

Is weak government best for the preservation of democracy?

"The government which governs least, governs best."

--Thomas Jefferson

In declaring themselves free from the tyrannical rule of England the colonists set out to create a new nation free of the rule of a strong central government. As most colonists identified themselves as citizens of their state or colony and not the colonies or nation as a whole, states rights became an important feature in the new government. The Articles of Confederation brought the colonies together as a loose confederation with states rights being considerably more important than the power of the federal government. This confederation failed due to structural reasons.

Articles of Confederation, was the basic law of the country from its adoption in 1781 until 1789, when it was superseded by the U.S. Constitution.

Under the articles, the nation was a **confederacy**, league of independent states, each with a single vote. The unicameral legislature had little power and all states were equal, thus giving the larger states a proportional disadvantage based upon their size.

The Congress, or central government, made up of delegates chosen by the states, was given the power to conduct foreign affairs, make treaties, declare war, maintain an army and a navy, coin money, and establish post offices.

The new nation did have a few successes among them:

- The negotiation of the **Treaty of Paris** which ended the Revolutionary War.
- Guiding the young nation through the **critical period** at its birth.
- The passage of the **Northwest Ordinance**, which provided for orderly admission of states to the Union.

Measures passed by Congress, however, required the approval of 9 of the 13 states. The Congress was severely limited in its powers.

- It could not raise money by collecting taxes;
- it had no control over foreign commerce;
- it could pass laws but could not force the states to comply with them. Thus, the government was dependent on the willingness of the various states to carry out its measures, and often the states refused to cooperate.
- In addition, the articles were virtually impossible to amend, so problems could not be corrected.

These defects provided an insurmountable barrier to effective constitutional government. Several failures illustrated the new governments weakness. These failures included:

- The inability to pay off the debt from the war collectively thus appearing less like a nation in the eyes of the world. It also hurt our ability to borrow money.
- Discord among states who began taxing each other. This led to an overall slump in the national economy and, eventually, a depression.
- The government was powerless to put down **Shay's Rebellion**, a farmers revolt.

The nation's leaders realized that a stronger central administration was needed if the United States was to survive. In 1787 the Constitutional Convention met in Philadelphia to draw up a constitution, which was adopted in 1789.

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How did compromise help create a more unified nation at the second Constitutional Convention?

As it became increasingly clear that the government created under the articles of confederation was too weak to govern effectively delegates met at the Second Constitutional Convention in Philadelphia to discuss the creation of a new form of government. While almost all agreed that a new form of government was needed that was about all they could agree on. Some, like Jefferson, still clung to the fear of a strong central government that might eventually abuse its power. Others like Alexander Hamilton favored a democratic but strong central government that would be able to solidify the nation and govern more effectively. There were other issues at stake as well, for example:

- Representation: How would representatives be chosen, by population or an equal number per state and how would slaves be counted for the purposes of representation?
- Slavery: Would slavery be allowed to continue?
- The Presidency: How would he be elected, how long a term would he have to serve?
- States Rights: How much power would the states have and how much power would the central government have?

In the end these issues were worked out using the process of compromise. The chart below illustrates the different compromises reached in 1787.

The Constitutional Convention (1787)

Below is a chart detailing various issues that faced the framers of the constitution. The solutions that they created became the Constitution of the United States of America.

Issue	Compromise/Solutions
Representation:	
1. How would the legislature be chosen? The large states wanted representation based upon population; the smaller states wanted all states represented equally.	<p>1. The Great Compromise: A <i>bicameral</i> legislature consisting of two houses was set up:</p> <p>a) <u>The Senate:</u> Upper House, all states represented equally, 2 per state.</p> <p>b) <u>The House of Representatives:</u> Representation by population. 435 members subject to change as per US census.</p>
2. How would slaves be counted? The North wanted slaves counted for tax purposes, the south wanted slaves counted for the purposes of representation in Congress.	<p>2. The 3/5 Compromise: Slaves were to be counted in the following manner; 5 slaves equaled three persons.</p>
Slavery:	<p>1. Yes, but the Constitutional convention banned importation of</p>

1. Would slavery continue?

slaves after 1808.

The Presidency:

1. How would the President be elected?

1. **The Electoral College** was created to vote for the President. Each state was given the same number of electors as they had representatives. In later years the Electoral college promised to vote based upon the what the majority of each state wanted. This became known as *the electoral college promise*.

2. 4 Years.

2. How long would the Presidents term of office be?

Power of the Federal Government

1. How would the powers of the states (something very important to the colonists who at that time felt more like "Virginians or Pennsylvanians" than Americans) be protected?

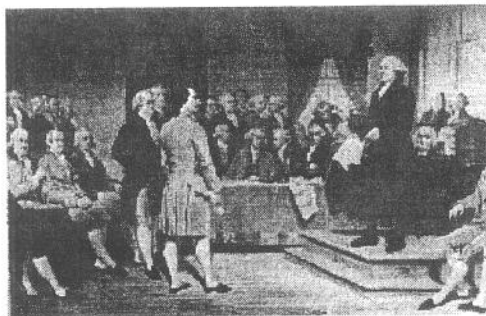
1. **Federalism** - The Federal system (also known as Division of Powers) was created. The federal government was given certain powers, the states were given certain powers and there were certain powers that they shared.

2. How would the central government's power be limited do that it could not take away peoples rights?

2. **Checks and Balances:** The government was divided into three branches. Each branch (Executive, Legislative and Judicial) was given certain powers that limited the powers of the other branches. In this way no one branch can gain too much power. This is also known as separation of powers.

The founding fathers also wrote the **Bill of Rights**.

These solutions and compromises formed the basis of the new American government written in a document called the Constitution of the United States.



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