Module 5

# Forming a Government

#### **Essential Question**

Did compromise make the U.S. Constitution stronger or weaker?

About the Photo: Speaker of the House Nancy Pelosi swears in the members of the 111th Congress of the United States.

### **Explore ONLINE!** VIDEOS, including... America Gets a Constitution Shays's Rebellion HISTORY Document-Based Investigations $\bigcirc$ Graphic Organizers ର $\bigcirc$ Interactive Games 🗭 Interactive Map: Land Ordinances of 1785 and 1787 Image with Hotspots: Signing the Ø Constitution Image Carousel: Federalist Leaders $\bigcirc$

In this module you will learn about the nation's earliest government, the Articles of Confederation, and its failure to achieve national unity. You will also read about the writing of the Constitution and how it attempted to solve the problems of the Articles by creating a new system of government.

### What You Will Learn ...

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stronger national government.	

## Timeline of Events 1775–1791





# **Reading Social Studies**

### **THEME FOCUS:**

## **Politics, Society and Culture**

Visualize a row of dominoes standing on their edges. Push over the first one, and it knocks over the second, and so on, until they all fall down. In a way, the events in this module are like a row of dominoes falling down in order. These events, one after another, eventually led to the formation of a new government and a new society. If you read closely, you will see that political disagreements started the entire process.

### **READING FOCUS:**

## **Understand Chronological Order**

Like falling dominoes, historical events can create huge chains of results, often stretching over many years. To understand history and events, therefore, we often need to see how they are related in time.

**Putting Events in Order** The word *chronological* means "related to time." Events discussed in this history book are discussed in sequence, in the order in which they happened. To understand history better, you can use a sequence chain to take notes about events in the order they happened.



**Tip:** Writers sometimes signal chronological order, or sequence, by using words or phrases like these: *first, before, then, later, soon, after, next, before long, eventually, finally.* 

# You Try It!

*Read the following passage and answer the questions that follow.* 

**Farmers Rebel** In August 1786, farmers in three western counties began a revolt. Bands of angry citizens closed down courts in western Massachusetts. Their reasoning was simple—with the courts shut down, no one's property could be taken. In September a poor farmer and Revolutionary War veteran, Daniel Shays, led hundreds of men in a forced shutdown of the Supreme Court in Springfield, Massachusetts. The state government ordered the farmers to stop the revolt under threat of capture and death. These threats only made Shays and his followers more determined. The uprising of farmers to protest high taxes and heavy debt became known as Shays's Rebellion.

Shays's forces were defeated by state troops in January 1787. By February many of the rebels were in prison. During their trials, 14 leaders were sentenced to death. However, the state soon freed most of the rebels, including Shays. State officials knew that many citizens of the state agreed with the rebels and their cause.

After you have read the passage, answer the following questions.

- 1. Which happened first—citizens closing courts in western Massachusetts or Shays shutting down the Supreme Court? How can you tell?
- 2. What happened after Shays's forces were defeated by state troops?
- **3.** Draw a sequence chain that shows the effects of Shays's Rebellion in the order in which they occurred.

**As you read Module 5,** look for clues that signal the order in which events occurred.

### Key Terms and People Lesson 1

Magna Carta constitution Virginia Statute for Religious Freedom suffrage Articles of Confederation ratification Land Ordinance of 1785 Northwest Ordinance of 1787 Northwest Territory

### Lesson 2

tariffs interstate commerce inflation depression Daniel Shays Shays's Rebellion

### Lesson 3

Constitutional Convention James Madison Virginia Plan New Jersey Plan Great Compromise Three-Fifths Compromise popular sovereignty legislative branch executive branch judicial branch checks and balances federalism

### Lesson 4

Antifederalists George Mason Federalists Federalist Papers amendments Bill of Rights

# **The Articles of Confederation**

### The Big Idea

The Articles of Confederation provided a framework for a national government.

### Main Ideas

- The American people examined many ideas about government.
- The Articles of Confederation laid the base for the first national government of the United States.
- The Confederation Congress established the Northwest Territory.

### **Key Terms and People**

Magna Carta constitution Virginia Statute for Religious Freedom suffrage Articles of Confederation ratification Land Ordinance of 1785 Northwest Ordinance of 1787 Northwest Territory

### If YOU were there ...

You live in a town in New England during the 1770s. In the town meeting, people are hotly debating about who will have the right to vote. Most think that only men who own property should be able to vote. Some think that all property owners—men and women—should have that right. A few others want all free men to have the vote. Now it is time for the meeting to decide.

### How would you have voted on this issue?

### **Ideas about Government**

The American colonies had taken a bold step in declaring their independence from Great Britain in July 1776. Their next political goal was to form a new government. To do so, the American people drew from a wide range of political ideas.

**English Laws and the Enlightenment** England had limited the power of its kings and queens in two documents. These were the Magna Carta and the English Bill of Rights. **Magna Carta**, a document signed by King John in 1215, made the king subject to law. The English Bill of Rights, passed in 1689, declared the supremacy of Parliament. It kept the king or queen from changing laws without Parliament's consent. As a result, the people's representatives had a strong voice in England's government.

Many Americans of this period were also influenced by the Enlightenment—a philosophical movement that emphasized the use of reason to examine old ideas and traditions. Philosopher John Locke believed that a social contract existed between political rulers and the people they ruled. Baron de Montesquieu argued that the only way to achieve liberty was through the separation of governmental powers.

American Models of Government Americans had their own models of self-government to follow, like town meetings, the Virginia House of Burgesses, and the Mayflower Compact. In 1639 the people of Connecticut drew

### Women's Suffrage

New Jersey allowed women to vote when it first joined the United States. This right was taken away by 1807.



up the English colonies' first written **constitution**. A constitution is a set of basic principles and laws that states the powers and duties of the government. In addition, the Declaration of Independence clearly set forth the beliefs on which Americans thought government should be based, such as the importance of laws to protect individual rights.

To keep individual leaders from gaining too much power, the new state constitutions created limited governments by restricting the power of government officials to take certain actions. The constitutions also supported the principle known as the *rule of law*, which requires that every citizen obey the laws, including political leaders. Most state constitutions had rules to protect the rights of citizens or those accused of crimes. Some banned slavery. The Massachusetts Constitution of 1780 is the oldest state constitution still in effect.

