

Master of American History and Government  
Ashland University

**AHG 502A:  
The American Founding**  
Sunday, June 19 to Friday, June 24, 2011

Instructors: Christopher Burkett and Gordon Lloyd

**Course focus: This course is an intensive study of the constitutional convention, the struggle over ratification of the Constitution, and the creation of the Bill of Rights. It will include a close examination of the *Federalist Papers* and the Antifederalist literature.**

### **Learning Objectives**

1. To increase participants' familiarity with and understanding of:
  - Some of the fundamental principles animating the American Founding.
  - The main structures and procedures of the new American government devised in the Constitutional Convention of 1787.
  - The deliberations in the Constitutional Convention.
  - Some of the most important framers who deliberated at the Constitutional Convention.
  - The articles and sections of the Constitution of 1787.
  - The structure of the Federalist Papers.
  - Some of the main arguments in the Federalist Papers.
  - The place of the Federalist Papers in the Ratification debates of 1787-1788.
  - The Ratification Debates of 1787-1788.
  - The Bill of Rights.
2. To equip participants to make use of the Constitutional Convention Website for studying and teaching about the Constitutional Convention.
3. To prepare participants to answer and to use approximately 300 questions about the texts and subjects studied.

**Requirements:**

- A final examination, which will consist of 100 multiple choice questions. The exam questions will be selected from a Study Guide consisting of approximately 300 possible questions. The Study Guide will be distributed at the beginning of the first session.

**Students auditing the course as a part of a Teaching American History Grant program must complete the readings and fully participate in the seminars during the week.**

**IMPORTANT NOTES TO STUDENTS:**

- It is strongly recommended that you complete as much of the reading as possible before the course begins.
- **ACADEMIC INTEGRITY:** Any willful plagiarism on papers or cheating on exams will result in an “F” for the course. For more information on what constitutes plagiarism, students should consult the Academic Integrity Policy in the Graduate Catalog, available at <http://www.ashland.edu/registrar/>.

**Required Texts**

- Philip B. Kurland and Ralph Lerner, eds. *The Founders' Constitution*. Chicago: The University of Chicago Press, 1987. ISBN: 0865973024. Also available on-line at: <http://press-pubs.uchicago.edu/founders/>
- Alexander Hamilton, *et al.* *The Federalist*. Clinton Rossiter, ed. New York, New York: New American Library, 1999. ISBN: 0451628810
- Gordon Lloyd and Margie Lloyd, eds. *The Essential Bill of Rights: Original Arguments and Fundamental Documents*. Lanham, Maryland: University Press of America, 1998. ISBN: 0761810765
- William B. Allen and Gordon Lloyd, eds. *The Essential Antifederalist: Second Edition*. Lanham, Maryland: Rowman and Littlefield, 2002. ISBN: 0742521885
- Ashbrook Center Declaration/Constitution booklet. ISBN: 1878802232. On line at: <http://www.ashbrook.org/constitution/>
- Course Packet (**CP**) of additional reading materials. These materials are required texts for your course.
- Packet of reading excerpts from James Madison’ *Notes of the Federal Convention* (**MNP**). These materials are required texts for your course.

## Schedule

### Sunday, June 19

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#### 4:30 pm – 6:00 pm: Introduction and Session 1: Professor Burkett

**Topic:** The Principles of the Founding and the Crisis of the Political System of the United States, 1778-1787

**Focus:**

- Thomas Jefferson wrote that in drafting the Declaration of Independence he meant to give expression to "the American mind." What does the Declaration tell us about the American mind as it relates to the foundations, forms, and purposes of the first political institutions established in the newly sovereign United States of America?
- What defects or vices did Americans discover between 1776 and 1787 in the new governments they had instituted and in the principles on which the foundations of those governments had been laid? How did these defects threaten the "safety and happiness" of the American people?
- What remedies were suggested that seemed more likely to promote Americans' safety and happiness?

**Required Reading:**

- Declaration of Independence (Declaration/Constitution booklet)
- Thomas Jefferson to Henry Lee (Declaration/Constitution booklet)
- Thomas Jefferson to Roger Weightman (Declaration/Constitution booklet)
- Virginia Declaration of Rights, June 12, 1776 (*The Founders' Constitution*, Chapter 1, Document 3)
- Massachusetts Constitution: Preamble and Part the First. A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts, March 2, 1780 (*The Founders' Constitution*, Chapter 1, Document 6)
- Articles of Confederation, March 1, 1781 (*The Founders' Constitution*, Chapter 1, Document 7)
- Alexander Hamilton to James Duane, September 3, 1780, on "the defects of our present system" (*The Founders' Constitution*, Chapter 5, Document 2)
- George Washington to James Warren, October 7, 1785 (*The Founders' Constitution*, Chapter 5, Document 9)
- George Washington to John Jay, August 1, 1786 (*The Founders' Constitution*, Chapter 5, Document 11)
- James Madison, Vices of the Political System of the United States, April, 1787 (*The Founders' Constitution*, Chapter 5, Document 16)

