



CHAPTER 5

SHAPING A NEW NATION



Washington (on the far right) addressing the Constitutional Congress

1781 The Articles of Confederation, which John Dickinson helped write five years earlier, go into effect.



1783 The Treaty of Paris at the end of the Revolutionary War recognizes United States independence.

1784 Russians found colony in Alaska.

1784 Spain closes the Mississippi River to American commerce.

1785 New York state outlaws slavery.

1785 The Treaty of Hopewell concerning Native American lands is signed.

USA WORLD

1782

1784

1781 Joseph II allows religious toleration in Austria.

1782 Rama I founds a new dynasty in Siam, with Bangkok as the capital.

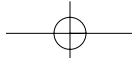


1783 Russia annexes the Crimean Peninsula.

1783 Ludwig van Beethoven's first works are published.



1785 Jean-Pierre Blanchard and John Jeffries cross the English Channel in a balloon.



INTERACT WITH HISTORY

The year is 1787. You have recently helped your fellow patriots overthrow decades of oppressive British rule. However, it is easier to destroy an old system of government than to create a new one. In a world of kings and tyrants, your new republic struggles to find its place.

How much power should the national government have?

Examine the Issues

- Which should have more power—the states or the national government?
- How can the new nation avoid a return to tyranny?
- How can the rights of all people be protected?



RESEARCH LINKS CLASSZONE.COM

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1786 Daniel Shays leads a rebellion of farmers in Massachusetts.

1786 The Annapolis Convention is held.

1786 The Virginia legislature guarantees religious freedom.

1787 The Northwest Ordinance is passed.

1788 The Constitution, which James Madison helped write at the Pennsylvania State House, is ratified.



1786

1788

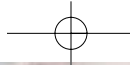
1786 Charles Cornwallis becomes governor-general of India.

1787 Sierra Leone in Africa becomes a haven for freed American slaves.

1787 War breaks out between Turkey and Russia.

1788 Austria declares war on Turkey.

1788 Bread riots erupt in France.



SECTION 1

*Congress of the United States,
begun and held at the City of New York,
on Wednesday the fourth of March one thousand seven hundred and eighty
seven, at the time of their adopting the
and as extending the govern*

Experimenting with Confederation

MAIN IDEA

Americans adopted the Articles of Confederation but found the new government too weak to solve the nation's problems.

WHY IT MATTERS NOW

The reaction to the weak Articles of Confederation led to a stronger central government that has continued to expand its power.

Terms & Names

- republic
- republicanism
- Articles of Confederation
- confederation
- Land Ordinance of 1785
- Northwest Ordinance of 1787

One American's Story

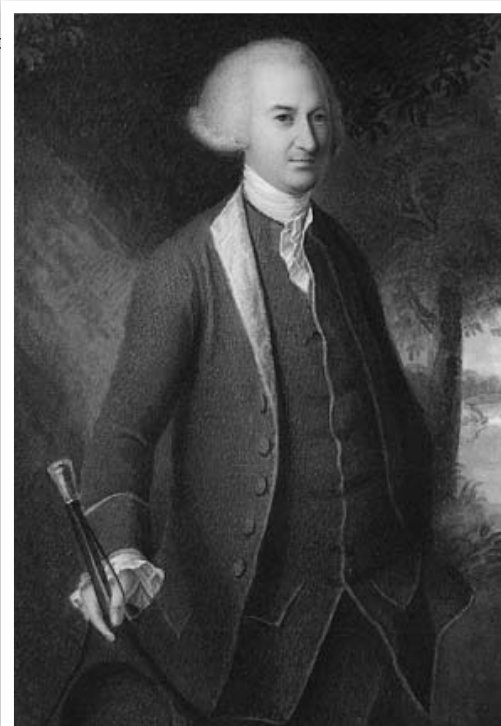
Although John Dickinson had once opposed American independence, he later worked hard to help create a government for the new United States. In 1779 John Dickinson returned to the Continental Congress as a delegate from Delaware. At that time he explained the principles that guided his political decisions.

A PERSONAL VOICE JOHN DICKINSON

“Two rules I have laid down for myself throughout this contest . . . first, on all occasions where I am called upon, as a trustee for my countrymen, to deliberate on questions important to their happiness, disdaining all personal advantages to be derived from a suppression of my real sentiments . . . openly to avow [declare] them; and, secondly, . . . whenever the public resolutions are taken, to regard them though opposite to my opinion, as sacred . . . and to join in supporting them as earnestly as if my voice had been given for them.”

—quoted in *The Life and Times of John Dickinson, 1732–1808*

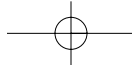
Dickinson's two rules became guiding principles for the leaders who faced the formidable task of starting a new nation.



John Dickinson

Americans Debate Republicanism

The task of creating a new government posed a great challenge. Among many other issues, the relationship between the new states and the national government was difficult to define. The debate over the nature of the new government of the United States would consume the political energies of the new nation.



MAIN IDEA

Developing Historical Perspective

A What relics of the colonial period survived in the new system of government?

Background

In *An Inquiry into the Nature and Causes of the Wealth of Nations*, Adam Smith (1723–1790) argued that social order and progress were the natural result of individualism and self-interest.

COLONIES BECOME STATES British settlers in North America had founded not one colony but many, each with its own governor, council, and colonial assembly. This system of distinct, self-governing colonies encouraged people to think of the colony as the primary political unit. Because of this, most people's allegiance was to the colony in which they lived. The Revolutionary War gave the colonies a common goal, but as these colonies became states, they remained reluctant to unite under a strong central government. The challenge was to develop a system of government that balanced the interests of the several states with those of the nation. **A**

UNITY THROUGH A REPUBLIC Eighteenth-century Americans believed that a democracy, or government directly by the people, placed too much power in the hands of the uneducated masses. Therefore, they favored a **republic**—a government in which citizens rule through their elected representatives. However, **republicanism**, the idea that governments should be based on the consent of the people (which should not be confused with the Republicanism of the modern-day political party), meant different things to different Americans.

Some, like John Dickinson, believed that a republic required a virtuous people. The new government could only succeed, they argued, if people placed the good of the nation above their personal interests.

Other Americans, influenced by the writings of the philosopher and economist Adam Smith, believed that a republic would benefit from self-interest. They asserted that if a government allowed independent citizens to pursue their own economic and political interests, the whole nation would benefit.

STATE CONSTITUTIONS As the states created their own constitutions, they wrestled with how to put republican ideals into practice. Many state constitutions shared certain similarities. They limited the powers of government leaders. They guaranteed specific rights for citizens, including freedom of speech, religion, and the press. In general, state constitutions emphasized liberty rather than equality and reflected a fear of centralized authority.

At the same time, state constitutions differed widely in granting the right to vote. Although the new states were more democratic than any western nation at this time, it was still only a very limited democracy by modern standards. African Americans were generally not allowed to vote. Some states granted voting rights to all white males. Other states, like Maryland, continued to make property ownership a requirement for voting.

Despite the more active political role that women had played during the Revolution, they were still denied the right to vote in most states. However, New Jersey gave voting rights to all free property owners but neglected to specify males. Consequently, some New Jersey women gained the right to vote—at least until 1807, when this right was revoked.

POLITICAL PRECEDENTS In a world where most nations were still governed by kings, there were few political systems that could serve as models for the new republic. The nation's founders searched history for political precedents for the

HISTORICAL SPOTLIGHT



REPUBLICAN MOTHERHOOD

An important issue in the early years of the nation was the role that women should play in the republic. In the years before and during the Revolutionary War, many women became politically active, organizing boycotts of British goods and helping raise money for the army. This involvement in public affairs was an important departure for women, who had traditionally been confined to the private sphere of family life.

