


Chapter 2  
**ORIGINS OF AMERICAN GOVERNMENT**

Section 1  
**OUR POLITICAL BEGINNINGS**

- BASIC CONCEPTS OF GOVERNMENT**
- ✘ Ordered government
  - ✘ Limited government
  - ✘ Representative government

- LANDMARK ENGLISH DOCUMENTS**
- ✘ Magna Carta
    - + Trial by jury
    - + Due process of law
    - + Protection against taking of life, liberty or property
  - ✘ Petition of Right
    - + Limited the Kings power
      - ✘ Could no longer imprison or punish with out lawful judgment of peers
      - ✘ Could not impose marshal law in time of peace
      - ✘ Could not require civilians to house troops
  - ✘ English Bill of Rights
    - + William and Mary of Orange
    - + NO standing army in peace time, except with consent of congress
    - + Parliament elections be free
    - + Fair trial
    - + Freedom from excessive bail
    - + No cruel and unusual punishment

- A NEW WORLD A NEW SYSTEM**
- ✘ Royal colonies
    - + King named governor, executive
    - + **Bicameral**—two house system, elected by male property owners
    - + All laws had to be approved by Governor and Crown
- THREE TYPES OF COLONIES**
- ✘ Proprietary Colonies
    - + Established by land grant from king
    - + Government was one chosen by the owner
    - + **Unicameral**—these colonies used a one house system
- ENGLISH COLONIES**

- A NEW WORLD A NEW SYSTEM**
- ✘ Charter
    - + Granted by England
    - + Self Governed
      - + Not subject to direct scrutiny of the Crown
- 
- ENGLISH COLONIES**

From Colonies to Independence

## THE COMING OF INDEPENDENCE

- ### STEPS TOWARDS INDEPENDENCE
- × New England Confederation
  - × The Albany Plan
  - × Stamp Act Congress
  - × First Continental Congress
    - + Declaration of Independence
  - × Second Continental Congress

- ### ALBANY PLAN
- × Ben Franklin's Idea
  - × 13 colonies represented
  - × Powers
    - + Raise military
    - + Make war and peace with Native Americans
    - + Regulate trade with Native Americans
    - + Tax
    - + Collect customs and duties

- ### STAMP ACT CONGRESS
- × 9 colonies in response to the Stamp Act
  - × Prepare the Declaration of Rights and Grievances
    - + Parliament repeals Stamp Act

- | 1 <sup>ST</sup> CONTINENTAL   | 2 <sup>ND</sup> CONTINENTAL  |
|---|--|
| <ul style="list-style-type: none"><li>× Created in response to the Intolerable acts</li><li>× Sent a Declaration of Rights<ul style="list-style-type: none"><li>+ Had acts Repealed</li></ul></li></ul> | <ul style="list-style-type: none"><li>× Philadelphia May 10, 1775</li><li>× 1<sup>st</sup> national government for 5 years</li><li>× Issued the declaration of independence July 1776</li><li>× Existed until March 1, 1781 when the Articles of Confederations took control</li></ul> |
- ### 1<sup>ST</sup> AND 2<sup>ND</sup> CONTINENTAL CONGRESS

- ### DECLARATION OF INDEPENDENCE
- × June 7, 1776 Richard Henry Lee of Virginia
    - + "That these United Colonies are, and of right ought to be, free and independent states"  
p34
  - × Congress named a committee of five
    - + Ben Franklin, John Adams, Roger Sherman, Robert Livingston & Thomas Jefferson
  - × July 4<sup>th</sup> 1776 Congress accepted the Declaration

## STATES TAKE THE LEAD

- ✦ States/Colonies begin to create constitutions
  - + Popular Sovereignty/Consent of the people
  - + Limited Government
  - + Civil Rights & Liberties
  - + Separation of powers
  - + Checks and Balances

After the Revolution

## THE CRITICAL PERIOD

## ARTICLES OF CONFEDERATION

- ✦ 13 colonies had to ratify
- ✦ National Government 1779-1781
- ✦ Begins what is known as "The Critical Period"

## ARTICLES OF CONFEDERATION CONT.

- ✦ Established a Firm League of Friendship
- ✦ Unicameral House
  - + One vote per state
  - + no executive office or judiciary
- ✦ Powers of Congress
  - + War and Peace
  - + Treaties
  - + Settle Disputes Among States
- ✦ State Obligation
  - + Obey Articles

## PROBLEMS WITH THE ARTICLES

- ✦ No power to tax
- ✦ No power to regulate trade between states
- ✦ Lacked power to enforce the articles

## CREATING THE CONSTITUTION

## PROBLEMS

- × Finance
  - + Robert Morris—Bank of North America
- × Trade and the Economy
  - + Problems with Britain
- × Diplomacy
- × Confederations Problems

## PROBLEMS CONTINUED

- × Currency Shortage
- × State Tariffs
  - + Merchants demand stronger central gov.
- × Use of Paper money
- × Shays' Rebellion
  - + High taxes (poll and land)
  - + Daniel Shays
    - × Wanted flexible monetary policy
    - × Only one dead
  - + Lasting effect

## FRAMERS

- × Framers worked in secrecy
- × 12 of the 13 states except Rhode Island
- × Met May 25, 1787 Philadelphia
  - + Elected Washington President of the convention
- × May 30<sup>th</sup> approved the removal of the Articles and creation of a government consisting of three branches
  - + Legislative
  - + Executive
  - + Judicial

## VIRGINIA PLAN

- × Madison's plan
- × Three separate branches
  - + Legislative would be bicameral
  - + representations would be based population or money given to central government

## VIRGINIA PLAN CONT.

- × Two Houses
  - + House of Representatives-elected through popular election
  - + Senate chosen by House from list from state legislatures
    - × The congress would choose a national executive and national judiciary

## NEW JERSEY PLAN

- × Unicameral house
- × Federal executive of more than one person
- × How would the representation be determined

Get'er Done

## COMPROMISES

## CONNECTICUT COMPROMISE

- × Two houses of Congress
- × Senate—equally representation
- × House—based on population
- × Often called the GREAT COMPROMISE

## 3/5 COMPROMISE

- × Slaves would be counted as 3/5 read “ of all other persons”
- × 1865 Disappeared with the 13<sup>th</sup> amendment abolishing slavers

## THE COMMERCE AND SLAVE TRADE COMPROMISE

- × Southern states worried about the government able to regulate all trade
  - + Forbid the Congress the power to lay export tax on goods from any state
  - + Forbid the congress to act on slave trade for at least 20 years

## SOURCES OF THE CONSTITUTION

- × William Blackstone—*Commentaries of the Laws of England*
- × Baron De, Montesquieu—*The Spirit of the Laws*
- × Jean Jacques Rousseau—*Social Contract*
- × John Locke—*Two Treaties of Government*
- × Framers also drew from there past experiences

## RATIFICATION

## TWO GROUPS EMERGED

- ✦ Federalist—favored ratification
- ✦ Antifederalist—opposed ratification
- ✦ Delaware 1<sup>st</sup> state Dec 7, 1787
- ✦ Rhode Island last May 29, 1790

A NEW NATION IS BORN