

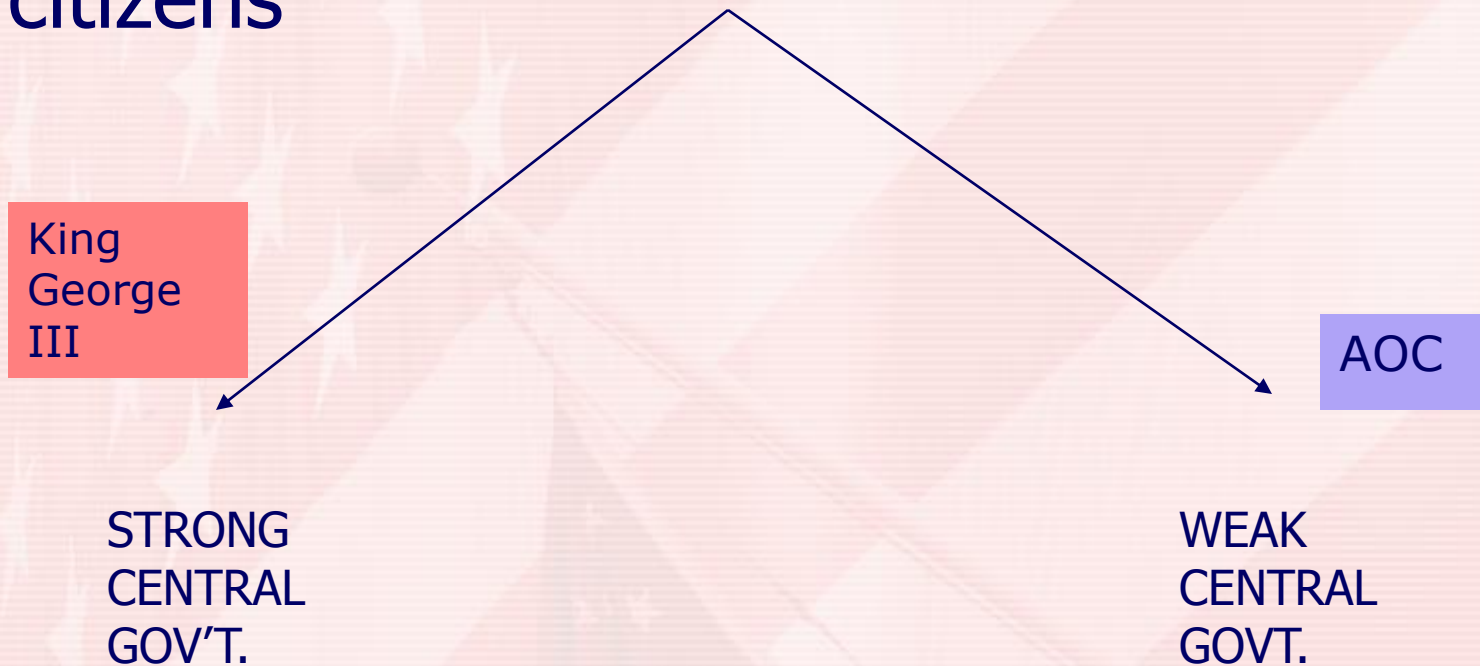


Independent... Now What?

From Articles of Confederation
to
US Constitution

Major Concern of the “new” American Leaders:

- They wanted to avoid **centralized power** that might threaten rights and liberties of citizens



Articles of Confederation

- Written by Continental Congress during Revolutionary War
 - Argued over WESTERN LANDS
 - Jefferson suggested turning “extra” land over to National Government (\$)
- AOC finally RATIFIED (1781)
- Established a VERY weak central gov’t.
- Based on idea that each colony/state was INDEPENDENT

Success under AOC- Western Lands

- Decided western lands should become states – sale land to make \$
- Land Ordinance of 1785
 - Set up orderly system for admission of new states:
- Northwest Ordinance of 1787
 - 5 new states from Ohio Valley
 - Would not allow slavery in these new states



