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The Constitutional Convention

In the summer of 1787, Philadelphia was roasting under a heat wave. But day after day, a group of men kept the windows of the State House firmly shut. They feared that if word got out about what they were discussing there, revolts could ensue. So they debated—and sweated—in secret. They wanted no one to know that they were crafting a new United States Constitution.

More than 10 years before that pivotal summer, the American colonies had declared themselves united. They established a government—the Continental Congress—and drew up a constitution: the Articles of Confederation. This constitution enabled them to declare war and coordinate military efforts against Britain. Otherwise, it was intentionally weak; having declared independence from a government they considered tyrannical, Americans didn't want to lock themselves into a similar situation. As for the new states, they weren't actually that united; in fact, they functioned more like separate countries.

In post-Revolution America, this system wasn't working out so well. The country owed war debt, but the government—now called the Confederation Congress—had no power to collect taxes. Nor could it regulate commerce, support an army, or protect people from oppressive state laws.

Many people feared that without a stronger government, the country would fall apart. The Confederation Congress thus authorized a convention to revise the Articles of Confederation. Every state except Rhode Island sent delegates—55 total. George Washington was chosen to preside over the revising process.

But some delegates, most notably James Madison, arrived at the convention with a different plan. They felt that the Articles should be replaced with a completely new constitution. Though it went against the original directive, this measure was voted upon and accepted. Hence, the sealed windows.

The delegates understood the dangers of consolidating authority within a singular government body. So they agreed to distribute federal power among three government branches: the judicial, executive, and legislative. Furthermore, the legislative branch would itself be split, sharing power between the House of

Representatives and the Senate.

However, extreme contention arose over congressional seats. Some delegates wanted each state to have the same number of seats, ensuring each state would have equal representation. Others wanted to base the number of seats per state on that state's population, ensuring more accurate representation of the country's people. This issue threatened to create gridlock, but eventually, the delegates worked it out with the Connecticut Compromise, which established equal representation in the Senate and proportional representation in the House.

But now another issue arose: southern delegates recognized that the new government could threaten their "peculiar institution"—slavery. To ensure a House majority, they pushed to include enslaved people in their population counts. Northern delegates rejected this. Ultimately, the Three-Fifths Compromise was reached: enslaver states would include three-fifths of their enslaved population in their total population counts. As a further concession, it was agreed that the United States would not outlaw the "importation" of "persons" until at least 1808. The Framers intentionally excluded the words "slaves" and "slavery" from the Constitution.

A third debate concerned the office of the executive. Some delegates felt that the executive branch would be most stable if it were led by one individual. Others, wary of king-like tyranny, preferred a council. In the final days of the Convention, an agreement was finally reached: a president would lead the executive branch.

On September 17th, 39 delegates signed the US Constitution, and the Convention ended at last. But the Constitution's path was just beginning. The Framers knew the document was far from perfect. They also knew that life would change in ways they couldn't imagine. Article V sets forth the procedure for amending the Constitution, making it a living document. In fact, the first 10 amendments—known as the Bill of Rights—were added before the Constitution was even ratified.

Despite the bitter debates—and the heat—the Convention delegates succeeded. Many consider the Constitution an extraordinary achievement, perhaps even a miraculous one. As delegate Benjamin Franklin put it, "When you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views....It therefore astonishes me...to find this system approaching so near to perfection as it

does.”