**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