

# Creating a Nation

(t)Library of Congress, (b)Historical Picture Collection/Stock Montage

## Why It's Important

After the American Revolution, the new nation struggled to draw up a plan of government. Created to meet the needs of a changing nation, the Constitution has been the fundamental law of the United States for more than 200 years. Many developments of this period shape our lives today.

- The Constitution is central to American life and ideals.
- The Constitution has served as a model for many constitutions all over the world.

1775

1780

1785

### U.S. EVENTS

1776

U.S. declares independence

1783

Peace treaty ends Revolutionary War

1785

Northwest Ordinance bans slavery in territory

◀ A reproduction of the Declaration of Independence

### CALIFORNIA EVENTS

1776

Presidio (fort) established at San Francisco

1777

First civic settlement founded at San José

1781

New settlement established at Los Angeles

Father Junípero Serra ▶

1784

Father Junípero Serra dies

### WORLD EVENTS

1776

Adam Smith's *Wealth of Nations* published

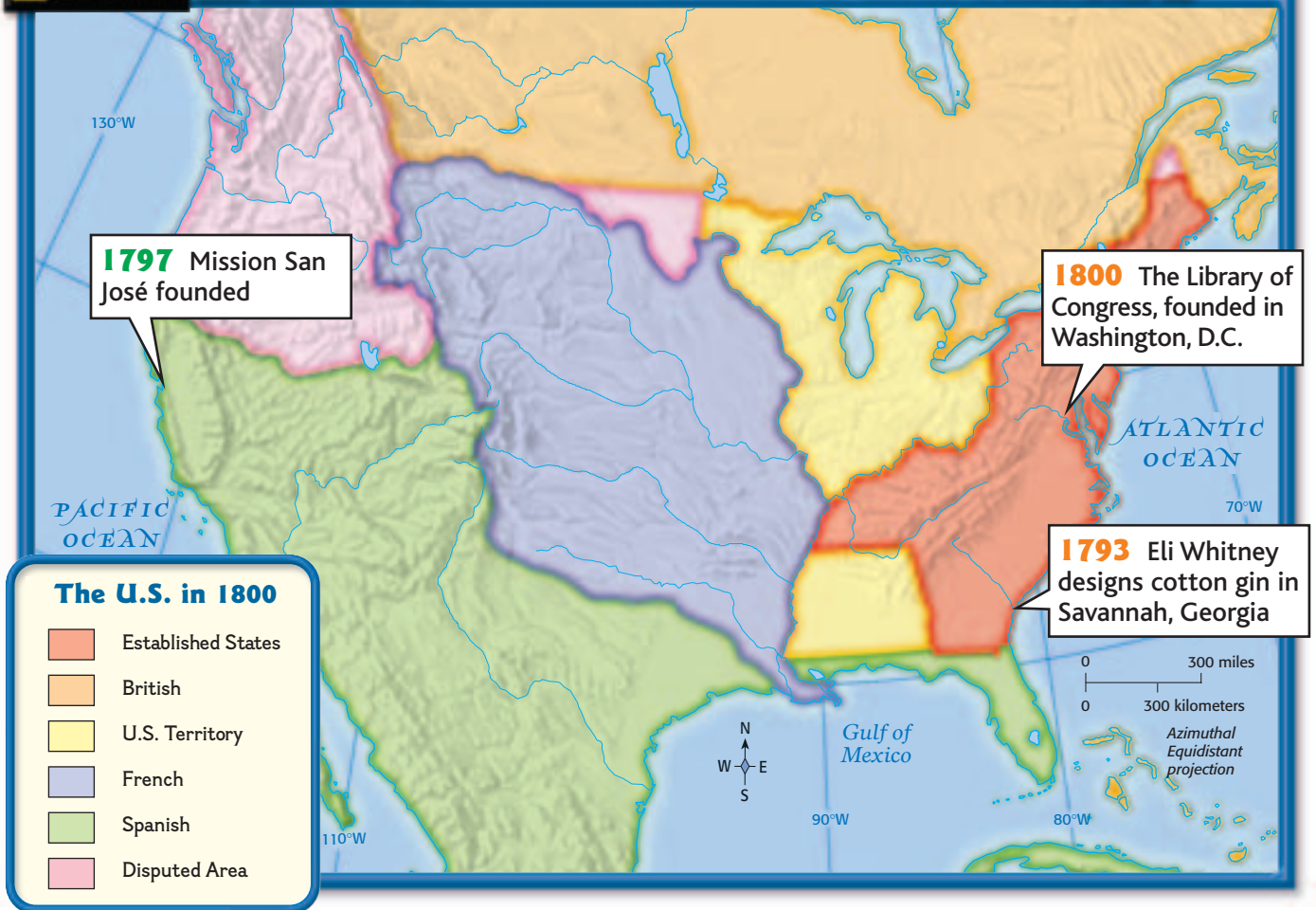
1778

France recognizes American independence

1783

Spain regains control of Florida after the American Revolution

# Where in the United States?



1790

**1788**  
U.S. Constitution ratified



◀ Eli Whitney

1795

**1793**  
Eli Whitney designs cotton gin in Savannah, Georgia

▼ The Library of Congress



1800

**1800**  
The Library of Congress founded in Washington, D.C.

**1791**  
Mission Santa Cruz established



**1797**  
Mission San José founded

◀ San Luis Rey Mission

**1798**  
San Luis Rey founded; it is the 18th of 21 California missions

**1789**  
French Revolution begins

**1796**  
English doctor Edward Jenner invents smallpox vaccine

**1799**  
Rosetta Stone discovered



1

## THE NORTHWEST TERRITORY



See *A More Perfect Union*  
Chapter 3

2

## SHAYS'S REBELLION



See *A More Perfect Union*  
Chapter 3

## People to Meet



Richard Allen

1760–1831

Philadelphia  
preacher

Chapter 3, page 196



Absalom Jones

1746–1818

Philadelphia  
preacher

Chapter 3, page 196



James Madison

1751–1836

Architect of the  
Constitution

Chapter 3, page 198



Roger Sherman

1721–1793

Creator of the Great  
Compromise

Chapter 3, page 199





NATIONAL  
GEOGRAPHIC

1

2

3

4

3

### INDEPENDENCE HALL



See *A More Perfect Union*  
Chapter 3

4

### THE CAPITOL



See *The Constitution*  
Chapter 4



**George Mason**

1725–1792

Political leader  
Chapter 3, page 201



**Mercy Otis Warren**

1728–1814

Political writer  
Chapter 3, page 206



**Gouverneur Morris**

1752–1816

Writer and editor of  
the Constitution  
Chapter 4, page 220



**John Marshall**

1755–1835

Chief Justice of the  
Supreme Court  
Chapter 4, page 232



# Chapter 3

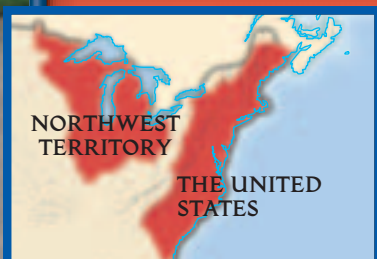
## A More Perfect Union

◀ Philadelphia's Independence Hall

SuperStock

NATIONAL GEOGRAPHIC

### Where & When?



1770

1780

1790

**1777**  
Articles of  
Confederation  
written

**1787**  
U.S.  
Constitution  
signed

**1788**  
U.S.  
Constitution  
ratified

◀ CONTENTS ▶

# The Big Ideas

## Section 1

### The Articles of Confederation

**Political ideas and major events shape how people form governments.** When the American colonies broke their political ties with Great Britain, they faced the task of forming independent governments at both the state and national levels.

## Section 2

### Convention and Compromise

**A constitution reflects the values and goals of a society that creates it.** The new Constitution corrected the weaknesses of government under the Articles of Confederation.

## Section 3

### A New Plan of Government

**Political ideas and major events shape how people form governments.** The United States system of government rests on the Constitution.



View the Chapter 3 video in the Glencoe Video Program.

## FOLDABLES™ Study Organizer

**Compare and Contrast** Make this foldable to help you compare the Articles of Confederation to the U.S. Constitution.

**Step 1** Fold a sheet of paper from side to side, leaving a 2-inch tab uncovered along the side.



Fold it so the left edge lies 2 inches from the right edge.

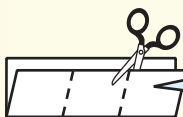
**Step 2** Turn the paper and fold it into thirds.



#### Reading and Writing

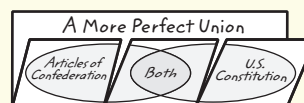
As you read the chapter, write what you learn about these documents under the appropriate tabs.

**Step 3** Unfold and cut along the two inside fold lines.



Cut along the two folds on the front flap to make 3 tabs.

**Step 4** Label the foldable as shown.





# Chapter 3

## Get Ready to Read

### Making Connections



READING  
SKILL



Learn It!

Good readers make connections between what they are reading and what they know. Some connections are based on personal experiences (text-to-self). Readers also make connections to things they have read in other books (text-to-text). Finally, good readers make connections to things that happen in other places (text-to-world). Making these connections helps you understand words or ideas that are unfamiliar to you and gain knowledge about the world. As you read, ask yourself connecting questions. Are you reminded of something from your life, something you have read, or a person or event in another place or time? Read the paragraph below with these questions in mind.

#### **Text-to-self:**

What do you know about how people think and act? What do you think about government?

Framers of the Constitution got many ideas on the **nature of people and government** from European writers of the Enlightenment. The **Enlightenment** (ihn•LY•tuhn•muhnt) was a movement of the 1700s that promoted knowledge, reason, and science as the means to improve society.

—from page 203

#### **Text-to-text:**

What did you read about the Enlightenment in Chapter 1?

#### Reading Tip

Make connections with important ideas, times, and topics in your life. Connecting helps you remember new information.

#### **Text-to-world:**

What other countries have governments based on ideals of the Enlightenment? How do knowledge, reason, and science impact government today?

## 2 Practice It!

Read the following paragraphs. Then make a list of connections you made to the ideas in the reading. Compare your lists and discuss your answers with a partner.

The Northwest Ordinance provided a democratic model for national expansion. When the population of a territory reached 60,000, its people could petition, or apply to Congress, for statehood. Each new state would come into the Union with the same rights and privileges as the original 13 states.

The Northwest Ordinance also guaranteed certain rights to people living in the territory. These rights included freedom of religion, property rights, and the right to trial by jury.

—from page 181–182

### Read to Write.....

Choose one of the connections you made that was different than your partner's or one that you think was more important. Write a paragraph to explain why you made such a connection. Use vivid details.

 NATIONAL GEOGRAPHIC

### The Northwest Territory



## 3 Apply It!

As you read this chapter, choose five words or phrases that make a connection to something you already know.



# The Articles of Confederation

## Guide to Reading



### History Social Science Standards

**US8.2** Students analyze the political principles underlying the U.S. Constitution and compare the enumerated and implied powers of the federal government.

**US8.3** Students understand the foundation of the American political system and the ways in which citizens participate in it.

**US8.9** Students analyze the early and steady attempts to abolish slavery and to realize the ideals of the Declaration of Independence.

### Looking Back, Looking Ahead

In Chapter 2, you learned about the American Revolution. The United States was now independent, but it remained to be seen whether the new nation could survive.

### Focusing on the **Main Ideas**

- As soon as the Declaration of Independence was signed, the 13 states began writing their own constitutions. (page 179)
- Americans realized the necessity of establishing a central, or national, government for the 13 states. (page 180)
- The weaknesses of the Articles of Confederation created problems for the new country. (page 183)

### Locating Places

#### Appalachian Mountains

(A • puh • LAY • chuhn)

#### Northwest Territory

### Meeting People

Robert Morris

John Jay

### Content Vocabulary

#### popular sovereignty

(PAH • pyuh • luhr SAH • vuhnr • tee)

#### bicameral (by • KAM • ruhl)

#### confederation

(kuhn • FEH • duh • RAY • shuhn)

#### sovereignty (SAH • vuhnr • tee)

#### ratify (RA • tuh • fy)

#### ordinance (AWR • duhn • uhnts)

#### right of deposit (di • PAH • zuht)

### Academic Vocabulary

#### interpret (ihn • TUHR • pruht)

#### authority (uh • THAHR • uh • tee)

### Reading Strategy

**Organizing** Draw a diagram like the one below. In each oval, list a power you think a national government should have.



