



# CHAPTER 9

## The Establishment of New Political Systems (1787–1800)

### IN THIS CHAPTER

**Summary:** In 1787 the Articles of Confederation were discarded and the Constitution of the United States was created, establishing a stronger federal government. The Constitution established a bicameral legislature, three branches of government, and the division of power between the states and the federal government. The Bill of Rights also established many basic freedoms central to the identity of the United States. During the presidency of George Washington, different visions of America were expressed by Thomas Jefferson and Alexander Hamilton.



#### KEY IDEA

#### Keywords

**Virginia Plan:** during debate over the Constitution, the plan proposing a bicameral legislature with representatives determined by proportional representation.

**New Jersey Plan:** during debate over the Constitution, the plan proposing one legislative body for the country, with each state having one vote.

**Great Compromise:** Connecticut plan that stated that one house of the Congress would be based on population (the House of Representatives) while in the other house all states would have equal representation (the Senate).

**Electoral College:** procedure for electing the president and vice-president of the United States as outlined in the Constitution; electors from each state, and not the popular vote, ultimately elect the president.

**Three-Fifths Compromise:** as the Constitution was being created, the plan that stated that slaves would be counted as three-fifths of a free person; this was used to determine eventual membership in the House of Representatives.

**Federalists:** party in the first years of the republic that favored a larger national government; was supported by commercial interests. Federalists were opposed by Jeffersonians, who wanted a smaller national government.  
**Alien and Sedition Acts:** proposed by President John Adams, gave the president power to expel "dangerous" aliens and outlawed "scandalous" publications against the government.

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## Desire for a Stronger Central Government

Many Americans viewed the flaws of the national government established by the Articles of Confederation with dismay. As Alexander Hamilton stated, the American Revolution had taught those living in the former colonies to think "continentally"; yet the government in existence did not foster continental thought or action. To many, a stronger national government was a necessity.

In 1787, delegates from the 13 states went to Philadelphia to amend the Articles of Confederation. Many of the great men of the age were present at this meeting, including Alexander Hamilton, George Washington, James Madison, and Benjamin Franklin. (John Adams and Thomas Jefferson were both in Europe during this convention.) Debates quickly turned away from reforming the Articles of Confederation to creating a new national government. Most delegates believed that the central government had to be much stronger, with the ability to raise an army, collect taxes, and regulate commerce.

However, some delegates at the convention had doubts about how strong a new central government should actually be. They feared that too much power might fall into the hands of a small group, who would use it to their own advantage. In addition, small states and large states had very different ideas about how representation in a new national legislature should be determined. Smaller states favored the model provided by the Articles of Confederation with one vote per state; larger states proposed that population determine representation. In addition, Southern and Northern states began to view each other suspiciously. Debates also took place over the future relationship of the national government to the various state governments.

## Government Under the New Constitution

Virginia plantation owner Edmund Randolph presented the **Virginia Plan**, which proposed a bicameral legislature with the number of representatives in each house determined by **proportional representation**. The guiding force behind this plan was James Madison, a 36-year-old scholar and member of the Virginia legislature. Madison also proposed a structure of three branches of government: judicial, legislative, and executive. The importance of the contributions of James Madison in the creation of the Constitution cannot be overemphasized; by proposing branches of government, Madison dispelled the fears held by many critics that, in the new government, too much power would be placed in the hands of a small number of leaders.

Smaller states, while favoring a strong central government, were opposed to Madison's concept of a national legislature, fearing it would be dominated by the larger states. Smaller states supported the **New Jersey Plan**, which proposed a unicameral legislature where every state would receive one vote. This plan was equally unpopular with the larger states. Delegates from Connecticut finally proposed the plan that was ultimately adopted, the



**Great Compromise.** This plan included an upper house, called the Senate, which would have two representatives per state, and a lower house, the House of Representatives, whose members would be elected by proportional representation.

Many representatives remained skeptical of a national government with massive powers. To diminish these fears, it was voted that the chief executive of the national government would be elected by an **Electoral College**, membership to which would be chosen by individual states. In addition, senators would be elected by state legislatures and not by the voters. By the twentieth century, many presidential candidates and their political advisors developed campaign strategies centered on winning enough states to emerge victorious in the Electoral College.

## The Issue of Slavery

The issue of slavery was discussed several times during the deliberations of the Convention. It was decided that the new national government could not regulate slavery for 20 years. Much debate took place over how slaves should be counted when determining representation for states in the House of Representatives; slave states wanted to count the slaves in their total populations. This issue was resolved by the **Three-Fifths Compromise**, which stated that three-fifths of a state's slave population would be counted when determining representation in the House of Representatives. Southern states applauded the section of the Constitution promising national aid to any state threatened with "domestic violence"; Southern politicians assumed that this meant that federal troops would be utilized to help dispel any future slave revolts.

