



THE CONSTITUTION OF THE UNITED STATES (1776 – 1800)

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GOVERNMENT BY THE STATES

- Early Gov't
 - *Articles of Confederation*
 - Set of laws to govern the U.S. – most power w/ the states
 - Established a Nat'l Gov't – only one branch – legislative – carried out power of both legis. & exec.
 - today 3 branches (LEX)
 - Passage of any measure involving \$ req. 9 of 13 votes
 - Changes in the Articles – all 13 states had to agree
 - State Constitutions
 - early years - more important

Key Terms: Articles of Confederation, legislative branch, executive branch, judicial branch, constitution, democracy, republic, Shays' Rebellion, specie

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OPPOSITION TO THE ARTICLES

- Criticisms included:
 - 1 vote for each state – regardless of size;
 - Congress cannot collect taxes – raise money;
 - Congress powerless to regulate foreign & interstate commerce;
 - No separate executive branch to enforce acts of Congress;
 - No Nat'l court system to interpret laws;
 - 9/13 majority to pass laws;
 - Changes to the Articles – 13/13 states must agree;
 - Articles only a "firm league of friendship."
 - Confederation of Sovereign States
 - "binding themselves to assist each other".

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OPPOSITION TO THE ARTICLES (CON'T.)

- Economic Problems
 - 3 yrs. of war debt of \$50M; borrowed \$ foreign gov'ts.
 - Public & private debt – some gov'ts printed cheap paper
- Concerns About Weak Government
 - Nationalists – wanted strong federal gov't. - chaos w/o
- Learning from History
 - Roman republic failed in the past – tyranny & chaos
- America as a Model (Thomas Paine)
 - for the world, GW gives up his command
- The Annapolis Convention (1786)
 - discuss econ. probs. – plan for interstate & foreign trade

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SHAYS' REBELLION

- The Causes of the Rebellion
 - Direct Tax in MA to be paid in specie
 - Merchants & wealthy people demanded \$ back after loaned to states (after Amer. Revol.)
- Effects of the Rebellion
 - Steps need to be taken to strengthen the Nat'l. gov't. & avoid civil unrest
 - Led to a convention in Phil. (May 1787) to decide the fate of the republican gov't.

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CONSTITUTIONAL CONVENTION (1787)

- in 4 mos. **U.S. Constitution** created
- James Madison - Father of the Constitution
 - help draft VA Plan – basis for the Constitution
- **Key Terms:** Constitutional convention, United States Constitution, amend, veto, Great Compromise, Three-Fifths Compromise, federal system of government, separation of powers, checks & balances, electoral college

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Constitutional Convention THE CONVENTION ASSEMBLIES

- Grew out of the Annapolis Convention 1786
 - Discuss economic problems –
 - only 12 delegates from 5 states were present
- Met in Philadelphia, PA summer of 1787
- Pennsylvania State House
- Hot & Humid – windows closed – privacy
- 55 delegates from each state except RI.
- Youngest delegate – 27
- Oldest delegate – 81 – most in their 30s & 40s
- Most were educated & familiar with the the political theories of the European Enlightenment

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"THE FATHER OF THE CONSTITUTION"

- 36 yr. old bachelor, son of a wealthy landowner
 - married at 43 to a 26 yr. old widow (Dolley) - 42 years
- profound reader & thinker (finished 4yr college 2yrs)
 - studied history, government, & law for over a year thinking about how to craft a new gov't.
- shy & disliked public speaking, but a leader
- served in the Continental Congress & VA legislature
- 4th President, elected in 1808. Who are the other 3?
- Active in politics until his mid eighties.

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DIVISIONS AT THE CONVENTION

- The VA Plan
 - Proposed a bicameral (2 house) government where the more populated states would get more votes
 - There would also be an executive branch and a judicial branch
- The NJ Plan
 - Counter to the Virginia Plan
 - Proposed by William Patterson
 - Every state would have an equal vote
 - Would also have an executive branch and a Judicial branch

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REACHING AGREEMENTS

- The Great Compromise (July 16, 1787)
 - Also known as the **Connecticut compromise**
 - Combined the Virginia plan and the New Jersey plan
 - Created a legislative branch of government
 - Created the House and the Senate in order to give both small states and large states what they wanted
- The Three-Fifths Compromise
 - 3/5 of the slave population would be counted to determine a state's population b/c w/o it southern states would be weak in the House
 - Does this mean that African American's would be allowed to vote?

