

# *What is a republic?*

- a state or government, specifically one headed by a president, in which the power is exercised by officials elected by the people
- What separates a Republic from other forms of government?
  - Power is held by the people
  - Representatives responsible for helping all people; not just a few

# Warm Up

[At the top of NB 100, SC: Independent before the Revolution?, write a complete sentence beginning with]

South Carolinians contributed to the Articles of Confederation by

We the People

# The Constitutional Convention



# Warm Ups

Monday

Define constitution.

1. Define confederation.
2. Why did the writers of the Articles (of Confederation) intentionally give more power to the states than the national government?

**Write the questions and the answers**



# *What is a Constitution?*

- Framework (rule book) for government
- Some are written (U.S., South Africa)
- Some are unwritten and follow tradition (Britain)
- By definition, every nation has a constitution

130130 People  
2000

Questions addressed in a constitution:

1. What are the purposes of government?
2. How is the government organized? What are the parts?
3. How does the government makes rules or laws?
4. How are people chosen to participate in government

# *Articles of Confederation*

Submitted on July 12, 1776; passed on August 5, 1781

## Government under the articles:

Weak (limited) national government

Legislature (Congress) had one house; each state had one vote; unicameral legislature

Congress had limited power and every action had to be approved by 9 of 13 states

No executive branch

# *Articles of Confederation*

## Accomplishments!

1. Successfully waged war against Britain
2. Negotiated the Treaty of Paris
3. Required that each state recognize the laws of the others
4. Criminals were sent back to the state where the crimes were committed
5. Passed the Northwest Ordinance



# *Articles of Confederation*

- Problems:
  1. No money and no way to get any (had no authority to pass taxes)
  2. No power over state governments
  3. No power over problems between states
  4. No power to regulate trade

# Assignment

**Articles of Confederation** questions from the  
Call to Freedom book, pgs 184-187

Chart: **Articles of Confederation** side only

# Warm Up; pgs 186-187, 210

1. Why was the Northwest Ordinance of 1787 passed?
2. What present-day states were included in the Northwest Territory?
3. What were the requirements for this territory becoming states? (list 3 requirements)
4. What decision was made concerning education?
5. What decision was made concerning slavery?



# The Northwest Ordinance

1. To establish a political structure for the Northwest territory.
2. Illinois, Indiana, Michigan, Ohio, and Wisconsin





# The Northwest Ordinance

3. (1) 60,000 free inhabitants
- (2) draft their own constitution
- (3) petition Congress to be admitted to the Union as a state
4. Public education would be provided for the citizens of the region
5. No slavery or involuntary servitude [forced labor]

At the top of NB 59 back

Define **foreclosure**.

**Legal proceedings in which an indebted person's property is seized**

# Shay's Rebellion

Farmers, led by Daniel Shay, respond to the problems with the Articles of Confederation.

Massachusetts levies a tax on land in an attempt to pay its war debt.

Farmers (land owners who were taxed) who were unable to pay their debts in Massachusetts had to

1. sell their property
2. serve terms in debtors' prison or
3. sell themselves into indentured servitude

Farmers suffered from foreclosures.

# Shay's Rebellion

Result? Farmers revolted!

Led by Daniel Shay, a poor farmer and Revolutionary War hero.

Armed with pitchforks and farm tools, farmers closed down courts in Massachusetts and attempted to capture the federal arsenal in Springfield.

Why? Closed courts could not foreclose on their farms.



# Shay's Rebellion

Results:

600 militiamen sent to protect the arsenal

Brief engagement ~ troops defeated and scattered the rebels

Rebels sentence to death, but changed to lighter sentences. Most participants were eventually freed, including Shay.

Many citizens sympathized with the rebels.

# Shay's Rebellion

Impact:

Political leaders, including Washington, disturbed.

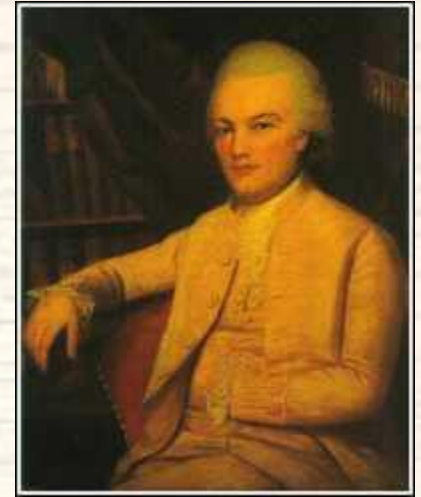
Some leaders were pleased! “A little rebellion, now and then, is a good thing . . . The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants.”