## Where & When?



1775

1780

1785

1790

1777

Articles of Confederation written

1781

All states approve Confederation government

1787

Northwest Ordinance is passed



## Thirteen Independent States

**Main Idea** As soon as the Declaration of Independence was signed, the 13 states began writing their own constitutions.

**Reading Connection** What makes people get along with one another? Do they need rules or a strong leader? Read to learn how the people of the new states answered these questions.

### An American Story

In 1783 an enslaved Massachusetts man named Quock Walker made an important decision. He took legal action against a white man who had assaulted him. The case reached the state supreme court. Chief Justice William Cushing agreed with Walker:

“Our constitution [of Massachusetts] sets out with declaring that all men are born free and equal—and that every subject is entitled to liberty. . . . This being the case, I think the idea of slavery is inconsistent with our own conduct and constitution.”

—William Cushing,  
from his private notebook

The Quock Walker case demonstrated that the Massachusetts courts would not support slavery. Because of this ruling and other anti-slavery efforts, slavery ceased to exist in Massachusetts.

**State Constitutions** Even before the Declaration of Independence was signed, American colonists discussed the possibility of independence and American leaders began preparing new state constitutions to replace the old colonial charters. Many of the new state governments were based upon ideals expressed in the Declaration of Independence. American ideals of individual rights to “life, liberty, and the

pursuit of happiness” are in the Declaration. So are such values as **popular sovereignty** (PAH • pyuh • luhr SAH • vuhrn • tee)—government by consent of the governed—and equal justice under law. These ideals were also an important part of the early state constitutions.

**Systems of Government** In January 1776, New Hampshire became the first colony to organize as a state and craft a constitution. By 1780, the other former colonies had followed suit.

The new state constitutions set up a similar system of government. Each state had a legislature to create laws, and most of these legislatures were **bicameral** (by • KAM • ruhl), like the English Parliament; that is, they were divided into two parts, or houses. Each state also had a chief executive called the governor, who was elected by the legislature or by the citizens. The governor’s job was to carry out the laws. To prevent abuses by a single ruler most states’ constitutions limited the power of the governor. Finally, each state had judges and courts to **interpret** the laws—to decide what the laws meant and how they applied to each new situation.

**Preserving Rights** To keep power in the hands of the people, state legislators were popularly elected, and elections were frequent. In most states, only white males who were at least 21 years old could vote. These citizens also had to own a certain amount of property or pay a certain amount of taxes. Some states allowed free African American males to vote.

Most state constitutions included a bill of rights, guaranteeing certain freedoms and legal protections to the state’s citizens. Some of these rights, such as trial by jury and protection of personal property, can be traced back to the Magna Carta and the English Bill of Rights. As you learned earlier, these documents helped establish the idea that people have rights and that the power of the government should be limited.

**Reading Check Explain** Describe the branches of the new state government.







**US8.3.2** Explain how the ordinances of 1785 and 1787 privatized national resources and transferred federally owned lands into private holdings, townships, and states. **US8.9.3** Describe the significance of the Northwest Ordinance in education and in the banning of slavery in new states north of the Ohio River.

## Forming the New Government

**Main Idea** Americans realized the necessity of establishing a central, or national, government for the 13 states.

**Reading Connection** Would you be surprised to learn that the Constitution of the United States was not our nation's first plan of government? Read to find out about the nation's first constitution.

Although each state was well prepared and eager to govern itself when independence was declared, a state could not do some things on its own. It could not raise and maintain a large army, for example, and Americans knew that 13 small, separate forces would be no match for the mighty British army. Americans realized that if they wanted to win the war with Great Britain, they needed a single, strong army under central control. For this and other reasons, the Second Continental Congress made plans for a union of the states.



### Picturing History

The Second Continental Congress adopted the Articles of Confederation in 1781. **Why did the Congress form a union of states?**

**A Confederation of States** At the same time that Jefferson was drafting the Declaration of Independence, members of the Continental Congress were developing a plan for the new government. In 1777 the Congress detailed these plans in a document called the Articles of Confederation, the first constitution of the United States of America.

A confederation is a voluntary association of independent states. In a **confederation** (kuhn • FEH • duh • RAY • shuhn), the member states agree to let the central government undertake a limited number of activities, such as forming an army.

The Articles set up a one-house legislature called the Congress. Although the states could send between two and seven delegates to the congress, each state, no matter what the size, had only one vote. The issue of **sovereignty** (SAH • vuhrn • tee), or supreme power, was an important part of the Articles of Confederation:

“Each state retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this Confederation expressly delegated to the United States in Congress assembled.”

—Article II,  
Articles of Confederation

**The Powers of Congress** Congress had several powers under the Articles of Confederation. Congress had the **authority** to conduct foreign affairs, maintain armed forces, borrow money, and issue currency. These powers of Congress were quite limited, though.

As a result of their negative experiences with the British government, the 13 states refused to give the Congress two important powers. It had no power to enforce its laws and no power to tax. The Articles allowed the Congress to ask the states for money but not to demand it. The Congress could not, in fact, require the states to do anything. Without money or real power over the states, the Confederation Congress commanded so little respect that its members often did not bother to attend sessions.

**Weaknesses of the Articles** By 1781 all 13 states had **ratified** (RA•tuh•fyd), or approved, the Articles of Confederation. Within the next few years, however, it became clear that the Articles had some serious flaws.

To begin with, the Congress could not pass a law unless nine states voted in favor of it. Any attempt to amend, or change, the Articles required a unanimous vote of all 13 states. These strict voting requirements made it difficult for the Congress to accomplish much.

Even when the Congress managed to pass laws, it could not enforce them. Unlike the state constitutions, the Articles did not provide for a chief executive or for courts. If a state decided to ignore a law, the Congress could do nothing.

Despite the weaknesses of the Articles, the Confederation government accomplished some important tasks. Perhaps its greatest achievement was establishing a fair policy for the development of the lands west of the **Appalachian Mountains** (A•puh•LAY•chuhn).

**Western Land Policies** At the beginning of the Revolutionary War, only a few thousand non-Indian settlers lived west of the Appalachian Mountains. By the 1790s, the number was approaching 120,000. These settlers hoped to organize their lands as states and join the union, but the Articles contained no provision for adding states. Congress knew that it had to extend its authority over the territory.

Lacking the power to tax or regulate trade, the only way for the Confederation Congress to raise money to pay its debts and operate the government was to sell land. To get people to buy land and settle in the western region, the Congress had to establish a system for dividing and selling the land and governing the new settlements.

In 1785 Congress passed an **ordinance** (AWR•duhn•uhnts), or law, that established a procedure for surveying and selling the western lands. The new law divided the land into local government units called townships, which are perfectly squared blocks usually six miles wide and six miles long. These townships were to be further divided into 36 sections of 640 acres each that would be sold at public auction for at least a dollar an acre.

**The Northwest Ordinance** Two years later, Congress passed the Northwest Ordinance, which created a single **Northwest Territory** out of the lands north of the Ohio River and east of the Mississippi River. The lands were to be divided into not fewer than three nor more than five smaller territories.

The Northwest Ordinance provided a democratic model for national expansion. When the population of a territory reached 60,000, its people could petition, or apply to Congress, for statehood. Each new state would come into the Union with the same rights and privileges as the original 13 states.

### Weaknesses in the Articles of Confederation

Weakness	Result
Congress has no power to tax.	It had to rely on the states to collect and forward taxes, which the states were reluctant to do. The central government was always short of money.
Congress has no power to enforce its laws.	Congress depended on the states to enforce its laws, which they rarely did.
There was no executive branch.	Coordinating the work of the national government was almost impossible.
Nine states had to approve any law before it could be passed.	Most laws were difficult, if not impossible, to enact.
Congress could not force the states to meet military quotas.	Congress could not draft soldiers to form a standing army.



### Understanding Charts

The national government had limited powers. It depended on states for revenue, soldiers, and law enforcement.

**Analyze** Why did the states approve a government with many weaknesses?



The Northwest Ordinance also guaranteed certain rights to people living in the territory. These rights included freedom of religion, property rights, and the right to trial by jury. The ordinance also included a clause stating,

**“There shall be neither slavery nor involuntary servitude in [the] territory.”**

—Article 6,  
The Northwest Ordinance

This clause is very important. It marked the United States’s first attempt to stop the spread of slavery.

**Which States Were Formed?** The Confederation’s western ordinances had an enormous effect on American expansion and development. The Ordinance of 1785 and the Northwest Ordinance described the steps by which new states would be formed. These policies opened the way for settlement of the Northwest Territory in a clear and orderly manner.

Ohio was the first state admitted (1803) to the Union from the Northwest Territory. Other states were admitted later. The present-day states of Indiana, Illinois, Michigan, and Wisconsin eventually were formed from the Northwest Territory.


 **Reading Check Explain** What was the purpose of the Northwest Ordinance?

## Why It Matters

### Surveying the Land

When the Revolution began, only a few thousand white settlers lived west of the Appalachian Mountains. By the 1790s their numbers had increased to about 120,000. Through the Ordinance of 1785, Congress created a system for surveying—taking a detailed measurement of an area of land—and selling the western lands.

The Ordinance at first applied only to what was then called the Northwest Territory—present-day Ohio, Indiana, Michigan, Illinois, and Wisconsin. It established a system of land survey and settlement that we still use today.



The Land Ordinance led to the sale of large amounts of land and speeded settlement of the Northwest Territory.



## Trouble on Two Fronts

**Main Idea** The weaknesses of the Articles of Confederation created problems for the new country.

**Reading Connection** Imagine paying 10 times the normal price for a gallon of milk or a loaf of bread. Read to find out why the price of goods soared during this era.

Although successful in establishing western land policies, the Confederation government had problems dealing with other important issues. Congress was powerless to regulate trade, so each state passed laws taxing goods from its neighbors. New York taxed firewood from Connecticut and cabbage from New

Jersey. New Jersey retaliated by charging New York for a harbor lighthouse on the New Jersey side of the Hudson River. Congress had so little power that it could not deal effectively with the country's economic problems. It also failed to solve trade problems.

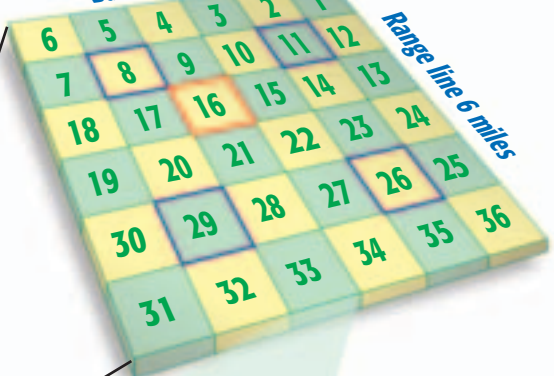
**Economic Problems** By 1781 the money printed during the Revolutionary War had depreciated, or fallen in value, so much that it was almost worthless. Unable to collect taxes, both the Congress and the states had printed their own paper money.

### Township: American Building Block

Western lands north of the Ohio River were divided into townships six miles to a side. Each township contained 36 square miles, or "sections."

#### Township

Base line 6 miles



- Reserved for schools
- Reserved for Federal Government

NATIONAL GEOGRAPHIC

### The Northwest Territory



The Northwest Territory was divided into townships, each with 36 sections.



The money constantly declined in purchasing power because people feared that it could not be redeemed in gold or silver; if a \$10 bill was worth \$3 when it came into their hands, it might be worth only \$2 or less when they spent it. The value of the money fell, while the price of food and other goods soared. Between 1779 and 1781, the number of Continental dollars required to buy one Spanish silver dollar rose from 40 to 146. In some towns, angry mobs seized overpriced sugar, tea, and bread from storekeepers.

**Why Did the Debt Grow?** Fighting the war left the Continental Congress with a large debt. Congress had borrowed money from American citizens and foreign governments during the war. It still owed the Revolutionary soldiers their pay for military service. Lacking the power to tax, the Confederation could not pay its debts. It requested funds from the states, but the states contributed only a small portion of the money needed.

Faced with a total collapse of the country's finances, the Confederation created a department of finance under Philadelphia merchant **Robert Morris**. Morris personally pledged large amounts of money for the war effort.

