

In 1786, at Annapolis, Maryland, a meeting was held to discuss commerce problems. Five states attended. During the discussions, a future meeting was proposed. The hope was expressed that all states would attend. This future meeting, or convention, would be held in Philadelphia for the purpose of correcting faults in the Articles of Confederation.

The convention began its work in May 1787 and finished in September of the same year. Seventy-four men had been chosen as delegates by the various states, but only 55 attended in Philadelphia. Average attendance each day was approximately 30 members.

The men who attended the convention were of remarkable ability. From Virginia came George Washington, Edmond Randolph, and James Madison. New York sent Alexander Hamilton. Pennsylvania sent Benjamin Franklin, Governor Morris, and James Wilson. From New Jersey were William Livingston and William Peterson. Other important delegates were: Elbridge Gerry and Rufus Kind, Massachusetts; Oliver Ellsworth and Roger Sherman, Connecticut; John Dickinson, Delaware; and John Rutledge and Charles C. Pickney from South Carolina.

The delegates were men of wealth and prestige. Many of them had served in the Revolutionary War and the First and Second Continental Congresses. Many had served in their own state governments. Eight had been signers of the Declaration of Independence. Two would become presidents of the United States and one would become vice president. Eighteen would become senators and eight would become representatives.

The average age of the men attending the convention was 42, yet many were in their 30s. Ben Franklin was the oldest at 81. Not all of the leaders of the colonies consented to attend, however. Patrick Henry "smelt a rat" and would not attend. Later, he would become a bitter foe of the Constitution, accepting it only after the addition of the Bill of Rights. Samuel Adams and John Hancock also refused to attend, and Thomas Jefferson and Thomas Paine were in Europe.

The delegates met in Philadelphia in Independence Hall. Dirt had been spread on the cobblestone street outside the hall so that the noise from passing carriages would not disturb the meeting. George Washington was selected as president of the convention. Although the official purpose of the convention was to improve

the Articles of Confederation, a decision was quickly reached to replace the Articles with a new constitution. The delegates agreed on an early resolution:

"Resolved...that a national government ought to be established consisting of a Supreme, Legislative, Judiciary, and Executive."

The delegates often disagreed on proposals. However, they all agreed that the new government had to be strong enough to rule the entire nation. James Madison would come to be called the "Father of the Constitution" because of his negotiating power and suggestions of compromise.

Slavery and the Constitution

How could a country like the United States, so interested in freedom, not outlaw slavery in 1781? Many northern states had outlawed slavery. But the delegates at the Constitutional Convention knew southern states would never accept the Constitution if it interfered with slavery. So to create the new government, the delegates did not outlaw slavery. Instead, they left the problem for another day and another war. Unfortunately, even with the other freedoms guaranteed by the Bill of Rights, slavery was not outlawed, but slavery's days were numbered.

Who was missing from the Convention?

Who was missing from the Constitutional Convention? No women, blacks, Indians or whites of modest or poor means attended the Constitutional Convention. This was not surprising since most of the above groups could not even vote at that time.

QUESTIONS

TRUE OR FALSE? Write a **T** or **F** in the space provided.

- ___ 1. The Constitutional Convention was held in Philadelphia in 1787.
- ___ 2. The Annapolis Convention did not aid in the process of getting a new constitution written.
- ___ 3. There were 13 delegates to the Constitutional Convention.
- ___ 4. George Washington was the president of the Constitutional Convention.
- ___ 5. The official purpose of the Constitutional Convention was to write a new constitution.
- ___ 6. The convention at Annapolis, Maryland, came before the Constitutional Convention.
- ___ 7. The building in which the Constitutional Convention met is called Independence Hall.

Problems and Compromises

The first major difficulty that the convention had to face was the struggle for power between the small states and the large states. The *Virginia Plan*, submitted by James Madison, proposed two houses of Congress based on population. In that way, the large states would control the government. Also, these houses would appoint other important government officers, and, therefore, the large states would be in control of the entire government.

