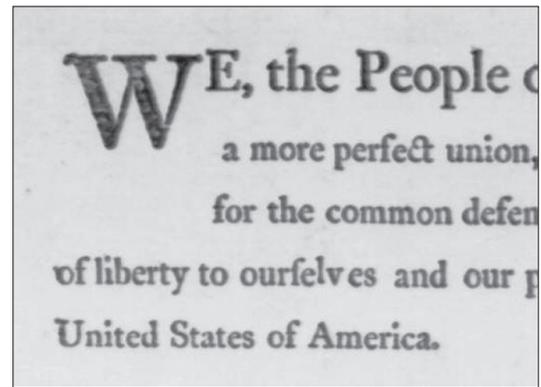


# THE CONSTITUTION

They met in Philadelphia in May 1787. Fifty-five men from 12 different states gathered, intending to revise the Articles of Confederation. As they began their meetings, however, Virginia Governor Edmund Randolph presented a plan prepared by James Madison. The plan outlined a design for a new, centralized, strong national government. Thus began the Constitutional Convention – the four-month process of secret argument, debate and compromise that produced a document that would soon be known in all corners of the globe: the Constitution of the United States.



Constitution, Printed, with Marginal Notes by George Washington, September 12, 1787  
<http://memory.loc.gov/cgi-bin/ampage?collId=mw4&fileName=gwpage097.db&recNum=232>

## HISTORICAL BACKGROUND

Passersby might have had little idea that anything of importance was happening at the time, and there was no guarantee that anything significant would be accomplished. Attendance at the Convention reached a quorum two weeks after proceedings began. Rhode Island refused to participate altogether.

The U.S. government was in a position of weakness relative to the states, and had little clout in commercial policy or taxation. It had little power to settle conflicts between the states or to address conflicts within the states. There was a shared feeling that the system in place could not provide a safeguard from popular discontent, but a range of opinions on how to solve the problems.

- Alexander Hamilton proposed a strong federal government based on the British model – with a president and senators elected for life, and state governors appointed by that government.
- The New Jersey delegation put forward a plan that would have maintained Articles of Confederation while giving Congress greater powers to raise revenue and regulate interstate commerce. It also imagined the executive branch as being run by multiple individuals rather than one “president.” Smaller states rallied around this plan.
- Randolph and Madison introduced their Virginia Plan early in the Convention, endorsing a nationalist vision of a strong central government consisting of a judicial, legislative, and executive branch. The

plan would have established a legislature with state representation proportional to its population.

Each of these plans shaped the emerging debate in the Convention about what might replace the Articles of Confederation.

In June, delegates debated the question of representation. Larger states were staunchly in favor of proportional representation, while the smaller states supported equal representation. The delegates finally resolved the question by making a “great compromise” to create a two-house, or *bicameral*, legislature. In the upper house, each state would have equal representation, while in the lower the people would have proportional representation.

Slavery was another controversial question. In 1784, Thomas Jefferson and his congressional committee had drafted the Northwest Ordinance, which prohibited slavery in the new territories to the north and west of the Ohio River. This raised a question about representation and led to another compromise by which every five enslaved Americans would be counted as three citizens, but only for taxation and representation purposes. It would take almost a century, a bloody war, and a Constitutional amendment before slavery was abolished in the U.S.

On September 17, 1787, the final draft of the document was read to the 42 delegates remaining at the convention. Thirty-nine delegates affixed their signatures to the document and notified the Confederation Congress that their work was finished. Then the Congress submitted the document to the states for ratification. Argument, debate, and compromise continued.

The state of Delaware was first to ratify. On June 21, 1788, just nine months after the state ratification

process began, New Hampshire became the ninth state to ratify, and the Constitution established the U.S. government as it exists today.

Almost as soon as the Constitution was ratified, there were calls to add amendments that would secure basic individual rights and liberties. The first ten amendments, known as the Bill of Rights, were ratified in December 1791. In the centuries since, the Constitution has been amended more than a dozen times and its protections and prohibitions exhaustively debated. Although it is the world’s oldest written constitution, the U.S. Constitution remains very much a living document.

