The Constitutional Convention

The Philadelphia meeting began in May 1787 and continued through one of the hottest summers on record. The 55 delegates included planters, merchants, lawyers, physicians, generals, governors, and a college president. Three of the delegates were under 30 years of age, and one, Benjamin Franklin, was over 80. Many were well educated. At a time when only one white man in 1,000 went to college, 26 of the delegates had college degrees. Native Americans, African Americans, and women were not considered part of the political process, so none attended.

Several men stood out as leaders. The presence of George Washington and Benjamin Franklin ensured that many people would trust the Convention’s work. Two Philadelphians also played key roles. James Wilson often read Franklin’s speeches and did important work on the details of the Constitution. Gouverneur Morris, a powerful speaker and writer, wrote the final draft of the Constitution.

From Virginia came Edmund Randolph and James Madison. Both were keen supporters of a strong national government. Madison’s careful notes are the major source of information about the Convention’s work. Madison is often called the Father of the Constitution because he was the author of the basic plan of government that the Convention adopted.

Organization

The Convention began by unanimously choosing George Washington to preside over the meetings. It also decided that each state would have one vote on all questions. A simple majority vote of those states present would make decisions. No meetings could be held unless delegates from at least seven of the 13 states were present. The delegates decided to close their doors to the public and keep the sessions secret. This was a key decision because it made it possible for the delegates to talk freely.

The Virginia Plan

After the rules were adopted, the Convention opened with a surprise. It came from the Virginia delegation. Edmund Randolph proposed
that the delegates create a strong national government instead of revising the Articles of Confederation. He introduced the **Virginia Plan**, which was largely the work of James Madison. The plan called for a two-house legislature, a chief executive chosen by the legislature, and a court system. The members of the lower house of the legislature would be elected by the people. The members of the upper house would be chosen by the lower house. In both houses the number of representatives would be proportional, or corresponding in size, to the population of each state. This would give Virginia many more delegates than Delaware, the state with the smallest population.

Delegates from Delaware, New Jersey, and other small states immediately objected to the plan. They preferred the Confederation system in which all states were represented equally.

Delegates unhappy with the Virginia Plan rallied around **William Paterson** of New Jersey. On June 15 he presented an alternative plan that revised the Articles of Confederation, which was all the convention was empowered to do.

The **New Jersey Plan** kept the Confederation’s one-house legislature, with one vote for each state. Congress, however, could set taxes and regulate trade—powers it did not have under the Articles. Congress would elect a weak executive branch consisting of more than one person.

Paterson argued that the Convention should not deprive the smaller states of the equality they had under the Articles. Thus, his plan was designed simply to amend the Articles.

**Reading Check**  
**Explaining** Why did some delegates criticize the Virginia Plan?

**Compromise Wins Out**

The convention delegates had to decide whether they were simply revising the Articles of Confederation or writing a constitution for a new national government. On June 19 the states voted to work toward a national government based on the Virginia Plan, but they still had to resolve the thorny issue of representation that divided the large and small states.
Discussion and Disagreement

As the convention delegates struggled to deal with difficult questions, tempers and temperatures grew hotter. How were the members of Congress to be elected? How would state representation be determined in the upper and lower houses? Were enslaved people to be counted as part of the population on which representation was based?

Citizenship
The Great Compromise

Under Franklin’s leadership, the convention appointed a “grand committee” to try to resolve their disagreements. Roger Sherman of Connecticut suggested what came to be known as the Great Compromise. A compromise is an agreement between two or more sides in which each side gives up some of what it wants.

Sherman proposed a two-house legislature. In the lower house—the House of Representatives—the number of seats for each state would vary according to the state’s population. In the upper house—the Senate—each state would have two members.

The Three-Fifths Compromise

Another major compromise by the delegates dealt with counting enslaved people. Southern states wanted to include the enslaved in their population counts to gain delegates in the House of Representatives. Northern states objected to this idea because enslaved people were legally considered property. Some delegates from Northern states argued that the enslaved, as property, should be counted for the purpose of taxation but not representation. However, neither side considered giving enslaved people the right to vote.