Some members wanted to give Congress some power to tax to raise funds. Although 12 states approved the plan, Rhode Island's

opposition killed the measure. A second effort five years later also failed to win unanimous approval. The financial crisis only worsened.

**Problems With Britain** As the weaknesses of the new American government became clear, the United States had problems with other nations. In the Treaty of Paris of 1783, Britain had promised to withdraw from the lands east of the Mississippi River. Yet British troops continued to occupy several strategic forts in the Great Lakes region. These forts were the centers of a profitable fur trade that Great Britain was determined to keep. The weak Confederation government could do nothing about the presence of foreign troops on American soil.

British trade policy caused other problems. American merchants complained that the British were keeping Americans out of the West Indies and other profitable British markets.

In 1784 Congress sent John Adams to London to discuss these difficulties. The British, however, were not willing to talk. They pointed to the failure of the United States to honor its promises made in the Treaty of Paris. The British claimed that Americans had agreed to pay Loyalists for the property taken from them during the Revolutionary War. The Congress had, in fact, recommended that the states pay the Loyalists, but the states had refused.

**Problems With Spain** If American relations with Great Britain were poor, affairs with Spain were worse. Spain, which held Florida as well as lands west of the Mississippi River, was anxious to halt American expansion into the territory it claimed. As a result, Spain closed the lower Mississippi River to American shipping in 1784. Western settlers depended on the Mississippi River for trade. Bulky goods from the West—lumber, grain, and deerskins—could not be carried easily over the mountains to the East, but had to float down the Ohio and Mississippi Rivers on rafts and flatboats. **John Jay**, the American secretary of foreign affairs, noted that Americans accepted the idea that it was their right to use the Mississippi River to transport goods.



▲ Continental currency

**What Is the Right of Deposit?** Westerners wanted the **right of deposit** (di • PAH • zuht) at New Orleans—that is, permission to put goods ashore for transfer to ocean going ships. When Spain refused this request, westerners asked Congress for a treaty with Spain that would grant free navigation along the Mississippi River.

In 1786 American diplomats reached an agreement with Spain. The people living in the Southern states, however, blocked the agreement because it did not include the right to use the Mississippi River.

**The Government Falters** The weakness of the Confederation and its inability to deal with problems worried many leaders. Peace with the British may have been won, but peace within the new nation was hard to find. The states bickered among themselves and refused to support the new central government in almost every way. Each state was beginning to act as an independent country, threatening the unity of

the new United States. Some Vermont leaders even considered becoming part of Great Britain again. Only 18 members representing 8 states voted on the Confederation’s most important piece of legislation, the Northwest Ordinance.

In a letter to one of George Washington’s personal aides during the American Revolution, Washington noted that:

**“We are one nation today and thirteen tomorrow—Who will treat with us on such terms?”**

—George Washington,  
Letter to James McHenry,  
22 August 1785

By the late 1780s, many national leaders had become dissatisfied with the weaknesses of the Confederation.

**Reading Check Analyze** Why did Spain close the lower Mississippi River to American trade?

## Section I Review

**HistoryOnline**

**Study Central** Need help understanding the Articles of Confederation? Visit [ca.hss.glencoe.com](http://ca.hss.glencoe.com) and click on Study Central.

### Reading Summary

#### Review the Main Ideas

- The 13 states began writing their own constitutions.
- Americans knew the importance of establishing a national government for the 13 states.
- Problems arose for the nation because of the weaknesses of the Articles of Confederation.

### What Did You Learn?

1. What did the Ordinance of 1785 accomplish?
2. Why was the right of deposit at New Orleans important for western farmers?

### Critical Thinking

3. **Organizing** Draw a diagram to summarize the strengths and weaknesses of the Confederation government.

CA HR3.

#### The Articles of Confederation

Strengths	Weaknesses

4. **Expository Writing** Imagine you are on a committee to write a new state constitution. List three freedoms you want attached to your state’s constitution. Explain why you believe it is important to guarantee these rights.

CA 8WA2.4.

5. **READING Making Connections** Read the passage called “Problems With Britain.” Make three connections with what you read: text-to-text, text-to-self, and text-to-world. Write a sentence describing each connection.

CA 8RC2.0



# America's Literature

## Second Daughter



By Mildred Pitts Walter

### Before You Read

**The Scene:** The events in this part of the story take place in a courtroom in Great Barrington, which is in western Massachusetts. The year is 1781.

**The Characters:** Judge and Mistress Ashley own several slaves. They include Aissa, her older brother Brom, her older sister Bett, and her sister's daughter Little Bett. Lawyers Noble and Canfield represent the Ashleys. Lawyers Reeve and Sedgwick represent Bett and Brom.

**The Plot:** Aissa is telling the story. After Mistress Ashley accidentally strikes Bett with a red-hot shovel, Brom and Bett ask the court for their freedom. During the trial, Aissa and Little Bett are in the back of the courtroom.

### Vocabulary Preview

**bared:** uncovered; showed

**clammy:** cold and damp

**folly:** lack of good sense or judgment

**pity:** feeling of sorrow for someone else's suffering

**rational:** able to think

**squared:** changed from a slumped over position to a straightened one

**title:** document that proves that something is lawful

**valid:** acceptable by law

**H**ave you ever noticed how sporting events and trials are alike? In both, each side tries to score points. In baseball, for example, players make runs to score points. In a trial, each lawyer gives evidence. Someone's freedom often depends on a lawyer's success.



## As You Read

*Earlier in this story, a very emotional scene took place in the Ashleys' kitchen. Bett angrily told Mistress Ashley that she was leaving and not coming back. The mistress got very upset, cried, and apologized to Bett. Then she told Bett that she could not leave, but Bett did. The following scene is also about Bett's freedom, but it takes place in a courtroom. Think about how the setting affects what people say and do.*



**M**aster Noble called Master Ashley to the stand and questioned him: How had he come to own us? Had he seen to it that we were well fed, clothed, and housed? Had he seen to it that we were changed from heathens<sup>1</sup> to Christians? The master answered, "Yes, I have." When Master Reeve said he had no questions, Master Noble said, "I call Mistress Anna Ashley."

There was a stir in the crowd as she made her way to the stand. As always, when she was in public, she was confident and assured. She seemed not to notice anything around her, except once to raise her eyes to the ceiling. She mopped her brow, suffering from the heat. "Will you describe to the court your relationship with your servant, Bett?" her lawyer asked.

"Bett is like one in my family. She was born on my father's land and has been a servant of mine even before I married her master. We have never quarreled, and I have been nothing but kind to her."

I was afraid I was going to start laughing, so I closed my ears and mind to her and held on to keep from being tossed out of the place. How could she sit there pretending that she was a good mistress? I looked at my sister, who sat upright and calm, and I wondered, if asked to disagree with the mistress, would she have the will to do so?

<sup>1</sup> **heathens:** at this time and place, someone who does not believe in the Christian God





# America's Literature

Master Reeve said he had no questions for the mistress and called Bett. I could tell that Bett was reluctant. He whispered something to her, and finally she came forward and sat in the seat where the mistress had sat. "Your honor," Master Reeve said, "I would like to prove that the mistress Ashley is not the kind mistress she claims." He then turned to the jury. "The issue here is not whether the Ashleys have been kind. The issue is, do they have the right to hold Bett and Brom as slaves for life?" He turned to Bett. "Has Mistress Ashley ever in any way abused you?"

My sister looked at the judge and then at Lawyer Reeve. She did not speak. The courtroom was hushed, waiting. Answer him! I wanted to say. Why didn't she tell them and show the ugly wound on her arm?

Bett looked at the mistress, who was staring Bett in the face. "Yes, Master Reeve, she is not the kind person she wants people to believe she is. I have been in her household many years and was never paid one pence.<sup>2</sup> We work six days a week and sometimes on the seventh. But whether she is kind or not, the constitution says we have rights to our freedom."

"No further questions," Mr. Reeve said.

Master Noble stood and said, "Bett, you sit here well dressed, in good health, with nothing to even hint at your being anything but blessed<sup>3</sup> to be a servant of the Ashleys." There was applause and sounds of "Hear, hear!"

The judge pounded on his desk. "There must be order in this court. Continue, Mr. Noble."

"You know your master and mistress have been good to you, haven't they, Bett?"

"I object," Lawyer Reeve said. "Whether they were good to her is not the question here."

"Objection sustained."

"Your honor, my worthy opponent asked if she had been abused. May I rephrase the question? What proof can you give to this court of Mistress Ashley's abuse?" Lawyer Noble asked.

My sister looked at the mistress, then at the judge. She did not answer. Was she afraid, thinking What if we lost? What would the master and mistress do to us? I felt cold sweat rolling down my sides. In that room that had been almost unbearably warm, I became chilled.

<sup>2</sup> **pence:** a unit of British money that has very little value

<sup>3</sup> **blessed:** bringing pleasure or good luck



Suddenly Bett squared her shoulders. Without saying a word, she rolled up her sleeve and bared the wound. It was still scarlet with the healing pulling the muscles tight, making the arm twist out of shape, limiting its range of movement.<sup>4</sup> She held her arm so that all could see. There was a gasp in the audience.

Lawyer Noble rushed to the mistress. Lawyer Canfield joined him, and they whispered in conversation with her. The mistress lowered her head when her lawyer said, almost in a whisper, "I have no further questions."

The judge asked if there were other witnesses and questions. Both sides said, "No, your honor." Then the judge gave final instructions to the jury: "You have heard the arguments in this case. You are bound<sup>5</sup> by the law, only by the law, that has been presented here, not by pity and sympathy for either side. It is your duty to determine if the idea of slavery is not in keeping with our own conduct and with our constitution, and that, therefore, there can be no such thing as life servitude<sup>6</sup> of a rational creature." Then he said, "We'll hear your closing statements now."

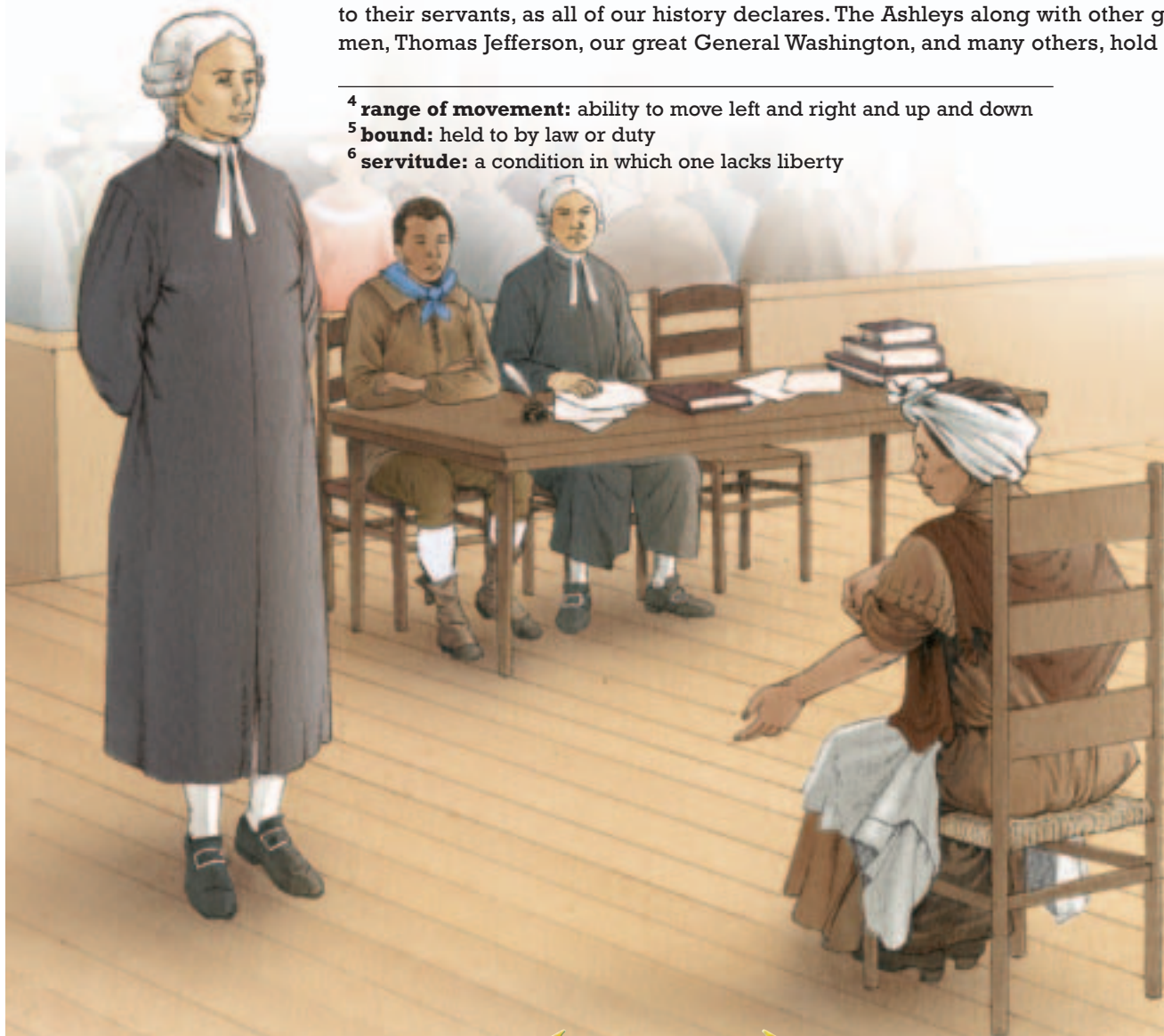
In his closing statement, Master Noble reminded the jury of Master Ashley's outstanding citizenship. "He is one who sits in judgment and knows the law. Would he break the laws that he so proudly administers? I say no, he would not." He went on and on.

