

unit **TWO**

**What experiences
shaped the Founders'
thinking about
government?**

unit TWO

Articles of Confederation

inalienable rights

popular sovereignty

rule of law

In the last unit, you learned some important ideas and questions concerning government. You studied natural rights philosophy, republicanism, and constitutionalism. These were the ideas that influenced the Founders of our nation and helped shape their views about government.

In this unit, you will learn more about the Founders. You will read about the experiences that shaped their thinking about government. You will study their values and the things they believed were important. You will also learn why they thought a new constitution was necessary.

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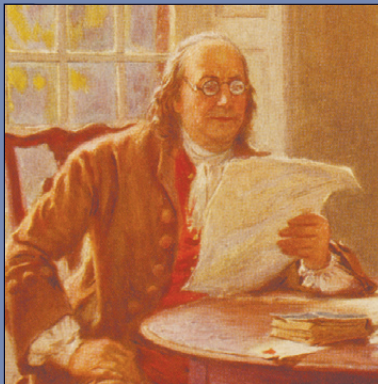
LESSON PURPOSE

How did constitutional government develop in Great Britain?

Constitutional government developed in Great Britain over a period of many centuries. In this lesson you learn how the monarchy came to share power with the nobles. You will study some documents that limited the power of the British government. This study will help you to better understand our ideas about limited government.

When you finish this lesson, you should be able to describe the struggles for power between the English monarch and Parliament. You should be able to explain how these struggles led to a system of separated powers and representative government. You should also be able to describe some of the important constitutional documents in British history that influenced the writing of our constitution.

TERMS TO UNDERSTAND



common law

English Bill of Rights of 1689

feudalism

Magna Carta

Parliament

Petition of Right of 1628

rule of law

rights of Englishmen

Why did the American colonists have the rights of Englishmen?

The **rights of Englishmen** were established during centuries of British history. These were certain basic rights that all subjects of the English king or queen were believed to have. They included

- the right to a trial by jury

- security from unlawful entry into one's home
- no taxation without consent

Before the American colonies became independent, the colonists were subjects of the British monarchy. As subjects of the king or queen, the colonists enjoyed the rights of Englishmen. All subjects of the king or queen had these rights. The colonists knew and understood their rights as Englishmen.

The colonists' experiences with British government greatly influenced what they thought about limited government. For our study, it is important to understand these rights and how they developed over time. It is also important to remember that the constitution of Great Britain is not a single written document. Instead, it is made up of long-established practices known as common law and laws passed by Parliament. **Common law** is based on custom and the decisions of law courts. **Parliament** is the legislative body of British government.

What were some important rights of Englishmen?

What was the feudal system?

Until 1066, each region of England had its own ruler. William the Conqueror from France invaded England in that year and became king of all the regions.

William the Conqueror brought a system for governing called feudalism. **Feudalism** was a system of social, economic, and political organization. The system was based on the control of land.

Under feudalism, the people in England belonged to one of three social groups.

1. **Royalty.** This was the king and queen and their families. Government by a king or queen is a monarchy.
2. **Nobility.** This group included the "lords" and "ladies" who held titles such as earl, duke, duchess, and baron. The noblemen worked for the monarchy and made it possible for the king or queen to control England.
3. **Common people.** These were the rest of the people. This group included the knights, or soldiers of the king, merchants, and peasants. The peasants were also known as serfs. They farmed the land and



What problems, if any, might arise from dividing society into social groups?

were not free to leave the area in which they worked.

All public land in England belonged to the monarch, but it was too much land for one person to rule. So, the monarch gave some responsibility for governing the kingdom to the nobility. Under the feudal system, the nobles controlled parts of the land as well as the people who lived there. In exchange, the nobles pledged to be loyal to the king and to go to war for him.

The nobles further divided the land into smaller areas. A nobleman assigned control of the land and people living on it to men called vassals. The vassals in turn owed the nobleman loyalty and military service.

For the system to work, it depended on a series of agreements or contracts. There had to be contracts between the monarch and the nobles. There also had to be contracts between the nobles and vassals. Each contract included rights and responsibilities that the parties owed to one another. Thus, feudalism introduced the idea of government based on a contract. Those in power pledged to respect the rights of the people who gave them loyalty.

The feudal system was important to the development of constitutional government. It was during this period that the monarchs started to share power with the nobles.

Who ruled the serfs? Who owned the land they worked? Could they move to a better situation if they were not happy farming for a particular noble?

Why is the Magna Carta an important document?

Under the feudal system, it became a custom or tradition for the royalty to share some of its power with the nobility. As a result, the nobles became used to having certain rights and powers. When King John tried to take back some of these rights, the nobles rebelled.

The nobles were powerful enough to force King John to sign an agreement with them in the year 1215. This agreement is the **Magna Carta**, or Great Charter. The Magna Carta was a major step in the growth of English constitutional government. The Magna Carta was perhaps the most important early example of a written statement of law limiting the power of a ruler. The Magna Carta contains two important ideas that influenced the Founders.

1. Government is based on a contract between the ruler and people to be ruled. Government by contract also includes the idea that if either side breaks the contract, that contract is no longer valid.
2. Both government and the governed must obey the law. This is called the **rule of law**. The law limits the powers of government. The king could not take away the property of a noble without following agreed-upon procedures and rules. The Magna Carta expresses the idea of limited government by requiring the king to govern according to established rules of law.

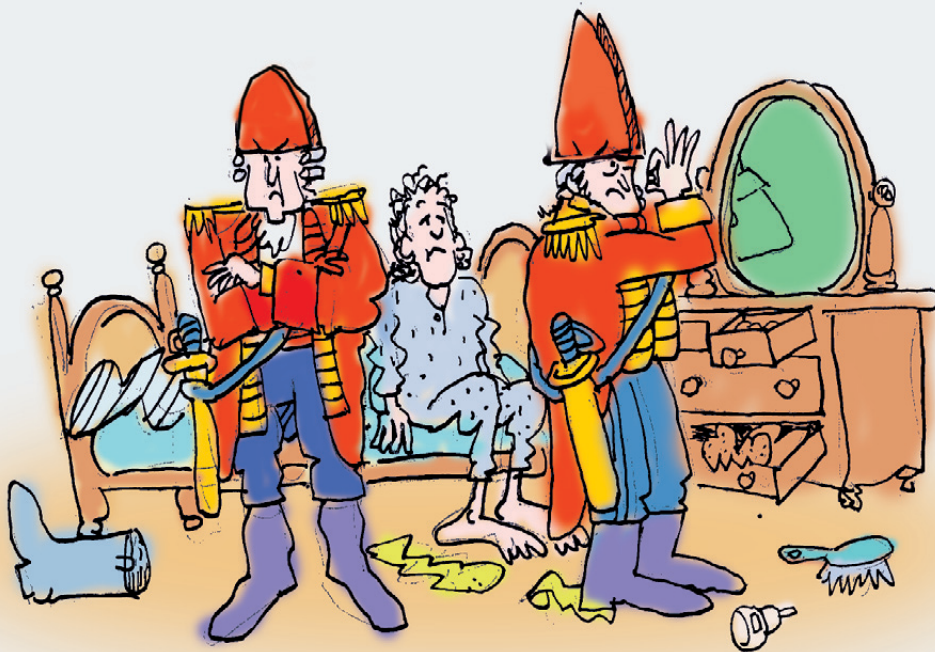
How do these rights limit the power of government?

Each of the rights listed below was a right of Englishmen listed in the Magna Carta. Work with a partner or in a group of three students. Read the statements below and respond to the four questions that follow them.

- *For a trivial [minor] offence, a free man shall be fined only in proportion to the degree of his offence, and for a serious offence correspondingly.*
- *No free man shall be taken, or imprisoned...exiled, or in any way harmed...save by the lawful judgment of his peers [equals] or by the law of the land.*

- *No constable [officer] or other bailiff [sheriff] of ours shall take the corn [grain] or other chattels [personal property] of any one except...he gives money for them.*
- *To none will we sell, to none deny or delay, right of justice.*

1. What is the meaning of each statement?
2. What right does the statement guarantee?
3. Why is this right important?
4. Explain how this right limits the power of government.





What is the relationship between the Magna Carta and constitutional government?

The Magna Carta was a contract between the king and the nobility. Most of the people in England were not a part of this agreement. But, the Magna Carta is an early step leading to the idea that government should be based on a contract that includes all the people.

Government by contract means that both sides of the agreement are responsible for fulfilling its terms. The Magna Carta states that the king cannot deprive the nobility of their rights. The nobility, in return, must support and obey the king and the laws.

Why was the creation of Parliament important?

Important changes in the English government caused the establishment of other basic principles of government. These principles are the separation of powers and representative government.

In 1258, the nobles forced the king to create an advisory council. This council was called Parliament. Parliament is the legislative branch of the English government. It was made up of two houses that represented the most powerful groups in the kingdom: the House of Lords and the House of Commons. The

House of Lords represented the nobles. The House of Commons represented people who owned large amounts of land but were not nobles.

Gradually during the next centuries the role of Parliament grew. Its members were no longer simply advising the monarch, they were representing the interests of their regions. For hundreds of years after the creation of Parliament, the royalty, nobility, and commons had struggled for power. No one group was able to be completely in control for long.

Then in 1628, the king tried to pressure the people for money, without the consent of Parliament. He also required the people to house soldiers in their homes. As a result, Parliament forced him to agree to the **Petition of Right of 1628**. The Petition stated that the king could only raise taxes with the consent of Parliament. It also no longer allowed the king to house soldiers in the homes of the people. The Petition of Right strengthened the idea that English subjects had certain rights that government could not violate.

The struggle between the monarch and Parliament became so intense during the seventeenth century that a series of civil wars broke out. The nobles finally won and in 1649 Parliament ordered the execution of the king. By 1688 the balance of power had shifted in favor of Parliament.

What is the relationship of free speech in a legislative body to constitutional government?

What was the English Bill of Rights?

In 1689 Parliament passed the **English Bill of Rights**. This law gave certain rights to Parliament that further limited the powers of the monarch. It said among other things that elections to Parliament must be free and that the people have the right to petition the king. It also said that the monarchy was no longer allowed to

- collect taxes without the consent of Parliament
- interfere with the right to free speech and debate in Parliament
- maintain an army in peacetime
- prevent Protestants from having arms for their defense
- require excessive bail or administer cruel punishment for those accused or convicted of crimes
- declare that laws made by Parliament should not be obeyed

By the end of the 1600s, the British government was much more limited in what it could do. This was the same time that the British were establishing colonies in North America. So, the colonists brought these ideas about good government with them to the new world.