On the other hand, the small states proposed the *New Jersey Plan*, which would have made one house of Congress. This was also known as the *Small State Plan*, and was presented at the Philadelphia Convention by William Paterson. All the states would be represented equally regardless of size. Other provisions would have made the new Constitution much like the Articles of Confederation.

A compromise was reached (sometimes referred to as the *Great or Connecticut Compromise*). The new government would have two houses of Congress. In the House of Representatives, each state would be represented according to population, satisfying the large states. In the Senate, each state would be represented equally, satisfying the small states.

Other compromises regarded slave trade, term of the president, voting qualifications, and whether to count slaves as people when deciding how many representatives the state would get in the House of Representatives. The *Three-Fifths Compromise* decided that three-fifths of the slaves would count toward representation.

Delegate Distrust of the People

We can see that the delegates distrusted the people in a number of ways. For example, they decided that the president should be elected by "electors" from the states and not by the people as a whole. This was the *Electoral College*, which assigned electors to each state. Each state received as many electors as their total of senators and representatives in Congress. Later in U.S. history, these electors in the Electoral College would be required to vote for the presidential candidate that won the popular vote in their state. You will learn more about the Electoral College on Page 33.

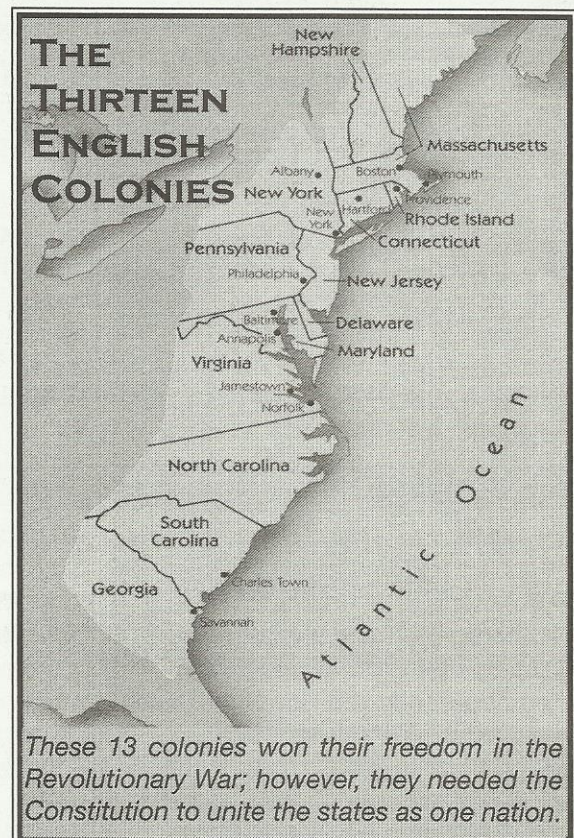
What is the *popular vote*? It simply means the vote of the people. So when a candidate in your state wins the popular vote in your state, he or she simply won more votes of the people than his or her opponent. A vote by only certain people (like a vote in the U.S. House of Representatives, for example) is not a direct vote of the people, and therefore, not the popular vote.

Another distrust of the people can be seen in the election of United States senators. The Constitutional Convention decided that senators would be elected by state legislators, not the people themselves. However, later, the 17th Amendment to the Constitution changed that. The people in the states now elect their own senators.

The lack of trust of the common people was due partly to there being very few representatives of the common man at the Constitutional Convention. Forty of the 55 delegates were wealthy enough to have loaned money to the government, 15 were slaveholders, and 14 held western land. None were small farmers or working men. And the champions of the common man, including Jefferson and Henry, were not present.

Many of the democratic features we know in our government today are features that have evolved since the Constitutional Convention. The writers of the Constitution may have had some distrust of democracy. However, they wrote a document that was flexible enough to provide the basis for orderly change. Most of these changes have made our country more democratic as the years have passed. If you need some examples of this additional democracy, think of how many more people today can vote, run for office, obtain education, and exercise individual rights.

