

CHAPTER
5

Summary

TELESCOPING THE TIMES *Shaping a New Nation*

CHAPTER OVERVIEW *The new nation under federalism is unstable. Leaders set up a convention to settle issues but end up creating a new governmental structure.*

1 Experimenting with Confederation

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

Having declared independence, the states faced another challenge: forming a new government. American leaders feared a true democracy that would give power directly to the uneducated masses. They wanted a republic, in which people rule through elected representatives. They also wanted a national government with limited power.

The state constitutions created governments with limited power that guaranteed freedom of speech, religion, and the press. In some states, all white males could vote; in others, only white male property owners could vote. African Americans were not allowed to vote, nor—except in New Jersey for a few years—were women.

In creating a new government, a Continental Congress wrestled with three issues:

The first involved representation in Congress of different-sized states. Congress decided that each state would have one vote.

The second had to do with how power was distributed. In approving the Articles of Confederation, Congress created two levels of government. The national government had the power to declare war, make peace, sign treaties, borrow money, create a postal service, and deal with Native Americans. State governments retained many other powers.

The third concerned land west of the Appalachian Mountains. All the states with claims to that land gave up those claims to the national government. The Northwest Ordinance of 1787 determined how the territory would be settled. Congress decided to divide the land into three to five territories. Once the population of a territory reached 60,000, the people could ask Congress to be admitted as a state—with the same status as the original thirteen states.

The Articles of Confederation proved to have many weaknesses. First was the lack of national

unity: each state acted in its own interests, regardless of whether those actions harmed another state. Second, the vote of all states was required to amend, or change, the Articles. Third, the states refused to let Congress impose a tax. As a result, the nation could not repay its war debt. The debt caused other problems. Creditors, those who were owed money, wanted the states to pass higher taxes so that the states could repay them. These high taxes sent many farmers into debt. Finally, the nation faced foreign difficulties. The British threatened the new nation on the west. The Spanish closed the Mississippi River to American shipping, which made it harder for western farmers to get their crops to market.

2 Drafting the Constitution

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

A 1786 revolt against taxes by farmers in western Massachusetts emphasized that the nation faced serious problems. In May of 1787, delegates came to Philadelphia from every state except Rhode Island. They met to fix the problems of the national government. However, after a few days of discussion, they decided to abandon the Articles of Confederation and create a new form of government.

Two issues arose as major concerns. The first was how to distribute power between the state and national governments. The second was how to prevent the wealthy, powerful minority from dominating the small farmers and workers who made up the nation's majority.

The delegates debated two plans for representation in the new government. The Virginia Plan favored larger states by calling for two houses of Congress in which the number of representatives depended on state population. Smaller states preferred the New Jersey Plan. It gave each state an equal vote in a single house of Congress. Roger Sherman resolved the problem by proposing the Great Compromise. Sherman's plan made two

houses of Congress. In the lower house, representation would be based on size and delegates elected by popular vote. In the upper house, each state would have the same number of members. They would be chosen by the state legislatures, thus giving the states some power. The delegates approved Sherman's plan.

Then delegates debated whether slaves should be included in the population count. The Northern states, with few slaves, believed they should not. The Southern states, with many slaves, favored the idea. The delegates again compromised, agreeing to count three-fifths of the slaves and forcing the government to postpone the abolition of slavery until at least 1808.

The delegates divided power in two ways. They gave the national government certain powers—such as the power to regulate trade between states—and state governments the rest.

Second, the delegates divided power within the national government. They gave the legislative branch—the two houses of Congress—the power to make laws, the executive branch power to carry out the laws, and the judicial branch power to conduct trials. Through checks and balances, they tried to ensure that no branch could abuse its power. Fear of the people fostered an indirect system of electing a president, known as the electoral college.

Finally, the delegates created a mechanism for changing this new Constitution through amendments. Then the document went to the states for approval.

🗳️ Ratifying the Constitution

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

The delegates to the Constitutional Convention believed that most state legislators would oppose the new government because it reduced state power. So, they created a process for approval that bypassed the state legislatures. This process called for each state to hold a special meeting to vote on the plan. Once approved by at least nine states, the Constitution would become the basis of a new government.

Supporters of the Constitution called themselves Federalists. They were led by George Washington and three men who wrote persuasive essays in support of the document—James Madison, Alexander Hamilton, and John Jay. Small states and city dwellers tended to support the Federalist cause.

Opponents, called Antifederalists, included such heroes of the independence movement as Samuel Adams and Patrick Henry. They argued that the new government would have too much power. Larger states—which would lose some power—tended to oppose the Constitution, as did those who lived in rural areas.

Both sides argued their positions. Antifederalists attacked the document for not guaranteeing individuals' rights. The Federalists promised to add such protection through a bill of rights.

Delaware was first to ratify the Constitution, in December 1787. The following June, New Hampshire became the ninth state to approve it, and the Constitution officially became the law of the land. People wondered what the important states of New York and Virginia would do. By July 1788, the two states ratified the Constitution, although the votes were close.

Shortly afterward, Madison wrote some amendments aimed at guaranteeing individual rights. In September 1789, Congress approved 12 of them and submitted them to the state legislatures for final approval. The states ratified ten, which are called the Bill of Rights. These amendments guarantee each citizen freedom of speech, religion, the press, and political activity. However, Native Americans, African Americans, and women were excluded.

Review

1. What three issues did Congress have to resolve in creating a national government?
2. What weaknesses hampered the government of the Articles of Confederation?
3. What two compromises were made in writing the Constitution?
4. In what two ways does the Constitution divide power?