After the Revolution, as the nation readjusted to peace, the new ideal of republican motherhood helped channel women's newfound political awareness and activism back into the home. Women were expected to raise the next generation of patriots by instilling democratic values in their children.

Political Precedents

ATHENS AND ROME

In the 18th century, American leaders revered the political achievements of ancient Athens and Rome. The Greek city of Athens was acknowledged as the birthplace of democracy, while the early Romans were admired for overthrowing monarchy and establishing a republic. However, Greek democracy, like the democracy of the New England town meeting, was workable only at a local level. It was the democracy of a city, not of a huge nation. Neither Greek democracy nor the Roman republic had endured.



▲ Engraving of the ancient Roman Senate

THE ENGLISH COMMONWEALTH

In the mid-17th century the English parliament executed the king and established a republic, which lasted from 1649 to 1660. This republic, called the Commonwealth and Protectorate, was controlled first by Oliver Cromwell and later by his son Richard. The Commonwealth was continually threatened by anarchy and bad leadership and did not long survive Cromwell's death. The failure of the English Commonwealth must have haunted American political leaders as they planned the government of their republic.

◀ The execution of King Charles I



new government. In the previous century, the English had established a short-lived republic after the execution of King Charles I. During the Middle Ages, Italian cities such as Florence, Pisa, Genoa, and Venice had become self-governing city-states. Swiss communities also had resisted royal control, forming alliances that developed into the Swiss Confederation. In ancient times, republics and various democratic systems had existed in Greece and in Rome. However, none of these models could be adapted easily to the political situation of the new United States, with its need to balance the concerns of state and national governments.

The Continental Congress Debates

While the states developed their individual constitutions, the Continental Congress tried to draft one for the states as a whole. However, there was much disagreement over the role of the national government. The delegates had to answer three basic questions.

REPRESENTATION BY POPULATION OR BY STATE? Although the states were equal as political entities, they were unequal in size, wealth, and population. These differences posed a serious dilemma. Should delegates to a new government represent people or states? Should each state elect the same number of representatives regardless of its population? Or should states with large populations have more representatives than states with small populations?

For the time being, the members of the Continental Congress saw themselves as representing independent states. As a result, they made the decision that each state would have one vote regardless of population. **B**

SUPREME POWER: CAN IT BE DIVIDED? Until this time most people assumed that a government could not share supreme power with smaller administrative units, such as provinces or states.

MAIN IDEA

Analyzing Issues

B Why did differences between the states cause problems of representation in the new government?



However, the Congress proposed a new type of government in a set of laws called the **Articles of Confederation**—one in which two levels of government shared fundamental powers. State governments were supreme in some matters, while the national government was supreme in other matters. The delegates called this new form of government a **confederation**, or alliance.

In true Enlightenment fashion, John Dickinson hoped that the new system of government would reflect the order and harmony found in nature.

A PERSONAL VOICE JOHN DICKINSON

“Let our government be like that of the solar system. Let the general government be like the sun and the states the planets, repelled yet attracted, and the whole moving regularly and harmoniously in their several orbits.”

—from *The Records of the Federal Convention of 1787*

The Articles of Confederation gave the new national government power to declare war, make peace, and sign treaties. It could borrow money, set standards for coins and for weights and measures, establish a postal service, and deal with Native American peoples. The Articles, however, created no separate executive department to carry out and enforce the acts of Congress and no national court system to interpret the meaning of laws. **C**

MAIN IDEA

Summarizing

C What is a confederation?

WESTERN LANDS: WHO GETS THEM? By 1779, 12 states had agreed to accept the new government, but conflict over western lands delayed final approval for two more years. Some states had claims to lands west of the Appalachian Mountains. Maryland, which had no such claims, feared that states with land claims would expand and overpower smaller states. It refused to approve the Articles until all states turned over their western lands to the United States. Consequently, the landed states gave up their western claims, and with Maryland’s approval, the Articles of Confederation went into effect in March 1781.

GOVERNING THE WESTERN LANDS The Confederation Congress then faced the question of how to govern the public lands west of the Appalachians and north of the Ohio River that offered rich land for settlers. Congress passed the **Land Ordinance of 1785**, which established a plan for surveying the land. (See the Geography Spotlight on page 138.) In the **Northwest Ordinance of 1787**, Congress provided a procedure for dividing the land into territories. The Northwest Ordinance also set requirements for the admission of new states, which, however, seemed to overlook Native American land claims. There were three basic stages for becoming a state:

1. Congress would appoint a territorial governor and judges.
2. When a territory had 5,000 voting residents, the settlers could write a temporary constitution and elect their own government.
3. When the total population of a territory reached 60,000 free inhabitants, the settlers could write a state constitution, which had to be approved by Congress before it granted statehood.

The Land Ordinance of 1785 and the Northwest Ordinance of 1787 became the Confederation’s greatest achievements. These laws established a blueprint for future growth of the nation. **D**

MAIN IDEA

Contrasting

D What was the basic difference between the Land Ordinance of 1785 and the Northwest Ordinance of 1787?

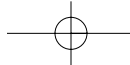
ANOTHER

PERSPECTIVE

JOHN BAPTIST DE COIGNE

John Baptist de Coigne, a Kaskaskia chief, was among a group of Indians from the Northwest Territory who met with leaders of the U.S. government in 1793. He expressed the Native American view of the westward expansion of white settlers during the previous ten years:

“Order your people to be just. They are always trying to get our lands. They come on our lands, they hunt on them; kill our game and kill us. Keep them on one side of the line, and us on the other. Listen, my father, to what we say, and protect the nations of the Wabash and the Mississippi in their lands.”



The Confederation Encounters Problems

After its success in dealing with the Northwest Territory, the Confederation encountered overwhelming problems in dealing with more immediate issues. These problems ranged from economic issues, such as taxation and the national debt, to political issues, such as the nature of Congressional representation. In addition to these domestic issues, there were also many foreign-relations problems that the Confederation was powerless to solve.

POLITICAL AND ECONOMIC PROBLEMS The most serious problem was that the country under the Confederation lacked national unity. Each state functioned independently by pursuing its own interests rather than those of the nation as a whole. In addition, the Confederation didn't recognize the differences in population among the states. Each state, regardless of its population, had only one vote in Congress. Thus, the political power of Georgia, with a population of 23,375 in 1770, was equal to that of Massachusetts, with a population of 235,308. Furthermore, the Articles could not be amended without the consent of every state; a single state could stall the amendment process. Therefore, changes in government were difficult to achieve.

The most serious economic problem was the huge debt that the Congress had amassed during the Revolutionary War. The war had cost the nation \$190 million—a huge amount of money in those days. The Continental Congress had borrowed from foreign countries and had printed its own paper money. After the war, Continental currency became worthless.

Lacking the power to tax, the Congress requested the states' approval to impose a tariff, or tax on imported goods. It planned to use the revenue to repay foreign loans. However, one state, Rhode Island, rejected the proposed tax, so it was not adopted. Unable to impose taxes, the Confederation Congress also had no control over interstate or foreign trade. **E**

BORROWERS VERSUS LENDERS Another problem caused by the debt from the Revolution was the struggle between creditors (lenders of money) and debtors (borrowers of money). After the war, wealthy people who had lent money to the states favored high taxes so that the states would be able to pay them back. However, high taxes sent many farmers into debt. When a creditor sued a farmer in court for repayment and won the case, the government seized the farmer's land and animals and sold them at auction.