The committee’s solution, known as the Three-Fifths Compromise, was to count each enslaved person as three-fifths of a free person for both taxation and representation. In other words, every five enslaved persons would equal three free persons. On July 12 the convention delegates voted to approve the Three-Fifths Compromise. Four days later, they agreed that each state should elect two senators.
Slave Trade

The convention needed to resolve another difficult issue that divided the Northern and Southern states. Having banned the slave trade within their borders, Northern states wanted to prohibit it throughout the nation. Southern states considered slavery and the slave trade essential to their economies. To keep the Southern states in the nation, Northerners agreed that the Congress could not interfere with the slave trade until 1808. Beginning that year Congress could limit the slave trade if it chose to.

Bill of Rights

George Mason of Virginia proposed a bill of rights to be included in the Constitution. Some delegates worried that without the protection of a bill of rights the new national government might abuse its power. However, most of the delegates believed that the Constitution, with its carefully defined listing of government powers, provided adequate protection of individual rights. Mason’s proposal was defeated.

Approving the Constitution

The committees finished their work on the Constitution in late summer. On September 17, 1787, the delegates assembled in the Philadelphia State House to sign the document. Franklin called for approval:

“I consent to this Constitution because I expect no better, and because I am not sure, that it is not the best.”

Three delegates refused to sign—Elbridge Gerry of Massachusetts, and Edmund Randolph and George Mason of Virginia. Gerry and Mason would not sign without a bill of rights. Randolph called for a second constitutional convention.

The Confederation Congress then sent the approved draft of the Constitution to the states for consideration. To amend the Articles of Confederation had required unanimous approval of the states. Getting a unanimous vote had proved slow and frustrating. Therefore, the delegates agreed to change the approval process for the Constitution. When 9 of the 13 states had approved, the new government of the United States would come into existence. (See pages 232–233 for the entire text of the Constitution.)

Reading Check Analyzing Who refused to sign the Constitution? Explain why.

SECTION 2 ASSESSMENT

Checking for Understanding

1. Key Terms Use the terms that follow to write a newspaper article about the main events of the Constitutional Convention: depression, manumission, proportional, compromise.

2. Reviewing Facts Explain what caused Shays’s Rebellion. What was one effect?

Reviewing Themes

3. Groups and Institutions How did the Great Compromise satisfy both the small and the large states on the question of representation?

Critical Thinking

4. Summarizing Information You are asked to write a 30-second news broadcast to announce the agreement made in the Great Compromise. What would you include in the broadcast?

5. Analyzing Information Re-create the diagram below and identify arguments for and against ratifying the Constitution.

<table>
<thead>
<tr>
<th>Ratification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arguments for</td>
</tr>
</tbody>
</table>

Analyzing Visuals

6. Picturing History Examine the images that appear on pages 202 and 204. What do they show? Where are they located? Why are these places important in the nation’s history?

Interdisciplinary Activity

Government Create a political cartoon that illustrates the view of either the Northern states or the Southern states on how enslaved people should be counted for representation.
Making Comparisons

Why Learn This Skill?

Suppose you want to buy a portable compact disc (CD) player, and you must choose among three models. You would probably compare characteristics of the three models, such as price, sound quality, and size, to figure out which model is best for you. When you study American history, you often compare people or events from one time period with those from a different time period.

Learning the Skill

When making comparisons, you examine two or more groups, situations, events, or documents. Then you identify similarities and differences. For example, the chart on this page compares two documents, specifically the powers each gave the federal government. The Articles of Confederation were implemented before the United States Constitution, which replaced the Articles.

When making comparisons, you first decide what items will be compared and determine which characteristics you will use to compare them. Then you identify similarities and differences in these characteristics.

Practicing the Skill

Analyze the information on the chart on this page. Then answer the following questions.

1. What items are being compared?
2. Which document allowed the government to organize state militias?
3. Which document allowed the government to coin money? Regulate trade?
4. In what ways are the two documents different?
5. In what ways are the two documents similar?

Applying the Skill

Making Comparisons

On the editorial page of your local newspaper, find two letters to the editor that express different viewpoints on the same issue. Read the letters and identify the similarities and differences between the two points of view.