

The Constitution and the New Republic

Chapter 6 (1786-1801)





"A little rebellion, now and then, is a good thing, and as necessary in the political world as storms in the physical."

Thomas Jefferson

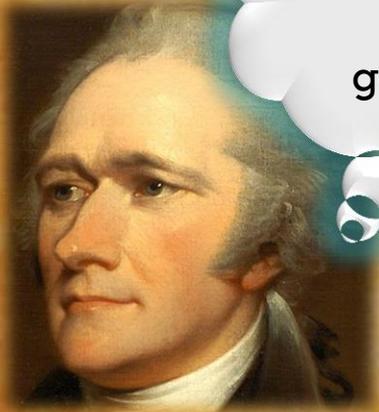


Framing a New Government

- ❖ The **Articles of Confederation** created a very weak central government and became unpopular.
- ❖ **Shays's Rebellion** showed that major revisions were needed.



Advocates of Centralization



I am **Alexander Hamilton** and I want a stronger central government!

- ❖ **A strong central government** would:
 - allow uniform tax code and funding for pensions for veterans
 - replace state commercial policies with single national one
 - remove the “Indian menace” from lands
 - stop states from issuing paper money

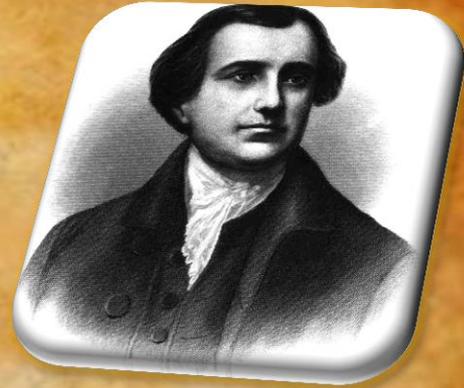
Advocates of Centralization

- ❖ Great fear of violence and disorder battled defense of individual rights
- ❖ James Madison and Alexander Hamilton called for a meeting to revise the Articles of Confederation in **Annapolis**
 - poor attendance, but resolved to meet next year in Philadelphia

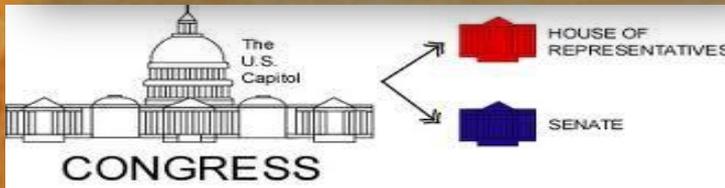


A Divided Convention

- ❖ All states except Rhode Island sent delegates (the **Founding Fathers**) to the Constitutional Convention (1787).
- ❖ **Virginia Plan**- brought forth by Edmund Randolph
 - called for bicameral legislature based off of population
- ❖ **New Jersey Plan**- brought forth by William Patterson
 - called for equal representation



Compromise



The Great Compromise:

- ❖ created a **bicameral legislature**- two houses
- ❖ **The House of Representatives:** based off of population
- ❖ **The Senate:** based off of equal representation
- ❖ This combined both the Virginia Plan and the New Jersey Plan

Compromise

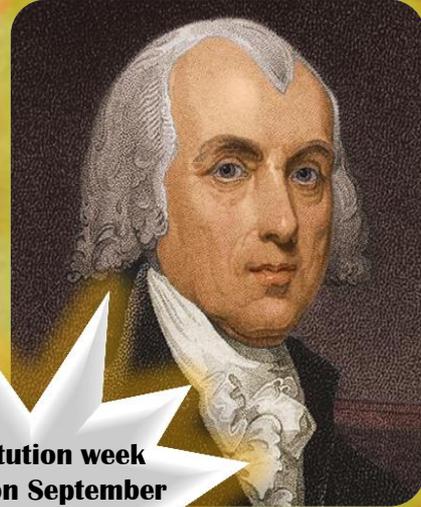
The Three-Fifths Compromise

- ❖ Part of the **Great Compromise**
- ❖ The South wanted slaves to count towards population, but the North did not
- ❖ The North argued that since slaves were not counted as people, they should not be counted towards the total population
- ❖ It was decided that slaves would count as $\frac{3}{5}$ of a free person in both **representation** and **direct taxation**