1. Explain how the feudal system promoted the idea that government is a contract between government and the governed.
2. Explain the importance of each of these documents:
 - Magna Carta
 - Petition of Right of 1628
 - English Bill of Rights of 1689
3. Explain how the struggles between the monarchy and the nobility led to limited government in Great Britain.

ACTIVITIES

1. Learn more about the social, economic, and political aspects of feudalism. Find information in your library or on the Internet. Create a diagram that illustrates how the system worked.
2. Create a script for a talk show for an imaginary television station. The host of the program can interview some of the historical figures who lived during the time mentioned in this lesson such as William the Conqueror, King John, noblemen, vassals, and commoners.
3. Imagine that you are a member of the nobility living in England in the 1200s. Write a letter to the editor or draw an editorial cartoon illustrating the importance of the rights listed in the Magna Carta.
4. Search through the newspaper for a story about a bill that is being proposed in a local, state, or national legislature. Write a short summary of the rights that are being protected or eroded by the bill.
5. Read the editorial page of the newspaper. As a class, create a list of the characteristics of a good editorial. Then write an editorial in support or in opposition to the legislation you summarized in Activity 4 based on your knowledge of rights. Are the rights in question also Rights of Englishmen?
6. Read stories on the front cover and main news section of the newspaper to identify all the rights and/or rules of law that are being exercised or that have been violated. Write an editorial on what you think should be done to stop rights violations.

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LESSON PURPOSE

What experiences led to the American Revolution?

This lesson explains how British ideas about government were put to use in the colonies. The lesson also describes why the colonists came to feel that the British government threatened their rights.

When you finish the lesson, you should be able to explain how constitutional government developed in the colonies. You should also be able to explain why the colonists decided to fight for their independence.

TERMS TO UNDERSTAND



charter
committees of correspondence
Daughters of Liberty
First Continental Congress
Second Continental Congress
Sons of Liberty
writs of assistance

Which ideas did the colonists in America use to create their governments?

To establish a British colony, one generally needed to have a charter from the king. A **charter** is a legal document. In colonial times, a charter granted land to a person or a company along with the right to start a colony on that land.

Most colonial charters said little about what kind of government a colony should have. As a result, the settlers had to develop

their own form of government. Each of the thirteen colonies had a government of its own.

In creating their own governments, the colonists tried to do two things. They tried to protect themselves from abuse of power by the British government. They also tried to protect themselves from abuse of power by their colonial governments. To achieve these goals, the colonists used the basic ideas of constitutional government. All colonial governments were based on the following ideas:

1. **Natural rights.** Colonial governments were based on the idea that the purpose of government is to protect the people's natural rights to life, liberty, and property.
2. **Representative government.** The colonists elected representatives to their colonial legislatures. The first elected legislature was in Virginia in 1619.
3. **Rule of law.** The colonists created a government of laws. The people who made and enforced the laws did not have unlimited power and they, too, had to obey the laws. The colonial governments recognized the idea of higher law. This meant that colonial governments could not pass laws that violated the British constitution.
4. **Separation of powers.** The powers of the colonial governments were divided among three branches:
 - A governor headed the executive branch. The governor carried out and enforced the law. In most colonies, the king or the owner of the colony appointed the governor.
 - The legislative branch made the laws. Most colonies had legislatures with two houses.
 - The judicial branch was made up of judges or magistrates. The governor usually appointed the judges. The judges were responsible for handling conflicts about the laws. The judges

presided at the trials of people accused of a crime. The judges also made sure that colonial laws did not violate the British constitution.

5. **Checks and balances.** In many colonies the branches of government shared power, but one branch could check the use of power by another branch. For example, the governors could not collect taxes without the consent of the legislature.

Why did the British government tighten control over the colonies?

For much of the colonial period, Great Britain paid little attention to the colonies. Britain had become a world power and was often busy fighting wars in Europe. The government in Britain did not have much time to devote to the colonies. In addition, the colonies were a long distance away. Communication between the colonies and Britain was slow because news had to travel by ship. News of events in the colonies reached Britain months later. Orders from the government to the colonies took months to arrive.

During the years of British neglect, the colonists became used to ruling themselves. Further, the colonists had been able to ignore many of the laws made by Parliament.

By the mid-1700s, however, the British began to show a new interest in the colonies. In 1763, Britain won a long and costly war against France. The cost of the conflict

left the British with a large national debt. Parliament saw the colonies as a source of much needed money. They felt that the colonies should pay their portion of the cost of the war. To reduce the national debt, Parliament raised taxes in both Britain and the colonies. The British government also began to tighten trade regulations between the colonies and other nations.

These are some examples of British laws that affected the colonies.

- **Proclamation of 1763.** The law banned settlement in certain western lands. Its purpose was to reduce tensions between the colonists and Native Americans. The British army could then withdraw from

the frontier and, thus, save the government money.

- **Sugar Act of 1764.** The purpose of the law was to stop the smuggling of goods into and out of the colonies. It gave the British navy greater power to search colonial ships. Naval officers used **writs of assistance**, or search warrants, that allowed them to board colonial ships. The law also required products such as tobacco, sugar, and timber to be shipped directly from the colonies to Britain. The law set taxes on cloth, sugar, coffee, and wine coming into the colonies.



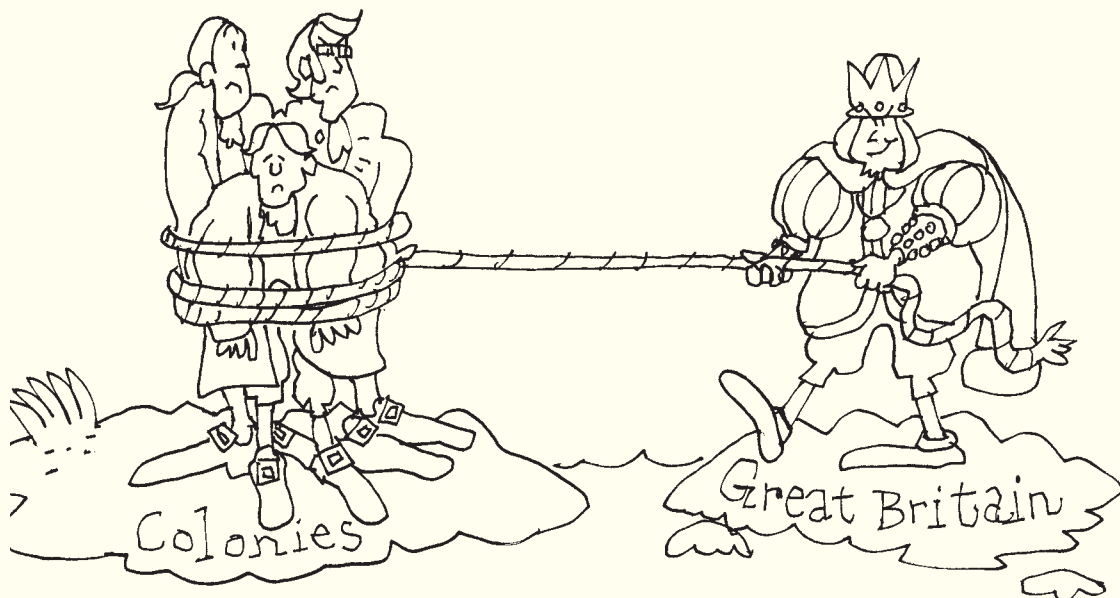
What does this picture illustrate about British control over the American colonies for most of the colonial period?

- **Stamp Act, 1765.** The law imposed a tax on every legal document, newspaper, pamphlet, and deck of cards coming into the colonies.
- **Quartering Act, 1765.** The British government moved the army from the western lands into the cities. The law required colonists who were innkeepers or public officials to house and feed the British soldiers.
- **Declaratory Act, 1766.** The law stated that Parliament had the right to pass laws for the colonies in “all cases whatsoever.” Its purpose was to remind the colonists that the authority of the king and Parliament was superior to colonial governments.

- **Tea Act, 1773.** The law gave the East India Company the sole right to sell tea to the colonies. The East India Company was a large and important corporation in Britain. The purpose of the law was to keep the company from going broke.

The colonists viewed the new laws differently than did the government in Great Britain. Many colonists came to believe that Parliament was threatening their rights. They believed that Britain was becoming oppressive.

The tax and trade laws meant that some colonists would lose money. More important, the laws went against the colonists’ belief in representative government. The colonies had no right to elect representatives to Parliament. Therefore, the colonists claimed, Parliament had no right to tax the colonies.



What events led the British government to tighten its control over the colonies? Were the British justified? Why or why not?

The colonists felt that tax laws should be passed only by their colonial legislatures. “No taxation without representation” became a rallying cry of the colonists.

To the British, the laws seemed reasonable. King George felt that the colonists were acting like ungrateful children. The well-being and safety of the colonies were due to the help they got from the British government. It was only fair that the colonists pay their share of the cost of government. The issue of representation made little sense to most British people. Parliament did not represent individuals. Nor did it represent areas of the country. Instead, Parliament represented the interests of the whole nation, no matter where British subjects lived.

How did the colonists resist British control?

Between 1763 and 1775, tension was growing between the colonies and the British government. To protest against British actions the colonists organized town meetings and wrote angry letters to the newspapers. They also put together independent voluntary groups that organized other ways to resist the British.

The most significant of these groups were the **committees of correspondence**. Their mission was to make sure that each colony knew about events and opinions in the other colonies. Although the committees began as voluntary associations, their success led to their establishment by most of the colonial governments. The committees raised the spirits of the people and united them against the British. Eventually all the colonies were linked by committees of correspondence.



What was the result of colonial resistance?

Why are these rights important?

Each of the following illustrates an event resulting from the enforcement of British laws in the colonies. Examine each situation. If you had been the colonist named in each case, what right or rights would you claim the British government had violated? Explain why you think having each right is important. Share your ideas with the class.

1. Your name is Elsbeth Merrill. While you were baking bread and awaiting the return of your husband, an agent of the king arrived at your inn. The agent informed you that you must house and feed four British soldiers.
2. Your name is Lemuel Adams and you have a warehouse full of goods near Boston Harbor. The king's magistrate issues a writ of assistance allowing British officials to search all homes, stores, and warehouses in Boston. The officials used the writ to search your business for evidence of smuggling.
3. Your name is James Otis. You represent people who are in prison. The judge has denied the prisoners a trial by a jury in their own community. You argue that this is illegal because it violates the British constitution. The judge denies your request and sends the prisoners to England for trial.
4. Your name is William Bradford. You printed an article in your newspaper criticizing the deputy governor of the colony. The king appointed the deputy governor. You wrote that the deputy governor was like a "large cocker spaniel about five foot five." You are under arrest. Your printing press in Philadelphia has been destroyed.

