Chapter 5 Review for Study Guide

Plan for Confederation:

1. State Constitutions
	1. Established the frameworks for government
2. Continental Congress
	1. Fulfilled the duties of a national government beginning in 1774.
		1. Lacked any real authority
		2. Needed to create a plan for a central government.

Articles Adopted:

1. States willing to join a loose union
	1. Reluctant to give up any power to a central government.
2. Congressional Committee began drafting a plan for national unity in 1776.
	1. Presented the Articles of Confederation that same year.
		1. Delegates debated the plan for 16 months.
			1. Articles were adopted on November 15, 1777.
3. Articles of Confederation
	1. Formed an alliance of states
		1. Allowed states their sovereignty, freedom and independence.
		2. All powers not specifically designated to the Congress stayed with the states.
	2. Articles authorized the Congress certain powers.
		1. Borrow money
		2. Coin money
		3. Conduct foreign affairs
		4. Set policy toward Native Americans
		5. Settle disputes between states
		6. Could ask states to contribute money to the central government.
			1. Not required to do so.
		7. Asked states to provide recruits for the military.
	3. Allowed each state one vote in Congress.
	4. Ratification of the Articles required all thirteen states approval.

Problems over Land:

1. Some major issue blocked the ratification of the Articles.

 a. Control of lands between the Appalachian Mountains and the Mississippi River.

1. Several states held large tracts of western land.
	1. Based on old royal charters.
		1. States with this type of claim wanted the lands to be surrendered to the new national government.
	2. Money was part of the problem
		1. States with land claims had more financial resources to help them pay off their war debts.
		2. States without western lands faced raising taxes to help pay off their war debts.
	3. New York and Virginia gave their land claims to Congress.
		1. Wanted to promote national unity
		2. Other states eventually followed
2. By 1781, all thirteen states had agreed to enter the Confederation.

Land Ordinance of 1785:

1. Created to regulate the disposal of the western lands.
2. Marked the land into townships
	1. Divided each township into 640 section acres.
3. Ordinance allowed the cash sale of each 640 acre section
	1. They could not be sold for less than one dollar per acre
	2. One section of each township had to be reserved to establish a school.

Northwest Ordinance of 1787:

1. Congress established a system for governing the Northwest Territory.
	1. The intent was to eventually establish states from these territories.
2. Outlined the steps necessary to enter statehood.
3. Guaranteed settlers their basic civil rights
4. Banned slavery in the territories
5. Stated slaves that had escaped to freedom in the territories had to be returned to their owners.

Weaknesses in the Confederation:

1. The land ordinances had established the pattern for land settlements for the next 75 years.
2. Weaknesses in the Articles of Confederation were becoming very evident.
	1. Proposed changes to the Articles required all thirteen states approval.
	2. New legislation needed nine of the thirteen states approval.
	3. Consensus was difficult to obtain among the delegates.
		1. Northern and Southern states had conflicting interests.
	4. Financial problems were widespread.
		1. Needed cash to pay off the war debt
		2. Could only ask states for financial support
		3. Not allowed to directly tax the people
		4. Forced to print worthless money to cover financial obligations.
			1. Money did not have gold or silver backing.
			2. Merchants and debt collectors refused to accept Continental money.
				1. Demanded all bills be paid in gold or silver.
			3. Inflation was becoming a huge problem.
3. Economic worries resulted in a depression in 1786.
	1. Business activity dropped
	2. Unemployment was on the rise.
	3. British markets were lost.
		1. They had closed some colonial markets to American commerce after the war.
	4. Britain and France were flooding the United States with inexpensive goods.
		1. American merchants and artisans could not compete
		2. Congress was powerless to help
			1. Had no authority to drafts international trade policies.
4. International diplomacy was another challenge
	1. Britain refused to evacuate its forts in North America.
		1. They claimed Americans were not honoring the terms of the Treaty of Paris signed in 1783.
		2. Articles of Confederation would not allow the Congress to force Britain to honor the treaty.

Shays’s Rebellion:

