

The Articles of Confederation and Constitution: 1781-1789

I. Changes in society due to the American Revolution

A. 80,000 conservative Loyalists left America; this paved the way for more democratic reforms in state governments.

B. Slavery issue

1. Rise of anti-slavery societies occurred during and after the Revolution in all northern states (plus Virginia).

- Quakers were the first to found such societies.

2. Slavery was eradicated in most northern states by 1800.

a. Vermont was the first U.S. territory to abolish slavery in 1777.

b. Pennsylvania was the first state to abolish slavery in 1780 with the **Pennsylvania Gradual Emancipation Act.**

- Those who were slaves before the law was passed remained slaves for life.
- Children born after the law was passed became indentured servants until the age of 28.
- Gradual emancipation became the model for several northern states.

c. **Quock Walker case** in Massachusetts (1781) effectively ended slavery there as slaves would no longer be protected as property under the law.

- Thus, the judicial branch in MA established instant emancipation in contrast to legislative branch gradual emancipation in other states (like Pennsylvania).

3. Slavery was not allowed above the Ohio River in the Northwest Ordinance of 1787.

- The future states of Ohio, Indiana, Illinois, Michigan and others would thus be free states, not slave states.

4. The slave trade was to be abolished in 1808 according to the Constitution of 1787.

5. By 1860, 250,000 free blacks lived in the North, but often suffered political, social and economic discrimination.

a. Several states forbade the entrance of blacks, most blacks were denied the right to vote, and some states barred blacks from public schools.

b. Vibrant African American communities developed, the biggest of which was in Philadelphia where the **African Methodist Episcopal Church** served as a center for the community.

6. Thousands of southern slaves were freed after the Revolution.

Use space below for notes

7. Yet, slavery remained strong in the South, especially after 1793 (cotton gin).

C. Stronger emphasis on equality was inspired by Enlightenment ideas

1. Common people openly criticized the **Cincinnati Society**, a hereditary organization that included America's military elite and foreign officers; it smacked of aristocracy.
 - George Washington was a member and refused to resign membership despite receiving some public criticism.
2. However, equality did not triumph until much later due to tenant farming, poor rights for women and children, slavery, and land requirements for voting and office holding (although they were often reduced).
3. Further reduction of land-holding requirements for voting occurred in the 1820s.
4. End of primogeniture and entail before 1800
 - a. **Primogeniture**: eldest son inherited father's estate
 - b. **Entail**: Estates could not be sold off in pieces; guaranteed large landholdings to a family and meant less land available for purchase to the public

D. Separation of church and state

1. **Jefferson's Virginia Statute of Religious Freedom, 1786**
 - a. Anglican Church was replaced by a disestablished Episcopal church; much of the South followed Virginia's example.
 - b. Religious freedom was granted to Catholics, Jews, and all Protestant denominations.
 - c. Later, it influenced the First Amendment to the Constitution.
2. Congregational churches in New England were slower to disestablish (Connecticut in 1818; Massachusetts in 1833).

E. State governments:

1. Three branches: weak governors, strong legislatures, and a judicial branch
2. Each state was a **sovereign** republic (in effect, its own country).
3. Most states had a bill of rights.

F. Amerindians no longer had British protection and thus became subject to U.S. expansion westward.

- The Iroquois, for example, suffered significant losses after the war.

G. Women did not enjoy increased rights

1. Abigail Adams had written to her husband, John, to "remember the ladies" during the revolution. Yet, women were still second-class citizens.

2. Ideal of “**Republican Motherhood**” took hold: women were expected to raise their children to be good citizens of the republic.
 - This ideal actually represented an increase in the *status* of women who were now seen as morally equal to their husbands.
 - Before the Revolution women were often seen as morally inferior to men and more prone to temptation (based on Biblical beliefs of the time).
3. **Feme covert**: In many states, women could not own property if married. Even if women had inherited property, their husbands took control of it upon marriage.

H. Gordon Wood, *The Radicalism of the American Revolution* (1991)
Thesis: Revolution was the most radical and far-reaching event in American history.

