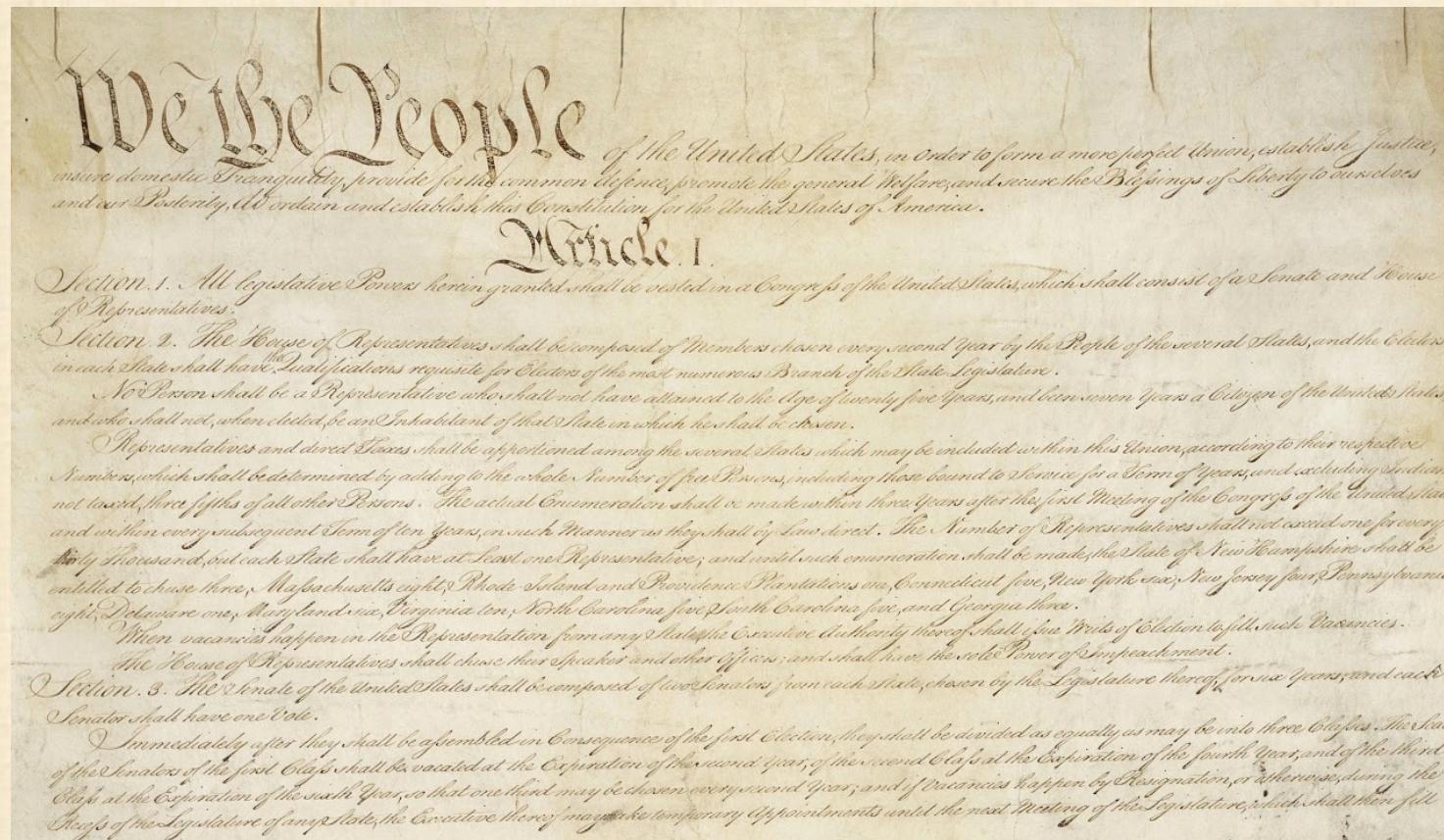


# The Early Republic



# The Early Republic Outline

*Articles of Confederation → US Constitution*

Debates and Compromises

Federalists v. Anti-Federalists

Evaluating the Early Republic: Case Studies

