GRADE 6 LOUISIANA SOCIAL STUDIES

Founding a New Nation

Second Continental Congress

Reader

Elizabeth Freeman

Northwest Territory

Constitutional Convention

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Founding a New Nation

Reader

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Founding a New Nation

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Chapter 1
Early Challenges and the Articles of Confederation

The Framing Question

What were the strengths and weaknesses of the Articles of Confederation?

Constitutions for the States One year after the Second Continental Congress declared independence, all but one of the thirteen new American states had a written constitution. Each of these state documents had **provisions** protecting individual freedoms. By putting their constitutions in writing, each state created a contract between its people and its government. This was the way in which the people—"the governed"—gave their consent. It was as if the people were saying, "These are the things we agree that the government may do. And these are the things it may not do." That is the idea of limited government.

Vocabulary

provision, n. an item in a legal document that states a condition or requirement

The Second Continental Congress met in Philadelphia in May 1775, just weeks after the Battles of Lexington and Concord and the start of the American Revolution.

It was quite easy for the writers of the state constitutions to list what the new state governments could not do. The British king and Parliament had practically written the list for them. The state governments could not search a person's home without good reason. They could not put a person in jail without a good reason. And they could not keep a person in jail without a trial. They most certainly could not take away a person's right to trial by jury. Finally, they could not stop people from **assembling** peaceably, and they could not take away the people's right to ask or even to demand that their government do something they wanted done.

Vocabulary

assemble, v. to gather together

Do all these protections sound familiar? They should! They are the "rights of Englishmen" that colonists were fighting a war over at the time. These rights had developed in England over many years. A major step in the development of these rights was the creation of a document in 1215 CE called the Magna Carta, which limited the power of the monarch. Later documents and laws were built on the idea of limited government. State constitutions followed these examples and added new rights protected by law. One such right was freedom of speech. That meant that people in those states were free to speak their mind and criticize the government without fear of being arrested. To give you an idea of how revolutionary an idea that was, there was no other country in the world at that time in which the right of free speech was guaranteed.

Another key right these state constitutions protected was freedom of religion. Nearly every state passed a law to protect religious freedom. The most famous of these laws was Virginia's Statute for Religious Freedom, written by Thomas Jefferson. The statute said that the state government could not interfere in any way with the religious beliefs of its citizens. As Jefferson said, "It does me no injury for my neighbor to say there are twenty gods or no god. It neither picks my pocket, nor breaks my leg." Jefferson's idea was that because it does no one any injury, the state should not concern itself with a person's

religious beliefs. Today, we call this idea the separation of church and state. It means that the government—the state—has no power to establish an official state religion. A related basic right is called freedom of **conscience**. This means that the government cannot tell people what religion they should belong to or what they should believe.

Vocabulary

conscience, n. a sense or belief a person has that a certain action is right or wrong

Elizabeth Freeman and the Freedom Trials

Elizabeth Freeman was an enslaved woman born in New York during the early 1740s. As a young girl, Elizabeth, called Mum Bett, was sent to live with and work for the Ashley family in Massachusetts. John Ashley was active in the American Revolution, and Elizabeth overheard many discussions about natural rights and equality during this time.

In 1780, Massachusetts adopted its constitution. It included a line that would forever change Elizabeth's life: "All men are born free and equal." Elizabeth hired an attorney, a man named Theodore Sedgwick, to represent her. Along with a man named Brom, Elizabeth sued the state for her freedom on the grounds that the constitution declared her both free and equal from birth. The court ruled in Elizabeth's favor. Two more freedom trials were brought before the Massachusetts Supreme Judicial Court, leading it to rule that slavery went against the state's constitution.

Elizabeth Freeman successfully sued for her freedom in Massachusetts, helping abolish the institution of slavery in the state.

In the process of building and confirming state constitutions, many Americans realized that the enslavement of people went against their belief that all humans were equal and had unalienable rights. They were convinced by the arguments of **abolitionists**, or people who wanted to end slavery. As a result, five northern states passed laws to abolish slavery. While Massachusetts's supreme court abolished slavery outright, it is important to note that not all of these states outlawed slavery overnight. Pennsylvania's Gradual Abolition Act of 1780 phased out the institution over a period of years. Connecticut, Rhode Island, New York, and New Jersey passed similar laws. Over time, other states would gradually free their enslaved people. But no southern state was willing to do so, and the consequences of that would play out later in a monumental way.