Two other important groups were the **Sons of Liberty** and the **Daughters of Liberty**. The Sons began in 1765 and quickly spread throughout the country. The Sons of Liberty organized resistance to the Stamp Act. Mobs of people attacked the homes of tax collectors. The Sons of Liberty burned effigies, or straw dummies, made to look like royal officials. They marched in the streets and sometimes committed violent acts.

Women soon got together and formed the Daughters of Liberty. They helped to make the boycott of British trade effective. Instead of buying British goods, they began spinning their own yarn and making their own linen. After the British Parliament passed the Tea Act of 1773, many women gave up drinking tea.

Both the Sons and Daughters of Liberty continued with acts of resistance until the start of the Revolutionary War. There were two well-known events that resulted in violence.

- **The Boston Massacre, 1770.** British troops opened fire on a crowd of protestors outside the customs house in Boston. Five people died as a result. The tragedy convinced many colonists that the British government would use military force to make them obey the laws.
- **The Boston Tea Party, 1773.** The colonists attempted to prevent the unloading of a cargo of tea that had arrived in Boston Harbor. The protestors ripped open 342 chests and dumped the tea into the harbor. The British responded by closing the harbor to all trade.

By the fall of 1774, these events had led many colonists to decide that it was time to take united action. The committees of correspondence called for representatives from all the colonies to

meet in a general congress once a year. They were to deliberate on the general interests of all the colonies.

This call laid the foundation for the Continental Congress. The **First Continental Congress** met in Philadelphia. Twelve of the thirteen colonies sent representatives. It was the start of a unified American government. The purpose of the Congress was to decide on the best response to the actions of the British government. The members of Congress agreed to impose their own ban on trade with Great Britain. Congress hoped that this move would force the British government to change its policies toward the colonies.

On April 19, 1775, fighting broke out between Great Britain and the American colonies. On that day, British troops marched to the towns of Lexington and Concord in Massachusetts. The army was supposed to capture hidden guns and supplies by surprise, but a system of signals warned the Americans. The Americans fired on the British and forced them back to Boston. That was the beginning of the Revolutionary War.

A few weeks later, representatives of the colonies met in Philadelphia for the **Second Continental Congress**. The delegates to the Congress decided to resist the British. Congress organized the Continental Army and called upon the colonies to send troops. The delegates selected George Washington to lead the army. A year later, Congress asked a committee to draft a document explaining why the colonists felt it was necessary to free themselves from British rule. This document is known as the Declaration of Independence.

How did the Boston Massacre change the way some colonists thought about British rule?

LESSON REVIEW

1. Why was it necessary for the colonists to create their own colonial governments?
2. What ideas of constitutional government did the colonists use in creating their governments?
3. Why did the British begin to tighten control over the colonies after 1763?
4. What tax and trade laws did Parliament pass? What was the purpose of these laws? What effects did the laws have on the colonists?
5. Why did the colonists feel that the laws passed by Parliament violated their rights?
6. Why did the British believe that the tax and trade laws were fair?

ACTIVITIES

1. Many people and groups played important roles in the Revolutionary War. Choose one of the organizations listed below to research. Share what you learn with your class.
 - Committees of Correspondence
 - Daughters of Liberty
 - Sons of Liberty
2. Research the life of Thomas Paine using the school library or the Internet. Write a review of his pamphlet, *Common Sense*. Explain the importance of Thomas Paine's writing to the Revolutionary War.
3. Imagine that you were living in the colonies in the 1770s. Write a speech arguing why the laws passed by Parliament violated your rights. Then, imagine that you were a Member of Parliament. Write a speech arguing why these laws were necessary. Present your speeches to the class.
4. Create a timeline of the important events discussed in this lesson. Illustrate your timeline with drawings.
5. Draw two editorial cartoons, one showing how the colonists felt about the Boston Tea Party and the other showing the same event from a British point of view.
6. Look for newspaper stories where international conflict is occurring. Are the reasons for the conflicts similar to the reasons the colonists had for resisting British control? Is one party in the conflict trying to protect or increase their rights? Write a report identifying the rights and issues involved, comparing them to colonial American issues.
7. In the newspaper, find an article or picture showing a group that has decided to advocate for change in public policy. Collect articles related to the issues addressed by this group. Write a report on the group, the policy issue, and the outcome.
8. Review several letters to the editor in today's newspaper and create a list of characteristics of a good letter to the editor. Pretend you are a member of the group you have been following for activity 7 and draft a letter to the editor stating your position on the issue involved.

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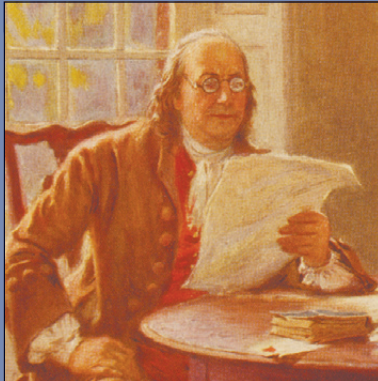
LESSON PURPOSE

What basic ideas about government are in the Declaration of Independence?

One of the most important documents in American history is the Declaration of Independence. It summarizes the colonists' basic ideas about government. The Declaration lists the colonies' complaints against the British government. The Declaration also explains the reasons why the colonies decided to declare their independence from Great Britain.

When you finish this lesson, you should be able to explain the main ideas that are in the Declaration of Independence.

TERMS TO UNDERSTAND



abolish
Loyalists
natural law
self-evident
Tories
unalienable rights

Why was the Declaration of Independence written?

On June 7, 1776, the Continental Congress called for the colonies to declare independence from Great Britain. The Congress had to inform the British and the world that the colonies were now free and independent states. The Congress wanted to be sure that the reasons for its actions were clear.

A committee to draft the Declaration of Independence was quickly appointed. Members of the committee were Benjamin Franklin, John Adams, Roger Sherman,

Robert Livingston, and a young Virginian named Thomas Jefferson. Jefferson was a man of many talents. He was a statesman, diplomat, author, architect, and scientist. He was a member of the Continental Congress during the Revolutionary War. Jefferson was a quiet, shy man, not known as a great speaker. He worked well in small groups and was an excellent writer. The committee chose Jefferson to write the first draft of the Declaration of Independence.

Why do you think Congress appointed a committee to draft the Declaration of Independence?

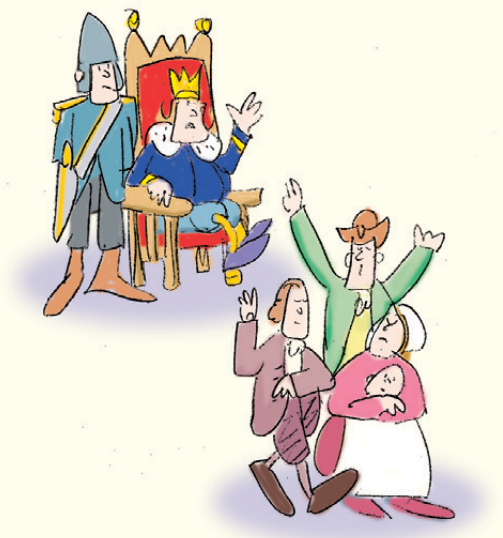
Jefferson spent many days writing. He discussed the draft with other members of the committee. They suggested changes and Jefferson made the revisions. When the committee finished its work, they sent the document to Congress.

On July 4, 1776, the members of Congress passed the Declaration of Independence.

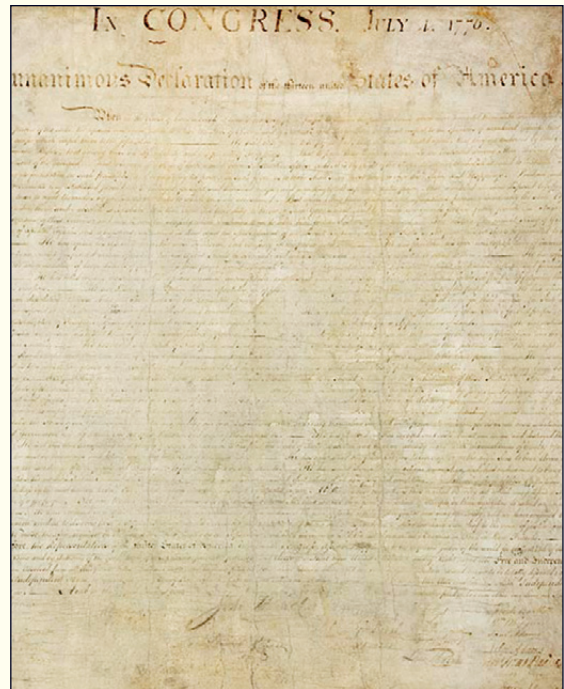
How is the Declaration of Independence organized?

The Declaration is not a very long document. It is easy to understand when you see how it is organized. The Declaration has four important parts.

- **Ideals.** The Declaration sets forth the Founders' beliefs about the purposes of government. It explains how government is created. It is one of the best statements of the ideals of our nation.



According to natural rights philosophy, what do the people have a right to do when the government breaks its contract with them?



Why do you think the Founders wanted a written Declaration of Independence?

- **Arguments.** The Declaration gives the reasons why the colonies thought they were justified in breaking away from Great Britain.
- **Complaints.** The Declaration includes a list of complaints against the British king. The items on the list are there to show how the British government violated the rights of the colonists.
- **Conclusion.** In the end, the Declaration states that the bond between Great Britain and the colonies is dissolved. It states “that these United Colonies are, and of Right ought to be, Free and Independent States.”

What principles of government does the Declaration include?

The Declaration of Independence sets forth some of the most important ideals of our nation. The Declaration states that “all men are created equal” and that they all have certain basic rights. These are the rights to life, liberty, and the pursuit of happiness.

Part of the Declaration is printed below.

*We hold these Truths to be **self-evident** [easy for anyone to see], that all Men are created equal, that they are endowed [given] by their Creator [God] with certain **unalienable Rights** [rights that cannot be taken away], that among these are Life, Liberty, and the Pursuit of Happiness—That to secure these Rights, Governments are instituted [established] among Men, deriving [receiving] their just Powers from the Consent [agreement] of the Governed, that whenever any Form of Government becomes destructive of these Ends [purposes], it is the Right of the People to alter or to abolish [overthrow or put an end to] it, and to institute new Government.*

What ideas from John Locke did Jefferson include in the Declaration of Independence?