1. Made the interests and prosperity of ordinary people -- the pursuit of happiness -- the goal of government
2. Changed the personal and social relationships of people
 - a. Destroyed aristocracy as it had been understood for nearly 2,000 years.
 - b. Made possible egalitarian thinking: subsequent anti-slavery and women's rights movements
3. Brought respectability and even dominance to ordinary people long held in contempt
 - Gave dignity to menial labor in a way unprecedented in history
4. Brought about an entirely new kind of popular politics and a new kind of democratic officeholder
5. Inspired powerful popular entrepreneurial and commercial energies
 - Transformation occurred without the industrial revolution, urbanization, and railroads (as was the case in Europe)

II. Constitution making in the states

A. The Continental Congress in 1776 called upon the colonies to draft new constitutions.

- Sovereignty of new states would rest on the authority of the people according to the theory of **republicanism** (representative gov't)

B. Features of state constitutions

1. Most included a bill of rights that protected individual liberties from government encroachment.
2. Most required the annual election of officers.
3. All created weak executive and judicial branches by present day standards seeing these two branches as potential usurpers of the popular will.

4. All legislatures were given sweeping powers as the democratic branch of gov't.
5. Poorer western districts (hitherto disenfranchised) were much better represented.

III. The Economy in the 1780s.

A. America suffered a depression during the 1780s.

1. Huge national and state debts were left from the Revolution.
2. The excessive use of credit to purchase consumer goods after the war (especially to British merchants) caused debt problems.
3. A lack of currency plagued the states.
4. Foreclosures on farms increased as farmers could not pay debts.
 - Farmers demanded laws to help their plight and at times acted violently (e.g. Shays' Rebellion).
5. Runaway inflation was ruinous to many citizens.
6. British companies flooded America with goods at very low prices.

B. Seizure of Loyalist holdings were moderately significant.

1. Many estates were confiscated and cut up into small farms.
2. Helped accelerate economic democracy
3. A new rich class of land profiteers emerged.

C. Economic democracy preceded political democracy: land was readily available and inexpensive.

D. American manufacturing was bolstered by nonimportation agreements.

1. Americans lost markets in the British empire (Navigation Laws).
2. New commercial outlets compensated for lost ones (Baltic region; Asia).

IV. Foreign policy challenges for the new nation

A. British challenges to the U.S.

1. Britain refused commercial treaties with the U.S. and did not repeal the Navigation Laws.
 - The U.S. was cut off from the West Indian trade (Caribbean).
2. The British remained active along the far reaches of the American frontier.
 - a. Britain sought to maintain an alliance with the Amerindians and to form a barrier to prevent an American attack of Canada.
 - b. Supplied Amerindians and encouraged them to raid frontier settlements
 - c. British trading posts on the American frontier still remained.
 - d. Britain claimed that the U.S. broke its pledge to pay debts and restore Loyalist property (per the 1783 Treaty of Paris).
3. Although some Americans urged economic action against Britain,

Congress did not have power to control commerce.

- States did not have a uniform tariff policy.

B. Spain's challenges to the U.S.

1. Spain closed the mouth of the Mississippi River in 1784.

- This hurt settlers in Tennessee and Kentucky who used New Orleans as a port for their goods.

2. Spain claimed a large area north of the Gulf of Mexico, including northwestern Florida (given to the U.S. by the British in 1783).

3. Conspired with Amerindians to keep Georgia and South Carolina hemmed in east of the Alleghenies

- a. American settlers had expanded at the expense of Amerindians
- b. Like Britain, Spain supplied Amerindians in the Southwest.
 - Georgia, in particular, was in danger of being overrun by the Creek.

c. Together with Britain, Spain prevented the U.S. from exercising effective control over about 1/2 of its total territory.

4. Spain encouraged the creation of an independent state in the southwest out of American land.

- a. Many frightened western settlers were ready to support the Spanish so Amerindian raids would stop and so they could gain unfettered access to the Mississippi River and New Orleans.

- b. Vulnerabilities of the U.S. in the southwest led some to view a strong central gov't as the only means to keep the U.S. intact.