Thomas Jefferson's ideas about religious freedom were included in the **Virginia Statute for Religious Freedom**. This document declared that no person could be forced to attend a particular church or be required to pay for a church with tax money.

**Right to Vote** Under British rule, only free, white men who owned land could vote. Many states' constitutions expanded **suffrage**, or the right to vote, by allowing any white man who paid taxes to vote. In every state, however, only landowners could hold public office. Although some states originally allowed women and free African Americans to vote, these rights were soon taken away. Suffrage would not be restored to these groups for many decades to come.

## **Articles of Confederation**

The Second Continental Congress was organized to create a national government. The Continental Congress appointed a Committee of Thirteen, with one member from each colony. This group was assigned to discuss and draft a national constitution.

### **Reading Check**

Compare What two principles were common to state constitutions written during the Revolutionary War? Under their plan, called the **Articles of Confederation**, Congress became the single branch of the national government. Congress's powers were limited to protect the individual liberties promoted in the Declaration of Independence. Each state had one vote in Congress. Congress could settle conflicts among the states, issue coins, borrow money, and make treaties with other countries and with Native Americans. Congress could also ask the states for money and soldiers. However, states had the power to refuse these requests. The government did not have a president or a national court system. Despite these limitations, the Articles provided a basis for uniting the colonies into one nation.

The Second Continental Congress passed the Articles of Confederation on November 15, 1777. Then it sent the Articles to each state legislature for **ratification**, or official approval, before the new national government could take effect.

Conflicts over claims to western lands slowed the process, but by 1779 every state except Maryland had ratified the Articles. Maryland's leaders refused to ratify until other states gave up their western land claims. Thomas Jefferson assured Maryland that western lands would be made into new states, rather than increasing territory for existing states. Satisfied with this condition, Maryland ratified the Articles in March 1781. This put the first national government of the United States into effect.



#### Reading Check Summarize What

were two weaknesses of the new national government?

#### **Reading Check**

Analyze Information How did the Northwest Ordinance of 1787 affect the United States?

### **Northwest Territory**

Congress had to decide what to do with the western lands now under its control and how to raise money to pay debts. It tried to solve both problems by selling the western lands. Congress passed the **Land Ordinance of 1785**, which set up a system for surveying and dividing western lands. The land was split into townships, which were 36 square miles divided into 36 lots of 640 acres each. One lot was reserved for a public school, and four lots were given to veterans. The remaining lots were sold to the public.

To form a political system for the region, Congress passed the **Northwest Ordinance of 1787**. The ordinance established the **Northwest Territory**, which included areas that are now in Illinois, Indiana, Michigan, Ohio, Minnesota, and Wisconsin. The Northwest Ordinance created a system for bringing new states into the Union. Congress agreed that the Northwest Territory would be divided into several smaller territories with a governor appointed by Congress. When the population of a territory reached 60,000, its settlers could draft their own constitution and ask to join the Union.

In addition, the law protected civil liberties and required that public education be provided. Finally, the ordinance stated that "there shall be neither slavery nor involuntary servitude [forced labor] in the . . . territory." This last condition banned slavery in the Territory and set the standard for future territories. However, slavery would continue to be a controversial issue.

**Summary and Preview** The Northwest Ordinance settled the future of the Northwest Territory. In the next lesson you will read about other challenges the new government faced.

### Lesson 1 Assessment

**Review Ideas, Terms, and People** 

**1. a. Identify** What documents influenced ideas about government in the United States?

**b. Draw Conclusions** What impact did the Virginia Statute for Religious Freedom and the Declaration of Independence have on the U.S. government?

**c. Make Inferences** How did the experience of living under British rule influence the attitude of Americans toward limited government and the rule of law?

**d. Identify** Which groups of people were left out of the debate over the formation of a new American government?

2. a. Identify What was the Articles of Confederation?b. Summarize What powers were granted to Congress by the Articles of Confederation?

**c. Predict** What are some possible problems that might result from the lack of a national court system?

3. a. Describe How were public lands in the West divided by the Land Ordinance of 1785?
b. Evaluate In your opinion, what was the most important element of the Northwest Ordinance of 1787? Why?

**c. Elaborate** What does the assignment of township lots reveal about values of Americans at this time?

### Critical Thinking

**4. Categorize** In this lesson you learned about the Articles of Confederation. Create a chart similar to the one below and use it to show the strengths and weaknesses of the new government.

#### Articles of Confederation

Strengths	Weaknesses

# **History and Geography**

## **Origins of the Constitution**

The U.S. Constitution created a republican form of government based on the consent of the people. The framers of the Constitution blended ideas and examples from both the American colonies and England to write this lasting document.

#### THE MAYFLOWER COMPACT, 1620

The *Mayflower*, shown here in an illustration, sailed to America in 1620. Aboard the ship, 41 men signed the Mayflower Compact, the first document in the colonies to establish guidelines for self-government. The signers agreed that they and their families would combine to form a "civil body politic," or community.



### COLONIAL ASSEMBLIES

The British Parliament's two-chamber structure also influenced colonial governments. In Article I, Section 1, of the Constitution, the framers continued the practice of a two-chamber legislature.

"All legislative powers . . . shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

-Article I, Section 1, U.S. Constitution

### VIRGINIA STATUTE FOR RELIGIOUS FREEDOM, 1786

Classical liberal principles, such as the written protection of citizens' personal liberties, were reflected in the addition of the Bill of Rights. The First Amendment's freedom of religion clauses were based on Thomas Jefferson's Virginia Statute for Religious Freedom. The document, which was accepted by the Virginia legislature in 1786, ensured the separation of church and state in Virginia.

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . . "

-First Amendment, U.S. Constitution



**American colonies** 

#### MAGNA CARTA, 1215

In this painting King John of England is signing the Magna Carta, or the Great Charter, which established that the king was subject to the law just like everyone else. It also declared that people could not be deprived of their lives, liberty, or property "except by the lawful judgment of [their] peers, or by the law of the land." Compare this language to that of the Fifth Amendment to the Constitution.

"No person shall be . . . deprived of life, liberty, or property, without due process of law . . . "

-Fifth Amendment, U.S. Constitution

### THE ENGLISH BILL OF RIGHTS, 1689

This painting shows King William and Queen Mary of England. Before taking the throne, William and Mary had to accept the English Bill of Rights. The English Bill of Rights took even more power away from the monarch than did the Magna Carta. It also protected the rights of English citizens. These ideas would later influence the U.S. Constitution.