Debtors and creditors also disagreed over the usefulness of paper money. Debtors wanted to increase the supply of money to lessen its value and enable them to pay off their debts with cheap currency. Creditors, in contrast, wanted to keep the supply of money low so that it would keep its full value. Both groups had much to lose.

FOREIGN-RELATIONS PROBLEMS The lack of support from states for national concerns led to foreign-relations problems for the Congress. First, since the United States could not repay its debts to British merchants and would not compensate Loyalists for property losses suffered during the Revolutionary War, Britain refused to evacuate its military forts on the Great Lakes. Furthermore, Spain's presence on the borders of the United States posed another threat to westward expansion. In 1784, Spain closed the Mississippi River to American navigation. This action deprived Western farmers of a means of shipping their crops to Eastern markets through New Orleans. Though Northerners were willing to give up navigation rights on the Mississippi in exchange for more profitable trade concessions, Westerners and Southerners insisted on access to the Mississippi. However, Congress was too weak to resolve either of these challenges by Spain and Britain.

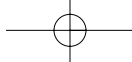
MAIN IDEA

Identifying Problems

E What weakness in the Confederation was highlighted by the actions of Rhode Island?

Background

See *inflation* on page R42 in the Economics Handbook.



Weaknesses of the Articles of Confederation

- Congress could not enact and collect taxes.
- Congress could not regulate interstate or foreign trade.
- Regardless of population, each state had only one vote in Congress.
- Two-thirds majority—9 out of 13 states needed to agree to pass any law.

- Articles could be amended only if all states approved.
- There was no executive branch to enforce the laws of Congress.
- There was no national court system to settle legal disputes.
- There were 13 separate states that lacked national unity.

SKILLBUILDER Interpreting Charts

1. How many states' votes were needed to approve changes in the Articles of Confederation?
2. Why did the listed weaknesses lead to an ineffective government?

The problems the Congress encountered in dealing with foreign nations revealed the basic weaknesses of the Confederation government. Americans' fear of giving the national government too much power had resulted in a government that lacked sufficient power to deal with the nation's problems. The forthcoming Constitutional Convention would change all of this.

SECTION

1

ASSESSMENT

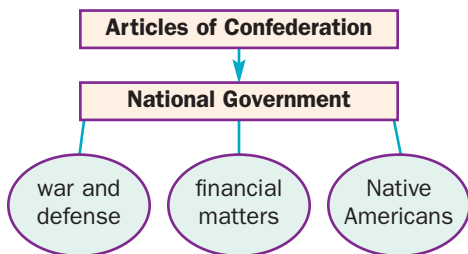
1. TERMS & NAMES For each term or name, write a sentence explaining its significance.

<ul style="list-style-type: none"> republic republicanism 	<ul style="list-style-type: none"> Articles of Confederation confederation 	<ul style="list-style-type: none"> Land Ordinance of 1785 	<ul style="list-style-type: none"> Northwest Ordinance of 1787
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MAIN IDEA

2. TAKING NOTES

In a diagram like the one below, describe the powers given to the national government by the Articles of Confederation



What were the weaknesses of the Articles of Confederation?

CRITICAL THINKING

3. ANALYZING ISSUES

Why were the states afraid of centralized authority and a strong national government?

4. IDENTIFYING PROBLEMS

What was the main problem with the system of representation by state (rather than by population) that was adopted by the Confederation?

5. HYPOTHESIZING

Do you think that the United States would have become a world power if the Articles of Confederation had remained the basis of government? Explain the reasons for your opinion.

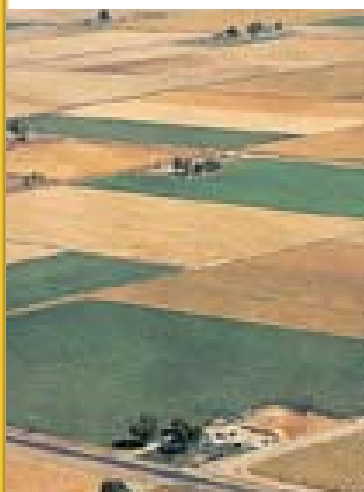
Think About:

- the power that the Articles gave the states
- foreign affairs and the Confederation Congress
- the Confederation Congress's taxation powers



GEOGRAPHY SPOTLIGHT

The Land Ordinance of 1785



▲ Aerial photograph showing how the Land Ordinance transformed the landscape into a patchwork of farms.

When states ceded, or gave up, their western lands to the United States, the new nation became “land rich” even though it was “money poor.” Government leaders searched for a way to use the land to fund such services as public education.

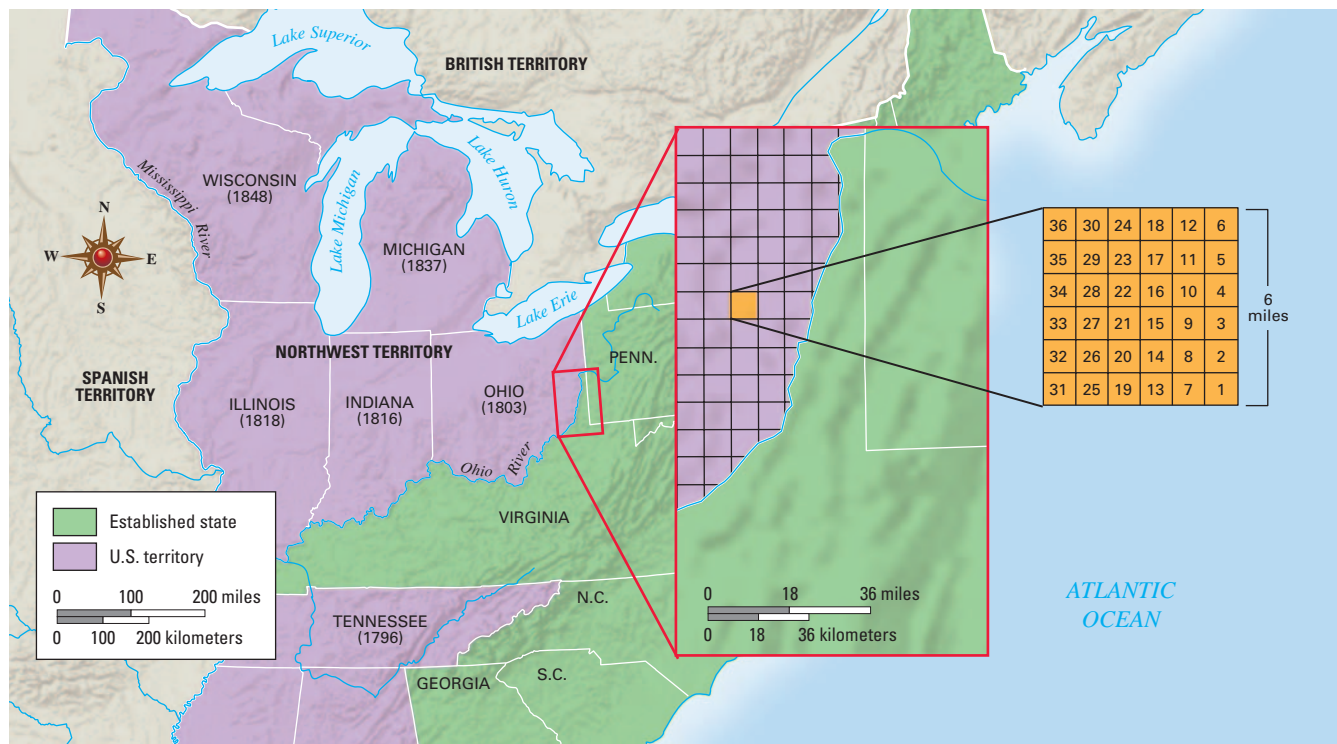
The fastest and easiest way to raise money would have been to sell the land in huge parcels. However, only the rich would have been able to purchase land. The Land Ordinance of 1785 made the parcels small and affordable.