Showed the weakness of the Confederation Government (congress could offer no assistance to put down the rebellion)

Americans began calling for a stronger central government that would protect them in times of crisis

# *Who attended the Constitutional Convention?*

- 55 men
- Most important: George Washington, Ben Franklin, James Madison
- S.C. delegates: Pierce Butler, Charles Pinckney, Charles Cotesworth Pinckney, John Rutledge
- Most notably absent: Thomas Jefferson and John Adams.





# *The Beginnings of the Convention*

- May 25, 1787
- Quickly agreed upon three principles:
  - Congress told them to recommend ways to improve the Articles of Confederation. They decided to ignore this and write a new one.
  - Keep the record of what was said a secret for 30 years.
  - Each state would have one vote.



# Conflicts and Compromises

1. Where are they meeting?
2. Why are they meeting?

# Checking for Understanding

What specific directions were given to the men at the Constitutional Convention that they decided not to follow?

# *The Conflict Between North and South*

- How was the southern economy set up?
  - Agrarian based on slavery
- How was the northern economy set up?
  - Relied on free labor, “factory”
  - Farmers, fishermen, merchants, bankers, etc.

# *Conflicts Between North and South*

## 1. Protective tariffs: taxes on products imported from other nations

### Northern position:

- Protective tariffs necessary to be competitive with England
- Wanted national government to control trade

### Southern position

- Protective tariffs would increase the cost of manufactured goods bought from Britain
- Unfairly favored the North
- England would then place protective tariffs on southern products
- SC opposed to any regulation of exports (exported cash crops → great wealth)



# Checking for Understanding

- Why was the tariff good for the north, but bad for the south?

# Warm Ups

1. What is a foreclosure?
2. What is a tariff?
3. How did tariffs help the north?

# *Conflicts Between North and South*

## 2. Slavery (trade regulations)

- Southern states said they would not be a part of the national government if they could not own and import slaves. (when is this happening?)
- SC was a participant in the international slave trade

- Additional issue: would slaves be counted as part of the population of slave holding states  
→ additional representation in Congress?
- **Northern View:** Against – would give southern states more representation in the House of Representatives
- **Southern View:** For !!
- Additional Issue: would slaves be counted for taxation purposes (property tax)
- **Northern view:** For – southern states would carry more of the tax burden
- **Southern view:** Against !!



# Checking for Understanding

- Why did the southern states want to count their slaves in their population counts?

# Slave Population of the Thirteen Original States from the 1790 Census

State	Population	Slave Population
Connecticut	237,946	2,764
Delaware	59,096	8,887
Georgia	82,548	29,264
Maryland	319,728	103,036
Mass.	378,787	0
New Hampshire	141,885	158
New Jersey	184,139	11,423
New York	340,120	21,324
NC	393,751	100,572
Pennsylvania	434,373	3,737
Rhode Island	68,825	948
SC	249,073	107,094
Virginia	691,737	292,627

# *Compromise Between North and South*

## 1. Tariffs

- Congress given power to control trade and place tariffs on imports **Who does this benefit?**

## 2. Slavery

- National government would not interfere with the slave trade until 1808.
- Three-Fifths Compromise: each slave counted as  $\frac{3}{5}$  of a person
  - Why is this a compromise?
  - all won't count in representation in the government
- Fugitive Slave Clause: slaves who escape to other states would be returned

# Checking for Understanding

- Why was South Carolina against the 3/5 compromise?



# *Commerce Compromise Navigation Acts*

Federal Government would

**Only Tax imports, but not exports.**

The only **exception** would be **slavery**

*The federal government would not*

*Attempt to regulate the international slave  
trade for at least 20 years*

# Warm Ups Dec 14-18 NB 64

Tuesday, 12/15

1. What exception was made in the Commerce Compromise / Navigation Acts?
2. Why was SC against the 3/5 Compromise?

# Conflict Over Representation

- Question: How many delegates should be sent to Congress from each state?
- **Virginia Plan- (Large State Plan)**
  - A. Power goes to the central gov't.
  - B. 3 Branches of the National Gov't.  
(Legislative, Executive, and Judicial)
  - C. Bicameral (2 house) legislature with representation **chosen by population** of state.

