**Building a New Nation**

**I.  Early frameworks for governing**

* **State governments**
  + The task of forming some type of governments began with the war
  + States needed to draft some type of written constitution defining the power and structure of government--did not trust unwritten constitutions such as Britain's
  + To draft the constitutions, the states called on conventions of their leading citizens (that supported the revolution)
  + Most structures similar
    - Strong legislature (usually two houses)
    - Weak governor (usually elected annually by the legislature) with few powers
    - independent judiciary
    - More people enfranchised (property qualifications lowered)
    - Limits on government authority--bill of rights
      * freedom of press, speech, and religion
      * fair trial and protection against general searches
      * consent required for taxation
  + **First systems had serious problems**
    - weak executive meant that action was slow, legislature had to act first
    - governor's power gradually increased
    - Many state constitutions were rewritten during the 1780s and 1790s
    - states found original constitutions just did not work
    - began to place more faith on a system of checks and balances
    - most power still rested in the legislatures
* **Articles of Confederation**
  + In 1777 the Second Continental Congress drafted the Articles of Confederation
    - Created a national government consisting of a unicameral legislature
    - One representative from each of the 13 colonies
    - No executive
    - Designed as a league of states called the United States of America--emphasis on the states
      * each state remained sovereign
      * any powers not specifically delegated to the national government--that is, Congress--remained in the states
    - Powers given to national government were limited
      * settlement of disputes between states
      * regulating foreign affairs (including Indian trade)
      * setting value of national and state coinage--to ensure standard trade
      * no power to tax or raise money other than through the states
      * no power to enforce its decisions upon the states
  + **Governing under the Articles**
    - Because unanimous consent needed, Articles could not be approved until 1780--Maryland upset over the distribution of western lands
    - Weaknesses in the Articles became quickly apparent
      * Foreign relations and trade presented major problems
      * each state went their own ways in this area--confiscation of loyalist property was a major diplomatic problem
      * major problem because Britain embargoed trade between the states and Britain or its colonies in West Indies--came at a time when national economy was depressed
      * states also pursued their own policies regarding dealings with Native American tribes--led to a series of wars in the Northwest that were not settled until 1795
  + **Northwest Ordinance of 1787**--biggest success under the Articles of Confederation
    - Northwest territory--area bordered by Mississippi River, Ohio River, and Great Lakes
    - Prohibited slavery in the territory--even southern states agreed to this provision
    - Gave bill of rights--jury trial, freedom of religion, right of new states to join the Union on equal footing with older states, giving citizens in territories same rights as citizens of states
    - earlier Northwest ordinances had laid out how townships were to be created and provided a method of funding education in the region
* **Calling a convention to deal with trade policy**
  + In 1786, representatives from five states met in Maryland to discuss problems with trade policy
  + Being too few in number to make any difference, they dismiss the meeting calling for a new Constitutional convention the following year in Philadelphia--asking all states to send delegates
  + response slow at first, until Shay's Rebellion scares the elites of the states into reacting
* **Shay's Rebellion**
  + Depressed prices for agricultural products and tight credit market (creditors demanding specie) left farmers hurting
    - Many farmers asked for relief through issuing paper money
    - Most creditors (along with some other Americans) fought against the issuing of paper money
    - In Mass., economic situation very bad for some
    - conservatives had run govt. since 1780, levying heavy taxes to pay off war debt (held mainly by Boston merchants--and paid off mainly by farmers)
  + In 1786, after the state refused to issue paper money, people in three western counties revolted
    - Jan. 1787 -- 1,200 farmers and their allies, led by Daniel Shay--a war veteran--attacked the Springfield arsenal
    - the farmers were defeated easily
  + rumors of the rebellion by the poor put terror into the hearts of the "better kind of people"
  + Shays' Rebellion scared the elite!!!

