

From the Revolution to the Constitution

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Based on:
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The Federalist Companion: A Guide to Understanding *The Federalist Papers*
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Agenda

- Introduction
- Historical Background
 - Causes of war with Great Britain
 - The war
 - The peace
- Failure of the Articles of Confederation
- The Proposed U. S. Constitution
- *The Federalist Papers*
 - Explained the Constitution
 - Why they are still relevant
- Summary

Introduction

- *The Federalist Papers:*
 - A series of 85 essays by Alexander Hamilton, James Madison, and John Jay
 - Published in newspapers in New York from Oct 1787 to May 1788
 - Designed to influence public opinion in New York toward ratification of the U. S. Constitution:
 - National security
 - Principles of republican government
 - Necessity for a union of the states
 - Degree of powers conferred on the federal government
 - Separation and balance of federal powers
 - Limitations on states with certain guarantees

The Federalist in Historical Context

- *The Federalist Papers* explained why the proposed Constitution was an appropriate system for the American states
 - A two-tiered republic, with democratically chosen representatives
 - Federal government was divided into Executive, Legislative, and Judicial branches
 - Retained some good features of the familiar British colonial system
- But cannot be understood apart from the experiences of both the Revolutionary War and the peace that followed
 - Necessary to review the history from 1761 to 1787

Causes of War with Great Britain

- Underlying cause of the Revolutionary War:
 - Parliament's claim of power to legislate for the colonies on all matters
 - King George III had decided on a policy of autocratic personal rule in England
 - Controlled enough seats in Parliament to consolidate his power
 - Pursued the same policy in the colonies
 - Colonists insisted on their traditional rights and privileges as Englishmen per the colonial charters
- A series of encroachments upon the colonial charters and the rights of the people led directly to the war

Parliament's Excesses, 1/5

- 1761: Parliament authorized "writs of assistance" (searches without warrants) to suppress smuggling in Massachusetts
 - Had not been used in the colonies before
- 1763, 1764: Parliament imposed new import duties and trade restrictions
- 1765: Parliament imposed the Stamp Act (a tax on newspapers, licenses, real estate transactions) and the Mutiny Act (quartering of soldiers)
 - Provoked widespread resentment throughout the colonies; boycott of British imports
 - Petitions, destruction of the stamps, etc.

Parliament's Excesses, p. 2/5

- 1766: Parliament repealed the Stamp Act, but passed the Declaratory Act:
 - Asserted arbitrary power of Parliament over colonies
- 1767: Townshend Acts:
 - Imposed import duties
 - Implemented centralized control of trade
 - Royal officers appointed by and paid by the King (removed all local control of royal officers)
- 1767-1768: Colonists rejected the Townshend Acts
- 1769: Parliament ups the ante by sending a garrison to occupy and observe the people in Boston

Parliament's Excesses, p. 3/5

- 1770: Parliament repealed the Townshend Acts, except for the duty on tea
 - Duty on tea was designed to uphold the principle that Parliament had arbitrary powers - symbol of tyranny
 - George III imposed a military government on Massachusetts
- 1772-1773: Lord North found a way to help the East India Co. to sell more tea in the colonies
 - Drawback of duties paid in England, duties in colonies
 - Tea actually was now cheaper than before
 - If colonists conceded to the tea tax, then they conceded to Parliament's claim of arbitrary powers

Parliament's Excesses, p. 4/5

- 1773: Tea tax as viewed on each side:
 - Parliament: is test case to see if colonists will concede to Parliament's powers
 - To colonists, is the symbol of all the other actions by Parliament that violated the colonial charters
 - Colonists attempted to form a unified position by holding numerous town hall meetings, sending petitions, Committees of Correspondence between colonies, intimidating tea agents
 - Culminates in Boston Tea Party, Dec 1773, and spoiling of tea in Charleston, SC
- 1774: King George III's response and policy:
 - Impose more severe restrictions, or, if they failed:
 - Direct military force

Parliament's Excesses, p. 5/5



- 1774: Parliament passed five Acts in response to the Boston Tea Party and general rejection of its policies in the colonies:
 - Boston Port Act (closed the port of Boston)
 - Regulating Act: revoked the Massachusetts charter
 - Transferred all government powers to the royal governor
 - Administrative Justice Act: murder charges to be tried in England
 - Quartering Act: people of Massachusetts required to provide supplies to military
 - Quebec Act: Ohio Valley brought under direct control of the King, in violation of several colonial charters

