

The war is over, now what?

- America was now an independent nation having won the Revolutionary War, but now what? What would the country and the government look like?

WHAT WAS The Northwest Ordinance of 1787

FOR SEVEN YEARS THE 13 AMERICAN STATES HAVE A GOVERNMENT ORGANIZED BY THE ARTICLES OF CONFEDERATION — BUT THE STATES DON'T WORK TOGETHER. THE NATIONAL CONGRESS IS WEAK AND LOW ON MONEY. THE NORTHWEST ORDINANCE IS ONE OF ITS FEW SUCCESSES. THE ORDINANCE (LAW) PROMISES TO SETTLERS:



FREEDOM OF RELIGIOUS WORSHIP



RIGHT TO A JURY TRIAL FOR ANYONE ACCUSED OF A CRIME



NO CRUEL OR UNUSUAL PUNISHMENTS FOR A CRIME



NO SLAVERY IN THIS TERRITORY

THE ORDINANCE ALSO DESCRIBES HOW TERRITORIES WILL BECOME OFFICIAL STATES...

MANY OF THESE IDEAS SHOW UP LATER IN THE BILL OF RIGHTS DRAFTED FOR THE NEW UNITED STATES CONSTITUTION (WHICH REPLACES THE ARTICLES OF CONFEDERATION).



WHEN THE POPULATION OF THE AREA IS JUST A FEW SETTLERS, THEIR GOVERNMENT IS:



A GOVERNOR APPOINTED BY CONGRESS

A SECRETARY APPOINTED BY CONGRESS

THREE JUDGES APPOINTED BY CONGRESS

WHEN THE POPULATION HAS 5,000 FREE MEN, THOSE MEN MAY ELECT A TWO-PART LEGISLATURE.

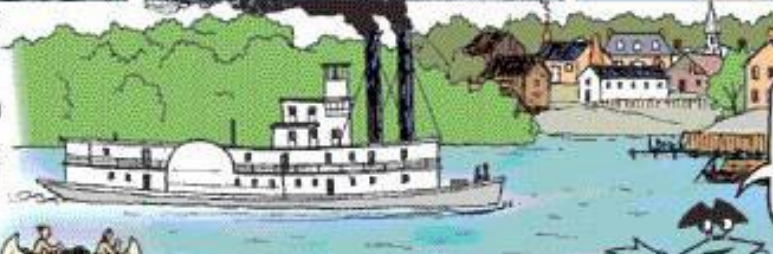


THE GOVERNOR HAS VETO POWER OVER THE LEGISLATURE

WHEN THE AREA HAS 60,000 FREE PEOPLE, THE LEGISLATURE CAN WRITE A STATE CONSTITUTION FOR CONGRESS TO APPROVE.



IN 1803, OHIO IS THE FIRST STATE CREATED USING THESE RULES. FIVE OTHER STATES ARE LATER FORMED FROM THE NORTHWEST TERRITORY ABOVE THE OHIO RIVER: INDIANA, ILLINOIS, MICHIGAN, WISCONSIN, AND MINNESOTA.



SOON STEAMBOATS ARE CARRYING PEOPLE AND PRODUCTS UP AND DOWN THE OHIO RIVER WHERE ONLY INDIAN CANOES TRAVELED 100 YEARS BEFORE.

The Articles of Confederation was weak, on purpose

- Americans were afraid of a strong national government. After all, they had fought a war over it. So, the government they decided on was weak.
- The national government under the Articles did not have the power to tax or enforce laws.
- The national government did have the power to wage war, but since they couldn't tax, there was no way to pay for it.
- The government could also issue money, but the states didn't have to use it. The states had their own money.

Weaknesses of the Articles

- Since the national government could not tax, and the national money was worthless, debt became a huge problem.
- Debt = owing money
- The biggest problem was that the soldiers who had fought the war, had not been paid, and they were mad.
- Most of the soldiers were farmers, and they were unable to pay their debts.

U.S. Government, 1776–1787



Successes of the Continental Congress

- Governed the nation during the Revolutionary War
- Negotiated the Treaty of Paris at the end of the war
- Passed the Land Ordinance of 1785
- Passed the Northwest Ordinance (1787)

- Lacked power to enforce laws
- Lacked power to levy taxes
- Lacked power to regulate trade among the states
- Required all 13 states to approve changes in the Articles

Weaknesses of the Articles of Confederation



What is happening in the following picture?

