

Mr. McCormack

American Government

Chapter 2 – Essential Study Guide

- The origins of American government can be traced to the British. The British legacy was felt especially in three ideas: *ordered government* (the structure and expectations for government function), *limited government* (the idea that governmental power is restricted by the rights of the people), and *representative government* (the idea that people should have some choice over their rulers and that the government should serve the will of the people).
- These ideas developed over centuries in England and can be traced through several landmark documents. The *Magna Carta* (1215) was issued by King John to settle a revolt by nobles who felt that the king was acting unfairly. It's most important because it was the first time a British monarch recognized limits on his power, and some of those limits (a trial by jury) are still upheld today. The *Petition of Right* (1628) was accepted by Charles I and recognized more limits on royal power. The *English Bill of Rights* (1689) was issued after the "Glorious Revolution" by King William and Queen Mary and recognized even more rights for the people.
- English colonies in North America were originally of three types: *charter colonies* (largely ruled by the colonists), *proprietary colonies* (largely ruled by the principal landowners), and *royal colonies* (ruled directly by the king's officials). Charter colonies were found mostly in the northeast, proprietary colonies (including Pennsylvania, founded by William Penn) in the Mid-Atlantic, and royal colonies were mostly in the south. Over time, however, most colonies were converted to royal colonies (which was not always very popular!).
- Colonists relied upon the English for protection in a series of wars against the French, the last of which ended in English victory in 1763. From that point forward, colonists began to view English troops as unnecessary (oppressors) instead of helpful (defenders). King George's decision to restrict settlements to the area east of the Appalachians further estranged the colonists.
- The colonists had already considered various proposals for cooperation. The *New England Confederation* (1643-1684) was formed by a few colonies for protection against Native Americans. When the threat diminished, the confederation disbanded. The *Albany Plan of Union* (1754), a proposal by Ben Franklin, was designed to lead to closer ties for trade and defense, but the idea was never adopted. The *Stamp Act Congress* (1765) formed to protest unpopular taxes and succeeded in convincing the British to compromise. The *First Continental Congress* (1774) attempted to replicate the tactics and success of the Stamp Act Congress, but this time the British did not back down. Its successor, the *Second Continental Congress* (1775-1781) became the nation's first functional government by default (not by design) because the Revolution began on its watch.
- The Boston Tea Party (1773) and the Battles of Lexington and Concord (1775) hastened the break with England. The Declaration of Independence, largely written by Thomas Jefferson, was adopted on July 4, 1776. George Washington served as the Commander-in-Chief and John Hancock as the President of Congress.
- The newly independent states adopted new constitutions that shared several important features: *popular sovereignty*, *limited government*, *civil rights and liberties*, *separation of powers*, and *checks and balances*.
- In 1777 the Continental Congress approved a plan for government known as the *Articles of Confederation*. This document took effect in 1781 after the last, reluctant state (Maryland) approved the plan. The new government created a single branch of government (a unicameral Congress) with several powers (mostly dealing with foreign affairs and trade). It had many weaknesses: no ability to raise revenue through taxes, no ability to enforce the rule of law, no ability to force a state to fulfill its obligations, requirement of a super majority of states to legislate, requirement of unanimous consent to amend the Articles, etc. Basically, the Articles attempted to legitimize the powers already assumed by the Continental Congress; it did not try to create a new government for a new, unified nation. Most historians consider its government a failure, though it did successfully conclude the Revolutionary War and negotiate the Treaty of Paris on favorable terms.
- States soon began to realize that the Congress was inadequate. Maryland and Virginia led the way by meeting at Mt. Vernon (George Washington's plantation) to settle a dispute instead of submitting the dispute to Congress. They called a larger convention the following year (1786) to discuss problems with the Articles, but not enough states sent delegates. They called for another meeting in Philadelphia in 1787. This meeting was attended by every state but Georgia, and became the Constitutional Convention.
- The Constitutional Convention brought together many of the country's most talented leaders, including Alexander Hamilton, James Madison, Ben Franklin, and George Washington, who served as the convention's president. Other prominent leaders, including Sam Adams and John Hancock, chose not to attend because they distrusted the idea of making a stronger national government. Two important men, Thomas Jefferson and John Adams, could not attend because they were serving as ambassadors to France and Britain, respectively. The Convention agreed to keep their deliberations secret so that the discussions would be open and honest.
- The basis of the Constitution was a plan (the "*Virginia Plan*") drafted by James Madison to benefit the larger states (such as giving states with larger populations more votes in Congress). Madison also envisioned three branches of government, a big departure from the Articles of Confederation. An alternative (the "*New Jersey Plan*") was proposed by William Paterson that would have preserved some of the smaller states' privileges (such as keeping equal state representation in Congress). Roger Sherman of Connecticut proposed a compromise (the "Connecticut Compromise" or "Great Compromise") to settle this dispute. As a result, our Constitution created a bicameral Congress in which states have equal votes in the Senate and proportional representation in the House.
- The convention also worked out a compromise concerning slaves and commerce. Southern states got a promise that the new government would never tax exports and could not interfere with the importation of slaves for 20 years. Northern states succeeded in giving the new government the power to regulate interstate and foreign commerce.
- The convention also worked out a compromise concerning representation and taxes. The South wanted slaves to count as "persons" to increase their representation in the House, but not to increase the taxes owed to the new government. The North wanted the opposite outcome. They compromised by agreeing to count only three out of every five slaves for both purposes. Ironically, had the Constitution counted every slave as a person, it would have increased Southern influence on future Congresses and might have prolonged the existence of slavery in this country.
- Reaction to the proposed Constitution was divided between Federalists and Anti-Federalists. Anti-Federalists opposed the Constitution for many reasons, but they were most concerned about the increased power of the national government and the lack of a Bill of Rights. An informal understanding emerged that a Bill of Rights would be added later, reducing opposition to the Constitution.
- The Federalists were more organized than their opponents and also had the support of the two most influential living Americans, George Washington and Ben Franklin. Alexander Hamilton, James Madison, and John Jay helped sway the state of New York in favor of the Constitution by writing a series of articles known as the Federalist Papers. These are carefully studied even today because they help to explain the Framers' intentions.
- The Constitution was ratified by the ninth state in 1788, so the new government was elected and took office in 1789. George Washington was unanimously elected to serve as President. John Adams was elected Vice President. Their inauguration was delayed because it took longer than expected for Congress to assemble a majority of its members. New York City was designated as the new national capital. Rhode Island, last of the thirteen states, finally ratified the Constitution in 1790, a year after Washington took office.

Magraders Civil Rights Study Guide

Karin Nielsen-Saines



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