C. French challenges to America's economy

1. France demanded repayment of money loaned during the Revolutionary War.
2. Restricted U.S. trade with the French West Indies and other ports

D. **North African Pirates (Barbary Pirates)**

1. America's Mediterranean commerce was being ravaged by pirates from Algiers, Tunis, Tripoli, and Morocco.

- a. American merchant sailors were either enslaved or ransomed.
- b. The **Dey of Algiers** did the most damage to U.S. shipping.
- c. Americans previously had been protected by the British empire during the colonial era.
 - Without protection and without money to pay, the U.S. was vulnerable.

V. Articles of Confederation

- A. The Second Continental Congress was weak during the Revolutionary War.
1. It only controlled military affairs and foreign policy (not domestic issues).
 2. It had no constitutional authority; individual states were sovereign
- B. Ratifying the Articles of Confederation (1781)
1. The Articles were first adopted in 1777 but final ratification was delayed until 1781.
 2. Became America's first constitutional government
 3. Western lands were the main point of contention during ratification.
 - a. 7 states had enormous tracts of land extending westward, especially New York and Virginia.
 - b. 6 states, including Pennsylvania and Maryland, had no territory beyond the Alleghenies.
 - Complained larger states would not have large land holdings if it wasn't for their help in winning the war
 - Argued large states could sell land to pay off war debts while small states would have to tax themselves for revenue
 - Proposed turning western lands into federal lands
 - c. Unanimous approval was required to ratify the Articles of Confederation.
 - Maryland held out until March 1781 until NY surrendered its western claims and VA also seemed ready to do so.
 - d. Congress pledged to create new territories from western lands.
- C. Provisions of the Articles of Confederation
1. 13 states joined to deal with common problems (e.g. foreign policy).
 2. Congress was the chief agency of the gov't.
 - a. No executive branch: Americans feared strong executive leaders.
 - b. No judicial branch: legal matters left to the individual states
 3. Each state had a single vote: disproportionate power for small states
 4. Bills required 2/3 vote to pass and become law.
 5. Amendments to the Articles required unanimous consent (severely weakened the effectiveness of the government).
- D. The Articles of Confederation were weak and ineffective.
1. This was intentional as it gave individual states more power.
 2. Two crippling limitations:
 - a. No power to regulate commerce – resulted in conflicts between states.
 - b. Could not enforce its tax-collection program.

3. Could not act directly upon individual citizens from a sovereign state
4. Vulnerable to revolutionary challenges
 - a. **Newburgh "Conspiracy"** (1783)
 - Cause: Soldiers in the Continental Army were not paid regularly throughout the war and the money they did receive was often worthless due to inflation.
 - Some high-ranking officers, Congressional nationalists, discussed using the army to force states to surrender more power to the national gov't.
 - Washington successfully appealed to the officers to end the conspiracy.
 - b. 1783, a threat from dangerous Pennsylvania soldiers demanding back pay forced Congress to move to Princeton, NJ.
 - The Pennsylvania gov't would not aid or protect the national Congress.
5. Notwithstanding the Article's weaknesses, it became a significant step toward the Constitution.

E. Landmark Land Laws

1. **Land Ordinance of 1785**

- a. Land in the Old Northwest (Ohio, Indiana, Illinois, Michigan) would be sold; proceeds would pay off the national debt.
- b. Region was split into townships: six miles square, split into 36 sections of 1 square mile
 - 16th section set aside to be sold for the benefit of public schools
- c. Contrasted lands south of the Ohio River where settlement was disorganized

2. **Northwest Ordinance of 1787**

- a. Old Northwest regions would first begin as territories, subordinate to the federal gov't.
- b. Territories would become a state when it had 60,000 inhabitants; it would have equal status with all other states.
 - Significance: By not subordinating new states, it ensured peace between eastern and western states.
 - Bill was farsighted: principles were carried over to other frontier areas.
- c. Forbade slavery in Old Northwest—north of the Ohio River.
 - Major advantage gained by the North; future states would not be slave and ally themselves with the South
 - Southerners could cross state lines to reclaim fugitive slaves.

