

UNIT 3

SSUSH5 – INVESTIGATE SPECIFIC EVENTS AND KEY IDEAS THAT BROUGHT ABOUT THE ADOPTION AND IMPLEMENTATION OF THE UNITED STATES CONSTITUTION.

A. EXAMINE THE STRENGTHS OF THE ARTICLES OF CONFEDERATION, INCLUDING BUT NOT LIMITED TO THE LAND ORDINANCE OF 1785, NORTHWEST ORDINANCE OF 1787 AND THEIR INFLUENCE ON WESTWARD MIGRATION, SLAVERY, PUBLIC EDUCATION, AND THE ADDITION OF NEW STATES.

STATE OF THE NATION

- The Articles of Confederation were successful in managing the new territories acquired through the 1783 Treaty of Paris that concluded the American Revolution. The region west of the Appalachians had been settled by French and English traders and was a strategic objective of both the French and Indian War and the American Revolution.
- The new United States came to possess the land and it was successfully administered under the Articles of Confederation system of government. Several states claimed portions of the region and reluctantly gave up claim to the lands in exchange for repudiation 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.

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. The townships were then subdivided into 36 sections, each measuring one-square-mile or 640 acres. The sections were sold at auction for \$1 per acre, with a minimum sale being one section in size. 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 sale of land through the system established in 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.

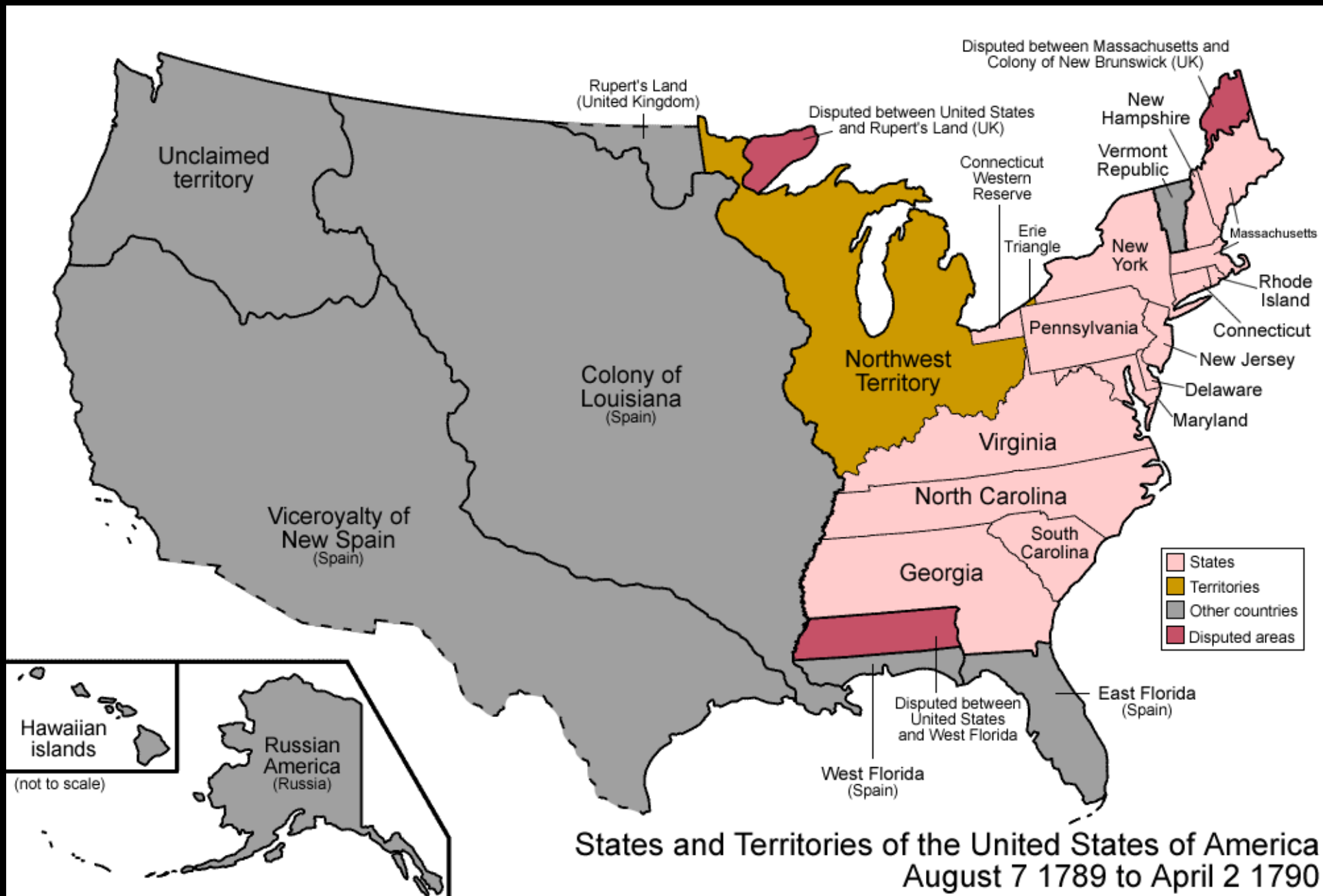
NORTHWEST ORDINANCE

- 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. The region was a lawless region prior to the passage of the 1787 Northwest Ordinance.
- To establish order in the territory just beginning to be settled, the federal Congress would appoint a governor, a secretary, and three judges to preside over the region. 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.
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NORTHWEST ORDINANCE

- The first U.S. governmental territory outside the original states was the Northwest Territory, which was created by the Northwest Ordinance.
- This law demonstrated to Americans that their national government intended to encourage westward expansion and that it would do so by organizing new states that would be equal members of the Union.





- The ordinance banned slavery in the Northwest Territory. This law made the Ohio River the boundary between free and slave regions between the 13 states and the Mississippi River.
- Additionally, the Northwest Ordinance mandated the establishment of public schools in the Northwest Territory

WHAT DID IT DO?



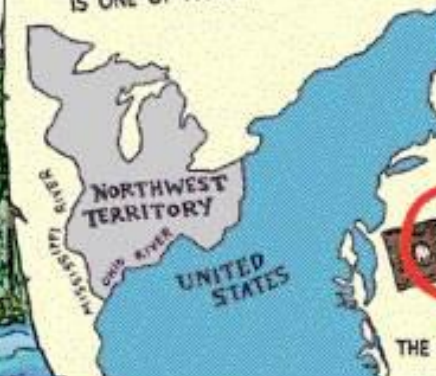
WHY IS IT IMPORTANT?