"Excessive bail ought not be required, nor excessive fines imposed; nor cruel and unusual punishments inflicted."



#### **THE ENLIGHTENMENT, 1700s**

Enlightenment thinkers such as English philosopher John Locke supported the movement toward self-government. Locke argued

in his writings that government could exist only with "the consent of the governed." The framers of the Constitution looked to Locke for inspiration when writing the Constitution, as you can see from its very first words.

"We the people of the United States, ... "

-Preamble, U.S. Constitution



#### **Analyze Information**

- 1. What documents did the framers look to when writing the Constitution?
- 2. How did the English Parliamentary system affect the kind of government the framers created?

England

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# The New Nation Faces Challenges

### The Big Idea

Problems faced by the young nation made it clear that a new constitution was needed.

### Main Ideas

- The United States had difficulties with other nations.
- Internal economic problems plagued the new nation.
- Shays's Rebellion pointed out weaknesses in the Articles of Confederation.
- Many Americans called for changes in the national government.

### **Key Terms and People**

tariffs interstate commerce inflation depression Daniel Shays Shays's Rebellion

### If YOU were there ...

You own an orchard in Maryland in the 1780s. When you sell apples and apple pies in the market, people pay you with paper money. But now the tax collector says you must pay your taxes in gold or silver coins, not paper money. You and the other farmers are furious. Is this the liberty you fought a war for?

### What would you do to protest these taxes?

## **Relations with Other Countries**

Under the Articles of Confederation, Congress could not force states to provide soldiers for an army. The Continental Army had disbanded, or dissolved, soon after the signing of the Treaty of Paris of 1783. Without an army, the national government found it difficult to protect its citizens against foreign threats.

**Trouble with Britain** It was also difficult to enforce international treaties such as the Treaty of Paris of 1783. The United States found it especially hard to force the British to turn over "with all convenient speed" their forts on the American side of the Great Lakes. The United States wanted to gain control of these forts because they protected valuable land and fur-trade routes. Still, Britain was slow to withdraw from the area. A British official warned against the United States trying to seize the forts by force. He said that any attempt to do so would be opposed by the thousands of British soldiers who had settled in Canada after the Revolution and "are ready to fly to arms at a moment's warning."

**Trade with Britain** The United States also faced problems trading with Great Britain. After the signing of the Treaty of Paris, Britain closed many of its ports to American ships. Before the Revolutionary War, colonial ships had traded a

### The United States Faces Trade Barriers



great deal with the British West Indies and stopped there on their way to other destinations. This travel and trading stopped after 1783.

In addition, Britain forced American merchants to pay high **tariffs** taxes on imports or exports. The tariffs applied to goods such as rice, tobacco, tar, and oil that were grown or mined in the United States and then sold in Britain. Merchants had to raise prices to cover the tariffs. Ultimately, the costs would be passed on to customers, who had to pay higher prices for the goods. The economic condition of the country was getting worse by the day.

**Trade with Spain** In 1784 Spanish officials closed the lower Mississippi River to U.S. shipping. Western farmers and merchants were furious because they used the Mississippi to send goods to eastern and foreign markets. Congress tried to work out an agreement with Spain, but the plan did not receive a majority vote in Congress. The plan could not be passed. As a result, Spain broke off the negotiations. Many state leaders began to criticize the national government. Rhode Island's representatives wrote, "Our federal government is but a name; a mere shadow without substance [power]." Critics believed that Spain might have continued to negotiate if the United States had possessed a strong military. These leaders believed that the national government needed to be more powerful.

**Impact of Closed Markets** The closing of markets in the British West Indies seriously affected the U.S. economy. James Madison of Virginia wrote about the crisis.

"The Revolution has robbed us of our trade with the West Indies . . . without opening any other channels to compensate [make up for] it. In every point of view, indeed, the trade of this country is in a deplorable [terrible] condition."

—James Madison, quoted in *The Writings of James Madison*, edited by Gaillard Hunt

Farmers could no longer export their goods to the British West Indies. They also had to hire British ships to carry their goods to British markets, which was very expensive. American exports dropped while British goods flowed freely into the United States.

This unequal trade caused serious economic problems for the new nation. British merchants could sell manufactured products in the United States at much lower prices than locally made goods. This difference in prices hurt American businesses.

The Confederation Congress could not correct the problem because it did not have the authority either to pass tariffs or to order the states to pass tariffs. The states could offer little help. If one state passed a tariff, the British could simply sell their goods in another state. Most states did not cooperate in trade matters. Instead, states worked only to increase their own trade rather than working to improve the trade situation for the whole country.

In 1785 the situation led a British magazine to call the new nation the Dis-United States. As a result of the trade problems with Britain, American merchants began looking for other markets such as China, France, and the Netherlands. Despite such attempts, Britain remained the most important trading partner of the United States.

### **Economic Problems**

In addition to international trade issues, other challenges soon appeared. Trade problems among the states, war debts, and a weak economy plagued the states.

**Trade among States** Because the Confederation Congress had no power to regulate **interstate commerce**—trade between two or more states—states followed their own trade interests. As a result, trade laws differed from state to state. The laws governing trade in one state could be very different from the laws in a neighboring state. This situation made trade difficult for merchants whose businesses crossed state lines.

### **Reading Check**

Analyze Information Why was the Confederation Congress unable to solve America's international trade problems?



This five-shilling note was issued by Rhode Island. Paper money printed by state governments helped fuel inflation.

#### **Reading Check**

Summarize What economic problems did the new nation face? **Inflation** After the Revolutionary War, most states had a hard time paying off war debts and struggled to collect overdue taxes. To ease this hardship, some states began printing large amounts of paper money. The result was inflation. This money had little or no real value because states did not have gold or silver reserves to back it up. **Inflation** occurs when there are increased prices for goods and services combined with the reduced value of money. Because there was no common currency, Congress had no power to stop states from issuing more paper money and thus stop inflation.

**Weak Economy** In Rhode Island the state legislature printed large amounts of paper money worth very little. This made debtors—people who owe money—quite happy. They could pay back their debts with paper money worth less than the coins they had borrowed. However, creditors people who lend money—were upset. Hundreds of creditors fled Rhode Island to avoid being paid back with worthless money.