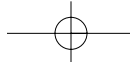
The Land Ordinance established a plan for dividing the land. The government would first survey the land, dividing it into townships of 36 square miles, as shown on the map below. Then each township would be divided into 36 sections of 1 square mile, or about 640 acres, each. An individual or a family could purchase a section and divide it into farms or smaller units. A typical farm of the period was equal to one-quarter section, or 160 acres. The minimum price per acre was one dollar.

Government leaders hoped the buyers would develop farms and establish communities. In this way settlements would spread across the western territories in an orderly way. Government surveyors repeated the process thousands of times, imposing frontier geometry on the land.

In 1787, the Congress further provided for the orderly development of the Northwest Territory by passing the Northwest Ordinance, which established how states would be created out of the territory.

▼ The map below shows how an eastern section of Ohio has been subdivided into townships and sections, according to the Land Ordinance of 1785.





This map shows how a township, now in Meigs County, Ohio, was divided in 1787 into parcels of full square-mile sections and smaller, more affordable plots. The names of the original buyers are written on the full sections.

A RELIGION To encourage the growth of religion within the township, the surveyors set aside a full section of land. Most of the land within the section was sold to provide funds for a church and a minister's salary. This practice was dropped after a few years because of concern about the separation of church and state.

B EDUCATION The ordinance encouraged public education by setting aside section 16 of every township for school buildings. Local people used the money raised by the sale of land within this section to build a school and hire a teacher. This section was centrally located so that students could reach it without traveling too far.

C REVENUE Congress reserved two or three sections of each township for sale at a later date. Congress planned to sell the sections then at a tidy profit. The government soon abandoned this practice because of criticism that it should not be involved in land speculation.

D WATER Rivers and streams were very important to early settlers, who used them for transportation. Of most interest, however, was a meandering stream, which indicated flat bottomland that was highly prized for its fertility.



THINKING CRITICALLY

- Analyzing Distributions** How did the Land Ordinance of 1785 provide for the orderly development of the Northwest Territory? How did it make land affordable?
- Creating a Chart** Create a table that organizes and summarizes the information in the map above. To help you organize your thoughts, pose questions that the map suggests and that a table could help answer.

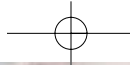


SEE SKILLBUILDER HANDBOOK, PAGE R30.



RESEARCH LINKS

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Drafting the Constitution

MAIN IDEA

At the Philadelphia convention in 1787, delegates rejected the Articles of Confederation and created a new constitution.

WHY IT MATTERS NOW

The Constitution remains the basis of our government.

Terms & Names

- Shays's Rebellion
- James Madison
- Roger Sherman
- Great Compromise
- Three-Fifths Compromise
- federalism
- legislative branch
- executive branch
- judicial branch
- checks and balances
- electoral college

One American's Story

Daniel Shays was angry. A veteran of the Revolutionary War battles at Bunker Hill and Saratoga, he had returned to his farm in western Massachusetts. Because of the heavy debt that he carried, however, he faced debtors' prison. Shays felt that he was the victim of too much taxation.

During the summer and fall of 1786, farmers like Shays kept demanding that the courts be closed so they would not lose their farms to creditors. Their discontent boiled over into mob action in September of 1786 when Daniel Shays led an army of farmers to close the courts. In 1787, Shays's army, 1,200 strong, marched through the snow toward the arsenal at Springfield.

State officials hurriedly called out the militia. Four of the rebels were killed and the rest were scattered. Clearly, though, if so many farmers were rebelling, there was something seriously wrong.

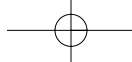


▲ **Shays's Rebellion in 1786–1787 not only resulted in the death of four rebels but also unsettled some of the nation's leaders.**

Nationalists Strengthen the Government

Shays's Rebellion, as the farmers' protest came to be called, caused panic and dismay throughout the nation. Every state had debt-ridden farmers. Would rebellion spread from Massachusetts elsewhere? Not only was private property in danger, but so was the new nation's reputation. As George Washington himself exclaimed, "What a triumph for our enemies . . . to find that we are incapable of governing ourselves."

It was clearly time to talk about a stronger national government. In order to prevent abuse of power, the states had placed such severe limits on the government that the government was too weak.



Fearing that the new nation was about to disintegrate, George Washington addressed this issue.

A PERSONAL VOICE GEORGE WASHINGTON

“The consequences of . . . [an] inefficient government are too obvious to be dwelt upon. Thirteen sovereignties pulling against each other, and all tugging at the federal head will soon bring ruin on the whole. . . . Let us have [government] by which our lives, liberty, and property will be secured or let us know the worst at once.”

CALL FOR CONVENTION One of the nation’s biggest problems was trade between the states, which led to quarrels over the taxes that states imposed on one another’s goods and disagreements over navigation rights. In September 1786, leaders such as **James Madison** of Virginia and Alexander Hamilton called a meeting of state delegates to discuss issues of interstate trade. Only five states sent representatives to the convention, held in Annapolis, Maryland. Delegates decided to call for another meeting the following year in Philadelphia to deal with trade and other problems.

Meanwhile, the disturbing news of Shays’s Rebellion in Massachusetts spread throughout the states. The incident convinced 12 states to send delegates to the Philadelphia convention. **A**

MAIN IDEA

Analyzing Motives

A Why do you think news of Shays’s Rebellion made states decide to participate in the Philadelphia convention?

CONVENTION HIGHLIGHTS

In May 1787, delegates from all the states except Rhode Island gathered at the Philadelphia State House—in the same room in which the Declaration of Independence had been signed 11 years earlier. In spite of the sweltering heat, the windows were tightly closed to prevent outsiders from eavesdropping on the discussions.

Most of the 55 delegates were lawyers, merchants, or planters. Most were rich, well-educated men in their thirties or forties. They included some of the most outstanding leaders of the time, such as Benjamin Franklin, Alexander Hamilton, and George Washington. Washington was elected presiding officer by a unanimous vote.

KEY PLAYERS



JAMES MADISON
1751–1836

The oldest of 12 children, James Madison grew up in Virginia. He was a sickly child who suffered all his life from physical ailments. Because of a weak voice, he decided not to become a minister and thus entered politics.

Madison’s Virginia Plan resulted from extensive research on political systems that he had done before the convention. He asked Edmund Randolph, a fellow delegate from Virginia, to present the plan because his own voice was too weak to be heard throughout the assembly.

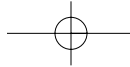
Besides providing brilliant political leadership, Madison kept a record of the debates that took place at the convention. Because of his plan and his leadership, Madison is known as the “Father of the Constitution.”



ROGER SHERMAN
1721–1793

Born in Massachusetts, Roger Sherman spoke a New England dialect that some people found laughable. As a young man, he became a successful merchant. Sherman also studied law and became so active in politics that he had to quit his business.

