

## FORMING A MORE PERFECT UNION



The Signing of the Constitution

### Unit Overview

The Articles of Confederation guided Americans through the Revolutionary War and the successful completion of the land ordinances of the 1780s. However, Shays's Rebellion and several critical economic issues made many Americans realize that the Articles were inadequate to solve the new nation's problems. Rather than revise them, the Constitutional Convention took on the monumental task of devising a new plan for government which emphasized the ideals of the Enlightenment. Let's see how it all happened.



Pulling down the Statue of George III

## Shays's Rebellion

The limited, loosely centralized government established by the Articles of Confederation faced a number of serious issues following its ratification in 1781. Restricted American shipping during the war with Great Britain drastically cut the exportation of tobacco, wheat and rice. Once the conflict ended, the economy was also damaged by an influx of goods from the British Empire. Textile operators in the United States were unable to maintain competitive prices, and a number of companies were forced out of business. The war debt created dire consequences for the individual states. Some legislatures responded by simply printing more paper money; this resulted in an inflated currency. **Massachusetts** and a few other states tried to resolve this problem by raising taxes and limiting the amount of paper money in circulation. These policies forced cash-strapped farmers to choose between paying their taxes and paying their debts.



Monument to Shays's Rebellion

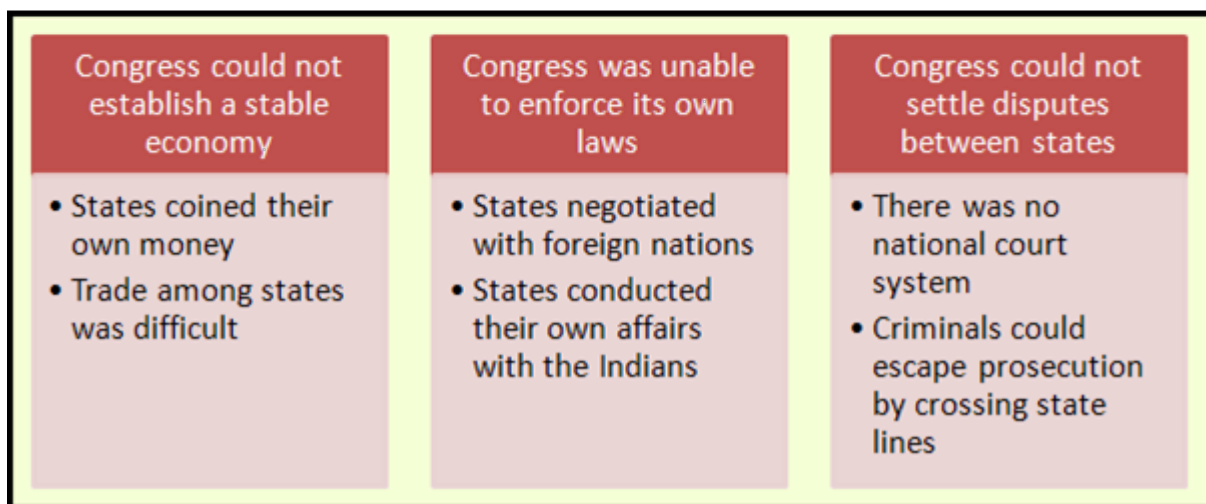
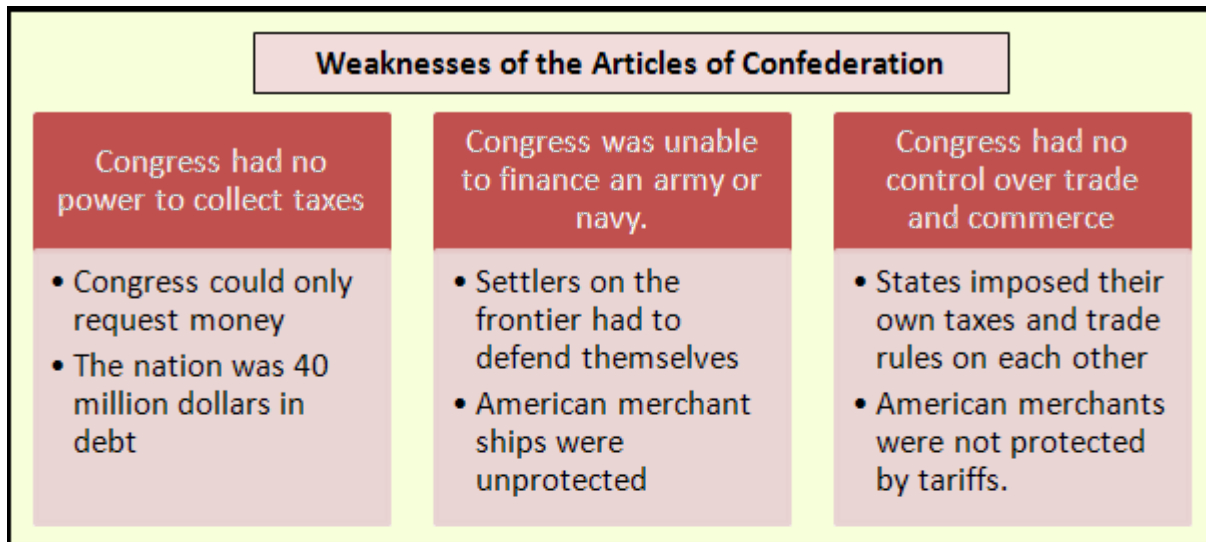
The situation in Massachusetts soon led to a full-scale revolt led by **Captain Daniel Shays**, a veteran of the American Revolution. The Massachusetts legislature quickly passed the Riot Act, and Governor **James Bowdoin** used military force to disperse Shays's troops during the winter of 1786-1787. Although Shays's Rebellion was unsuccessful, it illustrated that middle-class Americans were not willing to replace the British king with oppressors in their own country. The Enlightenment concept of the social contract had been passed on to the common man. Bowdoin was voted out of office; protests in New York, Connecticut and New Hampshire forced legislators to provide economic relief.