What reasons does the Declaration give for independence?

The Declaration was a justification for the American Revolution. Jefferson used the ideas of the natural rights philosophy in this argument. The main points of the argument are listed below. See if you can identify its relationship to the natural rights philosophy.

1. The rights of the people are based on **natural law**. This means that there is an unchanging set of laws that govern human relations. Natural law is a higher law than law made by man. The Founders believed that natural law came from God. No constitution or government may violate the natural law. The only purpose of government is to protect the people’s natural rights.
2. If a government violates the natural law, the people have the right to change or **abolish**—put an end to—that government and form a new one.
3. An agreement existed between the colonists and the king. The colonists consented to be governed by the king so long as he protected their rights to life, liberty, and property.
4. No agreement existed between the colonists and Parliament. Therefore, Parliament had no right to govern the colonies or to tax them. This was especially true, argued the colonists, since they did not have the right to send representatives to Parliament.

5. The king violated his agreement with the colonists. The king acted, along with Parliament, to deprive the colonists of their rights. Therefore, the colonists had the right to withdraw their consent to be governed by the king. The colonists were free to establish their own government.

What complaints against the king does the Declaration include?

The Declaration contains a long list of complaints against the British king. For example, the Declaration accuses the king of

- refusing to approve laws necessary for the public good
- seeking to destroy the colonial legislatures
- obstructing justice by refusing to give certain powers to the colonial courts
- keeping standing armies in time of peace
- requiring the quartering or housing of British soldiers
- imposing taxes without the consent of the people to be taxed
- cutting off trade between the colonies and all parts of the world
- in some cases, denying the colonists the right to trial by jury

Why did some colonists want to remain British subjects?

To rebel against the British government was a serious matter. After all, generations of colonists had been loyal to Great Britain. It is understandable, then, that some people did not support the Revolution.

The colonists were almost evenly divided into those who supported the Revolution, those who did not, and the undecided. The people who remained loyal to the king were called **Loyalists** or **Tories**. They held deep feelings of loyalty to the home country.

Many Loyalists were large landowners, wealthy merchants, or officials of the king. The Loyalists did not like British taxes or other limits on their freedom any more than the Patriots did. But, they did not think that breaking away from Britain was the answer to these problems.

Some colonial families split apart when the Revolution began. Family members chose sides. Some became Patriots, those who supported the Revolution. Some remained loyal to Britain. For example, Benjamin Franklin was a Patriot. His son was a Loyalist.

Many Loyalists joined the British army and fought for the king. Some Loyalists moved back to Great Britain while others went to Canada or the West Indies. Those Loyalists who remained in the colonies had a hard time. Sometimes their property was taken from them. Sometimes they were humiliated or put in jail. Even so, the Loyalists as a group suffered less than dissenters in other revolutions.

What ideas about government are in the Declaration of Independence?

Work with a partner or in groups of three. Each group should examine the text of the Declaration of Independence and select three complaints against the king. Groups should then complete the following steps and report their findings to the class.

- Rewrite the complaint in your own words.
- Explain the basis of the colonists' complaint.
- Explain what ideas about government are implied by each complaint.



Would you favor or oppose independence?

Both the Patriots and the Loyalists held strong opinions about the Revolution. Patriots and Loyalists came from all sections of American life. Native Americans were forced to choose sides in the struggle. African Americans were Loyalists as well as Patriots.

Your class can debate both sides of the issue. Work in four groups. Two groups support the revolutionary cause and two groups oppose it.

Why do you think such bitter feelings arose during the debate between the Patriots and the Loyalists?

SUPPORTERS OF THE REVOLUTION PATRIOTS

Group one. You are members of the state legislature, writers, scientists, and their friends and families. Write letters to your family or the editor of a colonial newspaper defending the actions of the Second Continental Congress. Read your letters when it is your turn to speak in the debate.

Group two. You are backcountry farmers, trappers, and schoolteachers. Draw editorial cartoons defending the American position in the conflict with Great Britain. Display your posters on your side of the debate area.

SUPPORTERS OF THE BRITISH LOYALISTS

Group three. You are landowners, shipbuilders, shopkeepers, and their friends and families. Write letters to the editor of a colonial newspaper explaining why the British actions were justified. Read your letters aloud when it is your turn to speak in the debate.

Group four. Your group is composed of colonial officials such as magistrates, sheriffs, soldiers, and their friends and families. Draw editorial cartoons supporting your ideas about loyalty to England. Display your posters in your side of the debate area.

LESSON REVIEW

1. What were the reasons for writing the Declaration of Independence?
2. What are the four parts of the Declaration of Independence?
3. What arguments does the Declaration make in support of the colonies' independence?
4. What complaints did the colonists have against the king of Great Britain?
5. What is the purpose of government as described in the Declaration of Independence?
6. What does the Declaration say people have the right to do if a government does not protect their rights?
7. What do the following phrases from the Declaration mean?
 - “all men are created equal”
 - “consent of the governed”
 - “self-evident”
 - “unalienable rights”

ACTIVITIES

1. Rewrite the first two paragraphs of the Declaration of Independence in contemporary language. Share your revision with the class.
2. Read a novel about the Revolutionary War, such as *April Morning*, *Johnny Tremain*, *Cast Two Shadows*, or *My Brother Sam Is Dead*.

Select a character from the story. Explain his or her opinions about the Revolutionary War.
3. Play the online game “*Liberty Or Loyalty*” <http://www.history.org/history/teaching/revolution/a1.html>
4. The Declaration of Independence declares that “all men are created equal.” Collect newspaper articles that either confirm or challenge the idea that people have equal opportunity in our society. Write an essay based on the articles on whether people actually have equal opportunity in this country.
5. Find news stories that provide examples of how people try to exercise their “unalienable rights” to “Life, Liberty, and the Pursuit of Happiness.” How do the articles show people trying to make their lives secure, utilizing their liberty or freedom, and pursuing happiness? Do most people achieve success in making a meaningful life filled with liberty and happiness? What obstacles stand in the way? Write a mission statement with goals for your own life defining how you plan to use these rights to make a meaningful life for yourself.
6. Divide the class into three groups. Assign each group a section of a bulletin board with the following titles: Freedom of Assembly, Trial by Jury, Freedom of Speech. Each group is to search the newspaper for current examples of these freedoms.

As each article or photo is placed on the bulletin board, the group must create, on a 3 X 5 card, a short explanation of the freedom being shown and its importance.

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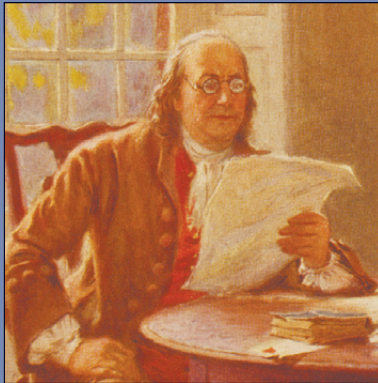
LESSON PURPOSE

What happened during the American Revolution? How did the government function?

In this lesson, you will learn what happened during the American Revolutionary War with Britain. You will also learn about the significance of the war for the rest of the world. You will learn about the difficulties of the colonists during the war and the role played by diplomacy.

When you have finished the lesson, you should be able to explain the course of the war and how the colonial armies overcame extreme difficulties. You should also be able to explain some problems of government that Congress had to deal with during the war.

TERMS TO UNDERSTAND



Battle of Saratoga
diplomacy
Quebec Campaign
Second Amendment
“The Shot Heard
'Round the World”
treason

Treaty of Paris
Yorktown Surrender

How did the Revolutionary War begin, and what was its significance?

The night before fighting broke out, Paul Revere made his famous midnight ride. He warned members of the citizen militia, called Minutemen, to get ready to fight. They gathered in Lexington and Concord. The role of the citizen militia

reminds us that citizens are sometimes called upon to perform service to their nation. Calling upon the citizen militia as Revere did also gives us insight into why the Founders added the **Second Amendment** to the Constitution. The Amendment says that “a well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.”

The Revolutionary War, which lasted for six long years, ended in victory for the former American colonists. You learned in Lesson 7 that the first shots were fired on April 19, 1775. That morning, skirmishes between American colonists and British soldiers broke out. The gunfire that opened the fighting later became known as **“the shot heard ’round the world.”** People said this because news of the American rebellion and its demand for independence spread all over the world. Many nations eventually made the same demand of their own colonial rulers. The American Revolution changed world history. Achieving independence, however, was far more difficult than declaring it. Success often seemed impossible, but the Americans did not give up.

How did Paul Revere’s ride affect the American Revolution?

What did the Second Continental Congress do to direct the Revolution?

On July 4, 1776, Congress issued its formal Declaration of Independence, making a complete break from Britain. There was no turning back. The Continental Congress endured great difficulties in trying to govern during the Revolution. There were many arguments among the delegates to the congress. Because it did not have a legal charter for its existence, the congress could not force the former colonies, now independent states, to pay the costs of fighting the British. So,

soldiers often went unpaid, unfed, and without uniforms.

To finance military expenses, Congress decided to issue paper money. But the paper was not backed by any precious metal. Therefore, it could not hold a steady, reliable value. Paper money did not solve the problem of lack of funds, which remained for the whole war.

Congress tried to remedy the lack of a legal basis for its existence. In November 1777, Congress passed the Articles of Confederation. It was the country’s first constitution. But the states took their time in agreeing to the new frame of government. It was not until March 1, 1781, when the fighting was nearly over, that the Articles took effect. Even then, the Articles did not solve the problems of the new national government. You will learn more about the Articles of Confederation in Lesson 11.

How successful were the Americans at the beginning of the Revolutionary War?

At the beginning of the war, the Americans were not successful. They invaded Canada in the **Quebec Campaign** of 1775–76, but failed. Then in August 1776, in the Battle of Long Island, near New York City, the British defeated George Washington. But, he managed to save most of his troops from capture. This occurred only two months after independence was declared.

The military situation was bleak. Washington understood how grave matters were. He tried to rally the former colonists,

about a third of whom were against independence and another third were neutral, to the cause of fighting for independence by making daring raids on British positions. Near the end of December, he crossed the ice-choked Delaware River and won small battles at Trenton and Princeton, New Jersey. But prospects for the American cause were poor. The troops needed food, their pay, and equipment.

In 1777, Washington lost more encounters with the British in Pennsylvania at

Germantown and Brandywine Creek. In the same year, the British tried to strangle the Revolution by cutting the colonies in two. They took control of the Hudson River, which ran through New York. But the British failed. Instead, the Americans scored a victory in the **Battle of Saratoga**. Arms and supplies secretly sent by the French government through a private arms merchant arrived in time to help the Americans. This may have been the Revolution's most important campaign. The British plan had been defeated.