This is also the time for students to have a definition of *democracy*. Democracy is simply government by the people, exercised either directly or through elected representatives.



Ratification

It was decided that as soon as nine states approved the Constitution it would go into effect. The convention adjourned September 17, 1787, and the fight for ratification began. The fight was a bitter one. The Constitution was supported by the *Federalists*. Leading Federalists Hamilton, Jay, and Madison published the *Federalist Papers*. These papers were very important in convincing people that the Constitution was of value. The *Anti-Federalists* fought against the Constitution, but were not successful.

On June 21, 1788, the Constitution took effect when New Hampshire became the ninth state to ratify it. The remaining four states joined by 1790. The Federalists and Anti-Federalists continued their battle over the Constitution and became two separate political forces under the new government.

On January 7, 1789, the United States, having recently adopted its Constitution, held its first presidential election. Only white men who owned property voted. They choose electors who in turn voted for the candidates. As it did in 1789, the United States still uses the Electoral College system, established by the U.S. Constitution.

Our First President

As expected, George Washington won the election and was sworn into office on April 30, 1789. Washington was a Virginia landowner who had led the patriotic forces in the war against the British. His popularity was matched by his accomplishments. Washington was a delegate to both continental congresses. He was unanimously named both as commander-in-chief of the Continental Army during the Revolutionary War and as president of the Constitutional Convention that drafted the Constitution.

Washington finished first with 69 votes, followed by his fellow Federalist John Adams of Massachusetts, whose 34 votes propelled him into the vice presidency. (Prior to the ratification of the 12th Amendment in 1804, the candidate who received the most electoral votes became president while the runner-up became vice president.)

Citizenship and Becoming President

The members of the Constitutional Convention envisioned a president born in the good, old United States of America. In Article 2, Section 1, they wrote that "No person except a natural-born citizen... shall be eligible to the office of president." The convention delegates apparently did not want to take the chance of a foreign country sending someone to run for our highest political office. Immigrants can become citizens, thus becoming "naturalized" citizens. But naturalized citizens cannot become president, only natural-born citizens are eligible.

QUESTIONS

TRUE OR FALSE? Write a *T* or *F* in the space provided.

- _____ 1. Six states had to approve the Constitution before it was effective.
- _____ 2. The Federalists were against the Constitution.
- _____ 3. Patrick Henry and Thomas Jefferson looked after the interests of the common people at the convention.
- _____ 4. The small states wanted each state to have the same number of representatives.
- _____ 5. The Constitutional Convention adopted the Virginia Plan.
- _____ 6. Fortunately, the Constitution outlawed slavery.
- _____ 7. The Electoral College showed that the Constitutional Convention trusted the people.
- _____ 8. The New Jersey Plan suggested only one house of Congress.
- _____ 9. The New Jersey Plan favored the small states and the Virginia Plan favored the large states.
- _____ 10. Each state gets the same number of votes in the Electoral College.
- _____ 11. Article 2 of the U.S. Constitution includes a provision that only "natural-born" citizens are eligible to become president.
- _____ 12. Immigrants can become citizens.

MATCH THE PERSON. Write the letter from Section B in the space that matches the person in Section A.

A

B

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|-----------------------------|--|
| 1. Benjamin Franklin _____ | a. First Vice President |
| 2. John Adams _____ | b. Submitted Virginia Plan |
| 3. William Paterson _____ | c. NY Delegate & Strong Federalist |
| 4. Alexander Hamilton _____ | d. Presented Small States Plan |
| 5. James Madison _____ | e. "Smelt a Rat" and did not attend convention |
| 6. Patrick Henry _____ | f. Oldest Delegate at Convention |

SHORT ANSWER

1. Write a definition of *democracy*. _____

2. Number of the amendment that changed the way we elect U.S. senators. _____
3. Name three of the original 13 colonies. _____

4. The Constitutional Convention adjourned on what date? _____