

Marine Corps University / Command and Staff College
Leadership in the Profession of Arms I

Lesson Title: Origins and Evolution of US Government

Lesson: 2104 (AY-21)
Author: Dr. C. A. Swanson
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“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

United States Constitution

“The Constitution of the United States resembles those fine creations of human industry which ensure wealth and renown to their inventors, but which are profitless in other hands.”

Alexis de Tocqueville

“Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure.”

President Abraham Lincoln,
 Gettysburg Address
 Gettysburg National Cemetery, 1863

Lesson Hours:

Lecture	Guest Lecture	Seminar	Film	Prac App/ Exercise	Staff Ride	Exam	PSPT	Total Scheduled	Total Contact Hours	Total Hours
1.5							8.0	1.5	1.5	9.5

*IAW MCU Academic Regulations, Practical Applications and Exercises hours are half-credit when computing Contact Hours.

AY20 JPME Data (JPME Phase I):

Area 1			Area 2			Area 3						Area 4						Area 5			Area 6											
a	b	c	d	a	b	c	a	b	c	d	e	f	g	a	b	c	d	e	f	g	h	a	b	c	a	b	c	d	e	f		
	Kn		Kn																	Kn												

IAW CJCSI 1800.01E

Kn = Knowledge, Co = Comprehension, Ap = Application, An = Analysis, Sy = Synthesis, Ev = Evaluation, Cr = Creation

Bold = Main Effort

No Bold = Supporting Effort

AY21 Learning Areas (JPME 1 & USMC) and CJCS Special Areas of Emphasis (SAEs)

Joint Learning Areas (2020)						USMC Learning Areas (2020)						CJCS Special Areas of Emphasis (AY20-21)						MCU CSC Specific	
Strategic Thinking & Communication	Profession of Arms	Continuum of Competition, Conflict, & War	Security Environment	Strategy & Joint Planning	Globally Integrated Ops	Leadership	Warfighting	Joint, Interagency, & Multinational Ops	Regional & Cultural Studies	Communication	Creative & Critical Thinking	Great Power Competition	Information Environment	Strategic Deterrence	Electromagnetic Spectrum	Space Warfighting Domain	Writing Clear/ Concise Advice	Case Study	Wargame
X								X	X										

IAW: CJCSI 1800.01F dtd, 15 May 2020

IAW USMC OPME Continuum dtd 14 Apr 2020

IAW CJCS ltr dtd 6 May 2019

IAW AY20 CCRB

1. Introduction

Created by the Second Continental Congress near the end of the Revolutionary War in 1781, the Articles of Confederation was the new nation’s first real attempt at forming a central government. As the name suggests, this effort was less an actual government and had more in

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common with a diplomatic assemblage of independent states, or “firm league of friendship,” working together toward a common cause. Even with very compelling reasons to work together, first to win the war and then to establish a new nation, the deep-seated American fear of a too-powerful central government resulted in a weak and ineffectual one. Under the Articles of Confederation, states retained their “sovereignty, freedom, and independence.” Although the central government was intended to provide for the “common defense, the security of their liberties, and their mutual and general welfare,” it did not have the authority to levy taxes, regulate commerce, or even raise its own troops. Everything had to be willingly provided by the individual states. The process to amend the Articles was also far too difficult, requiring the unanimous consent of all thirteen states. Not surprisingly, under the Articles of Confederation, the United States appeared weak to the international community. The British refused to remove their forts on the American frontier and continued to impress American sailors into the Royal Navy.¹ It proved impossible to negotiate trade deals to open up ports in the British Empire. Without a functioning navy, American merchant ships plying Mediterranean waters were at the mercy of North African pirates. The government’s weakness at home was also all too evident. Still burdened with the war debt, the new government was constantly on the verge of bankruptcy and this exacerbated an economic depression. Reflecting the hard economic times and the Articles of Confederation’s inability to govern effectively, Shay’s Rebellion (1786-87) was an ominous sign of serious civil discord and presented the specter of anarchy and disunion. American political leaders knew that change was necessary to have a central government that was powerful enough to both effectively deal with serious international affairs and resolve contentious issues between states.

