CHAPTER 4 1777–1791

Forming a Government

California Standards

History–Social Science
8.2 Students analyze the political principles underlying the U.S. Constitution and compare the enumerated and implied powers of the federal government.
8.3 Students understand the foundation of the American political system and the ways in which citizens participate in it.
8.9 Students analyze the early and steady attempts to abolish slavery and to realize the ideals of the Declaration of Independence.

Analysis Skills
CS 1 Students explain how major events are related to one another in time.
HI 2 Students understand and distinguish cause, effect, sequence, and correlation in historical events.
HR 5 Students detect different historical points of view.

English–Language Arts
Writing 8.2.4.a Write persuasive compositions that include a well-defined thesis.
Reading 8.2.0 Students read and understand grade-level appropriate material.

A Newspaper Editorial It is 1788 and you're writing an editorial for a local newspaper. You want to convince your readers that the new Constitution will be much better than the old Articles of Confederation. In this chapter you'll find the information you need to support your opinion.

1777
The Continental Congress approves the Articles of Confederation on November 15.

1778
The United States and France become allies.
This photo shows Speaker of the House Dennis Hastert swearing in the 108th Congress, the legislative branch of the U.S. government. In this chapter, you will learn about the nation’s earliest government, the Articles of Confederation, and its failures to achieve national unity. You will also read about the writing of the Constitution and how it attempted to solve the problems of the Articles by creating a new system of government with three branches.

What You Will Learn...

1780
Spain completes its conquest of British Florida.

1781
On March 1 the Articles of Confederation go into effect after being ratified by all 13 states.

1782
The United States begins using the dollar currency.

1785
Shays’s Rebellion breaks out in Massachusetts.

1786
On May 14, state delegates begin to arrive at the Constitutional Convention in Philadelphia.

1787
The Bill of Rights is ratified by the states in December.

1791
The Lady Washington becomes the first U.S. ship to reach Japan.
Focus on Themes  Visualize a row of dominoes, lined up one after the other. Push over the first one, and—one after the other—all eventually fall. In this way, the events in this chapter are like dominoes that cause each other to occur. These events, one after another, finally led to the formation of a new government and a new society. If you read closely, you will see that political disagreements started the entire process.

Chronological Order

Focus on Reading  Like falling dominoes, historical events can create huge chains of results, often stretching over many years. To understand history and events, therefore, we often need to see how they are related in time.

Understanding Chronological Order  The word chronological means “related to time.” Events discussed in this history book are discussed in sequence, in the order in which they happened. To understand history better, you can use a sequence chain to take notes about events in the order they happened.

Sequence Chain

1620  The Pilgrims sign the Mayflower Compact.

1639  Connecticut creates the first constitution in the English colonies.

1689  The English Bill of Rights is passed.

1776  The American colonies declare their independence from Great Britain.

Tip: Writers sometimes signal chronological order, or sequence, by using words or phrases like these: first, before, then, later, soon, after, before long, next, eventually, finally.

Additional reading support can be found in the Reader and Study Guide.
You Try It!

Read the following passage and answer the questions that follow.

Farmers Rebel

In August 1786, farmers in three western counties began a revolt. Bands of angry citizens closed down courts in western Massachusetts. Their reasoning was simple—with the courts shut down, no one’s property could be taken. In September, a poor farmer and Revolutionary War Veteran, Daniel Shays, led hundreds of men in a forced shutdown of the Supreme Court in Springfield, Massachusetts. The state government ordered the farmers to stop the revolt under threat of capture and death. These threats only made Shays and his followers more determined. The uprising of farmers to protest high taxes and heavy debt became known as Shays’s Rebellion.

Shay’s forces were defeated by state troops in January 1787. By February many of the rebels were in prison. During their trial, 14 leaders were sentenced to death. However, the state soon freed most of the rebels, including Shays.

After you have read the passage, answer the following questions.

1. Which happened first—citizens closing courts in western Massachusetts or Shays shutting down the Supreme Court? How can you tell?

2. What happened after Shays’s forces were defeated by state troops?

3. Draw a sequence chain that shows the effects of Shays’ Rebellion in the order they occurred.
You live in a town in New England during the 1770s. In the town meeting, people are hotly debating about who will have the right to vote. Most think that only men who own property should be able to vote. Some think that all property owners—men and women—should have that right. A few others want all free men to have the vote. Now it is time for the meeting to decide.

How would you have voted on this issue?

If YOU were there...

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How would you have voted on this issue?

BUILDING BACKGROUND At the time of the Revolution, each of the 13 states had its own government. The rights of citizens varied from state to state. In their town meetings, people often argued about exactly what those rights ought to be. Solving such issues was one step in moving toward a national government.

Ideas about Government

The American colonies had taken a bold step in declaring their independence from Great Britain in July 1776. Their next political goal was to form a new government. To do so, the American people drew from a wide range of political ideas.

English Laws and the Enlightenment

One source of inspiration was English law. England had limited the power of its kings and queens in two documents. These were Magna Carta and the English Bill of Rights. Magna Carta, a document signed by King John in 1215, made the king subject to law. The English Bill of Rights, passed in 1689, declared the supremacy of Parliament. It kept the king or queen from passing new taxes or changing laws without Parliament’s consent. As a result, the people’s representatives had a strong voice in England’s government.

Americans were also influenced by Enlightenment—a philosophical movement that emphasized the use of reason to examine old
ideas and traditions. Philosopher John Locke believed that a social contract existed between political rulers and the people they ruled. Baron de Montesquieu argued that the only way people could achieve liberty was through the separation of governmental powers.