The loss of trade with Britain combined with inflation created a **depression**. A depression is a period of low economic activity combined with a rise in unemployment.

### **Shays's Rebellion**

Each state handled its economic problems differently. Massachusetts refused to print worthless paper money. It tried to pay its war debts by collecting taxes on land.

**Heavy Debts for Farmers** Massachusetts's tax policy hit farmers hard. As landowners, they had to pay the new taxes. However, farmers had trouble paying their debts. The courts began forcing them to sell their property. Some farmers had to serve terms in debtors' prison; others had to sell their labor.

Many government leaders in the state did not care about the problems of poor farmers, however. In some cases, farmers actually owed these political leaders money.

**Farmers Rebel** In August 1786 farmers in three western counties began a revolt. Bands of angry citizens closed down courts in western Massachusetts. Their reasoning was simple—with the courts shut down, no one's property could be taken. In September a poor farmer and Revolutionary War veteran, **Daniel Shays**, led hundreds of men in a forced shutdown of the Supreme Court in Springfield, Massachusetts. The state government ordered the farmers to stop the revolt under threat of capture and death. These threats only made Shays and his followers more determined. The uprising of farmers to protest high taxes and heavy debt became known as **Shays's Rebellion**.

**Shays's Defeat** Shays's forces were defeated by state troops in January 1787. By February many of the rebels were in prison. During their trials, 14 leaders were sentenced to death. However, the state soon freed most of



Daniel Shays, at the top of the steps, stands firm in the face of demands that he leave the courthouse in Springfield, Massachusetts. By shutting down the courts, farmers hoped to stop the government from selling their land.

**Reading Check** 

Find Main Ideas What led to Shays's Rebellion? the rebels, including Shays. State officials knew that many citizens of the state agreed with the rebels and their cause.

### **Calls for Change**

In the end, Shays's Rebellion showed the weakness of the Confederation government. It led some Americans to admit that the Articles of Confederation had failed to protect the ideals of liberty set forth in the Declaration of Independence. When Massachusetts had asked the national government to help put down Shays's Rebellion, Congress could offer little help. More Americans began calling for a stronger central government. They wanted leaders who would be able to protect the nation in times of crisis.

Earlier in 1786 the Virginia legislature had called for a national conference. It wanted to talk about economic problems and ways to change the Articles of Confederation. The meeting took place in Annapolis, Maryland, in September 1786.

#### **Reading Check**

Find Main Ideas Why did some people believe the national government needed to change? Nine states decided to send delegates to the Annapolis Convention, but some of their delegates were late and missed the meeting. Connecticut, Georgia, Maryland, and South Carolina did not respond to the request at all and sent no delegates.

Because of the poor attendance, the participants, including James Madison and Alexander Hamilton, called on all 13 states to send delegates to a Constitutional Convention in Philadelphia in May 1787.

### Weaknesses of the Articles of Confederation

- Most power held by states
- One branch of government
- Legislative branch has few powers
- No executive branch
- No judicial system
- No system of checks and balances

They planned to revise the Articles of Confederation to better meet the needs of the nation.

**Summary and Preview** Many Americans believed that Shays's Rebellion was final proof that the national government needed to be changed. In the next lesson you will read about the Constitutional Convention.

### Lesson 2 Assessment

**Review Ideas, Terms, and People** 

**1. a. Summarize** What problems did the United States experience with Spain and Great Britain after the Revolutionary War?

**b. Explain** Why did Congress's inability to tax goods hurt American merchants?

**c. Predict** What are some possible results of the growing problems between the United States and Great Britain? Why?

**2. a. Describe** What difficulties were involved with interstate commerce?

**b. Analyze** What was the cause of inflation in the new nation, and how could it have been prevented?

**3. a. Explain** How did Massachusetts's tax policy affect poor farmers?

**b. Evaluate** Defend the actions of Daniel Shays and the other rebels.

**4. a. Recall** Why did Madison and Hamilton call for a Constitutional Convention?

**b.** Analyze How did Shays's Rebellion lead to a call for change in the United States?

### Critical Thinking

**5. Categorize** In this lesson you learned about the problems faced by the new nation. Create a chart similar to the one below and identify those problems as either domestic or international.

Domestic Problems	International Problems

# **Creating the Constitution**

### The Big Idea

A new constitution provided a framework for a stronger national government.

### Main Ideas

- The Constitutional Convention met to improve the government of the United States.
- The issue of representation led to the Great Compromise.
- Regional debate over slavery led to the Three-Fifths Compromise.
- The U.S. Constitution created federalism and a balance of power.

### **Key Terms and People**

Constitutional Convention James Madison Virginia Plan New Jersey Plan Great Compromise Three-Fifths Compromise popular sovereignty legislative branch executive branch judicial branch checks and balances federalism

#### **Reading Check**

Summarize What was the purpose of the Constitutional Convention?

### If YOU were there ...

You are a merchant in Connecticut in 1787. You have been a member of your state legislature for several years. This spring, the legislature is choosing delegates to a convention to revise the Articles of Confederation. Delegates will meet in Philadelphia. It means leaving your business in others' hands for most of the summer. Still, you hope to be chosen.

### Why would you want to go to the Constitutional Convention?

### **Constitutional Convention**

In February 1787 the Confederation Congress invited each state to send delegates to a convention in Philadelphia. The goal of the meeting was to improve the Articles of Confederation.

The **Constitutional Convention** was held in May 1787 in Philadelphia's Independence Hall to improve the Articles of Confederation. However, delegates would leave with an entirely new U.S. Constitution. This decision angered some of the participants.

Most delegates were well educated, and many had served in state legislatures or Congress. Benjamin Franklin and **James Madison** were there. Revolutionary War hero George Washington was elected president of the Convention.

Several important voices were absent. John Adams and Thomas Jefferson could not attend. Patrick Henry chose not to attend because he did not want a stronger central government. Women,



James Madison

African Americans, and Native Americans did not take part because they did not yet have the rights of citizens.



This painting shows the signing of the Constitution on September 17, 1787. James Madison, number 4 on the diagram, became known as the "Father of the Constitution" for his ideas about government and his ability to lead the delegates to agreement.