 1. The Articles of Confederation also made it impossible to help farmers.

* 1. They were very hard hit by the war and its aftermath.
1. The depression and inflation left farmers in financial trouble.
	1. They had fewer markets to sell their goods
	2. They had less money to pay off debts
	3. Merchants demanded gold or silver when farmers were paying on debts.
		1. Credit was not extended for purchases of equipment or other goods.
2. Massachusetts legislature was controlled by the merchants.
	1. Passed laws imposing heavy taxes on land.
	2. If taxes not paid, the property would be seized by the state and auctioned.
3. Farmers were outraged by the taxes and land seizers.
	1. Petitioned the legislature for help
		1. Complained of “taxation without representation”
	2. Asked the legislature to issue more money and stop foreclosures.
	3. Farmer’s issues were not addressed by the legislature before adjourning in July 1786.
4. Massachusetts farmers rebelled.
	1. Their leader was Daniel Shays.
	2. Farmers defended their property rights and political representation.
	3. They shut down debtors courts
	4. Stopped farm property auctions
	5. Shays’s Rebels marched on Springfield, Massachusetts on December 26, 1786.
		1. Purpose was to seize the federal arsenal
		2. Governor sent 4,000 recruits along with the soldiers already after the rebels to stop them
	6. The Attack came in January with a result of helping the farmer.
		1. Cannons killed four farmers in the fighting
		2. Farmers retreated, but succeeded in getting the Massachusetts legislature to eliminate the direct tax and pass debtor-relief legislation.
			1. Prevented creditors from seizing household goods and tools.
5. Results of Shays’s Rebellion
	1. There was a huge effect on public opinion.
		1. The rebellion frightened the wealthy
		2. Raised doubts about the government’s ability to deal with civil unrest and bring about national unity.
	2. People who objected to a strong central government began calling for new powers for the Confederation.

Constitutional Convention:

 1. The convention followed the failed Annapolis Convention

 2. Convention began in 1787, Philadelphia

 a. Met at the Pennsylvania State House

 i. Location where the Declaration of

 Independence was signed.

 3. All delegates agreed to keep proceedings secret.

 a. Believed it would be easier to debate and resolve their differences.

 4. There were fifty-five delegates present.

 a. George Washington was named presiding officer.

5. The job of the convention members was to revise the Articles of

 Confederation.

* 1. Some delegates believed that the Articles should be replaced with a new plan of government.

Virginia Plan:

1. Written by James Madison of Virginia.
2. Presented to the convention by Edmund Randolph.
	1. Plan proposed a shift of political power away from the states and to a central government.
	2. Central government would be coordinate states activities for the benefit of the nation.
		1. Referred to as a *Federation.*
			1. Division of powers between a strong central government and state governments.
	3. Congress would be given vast powers.
		1. Right to overturn state laws.
		2. Taxation of states
		3. Bring force against any state that failed to fulfill its duty.
		4. Government would have three branches.
			1. Executive
			2. Legislative
				1. A bicameral branch

Two houses

* + - 1. Judicial
	1. Legislative proposal brought about a dispute over the number of representatives from each state.
		1. Large population states favored representation based on state population.
		2. Small population states favored representation equal for all states.

New Jersey Plan:

 1. Introduced to the convention by William Paterson as an alternative to the Virginia Plan.

1. Called for a unicameral legislation.
	* 1. Each state would have one vote.

2. James Madison and others objected to the plan.

 a. Believed it did not correct the weaknesses in the Articles of Confederation.

Great Compromise:

1. Introduced by Roger Sherman of Connecticut.
	1. Called for a two-house legislature
		1. Provided both equal and representative houses.
			1. Lower house based on population
			2. Upper house would allow each state equal representation.
	2. It was narrowly approved by the delegates.

Three-fifths Compromise:

 1. Debate over whether slaves should be counted as part of states population in terms of representation created another wrinkle in the Convention.

* 1. Southern states insisted slaves should be included in the count for representation.
		1. Wanted to increase their representation in the lower house by including slaves in their population count.
	2. Northern states insisted slaves should not be included in the count for representation.
		1. Some of these men strongly opposed slavery.
		2. Believed it violated the republican ideal of liberty.
		3. Others objected including slaves for political reasons.

 2. The compromise came in the form of the 3/5 Compromise.

 a. Allowed 3/5 of the slaves in a state count as part of the population to determine representation in the House of Representatives

Compromise over control of Commerce:

1. Northern and Southern states could not agree on who should control commerce.
	1. Northern delegates favored the national government have the power to regulate trade.
		1. Both foreign and domestic
	2. Southern delegates opposed the national government having such broad powers.
		1. Feared the national government would impose taxes on exports.
			1. Feared overseas buyers would have to pay more for southern cash crops.
				1. Rice
				2. Cotton
				3. Tobacco
		2. Delegates agreed that the Congress could levy taxes on imports but not exports.
		3. Planters also feared Congress might use its powers to tax imports to restrict or abolish the slave trade.
	3. The result of the debate came in the compromise that would permit slave trade until the end of 1807.
	4. It also agreed to allow slaveholders the right to cross state lines to pursue runaway slaves.

Writing the Constitution:

 1. A committee was assigned to write the constitution.

 a. Given the task on July 26, 1787.

 2. Five delegates were assigned to complete the draft and present it on August 6th.

 3. Delegates debated the draft and worked out specifics.

 a. Terms of office for the President and members of both houses.

1. Another committee was appointed to prepare the final draft.
2. The Constitution was presented to the delegates on September 17, 1787.