Failures of AOC- Government too WEAK

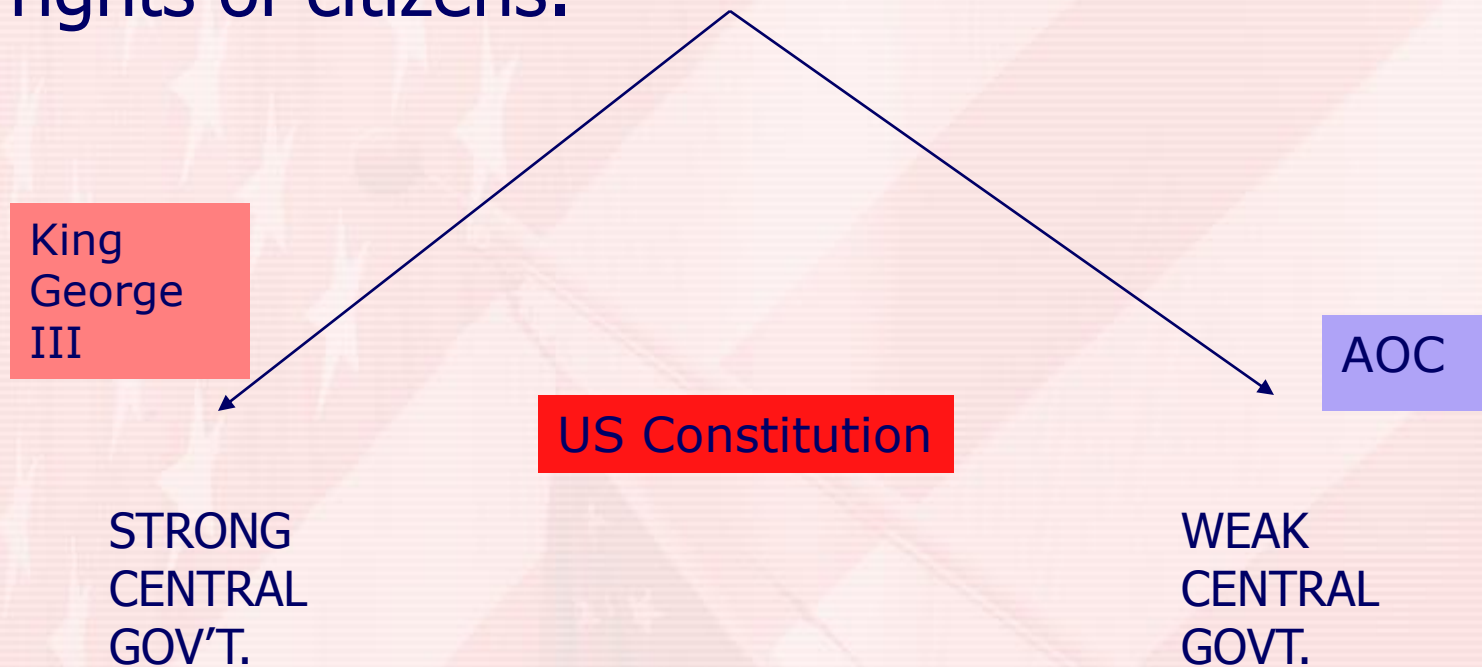
- No Power to TAX
- No Power to Regulate Trade
- No Power to raise and fund army
- No Executive Branch
- No Judicial Branch



Shays' Rebellion - PROOF

Major Concern of the “new” American Leaders after AOC:

- They wanted to create a **centralized power** that might be able to govern and STILL not abuse rights of citizens.