Sherman helped draft the Declaration of Independence. When he returned to Philadelphia in 1787 for the Constitutional Convention, he was 66 years old. He introduced a plan—later called the Great Compromise—that resolved the issue of state representation in the national legislature. Roger Sherman was the only man to sign the Continental Association of 1774, the Declaration of Independence, the Articles of Confederation, and the Constitution.



Conflict Leads to Compromise

Most of the delegates recognized the need to strengthen the central government. Within the first five days of the meeting, they gave up the idea of revising the Articles of Confederation and decided to form a new government.

BIG STATES VERSUS SMALL STATES One big issue the delegates faced was giving fair representation to both large and small states. Madison's Virginia Plan proposed a bicameral, or two-house, legislature, with membership based on each state's population. The voters would elect members of the lower house, who would then elect members of the upper house.

Delegates from the small states vigorously objected to the Virginia Plan because it gave more power to states with large populations. Small states supported William Paterson's New Jersey Plan, which proposed a single-house congress in which each state had an equal vote.

Proponents of the plans became deadlocked. Finally, **Roger Sherman**, a political leader from Connecticut, suggested the **Great Compromise**, which offered a two-house Congress to satisfy both small and big states. Each state would have equal representation in the Senate, or upper house. The size of the population of each state would determine its representation in the House of Representatives, or lower house. Voters of each state would choose members of the House. The state legislatures would choose members of the Senate.

Sherman's plan pleased those who favored government by the people insofar as it allowed voters to choose representatives. It also pleased those who defended states' rights insofar as it preserved the power of state legislatures. **B**

SLAVERY-RELATED ISSUES Representation based on population raised the question of whether slaves should be counted as people. Southern delegates, whose states had many slaves, wanted slaves included in the population count that determined the number of representatives in the House. Northern delegates, whose states had few slaves, disagreed. Not counting Southern slaves would give the Northern states more representatives than the Southern states in the House of Representatives. The delegates eventually agreed to the **Three-Fifths Compromise**, which called for three-fifths of a state's slaves to be counted as population.

The Three-Fifths Compromise settled the political issue but not the economic issue of slavery. Slaveholders, especially in the South, worried that if Congress were given power to regulate foreign trade, it might do away with the

MAIN IDEA

Analyzing Issues

B Why was Sherman's compromise a success?

Key Conflicts in the Constitutional Convention

STRONG CENTRAL GOVERNMENT vs. STRONG STATES

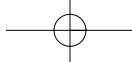
- | | |
|--|--|
| <ul style="list-style-type: none"> • Authority derives from the people. • The central government should be stronger than the states. | <ul style="list-style-type: none"> • Authority derives from the states. • The states should remain stronger than the central government. |
|--|--|

LARGE STATES vs. SMALL STATES

- | | |
|---|--|
| <ul style="list-style-type: none"> • Congress should be composed of two houses. • Delegates should be assigned according to population. | <ul style="list-style-type: none"> • A congress of one house should be preserved. • Each state should have one vote. |
|---|--|

NORTH vs. SOUTH

- | | |
|---|---|
| <ul style="list-style-type: none"> • Slaves should not be counted when deciding the number of delegates. • Slaves should be counted when levying taxes. | <ul style="list-style-type: none"> • Slaves should be counted when determining congressional representation. • Slaves should not be counted when levying taxes. |
|---|---|



slave trade. To resolve this issue, the convention gave Congress the power to regulate trade but prevented it from interfering with the slave trade for at least 20 years. Although the proposal passed, not all the delegates agreed with it. James Madison predicted, “Twenty years will produce all the mischief that can be apprehended from the liberty to import slaves. So long a term will be more dishonorable to the national character than to say nothing about it in the Constitution.”

Creating a New Government

After reaching agreement on questions of slavery and representation, the delegates dealt with other issues. They divided power between the states and the national government and separated the national government’s power into three branches.

DIVISION OF POWERS The new system of government was a form of **federalism** that divided power between the national government and the state governments. The powers granted to the national government by the Constitution are known as delegated powers, or enumerated powers. These include such powers as control of foreign affairs, providing national defense, regulating trade between the states, and coining money. Powers kept by the states are called reserved powers. These include powers such as providing and supervising education, establishing marriage laws, and regulating trade within a state. **C**

MAIN IDEA

Summarizing

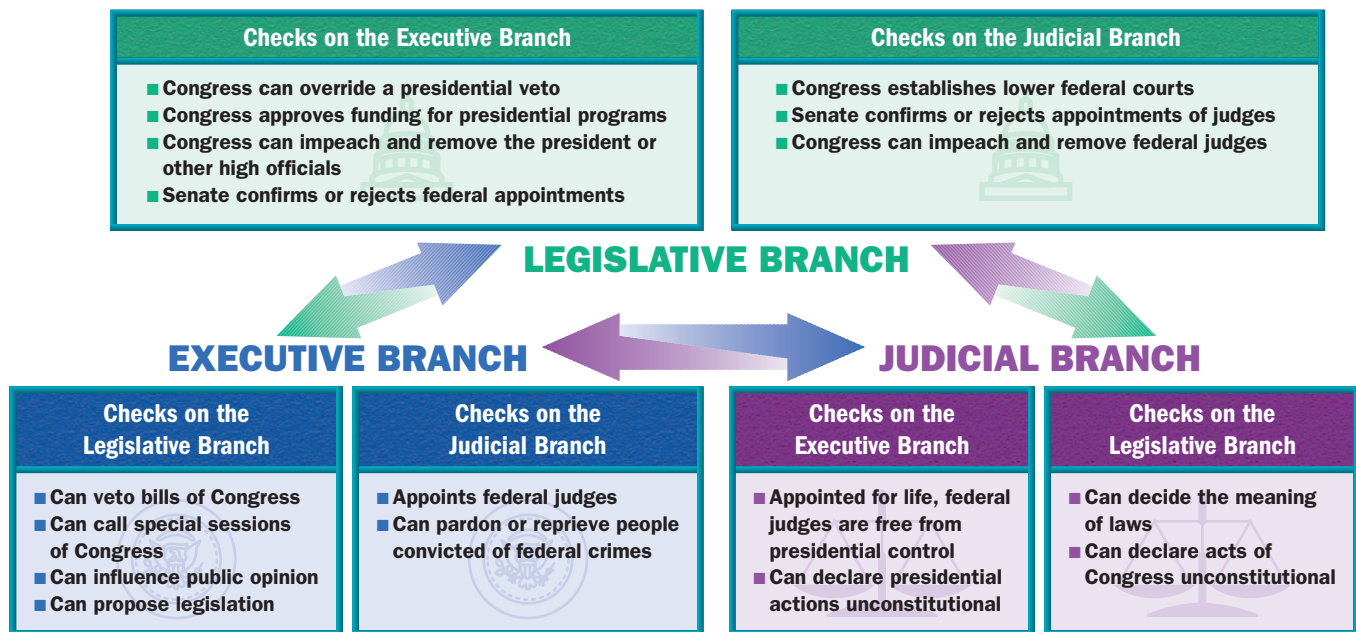
C Which powers were granted to the national government and to the state governments?

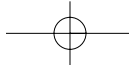
Both levels of government share such important powers as the right to tax, to borrow money, and to pay debts. They also share the power to establish courts.

SEPARATION OF POWERS The delegates protected the rights of the states, but they also granted some powers exclusively to the national government. At the same time, they limited the authority of the government. First, they created three branches of government—a **legislative branch** to make laws, an **executive branch** to carry out laws, and a **judicial branch** to interpret the law.

