

# The American Pageant

## 15<sup>th</sup> Edition

### Chapter 9 notes

### The Confederation and the Constitution

#### I. The Pursuit of Equality

1. Most states reduced property holding requirements for voting
2. One example of social custom change was the change of the title given to an employer from “master” to boss.
  - In 1784, New York released a shipload of indentured servants because their status violated democratic ideals
3. Society of Cincinnati- an exclusive hereditary order formed by continental army officers
4. The continental congress called for the Abolition of slavery trade in 1774, some states (especially northern ones) asked for a complete abolition of slavery.
  - No state south of Pennsylvania abolished slavery
  - Laws still discriminated against blacks and slaves; slavery was not abolished because the continental congress wanted to keep the new nation together.
5. Civic virtue- the notion that democracy depended on the unselfish commitment of each citizen to the public good.
6. Republican motherhood- women would be raising the next generation of patriots.

#### II. Constitution Making in the States

1. Many of the state constitutions had many features in common
  - Many included a requirement of the annual election of legislators.
  - All of them deliberately created weak executive and judicial branches, at least by present-day standardsLegislatures were given the most power; they had to follow the will of the people in the state.

#### III. Economic Crosscurrents

1. States seized control of former crown lands.
  - Many of the large loyalist holdings were confiscated and turned into small farms.
  - In the US, economic democracy preceded political democracy.
2. A share stimulus was given to manufacturing by the prewar non-importation agreements and later by the war itself.

- Goods that had formerly been imported from Britain were mostly cut off and the ingenious Yankees were forced to make their own.
  - Economically speaking, independence had drawbacks.
  - Much of the commerce of Britain was still reserved for the loyalists of the empire.
3. American spies were now barred from British and British West Indies' harbors.
    - New commercial outlets compensated partially for the loss of the old ones
    - American ships ventured boldly (and profitably) into the Baltic and China seas.
    - States still borrowed more money during the war than they could repay.

## **IV. Shaky Start Toward Union**

1. Creating a brand new government was a large responsibility given to the new Americans especially harder than adopting a pre-made government.
  - Many of the colonies had similar government structures.
  - America had strong political leaders such as George Washington, James Madison, John Adams, Thomas Jefferson and Alexander Hamilton

## **V. Creating a Confederation**

1. Articles of Confederation- first constitution. Written in 1776.
  - The articles were not ratified until 1781.
  - One of the major arguments between states was that states with a lot of land could sell the land and pay off their debt easier than the states with smaller land mass, who would probably have to tax themselves.
  - The smaller states asked why not turn the whole western area over to the central government?
  - A unanimous approval of the articles of confederation by the thirteen states was required
  - Land starved Maryland held out until March 1st 1781 only because New York and Virginia were going to surrender western land claims.
2. Congress pledged itself to dispose of these vast areas for the common benefit
  - Planned to make land claims into states that could be admitted into the union.
  - Fertile public lands thus transferred to the central government. It later proved to be an invaluable bond of union.
  - Pioneers in the west and the common people began to view the government as a national government rather than separate state governments in which they had been used to before.

## **VI. The Articles of Confederation: America's First Constitution**

1. The articles provided for a loose confederation or "firm league of friendship"
  - Basically said that the thirteen states were linked together for joint action in dealing with common problems, such as foreign affairs.

2. There was no executive branch since George III had left a bad taste.
  - Judicial arm was left almost exclusively to the states.
  - Each state had a single vote, giving smaller states the same voice as larger states.
3. Any bills dealing with subjects of importance required the support of nine states.
  - Amendments of the articles of confederation required a unanimous vote.
  - The national government in Philadelphia could advise, advocate and appeal.
4. The articles were a significant stepping stone towards the present constitution. It outlined the general powers that were to be exercised by the central government, such as making treaties and establishing a postal service.

## **VII. Landmarks in Land Laws**

1. Old Northwest: area of land that lay northwest of the Ohio River, east of the Mississippi river, and south of the Great Lakes
2. The Land Ordinance of 1785 provided that the acreage of the old northwest should be sold and that the proceeds should be used to help pay off the national debt.
  - The new land would be surveyed before sale and settlement, thus forestalling endless confusion and law suits.
  - These lands areas were to be divided into townships. Townships were land areas 6 miles by 6 miles split into 36 section with the 16th section reserved for public schools.
3. Northwest ordinance of 1787 included temporary protection then permanent equality.
  - First there would be two stages of territory in which the area would belong to the federal government. Then when it reaches a population of sixty thousand it might be admitted by congress as a state, with all the privileges as the thirteen original colonies.