F. Failure of the Articles of Confederation

1. Problems continued to plague the government in the 1780s.
 - a. Requisition system of raising money from the states was breaking down.
 - b. Interest on the public debt was piling up.
 - c. Several states quarreled over boundaries; small armed clashes occurred.
 - d. Some states were placing tariffs on goods from other states.
 - e. Some states were printing depreciated paper currency.
2. **Shays's Rebellion (1786): Perhaps the most important rebellion in U.S. history**
 - a. In western Massachusetts, poor backcountry farmers were losing farms to mortgage foreclosures and tax delinquencies.
 - Many were ex-Revolutionary war veterans
 - Some went to debtors' prisons
 - b. Captain Daniel Shays led a rebellion.
 - Debtors demanded cheap paper currency, lower taxes, and suspension of mortgage foreclosures.
 - In 1786, Shays organized farmers to march on several cities: he closed courthouses and prevented the courts from seizing any more farms or throwing debtors into prison.
 - He planned to march to Springfield where the state's supreme court was in session and the arsenal was kept.
 - c. Wealthy New Englanders provided money for a large militia in the region.
 - d. Jan. 1787, Shays and 1,200 farmers marched on the arsenal.
 - Four farmers died; the rest scattered; the revolt ended
 - Shays was arrested but later pardoned
 - e. Significance:
 - Propertied class feared that the Revolution had created a "mobocracy."
 - Many prominent citizens demanded a stronger central gov't.
 - f. The rebellion was the latest in a series of west versus east rebellions in U.S. history.
 - Bacon's Rebellion (1676) in Virginia
 - Leisler's Rebellion (1691) in New York
 - Paxton Boys (1764) in Pennsylvania
 - Regulator Movement (1771) in North Carolina
3. Annapolis Convention (1786)
 - a. Principle purpose: Improve interstate commerce
 - b. Only 5 states showed up.
 - c. Alexander Hamilton gained a commitment for a constitutional convention the next year in Philadelphia.
 - The purpose would be to overhaul the Articles of

Confederation.

VI. Creation of the Constitution

A. The Constitutional Convention

1. Each state sent participants (except Rhode Island).
 - a. Leaders were all appointed by the state legislatures.
 - b. 55 delegates convened on May 25, 1787 in the Philadelphia statehouse.
 - Most all were men of high prestige and were conservative.
 - Jefferson, in Paris as U.S. foreign minister, called the group a "convention of demigods."
 - c. Strong anti-nationalists like Patrick Henry, Richard Henry Lee, and Samuel Adams did not attend.
 - d. George Washington was elected chairman and presided over the convention.
 - e. Notables present: Madison, Franklin, Hamilton, J. Adams
2. Sessions were held in complete secrecy
 - Delegates did not want to advertise their dissension or give fuel to the opposition.

B. James Madison—"Father of the Constitution"

1. Three major Madisonian concepts became part of the Constitution:
 - a. National principle: the national gov't should be stronger than the states
 - The federal gov't drew its power from the people, not the states.
 - b. Separation of powers: influenced the eventual structure of gov't
 - Each branch should be independent of each other with specified powers.
 - c. Benefit of an "extended republic" to control faction and limit the negative impact of self-serving politicians (later elaborated upon in *Federalist X*)
2. "Father" title somewhat of a misnomer as others contributed heavily as well (especially Charles Pinckney, Roger Sherman, and James Wilson)

C. The Articles of Confederation were scrapped

1. Went against Congress's explicit wish to revise the gov't; not replace it
2. In effect, the U.S. government was peacefully overthrown.
3. The states were now in danger of losing their sovereignty.

