

OUTLINE

Chapter 7 Founding a Nation, 1783-1789

This chapter discusses the challenges of governing the new United States during the first five years after the War of Independence. The focus is on the creation of a national government beginning with the Articles of Confederation. The chapter explains why the Articles of Confederation failed and how they were replaced by the U.S. Constitution. The chapter also describes the origins of the Bill of Rights and debates over the definition of citizenship.

INTRODUCTION

I. UNDER THE ARTICLES OF CONFEDERATION

II. A NEW CONSTITUTION

III. THE RATIFICATION DEBATE

IV. WE THE PEOPLE

INTRODUCTION

STORY:

During the summer of 1788, Americans celebrated the ratification of the new U.S. Constitution. Yet despite widespread enthusiasm and optimism about the nation's economic and political future, the country had little power or influence and many questions remained unsettled about how to turn the ideals of the Revolution into new forms of governance.



THEMES:

1. The effort to create a national government consistent with the ideals of the Revolution yet also effective in dealing with troubling issues, such as the debt left from the war, did not succeed at first.
2. The most difficult issues revolved around balancing the revolutionary idea of self-government with the realities of geographical expansion, economic development, sectional differences (such as between rural/urban, North/South, East/West).
3. The U.S. Constitution sought to address many of these issues in innovative ways and after nationwide debate was accepted as the basis for a new national government.
4. The Constitution excluded slaves and Native Americans from the benefits of liberty that it set out as the basic principles of democracy in the new nation.

I. UNDER THE ARTICLES OF CONFEDERATION

FOCUS QUESTION: What were the achievements and problems of the Confederation government?

A. The Articles of Confederation

1. The first written constitution of the United States
 - a. One-house Congress
 - b. No president
 - c. No judiciary
2. The only powers granted to the national government were those for declaring war, conducting foreign affairs, and making treaties
3. Congress established national control over land to the west of the thirteen states and devised rules for its settlement

B. Congress and the West

1. In the immediate aftermath of independence, Congress took the position that by aiding the British, Indians had forfeited the right to their lands
2. Congress was unsure how to regulate the settlement of western land

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Articles of Confederation

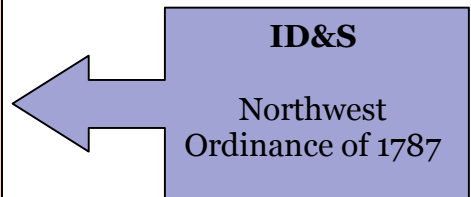
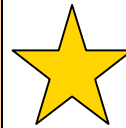
STUDY HINT

You should know the main features of the Articles and their main weaknesses



C. Settlers and the West

1. Peace brought rapid settlement into frontier areas
2. The Ordinance of 1784 established stages of self-government for the West
3. The Ordinance of 1785 regulated land sales in the region north of the Ohio River
4. Like the British before them, American officials found it difficult to regulate the thirst for new land
5. The Northwest Ordinance of 1787 established policy that admitted the area's population as equal members of the political system



D. The Confederation's Weaknesses

1. The war created an economic crisis that the government, under the Articles of Confederation, could not adequately address
2. With Congress unable to act, the states adopted their own economic policies

F. Shays's Rebellion

1. Facing seizure of their land, debt-ridden farmers closed the courts
 - a. Invoked liberty trees and liberty poles
2. Shays's Rebellion demonstrated the need for a more central government to ensure private liberty

G. Nationalists of the 1780s

1. Nation builders like James Madison and Alexander Hamilton called for increased national authority
2. The concerns voiced by critics of the Articles found a sympathetic hearing among men who had developed a national consciousness during the Revolution
3. It was decided that a new constitution was needed to avoid either anarchy or monarchy

STUDY HINTS

You should be able to describe the argument of the nationalists like Alexander Hamilton and why they wanted a new constitution.



II. A NEW CONSTITUTION

FOCUS QUESTION: What were the major debates that gave shape to the Constitution?

A. The Structure of Government

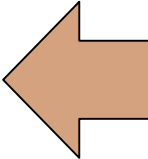
1. The most prominent men took part in the Constitutional Convention
 - a. wealthy
 - b. well educated
2. The Constitution was to create a legislature, an executive, and a national judiciary
3. The key to stable, effective republican government was finding a way to balance the competing claims of liberty and power
4. A final compromise was agreed upon based on the Virginia and New Jersey plans

B. The Limits of Democracy

1. The Constitution did not set federal voting qualifications
2. The new government was based upon a limited democracy, ensuring only prominent men holding office
3. Neither the president nor federal judges were elected by popular vote



STUDY HINT



You should be able to identify 3 ways in which the Constitution limited democracy.