#### 7:30 – 9:00 pm Institute Lecture

**Monday, June 20**

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**9:00 am - 10:30 am: Session 3** Professor Lloyd

**Topic:** Slavery and the American Founding

**Focus:**

- How has the problem of slavery shaped the way later Americans view the Founding and America's purpose?
- How did the founders think about slavery in light of the principles of the Declaration of Independence?
- Why were the founders unable to abolish slavery immediately during the Founding?
- What did Americans during the Founding do to deal with the problem of slavery?
- How did the issue of slavery shape the debates at the Constitutional Convention?

**Required Reading:**

- Quotes on Slavery, 1774-1820 (CP)
- Benjamin Franklin, "An Address to the Public," 9 November 1789 (CP)
- Constitution of the United States, Article I section 2, Article I section 9, Article IV section 2 (Declaration/Constitution booklet)
- Abraham Lincoln, Gettysburg Address (Declaration/Constitution booklet)
- Thomas Jefferson, *A Summary View of the Rights of British America (The Founders' Constitution*, Chapter 14, Document 10)(read last paragraph on p. 438 to left column on p. 439 only)
- Thomas Jefferson, Notes on Debates in Congress, 2-4 July 1776 (*The Founders' Constitution*, Chapter 15, Document 18)
- Thomas Jefferson, *Notes on the States of Virginia*, 1784 (*The Founders' Constitution*, Chapter 15, Document 28)
- Madison's *Report*, June 6, 11, 30, July 11-13, 23, August 6, 21-22, 24-25, 28-29, September 12, 15 (MNP)
- <http://www.teachingamericanhistory.org/neh/interactives/slavery/>

**10:50 am - 12:20 pm: Session 4** Professor Lloyd

**Topic:** The Constitutional Convention Act I: the Alternative Plans

**Focus:**

- In what respects did the "Virginia Plan" represent a new constitution rather than a mere revision of the Articles?
- What were the delegates' initial reactions and questions concerning the Virginia Plan? What parts of the Plan were rejected or amended?
- What did the delegates mean when they spoke of a national government as opposed to a federal government?
- What different principles animate the New Jersey and Virginia Plans and the Hamilton Proposal? Why were they even introduced?

- What are the arguments for representation of the states, as opposed to the people, in the federal government?
- What accounts for the persistence of the New Jersey Plan supporters despite their defeat earlier?
- What are the arguments against the “legality” and “practicality” of the Amended Virginia Plan?

**Required Reading:**

- Madison’s *Notes*, May 29 and 31, June 6, 11, 13, 15, and 18 (MNP)

**1:45 pm – 3:15 pm Session 5** Professor Lloyd

**Topic:** The Constitutional Convention Act II: the Connecticut Compromise

**Focus:**

- When and how did the Connecticut Compromise emerge as a viable alternative? How did the “partly national, partly federal” concept enter the discussion?
- What is the significance of who was elected to the Gerry Committee?
- Who changed their minds and why during this month long discussion over representation? Who favored and who opposed the Connecticut Compromise?

**Required Reading:**

- Madison’s *Notes*, June 26, 29 and 30, July 2, 5, and 16 (MNP)

**Tuesday, June 21**

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**9:00 am - 10:30 am: Session 6** Professor Lloyd

**Topic:** Constitutional Convention Act III: The Committee of Detail Report

**Focus:**

- Who was elected to the Committee of Detail and what has been their position so far with respect to the republican and federal issues?
- How does the Committee on Detail Report differ from the original and amended Virginia Plans? During their deliberations of the Report did the delegates let “experience be their guide”?
- What powers and what rights of Congress did the delegates suggest be enumerated? What was the status of the Executive and the Judiciary branches by the end of the discussions of the Report?

**Required Reading:**

- Madison’s *Notes*, August 6, 13, 16- 25 (MNP)

**10:50 am - 12:20 pm: Session 7** Professor Lloyd

**Topic:** Constitutional Convention Act IV: “The End is in Sight”

**Focus:**

- The Brearley Committee was created to take care of “leftovers.” How did it handle the disputes concerning the Executive branch?
- Who was on the Committee of Style and how did the Report differ from the Committee of Detail Report? What last hour changes did the delegates make to the Report?
- Why did Randolph, Mason, and Gerry decide against signing the Constitution? Were their reasons similar? Did the delegates attempt to accommodate their objections?
- What is the significance of Franklin’s “Rising Sun” speech on the last day of the Convention?