## SUGGESTIONS FOR TEACHERS

- Compare persuasive techniques and rhetorical devices used by George Mason in "Objections to the Constitution" (Sept. 1787) and by James Madison (writing as "Publius") in "*Federalist No. X*" (Nov. 1787). Outline each man's arguments, and then compare their ideas to the final version of the Constitution. Look for evidence of either man's arguments in the final version.
- Read George Washington's diary entries. Pair these with a map of the nation from that time and check off the states as they arrive according to Washington's entries. Discuss the definition of "quorum." Ask students: Why was it important to have a quorum present before the convention could proceed?
- Read George Washington's letter introducing the Constitution: What democratic principles (e.g., separation of powers, compromise, and government responsibilities) does he illustrate?
- Analyze the cartoon "The looking glass for 1787." (Direct students to record their thinking on the Library's Primary Source Analysis Tool. Select questions from the Teachers Guide: Analyzing Political Cartoons to guide and focus their thinking). What issues are raised by the cartoon? How has the artist used satire?
- Read Alexander Hamilton's speech notes. Assign students to write and deliver a speech based on the notes and other knowledge about Hamilton's views on democracy.
- Compare the "Constitution with marginal notes by George Washington" (1787) with Jefferson's "Notes on the United States Constitution" (1788). What do each man's reactions tell us about his views about the Constitution and the newly formed government?
- Use documents to trace the development of the Constitution from Articles of Confederation through Bill of Rights. Allow students time to analyze each item and complete a close reading, and then ask students to write the history of the development of the Constitution. Use items such as Jefferson's chart of the votes, various notes, and Washington's letter presenting the Constitution to add layers of interest to the documents.
- Compare the student-prepared history to accounts from textbooks or other secondary sources. How do they differ? How are they the same? Discuss choices made by publishers to include or omit particular information or details.
- Ask each student to select a single amendment from the 12 proposed in the draft of the Bill of Rights and make a case to their classmates for its ratification. After the class debates each amendment and votes on its ratification, compare the class's list of rights with the Bill of Rights as it was eventually passed. How would the nation be different if your class's list of rights were in effect?

## ADDITIONAL RESOURCES



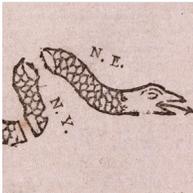
### **Constitution Annotated**

<http://beta.congress.gov/constitution-annotated/>



### **American Memory Timeline: The New Nation**

<http://www.loc.gov/teachers/classroommaterials/presentationsandactivities/presentations/timeline/newnatn/newnatn.html>



### **American Memory Timeline**

<http://www.loc.gov/teachers/classroommaterials/presentationsandactivities/presentations/timeline/>



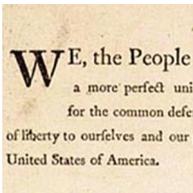
### **Primary Documents in American History**

<http://www.loc.gov/rr/program/bib/ourdocs/PrimDocsHome.html>



### **The U.S. Constitution: Continuity and Change in the Governing of the United States (grades 6 - 12)**

<http://www.loc.gov/teachers/classroommaterials/lessons/continuity-change/>



### **The Constitution: Counter Revolution or National Salvation? (grades 9 - 12)**

<http://www.loc.gov/teachers/classroommaterials/lessons/constitution/>

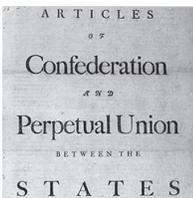
## PRIMARY SOURCES WITH CITATIONS



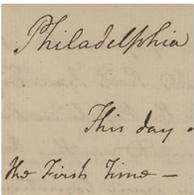
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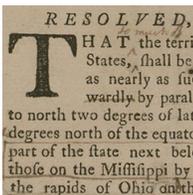
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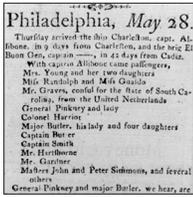
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<http://www.loc.gov/pictures/item/2008661778/>

Friday 11th. Set out before where we baited, and proceeded. The wind being high, & the frequent Showers thro' the day

Saturday 12th. Crossed the ferry house on the east of Wilmington. At the head of my carriage to Wilmington.

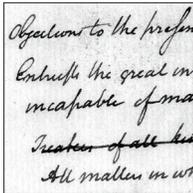
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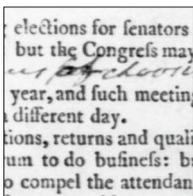
[Newspaper Articles and Notices Printed in 1787 During the Constitutional Convention in Phila.]. 28 May 1787. From Library of Congress, Prints and Photographs Division.

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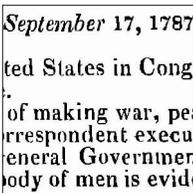
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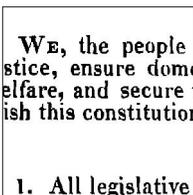
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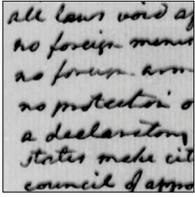
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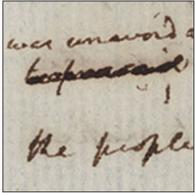
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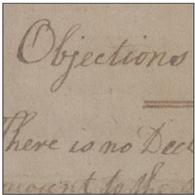
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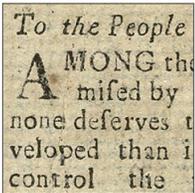
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