#1) The Whiskey Rebellion

#2) The Alien and Sedition Acts

#3) Geographical and government expansion

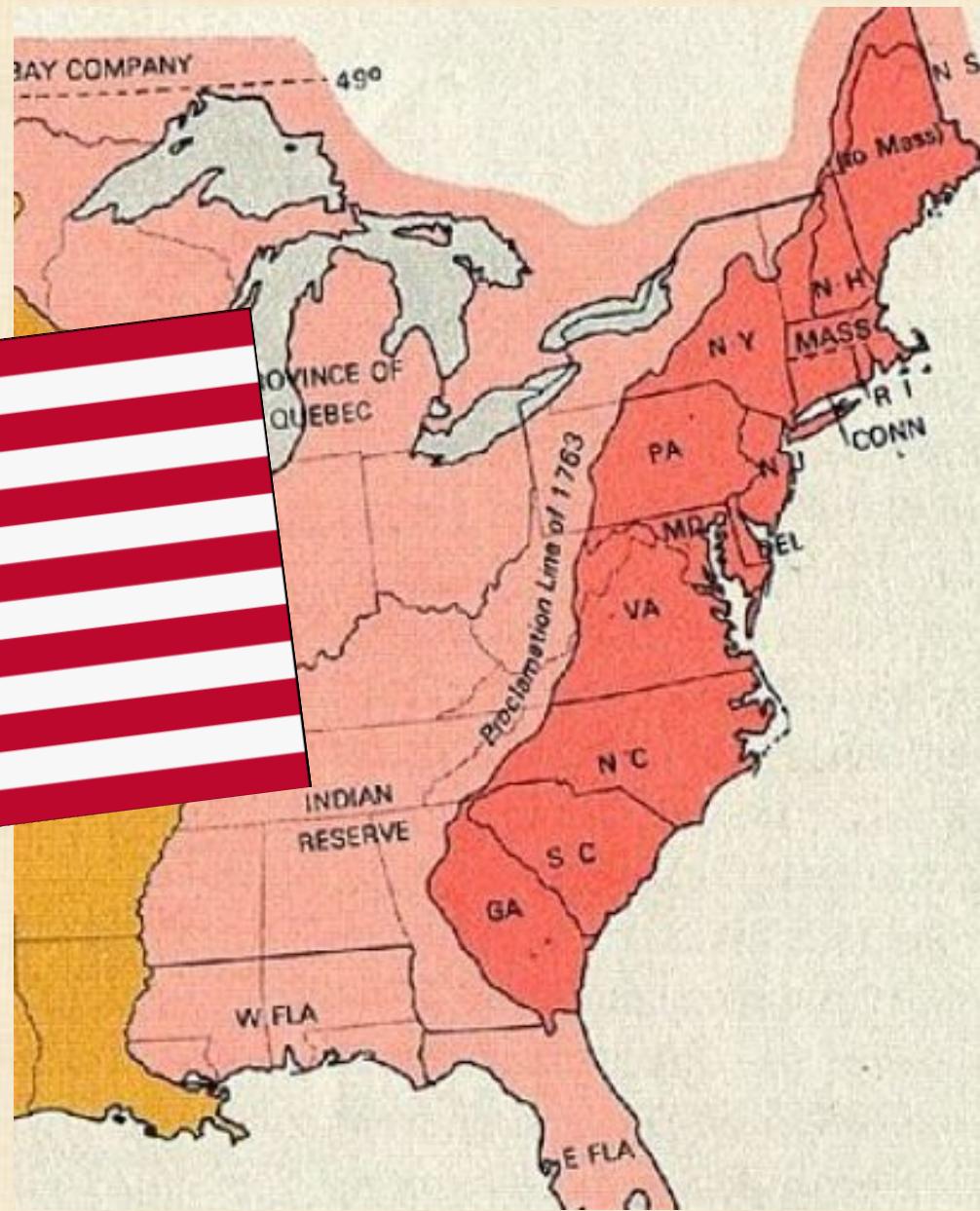
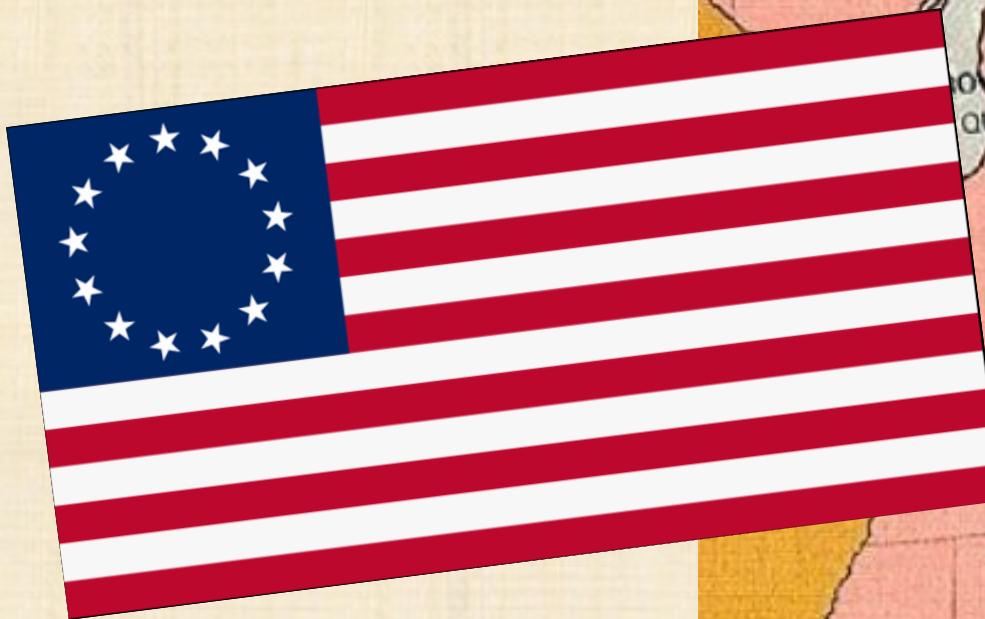
**revolution:** (*noun*)