**American Models of Government**

Americans had their own models of self-government to follow, like town meetings, the Virginia House of Burgesses, and the Mayflower Compact. In 1639 the people of Connecticut drew up the English colonies’ first written constitution. A constitution is a set of basic principles and laws that states the powers and duties of the government. In addition, the Declaration of Independence clearly set forth the beliefs on which Americans thought government should be based.

**State Constitutions**

To keep individual leaders from gaining too much power, the new state constitutions created limited governments, or governments in which all leaders have to obey the laws. Most state constitutions had rules to protect the rights of citizens. Some banned slavery. Some protected the rights of those accused of a crime. Thomas Jefferson’s ideas about religious freedom were included in the Virginia Statute for Religious Freedom. This document declared that no person could be forced to attend a particular church or be required to pay for a church with tax money.

**Right to Vote**

Under British rule, only free, white men that owned land could vote. Many states’ constitutions expanded suffrage, or the right to vote, by allowing any white man who paid taxes to vote. In every state, however, only landowners could hold public office. Some states originally allowed women and free African Americans to vote, but these rights were soon taken away. Suffrage would not be restored to these groups for decades to come.

**Reading Check** Comparing What two principles were common to state constitutions written during the Revolutionary War?

**Women’s Suffrage**

New Jersey allowed women to vote when it first joined the United States. This right was taken away by 1807.

*Why do you think women were not allowed to vote in the early United States?*
**Articles of Confederation**

The Second Continental Congress was organized to create a national government. The Continental Congress appointed a Committee of Thirteen, with one member from each colony. This group was assigned to discuss and draft the Articles of Confederation, the new national constitution.

Under the Articles of Confederation, Congress would become the single branch of the national government, but it would have limited powers in order to protect the liberties of the people. Each state had one vote in the Congress. Congress could settle conflicts among the states, make coins, borrow money, and make treaties with other countries and with Native Americans. Congress could also ask the states for money and soldiers. However, states had the power to refuse these requests. In addition, the government did not have a president or a national court system.

The Second Continental Congress passed the Articles of Confederation on November 15, 1777. Then it sent the Articles to each state legislature for ratification, or official approval, before the new national government could take effect.

Conflicts over claims to western lands slowed the process, but by 1779 every state except Maryland had ratified the Articles. Maryland’s leaders refused to ratify until other states gave up their western land claims. Thomas Jefferson assured Maryland that western lands would be made into new states, rather than increasing territory for existing states. Satisfied with this condition, in March 1781 Maryland ratified the Articles. This put the first national government of the United States into effect.

**READING CHECK** Summarizing What were two weaknesses in the new national government?
Northwest Territory

Congress had to decide what to do with the western lands now under its control and how to raise money to pay debts. It tried to solve both problems by selling the western lands. Congress passed the Land Ordinance of 1785, which set up a system for surveying and dividing western lands. The land was split into townships, which were 36 square miles divided into 36 lots of 640 acres each. One lot was reserved for a public school, and four lots were given to veterans. The remaining lots were sold to the public.

To form a political system for the region, Congress passed the Northwest Ordinance of 1787. The ordinance established the Northwest Territory, which included areas that are now in Illinois, Indiana, Michigan, Ohio, Minnesota, and Wisconsin. The Northwest Ordinance created a system for bringing new states into the Union. Congress agreed that the Northwest Territory would be divided into several smaller territories with a governor appointed by Congress. When the population of a territory reached 60,000, its settlers could draft their own constitution and ask to join the Union.

In addition, the law protected civil liberties and required that public education be provided. Finally, the ordinance stated that “there shall be neither slavery nor involuntary servitude [forced labor] in the . . . territory.” This last condition banned slavery in the Territory and set the standard for future territories. However, slavery would continue to be a controversial issue.

READING CHECK Analyzing Information

How did the Northwest Ordinance of 1787 affect the United States?

SUMMARY AND PREVIEW

The Northwest Ordinance settled the future of the Northwest Territory. In the next section you will read about other challenges the new government faced.

Section 1 Assessment

Reviewing Ideas, Terms, and People

1. a. Identify What documents influenced ideas about government in the United States?
   b. Draw Conclusions What impact did the Virginia Statute for Religious Freedom have on the U.S. government?

2. a. Identify What was the Articles of Confederation?
   b. Summarize What powers were granted to Congress by the Articles of Confederation?
   c. Predict What are some possible problems that might result from the lack of a national court system?

3. a. Describe How were public lands in the West divided by the Land Ordinance of 1785?
   b. Evaluate In your opinion, what was the most important element of the Northwest Ordinance of 1787? Why?

Critical Thinking

4. Categorizing Copy the chart below. Use it to identify the strengths and weaknesses of the government created by the Articles of Confederation.

<table>
<thead>
<tr>
<th>Articles of Confederation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengths</td>
</tr>
<tr>
<td>Weaknesses</td>
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5. Thinking about the Articles of Confederation

Make a list of powers the Articles of Confederation gave the national government. Which ones seem strong? Can you think of any important powers that are missing?
The U.S. Constitution created a republican form of government based on the consent of the people. The framers of the Constitution blended ideas and examples from both the American colonies and from England to write this lasting document.

**THE MAYFLOWER COMPACT, 1620**

The *Mayflower*, shown here in an illustration, sailed to America in 1620. Aboard the ship, 41 men signed the Mayflower Compact, the first document in the colonies to establish guidelines for self-government. The signers agreed that they and their families would combine to form a “civil body politic,” or community.