- created a policy for the addition of new states to the nation
- Encouraged education of citizens by opening public schools
- Encouraged westward migration

CHESTER THE CRAB 1733 GEORGIA FOUNDED 1776 STAMP ACT CRISIS 1776 DECLARATION 1787

WHAT WAS The Northwest Ordinance of 1787

FOR SEVEN YEARS THE 13 AMERICAN STATES HAVE A GOVERNMENT ORGANIZED BY THE ARTICLES OF CONFEDERATION — BUT THE STATES DON'T WORK TOGETHER. THE NATIONAL CONGRESS IS WEAK AND LOW ON MONEY. THE NORTHWEST ORDINANCE IS ONE OF ITS FEW SUCCESSSES. THE ORDINANCE (LAW) PROMISES TO SETTLERS:



- FREEDOM OF RELIGIOUS WORSHIP
- RIGHT TO A JURY TRIAL FOR ANYONE ACCUSED OF A CRIME
- NO CRUEL OR UNUSUAL PUNISHMENTS FOR A CRIME
- NO SLAVERY IN THIS TERRITORY

MANY OF THESE IDEAS SHOW UP LATER IN THE BILL OF RIGHTS DRAFTED FOR THE NEW UNITED STATES CONSTITUTION (WHICH REPLACES THE ARTICLES OF CONFEDERATION).

THE ORDINANCE ALSO DESCRIBES HOW TERRITORIES WILL BECOME OFFICIAL STATES...

WHEN THE POPULATION OF THE AREA IS JUST A FEW SETTLERS, THEIR GOVERNMENT IS:

- A GOVERNOR APPOINTED BY CONGRESS
- A SECRETARY APPOINTED BY CONGRESS
- THREE JUDGES APPOINTED BY CONGRESS

WHEN THE POPULATION HAS 5,000 FREE MEN, THOSE MEN MAY ELECT A TWO-PART LEGISLATURE.

THE GOVERNOR HAS VETO POWER OVER THE LEGISLATURE

SECRETARY JUDGES LEGISLATURE

WHEN THE AREA HAS 60,000 FREE PEOPLE, THE LEGISLATURE CAN WRITE A STATE CONSTITUTION FOR CONGRESS TO APPROVE.

NOW YOU ARE IN A STATE!

OUR STATE CONSTITUTION

IN 1803, OHIO IS THE FIRST STATE CREATED USING THESE RULES. FIVE OTHER STATES ARE LATER FORMED FROM THE NORTHWEST TERRITORY ABOVE THE OHIO RIVER: INDIANA, ILLINOIS, MICHIGAN, WISCONSIN, AND MINNESOTA.

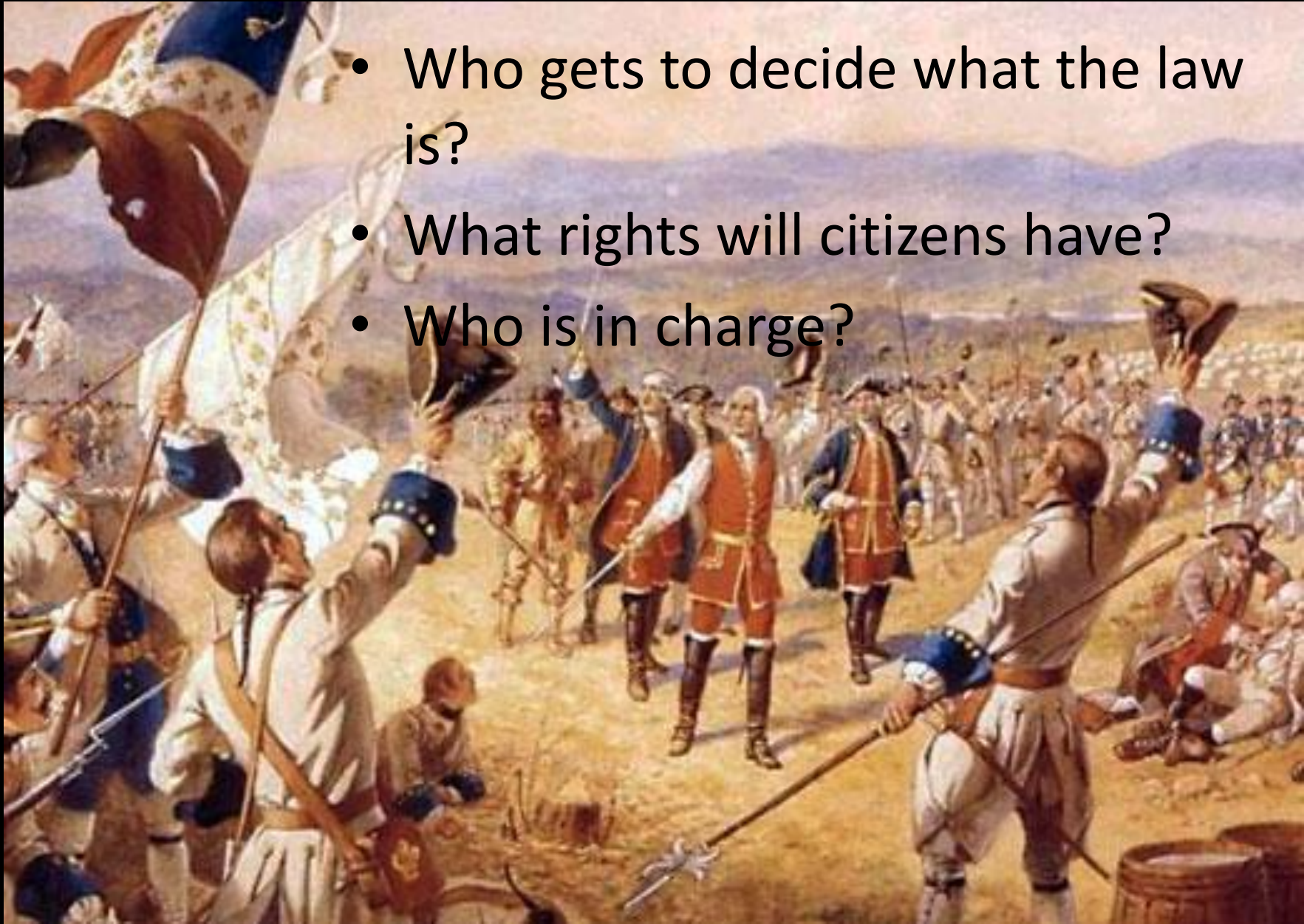
SOON STEAMBOATS ARE CARRYING PEOPLE AND PRODUCTS UP AND DOWN THE OHIO RIVER WHERE ONLY INDIAN CANOES TRAVELED 100 YEARS BEFORE.

