

THE CONSTITUTION THEY WROTE

Perhaps the most important gathering ever to take place on U.S. soil began on May 14, 1787. To this meeting came people like George Washington and James Madison from Virginia, Benjamin Franklin and Gouverneur Morris from Pennsylvania, Alexander Hamilton from New York, and Roger Sherman from Connecticut. The youngest delegate was Jonathan Dayton of New Jersey (26), and the oldest was Benjamin Franklin (81). The average age was 43. The 55 delegates attending were from 12 states. Rhode Island's legislature, still controlled by debtor farmers, was the lone holdout.

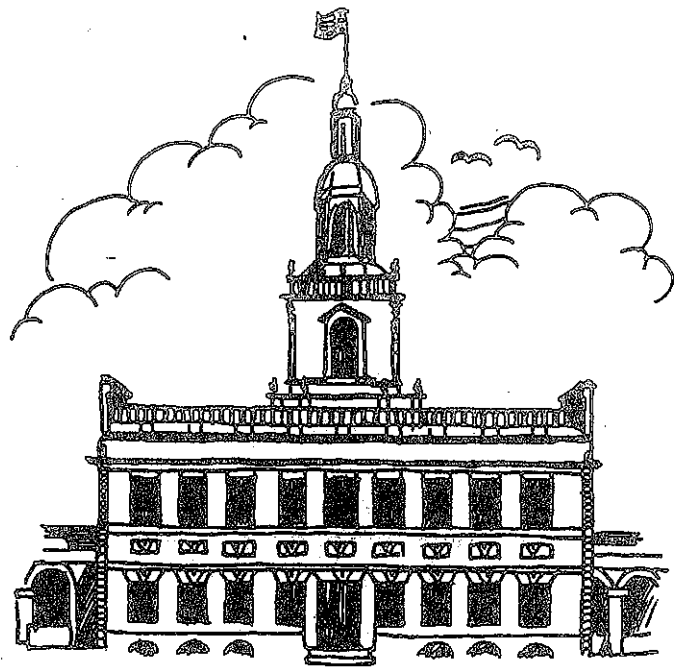
The east room of the State House where they met looked imposing, but there were problems. It was summer; if they left the windows open, the noise from the cobblestone street and swarms of flies made concentrating impossible. They closed the windows and endured the heat. It was two weeks after the scheduled beginning before there was a quorum of seven states. The slow beginning gave delegates a chance to get acquainted and share ideas. Washington found that all realized the importance of doing something soon or "anarchy and confusion will ensue."

Washington gave a brief speech to the delegates in which he told them to work for the best document they could write. "Let us raise a standard to which the wise and honest can repair. The event is in the hands of God." While they waited, the Virginians met and drew up a plan for government calling for separation of powers and checks and balances.

The choice of Washington to be the presiding officer meant he could not speak, but his influence was strong on delegates. Many delegates knew him well; they had eaten at his table or perhaps had a long talk with him some time in the past. Washington's eagerness to accomplish great things was contagious. His face clearly showed his boredom, pleasure, or anger, and delegates studied his face during the sessions. Long-winded speakers or endless debates met an icy glare that told them it was time to stop talking; a good compromise was greeted with a smile.

The first rule they made was secrecy; not even wives were to know what went on in the Convention. The members kept their word, although there were a few minor slips. Early in the Convention, a delegate found a copy of the Virginia Plan in the lobby and gave it to Washington. He waited until the day's business was over, then held the page up, and after warning the members to be more careful, slammed it down on a desk. No one was that careless again. Benjamin Franklin's outgoing ways required that when he went out to eat, other delegates went with him. If he began discussing the Convention, they took him home.

James Madison became known as the "father of the Constitution." During the



Delegates to the Constitutional Convention met in the Pennsylvania State House in Philadelphia.

Convention, he kept detailed records of the debates, which the official secretary of the Convention did not do. Madison sat with his back to Washington, so it was obvious what he was doing. Because of Madison's work, we have a better idea of what went on during the sessions.

VIRGINIA PLAN. Governor Edmund Randolph of Virginia took the floor on May 29 and proposed 15 resolutions. It was obvious that revision of the Articles was not on his mind. The basic provisions were: (1) a two-house legislature with the upper house chosen by the lower, (2) a "national executive" elected by the legislature, (3) a national court structure with judges chosen by the legislature. The small states were suspicious and countered with their own **NEW JERSEY PLAN.** Proposed by William Paterson, it is also known as the "small state" plan. It continued the Articles of Confederation, but would: (1) give Congress power to impose taxes and regulate trade, (2) create an "executive," a committee elected by Congress, and (3) have a Supreme Court appointed by the executive.

MAJOR DECISIONS. Two-house legislature. The first major sticking point was to decide how many delegates to Congress there would be. The big states wanted representation based on population; the small states wanted equality. Roger Sherman proposed what became known as the "Great Compromise," a two-house legislature. The Senate was to have an equal number of members from each state; the House was to be based on population. It was later decided that House members were to serve two-year terms, and Senators were to serve six-year terms. The executive branch was to be headed by a president with the power to appoint (subject to Senate approval) and to be commander in chief (the rules for the military and money allotted to be set by Congress). Treaties made by the president had to be approved by a two-thirds Senate vote before going into effect. The president was to be selected by an Electoral College. The judicial branch was to consist of a Supreme Court and inferior courts established by Congress. The President was to choose judges (subject to Senate approval), and they were to serve for life or during good behavior. The three independent branches worked on the idea of checks and balances.

The **POWERS OF THE NATIONAL GOVERNMENT** were listed in Article I, Section 8. The delegates wanted to make sure this government did not take away the rights of the states or the people. Many of the items listed have been expanded far beyond what the writers expected. The system developed was a federal system, with certain powers given to Congress and others reserved to the states. Some issues were not mentioned and became problems for the nation to wrestle with in the future.

Still, they had done well. By September, they were ready to pack their bags and head for home. In many ways, the fight ahead was to be harder because now they had to sell their product to conventions in the states.

Activity

Hold a mock Constitutional Convention with "delegates" deciding how the president should be chosen. Remind students of the differences between large and small states on this subject.