**COLONIAL ASSEMBLIES**

The British Parliament’s two-chamber structure also influenced colonial governments. In Article I, Section 1, of the Constitution, the framers continued the practice of a two-chamber legislature.

“All legislative powers . . . shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.”

—Article 1, Section 1, U.S. Constitution

**VIRGINIA STATUTE FOR RELIGIOUS FREEDOM, 1786**

Classical liberal principles such as the written protection of citizens’ personal liberties were reflected in the addition of the Bill of Rights. The First Amendment’s freedom of religion clauses were based on Thomas Jefferson’s Virginia Statute for Religious Freedom. The document, which was accepted by the Virginia legislature in 1786, ensured the separation of church and state in Virginia.

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . .”

—First Amendment, U.S. Constitution
1. What documents did the framers look to when writing the Constitution?
2. How did the English Parliamentary system affect the kind of government the framers created?
If YOU were there...

You own an orchard in Maryland in the 1780s. When you sell apples and apple pies in the market, people pay you with paper money. But now the tax collector says you must pay your taxes in gold or silver coins, not paper money. You and the other farmers are furious. Is this the liberty you fought a war for?

What would you do to protest against these taxes?

Relations with Other Countries

Under the Articles of Confederation, Congress could not force states to provide soldiers for an army. The Continental Army had disbanded, or dissolved, soon after the signing of the Treaty of Paris of 1783. Without an army, the national government found it difficult to protect its citizens against foreign threats.

Trouble with Britain

It was also difficult to enforce international treaties such as the Treaty of Paris of 1783. The United States found it especially hard to force the British to turn over “with all convenient speed” their forts on the American side of the Great Lakes. The United States wanted to gain control of these forts because they protected valuable land and fur-trade routes. Still, Britain was slow to withdraw from the area. A British official warned against the United States trying to seize the forts by force. He said that any attempt to do so would be opposed by the thousands of British soldiers who had settled in Canada after the Revolution “who are ready to fly to arms at a moment’s warning.”
Trade with Britain

The United States also faced problems trading with Great Britain. After the signing of the Treaty of Paris, Britain closed many of its ports to American ships. Before the Revolutionary War, colonial ships had traded a great deal with the British West Indies and stopped there on their way to other destinations. This travel and trading stopped after 1783.

In addition, Britain forced American merchants to pay high tariffs—taxes on imports or exports. The tariffs applied to goods such as rice, tobacco, tar, and oil that were grown or mined in the United States and then sold in Britain. Merchants had to raise prices to cover the tariffs. Ultimately, the costs would be passed on to customers, who had to pay higher prices for the goods. The economic condition of the country was getting worse by the day.

Trade with Spain

In 1784 Spanish officials closed the lower Mississippi River to U.S. shipping. Western farmers and merchants were furious because they used the Mississippi to send goods to eastern and foreign markets. Congress tried to work out an agreement with Spain, but the plan did not receive a majority vote in Congress. The plan could not be passed. As a result, Spain broke off the negotiations.

Many state leaders began to criticize the national government. Rhode Island’s representatives wrote, “Our federal government is but a name; a mere shadow without substance [power].” Critics believed that Spain might have continued to negotiate if the United States had possessed a strong military. These leaders believed that the national government needed to be more powerful.
Impact of Closed Markets

The closing of markets in the British West Indies seriously affected the U.S. economy. James Madison of Virginia wrote about the crisis.

“The Revolution has robbed us of our trade with the West Indies . . . without opening any other channels to compensate [make up for] it. In every point of view, indeed, the trade of this country is in a deplorable [terrible] condition.”

—James Madison, quoted in Independence on Trial by Frederick W. Marks III

Farmers could no longer export their goods to the British West Indies. They also had to hire British ships to carry their goods to British markets, which was very expensive. American exports dropped while British goods flowed freely into the United States. This unequal trade caused serious economic problems for the new nation. British merchants could sell manufactured products in the United States at much lower prices than locally made goods. This difference in prices hurt American businesses.

The Confederation Congress could not correct the problem because it did not have the authority either to pass tariffs or to order the states to pass tariffs. The states could offer little help. If one state passed a tariff, the British could simply sell their goods in another state. Most states did not cooperate in trade matters. Instead, states worked only to increase their own trade rather than working to improve the trade situation for the whole country.

In 1785 the situation led a British magazine to call the new nation the Dis-United States. As a result of the trade problems with Britain, American merchants began looking for other markets such as China, France, and the Netherlands. Despite such attempts, Britain remained the most important trading partner of the United States.

Economic Problems

In addition to international trade issues, other challenges soon appeared. Trade problems among the states, war debts, and a weak economy plagued the states.

Trade among States

Because the Confederation Congress had no power to regulate interstate commerce—trade between two or more states—states followed their own trade interests. As a result, trade laws differed from state to state. This situation made trade difficult for merchants whose businesses crossed state lines.

Inflation

After the Revolutionary War, most states had a hard time paying off war debts and struggled to collect overdue taxes. To ease this hardship, some states began printing large amounts of paper money. The result was inflation. This money had...
little or no real value, because states did not have gold or silver to back it up. Inflation occurs when there are increased prices for goods and services combined with the reduced value of money. Congress had no power to stop states from issuing more paper money and thus stop inflation.

**Weak Economy**
In Rhode Island the state legislature printed large amounts of paper money worth very little. This made debtors—people who owe money—quite happy. They could pay back their debts with paper money worth less than the coins they had borrowed. However, creditors—people who lend money—were upset. Hundreds of creditors fled Rhode Island to avoid being paid back with worthless money.

The loss of trade with Britain combined with inflation created a depression. A depression is a period of low economic activity combined with a rise in unemployment.

