**Chapter 2 Notes**

**Vocabulary**

* Mayflower Compact – a document drawn up by Pilgrim leaders in 1620 on the ship Mayflower. The document stated that laws were to be made for the general good of the people.
* Bill of Rights – the first ten amendments to the U.S. constitution. They list the freedoms – such as the freedoms of speech, press, and religion – that a citizen enjoys and that cannot be infringed on by the government
* First Continental Congress – a gathering from twelve of the thirteen colonies, held in 1774 to protest the Coercive Acts
* Second Continental Congress – the congress of the colonies that met in 1775 to assume the powers of the central government and to establish an army
* Unicameral Legislature – a legislature with only one chamber
* Confederation – a league of independent states that are united only for the purpose of achieving common goals
* Articles of Confederation – the nation’s first national constitution, which established a national form of government following the American Revolution. The Articles provided for a confederal form of government in which the central government had few powers
* Shay’s Rebellion – a rebellion of angry farmers in western Massachusetts in 1786, led by former Revolutionary War captain Daniel Shay
* Constitutional Convention – the convention of delegates from the states that was held in Philadelphia in 1787 for the purpose of amending the Articles of Confederation. In fact, the delegates wrote a new constitution (the U.S. Constitution) that established a federal form of government
* Bicameral Legislature – a legislature made up of two chambers, or parts
* Great Compromise – a plan for a bicameral legislature in which one chamber would be based on population and the other chamber would represent each state equally. Also known as the Connecticut Compromise
* Three-Fifths Compromise – a compromise reached during the Constitutional Convention by which three-fifths of all slaves were to be counted for purposes of representation in the House of Representatives
* Interstate Commerce – trade that involves more than one state
* Federalists – a political group, led by Alexander Hamilton and John Adams, that supported the adoption of the Constitution and the creation of a federal form of government
* Anti-Federalists – a political group that opposed the adoption of the Constitution
* Faction – a group of persons forming a cohesive minority
* Tyranny – the arbitrary or unrestrained exercise of power by an oppressive individual or government
* Rule of Law – a basic principle of government that requires those who govern to act in accordance with established law.
* Federal System – a form of government that provides for a division of powers between a central government and several regional governments
* Commerce Clause – the clause in Article 1, Section 8, of the Constitution that gives Congress the power to regulate interstate commerce
* Madisonian Model – the model of government devised by James Madison, in which the powers of the government are separated into three branches: legislative, executive, judicial
* Seperation of Powers – the principle of dividing governmental powers amond the three branches of government
* Checks and Balances – a major principle of American government in which each of the three branches is given the means to check the actions of the others
* Veto Power – a constitutional power that enables the chief executive to reject legislation and return it to the legislature with reasons for the rejection. This either prevents or delays the bill form becoming a law

**Notes from chapter**

**The First English Settlements**

* Plymouth Company formed the first colony in New England in 1620 at Plymouth, Massachusetts. There the Mayflower Compact was formed, which was the first large constitution-esque document that set standard for government for new colonists
* Massachusetts Bay colony was founded in 1630. Some colonists here left in 1639 after persecution to settle in Connecticut
* There, they developed America’s first real written constitution. Called for representation and public input in government affairs.
* By 1732, all thirteen colonies had some form of a constitution

**Colonial Legislatures**

* Due to the huge distance between Britain and its colonies, the colonies started to basically run themselves using *representative assemblies*. Earliest form of this was the Virginia House of Burgesses in 1619.
* By doing this, the colonists gained knowledge and understanding of how governments work, and had formed their own ideas of a political system

**The Rebellion of the Colonists**

* After the British and Indian War, Britain began playing a much larger role in colonial involvement, attempting to regain control of the colonies essentially.
* They did this really to help pay for the debts of the war and fund the expanding colonies
* However, colonies were starting to mistrust the British, and began to stop identifying themselves as British

**Taxation without Representation**

* Britain began imposing several new taxes, such as the Sugar Act (1764), the highly controversial Stamp Act (1765) which greatly angered colonists
* Colonists gathered and sent a letter to King George about their anger over the taxes. The Stamp Act was repealed
* Soon parliament passed more tax laws, so colonists committed the Tea Party protest. Parliament thus passed the Intolerable Acts (1774).

