

1. Constitution

1. First Settlers

- To harass Spanish treasure fleets, the first English outpost in North America set up by Sir Walter Raleigh in the 1580s
 - Lost colonists survived & intermarried with Native Americans
 - Their descendants live in the region today.

2. The Mayflower

- A group of mostly extreme Separatists, who wished to break with Church of England, came over on the Mayflower, landing at Plymouth, Massachusetts.
- **Mayflower Compact**
 - Signed by 41 men out of 44 men aboard the ship on 11/21, 1620.
 - Determination of English immigrants to live under the rule of law, based on consent of the people.





Sir Walter Raleigh (1588)



Raleigh and his son Walter (1602)
(http://en.wikipedia.org/wiki/Walter_Raleigh)



Mayflower in Plymouth Harbor by William Halsall (1882)
(<http://en.wikipedia.org/wiki/Mayflower>)

3. More Colonies

- Another outpost in New England set up in 1630
- Rhode Island, Connecticut, New Hampshire
- By 1732, the last of 13 colonies (Georgia) established.
- Theoretically London governed colonies.
- In practice, owing to colonies distant from London, colonists exercised a large measure of **self-gov.**

4. British Restrictions & Colonial Grievances

- King George III decided to raise revenues by imposing taxes on American colonies.
 - Britain defended Americans during French & Indian War (1756-63).
- Sugar Act passed (1764).
- Stamp Act passed (1765).
- Colonists dressed as Indians dumped almost 350 chests of British tea into Boston Harbor
- Colonists boycotted purchase of English commodities in return.
 - Success of the boycott generated a **feeling of unity** within colonies.





King George III (1762)
(http://en.wikipedia.org/wiki/King_George_III)

5. First Continental Congress

- Delegates from 12 of 13 colonies met on 9/5, 1774.
 - Little talk of independence
- Passed a resolution requesting that
 - (1) Colonies send a petition to King George III expressing their grievances
 - (2) Colonies raise their own troops
 - (3) Boycott British trade.

6. The Second Continental Congress

- All colonies came to Congress in May 1775.
 - To establish an army
 - To name George Washington as commander-in-chief
 - Lots of military fighting already broke out.
 - But most wanted to reach a peaceful settlement with the British.

7. Declaring Independence

- Congress voted for free trade at all American ports for all countries except Britain on 4/6, 1776.
- Colonists declared independence from Britain on 7/4, 1776.
 - All Men are created equal. They are endowed by their Creator with certain unalienable Rights (= natural rights).

- Among these are Life, Liberty & Pursuit of Happiness.
 - Its drafter, Thomas Jefferson, affected by English philosopher, John Locke.
 - In his Two Treaties, all people possess certain natural rights, including rights to life, liberty, & property.
 - Primary purpose of gov was to protect these rights.
 - Gov was established by the people through a social contract.

8. Rise of Republicanism

- Congress had right to declare war & conduct foreign policy, but did not have right to demand revenues from the states.
- Functioning of gov under Continental Congress depended on the goodwill of states.
- Most fundamental weakness is the lack of power to raise money for the militia.





Thomas Jefferson
3rd President of the United States
March 4, 1801 – March 4, 1809
(http://en.wikipedia.org/wiki/Thomas_Jefferson)



John Locke

August 29, 1632 – October 28, 1704

(http://en.wikipedia.org/wiki/John_Locke)

- **Republicanism**

- People oppose monarchy, executive authority & nearly any kind of restraint on the power of local people.
- Popular political force from 1776 to 1780

****Articles of Confederation (Continental Congress)**

- **Confederation**

- Voluntary association of independent states.
- Member states agree to only limited restraints on their freedom of action.
- Under the Articles, 13 colonies (now states) established a gov of them (=the Congress of the Confederation) on 3/1, 1781.
- Unicameral
- Each state possessed a single vote.

- Each year Congress would choose one of its members as its president.
- Congress could regulate foreign affairs.
- Congress could establish coinage, weights & measures.
- Congress lacked an independent source of revenue & the necessary executive machinery to enforce its decisions.

9. Shays' Rebellion

- Central gov could do little to maintain peace & order.
 - By 1784, Country faced a serious economic depression.
 - Most prisoners were small farmers who could not pay their debts.
 - In 1786, mobs of musket-bearing farmers led by former revolutionary captain **Daniel Shays** seized country courthouses & disrupted trials of debtors in Springfield, Massachusetts.





Engraving (there are no portraits) depicting Daniel Shays (left 1747 – September 29, 1825) and Job Shattuck

10. Drafting the Constitution

- Constitutional Convention held from May 14 to Sep 17, 1787.
 - 55 out of 74 delegates attended the meeting.
 - Lawyers, physicians, college graduates, owners of large plantations, businesspersons...
 - Alexander Hamilton, Benjamin Franklin & James Madison

11. Compromise of Different Views on Constitution

1) Virginia Plan

- Governor Edmund Randolph of Virginia presented 15 resolutions
- Favored **large states**, including Virginia

(1) A bicameral legislature

- Lower chamber chosen by the people
- MP number proportional to state's population
- Upper chamber chosen by lower chamber from nominees selected by **state legislature**.