The document was handwritten by Governor Morris of Pennsylvania.

* 1. Sent to the states for ratification.

Ratifying the Constitution:

 1. To win ratification, the Constitution required nine of the thirteen states approval.

1. Copies of the Constitution were printed in local newspapers.
	1. Many Americans were shocked at what they read.
		1. They were expecting revised Articles of Confederation not the framework for a new government.
	2. Citizens divided over the issue of ratification.

Federalists:

 1. A group of people that favored ratification of the Constitution.

 a. Wealthy merchants, planters and professionals were part of this group.

b. Advocated a strong national government.

* + 1. Needed a strong currency
		2. Protect property rights
	1. Looked for stability and security against political unrest.
		1. They did not want another Shays’s Rebellion.

 2. A group wrote a series of 85 essays to answer critics of the

 Constitution.

a. These essays were written to sway voters to ratify the Constitution in New York

 i. They also influenced other states.

 b. Written by James Madison, John Jay and

 Alexander Hamilton

 c. Named them the Federalist Papers.

Ant federalists:

1. These people were against the ratification of the Constitution.
	1. Stated election procedures outlined in the Constitution was proof the new government was undemocratic.
		1. Voters did not elect the President and Vice-President.
			1. Electors would choose them.
		2. Voters would not necessarily choose anyone in the government, but the House of Representatives.
			1. Believed that the Senate could take this power away.
			2. State legislators would choose electors and the Senators.

Ratification Struggles:

1. Federalism versus state rights was the major hurtle in ratifying the Constitution.
2. Individual rights were another large area of concern.
	1. The new Constitution did not have a Bill of Rights.
	2. Citizens joined in on the debate over rights.
3. Federalists claimed state constitutions adequately protected individual rights.
4. Virginia and New York agreed to ratify the Constitution *only* if a Bill of Rights were added.
	1. The Constitution had been ratified in June 1788, it had little chance of success without both of these states on board.
	2. Washington and Madison urged ratification in Virginia.
	3. Patrick Henry argued against ratification.
	4. New York City, a strong federalist population, threatened to withdraw the city from the state if they did not ratify the Constitution.
5. The last state to ratify the Constitution was Rhode Island.
	1. They had refused to send delegates to the Constitutional Convention.

Federalism:

 1. Constitutional Convention delegates had drawn on their experiences with British rule and the Articles of Confederation when working to form a stronger national government.

1. Worked to develop a constitution that would provide a strong central government and protect states’ rights.
2. Once the decision to create a federal system of government, the decision of how powers would be distributed became the issue.
3. Powers were drawn up as national government, state governments, and shared powers.
	1. National Government powers:
		1. Declare war
		2. Maintain armed forces
		3. Regulate interstate and foreign trade
		4. Admit new states
		5. Establish post offices
		6. Set standards of weight and measurements
		7. Coin money
		8. Establish foreign policy
		9. Make all laws necessary and proper for carrying out delegated powers.
	2. State Governments powers:
		1. Establish and maintain schools
		2. Establish local governments
		3. Conduct elections
		4. Create corporate laws
		5. Regulate business within state borders
		6. Make marriage laws
		7. Provide for public safety
		8. Assume other powers not designated to the national government or prohibited to the states.
	3. Shared powers: (Concurrent Powers)
		1. Maintain law and order
		2. Levy taxes
		3. Borrow money
		4. Charter banks
		5. Establish courts
		6. Provide for public welfare

National Supremacy:

 1. Delegates realized that the national government exercising its powers the same time as the states could lead to trouble.

1. Questions as to which laws would have the ultimate authority arose.

i. The answer came in a clause in the Constitution.

1. The federal constitution and all federal laws outrank state constitutions and laws.

* + - * 1. Called the Supremacy Clause.

Separation of Powers:

 1. Formed to prevent the federal government from abusing its powers.

1. Separated the government into three branches
	1. Legislative branch

 1. Makes laws

* 1. Executive branch

 1. Oversees the laws are carried out.

 iii. Judicial branch

 1. Interprets laws

 2. Punishes lawbreakers.

Checks and Balances:

 1. A system used to ensure separation of powers is upheld.

 a. Provides each branch the means to restrain the other two branches powers.

 2. Drawbacks of checks and balances.

 a. Believed this was a method that allowed political disputes hold up the working government.

1. One branch may continually block activities of another branch.

Elastic Claws:

 1. Put in place to increase the Constitutions flexibility.

 a. Adds the power to make all laws necessary to keep power in the legislative branch.

1. Stretch its powers not specified in the Constitution.

Judicial Review:

 1. Gave the Supreme Court the power to determine whether or not a law violates the Constitution.

 a. Not written into the Constitution.