




















## Ch 5 (American History) Outline

- 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**

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- 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

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### **The Bill of Rights**

- Proposed September 1789 in Congress (formally) and adopted December 1791
- First 10 amendments to the Constitution
- Most significant guarantee of individual freedoms
- Separation of church and state debate
- See table on page 149...