Vocabulary

abolitionist, n. a person who worked to end slavery during the 1700s and 1800s

It was one thing for states to write their own constitutions. It was a much greater challenge for delegates from around the country to come together and write a national constitution.

Figuring Out How to Govern a Nation

The delegates attending the Second Continental Congress in Philadelphia were also overseeing a war. Nevertheless, they had taken on the task of exploring ideas for, and trying to agree on, a government for the entire United States of America. Most members of the Congress agreed that a central government—a government for the whole—would be needed. Every time they began to consider what kind of government, though, they ran into a problem.

The delegates feared a central government with too much power. They couldn't be blamed for this fear! Their experiences with Parliament and monarchs and their unfair rules and policies had shown them that a very powerful government could **infringe** on individual rights and liberties. The delegates believed

Vocabulary

infringe, v. to intrude on someone's rights or possessions

strongly in the concepts of self-rule and government by consent. Therefore, they could not in good conscience create a government that would not embrace either of these principles.

The Articles of Confederation

In 1777, well before the American Revolution was over, the Continental Congress voted to approve a plan for a new central government. The plan was called the Articles of Confederation, and it was sent to the states for approval. A confederation is a loose association of states bound together by a weak centralized government. After being debated in each state, the Articles of Confederation finally went into effect four years later, in 1781.

The Articles of Confederation were very different from the constitutions the states had adopted for themselves. Like the state constitutions, the Articles created a lawmaking body, called Congress. But that's where the similarities ended. The people didn't elect members of Congress the way they elected representatives to their state legislatures. Instead, members of Congress were appointed by the states. In fact, the people of the United States had no direct connection with this new central government at all. Under the Articles of Confederation, the new government didn't represent the people; it represented the states, and the states had their own political independence.

There was another important difference between the Articles of Confederation and the state constitutions. State constitutions gave their legislatures power to do a great many things. The Articles, however, gave Congress power to do very few things. Congress could declare war and make peace. It could make treaties and alliances with other nations. Congress could settle arguments between the states about their boundaries—about where one state's land ended and another's began. It could borrow money, set up a postal service, and create a currency, or money system. That was about it. To make things even more challenging, Congress could not pass a law without the approval of nine out of thirteen states. Further, if Congress did pass a law, it would have no ability to enforce it.

The Articles of Confederation	
Powers of the States	**Powers of Congress**
• Enforce state laws • Regulate trade • Impose taxes • Issue justice	• Declare and wage war • Negotiate treaties • Ask the states for money and soldiers for the army and navy • Borrow and mint money • Resolve differences between the states • Oversee relations with Native Americans

The Articles of Confederation left the states with important powers, while Congress's powers were limited.

To make sure the Congress didn't try to do more than it was supposed to, the Articles of Confederation added this: unless the Articles *specifically* gave a power to the new Congress, Congress did not have it.

Too Little Power

New American leaders soon learned that a central government with too little power wasn't a good thing either. During the American Revolution, the Continental Congress had borrowed from other countries and from individual Americans to buy supplies and pay the American army. When the war finally ended, it was time to start paying the money back. But the Articles of Confederation did not give the central government the power to collect taxes. Instead, Congress relied on voluntary **compliance** from the states to collect the revenue it needed to pay the war debts it had accumulated.

Vocabulary

compliance, n. the act of doing what is expected or what is ordered by law

amend, v. to change or add to a law or document

This plan was ineffective. For every hundred dollars Congress asked for, the states contributed just five dollars, and few debts could be paid off that way. Even when it became clear that the central government had to have at least some power to raise money, there was not much that could be done about it. This is because of another weakness of the Articles of Confederation: to **amend**, or change, them, all thirteen states had to give their agreement.

Twice, those who favored giving the government a way to raise money tried to amend the Articles to allow Congress to tax. Each time, twelve states said yes, but one state refused. The amendment failed.

While the Articles of Confederation gave Congress the power to declare war, Congress had no power to raise an army. It could ask each state to contribute its fair share of soldiers, but again, it was up to each state to decide whether it would do so. This was a big problem when, in 1786, Massachusetts farmers staged an armed revolt against what they considered to be unfair taxes and harsh economic conditions. Many of the farmers had fought in the Revolutionary War. They were now struggling financially, and some of the new taxes imposed on them were higher than they had been under British control. Many had weapons and military experience, and they organized into armed bands. Daniel Shays, one of the leaders of the armed revolt and the one for whom the rebellion is named, participated in an unsuccessful attempt

Shays's Rebellion was an armed revolt against unfair taxes and harsh economic conditions.

to attack a federal armory in Springfield, Massachusetts. The governor of Massachusetts had to organize a military group to stop the rebels. After Shays's attack on the armory was defeated in January 1787, his band was pursued by the Massachusetts militia. Defeated again in February 1787, the rebels fled to Vermont. Shays's Rebellion showed one of the problems with having a weak national government: without an armed force, uprisings and riots could keep occurring, threatening the nation's stability.