"Gentlemen of the jury, Master and Mistress Ashley have every right to hold on to their servants, as all of our history declares. The Ashleys along with other great men, Thomas Jefferson, our great General Washington, and many others, hold slaves.

<sup>4</sup> **range of movement:** ability to move left and right and up and down

<sup>5</sup> **bound:** held to by law or duty

<sup>6</sup> **servitude:** a condition in which one lacks liberty





Are they not good law-abiding<sup>7</sup> citizens? They know that these people are not capable of caring for themselves. If freed, how will they live? Will their freedom make them wards<sup>8</sup> of the state, so that you and I will have to care for them? Let Master Ashley continue to keep his servants, for we all know he is a good kind master. I rest my case.”

The applause from the crowd was hammered down by the gavel in the judge's hand. I was so angry and upset that I missed the beginning of Lawyer Reeve's closing.

“... There are some things in our history that Mr. Noble did not dare talk about that have happened in this very state of Massachusetts and this Berkshire County. Many of you remember the meeting held in the town of Sheffield where even some of you approved without a single ‘nay’ these words: ‘Resolved that Mankind in a State of Nature<sup>9</sup> are equal, free and independent of each other, and have a right to the undisturbed enjoyment of their lives, their liberty and their property.’

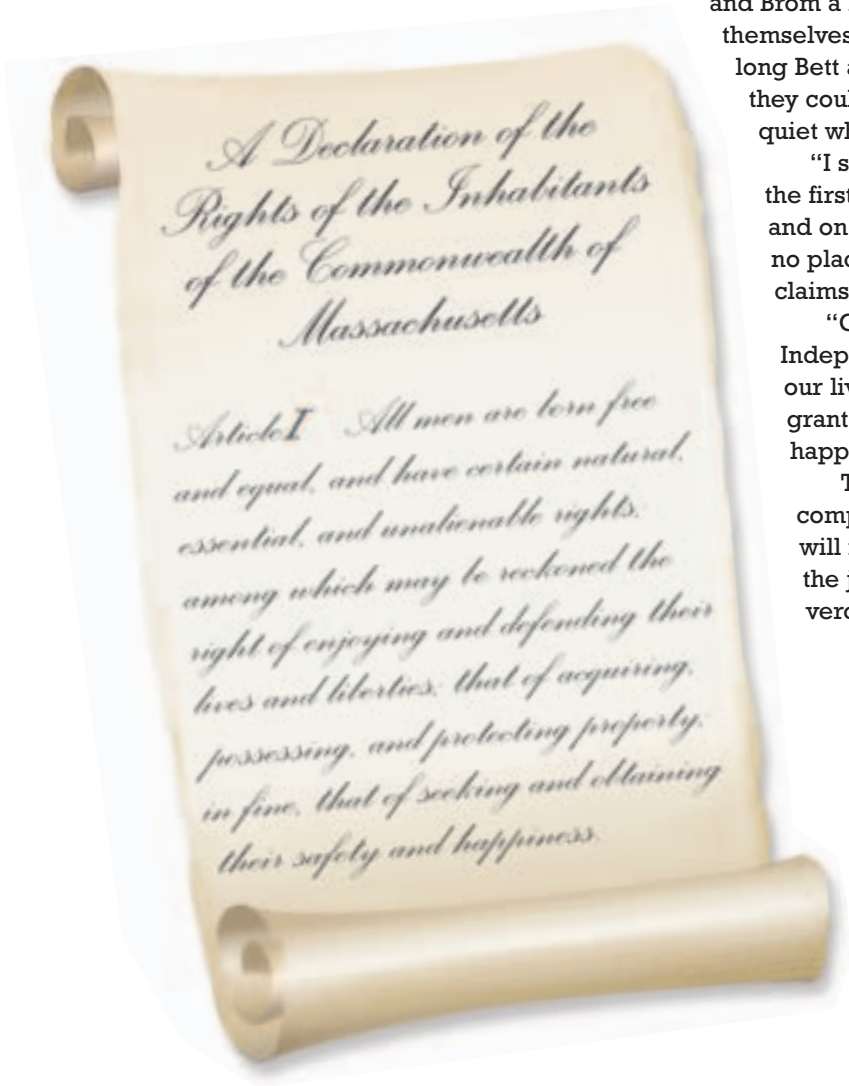
“One of those men who hold slaves, Thomas Jefferson, echoed *your* feelings in the Declaration of Independence when he wrote, ‘We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.’ You continued that idea in your state constitution with a bill of rights.”

I was so happy when he told them that Bett was a midwife<sup>10</sup> and Brom a herdsman,<sup>11</sup> who could certainly take care of themselves. There was some laughter when he mentioned how long Bett and Brom had worked and the folly of the idea that they couldn't look after themselves. But the place got real quiet when he came to the end.

“I say that the city of Sheffield and Berkshire County, the first to have a meeting and a petition on ending slavery and on declaring in favor of independence from the king, is no place where a citizen can be called law abiding if he claims ownership of another human being.

“Gentlemen of the jury, make the Declaration of Independence and your state constitution meaningful in our lives now. Declare that no title to a slave is valid, and grant Brom and Bett their liberty so that they may pursue happiness. I rest my case.”

There was no applause, but the silence was complete. The judge waited; no one stirred. “The jury will now convene.” He called the bailiff,<sup>12</sup> who escorted the jury to the room where they would decide the verdict.



## *A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts*

*Article I All men are born free  
and equal, and have certain natural,  
essential, and unalienable rights,  
among which may be reckoned the  
right of enjoying and defending their  
lives and liberties; that of acquiring,  
possessing, and protecting property;  
in fine, that of seeking and obtaining  
their safety and happiness.*

<sup>7</sup> **law-abiding:** obedient to the law

<sup>8</sup> **wards:** people that the court has put under the control of someone other than their parents

<sup>9</sup> **State of Nature:** time before the establishment of government

<sup>10</sup> **midwife:** a woman who helps another woman who is giving birth

<sup>11</sup> **herdsman:** a person who takes care of livestock

<sup>12</sup> **bailiff:** an officer in some U.S. courts who acts as a messenger or usher

What would happen now? I thought of the applause when Lawyer Noble said that Bett looked anything but mistreated. What if they agree with the master that he has a right to us as his property? I can't go back to that house. But where will I go?

In spite of my worry and fears, time did not drag, and before two hours had passed the bailiff announced that the session would begin again. "All rise." The judge entered.

After we were all seated, the judge asked the jury foreman, "Have you reached a verdict?"

The foreman replied, "We have, Your Honor."

My heartbeat could be seen in my chest and my hands were clammy with sweat. Oh, God, let them. Please let them say we're free.

"We find for the plaintiffs."<sup>13</sup> The said Brom and Bett are not and were not legally Negro servants of him, the said John Ashley, during life. We further assess thirty shillings, lawful silver money damages."

Did I hear right? I looked at the mistress. Her face was red with anger. Then I looked at my sister, who was smiling and embracing her lawyers. I wanted to join her and Brom up front to share that moment, but the judge was banging his gavel. "Order, order! I adjudge"<sup>14</sup> and determine in accordance with the jury's verdict that Brom and Bett are free. I accept the jury's recommendation that the Ashleys pay Brom and Bett thirty shillings damages. In addition, the court assesses the Ashleys the cost of this suit, five pounds, fourteen shillings, and four pence. This court is adjourned."

Finally, the four of us were together. "We are free!" Bett cried. "Can you believe it, *free*." We all four hugged each other and tears of joy flowed.



<sup>13</sup> **plaintiffs:** person who brings a legal action; opposite of *defendant*

<sup>14</sup> **adjudge:** decide or rule upon

## Responding to the Literature

1. On what did Bett base her claim to freedom?
2. On what three ideas did Lawyer Noble base the Ashleys' right to keep Brom and Bett as slaves?
3. **Conclude** What is the general meaning of the word *pounds* in "the court assesses the Ashleys the cost of this suit, five pounds, fourteen shillings, and four pence"? Why, do you think, *pounds* means this? **CA 8RW1.0**
4. **Evaluate** Think about the testimony and the lawyers' arguments during the trial. Choose one fact and one opinion from them. Explain why one is a fact and the other is an opinion. **CA HR2.**
5. **Read to Write** Use descriptions and details from the scene to show how setting affected its mood and tone. Was the mood mostly angry, funny, or something else? What was the writer's attitude toward the case? **CA HR4.**

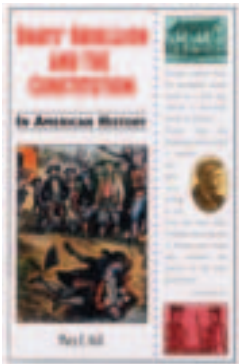


# Reading On Your Own...



## From the California Reading List

Do you want to learn more about the writing of the Constitution, the Founding Fathers, and Shays's Rebellion? You might be interested in the following books.

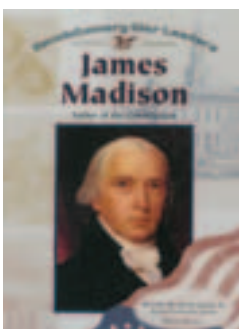
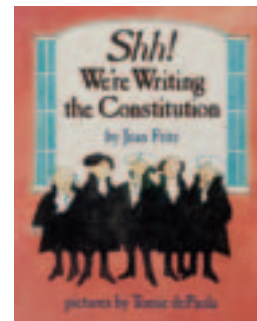


### Nonfiction

**Shays' Rebellion and the Constitution in American History** by Mary E. Hull describes Shays's Rebellion and its effects on taxation in the United States. This book explains why people who had just experienced the hardships of one revolution were willing to go through another one. *The content of this book is related to History–Social Science Standard US8.3.*

### Nonfiction

**Shh! We're Writing the Constitution** by Jean Fritz humorously introduces the people at the Constitutional Convention. She also clearly explains the kinds of choices that these men made as they tried to form a workable government. *The content of this book is related to History–Social Science Standard US8.2.*

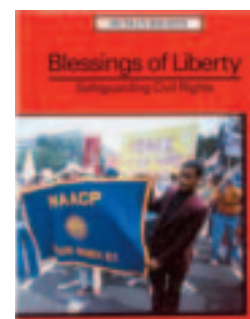


### Biography

**James Madison: Father of the Constitution** by Brent P. Kelley describes Madison's life and his contributions to the United States. These include his work on the Constitution, the Federalist Papers, and the Bill of Rights. *The content of this book is related to History–Social Science Standard US8.2.*

### Nonfiction

**Blessings of Liberty: Safeguarding Civil Rights** by William C. Lowe explains what civil rights are and why they are important. He also describes six of those rights—freedom of religion, expression, and the press; the right to due process; voting rights; and equality under the law. Interesting parts of this description include how these rights have gradually changed and people who helped win them. *The content of this book is related to History–Social Science Standard US8.2.*



## Section

# 2

# Convention and Compromise

## Guide to Reading

### Looking Back, Looking Ahead

You read about the weaknesses of the Articles of Confederation. Many Americans concluded that the United States needed a new constitution.