END

SSUSH – INVESTIGATE SPECIFIC EVENTS AND KEY IDEAS THAT BROUGHT ABOUT THE ADOPTION AND IMPLEMENTATION OF THE UNITED STATES CONSTITUTION.

B. EVALUATE HOW WEAKNESSES IN THE ARTICLES OF CONFEDERATION AND DANIEL SHAYS' REBELLION LED TO A CALL FOR A STRONGER CENTRAL GOVERNMENT.

WE WON THE REVOLUTION!! NOW WHAT?



- Who gets to decide what the law is?
- What rights will citizens have?
- Who is in charge?

- The Articles of Confederation were written during the American Revolution. They reflected Americans' fear of a powerful national government. As a result, the Articles created a government that had no executive branch and that lacked the power to tax, regulate commerce, or establish a national currency. The Articles gave individual states more power than the national government had. As a result, conflicts among the states threatened the existence of the nation.

WHAT WERE THE ARTICLES OF CONFEDERATION?

- They were a precursor to the Constitution
- A good place to start but not quite enough

Powers Granted

declare war and make peace

maintain an army and navy

make treaties with other countries

borrow money

establish a postal service

Power Denied

executive branch

raising taxes

stop states from printing their own money

regulate trade with other countries or between states

court system

WEAKNESSES OF THE ARTICLES OF CONFEDERATION

WEAKNESSES OF THE ARTICLES OF CONFEDERATION	
WEAKNESSES	OUTCOME
Congress had no power to levy or collect taxes.	The government was always short of money.
Congress had no power to regulate foreign trade.	Quarrels broke out among states and trading with other countries was difficult.
Congress had no power to enforce its laws.	The government depended on the states for law enforcement.
Approval of nine states was needed to enact laws.	It was difficult to enact laws.
13 states needed to approve amendments to the Articles.	There was no practical way to change the powers of government.
The government had no executive branch.	There was no effective way to coordinate the work of government.
There was no national court system.	The central government had no way to settle disputes among the states.

- 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. Political leaders were further motivated by Shays's Rebellion, which they felt set a precedent for mob rule.

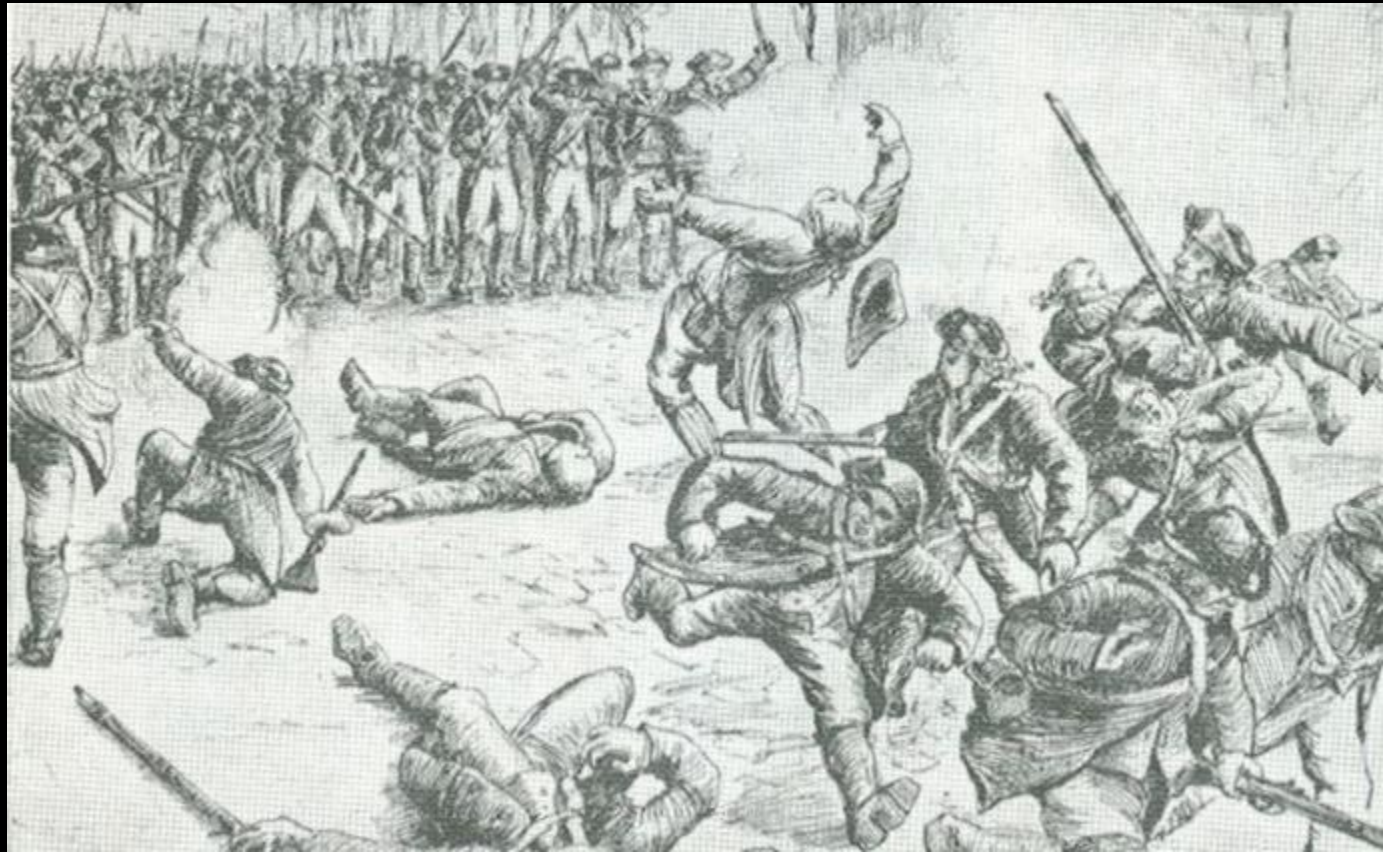
SHAYS' REBELLION OVERVIEW

- a series of protests in 1786 and 1787 by American farmers against state and local enforcement of tax collections and judgments for debt.
- Although farmers took up arms in states from New Hampshire to South Carolina, the rebellion was most serious in Massachusetts, where bad harvests, economic depression, and high taxes threatened farmers with the loss of their farms.
- Daniel Shays of Massachusetts, a former captain in the Continental army led the protest.



SHAYS' REBELLION

- Farmers were in debt because of the high cost of starting farms. If farmers were in debt, their farms could be seized and they could be imprisoned
- Farmers asked state gov to print more money to help with the debt. When they denied this request protests formed.



