

Foner 3/e  
Chapter 7  
Chapter Outline

- I. America under the Articles of Confederation
  - A. The Articles of Confederation
    - 1. Origins
      - a. Drafting
      - b. Ratification
    - 2. Structure
    - 3. Extent and limits of powers
  - B. Disposition of the West
    - 1. Competing agendas
      - a. Indians
      - b. Settlers
      - c. Land companies and speculators
    - 2. Congressional measures
      - a. Acquisition of Indian lands
        - i. Northern
        - ii. Southern
      - b. Ordinance of 1784
      - c. Ordinance of 1785
      - d. Sale of frontier lands to private groups
      - e. Northwest Ordinance of 1787
        - i. Plan for future states
        - ii. Recognition of Indian claim to land
        - iii. Prohibition of slavery in region
  - C. The confederation's weaknesses
    - 1. Points of controversy
      - a. Unredeemed wartime bonds
      - b. Glut of imported goods
      - c. State tariffs
      - d. State debt relief measures
      - e. State issuance of paper money
    - 2. Shays's Rebellion
      - a. Objectives and spirit
      - b. Suppression
      - c. Upper-class alarm
    - 3. Nationalists of the 1870s
      - a. Concerns
        - i. Lack of national economic policy
        - ii. Popular infringement on property rights
        - iii. Social disorder
      - b. Leading figures
        - i. James Madison
        - ii. Alexander Hamilton
      - c. Main sources of support
        - i. Bondholders
        - ii. Large landholders
        - iii. Merchants
        - iv. Urban artisans
      - d. Initial mobilization
- II. A new constitution
  - A. Delegates to Constitutional Convention
    - 1. Elite backgrounds

- 2. Shared experience in struggle for independence
    - 3. Shared aims
      - a. Stronger national authority
      - b. Curbs on "excesses of democracy"
  - B. The Structure of government
    - 1. Points of agreement
      - a. Creation of legislative, executive, and judicial branches
      - b. Congressional power to raise revenue
      - c. Protection of property rights from state infringement
      - d. Middle ground between excessive central power and excessive democracy
    - 2. Debate over structure of Congress
      - a. Underlying issues
        - i. Balance between state and federal power
        - ii. Balance between large and small state interests
      - b. Competing proposals
        - i. Virginia plan
        - ii. New Jersey plan
      - c. Compromise solution
  - C. The limits of democracy
    - 1. Expansions of democracy
      - a. Popular election of House of Representatives
      - b. Absence of property qualifications for voting
    - 2. Limits of democracy
      - a. Small size of House of Representatives
      - b. Indirect election of Senate
      - c. Indirect election of president and vice-president
      - d. Life appointments to Supreme Court
  - D. Separation of powers; federalism
    - 1. Expanded national authority
      - a. Presidential powers
      - b. Congressional powers
      - c. Supremacy of national over state legislation
    - 2. Remaining areas of state power
  - E. Separation of powers; checks and balances
  - F. The debate over slavery
    - 1. Controversy over
    - 2. Slavery in the Constitution
      - a. Absence of mention in constitution
      - b. Slave trade clause
      - c. Fugitive slave clause
      - d. Three-fifths clause
  - G. Conclusion of Constitutional Convention
    - 1. The final document
    - 2. Transmission to states for ratification
- III. The Ratification debate and the origin of the Bill of Rights
- A. Federalists
    - 1. Mobilization
      - a. Leadership of Madison, Hamilton, Jay; *The Federalist*
      - b. Support among urban and commercial agricultural interests
    - 2. Positions
      - a. Strong national government as guarantor of liberty
      - b. Urgency of balancing democracy and property rights
      - c. Securing rights by "extending the sphere"
      - d. "Liberal" self-interest over "republican" virtue

- B. Anti-Federalists
    - 1. Mobilization
      - a. Diffuse leadership
      - b. Support among small farmers, state politicians
    - 2. Positions
      - a. Strong national government as threat to liberty
        - i. Specter of domination by elite interests
        - ii. Specter of denial of rights
      - b. Locally based democracy over "extended sphere"
  - C. Ratification
  - D. Bill of Rights
    - 1. Impetus behind
    - 2. Key provisions
    - 3. Significance and legacy
- IV. National identity in the new republic
- A. Ethnic vs. civil criteria
  - B. Indians in the new nation
    - 1. Conflicting approaches of white Americans
      - a. Exclusion
      - b. Incorporation
    - 2. Early national policies
      - a. Marginalization of Indians in constitution
      - b. Appropriation of Indian lands under treaty system
      - c. Ohio Valley conflicts and Treaty of Greenville
        - i. Indian relinquishment of Ohio and Indiana lands
        - ii. Establishment of "annuity system"
      - d. Program to encourage American-style agriculture
        - i. Prescriptions for "male" and "female" labor
        - ii. Widespread rejection by tribes
  - C. Blacks and the republic
    - 1. Access to rights of citizenship
      - a. Ambiguous status of free blacks
      - b. Unambiguous exclusion of enslaved blacks
      - c. Explicit denial of black eligibility for naturalization
    - 2. Growing view of blacks as inassimilable
      - a. Hector St. John Crèvecoeur's *Letters from an American Farmer*
      - b. Jefferson, slavery, and race: *Notes on the State of Virginia*