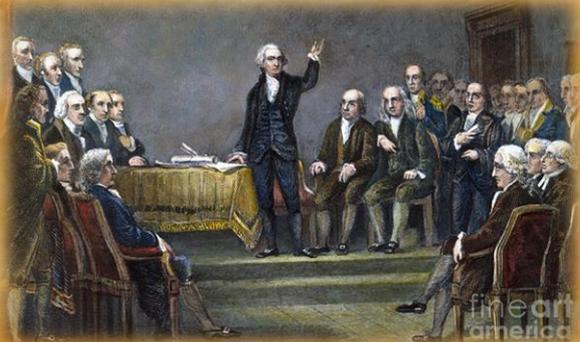
The Constitution of 1787

- ❖ **James Madison** was known as the father of the Constitution
 - his greatest contribution was helping resolve the troubling question of sovereignty versus the limits of power



Constitution week begins on September 17th, the day it was signed in 1787.

The Constitution of 1787



- ❖ The Convention decided
 - that all power flows ultimately from the people instead of solely from state or federal government. Neither would be truly sovereign.
 - created a distribution of powers between national and state governments

The Constitution of 1787

- ❖ The new government's **separation of powers** and system of **checks and balances** forced division of power between states and the entire nation.

<https://www.youtube.com/watch?v=yHp7sMqPL0g>



- ❖ A **fear of mobs and “excess of democracy”** meant only the House of Representatives was elected by the people

Articles v. Constitution

	Articles of Confederation	Constitution
Levying taxes	Congress could request states to pay taxes	Congress has right to levy taxes on individuals
Federal courts	No system of federal courts	Court system created to deal with issues between citizens, states
Regulation of trade	No provision to regulate interstate trade	Congress has right to regulate trade between states
Executive	No executive with power. President of U.S. merely presided over Congress	Executive branch headed by President who chooses Cabinet and has checks on power of judiciary and legislature
Amending document	13/13 needed to amend Articles	2/3 of both houses of Congress plus 3/4 of state legislatures or national convention
Representation of states	Each state received 1 vote regardless of size	Upper house (Senate) with 2 votes; lower house (House of Representatives) based on population

The Limits of the Constitution

- ❖ The constitution only established a democracy for white men. It did not offer the same rights to-
 - **Native Americans**
 - Only the federal government could regulate trade between tribes and states
 - They were a separate legal entity and could not be taxed
 - **African Americans**
 - **Women**



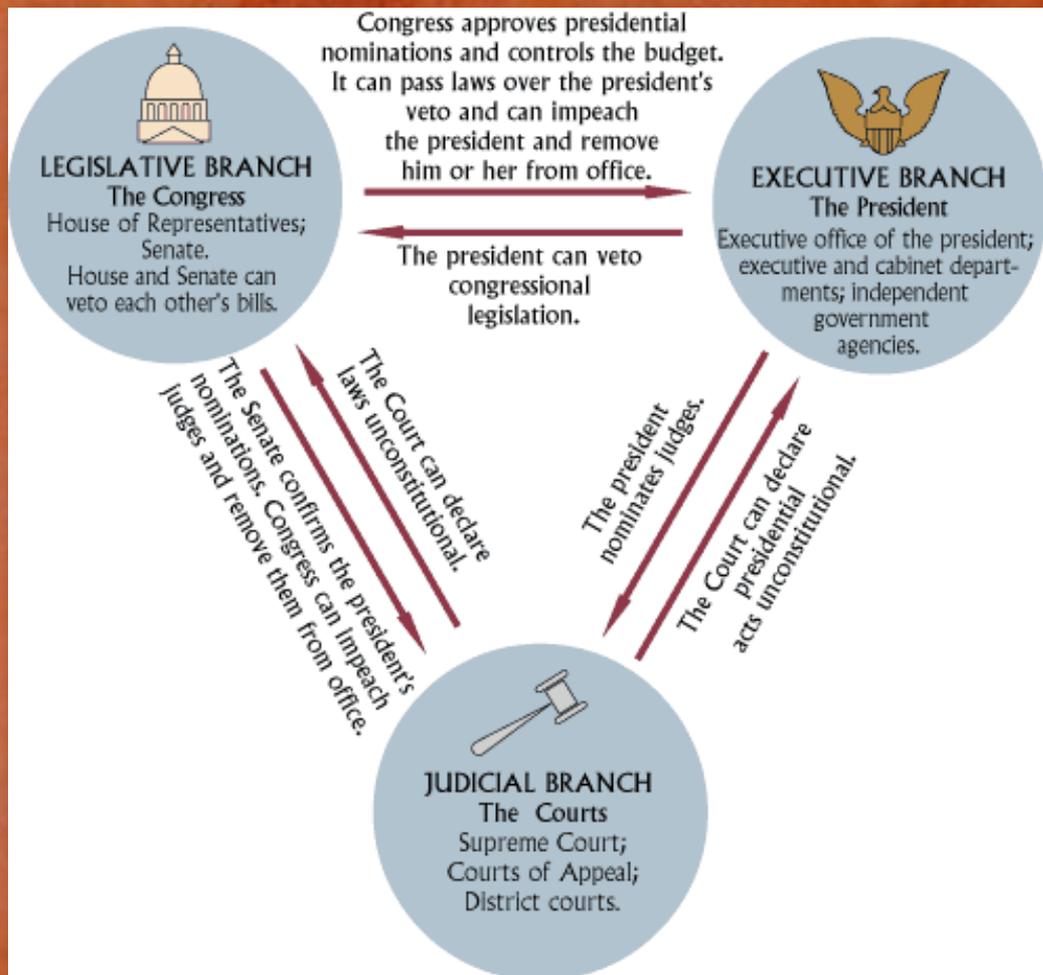
Powers Delegated to the National Government