WHY THE REBELLION MATTERS

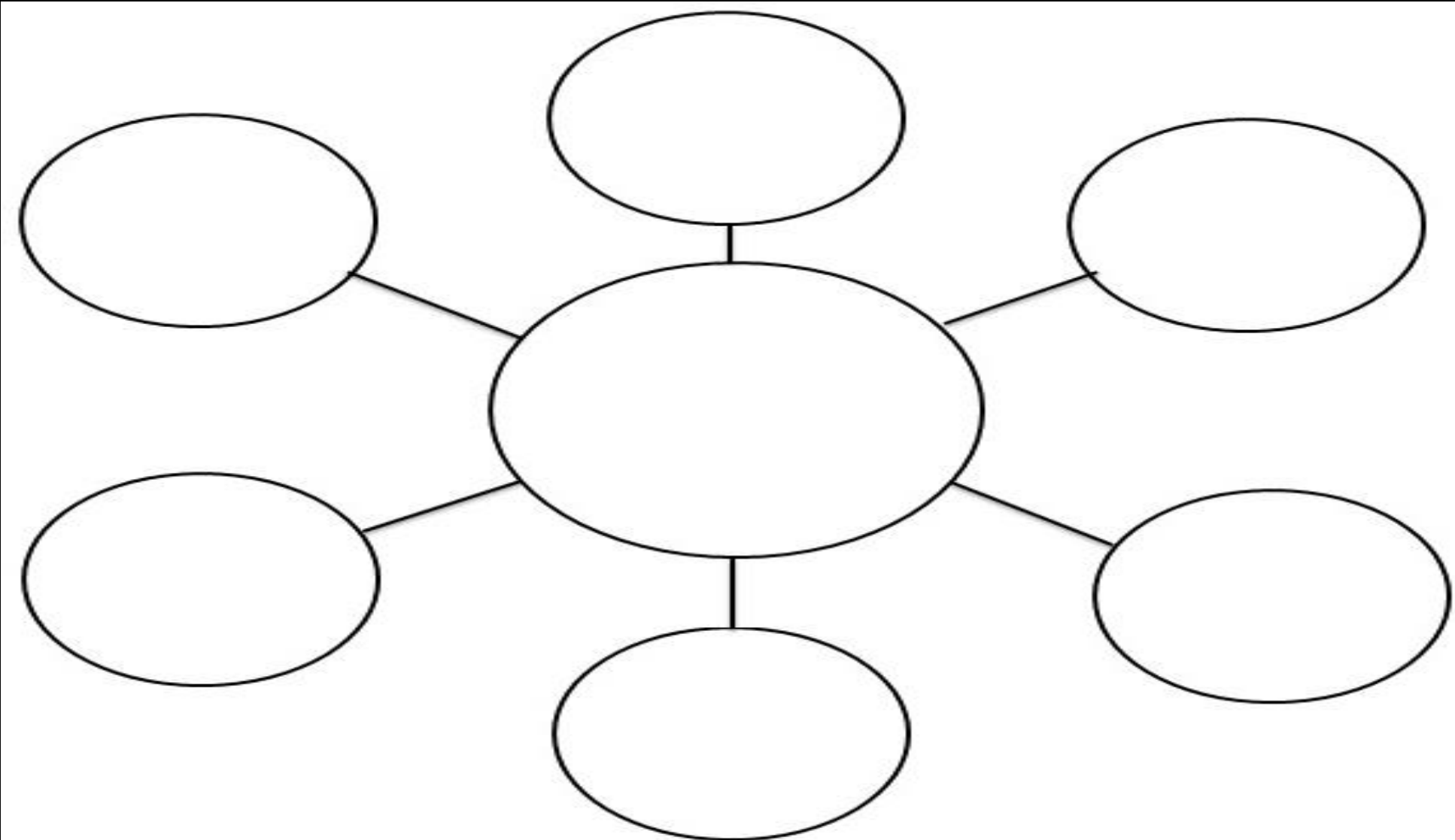
- Proponents of constitutional reform at the national level cited the rebellion as justification for revision or replacement of the Articles of Confederation, and Shays' Rebellion figured prominently in the debates over the framing and ratification of the Constitution.
- To farmers, the gov seemed unresponsive to the will of the people. To merchants and creditors, the gov seemed vulnerable to anarchy.
- Shays' Rebellion came at the time when the states were choosing delegates to attend the convention that was to draft the Constitution of the United States.



SO NOW WHAT?

- We need a constitution!
- What is a constitution?
- Constitution- written laws of a country
- But who gets the power??

WEAKNESSES OF THE ARTICLES OF CONFEDERATION



Describe the economy of the Southern (Chesapeake), Mid-Atlantic and New England Colonies.



George Washington was an effective military commander because he

- a Won more battles than he lost using well-trained troops
- b Preserved the army through his leadership skills
- c Negotiated alliances with the leaders of other nations
- d Prevented attacks against major population centers

“I have to inform your excellency that I have been forced...to surrender the troops under my command to the combined forces of the Americans and French....Source: Letter from Lord Cornwallis.

Which event resulted from the development described in the quotation?

- a The Treaty of Paris of 1783 was signed
- b The Articles of Confederation were adopted in 1777
- c Hessian mercenaries entered the war to support the British army
- d Some pledged military aid to the Americans