What problems were faced by the Continental Congress?

IDEAS FOR DISCUSSION

The Second Amendment to the U.S. Constitution states: ***“A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”***

Senator Orrin Hatch (R-UT) has written: “When our ancestors forged a land ‘conceived in liberty,’ they did so with musket and rifle...as a nation of armed freemen...[and] they devoted one full amendment out of ten to nothing but the protection of their right to keep and bear arms against governmental interference.”

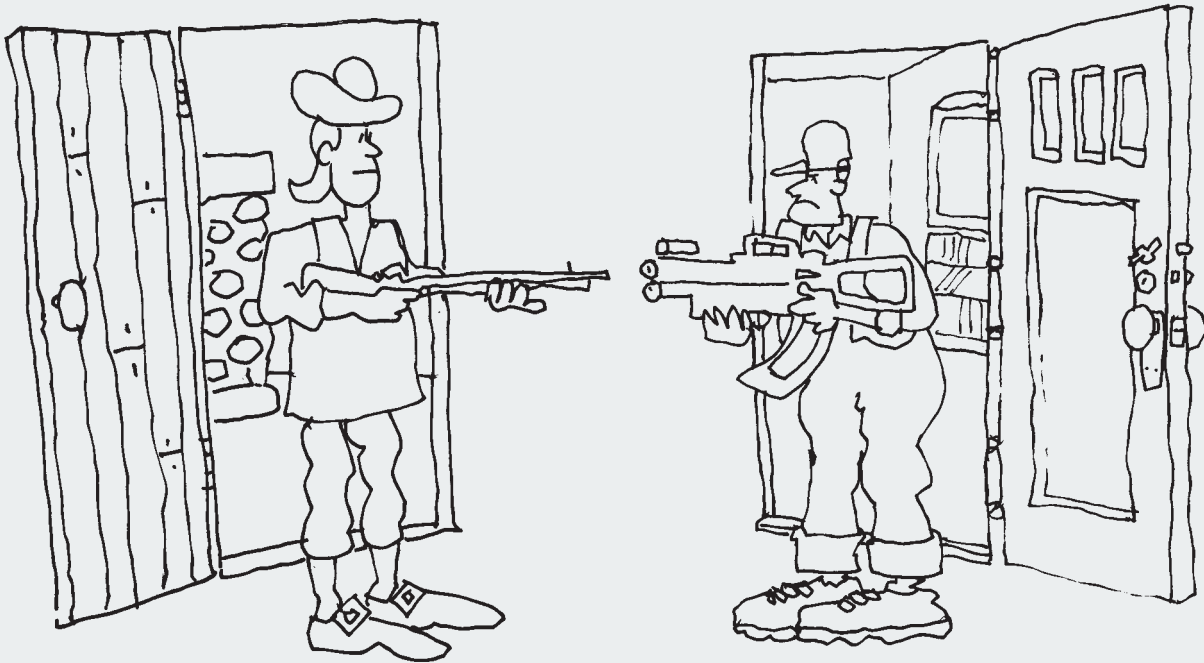
Using library and Internet resources, work in small groups to answer the following questions. Share your answers with the class.

1. In 1791, when the Second Amendment was passed, why did the nation seek to protect liberty by protecting the right to keep and bear arms? What historical background and circumstances led them to this conclusion? Do you think the Second Amendment is as important today as it was in the eighteenth century? Explain your answer.



2. In a 1998 U.S. Supreme Court case, Justice Ruth Bader Ginsburg pointed out that the text of the Second Amendment refers to the right to keep *and bear* Arms. Since to *bear* arms means to carry them—not just to possess them—should citizens in every state be allowed to carry firearms on their person? Should they be able to keep them in vehicles? Why or why not?

3. At present, no one can legally possess certain kinds of firearms such as fully automatic assault weapons. What limitations, if any, do you think should be placed upon the right to keep and bear arms? How would you justify your position?



What happened at Valley Forge, Pennsylvania, during the winter of 1777–78?

No one could see the importance of Saratoga until much later. In the meantime, conditions for the American army became desperate. Soldiers suffered terribly from lack of food and shelter during the winter of 1777–78 at their quarters in Valley Forge, Pennsylvania. But American spirits did not give out. Martha Washington joined her husband, sharing the hardships of a cold and bleak winter. She did what she could to assist the troops. She organized a campaign for supplies that the soldiers desperately needed. She was aided in her efforts by Benjamin Franklin's daughter, Sarah Franklin Boche. Together, they collected 2,200 shirts and 400 pairs of stockings for the freezing men.

During this winter in Valley Forge, Baron von Steuben, a German volunteer, gave important assistance by training the cold, ragged, half-starved soldiers. He raised their morale and helped make them into an effective fighting force. Some troops deserted, but others endured the terrible cold and hunger. The young French aristocrat and military commander the Marquis de Lafayette, who was devoted to the American cause for independence, also spent the winter at Valley Forge. When spring arrived, the American forces, though in tatters, had endured.

How did Martha Washington contribute to the success of the Revolutionary War?

What part did diplomacy play in the outcome of the war?

Events happening elsewhere, however, eventually turned the tide in the Americans' favor. Perhaps the most important event of 1778 occurred across the Atlantic in France. Congress had sent Silas Deane to France in 1776. He was successful in gaining arms and supplies as well as the services of competent military officers.

Later, however, Congress sent Benjamin Franklin to Paris, the capital of France, to seek aid. Franklin's fame as a writer and scientist preceded him. The French, who were sworn enemies of the British, admired him. For his part, Franklin showed great skill in diplomacy.

Diplomacy is the practice of carrying on formal relationships with governments of other countries. The official representatives of countries meet and discuss issues important to their governments. They work together in a peaceful manner to find solutions to common problems.

In 1778, aided by the American victory at Saratoga, Franklin secured formal treaties between France and the United States. The new alliance ensured the assistance of the French army and navy.

Making the most of his enormous popularity among the French, Franklin asked for loan after loan and was never refused. Franklin was not above hinting that the colonists might make peace with Britain, France's enemy, if the Americans did not receive what they needed. In the end, French loans, soldiers, and, especially, its navy were critical for the final victory in 1781.

What happened in the South during the war?

Little fighting took place in the Middle Atlantic region after Saratoga. In 1778–79, fighting shifted to the western frontier area, now Indiana, and to the South. Military campaigns took place in North and South Carolina and in Georgia, where Savannah fell to the British. In South Carolina, Charleston had resisted two British attacks. But in 1780 it, too, fell to the British.

Things were not going well with the American army in other parts of the former colonies. In 1780, the Americans had to endure the **treason**, the betrayal of one's country, of General Benedict Arnold when he defected to the British. Complaints about the inefficient government of Congress were voiced. Congress did not have the authority to raise money for the war from taxes. The government could only beg for funds from the states, but received little. Conditions regarding food, clothing, and pay were so poor that in January 1781, the soldiers could stand it no longer and they rebelled.

In the South, where most of the fighting was now taking place, there were great hardships. One example is that of Eliza Lucas Pinckney. She was a plantation owner famous for growing new crops to avoid dependence on cotton. When war broke out, Pinckney refused to follow her economic interests. Believing in the ideas of political liberty, she supported the Revolution. But she paid dearly for her views. The British took over her mansion, burned her crops, and killed her farm

animals. By the end of the war, she was economically ruined.

How did the Revolutionary War turn in the Americans' favor and come to an end?

By the early 1780s, military matters in the South turned for the better. In 1780, American forces had defeated the British at King's Mountain, South Carolina. In the following year, American commanders forced the British army under Lord Cornwallis to leave the Carolinas and retreat to Virginia. Cornwallis soon found his armies trapped on the Yorktown Peninsula. With the French navy blocking the way, the British were unable to retreat by water.

Lafayette led American troops in containing the British on land. To the north, combined American–French forces marched south from New York to Virginia. On October 17–19, 1781, seeing that their position was hopeless, the British forces under Lord Cornwallis finally **surrendered at Yorktown**. The fighting was over. Two years later, in 1783, a formal peace treaty, known as the **Treaty of Paris** was signed. A treaty is an official agreement between two or more countries. American independence was formally recognized.

LESSON REVIEW

1. What was the significance of the Revolutionary War for the world?
2. How well did the American army do during the early part of the Revolutionary War? How did the army stay together during the worst times? Who helped the soldiers?
3. What problems did the Second Continental Congress have during the War? What did it do to attempt to deal with them?
4. How did the Congress attempt to provide a legal basis for its authority?
5. What role did diplomacy play in the War? What was Benjamin Franklin's role?
6. How important was the assistance of France in the American victory?
7. What military campaigns led up to the end of Revolutionary War?

ACTIVITIES

Listed below are examples of those who played significant roles in the American Revolution during the years leading to the outbreak of fighting and during the Revolutionary War. They did so through either political, diplomatic, military leadership, or other means. Look up at least one person in each group and find out who they were and why they are famous.

Abigail Adams	George Mason
John Adams	Robert Morris
Samuel Adams	Thomas Paine
Crispus Attucks	Eliza Lucas Pinckney
Benjamin Franklin	Molly Pitcher
Horatio Gates	Paul Revere
Nathaniel Greene	Deborah Simpson
John Hancock	Haym Solomon
Patrick Henry	Mercy Otis Warren
Agrippa Hull	George Washington
Thomas Jefferson	Martha Washington
Henry Knox	"Mad" Anthony Wayne

Foreign supporters who participated in significant ways in the Revolutionary War include:

Marquis de Lafayette (French)
Thaddeus Kosciuszko (Polish)
Baron Friedrich Von Steuben (German)
John Paul Jones (English)

1. Find newspaper articles about revolutions or wars that are going on throughout the world. Were these conflicts started by people or groups that believe their rights have been violated? What are the goals of those that started the conflict? Which conflicts do you think are legitimate based on violations of rights and which are efforts to increase power or territory? Write a report on the reasons for these conflicts, answering the questions above and comparing them to the reasons why the colonists started the Revolutionary War.
2. You have learned that Benjamin Franklin's diplomacy in France helped the colonists secure funding and support that was vital to winning the Revolutionary War. Find newspaper articles that show the diplomacy that the United States employs with various countries today. What are the goals of the diplomatic efforts of the United States? Do these efforts appear to be succeeding? Based on the articles, write an editorial or essay on how you think the United States should conduct diplomatic efforts.