There were other problems, too. The government of the United States of America had no one at its head. After their experience with a king, Americans decided against giving power to any single person. Each year, Congress elected one of its members to be president of the Congress, but that was not the same thing as being the head of the whole government. With such a weak central government, states often did whatever they wanted, even though they were not supposed to. For example, the Articles of Confederation said that only Congress had the right to raise a navy. But nine states went ahead and raised navies of their own. This brought up the prospect of states fighting one another or failing to send their forces to the nation's defense. And Congress lacked the authority to regulate commerce, making it difficult to regulate trade. The central government seemed so unimportant that state legislatures took their time electing delegates to Congress. So while Americans had been understandably afraid of creating a central government with too much power, after six years

Another Revolt

Another uprising occurred on a hot summer's day in 1783, when men carrying muskets went to the Philadelphia State House, where Congress was meeting, and threatened to hold everyone there captive until they received money owed to them for fighting in the Revolutionary War. The Congress was forced to relocate when they were refused the help of Pennsylvania militia. This incident, known as the Philadelphia Mutiny, once again demonstrated the shortcomings of the national government.

under the Articles of Confederation, it seemed clear they had created one with too little power. The issues of who would control and pay for a military and how taxes would be raised needed to be resolved.

The Northwest Ordinances

Despite the weak national government that existed under the Articles of Confederation, in 1787, Congress passed one of the most important laws in American history: the Northwest Ordinances. At that time, the United States had claimed a huge triangle of land in the northwest. It was bordered by the Ohio River, the Mississippi River, and the Great Lakes. Right after the United States gained its independence, settlers began to pour into this territory.

In those days, the usual thing for a country to do was to turn such an area into colonies for its own benefit. That is what Great Britain, France, Spain, the Netherlands, Portugal, and other European countries did. It is not what the United States did, though.

The Northwest Territory in 1789

Five states were created from the Northwest Territory: Ohio (1803), Indiana (1816), Illinois (1818), Michigan (1837), and Wisconsin (1848).

First, Congress guaranteed white settlers of this vast territory the same rights that white people in the thirteen states had, including trial by jury and freedom of religion. Then, Congress divided the Northwest Territory into smaller units. Townships six miles (9.7 km) square were subdivided into thirty-six sections that were one mile (1.6 km) square, or 640 acres (about 256 hectares). Each township was required to provide one section for public schools. A group of townships could apply to become a territory when five thousand eligible voters—at the time, landowning white men—had settled there. A territory could apply to become a state when its population reached

Arthur St. Clair, a general during the Revolution, was appointed the first governor of the Northwest Territory.

sixty thousand. New states in the Northwest Territory would be equal to all other states in the Union. The Northwest Ordinances served as blueprints to create nearly all the other states in today's United States.

There was one more very important part of the Northwest Ordinances. Earlier, you read that five northern states had taken steps to end slavery. People in other states, too, were coming to admit that slavery was unacceptable. Congress could not do anything about slavery in the states where it already existed. But the Northwest Ordinances prohibited slavery anywhere in the Northwest Territory.

Even passing laws as significant as the Northwest Ordinances did not change the fact that the Articles of Confederation were not working very well. A growing number of people began to feel that Congress needed more power, more authority, to be effective. This would mean at least overhauling the Articles of Confederation or even replacing them and forming an entirely new government.

From the American Revolution to the Constitution

PRIMARY SOURCE: FROM THE ARTICLES OF CONFEDERATION (1777)

Article II. Each state keeps its sovereignty, freedom, and independence. Each state also keeps every power and right that is not by this confederation expressly given to the United States. . . .

Article IV. . . . The people of each state shall be free to travel to and from any other state. They shall be able to trade and conduct business and shall be subject to the taxes and laws of the state in which the trade or business occurs. . . .

Article V. For the easier management of the general interests of the United States, delegates shall be annually appointed by state legislatures to meet in Congress. . . .