In 1786, five states (Virginia, New York, Pennsylvania, Delaware, and New Jersey) sent delegates to Annapolis, Maryland to discuss, and hopefully revolve, issues related to trade barriers that complicated interstate commerce. Very quickly they realized that, to make any real progress, more states should be represented and they should address a wider array of issues. The Annapolis Convention sent a report to Congress calling for a meeting in Philadelphia the following May, “to take into consideration the situation of the United States, to devise such further provisions as shall appear to them necessary to render the constitution of the Federal Government adequate to the exigencies of the Union.”² While the intent was to amend the Articles of Confederation, the result was far different. Instead of merely amending the old, they would create an entirely new document and a new form of government that would change history for both the United States and the world.

When the Founding Fathers gathered at the Pennsylvania Statehouse in Philadelphia in the summer of 1787 to draft a new Constitution, they created a new form of government that was in sharp contrast from what had come before. Based on the ideal that sovereignty was derived from the will of the people, the new government would have limited powers divided between its federal branches and the state and local governments. In their effort to create a republic that was both enduring and capable of greatness, the Founders consciously wanted to avoid the concentration of governmental powers within any single branch of government. In Federalist No. 47, Alexander Hamilton warned, “The accumulation of all powers legislative, executive, and

¹ This was one of the requirements of the Treaty of Paris but the British chose to ignore it. Many, with justification, believed that the American experiment would fail and they would be in a position to reclaim their former colonies.

² The Report of the Annapolis Conference, September 14, 1786.

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judiciary in the same hands . . . may justly be pronounced the very definition of tyranny.” Because of their concerns, the Founders’ primary goal was not to create an efficient and centralized government but to guard against the kind of oppressive tyranny that Americans had so recently cast off. While it was recognized that the new government would “provide for the common defense,” little effort was made to this end. At the end of the Revolution, both the Army and the Navy had been inactivated and the primary foreign policy objective for the young republic was to avoid entangling alliances. Writing to his “friends and fellow citizens” in his Farewell Address (1796) George Washington warned of the “insidious wiles of foreign influence” seeing them as “one of the most baneful foes of republican government.” When the Department of State was finally created, with Thomas Jefferson as Secretary, it had a budget of less than \$10,000 and only six employees. This was not surprising because many Americans looked upon foreign policy in general as a vestige of the haughty and incestuous monarchical courts of Europe. American exceptionalism manifested itself as a conscious disdain for the trappings of intrigue and duplicity of European balance of power politics. Before 1893, the United States did not even have ambassadors or embassies. American overseas diplomats had the more egalitarian titles of consuls or ministers, and they operated out of consulates and legations respectively. It was not until 1924 that Congress made the first serious efforts to professionalize diplomatic officers with the Rogers Act.

Having a decentralized government, no military, and little foreign policy machinery was not a real disadvantage for the nascent republic. The United States’ unique geographic advantages allowed it to remain secure and prosper while concentrating on domestic concerns and westward expansion. Because it was so recently established and still very weak compared to European states, early political leaders generally adhered to an isolationist foreign policy, avoiding conflict and non-commercial contact with the outside world whenever possible. With a few notable exceptions, isolationism was the dominant tenet of US foreign policy from the founding until the First World War. When the United States did engage in foreign adventures, most notably during the Mexican (1846-48) and Spanish-American (1898) Wars, opponents feared that the very fabric of the great American experiment was threatened. As late as 1923, the American ambassador in London, George Harvey, stated, “the national American foreign policy is to have no foreign policy.” Ambassador Harvey accurately reflected America’s return to isolationism in the disillusioned wake of the “War to End All Wars.” This, however, would change within a generation.