a dramatic and wide-reaching  
change in the way something  
works or is organized or in  
people's ideas about it

## **The American Revolution was a wide-reaching change in organization:**

-- a shift from 13 colonies under the control of a King to 13 independent governments (republics)

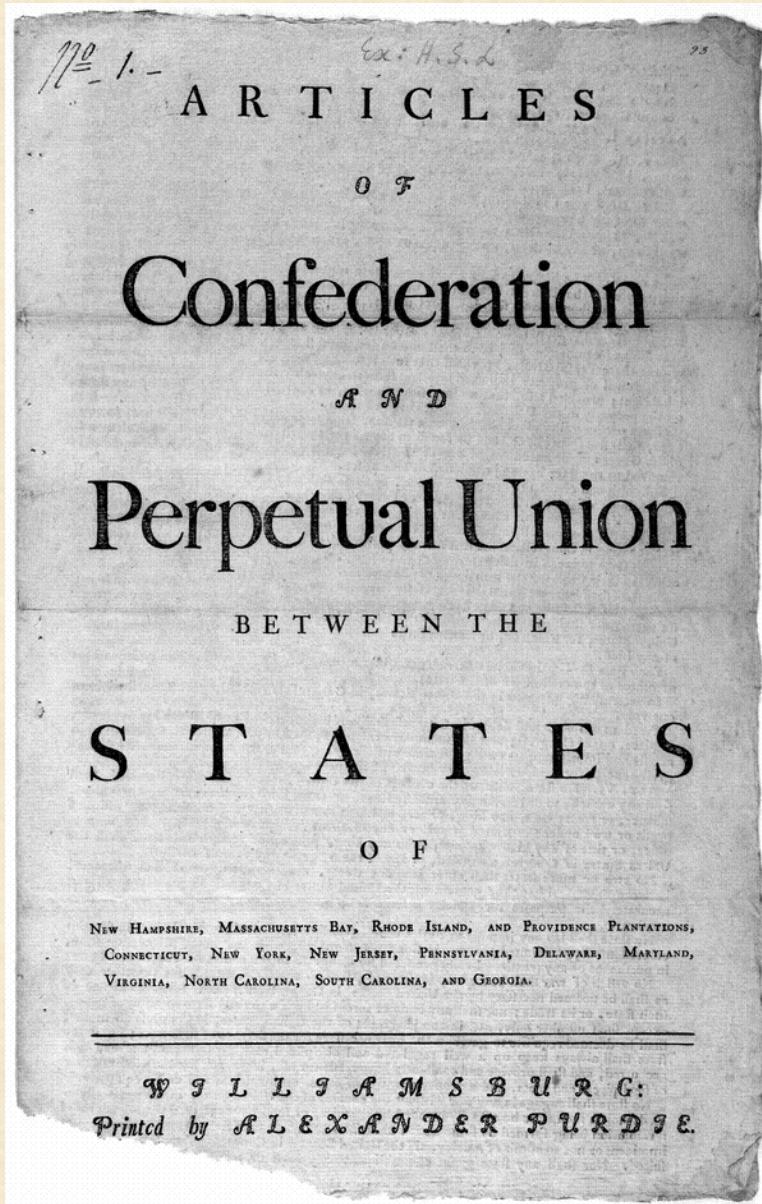
**That transformation also required people to stop thinking of themselves as British subjects and start thinking of themselves as citizens of Massachusetts, Virginia, etc.**



**The *Declaration of Independence* stated the end of British rule** (but that did not become reality until after the war was won).