**The continental Congresses**

* The First Continental Congress took place on September 5, 1774, in Carpenter’s Hall in Philadelphia. Only Georgia did not participate
* They agreed to send a petition to King George and to continue boycotting British goods. They also established committees to be out to use in every town to ensure that everyone was adhering to the boycott.
* The British did not respond well to the petition and saw it as an act of rebellion. British troops attacked American militia, or militiamen, at Lexington (Battle of Lexington and Concord)
* Less than a month later, the Second continental congress declared that militiamen around Boston were now a full army and made George Washington commander in chief.
* However, the colonists still did not intend to separate from Britain and wished to achieve peaceful reconciliation

**Breaking the Ties: Independence**

* One of the most famous arguments for independence was Thomas Paine’s *Common Sense*. In this pamphlet, he presented the argument that America was economically and politically sufficient to survive on its own, and that America no longer needed Britain.
* *Common Sense* helped sever the loyalty that many Americans still felt to Britain, removing that obstacle of independence
* The colonies soon cut all economic ties with Great Britain, opening up free trade with all other nations. They had to cut ties with Britain to get supplies for their army and military support from other nations
* On July 4th, 1776, the declaration of Independence was adopted, officially ending all relations with Britain
* All of the colonies became sovereign states with their own constitutions and limited government
* Because of their fear of big government, the colonists made their governments with very weak executive branches (republicanism). This actually interfered with America’s ability to win the Revolutionary War because it was very difficult for national government to raise funds for the military. However, some leaders such as George Washington and Alexander Hamilton were in favor of a strong central government (nationalists).
* The Republican Party also rose at this time, consisting of men of “property and standing”. They were however less prominent than other parties, consisting mainly of small farmers.

The Articles of Confederation

* The AoC established the Congress of the Confederation as the central governing body. It was made up of representatives from all states.
* Congress had a lot of powers under AoC. This led to the Northwest Ordinance which settled states disputes over land distribution. It also led to the agreement between Britain which gave America all land from Atlantic to Mississippi.
* There were weaknesses: No power to raise funds for army, thus no way to enforce laws. Also very hard to pass laws (needed 9 states approval)

**A Time of Crisis – 1780’s**

* Revolutionary war ended on Oct 18, 1781. Officially independent through Treaty of Paris (1783).
* The individual states were kind of left to their own devices. They were allowed to deal with foreign nations, and increasingly taxed one another. Economy was so bad it led to a depression
* Shays’ Rebellion really showed the nation that there was a problem. It could be solved with some sort of official central governing body
* Led to the Annapolis Meeting in Virginia, which led to a meeting in Philadelphia, which led to the Constitutional Convention

**The Virginian Plan**

* Consisted of 15 parts, consisting mainly of:
  + A bicameral legislature
  + A national executive branch, elected by the legislature
  + A national court system, created by the legislature
* This was good for large states because they would have more representation in the legislature. But bad for small states

**The New Jersey Plan**

* Proposed the following:
  + Congress would be able to regulate trade and impose taxes
  + Each state would have only one vote
  + Acts of Congress would be the supreme law of the land
  + An executive office of more than one person would be elected by Congress
  + The executive office would be appointed a national supreme court

**The Compromises**

* The Great Compromise (Connecticut Compromise) resolved the issue between the states by calling for a bicameral legislature: the House of Representatives would be elected according to population, so the larger states would have more votes. Senate would be two members from each state
* The Three-Fifths Compromise defined each slave as three-fifths of a person when counting population to determine number of representatives in the House. This was deemed necessary because most slave owners were southern and northerners did not want the South to have too much of an advantage population-wise
* Many delegates wanted slavery to be completely banned. To settle this dispute, the Convention compromised by ending the importation of slaves, however domestic slave trading was untouched
* The South allowed Congress to control interstate commerce and commerce with other nations provided that Congress would not tax exported goods as this was the main economy in the South