**Shays’s Rebellion**
Each state handled its economic problems differently. Massachusetts refused to print worthless paper money. It tried to pay its war debts by collecting taxes on land.

**Heavy Debts for Farmers**
Massachusetts’s tax policy hit farmers hard. As landowners, they had to pay the new taxes. However, farmers had trouble paying their debts. The courts began forcing them to sell their property. Some farmers had to serve terms in debtors’ prison; others had to sell their labor.

Many government leaders in the state did not care about the problems of poor farmers, however. In some cases, farmers actually owed these leaders money.

**Farmers Rebel**
In August 1786, farmers in three western counties began a revolt. Bands of angry citizens closed down courts in western Massachusetts. Their reasoning was simple—with the courts shut down, no one’s property could be taken. In September a poor farmer and Revolutionary War veteran, Daniel Shays, led hundreds of men in a forced shutdown of the Supreme Court in Springfield, Massachusetts. The state government ordered the farmers to stop the revolt under threat of capture and death. These threats only made Shays and his followers more determined. The uprising of farmers to protest high taxes and heavy debt became known as Shays’s Rebellion.

**Shays’s Defeat**
Shays’s forces were defeated by state troops in January 1787. By February many of the rebels were in prison. During their trials, 14 leaders were sentenced to death. However, the state soon freed most of the rebels, including Shays. State officials knew that many citizens of the state agreed with the rebels and their cause.

**READING CHECK**
**Summarizing** What economic problems did the new nation face?

**READING CHECK**
**Finding Main Ideas**
What led to Shays’s Rebellion?
Calls for Change

In the end, Shays’s Rebellion showed the weakness of the Confederation government. It led some Americans to admit that the Articles of Confederation had failed to protect the ideals of liberty set forth in the Declaration of Independence. When Massachusetts had asked the national government to help put down Shays’s Rebellion, Congress could offer little help. More Americans began calling for a stronger central government. They wanted leaders who would be able to protect the nation in times of crisis.

Earlier in 1786 the Virginia legislature had called for a national conference. It wanted to talk about economic problems and ways to change the Articles of Confederation. The meeting took place in Annapolis, Maryland, in September 1786.

Nine states decided to send delegates to the Annapolis Convention but some of their delegates were late and missed the meeting. Connecticut, Georgia, Maryland, and South Carolina did not respond to the request at all and sent no delegates.

Because of the poor attendance, the participants, including James Madison and Alexander Hamilton, called on all 13 states to send delegates to a Constitutional Convention in Philadelphia in May 1787. They planned to revise the Articles of Confederation to better meet the needs of the nation.

**Reading Check** Finding Main Ideas

Why did some people believe the national government needed to change?

**Summary and Preview**

Many Americans believed that Shays’s Rebellion was final proof that the national government needed to be changed. In the next section you will read about the Constitutional Convention.
Creating the Constitution

If YOU were there...
You are a merchant in Connecticut in 1787. You have been a member of your state legislature for several years. This spring, the legislature is choosing delegates to a convention to revise the Articles of Confederation. Delegates will meet in Philadelphia. It means leaving your business in others’ hands for most of the summer. Still, you hope to be chosen.

Why would you want to go to the Constitutional Convention?

BUILDING BACKGROUND It didn’t take long for people to realize that the Articles of Confederation had many weaknesses. By the mid-1780s most political leaders agreed that changes were needed. To make those changes, they called on people with experience in government.

Constitutional Convention
In February 1787 the Confederation Congress invited each state to send delegates to a convention in Philadelphia. The goal of the meeting was to improve the Articles of Confederation.

Why would you want to go to the Constitutional Convention?

A new constitution provided a framework for a stronger national government.

Main Ideas
1. The Constitutional Convention met to improve the government of the United States.
2. The issue of representation led to the Great Compromise.
3. Regional debate over slavery led to the Three-Fifths Compromise.
4. The U.S. Constitution created federalism and a balance of power.

Key Terms and People
Constitutional Convention, p. 126
James Madison, p. 126
Virginia Plan, p. 126
New Jersey Plan, p. 127
Great Compromise, p. 127
Three-Fifths Compromise, p. 128
popular sovereignty, p. 129
federalism, p. 129
legislative branch, p. 129
executive branch, p. 129
judicial branch, p. 129
checks and balances, p. 129

HSS 8.2 Students analyze the political principles underlying the U.S. Constitution and compare the enumerated and implied powers of the federal government.
The Constitutional Convention was held in May 1787 in Philadelphia's Independence Hall to improve the Articles of Confederation. However, delegates would leave with an entirely new U.S. Constitution. This decision angered some of the participants.

Most delegates were well educated, and many had served in state legislatures or Congress. Benjamin Franklin and James Madison were there. Revolutionary War hero George Washington was elected president of the Convention.

Several important voices were absent. John Adams and Thomas Jefferson could not attend. Patrick Henry chose not to attend because he did not want a stronger central government. Women, African Americans, and Native Americans did not take part because they did not yet have the rights of citizens.

**Great Compromise**

Several issues divided the delegates to the Constitutional Convention. Some members wanted only small changes to the Articles of Confederation, while others wanted to rewrite the Articles completely.

Those delegates who wanted major changes to the Articles had different goals. For example, small and large states had different ideas about representation, economic concerns such as tariffs, and slavery. In addition, delegates disagreed over how strong to make the national government.