# *Conflict over Representation*

- **New Jersey Plan (small state plan):**
  - A. Wanted to keep current unicameral state where each state has an **equal number of votes.**
  - B. Gave the Federal Government the power to tax citizens in all states.



# The Great Compromise

- Proposed by Benjamin Franklin

Three Parts:

1. Congress would have two houses:  
House of Representatives and Senate
  2. House would be elected based on population; 1 representative per 40,000 people
  3. Senate had equal votes for each state.
- Passed by one vote

# On your goal sheet

Vocab – from Call to Freedom textbook

22-25 – James Madison and John Lewis Gervais

#26-28, 30-31, 33-45

1. (a) What important difference of opinion existed between the northern and southern states? (b) Which of these do you think was the most controversial? (c) Why?
2. What fundamental ideas about constitutional government were violated by the compromise reached between the northern and southern delegates?
3. Are there other ways that the issue of slavery could have been resolved at the convention?  
**Explain your position.**

Congress could	Congress Could Not
Maintain an army and navy	Levy taxes on states
Make treaties and alliances with other nations	Elect a president
Borrow money	Amend the articles without the consent of all 13 states
Establish a post office	Require states to provide money for running the national government
Regulate coinage	Regulate trade and commerce
Manage affairs with Native Americans	Enforce a law in any state that did not accept that law
Declare war and peace	Prevent states from issuing their own money

1. Under the Articles, do you think one state could place an import tax on another state? Why or why not?
2. Why do you think the writers of the Articles of Confederation did not want a president?
3. Do you think the writers of the Articles wanted a strong national government or weak? Explain.