Then the delegates established a system of **checks and balances** to prevent one branch from dominating the others. (See the chart below.) For example, the president has considerable power, but the Senate has to approve some of the president’s decisions. The president can veto acts of Congress, but Congress can override a veto by a

The Checks and Balances of the Federal System





THE ELECTORAL COLLEGE

Distrust of popular sovereignty led the framers of the Constitution to devise a complicated system of electing the president. The creation of an electoral college ensured that a college of electors, or representatives, would have the last say in the vote.

In the 2000 presidential election, the electoral college played a decisive role in choosing the president. Even though Al Gore won the popular vote by a margin of almost 540,000, the electors gave George W. Bush 271 electoral votes—one vote more than the 270 votes needed to win the presidency.

two-thirds vote. The Supreme Court assumes the power to interpret the Constitution, but the president appoints the justices, and Congress can bring them to trial for abuses of power.

The procedure for electing the president reflected two main concerns. Because there were no national political parties and because travel and communication were limited, there was a fear that the popular vote would be divided among many regional candidates. Also, many among the upper classes distrusted and feared the lower classes. Some did not trust the common people to vote wisely; others trusted them to vote the upper class out of power. So the delegates came up with a new system of electing the president. Instead of voters choosing the president directly, each state would choose a number of electors equal to the number of senators and representatives the state had in Congress. The group of electors chosen by the states, known as the **electoral college**, would cast ballots for the candidates.

CREATING THE CONSTITUTION Finally, the delegates provided a means of changing the Constitution through the amendment process. After nearly four months of debate and compromise, the delegates succeeded in creating a constitution that was flexible enough to last through the centuries to come. Yet when George Washington adjourned the convention on September 17, 1787, he was somewhat uncertain about the future of the new plan of government. Washington remarked to a fellow delegate, “I do not expect the Constitution to last for more than 20 years.”

The convention’s work was over, but the new government could not become a reality until the voters agreed. So the Constitution of the United States of America was sent to the Congress, which submitted it to the states for approval.



ASSESSMENT

1. TERMS & NAMES For each term or name, write a sentence explaining its significance.

- Shays’s Rebellion
- Great Compromise
- legislative branch
- checks and balances
- James Madison
- Three-Fifths Compromise
- executive branch
- electoral college
- Roger Sherman
- federalism
- judicial branch

MAIN IDEA

2. TAKING NOTES

Re-create the web below on your paper, and fill it in with specific issues that were debated.



Choose one issue and explain how the delegates resolved that issue.

CRITICAL THINKING

3. ANALYZING ISSUES

In what ways did the new system of government fulfill the nation’s need for a stronger central government and at the same time allay its fear of a government having too much power?

4. SUMMARIZING

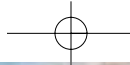
What was the Great Compromise and how did it reconcile the interests of the small states with the interests of the more populous states?

5. EVALUATING DECISIONS

Do you agree or disagree with the creation of a system of checks and balances? Explain your answer.

Think About:

- the main task of each branch
- how the branches function
- the efficiency of governmental operations



SECTION
3

Ratifying the Constitution

MAIN IDEA

During the debate on the Constitution, the Federalists promised to add a bill of rights in order to get the Constitution ratified.

WHY IT MATTERS NOW

The Bill of Rights continues to protect ordinary citizens.

Terms & Names

- ratification
- Federalists
- Antifederalists
- *The Federalist*
- Bill of Rights

One American's Story

When John Jay was in college, he refused to reveal the identity of a student who had broken school property. As he was being interrogated, Jay pointed out that the college rules did not require one student to inform on another.

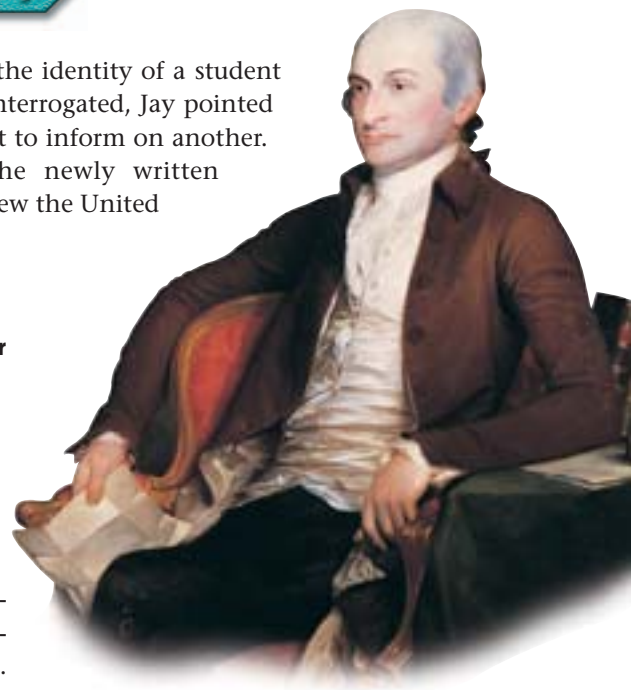
Years later, Jay argued for ratification of the newly written constitution. He warned how other nations would view the United States if it did not unify itself.

A PERSONAL VOICE JOHN JAY

“What a poor pitiful figure will America make in their eyes! How liable would she become not only to their contempt, but to their outrage; and how soon would dear-bought experience proclaim that when a people or family so divide, it never fails to be against themselves.”

—*The Federalist*, Number 4

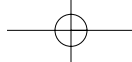
Whether Jay was defending his peers or his country's Constitution, his strong principles and commitment to unity gave his arguments tremendous force. Men like John Jay played a key role in ratifying the Constitution.



John Jay

Federalists and Antifederalists

The delegates to the Philadelphia convention had spent four months drafting the Constitution. When newspapers printed the full text of the new Constitution, many Americans were shocked by the radical changes it proposed. They had expected the convention to merely amend the Articles of Confederation. Supporters and opponents battled over controversies that threatened to shatter the framers' hope of uniting the states.



“They . . . divided the powers, that each [branch of the legislature] might be a check upon the other . . . and I presume that every reasonable man will agree to it.”

ALEXANDER
HAMILTON



“You are not to inquire how your trade may be increased, nor how you are to become a great and powerful people, but how your liberties can be secured. . . .”

PATRICK HENRY

CONTROVERSIES OVER THE CONSTITUTION The framers set up a procedure for ratification that called for each state to hold a special convention. The voters would elect the delegates to the convention, who would then vote to accept or reject the Constitution. **Ratification**—official approval—required the agreement of at least nine states. This system largely bypassed the state legislatures, whose members were likely to oppose the Constitution, since it reduced the power of the states. It also gave the framers an opportunity to campaign for delegates in their states who would support ratification.

Supporters of the Constitution called themselves **Federalists**, because they favored the new Constitution’s balance of power between the states and the national government. Their opponents became known as **Antifederalists** because they opposed having such a strong central government and thus were against the Constitution.

The Federalists insisted that the division of powers and the system of checks and balances would protect Americans from the tyranny of centralized authority. Antifederalists countered with a long list of possible abuses of power by a strong central government. These included a fear that the government would serve the interests of the privileged minority and ignore the rights of the majority. Antifederalists also raised doubts that a single government could manage the affairs of a large country. Their leading argument, however, centered on the Constitution’s lack of protection for individual rights. **A**

THE OPPOSING FORCES Leading Federalists included framers of the Constitution such as George Washington, James Madison, and Alexander Hamilton. They used their experience and powers of persuasion to win support for the document they had drafted. They received heavy support from urban centers, where merchants, skilled workers, and laborers saw the benefit of a national government that could regulate trade. Small states and those with weak economies also favored a strong central government that could protect their interests.