(2) Creation of national executives elected by **the legislature**

(3) Creation of a national judiciary appointed by **the legislature**

→ The plan would enable Virginia, Massachusetts & Pennsylvania to form a majority in the national legislature.

2) New Jersey Plan

- Lawyer **William Paterson** of New Jersey offered an alternative plan
- Under Articles of Confederation, all states had equality.
Constitution Convention had no power to change this arrangement.

- (1) Fundamental principle--**one state, one vote**--would be retained.
- (2) Congress would regulate trade & impose **taxes**.
- (3) All acts of Congress would be **supreme law of the land**.
- (4) Several people elected by Congress to form an executive office.
- (5) Executive office would appoint a Supreme Court.

3) Great Compromise

- **Connecticut Compromise**

- Resolved the large-small state controversy

- On July 16, 1787, **Roger Sherman** of Connecticut proposed the following:

- (1) A bicameral legislature
- (2) House of Representatives apportioned to the number of free inhabitants & **3/5** of slaves in the states.

(3) An upper house (the Senate) would have two members from each state elected by state legislature.

- Senate would act as part of a checks-and-balance system against House.

4) Final Document

- On September 17, 1787, Constitution approved by 39 delegates.

- Only 42 remained, out of the 55 delegates.

- Three delegates refused to sign Constitution.

(1) Popular sovereignty by the people

(2) A republican gov in which people choose representatives

(3) Limited gov with written laws, in contrast to powerful monarchical British gov

(4) Separation of powers

- Checks & balances among the executive, legislative, & judiciary branches

(5) A federal system

- Allows for states' fears to reduce

- A new form of gov at the time

(6) President is nation's chief executive & commander-in-chief

(7) Federal gov takes priority over conflicting state laws.

12. Federalist/Anti-Federalist Push for Ratification

1) Federalists

- wealthy bankers, lawyers, plantation owners & merchants in urban areas

- Favored a strong central gov & the new Constitution
- Attended Constitutional Convention & knew all details of the Convention

- **Federalist Papers**

: Alexander Hamilton, John Jay & James Madison published arguments in the newspaper columns (85 essays) in New York newspapers (1787 to 1788).

2) Anti-Federalist

- Did not join the Constitutional Convention & were at a disadvantage in information.
- New Constitution would create an overburdening central gov.
- Constitution would be hostile to personal liberty.
- Opposed the Constitution due to weakened power of the states
- Wanted to include guaranteed liberties of people & states

3) **Compromise**

- The **Bill of Rights** (December 15, 1791)
- : James Madison & Thomas Jefferson had to accept some arguments by Anti-Federalists.
- : Federal gov would damage individual liberties under new Constitution.
- : First 10 amendments to the Constitution to protect the rights & liberties of individuals.

13. Constitution of the United States of America

1) Preamble

- a brief introductory statement and guiding principles

2) Article I (The Legislative Branch)

- Legislative Power, House of Representatives, Senate, Elections of Senators and Representatives, Rules of House and Senate, Compensation and Privileges of Members, Passage of Bills, Scope of Legislative Power, Limits on Legislative Power, Limits on States

- 3) Article II (The Presidency)
- 4) Article III (The Judiciary)
- 5) Article IV (The States)
- 6) Article V (The Amendment Process)
- 7) Article VI (Legal Status of the Constitution)
- 8) Article VII (Ratification)
- 9) Signers

15. Amendments

- o **The first 10 Amendments (Bill of Rights)**

- 1) Amendment I (Religion, Speech, Assembly & Petition)
- 2) Amendment II (Militia and the Right to Bear Arms)
- 3) Amendment III (The Quartering of Soldiers)
- 4) Amendment IV (Searches and Seizures)
- 5) Amendment V (Grand Juries, Self-Incrimination, Double Jeopardy, Due Process, & Eminent Domain)
- 6) Amendment VI (Criminal Court Procedures)
- 7) Amendment VII (Trial in Civil Cases)
- 8) Amendment VIII (Bail, Cruel & Unusual Punishment)
- 9) Amendment IX (The Rights Retained by the People)
- 10) Amendment X (Reserved Powers of the States)

16. Other Amendments

- Total 27 Amendments
- Amendment XIII (Prohibition of Slavery; 1865)
- Amendment XV (The Right to Vote; 1870)
- Amendment XVII (The Popular Election of Senators; 1913)
- Amendment XIX (Women's Right to Vote; 1920)
- Amendment XXII (Limitation of Presidential Terms; 1951)
- Amendment XXIV (The Anti-Poll Tax; 1964)
- Amendment XXVII (Congressional Pay; 1992)