## **VIII. The World's Ugly Duckling**

1. Britain officially closed trade between the West Indies and America, through America still smuggled and traded anyway.  
Britain still had trading posts in America.

## **IX. A Convention of Demigods**

1. There was a convention called for control of commerce in Annapolis but only 5 states showed up and nothing much could be done.
2. Congress belatedly issued the call for a convention "for the sole and express purpose of revising" the Articles of Confederation.
  - Every state chose a representative except for independent Rhode Island.
  - On May 25th 1787, 55 emissaries from twelve states finally met in Philadelphia. Sessions were held in complete secrecy with armed sentinels at the doors.
3. The caliber of the participants was high. Jefferson called them "demigods." The urgency of the crisis called for the best of men to come to the aid of the country.

- Most of them were fortunately involved in making the constitutions of their own states.
- George Washington was unanimously elected chairman. His enormous prestige served to quiet tempers.
- Benjamin Franklin was the oldest statesmen and inclined to be talkative in his declining years.
- James Madison made contributions so notable that he has been dubbed the father of the constitution

## **X. Patriots in Philadelphia**

1. The fifty-five delegates were conservative, well-to-do nationalists interested in preserving and strengthening the young republic. They strongly desired a strong, firm, dignified and respected government.
2. Delegates were determined to preserve the union, forestall anarchy and ensure security of life and property against dangerous uprisings.

## **XI. Hammering Out a Bundle of Compromises.**

1. Some delegates wanted to completely scrap the old articles of confederation, despite the instructions from congress to revise them.
2. A scheme proposed by populous Virginia “the large-state plan” was first pushed forward as the framework of the constitution.
  - The Virginia plan’s essence was that the representation in both houses should be based on population- which would give the larger states an advantage.
3. Tiny New Jersey, countered with the “small-state plan”. The New Jersey plan provided for equal representation in a unicameral congress regardless of size and population.
4. After bitter and prolonged debate, the Great Compromise was agreed on. The larger states were represented by population in the house of representative and the smaller states were appeased by equal representation in the senate.
  - The critical compromise broke the logjam and success was within reach.
5. The final constitution was short. It mostly provided a flexible guide of broad rules or procedures rather than a fix set of detailed laws.
6. The president was to have broad authority to make decisions yet the presidential power was far from absolute.
7. Another issue was determining whether the voteless slaves of the south should count as representation.
  - The south answered “yes” but the north replied “no.” as a compromise between total representation and none at all it was decided that a slave would count as three-fifths of a person- The Three-fifths Compromise.
  - Slave trade was forbidden after 1807.

## **XII. Safeguard for Conservatism**

1. Most of the delegates were in basic agreement economically, and were scared of rebellions like Daniel Shay's and made sure to take steps to keep the nation peaceful.
2. At the end of 17 weeks only 42 of the original 55 members remained to sign the constitution. Three of the 42 refused to sign it.

### **XIII. The Clash of Federalists and Antifederalists**

1. The delegates knew that acceptance of all 13 states wouldn't be easy. Delegates stipulated that when nine states registered approval the Constitution would become supreme law of the land.
2. The American people were astonished and split into two.
  - o The Antifederalists, who opposed the stronger federal government, were arrayed against the federalists who favored it.
  - o A large number of antifederalists saw the constitution as a plot by the upper crust to steal power back from the common folk.
  - o Federalists had power and influence on their side. Had support from George Washington and Benjamin Franklin.

### **XIV. The Great Debate in the States**

1. Nine states accepted the constitution and on June 21st 1788 the document was officially adopted.

### **XV. The Four Laggard States**

1. Virginia, New York, North Carolina and Rhode Island provided fierce antifederalist opposition.
  - o Eventually Virginia and New York they saw that they could not continue as independent states and accepted the Constitution.

### **XVI. A Conservative Triumph**

1. The minority had triumphed- twice. The militant radicals had engineered the military revolution against the British and only about one-fourth of the adult white males had voted for delegates to ratify the constitution.

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