

The Critical Period Test Review 2

1. What is republicanism?

- Republicanism is a form of government ruled through elected representatives.
- The idea government should be based on the consent of the people.
- Fostered Unity

2. How does the preamble change the meaning of the constitution?

- The preamble changed the meaning of the Constitution from, "We are the states" to "We are the people". It formed a government based on the people and it created more unity. (Gouverneur Morris)

3. What was the difference between the American Constitution and the English Common Law?

- The American Constitution is a written set of laws. The English Common Law is not written down, it is just practiced.

4. What is the clause (not the number the term) that allows the federal laws to become more important than state laws?

- Supremacy Clause (Law of the Land)

5. All the states' new constitutions contained these things :

- Bill of Rights, annual elections, weak judges, equality of different districts of their states

6. What terms of the Treaty of Paris were followed?

- The Treaty of Paris gave US lots of unsettled land:
 - South of Canada
 - North of Florida
 - East of Mississippi River
 - West of Appalachian Mountains
- PROBLEM:
 - Many states want land & don't want to share. (Worst NY & VA)
- SOLUTION:
 - The Northwest Ordinance of 1787
 - Idea of Thomas Jefferson
 - Terms:
 - Disputed land goes to Federal government
 - Land is divided into "territories" and when that territory's population hits 60,000 it can become a state.
 - All states are equal in power to old states.

7. What was the most difficult problem the A of C had to deal with?

- The government didn't have the economic power to tax.

8. What were the main weaknesses of the A of C?

- No economic power for the Federal government
 - No power to tax
 - Could only ask states for money
 - 75% of all requests ignored
 - Power to coin/print money, but no power to stop each state from printing/coining money as well.
 - 14 different currencies-big economic problems
- No Federal Power to draft or raise an army
 - Could only ask states for troops
 - 1783: Angry PA War vets march on confederation congress
 - send no troops or money

9. One of the major issues was the western lands and how to deal with them. What did the states have to do before the issue could be settled?

- Foreign Policy Problems:
 - *Spain closes the port of New Orleans*
 - Wrecked Western farmers (start speaking Spanish)
 - Why? -Because they want to destroy US
 - *British refuse to leave forts in new territory* (northwest territory). The British leave NY, but don't leave Northwest territory b/c Washington's army is in NY. The troops were never sent to the Northwest territory, so the British just stay.
 - Baron von Steuben was dusted off and asked to make them leave! They declined.
 - France wants their money back
 - starting to get riots (Bread riot in Paris-poor, no bread available)
 - Barbary Coast Pirates start attacking
-
- Northwest Ordinances
 - 1st time in history states act as one & work together
 - Showed territories how to be states
 - One good thing that came out of A of C

10. What powers did the A of C lack to efficiently run a government?

- Weak central government. (Look at weaknesses)

11. What problems did the US have with Spain during the A of C?

- Spain robbed the US and closed the port of New Orleans. They encouraged US failure. Made Western farmers want to change countries to Spain.

12. What did some western American farmers want to do in the face of these problems?

- This made Western farmers want to leave the US and move to Spain

13. Why was Daniel Shay miffed?

- During the Revolution, most states, including Massachusetts, piled up huge national debt.
- Massachusetts borrowed a portion of its debt from foreign banks and the Eastern merchants wanted to keep their source of capital open by paying their money back quickly. Other parts of borrowed money came from pockets of wealthy Massachusetts citizens, who in turn forced the state to impose high taxes on citizens after the war.
- higher taxes= more revenue
- they decide to tax acreage, the more acres you owned the more you had to pay.
- rich merchants in Boston lived on small plots of land (didn't have to pay as much taxes)
- These high taxes drove most farmers into debt. Farmers began to lose their farms to their creditor in a string of foreclosures. The farmers could have went to their state representative and told him to vote against these new taxes. But the farmers decided it was too expensive to send a representative to the legislature in Boston.
- Farmers of Western Massachusetts begged State Assembly for help. Asked for **3 basic demands:**
 - Wanted taxes lowered
 - Wanted Massachusetts to print more paper money (inflation)
 - The demanded the courts temporarily close, so farm foreclosures would end, at least for a while.
- BUT the Assembly was dominated by the wealthy who wanted their money back.
- As a result Shay lead a rebellion with old revolutionary war veterans . They destroyed as any courts as possible. The rebels were eventually on the steps of the court house by the cannons of the state militia.
- The battle was unsuccessful but its repercussions spread across the country.
- The citizens actually sympathized for the rebels, but they disliked their methods.
- This exposed the countries weak central government (A of C must GO!!)