**II.  The Constitutional Convention**

* In Feb. 1787, following Shay's Rebellion, the Confederation Congress endorsed the idea of a convention to modify the Articles of Confederation
* One of the first questions to addressed (before the convention met) was the form of government
* **The question of republicanism**
  + Most agreed a republican form of government was best, but question became which version of republicanism
  + **Greek Republicanism**
    - only republics small in size and were homogeneous in population could succeed
    - citizens must be willing to sacrifice their own private interests for the good of the whole
    - government run by a natural aristocracy, men whose rank was based on merit rather than inherited wealth or family status
    - even the Greeks did not believe in ability of this type to succeed
  + **Republicanism based on self-interest**
    - put forth by members of economic elite and skilled craftsmen
    - emphasized that individuals should pursue rational self-interest
    - by pursuing self-interest, men would improve not only their own economic and social circumstances, but those around them would also
    - dismissed the notion of subordinating private interests to a communal ideal
  + **Egalitarian Republicanism**
    - sought a government that represented all the people
    - felt that the elite did not usually speak or respond to the needs of the majority
    - wanted widespread participation in political activity
  + All three versions emphasized the need for people to be virtuous and work hard as individuals
* The **constitutional convention begins**
  + Twelve states (all except Rhode Island) sent delegates to the convention
  + The 55 men mainly represented the elite of their states--men of property and wealth
    - included merchants, planters, lawyers, and former government officials
    - most had significant education--over half had attended college
    - Most of the men were in their middle years, the oldest was Ben Franklin at 81.
* The bulk of the work performed by about a dozen men, led by James Madison
  + Madison prepared for the convention by reading hundreds of books on history and political science
  + Prepared a critique of the government under the Articles of Confederation
* **Opposing plans for a Constitution**
  + **Virginia Plan**
    - most likely drafted by Madison, but presented by Gov. Edmund Randolph of Virginia
    - Called for a republic as form of government
    - Structure would consist of a bicameral legislature (one house elected by popular vote, the other by the first house), an executive elected by Congress, and a national judiciary
    - National government had the power to nullify any state laws
  + Many believed the Virginia plan gave too much power to national government
  + **New Jersey plan** basically made modifications of the existing Articles of Confederation
    - left representation equal among the states
    - gave Congress more power over trade and taxation
    - **rejected by the delegates**
* **Working out the Great Compromise (aka Connecticut Compromise)**
  + representation--proportional or equal by state
  + who would elect each house--popular for House, state legislature for Senate
  + slavery
    - is slavery mentioned in the Constitution?
    - how would slaves be counted regarding proportional representation
    - would slavery be protected
    - Congress couldn't outlaw slave trade for 20 years
    - Congress was required to protect slavery against interference
    - Separation of powers
  + three branches--exec, leg, jud
    - of the three, the legislative had most power
    - judiciary weakest
    - system of checks and balances between branches
* In September 1787, delegates met and approved the draft of the constitution
  + several voted against it
  + main opposition--diluted the states' powers and lacked a bill of rights
  + Constitution would be ratified when 9 states approved it

**III.  Federalists vs. Anti-Federalists (Ratifying the Constitution**)

* Federalists supported the constitution as written, antifederalists opposed the new document
* **Federalists**
  + tended to come from among merchant and bankers, large farmers
  + saw a strong central government as the key to the nation's growth and prosperity
  + especially interested in strong interstate commerce, against paper money and protection of debtors
* **Antifederalists**
  + tended to be small farmers and frontiersmen
  + believed the states were the best protectors of individual rights--weakening their power could lead to tyrannical power (a la Real Whigs)
  + had little to gain from interstate commerce, much to lose from prohibitions on paper money or stay laws
* Federalists better prepared, organized, and educated
* Leading Federalist movement in N.Y. were James Madison, Alexander Hamilton, and John Jay
  + N.Y. especially important as large state
    - Gov. George Clinton (not P-Funk's George Clinton) against ratification
  + Madison, Hamilton, and Jay published a series of essays in N.Y. newspapers between October 1787 and July 1788 under the name of "Publius"--these essays became known as The Federalist
  + Hamilton wrote # 6, warning of the evils of factions
  + Madison wrote # 10, describing how the large size of the republic worked against producing factions
  + Antifederalist responses were not as widely read or effective
* **Ratification**
  + States began ratifying Constitution in Dec 1787
  + By June 1788, 9 states had ratified
  + Still, crucial states of Virginia and New York had not
    - The battle in those states proved to be close
    - But in end, both ratified Constitution in 1788 (Federalist Papers deemed critical)
  + North Carolina and Rhode Island did not ratify until the Bill of Rights had passed

**IV.  Who participates in new system, who doesn't**

* **White males--must be property holders or pay taxes**
* **Females**
  + primary function to be good wives and mothers
  + seen as self-sacrificing -- charitable work okay for them
  + Discuss Abigail Adams' letters
  + role of women in society begins to undergo a significant change during this era--they begin to disappear from public view
* **African Americans**
  + growth of emancipation movement in North
  + finally, late 1780s, northern states begin to allow emancipation (usually gradual)
  + even after emancipated, many not allowed to participate economically or politically
  + riots against free blacks took place in some cities, especially Philadelphia
  + free blacks began working to establish their own communities within the larger framework of where they lived
* **Native Americans not even considered**