- You are going to be looking at a picture in a few seconds? See if you can figure out what is going on in the picture. Look at the picture closely.
- Describe the people, objects, where the event is happening, and what is happening. (Who, what, where, and objects)



Shays's Rebellion

- Farmers were taken into court, then to jail, and their land was taken away from them because they were in debt.
- In 1786, an armed revolt by farmers against the state government took place.
- The revolt was led by Daniel Shays.

- The farmers began to forcibly prevent the courts from meeting so they couldn't take anyone else's land away or put them in jail.
- Early in 1787, the Governor sent 4,400 men against the rebels and the rebels were defeated.
- Shays and the other rebels were pardoned. (An official act of forgiveness)

Results of Shays's Rebellion

- Shays's Rebellion showed the leaders of America that the Articles of Confederation were too weak, and a stronger national government was needed.

The Constitutional Convention



The Constitutional Convention begins

- 1787 – Philadelphia
- Delegates from all the states invited to a convention to improve the Articles of Confederation, which were not working
- Only RI didn't attend
- 55 Delegates attended



Leaders of the Convention

- George Washington was asked to **preside** (lead) over the convention.
- James Madison kept notes of the discussions and is often called “The Father of the Constitution.”
- The men who wrote the Constitution are called the “Founding Fathers.”
- All the participants in the Convention were wealthy, white, males.

The Founding Fathers



Issues that divided the Nation's leaders

- The power of the federal government. Would the states or the federal government have the most power?
- Representation in Congress (How many members on Congress would each state get? – small states wanted equal representation, large states wanted it to be determined by population of the states)
- Slavery – How would slaves be counted? Would the slave trade continue?

The Virginia Plan

Called for a new national government. Threw out the Articles of Confederation

Three separate branches of government. – a legislative branch, executive branch, and judicial branch

Representation in the legislative branch based on population of state

Large states like the plan, small states don't.

PROPOSAL: The Virginia Plan

Three Branches: Legislative, Executive, Judicial

Legislative Branch = Congress

Bicameral (2 Houses)



Elected by the
people



Elected by the 1st
house

of representatives & votes determined by state population

New Jersey Plan

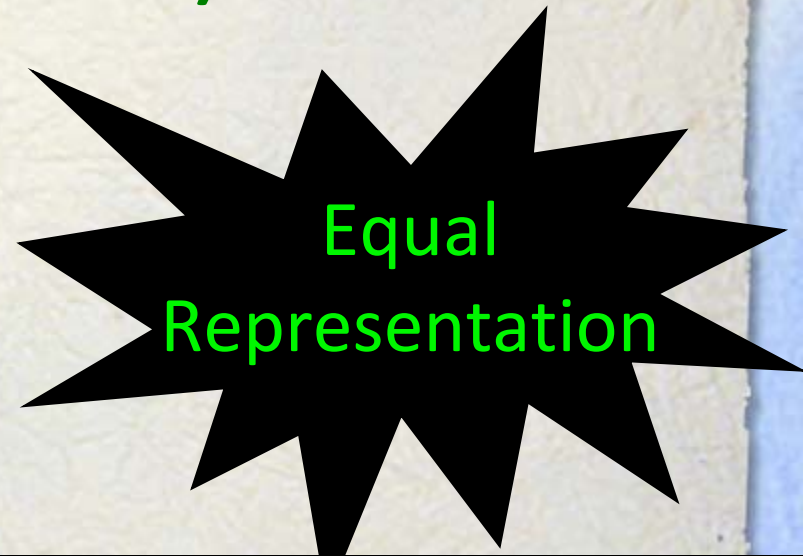
- Legislature - has one house.
- Each state gets one vote.
- Small states like the plan, the large states hate it.
- There would have to be a compromise.

PROPOSAL: The New Jersey Plan

Three Branches: Legislative, Executive, Judicial

Legislative Branch = Congress

Unicameral (1 House)



of representatives & votes equal for ALL states

The Great Compromise

- Legislature would have two houses (parts): House of Representatives and a Senate
- House - based on the population of state
- Senate - two senators per each state

SOLUTION: The Great Compromise

Roger Sherman (CT) combined both plans...