**Most of the 13 states then developed their own new governing documents** (often influenced by the language Jefferson used in the *Declaration*).

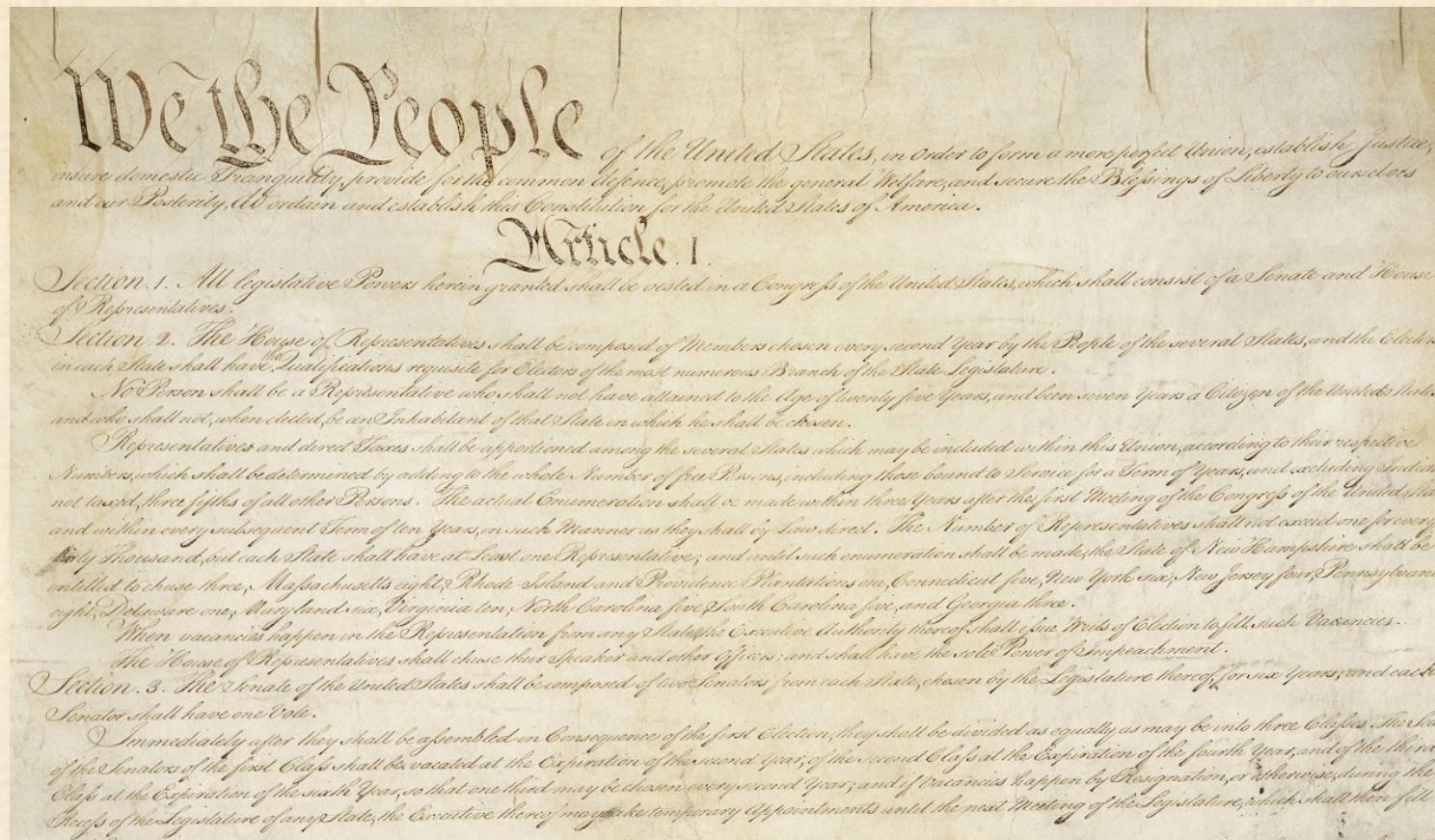
Together, the states then adopted the ***Articles of Confederation***, which established a cooperative agreement of friendship between the 13 states and allowed Congress to raise a Continental Army, negotiate a peace settlement, make alliances with other countries, accept loans, etc.



