Chapter 5  
Shaping a New Nation

Americans adopt the Articles of Confederation. A new constitution is ratified after Federalists agree to include a Bill of Rights.

James Madison, 4th president of the United States.
Experimenting with Confederation

Americans adopt the Articles of Confederation but find the new government too weak to solve the nation’s problems.
Americans Debate Republicanism

Colonies Become States

- People considered self-governing colonies the basic political unit
- Colonists gave their allegiance to colony
- Idea persisted when colonies become states
Unity Through a Republic

- Colonists believed democracy gave too much power to uneducated.
- Preferred republic—citizens rule through elected representatives.
- Views of republicanism, government based on consent of people:
  - John Dickinson: put nation’s good above self.
  - Adam Smith and followers: pursue own interests.

Americans Debate Republicanism

The “Virtuous Republic”

Classical view of a model republic

Enlightenment Thinking

“City on a hill” [John Winthrop]

Ideal citizen [Cincinnatus]
State Constitutions
• Many states limited powers of government leaders
• Guaranteed specific rights to citizens; stressed liberty, not equality
• Only white males could vote; there were property requirements for voting in some states

Political Precedents
• Previous republican governments could not be adapted to U.S. needs:
  - none balanced concerns of state and national governments
• Ancient Greece, Rome, Italian city-states did not last
Representation by Population or by State?
- Size, population varied; represent people or states in Congress?
- Congress believed it represented states; every state got one vote

Supreme Power: Can It Be Divided?
- Confederation or alliance: national government, states share powers
- Articles of Confederation-laws assigning national, state powers
- National government handled war, treaties, weights, measures, mail
- No executive or court system established to enforce, interpret laws
Western Lands: Who Gets Them?

- By 1779, 12 states approved the Articles of Confederation.
- Maryland approved when western land claims were given to U.S.
- Articles of Confederation went into effect March 1781.
Governing the Western Lands

- Land Ordinance of 1785 created plan for surveying western lands
Governing the Western Lands

- **Northwest Ordinance of 1787**—plan for organizing territories, application for statehood
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
- Secretaries
- Judges

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!

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.
The Confederation Encounters Problems

Political and Economic Problems

• Confederation lacked unity; states pursued their own interests
• Congress amassed huge debt during Revolutionary War
• Rhode Island rejected tariff on imports; foreign debt could not be paid

Weaknesses of the Articles of Confederation

• Congress could not enact and collect taxes.
• Congress could not regulate interstate or foreign trade.
• Regardless of population, each state had only one vote in Congress.
• Two-thirds majority—9 out of 13 states needed to agree to pass any law.
• Articles could be amended only if all states approved.
• There was no executive branch to enforce the laws of Congress.
• There was no national court system to settle legal disputes.
• There were 13 separate states that lacked national unity.
The Confederation Encounters Problems

Borrowers Versus Lenders

- Creditors favored high taxes so they could be paid back
- Taxes put farmers in debt; many lost land and livestock
- Debtors wanted large supply of paper money; creditors wanted small supply of paper money (scarcity made the currency more valuable)
Foreign-Relations Problems

- U.S. did not pay debts to British merchants or compensated Loyalists
- In retaliation, Britain refused to evacuate forts on the Great Lakes
- In 1784, Spain closed Mississippi River to American navigation
- Westerners were unable to ship crops east through New Orleans
- Overall, Congress was unable to resolve problems with foreign nations
At the Philadelphia convention in 1787, delegates reject the Articles of Confederation and create a new constitution.
Nationalists Strengthen the Government

Shays’s Rebellion
- 1786–87 armed farmers demanded closing of courts to avoid losing farms
- **Shays’s Rebellion**—state militia defeated farmers led by Daniel Shays
- Many leaders feared rebellion would spread through country
- George Washington called for stronger national government
Nationalists Strengthen the Government

Call for Convention

- 5 states sent delegates to meeting on interstate trade (1786)
- Shays’s Rebellion led 12 states to join Constitutional Convention
- James Madison of Virginia known as “Father of the Constitution”

Convention Highlights

- In 1787, 55 delegates meet at Pennsylvania State House
- Windows kept shut to prevent eavesdropping on discussions
- Washington was unanimously elected presiding officer
Conflict Leads to Compromise

Big States Versus Small States

- Delegates recognized need to strengthen central government - decided to form new government
- Madison’s Virginia Plan: bicameral legislature based on population
- William Paterson’s New Jersey Plan: single house, one vote per state
- Roger Sherman, delegate from Connecticut, proposed Great Compromise:
  - Senate has equal representation, elected by state legislatures
  - House of Representatives, based on population, elected by people
Slavery-Related Issues

- South wanted slaves in population count for House, not for taxes
- North wanted slaves in population count for taxes, not for representation
- **Three-Fifths Compromise**- allowed 3/5 of state’s slaves to be counted
- Congress given power to regulate foreign trade
- Could not interfere with slave trade for 20 years
Division of Powers

- **Federalism**—division of power between national and state governments
- National government has delegated or enumerated powers
- Nation handled foreign affairs, defense, interstate trade, money
- Powers kept by states were called reserved powers
- States handle education, marriage laws, and trade within state
- Shared powers include right to tax, borrow money, establish courts
Separation of Powers

- **Legislative branch** makes laws
- **Executive branch** carries out laws
- **Judicial branch** interprets laws
- **Checks and balances** prevent one branch from dominating the others
- **Electoral college**—electors chosen by states to vote for president
Creating the Constitution

- Constitution could be changed through amendment process.
During the debate on the Constitution, the Federalists promise to add a bill of rights in order to get the Constitution ratified.
Controversies over the Constitution

- **Ratification** (official approval) required support of nine states
- Voters elected delegates to vote on ratification at state convention
- Process bypassed state legislatures, who were likely to oppose
- **Federalists** favored balance between state, national governments
- **Anti-federalists** opposed strong central government:
  - may serve interests of privileged minority
  - unlikely to manage a large country well
  - Constitution did not protect individual rights
The Opposing Forces

- Urban centers Federalist; merchants, workers favor trade regulations
- Small or weak states wanted protection of strong government
- Rural areas Anti-federalist; farmers feared additional taxes
- Large or strong states feared loss of freedom to strong government
- *The Federalist*- essays that defended, explained, analyzed Constitution
- Anti-federalists read Letters from the Federal Farmer:
  - lists rights they wanted protected

James Madison

Alexander Hamilton
The Bill of Rights and Ratification

People Demand a Bill of Rights
• Anti-federalists demanded written guarantee of people’s rights
• Federalists promised bill of rights if states ratified Constitution

George Mason  
Thomas Jefferson
Ratification of the Constitution

• December 1787–June 1788, nine states ratified Constitution
• Federalists needed support of large states Virginia and New York
• After opposition and debate, Virginia and New York ratified the Const. by 1788
• The new government became a reality in 1789
Adoption of a Bill of Rights

- 1791, Bill of Rights, or first ten amendments, ratified by states
- First Amendment—freedom of religion, speech, press, politics
- Second, Third—right to bear arms, no quartering of soldiers
- Fourth through Eighth—fair treatment for persons accused of crimes
- Ninth—people’s rights not limited to those mentioned in Constitution
- Tenth—people, states have all rights not specifically assigned