- 1 Roger Sherman
- 2 Alexander Hamilton
- 3 Benjamin Franklin
- 4 James Madison
   5 George Washington
   6 James Wilson

### **Great Compromise**

Several issues divided the delegates to the Constitutional Convention. Some members wanted only small changes to the Articles of Confederation, while others wanted to rewrite the Articles completely.

Those delegates who wanted major changes to the Articles had different goals. For example, small and large states had different ideas about representation, economic concerns such as tariffs, and slavery. In addition, delegates disagreed over how strong to make the national government.

Virginia Plan After the delegates had met for four days, Edmund Randolph of Virginia presented the Virginia Plan. He proposed a new federal constitution that would give sovereignty, or supreme power, to the central government. The legislature would be bicameral—made up of two houses, or groups of representatives—and chosen on the basis of state populations. Larger states would thus have more representatives than would smaller states. Delegates from the smaller states believed that it would give too much power to the larger states.

### **Quick Facts**

### Virginia Plan

- Gave more power to national government
- Bicameral legislature
   Number in both houses based on population

### Great Compromise

Bicameral legislature

- Number of representatives based on state populations in lower house
- Number of representatives equal from each state in upper house

#### New Jersey Plan

- Gave more power to state governments
- Unicameral legislature
- Number of representatives equal from each state

**New Jersey Plan** The smaller states came up with a plan to stop the larger states from getting too much power. New Jersey delegate William Paterson presented the small-state or **New Jersey Plan**, which called for a unicameral, or one-house, legislature. The plan gave each state an equal number of votes, and thus an equal voice, in the federal government. The plan gave the federal government the power to tax citizens in all states, and it allowed the government to regulate commerce.

**Compromise Is Reached** After a month of debate, the delegates were unable to agree on how states should be represented. The convention reached a deadlock.

Finally, Roger Sherman of Connecticut proposed a compromise plan. The legislative branch would have two houses. Each state, regardless of its size, would have two representatives in the Senate, or upper house. This would give each state an equal voice, pleasing the smaller states. In the House of Representatives, or lower house, the number of representatives for each state would be determined by the state's population. This pleased the larger states. The agreement to create a two-house legislature became known as the **Great Compromise**. James Wilson, a great speaker, saw his dream of a strong national government come true.

### **Three-Fifths Compromise**



Roger Sherman



James Wilson

The debate over representation also involved regional differences. Southern delegates wanted enslaved

Africans to be counted as part of their state populations. This way they would have more representatives, and more power, in Congress. Northerners disagreed. They wanted the number of slaves to determine taxes but not representation.

To resolve this problem, some delegates thought of a compromise. They wanted to count three-fifths of the slaves in each state as part of that state's population to decide how many representatives a state would have.

#### **Reading Check**

Contrast How did the Virginia Plan and New Jersey Plan differ?

#### **Reading Check**

Summarize What compromise was reached over the issue of the slave trade? After much debate, the delegates voted to accept the proposal, called the **Three-Fifths Compromise**. Under this agreement only three-fifths of a state's slave population would count when determining representation.

Another major issue was the foreign slave trade. Some of the delegates believed slavery was wrong and wanted the federal government to ban the slave trade. Others said that the southern states' economies needed the slave trade. Many southern delegates said they would leave the Union if the Constitution immediately ended the slave trade. Also at issue was Congress's ability to tax imports and exports.

Worried delegates reached another compromise. The Commerce Compromises allowed Congress to levy tariffs on imports, but not exports, and allowed the importation of slaves until the end of 1807. The delegates omitted, or left out, the words *slavery* and *slave* in the Constitution. They referred instead to "free Persons" and "all other Persons."

### A New System of Government

Most of the delegates to the Convention wanted a stronger central government than the Articles of Confederation could provide. They believed it was necessary for the protection and administration of the group of states. But delegates also wanted to protect the individual rights that had been won in the Revolution. They wanted the new system of government to support the ideals stated in the Declaration of Independence.

The rights of citizens to "life, liberty, and the pursuit of happiness" are supported by the idea of **popular sovereignty**. This is the idea that political authority is in the hands of the people. In the new nation, people would express this power through their votes. The power of government is limited by the power of voters. In a republic, or representative democracy, the government consists of people elected by voters to represent them. This system requires government to depend on the consent of the governed. Voters can limit the actions of government by removing representatives who do not truly work for their goals.

**Checks and Balances** The delegates divided the power of the central government among three branches, each having specific roles. This



As the home and office of the president, the White House is today a well-known symbol of the executive branch of government.

arrangement is known as the separation of powers. The **legislative branch**, called Congress, is responsible for proposing and passing laws. It is made up of two houses, as created in the Great Compromise. The Senate and the House of Representatives have different rules governing how many members represent each state, which helps balance the power between large and small states. The **executive branch** includes the president and the departments that help run the government. The executive branch makes sure that laws are carried out. The **judicial branch** is made up of all the

national courts. This branch is responsible for interpreting laws, punishing criminals, and settling disputes between states.

The framers of the Constitution created a system of **checks and balances** that keeps any branch of government from becoming too powerful. For example, Congress has the power to pass bills into law. The president has the power to veto, or reject, laws that Congress passes. However, Congress can override the president's veto with a two-thirds majority vote. The Supreme Court has the power to review laws passed by Congress and strike down any law that violates the Constitution.

**Federalism** Even though many of the delegates wanted a stronger central government, they did not want to destroy state governments. State governments can be more sensitive to local concerns and traditions, and they can serve as laboratories for new ideas. To balance the power between these two types of government, the delegates created the system of **federalism**. Federalism divides the powers of government between a central government and the states that make up a nation. Under the previous confederal system, states were only loosely joined together.

The Constitution requires each state to obey the authority of the federal, or national, government. States have control over government functions not specifically assigned to the federal government. These include control of local government, education, the chartering of corporations, and the supervision of religious bodies. States also have the power to create and oversee civil and criminal law. States must protect the welfare of their citizens.

Amending the Constitution One of the most important decisions the framers made was to include a method for changing or adding to the Constitution. They wanted the government to be able to adapt as changes were needed. The process for amending the Constitution was made difficult, however, so that major changes to the government would require the support of a large majority of voters. Two-thirds of each house of Congress and three-fourths of states must approve a change before it can take effect. Although many amendments, or changes to the Constitution, have been suggested, only twenty-seven have been approved. The purposes of these amendments have usually focused on protecting civil and voting rights, and on procedures for administering the government.