10

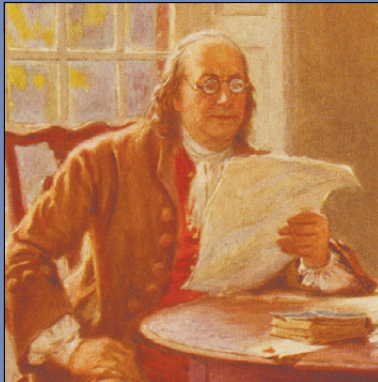
LESSON PURPOSE

How did the states govern themselves after the Revolution?

Shortly after the start of the Revolutionary War in 1775, many of the new states began to write their constitutions. In this lesson you will learn about these new state constitutions. You will explore the basic ideas on which the new governments were founded.

When you finish the lesson, you should be able to describe those basic ideas. You should also be able to explain the major differences between the Massachusetts constitution and the constitutions of the other states.

TERMS TO UNDERSTAND



legislative supremacy
popular sovereignty
veto

What were the basic ideas about government in the state constitutions?

After the Declaration of Independence, British government in the colonies came to an end. The colonies were free and independent states. Each state would have to create a new government.

The people wanted state governments that would protect their basic rights and promote the common good. When they began to write their state constitutions they used the ideas they had learned from

political philosophy. They also used what they had learned from their own experience with colonial and British government.

The ideas they included in the state constitutions were not new. Most of the ideas had been used in the governments of the colonies. The Founders tried to design their new governments with the best ideas from the past. Their experiences with these state governments would help them design the Constitution in 1787.

These are the basic ideas that the Founders included in their state constitutions.

1. **Natural rights and higher law.**

The purpose of government is to protect the rights of citizens to life, liberty, and property. Each state constitution was a higher law that everyone had to obey.

2. **Social contract.** Each state made it clear that it believed that government is formed as a social contract. The people agreed to form a government to protect their natural rights.

3. **Popular sovereignty.** The term sovereign means to have the highest authority or power. **Popular sovereignty** means that the people are the highest authority. All the states

adopted the idea that the people are the source of the authority of government. The people delegate their authority to government. Government gets its right to govern from the people.

4. **Representation.** Each state considered it very important that the legislature be made up of elected representatives of the people. In most states, the right to vote was limited to white men who owned property. About seventy percent of the white men in America owned enough property to be able to vote. In contrast, only about ten percent were eligible to vote in Great Britain.



Why do you think most states required people to own property in order to be eligible to vote?

5. **Separation of powers.** All the states used some form of separation of powers. They divided government into legislative, executive, and judicial branches.
6. **Checks and balances.** Although the states favored a strong legislature, the constitutions did provide for some checks. Most of the checks were within the legislatures themselves. Most legislatures had two houses. Each house could check the power of the other. The people also could check the power of the legislatures. The voters could elect new representatives to both houses if they did not like the way the government was working.
7. **Legislative supremacy.** The majority of the states set up governments in which most of the power was given to the legislature. This system of government is known as **legislative supremacy**. The Founders believed that because the people elected the legislature, it was the most democratic branch of government. They were afraid of giving too much power to the executive branch. They remembered how the royal governors and the king had abused their power. So most of the state governors were given very limited power.

Despite checks on the power of the legislative branch the legislature had far greater power than the other two branches of government. Legislative supremacy led to some serious problems in most states.

- State governments did not protect the property rights of some citizens. In these states, factions—groups of people who seek to promote their own interests—gained control of the legislature. The factions were accused of making laws that benefited themselves rather than the common good. They passed laws that canceled debts and they created paper money. These laws benefited the people who owed money and hurt those who had loaned it to them.
- The state legislatures passed laws that taxed and controlled their citizens far more than the British had done. The level of taxes during the 1780s was ten to twenty times what it had been before the Revolution.
- Many new state laws were passed which interfered with the private lives of the citizens. Laws were passed telling people what they should eat, drink, wear, and believe.

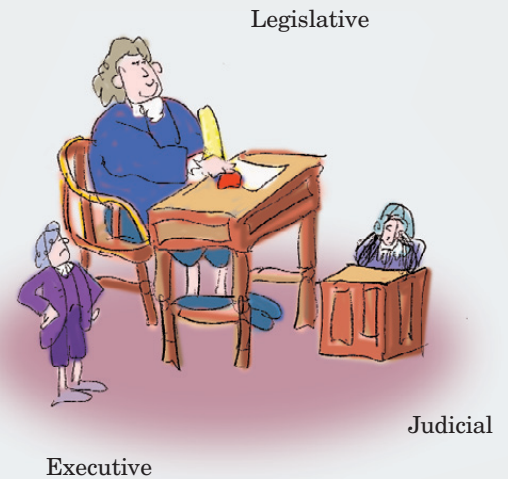
In what ways did state constitutions limit the power of the governor?

What problems might arise if each state could print its own paper money?

How was power distributed by the state constitutions?

Look at the two illustrations on this page and answer the questions that follow. Share the answers with the class.

1. How was power distributed in most states?
2. Compare the distribution of power in Massachusetts with the distribution of power in the other states. How is the distribution of power different in Massachusetts?
3. What might be the advantages and disadvantages of giving most of the power of a government to the legislature?
4. What might be the advantages and disadvantages of the system of government in Massachusetts?



Most States



Executive



Legislative



Judicial

Massachusetts

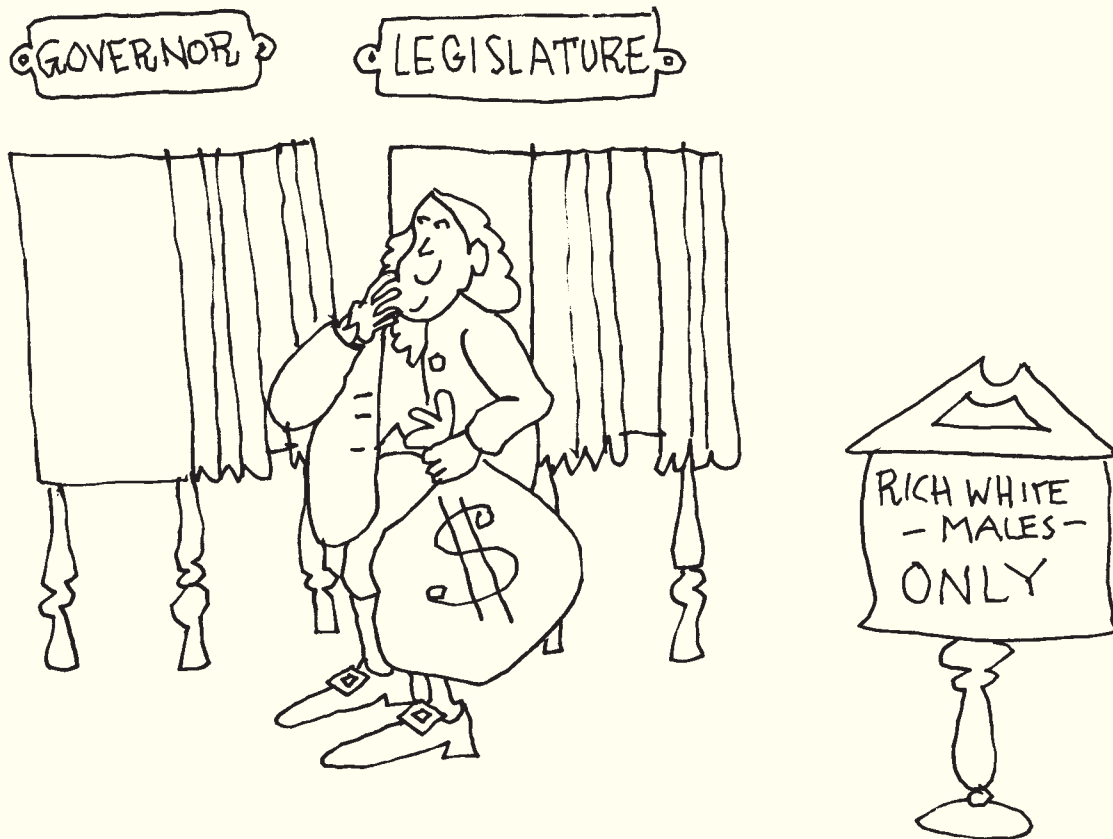
What was important about the Massachusetts constitution?

Massachusetts was the last state to write its constitution. The citizens adopted the state constitution in 1780. The people there had learned some important lessons from the experiences of the other states. They used this knowledge in creating their state government.

Most of the other states used the idea

of legislative supremacy to protect people's rights. The Massachusetts constitution, however, distributed power more evenly among the branches of government. The governor had more power and was more independent of the legislature. This was possible because the people elected the governor directly. The people expected the governor to protect their interests.

Here is how some of the powers of the governor of Massachusetts were balanced in relation to the legislature.



Did the Massachusetts constitution contradict the idea of popular sovereignty? Why or why not?

What were the strengths and weaknesses of the Massachusetts constitution?

- The governor received a fixed salary. His salary could not be changed by the legislature.
- The governor could **veto**—refuse to sign—proposed laws put forth by the legislature. A two-thirds vote of the legislature was needed to override his veto.
- The governor could appoint officials in the executive branch. He could also appoint judges in the judicial branch.

The Massachusetts constitution also divided the people into voting groups based on their wealth. They expected that government would then more accurately represent the interests of the groups that elected them.

- Only people with a large amount of property could vote for both the governor and the legislature.
- People with slightly less property could vote for both the upper and lower houses of the legislature.
- People with the minimum amount of property could only vote for the lower house of the legislature.

The experience of writing state constitutions was a useful one to the Founders. Americans were learning what type of government worked best. The differences between the Massachusetts

constitution and those that were written earlier were a result of these experiences.

What were the state declarations of rights?

The states did not depend solely on a system of separation of powers to protect people's rights. The first part of most state constitutions was a declaration of rights, or bill of rights. This section of the constitution listed the basic rights of citizens.

Listing the rights of the people first showed that citizens had certain basic rights that existed before the creation of the government. No constitution or government could take away these rights. Although the declarations of rights were different from state to state, they were all based on the idea that people have certain basic rights that must be protected.

What important ideas are in the Virginia Declaration of Rights?

Virginia was the first state to adopt a bill of rights. George Mason wrote most of the Virginia Declaration of Rights. Mason later was opposed to the U.S. Constitution because it did not include a bill of rights. In writing Virginia's bill of rights, Mason relied on the writing of John Locke and the ideas of republican government.