### Focusing on the Main Ideas

- The government under the Articles of Confederation faced many problems. (page 194)
- National leaders worked to produce a new constitution for the United States. (page 197)
- The Constitutional Convention broke the deadlock over the form the new government would take. (page 199)

### Meeting People

Daniel Shays  
James Madison  
Alexander Hamilton  
Gouverneur Morris  
Edmund Randolph  
Roger Sherman

### Content Vocabulary

**depression**

**manumission** (MAN • yuh • MIH • shuhn)

**proportional** (pruh • POHR • shuh • nuhl)

**compromise**

### Academic Vocabulary

**participate** (pah • TIH • suh • PAYT)

**currency** (KUHR • uhn • see)

**levy** (leh • VEE)

**regulate** (REH • gyuh • LAYT)

**adequate** (A • dih • kwuht)

### Reading Strategy

**Organizing Information** Create a diagram like the one below to describe the role each individual played in creating the new plan of government.

Person	Roles
Edmund Randolph	
James Madison	
Roger Sherman	



### History Social Science Standards

**US8.2** Students analyze the political principles underlying the U.S. Constitution and compare the enumerated and implied powers of the federal government.

**US8.3** Students understand the foundation of the American political system and the ways in which citizens participate in it.

**US8.9** Students analyze the early and steady attempts to abolish slavery and to realize the ideals of the Declaration of Independence.



## Where & When?



1783

1785

1787

**1784**  
Rhode Island passes plan to end slavery

**1786**  
Daniel Shays leads rebellion

**1787**  
Delegates sign draft of Constitution





**US8.2.2** Analyze the Articles of Confederation and the Constitution and the success of each in implementing the ideals of the Declaration of Independence. **US8.3.5** Know the significance of domestic resistance movements and ways in which the central government responded to such movements (e.g., Shays' Rebellion, the Whiskey Rebellion). **US8.9.2** Discuss the abolition of slavery in early state constitutions.

## Troubles Under the Articles

**Main Idea** The government under the Articles of Confederation faced many problems.

**Reading Connection** You make a plan but the plan is not working—what do you do? Find out how American leaders decided to fix the problems of the Articles of Confederation.

### An American Story

By 1786 many Americans observed that the Confederation was not working. George Washington himself agreed that the United States was really “thirteen Sovereignities pulling against each other.” In the spring of 1787, Washington joined delegates from Virginia and 11 other states who gathered in Philadelphia to address this problem. Rhode Island decided not to **participate**. The delegates came “for the sole and express purpose of revising the Articles of Confederation.”



**Economic Depression** The call to revise the Articles of Confederation came while the young nation faced difficult problems. Many Americans believed that the Confederation government was too weak to deal with these challenges. After the Revolutionary War ended, the United States went through a **depression**, a period when economic activity slowed and unemployment increased. Southern plantations had been damaged during the war, and rice exports dropped sharply. Trade also fell off when the British closed the profitable West Indies (Caribbean) market to American merchants. What little money there was went to pay foreign debts, and a serious **currency** shortage resulted. Each state printed its own money. The value of the money differed from state to state, and the money often was not accepted outside the states issuing it.

American farmers suffered because they could not sell their goods. They had problems paying the requests for money that the states **levied** to meet Revolutionary War debts. As a result, state officials seized farmers' lands to pay their debts and threw many farmers into jail. Murmurs of protest soon grew into revolt.

**Shays's Rebellion** Resentment grew especially strong in Massachusetts. Farmers viewed the new government as just another form of tyranny. They wanted the government to issue paper money and make new policies to relieve debtors. In a letter to state officials, some farmers said “many of our good inhabitants are now confined in [jail] for debt and taxes.”

In August 1786, a convention of delegates from 50 Massachusetts towns met in Hatfield, Massachusetts. The delegates drew up a petition to the state government protesting the new taxes. State officials replied that the Hatfield convention was against the law and the delegates were rebels.

#### Picturing History

Only through donations was Massachusetts able to raise a militia to defeat Shays. **Why did Shays's Rebellion frighten many Americans?**

Angry farmers lashed out. Led by **Daniel Shays**, a former Continental Army captain, they forced courts in western Massachusetts to close so judges could not confiscate farmers' lands.

In January 1787, Shays led more than 1,000 farmers toward the federal arsenal in Springfield, Massachusetts, to seize arms and ammunition. The state militia ordered the advancing farmers to halt, then fired over their heads. The farmers did not stop, and the militia fired again, killing four rebels. Shays and his followers scattered, and the uprising was over.

Shays's Rebellion frightened many national leaders. They worried that the government could not control unrest and prevent violence. On hearing of the rebellion, George Washington wondered whether "mankind, when left to themselves, are unfit for their own government." Thomas Jefferson, minister to France at the time, had a different view. "A little rebellion, now and then," he wrote, "is a good thing."

**The Issue of Slavery** The Revolutionary War brought attention to the contradiction between the American battle for liberty and the practice of slavery. The Southern states accepted the institution of slavery. The plantation system of the South had been built on slavery, and many Southerners feared that their economy could not survive without it.

Although slavery was not a major source of labor in the North, it existed and was legal in all the Northern states. Many individuals and groups began to work to end the institution of slavery. In 1774 Quakers in Pennsylvania organized the first American antislavery society. Six years later, Pennsylvania passed a law that provided for the gradual freeing of enslaved people.

Between 1783 and 1804, Connecticut, Rhode Island, New York, and New Jersey passed laws that gradually ended slavery. Still, free African Americans faced discrimination. They were barred from many public places. Few states gave free African Americans the right to vote.

## The Way It Was

### Home Remedies

**I**n an age before germs and proper sanitation were understood, home remedies for illnesses became an everyday part of life in early America. While some folk remedies, such as herbal teas, might have had positive effects, other cures could make the patient worse.



◀ The coneflower is a popular Native American plant. As medicine, it is commonly called Echinacea.

For a venomous snakebite, a part of the snake was placed on top of the wound. This, it was thought, would draw out the poison.

Some remedies used by Native Americans were later adopted by Europeans. The Inca, for example, found that boiling a certain kind of tree bark in water eased the symptoms of malaria. But it was not until the 1900s that the ingredient in the tree bark—quinine—was finally isolated.



## Primary Sources

### Richard Allen and Absalom Jones

Philadelphia preachers Richard Allen and Absalom Jones founded the Free American Society and later set up the first African American churches.



▲ Richard Allen

Born in slavery, Richard Allen was freed and became a Methodist minister. Allen and Absalom Jones founded an independent Methodist church for black members. In the early 1800s, some African American movements encouraged immigration to Africa. Allen and Jones opposed this idea, stating that since



▲ Absalom Jones

"our ancestors (not of choice) were the first successful cultivators of the wilds of America, we their descendants feel ourselves entitled to participate in the blessings of her luxuriant soil. . . ."

—Bethel Church Resolution



Document-Based Question

Why did Allen and Jones believe African Americans should stay in America even though they had been brought there against their will?

The children of most free blacks had to attend separate schools. Free African Americans established their own institutions—churches, schools, and mutual-aid societies—to seek opportunity.

An increasing number of slaveholders began freeing the enslaved people that they held after the war. Virginia passed a law that encouraged **manumission** (MAN•yuh•MIH•shuhn), the freeing of individual enslaved persons, and the state's population of free African Americans grew.

The abolition of slavery in the North divided the new country on the issue of whether people should be allowed to hold other human beings in bondage. This division came at the time when many American leaders had decided that the Articles of Confederation needed to be strengthened. In the summer of 1787, when state representatives assembled to plan a new government, they compromised on this issue. It would take years of debate, bloodshed, and ultimately a war to settle the slavery question.

**A Call for Change** The American Revolution had led to a union of 13 states, but it had not yet created a nation. Some leaders believed that a strong national government was the solution to America's problems. They demanded a reform of the Articles of Confederation.

Two Americans who were active in the movement for change were **James Madison**, a Virginia planter, and **Alexander Hamilton**, a New York lawyer. In September 1786, Hamilton proposed calling a convention in Philadelphia to discuss trade issues. He also suggested that this convention consider what possible changes were needed to make the Articles work.

At first, George Washington was not enthusiastic about the movement to revise the Articles of Confederation. When he heard the news of Shays's Rebellion, Washington changed his mind. After Washington agreed to attend the Philadelphia convention, the meeting took on greater significance.

**Reading Check Evaluate** Why did Madison and Hamilton call for a convention in 1787?



**US8.2.3** Evaluate the major debates that occurred during the development of the Constitution and their ultimate resolutions in such areas as shared power among institutions, divided state-federal power, slavery, the rights of individuals and states (later addressed by the addition of the Bill of Rights), and the status of American Indians under the commerce clause.

## The Constitutional Convention

**Main Idea** National leaders worked to produce a new constitution for the United States.

**Reading Connection** Why is it important for a nation to establish a set of laws? Read to find out the issues American leaders faced in organizing a new constitution.

The Philadelphia meeting began in May 1787 and continued through one of the hottest summers on record. The 55 delegates included planters, merchants, lawyers, physicians, generals, governors, and a college president. Three of the delegates were under 30 years of age, and one, Benjamin Franklin, was over 80. Many were well educated. At a time when only one white man in 1,000 went to college, 26 of the delegates had college degrees. Native Americans, African Americans, and women were not considered part of the political process, so none attended.

Several men stood out as leaders. The presence of George Washington and Benjamin Franklin ensured that many people would trust the Convention's work. Two Philadelphians also played key roles. James Wilson often read Franklin's speeches and did important work on the details of the Constitution. **Gouverneur Morris**, a powerful speaker and writer, wrote the final draft of the Constitution.

Two revolutionary leaders who had thought deeply about the best form of government were absent. John Adams of Massachusetts and Thomas Jefferson of Virginia were in Europe serving as ambassadors. From Virginia came **Edmund Randolph** and James Madison. Both were keen supporters of a strong national government. Randolph had served in the Continental Congress and was governor of Virginia. Madison's careful notes are the major source of information about the Convention's work. Madison is often called the Father of the Constitution because he was the author of the basic plan of government that the Convention adopted.

**The Way It Was**

## Working on the Constitution

**T**he delegates to the Constitutional Convention worked for 116 days (of which they actually met on 89) in a room where the windows were usually shut. None of the delegates wanted anybody to hear what they were doing, because they did not

want rumors spread about the form of government upon which they would ultimately decide. Besides, if they opened the windows, hordes of flies would descend upon them. The air became humid and hot by noon of each day.



▲ Delegates to the Constitutional Convention met in this room at Independence Hall.



# Biography



**US8.2.4** Describe the political philosophy underpinning the Constitution as specified in the Federalist Papers (authored by James Madison, Alexander Hamilton, and John Jay) and the role of such leaders as Madison, George Washington, Roger Sherman, Gouverneur Morris, and James Wilson in the writing and ratification of the Constitution.

Burstein Collection/CORBIS

## JAMES MADISON c. 1751–1836

Born in 1751, Madison was still a young man at the time of the American Revolution, but his brilliant, incisive mind made him one of the more valuable leaders of the Patriots. After the war, he played a major role at the Constitutional Convention.

As one of the delegates from Virginia, Madison participated in the lengthy, often heated discussions that created a foundation of government. He kept meticulous notes and tried to impress upon the other delegates the need for an effective central government. Power was to be distributed throughout the whole. Every right had to be balanced by a corresponding responsibility.

Madison became the chief architect of the Constitution, and his notes became the best record of what happened at the Convention. There were no official transcripts of the work of the delegates. If Madison had not kept a private diary of the events, historians might know little about what happened in Philadelphia. "Every word [of the Constitution]," he later wrote, "decides a question between power and liberty."

After the Constitution went into effect, Madison became a leader of the new national government. In developing the Bill of Rights, he once again was trying to achieve the difficult balance between the rights of the people and the power of government. In 1808 Madison became the fourth president of the United States. Throughout his career, he continued to defend the principle of balance that was built into the Constitution.



*"In framing a government . . . you must first enable the government to control the governed; and in the next place, oblige it to control itself."*

—James Madison  
*The Federalist*, No. 51

### Then and Now

What qualities did Madison possess that made him a leader and an important part of the constitutional process? Do you think these are important qualities for a political leader today? Explain.



