





New Nation

Establishing the
U.S. government
of the 1780's &
1790's





Creating the Constitution

From the Articles of
Confederation to
the Bill of Rights



Standards

SSUSH5 Investigate specific events and key ideas that brought about the adoption and implementation of the United States Constitution.

a. Examine the strengths of the Articles of Confederation, including but not limited to the Land Ordinance of 1785, Northwest Ordinance of 1787 and their influence on westward migration, slavery, public education, and the addition of new states.

b. Evaluate how weaknesses in the Articles of Confederation and Daniel Shays' Rebellion led to a call for a stronger central government.

c. Explain the key features of the Constitution, including the Great Compromise, limited government, and the Three-Fifths Compromise.

d. Evaluate the major arguments of the Anti-Federalists and Federalists during the debate on ratification of the Constitution, The Federalist Papers, and the roles of Alexander Hamilton and James Madison.

e. Explain how objections to the ratification of the Constitution were addressed in the Bill of Rights

The Articles of Confederation

- After independence, states chose how they were to carry out 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, sign treaties, make alliances.
- Federal gov't has **no power to collect taxes**, relying only on contributions from states.
- **Resolving major issues** required $\frac{2}{3}$ of the states to approve (9 total).
- Any **amendments** took all 13.



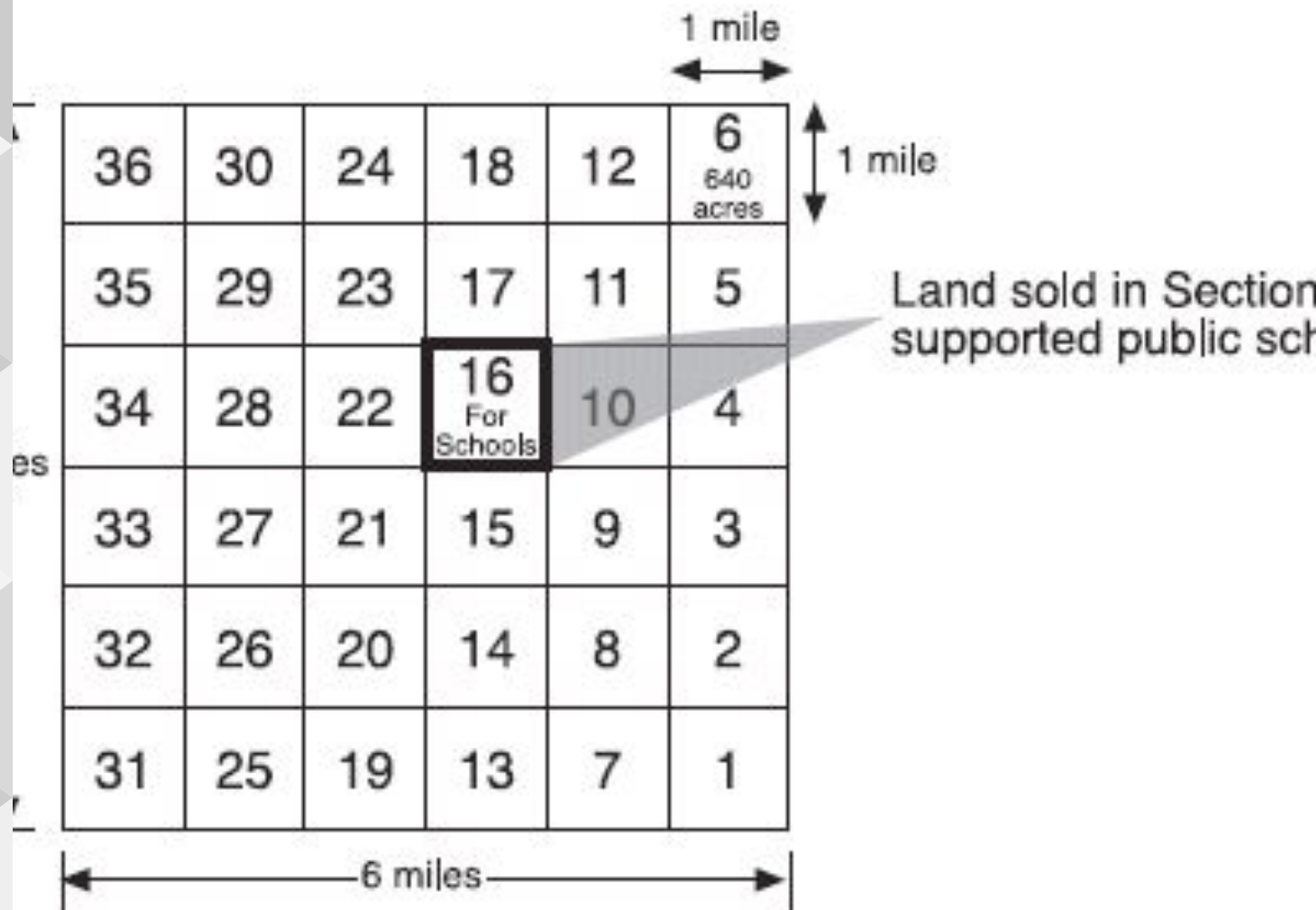
Governing Western Lands

Land Ordinance of 1785

- Stated that disputed land, **Old Northwest** was to be equally divided into townships & sold for federal income .
 - Set up guidelines for **funding public education.**
- What group of people might have a problem with this and why?

The Land Ordinance of 1785

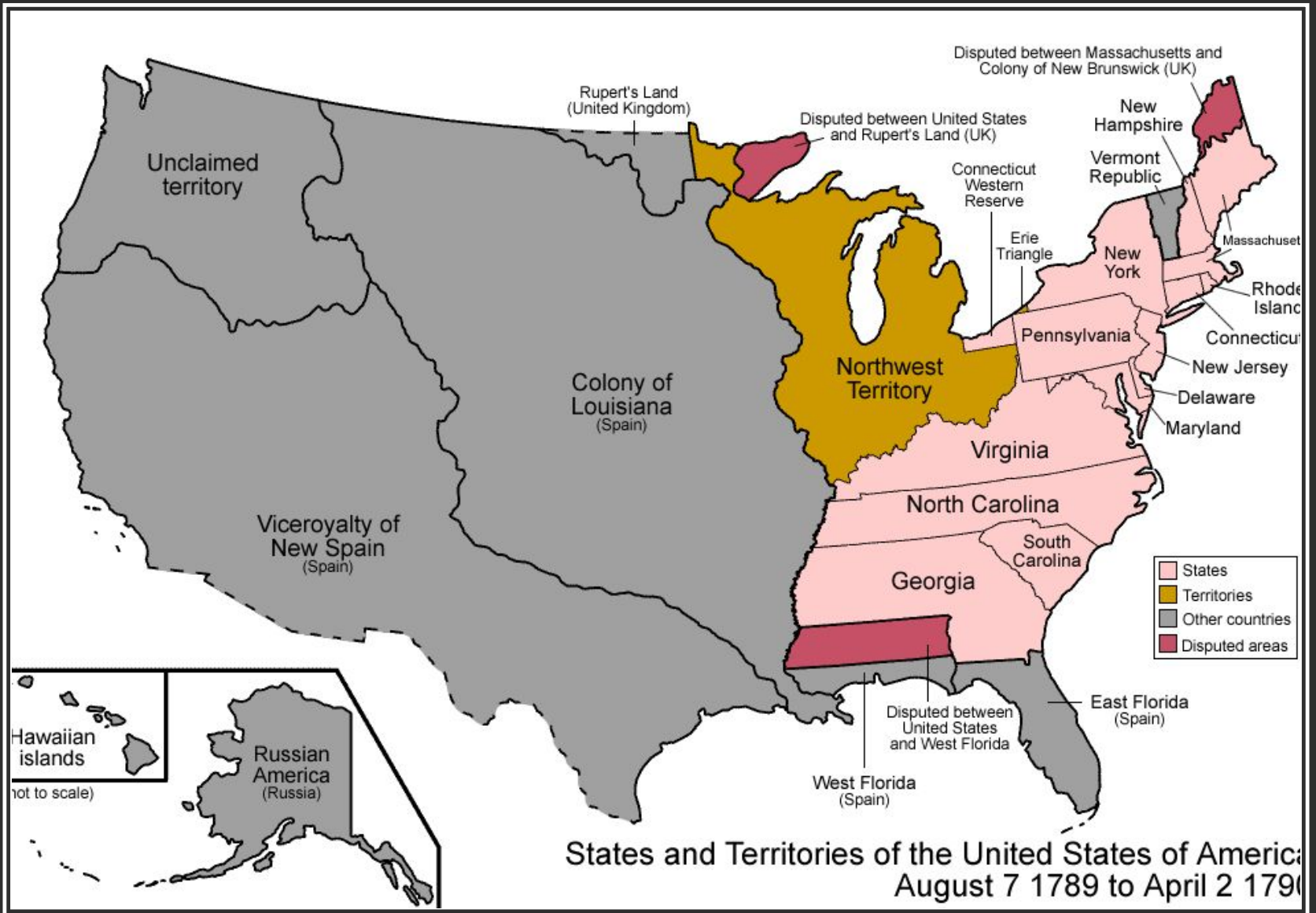
One township (6 miles square)