## Ratification of the Constitution

The writers of the new document wanted it to be approved by **ratifying conventions** that would be held in each state. Supporters of the new Constitution began to call themselves **Federalists**, a term used at the time for a supporter of a strong *national* government. Federalists had faith that the elites that would come to dominate both federal and state governments would act in the interest of the entire nation. Those opposed to the new, stronger national government were soon called **anti-Federalists**. Anti-Federalists sometimes equated the potential tyranny they saw in the new government with the tyranny that had been practiced by British monarchs. Anti-Federalists felt that the best protection against the tyranny of a strong central government would be the power of the individual states. In the end, they said that the major problem was that the new government was not based on republican principles and, without a Bill of Rights, was not interested in individual rights. After especially tough fights in New York, Virginia, and Massachusetts, the new Constitution was finally passed by all states (with New York being last) on July 26, 1788.

## The Presidency of George Washington

Although he did not seek the presidency, the national reputation of George Washington made him the most logical choice to be the first chief executive of the United States of America. For at least the first term of Washington's administration, the future of the United States remained uncertain. Washington felt that it was crucial to establish respect

for the office of the president of the United States. Washington believed it was his job to administer the laws and not to make them; he almost never made legislative proposals to the Congress.

## The Bill of Rights

When the Constitution was being written, James Madison opposed including a bill of rights, fearing that such a document might actually limit the rights of citizens. By 1791, he saw the wisdom of such a document, and proposed 12 amendments to the Constitution. Anti-Federalists unanimously supported the addition of a bill of rights; they felt these would be added protections against the tyranny of the federal government. By the end of the year, 10 amendments had been ratified by the individual states. The **Bill of Rights** contains the basic protections that Americans hold dear today; politically, it quieted the Anti-Federalists and their fears of authoritarian government. The Bill of Rights guaranteed the right of free speech, ensured freedom of worship, gave citizens the right to bear arms, forbade the quartering of troops in private homes, and said that warrants were needed before searches took place. In addition, persons could not be forced to testify against themselves, citizens were guaranteed a trial by jury, “due process of law” was guaranteed, and “cruel and unusual punishments” were outlawed. The Ninth Amendment stated that these were not the only rights that Americans had; the Tenth stated that any powers not specifically given to the federal government belonged to the states. Some historians point out that the basis of the entire American political system can be found in these ten amendments.

## Competing Visions: Alexander Hamilton and Thomas Jefferson

Two of the most brilliant men in the Washington administration were Secretary of State Thomas Jefferson and Secretary of the Treasury Alexander Hamilton. Hamilton was a huge admirer of the British economic system and wanted to turn America, which was still largely agrarian, into a manufacturing society like Britain. Hamilton wanted to institute strong **mercantilist policies** and proposed economic union with Great Britain. Hamilton believed that a strong national government was necessary for economic growth and believed in a broad interpretation of the Constitution. By this interpretation, the federal government had many powers not specifically mentioned in the Constitution and was only denied those powers specifically given to the states.

Jefferson (supported by James Madison) proposed a radically different view of America. He proposed an America that would remain largely agricultural, with industry serving only as “a handmaiden to agriculture.” While Hamilton supported the mercantilist policy of high tariffs on foreign goods, Jefferson proposed a system of **free trade** (which would keep prices low). Jefferson came to be influenced by the events of the French Revolution and was fearful of the power of the federal government (emphasizing the importance of state power instead). Jefferson also favored a strict interpretation of the Constitution; by this interpretation, the federal government only had the powers it was specifically given in the Constitution.

From these differences emerged the two-party system in the United States. Hamilton and his supporters called themselves Federalists; mercantilism would impel them to



propose a strong government hand in economic affairs. Jefferson and his followers were called Republicans. As stated previously, they favored **laissez-faire economic principles** and the continued vision of America as a largely agricultural nation. The plans of Hamilton were most popular in the commercial cities of the Northeast and the port cities of the South, while the Republican plan was most popular in the Western and Southern sections of the country.

### The Plan of Alexander Hamilton

Determined to turn the United States into a manufacturing power, Hamilton began a gigantic economic reform of America. In his *Report on the Public Credit*, Hamilton proposed that the United States had the obligation to redeem in full all notes that had been issued by the government established by the Articles of Confederation. In addition, he proposed that the federal government take over all of the debts of the individual states. Hamilton also proposed the chartering of a **national bank** that could provide loans to developing industries. Hamilton proposed that the federal government use subsidies and tax incentives to spur industrial growth. Hamilton proposed that these measures be paid for largely by high tariffs on foreign imports.

Jefferson and Madison opposed these plans on both practical and philosophical grounds. They maintained that the commercial elite would be the ones to benefit from these programs, largely at the expense of the farmer. Most of Hamilton's programs were adopted, although the plan to increase industrial growth was not. Hamilton's economic vision provided a system of public credit and a steady stream of government revenue through tariffs.

