

Chapter 7 – Creating the Constitution

Unit Essential Question:

How did the strengths and weaknesses of the Articles of Confederation lead to the development of the U.S. Constitution?

Lesson Essential Question:

Why was the government under the Articles of Confederation unable to resolve the issues of the new nation?

The Articles of Confederation: Our FIRST Constitution

Anticipation Guide

Directions: If you believe the statement to be true, please write T in the box. If you believe the statement is false, please write F in the box. After we complete the lesson, you will do the activity again using your newly acquired knowledge.

Before Lesson	Statement on Articles of Confederation	After Lesson
	The Articles of Confederation created a President to lead the country.	
	States were still independent under the Articles.	
	The Articles were easy to change if there was a problem with a law.	
	Under the Articles of Confederation, the more people a state had, the more votes it got in Congress.	
	The Congress created by the Articles did not have the power to collect taxes.	
	Under the Articles, states had to obey the laws Congress passed.	
	The Articles of Confederation created the first American government.	
	When planning for the Constitution, everybody agreed the federal government should have more power.	
	Some people were afraid states might lose their independence if the federal government was stronger.	
	Different states had different needs for government to meet.	
	The states all got along with each other.	
	The government created by the Articles of Confederation had everything under control among the states.	

Analogy to the Articles of Confederation

DIRECTIONS: There is a difference between “good” leadership...and “effective” leadership. Leadership can be “good” based on the effort. However, “effective” leadership is based on effort...and RESULTS. Below are a few “What if” scenarios about East Middle School. After reading each scenario, decide whether or not EMS would run “effectively” by writing YES or NO. Then under “Why?” Explain your reasoning.

WOULD EMS RUN EFFECTIVELY IF...		
	YES/NO?	WHY?
There was NO Principal or Assistant Principals? The		
Teachers could not require you to bring in writing utensils, they could only ask?		
Administrators let teachers decide disciplinary action for rule-breaking?		
The school relied on donations instead of taxes for funding?		
Changes to the school rules could not be made unless 100% of the staff agreed to it?		

EFFECTIVE LEADERSHIP MEANS...

Articles of Confederation: An overview of the first government of the United States of America

When the American War for Independence ended, no one was happier than a serious Virginia Patriot named James Madison. And no one was more worried about the future of the United States. While serving in Congress

during the war, Madison had tried and failed to get the states to work easily together. He doubted that things would improve now that the war was over.

After declaring independence in 1776, Congress had tried to unite the states under one national government. This proved to be a difficult task. Most members of Congress were nervous about creating a strong federal government. They'd lived for years under British rule, and they had lots of complaints. Now they would create a government from scratch, and they had a few requirements. Every state agreed that the U.S. government should be a **republic**, a government in which the citizens rule through elected representatives. The states had difficulty agreeing on the organization and the powers of their new republic.

Their solution was a plan of government known as the Articles of Confederation. The Articles created "a firm league of friendship" in which "each state retains its sovereignty, freedom, and independence." Basically, each state acted like a country. This "league of friendship" was a loose union in which the 13 states cooperated for common purposes. It was run by Congress, in which each state had one vote. Congress was a legislature, it could make laws. There was no president; there was no *federal* court system.

On paper, the Articles of Confederation gave Congress several important powers. It could declare war, raise an army and navy, print money, sign treaties with other countries, and set up a postal system.

In reality, however, these powers were limited by the inability of Congress to impose taxes. Instead, Congress had to ask the states for funds to do anything. All too often, the states ignored Congress's "humble requests." The result, said Madison, was that the Articles were no more effective at binding the states into a nation than "a rope of sand."

With thirteen different states, there was no easy solution. Here's why:

- States had different needs. For example, some states depended on fishing, while others mostly grew crops.
- States had different sizes. Some states had many people; others had few.
- People had different opinions. Some people feared a central government, while others thought a central government was necessary.

That last one was especially troublesome. Many people feared they would lose their freedom if a central government had too much power. Others were tired of the weak government created under the Articles of Confederation and felt like nothing would ever get done if nobody was in charge.

Questions

1. Why did colonists fear creating a federal government that was too strong? _____
2. What type of government did all states agree that the U.S. should have? _____
3. What did Congress create as a solution to their fears? _____
4. Go back in to the text and underline the powers of Congress in the Articles of Confederation. Why were all of these powers limited? Explain. _____

ACCOMPLISHMENTS OF THE AoC

Developing Western Lands

Congress did get the states to agree on one important issue: how to develop the western lands acquired in the Treaty of Paris. At that time, there was no orderly way to divide up and sell these lands. Settlers walked into the wilderness and claimed the land they liked. Disputes over who owned what clogged the courts.