The *Articles of Confederation*, written in 1777, formally linked the 13 states from 1781 through 1789.

This document did not establish a common government. Instead **it formed a “firm league of friendship.”**

Then, in 1787, a convention was held to consider a new document, which became the *United States Constitution* in 1789, after being ratified by each state.



**Was the adoption of the *Constitution* “a dramatic and wide-reaching change in the way something works or is organized or in people’s ideas about it?”**

Yes.

\* Structurally, it was a shift from 13 independent nations to one nation.

\* Mentally, it was a shift from being a citizen of Virginia, etc. to a citizen of the United States of America.

# **ARGUING FOR A CENTRAL GOVERNMENT**

*The Case That “Friendship” Is Not Enough*

The mythology of the United States skips the *Articles of Confederation* era.

We celebrate July 4, 1776 as a foundational moment, and we celebrate George Washington, our first President.

We ignore the 13 years in between.

Why?

Perhaps because the shift from 13 sovereign nations to one nation was not exactly in line with the ideals of the American Revolution.

It was not a shift to a more democratic society.

It was arguably a shift, at least in structure, to a less democratic society.

**So, why did this happen?**

**Consider first the reasons given  
(in every American history  
book) for why this shift was  
necessary:**

# 1. The inability to control imports



## **1. The inability to control imports**

Because the *Articles* did not permit Congress to control commerce through tariffs, cheap British goods flooded American markets.

Even if one state passed barriers to these imports, they could simply be brought in through a different state.

**But this mostly upset wealthy American merchants and businessmen, not American consumers.**

**Why?**

## **2. The inability to enforce resolutions or the collection of taxes.**



## **2. The inability to enforce resolutions or the collection of taxes.**

Even when Congress passed resolutions, individual states' participation was voluntary.

For example, this meant that payments on Congress' wartime debts were voluntary (states could technically give as much or little as they wanted).

...but representatives agreed in good faith to make the payments. **It was not actually a free for all.**

### **3. The inability to raise an army capable of expelling the British from American posts, pushing American Indians westward, and checking the power of the Spanish.**



**3. The inability to raise an army capable of expelling the British from American posts, pushing American Indians westward, and checking the power of the Spanish.**

**X FAIL X.**

**Even if this accurately described the position of newly independent states, it's not a failure of the *Articles*. The explicit purpose of the “firm league of friendship” was for mutual defense.**

## 4. The Rebellion of Daniel Shays



## 4. The Rebellion of Daniel Shays

After the war, the states all had major debts. The Massachusetts government moved to raise taxes, which disproportionately impacted middle-income earners (like small farmers).

Those unable to pay their taxes were often imprisoned, while **they lost their farms and homes.**

## 4. The Rebellion of Daniel Shays

On the Massachusetts frontier, **a movement of primarily farmers started intervening to stop foreclosures** and disrupt eviction and tax courts (civil disobedience).

It was led by **Daniel Shays, a Revolutionary War veteran**. There were several skirmishes between rebels and Massachusetts troops. Ultimately the rebellion was put down. Most of the 4,000 rebels were pardoned upon confession. Two were executed.



**Daniel Shays and Job Shattuck, rebels.**

**Who do you think supported Shays' rebellion?  
Why?**

**Who do you think opposed Shays' rebellion?  
Why?**

The convention to write the *Constitution* had already been scheduled, but fears from the rebellion shaped the discussion...

\* George Washington expressed angrily, “**We are fast verging to anarchy and confusion!**” and called for a strong central government that could easily keep such rebellions in check.

\* By contrast, Thomas Jefferson, who was in France at the time (and not part of the convention) expressed a level of approval, famously remarking, **“The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure.”**

## **ARGUMENTS FOR BECOMING ONE COUNTRY:**

- 1. The inability to control imports**
- 2. The inability to enforce resolutions or the collection of taxes.**
- 3. ~~The inability to raise an army...~~**
- 4. Shays' Rebellion.**

## **So why did 13 countries actually become 1 country?**

The answer is that for a variety of reasons, wealthy Americans were most in favor of a strong central government that could protect their trading interests, defend their financial investments, and help them expand westward.