## The French Revolution

The French Revolution broke out as George Washington was taking over as president in 1789. By 1793, a continent-wide war pitted the revolutionary France against most of Europe. Within months, Washington issued a **Declaration of Neutrality**, which allowed American merchants to prosper by trading with both sides. Many Americans sided with the democratic principles that the Revolution appeared to be based on; Democratic-Republican clubs in many cities carefully followed events in France. Many of the people supporting the Revolution also supported Jefferson and his republican ideals in America. The entire Revolution and especially the violence that was associated with it appalled other Americans; many of these people supported federalism in the United States. Note, however, that some historians maintain that there are strong connections between the American and French revolutions.

Pennsylvania farmers who supported the **Whiskey Rebellion** of 1794 were inspired by the French Revolution (they actually carried signs proclaiming "Liberty, Equality, and Fraternity"). They opposed a tax Alexander Hamilton had placed on distilled alcohol, which reduced the profits on the whiskey that they produced and sold. The tax was necessary because the federal government needed more money. Hamilton's plan of having the federal government take over certain debts of state governments had recently been instituted. Hamilton demonstrated his political skill by taxing whiskey; the grain from which it was made came from Western farmers, most of whom supported Jefferson. Washington raised an army and put the whiskey revolt down; by the time the army was ready to fight, the rebellion had largely ended.

## Foreign Policy and Jay's Treaty

The war between France and the rest of Europe continued. By 1794, British officials became concerned that the Americans were trading mostly with the French West Indies during their period of "neutrality." The British began to search, and then to seize, American merchant ships, often demanding that the crews of these ships join the British navy. Washington sent Chief Justice John Jay to negotiate with the British, and the results were mixed at best. Jay was unable to get the British to promise not to undermine American freedom of the seas, and he was forced to comply with the British demand that they had the right to remove French products and materials from American ships. The British did agree to leave some of the forts they still occupied in the Northwest Territory.

Bitter political battles took place in America over **Jay's Treaty**. On the other hand, the treaty negotiated by Thomas Pinckney with Spain was extremely popular; by this treaty, the United States gained navigating rights along the Mississippi River. Farm produce from the South and the West got to markets much quicker as a result of this treaty.

## Washington's Farewell Address

Increased political battles between Federalists and Republicans convinced George Washington not to run for a third term as president. In his Farewell Address, Washington spoke against party politics, asking political leaders to work together and not against each other. He also warned America not to "interweave our destiny with any part of Europe" and stated that America should not enter into alliances that would cause them to get involved in foreign wars. Political leaders for the next 200 years would invoke the words of Washington when opposing American plans to ally with foreign nations.

## The Presidency of John Adams

John Adams had been Washington's vice president, was also a Federalist, and served one term as president (1796–1800). Adams was opposed in the 1796 election by Thomas Jefferson, contesting as a Republican. Adams won, but Jefferson came in second in the Electoral College, thus putting candidates of two different parties in as president and vice president.

Despite recent biographies that suggest otherwise, Adams had four largely unsuccessful years in office. Adams spent a great deal of time back home in Quincy, Massachusetts, thus allowing his cabinet members to make major decisions with little input from the president.

In contrast to Adams, recent historical scholarship has emphasized the extraordinary leadership skills that Washington possessed.

### Problems with France

The French were unhappy with a series of American laws and policies that economically favored the British at their expense. For many in France, Jay's Treaty was the last straw. The French impounded several American ships going to England and announced that American sailors doing duty on British ships would be treated as "pirates." A three-member diplomatic delegation went to Paris in 1798 to negotiate with the French. French Minister Talleyrand, through third and fourth parties, informed the Americans that a bribe would



have to be paid before negotiations could begin. The American diplomats refused to pay, and word of this caused outrage at home. This affair came to be known as the “XYZ Affair,” named for the unnamed “assistants” of Talleyrand who asked for the bribe.

Adams announced the buildup of the American navy in preparation for a potential war against France. Trading with France was temporarily suspended, and American ships were authorized to attack French ships at sea. In 1800, the French and the Americans met again (Napoleon was now in power in France), and tensions decreased. The Convention of 1800 gave the United States compensation for ships that had been seized by the French. In addition, the United States was freed from its diplomatic entanglements with the French.

## The Alien and Sedition Acts

During the undeclared war against France, the policies of Adams were attacked by some in the press; several pamphlets written by French emigrants were especially vindictive. As a result, Adams and his administration supported several measures that would threaten the rights of Americans. The **Alien Act** gave the president the right to deport any immigrant who was felt to be “dangerous to the peace and safety of the United States.” The **Sedition Act** stated that the administration could prohibit any attacks on the president or Congress that were deemed to be “malicious.” Twenty Republican journalists and politicians were arrested under the Sedition Act, with some going to jail. State legislatures in Virginia and Kentucky passed the **Kentucky and Virginia Resolves**, proclaiming that states had the right to not enforce laws that were unconstitutional, such as the Sedition Act. This would later be the philosophy of some Southern states in the years leading up to the Civil War and again in the civil rights struggles of the 1950s and 1960s.