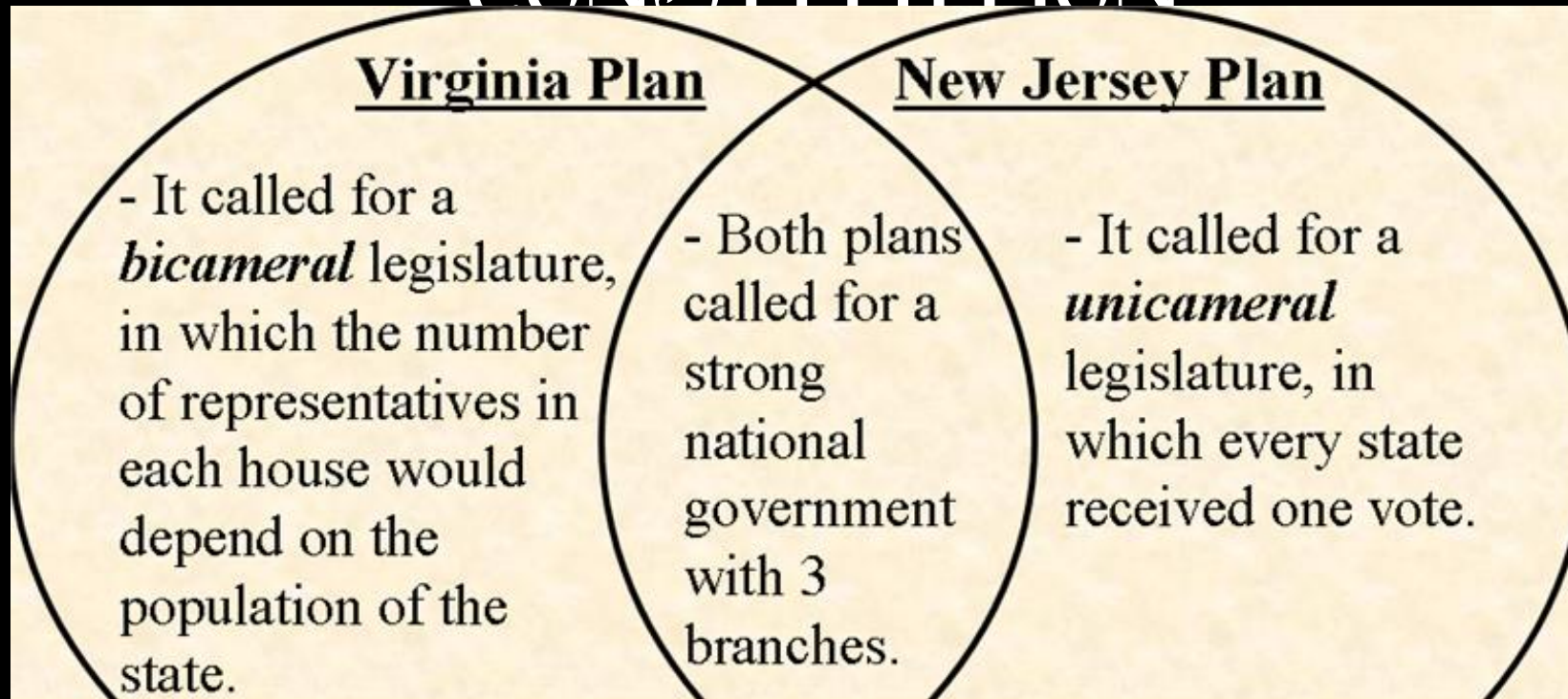
SSUSH – INVESTIGATE SPECIFIC EVENTS AND KEY IDEAS THAT BROUGHT ABOUT THE ADOPTION AND IMPLEMENTATION OF THE UNITED STATES CONSTITUTION.

C. EXPLAIN THE KEY FEATURES OF THE CONSTITUTION, INCLUDING THE GREAT COMPROMISE, LIMITED GOVERNMENT, AND THE THREE-FIFTHS COMPROMISE.

THE GREAT COMPROMISE

- One great issue facing the delegates to the Constitutional Convention was how different sized states could have equal representation in the new government.
- States with large populations supported a plan to create a legislative branch in which representatives were assigned based on each state's population.
- States with smaller populations supported a plan to create a legislative branch in which all states were equally represented.
- Delegates to the Constitutional Convention settled the issue of representation in Congress by approving the Great Compromise.
- This compromise helped “save” the Constitution by settling the dispute between states with large populations and states with small populations.
- The compromise called for the creation of a legislature with two chambers: a House of Representatives, with representation based on population, and a Senate, with equal representation for all states.

COMPROMISES LEAD TO OUR NEW CONSTITUTION



Great Compromise

- It provided for a bicameral Congress.
 - A. House of Representatives – each state is represented according to its population (satisfied the VA Plan)
 - B. Senate – each state has 2 Senators (satisfied the NJ Plan)
- * Both houses of Congress must pass every law.

DO SLAVES COUNT?

- Another divisive and controversial issue that confronted delegates to 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*.



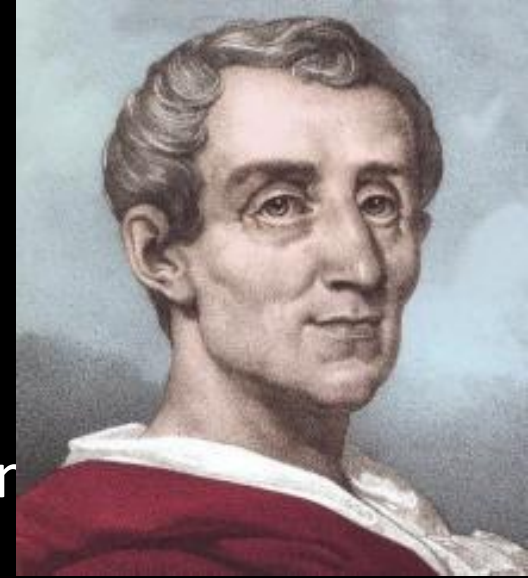
- States with large populations might have more representatives in the national government, states with large slave populations demanded to be allowed to count their slaves as a part of their population. Northern states resisted.
- Both sides compromised by allowing the states to count **three-fifths of their slaves when calculating their entire population.**
- To protect slavery, states with large numbers of slaves demanded that the new government allow for the continuation of the slave trade for 20 years and that northern states return runaway slaves to their owners.