### The Constitution Strengthens the National Government



### Strengths of the Constitution

- ✓ most power held by national government
- ✓ three branches of government
- ✓ legislative branch has many powers
- ✓ executive branch led by president
- $\checkmark$  judicial branch to review the laws
- ✓ firm system of checks and balances

### Weaknesses of the Articles of Confederation

- most power held by states
- one branch of government
- · legislative branch has few powers
- no executive branch
- no judicial system
- no system of checks and balances

#### **Reading Check**

Explain How does the constitutional system of government prevent government power from becoming too concentrated? Even though the final draft of the Constitution was adopted by the Convention, many disagreements still existed among the delegates. Debates continued around the power of state governments and the role of each branch. Almost as soon as the document was adopted, different interpretations of its language began to appear. Some of the disagreements affect the views of lawmakers even today, but the Constitution is still the guiding blueprint for the nation's government.

**Summary and Preview** The Constitution balanced power among three branches of the federal government but was only written after many compromises. In the next lesson you will read about Antifederalist and Federalist views of the Constitution, and the struggle to get it approved by the states.

#### **Lesson 3 Assessment**

#### **Review Ideas, Terms, and People**

**1. a. Recall** Why did the Confederation Congress call for a Constitutional Convention?

b. Elaborate Why do you think it was important that most delegates had served in state legislatures?
c. Make Inferences Why did the delegates elect Washington as president of the Convention?

- 2. a. Identify What was the Great Compromise?b. Draw Conclusions How did state issues lead to debate over structure of the legislature?
- **3. a. Recall** How did the delegates resolve their debate on tariffs in the Commerce Compromise?

**b. Explain** What was the debate between North and South over counting slave populations?

**c. Contrast** How did delegates' views differ on the issue of the foreign slave trade?

**4. a. Recall** Why did the framers of the Constitution create a system of checks and balances through the separation of powers?

**b. Analyze** How did federalism limit the power of the central government?

**c. Evaluate** Did the Constitution resolve the weaknesses in the Articles of Confederation? Explain your answer.

#### **Critical Thinking**

- **5. Evaluate** What circumstances justified the decision of the delegates to draft a new constitution instead of revising the Articles of Confederation, as was originally planned?
- 6. Identify Cause and Effect In this lesson you learned about several issues that were resolved by compromise during the Constitutional Convention. Create a graphic organizer like the one below and use it to show how the compromises affected the framework of the new government.



- **7.** Compare and Contrast How do the Articles of the Confederation and the Constitution each carry out democratic ideals?
- **8. Draw Conclusions** Why is limited government important for maintaining popular sovereignty in a republic or representative democracy?

# **Ratifying the Constitution**

### The Big Idea

Americans carried on a vigorous debate before ratifying the Constitution.

### Main Ideas

- Federalists and Antifederalists engaged in debate over the new Constitution.
- The Federalist Papers played an important role in the fight for ratification of the Constitution.
- Ten amendments were added to the Constitution to provide a Bill of Rights to protect citizens.

### **Key Terms and People**

Antifederalists George Mason Federalists Federalist Papers amendments Bill of Rights

### If YOU were there ...

You are a newspaper editor in Philadelphia. During colonial rule, officials sometimes closed down your newspaper because you had criticized the governor. Now you are one of many Americans who want to be sure the new Constitution will guarantee individual rights. You are writing an editorial in your paper explaining what you want.

> What rights would you want the Constitution to protect?

### **Federalists and Antifederalists**

When the Constitution was made public, a huge debate began among many Americans. Some **Antifederalists**—people who opposed the Constitution—thought that the Constitutional Convention should not have created a new government. Others, such as James Monroe, thought the Constitution weakened states' rights by giving too much power to the central government. For some Antifederalists, including **George Mason**, the main problem was that the Constitution did not have a section that guaranteed individual rights. Thomas Jefferson, who was otherwise in favor of the Constitution, wrote to Madison from Paris to argue that a bill of rights was needed.

Many Antifederalists were small farmers and debtors. Some Patriots, including Samuel Adams and Patrick Henry, were also strong Antifederalists. At the Virginia ratifying convention, Henry spoke out against the lack of protection of individual freedoms, saying that he valued American liberty over American union.

Antifederalists were challenged by those who believed that the United States needed a stronger central government. **Federalists**—supporters of the Constitution—included James Madison, George Washington, Benjamin Franklin, and Alexander Hamilton. Most Federalists believed that through compromise, the delegates had created a

### **Quick Facts**

### Federalists vs. Antifederalists



Alexander Hamilton Federalist

- Supported the Constitution as an excellent plan for government
- Defended his views in the Federalist Papers



George Mason Antifederalist

- Opposed the Constitution
- Believed the Constitution needed a section guaranteeing individual rights

#### Academic

Vocabulary advocate to plead in favor of

#### **Reading Check**

Compare and Contrast Explain the similarities and differences between the Antifederalists and the Federalists. Constitution that offered a good balance of power between various political views. Many Federalists were wealthy planters, farmers, and lawyers. However, others were workers and craftspeople.

Federalists and Antifederalists debated whether the new Constitution should be approved. They made speeches and printed pamphlets **advocating** their views. Mercy Otis Warren, an ardent Patriot during the war, wrote a pamphlet entitled *Observations on the New Constitution*, in which she criticized the lack of individual rights it provided. The Federalists had to convince people that a change in the structure of government was needed. To do this, they had to overcome people's fears that the Constitution would make the government too powerful.

### Federalist Papers

One of the most important defenses of the Constitution appeared in a series of essays that became known as the **Federalist Papers**. These essays supporting the Constitution were written anonymously under the name Publius. They were actually written by Alexander Hamilton, James Madison, and John Jay.

### **Historical Source**

### Federalist Papers Nos. 10 and 51

These essays are part of a series called the Federalist Papers, written between 1787 and 1788 to support ratification of the Constitution. They discuss how the new system of government will overcome disagreements within society and prevent abuses of power.

> Madison believes that lawmakers are responsible for regulating the many competing concerns that make up society.

The federal government will handle issues affecting the nation as a whole; state and local governments will handle local issues.

The Constitution creates a national government that will be strong but limited in power.

