



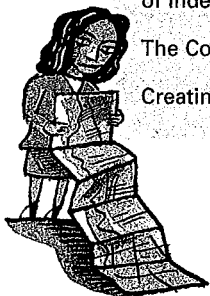
Beginnings of American Government

Imagine a society in which everyone has complete freedom and no laws restrict behavior. What would happen? Would there be complete chaos? If you think so, then you agree with most of the Founders of American government—men like John Adams, George Washington, Benjamin Franklin, and Thomas Jefferson. While they believed that people should have freedom, at the same time they knew that complete freedom would lead to disorder. A compromise had to be reached: a balance between liberty and order.

The Founders' goal was to create a government that would protect freedom without sacrificing order, one that would promote the values of equality and justice. They believed in democracy, but they doubted people's ability to handle it. Their product, the Constitution of the United States, was crafted in 1787 to provide a delicate balance among liberty, order, and justice. It came after years of national debate, first as colonists from Great Britain, and later as independent citizens struggling to hold the new nation together.

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- ★ **REPRESENTATIV** a representative ass House of Commor in the American co to the British Parli

IMPORTANT

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definitions

- limited governmen** rights are protected.
- representative gove** the people who electe



English Influence

The English wrestled with the balance between liberty and order and the meaning of justice and democracy for many years before they established the colonies in America. Because the United States was first a part of colonial Britain, the English political system profoundly influenced the colonists.

EARLY TRADITIONS

By the seventeenth century, England had already established important political traditions:

- ★ **LIMITED GOVERNMENT** The power of the monarch was limited, not absolute. As early as the thirteenth century, the nobles demanded of the king the right to be consulted before taxes were levied. The king was eventually expected to consult with commoners as well, and the first traces of Parliament emerged. By the seventeenth century, **limited government** was well established, with Parliament as a check on the monarch.
- ★ **REPRESENTATIVE GOVERNMENT** The British Parliament was (and still is) a representative assembly divided into two bodies, the House of Lords and the House of Commons. The English set up similar **representative governments** in the American colonies, though the colonists were not allowed representatives to the British Parliament.

IMPORTANT DOCUMENTS

The colonists based their early governments on the English traditions reflected in three early documents.

- 1 The Magna Carta, written in 1215, was signed by King John on Runnymede field after he was chased and caught by nobles angry with him for his absolute rule. The document protected nobles from arbitrary acts by the king, guaranteed rights (such as trial by jury), and forbade the king from taking life, liberty, or property without good reason. The Magna Carta represents the first attempt to limit the absolute power of the monarchy.

definitions

limited government—a system in which government's powers are restricted and individuals' rights are protected.

representative government—a system in which policies are made by officials accountable to the people who elected them.



Constitution

1 Royal Colonies

Charters of royal colonies subjected the government to direct control of the monarchy. Governors and royal councils were appointed by the king. Governors were very strict, had nearly full authority, and closely obeyed the instructions of the king. Royal colonies did have **bicameral** legislatures, but only the lower houses were elected by property owners. The royal councils functioned as the upper houses. There were eight royal colonies: Georgia, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, South Carolina, and Virginia.

2 Proprietary Colonies

Three colonies (Delaware, Maryland, and Pennsylvania) were directly controlled by a proprietor, not the king. The proprietors were granted land by the king and were given great powers to govern. The charters were not as strict as those of the royal colonies, and the colonists generally held less resentment toward the king. The proprietors appointed governors, royal councils, and judges, and the lower house of the legislature was elected by property owners. William Penn (1644–1718) was the most famous of the colonial proprietors. He organized the colonies of Pennsylvania and Delaware to protect basic religious freedom. Pennsylvania's single-house, or **unicameral**, legislature granted more liberties than any other colonial government.

3 Charter Colonies

Connecticut and Rhode Island convinced the king to grant the power to rule directly to the colonists. They had a great deal of independence and were nearly self-governing. Governors, councils, and upper and lower houses of the legislatures were elected by property-owning colonists, and judges were appointed by the legislature.

All colonists elected representatives to government, although only to the lower house of the legislature in all but the two charter colonies. The desire for self-government is thus apparent in all the colonial charters. In fact, a famous group of colonists asserted themselves even before they arrived in America. At Plymouth Rock in 1620, men aboard the *Mayflower* drew up an agreement to govern by majority rule, and their Mayflower Compact reinforced the idea that governments are formed by agreement among citizens for their own benefit.

definitions

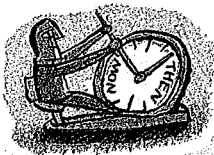
bicameral—having or consisting of two legislative chambers or houses.

unicameral—having or consisting of one legislative chamber or house.



