

Government

Shays Rebellion-

- involved revolt by about 2,000 farmers in western Massachusetts
- Revolt was to stop banks from foreclosing
- Governor of Massachusetts appealed to congress for help to stop the revolt
- United States did not have an army or any real power so they couldn't help
- This enabled the revolt to hold the country hostage
- United States was very weak and vulnerable
- They needed to find a way to be stronger

Constitutional Conference-

- Philadelphia in late spring 1787
- Met to rewrite the articles of confederation and make the government stronger
- Two plans
- Virginia Plan (Big State Plan) representation based off of population, and share of the tax collection
- New Jersey Plan (Small State Plan) equal representation regardless of population or tax collection

The Great Compromise

- Bicameral Legislature- two
- House apportion based on population
- Senate apportion equally- 2 per state
- Another issue involved slavery

North- South Compromise

- South agricultural based economy - lots of slaves
- North manufacturing economy- no slaves
- Compromise
- Could not tax exports but could tax imports
- Couldn't pass law to end slave trade until at least 1808
- Each state was to return runaway slaves to their owner
- 5 slaves counted as 3 free people- 3/5ths compromise

Constitutional Democracy

- Constitution limits the majority

The US system of Constitutional Democracy

- Judiciary -----> executive
Judicial Review
- Executive -----> Judiciary
Nomination of judges and officials

- Executive -----> Legislature
Implement laws and veto power

- Legislature -----> Executive

Override veto by 2/3 house vote, approve budget, confirm appointments, impeachment

- Legislature -----> Judiciary
Impeach judges, determine number on the bench, meetings

- Judiciary -----> Legislature
Judicial review

- Judicial review is not provided for in the constitution
- Congress extended it to the Judiciary Act of 1789
- Supreme Court established it in Marbury vs. Madison in 1803
Marbury vs. Madison
- John Adams lost second term bid in 1800 Jefferson won
- Between November and January, Adams party created 59 judgeships to fill
- James Madison withheld Marbury's submission
- Marbury appealed to the Supreme Court
- The ruled that Marbury was entitled to his commission
- Ruled that he had no power to issue " writs of mandamus" to compel Madison to give Marbury his commission
- Overturned the Judiciary Act of 1789, null and void, set a precedent
- Other Provisions of the Constitution
- Limited popular rule or limited direct democracy
- House of Representatives to be based on popular direct election- senators appointed by states
- House could not have more than one representative per 30,000 inhabitants
- President selected though the electoral college
- Judges were to be appointed

Reforms

- Electoral college is chosen through the popular vote- winner takes all
- Property ownership abolished as requirement for voting
- Parties that developed from the grassroots
- Rotation of public offices- "to the victor goes the spoils" -spoils system