D. The issue of representation in Congress was the biggest issue of the Convention.

1. Two major plans debated regarding representation in Congress:

- a. **"Large-State Plan" (Virginia Plan)** –written by Madison
 - Representation in both houses of a bicameral Congress should be based on population—"proportional representation."
 - Larger states would thus have a political advantage.
 - b. **"Small-State Plan" (New Jersey Plan)**
 - "Equal representation" in a unicameral Congress by states, regardless of size and population
 - Weaker states feared that under Virginia's plan stronger states would join together and dominate the rest.
 - c. The impasse threatened to break up the convention.
 2. **The "Great Compromise" (Connecticut Compromise)** – Roger Sherman
 - a. Smaller states conceded representation by population in the **House of Representatives**.
 - b. Larger states conceded equal representation in the **Senate**.
 - Each state would have two senators.
 - c. Every tax bill would originate in the House as large states would have to pay a larger portion of taxes.
 - d. Large states benefited more from the compromise.
- E. Strong, independent executive branch was headed by the **president**
1. Contrasted with state constitutions which had weak governors
 - Washington's sterling reputation earned the delegate's trust.
 2. Presidential powers:
 - a. military commander in chief
 - b. wide powers to appoint domestic offices including judgeships
 - c. veto of legislation
 3. **Electoral College** would elect the president rather than direct vote.
 - a. Electors would be chosen by the states; electors would cast their votes individually.
 - b. The vast majority of the people were excluded from voting for the president.
- F. North-South issues came to dominate the convention
1. Slavery was the biggest issue.
 - a. Northern states apparently compromised on slavery issues in order to gain passage of the Northwest Ordinance that banned slavery north of the Ohio River.
 - Proposing abolition would have ended the convention.
 - b. **"Three-fifths" Compromise"**
 - The North argued slaves should not be counted as part of the southern population since they were not citizens.
 - The South argued their smaller population would lead to

- northern domination unless slaves were counted.
 - Compromise: Slaves would count as 3/5 of a person for representation purposes in the House of Representatives.
 - Equality was sacrificed for union.
 - Most northerners and many southerners believed slavery would eventually die out.
 - Most northerners also believed blacks were inferior and could work only as menial laborers.
 - c. The African slave trade would end in 1808.
 - Most states wanted the immediate end to the importation of slaves.
 - By 1779 all states except the deep south had outlawed importation.
 - South Carolina and Georgia protested due to their need for slave labor in rice production.
 - d. Fugitive slave provision allowed southerners to cross state lines to reclaim their "property"
2. **Commerce Compromise**
- a. Resolved a conflict between agricultural (slave) and more industrial (northern) states
 - b. Congress could tax imports but not exports.
 - c. Major irony of the North-South compromises:
 - South gave up power to the North because it expected the South would soon have a population advantage from westward expansion.
 - The North was willing to compromise on slavery because it thought slavery would eventually die out anyway.

G. Checks and balances/ separation of powers

1. Enlightenment philosopher **Baron de Montesquieu** (in his *Spirit of the Laws*, 1762) advocated for the separation of powers in government.
 - a. His view was based on separating gov't based on class (king, aristocracy, common people) not function (executive, judicial, legislative).
 - b. His ideas influenced Americans who modified them to fit a republican government.
2. Three branches of gov't: based on separation of powers based on function
 - a. Executive: enforces the law
 - b. Legislative: makes the law
 - c. Judiciary: interprets the law

- H. **The "elastic clause"** (Article I, Section 8, paragraph 18)
1. "Congress shall have the power to... make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers..."
 2. Nationalists wanted to give broader power to the federal gov't.
 - a. States' rights advocates wanted enumeration of powers to limit the federal government's power.
 - b. The clause gave Congress the flexibility to meet the social and technological changes of the future.
- I. **"Supremacy" clause:** Congress gained the right to regulate commerce, both foreign and domestic
1. The Constitution became the "supreme law of the Land."
 2. Federal power superseded state power; state power was no longer sovereign.
- J. Conservative safeguards
1. Purpose was to check the excesses of the "mob"
 - Convention delegates were unanimous in believing that universal manhood-suffrage democracy was dangerous.
 2. Safeguards:
 - a. Federal judges were appointed for life.
 - b. President was elected indirectly by the Electoral College.
 - c. Senators were chosen indirectly by state legislatures.
 3. Only the House of Representatives was elected by direct vote of qualified (propertied white male) citizens.
- K. Constitution was based on the principle that the only legitimate gov't was one based on the consent of the governed. (John Locke)
1. "We the People..."
 2. Older theory of the social contract was replaced by idea that the people delegate their authority to the gov't.
- L. Why no Bill of Rights?
1. Since most states' bill of rights often began with "all men are by nature born free", Southerners believed it would hypocritical to include such a statement when slavery was provided for in the Constitution.
 2. States already had their own bills of rights and states' rights advocates believed that these should remain binding.
 3. Some delegates feared a new gov't might feel free to do anything that was not expressly prohibited in a new Bill of Rights.
 4. Most important practical reason: delegates believed they had reached a fragile consensus that could collapse if new revisions were to be considered