The negative publicity generated by the Sedition Act certainly did not help John Adams as he ran for president against Thomas Jefferson in 1800.

## Chapter Review



### Rapid Review Guide

To achieve the perfect 5, you should be able to explain the following:

- The 1787 meeting on amending the Articles of Confederation turned into a historical session when the Constitution of the United States was drafted.
- The importance of James Madison in the formulation of the Constitution cannot be overemphasized.
- The format of the bicameral legislature, the branches of power established at the federal level, and the division of powers between federal and state governments made the U.S. Constitution a unique document for its time.
- The division between Federalists and anti-Federalists demonstrated that very different visions of America and the scope of the federal government existed in the United States at this time.
- The Bill of Rights established the basic freedoms that Americans cherish today.
- During the Washington administration, very different visions of America were expressed by Alexander Hamilton and Thomas Jefferson. The ideas of Hamilton helped spur American economic growth during the Washington administration.

- The United States had a great deal of trouble convincing the British and the French that the United States was a major power during this era.
- Many critics viewed the Alien and Sedition Acts of John Adams as gross overextensions of the power given to the federal government by the Constitution.

### Time Line

- 1787: Constitutional Convention ratifies U.S. Constitution  
 1788: U.S. Constitution ratified by states  
 1789: Washington sworn in as first president  
 1790: Hamilton issues plans proposing to protect infant U.S. industries  
 1791: Establishment of First National Bank  
       Ratification of the Bill of Rights  
 1793: Democratic-Republican clubs begin to meet  
 1794: Whiskey Rebellion begins  
 1795: Jay's Treaty with England/Pinckney's Treaty with Spain  
 1796: John Adams elected president, Thomas Jefferson, vice president (each from a different political party)  
 1798: XYZ Affair  
       Sedition Act of John Adams issued  
       Kentucky and Virginia Resolves  
 1800: Convention of 1800  
       Thomas Jefferson elected president

## > Review Questions

- The Connecticut Plan presented to the Constitutional Convention of 1787
  - proposal for a one-house legislature based on population
  - proposal for a two-house legislature based on proportional representation
  - proposal for a one-house legislature based on proportional representation
  - proposal for a two-house legislature, with one house based on proportional representation
  - proposal for a balance of power between executive, legislative, and judicial branches
- The Kentucky and Virginia Resolves
  - expressed support for the new U.S. Constitution
  - expressed opposition to the government actions in putting down the Whiskey Rebellion
  - stated that individual states do not have to enforce laws the states consider unconstitutional
  - were written to support John Adams's support of the Sedition Act
  - were written in opposition to the economic policies of Alexander Hamilton
- Many in America felt that the English and the French failed to treat the United States as a major power in this era. All of the following are evidence of that *except*
  - the Convention of 1800
  - treatment of American ships by the French during the 1790s
  - Jay's Treaty
  - the treatment of American ships by the British during the 1790s
  - the XYZ Affair
- Thomas Jefferson and Alexander Hamilton had different views on all of the following *except*
  - whether America should be a commercial or agrarian society
  - the amount of power the federal government should have
  - the tariff policy of the United States
  - the importance of a national bank
  - their belief in the power of the U.S. Constitution



5. Under the Electoral College system
- A. voters directly elect the president of the United States
  - B. state legislatures elect the president of the United States
  - C. voters approve electors, who elect the president of the United States
  - D. it is possible to win the popular vote and lose the election in the Electoral College
  - E. C and D above

## › Answers and Explanations

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1. **D.** The Connecticut Plan, also called the Great Compromise, was ratified by the delegates. Under this plan, representation in the House of Representatives would be by population, while all states would have equal representation in the Senate.
2. **C.** After the passage of the Sedition Act, legislatures in Kentucky and Virginia passed resolutions stating that states do not have to enforce laws they consider to be unconstitutional.
3. **A.** As a result of the Convention of 1800, the French agreed to compensate the United States for ships seized during the previous decade. Events mentioned in all of the other choices demonstrate that the French and English had little respect for American rights in diplomatic matters and on the high seas during this era.
4. **E.** Both believed in the power of the Constitution, although their interpretations of the Constitution were different. Jefferson believed in a strict interpretation of the Constitution, while Hamilton believed in a broad interpretation.
5. **E.** As demonstrated in the presidential election of 2000, it is possible to get the most number of votes nationwide but to lose the presidential election in the Electoral College. This also occurred in the presidential election of 1876.