitution
- Most significant guarantee of individual freedoms
- See table on page 149...