M. Ratification of the Constitution would require 9 states

1. Provision adopted over concerns that support was not unanimous (this was currently required by Articles of Confederation).
2. If ratified, the Constitution would be supreme law of the land in those states that ratified it.
3. Congress submitted the Constitution to the states (without recommendations)
 - a. People were shocked that the Articles of Confederation was to be scrapped; secrecy of the Constitutional Convention had left the country in the dark regarding its intentions.
 - b. Many feared that states' sovereignty would end.

VII. Ratification Debate in the States: Federalists vs. Anti-Federalists

- A. Special elections were held in the various states for members of the ratifying conventions.
- B. Four small states quickly ratified: DE, NJ, GA, CT
 - The Constitution ("Great Compromise") favored small states in the Senate.
- C. Pennsylvania was the first large state to ratify.
- D. Massachusetts was the critical test.
 1. Failure to ratify could have effectively killed the Constitution.
 2. Main issue became the lack of a bill of rights in the Constitution.
 - Federalists promised that the first Congress under the new Constitution would add one by amendment.
 3. Ratification passed 187-168
- E. Three more states ratified: MD, SC, NH
- F. Constitution was officially adopted on June 21, 1788.
- G. The last four states ratified because they did not want to be isolated.
 1. Virginia, the largest and most populous state, was strongly anti-federalist.
 - a. Patrick Henry was among the fiercest critics claiming the Constitution would kill liberty.
 - b. Washington, Madison, and John Marshall were influential on the Federalist side.
 - c. George Mason, the "Father of the Bill of Rights," refused to ratify the Constitution until a promise for a bill of rights was added.
 - d. Virginia ratified shortly after the Constitution had been ratified by 9 states; it did not want to be an isolated independent state.
 2. New York
 - a. ***The Federalist Papers*** (85 in all)
 - Alexander Hamilton, John Jay and James Madison wrote an influential series of articles for the New York newspapers.
 - Most important commentary ever written on the Constitution
 - ***Federalist X*** by Madison is the most famous

- Refuted the conventional belief that it was impossible to extend a republican form of government over a large territory.
- b. New York ratified realizing it could not prosper alone.
- 3. North Carolina and Rhode Island
 - a. Ratified only after the Constitution had been in effect for several months.
 - b. Rhode Island was the only state not to attend the Constitutional Convention.

ANTIFEDERALISTS vs. FEDERALISTS	
Antifederalist objections to the Constitution	Federalist defenses of the Constitution
<p>Antifederalists: states' rights advocates, small farmers, the illiterate, debtors & paper-money advocates. In general, poorer classes of society.</p>	<p>Federalists -- Well educated and propertied class. Most lived in settled areas along the seaboard.</p>
<p>Ratification Positions:</p> <ol style="list-style-type: none"> 1. <u>Articles of Confederation were a good plan.</u> 2. <u>Opposed strong central government.</u> Opposed a standing army and a 10 square mile federal stronghold (later District of Columbia). 3. <u>Strong national government threatened state power.</u> 4. <u>Strong national government threatened rights of the common people.</u> Constitution was created by aristocrats. Saw a sinister plot to suppress liberty of the masses. 5. <u>Constitution favored wealthy men and preserved their power.</u> Opposed the dropping of annual elections for representatives. 6. <u>Constitution lacked a bill of rights.</u> State governments already had bills of rights but they might be overridden by the Constitution. 7. <u>Argued against 2/3 ratification plan.</u> Articles of Confederation required unanimous consent. 8. <u>Opposed omitting any reference to God.</u> 	<p>Ratification Positions:</p> <ol style="list-style-type: none"> 1. <u>Articles of Confederation were weak and ineffective.</u> 2. <u>National government needed to be strong in order to function.</u> Powers in foreign policy needed to be strengthened while excesses at home needed to be controlled. 3. <u>Strong national government needed to control uncooperative states.</u> 4. <u>Men of experience and talent should govern the nation.</u> "Mobocracy" threatened the security of life and property. 5. <u>National government would protect the rights of the people.</u> 6. <u>Constitution and state governments protected individual freedoms without bill of rights.</u> "The people" could take back delegated powers given to the national gov't. 7. <u>Favored establishing the Constitution by almost any means possible.</u> 8. More sympathetic to separation of church and state.