Wednesday, Dec 17, NB 73

1. What does ratify mean?

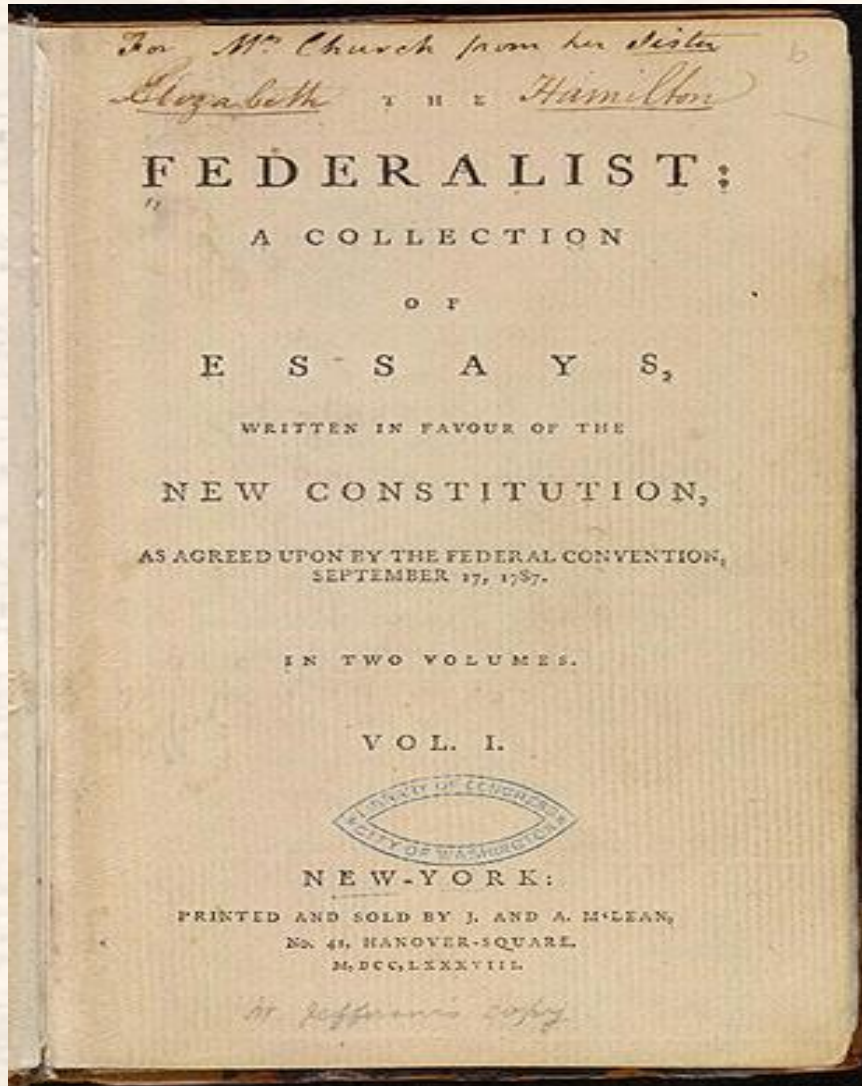
# *Ratifying the Constitution*

- In order for the Constitution to be in effect, 9 of the 13 states had to ratify (formally approve) the document.
- Anti-Federalists—opposed the Constitution because they thought it gave too much power to the central gov't
- Federalists—supported constitution and believed it provided a good balance of power.
- **Low Country elite – mostly Federalists**
- **Up Country – mostly Antifederalists**

# Checking for Understanding

- What does it mean to ratify something?

# The Federalist Papers



- Written anonymously under the name Publius (Hamilton wrote 50 or 51; Madison 30 or 29; John Jay 5)
- Defended the Constitution



# Checking for Understanding

- What does anonymously mean?

# *Final Votes*

- Dec 1787—Delaware became the first state to ratify the Constitution
- By mid 1788—Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina and New Hampshire
- Four had not ratified yet (VA, NY, NC, RI)
- Constitution goes into effect June 1788

# *Final Votes*

- Ratification fights continue in 4 other states.
- Political leaders wanted Virginia (largest population) and New York (center for business and trade) to approve the constitution.
- Finally ratified—Va 1788, NY 1788; NC-1789, RI 1790

# *Bill of Rights*

- Several states only ratified after the assurance that a bill of rights would be added to the Constitution.
- **Anti-Federalists** believed a Bill of Rights was needed **because** they did not think Constitution protected personal liberties.
- **Federalists** did not think a Bill of Rights was needed **because** they thought it was unnecessary because people were promised these rights under state constitutions and the constitution itself was a bill of rights.



# Checking for Understanding?

- What did the anti-federalists required in order to be willing to ratify the constitution?

# *Bill of Rights*

- Bill of Rights was added to the Constitution as changes or “amendments”
- The first 10 Amendments to the constitution are known as the Bill of Rights.

# Checking for Understanding

- What is an amendment?

# *Bill of Rights*

- Copy the following onto your Bill of Rights worksheet.

## Amendments:

- I. Freedom of religion, speech, press and the right to assemble
- II. Right to bear arms
- III. You cannot be required to allow soldiers to live in your home



- IV People cannot be illegally searched or items seized
- V Can't be tried for the same crime twice (double jeopardy) and don't have to testify against yourself (plead the 5<sup>th</sup>)
- VI guarantee a speedy and fair trial
- VII You have the right to a jury trial
- VIII No excessive bail, fines, or unusual punishment

- IX Just because it is not a listed right doesn't mean you don't have it
- X Any power not delegated by the Constitution or prohibited by the states is a power of the people.

# *The Preamble*

We the people of the United States

In Order to form a more perfect Union

establish Justice

insure domestic tranquility

provide for the common defense

promote the general Welfare and

secure the Blessings of Liberty to ourselves and our posterity

do ordain and establish this Constitution for the United States of America.

# Am I a Federalist or and Antifederalist?

- Powers of the Federal government should be limited.
- I believe in a strong central government.
- I believe the states have the right to decide whether or not slavery is legal.
- I believe in a Bill of Rights for the U.S. Constitution.
- I believe that the Constitution will lead to a tyranny.
- I am in favor of a National Bank.
- The national government would be located too far from most people's communities to allow them to participate.
- Citizens' rights are spelled out enough in the Preamble and the Constitution. We do not need another document to specify our rights.
- The system of checks and balances is an efficient way of making sure power is not abused in the federal government.