

Civics Honors Chapter Two: Origins of American Government

Section One: Our Political Beginnings

- Limited Government
- Representative government
- Magna Carta
- Petition of Right
- English Bill of Rights
- Charter
- Bicameral
- Unicameral

Basic Concepts of Government

- The English colonists brought 3 ideas that loom large in the shaping of the government in the United States.
 - Ordered Government
 - Limited Government
 - Representative Government

Ordered Government

- The first English colonists saw the need for an orderly regulation of their relationships with one another –that is, for government.
- They created local government based on what they had known in England.

Limited Government

- Government is NOT all powerful.
- Government is limited in what it can do and each individual has rights that cannot be taken away.
- The concept of limited government was deeply rooted in English belief and practice by the time the first English ships reached the Americas. It had been planned there with the signing of the Magna Carta in 1215.

Representative Government

- The early English settlers also carried another important concept to America: representative government. This idea that the government should serve the will of the people had been developing in England for centuries. With it had come a growing insistence that the people should have a voice in deciding what the government should and shouldn't do.

Landmark English Documents

- The Magna Carta:** King John was forced to sign this document which means “the Great Charter” by a group of determined barons in 1215. It limited the power of the king. It included fundamental rights such as trial by jury and due process of law –protection against the arbitrary taking of life, liberty, or property.

- Originally these rights were only intended for the privileged classes. Over time, they became the rights of all English people and were incorporated into other documents.
- **The Petition of Right 1628** Parliament limited the king's power by demanding that the king not imprison political critics without trial by jury; not declare martial law, or rule by the military, during peacetime; nor require people to shelter troops without the homeowner's consent. Parliament refused to give the king more money from taxes until he signed.
- The petition challenged the idea of the divine right of kings, declaring that even a monarch must obey the law of the land.
- In 1688, William and Mary came to power in what is known as the "Glorious Revolution" –a revolution without bloodshed. To prevent abuse of powers by William and Mary and all future monarchs, parliament drew up the English Bill of Rights in 1689
- The English Bill of Rights gave Parliament the right to raise taxes.
- The English Bill of Rights** also gave Parliament the right to make laws, control the army, and set up a system of elections. It also prohibited a standing army during peacetime.
- The Bill of Rights included guarantees such as a right to a fair and speedy trial, freedom from excessive bail, freedom from cruel and unusual punishment.
- These ideas would become part of our nation's as we formed our own government.

Government in the Colonies

- England's colonies in America have been described as "13 schools of government."
 - The 13 colonies were established separately, over a span of 125 years. During that time, outlying trading posts would develop into organized communities.
 - The first permanent English settlement in North America was in Jamestown.
 - Each colony had its own "character." Virginia, for example, was originally organized as a commercial venture. Its colonists were employees of the Virginia Trading Company.
 - Massachusetts was first settled by people seeking religious freedom.
 - Georgia was founded as a haven for debtors -a refuge for the victims of England's harsh poor laws.
 - Each colony was established on the basis of a charter –a written grant of authority from the king.
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- There were three types of colonies:
- Royal
 - Proprietary
 - Charter

Royal Colonies

- The royal colonies were subjected to the direct control of the crown. On the eve of the revolution, there were eight royal colonies: New Hampshire, Massachusetts, New York, New Jersey, Virginia, North Carolina, South Carolina, and Georgia.
- Virginia was the first royal colony after the king revoked its charter in 1624.
- Over time, a pattern of government emerged in the Royal Colonies.
- The king would name a governor to serve as the colony's chief executive.
- A council, also named by the king, would advise the governor. The council would become the upper house of the colonial legislature. It also became the highest court of the colony.
- Royal governors often ruled with an iron hand following instructions from London.
- The lower house was elected by those property owners qualified to vote. This became a bicameral (two-house) legislature.
- Laws passed by the legislature had to be approved by the governor and the Crown. It owed much of its influence to the fact that it shared with the governor and his council, the power of the purse –that is the power to tax and spend.
- Royal governors often ruled with an iron hand following instructions from London.

Proprietary Colonies

- At the time of the Revolution, there were three: Maryland, Pennsylvania, and Delaware. A proprietor was a person to whom the king had made a grant of land.
- The government of these colonies were like those in the royal colonies. However, the governor was appointed by the proprietor.
- In Maryland and Delaware, the legislatures were bicameral. However, in Pennsylvania, it was unicameral (one-house).

Charter Colonies

- Connecticut and Rhode Island were charter colonies. **They were largely self-governing.** The governors were elected by white, male, property owners. The king did get to approve the governor, before he took office, although it was often NOT ASKED.
- Laws made were not subject to the governor's veto, nor was the Crown's approval needed. Colonial judges were appointed by the legislature, but appeals could taken from the colonial courts to the king.