Bicameral Congress = Representatives Based on Population in ONE, Equal Representation in ONE



of representatives depends on population



equal # of representatives

Slavery

- The Southern states refused to approve the Constitution unless slavery continued.
- It was a terrible compromise to make, but the Northern states had no choice if they wanted a Constitution.
- 3/5 Compromise - Made each slave worth 3/5 of a vote in deciding numbers in House of Representatives
- Congress can not ban the slave trade until 1808.

Southern States:

- ▶ Wanted slaves counted as population to determine representation in the House of Reps.
- ▶ Opposed counting slaves for the purpose of determining taxation

V.

Northern States:

- ▶ Opposed counting slaves as population to determine representation in the House of Reps.
- ▶ Favored counting slaves for the purpose of determining taxation

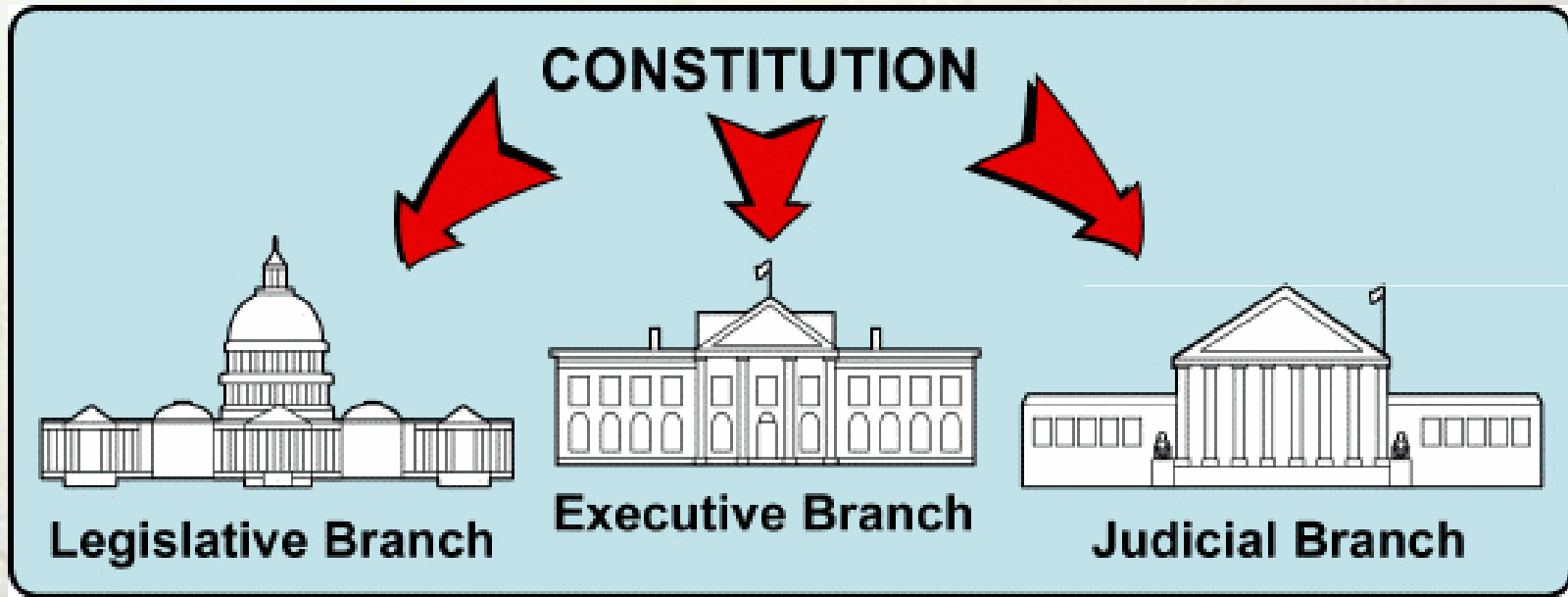
THE 3/5^{ths} COMPROMISE:

- 3/5^{ths} of slaves counted as population in determining representation to the House of Representatives
- 3/5^{ths} of slaves would be counted for the purpose of determining taxation

