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| UNITED STATES HISTORY- STANDARD 5 (Specific events and key ideas that brought about the adoption of the U.S. Constitution) |
| SSUSH5a. Strengths of the AOC-Land Ordinance of 1785N.W Ordinance of 1787Westward MigrationSlavery, Public Education and New States  | SSUSH5b. Weaknesses of the AOC and Daniel Shay’s Rebellion led to the call for a stronger central government | SSUSH5c. Features of the Constitution-Va. Plan, N.J. Plan, the Great Compromise, limited Gov., Bill of Rts, and the 3/5 Compromise | SSUSH5d. Arguments of the Federalists and Anti-Federalists during the debate to ratify the Constitution, The Federalist Papers, and the roles of Alexander Hamilton and James Madison  | SSUSH5e. How objections to the ratification of the Constitution were addressed in the Bill of Rts |
| * The Articles of Confederation were successful in managing the new territories acquired through the 1783 Treaty of Paris that concluded the American Revolution.
* Several states claimed portions of the region and reluctantly gave up claim to the lands in exchange for rejection of their state Revolutionary War debts.
* Congress hoped to sell the public lands in the region to settle outstanding debt and to finance the operation of the new government. To rectify competing land claims, the Confederation Congress passed the
* Land Ordinance of 1785.
* The Land Ordinance of 1785 was significant in providing a mechanism for division of the land into six-square-mile rectangular townships.
* Because the minimum sale price was $640, the primary buyers were land speculators who would then re-sell the land to settlers headed west for opportunity
* An important stipulation of the law was that the revenue from the sale of the sixteenth section of land in each township would be reserved for the establishment of public schools.
* the Land Ordinance of 1785 was successful in generating revenue for the new United States government that was facing debt from fighting the Revolutionary War
* The land north and west of the Ohio River became the Northwest Territory
* It was the first territory created outside the original thirteen states.
* **In 1787 Congress passed the Northwest Ordinance-** The law established the method by which new territories would be admitted to the United States
* The ordinance banned slavery in the Northwest Territory effectively making the Ohio River the boundary between free and slave regions
* Becoming a full and equal state to the original thirteen was a progression of steps based on population increases.
* Once a territory reached a population of 5,000 free male adults, then it could elect its own local assembly
* The next step toward joining the United States was to apply for full statehood once the population of the territory reached 60,000 free inhabitants.
* Ohio was the first state to enter the union under this system.
* This law demonstrated to Americans that their new national government intended to encourage westward expansion
 | * The Articles of Confederation were written during the American Revolution and adopted by Congress in 1777.
* The new government structure reflected Americans' fear of federal powerful.
* The Articles gave individual states more power than the national government, which resulted in conflicts among the states that came to threaten the existence of the nation.
* The political weakness of the United States and its potential for collapse left it vulnerable to attack by foreign countries and convinced many influential Americans to support a Constitutional Convention.
* Shays' Rebellion in 1787 was an event that showed the weaknesses of the Articles of Confederation-ex.-
* The absence of an executive branch
* Absence of a Judicial branch
* The inability of the federal government to collect taxes
* unregulated state and inter-state commerce were structural weaknesses that crippled the new nation
* Only one vote per state regardless of the sz of the population
* 9 of 13 states had to agree to pass laws
* No National Unity,

States appeared to be in competition w/ one another * The political weakness of the United States and its potential for collapse left it vulnerable to attack by foreign countries and convinced many influential Americans to support a Constitutional Convention
* The United States government heavily in debt from the Revolutionary War, but so too were the individual states. As a result, very little money was coming into the federal government
* Articles of Confederation that left the new nation dangerously close to failure
* Political leaders became motivated to finally seek change in the governing structure with the outbreak of Shays' Rebellion, which they felt set a dangerous precedent for mob rule
* Daniel Shays led more than a thousand farmers who, like him, were burdened with personal debts caused by the state's economic problems stemming from Revolutionary War debt. Shays and his men tried to seize a federal arsenal in Massachusetts but were turned back by the Massachusetts Militia
* This was just one of many protests that debt-ridden farmers made during this period. Without the power to tax, America's weak government could not repair the national economy
* The weaknesses of the Articles of Confederation, encouraged by the events surrounding Shays' Rebellion, led prominent figures like George Washington, James Madison, Alexander Hamilton and others to call for a convention in Philadelphia to address the problem
* In May 1787, George Washington was elected president of the Constitutional Convention in Philadelphia, where he and the Founding Fathers created a federalist form of government for the United States
 | * The new United States Constitution was written by state delegates who met in Philadelphia from May through September of 1787 at the Constitutional Convention.
* The original purpose of the convention was to revise the flawed Articles of Confederation but soon the decision was made to create a new government structure.
* The group of fifty-five delegates chose George Washington to preside over the convention
* Despite the fact that most delegates to the Constitutional Convention believed the government designed by the Articles of Confederation had to be replaced, many still feared a strong central government
* To reassure people that the new gov. would not be too powerful, the framers of the Constitution created a limited government with divided powers.
* The framers were influenced by the ideas of Charles de Montesquieu. Powers were divided in two ways within the new government.
* First, power was divided between national and state governments.
* Second, power in the federal government was shared between three branches.
* The power of the executive branch was weakened because it was shared with the legislative and judicial branches.