The federalist system provides checks and balances on the power of the national government.

Analyze Historical Sources According to the excerpts from the essays, what will prevent the national government from becoming oppressive? "A landed interest, a manufacturing interest, a mercantile [trading] interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated [moved] by different sentiments and views. <u>The regulation of these various and interfering</u> <u>interests [opinions] forms the principal task of modern</u> <u>legislation, and involves the spirit of party and faction</u> [group] in the necessary and ordinary operations of the government....

The federal Constitution forms a happy combination ... the great ... interests being referred to the national [legislature], the local and particular to the State legislatures.... The influence of factious leaders may kindle [start] a flame within their particular States, but will be unable to spread a general conflagration [large fire] through the other States.

–James Madison, from "Federalist No 10"

*If men were angels, no government would be necessary.* If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.... *We see it particularly displayed in all the subordinate* distributions of power, where the constant aim is to divide and arrange the several offices in such a manner as that each may be a check on the other that the private interest of every individual may be a sentinel over the public rights.

> —Alexander Hamilton or James Madison, from "Federalist No 51"



After serving a leading role in the Constitutional Convention, James Madison went on to defend the Constitution in essays he wrote for the *Federalist Papers*.

#### **Reading Check**

Draw Conclusions Why were Virginia and New York important to the ratification of the Constitution? The authors of the *Federalist Papers* tried to reassure Americans that the new federal government would not overpower the newly created states. In Federalist Paper No. 10, Madison argued that the diversity of the United States would prevent any single group from dominating the government.

The *Federalist Papers* were widely reprinted in newspapers around the country as the debate over the Constitution continued. Finally, they were collected and published in book form in 1788.

The Constitution needed only nine states to pass it. However, to establish and preserve national unity, each state needed to ratify it. Every state except Rhode Island held special state conventions that gave citizens the chance to discuss and vote on the Constitution.

Paul Revere served on a committee supporting ratification. He wrote of the Constitution, "The proposed . . . government, is well calculated [planned] to secure the liberties, protect the property, and guard the rights of the citizens of America." Antifederalists also spoke out in state conventions, and wrote articles and pamphlets that became known as the Antifederalist Papers. In New York, one citizen said, "It appears that the government will fall into the hands of the few and the great."

On December 7, 1787, Delaware became the first state to ratify the Constitution. It went into effect in June 1788 after New Hampshire became the ninth state to ratify it.

Political leaders across America knew the new government needed the support of the large states of Virginia and New York, where debate still raged. Finally, Madison and fellow Virginia Federalists convinced Virginia to ratify it in mid-1788. In New York, riots had occurred when the draft of the Constitution was made public. At the state convention in Poughkeepsie to discuss ratification, Hamilton and Jay argued convincingly against the Antifederalists led by DeWitt Clinton. When news arrived of Virginia's ratification, New York ratified it as well. Rhode Island was the last state to ratify the Constitution in May 1790.

### **Bill of Rights**

Several states ratified the Constitution only after they were promised that a bill protecting individual rights would be added to it. Many Antifederalists did not think that the Constitution would protect personal freedoms.

Some Federalists said that the nation did not need a federal bill of rights because the Constitution itself was a bill of rights. It was, they argued, written to protect the liberty of all U.S. citizens.

James Madison wanted to make a bill of rights one of the new government's first priorities. In Congress's first session, Madison encouraged the legislators to put together a bill of rights. The rights would then be added to the Constitution as **amendments**, or official changes. In Article V of the Constitution, the founders had provided a way to change the document when necessary in order to reflect the will of the people. The process requires that proposed amendments must be approved by a two-thirds majority of both houses of Congress and then ratified by three-fourths of the states before taking effect.

Congress of THE United States in and held at the City of New York a the Fronth of March, one thousand secon handred and eighty a THE Country do not file him being ald to RESOLVED Getan X. film forthe of the set the of times - try of of the to the flat theme are flat the set the of times - try first are to store of a to the flat the ARTICLES ...... get have for eacher film and glagg marger by daily to when reporting an application of post particular for a provided for a post of another thang and post of the recording of another the post of a record for day a day defating out a flog of ing fo fulle dayle for part chan have deller to fight - mangine del at handle and by and a spectra and po 1 fly ling a port

In this document, Congress proposed 12 amendments to the U.S. Constitution. Articles III to XII became the 10 amendments known as the Bill of Rights.

Legislators took ideas from the state ratifying conventions, the Virginia Declaration of Rights, the English Bill of Rights, and the Declaration of Independence to make sure that the abuses listed in the Declaration of Independence would be illegal under the new government. In September 1789 Congress proposed 12 amendments and sent them to the states for ratification. By December 1791 the states had ratified the **Bill of Rights** ten of the proposed amendments intended to protect citizens' rights.

These ten amendments set a clear example of how to amend the Constitution to fit the needs of a changing nation. The flexibility of the U.S. Constitution has allowed it to survive as a living document for more than two hundred years.

**Summary and Preview** Early disagreements over individual rights resulted in the Bill of Rights. In the next module you will learn about the structure of the Constitution.

#### Lesson 4 Assessment

#### **Review Ideas, Terms, and People**

1. a. Identify Who were the Federalists and the Antifederalists?

**b. Explain** Why did Antifederalists such as George Mason, James Monroe, and Patrick Henry object to the Constitution?

c. Draw Conclusions What position did Thomas Jefferson take in the debate over the Constitution?

2. a. Recall When did the Constitution go into effect? **b.** Draw Conclusions Why was it important that all 13 states ratify the Constitution?

c. Elaborate Do you think that the Federalist Papers played an essential role in the ratification of the Constitution? Explain your answer.

3. a. Recall Why did Congress add the Bill of Rights?

**b. Explain** From where did legislators' ideas for the Bill of Rights come?

c. Evaluate Do you think the process for amending the Constitution is too difficult? Explain your position.

### **Critical Thinking**

4. Analyze In this lesson you learned about the debate between Federalists and Antifederalists about the Constitution. Create a graphic organizer similar to the one below, and identify the outcome of the debate. Be sure to mention the Bill of Rights.

> **Federalist Views** Outcome **Antifederalist Views**

## **Reading Check**

Summarize Why is being able to amend the Constitution important?