14. What did the participants in Shays rebellion demand?

- Lower taxes
- Print more paper money
- Temporarily close courts
 - These ideas would ameliorate their situation because if they lowered taxes and printed more money the farmers would be able to pay for their land. Also if they closed courts they wouldn't have their property taken away (foreclosures)

15. What group was so scared by the rebellion it inspired them to call for a convention in Philadelphia? (Annapolis convention 1786 did little to move people)

- The wealthy merchants and bankers. They feared the rebellion would sweep from state to state and that mobocracy (rule by mob) would reign unless political changes were made.

16. What were the representatives like?

- White, well-educate, male, wealthy, land owning, most participated in government.

17. What was the NJ Plan?

- William Patterson
- Unicameral (One House)
- 1 state, 1 vote
- Favored small states

18. What was the VA Plan?

- James Madison
- Throw out Articles completely (sent to amend articles not get rid of them)
- Branches: Executive, Judicial, and legislative (different powers & balanced)
- Montesquieu (Checks & Balances)
- 2 housed (bicameral legislature)
 - based on population
 - Favored bigger states because bigger states get more representatives.

19. How were the problems solved?

- The Great Compromise (Connecticut Compromise)
 - Roger Sherman of Connecticut
 - Small stats get senate (1 state, 1 vote)
 - Big states-House of representatives (population)

20. Explain the 3/5 compromise and how it was done?

- For the census- count slaves as 3/5 of a person but they don't vote.
 - This gave more power to white southern males

21. Who was the President of the convention and who is considered the Father of the Constitution, why is he called that?

- George Washington was the President of the Convention.
- James Madison is the "Father of the Constitution"
 - Took all the notes
 - Wrote the VA Plan
 - Wrote Bill of Rights

22. What was the main point of the Fed 10 aka X?

- There will always be factions of different opinions.

23. Who were the main authors of Federalist papers?

- James Madison
- Alexander Hamilton

- John Jay

24. Who were the leading Anti-Federalists?

- Patrick Henry

25. What were the Anti-Federalist major complaints about the Constitution?

- No Bill of Rights
 - Constitution weakening the power of the states
 - Wanted written guarantees that people would have freedom of speech, press, and religion.
 - Also demanded for a right to a trial by jury and the right to bear arms

26. Why was the Electoral College added to the election process?

- They feared the uneducated

27. What is separation of powers? Why was it added?

- Power is separated between different branches in the government:
 - Executive Branch: Headed by the president. The president carries out federal laws and recommends new ones, directs national defense and foreign policy, and performs ceremonial duties. Powers include directing government, commanding the Armed Forces, dealing with international powers, acting as chief law enforcement officer, and vetoing laws.
 - Legislative Branch: Headed by Congress, which includes the House of Representatives and the Senate. The main task of these two bodies is to make the laws. Its powers include passing laws, originating spending bills (House), impeaching officials (Senate), and approving treaties (Senate).
 - Judicial Branch: Headed by the Supreme Court. Its powers include interpreting the Constitution, reviewing laws, and deciding cases involving states' rights.
- Never done before- based on ideas from Montesquieu
- Added because feared concentrated power.

IDENTIFICATIONS:

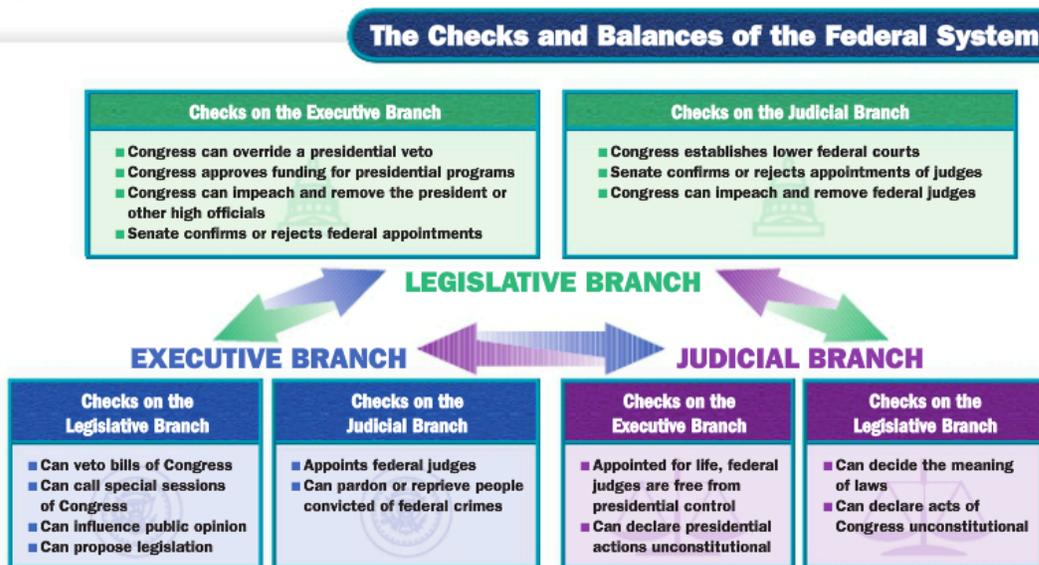
Framers/Founders: George Washington, James Madison, Alexander Hamilton, John Jay, William Patterson, Roger Sherman, Benjamin Franklin, George Mason

Constitutional government: A government based on a constitution or written set of rules.

Separation of Powers: The term separation of powers originated with the Baron de Montesquieu, a French enlightenment writer. However, the actual separation of powers amongst different branches of government can be traced to ancient Greece. The framers of the Constitution decided to base the American governmental system on this idea of three separate branches: executive, judicial, and legislative. The three branches are distinct and have checks and balances on each other. In this way, no one branch can gain absolute power or abuse the power they are given.

Checks and Balances: By creating three branches of government, the delegates built a "check and balance" system into the Constitution. This system was built so that no one branch of our government could become too powerful.

Each branch is restrained by the other two in several ways. For example, the president may veto a law passed by Congress. Congress can override that veto with a vote of two-thirds of both houses. Another example is that the Supreme Court may check Congress by declaring a law unconstitutional. The power is balanced by the fact that members of the Supreme Court are appointed by the president. Those appointments have to be approved by Congress.



Legislative: Headed by Congress, which includes the House of Representatives and the Senate. The main task of these two bodies is to make the laws. Its powers include passing laws, originating spending bills (House), impeaching officials (Senate), and approving treaties (Senate).

Executive: Headed by the president. The president carries out federal laws and recommends new ones, directs national defense and foreign policy, and performs ceremonial duties. Powers include directing government, commanding the Armed Forces, dealing with international powers, acting as chief law enforcement officer, and vetoing laws.

Judicial: Headed by the Supreme Court. Its powers include interpreting the Constitution, reviewing laws, and deciding cases involving states' rights.

Veto: The vested power or constitutional right of one branch or department of government to refuse approval of measures proposed by another department, especially the power of a chief executive to reject a bill passed by the legislature and thus prevent or delay its enactment into law. (Executive Branch- President)

English forts, North west territory: The English refuse to leave forts in new territory (Northwest territory). They leave NY, but don't leave Northwest because Washington's army is in NY. The troops were never sent to NW territory, so the British stay. Baron von Steuben asked to make them leave, but they declined.

New Orleans/port closure: Spain closes the port of New Orleans. This wrecked western farmers because they could not import or export any of their goods. They start speaking Spanish. They did this because they want to destroy the US. They are trying to get the western farmers to move to Spain.

Representative government: This was the largest issue at the Constitutional Convention, giving fair representation to the small and large states. Madison came up with VA Plan, which proposed a 2 house legislature and seemed to give more power to states with larger populations (BIG STATES). Small states objected to this plan, William Patterson came up with the NJ Plan, which proposed a single house congress. Roger Sherman- Great Compromise, satisfied both small & large state, which offered a two house congress (Senate & House of Rep.)

Daniel Shays: Former captain in the Continental Army and veteran of the battles of Bunker Hill and Saratoga. He became a Massachusetts farmer after the war ended. He led a rebellion to stop the high property taxes against farmers.

Springfield, Massachusetts:

Ratification: By ratifying the Constitution it bypassed the Articles of Confederation (Get rid of them. This is legal because the people vote for it. It bypassed the state legislature and went straight to the people because the states were losing power and would not have voted for it.

9 out of the 13 states had to approve. Didn't do a unanimous vote because of Rhode Island. People elected representatives to state ratifying conventions.

Philadelphia Convention: Place of the constitutional convention. It is the center of the country (northerners & southerners). Richest city in the nation (great economic power).