The *United States Constitution* was adopted for financial reasons – NOT reasons of democracy and equality.

# KEY CHANGES

## **The *Articles of Confederation* established a voluntary, consensual relationship between the 13 states:**

- \* It establishes independence, autonomy, and sovereignty of all members and good faith relationships between them.
- \* It establishes that a criminal who goes to another state should be returned upon the request of the original state's governor.
- \* It calls for an army of common defense that should be paid for from a common fund, and each state should contribute in proportion to the value of the land in that state.

**The *Articles of Confederation* established a voluntary, consensual relationship between the 13 states:**

- \* Major changes to the relationship require unanimous consent, minor changes require 9/13 majority.
- \* It sets up a way for disagreements between states to be settled by Congress.
- \* It sets up a committee with one representative from each state to oversee its on-going business.

# **The *US Constitution* was different.**

## **It set up a government:**

- \* It establishes a Congress made up of a Senate and a House of Representatives.
- \* It establishes an executive branch headed by a President and a judicial branch.
- \* It establishes how those officials should be elected, how they make and enforce laws, etc.
- \* It establishes how new states can be added.
- \* It establishes how the Constitution can be amended.

**The *Articles of Confederation* and the *US Constitution* were fundamentally different documents, intended to accomplish different tasks.**

# **CONSTITUTIONAL DEBATES AND COMPROMISES.**

## **#1: Big States vs. Little States.**

Some states have big populations. They think it's fair that representation in government be directly proportional to population size.

Some states have tiny populations. Why would they enter a relationship in which they aren't equal partners and will get outvoted every time?

# **COMPROMISE:**

## **TWO branches of Congress.**

The **House of Representatives** is actually a representative body (each state gets a number of votes proportional to its population).

The **Senate** has 2 members from each state. This allows Wyoming, Alaska, and North Dakota residents to carry more sway than people from Texas, California, New York, and Florida.

## **BIG STATE / LITTLE STATE:**

**Who got the best deal on this compromise?  
Who got the worst deal?**

→ **States with small populations got a better deal.  
Residents of Wyoming have more impact on  
Congress than residents of Texas.**

## **#2: Slave states and Non-slave states.**

Some states have surprisingly small populations, because many of the people who live there aren't considered people.

They would like to have more power, though, so they think they should get to count their slaves as people for representation purposes but not for tax purposes.

# **COMPROMISE:**

## **3/5 Compromise.**

Slave states can count 3/5 of slaves for representative purposes and 3/5 of slaves for tax purposes.

Also, the slave trade could not be made illegal before 1808.

# **SLAVERY**

**Who got the best deal on this compromise?  
Who got the worst deal?**

Slave owners got the best deal.  
Slaves got the worst deal.

## #3: Federalists vs Anti-Federalists.

Many people opposed the *Constitution* altogether. They felt it was an abandonment of the principles of the Revolution.

Patrick Henry (“liberty or death”) called the *Constitution*, “horribly frightful.”

Those who supported a strong central government were called **Federalists**. Those who opposed a strong central government were called **Anti-Federalists**. They fiercely debated the Constitution at the convention and during each individual state’s ratification process.

# **COMPROMISE:**

## **The Bill of Rights.**

In hopes of gaining the support of Anti-Federalists, the *Constitution*'s proponents promised to include a guarantee of certain freedoms. That is why they are **AMENDMENTS.**

**In other words, the founding document of the United States of America only includes these amendments because of pressure from activists and agitators!**

# **The *US Constitution* was and is an imperfect document.**

It is our governing document, but each generation of Americans has tried to change it:

- \* Outlawing slavery
- \* Granting women the right to vote
- \* Establishing term limits for the President
- \* Allowing 18 year olds to vote

In the 1970s, there was a failed attempt to add an amendment outlawing discrimination by sex (it almost passed).

In 2004, President George W. Bush advocated an amendment that would forbid same-sex marriages.

There is currently a push to adopt an amendment that restricts the rights of corporations to give unlimited funds to electoral candidates.

