



U.S. HISTORY & GOVERNMENT MIDTERM STUDY GUIDE

Constitutional Foundations through Reconstruction

THE THIRTEEN COLONIES

1. People came to the New World for political, religious and economic reasons. New England colonies had small farms and ship building; Middle colonies had some farming and later on factories; Southern colonies were agricultural with large plantations, originally producing tobacco but later on growing cotton.
2. Slaves were brought from Africa to work on the plantations in the South.
3. The **Triangular Trade** was between Africa (slaves), the Caribbean (sugar) and the Colonies (rum). The **Middle Passage** was the voyage slaves made between Africa and the Colonies. It was a brutal trip where many slaves died from poor conditions.
4. **Indentured Servants** worked to pay off the cost of their passage to the New World.
5. Each colony developed its own type of government. Early examples of attempts at **self-government** and law included the **Mayflower Compact, The House of Burgesses, and the Fundamental Orders of Connecticut.**

THE ROAD TO REVOLUTION

1. **Mercantilism**- economic policy where the mother country benefits. (Raw materials from colonies are traded to mother country for manufactured goods. Trade with other countries is prohibited)
2. England, because of the cost of protecting and controlling the colonies (and debt from the **French and Indian War**) levied taxes on the colonies.
3. The Colonists felt "**taxation without representation**" was unfair.
4. England's need to tax the colonies created problems because the colonies had been left alone for so long. (**salutary neglect**)
5. The Sugar Act put a tax on sugar, rum and coffee. The Stamp Act put a tax on printed materials such as papers and legal documents.
6. The Quartering Act allowed British soldiers the right to take over and sleep in American homes.
7. The "Boston Massacre" happened when British troops fired on an American crowd of protesters killing three. This helped raise the anger of Americans against the British.
8. The "Boston Tea Party" was led by Sam Adams. Americans dressed as Indians threw tea into Boston harbor to protest a tea tax. This enraged the King and increased tension between the colonies and England.

REVOLUTION

1. Lexington was the first battle where the Americans and British faced each other. This was the start of the Revolution.
2. **Thomas Paine** wrote **Common Sense** which explained to the colonists why the colonies should revolt against England.
3. The **Declaration of Independence** was issued on July 4th, 1776. It had three parts; the Enlightenment ideas of John Locke saying why people should be free and announcing the principles of government, a list of grievances against the King and the actual declaration stating that we were separating from England.
4. The war at first went very well for the British but with the help of **France**, the colonies won.

CRITICAL PERIOD 1781-1786

1. After the colonies became independent, a federal government was formed under the **Articles of Confederation**. It was weak and didn't work because the power stayed with the states. There was no president or judiciary, and no taxation power. The different colonies each had their own militia. The only good part that was kept: **The Northwest Ordinance of 1787** provided a process for admission of new states to the Union.
2. **Shay's Rebellion** showed the weakness of the government
3. **The Articles of Confederation** didn't work because of their weaknesses, so a constitutional convention was held to set up the new government.

THE UNITED STATES GOVERNMENT

1. The concepts behind the constitution came from **Enlightenment** thinkers.
2. John **Locke** wrote that people should have the right of "life, liberty and property" (**natural rights**). He also said that if the government in power does not give people the rights they deserve, they have the right to change it.
3. Montesquieu believed in "**Separation of Power**". This stopped one part of the government from having too much control.
4. British history and documents such as the **Magna Carta, Petition of Rights, and the English Bill of Rights** contributed to the ideals of American democracy. They took power from the king and protected the rights of the people.

THE CONSTITUTIONAL CONVENTION, 1787

1. **The Constitutional Convention met** and decided to abandon the Articles and write a new constitution (document outlining the basic structure and rules of government)
2. The **Great Compromise** set up a bicameral (two-house) legislature (Congress). The Senate would have 2 representatives from each state. The

House of Representatives would be based on the population of each state. This gave the smaller states protection against the larger ones.

3. The **Three-Fifths Compromise** said that for every 5 slaves in a state's population, they would be counted as 3 citizens (even though they had no rights). This gave the South more representation in the House of Representatives.
4. Those who favored ratification of the Constitution were called **Federalists**". Those who were against it were known as **Anti-Federalists.**"
5. The **Federalist Papers** were essays in favor of the Constitution which helped get it ratified. (Hamilton, Jay, and Madison)
6. The **Bill of Rights** was added to limit the power of the federal government and to protect the people's rights to life, liberty, property, fair trials. Free speech...

