

The Politics of a New Nation

I. Early frameworks for governing

1. State governments

- a. The task of forming some type of governments began with the war
- b. States needed to draft some type of written constitution defining the power and structure of government
- c. did not trust unwritten constitutions such as Britain's
- d. To draft the constitutions, the states called on conventions of their leading citizens (that supported the revolution)
- e. Most structures similar
 - i. Strong legislature (usually two houses)
 - ii. Weak governor (usually elected annually by the legislature) with few powers
 - iii. independent judiciary
 - iv. More people enfranchised (property qualifications lowered)
 - v. Limits on government authority – a bill of rights
 1. freedom of press, speech, and religion
 2. fair trial and protection against general searches
 3. consent required for taxation
- f. First systems had serious problems
 - i. weak executive meant that action was slow, legislature had to act first
 - ii. governor's power gradually increased
 - iii. Many state constitutions were rewritten during the 1780s and 1790s
 - iv. states found original constitutions just did not work
 - v. began to place more faith on a system of checks and balances
 - vi. most power still rested in the legislatures

2. Articles of Confederation

- a. In 1777 the Second Continental Congress drafted the Articles of Confederation
 - i. Created a national government consisting of a unicameral legislature
 - ii. One representative from each of the 13 colonies
 - iii. No executive
 - iv. Designed as a league of states called the United States of America--emphasis on the states
 1. each state remained sovereign
 2. any powers not specifically delegated to the national government--that is, Congress--remained in the states
 - v. Powers given to national government were limited
 1. settlement of disputes between states
 2. regulating foreign affairs (including Indian trade)
 3. setting value of national and state coinage--to ensure standard trade
 4. no power to tax or raise money other than through the states
 5. no power to enforce its decisions upon the states
- b. Governing under the Articles

- i. Because unanimous consent needed, Articles could not be approved until 1780--Maryland upset over the distribution of western lands
 - ii. Weaknesses in the Articles became quickly apparent
 - 1. Foreign relations and trade presented major problems
 - 2. each state went their own ways in this area--confiscation of loyalist property was a major diplomatic problem
 - 3. major problem because Britain embargoed trade between the states and Britain or its colonies in West Indies--came at a time when national economy was depressed
 - 4. states also pursued their own policies regarding dealings with Native American tribes--led to a series of wars in the Northwest that were not settled until 1795
 - c. Northwest Ordinance of 1787--biggest success under the Articles of Confederation
 - i. Northwest territory--area bordered by Mississippi River, Ohio River, and Great Lakes
 - ii. Prohibited slavery in the territory--even southern states agreed to this provision
 - iii. Gave bill of rights--jury trial, freedom of religion, right of new states to join the Union on equal footing with older states, giving citizens in territories same rights as citizens of states
 - iv. Earlier Northwest ordinances had laid out how townships were to be created and provided a method of funding education in the region
- 3. Calling a convention to deal with trade policy
 - a. In 1786, representatives from five states met in Maryland to discuss problems with trade policy
 - b. Being too few in number to make any difference, they dismiss the meeting calling for a new Constitutional convention the following year in Philadelphia--asking all states to send delegates
 - c. response slow at first, until Shay's Rebellion scares the elites of the states into reacting
- 4. Shays's Rebellion
 - a. Depressed prices for agricultural products and tight credit market (creditors demanding specie) left farmers hurting
 - i. Many farmers asked for relief through issuing paper money
 - ii. Most creditors (along with some other Americans) fought against the issuing of paper money
 - iii. In Mass., economic situation very bad for some
 - iv. conservatives had run govt. since 1780, levying heavy taxes to pay off war debt (held mainly by Boston merchants--and paid off mainly by farmers)
 - b. In 1786, after the state refused to issue paper money, people in three western counties revolted
 - i. Jan. 1787 -1,200 farmers and their allies, led by Daniel Shays--a war veteran - attacked the Springfield arsenal
 - ii. the farmers were defeated easily
 - c. Rumors of the rebellion by the poor put terror into the hearts of the "better kind of people"
 - d. Shays' Rebellion scared the elite!!!