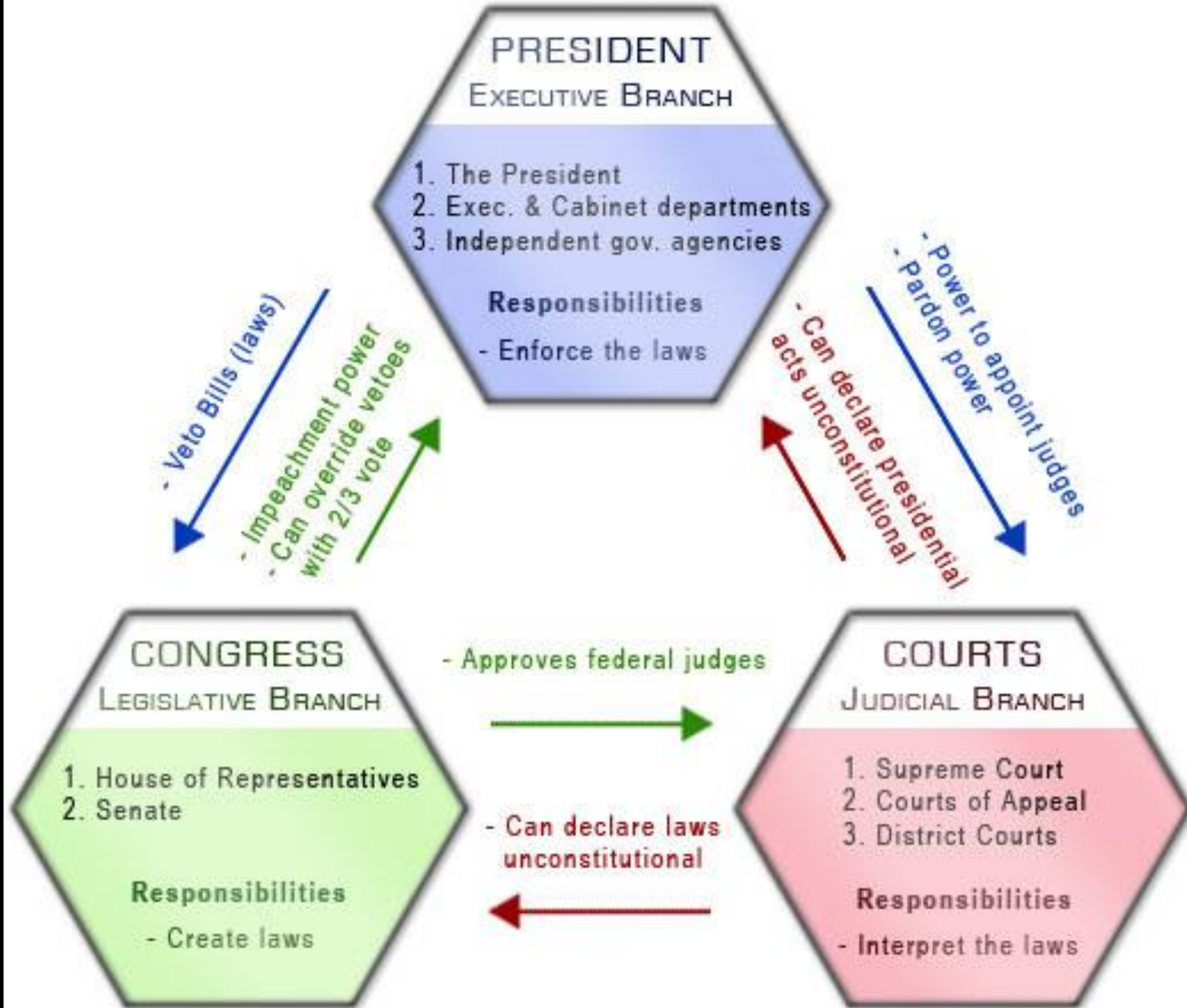


SLAVERY

MONTESQUIEU AND SEPARATION OF POWER

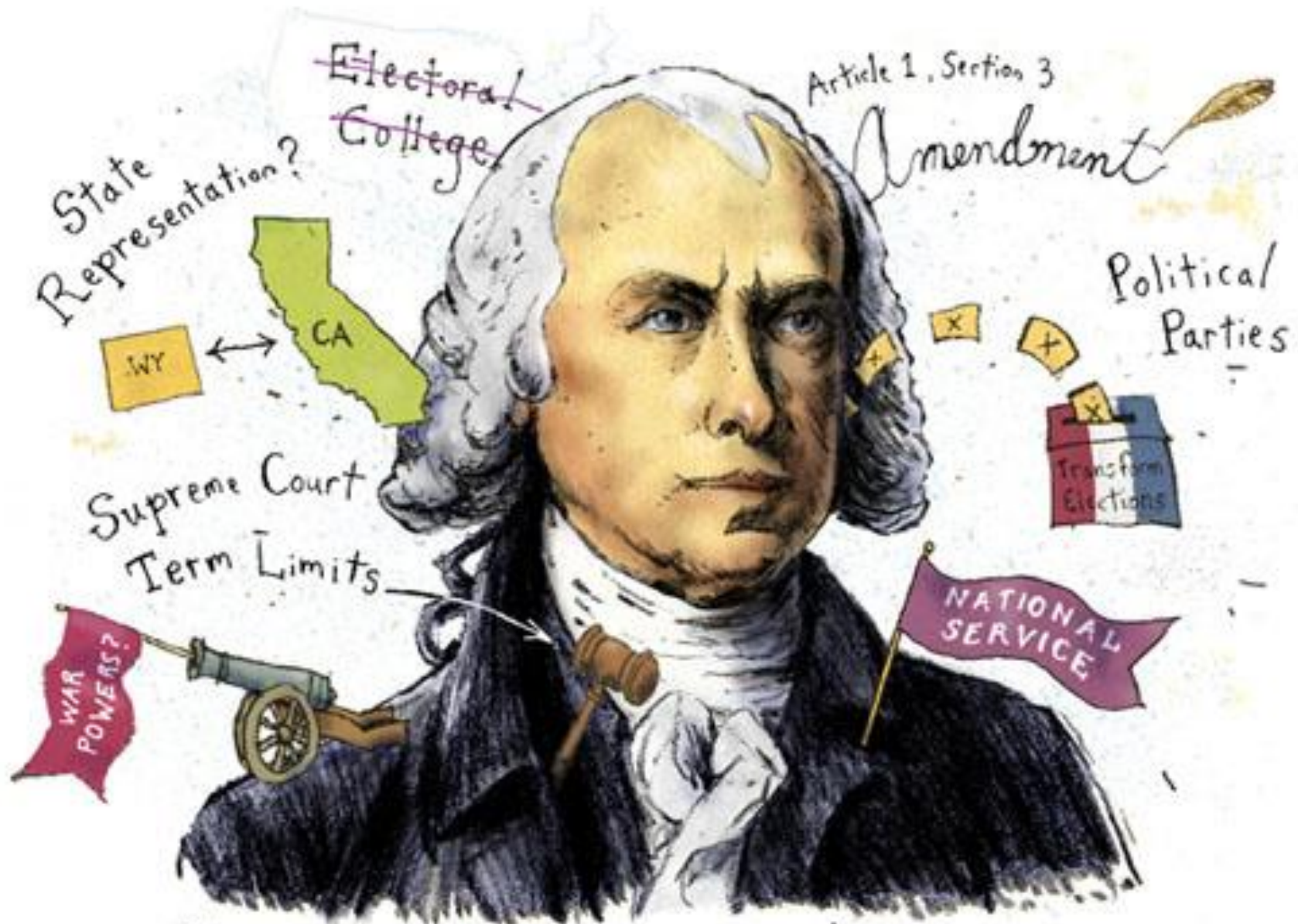
- The framers were greatly influenced by the ideas of the famed French political thinker Charles de Montesquieu.
- Powers were divided in two ways within the new government:
 - First, power was divided between national and state governments.
 - Second, the power of the executive branch was weakened because 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
 - An example of these checks and balances would be the president's power to veto laws passed by Congress.