**The Eras of Federalists and Good Feelings**

**I.  The Federalist Era**

* **First government seated in 1789** 
  + Washington elected president, ran unopposed
  + Most men elected to Congress came from Federalist camp, few Antifederalists elected
* **The first president and congress** 
  + Congressional action in the first term
    - One of the first orders of business was amending the newly ratified Constitution
    - series of 12 amendments passed, 10 ratified (although an 11th -- Congressional pay -- was ratified recently)
    - brief description of Bill of Rights
      * freedoms of religion, press, speech, and assembly
      * right to arm bears
      * unreasonable searches and seizures
      * rights of accused persons, jury trials, cruel and unusual punishment
      * rights reserved to the people and states
    - Establishing Administrative departments--under control of President
      * war (Henry Knox), treasury (Hamilton), and state (Jefferson)
      * atty gen. (Edmund Randolph) and postmaster gen -- maybe most useful
    - Judiciary Act of 1789
      * Implemented Article III of Constitution
      * 6 USSC justices
      * 13 district courts (1 for each state)
      * 3 courts of appeal
  + **Washington administration** 
    - Washington cautious in taking actions--aware of setting precedent
    - Alexander Hamilton as Secty of Treasury
      * Hamilton pushed for national dominance in economic matters--consolidating state and national debt from the Revolution, First National Bank of U.S. ("used necessary and proper clause of Article 1--over objections of Madison (discuss that Madison had different views on constitutional powers even though he helped write the Federalist Papers), Jefferson, and Edmund Randolph, the A.G.)
      * Also convinced Congress to pass an excess tax on distilled liquor--starting the failed Whiskey Rebellion in western Pennsylvania in 1794
    - . Foreign relations-- avoid becoming involved in the Continental disputes following the French Revolution
* **Rise of partisan politics** 
  + During the early 1790s, politicians found themselves dividing into two factions (not really organized to call parties)--Federalists and Republicans (distinguish between Federalists and Anti-Federalists--no relation)
  + **Federalists** 
    - concentrated in New England, but found in other sections as well
    - believed the young nation threatened by a host of enemies--internal and external
    - emphasized need for stability, law, and order
    - put little faith in the masses
  + **Republicans** 
    - came primarily from the mid-Atlantic and southern states
    - saw bright political and economic future for the nation
    - not concerned about internal threats
    - sought to widen political participation (among white males)
  + Two factions continually sniped at each other
  + Factional politics helped lead Washington in deciding not to run for a third term
* **Adams' presidency** 
  + **Election of 1796** 
    - First contested election--pitted Federalist Adams (Washington's Vice President) against Republican Thomas Jefferson
    - Adams wins--Jefferson becomes V.P.
  + **XYZ affair and Quasi-war with France** 
    - French began to seize American ships carrying British goods
    - When U.S. attempted to talk to France, French agents demanded $250,000 before they would even discuss matters--no way was the reply
    - Adams released information of this (disguising the agents' names as XYZ) to anti-French feeling in the U.S.
    - America began naval conflict with French in the Caribbean--by 1799 U.S. had established naval superiority
  + **Alien and Sedition Acts** 
    - Series of four acts to suppress dissent and stifle actions of opposition by anti-Federalist factions (primarily the Republicans)
    - Opponents responded at the state level
    - Virginia (Madison) and Kentucky (Jefferson) resolutions
      * Argued that citizens speaking through their states had the right to decide the constitutionality of federal actions
      * Resolutions worked well as propaganda, rallying Republican opposition
      * Also served as the basis for later nullification theories--including secession