Regulating Act as Direct Cause of Revolution

- Provoked the colonists to establish the First Continental Congress
 - Rejected all powers and acts of Parliament since 1763
 - Issued a declaration of rights of the colonists:
 - Right of individuals
 - Military occupation declared unconstitutional
 - Colonies have a right to legislate for themselves
- Forming of local militias to prepare for encounters with the British
- Organized boycotting of British merchants, refusal to aid the British military

Britain's Final Errors

- 1775: George III declared the colonies to be in open revolt
 - Parliament passed several acts: closed all ports in New England, increased the army in Boston, prohibited fishing in Newfoundland
 - General Gage authorized to arrest colonial leaders for treason, and to seize arms of colonists
- 19 Apr 1775: Gage sent a regiment to arrest S. Adams and J. Hancock at Lexington and confiscate arms
 - Led to the battles of Lexington and Concord
 - Militia came out and defeated the British
- Start of the shooting war, no turning back now

Congress During the War

- Colonies organized against the British under the Second Continental Congress (then ~ Continental Congress)
 - Loose alliance of states: each state had one vote
 - Proposed Articles of Confederation (1777)
 - Not formally ratified by all the states until 1781
 - Began to issue Continental currency
 - In competition with state currencies
 - Not backed by silver or gold
 - General management of the war effort
 - Appointed officers
 - Conducted negotiations with other nations
 - Coordinated men & supply requisitions from the states

The War, p. 1/8

- Jun 1775 - Apr 1777:
 - Jun 1775: Americans lost battles at Bunker Hill and Breed's Hill (but were a match for the British)
 - Aug 1775 - May 1776: Failed American expedition to take Canada
 - Mar 1776: Surrounded British evacuated Boston
 - Jun 1776: Americans defended Charleston, SC
 - 4 Jul 1776: Formal Declaration of Independence
 - Aug 1776 - Dec 1776: Americans lost Long Island, Manhattan, Harlem, Fort Lee; retreat to Pennsylvania
 - Dec 1776 - Jan 1777: Washington's surprise victories at Trenton and Princeton held the army together

The War, p. 2/8

- 1777: British failed to take central New York
 - A very complicated plan involving 3 armies
 - If successful, would have isolated New England from the other colonies
 - Militia in New England states aided the regular army
 - British wasted time and effort taking and then abandoning Philadelphia
 - Americans lost at Brandywine Creek & Germantown
 - British failed to reinforce Gen. Burgoyne near Albany
 - Oct 1777: Gen. Burgoyne surrendered his army after loss at Second Battle of Freeman's Farm
- Turns out to be turning point of the war

The War, p. 3/8

- 1777-1778: General Washington moved the army to Valley Forge
 - Inadequate supplies, great suffering of troops
 - Unable to make a move against the British
 - Some brigades near mutiny (rations & shelter)
- By Dec 1777, the Continental dollar was valued at \$0.25
 - But Congress continued to issue new currency
- Feb 1778: Treaty with France:
 - French loaned money, but no military supplies yet
 - Louis XVI sympathetic to George III
 - France recognized U. S. independence from Britain

The War, p. 4/8

- Mar 1778: Parliament passed the Reconciliation Act
 - An attempt to bring the colonies back into the empire
 - Offered the Americans everything they had demanded four years earlier
 - But was too late, after American victory over Burgoyne
 - Was rejected by Congress twice
- British response to rejection of the Reconciliation Act:
 - British turned to the southern states as focus of the war, while retaining New York and Rhode Island
 - Military stalemate in northern states
- Jul 1778: 8 states ratified the Articles of Confederation
 - But required all 13 for operation

The War, p. 5/8

- 1779: War shifted to southern states and western territories:
 - British invaded Georgia and South Carolina from Florida
 - Took Savannah, GA
 - Many skirmishes in south
 - Backwoodsmen from Virginia conquered all the territory in the Mississippi Valley up to what is now Wisconsin
- Congress requisitioned money from the states, but none of it was paid
 - Congress unable to obtain loans

The War, p. 6/8

- 1780, southern states:
 - 12 May 1780: British took Charleston, SC
 - 29 May 1780: British defeated American force in South Carolina at Waxhaws, SC
 - Backwoodsmen & militia continued to harass the British
 - British waged a war of total destruction and terror in the southern states
 - 16 Aug 1780: Americans attempted to regain South Carolina; defeated at Camden, SC
 - Was the worst defeat of the war for the Americans
 - 7 Oct 1780: British defeated by militia at King's Mountain, SC
 - Inspired American militias in North Carolina

