

Foundations of American Government

Unit 1

Chapter 2

“Origins of American Government”

The Colonial Period

- Limited Government – colonists brought this idea with them (Magna Carta 1215 - England, Petition of Right 1628 – England, English Bill of Rights, 1689)
 - gov. is not all-powerful and that each person has rights that cannot be taken away by gov.

The Colonial Period (cont)

- Representative Government – another belief that colonists carried with them that gov. should serve the will of the people
 - “of the people, by the people, and for the people”

The Colonial Period (cont)

- New Political Ideas – many *Enlightenment* thinkers influenced the American colonists.
 - Hobbes – *Social Contract Theory* stated that people should only surrender enough power to the gov so that it can maintain a civil society.
 - Locke – gov should exist to protect people's *natural rights (life, liberty, property)* and if the gov failed to protect these rights, it should be abolished.

The Colonial Period (cont)

- Colonial Unity Grows – each colony was independently controlled by Britain
 - a federal system developed where Britain was the central authority and each colony had local lawmaking authority.
- Colonists wanted more power and resented Britain's control so they started to unite against Britain.

Uniting for Independence

- **The Stamp Act Congress** – formed in 1765 in response to the Stamp Act which put taxes on documents, papers, etc.
 - Colonies sent delegates to meet in NY and wrote the Declaration of Rights and Grievances protesting the new “taxation without representation” and sent it to the King.
 - First significant unified opposition to the British Gov.

Uniting for Independence (cont)

- **Boycotts/Protests** – colonists organize to hurt Britain economically
 - Boston Tea Party - 1773, Boston Massacre – 5 die when British troops fire on an angry mob - 1770.
- **1st Continental Congress 1774** - delegates from all colonies met in Philadelphia
 - wrote Declaration of Rights, organized trade bans/boycotts to protest the Intolerable Acts (punishment for Boston Tea Party).

Uniting for Independence (cont)

- 2nd Continental Congress 1775 – delegates meet again in Philadelphia
 - revolution has begun (shot heard 'round the world 3 weeks earlier)
 - John Hancock elected president of the congress and George Washington chosen as commander in chief, continental army created.

Uniting for Independence (cont)

- **Declaration of Independence July 4, 1776**
 - written mostly by Thomas Jefferson
 - announced independence and listed grievances
 - 2nd paragraph sites “all men are created equal”
 - lists unalienable rights “life, liberty, pursuit of happiness”
 - “deriving powers form the consent of the governed” “if gov. becomes destructive it is the peoples right to abolish it” (social contract theory)

Uniting for Independence (cont)

- State Constitutions – 1776-1777 – states adopted written constitutions
 - most were similar and expressed popular sovereignty (gov can only exist with the consent of the governed), limited gov., civil rights and liberties, separation of powers and checks and balances.

The Articles of Confederation

- **1781 – 1st Constitution of U.S.**
 - meant to establish a “firm league of friendship” between the states
 - feared a strong/tyrannical gov.

The Articles of Confederation (cont)

- **Structure** – unicameral congress, each state with one vote, no executive or judicial branches (these functions were to be handled by legislative committees).
- **Powers of Congress** – make war and peace, send and receive ambassadors, make treaties, borrow money, est. a post office, have a military, settle disputes between the states.
- **Weaknesses** – no executive branch to enforce laws, no court system, 9/13 to pass laws, can't collect taxes, can't regulate foreign/interstate trade, unanimous consent to amend.

The Articles of Confederation (cont)

- The Need for a Stronger Government
 - 1786 Shay's Rebellion (many small farmers – some former soldiers still unpaid – losing land due to unpaid debts storm arsenal and courthouse in Mass.)
 - political and economic instability showed need for stronger gov.

The Articles of Confederation (cont)

- Mt. Vernon/Annapolis convention 1786
 - meetings between the states to settle trade/economic disputes
 - led to realization that the Articles were insufficient
 - Constitutional Convention planned in Philadelphia next year (1787).

The Constitutional Convention

■ The Framers

- all states except Rhode Island sent delegates, 55 in all
- most well educated, wealthy, had fought in the Revolution, and served as delegates from their states.
- worked in secrecy, agreed to scrap the Articles and form a new gov.

The Constitutional Convention (cont)

- The Virginia Plan – (written mostly by James Madison)
 - bicameral legislature (lower house elected by the people, upper house selected by lower house)
 - representation by population.
 - Strong executive chosen by legislature
 - judiciary chosen by legislature
 - favored by large states.

The Constitutional Convention (cont)

■ The New Jersey Plan

- unicameral legislature with one vote per state
- executive would be a small group elected by the legislature
- the judiciary would be appointed by the executive
- this plan was favored by the small states because it had equal representation.

The Constitutional Convention (cont)

■ Compromises

- Connecticut Compromise – bicameral legislature with House of Representatives based on population and a Senate with 2 members from each state (equal rep).
- 3/5 Compromise – who counts? Slave states wanted slaves to count for representation but not for taxes
 - compromise = slaves counted as 3/5th of a whole person for both representation and taxes.

The Constitutional Convention (cont)

- **Federalists** – supported the Constitution, favored a strong national gov. (feared anarchy, wanted strong defense)
 - led by James Madison and Alexander Hamilton who wrote “The Federalist Papers” in support of the Constitution.
- **Anti-Federalists** – against the Constitution, feared that the gov would be too strong
 - claimed Constitution was drafted in secret, wanted a “Bill of Rights” to protect individual rights/freedoms.