# **POLITICAL CONFLICT IN THE EARLY U.S.**

# **THE EARLY REPUBLIC:**

**1789-1829**

## **Case Studies:**

- #1) The Whiskey Rebellion
- #2) The Alien and Sedition Acts
- #3) Geographical and government expansion

**--> Consider: In its first 40 years, how did the United States live up to the promises of 1776?**

# Case Study #1: The Whiskey Rebellion (early 1790s)



# The Whiskey Rebellion

- \* Alexander Hamilton consolidated all of the states' Revolutionary debt
- \* Pay off the debt, in part, with a tax on whiskey
- \* Americans on the frontiers felt unfairly targeted by this tax
- \* Angry mobs attacked tax collectors and 7,000 rebels threatened to attack Pittsburgh

# **The Whiskey Rebellion**

\* President Washington sent an army to Pennsylvania to put down rebellion...

-->

**Is this the triumph of democratic law and order?**

**Or is it the triumph of government tyranny over the Revolutionary spirit?**

## Case Study #2:

# The Alien and Sedition Acts (1798)

FIFTH CONGRESS OF THE UNITED STATES:

At the Second Session.

Begun and held at the city of Philadelphia, in the state of PENNSYLVANIA, on Monday, the thirteenth of November, one thousand seven hundred and ninety-seven.

An ACT in addition to the act, intituled "An Act for the punishment of certain crimes against the United States."

Be it enacted by the Senate and House of Representatives of the United States, in Congress assembled, That if any persons shall unlawfully combine or conspire together, with intent to oppose any measure or measures of the government of the United States, which are or shall be directed by proper authority, or to impede the execution of any law of the United States, or to intimidate, or to obstruct, or prevent any person, holding an office or place of trust or authority under the government of the United States, from undertaking, performing or executing his trust or duty; and if any person or persons with intent not to effect such a purpose, shall counsel, advise or attempt to procure any combination, act, unlawful assembly or combination, whether such conspiracy, combination, counsel, advice or attempt shall have the persons effect or not, he or they shall be deemed guilty of a high misdemeanor, and on conviction, before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding five thousand dollars, and by imprisonment during a term not less than one month nor exceeding five years, and further, at the discretion of the court may be held to find sureties for his good behaviour in such case, and for such term, as the said court may direct.

Sec 2. And be it further enacted, That if any person shall write, print, utter or publish, or cause or procure to be written, printed, uttered, or published, or shall knowingly and willingly assist or aid in writing, printing, uttering or publishing any false, scandalous and malicious writing or writings against the government of the United States, or either House of the Congress of the United States, or the President of the United States, with intent to defame the said government, or either House of the said Congress, or the said President, to bring them or either of them into contempt or disgrace, or to incite against them, or either or any of them, the hatred of the good people of the United States, or to stir up sedition within the United States, or to excite any unlawful combination or conspiracy, for opposing or resisting any law of the United States, or any act of the President of the United States, done in pursuance of any such law, or of the powers in him vested by the Constitution of the United States, or to excite affections, or stir up such bias or animosity, or to incite, encourage or abet any hostile design of any foreign nation against the United States, their people or government, then such person, being thereof convicted before any court of the United States, having jurisdiction thereof, shall be punished by a fine not exceeding ten thousand dollars, and by imprisonment not exceeding ten years.

Sec 3. And be it further enacted and declared, That if any person shall be prosecuted under this act for the writing or publishing any or all of the aforesaid, it shall be lawful for the defendant, upon the trial of the cause, to give in evidence in his defense, the truth of the matter contained in the publication charged as libel. And the jury who shall try the cause, shall have a right to determine the law and the fact under the direction of the court, as in other cases.

Sec 4. And be it further enacted, That this act shall continue, and be in force, until the third day of March, one thousand eight hundred and nine, and no longer. Provided, that the expiration of the act shall not prevent or defeat a prosecution and punishment of any offence against the law, during the time it shall be in force.

Jonathan Dayton Speaker of the House of Representatives  
Theodore G. B. Fitzpatrick President of the Senate pro tempore.

Approved, July 16, 1798  
John Adams  
President of the United States

Verify that this Act did originate in  
the Senate

Attest, I am I. D. Secretary

# The Alien and Sedition Acts

\* In response to criticism over relationships with Great Britain and France, the Federalists in Congress, with the support of Adams, passed **Alien and Sedition Acts**.