SSUSH5 – INVESTIGATE SPECIFIC EVENTS AND KEY IDEAS THAT BROUGHT ABOUT THE ADOPTION AND IMPLEMENTATION OF THE UNITED STATES CONSTITUTION.

D. EVALUATE THE MAJOR ARGUMENTS OF THE ANTI-FEDERALISTS AND FEDERALISTS DURING THE DEBATE ON RATIFICATION OF THE CONSTITUTION, THE FEDERALIST PAPERS, AND THE ROLES OF ALEXANDER HAMILTON AND JAMES MADISON



"The Earth belongs always to the living generation"

Federalism

Powers Delegated to the National Government

- declare war
- create and maintain armed forces
- establish foreign policy
- regulate interstate and foreign trade
- make copyright and patent laws
- establish postal offices
- coin money

Powers Reserved to States

- establish local governments
- establish and maintain schools
- regulate trade within states
- conduct elections
- provide for public safety
- raise taxes
- provide for the public welfare
- criminal justice
- borrow money
- charter banks
- build roads

- 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, it.



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. This fear harkens back to the threats of despotism the patriots fought to eliminate during the Revolutionary War period. Anti-Federalists also argued that the Constitution did not describe the rights guaranteed to the states and to each citizen.
- Patrick Henry and George Mason were prominent Anti-Federalists.

FEDERALISTS

- The Federalists did not agree that citizens were left vulnerable by the new Constitution.
- Instead, Federalists argued that listing within the document specific rights guaranteed to citizens would
- in effect LIMIT the rights of citizens to only those listed. They believed the government created by the Constitution was designed to protect citizens from the concentration and abuse of power at the federal level through the limited government structure they painstakingly created at the Constitutional Convention.
- Alexander Hamilton and James Madison, the man credited with designing the basic foundation of the new Constitution, were leading Federalists.

Federalists

Favored Constitution

Led by Madison, Hamilton, Jay

Stressed weaknesses of Articles; strong government needed to protect nation and solve domestic problems

Checks and balances would protect against abuses.

Protection of property rights

Constitution is a bill of rights with limitations and reserved powers for the states; state constitutions already had protections in bills of rights.

Anti-Federalists

Opposed Constitution

Led by Henry, Richard Henry Lee, George Mason, Samuel Adams

Wanted strong state governments; feared a strong national government

Created a strong executive similar to monarchy

Wanted fewer limits on popular participation

Wanted a bill of rights to protect citizens against government

Figure 6-3 Federalists versus Anti-Federalists.

The Federalist Papers

- To counter these claims, James Madison, Alexander Hamilton, and others wrote a series of articles that supported ratification of the Constitution and explained the intent behind its major provisions, called the Federalist Papers.
- Supporters of the Constitution were known as Federalists.

In the PRESS,
and speedily will be published,
THE
FEDERALIST,
A Collection of Essays written in fa-
vor of the New Constitution.
By a Citizen of New-York.
Corrected by the Author, with Additions
and Alterations.

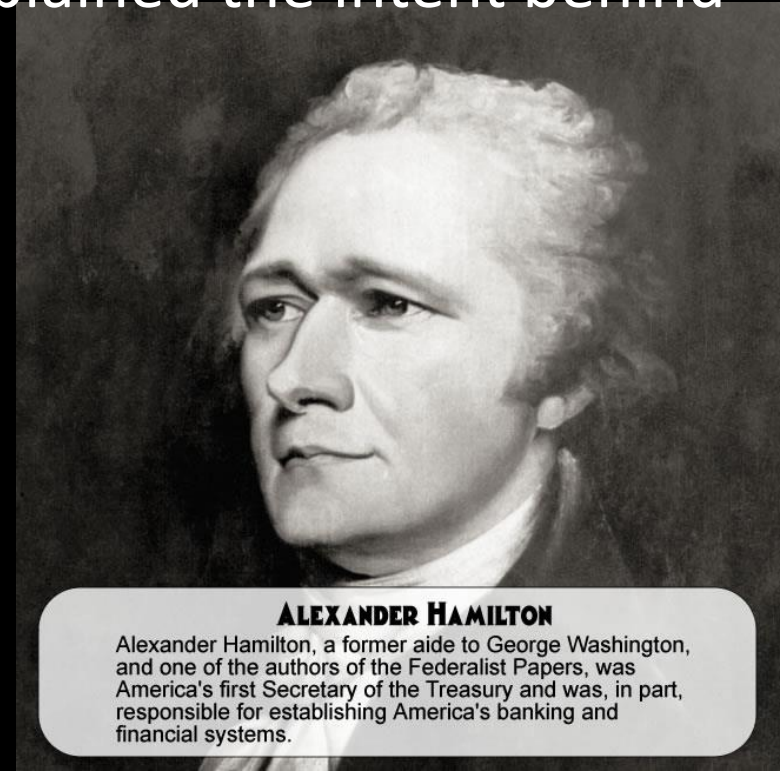
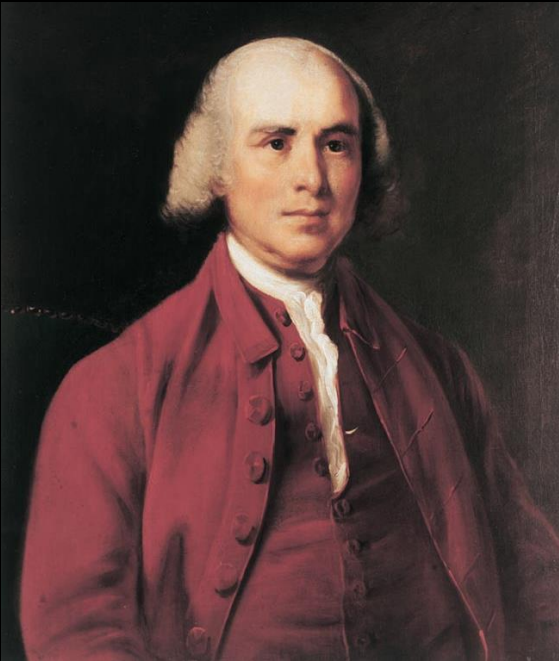
*This work will be printed on a fine Paper
and good Type, in one handsome Volume Duo-
decimo, and delivered to subscribers at the
moderate price of one dollar. A few copies
will be printed on superfine royal writing pa-
per, price ten shillings.*
No money required till delivery.
*To render this work more complete, will be
added, without any additional expence,*

PHILO-PUBLIUS,
AND THE
Articles of the Convention,
*As agreed upon at Philadelphia, Septem-
ber 17th, 1787.*

PHILADELPHIA: Printed and Sold by B. Franklin, at the Coffee-House, 1787.