**Virginia Plan**

After the delegates had met for four days, Edmund Randolph of Virginia presented the Virginia Plan. He proposed a new federal constitution that would give sovereignty, or supreme power, to the central government. The legislature would be
bicameral—made up of two houses, or groups of representatives—and chosen on the basis of state populations. Larger states would thus have more representatives than would smaller states. Delegates from the smaller states believed that it would give too much power to the larger states.

**New Jersey Plan**
The smaller states came up with a plan to stop the larger states from getting too much power. New Jersey delegate William Paterson presented the small-state or **New Jersey Plan**, which called for a unicameral, or one-house, legislature. The plan gave each state an equal number of votes, thus an equal voice, in the federal government. The plan gave the federal government the power to tax citizens in all states, and it allowed the government to regulate commerce.

**Compromise is Reached**
After a month of debate, the delegates were unable to agree on how states should be represented. The convention reached a deadlock.

Finally, Roger Sherman of Connecticut proposed a compromise plan. The legislative branch would have two houses. Each state, regardless of its size, would have two representatives in the Senate, or upper house. This would give each state an equal voice, pleasing the smaller states. In the House of Representatives, or lower house, the number of representatives for each state would be determined by the state’s population. This pleased the larger states. The agreement to create a two-house legislature became known as the **Great Compromise**. James Wilson, a great speaker, saw his dream of a strong national government come true.

**Reading Check**
Contrasting How did the Virginia Plan and New Jersey Plan differ?
Three-Fifths Compromise

The debate over representation also involved regional differences. Southern delegates wanted enslaved Africans to be counted as part of their state populations. This way they would have more representatives, and more power, in Congress. Northerners disagreed. They wanted the number of slaves to determine taxes but not representation.

To resolve this problem, some delegates thought of a compromise. They wanted to count three-fifths of the slaves in each state as part of that state’s population to decide how many representatives a state would have. After much debate, the delegates voted to accept the proposal, called the Three-Fifths Compromise. Under this agreement only three-fifths of a state’s slave population would count when determining representation.

Another major issue was the foreign slave trade. Some of the delegates believed slavery was wrong and wanted the federal government to ban the slave trade. Others said that the southern states’ economies needed the slave trade. Many southern delegates said they would leave the Union if the Constitution immediately ended the slave trade.

Worried delegates reached another compromise, agreeing to end the slave trade in 20 years. The delegates omitted, or left out, the words slavery and slave in the Constitution. They referred instead to “free Persons” and “all other Persons.” Oliver Ellsworth summed up the view of many delegates. He said, “The morality or wisdom of slavery . . . are considerations belonging to the states themselves.”

Reading Check  Summarizing  What compromise was reached over the issue of the slave trade?
The Living Constitution

Most Convention delegates wanted a strong national government. At the same time, they hoped to protect popular sovereignty, the idea that political authority belongs to the people. Americans had boldly declared this idea in the Declaration of Independence.

Federalist Government

The delegates also wanted to balance the power of the national government with the powers of the states. Therefore, the delegates created federalism. Federalism is the sharing of power between a central government and the states that make up a country.

Under the Constitution, each state must obey the authority of the federal, or national, government. States have control over government functions not specifically assigned to the federal government. This includes control of local government, education, the chartering of corporations, and the supervision of religious bodies. States also have the power to create and oversee civil and criminal law. States, however, must protect the welfare of their citizens.

Checks and Balances

The Constitution also balances the power among three branches, each responsible for separate tasks. The first is the legislative branch, or Congress. Congress is responsible for proposing and passing laws. It is made up of two houses, as created in the Great Compromise. The Senate has two members from each state. In the House of Representatives each state is represented according to its population.

The second branch, the executive branch, includes the president and the departments that help run the government. The executive branch makes sure the law is carried out. The third branch is the judicial branch. The judicial branch is made up of all the national courts. This branch is responsible for interpreting laws, punishing criminals, and settling disputes between states.

The framers of the Constitution created a system of checks and balances, which keeps any branch of government from becoming too powerful. For example, Congress has the power to pass bills into law. The president has the power to veto, or reject, laws that Congress passes. However, Congress can override the president’s veto with a two-thirds

LINKING TO TODAY

Legislative Branch

When it first met in 1789, the U.S. House of Representatives had just 65 members. As the nation’s population grew, more members were added. Today, the number has been set at 435, to prevent the size of the House from growing unmanageable. Though the numbers of women and minorities in Congress are still unrepresentative of the population as a whole, Congress has become more diverse. Linda and Loretta Sanchez, pictured here, are the first sisters to serve in Congress at the same time.

How is the change in makeup of the legislative branch shown through Linda and Loretta Sanchez?
majority vote. The Supreme Court has the power to review laws passed by Congress and strike down any law that violates the Constitution by declaring it unconstitutional.

The final draft of the Constitution was completed in September 1787. Only 3 of the 42 delegates who remained refused to sign. The signed Constitution was sent first to Congress and then to the states for ratification. The delegates knew that the Constitution was not a perfect document but they believed they had protected the ideas of republicanism.

**READING CHECK**  
**Summarizing** Explain how the system of checks and balances works in the United States.

**SUMMARY AND PREVIEW** The Constitution balanced power among three branches of the federal government but was only written after many compromises. In the next section you will read about Antifederalist and Federalist views of the Constitution, and the struggle to get it approved by the States.

**Section 3 Assessment**

**Reviewing Ideas, Terms, and People**  
**HSS 8.2**

1. **Recall** Why did the Confederation Congress call for a Constitutional Convention?  
   **b. Elaborate** Why do you think it was important that most delegates had served in state legislatures?

2. **a. Identify** What was the Great Compromise?  
   **b. Draw Conclusions** How did state issues lead to debate over structure of the central government?