# **Social Studies Skills**

## **Determine Different Points of View**

### **Define the Skill**

A *point of view* is a person's outlook or attitude. It is the way he or she looks at a topic or thing. Each person's point of view is shaped by his or her background. Because people's backgrounds are different, their points of view differ too. Since a person's point of view shapes his or her opinions, knowing that point of view helps you understand and evaluate those opinions. It also helps you understand why people in history think and act differently.

### Learn the Skill

When you encounter someone's beliefs, opinions, or actions in your study of history, use the following guidelines to determine his or her point of view.

- 1. Look for information about the person's background.
- 2. Ask yourself what factors in the person's background might have influenced his or her opinion or action concerning the topic or event.
- **3.** Be aware that sometimes the person's opinions or actions themselves will provide clues to his or her point of view.

Benjamin Lincoln led the troops that put down Shays's Rebellion in Massachusetts. He was also a state politician and a general during the Revolution. Lincoln offered this explanation of Shays's uprising.

"Among [the main causes] I rank the ease with which . . . credit was obtained . . . in the time of [the Revolution]. . . . The moment the day arrived when all discovered that things were fast returning [to normal], . . . and that the indolent [lazy persons] and improvident [unwise persons] would soon experience the evils of their idleness and sloth, many startled [panicked] . . . and . . . complained . . . of the weight of public taxes . . . and at the cruelty of . . . creditors [those to whom money is owed] to call for their just dues [rightful payment]. . . . The disaffected [unhappy people] . . . attempted . . . to stop the courts of law, and to suspend the operations of government. This they hoped to do until . . . an end should thereby be put to public and private debts."

Lincoln's background as a general, state official, and leader against the rebels likely gave him a negative point of view on the revolt. His reference to the rebels as lazy and unwise also provides clues to his attitude. You should weigh such factors when evaluating the accuracy of his statement.

### **Practice the Skill**

The following statement about Shays's Rebellion came from a Massachusetts farmer. Read it and apply the guidelines to answer the questions.

- "I've labored hard all my days.... I have been ... obliged to do more than my part in the [Revolutionary] war; been loaded with ... rates [taxes], ... been ... [abused] by sheriffs ... and [debt] collectors.... I have lost a great deal.... [T]he great men are going to get all we have, and I think it is time for us to ... put a stop to it."
- 1. From what point of view is this person commenting on the revolt? What is his opinion of it?
- 2. How does his view of himself differ from Lincoln's view of people like him?
- **3.** Is this view of the revolt likely to be more accurate than Lincoln's view? Why or why not?

# **Module 5 Assessment**

### **Review Vocabulary, Terms, and People**

Match the numbered person or term with the correct lettered definition.

- 1. Bill of Rights
- 2. checks and balances
- 3. constitution
- 4. Constitutional Convention
- 5. Federalist Papers
- 6. inflation
- 7. Northwest Territory
- 8. George Mason
- 9. tariffs
- **10.** Three-Fifths Compromise

- **a.** agreement that stated that each slave would be counted as threefifths of a person when determining representation
- **b.** delegate to the Constitutional Convention who became an Antifederalist
- **c.** increased prices for goods and services combined with the reduced value of money
- **d.** area including present-day Illinois, Indiana, Michigan, Ohio, Wisconsin, and part of Minnesota
- **e.** meetings held in Philadelphia at which delegates from the states attempted to improve the existing government
  - f. series of essays in support of the Constitution
  - **g.** set of basic principles that determines the powers and duties of a government
  - **h.** system that prevents any branch of government from becoming too powerful
  - i. taxes on imports or exports
  - j. the first 10 amendments to the Constitution

### **Comprehension and Critical Thinking**

### Lesson 1

- **11. a. Describe** What powers did the Articles of Confederation give the national government?
  - **b. Summarize** What did the Confederation Congress do to strengthen the United States?
  - **c. Evaluate** Which document or institution do you think had the greatest influence on the development of the United States? Why?

### Lesson 2

- 12. a. Recall What was Shays's Rebellion?
  - **b. Draw Conclusions** What was the general attitude of foreign nations toward the new government of the United States? Why?

**c. Evaluate** Of the problems experienced by the Confederation Congress, which do you think was the most harmful? Why?

### Lesson 3

- **13. a. Describe** In what ways did the Constitution strengthen the central government?
  - **b. Explain** How does federalism limit the power of the central government?
  - **c. Explain** How did the two compromises reached during the Constitutional Convention satisfy competing groups?
  - **d. Elaborate** Which decisions made in the Constitutional Convention gave the national government greater decision-making powers than it had under the Articles of Confederation?
  - e. Evaluate In your opinion were there any weaknesses in the Constitution? Explain your answer.

## Module 5 Assessment, continued

### Lesson 4

- 14. a. Recall What was the purpose of the Bill of Rights?
  - **b. Explain** Why were some Americans opposed to the Constitution?
  - **c.** Draw Conclusions How did the compromises in the Constitutional Convention affect the results of the ratification process?
  - **d. Evaluate** Would you have supported the Federalists or the Antifederalists? Explain your answer.

### **Review Themes**

- **15. Politics** What political problems resulted from a weak central government under the Articles of Confederation?
- **16. Politics** How did political disagreements lead to important compromises in the creation of the Constitution?

### **Reading Skills**

**Understand Chronological Order** Use the Reading Skills taught in this module to answer the question below.

- **17.** Organize the following events chronologically according to the module.
  - a. The Federalist Papers are published.
  - **b.** The Constitution is ratified.
  - c. The Articles of Confederation is ratified.
  - d. Shays's Rebellion occurs.
  - e. The Constitutional Convention meets in Philadelphia.

### Social Studies Skills

**Determine Different Points of View** Use the Social Studies Skills taught in this module to answer the question below.

**18.** List three differences between the Virginia Plan and the New Jersey Plan.

### **Focus on Writing**

19. Write an Editorial It is 1788 and you are writing an editorial to a local newspaper. You want to convince your readers that the new Constitution will be much better than the old Articles of Confederation. You should start your editorial with a strong statement of your opinion about the Constitution. Then write two sentences about each of your main points of support—a weakness of the Articles of Confederation and/or a strength of the Constitution. End your editorial with a call to action: Ask the delegates to the Constitutional Convention to ratify the Constitution. Remember that you are trying to convince people to make a very important decision for our country be persuasive.

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