

Chapter 7: Founding a Nation, 1783-1789

I. Ratification Celebrations

II. America under the Articles of Confederation

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.

C. Settlers and the West

1. Peace brought rapid settlement into frontier areas.
2. Leaders feared unregulated flow of settlement cross the Appalachian Mountains could provoke constant warfare with the Indians.

D. The Land Ordinance

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

E. 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.

III. A New 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 on based on the Virginia and New Jersey plans.

B. The Limits of Democracy

1. The Constitution did not set federal voting qualifications. delegates.
2. The words "slave" and "slavery" did not appear in the Constitution but it did provide for slavery.
3. The South Carolinian delegates
4. The new government was based on a limited democracy, ensuring only prominent men holding office.
5. Neither the president nor federal judges were elected by popular vote.
 - a. The system was confusing.

C. The Division and Separation of Powers

1. The Constitution embodies federalism and a system of checks and balances.
 - a. Federalism refers to the relationship between the national government and the states.
 - b. The separation of powers, or the system of checks and balances, 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 proved very influential in preserving slavery within the Constitution.

E. Slavery in the Constitution

1. Congress prohibited the slave trade in 1808.
2. The fugitive slave clause accorded slave laws extraterritoriality.
3. The federal government could not interfere with slavery in the states.
 - a. Slave states had more power due to the three-fifths clause.

F. The Final Document

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

IV. The Ratification Debate and the Origin of the Bill of Rights

A. *The Federalist*

1. Nine of the thirteen states had to ratify the document.
2. *The Federalist* was published to generate support for ratification.
 - a. 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* nos. 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 would result in a government of oppression.

3. Liberty was the Anti-Federalists' watch word.
 - a. They 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.
 - b. Only Rhode Island and North Carolina voted against ratification.
- D. The Bill of Rights
 1. Madison believed a Bill of Rights was pointless.
 2. Madison introduced a Bill of Rights to the first Congress.
 - a. They defined the "unalienable rights" of the Declaration of Independence.
 3. Some amendments reflected English roots, while others were uniquely American.
 4. Among the most important rights were freedom of speech and the press, vital building blocks of a democratic public sphere.

V. We the People

A. National Identity

1. The Constitution identifies three populations inhabiting the United States:
 - a. Indians
 - b. "Other persons"
 - c. "People"
 - d. Only "people" were entitled to American freedom.
2. 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. The treaty system was used with Indians, and Congress forbade the transfer of Indian land without federal approval.
3. The 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 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.
 - a. 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.
 - a. Blacks were not viewed as rational beings.
 - b. Jefferson's *Notes on the State of Virginia*.
2. Jefferson did not think any group was fixed permanently in a status of inferiority.
3. He did not believe black Americans would stay in America.
 - a. 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.