The Continental Congresses

The English government reacted to the Boston Tea Party with a series of additional laws in 1774 that colonists called the Intolerable Acts, a name that reflected their growing resentment toward British regulations. The result was the gathering of 55 delegates from 12 colonies (all except Georgia) in Philadelphia during September and October of 1774. This First Continental Congress resolved to send a Declaration of Rights to King George protesting Britain's actions. They also resolved to boycott British goods and to call for a Second Continental Congress to convene in May of 1775.



Then and Now

THE LETTERS OF JOHN AND ABIGAIL ADAMS

Some of the most valuable information about the inside workings of the Second Continental Congress, as well as the personal concerns of the delegates, comes from the correspondence between John Adams of Massachusetts and his wife, Abigail. The two reflect political concerns about equality between the sexes and a teasing regard for one another in the following exchange:

"In the new Code of Laws . . . I desire you would Remember the Ladies, and be more generous and favorable to them than your ancestors . . . Remember all Men would be tyrants if they could. If . . . care and attention is not paid to the Ladies we are determined to foment [begin] a Rebellion, and will not hold ourselves bound by any Laws in which we have no voice, or Representation. . . . Men of Sense of all Ages abhor those customs which treat us only as the vassals [servants] of your Sex. . . ."

Abigail Adams, March 31, 1776

Her husband responded:

"As to your extraordinary Code of Laws, I cannot but laugh . . . We have been told that our Struggle has loosened the bands of Government every where. That Children and Apprentices were disobedient—that schools and Colleges were grown turbulent . . . But your letter was the first Intimation that another [group] more numerous and powerful than all the rest were grown discontented . . . you are so saucy. . . . you know that [our Masculine systems] are little more than Theory . . . in Practice you know We are the subjects."

John Adams, April 14, 1776



The American Revolution actually began before the Second Continental Congress met. In April 1775 British troops were sent to the Massachusetts towns of Lexington and Concord to arrest rebellious political leaders and destroy the colonists' weapons. The colonists resisted, and the battle for independence intensified.

The list of delegates who gathered for the Second Continental Congress included George Washington, Benjamin Franklin, John Adams, Patrick Henry, John Hancock, and Thomas Jefferson. On July 4, 1776, the American Revolution officially began with the acceptance of the Declaration of Independence by the delegates from all 13 colonies.

THE DECLARATION OF INDEPENDENCE

The Declaration of Independence, written largely by Thomas Jefferson, is one of the most famous American documents ever written. (See Almanac page 492.) The first paragraphs give a stirring philosophical argument that justified the brazen act of declaring independence. The bulk of the document is an item-by-item list of complaints against the British government. However, the fame of the Declaration of Independence comes from its statement of philosophy, which became the basis for the establishment of the government. Those important first paragraphs express the most enduring beliefs of American society, the values that define the relationship between liberty and order and the meaning of equality, democracy, and justice. These paragraphs reflect the profound influence of the seventeenth-century philosopher John Locke on Thomas Jefferson.

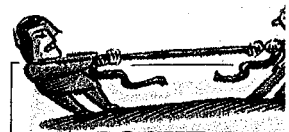
Influence of John Locke

The Declaration of Independence was signed by American colonists during a time of political and philosophical change in Europe known as the Enlightenment. The colonists' conceptions of the balance between liberty and order and their interpretations of equality, democracy, and justice were shaped by such European philosophers as Hobbes, Montesquieu, Voltaire, and Locke. All were critics of absolute monarchy in Europe, and most of the delegates to the Second Continental Congress had read their works.

John Locke (1632–1704) was an early Enlightenment philosopher whose famous work, *The Second Treatise of Government*, powerfully influenced Thomas Jefferson as he wrote the Declaration of Independence. Locke's writings reflect the power struggle between the king and British parliament. His basic principles include:

- ★ NATURAL RIGHTS existed before “we are governed on life, liberty, and property.”
- ★ CONSENT OF THE GOVERNED based on the colonists' agreement on who their rulers would be and their responsibilities to the people. The government is formed by the consent of the governed and breaks the contract and forms a new government.