How the National Government shapes our State & Local Government



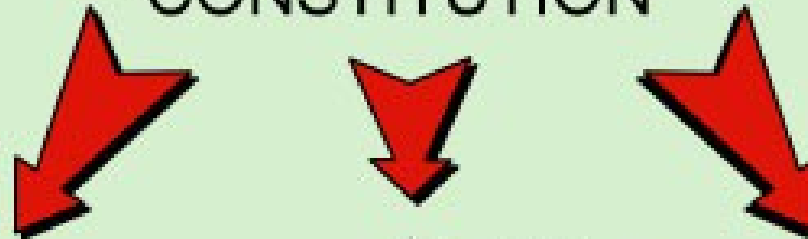
There are 3 branches of Government



Over 200 years ago, our Founding Fathers wrote the Constitution. The Constitution is a basic design for how our government should work. The Constitution divides the government into the following three branches: the legislative, executive, and judicial branches.

The 3 Branches of the National Government

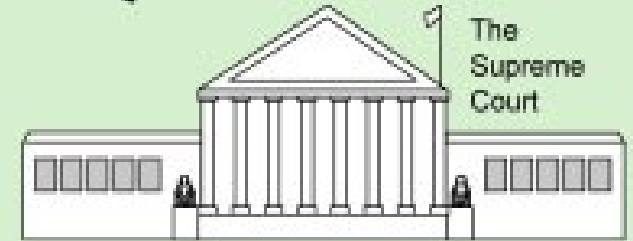
CONSTITUTION



The U.S. Capitol



The White House



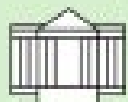
The Supreme Court

LEGISLATIVE

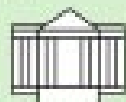
EXECUTIVE

JUDICIAL

CONGRESS



HOUSE OF REPRESENTATIVES



SENATE



PRESIDENT



VICE PRESIDENT



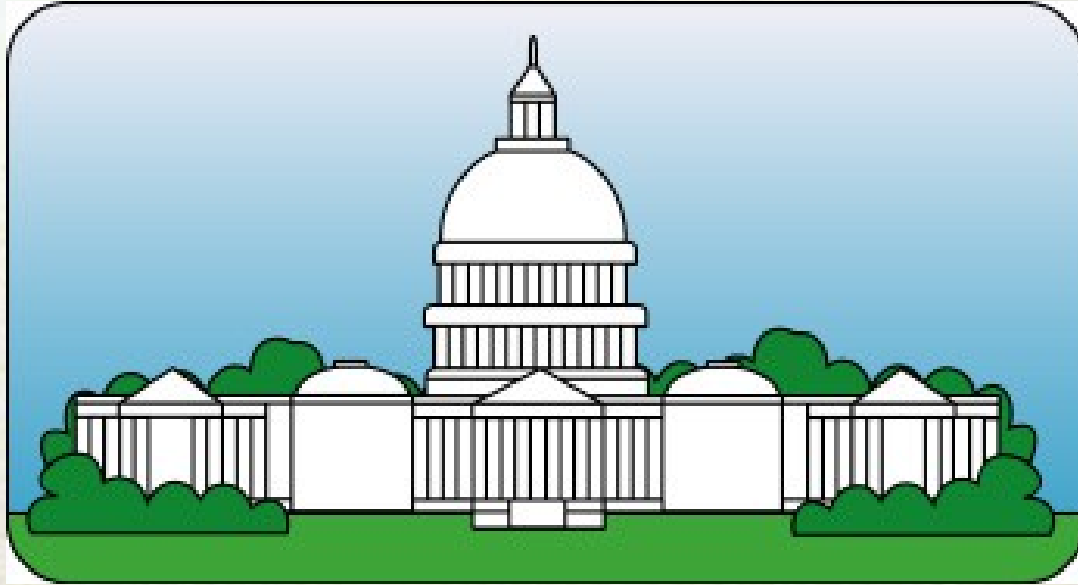
SUPREME COURT

Does this impact our State Government?