Comparing the Articles and the Constitution

Adapted from American Pageant, 8th edition, p.142

<u>Under Articles of Confederation</u>	<u>Under Federal Constitution</u>
A loose confederation of states – “a firm league of friendship.”	A firm union of people where the national government was supreme.
1 vote in Congress for each state	2 votes in the Senate for each state; representation by population in the House
2/3 vote (9 states in Congress) for all important measures	Simple majority vote in Congress, subject to presidential veto
Laws executed by committees of Congress	Laws executed by a powerful president
No congressional power over commerce. States free to impose levies, and restrictions on trade with other states and enter economic agreements with foreign countries.	Congress would regulate both foreign and interstate commerce
No congressional power to levy taxes – payment of taxes by states was voluntary.	Extensive power in Congress to levy taxes
No federal courts – states free to resolve their own matters, or conflicts with other states.	Federal courts, capped by the Supreme Court
Unanimity of states for amendment	Amendment less difficult – 2/3 of Congress and ¾ of the states
No authority to act directly upon individuals and no power to coerce states	Ample power to enforce laws by coercion of individuals and to some extent of states

MEMORY AID: "ARTICLES"

Articles of Confederation
Ratification debate between Federalists and Antifederalists
Treaty of Paris, 1783
International challenges from England, Spain, France & Barbary Pirates
Constitutional Convention, 1787
Land legislation (Land Ordinance of 1785; NW Ordinance of 1787)
Economic depression (no regulation of interstate commerce)
Shays's Rebellion

Terms to Know

Pennsylvania Gradual Emancipation Act Quock Walker case African Methodist Episcopal Church (AME) Cincinnati Society primogeniture entail <i>Virginia Statute for Religious Freedom</i> sovereignty Republican Motherhood <i>feme covert</i> republicanism Barbary pirates Dey of Algiers Articles of Confederation Newburgh Conspiracy Land Ordinance of 1785 Northwest Ordinance of 1787 Shays' Rebellion Constitutional Convention	James Madison Virginia Plan New Jersey Plan Great Compromise House of Representatives Senate President Electoral College "Three Fifths" Compromise Commerce Compromise checks and balances separation of powers Baron de Montesquieu "elastic" clause "supremacy" clause ratification debate Federalists Anti-Federalists George Mason <i>Federalist Papers</i> : Madison, Hamilton, Jay <i>Federalist X</i>
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Essay Questions

Note: The material herein is heavily represented in the new Curriculum framework. Thus, this sub-unit is a high probability area for the AP exam. In the past 10 years, 4 questions have come wholly or in part from the material in this unit. Below are some questions that will help you study the topics that have appeared on previous exams.

1. To what extent did the American Revolution create a "revolution" in American society from 1775 to 1800?
2. To what extent was the Articles of Confederation effective?
3. Evaluate the relative importance of foreign and domestic issues on American politics during the 1780s.
4. How did the Articles of Confederation reflect the revolutionary ideals and experiences of Americans?
5. Analyze several factors leading up to the creation of the Constitution.
6. Compare and contrast the Articles of Confederation and the Constitution regarding government structure, government powers, and the relationship between the federal government and the states.

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