FEDERALISTS PAPERS

- Promoted the Constitution
- anti-Federalists believed the gov created by the Constitution would be too powerful and would eliminate the power of the states. They also argued that the Constitution did not describe the rights guaranteed to the states and to each citizen.
- To counter these claims, James Madison, Alexander Hamilton, and others wrote the Papers and explained the intent behind its major provisions.



COMPROMISE

- The continued debate between the Federalists and Anti-Federalists threatened to derail ratification of the Constitution. 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.

COMPROMISE

Federalists:

- ▶ Favored ratification of the Constitution
- ▶ Favored a powerful federal government
- ▶ Argued a Bill of Rights was not needed, as federal power was limited
- ▶ “The Federalist Papers”

V.

Anti-Federalists:

- ▶ Opposed ratification of the Constitution
- ▶ Wanted a weak federal government that would not threaten states rights
- ▶ Wanted a Bill of Rights to declare and protect the rights of the people

RATIFICATION:

- Federalists promise addition of a Bill of Rights
- Ratification succeeded, new government formed 1789
- James Madison drafts 10 amendments to the Constitution, these become the U.S. Bill of Rights

SSUSH – INVESTIGATE SPECIFIC EVENTS AND KEY IDEAS THAT BROUGHT ABOUT THE ADOPTION AND IMPLEMENTATION OF THE UNITED STATES CONSTITUTION.

E. EXPLAIN HOW OBJECTIONS TO THE RATIFICATION OF THE CONSTITUTION WERE ADDRESSED IN THE BILL OF RIGHTS

The Bill of Rights

- To overcome the anti-Federalist argument that the Constitution failed to include a statement of states' rights and individuals' rights, Madison created the Bill of Rights, which would be added to the Constitution after the Constitution was ratified.

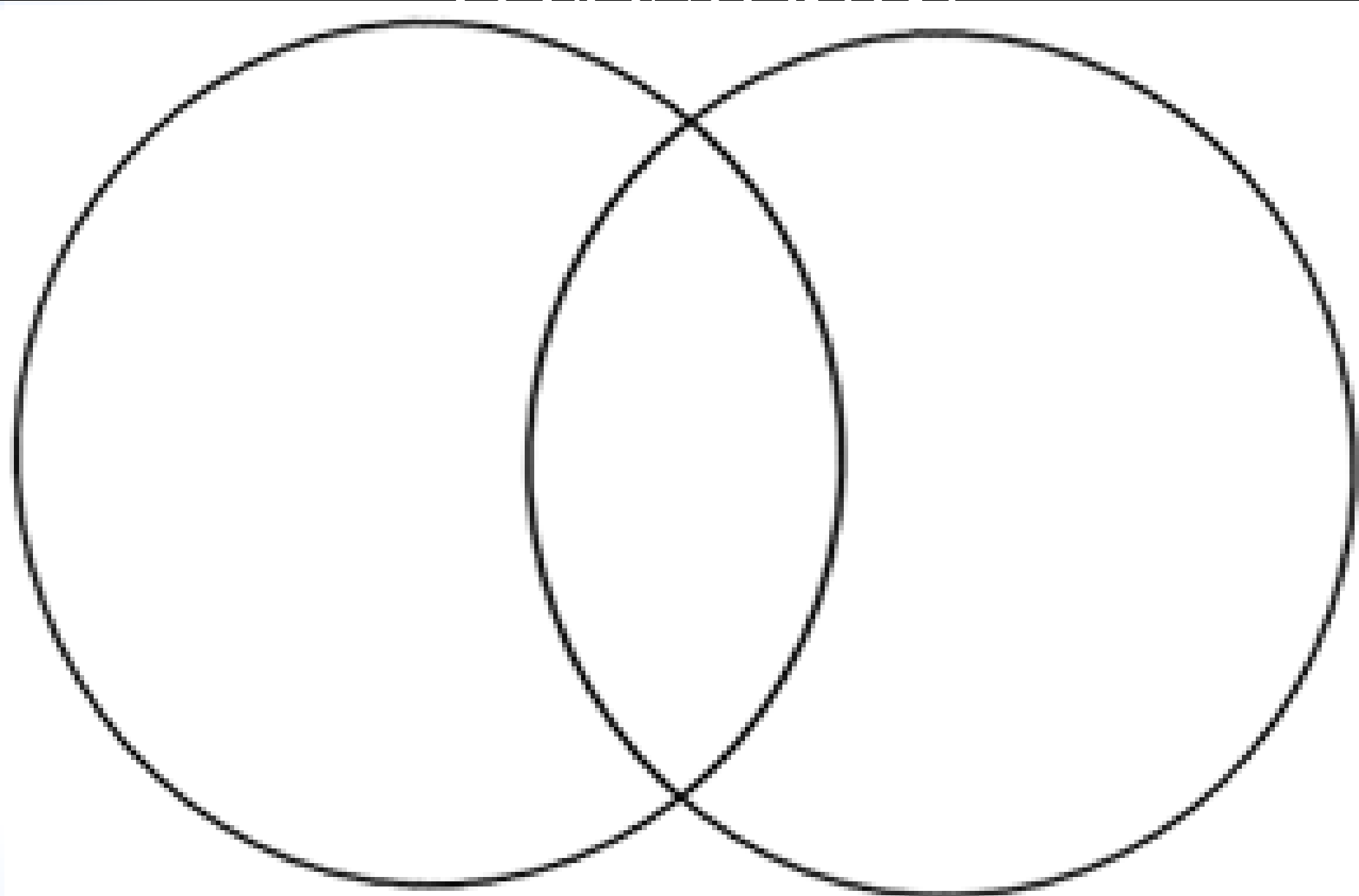


- 1.
- 2.
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- 10.

- First Amendment: Guarantees freedom of religion, of speech, and of the press, and the right to petition the government
- Second Amendment: Guarantees the right to possess firearms
- Third Amendment: Declares that the government may not require people to house soldiers during peacetime
- Fourth Amendment: Protects people from unreasonable searches and seizures
- Fifth Amendment: Guarantees that no one may be deprived of life, liberty, or property without due process of law
- Sixth Amendment: Guarantees the right to a trial by jury in criminal cases
- Seventh Amendment: Guarantees the right to trial by jury in most civil cases
- Eighth Amendment: Prohibits excessive bails, fines, and punishments
- Ninth Amendment: Declares that rights not mentioned in the Constitution belong to the people
- Tenth Amendment: Declares that powers not given to the national government belong to the states or to the people



FEDERALISTS VS ANTI- FEDERALISTS



NJ PLAN VS VA PLAN