Leading Antifederalists included revolutionary heroes and leaders such as Patrick Henry, Samuel Adams, and Richard Henry Lee. They received support from rural areas, where people feared a strong government that might add to their tax burden. Large states and those with strong economies, such as New York, which had greater freedom under the Articles of Confederation, also were unsupportive of the Constitution at first.

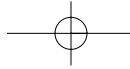
Both sides waged a war of words in the public debate over ratification. **The Federalist**, a series of 85 essays defending the Constitution, appeared in New York newspapers between 1787 and 1788. They were published under the pseudonym *Publius*, but were written by Federalist leaders Alexander Hamilton, James Madison, and John Jay. *The Federalist* provided an analysis and an explanation of Constitutional provisions, such as the separation of powers and the limits on the power of majorities, that remain important today.

Letters from the Federal Farmer, most likely written by Richard Henry Lee, was the most widely read Antifederalist publication. Lee listed the rights the Antifederalists believed should be protected, such as freedom of the press and of religion, guarantees against unreasonable searches of people and their homes, and the right to a trial by jury.

MAIN IDEA

Analyzing Issues

A What were the Antifederalists’ major arguments against the Constitution?



The Bill of Rights Leads to Ratification

The proposed U.S. Constitution contained no guarantee that the government would protect the rights of the people or of the states. Some supporters of the Constitution, such as Thomas Jefferson, viewed the Constitution's lack of a bill of rights—a formal summary of citizens' rights and freedoms, as a serious drawback to ratification.

A PERSONAL VOICE THOMAS JEFFERSON

“I like much the general idea of framing a government, which should go on of itself, peaceably, without needing continual recurrence to the State legislatures. . . . I will now tell you what I do not like. First, the omission of a bill of rights. . . . Let me add, that a bill of rights is what the people are entitled to against every government on earth, general or particular; and what no just government should refuse. . . .”

—letter to James Madison from Paris, December 20, 1787

PEOPLE DEMAND A BILL OF RIGHTS Antifederalists argued that since the Constitution weakened the states, the people needed a national bill of rights. They wanted written guarantees that the people would have freedom of speech, of the press, and of religion. They demanded assurance of the right to trial by jury and the right to bear arms.

Federalists insisted that the Constitution granted only limited powers to the national government so that it could not violate the rights of the states or of the people. They also pointed out that the Constitution gave the people the power to protect their rights through the election of trustworthy leaders. In the end, though, the Federalists yielded to people's overwhelming desire and promised to add a bill of rights if the states would ratify the Constitution. **B**

RATIFICATION OF THE CONSTITUTION Delaware led the country in ratifying the Constitution in December 1787. In June 1788, New Hampshire fulfilled the requirement for ratification by becoming the ninth state to approve the Constitution. Nevertheless, Virginia and New York had not voted, and the new government needed these very large and influential states.

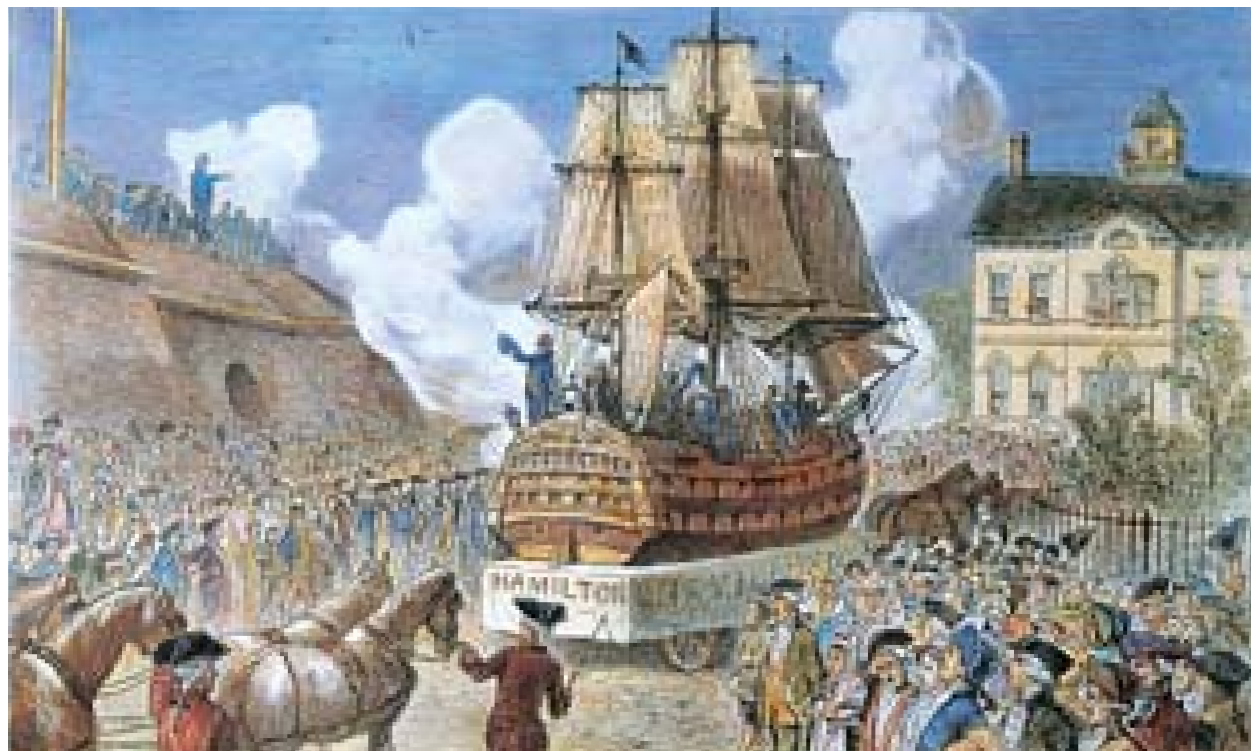
Powerful adversaries squared off in Virginia. Patrick Henry, Richard Henry Lee, and James Monroe led the opposition. Richard Henry Lee, a prominent political

MAIN IDEA

Summarizing

B What were the arguments made by Antifederalists and Federalists over adding a bill of rights to the Constitution?

A parade in New York in 1788 celebrates the new Constitution and features the “Ship of State” float. Alexander Hamilton's name emphasizes the key role he played in launching the new government. ▼



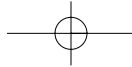


figure of his time, claimed that those in favor of the Constitution were voluntarily placing themselves under the power of an absolute ruler.

A PERSONAL VOICE RICHARD HENRY LEE

“’Tis really astonishing that the same people, who have just emerged from a long and cruel war in defense of liberty, should now agree to fix an elective despotism [absolute power] upon themselves and their posterity.”

The struggle for New York pitted John Jay and Alexander Hamilton against a strong Antifederalist majority. Jay, Hamilton, and Madison launched an effective public campaign through *The Federalist*. News of ratification by New Hampshire and Virginia strengthened the Federalists' cause. On July 26, 1788, New York ratified by a vote of 30 to 27. Although Rhode Island did not accept the Constitution until 1790, the new government became a reality in 1789.

NOW & THEN

SOUTH AFRICA CREATES A BILL OF RIGHTS

On May 8, 1996, South African lawmakers danced in the aisles of South Africa's Parliament. They had just approved a landmark constitution guaranteeing equal rights for blacks and whites in the new South Africa. Included in this constitution was a bill of rights modeled in part on the United States Bill of Rights, though with significant differences.