**II.  Jeffersonian Era**

* **Jeffersonian Era** 
  + **Election of 1800** 
    - Election again pitted John Adams against Jefferson
    - Jefferson won
    - Signaled end of Federalist era
  + **Early actions of Jefferson** 
    - Appeals for unity--asks for end to factionalism
    - Seeks balance in government
    - Jefferson uses patronage to put people into office, rewarding friendship and building party organization
    - Got Congress to repeal the Judiciary Act of 1801
    - Alien and Sedition Acts repealed
  + **Dispute with John Marshall--*Marbury v. Madison* (USSC, 1803)** 
    - William Marbury given a j.p. appointment at last moment by Adams
    - Jefferson refused to honor it
    - Marbury sues in Supreme Court for writ of mandamus
    - Marshall faced with a dilemma
    - Rules Marbury has right to the writ, but the law giving the Court the right to hear the case was not constitutional
    - Preserved integrity of the court and established principle of judicial review
  + **Louisiana Purchase** 
    - With thousands of Americans moving westward each year, pressure built for new land
    - Jefferson purchases 827,000 square miles from France for $15,000,000 (3 cents per acre)
    - Meriwether Lewis and William Clark were sent on exploratory trip to the Pacific to learn more about the newly purchased lands
    - Zebulon Pike explored into the Colorado area, and on into New Mexico--helped pave the way for the Santa Fe Trail
  + **Disputes between Republicans and Federalists** 
    - Jefferson decides not to run for third term
    - His secty. of state, James Madison runs and easily wins the election of 1808
* **War of 1812** 
  + **Causes** 
    - Impressments of American-British sailors
    - U.S.S. Chesapeake affair (1807)--fired on by British ships
    - Attempts to cut off trade with warring factions in Europe--Embargo Act (1807) and Non-Intercourse Act (1809)--failures
    - War Hawks vs. New Englanders (mostly Federalists)
  + President James Madison asks Congress to declare war
  + **Fighting the war** 
    - U.S. declared war in June 1812
    - Unprepared for war--mostly ill-equipped and trained militia
    - Land campaigns amounted to little, most major fighting took place on the water--Atlantic, Caribbean, or the Great Lakes
    - War officially ends with Treaty of Ghent, Dec. 1814--neither side gains much from treaty

**III. Era of Good Feelings**

* + **Results of the War** 
    - **Defeat of effective Indian resistance to western expansion** 
      * In Northwest, Shawnee leaders Tecumseh and Prophet wanted to use British-American tensions to resist expansion--initially successful, but eventually lost at Tippecanoe Creek in 1811
      * In Southeast, the Creek nation also attempted to stop westward movement of settlers--Andrew Jackson defeated them in Marcy 1814 at Horseshoe Bend, forcing the Creeks to give claims in Tennessee, Georgia, and much of Alabama
    - **U.S. independence reaffirmed**
    - **Economic consequences** 
      * serious damage to U.S. trade, especially harmful in Northeast
      * stimulated production of manufactured goods in U.S.--especially in Northeast
    - **Hartford Convention** 
      * New Englanders unhappy with war
      * Most meeting at Hartford in 1814 were Federalists
      * Members of convention decided to either revise the national constitution, or if that failed, to pull out of the republic
      * Members barely aborted an outright call for secession from the convention
      * War's end caused the Hartford Convention to look like treason, as well as stupid
      * Death knell of Federalist party
    - U.S. decides not to become entangled in European affairs
* **First American System** 
  + Called for the support of the federal government in helping create internal improvements to the nation and its economic infrastructure
  + Leaders of American System--Calhoun and Clay, with some support from President Madison
  + Elements of system--agreed on by all three
    - need for National Bank
    - Protective tariffs--tax on imported goods--to raise revenues and help spark growth of industry
  + Elements of system not supported by Madison
    - need to build roads and canals
    - Madison vetoed bill for Federal funding of local roads, saying it was not a federal matter
  + Following his victory in presidential campaign in 1816, James Monroe followed Madison's policies
  + Supreme Court decision in ***MCCulloch v. Maryland (1819***) established supremacy of Federal law over state law
* **Foreign Policy** 
  + Adams-Onis Treaty
    - U.S. seized panhandle of Florida during War of 1812, then occupied much of the state during Seminole Wars
    - 1819, John Q. Adams negotiates with Onis for ceding of Florida to U.S. in exchange for U.S. assuming claims of American citizens against Spain
  + Monroe Doctrine (Dec. 1823)
    - declaration against European interference in New World
    - called for non-colonization of New world
    - demanded nonintervention by Europe
    - pledged noninterference by U.S. in European affairs
* **Panic of 1819** 
  + Postwar expansion of economy
  + Expansion built on loose credit and widespread speculation, especially in Southwest and frontier states
  + 1818, manufacturing slows to a standstill, causing depression
  + 2d National Bank of U.S. tightens credit, calling in loans, causing depression to deepen and beginning economic panic--receives much blame for panic
  + Depression lasts until 1823
* **Expansion of slavery** 
  + slave trade closed Jan. 1, 1808 with little opposition
  + Missouri Compromises
    - 1819, Missouri Territory petitions for admission to statehood
    - admitting it as a slave state would thrust slavery further northward
    - opposed at first until a series of compromises
      * Missouri admitted as a slave state, with Maine admitted as a free state--to balance slave vs. free in Congress
      * 36, 30' line drawn