II. The Constitutional Convention

1. In Feb. 1787, following Shay's Rebellion, the Confederation Congress endorsed the idea of a convention to modify the Articles of Confederation
2. One of the first questions to addressed (before the convention met) was the form of government
3. The question of republicanism
 - a. Most agreed a republican form of government was best, but question became which version of republicanism
 - b. Greek Republicanism
 - i. only republics small in size and were homogeneous in population could succeed
 - ii. citizens must be willing to sacrifice their own private interests for the good of the whole
 - iii. government run by a natural aristocracy, men whose rank was based on merit rather than inherited wealth or family status
 - iv. even the Greeks did not believe in ability of this type to succeed
 - c. Republicanism based on self-interest
 - i. put forth by members of economic elite and skilled craftsmen
 - ii. emphasized that individuals should pursue rational self-interest
 - iii. by pursuing self-interest, men would improve not only their own economic and social circumstances, but those around them would also
 - iv. dismissed the notion of subordinating private interests to a communal ideal
 - d. Egalitarian Republicanism
 - i. sought a government that represented all the people
 - ii. felt that the elite did not usually speak or respond to the needs of the majority
 - iii. wanted widespread participation in political activity
 - e. All three versions emphasized the need for people to be virtuous and work hard as individuals
4. The constitutional convention begins
 - a. Twelve states (all except Rhode Island) sent delegates to the convention
 - b. The 55 men mainly represented the elite of their states
 - i. men of property and wealth
 - ii. included merchants, planters, lawyers, and former government officials
 - iii. most had significant education - over half had attended college
 - iv. Most of the men were middle aged
 - v. Ben Franklin was oldest at 81
5. The bulk of the work performed by about a dozen men, led by James Madison
 - a. Madison prepared for the convention by reading hundreds of books on history and political science
 - b. Prepared a critique of the government under the Articles of Confederation
6. Opposing plans for a Constitution
 - a. Virginia Plan
 - i. most likely drafted by Madison
 - ii. presented by VA Gov. Edmund Randolph

- iii. Called for a republic as form of government
 - iv. Structure would consist of:
 - 1. a bicameral legislature
 - a. one house elected by popular vote
 - b. the other by the first house
 - 2. an executive elected by Congress
 - 3. a national judiciary
 - v. National government had the power to nullify any state laws
 - b. Many believed the Virginia plan gave too much power to national government
 - c. New Jersey Plan
 - i. made modifications of the existing Articles of Confederation
 - ii. left representation equal among the states
 - iii. gave Congress more power over trade and taxation
 - iv. rejected by the delegates
7. Working out the Great Compromise (aka The Connecticut Compromise)
- a. Representation - proportional or equal by state
 - b. Who would elect each house - popular for House, state legislature for Senate
 - c. Slavery
 - i. How would slavery be dealt with in the Constitution?
 - ii. Would slaves be counted regarding proportional representation?
 - iii. Would slavery be protected?
 - 1. Congress couldn't outlaw slave trade for 20 years
 - 2. Congress was required to protect slavery against interference
 - d. Separation of powers
 - i. Three branches – Legislative, Executive, Judicial
 - 1. Legislative had most power
 - 2. Judiciary weakest
 - 3. System of checks and balances between branches
8. In September 1787, delegates met and approved the draft of the constitution
- a. several voted against it
 - b. main opposition - diluted the states' powers and lacked a bill of rights
 - c. Constitution would be ratified when 9 states approved it

III. The Ratification Process – Federalists vs. Anti-Federalists

- 1. Federalists
 - a. supported the constitution as written
 - b. tended to come from among merchant and bankers, large farmers
 - c. saw a strong central government as the key to the nation's growth and prosperity
 - d. especially interested in strong interstate commerce, against paper money and protection of debtors
- 2. Anti-Federalists
 - a. opposed the new document
 - b. tended to be small farmers and frontiersmen
 - c. believed the states were the best protectors of individual rights - weakening their power could lead to tyrannical power
 - d. had little to gain from interstate commerce, much to lose from prohibitions on

- paper money or stay laws
- 3. Federalists better prepared, organized, and educated
- 4. Leading Federalist movement in NY: James Madison, Alexander Hamilton, and John Jay
 - a. N.Y. especially important as large state
 - i. Gov. George Clinton against ratification
 - b. Madison, Hamilton, and Jay published a series of essays in N.Y. newspapers between October 1787 and July 1788 under the name of "Publius"
 - c. these essays became known as The Federalist Papers
 - d. Hamilton wrote # 6, warning of the evils of factions
 - e. Madison wrote # 10, describing how the large size of the republic worked against producing factions
 - f. Anti-Federalists responses were not as well written, not as widely read or effective
- 5. Ratification
 - a. States began ratifying Constitution in Dec 1787
 - b. By June 1788, 9 states had ratified
 - c. Still, crucial states of Virginia and New York had not
 - i. The battle in those states proved to be close
 - ii. But in end, both ratified Constitution in 1788
 - iii. Federalist Papers deemed critical in ratification
 - d. North Carolina and Rhode Island did not ratify until the Bill of Rights had passed

IV. Who participates in the new system, who doesn't

- 1. White males - must be property holders or pay taxes
- 2. Females
 - a. primary function to be good wives and mothers
 - b. seen as self-sacrificing - charitable work okay for them
 - c. *Remember the Ladies*: Abigail Adams' letters
 - d. role of women in society begins to undergo a significant change during this era - they begin to disappear from public view
- 3. African Americans
 - a. growth of emancipation movement in North
 - b. finally, late 1780s, northern states begin to allow emancipation (usually gradual)
 - c. even after emancipated, many not allowed to participate economically or politically
 - d. riots against free blacks took place in some cities, especially Philadelphia
 - e. free blacks began working to establish their own communities within the larger framework of where they lived
- 4. Native Americans not even considered