- 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

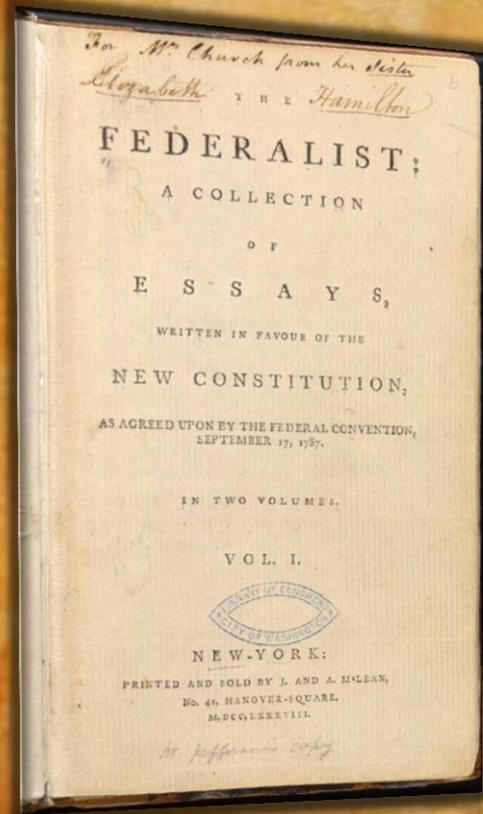
Powers Reserved to States

- 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

System of Checks and Balances



The Federalists and Antifederalists



At this point, there were NO POLITICAL PARTIES, only IDEOLOGIES.

Federalist - support Constitution

Antifederalist - against Constitution

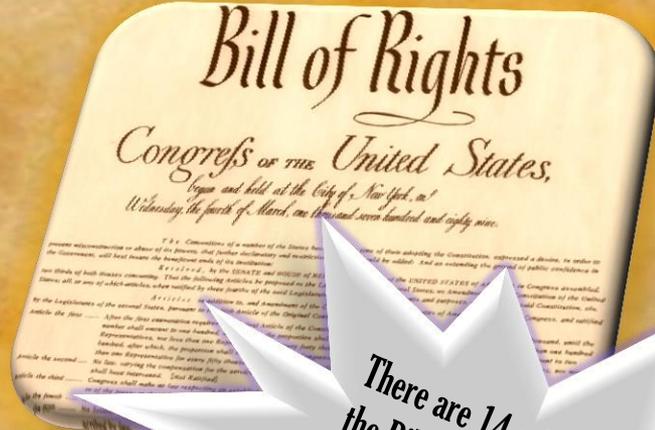
The Federalist Papers

- ❖ written by Alexander Hamilton, James Madison and John Jay under the pseudonym Publius
- ❖ designed to convince New York to ratify the Constitution

Completing the Structure

The Bill of Rights

- ❖ gave rights to the states and individuals
- ❖ was a concession to the antifederalists who would not ratify the constitution otherwise



There are 14 original copies of the Bill of Rights: one for the government, and one for the thirteen original colonies.