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## The Pros and Cons of the Articles of Confederation

The economic issues that incited Shays's Rebellion were not the only critical problems faced by the new government under the Articles of Confederation. According to this document, the national government could request, advise and recommend, but it had no power to enforce or command. Because it had no authority to regulate commerce, for example, the independent states made conflicting laws concerning tariffs, navigation and the control of ports. This led to unfair practices and constant bickering. Rather than demand money in taxes, the **Confederation Congress** could only request that states voluntarily contribute their fair share. The lack of a strong, central government also hampered the establishment of an effective foreign policy to deal with the British failure to evacuate certain forts after the Revolutionary War and the Spanish closure of the Mississippi River. For some early American political leaders, the country's

inability to deal with these challenges was directly related to the weaknesses of the Articles of Confederation and the lack of a centralized government.



Even though the Articles proved inadequate as a foundation for managing the new country, this plan for government did have some successes. Under its direction, the United States won the Revolutionary War and successfully negotiated a treaty with Great Britain. The Confederation Congress established the concept of using committees to deal with military, financial and foreign affairs; it also established the basis for the Departments of State, Treasury and Defense. Its most enduring achievements, however, are attributed to the land ordinances of the 1780s. The **Ordinance of 1784** was written by Thomas Jefferson and established the principle that territories could become states when their populations reached a certain level. A rectangular grid-system of

surveying and a minimum price of \$1.00 per acre came about as a result of the **Land Ordinance of 1785**. It was the **Northwest Ordinance** of 1787, however, that provided an orderly path to statehood for Illinois, Wisconsin, Ohio, Indiana and Michigan. This legislation set aside money from the sale of land for the support of schools and prohibited slavery in the Northwest Territory. According to this ordinance, Congress could appoint a governor and judges to administer the territory until it claimed 5000 free men as residents. Then, the territory had the right to elect a legislature. With a population of 60,000, it could adopt a constitution and ask to join the Confederation. Although history has stressed the weaknesses of the Articles, these guidelines for statehood represented a significant accomplishment and solved a number of potential problems.