3. **a. Explain** What was the debate between North and South over counting slave populations?  
   **b. Contrast** How did delegates’ views differ on the issue of the foreign slave trade?

4. **a. Recall** Why did the framers of the Constitution create a system of checks and balances?  
   **b. Evaluate** Did the Constitution resolve the weaknesses in the Articles of Confederation? Explain your answer.

**Critical Thinking**

5. **Analyzing** Copy the chart shown. Use it to identify the problems that led to the Great Compromise and the Three-Fifths Compromise, what conflicting ideas were proposed, and the eventual solution that created a compromise.

<table>
<thead>
<tr>
<th>Problem</th>
<th>Great Compromise</th>
<th>Three-Fifths Compromise</th>
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</thead>
<tbody>
<tr>
<td>Conflicting Ideas</td>
<td></td>
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<tr>
<td>Solution</td>
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**FOCUS ON WRITING**

6. **Thinking about the Constitution** Look back through what you’ve just read and make a list of important features of the Constitution. Be sure to note important compromises.
Benjamin Franklin

How did one man accomplish so much?

When did he live? 1706–1790

Where did he live? Benjamin Franklin was born in Boston but ran away to Philadelphia at age 17 and made it his home. He also crossed the Atlantic Ocean eight times and visited 10 countries.

What did he do? What didn’t he do! He was a printer, publisher, creator of the first circulating library, the first president of the University of Pennsylvania, inventor, scientist, philosopher, musician, economist, and the first U.S. Postmaster General. In politics he was a leading revolutionary, signer of the Declaration of Independence, head of an antislavery organization, delegate to the Constitutional Convention, and diplomat.

Why is he important? Benjamin Franklin, son of a candlemaker, became a celebrity in his own time, both in America and in Europe. Few people have mastered so many fields of knowledge and accomplished so much. He invented many useful objects, from bifocal glasses to the lightning rod. One of the oldest founding fathers, Franklin inspired younger revolutionaries such as Thomas Jefferson. Franklin believed strongly that people should volunteer and be in public service.

Finding Main Ideas How did Benjamin Franklin’s life reflect his belief in public service?
Ratifying the Constitution

If YOU were there...

You are a newspaper editor in Philadelphia. During colonial rule, officials sometimes closed down your newspaper because you had criticized the governor. Now you are one of many Americans who want to be sure the new Constitution will guarantee individual rights. You are writing an editorial in your paper explaining what you want.

What rights would you want the Constitution to protect?

What You Will Learn . . .

Americans carried on a vigorous debate before ratifying the Constitution.

The Big Idea

1. Federalists and Antifederalists engaged in debate over the new Constitution.
2. The Federalist Papers played an important role in the fight for ratification of the Constitution.
3. Ten amendments were added to the Constitution to provide a Bill of Rights to protect citizens.

Main Ideas

You are a newspaper editor in Philadelphia. During colonial rule, officials sometimes closed down your newspaper because you had criticized the governor. Now you are one of many Americans who want to be sure the new Constitution will guarantee individual rights. You are writing an editorial in your paper explaining what you want.

What rights would you want the Constitution to protect?

BUILDING BACKGROUND The new Constitution did not make everyone happy. Even its framers knew they had not made a perfect document. Many people still did not want a strong national government. They were afraid it would become as tyrannical as the British government had been. Before approving the Constitution, they wanted to be sure that their rights would be protected.

Federalists and Antifederalists

When the Constitution was made public, a huge debate began among many Americans. Antifederalists—people who opposed the Constitution—thought that the Constitutional Convention should not have created a new government. Others thought the Constitution gave too much power to the central government. For some Antifederalists, the main problem was that the Constitution did not have a section that guaranteed individual rights. Delegate George Mason became an Antifederalist for this reason.

Many Antifederalists were small farmers and debtors. However, some were wealthy. Some Revolutionary War heroes were also strong Antifederalists, including Richard Henry Lee, Samuel Adams, and Patrick Henry. Antifederalists were challenged by many Americans who believed that the United States needed a stronger central government.

Federalists, supporters of the Constitution, included James Madison, George Washington, Benjamin Franklin, Alexander Hamilton, and John Jay. Most Federalists believed that the
Constitution offered a good balance of power. They thought it was a careful compromise between various political views. Many Federalists were wealthy planters, farmers, and lawyers. However, many others were poor workers and craftspeople. Merchants also supported the Constitution.

Federalists and Antifederalists debated whether the new Constitution should be approved by the state legislatures. They made speeches and printed pamphlets advocating their views. The Federalists had to convince people a change in the structure of government was needed. To do this, they had to overcome people’s fears that the Constitution would make the government too powerful.

**Federalist Papers**

One of the most important defenses of the Constitution appeared in a series of essays that became known as the **Federalist Papers**. These essays supporting the Constitution were written anonymously under the name Publius. They were actually written by Hamilton, Madison, and Jay.

The authors of the **Federalist Papers** tried to reassure Americans that the new federal government would not overpower the states. In **Federalist Paper No. 10**, Madison argued that the diversity of the United States would prevent any single group from dominating the government.

The **Federalist Papers** were widely reprinted in newspapers around the country as the debate over the Constitution continued. Finally, they were collected and published in book form in 1788.
The Constitution needed only 9 states to pass it. However, to establish and preserve national unity, each state needed to ratify it. Every state except Rhode Island held special state conventions that gave citizens the chance to discuss and vote on the Constitution.

Paul Revere served on a committee supporting ratification. He wrote of the Constitution, “The proposed . . . government, is well calculated [planned] to secure the liberties, protect the property, and guard the rights of the citizens of America.”