The Virginia Declaration of Rights stated that

- all power comes from and is kept by the people

- all men are by nature equally free and independent; they have certain basic rights that no social contract can take away
- government is created for the common good, protection, and safety of the people; if a government does not serve these purposes, the people have an unalienable right to alter or abolish it

The Virginia Declaration of Rights also listed many of the rights that we enjoy today. These include the right to

- trial by jury
- protection against forced self-incrimination
- protection against cruel and unusual punishments
- freedom of the press
- free exercise of religious beliefs

Why do you think most states included protections against cruel and unusual punishments in their constitutions?

What rights were protected in the other states?

Most states adopted bills of rights like Virginia's. Some states' declarations also included the idea that civic virtue was essential to preserving freedom.

The states' bills of rights were different in the rights they chose to include or leave out. Most included such political guarantees as

- the right to vote by men who met certain property qualifications
- free and frequent elections
- freedom of speech and the press
- the right to petition government
- no taxation without representation

All the states' bills of rights included rights for people accused of a crime. These included the right to have

- an attorney
- a jury trial
- protection from illegal searches and seizure
- protection against forced self-incrimination
- protection from excessive bail and fines
- protection against cruel and unusual punishment

Most of the states' bills of rights expressed a fear of standing armies. The bills of rights condemned standing armies in time of peace and the quartering of soldiers in civilian homes. Many bills of rights included the right of citizens to bear arms. The Vermont bill of rights was the first to outlaw the practice of slavery.

What is the importance of freedom of speech and press?

LESSON REVIEW

1. What basic ideas about good government were included in the state constitutions?
2. Why did Americans believe that the legislature was the most democratic branch of government?
3. Why did some Americans distrust the executive and judicial branches of government?
4. How did the Massachusetts constitution differ from the constitutions of other states? Why was this important?
5. What was the Virginia Declaration of Rights? What rights of citizens did it include?
6. What rights did the state constitutions protect?

ACTIVITIES

1. These are a few examples of the rights listed in the Maryland constitution of 1776. Examine each and write a brief explanation of what the right means and why it is important.
 - That every man hath a right to petition the Legislature, for the redress of grievances, in a peaceable and orderly manner.
 - That no...tax...ought to be set...without consent of the Legislature.
 - That no freeman ought to be taken, or imprisoned...or deprived of his life, liberty, or property, but by the judgment of his peers, or by the law of the land.
 - That the liberty of the press ought to be inviolably preserved.
 2. Create a news interview set in 1780. Interview your classmates acting as representatives of the states of Massachusetts and Virginia. During the interview, the representatives should discuss the differences between their state constitutions and why they are important.
 3. Find a copy of your state's constitution. What are some of the rights that your state constitution protects? How does your state constitution compare with the Virginia Declaration of Rights?
 4. Each day for a week review the current day's newspaper and cut out at least one article about issues dealing with your state government. Paste each on a separate page in a notebook. Below each article write a short summary of how the article relates to how your state constitution addresses each of the following basic ideas:
 - Higher law and natural rights
 - Social contract
 - Popular sovereignty
 - Representation and the right to vote
 - Legislative supremacy
 - Checks and balances
- At the end of the week create a chart showing how many examples of each of the concepts listed above were found. Below the chart write a short summary of how your state constitution reflects the basic values expressed in the U.S. Constitution.

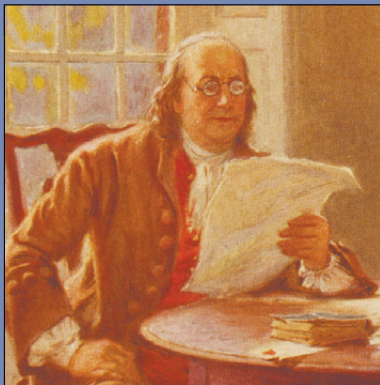
LESSON PURPOSE

How did the Articles of Confederation organize the first national government?

Our first government, the Continental Congress, drew up a constitution stating its powers. This constitution was called the Articles of Confederation. In this lesson you learn about some of the problems the Founders faced in creating our first national government. You will learn about the successes of the first national government. You also will learn about the weaknesses of government under the Articles and why some people believed that a new constitution was necessary.

When you finish this lesson, you should be able to explain how the Articles organized the national government. You should also be able to explain how the problems with the Articles caused the Founders to write a new constitution.

TERMS TO UNDERSTAND



Articles of Confederation
national government
Northwest Ordinance of 1787
Shays' Rebellion

What are the Articles of Confederation?

Once the war against Great Britain had started, each state was like a separate nation. Each state had its own constitution and government. To the people, their state was their country.

The Founders believed that a **national government** was needed to unify the states and to conduct the war. A national government could also control trade and

manage conflicts among the states. The states also needed to be united in how they related with the rest of the world.

On June 7, 1776, Richard Henry Lee introduced two proposals to the Second Continental Congress. In one, Lee proposed independence from Great Britain. In the other, Lee proposed a national government to unify the states. Both resolutions were adopted.

Our nation's first constitution was the **Articles of Confederation**. The Articles

created our first national government. Congress adopted the Articles in 1777. Final approval by the states occurred in 1781, and then the Articles came into effect.

Why did the Founders believe that a national government was necessary?

What problems did the Founders face in writing the Articles of Confederation?

It was not easy to write and agree upon a constitution for the United States. The Founders had to deal with a number of difficult questions. What type of national government should they create? How much power should they give it?

The first problem the Founders faced was the people's fear of a strong national government. Americans believed that the British government had deprived people of their rights. They thought this was likely to happen with any national government that was both powerful and far away from the people. Citizens were convinced that government should be close to the people. That way the people could control their government and make certain that it did not violate their rights.

The second problem the Founders faced was the fear that some states would have more power in a national government than other states. The leaders in each state wanted to make sure that a national government would not threaten their state's interests. As a result, the

most important issue was how states would vote in Congress. Would each state have one vote? Would states with greater population or wealth have more votes than the other states? Decisions in the Congress would be made by majority vote. Some leaders were afraid that the majority would use its power for its own interest at the expense of those who were in the minority.

Why did some Founders fear that some states would have more power in a national government than others?

How did the Articles of Confederation organize the national government?

The Founders did agree that the states needed a central government. Their solution to fears of a strong national government was to create a weak one. The national government under the Articles of Confederation was simply a legislature, Congress; there were no executive or judicial branches.

The states were afraid that Congress might be able to control them. So they made sure that Congress was weak and its powers limited. The Articles left most of the powers of government with the states. The national government had little power over the states and their citizens. Every action taken by Congress had to be with the consent, approval, and cooperation of the states.

To solve the problem of representation, the Articles gave each state one vote in Congress. The more populous



Why did the Founders keep the power of the national government weak?

states did not have more than one vote. The Articles also provided that on important matters, such as declaring war, nine states would have to agree. This way, the seven less populated states could not outvote the six larger states.

What did the national government achieve under the Articles of Confederation?

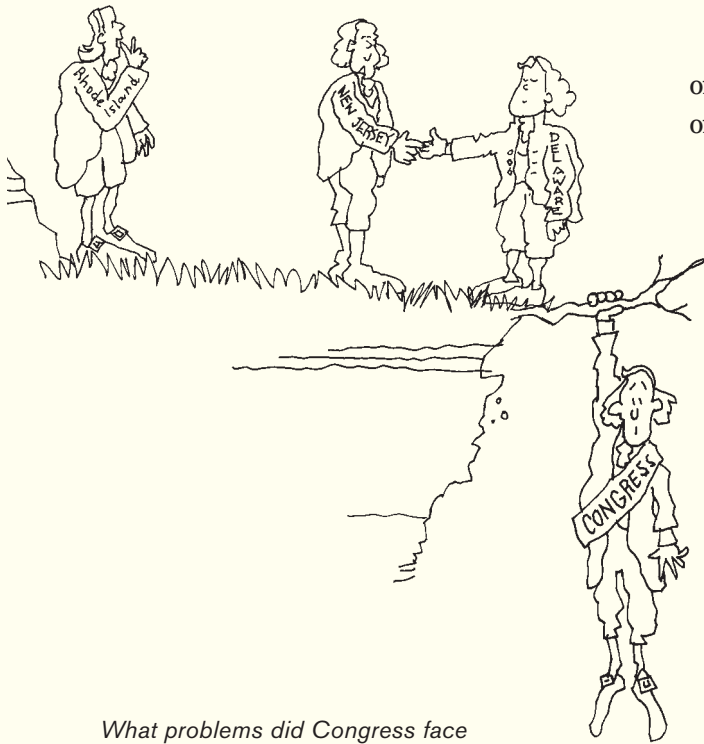
Despite a weak central government under the Articles of Confederation, the national government was responsible for a number of important achievements.

- It successfully waged the war for independence against Great Britain.
- It negotiated the peace treaty, known as the Treaty of Paris, to end the American Revolution.
- It provided that each state recognize the laws of the other states. For example, a marriage in one state would be valid in all other states. A citizen could travel freely from one state to another. Criminals who had crossed state borders could be sent back to the state in which they committed their crime.
- It passed the **Northwest Ordinance of 1787**. This was the most important law passed by Congress under the Articles. It gave people in the northwestern lands the right to organize their own governments. Once they had done this, they could ask to be admitted as new states with the

What problems did the country experience under the Articles of Confederation?

Governing the nation under the Articles of Confederation was difficult. Here is a list of some problems the nation experienced.

- **Congress did not have any money and it did not have the power to raise money.** Congress had no power to tax. All Congress could do was to ask the states to pay certain amounts to support the costs of the national government. The states argued about paying their fair shares of government expenses. Some states refused to pay. Congress could do nothing to force a state to pay its fair share.
- **Congress had no power over the state governments or their citizens.** State governments and individual citizens often ignored the laws passed by Congress. Congress had no way to make people obey its laws. For example, at the end of the Revolutionary War Congress signed a treaty with Great Britain. In the treaty, Congress promised to respect the rights of the Loyalists and ensure that they were treated fairly. Some state governments refused to respect the treaty. Those states refused to return property they had taken away from the Loyalists. These states also refused to force payment of money owed to the Loyalists before the start of the war. Thus, the national government was unable to live up to its promise to the British.



What problems did Congress face without the financial support of the states?

same rights as the original thirteen states. The law also provided for public education and forbade slavery. The western settlers were guaranteed freedom of worship, the right to trial by jury, and due process of law.

These were major accomplishments. There were serious problems with the national government, however, that led to the decision to develop a new constitution.

Why was it important that the early settlers had the right to public education?