- Each state has its own constitution based on its unique history, needs, philosophy, and geography.**
- Just like that of the national government, each state's constitution separates power between three branches -- legislative, judicial, and executive.**

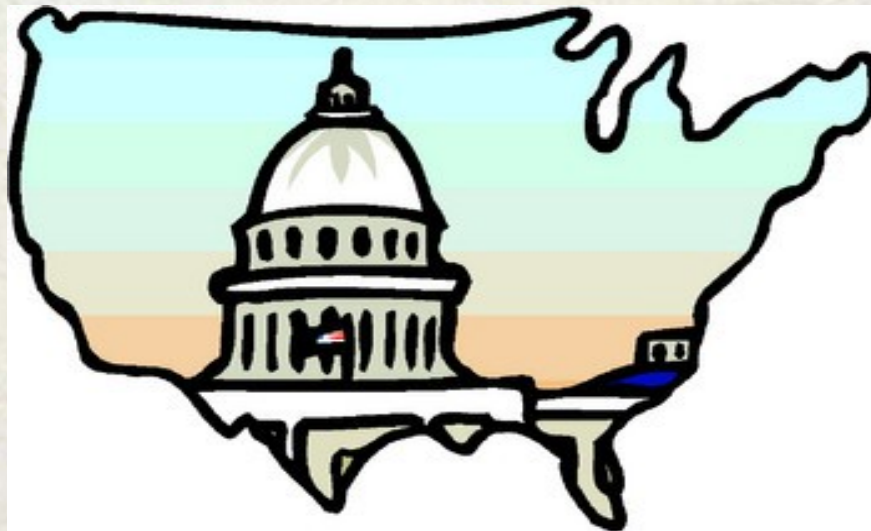
**What are the responsibilities of
each branch of Government?**

National Government: The Legislative Branch

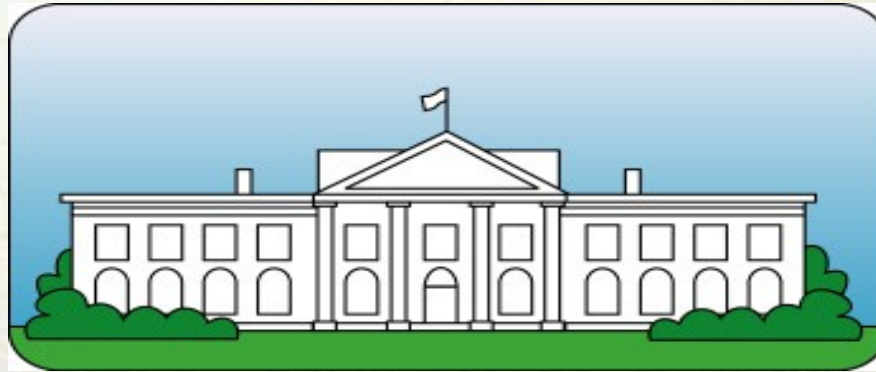


- The legislative branch makes laws for the nation.
- The main lawmaking body of this branch is known as Congress.
- Congress is made up of two parts, the House of Representatives and the Senate.

- **Most important duty of the legislative branch is to make laws**
- **There are 100 senators in the senate, two from each state**
- **There are 435 representatives in the House of Representatives. The number of representatives is based on each state's population**



Our National Government: The Executive Branch



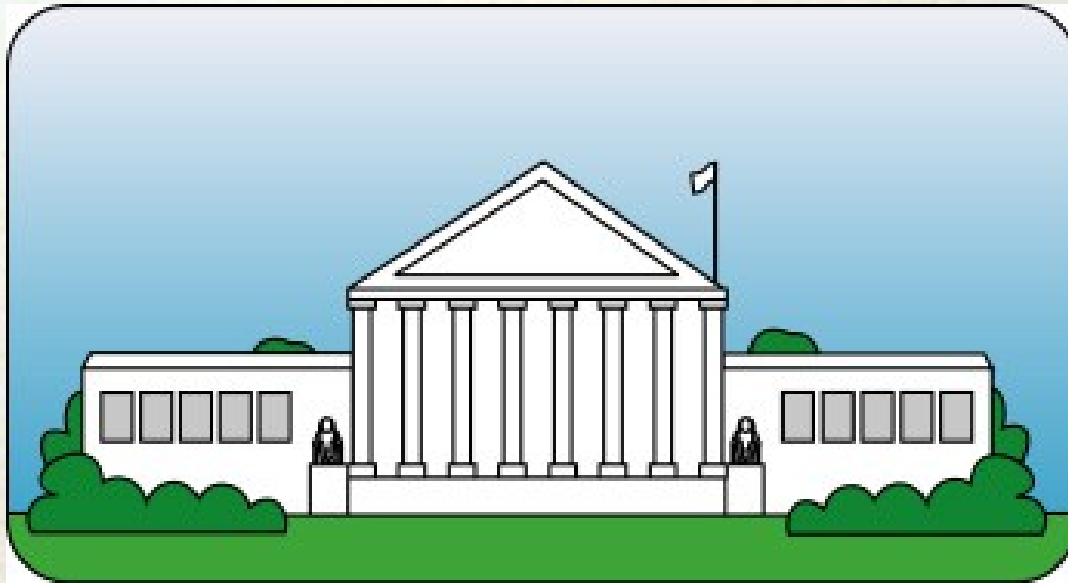
- **The executive branch makes sure people follow the laws that the legislative branch makes.**
- **The leaders of this branch are the President and Vice-President.**
- **When making important decisions, the President often asks for advice from the Cabinet.**
- **The President lives at the White House in Washington, D.C.**