World War II changed everything. While very slow and reluctant to enter the war, the United States dramatically expanded its role in the world once it did. America’s contributions to the Allied cause were the difference between defeat and victory. The cumulative effects of the two world wars had also greatly weakened the European states, shifting increasing responsibility for global leadership to the United States in the post-World War II period. Coupled with occupation duties in Germany and Japan, the rise of a belligerent Soviet Union, and the collapse of the old colonial system, the United States found itself in a much more complex and potentially threatening world. With a much more activist foreign policy, the machinery of the Federal Government was forced to work together in ways never envisioned by the Founding Fathers. It was also true, however, that American foreign policy was still relatively simple. Isolationism was no longer the guiding principle, but bipolarity, the Cold War, and the containment of international communism proved to be a remarkably straightforward and consistent focus for

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nearly half a century. So much so that both political parties adhered to a remarkably consistent foreign policy even as the White House and Congress changed hands. The American government was forced to adapt, but not by much.

The next seismic shift in the international security environment occurred with the collapse of the Soviet Union in 1991. The world was no longer bipolar, and some foresaw the end of history with the final victory of liberal/democracy and free market economic principles over the last potential challengers. The last viable competitor, Marxism, collapsed under the weight of its own inherent contradictions. Optimistic observers foresaw the promise of peace dividends and a more just world. Others hoped for the best but held no unrealistic expectations for a perpetually quiescent world. Terrorist attacks through the 1990s culminated on 9/11 to usher in very different national security challenges for the United States. It was no longer possible to simply focus on a single evil empire. The United States found itself a target of international terrorism that, because of the availability of weapons of mass destruction, could threaten national survival. The situation was even more complicated by rogue states and non-state actors that could strike at the United States without presenting an easy target for retribution. To meet these unprecedented challenges, a government that is still fundamentally the one created in 1787 has been forced to adapt.

Recent experiences suggest that America's armed forces will spend much of the 21st century participating in counterinsurgency, counterterrorism, humanitarian, nation-building, and peace operations. Such operations require employment not only of military force but of all elements of national power – diplomatic, informational, military, and economic. Counterinsurgency and counterterrorism, for example, require information operations, strengthening of local governance, and economic development programs in order to undercut the appeal of the enemy. Nation-building may involve the development of a commercial infrastructure or the creation of a new judicial system, while national disasters – foreign or domestic – call for economic relief and reconstruction. Given the growing prevalence of precision munitions, success in high-intensity conflicts will also depend on integration of the armed forces with civilian agencies responsible for collecting intelligence. The need for cooperation and coordination is not confined to the Federal Government. While the armed services have been developing capabilities in non-military fields, much of the relevant expertise still resides in the civilian agencies of the U.S. government or in non-governmental organizations (NGOs) or international organizations (IOs). Homeland security issues demand close cooperation between federal, state, and local governments.

Past experiences have led to widespread recognition that agency operations are not adequately integrated. The Clinton administration attempted to remedy the problem with Presidential Decision Directive (PDD) 56. Upon taking office, President George W. Bush tried a different solution, expressed in National Security Presidential Directive (NSPD) 1. Neither PDD 56 nor NSPD 1 has fixed the system. More recently, the 9/11 Commission has issued limited recommendations for improving the national security structure. In the field, many military and civilian organizations have attempted to circumvent structural inadequacies through ad hoc coordination measures. Such solutions typically depend on personal dedication and good interpersonal relationships, and for that reason they tend to be sporadic and short-lived. Efforts to find structural solutions continue. Some are calling for a major restructuring of the civilian side of the US government, on the order of Goldwater-Nichols. Others recommend less drastic changes. There is a real concern that major reforms justified for national security reasons may undermine Constitutional principles such as the

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separation of power, checks and balances, and decentralized government. Many of the same arguments that were being made in 1848 and 1898 are being heard again. In considering these issues, it is important to reexamine the Constitution and reconsider just exactly what the Founding Fathers hoped to accomplish and why.