* For example, the legislature can override a presidential veto of a bill, and the Supreme Court can rule that a bill signed by the president is unconstitutional
* This safeguard against an abuse of power gives each branch of government a way to check and balance the power of the other branches
* There were major issues that divided them when discussing the details.
* One issue facing the delegates to the Constitutional Convention was how to apportion representation in the new government's legislature
* States with large populations wanted more influence in the government and supported James Madison's proposal known as **the Virginia Plan**
* Under **Madison's proposed** **government plan**, representation in the nation's legislature would be proportional to each state's population
* Virginia(the largest state), and other large states, believed it was appropriate for them to have a stronger voice in making policy than a small state like Delaware
* States with smaller populations were reluctant to abandon the equality they had with larger states under the structure of the Articles of Confederation
* To counter Madison's Virginia Plan, the **small states supported the New Jersey Plan** that featured a legislative branch in which all states were equally represented
* the New Jersey Plan would have maintained the government structure from the Articles of Confederation but expanded the powers Congress would have over the states
* The result of the two proposals was a divided Constitutional Convention in which the large states and small states both vied(competed) for legislative power
* Delegates to the Constitutional Convention settled the issue of representation in Congress by approving the Great Compromise
* The compromise called for the creation of a legislature with two chambers, a bicameral legislature
* There would be a **House of Representatives** in one chamber, with representation based on population
* The second chamber would be a Senate, with equal representation for all states
* Proposed legislation had to achieve a majority vote by both chambers of the legislature before being passed on to the newly created executive branch to be signed into law
* Another divisive and controversial issue that confronted delegates at the Constitutional Convention was slavery
* Though slavery existed in all the states, southern states depended on slave labor because their economies were based on producing cash crops
* When it became clear that states with large populations might have more representatives in the new national government, states with large slave populations demanded to be allowed to count their slaves as a part of their population
* Both sides compromised and agreed to the provisions of the Three-Fifths Compromise
* The Three-Fifths Compromise allowed states to count three-fifths of their slaves when calculating their entire population
* to protect the practice of slavery, states with large numbers of slaves demanded that the compromise include provisions for the new government to allow for the continuation of the slave trade for 20 years (**Fugitive Slave Clause of the Constitution**)
* …and for northern states to return runaway slaves to their owners (**Fugitive Slave Law**)
* Thirty-nine of the fifty-five delegates signed the final draft of the new United States Constitution on September 17, 1787
 | * Writing the Constitution was just the first step in creating the new government.
* Before the Constitution could take effect, the states had to accept, or **ratify**(approve) the document.
* As soon as the contents of the Constitution were published, a group of influential people spoke out against it. These people came to be known as the **Anti-Federalists**
* The Anti-Federalists believed the national government created by the Constitution would be too powerful and would eliminate the power of the states
* **Patrick Henry and George Mason were prominent Anti-Federalists**
* The Federalists did not agree that citizens were left vulnerable by the new Constitution
* **Alexander Hamilton** and **James Madison**, the man credited with designing the basic foundation of the new Constitution, **were leading Federalists**
* To counter the Anti-Federalist efforts, **James Madison, Alexander Hamilton, and John Jay wrote a series of 85 articles** over many months that supported ratification of the Constitution and explained the intent behind its major provisions
* These articles, written by the leading Federalists under the pseudonym "Publius," were known as The **Federalist Papers**
* The essays laid out a series of reasoned arguments designed originally to persuade the people of New York that the structure of the new Constitution actually protected and strengthened the United States.
* Key to these arguments was the use of the Constitution itself to illustrate how the Anti-Federalists had nothing to fear
* In **Federalist 6-9**, the writers pointed out that the factionalism of the Confederation period had weakened the Union.
* **Federalist 10 and 39** presented the argument for a Republican form of government.
* **Federalist 47-51** used Montesquieu's writings to support the idea of a separation of powers protected through a series of checks and balances that would prevent one branch of government from becoming too powerful
* To overcome the Anti-Federalist argument that the Constitution failed to include a statement of state rights and individual rights, the Federalists promised to support a **Bill of Rights** upon ratification of the Constitution
* **James Madison wrote the proposed Bill of Rights** that would be added to the Constitution as amendments once the Anti-Federalists supported ratification
* The negotiation was successful and the ratification process was completed.
* **The Federalist Papers**, **the promise of the Bill of Rights**, and the efforts of **Federalists** convinced a majority of states to ratify the Constitution by 1791
 | * When the Constitution was drafted, the Anti-Federalists felt that a strong central government could also infringe upon civil liberties
* The Anti-Federalists would not ratify the new Constitution without the inclusion of a bill to protect citizen rights
* The Federalists indicated that they would support the addition of a Bill of Rights as one of the first orders of business in the new government if the Anti-Federalists would ratify the Constitution in its current form
* The proposal was approved separately by both houses of Congress by September 1789 and ratified by the states by April 1792. The negotiation between the Federalists and Anti-Federalists had succeeded in getting the Constitution ratified and the Bill of Rights was added as promised
* An examination of the Bill of Rights should emphasize **that the first nine rights deal with key individual protections**. These rights include the right of free expression, assembly, protections against self-incrimination, and the right to a trial by a civilian jury
* To protect these individual rights, Madison limited the power of the federal government in the Tenth Amendment by reserving any un-enumerated (citizens rts are not limited by the powers that are clearly stated) rights to the states
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