BASIC PRINCIPLES OF THE US CONSTITUTION

1. The Constitution is based on the ideal of **popular sovereignty** where the power of the government comes from the people. ("We the people" Preamble)
2. **Federalism** is a system where power is divided between the national and state governments- **Delegated Powers** are powers given only to the federal government (declaring war); **Implied Powers** are powers not written in the Constitution but needed to carry out federal powers (Elastic Clause); **Denied Powers** are those powers specifically not given to either the national government, state governments of both; **Concurrent Powers** are shared by both the federal and state governments (right to tax); **Reserved Powers** belong only to the states (divorce laws).
3. **Separation of Powers**- national power is separated into three branches- legislative, executive, and judicial
4. **Limited Government**- the state and federal government's powers are regulated and limited by the Constitution
5. **Checks and balances** give each branch of the government control over the other branches and curbs excessive power.
6. **Flexibility**- the Constitution is able to adapt to change through the amending process and elastic clause. The "**Elastic Clause**" states that Congress can pass laws that allow the principles of the Constitution to be carried out. (necessary and proper clause). **Amendments** are changes to the Constitution and required passage by Congress and $\frac{3}{4}$ of the states.
7. The **Unwritten Constitution** - practices of the government that are based on custom and tradition: the cabinet; political parties; lobbying; judicial review

THE FEDERAL GOVERNMENT: ITS STRUCTURE AND FUNCTIONS

1. **The Legislative Branch** includes the Senate (2 members from each state) and the House of Representatives (based on state populations). In addition to drafting and passing laws, the Senate ratifies treaties and approves presidential appointments.

2. **The Executive branch** includes the President and Vice-President. The President is commander-in-chief, chief executive, chief legislator. He controls the armed forces. He signs or vetoes laws and he recommends new laws to Congress. The president is elected by the **Electoral College** (in order to stop direct election of a president). Each state has a certain number of members passed on their population as taken by the census.
 3. **The Judicial Branch** includes all the different level of courts with the Supreme Court being the ultimate interpreter of a law's constitutionality. **Judicial review** is the power the court gave itself in *Marbury v Madison*, to declare a law or presidential act unconstitutional.
7. The first ten amendments to the Constitution are the **Bill of Rights**, which limit the power of the national government to pass laws restricting basic freedoms:
- 1st- freedom of speech, religion, press, assembly
 - 2nd- right to bear arms
 - 3rd- no quartering of soldiers
 - 4th- no unreasonable search and seizure
 - 5th- due process, double jeopardy, self-incrimination
 - 6th-speedy trial , counsel, call witnesses
 - 7th- jury trial
 - 8th- prohibits excessive bail and cruel and unusual punishment
 - 9th- statement of these rights doesn't mean any not listed don't exist
 - 10th- all rights not delegated to federal government are reserved for the states and the people

THE YOUNG REPUBLIC The Federalist Era- 1789-1815

1. Washington became first president and formed a cabinet of advisors. Political parties (Democratic-Republicans/ Jefferson and Federalists/ Hamilton) formed over interpretation of the Constitution; Hamilton created a financial plan
2. **Washington's Farewell Address** (1796) : steer clear of foreign alliances (neutrality)
3. **Louisiana Purchase** (1803) Jefferson used treaty powers and the elastic clause to double size of country

4. War of 1812- U.S. against British (impressments). Ended in stalemate in 1815
5. The **Monroe Doctrine** said that Europe could not have any new colonies in the Western Hemisphere.

COURT CASES (Marshall Court) John Marshall was Chief Justice of the Supreme Court from 1801-1805. He believed in a strong central government (Federalist).

1. **Marbury vs. Madison** – In this case the principle of “judicial review” was established. This stated that the Supreme Court could rule on the constitutionality of laws passed by Congress.
2. **McCulloch vs. Maryland** – In this case the concept of “implied powers” was established. THIS GREATLY EXPANDED THE POWER OF THE FEDERAL GOVERNMENT.

JACKSONIAN DEMOCRACY -1828

1. Andrew Jackson was considered both the common man’s president, and a “king” More and more MEN were getting the right to vote. The **spoils system** opened government to friends of Jackson. At the same time, Jackson ignored the Supreme Court in *Worcester v Georgia*, and threatened to send the navy to South Carolina over the Tariff of Abominations.
2. The crisis occurred when South Carolina said it had the right to **nullify** any laws passed by the federal government. It raised an army and was ready to fight the federal government. A compromise was reached but this helped set the stage for the Civil War. The **state’s rights** argument that a state could nullify a federal law, would not be finally put to rest until after the Civil War.

REFORM MOVEMENTS:

Horace Mann- education; Dorothea Dix- mentally ill; William Lloyd Garrison, Frederick Douglass, Harriet Tubman-abolitionists; Elizabeth Cady Stanton, Lucretia Mott- women’s rights (**Seneca Falls Convention**)

WESTWARD EXPANSION:

Manifest Destiny- extend from Atlantic to Pacific

Transportation revolution- linked North and West

SECTIONALISM AND SLAVERY:

1. The Northern was industrialized with manufacturing and the South was agricultural (cotton, tobacco, rice). The West grew wheat.
2. The South felt that slavery was justified because of history, social practices and economics.

