

## **17.20 Introduction to the American Political Process**

Recitation: Rational Choice Theory; The Constitution

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1. [The Founding and the Constitution: Historical Context](#)

# **The Founding and the Constitution: Historical Context**

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# Historical Context

- Five social and economic groups
  - New England merchants
  - Southern planters
  - Royalists
  - Shopkeepers, artisans, and laborers
  - Small farmers
- New England merchants and Southern planters constituted the elite class.
- Common interests: protect their properties from foreign incursion and internal rebellion.
- Political differences: whether a centralized government and legislature were needed to achieve that goal.

# First Written Constitution: the Articles of Confederation

- Adopted in 1777
- Central government was based entirely in a Congress. No executive branch.
- Members of Congress were chosen by state legislatures, their salaries were paid out of state treasuries, and they were subject to immediate recall by state authorities.
- Each state had a single vote
- Congress was given the power to declare war and make peace, negotiate treaties and form alliances, to coin money, and to administer trade with Native Americans
- Could not impose taxes or regulate commerce among the states

## Articles of Confederation: Article II

- “Each state retains its sovereignty, freedom and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.”

# Failure of the Articles of Confederation

- John Adams led the negotiation with the British
- Radicals controlled Pennsylvania and Rhode Island
- Shays's Rebellion

# Great Compromise

- The Virginia Plan: representation of legislature based upon the population of each states or each state's revenue contribution
- New Jersey Plan: equal state representation regardless of population (smaller states benefited from it)
- Great Compromise: Let's do two chambers
- The Three-Fifths Compromise



# Articles of Confederation vs. the Constitution

**TABLE 2.1**

## Comparing the Articles of Confederation and the Constitution

MAJOR PROVISIONS	ARTICLES	CONSTITUTION
Executive branch	None	President of the United States
Judiciary	No federal court system. Judiciary exists only at state level.	Federal judiciary headed by the Supreme Court
Legislature	Unicameral legislature with equal representation for each state. Delegates to the Congress of the Confederation were appointed by the states.	Bicameral legislature consisting of Senate and House of Representatives. Each state is represented by two senators, while apportionment in the House is based on state population. Senators are chosen by the state legislatures (changed to popular election in 1913) and House members by popular election.

# Articles of Confederation vs. the Constitution

Fiscal and economic powers	The national government is dependent upon the states to collect taxes. The states are free to coin their own money, print paper money, and sign commercial treaties with foreign governments.	Congress given the power to levy taxes, coin money, and regulate commerce. States prohibited from coining money or entering into treaties with other nations.
Military	The national government is dependent upon state militias and cannot form an army during peacetime.	The national government is authorized to maintain an army and navy.
Legal supremacy	State constitutions and state law are supreme.	National Constitution and national law are supreme.
Constitutional amendment	Must be agreed upon by all states.	Must be agreed upon by three-fourths of the states.

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## Federalism: Some Clarification

- Autonomy of state/provincial government:  
confederacy > federal state > unitary state
- The Constitution created both bold powers and sharp limits on power
- Federalist vs. Anti-Federalist vs. Federalism today
- Federalism and COVID-19?

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