Proportional Representation: equal representation. The House of Rep. is based on population (BIG states) & senate 1 person, 1 vote (small states)

Equal representation: Great Compromise (Senate & House of Representatives)

Father of the Constitution: James Madison- did all the work. (Took notes, VA Plan, Bill of Rights)

Currency problems (\$): States were making their own currency. Look at questions above.

Virginia Plan: James Madison

- Throw out Articles completely (sent to amend articles not get rid of them)
- Branches: Executive, Judicial, and legislative (different powers & balanced)
- Montesquieu (Checks & Balances)
- 2 houses (bicameral legislature)
 - based on population
 - Favored bigger states because bigger states get more representatives.

New Jersey Plan:

- William Patterson
- Unicameral (One House)
- 1 state, 1 vote
- Favored small states

Necessary and Proper Clause: Congress is given any power they deem necessary and proper (Elastic Clause)

Three-fifths clause: When doing the census they count a slave as 3/5 of a person.

Federalist:

- Organized (Madison-note taker)
- Took "temperatures" of each state
 - Spend time in VA & NY (2 important swing states-that went back and forth)
- Campaigning
- Wrote " the federalist papers" 85 editorials in major newspapers
- Arguments why the constitution is good
- Federalists X (#10)- the minority rights will not be crushed by the majority in new constitution)
- Guys wrote Federalist papers (Alexander Hamilton, James Madison, John Jay)

Anti-Federalist:

- Not as organized
- Try to deal in every state at the same time (wasting time in states that already chose side)
- Proposed no alternative to the constitution (just criticized)
- Feared the power
- Called US too big for republicanism
- Felt president too powerful
- Army during peacetime
- No Bill of Rights!!
- Too much power in "necessary and proper"

Ratifying Conventions: see ratifying

The Federalist Papers: Look @ Federalists (James Madison, Alexander Hamilton, John Jay)

James Madison: "Father of the Constitution"

- Went to Princeton. Taught enlightenment, learned about enlightenment thinkers.
- Wrote VA Plan
- Took all the notes during the convention

John Jay:

- First Chief justice
- Wrote Federalist papers

Alexander Hamilton:

- Smart, graduated from Columbia (Kings College).
- Believed President should be elected for life, congress not a lot of power.
- Want strong central government (Like England).
- Wants this- adds stability
- Congress- this is ridiculous

Patrick Henry: Leading anti-federalist. Received support from rural areas, where people feared a strong government that may add to their tax burden.

"You are not to inquire how your trade may be increased, nor how you are to become a great and powerful people, but how your liberties can be secured.

Benjamin Franklin: Oldest man, signs constitution last. He believes this is a start of a new era. If doesn't work nation will fall apart. The document can't be perfect because it was written by humans.

George Washington: President of the Constitutional Convention. He adds no suggestions, no comments. He just keeps everything in order with strict rules.

Bill of Rights: (Know Amendments 1-4)

James Madison (House of Rep. 1789) writes Bill of Rights.

ADOPTION OF A BILL OF RIGHTS In several states, ratification had hinged on the Federalists' pledge to add a bill of rights. In September 1789, Congress submitted 12 amendments to the state legislatures for ratification. By December 1791, the required three-fourths of the states had ratified ten of the amendments, which became known as the **Bill of Rights**.

The first eight amendments spell out the personal liberties the states had requested. The Ninth and Tenth Amendments impose general limits on the powers of the federal government.

- The *First Amendment*—guarantees citizens' rights to freedom of religion, speech, the press, and political activity.
- The *Second* and *Third Amendments*—grant citizens the right to bear arms as members of a militia of citizen-soldiers and prevent the government from housing troops in private homes in peacetime.
- The *Fourth* through *Eighth Amendments*—guarantee fair treatment for individuals suspected or accused of crimes.
- The *Ninth Amendment*—makes it clear that people's rights are not restricted to just those specifically mentioned in the Constitution.
- The *Tenth Amendment*—clarifies that the people and the states have all the powers that the Constitution does not specifically give to the national government or deny to the states.

The Bill of Rights

1. Religious and political freedom
2. Right to bear arms
3. Freedom from quartering troops
4. Freedom against unreasonable search and seizure
5. Rights of accused persons
6. Right to a speedy, public trial
7. Right to a trial by jury
8. Limits on fines and punishments
9. Rights of the people
10. Powers of states and the people