Chapter 9 Key Terms

Society of Cincinnati (established 1783): Exclusive, hereditary organization of former officers in the Continental Army. Many resented the pretentiousness of the order, viewing it as a vestige of pre-Revolutionary traditions.

disestablished: To separate an official state church from its connection with the government. Following the Revolution, all states disestablished the Anglican Church, though some New England states maintained established Congregational Churches well into the nineteenth century.

Virginia Statute for Religious Freedom (1786): Measure enacted by the Virginia legislature prohibiting state support for religious institutions and recognizing freedom of worship. Served as a model for the religion clause of the first amendment to the Constitution.

* Offered free choice of religion, not influenced by state
* As part of the egalitarian movement of the American Revolution, several states abolished slavery.
* The Founding Fathers failed to eliminate slavery because a fight over slavery might destroy national unity.
* The most important outcome of the Revolution for white women was that they were elevated as special keepers of the nation’s conscience.

civic virtue: Willingness on the part of citizens to sacrifice personal self-interest for the public good. Deemed a necessary component of a successful republic.

Articles of Confederation (1781): First American constitution that established the United States as a loose confederation of states under a weak national Congress, which was not granted the power to regulate commerce or collect taxes. The Articles were replaced by a more efficient Constitution in 1789.

* States joined for foreign affairs
* Congress but no executive or judicial powers
* One vote per state, 2/3 vote for bills, unanimous vote needed for amendments
* Too much power to states
* Unable to regulate commerce
* The Articles of Confederation left Congress unable to enforce a tax-collection program.
* The major issue that delayed ratification of the Articles of Confederation concerned western lands.

Old Northwest: Territories acquired by the federal government from the states, encompassing land northwest of the Ohio River, east of the Mississippi River, and south of the Great Lakes. The well-organized management and sale of the land in the territories under the land ordinances of 1785 and 1787 established a precedent for handling future land acquisitions.

Land Ordinance of 1785: Provided for the sale of land in the Old Northwest and earmarked the proceeds toward repaying the national debt.

* The Land Ordinance of 1785 provided for
  1. money from land sales should be used to pay off the national debt.
  2. the land should be surveyed before its sale.
  3. the territory should be divided into townships six miles square.
  4. the sixteenth section should be sold to support education.

Northwest Ordinance (1787): Created a policy for administering the Northwest Territories. It included a path to statehood and forbade the expansion of slavery into the territories.

* The Northwest Ordinance of 1787 established a procedure for governing the Old Northwest territory. (once population reached 60,000)

Shay’s Rebellion (1786): Armed uprising of western Massachusetts debtors seeking to lower taxes and an end to property foreclosures. Though quickly put down, the insurrection inspired fears of “mob rule” among leading Revolutionaries.

* Shays’ Rebellion was provoked by foreclosures on the mortgages of backcountry farmers.
* Shays’ Rebellion convinced many Americans of the need for a stronger central government.

Constitutional Convention: Convention that met in Philadelphia in 1787 and drafted the Constitution of the United States.

* The issue that finally touched off the movement toward the Constitutional Convention was control of commerce.
* The Constitutional Convention was called to revise the Articles of Confederation.
* The delegate whose contributions to the Philadelphia Convention were so notable that he has been called the “Father of the Constitution” was James Madison.

Virginia Plan: “Large state” proposal for the new constitution, calling for proportional representation in both houses of a bicameral Congress. The plan favored larger states and thus prompted smaller states to come back with their own plan for apportioning representation.

New Jersey Plan (1787): “Small-state plan” put forth at the Philadelphia convention, proposing equal representation by state, regardless of population, in a unicameral legislature. Small states feared that the more populous states would dominate the agenda under a proportional system.

Great Compromise (1787): Popular term for the measure which reconciled the New Jersey and Virginia plans at the constitutional convention, giving states proportional representation in the House and equal representation in the Senate. The compromise broke the stalemate at the convention and paved the way for subsequent compromises over slavery and the Electoral College.

* The Great Compromise at the Constitutional Convention worked out an acceptable scheme for apportioning congressional representation.
* Advocated by Roger Sherman, proposed two independently-voting senators per state and representation in the House of Representatives based on population.

common law: Laws that originate from court rulings and customs, as opposed to legislative statutes. The United States Constitution grew out of the Anglo-American common law tradition and thus provided only a general organizational framework for the new federal government.

civil law: Body of written law enacted through legislative statutes or constitutional provisions. In countries were civil law prevails, judges must apply the statutes precisely as written.

three-fifths compromise (1787): Determined that each slave would be counted as three-fifths of a person for the purpose of apportioning taxes and representation. The compromise granted disproportionate political power to the Southern slave states.

* The Constitutional Convention addressed the North-South controversy over slavery through the three-fifths compromise.

Elastic Clause: (“necessary and proper”) – gives Congress the power to pass laws it deems necessary to enforce the Constitution.

Federalism: the sharing of powers between the national government and the states.

Anti-federalists: Opponents of the 1787 Constitution, they cast the document as antidemocratic, objected to the subordination of the states to the central government (wanted states’ rights), and feared the encroachment on individuals’ liberties in the absence of a bill of rights.

* The delegates at the Constitutional Convention stipulated that the new Constitution be ratified by state conventions.

Federalists: Proponents of the 1787 Constitution, they favored a strong national government, arguing that the checks and balances in the new Constitution would safeguard the people’s liberties.

*The Federalist*(1788): Collection of essays written by John Jay, James Madison, and Alexander Hamilton and published during the ratification debate in New York to lay out the Federalists’ arguments in favor of the new Constitution. Since their publication, these influential essays have served as an important source for constitutional interpretation.

* Among other views, *The Federalist*, written during the ratification debate, argued that it was possible to extend a republican form of government over a large territory.

Changes in the Constitution from the Articles of Confederation

* Stronger union of states
* Equal and population-based representation
* Simple majority vote (with presidential veto)
* Regulation of foreign and interstate commerce
* President to execute laws
* Power to enact taxes
* Federal courts
* Easier amendment process