3. One of the biggest problems was to keep the number of free states and slave states even. The South wanted this so that the free states could not pass federal laws outlawing slavery. **A major problem facing the country was whether new states would be admitted as free or slave states.**
4. The **Missouri Compromise** made Missouri a slave state and Maine a free state. It also set the border for new free and slave states as the country expanded westward.
5. **Abolitionists** such as William Lloyd Garrison, Frederick Douglas, Harriet Tubman fought against slavery.
6. The "**Underground Railroad**" was the system of safe houses which moved slaves from the south into Canada where they would be free.
7. In 1846 the U.S. went to war with Mexico. The war ended with the Treaty of Guadalupe Hidalgo—the US got the Mexican Cession, which became six states.
8. The problem of free versus slave states was accelerated with the admission of California into the Union.
9. **The Compromise of 1850** prevented Civil War by giving both free and slave states more power.
10. The "**Fugitive Slave Law**" said that any slave that fled to the North had to be returned to its southern owner.
11. The next problem was with Kansas and Nebraska- Kansas-Nebraska Act—**popular sovereignty**: these states would decide for themselves if they wanted to be either slave or free states. This caused a lot of bloody fighting within these states.
12. The **Dred Scott** decision by the Supreme Court said that slaves taken to free states are still the **property** of their southern owners. It also said Congress had no right to stop slavery in any state. This helped fuel hatred between the North and the South helping start the Civil War.

CIVIL WAR

1. **The North had the advantage of a greater population** from which to recruit an army and the majority of the country's industrial capacity.
2. The South had the advantage of fighting a defensive war and a long military tradition that gave it a decided edge in the early years of the war.
3. John Brown was an abolitionist who tried to get weapons from the **Harper's Ferry** arsenal. He was going to give the weapons to the slaves to start an uprising against their masters.
4. The **election of Abraham Lincoln** was the last straw for the south. South Carolina decided to secede (leave) the Union. Lincoln tried to get them to come back but once Fort Sumter was fired on by confederate troops the war had begun. Lincoln's stated goal: "**preserve the Union**"
5. The South became the "Confederate States of America".
6. The North, having most of the navy, decided to blockade the southern ports. This stopped the south from getting the arms and other supplies needed to run the war.

7. The first battles of the war were won by the South but it was still not enough to give them a military advantage.
8. The "**Emancipation Proclamation**" issued by Lincoln freed the slaves in only the southern states that were in rebellion. It was a war measure, but had the effect of giving Lincoln the title "The Great Emancipator."
9. The Civil War was the first time that a **draft** was used in the north. Riots broke out because many people didn't want to be enlisted.
10. Besides having to deal with the war in the south, Lincoln also had to deal with Northern protesters (copperheads).
11. The turning points of the war were the Union victories at **Vicksburg** and **Gettysburg**.
12. One of the most famous military actions of the war was General Sherman's "March to the Sea". He burned crops, destroyed railroads and the city of Atlanta breaking the fighting spirit of the south.
13. The war ended when General Lee surrendered to General Grant at **Appomattox**.

RECONSTRUCTION AND GROWTH

1. Lincoln wanted to forgive the South and make the nation whole as quickly as possible. 10% plan
2. The radical Republicans wanted to punish the South for causing the war.
3. When Lincoln was assassinated, the radical Republicans became even angrier and more determined to punish the South.
4. President Johnson wanted to keep Lincoln's lenient policies of letting the South back into the Union. They would only have to set up new state governments, abolish slavery and ratify the 13th amendment to the Constitution.
5. To help all the free slaves adjust to their new life the "**Freedmen's Bureau**" was set up.
6. **Reconstruction Amendments**: 13th - freed slaves; 14th - made slaves citizens; 15th - gave freed black men vote
7. The Southern states didn't want the slaves to be treated as citizens or as equals. They passed "**Black Codes**" which were laws designed to keep slavery in another form.
8. The North was enraged and Congress passed the **Reconstruction Act of 1867. This divided the South into 5 military districts.**
9. In order to have the troops leave, each state would have to set up a new government pledging their allegiance to the United States, ratify the 14th amendment and allow blacks to vote.
10. The "**New South**" referred to building up the southern economy with more manufacturing ability and getting away from strictly farming.
11. The 15th amendment passed in 1870 guaranteed the right of black men to vote.
12. The conflict between President Johnson and Congress over Reconstruction got so intense that the House of Representatives voted to **impeach the**

president. (Johnson broke the Tenure of Office Act by firing his secretary of War) It failed by one vote because some senators were worried that this would destroy the power of the presidency in the future. (Checks and balances rule!)

13. Northerners who came into the south to take advantage of the situation were called carpetbaggers. They were hated by the Southerners as opportunistic vermin.
14. The South turned to violence to keep freedmen from gaining power and any position in society.
15. Within a few years Southern democrats gained control of the Southern state legislatures and reversed all the good done by Reconstruction.
16. The Southern states passed **Jim Crow** laws, which were designed to take away the new rights blacks had won. Examples of these laws were the **poll tax and the literacy test** which stopped blacks from voting.
17. Also to make sure blacks were afraid to exercise their rights; groups such as the **Ku Klux Klan** were formed. These groups terrorized and killed blacks.
18. Most blacks lived on farms as **tenant farmers or sharecroppers**. This system was little better than slavery.
19. The result was that even though the slaves were technically free, they still wouldn't be given their rights until the 1960's.
20. Booker T. Washington and W.E.B. Du Bois felt that African Americans should have increased civil rights. Booker T. Washington favored vocational training and concentrate on economic prosperity. DuBois believed blacks should agitate for full political and social equality.