The War, p. 7/8

- 1780, northern states (stalemate)
 - Washington did not have adequate resources to attack New York
 - British evacuated Rhode Island because it was too expensive to keep
 - 10 Jul 1780: First contingent of French troops arrived in Rhode Island
- Sep 1780: Benedict Arnold's treason
 - Attempt to hand over the stronghold at West Point to the British; would have strengthened the British position vs. the New England states
- Dec 1780: The Continental dollar valued at one penny

The War, p. 8/8

- 1781: Focus of war is in the south
 - Some mutinies on American side; army had not been paid in 5 months
 - 17 Jan 1781: Americans defeated the British at The Cowpens, SC
 - 1 Mar 1781: Maryland was the last to ratify the Articles of Confederation; it went into effect
 - 15 Mar 1781: British won at Guilford, NC, but cannot operate on interior lines
 - Evacuated North Carolina, advanced into Virginia
 - May-Jun 1781: British lost many inland towns in South Carolina

The War Ends

- Washington concentrated his forces:
 - The French fleet became available until Oct 1781
 - With defeats in SC and NC, British invaded Virginia
 - Lafayette managed to corner Cornwallis at Yorktown, but did not have sufficient forces to attack directly
 - Washington decided to move the northern army from New York and French army from Rhode Island to Virginia, and join up with the French fleet
 - Brilliant deceptions by Washington to fool the British into thinking he would attack New York
- 6-19 Oct 1781: Cornwallis is trapped at Yorktown by the combined American-French army and French fleet

Financing the War, p. 1/2

- Cost of war to states: ~ SM\$140,000,000 *
- Congress issued \$359,546,936 in paper Continental currency, but had depreciated quickly:
 - Only SM\$12,000,000 in hard money existed in all the colonies at the start of the war
 - Those who accepted the Continental at par were ripped off
 - 31 May 1781: Continental withdrawn from circulation; worth 2/10's of a penny
 - Actual total value of all Continentals ~ SM\$36,000,000
- The states had issued an unknown amount of paper currency on their own; it's actual value was about SM\$36,000,000
 - It also depreciated quickly

* SM\$ = Spanish Milled Dollar (386.7 grains of silver) = 0.805 troy ounces of silver

Financing the War, p. 2/2

- Magnificence of France under Louis XVI toward America:
 - Loaned directly or guaranteed loans (from Holland and Spain) of SM\$5,500,000 to Congress
 - Several outright gifts totaling about SM\$1,300,000
 - No charge for the army and navy that proved essential in winning the war
- Cost of war to Great Britain:
 - ~ 135,000,000 pounds sterling
 - ~ SM\$600,000,000
 - This war doubled Britain's national debt

A Hard Peace

- The period just after the war was a critical time for the United States:
 - Deep in debt (~ SM\$68,000,000)
 - Unable to borrow money abroad
 - States unable or refusing to pay requisitions
 - British enforced the Navigation Acts, which ruined the economy of the New England states
 - Diplomatic conflict with Spain over Mississippi River
 - Risk of being surrounded by Britain and Spain
 - States preying on each other economically
 - South in ruins
 - Rebellions in the states

Financing the Peace

- 1782: Expenses estimated at about SM\$9,000,000
 - But states only sent in SM\$422,000
 - Congress was desperate for money
 - Businessmen began to think the army might be useful for "encouraging" the states to pay up
 - Washington kept the army out of politics
 - States asserted their legitimate rights
 - Adams and Jay sent to Holland and Spain to obtain loans
 - Usually were not successful
- Of the initial requisition for SM\$8,000,000 in Oct 1781, only SM\$1,600,000 is ever paid (by end of 1785)
- States continued to issue paper currency (except CT and VA); they all depreciated quickly as usual

The Peace, p. 1/6

- 1784:
 - Persecution of Connecticut settlers in Wyoming Valley, PA
 - Current annual expenses = SM\$5,500,000
 - Congress requisitioned SM\$2,670,988 as bare minimum, but not much of it was paid
 - Congress was unable to respond to Navigation Acts
 - Not authorized per Articles of Confederation
 - Congress unable to reach a quorum for 3 months
 - Spain refused to allow navigation on Mississippi
 - 17 Aug 1784: U. S. defaulted on interest payments to France