The Executive Branch also includes the Vice President and other officials, such as members of the cabinet.

- **The Secretary of Agriculture**
- **The Secretary of the Interior**
- **The Secretary of Commerce**
- **The Secretary of Education**
- **The Secretary of Health and Human Services**
- **The Secretary of Homeland Security**
- **The Secretary of Housing and Urban Development**
- **The Secretary of Transportation**
- **The Secretary of Veterans' Affairs**
- **The Secretary of State**
- **The Secretary of Labor**
- **The Secretary of the Treasury**
- **The Secretary of Energy**
- **The Secretary of Defense**
- **The Attorney General**



National Government: The Judicial Branch



- When people are unsure about the meaning of a law, the judicial branch listens to many opinions and makes a decision.
- The judicial branch is made up of courts.
- The highest of these courts is the U.S. Supreme Court.

The judicial branch oversees the court system of the United States.

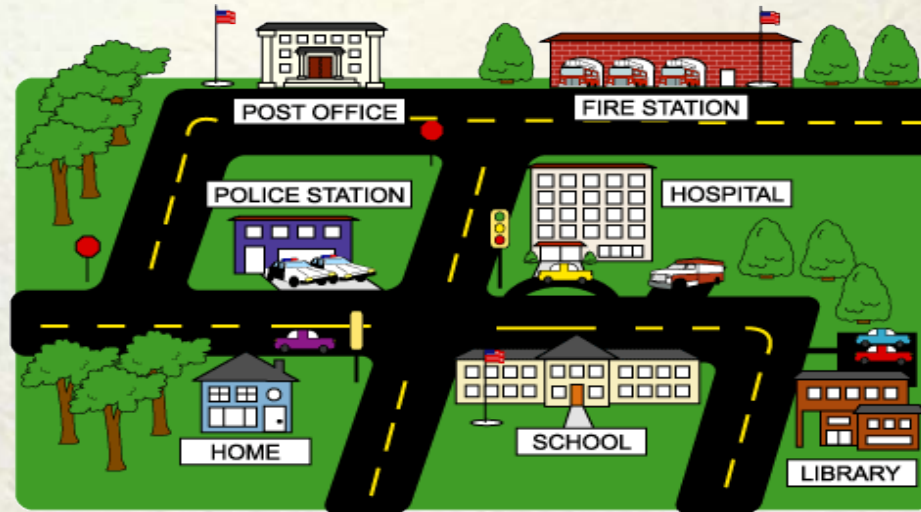
- **Explains the meaning of the Constitution and laws passed by Congress**
- **Rules on whether something is unconstitutional or constitutional**