To end this confusion, Congress passed the Land Ordinance of 1785. Under this law, western lands were divided into six-mile squares called townships. Each township was then divided into 36 sections of 640 acres each. One section of each township was set aside to support the township's public schools. The other sections were to be sold to settlers.



(Northwest Territory was all land in yellow)

Surveyors proceeded to lay out townships in the Ohio Valley, then known as the Northwest Territory. By 1787, the government was ready to sell sections to settlers. This raised the question of how these areas should be governed. Were they to be U.S. colonies or new states?

The Northwest Ordinance

Congress answered this question in the Northwest Ordinance of 1787. This law divided the Northwest Territory into smaller territories, each governed by a territorial governor. As soon as a territory had 5,000 free adult males, it could elect its own legislature, or lawmaking body. When the population reached 60,000, a territory could apply to Congress to become a state.

The Northwest Ordinance included a list of rights that gave settlers the same privileges as other citizens, except for one. Slavery was banned in the Northwest Territory.

This system of settlement served the nation well. Over time, the United States would continue to establish territories as it spread to the shores of the Pacific Ocean and beyond.

Questions

1. What issue did the Land Ordinance of 1785 address?
2. Why do you think the government wanted to sell the land instead of just letting people claim it?
3. In the spaces provided, complete the list of rules for the Northwest Territory that were set by the Northwest Ordinance
 1. When a territory had 5,000 free adult males living on it, it can *elect* its own legislature.
 2. _____
 3. Settlers have the same rights and privileges as people that live in the 13 United States.
 4. _____

THE WEAKNESSES OF THE AoC

There was no Chief Executive (no president). Many people feared that by having one person at the center of a federal government would result in a king, or absolute monarchy, which they already had on Great Britain.

1. What problem that might occur by not having one person at the center of the government?

Congress needed the approval of all of the 13 states for amendments (changes) to go into effect. Many people wanted to protect the power of individual states. They feared a strong federal government.

2. What problem might occur by requiring 100% of the states to approve amendments (changes) to laws?

Congress did not have the power to tax citizens. It could only request tax money from states. People already lived under a government that taxed them. People were fine with state taxes that went to their individual state but struggled to see the necessity of paying more taxes to a federal government.

3. What problems might occur when a federal government can't collect taxes? (debt? military?)

Congress did not have the power to draft an army. It could only request states to send men for military service.

People feared that a strong federal government with a strong military could take away their rights unfairly.

4. What problem might occur when a federal government can't put together its own army?

Congress did not have the power to settle disputes among states. There was no federal court system. People feared that if there was a federal court system, then it might favor the rights of some states over others.

5. What problem might occur when states disagree over boundaries or tax each other different rates?

Questions

1. In your opinion, which weakness was the worst weakness of the Articles of Confederation for the United States? Explain.

2. Referring to your prior reading on page 2, why didn't all the states get along? If all states don't get along, what might it be difficult for the government under the Articles of Confederation to do?

Newburg Conspiracy, 1783 – Problems w/ Independence and the *Articles of Confederation*

The Newburgh Conspiracy was a plan by Continental Army officers to challenge the authority of the Congress created by the *Articles of Confederation*. This challenge arose from the military's frustration with Congress's long-standing inability to meet its financial obligations to the military. By early 1783, widespread unrest had created an

atmosphere ready for mutiny. In the end, however, George Washington defused the situation with a persuasive, personal plea to his officers to remain loyal to Congress, in the process perhaps saving the fate of the American Revolution.

Without the power to tax under the Articles of Confederation, Congress relied on irregular, voluntary payments from the states to raise revenue. However, the states' often refused to give enough money and forced Congress to struggle to support the army throughout the war effort. Officers and soldiers were not being paid regularly, and the army was often forced to ask citizens and local farmers for supplies.

In 1780, Congress passed a resolution providing half-pay for retired soldiers. However, as of 1783 the states had yet to comply with Congress's request for the needed funds. The following year a group of nationalists led by the Superintendent of Finance of the United States, Robert Morris, his assistant Gouverneur Morris, and Washington's trusted soldier Alexander Hamilton, supported an amendment to the *Articles of Confederation* that would allow Congress to raise revenue through taxes to support the army and pay its foreign loans. However, the states rejected this idea. Not all 13 states could agree.

On March 10, a meeting of officers was anonymously called for the following day in the camp at Newburgh. The meeting encouraged the men to abandon kindness toward Congress, and instead, take up a forceful ultimatum. If Congress did not agree to their demands, the army would threaten to disband – leaving the country unprotected – or they would refuse to disband after a treaty ending the war was signed. The second option was a low key threat of a military takeover of the government.