**US8.2.3** Evaluate the major debates that occurred during the development of the Constitution and their ultimate resolutions in such areas as shared power among institutions, divided state-federal power, slavery, the rights of individuals and states (later addressed by the addition of the Bill of Rights), and the status of American Indians under the commerce clause.

**Organization** The Convention began by unanimously choosing George Washington to preside over the meetings. It was also decided that each state would have one vote on all questions. Decisions would be made by a majority vote of those states present. The delegates decided to keep the sessions secret. This decision made it possible for the delegates to talk freely.

**The Virginia Plan** After the rules were adopted, the Convention opened with a surprise. Edmund Randolph proposed that the delegates create a strong national government instead of revising the Articles of Confederation. He introduced the Virginia Plan, which was largely the work of James Madison.

The plan called for a two-house legislature, a chief executive chosen by the legislature, and a court system. The members of the lower house of the legislature would be elected by the people. The members of the upper house would be chosen by the lower house. In both houses, the number of representatives would be **proportional** (pruh • POHR • shuh • nuhl), or corresponding in size, to the population of each state. This would give Virginia many more delegates than Delaware, the smallest state.

Delegates from small states objected to the plan. They preferred the Confederation system in which all states were represented equally. On June 15 William Paterson of New Jersey presented an alternative plan that revised the Articles of Confederation, which was all the convention was empowered to do.

**The New Jersey Plan** The New Jersey Plan kept the Confederation's one-house legislature, with one vote for each state. Congress, however, could set taxes and **regulate** trade—powers it did not have under the Articles. Congress would elect a weak executive branch consisting of more than one person. Paterson argued that the Convention should not deprive the smaller states of the equality they had under the Articles.

**Reading Check Explain** Why did some delegates criticize the Virginia Plan?

## Compromise Wins Out

**Main Idea** The Constitutional Convention broke the deadlock over the form the new government would take.

**Reading Connection** Have you and a rival ever set aside your differences to work for a common cause? This happened when American leaders resolved their differences to create a new constitution.

The convention delegates had to decide whether they were simply revising the Articles of Confederation or writing a constitution for a new national government. On June 19 the states voted to work toward a national government based on the Virginia Plan, but they still had to resolve the thorny issue of representation that divided the large and small states.

As the convention delegates struggled to deal with difficult questions, tempers and temperatures grew hotter. How were the members of Congress to be elected? How would state representation be determined in the upper and lower houses? Were enslaved people to be counted as part of the population on which representation was based?

Under Franklin's leadership, the convention appointed a "grand committee" to try to resolve their disagreements. **Roger Sherman** of Connecticut suggested what came to be known as the Great Compromise. A **compromise** is an agreement between two or more sides in which each side gives up some of what it wants.

Sherman proposed a two-house legislature. In the lower house—the House of Representatives—the number of seats for each state would vary according to the state's population. In the upper house—the Senate—each state would have two members.

Another compromise by the delegates dealt with counting enslaved people. Southern states wanted to include the enslaved in their population counts to gain delegates in the House of Representatives.





# Linking Past & Present

## Symbols of the Nation

**Past** For Americans, the flag has always had a special meaning. It is a symbol of our nation's freedom and democracy. On June 14, 1777, the Continental Congress designed the first Stars and Stripes. The first flag had 13 stars and 13 stripes. Each star represented a state. Each stripe represented one of the 13 colonies that formed the Union.



▲ A legend says that Betsy Ross created the American flag.

▼ The Stars and Stripes today



**Present** Many of the symbols through which we express our American identity—heroes, songs, legends, flags, monuments—developed in the early 1800s. Some of our holidays, such as the Fourth of July, and the ways we celebrate them with parades, speeches, and picnics, became established during that time. **What are other symbols of our nation?**

**Objections Are Raised** Northern states objected to this idea because enslaved people were legally considered property. Some delegates from Northern states argued that the enslaved, as property, should be counted for the purpose of taxation but not representation. However, neither side considered giving enslaved people the right to vote.

The committee's solution, known as the Three-Fifths Compromise, was to count each enslaved person as three-fifths of a free person for both taxation and representation. In other words, every five enslaved persons would equal three free persons. On July 12, the

convention delegates voted to approve the Three-Fifths Compromise. Four days later, they agreed that each state should elect two senators.

**Slave Trade** The dispute over how to count enslaved people was not the only issue dividing the delegates. The convention needed to resolve another difficult issue that divided the Northern and Southern states. Some Northern delegates wanted to slow the spread of slavery and stop the importation of new slaves. Southern states considered slavery and the slave trade essential to their economies.

To keep the Southern states in the nation, Northerners agreed that the Congress could not interfere with the slave trade until 1808. Beginning that year, Congress could limit the slave trade if it chose to.

**Approving the Constitution** George Mason of Virginia proposed a bill of rights to be included in the Constitution. Some delegates worried that without the protection of a bill of rights, the new national government might abuse its power. However, most of the delegates believed that the Constitution, with its carefully defined listing of government powers, provided **adequate** protection of individual rights. Mason's proposal was defeated.

The committees finished their work on the Constitution in late summer. On September 17, 1787, the delegates assembled in the Philadelphia State House to sign the document. Franklin made a final plea for approval: "I consent to this Constitution because I expect no better, and because I am not sure, that it is not the best."

**Historyonline**  
**Student Web Activity** Visit [ca.hss.glencoe.com](http://ca.hss.glencoe.com) and click on Chapter 3—Student Web Activities for an activity on the Constitutional Convention.

Three delegates refused to sign—Elbridge Gerry of Massachusetts, and Edmund Randolph and George Mason of Virginia. Gerry and Mason would not sign without a bill of rights.

The Confederation Congress then sent the approved draft of the Constitution to the states for consideration. To amend the Articles of Confederation had required unanimous approval of the states. The delegates agreed to change the approval process for the Constitution. When 9 of the 13 states had approved, the new government of the United States would come into existence.

(See pages 248–269 for the entire text of the Constitution.)

**Reading Check Analyze** Who refused to sign the Constitution? Explain why.

**Historyonline**  
**Study Central** Need help understanding the Constitutional Convention? Visit [ca.hss.glencoe.com](http://ca.hss.glencoe.com) and click on Study Central.

## Section 2 Review

### Reading Summary

#### Review the Main Ideas

- The government under the Articles of Confederation faced many problems.
- National leaders worked to produce a new constitution for the United States.
- The Constitutional Convention broke the deadlock over the form the new government would take.

### What Did You Learn?

1. Explain what caused Shays's Rebellion. What was one effect?
2. According to the Virginia Plan, who elected the members of the lower house?

### Critical Thinking

3. **Analyze Information** Re-create the diagram below and identify arguments for and against approving the Constitution. **CA H11.**

Ratification	
Arguments for	Arguments against

4. **The Big Ideas** How did the new Constitution reflect the values of the men who wrote it?

5. **ANALYSIS** How did the Great Compromise satisfy both the small and the large states on the question of representation? Why was this compromise important? Write a paragraph summarizing your conclusions. **CA CS1.**

6. **Persuasive Writing** Write a short speech in favor of either the Virginia Plan or the New Jersey Plan. **CA 8LS1.3**



# A New Plan of Government

## Guide to Reading



### History Social Science Standards

**US8.2** Students analyze the political principles underlying the U.S. Constitution and compare the enumerated and implied powers of the federal government.

**US8.3** Students understand the foundation of the American political system and the ways in which citizens participate in it.

### Looking Back, Looking Ahead

You read about the compromises that the delegates made to create a new form of government. The Constitution was based on the political ideals of the people who wrote it.

### Focusing on the **Main Ideas**

- Ideas and thinkers of the past influenced the creation of the United States Constitution.  
(page 203)
- The Constitution outlines the responsibilities and the limits of the three branches of government.  
(page 204)
- Americans reacted to the proposed Constitution in different ways.  
(page 206)

### Meeting People

John Jay  
Mercy Otis Warren

### Content Vocabulary

**Enlightenment** (ihn • LY • tuhn • muhnt)  
**federalism**

**article**

**legislative branch** (LEH • juhs • LAY • tihv)

**executive branch** (ihg • ZEH • kuh • tihv)

**judicial branch** (ju • DIH • shuhl)

**checks and balances**

**ratify** (RA • tuh • fy)

**Federalist**

**Antifederalist**

### Academic Vocabulary

**promote** (pruh • MOHT)

**conduct** (kuhn • DUHKT)

### Reading Strategy

**Organizing Information** Create a diagram to explain how the system of checks and balances works.

	Has check or balance over:	Example
President		
Congress		
Supreme Court		



## Where & When?



1680

**1689**  
English Bill of Rights established

1720

**1690**  
Locke publishes *Two Treatises of Civil Government*

1760

**1748**  
Montesquieu writes *The Spirit of Laws*

1800

**1787**  
The Constitutional Convention meets in Philadelphia



## Roots of the Constitution

**Main Idea** Ideas and thinkers of the past influenced the creation of the United States Constitution.

**Reading Connection** Do you have a role model? Has a person you know influenced you to do better in school or take part in a helping activity? Read to learn about the thinkers who influenced the creation of the Constitution.

### An American Story

As Benjamin Franklin was leaving the last session of the Constitutional Congress, a woman asked, “What kind of government have you given us, Dr. Franklin? A republic or a monarchy?” Franklin answered, “A republic, Madam, if you can keep it.” Franklin’s response indicated that a republic—a system of government in which the people elect representatives to exercise power for them—requires citizens to take an active role.

### What Ideas Influenced the Framers?

After four long and difficult months, Franklin and the other delegates had produced a new constitution. The document provided the framework for a strong central government for the United States.

Although a uniquely American document, the Constitution has roots in many other civilizations. The delegates had studied and discussed the history of political development at length—starting with ancient Greece—so that their new government could avoid the mistakes of the past.

The Framers who shaped the document were familiar with the parliamentary system of Britain, and many had participated in the colonial assemblies or their state assemblies. They valued the individual rights guaranteed by the British judicial system. Although the Americans had broken away from Britain, they respected many British traditions.

The Magna Carta (1215) had placed limits on the power of the British monarch. England’s lawmaking body, which is called Parliament, emerged as a force that the king had to depend on to pay for wars and to finance the royal government. Like Parliament, the assemblies that developed in the Thirteen Colonies controlled their colony’s funds. For that reason, the assemblies had some control over colonial governors.

The English Bill of Rights of 1689 provided another important model for Americans. Many Americans believed that the Constitution also needed a bill of rights.

**Enlightenment Thinkers** Framers of the Constitution got many ideas on the nature of people and government from European writers of the Enlightenment. The **Enlightenment** (ihn•LY•tuhn•muhnt) was a movement of the 1700s that **promoted** knowledge, reason, and science as the means to improve society. James Madison and other architects of the Constitution were familiar with the work of John Locke and Baron de Montesquieu (mahn•tuhs•KYOO), two important philosophers.

Locke, an English philosopher, believed that all people have natural rights. These natural rights include the rights to life, liberty, and property. Many Americans interpreted natural rights to mean the rights of Englishmen defined in the Magna Carta and the English Bill of Rights.



▲ John Locke

In *The Spirit of Laws* (1748), the French writer Montesquieu declared that the powers of government should be separated and balanced against each other. This separation would keep any one person or group from gaining too much power. Following the ideas of Montesquieu, the Framers of the Constitution carefully specified and divided the powers of government.

**Reading Check** **Identify** What is a republic?





**US8.2.3** Evaluate the major debates that occurred during the development of the Constitution and their ultimate resolutions in such areas as shared power among institutions, divided state-federal power, slavery, the rights of individuals and states (later addressed by the addition of the Bill of Rights), and the status of American Indians under the commerce clause.

## The Federal System

**Main Idea** The Constitution outlines the responsibilities and limits of the three branches of government.

**Reading Connection** Do you think it is important to identify what leaders can and cannot do? Read to find out why the Constitution limits the government and what those limits are.

The Constitution created a federal system of government that divided powers between the national, or federal, government and the

states. Under the Articles of Confederation, the states retained their sovereignty. Under the Constitution, the states gave up some of their powers to the federal government while keeping others.

**Shared Powers** **Federalism**, or sharing power between the federal and state governments, is one of the distinctive features of the United States government. Under the Constitution, the federal government gained broad powers to tax, regulate trade, control the currency, raise an army, and declare war. It could also pass laws that were “necessary and proper” for carrying out its responsibilities.