Antifederalists also spoke out in state conventions. In New York, one citizen said, “It appears that the government will fall into the hands of the few and the great.”

On December 7, 1787, Delaware became the first state to ratify the Constitution. Throughout the rest of 1787 and the first half of 1788, eight other states approved it. The Constitution went into effect in June 1788 after New Hampshire became the ninth state to ratify it.

Political leaders across America knew the new government needed the support of Virginia and New York, where debate still raged. Virginia had the largest population in the nation. New York was an important center for business and trade.

Finally, Madison and other Virginia Federalists convinced Virginia to ratify it in mid-1788. In New York, Jay and Hamilton said that New York City would break away and join the new government. New York State ratified the Constitution in July. Rhode Island was the last state to ratify it in May 1790.

**Reading Check** Drawing Conclusions
Why were Virginia and New York important to the ratification of the Constitution?
Bill of Rights

Several states ratified the Constitution only after they were promised that a bill protecting individual rights would be added to it. Many Antifederalists did not think that the Constitution would protect personal freedoms.

Some Federalists said that the nation did not need a federal bill of rights because the Constitution itself was a bill of rights. It was, they argued, written to protect the liberty of all U.S. citizens.

James Madison wanted to make a bill of rights one of the new government’s first priorities. In Congress’s first session, Madison encouraged the legislators to put together a bill of rights. The rights would then be added to the Constitution as amendments, or official changes. In Article V of the Constitution, the founders had provided a way to change the document when necessary in order to reflect the will of the people. The process requires that proposed amendments must be approved by a two-thirds majority of both houses of Congress and then ratified by three-fourths of the states before taking effect.

Legislators took ideas from the state ratifying conventions, the Virginia Declaration of Rights, the English Bill of Rights, and the Declaration of Independence to make sure that the abuses listed in the Declaration of Independence would be illegal under the new government. In September 1789 Congress proposed 12 amendments and sent them to the states for ratification. By December 1791 the states had ratified the Bill of Rights—10 of the proposed amendments intended to protect citizens’ rights.

These 10 amendments set a clear example of how to amend the Constitution to fit the needs of a changing nation. The flexibility of the U.S. Constitution has allowed it to survive for more than 200 years.

READING CHECK Summarizing Why is being able to amend the Constitution important?

SUMMARY AND PREVIEW Early disagreements over individual rights resulted in the Bill of Rights. In the next chapter you will learn about the structure of the Constitution.

Section 4 Assessment

Reviewing Ideas, Terms, and People HSS 8.2.7

1. a. Identify Who were the Federalists and the Antifederalists?
   b. Draw Conclusions What was the main argument of the Antifederalists against the Constitution?
2. a. Recall When did the Constitution go into effect?
   b. Draw Conclusions Why was it important that all 13 states ratify the Constitution?
   c. Elaborate Do you think that the Federalist Papers played an essential role in the ratification of the Constitution? Explain your answer.
3. a. Recall Why did Congress add the Bill of Rights?
   b. Explain From where did legislators’ ideas for the Bill of Rights come?

Critical Thinking

4. Contrasting Copy the chart at right and use it to identify the differing arguments for and against the Constitution.

<table>
<thead>
<tr>
<th>Federalist Views</th>
<th>vs.</th>
<th>Antifederalist Views</th>
</tr>
</thead>
</table>

5. Organizing Your Evidence In this section you learned how the Bill of Rights was an important addition to the Constitution. You now have all your evidence about the difference between the Articles of Confederation and the Constitution. Choose two or three of the most important points and prepare to defend the Constitution, just like Alexander Hamilton and James Madison did in the Federalist Papers.
Define the Skill

A point of view is a person’s outlook or attitude. It is the way that he or she looks at a topic or thing. Each person’s point of view is shaped by his or her background. Because people’s backgrounds are different, their points of view are too. Since a person’s point of view shapes his or her opinions, knowing that point of view helps you understand and evaluate those opinions. Being able to detect differences in point of view is important to understanding differences in people’s opinions and actions in history.

Learn the Skill

When you encounter someone’s beliefs, opinions, or actions in your study of history, use the following guidelines to determine his or her point of view.

1. Look for information about the person’s background.
2. Ask yourself what factors in the person’s background might have influenced his or her opinion or action concerning the topic or event.
3. Be aware that sometimes the person’s opinion or actions themselves will provide clues to his or her point of view.

Benjamin Lincoln led the troops that put down Shays’s Rebellion in Massachusetts. He was also a state politician and a general during the Revolution. Lincoln offered this explanation of Shays’s uprising.

“Among [the main causes] I rank the ease with which … credit was obtained … in the time of [the Revolution] …. The moment the day arrived when all discovered that things were fast returning [to normal], … and that the indolent [lazy persons] and improvident [unwise persons] would soon experience the evils of their idleness and sloth, many startled [panicked] … and … complained … of the weight of public taxes … and at the cruelty of … creditors [those to whom money is owed] to call for their just dues [rightful payment]… The disaffected [unhappy people] … attempted … to stop the courts of law, and to suspend the operations of government. This they hoped to do until … an end should thereby be put to public and private debts.”

Lincoln’s background as a general, state official, and leader against the rebels likely gave him a negative point of view on the revolt. His reference to the rebels as lazy and unwise also provides clues to his attitude. You should weigh such factors when evaluating the accuracy of his statement.

Practice the Skill

The following statement about Shays’s Rebellion came from a Massachusetts farmer. Read it and apply the guidelines to answer the questions.