The meeting and message moving forward electrified the camp. On March 11, Washington's orders declared the meeting was improper due to a lack of honesty amongst *all* members of the military. Hoping to give the soldiers time to cool their inflamed "passions," he called for a meeting four days later to discuss the matters but said he would not be present.

On March 15, the officers gathered, but were interrupted when Washington entered the room unexpectedly and said he wanted to address the group. He denounced the officers' plan and said "Surely the person behind this plan is no friend of the army and no friend of the United States of America. Rather, is he not an insidious foe?!" Washington urged the officers to "show patriotism and patience by placing your full confidence in the *intentions* of Congress."

In closing, Washington told the officers that he wished to read them a recent supportive letter from Joseph Jones, a Congressman from Virginia. However, Washington's vision had recently begun to fail. After stumbling through the first paragraph, he reached in his pocket for a pair of spectacles. Pulling them out, he remarked off-handedly, "Gentleman, you must pardon me, for I have not only grown gray but almost blind in service to my country." The disarming hint of vulnerability from their otherwise stoic leader so deeply affected the officers that some wept openly. The officers resolved their conflicts amongst one another and expressed their affections towards Washington "with the greatest sincerity of which the human heart is capable of."

Ironically, Washington scored one of his greatest triumphs as a military general with words rather than bullets or bayonets. His victory also testifies to the strength of the bond between Washington and the officers and soldiers of his army, without which the Revolution might have ended quite differently.

QUESTIONS

1. Why were the soldiers upset? What weakness of the AoC does this show? What other weakness was shown when creating an amendment?
2. What did the officers threaten to do (two things)?
3. What if this conspiracy turns into a rebellion ... How might it affect the new, young nation of the United States?
4. Why was Washington so appealing to the soldiers in his address on March 15? Provide evidence from the text.

VOCABULARY

Conspiracy – a secret plan by a group to do something unlawful or harmful

Mutiny – an open rebellion against the proper authorities, especially by soldiers against their highest officials.

Resolution – an action to solve a problem

Ultimatum – a final demand or statement of terms, if rejected, the result will be some form of retaliation

Denounce – to publicly declare something to be wrong or evil

Insidious – trying to do something in a sneaky way with harmful effects

FARMERS GONE WILD PART 2: SHAYS'S REBELLION

As previously mentioned, under the Articles of Confederation, the new nation had serious money problems. The paper money printed by Congress during the war was worthless. Congress had the power to make coins that would not lose their value. But it lacked gold or silver to mint into coins.

The states reacted to the money shortage by printing their own paper currency. Before long, bills of different sizes and colors were distributed from state to state. No one knew what any of these currencies was worth, but most agreed they were not worth much.

Massachusetts Farmers Rebel

The money shortage was particularly hard on farmers who could not earn enough to pay their debts and taxes. In Massachusetts, judges ordered farmers to sell their land and livestock to pay off their debts. Many of these farmers were men who had risked their lives defeating the British in the Revolutionary War! The others were farmers who bought additional farm land to plant more crops to feed the Continental Army during the war. Farmers that could not pay off their debts were put in jail and their farms were seized! Led by Daniel Shays, a hero of the Battle of Bunker Hill, Massachusetts farmers rebelled against this injustice.

In 1786, Shays and his followers closed down courthouses to keep judges from taking their farms. Following the closing of the courthouses, the farmers marched to the jails to free their fellow debtors. Then they marched on the national arsenal at Springfield to seize the weapons stored there. Having disbanded the Continental Army after the war, Congress (the federal government) was unable to stop them.

The Massachusetts government ended Shays's Rebellion in early 1787 by sending in their state militia troops to Springfield to restore order. To many Americans, however, the uprising was a disturbing sign that the nation they had fought so hard to create was falling apart. "No respect is paid to the federal authority," James Madison wrote to a friend. "It is not possible that a government can last long under these circumstances."

A Call for a Convention

Shays's Rebellion shocked Congress into calling for a convention to consider "the situation of the United States." Each state was invited to send delegates to Philadelphia in May 1787 "for the sole and express purpose of revising the Articles of Confederation." Madison was ready. For the past year, he had devoted himself to the study of governments, both ancient and modern. The lesson of the past was always the same. A nation that was made up of many groups needed a strong federal government, or it would soon be torn apart by quarrels.

Questions

1. Describe the *causes* of Shays's Rebellion. _____

2. How was this resistance similar to the colonial resistance to British authority pre-Revolutionary War?

3. Why didn't Congress stop Shays's Rebellion?

4. Describe the *effects* of Shays's Rebellion.

5. **Writing assignment due** _____
Imagine you were an angry farmer involved in Shays's Rebellion. Write a 5-7 sentence letter to a Massachusetts newspaper describing your complaints and how and why you think the Massachusetts government should help you!