Article VIII. All charges of war, and all other expenses for the common defense or general welfare, shall be paid out of a common treasury. The treasury will be supplied by the several states. . . .

Article IX. . . . Congress shall never engage in war, enter into any treaties or alliances, coin money, borrow money, raise taxes, decide on the number of vessels of war to be built or purchased, decide on the number of land or sea forces to be trained, or appoint a commander in chief of the army or navy unless nine states agree. . . .

Article XIII. . . . No change can be made to these articles unless the change is agreed to in a Congress of the United States and approved by the legislatures of every state.

Source: Adapted from Articles of Confederation; 3/1/1781; Miscellaneous Papers of the Continental Congress, 1774–1789; Records of the Continental and Confederation Congresses and the Constitutional Convention, Record Group 360; National Archives Building, Washington, D.C.

PRIMARY SOURCE: FROM THE VIRGINIA STATUTE FOR RELIGIOUS FREEDOM (1786)

People in Virginia lacked religious freedom under British colonial rule. Protestants, especially Baptists and Presbyterians, were eager to see their rights protected after the United States became an independent country. Authored by Thomas Jefferson and adopted by the Virginia legislature in 1786, the Virginia Statute for Religious Freedom was opposed by some who feared that the Anglican Church would struggle if disestablished and thereby denied support from taxes.

Be it enacted by General Assembly that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, . . . or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief, but that all men shall be free to profess, and by argument to maintain, their opinions in matters of Religion, and that the same shall in no wise diminish, enlarge or affect their civil capacities. And though we well know that this Assembly elected by the people for the ordinary purposes of Legislation only, have no power to restrain the acts of succeeding Assemblies constituted with powers equal to our own, and that therefore to declare this act irrevocable would be of no effect in law; yet we are free to declare, and do declare that the rights hereby asserted, are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present or to narrow its operation, such act will be an infringement of natural right.

Source: "Act for Establishing Religious Freedom, January 16, 1786," *Document Bank of Virginia*.

Chapter 2
The Constitutional Convention

To Amend or Replace? Once again, delegates met in Philadelphia. They entered the State House and gathered in the east chamber, the very same room in which the Declaration of Independence had been signed. They were there to discuss the Articles of Confederation and how best to move forward and strengthen Congress.

The Framing Question

Why is the Constitution considered a document of compromises?

Despite its flaws, several delegates wanted to keep the Articles of Confederation. They thought that an amendment here or there would be enough to solve any problems. But others, including James Madison, disagreed. Madison had spent most of his life studying government and politics. When he was still in his twenties, he helped write the new Virginia constitution. Now in his mid-thirties, Madison served as one of Virginia's delegates to Congress. There, he witnessed firsthand the problems of the struggling young nation. Madison determined that no amount of fixing could make the Articles of Confederation work well. There was only one thing to do: scrap the Articles and start over.

From May 25 to September 16, 1787, fifty-five landowning men—no women were invited—in America convened in Philadelphia to draft a new plan of government.

Alexander Hamilton

Alexander Hamilton agreed with James Madison. Alexander Hamilton was born on the island of Nevis, in the British West Indies. When he was eight years old, he and his family moved to St. Croix, another British-controlled island. Within a short time, his father left and his mother died. Then, the guardians in charge of Alexander and his brother James died too, making the boys orphans. Alexander was a talented writer. At the age of fifteen, he published a letter in a newspaper. Recognizing his talent, some wealthy island plantation owners decided to sponsor Alexander to attend King's College in New York. Alexander was a strong supporter of the Patriot cause and joined General Washington's army soon after the fighting started. He quickly became one of Washington's closest aides. Later, as one of New York's delegates to Congress, he, too, saw how weak the new government was under the Articles of Confederation.

Like Madison and Hamilton, George Washington felt that the central government had to have more power. In 1787, he wrote to a friend, "To be fearful of giving Congress . . . [enough] authority for national purposes appears to me . . . madness. What then is to be done? Things cannot go on [this way] forever." Washington feared that people would become so frustrated with the government that they might even start believing the country would be better off with a monarch.

James Madison, Alexander Hamilton, and George Washington (left to right) all agreed that the Articles did not give the national government enough power.

Invitations to the convention had been sent out just as news was spreading about Shays's Rebellion in Massachusetts. That news helped convince the states that the convention was necessary. The purpose of this convention, Congress said, was to recommend changes for improving the Articles of Confederation. But for Hamilton and Madison, the real purpose of the convention was not to improve but to replace the Articles with an entirely new constitution. Indeed, James Madison would become known as the Father of the Constitution.