However, the Constitution left important powers in the hands of the states. The states had the power to pass and enforce laws and regulate trade within their borders. They could also establish local governments, schools, and other institutions affecting their citizens.

**Supreme Law of the Land** The Constitution and the laws that Congress passed were to be “the supreme law of the land.” No state could make laws or take actions that went against the Constitution. Any dispute between the federal government and the states was to be settled by the federal courts on the basis of the Constitution. Under the new federal system, the Constitution became the final and supreme authority.

**The Organization of Government** Influenced by Montesquieu’s idea of a division of powers, the Framers divided the federal government into three branches—legislative, executive, and judicial. The first three **articles**, or parts, of the Constitution describe the powers and responsibilities of each branch.

Article I of the Constitution establishes Congress, the **legislative branch** (LEH • juhs • lay • tihv), or lawmaking branch, of the government. The Congress of the United States is comprised of the House of Representatives and the Senate.



### America’s *Architecture*

**The Old Senate Chamber** The U.S. Senate met in the Old Senate Chamber from 1810 until 1859. The two-story chamber is semicircular in shape and measures 75 feet long and 50 feet wide. Two visitors’ galleries overlook the chamber. After the Senate moved to its present location, the room was occupied by the Supreme Court from 1860 until 1935. **Which branches of government conducted business in the chamber?**



### Picturing History

The Supreme Court has the final say in deciding what the Constitution means. **What types of cases does the Supreme Court hear?**

The powers of Congress include collecting taxes, coining money, and regulating trade. Congress can also declare war and “raise and support armies.” Finally, it makes all laws needed to fulfill the functions given to it as stated in the Constitution.

**The Executive Branch** Memories of King George III’s rule made some delegates reluctant to establish a powerful executive, or ruler. Others believed that the Confederation had failed, in part, because it lacked an executive branch or president. They argued that a strong executive would serve as a check, or limit, on Congress.

Article II of the Constitution established the **executive branch** (ihg•ZEH•kuh•tihv), headed by the president, to carry out the nation’s laws. The president serves as commander in chief of the armed forces and **conducts** relations with other countries.

**The Judicial Branch** Article III of the Constitution deals with the **judicial branch** (ju•DIH•shuhl), or court system, of the United States. The nation’s judicial power resides in “one supreme Court” and any other lower federal courts that Congress might establish. The Supreme Court and the federal courts hear cases involving the Constitution, laws passed by Congress, and disputes between states.

**System of Checks and Balances** An important distinctive feature of our government is the separation of powers. The Constitution divides government power among the legislative,


executive, and judicial branches. To keep any one branch from gaining too much power, the Framers built in a system of **checks and balances**. The three branches of government have roles that check, or limit, the others so that no single branch can dominate the government.

Both the House and the Senate must pass a bill for it to become law. The president can check Congress by vetoing, or rejecting, the bill. However, Congress can then check the president by overriding, or voting down, the veto. To override a veto, two-thirds of the members of both houses of Congress must vote for the bill.

The system of checks and balances also applies to the Supreme Court. The president appoints Supreme Court justices, and the Senate must approve the appointments.

Over time, the Court became a check on Congress and the president by ruling on the constitutionality of laws and presidential acts. The system has been successful in maintaining a balance of power among the branches of the federal government.

With these revolutionary changes, Americans showed the world that it was possible for a people to change its form of government through discussion and choice—rather than through chaos, force, or war. The rest of the world watched the new nation with interest to see whether its experiment in self-government would really work.

 **Reading Check Explain** Why does the Constitution divide government power among the legislative, executive, and judicial branches?





**US8.2.2** Analyze the Articles of Confederation and the Constitution and the success of each in implementing the ideals of the Declaration of Independence. **US8.2.4** Describe the political philosophy underpinning the Constitution as specified in the *Federalist Papers* (authored by James Madison, Alexander Hamilton, and John Jay) and the role of such leaders as Madison, George Washington, Roger Sherman, Gouverneur Morris, and James Wilson in the writing and ratification of the Constitution.

## The Debate Over Ratification

**Main Idea** Americans reacted to the proposed Constitution in different ways.

**Reading Connection** Have you taken sides on an important issue? What arguments have you used to support your position? Read to learn about the arguments that Americans used to support or oppose ratification of the Constitution.

The delegates at Philadelphia had produced the Constitution, but its acceptance depended upon the will of the people. Gaining approval of the Constitution, with its radical new plan of government, was not going to be easy.

Before the Constitution could go into effect, nine states needed to **ratify** (RA•tuh•FY),

or approve, it. State legislatures set up special ratifying conventions to consider the document. By late 1787 these conventions started to meet. Rhode Island stood apart. Its leaders opposed the Constitution from the beginning and therefore did not call a convention to approve it.

**Federalists** Supporters of the new Constitution were called **Federalists**. Three of the nation's most gifted political thinkers—James Madison, Alexander Hamilton, and **John Jay**—also backed the Constitution.

Madison, Hamilton, and Jay worked together to write a series of essays explaining and defending the Constitution. These essays appeared in newspapers around the country and were widely read. Called the *Federalist Papers*, they were later published as a book and sent to delegates at the remaining ratifying conventions. Jefferson described the series of essays as “the best commentary on the principles of government which was ever written.”

**Antifederalists** The Federalists called those who opposed ratification **Antifederalists**. Antifederalists criticized the Constitution because it lacked a bill of rights to protect individual freedoms. Antifederalists believed that no government could be trusted to protect the freedom of its citizens. Several state conventions took a stand and announced that they would not ratify the Constitution without the addition of a bill of rights.

**Mercy Otis Warren**, a Massachusetts opponent of the Constitution, expressed the problem faced by many Antifederalists. She admitted the need for a strong government but feared it.

“We have struggled for liberty and made costly sacrifices . . . and there are still many among us who [value liberty] too much to relinquish . . . the rights of man for the dignity of government.”

—Mercy Otis Warren,  
September 29, 1787

Powers of the Federal Government		
	Articles of Confederation	United States Constitution
Declare war; make peace	✓	✓
Coin money	✓	✓
Manage foreign affairs	✓	✓
Establish a postal system	✓	✓
Impose taxes		✓
Regulate trade		✓
Organize a court system		✓
Call state militias for service		✓
Protect copyrights		✓
Take other necessary actions to run the federal government		✓

### Understanding Charts

The Articles of Confederation and the U.S. Constitution specified certain powers that would be given to the federal government.

1. Which document allowed the government to organize state militias?
2. **Analyze** In what ways are the two documents similar?

In many ways the debate between Federalists and Antifederalists came down to their different fears. Federalists feared disorder without a strong central government. They believed that more uprisings like Shays's Rebellion would occur without a national government capable of maintaining order. The Antifederalists feared oppression more than disorder. They worried about the concentration of power that would result from a strong national government.

**Adopting the Constitution** With the promise of a bill of rights, many Americans began to favor the Constitution. Many small states ratified it quickly because they were pleased with equal representation in the new Senate. On June 21, 1788, the ninth state—New Hampshire—ratified it. However, without the support of two critical states—New York and Virginia—the future of the new government was not promising. Neither state had ratified yet, and both had strong Antifederalist groups.

In Virginia, George Washington, James Madison, and Edmund Randolph helped swing a close vote on June 25, 1788. In New York, Alexander Hamilton argued for ratification for six weeks. Finally, on July 26, the Federalists in New York won by only three votes. North Carolina ratified in November 1789, and Rhode Island ratified in May 1790.

After ratification came the celebrations. Boston, New York, and Philadelphia held big parades accompanied by cannon salutes and ringing church bells. Smaller celebrations took place in hundreds of American towns.

The task of creating the Constitution had ended. The Federalists promised to add a bill of rights after the new government took office. Now it was time for the nation to elect leaders and begin the work of government.

**Reading Check Explain** According to the Antifederalists, why was a bill of rights important?

## Section 3 Review

**History online**  
Study Central Need help understanding the development of the Constitution? Visit [ca.hss.glencoe.com](http://ca.hss.glencoe.com) and click on Study Central.

### Reading Summary

#### Review the Main Ideas

- Ideas and thinkers of the past influenced the creation of the United States Constitution.
- The Constitution outlines the responsibilities and the limits of the three branches of government.
- Americans reacted to the proposed Constitution in different ways.

### What Did You Learn?

1. What influence did John Locke have on American government?
2. Why was the support of New York and Virginia vital to ratifying the Constitution?

### Critical Thinking

3. **Compare** Re-create the diagram below. Describe the differences between Federalist and Antifederalist views on the Constitution. **CA HR3.**

Views on the Constitution	
Federalist	Antifederalist

4. **The Big Ideas** Why did the Framers of the Constitution believe that a division of powers and a system of checks and balances were necessary in a government?
5. **Persuasive Writing** Search your local newspaper for articles that deal with constitutional issues. Select an issue from one of the articles and write a letter to your senator or representatives expressing your opinion about the issue. **CA 8WA2.4**



# You Decide . . .

## Ratifying the Constitution

*The delegates at Philadelphia had produced the Constitution, but its acceptance depended upon the will of the American people. In each of the 13 states, voters selected delegates to special conventions that would decide whether to accept or reject the new plan of government. Once 9 of the 13 conventions had ratified the Constitution, it could go into effect.*

### For Ratification

Those who favored the Constitution called themselves Federalists. Federalists wanted a strong government capable of handling the problems facing the United States both at home and abroad. They believed that the new Constitution protected the rights of the states, but gave the central government enough power to function effectively.

James Wilson of Philadelphia was a major force in drafting the Constitution. In a speech to the Pennsylvania Ratifying Convention, Wilson said:

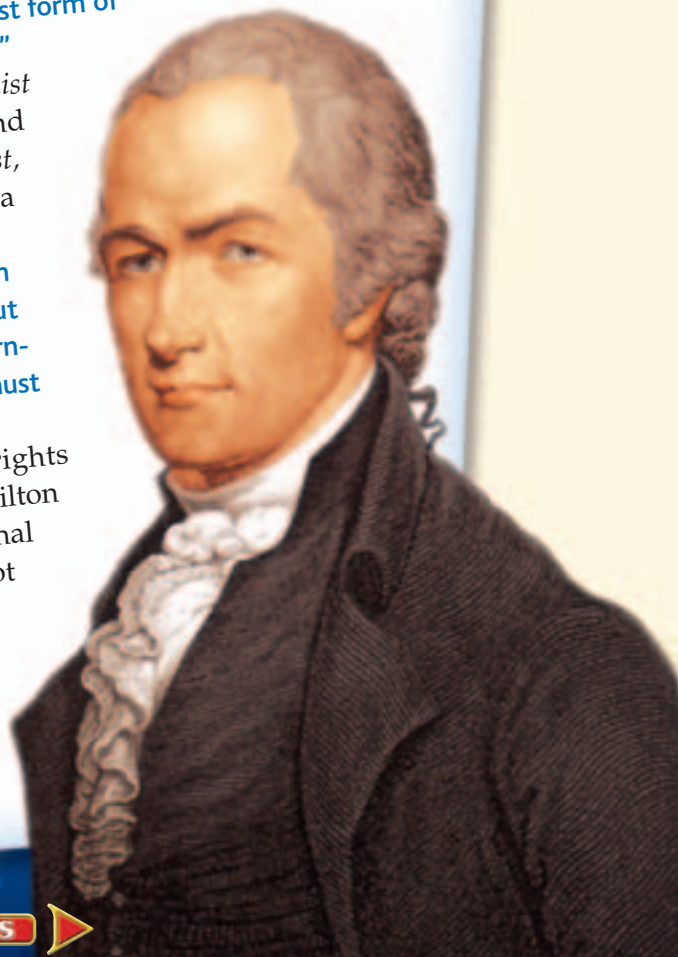
**"I am satisfied that anything nearer to perfection could not have been accomplished. If there are errors, it should be remembered, that the seeds of reformation are sown in the work itself, and the concurrence of two thirds of the Congress may at any time introduce alterations and amendments. Regarding it then, in every point of view, with a candid and disinterested mind, I am bold to assert, that it is the best form of government which has ever been offered to the world."**

In a series of 85 essays known as *The Federalist Papers*, Alexander Hamilton, James Madison, and John Jay defended the Constitution. In *Federalist*, No. 70, Hamilton argued against the idea of a president with limited or few powers:

**"A feeble executive implies a feeble execution of the government. A feeble execution is but another phrase for a bad execution; and a government ill executed, whatever it may be in theory, must be, in practice, a bad government."**

Hamilton also believed that a bill of rights would be unnecessary and dangerous. Hamilton wrote that the Constitution gave the national government only limited power. It did not have the power to infringe on the rights of the citizens. Therefore, Hamilton noted, a bill of rights protecting the people's rights is not needed.