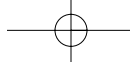
The South African bill of rights is a much broader and more detailed document than the U.S. Bill of Rights. For example, two pages are devoted to the rights of arrested, detained, and accused persons. One page is devoted to the rights of children. The document forbids discrimination of all kinds and protects the rights of minorities. It also guarantees every citizen the right to freedom of travel within the country, which was often denied blacks under apartheid. In addition, the bill of rights guarantees a range of social and economic rights—including the right to adequate housing, food, water, education, and health care—which were often denied blacks under apartheid.

People outside the polling station in the black township of Soweto waiting to vote in South Africa's first multiracial election. ►



Nelson Mandela, the first black president of South Africa, greets a crowd celebrating the new constitution in 1996. ▼





ADOPTION OF A BILL OF RIGHTS In several states, ratification had hinged on the Federalists’ pledge to add a bill of rights. In September 1789, Congress submitted 12 amendments to the state legislatures for ratification. By December 1791, the required three-fourths of the states had ratified ten of the amendments, which became known as the **Bill of Rights**.

The first eight amendments spell out the personal liberties the states had requested. The Ninth and Tenth Amendments impose general limits on the powers of the federal government.

- The *First Amendment*—guarantees citizens’ rights to freedom of religion, speech, the press, and political activity.
- The *Second* and *Third Amendments*—grant citizens the right to bear arms as members of a militia of citizen-soldiers and prevent the government from housing troops in private homes in peacetime.
- The *Fourth* through *Eighth Amendments*—guarantee fair treatment for individuals suspected or accused of crimes.
- The *Ninth Amendment*—makes it clear that people’s rights are not restricted to just those specifically mentioned in the Constitution.
- The *Tenth Amendment*—clarifies that the people and the states have all the powers that the Constitution does not specifically give to the national government or deny to the states.

The Bill of Rights

1. Religious and political freedom
2. Right to bear arms
3. Freedom from quartering troops
4. Freedom against unreasonable search and seizure
5. Rights of accused persons
6. Right to a speedy, public trial
7. Right to a trial by jury
8. Limits on fines and punishments
9. Rights of the people
10. Powers of states and the people

The protection of rights and freedoms did not apply to all Americans at the time the Bill of Rights was adopted. Native Americans and slaves were excluded. Women were not mentioned in the Constitution. Although some northern states permitted free blacks to vote, the Bill of Rights offered them no protection against whites’ discrimination and hostility. The expansion of democracy came from later amendments. Nevertheless, the flexibility of the U.S. Constitution made it a model for governments around the world.



ASSESSMENT

1. TERMS & NAMES For each term or name, write a sentence explaining its significance.

- ratification
 - Antifederalists
 - The *Federalist*
 - Bill of Rights
- Federalists

MAIN IDEA

2. TAKING NOTES

Use a chart like the one below to show which groups and public figures supported the Federalists and which supported the Antifederalists.

	Public Figures	Groups
Federalists		
Antifederalists		

Which group would you have supported? Explain why.

CRITICAL THINKING

3. EVALUATING

Do you think the Federalists or the Antifederalists had the more valid arguments? Support your opinion with examples from the text.

Think About:

- whom each group represented
- Americans’ experience with the Articles of Confederation
- Americans’ experience with British rule

4. ANALYZING MOTIVES

Why did the Antifederalists demand the Bill of Rights?

5. HYPOTHESIZING

How might the course of American history have changed if the Bill of Rights had forbidden discrimination of all kinds and had protected the rights of minorities?



CHAPTER 5 ASSESSMENT

5

VISUAL SUMMARY

SHAPING A NEW NATION

The Articles of Confederation were too weak to provide a basis for government.

The Articles were replaced by a new system of government that divided power between the NATIONAL government AND the STATE governments.

The new Constitution was ratified when the Bill of Rights was accepted.

TERMS & NAMES

For each term or name below, write a sentence explaining its significance for the United States in the 1780s.

1. republic
2. Articles of Confederation
3. Land Ordinance of 1785
4. Shays's Rebellion
5. James Madison
6. checks and balances
7. electoral college
8. Federalist
9. Antifederalist
10. Bill of Rights

MAIN IDEAS

Use your notes and the information in the chapter to answer the following questions.

Experimenting with Confederation (pages 132–137)

1. Why did the new states prefer a republic rather than a democracy for their government?
2. Why did the states fear a strong central government?
3. In what ways was the confederation too weak to handle the nation's problems?

Drafting the Constitution (pages 140–144)

4. What issues and events led to the Constitutional Convention?
5. In what ways did compromise play a critical role in the drafting of the Constitution?
6. Why was the slave trade an issue at the Constitutional Convention?
7. Briefly explain the separation of powers established by the Constitution.

Ratifying the Constitution (pages 145–149)

8. What were the arguments for and against ratifying the Constitution?
9. What was *The Federalist* and what effect did this publication have on ratification?
10. Why did the states ratify the Constitution once a bill of rights was promised?

CRITICAL THINKING

1. **USING YOUR NOTES** In a chart like the one below, list the beliefs and goals of the Federalists and Antifederalists.

	Federalists	Antifederalists
Beliefs		
Goals		

2. **DEVELOPING HISTORICAL PERSPECTIVE** How might the United States have developed if the Articles of Confederation had continued to provide the basis for government?
3. **MAKING INFERENCES** In what ways was the land of the Northwest Territory distributed democratically?



Standardized Test Practice

Use the quotation below and your knowledge of United States history to answer questions 1 and 2.

“Among the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. . . . By a faction, I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community. . . . A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views.”

—James Madison, *The Federalist*, Number 10

- As used by Madison, the term *faction* means —
 - any interest group.
 - a religious cult.
 - either of the two political parties.
 - anyone who does not own property.
- Madison believed that factions were —
 - necessary to the working of government.
 - characteristic of British government only.
 - extremely destructive and divisive.
 - outdated and insignificant.
- The Constitution was finally ratified because —
 - the Federalists agreed to grant additional powers to the states.
 - the Federalists agreed to add a Bill of Rights.
 - the electoral college voted for ratification.
 - the Antifederalists agreed to additional restrictions on the power of the states.
- Why was it so difficult to devise a system of government for the United States?
 - The new nation was too big.
 - No one wanted a national government.
 - Many feared that a national government would infringe upon the power of the states.
 - Some states did not want to rejoin Britain.

ADDITIONAL TEST PRACTICE, pages S1–S33.



TEST PRACTICE CLASSZONE.COM

ALTERNATIVE ASSESSMENT

- INTERACT**
WITH HISTORY

 Recall your discussion of the question on page 131:

How much power should the national government have?

Suppose you are a writer living in the 1780s. Write an article for either *The Federalist* or *Letters from the Federal Farmer*, arguing either for or against giving the national government more power.

- VIDEO**

LEARNING FROM MEDIA Use the CD-ROM *Electronic Library of Primary Sources* and other resources to investigate an issue under debate in the Constitutional Convention.
 - Choose an issue of disagreement. Read the section of the Constitution that contains the final compromise as well as documents that show the various sides of the issue before a compromise was reached.
 - Work in pairs. Each partner should draft a three-minute speech defending one side of the issue.
 - Present your debate to the class, giving a short rebuttal after the other point of view has been given. Have the class evaluate the two sides of the argument before reminding your classmates how the issue was resolved.