C. The Division and Separation of Powers

1. The Constitution embodies federalism and a system of “checks and balances”
2. Federalism refers to the relationship between the national government and the states
3. The “separation of powers” refers to the way the Constitution seeks to prevent any branch of the national government from dominating the other two

D. The Debate over Slavery

1. Slavery divided the delegates
2. The words “slave” and “slavery” did not appear in the Constitution but it did provide for slavery
3. The South Carolinian delegates proved very influential in preserving slavery within the Constitution
4. Congress prohibited the slave trade in 1808
5. The fugitive slave clause accorded slave laws “extraterritoriality”
6. The federal government could not interfere with slavery in the states
7. Slave states had more power due to the three-fifths clause

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checks and balances

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federalism

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separation of powers

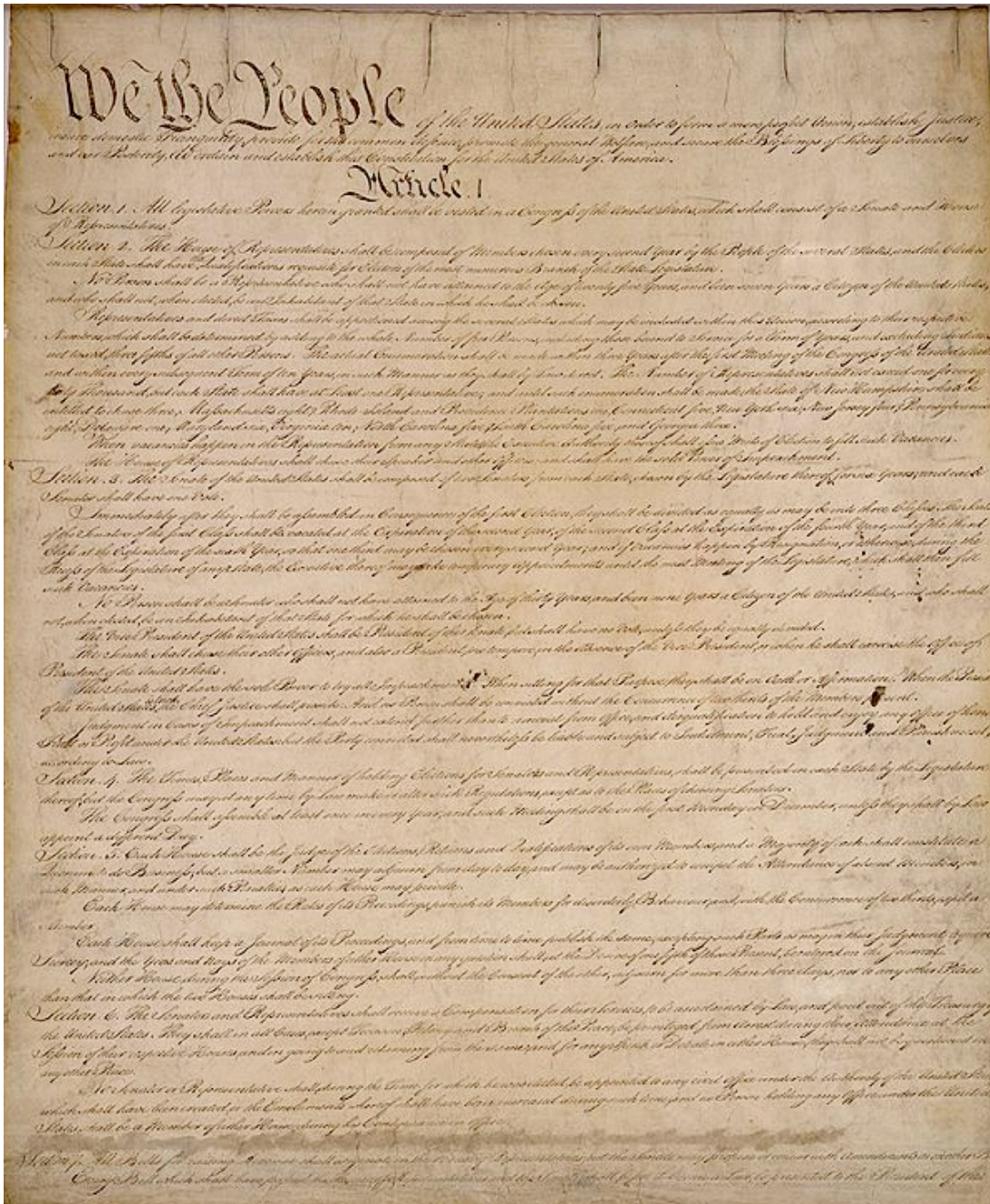
STUDY HINT
You should be able to describe the three provisions of the Constitution dealing with slavery:

1. prohibition of slave trade after 1808
2. fugitive slave clause
3. three-fifths clause

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extraterritoriality

E. The Final Document

1. Delegates signed the final draft on September 17, 1787
2. The Constitution created a new framework for American development



III. THE RATIFICATION DEBATE

FOCUS QUESTION: What were the purpose and meaning of the Bill of Rights as they emerged from the ratification process?