At the time the U.S. Constitution was written (1787), it was unique in the world. It became the framework for the new central government, defining the roles of each of the federal branches while also delineating the powers reserved to state and local governments. It described in some detail how it would be ratified and how Congress and the president would be elected. It defined presidential powers and made him the Commander and Chief of the Armed Forces. It established a bicameral legislature that balanced representative concerns for both small and large states. While it was a little vague about the judiciary, it did establish the Supreme Court and provided for lower courts.³ In its Supremacy Clause, the Constitution also established itself as the supreme law of the land. In something of an afterthought, the Constitution eventually included a Bill of Rights that defines specific limitations on governmental powers in order to protect the natural rights of individual citizens. Today, the U.S. Constitution stands as the oldest written national constitution in the world. Unique at the time it was drafted, almost every country in the world now has a written constitution and many are directly based on the original drafted in Philadelphia 230 years ago.

Today, the U.S. Constitution is viewed with great veneration and respect. It is almost a secular relic that defines not just the structure of the Federal Government but also articulations of the most fundamental principles of the American political culture. It is possible to see the original copy of the Constitution in the Rotunda for the Charters of Freedom in the National Archives.⁴ Along with the Declaration of Independence and the Bill of Rights, it is encased behind armored tinted glass and sealed in its own atmosphere of inert gas for preservation. In subdued light and hushed silence, thousands of visitors file by each day to see firsthand these founding documents of the United States. Today it is hard to imagine a time when the U.S. Constitution did not enjoy this status.

At the time it was written, the U.S. Constitution was highly controversial, since it represented a radical departure from the past. Compared to the Articles of Confederation, it created a powerful central government that had increased authority over the states. It did not help that opponents to the Constitution believed that the delegates to the Convention had dramatically overstepped their mandate to simply amend the Articles of Confederation. They worried too that the discussions in Philadelphia were conducted in private, with no official record of the proceeding kept or released to the public. Even the method of ratification was seen as a reason for suspicion. Instead of ratification by the existing state legislatures using the rules of the Articles, the new Constitution called on each state to convene their own constitutional conventions to decide the issue. While only nine states were needed for ratification, even that number was far from certain. As individuals coalesced as either supporters or detractors of the Constitution, they came to be known as Federalist and Antifederalists, respectively. New York

³ The concept of judicial review and overturning unconstitutional laws was established later with *Marbury vs. Madison* in 1803.

⁴ 700 Pennsylvania Avenue, NW, Washington, D.C. 20408. Appropriately, the entrance for the Charters of Freedom exhibit is on the Constitution Avenue side of the building. At times, the wait can be more than an hour.

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State was perhaps the most important battleground state for the debate between these two factions.

The Federalists had the burden to convince their fellow countrymen that the new Constitution should be adopted. They had to allay fears that the new government would be too powerful. They had to explain its provisions clause by clause and provide justifications for each of these major changes. They had to balance out the very legitimate fears states had over relinquishing a portion of their sovereignty in favor of a more effective centralized power. They had to explain the intricate system of checks and balances that would protect the country from tyranny. They also had to present the many advantages of the new government that would justify taking this dramatic step forward. To do this, New York Federalists wrote a series of eighty-five persuasive essays for publication to explain all of these points and more. Although published under the *nom de plume* Publius, the essays were actually authored by Alexander Hamilton, James Madison, and John Jay. Collectively, these articles are known today as *The Federalist Papers* and they provide an extraordinary insight into the assumptions, motivations, and hopeful aspirations of the Founding Fathers.

For the purpose of this lesson, *The Federalist Papers* provide a detailed understanding of the origins of the Constitution. They provide insight into what the Founding Fathers saw as the role of government. In one sense, the Constitution is a product of the unique set of circumstances that surrounded it. In another sense, though, its authors sought universal truths about the nature of man and government. They endeavored to create a document that could achieve a delicate balance between guaranteeing individual freedoms while also creating a government that was strong enough to be effective. They worked to produce an enduring republic with the flexibility to adapt to changing conditions and serve the needs of a dynamically growing country.

The readings in Jack Rakove's *Revolutionaries: A New History of the Invention of America* provide an excellent overview of how individuals of the Revolutionary generation, including James Madison, Alexander Hamilton, Thomas Jefferson, John Adams, and many others, created a new government – largely the same government we have today. In this reading, you will see that these men disagreed on many great issues and how it was a long and painful process to both win the war against Britain and create a new government. You might ask yourself too, what role do secondary sources like this offer compared to the primary sources you also read.