The Peace, p. 2/6

- 1785:
 - States start to withdraw their state currencies owing to depreciation (Georgia: 1000:1; Delaware: 75:1)
 - Virginia & Maryland enter negotiations for uniform regulation of the Chesapeake
 - Economy of New England states in ruins
 - Navigation Acts destroyed shipbuilding and fishing industries
 - Farmers deep in debt
 - Began to pass commercial laws that injured other states
 - Economy in south controlled by British merchants
 - Congress failed to obtain authority from states to levy revenue import duty

The Peace, p. 3/6

- 1785 (continued):
 - New Jersey refused to send any requisitions
 - Was being preyed upon by New York; New Jersey did not see any point in supporting the Confederacy
 - Virginia & Maryland agreed to Chesapeake resolution
 - Set up a more general meeting in Annapolis, MD
 - At the end of 1785, about 20% of the SM\$8,000,000 requisition from 30 Oct 1781 had been paid
 - Nothing had been paid toward requisitions from:
 - 4 Sep 1782 (SM\$1,200,000)
 - 16 Oct 1782 (SM\$2,000,000)
 - 27 Apr 1784 (SM\$2,670,988)
 - 27 Sep 1785 (SM\$3,000,000)

The Peace, p. 4/6

- 1786:
 - Pirates in Mediterranean preyed on U. S. ships
 - Congress was unable to do anything about it
 - Tripoli demanded \$SM1,000,000 tribute to stop the attacks
 - Was cheaper than war, but Congress could not afford it
 - Congress failed to get authority from the states to respond to the Navigation Acts
 - States continued to issue paper currency
 - Depreciation of state currencies led to starvation and riots in Rhode Island

The Peace, p. 5/6

- 1786 (continued):
 - Civil disturbances in Massachusetts and Vermont
 - Farms were being auctioned off for debt
 - People began to disrupt court proceedings
 - Led to Shay's Rebellion; an economic revolt against the government of Massachusetts
 - High taxes, bankruptcy, paper money, seizures of farms
 - Congress unable to respond
 - Revolt was suppressed by militia paid by Boston businessmen
- Convention at Annapolis failed (only 5 states showed up)
 - A second meeting was scheduled for May 1787 to address reform of the Confederacy

The Peace, p. 6/6

- 1787:
 - Congress was delinquent on interest payments
 - Congress was held in low esteem
 - Ineffective at all the duties of a national government
 - New York gave it's final refusal to authorize an import duty (other 12 had agreed)
 - Fatal to Confederacy -- deprived Congress of any steady revenue source
 - States agreed to send delegates to a meeting in Philadelphia in May 1787
 - Prompted in part by Virginia's decision to send George Washington as a delegate from Virginia
 - Became the Constitutional Convention

Failure of the Articles of Confederation, p. 1/2

- A weak alliance of states
 - Required 9 of 13 states to agree to most measures
 - Held hostage to parochial interests of states
- Established Congress only
 - No executive or judicial function
- No ability to obtain revenue directly
 - States were delinquent on requisitions, but would not authorize any other means to support Congress
 - Issued Continental currency, became worthless
- States had competing sovereign powers
 - Paper currency, armies, import & export duties

Failure of the Articles of Confederation, p. 2/2

- Congress had no power to regulate commerce
 - Could not respond to Navigation Acts
 - Could not settle commercial disputes between the states
- Adherence of the states
 - The Articles were referenced in some state constitutions, but in others, was only a statute of the legislature
- Could not deal with military or diplomatic issues
 - Spain (navigation on Mississippi River)
 - Could not enforce treaty provisions with Britain
 - Could not act to suppress Shays' Rebellion

The Proposed U. S. Constitution

- Created a union of the states via a federal government with specific and limited powers
 - A compound republic
 - States retained most powers, except for treaties, armies, coining money, impairment of contracts, and imposing revenue-creating import duties
- Federal government with executive, legislative and judicial powers
 - Congress (legislative) was the most powerful branch
 - Two houses: House represented the people, Senate represented the states
- Federal handled national issues, states performed others

Opposition to a Federal Union

- From those who were benefitting from the current anarchy or advantages
 - Governor George Clinton of New York
- From those who suspected the federal government would abolish the states
 - Patrick Henry ("smelled a rat....")
- From those who would consider a reunification with Britain
 - Some people in New England states
- From those who thought a monarchy the best system
- From those who found defects in the proposed Constitution

The Federalist Papers, 1/3

- Justified a union based on:
 - A republic was the best form to preserve liberty
 - National security
 - Avoid formation of weak confederacies of a few states
 - Economics
 - Need for uniform trade treaties, stable money
 - Need for stability
 - Unity against external enemies
 - Avoid predatory actions between states
 - Need for adequate powers
 - Ability to raise a federal tax for the military
 - Settlement of disputes between states