Source: Thomas A. Bailey et al.,
The American Pageant, Houghton Mufflin
(adapted)

Northwest Ordinance of 1787

- Outlined the steps for a territory to apply for **statehood**.
- Ohio, Indiana, Illinois, Michigan, Wisconsin & Minnesota.
- **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 Rebellion (Massachusetts, 1786-87)

- *Farmers* in western MA (many veterans) were *angered at the 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.

Failure of a state to respond to a crisis situation

- *Hurricane Katrina, New Orleans, LA, 2005.*
- *Inability of Louisiana to respond quickly or efficiently.*





Constitutional Convention, 1787

Meeting of “demigods” in Philadelphia, 1787

- Spring/Summer 1787, (except R.I.) 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** - (G. Washington, J. Madison, A. Hamilton); **avored a strong central government and diminished states’ rights.**
- **Antifederalists**- (Samuel Adams, Patrick Henry); **avored states’ and individual rights, feared a strong central government would lead to tyranny.**

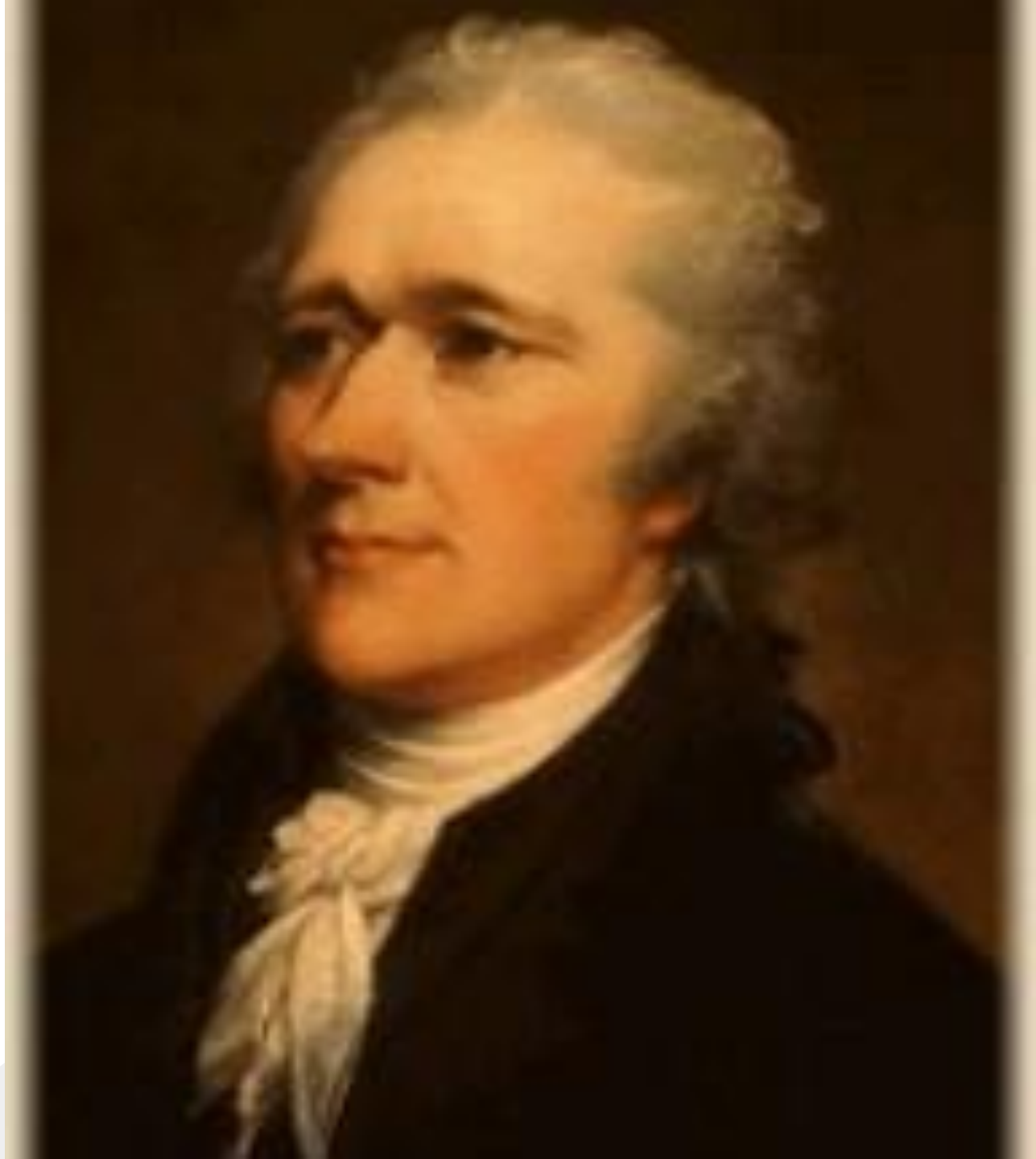


James Madison

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

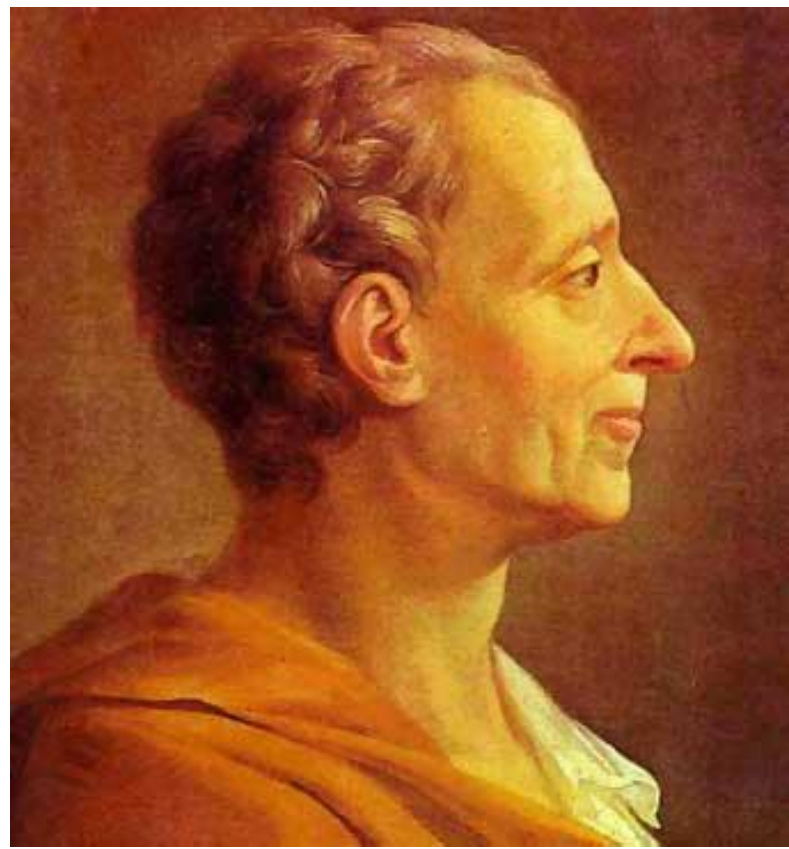
Alexander Hamilton

- Rival to Madison at Convention.
- Favored government ruled by aristocracy and monarchy.
- Looked out for the interests of businessmen and the wealthy.



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.
- Idea came from Enlightenment thinker **Baron de Montesquieu** (at right).
- **Legislative** Branch = **make** laws.
- **Executive** Branch = **enforce** laws.
- **Judicial** Branch = **interpret** laws.