Map of the Northwest Territory

Go to Questions 6 through 12

## Forming a More Perfect Union

The questions that dominated the post-revolutionary era caused many Americans to adopt a national view. In 1786, the Virginia legislature requested a meeting in Annapolis, Maryland, to discuss tariffs, interstate commerce and other economic concerns. Although only five states sent representatives to the **Annapolis Convention**, the group wrote a report that was delivered to the Confederation Congress and the states. It asked that a larger meeting be held in Philadelphia with state delegates that were prepared to discuss problems with commerce resulting from

inadequate provisions in the Articles of Confederation. Influenced by Shays's Rebellion, the Confederation Congress passed a resolution calling for a convention to revise the Articles.



**Annapolis State House: Location of the Annapolis Convention**

In the summer of 1787, fifty-five delegates arrived in Philadelphia. They began their work as editors of the Articles of Confederation, but they became framers of what was to be the United States Constitution, a strong and flexible document that would adapt and change over the next two-hundred years. The **Constitutional Convention** was composed of men who were students of history and deeply entrenched in the ideas of the Enlightenment. The Constitution, primarily authored by **James Madison** of Virginia, reflected the thoughts of Rousseau, Montesquieu and Locke. The preamble or introduction set the tone for a social contract between the American people and their government.

### **Preamble of the United States Constitution**

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America

The form of government outlined in the Constitution was the result of prior experience, compromise and balance. Forty-four of the delegates who attended the Constitutional Convention had been members of the Confederation Congress and had experienced its weaknesses first hand. They recognized that significant changes needed to be made. However, the delegates were also representatives of their individual states and regions of the country. This made compromise an essential element of their work. The new national government divided its authority among the executive, legislative and judicial branches, a concept derived directly from Montesquieu. Each branch was given a series of checks and balances over the others. Because the framers of the Constitution feared that a tyrant or a foreign country might be able to manipulate public opinion, they added certain safeguards to balance the effects of direct elections. For example, the President and the Vice President were ultimately chosen by the Electoral College. In the legislative branch, the members of the House of Representative were placed in office based on popular vote while members of the Senate were appointed by state legislatures. In the end, the Constitutional Convention developed a document that was practical and gave the United States government the ability to address the issues facing the new country.

Issue	Articles of Confederation	Constitution
<b>Disputes between states</b>	Complicated system of arbitration	Federal court system to handle disputes
<b>Seat of Power</b>	Resides with the states	Constitution is the supreme law
<b>Passing laws</b>	9/13 needed to approve legislation	50% plus 1 of both houses of Congress and signature of the President
<b>Taxes</b>	Congress could request states to pay taxes	Congress has the right to levy taxes
<b>Federal Courts</b>	No system of federal courts	Courts created to deal with issues concerning citizens and states
<b>Regulation of trade</b>	No provisions to regulate trade	Congress has the right to regulate trade between states
<b>Executive Branch</b>	A committee of three with no real power	An executive branch headed by a President whose power is checked by the legislative and judicial branches
<b>Amendment procedure</b>	Amendments must be unanimously approved by all thirteen states	2/3 approval of both houses of Congress and ¾ approval of state legislatures or state conventions
<b>Representation of states in Congress</b>	Each state received one vote regardless of population	Senate with 2 votes per state and House based on population
<b>Raising an army</b>	Congress could not draft soldiers or force states to contribute troops	Congress can raise an army

If it was to take effect, the Constitution had to be **ratified** or approved by nine of the thirteen states. This proved not to be an easy task. Once discussions about the document began in earnest within the individual states, it quickly became apparent that the proposed Constitution was less than perfect. For many Americans, the document did not offer enough protection of individual rights. It also ignored men who did not own property, women, Native Americans and African Americans. In spite of these shortcomings, the United States Constitution established the most progressive government of the eighteenth century. Its Enlightenment ideals inspired political reform in Latin America and forced European monarchs to accept limited power.

Go to Questions 13 through 20.

### **What's Next?**

As the Constitution was discussed and debated, it gained opponents and proponents. Those who favored its adoption became known as Federalists; those who did not were called Antifederalists. Both sides presented convincing arguments through printed essays and public readings. What were the objections of the Antifederalists? How did the Federalists defend their positions? Before exploring these issues in the next unit, review Unit 2 and complete Questions 21 through 30.

Go to Questions 21 through 30.