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## The Constitutional Convention

As You Read

### Explore These Questions

- How did the Virginia Plan and the New Jersey Plan differ?
- How did the Great Compromise satisfy both large and small states?
- What compromises were made on the issue of slavery?

### Define

- legislative branch
- executive branch
- judicial branch
- compromise

### Identify

- Constitutional Convention
- James Madison
- Virginia Plan
- New Jersey Plan
- Roger Sherman
- Great Compromise
- Three-Fifths Compromise

### SETTING the Scene

An air of mystery hung over the Pennsylvania State House in Philadelphia during the summer of 1787. Philadelphians watched as the nation's greatest leaders passed in and out of the building. Eleven years earlier, some of the same men had signed the Declaration of Independence there. What was going on now? Susannah Dillwyn wrote to her father about the excitement:

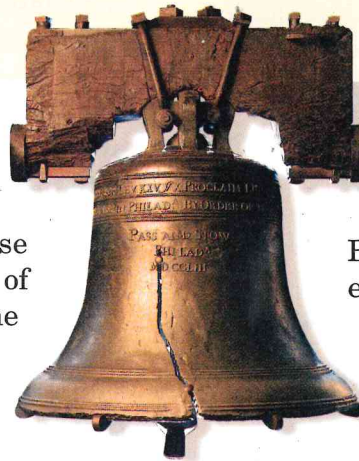
“There is now sitting in this city a grand convention, who are to form some new system of government or mend the old one. I suppose it is a body of great consequence, as they say it depends entirely upon their pleasure whether we shall in the future have a congress.”

What would this “grand convention” decide? No one knew. For almost four months, Americans waited for an answer.

### The Convention Opens

On May 25, 1787, the **Constitutional Convention** opened in Philadelphia. Every state except Rhode Island sent representatives. Their mission was to revise the Articles of Confederation.

The 55 delegates gathered for the convention were a remarkable group. At age 81,



◀ The Liberty Bell, a symbol of freedom, originally hung in the Pennsylvania State House.

Benjamin Franklin was the oldest delegate. He was wise in the ways of government and human nature. George Washington was a representative from Virginia. Washington was so well respected that the delegates at once elected him president of the Convention.

Perhaps the best-prepared delegate to the Constitutional Convention was young **James Madison** of Virginia. For months, Madison had secluded himself on his father's plantation. There, he read many books on history, politics, and commerce. He arrived in Philadelphia with a case bulging with volumes of research.

Many delegates were young men in their twenties and thirties. Among them was Alexander Hamilton of New York. During the Revolution, Hamilton served for a time as Washington's private secretary. Hamilton despised the Articles of Confederation. “The nation,” he wrote, “is sick and wants powerful remedies.” The powerful remedy he prescribed was a strong national government.

When the Convention began, the delegates decided to keep their talks secret. They wanted to be able to speak their minds freely. They wished to explore issues and solutions without pressures from outside.



## Biography Roger Sherman

Roger Sherman was a shoemaker, shopkeeper, surveyor, lawyer—and one of the most respected early leaders of the United States. Thomas Jefferson once said that Sherman “never said a foolish thing in his life.” Sherman was one of only four people to sign both the Declaration of Independence and the Constitution. ★ **What major contribution did Roger Sherman make to the Constitutional Convention?**

To ensure secrecy, guards stood at the door. The windows were left closed to keep passersby from overhearing the debates. The closed windows made the room very hot, however. New Englanders in their woolen suits suffered terribly in the summer heat. Southerners, with clothing more suited to warm temperatures, were less bothered.

### Hopelessly Divided

Soon after the meeting began, the delegates decided to do more than revise the Articles of Confederation. They chose instead to write an entirely new constitution for the nation. They disagreed, however, about what form the national government should take.

### The Virginia Plan

Edmund Randolph and James Madison, both from Virginia, proposed a plan for the new government. This **Virginia Plan** called for a strong national government with three branches. The **legislative branch** would pass the laws. The **executive branch** would carry out the laws. The **judicial branch**, or system of courts, would decide if laws were carried out fairly.

According to the Virginia Plan, the legislative branch would consist of two houses. Seats in both houses would be awarded on the basis of population. Thus, in both houses, larger states would have more representatives than smaller ones. This differed from the Articles of Confederation, which gave every state, regardless of population, one vote in Congress.

### The New Jersey Plan

Small states objected strongly to the Virginia Plan. They feared that the large states could easily outvote them in Congress. In response, supporters of the Virginia Plan said that it was only fair for a state with more people to have more representatives.

After two weeks of debate, William Paterson of New Jersey presented a plan that had the support of the small states. Like the Virginia Plan, the **New Jersey Plan** called for three branches of government. However, it provided for a legislature that had only one house. Each state, regardless of its population, would have one vote in the legislature.