A. The Federalist

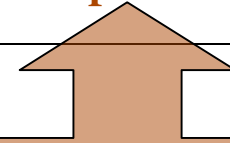
1. Nine of the thirteen states had to ratify the document
2. *The Federalist* was published to generate support for ratification
3. Alexander Hamilton argued that government was an expression of freedom, not its enemy

B. “Extend the Sphere”

1. Madison had a new vision of the relationship between government and society in Federalist Papers 10 and 51
2. Madison argued that the large size of the United States was a source of stability, not weakness
3. Madison helped to popularize the “liberal” idea that men are generally motivated by self-interest, and that the good of society arises from the clash of these private interests

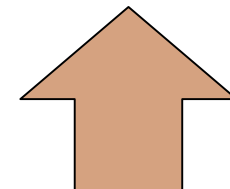
C. The Anti-Federalists

1. Anti-Federalists opposed ratification
2. They argued that the republic had to be small and warned that the Constitution



STUDY HINT

You should be able to compare and contrast the arguments in favor of the Constitution and the arguments opposed to it.



STUDY HINT

Remember that the supporters of the Constitution were called Federalists and the opponents were called Anti-Federalists. You should know that Madison and Hamilton were the key Federalists.

would result in a government of oppression

3. Liberty was the Anti-Federalists' watchword

a. Argued for a Bill of Rights

4. Anti-Federalists did not have as much support as the Federalists did

a. Madison promised a Bill of Rights

5. Only Rhode Island and North Carolina voted against ratification

D. The Bill of Rights

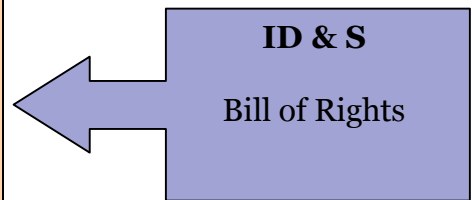
1. Madison initially believed a Bill of Rights was pointless

2. Madison introduced a Bill of Rights to the first Congress

3. They defined the "unalienable rights" of the Declaration of Independence

4. Some amendments reflected English roots, while others were uniquely American

5. Among the most important rights were freedom of speech and the press, vital building blocks of a democratic public sphere



IV. WE THE PEOPLE

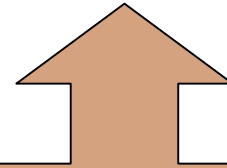
FOCUS QUESTION: What did “We the People” mean in the new nation to Indians and African Americans?

A. National Identity

1. The Constitution identifies three populations inhabiting the United States
 - a. Indians
 - b. “other persons”
 - c. “people”
2. Only “people” were entitled to American freedom
3. American nationality combined both civic and ethnic definitions

B. Indians in the New Nation

1. Indian tribes had no representation in the new government
2. Treaty system was used with Indians and Congress forbade the transfer of Indian land without federal approval
3. Battle of Fallen Timbers led to the Treaty of Greenville in 1795
4. Some prominent Americans believed that Indians could assimilate into society
 - a. Assimilation meant transforming



STUDY HINT

You should be able to describe how the Constitution considered Indians and slaves. Were they considered citizens?

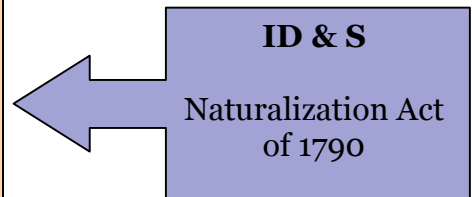
traditional Indian life

C. Blacks and the Republic

1. The status of citizenship for free blacks was left to individual states
2. Crèvecoeur's Letters from an American Farmer described America as a melting pot of Europeans
3. Like Crèvecoeur, many white Americans excluded blacks from their conception of the American people
4. The Naturalization Act of 1790 was limited to "free white persons"

D. Jefferson, Slavery, and Race

1. John Locke and others maintained "reason" was essential to having liberty
2. Most whites believed that blacks were not rational beings
3. Jefferson's Notes on the State of Virginia
4. Jefferson did not think any group was fixed permanently in a status of inferiority
5. He did not believe black Americans would stay in America
6. He believed that freeing the slaves without removing them from the country would endanger the nation's freedom



E. Principles of Freedom

1. The Revolution widened the divide between free Americans and those who remained in slavery
2. “We the people” increasingly meant white Americans