Section Two: The Coming of Independence

Albany Plan of Union
 Boycott
 Constitution
 Popular Sovereignty

Royal Control

- A colony is a group of people in one place, ruled by the government of another place. When English citizens began to settle in North America, they became colonists.
- The Jamestown colonists felt a need for self-government because England was too far away (3000 Miles –which took two months to sail) to govern the colony effectively.
- The House of Burgesses was made up of representatives from the towns and plantations of the Jamestown colony- this is an example of representative democracy.
- When King George III came to the throne in 1760, Britain began to deal more firmly with the colonies. Restrictive trading acts were expanded and enforced. New taxes were imposed, mostly to support British troops in North America.
- Many of the colonists took strong exception to these moves. They objected to the taxes that they had no part in levying –“no taxation without representation!”
- The colonists considered themselves British subjects loyal to the Crown. They refused, however, to accept Parliament’s claim that it had a right to control their local affairs.

Growing Political Unity

- These were early attempts at unity in the colonies.
- The New England Confederation
- The Albany Plan
- The Stamp Act Congress

The New England Confederation

- In 1643 the Massachusetts Bay, Plymouth, New Haven, and Connecticut settlement formed the New England Confederation – a league of friendship, for defense against the Native Americans.

The Albany Plan

- 1754 –The British Board of Trade called for a meeting of the seven northern colonies at Albany.
- The main topics discussed were the problems with colonial trade and the danger of attacks by the French and their Native American allies.
- Benjamin Franklin offered up what is known as the Albany Plan of Union. The body would have the power to raise military, make war or peace, with Native Americans, regulate trade with them.
- It was turned down by the colonies and the Crown.

The Stamp Act Congress

- In October of 1765, delegates from nine colonies were sent to New York in response to the Stamp Acts.
- Colonists showed anger and resentment –they organized a boycott against British goods.
- December 16, 1773 the Boston Tea Party occurred when a group of men disguised as Native Americans boarded 3 British ships and dumped their cargo into Boston Harbor.

The First Continental Congress

- September 5, 1774 delegates from every colony –except Georgia, met in Philadelphia to discuss the Intolerable Acts.
- Allowing British soldiers to search and even move into colonists homes were just 2 examples of the “Intolerable Acts.”
- The colonists sent a Declaration of Rights to King George III demanding an end to the Intolerable Acts. As a result, the king decided to use force against the colonists.

The Second Continental Congress

- In 1775 Congress met again, but by now the Revolution had begun.
- The Congress organized a government and established an army, led by George Washington.
- The Congress served as the first National Government until the Articles of Confederation went into effect.
- The Congress was unicameral, exercising both legislative and executive powers.

The Declaration of Independence

- American independence was declared by the Second Continental Congress on July 4, 1776.
- In the Declaration of Independence, Thomas Jefferson argued that a government that does not protect the rights of its people or looks after their interests loses the right to rule (govern)
- The Declaration announced the United States’ independence from Great Britain and listed the reasons for the rebellion. It proclaimed equality and the rights of people.

The First State Governments

- Most states wrote their own constitutions.
- Most states adopted their own constitutions.
- The Massachusetts constitution of 1780 is the oldest of the present-day state constitutions. In fact, it is the oldest written constitution in force anywhere in the world today.

Common Features of New States

- Popular Sovereignty: The States' government existed by the consent of the governed.
- Limited Government: the power of the States' government was restricted.
- Civil Rights and Liberties: Each State clearly announced the rights of its citizens.
- Separation of Powers and Checks and Balances: Each new State government was organized with independent branches of government.

Section Three: The Critical Period

Ratification

The Articles of Confederation

Introduction: First Governments

- When the 13 colonies declared independence, they did not form one government but instead became 13 separate, independent states. They did this because they did not want a large central government which might treat them as England had.

The First National Constitution

- The Articles of Confederation formed a confederation among the states.
- Government structure under the Articles was a unicameral legislature with no executive or judiciary.
- The Powers of Congress were mostly related to defense.
- The States agreed to accept several obligations to the central government, but retained many powers of government for themselves.

The Articles of Confederation

- The purpose of the Articles of Confederation was to establish a system by which the independent states could cooperate with one another. It did have many weaknesses.
- At first, Congress had no power to enforce its laws. –This is an example of a weakness of the Articles of Confederation. It could, however, control the army.
- Amendments to the Articles of Confederation required a unanimous vote of all 13 states for it to pass.

The Critical Period, the 1780s

- Disputes among the states highlighted the need for a stronger, more effective National Government.
- Economic chaos also resulted from a weak national government.
- The political and economic crises of the 1780s were linked to the following: inflation, mounting debt, and trade restrictions.