Hamilton and the Federalists



- ❖ **Alexander Hamilton supported:**
 - **the assumption of debt**
 - all states debt accumulated into one
 - did not envision paying off the debt, wanted to gain credit from people investing in the government
 - **“funding” the debt at par**

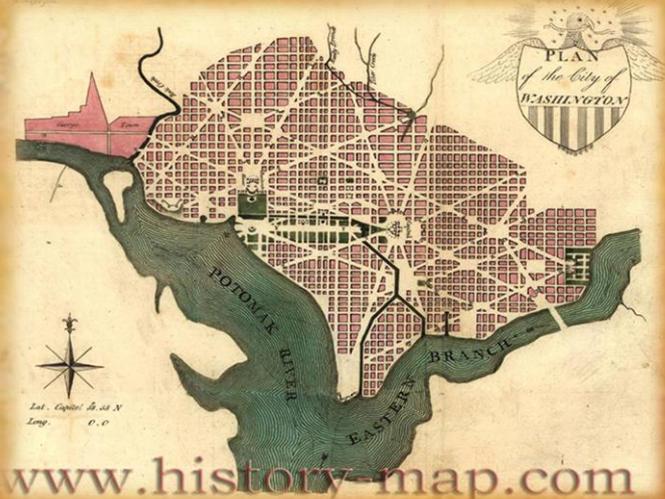
Hamilton and the Federalists



- ❖ **Alexander Hamilton** supported:
 - creating a **national bank**
 - would collect taxes and disburse the government's expenditures
 - would be created by the government
 - having **taxes** on alcohol (whiskey rebellion) and **tariffs**

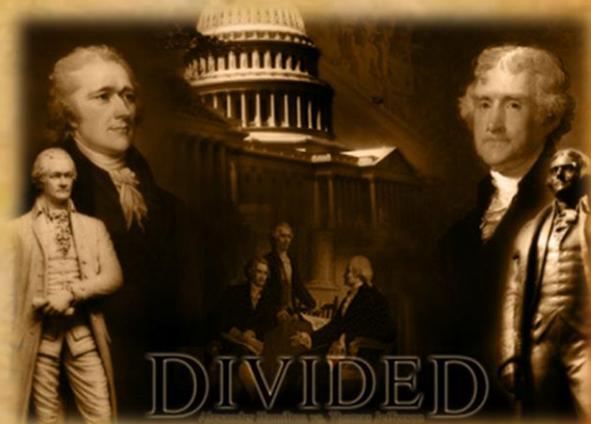
Enacting the Federalist Program

- ❖ Hamilton's programs were mostly supported by the influential merchants and manufacturers and opposed by the small farmers.
- ❖ A compromise was made causing the capital to be moved closer to the South.
- ❖ There were debates over **strict and loose interpretation** of the Constitution for the Bank of the United States



Republican Opposition

- ❖ Political parties were believed to be a **necessary evil**.
- ❖ The **Federalist Party** was established and supported by the aristocracy, mostly in the Northeast.
- ❖ The **Republican Party** was formed because the Federalists appeared to be creating a tyrannical structure of power and they gained support from the rural South and West
- ❖ This is the **first party system**.



Federalists

Alexander Hamilton



For:

- Strong Federal Government
- Pro-British
- Government should be run by the elite & best educated
- Economy should be build around trade and commerce

Republicans

Thomas Jefferson



For:

- More power to the states
- Pro-French & French Revolution
- Government should be run by the people who are most qualified
- Agrarian society

Securing the Frontier

❖ Whiskey Rebellion

- The Constitution allowed Washington to raise an army and the rebellion was put down
- This is a contrast with Shays's Rebellion and shows the success of the Constitution



Maintaining Neutrality

❖ Citizen Genet:

- tried to gain support for the French Revolution and hire American privateers
- violated the Neutrality Act under Washington
- was an embarrassment to the pro-french Republicans



Jay's Treaty

- ❖ It did not achieve the desired effect-
 - of securing compensation for British assaults on American Shipping, demanding withdrawal of British forces from frontier posts, and negotiating a new commercial treaty
- ❖ many Americans tried to prevent its ratification because of lack of British concessions



Pinckney's Treaty

- ❖ It was very popular and favorable to the Americans
 - Spain granted America the right to navigate the Mississippi River and to use the New Orleans port to deposit goods.
 - It was made possible by the weakness of Spain at the time and the strength of the British and the Americans