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A LASTING DOCUMENT

- Approved on September 17, 1787
- Specific enough not to be misinterpreted;
- Flexible enough to adapt to social, economic, political & technological changes not imagined by the framers.
 - Evidence - only 27 amendments since 1787
 - Or 17 changes since 1791

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GOVERNMENT STRUCTURE

- Federal & State Powers
 - power is shared. Reserved (states), delegated (fed), & concurrent (same time) powers
- Separation of Federal Powers
 - ea. branch own authority, no one branch complete control over the gov't. **checks & balances**
- Congress
 - House of Reps. & Senate – authority, terms, & ages
- The President
 - authority, terms & age – electoral college
- Federal Courts
 - President w/the advice & consent of Senate – term for life
- The Road Ahead
 - Constitution req. 9/13 states for approval

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RATIFYING THE CONSTITUTION

- o The Federalist View
 - Favored **ratifying** The Constitution
 - Led by nationalists
 - wanted strong national gov't. (Federalist Papers)

Key Terms: ratify, Federalist, faction, anti-Federalist, Bill of Rights

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THE ANTI-FEDERALIST VIEW

- Opposed the ratification of the Constitution
- Led by Patrick Henry of Virginia
- Believed that a federal government would eliminate state rights
- Believed that the constitution was a betrayal of the American Revolution
- Wrote the Anti-Federalist papers
- Pointed out that the constitution did not state individual rights
- Their apprehension led to the Bill of Rights

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WHY THE FEDERALISTS WON

1. Serious flaws in the Articles of Confederation
2. United around a specific plan – The Constitution
3. Well-organized national group in regular contact w/ ea. Other
4. Had G. Washington's support – who had foreseen Shays' Rebellion

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THE BILL OF RIGHTS

- Protecting Individual Rights
 - The VA Dec. of Rts. (written by George Mason)
 - contained many of the rights added to the US Const.
- Against the Bill of Rights
 - Most Federalists saw no need for these
 - *The Federalist*, No. 84
 - "the people surrender nothing" under the new system
 - "Here is a better recognition of popular rights" than any added list of rights
- For the Bill of Rights
 - Many Americans did not accept Hamilton's (Federalists) reasoning
 - Thomas Jefferson advocated for individ. rts. to be enumerated in The Constitution, but wanted more specificity

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THE BILL OF RIGHTS

- First 10 Amendments
 - 1st – **Freedom of religion, speech, press, assembly, and petition**
 - 2nd – **Right to bear arms**
 - 3rd – Citizens do not have to **quarter** soldiers
 - 4th – **No unreasonable searches and seizures**
 - 5th – **Protects against self incrimination, double jeopardy, taking of private property w/o just compensation**

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THE BILL OF RIGHTS (CON'T.)

- First 10 Amendments (con't.)
 - 6th – Swift and fair trials (**speedy & public**) & rt. to confront witnesses
 - 7th – trial by jury in civil cases
 - 8th – protects against **excessive bail & cruel and unusual punishment**
 - 9th – People have rights beyond that of the constitution
 - 10th – Establishes that all powers not guaranteed to the federal government and not withheld from the state are held by each of the states, or their citizens (**reserved to the states**)

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THE NEW GOVERNMENT

- April 30, 1789 – G. Washington was **inaugurated** as the 1st President of the new nation
 - NYC Wall Street

Key Terms: inauguration, Cabinet, domestic affairs, administration, precedent

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THE NEW LEADERS

- Vice President John Adams
 - Federalist – MA Patriot
- Sec. of State Thomas Jefferson
 - matters of foreign affairs
 - but became involved in **domestic affairs**
 - Sec. of War Henry Knox
 - Attorney General Edmund Randolph (VA)
- Treasury Sec. Alexander Hamilton
 - largest department in G. Washington's **administration**

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WASHINGTON'S GOVERNMENT

- establishing **precedents**
 - Mr. President
 - dignity, formality, reserved & private
 - Only served two (2) terms
- popular – won reelection (1792)
 - lived in style and grandeur
 - command respect of American people & rest of the world

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PLANNING A CAPITAL CITY

- Capitol – NYC - home of the gov't. the 1st year
- Capitol - moved to Philadelphia, PA 1790
 - remained there for ten years while capitol was planned & being built
- Washington D.C. (1800)
 - Resident Act of 1790 - 10 sq. mi. along Potomac R.
 - Pierre-Charles L'Enfant – French artist & architect – developed the city plan
 - fought for colonialist during American Revolution
 - Great boulevards, marble buildings, Roman style, & public monuments
 - Included the official residence of the President

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