Shay's Rebellion

- ❑ The heavy burden of taxes imposed by the states on goods from other states led to Shay's Rebellion in 1786. It proved that taxation was still a problem now caused by the policies of the American government. It took place in western Massachusetts.

The Meetings at Mount Vernon and Annapolis

- Maryland and Virginia plagued by bitter trade disputes, took the first step in the movement for change. They ignored Congress and agreed to a conference on their trade problems. Their negotiations were so successful that the Virginia Assembly called for a joint meeting of all States to recommend a federal plan for regulating commerce to be held in Annapolis, Maryland.
- A majority of the States called for a convention in Philadelphia to improve the Articles of Confederation.
- This meeting became the Constitutional Convention.

Section Four: Creating the Constitution

Framers

Virginia Plan

New Jersey Plan

Connecticut Compromise

Three-Fifths Compromise

Commerce and Slave Trade Compromise

The Framers

- The delegates to the Constitutional Convention were young.
- They were remarkably well educated and experienced in politics.
- Rhode Island was the only state not to send a delegate to the Constitutional Convention.

Organization and Procedure

- George Washington was elected president of the convention.
- Each State could cast one vote on an issue, and a majority of votes were needed to carry any proposal.
- There are few details about the Constitutional Convention because few things were written for security reasons.
- Most of what is known from the convention came from James Madison's notes.
- James Madison contributed more to the Constitution than any other delegate. He is known as the "Father of the Constitution."

The Decision to Write a New Constitution

- The Philadelphia Convention was called to revise the Articles of Confederation.
- Most delegates agreed that writing a new constitution was necessary.

The Virginia Plan

- The Virginia Plan called for a strong National Government with three separate branches.
- It favored large states because the number of votes in the legislature would be based on a State's population –presented by Edmund Randolph

The New Jersey Plan

- The New Jersey Plan resembled the Articles of Confederation, but with increased power of the Federal Government to tax and regulate trade.
- It favored smaller States because each state was given equal representation in the legislature – presented by William Paterson, from New Jersey.

The Connecticut Compromise

- Disagreement over representation in Congress caused tempers to flare.
- The Connecticut Compromise settled the conflict.
- Under the Connecticut Compromise (aka “The Great Compromise”) there would be 2 houses of congress, in one house, states would have equal representation and in the other, it would be based upon the population –presented by Roger Sherman.

The Three-Fifths Compromise

- The question arose of whether slaves should be counted in the population of the Southern States.
- The delegates agreed to count slaves as three-fifths of a person for purposes of representation and taxation.
- Three-Fifths Compromise dealt with slavery. The southern states wanted to count the slaves as part of the population. The north, having very few slaves, opposed this idea. Slaves wound up counting 3/5 of other persons- so, 100 slaves would count as 60 people in the population to determine representation in Congress.

$$100 * 3/5 = 60$$

The Commerce and Slave-Trade Compromise

- Congress was forbidden to tax exports.
- Congress could not act on the slave trade for at least 20 years.

The Slave Trade

- The northern states felt that Congress should be able to regulate trade between the states and with other countries. The south was afraid that the Congress would tax exports and would interfere with the slave trade. The compromise was that the north could not interfere with the slave trade for 20 years or tax exports and that Congress could regulate trade between the states and with other countries.

A Bundle of Compromises

- Great differences of opinion existed among the delegates.
- Compromise was necessary on many issues.

Sources of the Constitution

- The Framers were well-educated.
- Delegates drew from history, current political thought, and from their own experiences.

The Convention Completes Its Work

- The convention approved the Constitution.
- Most delegates agreed that the Constitution was not perfect, but it was the best that they could produce.

Section Five: Ratifying the Constitution

Federalists

Anti-Federalists

Ratification

- Federalists favored ratification.
- Anti-Federalists opposed ratification.
- Debates about ratification involved the increased power of the central government and the lack of a federal bill of rights.
- Success was achieved when Virginia and New York ratified the document in the summer of 1788.
- Nine states were needed to ratify the constitution.
- The absence of a bill of rights was cause for many to oppose the ratification of the constitution. These people were known as Anti-Federalists.
- Most opponents to ratification thought that the constitution gave too much power to the federal government.
- Delaware became the first state to ratify the Constitution.
- Federalists: James Madison and Alexander Hamilton.

- Anti-Federalists: Patrick Henry, Richard Henry Lee, Samuel Adams, and John Hancock.

Inauguration of the New Government

- The new government assembled in its temporary capital, New York City, in March 1789.
- In April 1789, George Washington was elected the first President of the United States of America.