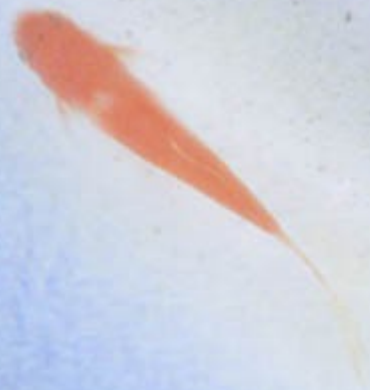
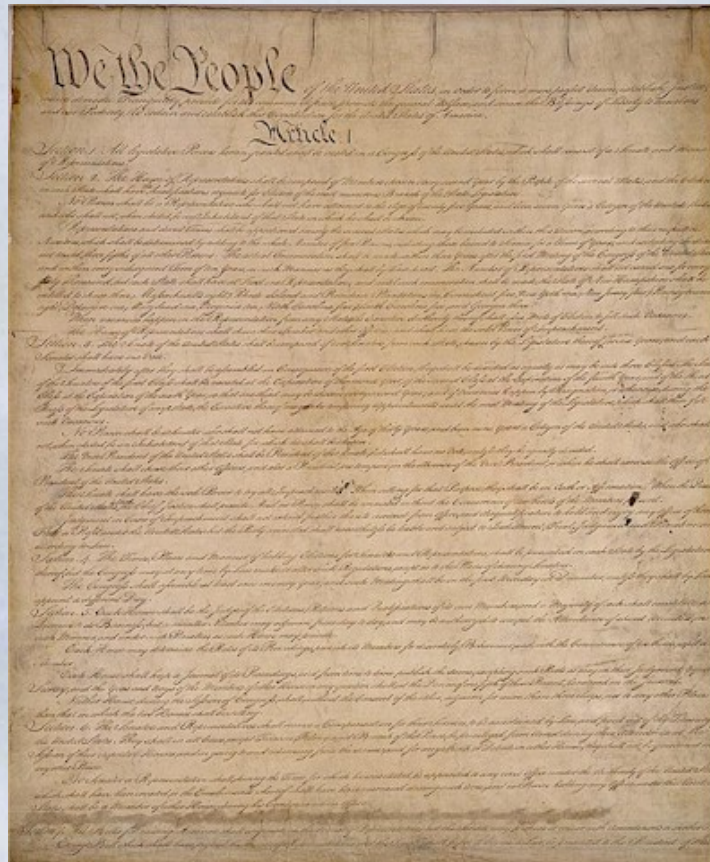
- **On the Supreme Court there are nine justices, or judges: eight associate and one chief justice.**
- **Judges are nominated by the President and approved by the Senate.**
- **Have no term limits.**
- **Supreme Court is the highest court in the land.**
- **Its decisions are final, and no other court can overrule their decisions.**

Local Government



National government and state government are two types of government, but there are also local governments.

The Principles of the United States Constitution



Limited Government

- ¹⁴/₇ Framers wanted to guard against tyranny
- ¹⁴/₇ Government is limited to the power given them in the Constitution.
- ¹⁴/₇ The Constitution tells how leaders who overstep their power can be removed

Federalism

- $\frac{14}{7}$ The division of power between State and National Governments
- $\frac{14}{7}$ Some powers are shared
- $\frac{14}{7}$ The National Government has the “supreme power”



Separation of Powers

- $\frac{14}{7}$ No one holds “too much” power
- $\frac{14}{7}$ Legislative branch makes the laws
- $\frac{14}{7}$ Executive branch carries out the laws
- $\frac{14}{7}$ Legislative branch interprets the laws



Checks and Balances

- ¹⁴/₇ Prevents the abuse of power in government
- ¹⁴/₇ Each branch can check each other branch



Executive Checks

- ¹⁴/₇ Propose laws to Congress
- ¹⁴/₇ Veto laws made by Congress
- ¹⁴/₇ Negotiate foreign treaties
- ¹⁴/₇ Appoint federal judges
- ¹⁴/₇ Grant pardons to federal offenders



Legislative Checks

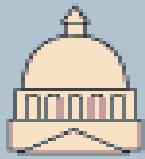
- ¹⁴/₇ Override president's veto
- ¹⁴/₇ Ratify treaties
- ¹⁴/₇ Confirm executive appointments
- ¹⁴/₇ Impeach federal officers and judges
- ¹⁴/₇ Create and dissolve lower federal courts



Judicial Checks

- $\frac{14}{7}$ Declare executive acts unconstitutional
- $\frac{14}{7}$ Declare laws unconstitutional
- $\frac{14}{7}$ Declare acts of Congress unconstitutional
- $\frac{14}{7}$ The Supreme Court holds the final check





LEGISLATIVE BRANCH

The Congress
House of Representatives;
Senate.
House and Senate can veto each other's bills.

Congress approves presidential nominations and controls the budget. It can pass laws over the president's veto and can impeach the president and remove him or her from office.



EXECUTIVE BRANCH

The President
Executive office of the president; executive and cabinet departments; independent government agencies.