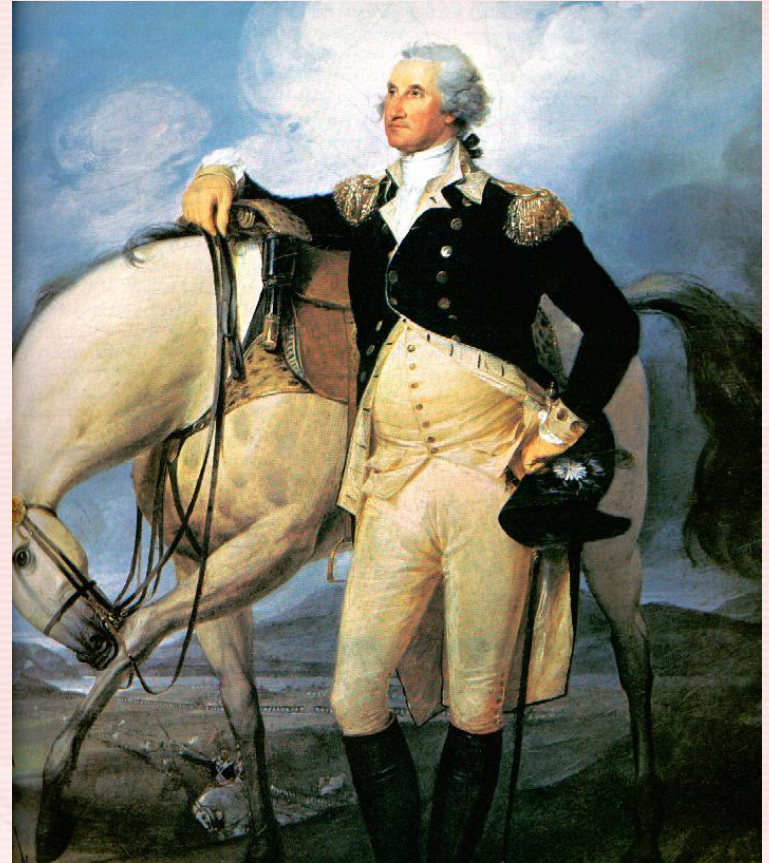


Early Decisions... Determine success

- 12/13 states = 55 delegates

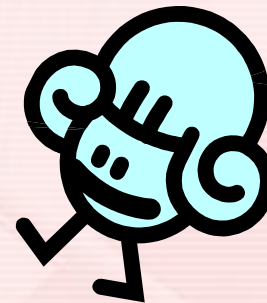
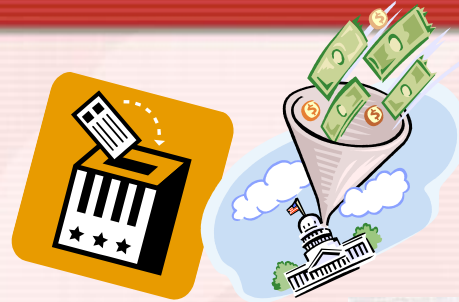
AGREEMENTS:

- George Washington unanimously selected as president of Convention
- Meet in secret
- AOC to be replaced



Disagreement among Delegates

- Means for determining representation/taxation
- Slavery and Slave Trade
- Nature of the Executive Branch



Debate over REPRESENTATION

Virginia Plan

- Bicameral Legislature
- Representation determined by state's POPULATION
- Lower House – elected by people
- Upper House – chosen by state legislatures
- Add Executive – chosen by Congress – one 7 year term
- Add a Supreme Court

New Jersey Plan

- Unicameral Legislature
- EQUAL REPRESENTATION for every state
- Add Executive COMMITTEE chosen by Congress
- Give Congress power to tax and regulate trade
- Add a Supreme Court
- Add Supremacy Clause

The Great Compromise

- Settled conflict over REPRESENTATION (and taxation):
- HOUSE OF REPRESENTATIVES
 - Number of representatives to be determined by **census** every 10 years
 - LARGE STATES MORE POWER
- SENATE
 - 2 Senators per State
 - STATES HAVE EQUAL POWER

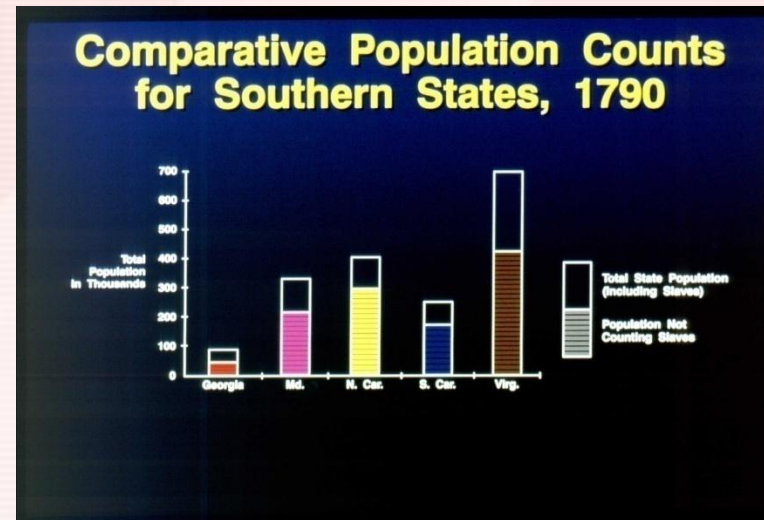


Agree to allow NATIONAL GOVERNMENT:

- POWER TO TAX
- POWER TO RAISE AN ARMY
- POWER TO REGULATE COMMERCE

Slavery Compromise

- 3/5 of total number of slaves count for representation and taxation
- Number of slaves counted by CENSUS



- Congress could not limit **SLAVE TRADE** for 20 years
- Fugitive Slaves were to be returned to owners
- Simple majority for tariffs

Trade Compromise

- Federal Government – regulates interstate trade
- Federal Government – regulates foreign trade
- NO Export Taxes; Simple Majority to impose TARIFFS
- No slave trade restrictions for 20 years (1808)

Executive Branch

- President – serve 4 year term / be reelected
- Chosen by Electoral College
- Candidate with most votes = President
- Candidate in 2nd place = Vice President
- No Majority = House of Representatives decide among top 5 choices

National Supremacy Established

- Elastic Clause

ALLOWS CONGRESS TO PASS LAWS THAT ARE "NECESSARY AND PROPER" TO CARRY OUT POWERS ENUMERATED IN THE CONSTITUTION

- Supremacy Clause

STATES THAT IN CONFLICTS BETWEEN NATIONAL AND STATE LAWS, NATIONAL LAW IS THE ***SUPREME*** LAW OF THE LAND

Ratification Process

- Required 9/13 states to ratify new Constitution before it could go into effect
- Did everyone agree?

Ratification Debate

FEDERALISTS

ANTI -FEDERALISTS