**Defining the Executive and Judiciary**

* Under the Articles, there was not a strong executive branch. To fix this, the Convention created an independent executive (the president) which would be elected by an electoral college and not directly by the people.
* The president would have power to appoint people to office although Congress has a say in major appointments
* They also created the Supreme Court which would be above the state courts
* The delegates also wrote into the Constitution that any federal official may be removed from office if two-thirds of the Senate find him or her guilty of any wrongdoing

**The Final Draft is Approved**

* On September 17, 1787, the final draft was approved by 39 of the remaining 42 delegates
* One question that remains is why the delegates did not ban slavery in the Constitution as many of them believed that is was a morally wrong and it went against the statement made in the Declaration of Independence that all men are created equal. However it is more than likely that if the antislavery delegates had tried to ban slavery at this time, the southern delegates would never have approved the Constitution

**The Debate over Ratification**

* The debate was divided by two sides: the Federalist and the Anti-Federalists
* Federalists
  + Favored strong central government and constitution. Made up of politically well versed people such as Alexander Hamilton, John Jay, and James Madison. Had attended Constitutional Convention
  + Wrote the *Federalist Papers*, series of 85 newspaper articles justifying the Constitution. He argued that due to the country’s large size and thus many factions, it would be nearly impossible for one group to gain control of the government
* Anti-Federalists
  + Favored keeping things the way they are, i.e. not having a strong central government or Constitution. Made up of many patriots including Patrick Henry and Samuel Adams. They wrote papers in response to the *Federalist Papers* to counter the Federalists points
  + They argued for the need for a Bill of Rights, and feared that without one, the government would limit personal freedoms

**Ratification**

* Federalists finally won argument. 1787 the Constitution was ratified. New Hampshire became the 9th state to ratify it, making it the deciding state.

**Did a Majority of Americans Support the Constitution?**

* Although a majority of Americans could not vote, it seemed like the majority were in favor of the Constitution in lieu of the Articles of Confederation.

**Limited Government, Popular Sovereignty, and the Rule of Law**

* Popular sovereignty is the thought that the people are the ones behind the government and can decide if the government is acting out of their league
* The Rule of Law is the idea that no one, including government officers, is above the law. Everyone must follow the laws to make them viable

**The Principle of Federalism**

* Constitution instituted a federal system of government in which the national government shares sovereign powers with state governments.
* Some powers are exclusive to the national government, such as the president being the commander and chief of the army, coining money, levy and collect taxes, and regulate interstate commerce
* States also had exclusive powers, such as in state commerce regulations.

**Separation of Powers**

* James Madison came up with the original plan for three branches of government that would then check each other to make sure not one part of the government was becoming too power hungry.
* This was known as Checks and Balances.
* The president also had a sort of check and balance power, called the veto power, which gave him/her the final word on legislation.
* Staggered terms of office are also a part of the check and balance system.

**The Bill of Rights**

* Federalists had to promise that changes to the Constitution would be made to ensure personal liberties. Madison came up with 16 amendments out of the 200 suggested, after which 6 were removed, and the Bill of Rights was made

**Amending the Constitution**

* Very hard for amendments to get passed. Two possible ways:
  + 2/3rds vote in the Senate and the House of Representatives is required. This is the only way so far it has happened
  + 2/3rds of state legislatures request that Congress call a national amendment convention, then Congress must call one. Convention may them propose amendments to the states for ratification. Never been used
* Two methods for ratifying amendments
  + 3/4ths state legislatures can vote in favor of proposed amendment. This is the traditional way
  + States can call special conventions to ratify the proposed amendment. If ¾ states approve, the amendment is ratified.