Madison's Ideas

For some time, Madison had pondered what the new constitution should look like. He had pored over books on the history of ancient Greece and Rome. He had studied the writings of important thinkers on government and politics, and he was particularly influenced by Baron de Montesquieu's ideas regarding the separation of powers. In all that time, Madison wondered: How do you create a government with enough power to act but not so much power that it threatens the people's liberties? He had already determined that a central government had to be able to raise its own money and enlist its own soldiers. It should not have to *ask* the states to contribute. This was the great weakness of the Articles of Confederation.

Even before the convention began, newspapers across the country printed stories about the "Grand Convention of the States." Today, we know it as the Constitutional Convention. Readers of those newspapers fully understood that whatever happened in Philadelphia—or didn't happen, if the delegates could not agree—would have a great effect on the future of the country.

And not just their own country. One newspaper said, "The Grand Convention of the States will settle forever the fate of republican government."

The Constitutional Convention

The delegates made two important decisions at the start. First, they chose George Washington to chair the convention. He would once again prove to

be the leader of the moment. He enabled the various points of view to be heard, and he encouraged cooperation. Second, they promised to keep all discussions secret.

Though the meetings were held in secret, several delegates, especially James Madison, took careful notes throughout. We have those delegates to thank for everything we know about what went on there. Using his own system of abbreviations and symbols, Madison wrote down in a private journal nearly everything that occurred in the secret meetings.

The Virginia Plan

Disagreements quickly arose between delegates representing large states such as Virginia and smaller states such as New Jersey. Edmund Randolph led the Virginia delegation in his role as governor. It was his job to present the ideas that Madison and the others had been working on, known as the Virginia Plan, or the large state plan. Some important parts of the plan included the idea that a strong central government must be able to deal directly with the people, instead of depending on the kindness of the state governments. In certain areas, it must have supreme powers over the states.

Many delegates were uncomfortable with this proposal. They thought the purpose of the convention was to revise the Articles of Confederation, not replace them. Yet, in the convention's very first week, this appeared to be precisely what the Virginia delegation was proposing. Delegates were also very uncomfortable with the idea of a strong central government. To say that a central government would have power over the states unnerved many. Wasn't this precisely what the American Revolution had been about?

Virginia Plan	New Jersey Plan
• Bicameral legislature (two houses) • Representation based on a state's population • Representatives in one of the houses directly elected by the citizens of each state • National government with three branches	• Unicameral legislature (one house) • Equal representation for each state • Representatives selected by members of the state legislatures of each state • National government with three branches

After much debate, New Jersey delegate William

Paterson put forth an alternate plan, called the New Jersey Plan or small state plan. His plan proposed amending the Articles instead of replacing them. Edmund Randolph disagreed. Amending the Articles would not fix the long-term problems. The speeches and discussions continued, including persuasive arguments put forward by Alexander Hamilton and James Madison. In the end, it was agreed that the delegates would draft an entirely new constitution, one that would create a new, stronger central government for the United States.

State Support for the Virginia and New Jersey Plans

The population data shown in the map comes from the country's first census, conducted in 1790.

Even so, no one wanted to see an all-powerful central government with no power left for the states. What was needed was a system in which some powers were held by the national government, some were held by the states, and some were held by both. This is known as a **federal** system, and it would ideally create just the right balance of power between the national and state governments.

A Document of Compromises

And so the hard work began. If the Constitutional Convention was going to be successful, **compromise** was going to be an essential part of it. For the first month, the delegates made great progress. However, every delegate knew there were several issues certain to cause trouble. The first of these was the issue of representation in Congress.

Before that question could be resolved, the delegates had to agree on whether there would be one house of Congress or two. *House* is the word used to describe a body of legislators with a particular role. The Virginia Plan called for two houses, and the New Jersey Plan, one.

The delegates established a **bicameral system**. In a bicameral system, two chambers are responsible for making laws for a country. This differed from the unicameral, or one-chamber, system under the Articles of Confederation.

Next arose the question of how many representatives—that is, how many votes—each state would have in both houses. The New Jersey Plan proposed keeping the "one state, one vote" model, as in the Articles of Confederation.