**Required Reading:**

- Madison’s *Notes*, September 4-8, 10, 12, 15, and 17 (MNP)

**1:45 pm – 3:15 pm: Session 8** Professor Lloyd

**Topic:** Overview of the Constitutional Convention

**Focus:**

- How is one able to make use of Madison’s *Report* and the other sources documenting the debates at the Constitutional Convention?

**Required Reading:**

- <http://www.teachingamericanhistory.org/convention/>
- <http://www.teachingamericanhistory.org/convention/attendance/>

**Wednesday, June 22**

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**9:00 am - 10:30 am: Session 9** Professor Burkett

**Topic:** The Antifederalist Defense of Liberty and the Revolution

**Focus:**

- How do we think about the place of Antifederalists among the American founders?
- Were the Antifederalists “coherent”? Are they relevant?
- How did the Antifederalists assess the merits or defects of the proposed Constitution in light of the principles of the American Revolution?
- On what grounds did Antifederalists oppose the separation of powers in the proposed Constitution?

- Why did Antifederalists oppose the creation of a large republic? How did their knowledge of history inform Antifederalist opposition to a large federation?
- What were the major Antifederalist arguments against the scheme of representation in the proposed Constitution?

**Required Reading:**

- James Wilson, “Substance of an Address to a Meeting of the Citizens of Philadelphia,” 6 October 6 1787 (in *The Essential Bill of Rights*)
- George Mason, *Objections* (in *The Essential Antifederalist*)
- Centinel, Letter I (in *The Essential Antifederalist*)
- Brutus, Essays I, II, III, IV and V (in *The Essential Antifederalist*)
- *The Federalist*, 38

**10:50 am - 12:20 pm: Session 10** Professor Burkett

**Topic:** How to Read *The Federalist*

**Focus:**

- Why is it important to read *The Federalist*? What kind of a book is *The Federalist*? What is the audience of *The Federalist*? What does *The Federalist* try to accomplish? What is the structure of the argument of *The Federalist*?
- How did the proposed union provide necessary protection against external and internal dangers? What is the “utility of the Union” according to *The Federalist*? What are the “objects” of the proposed Union, according to Publius?
- What improvements in "the science of politics" did Publius think necessary to make the republican form of government defensible?

**Required Reading:**

- *The Federalist* Nos. 1, 2, 3, 6, and 9

**Recommended Reading:**

- *The Federalist*, 1-9

**1:45 pm – 3:15 pm: Session 11** Professor Burkett

**Topic:** *The Federalist* and the Improved Science of Popular Government

**Focus:**

- What is *Federalist* 10's republican remedy for the problem of faction? Consider Madison's reasoning in *Vices* and in his June 6 speech at the convention and Publius' reasoning in *Federalist* 10 and 51.
- What are the defects of the Confederation, according to Publius? Why is there “an absolute necessity for an entire change in the first principles of the system”?

- What does Publius assume about human nature and the "course of human events," and how do these assumptions affect the arguments of *The Federalist*? Is there any place, any need, or any provision for civic virtue in the *Federalist* plan of government? What is the role of self-interest and passion as opposed to civic virtue, statesmanship, and reason in the *Federalist* frame of government?

**Required Reading:**

- *The Federalist* Nos. 10, 14, 15, 23, 35, 36

**Recommended Reading:**

- *The Federalist*, 10-36

**Thursday, June 23**

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**9:00 am - 10:30 am: Session 12** Professor Burkett

**Topic:** *The Federalist*: A New Beginning

**Focus:**

- What were the difficulties “inherent in the very nature of the undertaking referred to the [constitutional] Convention”? Why is it difficult to combine stability and energy with liberty and the republican form?
- What are (some of) the ingredients of republican government? of good government? What are the sources of “vague and incorrect definitions”? What examples does Publius use to explain these sources? To what part of the plan are these lessons applied? How does it induce moderation to acknowledge the various interests probably influencing the convention?
- What are “the distinctive characters of the Republican form,” according to Publius in *Federalist* 39? How is the proposed government both federal and national according to Publius in *Federalist* 39?
- How, in *Federalist* 40, does Publius answer the question of “how far the convention were authorized to propose such a government”?
- Outline of *Federalist* 41-46 and 47-51.
- What is “delicate” about the two questions raised at the end of *Federalist* 43? What does Publius mean by the last sentence in the penultimate paragraph of 43?
- What articles and clauses of the Constitution are discussed in 43 and 44? How, in *Federalist* 43, does Publius defend the Convention's proposal to supersede the Confederation “without the unanimous consent of the parties to it”?
- Why, in the American representative republic, should the people “indulge all their jealousy and exhaust all their precautions” against the legislative branch?
- What are Publius’ criticisms of Thomas Jefferson’s suggestions for maintaining the separation of powers?