“I have labored hard … all my days. I have been … obliged to do more than my part in the [Revolution], been loaded with … rates [taxes], … have been … [abused] by sheriffs … and [debt] collectors … I have lost a great deal … [T]he great men are going to get all we have, and I think it is time for us to … put a stop to it.”

1. From what point of view is this person commenting on the revolt? What is his opinion of it?
2. How does his view of himself differ from Lincoln’s view of people like him?
3. Is this view of the revolt likely to be more accurate than Lincoln’s view? Why or why not?
Standards Review

Use the visual summary below to help you review the main ideas of the chapter.

Visual Summary

Reviewing Vocabulary, Terms, and People

Match the numbered person or term with the correct lettered definition.

1. Bill of Rights
2. checks and balances
3. constitution
4. Constitutional Convention
5. Federalist Papers
6. inflation
7. Northwest Territory
8. William Paterson
9. tariffs
10. Three-Fifths Compromise

a. agreement that stated that each slave would be counted as three-fifths of a person when determining representation
b. delegate to the Constitutional Convention who proposed the New Jersey Plan
c. increased prices for goods and services combined with the reduced value of money
d. area including present-day Illinois, Indiana, Michigan, Ohio, Wisconsin, and part of Minnesota
e. meetings held in Philadelphia at which delegates from the states attempted to improve the existing government
f. series of essays in support of the Constitution
g. set of basic principles that determines the powers and duties of a government
h. system that prevents any branch of government from becoming too powerful
i. taxes on imports or exports
j. the first 10 amendments to the Constitution
Comprehension and Critical Thinking

SECTION 1 (Pages 114–117)  HSS  8.3.2, 8.9.3

11. a. Describe What powers did the Articles of Confederation give the national government?
   b. Summarize What did the Confederation Congress do to strengthen the United States?
   c. Evaluate Which document or institution do you think had the greatest influence on the development of the United States? Why?

SECTION 2 (Pages 120–124)  HSS  8.2.2, 8.3.5

12. a. Recall What was Shays's Rebellion?
   b. Draw Conclusions What was the general attitude of foreign nations toward the new government of the United States? Why?
   c. Evaluate Of the problems experienced by the Confederation Congress, which do you think was the most harmful? Why?

SECTION 3 (Pages 125–130)  HSS  8.2

13. a. Describe In what ways did the Constitution strengthen the central government?
   b. Explain How did the two compromises reached during the Constitutional Convention satisfy competing groups?
   c. Elaborate In your opinion were there any weaknesses in the Constitution? Explain your answer.

SECTION 4 (Pages 132–135)  HSS  8.2.7

14. a. Recall Why was the Bill of Rights added to the Constitution?
   b. Draw Conclusions Why were some Americans opposed to the Constitution?
   c. Evaluate Would you have supported the Federalists or the Antifederalists? Explain your answer.

Reviewing Themes

15. Politics What political problems resulted from a weak central government under the Articles of Confederation?

16. Politics How did political disagreements lead to important compromises in the creation of the Constitution?

Reading Skills

Understanding Chronological Order Use the Reading Skills taught in this chapter to answer the question below.

17. Organize the following events chronologically according to the chapter.
   a. Federalist Papers is published.
   b. Constitution is ratified.
   c. Articles of Confederation is ratified.
   d. Shays’s Rebellion occurs.
   e. Constitutional Convention meets in Philadelphia.

Social Studies Skills

Determine Different Points of View Use the Social Studies Skills taught in this chapter to answer the question below.

18. List three differences between the Virginia Plan and the New Jersey Plan.

FOCUS ON WRITING

19. Writing Your Editorial You should start your editorial with a strong statement of your opinion about the Constitution. Then write two sentences about each of your main points of support—a weakness of the Articles of Confederation and/or a strength of the Constitution. End your editorial with a call to action: Ask the delegates to the Constitutional Convention to ratify the Constitution. Remember that you are trying to convince people to make a very important decision for our country—be persuasive.
DIRECTIONS: Read each question and write the letter of the best response.

1. “The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and . . . will extend to all objects which . . . concern the lives, liberties, and properties of the people . . . The operations of the federal government will be most extensive and important in times of war and danger; those of the State governments in times of peace and security.”
   —James Madison, Federalist Paper No. 45

What point was Madison making about the system of government created by the proposed Constitution?
   A. The states will continue to be in charge of day-to-day government of the people.
   B. The federal government’s main function will be to keep peace among the states.
   C. The state governments will have greater power than the new federal government.
   D. The most important governing powers will be held by the new federal government.

2. Which term would best describe the newly independent nation in the 1780s?
   A. strong
   B. united
   C. troubled
   D. confident

3. Under the Articles of Confederation, the greatest amount of power was in the hands of the
   A. Congress.
   B. American people.
   C. national government.
   D. states.

4. The structure of the U.S. Congress was created at the Constitutional Convention by the
   A. Virginia Plan.
   B. Great Compromise.
   C. New Jersey Plan.
   D. Three-Fifths Compromise.

5. The nation’s most widespread problems under the Articles of Confederation involved
   A. trade.
   B. suffrage.
   C. slavery.
   D. rebellion.

Connecting with Past Learning

6. The Articles of Confederation created a system of government most like that of
   A. the Ottoman Empire.
   B. feudal Europe.
   C. West African kingdoms.
   D. the Tang dynasty in China.

7. In Grade 7 you learned about Enlightenment ideas of government. What European’s contributions to society were most like those of James Madison?
   A. Johannes Kepler
   B. Johannes Gutenberg
   C. Leonardo da Vinci
   D. Baron de Montesquieu