Vocabulary

federal, adj. relating to a system of government in which the national government shares power with other levels of government, such as the states; can also refer to national government

compromise, n. an agreement reached when each side gives up some of what it wants to end a disagreement

"bicameral system" (phrase) a type of organization in which two related parts work together

The Virginia Plan proposed representation based on population—in other words, the more people a state had, the more votes it would have.

It wasn't surprising that Virginia, the largest state, favored representation based on population. Small states like Delaware and New Jersey, however, thought this would put them at a disadvantage in Congress.

Roger Sherman, a delegate from Connecticut, came forward with a solution: use both forms of representation in Congress. Representation in the House of Representatives, the lower house, would be based on population. Representation in the Senate, the upper house, would be equal for all states. To this day, Sherman's proposal is still known as the Great Compromise.

Slavery was another difficult issue facing the delegates. The question was not whether to abolish it but whether states should be allowed to count enslaved people as a part of their populations. If enslaved people were included in a state's population, then that state would have more votes in Congress. The northern states argued that enslaved workers were considered property in the South. How could property be counted as part of the population? But southern states insisted that enslaved workers should be counted.

The delegates reached what is known as the Three-Fifths Compromise. When determining the number of representatives each state would have in the House of Representatives, five enslaved workers would count as three free white persons. The Three-Fifths Compromise was largely negotiated by James Wilson, a delegate from Pennsylvania.

The Connecticut Compromise, also called the Great Compromise, blended aspects of both the Virginia Plan and the New Jersey Plan. One result was the adoption of a bicameral legislature.

There was one more compromise about slavery. Northern states wanted to end the slave trade and make **importing** enslaved people illegal. But Georgia and South Carolina threatened to walk out if the convention insisted on doing this. In the end, the two sides agreed that enslaved people could be imported for another twenty years. After that, Congress could abolish the slave trade. (Twenty years later, Congress did just that.)

Vocabulary

import, v. to bring goods into one country from another

Making these compromises on slavery was not a proud moment for the Constitutional Convention. Yet most of the delegates believed that without compromise, there would be no new constitution and no new government. Slavery would continue in the new nation, even though many were against it. The young nation would continue to grapple with the issue of slavery in the coming years.

The Abolition Movement

Around the same time as the compromise on slavery, an international movement was growing to end the practice once and for all. This was the abolition movement. In 1789, the autobiography of Olaudah Equiano (also called Gustavus Vassa) was published in England. Olaudah Equiano had been enslaved in the West Indies before purchasing his freedom in 1766. He moved to England and published his life story, revealing the horrors of the treatment he had experienced and witnessed. The book was widely read internationally and helped grow support for abolition worldwide. In 1791, a free African American mathematician, inventor, and opponent of slavery, Benjamin Banneker, wrote a letter to Thomas Jefferson asking him to take action to improve the lives of African Americans. Gradually, the movement to abolish slavery continued to build.

The Convention Completes Its Work

With major compromises in place, the convention moved steadily forward. Several important questions remained. Here are some of them, along with the answers the delegates decided upon:

- What should the term of office be for a member of Congress?

  Answer: Two years for members of the House of Representatives, six years for members of the Senate

- How many senators should each state have?

  Answer: Two

- How would representatives be elected?

  Answer: Representatives elected by the people (Madison), senators chosen by state legislators (Sherman)

- How many presidents should there be? (Yes, that's right—how many presidents at one time? For a while, the delegates considered dividing the powers of the president among three people. They feared giving all that power—again!—to just one person.)

  Answer: One president, with a term of four years

Once the outstanding questions had been answered, the convention had to decide on a way for the new Constitution to be amended. While amending a constitution should be harder than passing an ordinary law, it shouldn't be impossible. That was one of the problems of the Articles of Confederation, which required all thirteen states to agree on an amendment. The Constitutional Convention's answer was to require two-thirds of each house of Congress and three-fourths of all the states to approve an amendment before it could become a part of the Constitution.

On September 17, nearly four months after the Constitutional Convention opened, the final document was ready to be signed. All but three delegates signed it. After the Constitutional Convention approved it, the Constitution

was printed so all Americans could read it. It quickly became clear that some Americans wanted the Constitution very much and others didn't want it at all, putting the country on course for another round of debates and compromises.