For some of you, this lesson will serve as a refresher on the origins of governance in the United States. For others, it may be just the beginning for your own lifelong self-study of American history and the United States' political system and culture. Either way, take the opportunity this year to visit local venues focused on the founding of the United States and the creation of the US government. You can take a day trip with your family to Jamestown to see the first English colony in the Western Hemisphere. Also in the Historical Triangle is Colonial Williamsburg and the Yorktown battlefield. The homes of George Washington, James Madison, and Thomas Jefferson are all an easy drive away and provide great insights into how these individuals lived. Washington, DC, has the National Archives, the Library of Congress, the National Museum of American History, the National Museum of the American Indian, the National Museum of African American History and Culture, and many other educational destinations. Make sure you check first for information about COVID closures and other policy requirements.

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2. Student Learning Outcomes

Bold = Main Effort; Not Bold = Supporting Effort

2.1 Analyze the concepts and facets of national power as well as stakeholder functions in national security decision making.

2.2 Analyze the global security environment and U.S. strategy and policy within their historical context.

3.1 Define culture, its key components and its applicability to tactics, operations, and strategy.

3. Supporting Educational Objectives

a. Explain the provisions of the Constitution for the defense of the United States. [CSC 2.1-2.2; JPME 1b, 1d, 4f]

b. Analyze and explain the nature and advantages of the confederate republic as described in the *Federalist Papers*. [CSC 2.1, 2.2, 3.1; JPME 1b, 1d, 4f],

c. Explain the difference between the republican and democratic forms of government. [CSC 2.1; JPME 1b, 1c]

d. Describe and evaluate the need to prevent tyranny of the majority and the constitutional mechanisms for doing so. [CSC 2.2, 3.1; JPME 1b, 1b, 1d, 4f]

e. Evaluate the mechanisms for preventing concentration of power in any one branch of government. [CSC 2.2, 3.1; JPME 1b, 4f]

f. Assess the need for, and value of, the Bill of Rights. [CSC 2.1; JPME 1a, 1b, 1d, 4f]

4. Student Requirements

Event	Prep
Watch Lecture (90 mins) -- "Origins of the US Government" Moodle / CSC Website	
Required Reading: <ul style="list-style-type: none"> ● Rakove, Jack. <i>Revolutionaries: A New History of the Invention of America</i>. Boston and New York: Mariner Books, 2011. (Pages 341-442). Moodle / CSC Website ● Declaration of Independence https://www.archives.gov/founding-docs/declaration-transcript Online ● US Constitution, Bill of Rights, Subsequent Amendments: https://constitution.congress.gov/constitution/ Online ● Alexander Hamilton, John Madison, and John Jay, <i>The Federalist Papers</i>, ed. Clinton Rossiter, introduction and notes by Charles R. Kessler (New York: New American Library, 2003), 27-35 (Nos. 1-2), 66-79 (Nos. 9-10), 148-153 (No. 23), 317-322 (No. 51), 520-527 (No. 85), https://guides.loc.gov/federalist-papers/full-text Online 	160 pp
Supplemental Materials: Moodle / CSC Website <ul style="list-style-type: none"> ● Patrick Henry: "A Wrong Step Now and the Republic Will Be Lost Forever" ● George Washington: Farewell Address, September 19, 1796 ● President Monroe's Seventh Annual Message to Congress, December 2, 1823 ● John L. O'Sullivan on Manifest Destiny, 1845 ● James K. Polk: Inaugural Address, March 4, 1845 (Expanding Westward) ● Text of the Compromise of 1850 ● Abraham Lincoln: Gettysburg Address, November 19, 1863 ● Abraham Lincoln: Second Inaugural Address, March 4, 1865 	