\* Under the pretense that French agents and recent immigrants were stoking anti-Adams sentiments and provoking Americans to call for secession, **these laws effectively made speech against the government illegal.**

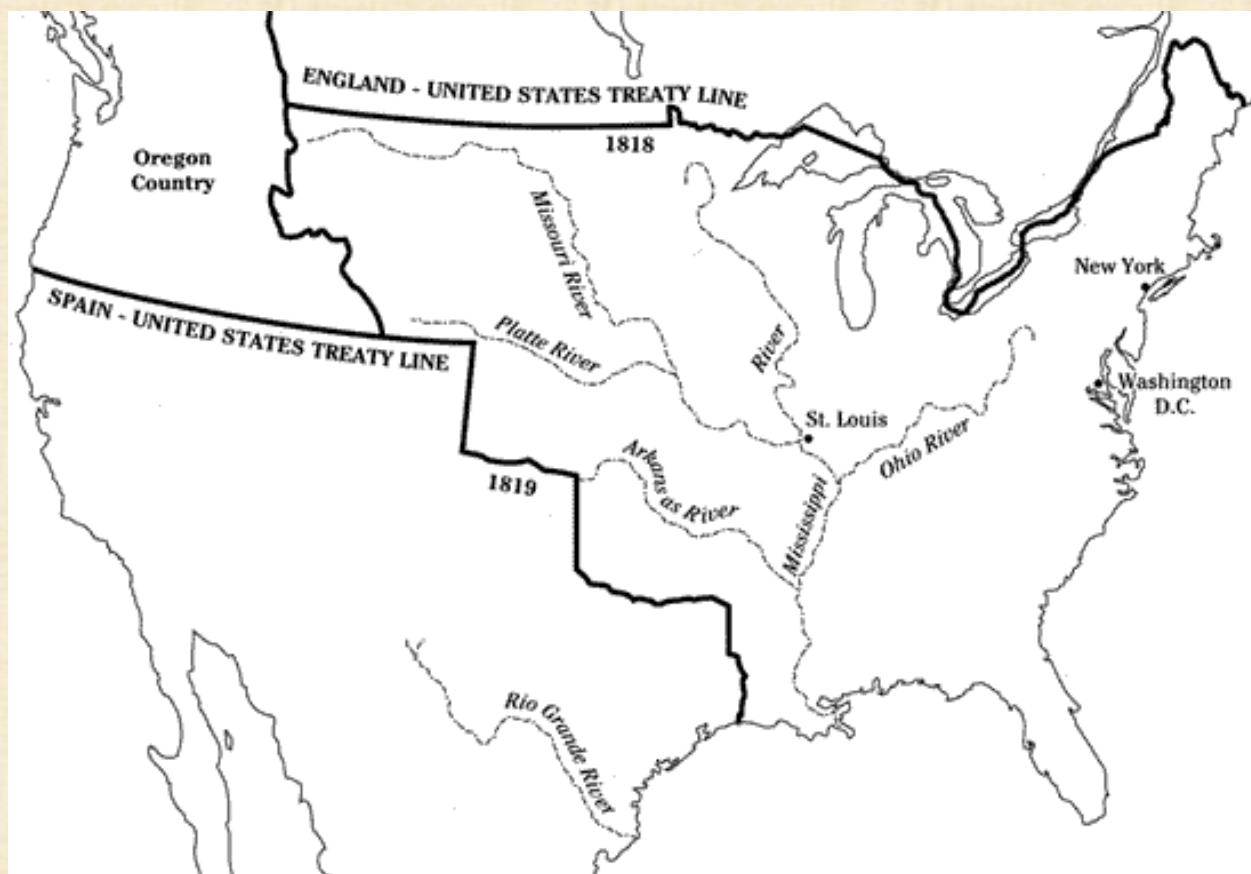
# **Case Study #2: The Alien and Sedition Acts**

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**Were these acts necessary to preserve the young republic?**

**Or did they violate every principle the U.S. was founded on (free speech, the right to petition and criticize government, etc.)?**

# Case Study #3: Westward Expansion



# Westward Expansion

- \* Despite being the party opposed to a strong central government, the Democratic-Republicans expanded the United States substantially
- \* From 1809 to 1828, the federal budget tripled
- \* By 1819, the country itself had basically doubled:



# Westward Expansion

-->

**Is this expansion fundamentally “American,”  
the goal since the British halted growth with  
the Proclamation of 1763?**

**Or does it violate Revolutionary ideas about  
sovereignty and self-government by  
continuing colonial occupation and  
encroaching onto American Indian territory?**

# CONCLUSIONS

**These political issues were widely debated in the early years of the United States:**

How should the government respond to rebellion?

Should there be limits on free speech?  
Is the Bill of Rights just a suggestion?

Should the United States expand and conquer other lands, or should Americans be happy to “live and let live?”

**The positions that different Americans took had major impacts on US history...**