### The Great Compromise

For a while, no agreement could be reached. With tempers flaring, it seemed that the Convention would fall apart without adopting any plan. Finally, **Roger Sherman** of Connecticut worked out a compromise that he hoped would satisfy both large and small states. A **compromise** is a settlement in which each side gives up some of its demands in order to reach an agreement.

Sherman's compromise called for a two-house legislature. Members of the lower house, known as the House of Representatives, would be elected by popular vote. As



### Independence Hall

For many, the birthplace of the United States is the old Pennsylvania State House, known today as Independence Hall. Here, the Declaration of Independence was signed, the Articles of Confederation were approved, and the Constitution was adopted. The site is now part of a national park. Visitors to the park can tour the building, learn about the Constitution, and see the Liberty Bell.

★ To learn more about this historic site, write: Independence National Historical Park, 313 Walnut Street, Philadelphia, PA 19106.

the larger states wished, seats in the lower house would be awarded to each state according to its population.

Members of the upper house, called the Senate, would be chosen by state legislatures. Each state, no matter what its size, would have two senators. This part of Sherman's compromise appealed to the smaller states.

On July 16, the delegates narrowly approved Sherman's plan. It became known as the **Great Compromise**. Each side gave up some demands to preserve the nation.

### Northern and Southern States Compromise

Just as there were disagreements between large and small states, there were also disagreements between northern and southern states. These disagreements concerned the issue of slavery. Would slaves be counted as part of a state's population? Would the slave trade continue to bring enslaved Africans into the United States?



▲ Chamber where the Constitution was debated

### The Three-Fifths Compromise

Southerners wanted to include slaves in the population count even though they would not let slaves vote. If slaves were counted, southern states would have more representatives in the House of Representatives. Northerners argued that since slaves could not vote, they should not be counted.

Once again, the delegates compromised. They agreed that three fifths of the slaves in any state would be counted. In other words, if a state had 5,000 slaves, 3,000 of them would be included in the state's population count. This agreement became known as the **Three-Fifths Compromise**.

## The slave trade

There was another disagreement over slavery. By 1787, some northern states had banned the slave trade within their borders. They urged that the slave trade be banned in the entire nation. Southerners warned that such a ban would ruin their economy.

In the end, the two sides compromised once more. Northerners agreed that Congress could not outlaw the slave trade for at least 20 years. After that, Congress could regulate the slave trade if it wished. Northerners also agreed that no state could stop a fugitive slave from being returned to an owner who claimed that slave.

## Signing the Constitution

As summer drew to a close, the weary delegates struggled with other difficult questions. How many years should the President, head of the executive branch, serve? How should the courts be organized? Would members of Congress be paid?

Finally, on September 17, 1787, the Constitution was ready. Gathering for the last time, delegates listened quietly as Benjamin

Franklin rose to plead that the document be accepted:

“I doubt... whether any other Convention... may be able to make a better Constitution... I cannot help expressing a wish, that every member of the Convention, who may still have objections to it, would with me, on this occasion, doubt a little of his own infallibility, and... put his name to this instrument.”

One by one, delegates came forward to sign the document. Of the 42 delegates remaining in Philadelphia, 39 signed the document. Edmund Randolph and George Mason of Virginia, along with Elbridge Gerry of Massachusetts, refused to sign. They felt that the new Constitution gave too much power to the national government.

The Constitution required each state to hold a state convention to decide if the plan for the new government should be accepted. Once 9 of the 13 states endorsed it, the Constitution would go into effect. Before that occurred, the new Constitution was discussed and debated in all the states.

## ★ Section 2 Review ★

### Recall

1. **Identify** (a) Constitutional Convention, (b) James Madison, (c) Virginia Plan, (d) New Jersey Plan, (e) Roger Sherman, (f) Great Compromise, (g) Three-Fifths Compromise.
2. **Define** (a) legislative branch, (b) executive branch, (c) judicial branch, (d) compromise.

### Comprehension

3. Why did New Jersey and other small states oppose the Virginia Plan?
4. (a) How did the Great Compromise satisfy large states? (b) How did it satisfy small states?
5. What compromise did the North and South reach on the slave trade?

### Critical Thinking and Writing

6. **Defending a Position** James Madison said that “no Constitution would ever have been adopted by the Convention if the debates had been made public.” Do you agree or disagree? Defend your position.
7. **Predicting Consequences** Some historians refer to the issue of slavery as the Constitutional Convention’s “unfinished business.” How do you think the issue of slavery would continue to divide North and South in the years after the Convention?



**Activity Writing a Letter** You are the editor of a Philadelphia newspaper in 1787. Decide whether you agree or disagree with the Convention’s decision to keep its talks secret. Explain your viewpoint in a letter to the delegates of the Constitutional Convention.