The Quasi War with France

❖ The XYZ Affair

- French diplomat Talleyrand demanded a bribe before the American diplomats could talk to him
- Big embarrassment to the Republicans- the American people were outraged

❖ The Quasi War

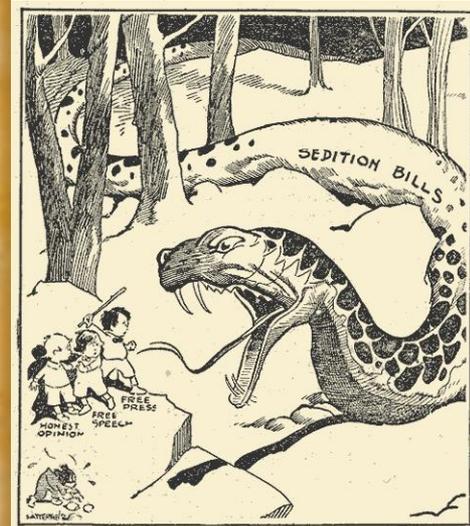
- was an undeclared naval war with France
- The Department of the Navy was first created as a response



Repression and Protest

❖ Alien and Sedition Acts

- were used to silence Republican opposition
- **Sedition Act**- prosecute people engaged in “sedition” against (criticizing) the government
- **Alien Act**- controlled immigration
- *Adams lost the next election because of these unpopular laws*

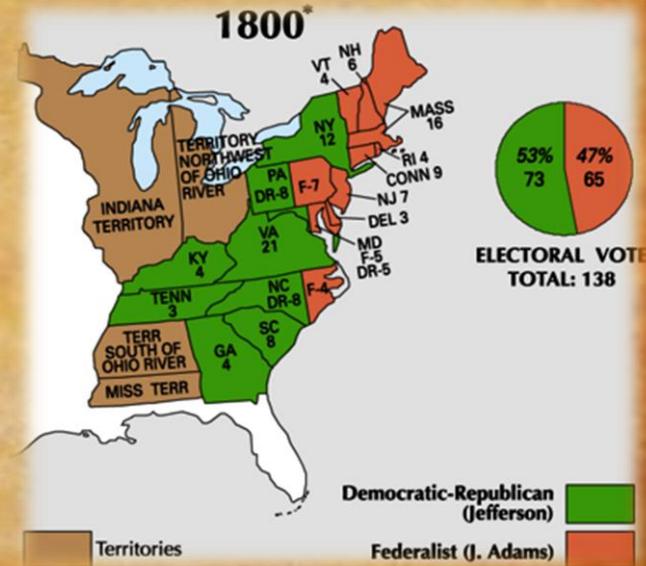
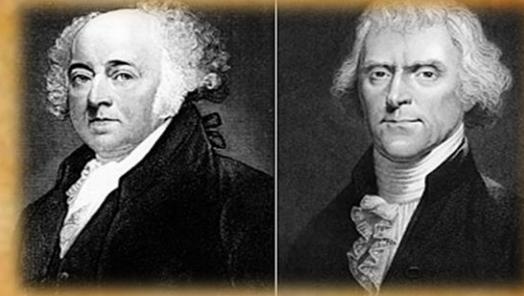


AS GAG-RULERS WOULD HAVE IT.
—Satterfield in the Jersey City Journal.



The "Revolution" of 1800

- ❖ The **first peaceful transition of power** of different political entities
 - Adams (Federalist) to Jefferson (Republican)
- ❖ Jefferson and **Burr** tied
 - The final vote was passed to the House of Representatives



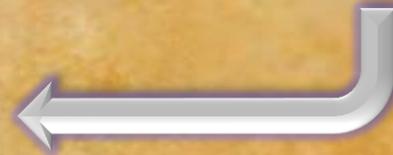
Repression and Protest

Virginia and Kentucky

Resolutions

- ❖ Written in response to the Alien and Sedition Acts by Thomas Jefferson and James Madison
- ❖ Introduced **Nullification**-states could declare a law '**null**' and '**void**' and choose not to follow it if they deemed it unconstitutional

Nullification becomes a big issue during the nullification crisis (1832) and the Civil War (1861-1865).



The Judiciary Act of 1801

- ❖ It reduced the number of Supreme Court justices by one, but greatly increased the number of federal judgeships as a whole, allowing more Federalist influence in government.
- ❖ John Adams infamously makes some last **midnight appointments** to the supreme court trying to preserve the Federalist party