- **Congress could not make the states live up to trade agreements with other nations.** Sometimes citizens imported goods from other countries and then refused to pay for them. This made people in foreign countries unwilling to trade with the United States. Many Americans lost money because they could not sell their goods to people in other nations.
- **Congress had no power to regulate trade among the states.** Congress had no power to make laws regulating trade among the states. States taxed goods going from one state to another. Trading often became impossible. Business slowed down and people lost their jobs.
- **Citizens thought that their property rights were threatened.** Many people believed that the states were not protecting the property rights of their citizens. Some people in the states had formed factions to promote their own interests at the expense of the common good. These factions with special interests became the majority in some state legislatures. People accused the factions of making laws to benefit themselves while ignoring the property rights of the minority. For example, they passed laws that canceled debts for those who were members of the faction and other laws that confiscated the property of people who had been Loyalists. People who were hurt by such laws argued that the states were not protecting the property of all citizens. Many people thought that a strong national government was needed to protect property rights.

Why was Shays' Rebellion important?

By 1786, many Americans were in financial trouble. Businesses failed, trade suffered, and many people were in debt. Soldiers who had fought in the Revolution still had not been paid. Congress could not control the country and people worried about what would happen.

Farmers in Massachusetts had serious economic problems. Farm prices were low, and when farmers could not pay their debts, many lost their farms and homes. Some were even put in prison. Many people claimed that the new state taxes had put them in debt. As a result, they felt that the state was not protecting their interests.

Then a dramatic series of events that became known as **Shays' Rebellion**, finally convinced many Americans that it was time for a change. In an attempt to keep the state from taking their farms, the local farmers under the leadership of Daniel Shays began to close down the courts where their cases were heard. The action against the courts spread to other towns and into neighboring states.

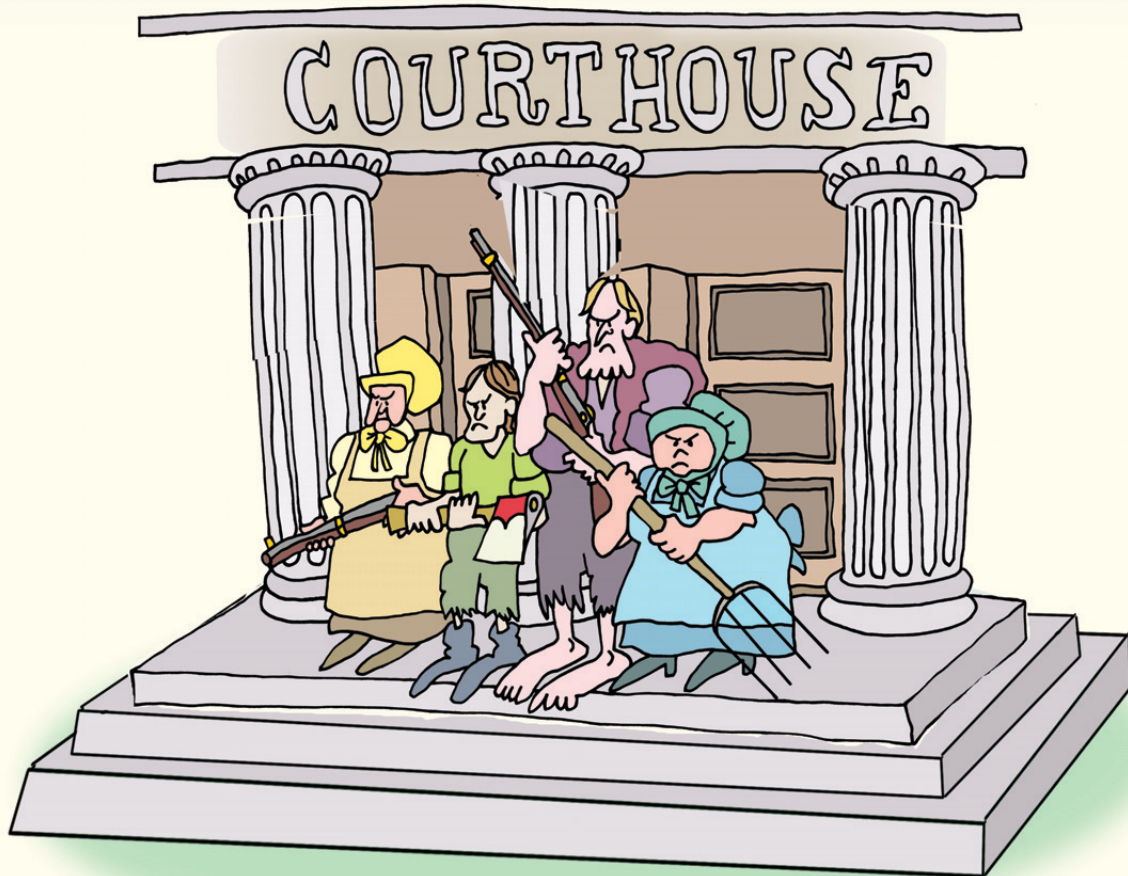
In January 1787, Shays led 2000 rebels to Springfield, Massachusetts, to raid the federal arsenal for weapons. Shays' Rebellion frightened many property owners. People feared that the actions of the farmers might become widespread. The national government had been unable to put down the rebellion. People were asking how the country could continue to exist if it could not maintain law and order.

How did Shays' Rebellion force people to examine the weaknesses of the national government?

In January of 1786, Virginia had invited all the states to send delegates to a meeting to be held in Annapolis the following September. The purpose of the meeting was to consider trade problems. Only five states sent representatives to the Annapolis meeting. Without the other states present, the delegates who did attend the meeting were not able to accomplish much.

Everyone who was there, however, agreed that the regulation of trade could not be discussed separately from the larger political issues. The general discontent was leading to outbreaks of violence such as those led by Daniel Shays. The delegates decided to write a report for Congress. In the report, they asked for a convention of all the states.

After much debate, Congress agreed and invited the states to send delegates to a convention in Philadelphia. This meeting would be “for the sole and express purpose of revising the Articles of Confederation.”



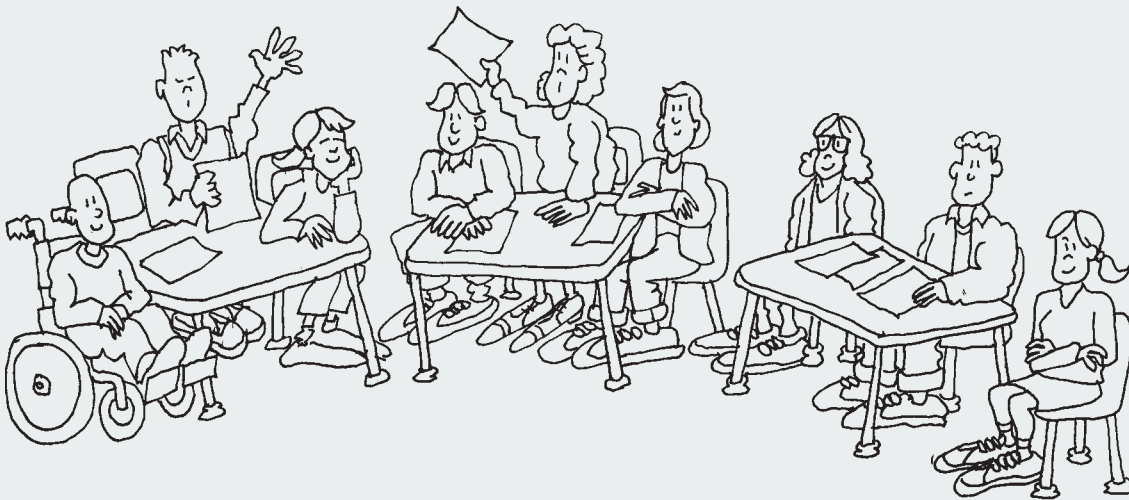
What did Daniel Shays and his followers hope to gain by their rebellion?

Is a new constitution needed?

Imagine that your state is preparing to select delegates to send to the convention in Philadelphia. Your state has to decide what position its delegates will take regarding the Articles of Confederation. A heated debate is taking place. Some people argue that the Articles are fine as they are. Some people want to make changes to the Articles. Others want to throw away the Articles and write a new constitution.

Your class will work in three groups to debate this issue.

- **Group one.** Defend the Articles of Confederation as the best way to organize the national government. You should rely on the arguments in favor of a weak national government and strong state governments. Examine the successes of the national government under the Articles. Argue that the Articles should be kept, but revised to make up for their weaknesses. Propose possible revisions.
- **Group two.** Argue to throw away the Articles and write a new constitution. Examine the arguments against a weak national government and the problems with the Articles listed in this lesson. Examine the events of Shays' Rebellion as one example of problems that might arise when there is no strong national government. Explain why you believe that the nation needs a new constitution.
- **Group three.** Organize the class debate. While the other students are preparing their arguments, you should research debate procedures. During the debate, listen to the arguments presented by the other two groups. Then decide the position of your state's delegates based on the strongest evidence presented. You may want to review other lessons to help you make your choice.



LESSON REVIEW

1. Why did the people in the newly independent states fear a strong national government?
2. What are the Articles of Confederation? How did the Articles organize the national government to address the fears of the people and of the states?
3. What parts of government were not included in the Articles of Confederation?
4. What did the national government achieve under the Articles of Confederation?
5. What were the weaknesses of the national government under the Articles?
6. Why was Shays' Rebellion an important event?

ACTIVITIES

1. Learn more about Shays' Rebellion. Make posters illustrating the farmers' point of view.
2. Create a short play that shows one of the problems of government under the Articles of Confederation. Perform the play for your class.
3. Learn more about the Northwest Ordinance of 1787. Explain how the ordinance provided for public education or the importance of forbidding slavery in the territories.
4. The new Constitution that replaced the Articles of Confederation created a strong national government. Find newspaper articles about actions being taken by the legislative, executive, or judicial branches of government created by the Constitution. What powers provided by the Constitution are they exercising? How will the actions taken affect your state, community, or individuals? Write a report explaining what took place and whether or not you agree with the actions taken.
5. Over a period of a week or more identify at least three news articles in which the work of the various cabinet departments (listed below) of the executive branch are discussed. Develop a chart of the agencies with the name of key officials placed in their proper place on the chart.

Department of Agriculture
Department of Commerce
Department of Defense
Department of Education
Department of Energy
Department of Health and Human Services
Department of Homeland Security
Department of Housing and Urban Development
Department of the Interior
Department of Justice
Department of Labor
Department of State
Department of Transportation
Department of the Treasury
Department of Veterans Affairs

Examine the articles about each department and infer what that department does. Write a short description of the functions, duties, and powers of the department as they were described in the news articles.