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- Frederick Jackson Turner: Significance of the Frontier in American History, 1893
- Alfred Thayer Mahan: The United States Looking Outward
- Theodore Roosevelt: The Strenuous Life, April 10, 1899
- Mark Twain (Samuel Clemens): The War Prayer, 1901, 1923
- Woodrow Wilson: War Message to Congress, April 2, 1917
- Franklin Delano Roosevelt: Four Freedoms Speech, January 6, 1941
- General George Marshall, Harvard University Marshall Plan Speech, June 5, 1947
- Harry S Truman: Address Before a Joint Session of Congress, March 12, 1947
- John F. Kennedy: Inaugural Speech, January 20, 1961 (New Frontier)
- Ronald Reagan: Remarks at the Brandenburg Gate, June 12, 1987

Online Resources:

- America’s Founding Documents, National Archives:
<https://www.archives.gov/founding-docs/constitution>
- Interactive Constitution, National Constitution Center:
<https://constitutioncenter.org/interactive-constitution>
- The Constitution, The White House:
<https://www.whitehouse.gov/about-the-white-house/the-constitution/>
- Constitution of the United States: Primary Documents in American History, Library of Congress: <https://guides.loc.gov/constitution/related-online-resources>
- U.S. Constitution, James Madison’s Montpelier:
<https://www.montpelier.org/learn/tag/us-constitution>
- Slavery, the Constitution, and a Lasting Legacy, James Madison’s Montpelier:
<https://www.montpelier.org/learn/slavery-constitution-lasting-legacy>
- The Founder’s Constitution, University of Chicago: <http://press-pubs.uchicago.edu/founders/>

5. Maps

Maps ETC, University of South Florida:
<http://press-pubs.uchicago.edu/founders/>

6. Issues for Discussion

- a. Is it necessary for American students at CSC to study the origins of the U.S. Government before going on to examine other governments and cultures?
- b. Explain the central characteristics of the Constitutional regime as Hamilton, Madison, and Jay describe it.
- c. Describe the constitutional structure for the declaration of war and the establishment and maintenance of armed forces and review its contemporary functioning.
- d. The tension between Hamilton’s emphasis on an active national executive to guard the Union “against all enemies foreign and domestic” and Madison’s emphasis on checks and balances to restrain all the branches of government is obvious. The contemporary controversy over domestic electronic surveillance and data mining shows that the conflict continues today. Does this tension represent a threat to the Constitutional regime or its essence?
- e. How has the U.S. Constitution evolved as the country has grown to span the continent and become an economic and military superpower?

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7. References

In addition to the required and supplemental preparation materials, the following references apply:

- a. Annotated Constitution, Legal Information Institute, Cornell University Law School
<http://www.law.cornell.edu/anncon/>
- b. Antifederalist Papers
<http://teachingamericanhistory.org/library/index.asp?subcategory=73>
- c. Charters of Freedom Exhibit, National Archives and Records Administration, Washington, D.C.
<http://archives.gov/exhibits/charters/>
- d. The Documentary History of the Ratification of the Constitution
<http://www.wisconsinhistory.org/ratification/>
- e. Independence Hall, National Park Service, Philadelphia, Pennsylvania
<http://www.nps.gov/inde/index.htm>
- f. Index to the Antifederalist Papers
<http://www.wepin.com/articles/afp/>
- g. Library of Congress, U.S. Constitution Web Guide
<http://www.loc.gov/rr/program/bib/ourdocs/Constitution.html>

8. Relationship to Other Instruction

A thorough understanding of the US Constitution is indispensable to you as a Command and Staff College student. In Security Studies, you will be examining US foreign policy, international relations, civil-military relations, national interests, national sovereignty, and the national security process. You will also need to understand the separation of powers between federal and state governments when addressing Defense Support of Civil Authorities (DSCA). In Leadership, you will study group dynamics, organizational culture, moral decision making, just war theory, and negotiations. In War Studies, there is an examination of the rise of the modern nation state and the post-World War II US transformation from isolationism to global superpower. Warfighting includes lessons exploring the evolution of the military instrument of national power, US military roles and missions, defense resourcing, and strategic planning. From the US perspective, all of these important topics require a firm grounding in the Constitution as the foundation of both our government and political culture.