- Why does Publius think that it is necessary to have the “prejudices of the community” on the side of even the most rational government? What kinds of prejudices is he thinking of?
- “[I]t is the reason of the public alone that ought to controul and regulate the government. The passions ought to be controuled and regulated by the government.” How does Publius reconcile this principle with the republican principle that government “derives all its powers directly or indirectly from . . . the people”?
- Why would “an extinction of parties necessarily [imply] either a universal alarm for the public safety, or an absolute extinction of liberty”?
- What is the principle of Separation of Powers? What is the greatest threat in the American republic to Separation of Powers, and why is this the greatest threat?

**Required Reading:**

- *The Federalist*, 37-51

**10:50 am - 12:20 pm: Session 13** Professor Burkett

**Topic:** *The Federalist* and the Legislative, Executive, and Judicial Branches

**Focus:**

- What qualities did Publius expect or take for granted in the American people who would be living under the proposed new constitution? In what ways was the constitution a response to these qualities?
- What qualities did Publius expect in the people who would serve respectively in the House of Representatives, the Senate, the office of President, and the Supreme Court? How did the functioning of each of these branches and of the constitution as a whole involve the operation of these qualities?
- What are the relations of the composition, powers, mode of selection, and tenure of office of the House of Representatives, Senate, Executive, and Judiciary to the political purposes these offices were meant to serve and to the overall purposes to be served by the constitution? How, in particular, do any of these elements contribute to the effective functioning of the separation of powers?

**Required Reading:**

- *The Federalist*, 52, 55, 57, 62, 63, 67-72, 77, 78, 85

**Recommended Reading:**

- *The Federalist*, 52-85

**1:45 pm – 3:15 pm: Session 14** Professor Burkett

**Topic:** The “In Doors” Ratification Debates

**Focus:**

- What is the enduring significance of the nine month campaign to secure ratification of the Constitution?

- Just how closely did the Constitution come to not being ratified?
- Who were the main actors in the ratification struggle and what were their arguments?

**Required Reading:**

- John Smilie and Robert Whitehill, Remarks on the Pennsylvania Ratifying Convention, 28 November 1787 (CP)
- Pennsylvania Minority Report (in *The Essential Antifederalist*)
- Selected Exchanges from the MA Ratification Convention Debates, January 15, 22, and 31, 1788 (CP)
- Selections from the Ratification debates in Virginia, June 6 and 24, 1788 (CP)
- Patrick Henry, VA Ratifying Convention (in *The Essential Antifederalist*)
- Selections from the NY Ratifying Convention debates, June 20, 21 and 23, 1788 (CP)
- John Lansing, NY Ratifying Convention, 24 June 1788 (in *The Essential Antifederalist*)
- <http://www.teachingamericanhistory.org/ratification/>

**Friday, June 24**

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**9:00 am - 10:30 am: Session 15** Professor Burkett

**Topic:** The Bill of Rights

**Focus:**

- To what extent did the absence of a bill of rights influence ratification in PA, MA and VA?
- Did Madison and Jefferson change their minds concerning the importance of a Bill of Rights?
- Why did James Madison agree to introduce a Bill of Rights in the First Congress? What were the arguments in favor and against the adoption of the Bill of Rights?
- How did Madison propose to adopt “moderate” and “proper” amendments that would not alter the structure and power of the newly formed government?
- Why did Sherman urge that the Bill of Rights be attached to the end of the original constitution and why did Madison object to this strategy?
- What changes were made to Madison’s June 8 proposals?

**Required Reading:**

- *The Federalist*, 84
- State Ratifying Conventions – PA, MA, and VA (sections XXXVIII and XXXIX in *The Essential Bill of Rights*)
- Jefferson-Madison Correspondence I and II (sections XL and XLI in *The Essential Bill of Rights*)
- James Madison Speech, June 8, 1789 (section XLII in *The Essential Bill of Rights*)

- Time-line in *The Essential Antifederalist*
- Congressional History of the Bill of Rights 1789-1791 ( section XLIII in *The Essential Bill of Rights*)

**10:50 am - 12:20 pm: Session 16 Review and Final Questions** Professors Burkett and Lloyd

**1:00 pm - 2:30 pm: Session 17** Final Comprehensive Exam