

James Madison & The Federal Negative

1. What were the biggest problems facing the United States in 1786-87?
2. Why did James Madison think more federal power was the answer? Was he right?
3. Would you have supported Madison's proposal for a "federal negative"? What was at stake?

The case study Mike chose (there are 20 cases available to teachers who take the training), was "James Madison, The Federal Negative, and the Making of the Constitution". The topic was timely, covering states' vs federal rights. If you remember your American history there was a traumatic period where it looked like our fledgling nation would fall apart. After winning the war with England the states were dealing with war debts as well as England forcing the states to compete against each other in order to get international trade rights. Different states had very different solutions- could they come together to solve the problems? The United States had escaped the tyranny of the monarchy and now many were worried about the tyranny of the majority. The outcome was tenuous. Could there be compromises on major issues? The Constitutional Convention was called- all of the states participated and a new document, our Constitution, was finally approved.

Mike led the community discussion with the whole group and then divided us into small groups for discussion, using the following questions based on the readings. We then returned to the total group to share thoughts and information. Their concerns were about the balance between the small states and the big states, and whether the national government, or each individual state, should be able to decide which issues - (think about today's debates!)

Articles of Confederation

1. How did the Articles of Confederation allocate powers to the states vs. the federal government?
2. Why in your view, did the Americans divide powers in this way under the Articles of Confederation?
3. Would you have voted to ratify the Articles of Confederation? Why or why not?

A "Critical Period"

1. List 2 different approaches states took when their citizens were having trouble repaying their debts in the mid-1780s.
2. What is inflation? Why did it arise in some states during the "critical period" of the mid-1780s? Does inflation favor creditors (lenders) or debtors (borrowers)?
3. To what extent do you think Congress's very limited authority under the Articles of Confederation contributed to the nation's problems during the "critical period"?

Madison's Diagnosis

1. What was Madison's main concern about majority rule? Was there evidence from the "critical period" that supported his concern?
2. Please identify at least two changes Madison recommended to help remedy what he saw as "vices" in the new nation's political system.
3. Do you agree with Madison's strategy for addressing these vices? Give 1-2 reasons why or why not.

Constitutional Convention

1. Do you think the Constitutional Convention was a response to the critical period? Why or why not?
2. If you had been a delegate at the convention who worried about the various problems at the time, what powers would you have granted to the federal government under the new constitution? What powers, if any, would you have denied to the states?
3. Are there any drawbacks to your recommendations in the previous question?

Federal Negative

1. List 1-2 advantages of the Absolute Version and Limited Version.
2. If you were a delegate at the convention, would you have supported the inclusion of a "federal negative" in the constitution? If so, would you have favored the absolute version or weaker version? If not, why not?