The president can veto congressional legislation.

The Court can declare laws unconstitutional.
The Senate confirms the president's nominations. Congress can impeach judges and remove them from office.

The president nominates judges.

The Court can declare presidential acts unconstitutional.



JUDICIAL BRANCH

The Courts
Supreme Court;
Courts of Appeal;
District courts.

**Do you know how a bill becomes a law?
We know that the legislative branch
makes them, but do we know how?**



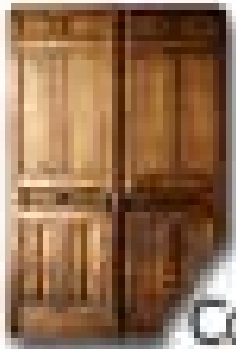


First, a concerned citizen contacts his/her senator or representative about an idea that they would like to see become a law. After the researching is done the legislator has the bill drafted by their staff.

After a bill is drafted, it can be introduced by any member of the house or senate, and more than one legislator can sponsor a bill. The bill is filed with the bill clerk, who assigns the bill a number.

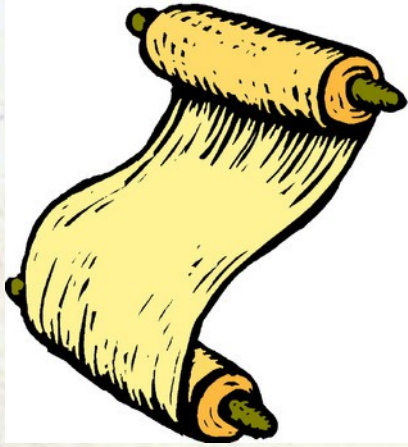


The bill is then introduced and read in the house or the senate for the first and usually a second time (a bill must be read three times before final passage).



The
New
BILL
goes to
Committee

After reading, the bill is assigned to the appropriate committee. The committee schedules the bill to be read at a public meeting where legislators and anyone interested can speak for or against the bill. The committee can also add amendments to a bill. The committee then votes on the bill. The committee votes do pass, do pass as amended, do not pass, or without recommendation.



If a bill is amended, the bill is engrossed to include the amendment. When a bill comes out of committee it is placed on the calendar for a third reading. At the third reading, the reading clerk reads the title of the bill for the third and final time.

Vote: Most bills are adopted by a simple majority. Appropriation bills require a $3/4$ vote. Initiated acts may be amended or repealed by a $2/3$ vote of both houses.



The Articles of Confederation

- The Articles of Confederation was the name of the first government of the United States.
- It had been started back in 1776 in the Continental Congress, and finally approved by all the states in 1781.

If the bill fails, it dies on the floor.



If the bill passes, it is sent to the opposite chamber and repeats the process that it followed in the previous chamber. If the house amends a senate bill, it is then referred to the senate and then referred to a committee.



Conference Committee: If the 2 houses cannot agree on a bill, the differences are reconciled by a conference committee with representatives from each House. Compromises subject to approval by both houses.

When bills are passed by both houses, the enrolled bill is certified by the presiding officer of each house and sent to the Governor.



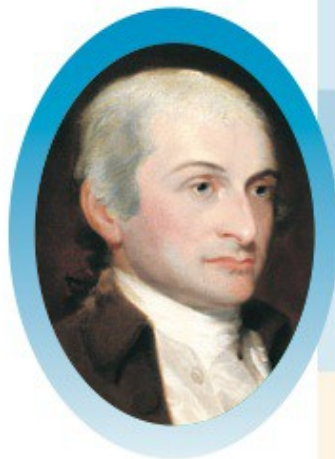
Federalists and Antifederalists

FEDERALISTS

- Supported removing some powers from the states and giving more powers to the national government
- Favored dividing powers among different branches of government
- Proposed a single person to lead the executive branch

ANTIFEDERALISTS

- Wanted important political powers to remain with the states
- Wanted the legislative branch to have more power than the executive
- Feared that a strong executive might become a king or tyrant
- Believed a bill of rights needed to be added to the Constitution to protect people's rights



John Jay



George Mason

SKILLBUILDER Interpreting Charts

1. Which group wanted a stronger central government?
2. If you had been alive in 1787, would you have been a Federalist or an Antifederalist?