A Strong Central Government

One of the main goals of those who wanted the Constitution was to create a strong central government. The discussions about the Constitution focused on the issue of how much power the federal government should have and how much should be left to the states. Under the Articles of Confederation, the states possessed and exercised more power than the national government. The Constitution shifted the balance of power, making the federal government the final authority in the United States. For example, the Commerce Compromise, which led to the Commerce Clause, gave Congress the power to regulate trade between the states and with Native Americans and foreign countries—something the national government could not do under the Articles of Confederation. Alexander Hamilton argued that this was needed to promote trade and economic growth within the United States. The Constitution explains that laws passed by the federal government have **precedence** over state laws and state constitutions. At the same time, the states may not pass laws that interfere with federal law.

Vocabulary

precedence, n. priority, or first importance

The Constitution includes other clauses that make for a strong national government. It allows the federal government to raise taxes, regulate trade, create a national military, and conduct foreign policy, among other powers. Supporters of the Constitution argued that these powers were necessary to promote trade, growth, and national security.

It had taken many months of hard work and a certain amount of compromise, but in the end, the delegates had created a unique document.

PRIMARY SOURCE: FROM BENJAMIN BANNEKER'S LETTER TO THOMAS JEFFERSON, AUGUST 19, 1791

Sir, Suffer me to recall to your mind that time in which the Arms and tyranny of the British Crown were exerted with every powerful effort in order to reduce you to a State of Servitude, look back I intreat you on the variety of dangers to which you were exposed, reflect on that time in which every human aid appeared unavailable, and in which even hope and fortitude wore the aspect of inability to the Conflict, and you cannot but be led to a Serious and grateful Sense of your miraculous and providential preservation; you cannot but acknowledge, that the present freedom and tranquility which you enjoy you have mercifully received, and that it is the peculiar blessing of Heaven.

This Sir, was a time in which you clearly saw into the injustice of a State of Slavery, and in which you had just apprehensions of the horrors of its condition, it was now Sir, that your abhorrence thereof was so excited, that you publickly held forth this true and invaluable doctrine, which is worthy to be recorded and remember'd in all Succeeding ages. "We hold these truths to be Self evident, that all men are created equal, and that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happyness."

Source: "To Thomas Jefferson from Benjamin Banneker, 19 August 1791," Founders Online, National Archives.

Original source: *The Papers of Thomas Jefferson*, vol. 22, *6 August 1791–31 December 1791*, edited by Charles T. Cullen. Princeton: Princeton University Press, 1986, pp. 49–54.

PRIMARY SOURCE: EXCERPT FROM BENJAMIN FRANKLIN'S SPEECH IN CONVENTION, SEPTEMBER 17, 1787

In September 1787, after nearly four months of compromise and debate, the Framers of the Constitution were ready to vote on the final document. Benjamin Franklin, a delegate from Pennsylvania, gave a simple but effective speech in favor of adopting the Constitution.

I doubt too whether any other Convention we can obtain, may be able to make a better Constitution. For 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. From such an assembly can a perfect production be expected? It therefore astonishes me, Sir, to find this system approaching so near to perfection as it does; and I think it will astonish our enemies, who are waiting with confidence to hear that our councils are confounded like those of the Builders of Babel; and that our States are on the point of separation, only to meet hereafter for the purpose of cutting one another's throats. Thus I consent, Sir, to this Constitution because I expect no better, and because I am not sure, that it is not the best. The opinions I have had of its errors, I sacrifice to the public good. I have never whispered a syllable of them abroad. Within these walls they were born, and here they shall die.

Source: Franklin, Benjamin. "Speech in Convention, September 17, 1787." In *The Debates in the Federal Convention of 1787 Which Framed the Constitution of the United States of America,* reported by James Madison, edited by Gaillard Hund and James Brown Scott. New York: Oxford University Press, 1920, p. 578.

Glossary

A

abolitionist, n. a person who worked to end slavery during the 1700s and 1800s (6)

amend, v. to change or add to a law or document (8)

assemble, v. to gather together (4)

B

"bicameral system" (phrase) a type of organization in which two related parts work together (22)

C

compliance, n. the act of doing what is expected or what is ordered by law (8)

compromise, n. an agreement reached when each side gives up some of what it wants to end a disagreement (22)

conscience, n. a sense or belief a person has that a certain action is right or wrong (5)

F

federal, adj. relating to a system of government in which the national government shares power with other levels of government, such as the states; can also refer to national government (22)

I

import, v. to bring goods into one country from another (24)

infringe, v. to intrude on someone's rights or possessions (6)

P

precedence, n. priority, or first importance (26)

provision, n. an item in a legal document that states a condition or requirement (2)

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