With these principles, the Declaration of Independence is more than a list of grievances. Moreover, each colonist is considered to be endowed with “natural rights.”



LOCKE AND

The parallels between Locke's philosophy and the Declaration of Independence.

TREATISE

“The state of nature has no law to govern it.”

“to preserve life, liberty, and property”

“men being by nature equal and independent”



Constitution

- ★ **NATURAL RIGHTS** Locke imagined a “state of nature”—a time that existed before “civilization.” Locke held that in this state people have equality, are governed only by the laws of nature, and hold natural rights, including life, liberty, and property.
- ★ **CONSENT OF THE GOVERNED** Locke argued that government must be based on the consent of the governed. In other words, the people must agree on who their rulers will be. If the government reasonably honors its responsibilities to the people, a social contract exists, and the people should allow the government to rule. If, however, the government betrays the people’s trust and breaks the contract by abusing natural rights, the people may abolish it and form a new one.

With these revolutionary ideas in mind, Jefferson claimed in the Declaration of Independence that people should rule instead of being ruled. Moreover, each person was important as an individual, “created equal,” and endowed with “unalienable rights.”



VS.

LOCKE AND JEFFERSON

The parallels between the phrases from *The Second Treatise of Government* and the Declaration of Independence are striking.

TREATISE

- “The state of nature has a law to govern it . . .”
- “to preserve life, liberty, and property”
- “men being by nature all free, equal and independent”

DECLARATION

- “Laws of Nature and Nature’s God”
- “life, liberty, and the pursuit of happiness”
- “all men are created equal”





The Confederation Period

The Second Continental Congress was only a voluntary association of the states. In May 1776, the delegates urged all the colonies to form new state governments to fill the void left as British officials fled to England. Then, after the Declaration of Independence, the Congress appointed a committee to draw up a plan for a permanent union of the states. The first governments of the newly declared states consisted of 13 different **constitutions**, one from each colony, as well as the first national constitution, the **Articles of Confederation**. The state constitutions included many features that were later incorporated into the national constitution, such as three separate branches, checks and balances, bicameral legislatures, and a bill of rights.

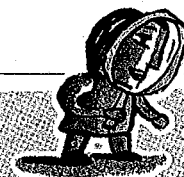
ARTICLES OF CONFEDERATION

After making the bold move to declare independence, the Second Continental Congress turned to the practical issue of establishing a new government based on liberty, not the heavy restrictions placed by the British Crown in the name of order. Since the delegates rejected the tyranny of a monarchy, they quite logically decided that the central government should not be strong. They believed that state legislatures were closest to the people and should be granted power to determine their own policies. When they finally established a government under the Articles of Confederation in 1781, the delegates saw the new government as little more than an agreement among the states. The balance between liberty and order tilted far to the side of liberty, and, as a result, the country sank into turmoil and chaos.

When peace came, many parts of the new country were devastated, and major cities—such as New York and Boston—in shambles. The United States was heavily in debt and surrounded by powerful European countries—England to the north in Canada, and Spain to the south and west. What was to prevent either country from striking and defeating the struggling country? The love of liberty appeared to bring the new country to the brink of disaster.

The Articles of Confederation had outlined a plan of government that had some success—the negotiation of peace and the passage of the Northwest Ordinance of 1787, which limited slavery in the Ohio Valley. But the Articles also had serious weaknesses. Because each state retained its sovereignty,

the central government had no currency. It had no power to tax from states. No national army, and the legislative branch was weak. Laws that were passed



The Articles of Confederation rejected the British government's authority over Native Americans, many of whom were members of the Iroquois Confederation (Iroquois Confederation identities); including the Iroquois Confederation. According to legend, the Iroquois Confederation was formed by the Dekanawida and Hiawatha, who brought together various nations to elect a common government and

THE STRUGGLE

By 1786, the leaders of the movement they had created were capable of leading people who were capable of creating a democracy in favor of the ordinary citizens more than others advocated.

Samuel Adams : the movement who moved the view was immortalized in the words of Burgesses: "Give :

definitions

constitution—a plan, often written, that details the rules, functions, and principles of a government.

Articles of Confederation—the first constitution of the United States, adopted by the original 13 states in 1781 and lasting until 1788 when the present Constitution was ratified.

definitions

republic—a democracy in which the government is elected and representatives represent the people.