PRESIDENT
EXECUTIVE BRANCH

1. The President
2. Exec. & Cabinet departments
3. Independent gov. agencies

Responsibilities
- Enforce the laws

- Veto Bills (laws)
- Impeachment power
- Can override vetoes with 2/3 vote

- Power to appoint judges
- Pardon power
- Can declare presidential acts unconstitutional

CONGRESS
LEGISLATIVE BRANCH

House of Representatives
Senate

Responsibilities
- Create laws

- Approves federal judges



- Can declare laws unconstitutional



COURTS
JUDICIAL BRANCH

1. Supreme Court
2. Courts of Appeal
3. District Courts

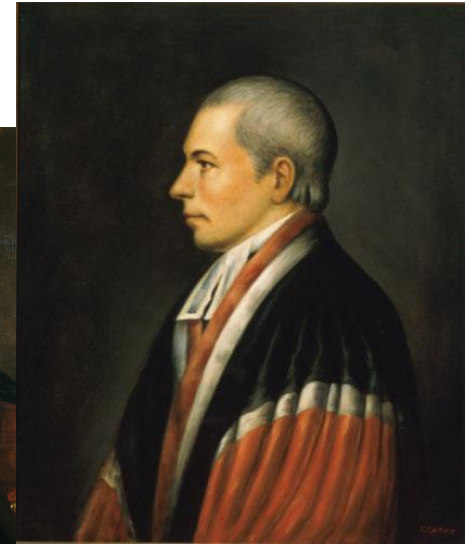
Responsibilities
- Interpret the laws

Rival Plans of Government

Delegates debated how best to distribute representatives to the new Congress for each state.

[Virginia Plan](#) - (proposed by J. Madison)
bicameral (two house) legislature with **larger populated states** having more members.

[New Jersey Plan](#) - (proposed by William Patterson) would retain **unicameral** (one house) legislature and **all states have EQUAL** number of members.





The Great Compromise

- Roger Sherman 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).*

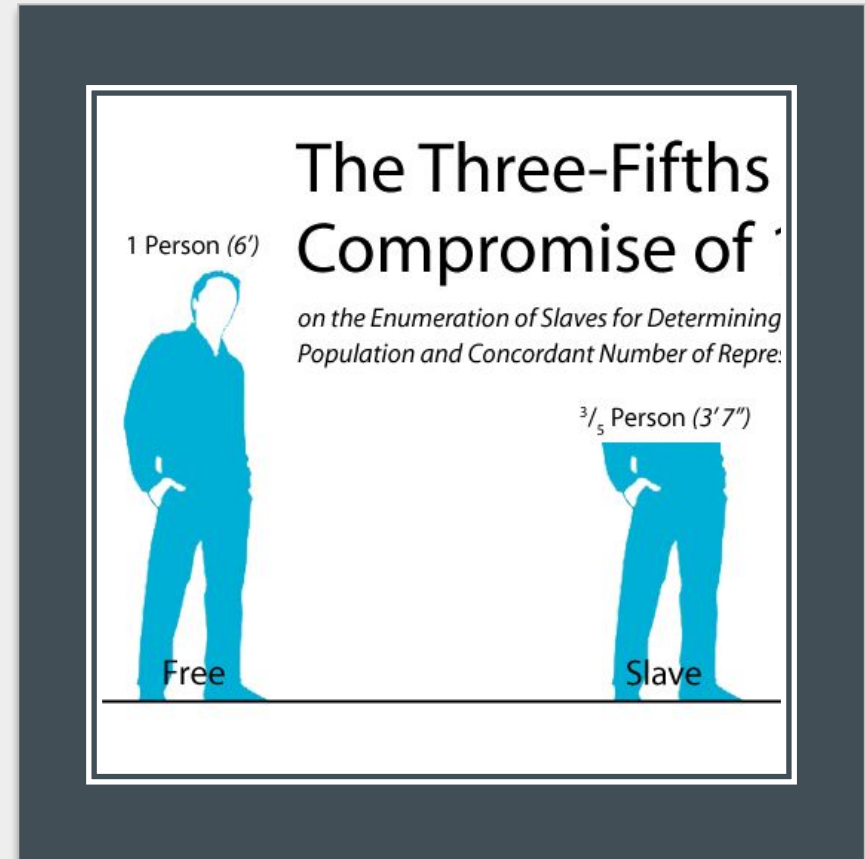
Slavery and the Three-Fifths Compromise

- 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



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 A. Hamilton, J. 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

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- 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.*

We the People

of the United States, in order to insure domestic Tranquility, provide for the common Defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article I.

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year in each State shall have ^{the} Qualifications requisite for Electors of the most numerous Branch of the State Legislature. No Person shall be a Representative who shall not have attained to the Age of twenty five Years and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Year or more, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such Enumeration, there shall be one for New Hampshire three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three. When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

Section 3. The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for a Term of six Years; and they shall have the same Powers and Authorities as the Senate of the United States.