Alexander Hamilton ►





**US8.2.4** Describe the political philosophy underpinning the Constitution as specified in the *Federalist Papers* (authored by James Madison, Alexander Hamilton, and John Jay) and the role of such leaders as Madison, George Washington, Roger Sherman, Gouverneur Morris, and James Wilson in the writing and ratification of the Constitution.

## Against Ratification

Ratification, however, was not a sure thing. Many people who remembered British tyranny were against a powerful national government. Opponents of the Constitution, called Antifederalists, felt that a strong central government was a threat to liberty.

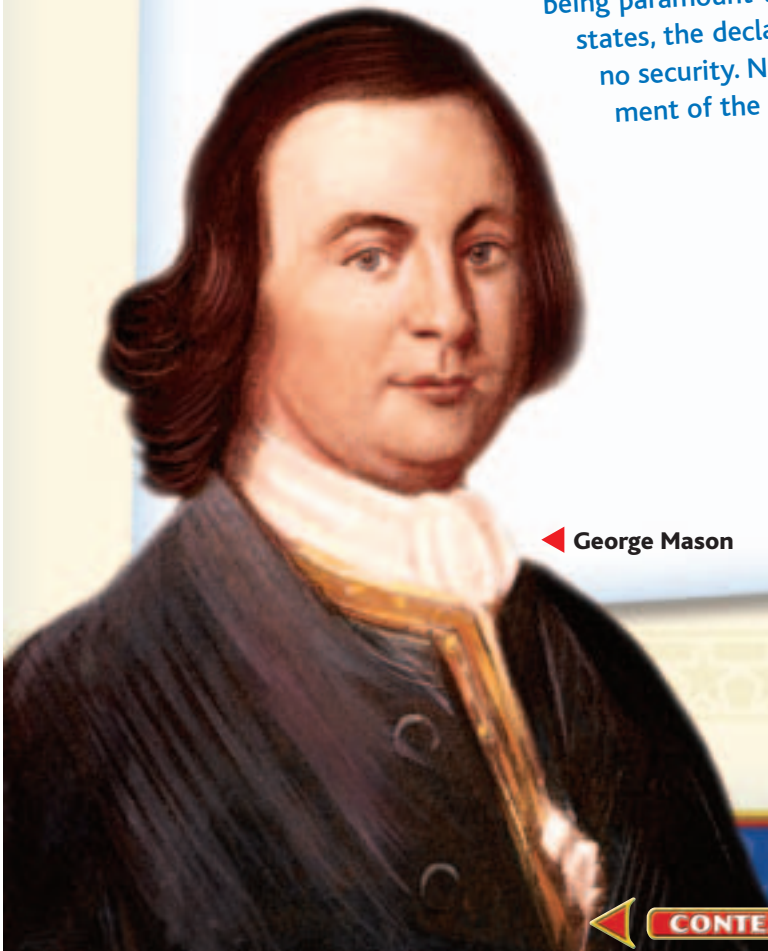
In the Virginia ratification convention of 1788, Patrick Henry spoke out against the adoption of the Constitution:

**"I look upon that paper [the Constitution] as the most fatal plan that could be possibly conceived to enslave a free people."**

The Antifederalists' strongest argument, however, was that the Constitution lacked a bill of rights. They feared losing the liberties they had gained during the Revolution and wanted to include a guarantee of those liberties in the Constitution. Mercy Otis Warren wrote that "The rights of the individual should be the primary object of all governments."

George Mason of Virginia refused to sign the Constitution because it did not contain a bill of rights. In a letter explaining his objections to the Constitution, Mason stated that the Constitution has

**"no declaration of rights: and the laws of the general government being paramount to the laws and constitutions of the several states, the declarations of rights, in the separate states, are no security. Nor are the people secured even in the enjoyment of the benefit of the common law."**



◀ George Mason

### You Be The Historian

#### DBQ Document-Based Questions

1. What group was opposed to ratification of the Constitution?  
**CA HR5.**
2. Who argued that the Constitution could be changed if problems arose?
3. What was Hamilton's major argument in *The Federalist*, No. 70?  
**CA HR3.**



# Analyzing Primary Sources



**US8.3** Students understand the foundation of the American political system and the ways in which citizens participate in it.

## Forming a New Nation

Americans fought for their independence from Great Britain between 1776 and 1783. After the Revolutionary War, a great deal of work needed to be done to establish a new nation. Where would they start? How would they form a new government that served the people better than the last government? To understand the people who called themselves Americans, you can look at letters and writings of the eighteenth century.

Read the passages on pages 210 and 211 and answer the questions that follow.

**"Ship of State" float parading through New York during the 1788 ratification** ▶



## Reader's Dictionary

**allies** (A • LYS): people or groups joined in alliance or agreement

**justice:** fairness in the way people are treated or decisions are made

**acquainted** (uh • KWAYNT • ihd): having some knowledge of something

**haughty** (HAW • tee): behaving in a superior, arrogant way

**appellation** (A • puh • LAY • shuhn): the name or title of someone or something

**perpetual:** occurring over and over

**contention** (kuhn • TEHN • shuhn): disagreement or competition between rivals

## The Oneida and the Use of Land

**T**he Oneida Indian Nation fought on the side of the Patriots during the American Revolution. In March 1788, leaders of the Oneida people sent this message to the New York State legislature.

Brothers. We are your **allies**, we are a free people, our chiefs have directed us to speak to you, as such, therefore, open your ears and hear our words.

Brothers. In your late war with the people on the other side of the great water, . . . we fought by your side, our blood flowed together, and the bones of our warriors mingled with yours; . . .

[W]e received an invitation to meet some of your chiefs . . . , those chiefs who then met us will doubtless remember how much we were disappointed, when they told us they were only sent to buy our lands. . . .

Brothers. We are determined then never to sell any more; the experience of all the Indian nations to the east and south of us has fully convinced us, that if we follow their example we shall soon share their fate. We wish that our children and grandchildren may derive a comfortable living from the lands which the Great Spirit has given us and our forefathers. . . .

Brothers. We wish you to consider this matter well, and to do us **justice**. . . .

—*Proceedings of the Commissioners of Indian Affairs*

## What Is an American?

**J.** Hector St. John Crèvecoeur of France traveled widely in the American colonies and farmed in New York. His *Letters From an American Farmer* was published in 1782.

I wish I could be **acquainted** with the feelings and thoughts which must . . . present themselves to the mind of an enlightened Englishman, when he first lands on the continent. . . . If he travels through our rural districts he views not the hostile castle, and the **haughty** mansion, contrasted with the clay-built hut and miserable [cabin], where cattle and men help to keep each other warm, and dwell in meanness, smoke, and indigence. A pleasing uniformity of decent competence appears throughout our habitations. The meanest of our log-houses is dry and comfortable. . . . Lawyer or merchant are the fairest titles our towns afford; that of a farmer is the only **appellation** of the rural inhabitants of our country. It must take some time [before] he can reconcile himself to our dictionary, which is but short in words of dignity, and names of honour. . . .

What then is the American, this new man? He is either a European, or the descendant of a European, hence that strange mixture of blood, which you will find in no other country. I could point out to you a family whose



▲ **The Peale Family** by Charles Willson Peale, c. 1770–1773 American artists favored informal scenes over the more formal European styles.

grandfather was an Englishman, whose wife was Dutch, and whose son married a French woman, and whose present four sons have now four wives of different nations. . . .

He does not find, as in Europe, a crowded society, where every place is over-stocked; he does not feel that **perpetual** collision of parties, that difficulty of beginning, that **contention** which oversets so many. There is room for everybody in America; has he particular talent, or industry? He exerts it in order to produce a livelihood, and it succeeds. . . .

—*Letters From an American Farmer*



### Document-Based Questions

#### The Oneida and the Use of Land

1. Who are the “Brothers” that the Oneida leaders address? Why would the Oneida address legislators in this way?
2. What are the Oneida asking for?
3. What do the Oneida pledge to never do? Why did they make this decision and statement?

#### What Is an American?

4. How does de Crèvecoeur describe the typical home in the colonies?
5. Why might de Crèvecoeur refer to the American as a “new man”?

6. How are Americans described in comparison to Europeans?
7. What is meant by “there is room for everybody in America”? Is this still true today?

#### Read to Write

8. What does it mean to have justice in America? What would it look like? How would it work? How would the authors of these documents define justice in their time? How would you define justice in America today? Compare and contrast the ideas from different eras. **CA H13. CA 8WS1.1**



# Chapter 3

## Assessment

### Standards US8.2 & US8.3

### Review Content Vocabulary

Write the vocabulary word that completes each sentence. Write a sentence for each word that is not used.

- bicameral
  - ratify
  - compromise
  - republic
  - executive branch
- To resolve their differences, the delegates used \_\_\_\_\_, with each side giving up something but gaining something else.
  - A legislature divided into two parts, or houses, is called \_\_\_\_\_.
  - On June 21, 1788, New Hampshire became the ninth state to \_\_\_\_\_ the Constitution.
  - A(n) \_\_\_\_\_ is a system of government in which the people elect representatives to exercise power for them.

### Review the **Main Ideas**

#### Section 1 • The Articles of Confederation

- What was the purpose of the Articles of Confederation?
- How did the Northwest Ordinance provide for the country's expansion?

#### Section 2 • Convention and Compromise

- According to the Virginia Plan, how was the legislature to be set up?
- How did the Great Compromise address the issue of representation in Congress?

#### Section 3 • A New Plan of Government

- Why did some Americans want a bill of rights added to the Constitution?
- Why is it important that the powers of government are separated?

### Critical Thinking

- Identify** What was the purpose of holding secret sessions at the Constitutional Convention? If you had been a delegate, would you have been in favor of secret sessions? Why or why not? **CA HI.2**
- Analyze** Why was a system of checks and balances built into the Constitution? **CA HI.2**

### Geography Skills

Study the map below and answer the following questions. **CA CS.3**



13. **Place** Who controlled the area in which you live today?
14. **Region** What country held territory directly west of the United States?

## Read to Write

15. **The Big Ideas** **Government and Democracy** Write a short essay discussing the many compromises that are reflected in the final version of the U.S. Constitution.

CA 8WS1.1

16. **Using Your FOLDABLES** Use the information you wrote in your foldable to create a fill-in-the-blank quiz for a classmate. Write a paragraph about one of the sections, leaving blanks for your classmates to fill in. Also write an answer key. CA 8RC2.0

## Using Academic Vocabulary

17. Write two words that are related to the academic vocabulary word *currency*.

## Building Citizenship

18. **Interviewing** Interview students from your school and adults from your community to find out what they know about the powers of government specified in the Constitution. Prepare a list of questions to use in your interviews. Compile the answers and present a report to your class. CA HR1.

## Reviewing Skills

19. **READING SKILL** **Making Connections** Review the literature excerpt called "Second Daughter." Write a paragraph describing the connections you made while reading. Be sure to include text-to-self, text-to-text, and text-to-world connections. CA 8RC2.0
20. **ANALYSIS SKILL** **Paraphrasing** Select a quotation or primary source from one of the sections in this chapter. Reread it and then paraphrase what you have read. CA HR4.



## Standards Practice

Read the passage below and answer the following questions.

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one vote.

—U.S. Constitution,  
Article I, Section 3.1

21. According to the above excerpt from the U.S. Constitution, by whom were Senators originally chosen?
- A other Senators  
B members of the U.S. House of Representatives  
C the voters of the state  
D the state's legislature
22. Each of the states enacted state constitutions in the late 1700s. All state constitutions
- A established equal rights for all persons living in the state.  
B set up legislative and executive branches of state government.  
C granted women the right to vote.  
D agreed that states would be supervised by the federal government.
23. The law that established a procedure for surveying and selling the western lands north of the Ohio River was the
- A Ordinance of 1785.  
B Virginia Plan.  
C New Jersey Plan.  
D Bill of Rights.