Constitution

the central government could not regulate trade or control a national currency. It had no power to tax and could only request financial support from states. No national judicial system was created to settle disputes among states, and the legislature had no power to make states obey laws and policies that were passed.



e.g.

THE IROQUOIS CONFEDERATION

The Articles of Confederation were influenced not only by the delegates' desire to reject the British government, but by their admiration for the government systems of Native Americans, many of whom had created confederacies for protection. The Iroquois Confederation consisted of Five Nations (groups with common cultures and identities), including the Mohawk, Onondaga, Oneida, Cayuga, and Seneca. Their constitution consisted of verbal agreements that were eventually written down in 1850. According to legend, the confederation began about 1570 when two leaders, Dekanawida and Hiawatha, convinced people in their regions to stop fighting one another and join together to resist invasions from other nations. Clans from the various nations elected representatives to the Confederation Council, which discussed common concerns and coordinated collective actions and decisions.

THE STRUGGLE FOR BALANCE

By 1786, the leaders of the United States were forced to rethink the government they had created. Most of the Founders did not believe that ordinary people were capable of running their own government. They rejected direct democracy in favor of a **republic**. But some trusted the judgment of ordinary citizens more than others, just as some believed in more limits on liberty than others advocated.

Samuel Adams and Patrick Henry were vocal leaders of the independence movement who most resisted a strong central government. Their point of view was immortalized in words that Henry spoke to the Virginia House of Burgesses: "Give me liberty, or give me death!"

definitions

republic—a democracy in which the supreme power lies with the citizens who vote for officials and representatives responsible to them.



Liberty vs. Order

Thomas Jefferson and James Madison both valued liberty highly, but they realized the need to check the chaos that complete liberty brings. Jefferson and Madison believed that strong state governments should balance the central government because local leaders could best represent the citizens.

Although he spoke out strongly against British control, John Adams was more suspicious of liberty than were Jefferson and Madison. He convinced all the states except Pennsylvania to put in bicameral legislatures, with an upper house of men of property to watch over the more hot-headed representatives of the ordinary people.

George Washington, charged with leading the ragtag Continental Army during the Revolutionary War, understood the need for central control. Washington believed in freedom of religion, speech, and other liberties, but he was much more concerned with holding the struggling young nation together and maintaining order and stability by strengthening the unity of the states.

Alexander Hamilton, a lawyer from New York, tilted the delicate balance decidedly toward order. Concerned about the huge war debts, he wanted the new national government to take a strong lead over the states in economic matters.



Quote

"The spirit of resistance to government is so valuable on certain occasions that I wish it to be always kept alive. I like a little rebellion now and then. It is like a storm in the atmosphere."

*Thomas Jefferson, letter to Abigail Adams
January 29, 1787*

Toward Unity and Order

Economic problems and social unrest in the 1780s led to growing dissatisfaction with the Articles of Confederation and the conviction that the central government must be strengthened. The states fiercely quarreled over boundary lines and **tariffs**, and some even began to deal directly with foreign nations. The national government owed \$40 million to foreign governments and to American soldiers for war service. An economic depression left states, as well as farmers and small merchants, deep in debt.

tariff—a duty or tax imposed on imported or exported goods.

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Constitution

The Federalist

The criticisms of the Anti-Federalists mobilized the men who had crafted the Constitution to action. As the issues were debated not only in the state legislatures but at dinner parties and in public squares, James Madison, Alexander Hamilton, and John Jay published articles under pseudonyms (James Madison called himself “Publius”) that illustrated the Constitution’s principles. Their 85 essays, known as *The Federalist*, clearly explain the intent of the Founders.

Consider, for example, Madison’s explanation, in *The Federalist* No. 51, for why a strong government was necessary: “If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary.” Since men are not angels, he reasoned, governments must control people, but they also must be controlled themselves. Such arguments eventually convinced all 13 states to approve the Constitution, especially after they agreed that a very important addition be made to preserve individual liberties—a Bill of Rights that explicitly listed liberties to be protected from encroachment by the central government.



The road to the creation of the Constitution was long, difficult, and filled with uncertainties. The Founders all valued freedom and order, but they disagreed on the balance between them. Through experimentation, rational discussion, and compromise, they reached a delicate consensus, a carefully constructed blueprint to guide the new nation. The document they created was destined to become the oldest written constitution in the world, a model for countless others, and the cornerstone to the United States government today.