The Federalist Papers, 2/3

- Explained the rationale behind the structure of the proposed Constitution
 - House and Senate
 - A bicameral legislative branch
 - One representing the states, one representing the people
 - Control of national finances
 - President
 - A fairly weak office, compared to monarchs
 - Commander in chief of military, but no ability to start wars
 - Courts
 - Settle disputes between states, diplomatic cases
 - Permanent tenure to maintain stability and independence

The Federalist Papers, 3/3

- Addressed the objections of the various opponents
 - That states would be abolished
 - That the federal government would degenerate into an aristocracy
 - That the federal government would impose severe taxation
 - That Congress would not represent each class of people equally
 - That trial by jury would be abolished
 - That the federal government would assume arbitrary powers
 - Did not originally contain a Bill of Rights

Continued Relevance of *The Federalist Papers*

- People as "only legitimate fountain of power" (No. 49)
- Demonstrated that a divided government with limited powers maximizes freedom of the people
 - While allowing the federal government to carry out its necessary duties
 - Checks and balances within the federal government
 - States retain control over local issues
 - Mutual jealousy and ambition of government officials limited their grasping for power
- "In strictness, the people surrender nothing" (No. 84)
- Allows us to evaluate whether the federal government has overstepped its legitimate bounds

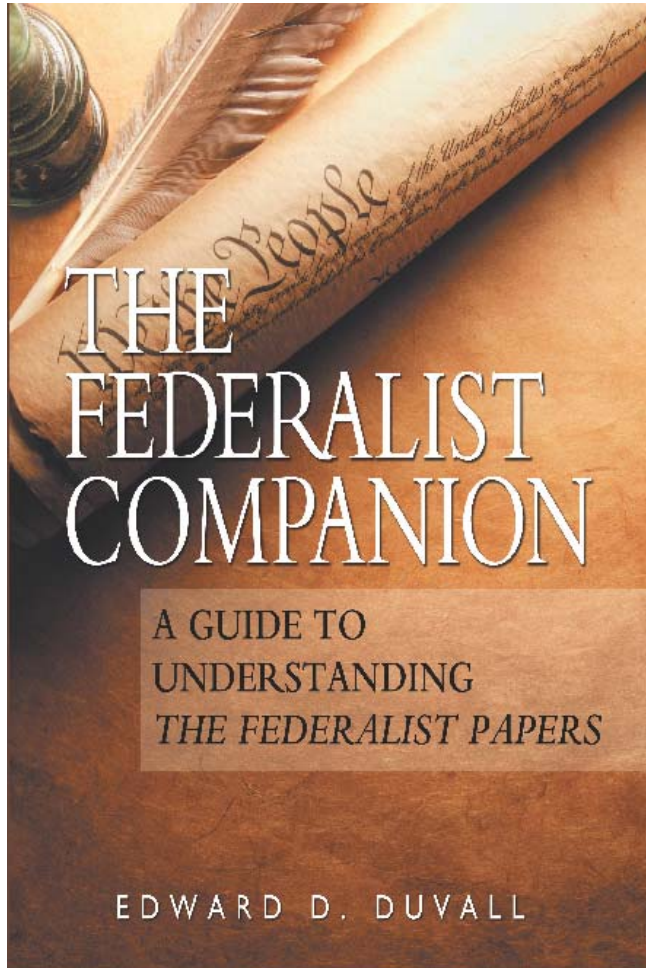
Summary

- *The Federalist Papers* are as relevant now as they ever were
- Important for us as citizens to understand the intent of the Founders when they developed the Constitution
 - Note the genius and practicality of Madison, Jefferson, Hamilton, Washington, and Adams in developing a workable republican system
 - Governments have limited powers only
 - The U. S. had numerous problems at its beginning, some of which ring familiar now
 - The situation in 1787 was far worse than it is now -- all of our problems have viable solutions

For Further Information.....

- This presentation is only a short sketch and overview
- *The Federalist Companion* offers a much more detailed view of these subjects:
 - Prominent persons
 - Coinage and money
 - Historical context
 - An extended outline of *The Federalist Papers*
 - Paragraph-by-paragraph
 - Revealing look at how the authors framed their arguments
 - Topical index and cross-reference to Constitution
 - Cross-reference from Constitution to *The Federalist*
 - Text of Articles of Confederation & Constitution

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